UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE *103d* CONGRESS

FIRST SESSION

VOLUME 139—PART 17

OCTOBER 7, 1993 TO OCTOBER 19, 1993

(PAGES 23879 TO 25421)

GENERAL SERVICES ADMINISTRATION
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United States
of America PROCEEDINGS AND DEBATES OF THE 103d CONGRESS, FIRST SESSION

SENATE—*Thursday, October 7, 1993*

(Legislative day of Monday, September 27, 1993)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Honorable DANIEL K. AKAKA, a Senator from the State of Hawaii.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Except the Lord build the house, they labour in vain that build it: except the Lord keep the city, the watchman waketh but in vain.—Psalm 127:1.

Eternal God, Lord of Heaven and Earth, we live in the most beautiful city in the world. Yet it has become the murder capital of the Nation. It is the most powerful city in the world. Yet it seems powerless to control the crime and the violence, the broken homes, and the abuse of children. Obviously, human effort, at its best, has its limitations.

Make real to us the wisdom of the Psalm, "* * * except the Lord keep the city, the watchman waketh but in vain." Give us grace to learn dependence upon Thee, to take prayer as seriously as legislation, to live in the light of a transcendent reality which, when taken seriously, enables human nature to fulfill its destiny.

In the name of the Lord we pray and for His glory. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 7, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DANIEL K. AKAKA, a Senator from the State of Hawaii, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. AKAKA thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

DEPARTMENT OF JUSTICE

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate resumed the consideration of the nomination.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now go into executive session and resume the consideration of the nomination of Walter Dellinger, of North Carolina, to be an Assistant Attorney General, which the clerk will report.

The assistant legislative clerk read the nomination of Walter Dellinger, of North Carolina, to be an Assistant Attorney General.

The ACTING PRESIDENT pro tempore. Who seeks recognition?

The Senator from North Carolina is recognized.

Mr. FAIRCLOTH. Mr. President, I find it ironic that the nomination of Walter Dellinger is on the floor of the Senate at this time. It is ironic because Americans woke up this week and turned on their television to the sight of bodies of American soldiers being dragged through the streets of Mogadishu. This morning they woke up to the news that yet another American was killed last night in a mortar attack. They woke up wondering why in the world this country was involved in a civil war in an area of the world where we have no vital interests. They did not wake up wondering about the status of Walter Dellinger's nomination.

For those who simultaneously hope that the disaster in Somalia will take Senators' minds off of the seriousness of the Dellinger nomination and take the public's mind off of the administration's bankrupt policy or lack thereof in Somalia, I say shame on you.

Mr. President, George Bush sent troops to Somalia initially for one purpose and one purpose only, to feed the people that were starving there, those people that we saw night after night on our television screens, thousands of them, that were starving. That has been done. The job was finished. The rains came. Somalia is now actually an exporting nation of food products.

But Bill Clinton, in his wisdom or lack thereof, changed what President Bush did, and now Americans are dying, dying at the very hands of the people we saved from starvation. We completely reversed our policy there from feeding the starving to correcting their form of government. That is not what we went for, and that is not our business.

Bill Clinton has put American troops and American foreign policy under the command of Third World leaders. American soldiers, who swore allegiance to the United States of America, are now being killed under the U.N. flag. That is not what the American people believe when they take the oath to join the military, that they are going to be commanded by military leaders of Third World nations.

I might add that this is not a partisan issue. It cuts across party lines. A no less constitutional authority than Senator ROBERT BYRD, of West Virginia, has called for our withdrawal from Somalia. Senator BYRD last night on the floor called for our withdrawal. Yesterday in our office a thousand people called the office to ask that we withdraw from Somalia. There is not

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

anybody that wants us there but the administration.

If Bill Clinton had listened to Senator BYRD almost a month ago, we would not have the blood of dead Americans on our hands that has occurred since Senator BYRD first called for a withdrawal.

Mr. President, Bill Clinton seems eager to send American troops around the world under any command, under the command of the United Nations, to fix what appears to be standing and insolvable problems.

Now, we have tried this all over the world from Asia to South America to fix problems with other nations. We have spent billions and billions of dollars. We have killed thousands and thousands of American troops, and we have not solved problem one yet.

He has already announced that he wants to send troops to Haiti. In fact, he is sending them to Haiti under the U.N. command. Now, if ever there was a country with a history of nongovernment or dictatorial government, it is Haiti. From Francois Duvalier to the current time, the country has been chaotic as far as government is concerned. But now we are sending 600 American troops there to attempt to right a wrong, and we are not even sure where the wrong is.

He is talking about sending troops to Bosnia. I do not know what course of action this Senate would take on sending troops to Bosnia, but I know what I would take. I would be 100 percent against it.

What does it say about our Commander in Chief, Bill Clinton?

Mr. President, in this century, many historians have come to refer to this as the American century. The United States has led the free world. The great military leaders in this American century have always insisted on having a clear military objective before committing our troops. That has been the history of this Nation—that we did not blatantly and cavalierly send troops into foreign countries without two things, two primary criteria: One, we had a clearly defined objective; and, the next, we went in with the ability to bring an overwhelming force to bear on the enemy. In Somalia, we have done neither.

Bill Clinton has no clear military objective. And we learned yesterday morning that he has given the troops there so little reinforcement that it took 9 hours—9 hours—for the downed Americans to get help, and we still left hostages behind.

To make matters worse, he is not taking responsibility for this. Even after this disaster, he is still leaving American boys under the command of the United Nations. It is ironic that President Clinton, who tried so hard to dodge the draft and succeeded in avoiding military service, is now perfectly prepared to send young men and women to do the fighting and dying that he, himself, was afraid to do.

Mr. President, I find it ironic that the nomination of Walter Dellinger has been brought to the floor at this time for a second reason.

It was reported today that Secretary Les Aspin denied the request last month of Gen. Thomas Montgomery, the senior United States commander in Somalia, for a battalion of armed troops to protect the light infantry already there. There seems little doubt that, had he supported the decision of the field commander, there would have been fewer or no casualties last weekend.

If the administration's policy in Somalia were defensible, then the administration could easily defend sending the equipment and manpower necessary to execute that policy. The truth, Mr. President, is we do not have a policy in Somalia. We are just out there, and we have troops out there, and we have pretty much abandoned them without the backups and the equipment to do the job that they have been assigned to by a President who has not supported them.

Therefore, I have to conclude that Mr. Aspin is either unable to defend the administration's policy or that Mr. Aspin places his judgment above that of the commander in the field.

Mr. President, I have no doubt that many others will be engaging Les Aspin directly in a discussion about the efficiency of his Somalia operation. My concern is that Mr. Aspin has chosen to place his judgment above that of the field commanders. Certainly those people in Somalia, the field commanders, have a better feel of what we need to be doing and what we should have been doing than Secretary Aspin does here.

Given Mr. Aspin's role as one of the architects of this country's Vietnam strategy in Robert McNamara's Defense Department, I cannot help but be disturbed by the fact that he appears to have discarded the lessons of that attempt to micromanage a war zone from Washington.

As the video accounts of Somalia—literally dancing on the bodies of slain Americans—testified, attempts to substitute the judgment of politicians who have never served in uniform for that of the military commanders in the field has proven a disaster in times gone by and it will also prove to be disastrous in the future. Unless and until United States forces are withdrawn from Somalian war zones, those forces deserve to have every advantage the military men on the ground believe to be necessary.

Mr. President, the American people will not tolerate the likes of Bill Clinton, Les Aspin, and Walter Dellinger substituting their strange brand of logic to the common sense and principles of the American people that made this Nation great.

Until Bill Clinton comes clean with the American people and with the brave men and women of the military that he has said that he loathes, the ill-timed and ill-advised nomination of Walter Dellinger should be set aside.

Mr. President, now I wish to speak directly to the nomination of Walter Dellinger. Walter Dellinger has been nominated by the President to be Assistant Attorney General for the Office of Legal Counsel at the Department of Justice. But before we can get to the President's nomination of Dellinger to the Assistant Attorney General position, we have to deal with another appointment of Mr. Dellinger, and that appointment of Mr. Dellinger by the President and the Attorney General.

Mr. Dellinger has already been appointed on an acting basis to fill the job he is waiting for confirmation on. While such an appointment may sound a little strange, the reason for this appointment is more than strange. It is more than dangerous to the Constitution of the United States.

This is the answer we got for why the appointment was made. The Department of Justice says that the President and Attorney General made this appointment, and I quote them, was because "We were tired of waiting for the Senate to confirm Mr. Dellinger, so we went ahead and appointed him."

Now this is some bureaucrat in the Justice Department saying this. "We were tired of waiting for the Senate." We were tired of waiting for the Senate to confirm Mr. Dellinger, so, in our all-powerful authority as hired bureaucrats, we went ahead and appointed him.

This is an intentional, outrageous, arrogance of attitude for any administration to adopt with regard to the constitutional responsibilities of the U.S. Senate. It is the epitome of arrogance, of lack of regard for the 100 elected people in this body.

Mr. President, as a newcomer to this body, I believe I have a far-beyond-the-beltway attitude toward our most sacred and fundamental governmental institutions. The Senate, as one of the foremost of these institutions, has always been respected throughout this great country because of the tremendously important constitutional responsibilities which the body bears. One of the most important of these is the Senate's responsibility to confirm the President's nominees to various senior executive branch positions. I would, therefore, like to take this opportunity to read a legal analysis which deals with the appointment of Walter Dellinger to be an Acting Assistant Attorney General at the Department of Justice. I want to note, however, that the Department of Justice made this appointment without any previous consultation or announcement, and has been unwilling to release the documents which were prepared in connection with this appointment.

The appointment was made on August 11. Twenty-eight Senators have now joined the two Senators from North Carolina—incidentally, the State from which Walter Dellinger comes—in signing a Freedom of Information Act request to the Attorney General seeking the documents on the appointment, explaining why they found the arrogance to appoint the man without Senate confirmation, the feistiness of making the appointment without the approval of the Senate, and of saying the Senate was too slow.

In signing a Freedom of Information Act request to the Attorney General to seek these documents this body should and will take seriously any disregard of its constitutional duty by the administration. The Senate will be kept informed of the status of this request to the Attorney General.

I would like to read the legal analysis I mentioned. On August 11, 1993, Walter Dellinger was appointed without notification as Acting Assistant Attorney General, Office of Legal Counsel, by Attorney General Janet Reno. The Justice Department made no public announcement of his appointment, and certainly for understandable reasons they did not make the announcement—but the obvious one being he was awaiting confirmation by the U.S. Senate. So they simply, in their own words, did not have time to wait.

When asked to state the reason for the Attorney General's action, it is back to this same statement, "We were tired of waiting, so we went ahead with the appointment."

Attorney General Reno's action appointing Mr. Dellinger to this position prior to his confirmation may be more than unprecedented. It may also fall short of being unconstitutional by only the slimmest of legal technicality.

According to the U.S. Constitution, article II, section 2, clause 2, the Senate is required to provide its advice and consent for certain Presidential appointments. Senior Justice Department positions, such as Assistant Attorney General, have been included in this category by statute. This clearly was meant by the Framers of the Constitution as a check on the otherwise unrestrained political power of the President to appoint important executive officials, and to give the Senate of the United States and the Congress an opportunity to take a second look at them.

Traditionally, no executive branch efforts to curtail this legislative branch function have been honored. Never has the Senate's role been intentionally ignored. This appears to be, and is exactly what has happened in the case of Walter Dellinger.

The statutory provision which governs the appointment of senior executive officials to acting capacity, when the most senior executive position in a particular office becomes vacant, such as commonly occurs in a change of administration, is the Vacancy Act. Under the Vacancy Act, an official may be appointed to serve as head of an office, such as Department of Justice, Office of Legal Counsel.

The first manner in the Vacancy Act under which Mr. Dellinger could have been appointed is if he had been serving as the first assistant of the Office of Legal Counsel when a vacancy occurs in the position, that is the position of Assistant Attorney General, Office of the Legal Counsel. This is not the case with Mr. Dellinger. He was not an employee. He was not in the Justice Department. To be detailed to another position, he had to first be hired, and he had never been hired, confirmed, or anything. He simply was hired as acting. He had been a consultant but that is not being hired. That simply means he was technically not even an employee of the Department, but rather an independent contractor doing jobs, or duties on a per diem basis. He, therefore, does not fit into this first manner of valid appointment under the Vacancy Act.

The second manner in which Mr. Dellinger could have validity in his appointment to the position of Acting Assistant Attorney General is if he had been appointed to this position by virtue of a Presidential detail. But this type of appointment certainly presupposes that the detailee has been working for the Government and he is simply changing assignments; detailed from his ordinary duties to special duties at the request of the President. But in this case Mr. Dellinger did not have a job. He was not detailed. We simply made him one. This is not applicable to Mr. Dellinger since he was not an employee of any department.

Additionally, he certainly has never been an executive department employee, he has never undergone Senate confirmation as the Constitution requires—by the statute. The Department of Justice has refused to furnish copies of Mr. Dellinger's appointment papers of August 11, 1993. We have, therefore, been forced to request them under provisions of the Freedom of Information Act. It is impossible, therefore, to determine whether, for instance, Mr. Dellinger was appointed as a special employee of some kind, and then placed into the acting position. There have been rumors that Mr. Dellinger may have first been made a Deputy Attorney General in the Office of Legal Counsel, so he could immediately be appointed to fill the Assistant Attorney General's slot in an acting capacity. If this was the case it clearly is a tortured usage of the statute to achieve a political end. This is totally a political end that they are seeking to achieve.

This would be doubly true if the appointment was made without an expiration date, or if it would allow an indefinite circumvention of the confirmation process. Even if this were not the case, however, it is still highly unclear how this appointment could be valid in any manner. The Department of Justice states that Mr. Dellinger was appointed under the provisions of 28 U.S.C.—United States Code, sections 509 and 510. These are the standard, broad delegations of authority to the Attorney General which are common, boilerplate language, and which have never been used nor were they intended as a means by which the President and Attorney General can circumvent the constitutional duty and role of the Senate to advise and consent.

It is clear the administration's stated attitude that "we were tired of waiting for the Senate so we went ahead and appointed him" is a total encroachment and disregard for the clearly established and constitutionally mandated role of the Senate in the confirmation of senior executive branch officials.

The arrogance of the Justice Department in a word.

We hope you will join us in opposing this blatant breach of Senate prerogative and resist the confirmation of Walter Dellinger. Let us send a signal to the administration that this body will not tolerate abuse of its authority.

Mr. President, I would now like to read the full text of the Freedom of Information Act letter sent to Attorney General Janet Reno, signed by 31 Senators.

Hon. Janet Reno,
Attorney General of the United States, U.S. Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL RENO: In accordance with the provisions of the Freedom of Information Act 5 U.S.C section 552 we hereby request any and all documents concerning the appointment of Walter Dellinger to the position of Acting Assistant Attorney General, Office of Legal Counsel on or about August 11, 1993.

This Freedom of Information Act request should be construed broadly to include but not limited to any and all documents prepared by the Department of Justice which contained the formal approval for the change of Mr. Dellinger's status to that of Acting Assistant Attorney General, the legal basis and justification for such change and Mr. Dellinger's status prior to his confirmation by the Senate; any and all documentation as to the length of Mr. Dellinger's appointment as Acting Assistant Attorney General prior to his Senate confirmation; any analysis or analyses of the Department or other procedure for such an appointment originating from within the Department of Justice or from any other Federal agency or department; any document which directed you to take the action of appointing Mr. Dellinger as Acting Assistant Attorney General prior to his Senate confirmation; any communication whether from an executive branch or legislative branch source which urged, directed, or otherwise said appointment of Mr. Dellinger prior to his Senate confirmation.

In view of the need for a thorough review of all documentation relating to the aforementioned appointment of Mr. Dellinger

> prior to his consideration for confirmation by the full Senate, we urge you to expedite the response of this request.

This letter is signed by Senator JESSE HELMS, the senior Senator from North Carolina and myself and 29 other Members of the Senate.

Mr. President, as Senator HELMS noted last evening, the Justice Department quietly appointed Mr. Dellinger as acting just days after the Senate failed to take up and confirm his nomination prior to departing for the August recess. The Department tried to get Mr. Dellinger's confirmation before the Senate went out for the August recess and failed. So they subverted the advice-and-consent clause of article 2, section 2 of the Constitution and arrogantly put Mr. Dellinger on the job without the Senate's confirmation.

See what is going on here, Mr. President. As Senator HELMS said last evening, they are simply thumbing their noses at the Senate. They are testing us. They are determined to find if there is backbone in the people sitting in this Chamber. They want to see how much they can get away with, how far they can go in overriding the constitutional powers of this Senate.

When asked why the Department took this high-handed action, a Justice Department official replied—and I want to repeat this until there is not anyone who does not know it—"We were tired of waiting for the Senate to confirm him."

This is a bureaucrat in the Justice Department. We were tired of waiting for the Senate to confirm him so we just went ahead and appointed him and bypassed the Senate.

So much, Mr. President, for article 2, section 2 of the U.S. Constitution.

So, Mr. President, I have asked my staff to ask the experts over at the Congressional Research Service for their reaction to this high-handed maneuver. The experts at the Congressional Research Service came back and told us the Congressional Research Service determined that to their knowledge there is no precedent for appointing Mr. Dellinger as acting under the circumstances. In other words, this administration under President Clinton acted without any precedent, rhyme, or reason. They simply wanted this man. They determined the Senate of the United States was not fast enough for them so they did it on their own. In some circles this is known as acting on the excitement plan.

But just to make sure, Senator HELMS asked his staff to contact former Justice Department officials who served during previous administrations. One who in fact was appointed acting before being confirmed reassured us that what Justice had done is a first.

It is true that the Bush Justice Department made certain officials acting prior to confirmation but the situation was opposite to the Dellinger case. The nominee, No. 1, was not controversial. The Department called around to all interested Senators first to get clearance for making the acting appointment and even with these precautions the Department made the appointment full well knowing they were stepping over the bounds that there was a possibility their action would garner opposition from Senators when the nomination came to the floor.

In the case of Mr. Dellinger it certainly has. But in no case, Mr. President, could this official or could any official or the Congressional Research Service identify an incident where, as in the case of Mr. Dellinger, the nominee was highly controversial and known before his appointment that he was going to be highly controversial.

Efforts by the Department to obtain confirmation prior to the appointment had failed. In no other case has this happened where the nominee failed to gain confirmation, and yet he was appointed acting. In response to the nomination running into trouble in the Senate, the Department went ahead and installed the nominee on the job, however, in an acting capacity hoping that this would expedite and overwhelm the Senate and he will be confirmed. I tell you, Mr. President, it is going to have the exact opposite effect.

No, this action is unprecedented. Never before has an administration undertaken this blatant affront to the advice and consent powers of the Senate.

On top of this, the Department refuses to share with Senator HELMS and me or the remainder of the Senate the details of the appointment. It will not tell us how long the appointment is for, nor even give us copies of the appointment papers.

We do not know what Walter Dellinger is doing down at Justice, and neither does the American public. But why should the taxpayers know? Why should the taxpayers know? They are only working 12 and 14 hours a day, paying taxes, living hard, and picking up the bill for the bureaucrats and the Walter Dellingers of Washington. So they really do not have any right to know. We want them to get back and go to work and make more money so we can hire more Walter Dellingers.

But as Senator HELMS asked last night, maybe the chairman of the Judiciary Committee knows. The Washington Post reported on September 23 that the Justice Department's Office of Legal Counsel reversed a Bush administration policy supported overwhelmingly by both Houses of Congress calling for the death penalty for drug kingpins. We have been trying to find out what Dellinger's roll in this was. The Justice Department refuses to give out any information.

But also from the Washington Post article, it is suggested that Mr. Dellinger was behind this decision to oppose the death penalty for drug kingpins. We know that Dellinger opposes the death penalty, which I support, and most of the people in North Carolina support.

The man has not even been confirmed to the job by the Senate, and he is already over there making decisions allowing drug kingpins to get off the hook and run free.

Mr. President, allow me to read the article:

> At the request of Attorney General Janet Reno, congressional Democrats have dropped controversial provisions for a broad anticrime bill that would impose the death penalty on drug kingpins and add stiff mandatory minimal sentences for drug and gun offenses. Reflecting popular sentiment to crack down on drug and gun violence, these measures have been overwhelmingly approved by both Chambers in the past, and were included in the House-Senate conference report that failed in the waning days of the last Congress.
>
> But the Justice Department's Office of Legal Counsel—

Once again, "But the Justice Department's Office of Legal Counsel"; that is, Mr. Dellinger—

> reversing a position taken under the Bush administration, challenged the constitutionality of the drug kingpin measure. The office cited the 1977 Supreme Court's decision Culver v. Georgia, that struck down the death penalty for the crime of rape when no murder had occurred. Among the most hotly debated of all death penalty proposals, the drug kingpin measure would have permitted the head of a large-scale drug organization to be executed merely for drug trafficking activities even without proof the individual caused any deaths.

Anybody that does not think drug dealing causes deaths, and many of them, is living in Never-Never Land.

> The Department was concerned that imposing the death penalty in cases where no life had been taken was inconsistent with Supreme Court decisions,

said the Department spokesman, Carl Stern. Stern said the Department's new position was purely a result of legal analysis—

Legal analysis by Walter Dellinger—

> and did not reflect Reno's oft-stated personal opposition to capital punishment.

I cannot separate what you believe and stated for 30 years from what you do.

> The Department did not object to about 50 other death penalty provisions in the bill, but congressional aides said the Department's request appeared to be part of the last-minute attempt by Reno to influence the shape of an administration-backed crime bill that has been put together largely without her input.
>
> New versions of the measure are slated to be introduced today by House Judiciary Committee Chairman Jack Brooks of Texas, and Senate Judiciary Committee Chairman Joseph Biden of Delaware. The Justice Department also asks, and Brooks and Biden agree, to drop about a dozen provisions that would impose new mandatory minimal sentences, mostly for repeat offenders and those who use guns in the commission of drug or violent crime.

Congressional aides described the Department's request as limited, while Reno completes a broader study of the effects of mandatory minimal sentences now on the books. But Representative Bill McCollum of Florida, a sponsor of the drug kingpin proposal, described the Department's request as part of a larger administration retreat in the drug war. "I do not have any idea why the Justice Department would take this kind of liberal position," he says.

I can tell him why the Justice Department took that kind of liberal position: Because of the likes of the Walter Dellingers there, that represent the ultimate in liberalism. What else would you have expected?

There is plenty of constitutional basis for imposing the death penalty in those circumstances, he said.

Mr. President, I hope the Senator from Delaware can tell us later what role Dellinger had in putting our Government on the side opposing the death penalty for drug kingpins because we cannot get the information from the Justice Department. They will not tell us a thing about the Dellinger nomination, which is why Senator HELMS and I yesterday sent to the Attorney General a Freedom of Information Act request. Twenty-nine Senators, in addition to Senator HELMS and myself, signed the request, which I now read:

DEAR ATTORNEY GENERAL RENO: In accordance with provisions of the Freedom of Information Act, U.S. Code, section 552, Freedom of Information Act, we hereby request any and all documentation concerning the appointment of Walter Dellinger to the position of Acting Assistant Attorney General, Office of Legal Counsel, on or before or about August 11. This Freedom of Information Act request should be construed broadly to include, but not to be limited to, any and all documents prepared by the Department of Justice which contain the formal approval for the change of Mr. Dellinger's status to that of Acting Assistant Attorney General, the legal basis justification for such change in Mr. Dellinger's status prior to his confirmation by the United States Senate, and any and all documentation as to the length of Mr. Dellinger's appointment as Acting Assistant Attorney General prior to his Senate confirmation; any analysis or analyses of the departmental or other procedures for such an appointment prior to the Senate confirmation, while such precedent originates from within the Department of Justice, or from any other Federal agency or department; any documents which direct you to take the action of appointing Mr. Dellinger as acting Assistant Attorney General prior to his Senate confirmation; and any communication, whether from an executive branch or legislative branch source, which urged, directed or otherwise supported said appointment of Mr. Dellinger prior to his Senate confirmation.

In view of the need for a thorough review of all documentation relating to the aforementioned appointment of Mr. Dellinger prior to his consideration for confirmation by the full Senate, we urge you to expedite the response for this request.

This is signed by 31 Members of the Senate.

Mr. President, at the very time the Justice Department is stonewalling us on our request for information regarding the Dellinger appointment, President Clinton and Attorney General Reno have announced what the administration claims is a new standard for openness in the implementation of the Freedom of Information Act.

At the very time they are refusing to release this information to us, with great bravado they claim a new standard for openness in the implementation of the Freedom of Information Act. It was President Clinton in his October 4 statement who announced that openness in Government is essential to accountability. I guess this does not apply to the Dellinger nomination or to any other matter about which the administration does not want the American people to know.

(Mr. CAMPBELL assumed the Chair.)

Mr. FAIRCLOTH. If ever there was a man who needed to start practicing what he has been preaching, it is President Clinton.

Mr. President, I will now read the President's statement:

Memorandum for Heads of Departments and Agencies.

From the White House, October 4.

Subject: The Freedom of Information Act.

I am writing to call your attention to a subject that is of great importance to the American public and to all Federal departments and agencies: The administration of the Freedom of Information Act, as amended. The act is a vital part of the system of Government. I am committed to enhancing its effectiveness in my administration. For more than a quarter of a century now, the Freedom of Information Act has played a unique role in strengthening our democratic form of Government. The statute was enacted based upon the fundamental principle that an informed citizenry is essential to the democratic process, and that the more the American people know about their Government, the better they will be governed. Openness in Government is essential to accountability, and the act has become an integral part of that process.

This is the President talking, the one that will not release the information to us.

The Freedom of Information Act, moreover, has been one of the primary means by which members of the public inform themselves about their Government. As Vice President Gore made clear in the National Performance Review, the American people are the Federal Government's customers.

If the American people are the Federal Government's customers, not many of them will be back for repeat shopping.

Federal departments and agencies should handle requests for information in a customer-friendly manner.

These customers are the same people that make contributions every April 15.

The use of the act by ordinary citizens is not complicated, nor should it be. The existence of unnecessary bureaucratic hurdles has no place in its implementation.

I will repeat: "The existence of unnecessary bureaucratic hurdles has no place in its implementation." If 31 Senators send a request and get ignored, what can the general public expect to get?

I, therefore, call upon all Federal departments and agencies to renew their commitment to the Freedom of Information Act—

I wonder if Attorney General Reno got this letter—

—to its underlying principles of government openness, and to its sound administration. This is an appropriate time for all agencies, including the Justice Department, to take a fresh look at their administration of the act, to reduce backlogs of freedom of information requests—

I do not know where we stand in the backlogs—

—and to conform agency practices to the new litigation guidance issued by the Attorney General, which is attached. Further, I remind the agencies that our commitment to openness requires more than merely responding to requests from the public. Each agency has a responsibility to distribute information on its own initiative—

What he failed to mention in here was that each agency has the responsibility to distribute information on its own initiative that we want the public to see. That which we do not want them to see, we will keep hidden—

—to enhance public access through the use of electronic information systems.

Well, we will take it any way we can get it, even written on a brown paper bag. We just want it.

Taking these steps will ensure compliance with both the letter and spirit of the act.

Today, President Clinton and Attorney General Reno are announcing a new standard for openness in the implementation of the Freedom of Information Act by rescinding a 1981 rule that encouraged Federal agencies to withhold information whenever there was a substantial legal base for doing so, and adopting in its place a presumption of disclosure.

I cannot imagine what a presumption of disclosure would turn out to be. The amount of Government information made available to the public will be substantially increased. The President's statement calls for all Federal departments and agencies to renew their commitment to the Freedom of Information Act and its underlying principles of Government openness, to take a fresh look at how they comply with the law, and so reduce backlogs.

This letter and this direction we are talking about is from Attorney General Janet Reno. These are the same people we are fighting with to get the information as to how and why Dellinger was appointed. The Attorneys General's statement advises Federal departments and agencies that the Department of Justice will defend against lawsuits for nondisclosure only when it is reasonably foreseeable that disclosure would be harmful. I have to assume that the disclosure in Mr. Dellinger's case would be harmful. In addition, the Attorney General strongly encourages each agency to make discretionary disclosure of technical, exempt information whenever possible.

instructs Justice Department personnel to review pending Freedom of Information Act litigation to implement the new policy, orders a review of all forms and correspondence used by the department in responding to Freedom of Information requests to make them more clear, consistent and complete.

Please do not hesitate to contact this office if you have any question about the new Freedom of Information policy or any other matter.

SHEILA ANTHONY,
Assistant Attorney General.

We have a lot of questions and none of them have we been able to get answered.

Memorandum: For Heads of Departments and Agencies.

Subject: The Freedom of Information Act.

President Clinton has asked each Federal department and agency to take steps to ensure it is in compliance with both the letter and spirit of the Freedom of Information Act, 5 U.S. Code.

The Department of Justice is fully committed to this directive and stands ready to assist all agencies as we implement this new policy.

First and foremost, we must ensure that the principle of openness is applied to each and every disclosure and nondisclosure decision that is required under the act.

Therefore, I hereby rescind the Department of Justice 1981 guideline for the defense of agency action and Freedom of Information Act litigation. The department will no longer defend an agency's withholding of information merely because there is a substantial legal basis for doing so.

If the Justice Department will no longer defend an agency's withholding of information merely because there is a substantial legal basis for doing so, if the Justice Department is not going to give it out, who do you go to to get it?

Rather, in determining whether or not to defend a nondisclosure decision, we will apply a presumption of disclosure. To be sure the act accommodates, through its exemption structure, the countervailing interests that can exist in both disclosure and nondisclosure of Government information. Yet while the act's exemptions are designated to guard against harms of the Government and private interests, I firmly believe that these exemptions are best applied with specific reference to such harm and only after consideration of reasonable expected consequence of disclosure in each particular case.

In short, it shall be the policy of the Department of Justice to defend the assertion of a Freedom of Information exemption only in those cases where the agency reasonably foresees the disclosure will be harmful to an interest protected by that exemption.

Where an item of information may technically or arguably fall within an exemption, it ought not to be withheld from a Freedom of Information requester unless it has to be.

There is no reason to withhold the information on Walter Dellinger.

It is my belief that this change in policy serves the public interest by achieving the act's primary objective, the maximum responsibility, response building disclosure of information while preserving essential confidentiality. Accordingly, I strongly encourage your Freedom of Information officers to make discretionary disclosures whenever possible under the act.

Discretionary disclosures. That means giving out what you want them to have.

Such disclosures are possible under a number of Freedom of Information exemptions especially when only a governmental interest would be affected.

The exemptions and opportunities for discretionary disclosure are discussed in the discretionary disclosure and waiver section of the Justice Department's guide to the Freedom of Information Act.

As that discussion points out agencies can make discretionary Freedom of Information disclosures as a matter of good public policy without concern for future waiver consequence for similar information. Such disclosure can also readily satisfy an agency's reasonable segregation obligation under the act in connection with marginal items of information and can lessen an agency's administrative burden to all levels of the administrative process and in litigation. I note that this policy is not intended to create any procedural or rights enforceable at law.

In connection with the repeal of the 1981 guidelines, I am requesting that the Assistant Attorneys General for the Department's civil and tax divisions, as well as the United States Attorney, undertake a review of the merits of all pending Freedom of Information cases handled by them according to the standards set forth above.

That is encouraging to note—that they are going to take a look at all cases before them. As to the one signed by the 31 Senators that went out of here sometime ago, maybe they will take a look at it also when they are looking at cases.

The department's litigating attorneys will strive to work closely with your general counsels and their litigation staff to implement this new policy on a case-by-case basis. The department's Office of Information and Privacy can also be called upon for assistance in this process, as well as for policy guidance to agency Freedom of Information officers.

In addition, at the Department of Justice we are undertaking complete review and revision of our regulations implementing the Freedom of Information Act, all related agencies pertaining to the Privacy Act of 1974, as well as the department's disclosure policies generally. We are also planning to conduct a departmentwide Freedom of Information form review. Envisioned is a comprehensive review of all standard Freedom of Information forms and correspondence utilized by the Justice Department's various components.

Here is an opportunity to create some new forms. The Federal Government does not have enough.

These items will be reviewed for their correctness, completeness, consistency and particularly for their use of clear English. As we understand this review, we will be especially mindful that Freedom of Information requesters or users of a Government service participant in administrative process and constituents of democratic society. I encourage you to do likewise at your departments and agencies.

A wonderful idea, if they will just begin to do it.

Finally, I would like to take this opportunity to raise with you the longstanding problem of administration of backlogs under the Freedom of Information Act. Many Federal departments and agencies are often unable to meet the act's 10-day time limit for processing Freedom of Information requests from such agencies, especially those dealing with high volume demands for particularly sensitive records and maintain large Freedom of Information backlogs greatly exceeding the mandated time period. The reason for this may vary, but principally it appears to be a problem of too few resources in face of too heavy a workload.

This is a common problem in Washington. We do not have enough bureaucrats, and he is suggesting here that we get some more, that they are overworked, heavy lifting.

This is a serious problem, one of growing concern and frustration to both Freedom of Information requesters and Congress and to adequate Freedom of Information officers as well.

It is my hope that we can work constructively together with Congress and the Freedom of Information requesters' community to reduce backlogs during the coming years to ensure that we have a clear and current understanding of the situation.

I am requesting that each of you send the Department's Office of Information and Privacy a copy of your agency's annual Freedom of Information Report to Congress for 1992. Please include with this report a letter describing the extent of any present freedom of information backlogs, Freedom of Information staffing difficulties, and any other observations in this regard that you believe would be helpful.

In closing, I want to reemphasize the importance of our cooperative effort in this area. The American public's understanding of the workings of its Government is a cornerstone of our democracy. The Department of Justice stands prepared to assist all Federal agencies as we make Government throughout the executive branch more open, more responsive, and more accountable.

Signed, "Janet Reno."

I hope that Ms. Reno will do something the President has not done, and that is practice what she is preaching and make the information we have requested available and available quickly. The backlog exists.

So, Mr. President, there you have it. They tell us one thing to the public, while they are doing another.

And, Mr. President, it ties into what this whole nomination is about. Are we going to allow the administration, the Attorney General, and this nominee to trample over the Senate of the United States or are we going to force them to follow the rules as they are written and the laws as they are?

I see that Senator BROWN is now here. I previously told him that I would yield to him for 2 minutes and that, upon the conclusion of his remarks, I be rerecognized.

The PRESIDING OFFICER. Without objection, the Senator from Colorado is recognized for 2 minutes.

Mr. HELMS. Will the Senator yield to me for a couple of minutes?

Mr. BROWN. I yield to the Senator.

Mr. HELMS. I thank the Senator.

Mr. President, I want to say to my distinguished colleague that he really has his feet wet now, and I am proud of him. He has made an excellent address on a significant subject and he has done it well. I am proud that he is in the Senate and I am honored to serve with him.

Having said that, Mr. President, let me have a moment or two to explain to the media who, by habit, might be saying something like this: That FAIRCLOTH and HELMS are delaying consideration of the desperate situation in a faraway land.

The reason we are on this nomination in the Senate on this Thursday morning is because of a disagreement on the Democratic side.

Now, I happen to be a strong supporter of the legislation prepared by the distinguished President pro tempore of the Senate, Mr. BYRD, of West Virginia. But the majority leader did not want that legislation considered until he, the majority leader, is ready for it to be considered. So the 2-day rule figured into it and there was no way that that dispute, friendly as it may be, could be resolved. So, therefore, this nomination became the pending business of the U.S. Senate.

I do not want anybody to say that Senator FAIRCLOTH or Senator HELMS is delaying consideration of the foreign policy question, because it simply is not so. I want to proceed with the defense bill. I have said that over and over again. It is not the Republicans, it is not Senator FAIRCLOTH, it is not Senator HELMS who is delaying. It is a disagreement on the Democrat side of the aisle.

I thank the Senator for yielding, and I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado, [Mr. BROWN], has the floor for 2 minutes.

Mr. BROWN. Thank you, Mr. President.

I ask unanimous consent to proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOMALIA: ANOTHER POLITICAL WAR

Mr. BROWN. Mr. President, appearing in the Wall Street Journal on the 6th of October was an article with the headline, "Plea Last Month for Armor in Somalia Was Ignored in U.S., Army Aides Say." Thomas Ricks and David Rogers, the Journal's staff reporters, state that the United States commander of our forces in Somalia had requested additional armored protection for his troops. Specifically, General Montgomery had asked for a battalion of armored troops. A battalion of armored troops contains up to 55 tanks, armored personnel carriers, Bradley fighting vehicles or a combination of tanks or personnel carriers.

The purpose of that request was to protect the troops and infantry already in Somalia. The request was made in early September, according to the Journal, then forwarded to the Secretary of Defense. And, according to this story, Secretary of Defense Aspin turned the request down.

A 7-hour tragedy resulted when, in a raid on General Aideed's headquarters, U.S. helicopters were shot down, and other U.S. troops could not get assistance to the 100 Rangers who were pinned down by enemy fire. Whether you believe the report in the Wall Street Journal that talks about a 7-hour wait or other reports that discuss a 10-hour wait, it appears that U.S. Army Rangers were simply hung out to dry from 7 to 10 hours without our forces coming to their aid. Apparently a significant factor was that our forces did not have available armored personnel carriers or tanks. At least, that is the report in the Wall Street Journal. Finally, Malaysian armored forces and Pakistani armored forces came to the rescue, after many of our combat troops were killed or injured.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BROWN. Mr. President, I ask unanimous consent for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BROWN. Thank you, Mr. President.

Mr. President, being concerned about that report, and knowing as all of us do that these reports are not always accurate or do not always include the full details, Senator D'AMATO and I wrote to the Secretary of Defense yesterday. We inquired as to the facts, took note of the story and requested his version of it.

I must say I think the refusal of a field commander's request for armored support and the resulting military disaster is a very serious incident. I believe it parallels some of the negligence that past Secretaries of Defense exhibited when dealing with the needs of U.S. troops. I look forward to the Secretary's answer. I believe the country is deeply concerned that we have not done what we should to defend Americans who were in a combat situation.

Mr. President, not far from here is a memorial. It rises from the ground. It is made of black stone. It is called the Vietnam War Memorial. It is a memorial to the over 50,000 Americans who gave their lives in that struggle.

And it is a sad memorial. It is sad because it is different from our other memorials. It is not just that the United States lost that war. It is the way it was lost. It was lost not by the men and women who fought in Vietnam, but it was lost by the political leadership of this country that did not have the courage to make a decision. They did not have the courage to decide to win the war, and they did not have the courage to admit they were not going to pursue victory and withdraw.

And so in the leadership's inability to act, they stood by and watched Americans get killed without giving them adequate combat support and protection. In fact, these politicians tied our troops' hands behind their backs at times. Bridges were placed off limits, supply depots were placed off limits, important areas around Hanoi were placed off limits and Hanoi itself was placed off limits. Americans were forced to fight a war that they could not win. American troops were simply hung out to dry.

What bothers me deeply about yesterday's Wall Street Journal report is that it appears that the lessons of the past have not been learned. And what I am most concerned about is the fact that this country seems to have forgotten that it, too, has an obligation to the men and women who wear this uniform.

We talk so often about the obligation that our troops have to us—they are required to follow orders, to go into combat, to risk their very lives, if we demand it. Yet we forget sometimes the obligation the rest of us have to them, our fighting men and women. Cap Weinberger spelled out clear principles as to where and when U.S. troops should be committed, and when they should not be. I spoke out in opposition in December when President Bush first sent troops to Somalia because we had not clearly spelled out the mission. And while President Bush committed to bring those troops home after 30 to 60 days, it is clear President Clinton has not followed that guideline. Once again, U.S. troops are hung out to dry by a political leadership unwilling to take the necessary measures to protect them and unwilling to make the tough decisions that would save them.

Yesterday I talked to three Colorado wives: Deborah Bryant, Tina Fischler, and Chris Heaton. Their husbands are in Somalia. The men were taken over, believe it or not, as carpenters, to build outhouses. They wonder why their husbands are there. They wonder what mission their husbands are there to defend. They wonder why their husbands' lives are at risk. I wonder too, Mr. President.

Tragically we seem to be repeating the mistakes of the past. For this Senator, I say: Never again. Never again should politicians be so callous that they are willing to risk the lives of Americans in combat and not stand behind them, and not give them the vehicles and the armored equipment they need to protect themselves. Never again should politicians be so crass as to assign them to a mission they will not even spell out.

We need clear, definitive, achievable goals and objectives before we commit troops to combat. We need a political leadership that is willing to stand up and make tough decisions. In December, I asked this Congress to hold hearings on Somalia. I asked the Foreign Relations Committee to act. I asked in December, and in January. No hearings were held. As a matter of fact, no high Government officials have ever come to hearings before the Foreign Relations Committee. We had an Under Secretary of State come a few weeks ago. But the fact is, this Congress has not done its job and the political leadership, including the President, has not done their job. Meanwhile, Americans continue to die because of the neglect of the political leadership.

It is wrong and it must end.

Mr. President, I ask unanimous consent that the letter to Secretary Aspin, the Wall Street Journal article, and another article that appeared today in the Washington Times written by Bill Gertz be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, October 6, 1993.

Hon. LES ASPIN,
Secretary of Defense, The Pentagon, Washington, DC.

DEAR MR. SECRETARY: We write today seeking information concerning a published report that the U.S. commander in Mogadishu was denied armor he requested to better protect his troops. This critical question demands a quick, clear, and forthcoming answer as soon as possible.

Specifically, The Wall Street Journal reported today that Army Major General Montgomery, the commander of U.S. forces in Somalia, had requested an additional battalion of armored troops, including 55 tanks or armored personnel carriers. The paper further states that you ". . . declined at the time to send the armored troops. . . ." Furthermore, the article notes that it was only after Sunday's fighting, which more than doubled total U.S. casualties in Somalia, that the Pentagon acted to fulfill the earlier request.

You reportedly denied the commander's request, fearing some kind of "backlash" from Congress or the public. If this report is accurate, did you consult with any of your former colleagues in Congress before reaching such a conclusion?

Did the U.S. commander in Somalia ask for armored reinforcements? What did he ask for, specifically? Did his request reach your desk? Did you make a decision on the request? What was that decision? If you denied the request, why did you deny the request?

If that was the U.S. commander's request then, how does deployment of a smaller force now, under clearly more dangerous circumstances, meet the force protection needs he identified?

Is it true that it took more than ten hours from the beginning of the Rangers' raid to the time the relief force reached their position?

We appreciate your kind attention to this important matter and look forward to receiving your written responses to these questions as soon as possible.

Sincerely,

HANK BROWN,
U.S. Senator.
ALFONSE D'AMATO,
U.S. Senator.

[From the Wall Street Journal, Oct. 6, 1993]

PLEA LAST MONTH FOR ARMOR IN SOMALIA WAS IGNORED IN THE UNITED STATES, ARMY AIDES SAY

(By Thomas E. Ricks and David Rogers)

WASHINGTON.—U.S. casualties in Somalia this week might have been far lighter if a request made last month by the U.S. commander there for additional armored protection had been acted on by Defense Secretary Les Aspin, Army officials said.

In early September, Army Maj. Gen. Thomas Montgomery, the deputy commander of the United Nations military force in Somalia and commander of the U.S. contingent there, told his superiors in the U.S. that he needed a battalion of armored troops—that is, about 500 to 800 personnel carriers—to protect the light infantry already there. The request, in somewhat reduced form, was relayed by Marine Gen. Joseph Hoar, head of the U.S. Central Command, which oversees Somalia, and forwarded to the Joint Chiefs of Staff.

The disclosures could aggravate Congress's already sour mood over the Somalia situation. The Senate Appropriations Committee Chairman Robert Byrd has vowed to press for a vote this week on a cutoff of funds for this mission. The Clinton administration is anxious for more time, and the president is scheduled to meet today with top national security advisers and military leaders in the expectation of announcing a policy decision soon.

While Gen. Montgomery's request for armored troops was never formally rejected, it wasn't acted on either, despite extensive discussions down the chain of command. Frustrated by the inaction, senior Army officers at least once informally prodded the staff of the Joint Chiefs for action, an Army officer said. Mr. Aspin declined at the time to send the armored troops after receiving conflicting advice from Gen. Colin Powell and other members of the Joint Chiefs, a Pentagon official said.

Others familiar with the situation said there was little sense of urgency at the Pentagon when the request arrived. And the need for the armored vehicles wasn't as clear last month as it is now, partly because the forces of Somalia warlord Mohamed Aidid hadn't yet begun to show how adept they could be at shooting down U.S. helicopters. In addition, they said, commanders on the ground always ask for more resources than they really need.

However, in the wake of Sunday's fighting, which more than doubled the number of U.S. combat deaths in Somalia, the Pentagon acted quickly to fulfill Gen. Montgomery's request. Mr. Aspin ordered the deployment of four heavy tanks and 14 Bradley Fighting Vehicles and other equipment making up about one-third of what the general asked for last month.

Mr. Aspin's failure to act on Gen. Montgomery's request is already provoking members of Congress, irate over the seven-hour delay that occurred Sunday before a group of U.S. troops were rescued in downtown Mogadishu. The bulk of the nearly 100 casualties that the U.S. forces suffered in the Somali capital occurred during those seven hours before U.N. forces were able to rescue a group of 90 U.S. Army Rangers pinned down under heavy fire without armored protection. The U.S. was forced to rely on Pakistani and Malaysian armored vehicles to rescue the Rangers because it had no tanks of its own. About 70 of the 90 rangers were killed or wounded in the firefight.

The nervousness in Congress was evident yesterday afternoon during a crowded closed-door Capitol briefing with scores of lawmakers and high administration officials. Defense Secretary Aspin and Secretary of State Warren Christopher intended to consult with Congress on the Somalia policy, but the format and lack of specific answers only angered members and reinforced the perception that the mission's goals remain unclear.

The pressure now is for the White House to narrow the American mission in order to expedite withdrawal. Another alternative, calling for a larger buildup, is favored by some prominent lawmakers who fear the U.S. would otherwise be seen as deserting the U.N. But this would require a consensus and resolve that didn't show itself yesterday.

"Either have a buildup or get out as soon as possible," declared Rep. John Murtha (D., Pa.), chairman of the House Appropriations defense subcommittee. Senate Majority Leader George Mitchell said: "I'd be amazed if the Senate voted for an immediate withdrawal as long as we have hostages over there."

Among Republican conservatives, there was open hostility. And while Senate GOP Leader Robert Dole argued to give Mr. Clinton until Oct. 5 to spell out his goals rank-and-file members were clearly frustrated.

"Not a chance," said Rep. Harry Johnston (D., Fla.), who heads the House Foreign Affairs Africa subcommittee, when asked if a majority in the House would vote to sustain funding for the Somalia mission.

[From the Washington Times, Oct. 7, 1993]

CLINTON MAY UP THE ANTE IN SOMALIA: ASPIN UNDER FIRE FOR SAYING NO TO EARLIER ARMS REQUESTS

(By Bill Getz)

Gen. Colin Powell twice last month asked Defense Secretary Les Aspin for tanks and armored vehicles to protect U.S. forces in Somalia but was rebuffed for political reasons.

Defense officials close to the decision said yesterday that military leaders wanted to deploy the armor in early September but Pentagon civilians opposed it because they feared Congress' reaction.

"It was politics, pure and simple," said one official.

Meanwhile in Mogadishu, the Army major who is the chief spokesman for the U.N. mission in Somalia said U.S. forces have switched from peacekeeping to a "fugitive hunt" for Somali warlords—a job they are not trained for.

"We have this fugitive hunt—this is not a military operation," said Maj. David Stockwell. "So the military winds up taking casualties and looking inept. If there is a problem, maybe it is a problem with the mission."

In a telephone interview that echoed with the sound of automatic-weapons fire in the background, Maj. Stockwell said U.S. forces needed tanks and armored personnel carriers Sunday to speed up the rescue of two downed helicopters and 70 Army Rangers pinned down by Somali gunfire and rocket attacks.

"If U.S. forces had armor, they could have reacted more quickly, since they have common communications, training and tactics," the major said. Instead, they had to wait four hours for Pakistani and Malaysian armored vehicles.

On Capitol Hill yesterday, members of Congress criticized Mr. Aspin for not sending the armor. Sen. Alfonse M. D'Amato, New York Republican, called the inaction "unconscionable," while Rep. James T. Walsh, New York Republican, called on Mr. Aspin to resign.

Military officials close to the operation said Army Maj. Gen. Thomas M. Montgomery, deputy commander of U.N. forces and commander of U.S. forces in Somalia, sought tanks and armored vehicles for his troops in early September.

Gen. Montgomery sent the request to Gen. Joseph P. Hoar, commander of the Central Command, who relayed it to Gen. Powell.

Gen. Powell, who retired last week as chairman of the Joint Chiefs of Staff, appealed to Mr. Aspin that the tanks and armored vehicles were needed as part of force-protection operations, military officials said.

"Powell brought the request to Aspin's attention on two separate occasions," one official said.

An Aspin spokesman declined comment yesterday.

Pentagon officials told reporters Tuesday that Mr. Aspin deferred a decision on the matter because he received conflicting advice from his advisers. Air Force Maj. Tom LaRock, a Pentagon spokesman, said deployment decisions "are classified and come to Secretary Aspin on a daily basis."

"He bases his decisions on the best military and diplomatic information available at the time," Maj. LaRock said.

But Pentagon sources said military leaders, including Gen. Powell, pressed for the armor.

An Army official said Pentagon civilians—including Deputy Undersecretary of Defense Frank Wisner, designated Assistant Defense Secretary Morton Halperin and other Aspin aides—opposed the military's request because they feared it "would appear too offensive-oriented."

"A month later you wonder why it wasn't already there," the official said. "General Montgomery obviously saw this coming."

Maj. Stockwell said that the first group of 14 armored vehicles began arriving in Mogadishu yesterday. Four tanks also will be sent.

He said the military's mission in Somalia needs to be changed or clarified to avoid a repeat of Sunday's costly events.

Twelve U.S. soldiers were killed and 78 wounded in a Somali guerrilla attack. The remains of two soldiers are in Somali custody, and one U.S. helicopter pilot has been captured. At least six other soldiers are missing.

The U.N. spokesman's unusually blunt comments are likely to spur demands in Congress that the Clinton administration clarify its Somalia policy and set a deadline to bring troops home.

Maj. Stockwell said "we are undertaking efforts" to retrieve Army Chief Warrant Officer Michael Durant, a helicopter pilot captured by Somalis on Sunday. But no contacts with the Somalis holding him have been made. U.N. forces also are trying to recover the remains of the two soldiers displayed on videotape, he said.

Maj. Stockwell said a rescue force had to shoot its way into the sites of the downed aircraft and stranded Rangers and it suffered a number of casualties in the process.

"The Rangers, who are pinned down, took most of their casualties early on and fended off fire that was unbelievably thick," Maj. Stockwell said. "We resupplied them with water, ammunition and food and supplied air cover. There must have been several hundred militias firing at 70 guys."

The Rangers had surrounded the downed helicopter and informed the U.S. commander that they did not require immediate evacuation from the scene, Maj. Stockwell said, adding that gave Gen. Montgomery time to organize the rescue force.

Maj. Stockwell, an Army Ranger, defended Gen. Montgomery's quick action to mount the multinational operation that fought its way through Mogadishu for several hours to rescue U.S. servicemen.

Under the U.N. command structure, none of the multinational forces are required to take part in dangerous "quick reaction" missions and they cannot be ordered to do so, Maj. Stockwell said.

The U.N. forces have "all the responsibility but very little authority," he said.

Sunday's rescue force had to blast through Somali street barricades and overcome heavy fire from small arms, machine guns and grenade launchers en route to the two crashed helicopters.

The helicopters were shot down during a "search and seizure" operation to nab aides to Somali warlord Mohamed Farrah Aidid. Two of his top aides and 17 other Aidid guerrillas were captured.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The time of the Senator has expired.

The Chair informs the Senator from California, the Senator from North Carolina has not relinquished the floor and still has the time yielded, several minutes, to the Senator from Colorado.

The Senator from North Carolina.

Mr. NICKLES. Will the Senator from North Carolina be kind enough to yield the Senator from Oklahoma, say, 5 minutes?

Mr. FAIRCLOTH. I will be delighted to yield to the Senator from Oklahoma, but at the conclusion of his remarks, I would like to be rerecognized.

The PRESIDING OFFICER. The Chair will notify Senators that we are in executive session.

The Senator from Delaware is recognized.

Mr. BIDEN. Reserving the right to object, I have no objection to people speaking on whatever issues they would like to, but I will object if we are going to continually move off of this nomination. This is a debate that, understandably, other national issues have impacted on. I understand that. But I will object to a Senator having the floor, yielding the floor to someone else on condition the floor be returned to him on conclusion of those remarks.

So I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Carolina has the floor.

Mr. FAIRCLOTH. I am willing to yield the floor——

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mr. FAIRCLOTH. To the Senator from Oklahoma.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise as a member of the Judiciary Committee to support the nomination of Walter Dellinger. I rise as a Member of this Senate, as one who is for the death penalty, as one who is for the death penalty for drug kingpins whose dealings result in the death of an individual. I rise as one who supports a balanced budget amendment, and as one who does not believe that our country's flag should be burned. I also rise, notwithstanding his positions on these issues, in support of Walter Dellinger and his nomination to serve as Assistant Attorney General.

I also note, as has been pointed out by the distinguished chairman of the committee, that Mr. Dellinger is supported unanimously by the Judiciary Committee.

One might ask, why is he supported unanimously by the Judiciary Committee? The reason is relatively simple. He is supported by the Judiciary Committee unanimously because he is well qualified to serve as legal counsel for the Department of Justice.

In addition to the Judiciary Committee's members, many prominent and respected North Carolinians also support Mr. Dellinger's nomination: Former Gov. Terry Sanford; former State Attorney General Robert Morgan; the present Attorney General of North Carolina, Mike Easley, and Mr. Dellinger's own Congressman, Representative DAVID PRICE.

Why? Walter Dellinger is one of the Nation's leading constitutional scholars and teachers. He has had a distinguished career. He attended Yale where he was editor of the Yale Law Journal. After teaching civil rights law from 1966 to 1968 at the University of Mississippi, he became law clerk to Justice Hugo Black for the 1968–69 term of the U.S. Supreme Court.

He joined the faculty of Duke University in 1969 and is a renowned professor, acclaimed for a series of courses at Duke University given over the past 24 years. He is a prolific writer and he has contributed to many distinguished legal journals, as well as to periodicals and newspapers. Anyone who is a prolific writer, anyone who has views on controversial subjects, is obviously going to encounter those who differ with his views. We hear some of that here today.

It is legitimate to differ with someone's views. For me, I recognize that there are those who believe in the death penalty and those who do not. It does not mean if you do not, that you are not qualified to serve the President of the United States and the Attorney General. This issue is at the center of a legitimate, major, public policy debate in our Nation.

There are distinguished scholars and not so distinguished scholars on both sides of this debate. But, nonetheless, it is a legitimate point of public policy debate.

Mr. Dellinger also earned great respect and admiration as a principal draftsman of North Carolina's criminal code. In that regard, I would like to read a letter, or a portion of a letter from the former Attorney General, Mr. Robert Morgan, who as Attorney General of North Carolina at the time, asked the former dean of Duke University to chair a Criminal Code Commission to determine what could be done. Mr. Morgan writes that the dean:

> Brought with him a young professor of law from Duke University, Walter Dellinger. For more than 7 years, Walt Dellinger served as consultant, draftsman, and reporter for that commission. It met one weekend every month for years and years. It was one of the most dedicated and hard-working commissions I have ever known.
>
> Professor Dellinger was a very vital part of the recodification of our code.
>
> I knew all the members of the Commission and appointed most of them. They tell me he was very knowledgeable and very helpful. He has a very high regard for the Constitution of the United States. That is reflected throughout the criminal code of North Carolina, which was adopted by legislature. We found that Professor Dellinger was a strong advocate for his beliefs but at the same time was willing to listen to reason and to the logic of others. He usually came down in a very reasonable position that was acceptable to most members of the Commission and an overwhelming majority of the North Carolina legislature.

In my opinion he can neither be classified as a liberal or a conservative. I would classify him as a lawyer who believes in the rule of law.

Mr. President, it sounds to me like this is a pretty good nominee to lead the Office of Legal Counsel of the Department of Justice.

What else has Mr. Dellinger done? He has been a counsel to Members of this Congress. He has served as counsel of record for both Republican and Democratic Members of the U.S. Senate and the House of Representatives who filed an amicus brief in the U.S. Supreme Court in support of challenges to restrictive abortion laws.

Now, this may be—I do not know—the heart of the debate. There is no question that there have been efforts in the courts to restrict a woman's right to choose. There is no question that there have been efforts to erode the 1973 Supreme Court case Roe versus Wade. And Mr. Dellinger was a counsel to Members of the House and the Senate who came together to support opposition to the further restriction of a woman's right to choose, restrictions which we know, of course, have been imposed.

Mr. Dellinger has been a frequent Hill witness, and he has testified on a number of constitutional and legislative proposals, including the Freedom of Choice Act, which he supports, and flag desecration. In that context, he explained that the Supreme Court might sustain a narrowly drawn statute, but that a broad amendment probably would not pass constitutional muster, a position I gather much like that taken by Judge Robert Bork.

He also has testified before Congress on campaign finance reform and Constitutional Convention procedures.

So Walter Dellinger is a leading oral advocate, and he is a trial strategist.

He is also a distinguished appellate lawyer. He represented Alaska, for example, in a $2 billion suit brought by Atlantic Richfield, Standard Oil, and Exxon against the State, and helped develop a constitutional theory that successfully defended the State's taxation of oil profits against a challenge that the State had violated State and Federal equal protection guarantees.

So this is a man who clearly has been around. He has counseled against some of the problems of a balanced budget amendment. I support a balanced budget amendment, a specific amendment which sets a time that enables the Congress and the President to reach a balanced budget, not an arbitrary one that cannot be carried out. And what Mr. Dellinger has counseled is that in the event of an arbitrary balanced budget amendment, we may run into some very real problems that would be counterproductive to the entire budget process. This is not unrealistic advice. It is prudent advice, because we all know about the impoundment of public funds, which becomes a possibility in a balanced budget debate. I believe, similarly, that his views on school prayer are moderate and thoughtful.

These are some of the controversial issues with which a distinguished constitutional scholar as well as a legal advocate may grapple. But I have found, Mr. President, that when you have broad issues of public policy debate, it is wise to listen to bright people. It is wise to consider the counsel of scholars and, indeed, Walter Dellinger is a scholar.

It is not happenstance that this nomination was unanimously approved by the Judiciary Committee. Many matters are not. Many appointments are not. This one was. And it can be for only one overwhelming reason. We have before us a distinguished scholar, a brilliant legal mind, and a man who is fully qualified to head the Office of Legal Counsel of the Department of Justice.

I thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Who seeks recognition?

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas [Mrs. HUTCHISON], is recognized.

Mrs. HUTCHISON. I would like to get unanimous consent to introduce a bill as if in morning business, if the Senator from Delaware will allow that.

The PRESIDING OFFICER. Is there objection?

The Senator from Delaware.

Mr. BIDEN. Mr. President, reserving the right to object, how long does the distinguished Senator from Texas plan on speaking on the introduction?

Mrs. HUTCHISON. Ten minutes.

Mr. BIDEN. I have no objection.

The PRESIDING OFFICER. Without objection, the Senator from Texas is recognized for 10 minutes.

Mrs. HUTCHISON. I thank the Senator from Delaware and the Senator from North Carolina for giving me the opportunity to introduce this very important piece of legislation.

(The remarks of Mrs. HUTCHISON and Mr. SHELBY pertaining to the introduction of S. 1524 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming [Mr. WALLOP], is recognized.

Mr. WALLOP. Mr. President, on the subject of the nomination at hand, we find once again the peculiar irony of politics in America. The Senator from California, in remarks about the nominee, said that because one differed with his views, that was no reason to oppose his nomination. Yet this very same Walter Dellinger, because he differed with the views of Robert Bork, saw fit to orchestrate the savaging of one of the great legal intellects of our time. Because he differed with his views, this same Walter Dellinger took it upon himself to attack not only the character and integrity, but also the scholastic ability of Judge Bork. Now we are being asked to take that all in stride and allow Dellinger to become the Assistant Attorney General of the United States and to set our differences with his views aside.

Mr. President, this is a harvest. This man is reaping from a crop that he sowed. For the life of me, I cannot understand what it is about America's left wing that all righteousness is theirs and all conflict is somebody else's—it is redneck, it is reactionary, it is un-American, it is uncalled for. The left can savage whomsoever it pleases for whatever purposes it pleases because its views are sacrosanct. Its views are beyond reproach. The views of the left are sympathetic and sensitive and caring. The views of the right are to be rejected out of hand.

I think, to begin with, that I criticize an administration that would put a person in place as Acting Attorney General knowing of the controversy that surrounds him and ignoring the set of procedures that this Constitution has put in place, which allows the Senate a say. It is funny, as we watch this administration in action, the endless number of events in which they seek to deny a role for Congress.

I spoke on the floor last night. The Department of Defense is telling the widows and the families of the hostages that are in Mogadishu, and the people that have died, that they are not to talk with their elected representatives. They are not allowed to do that. Somehow or another, their tranquility may be poisoned if they talk to somebody who actually represents them in the Congress of the United States.

The Secretary of the Interior has put in place a broad sweep of administrative changes in the management of the public lands, some of which are in violation of Federal land management policy acts. Former President Carter writes the Secretary of the Interior a letter saying the way to bypass Congress is to use the Antiquities Act, then you do not even have to consult with them. This man is acting without the Senate having been given the respect of its due say.

So I rise to point out the irony in life in modern American politics.

The Biblical expression of "as you sow, so shall you reap," apparently does not apply to the left, only to the right. It was after all, was it not, Robert Bork's writings that Mr. Dellinger orchestrated the fight against. The Senator from California said that any time somebody has written so much and taught in so many places, they are bound to have expressed some views that arouse controversy. And so they should, and so they may. That is not by itself a reason to reject him, unless you happen to be Walter Dellinger and the victim is Robert Bork. If you happen to be Walter Dellinger and have written some things with which other people find controversy, that is to be understood, because after all, he was teaching.

Judge Bork had been teaching. The double standard is unacceptable.

Mr. President, on another subject, I ask unanimous consent that I might proceed as in morning business for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDATION FOR TEACHER VICKI HANFT

Mr. WALLOP. Mr. President, there are certain people who respond to tragedy with uncommon valor. Teacher Vicki Hanft of Sheridan, WY, is one of those people.

I would like to read from a letter sent to the local paper by two gentlemen who witnessed a tragic scene that thrust this small, tranquil community into the national limelight.

> During any crisis or emergency, there seems to be one or more individuals who, without thinking about their personal safety or the consequences of their actions, seem to rise to the occasion and do things that under normal conditions you might not even realize that they are there.
>
> Such were the actions of Vicki Hanft, the P.E. teacher during the crisis at [Central Middle School] on Friday morning, Sept. 17.
>
> Without thought to personal safety, this outstanding teacher calmly moved the students out of harm's way and even went in front of the person doing the shooting to help one of the injured students.

Mr. President, for reasons never to be known, an obviously disturbed and deranged young man took vengeance on the town's innocent 11- and 12-year-old students when he stepped onto a playing field during P.E. class and began spraying bullets. There was one adult who assured those children in that moment of terror and confusion that not all in their world had gone wrong. Vicki Hanft, a P.E. teacher at Central Middle School, deserves commendation for her courageous actions that went way beyond the boundaries of her ordinary job description.

Mr. President, I would also like to praise school district No. 2 for designing a practical crisis plan which recognized the fact that unthinkable situations like this actually could arise, even in this small rural area. The entire district, including school board members, principals, counselors, administrators, teachers, police, and emergency officials, were assigned functions to carry out once word of a problem reached them. The plan worked beautifully. A chaotic situation was swiftly brought under control to the benefit of the students and their concerned parents.

Mere logic cannot explain what happened that day. But, Ms. Hanft, school district No. 2, and the residents of the town of Sheridan, WY, proved that human instinct can serve us in ways we never imagined. I trust that same instinct will aid in healing those who suffered this nightmarish situation.

HEALTH CARE—RHETORIC VERSUS REALITY

Mr. WALLOP. Mr. President, I will talk one moment to discuss rhetoric versus reality.

Over the course of time, I will have some comments to make about the health care program that has been presented to us. The President proclaimed in his speech before Congress:

> We propose to give every American a choice among high quality plans. The choice will be left to the American citizens that work, not the boss, and certainly not some government bureaucrat.

The President either did not read, or hoped that we would not read, what the plan they published in the White House states. It says:

> In the event that more consumers apply to enroll in a particular health plan than its capacity allows, alliances develop a process of random selection for us in determining which new applicants may enroll.

That is not choice, Mr. President. That is not what the President said we would do.

The President also proclaimed in the speech before Congress:

> I think that those who don't have any health insurance should be responsible for paying a portion of their new coverage. There can't be any something for nothing * * * this is not a free system.

The published plan says:

> Health plans may not terminate, restrict, or limit coverage for the comprehensive benefit package for any reason, including nonpayment of premiums.

So I do not have to ask what the purpose of paying a premium in the first place might be. There was one last interesting thing.

Senator ROCKEFELLER from West Virginia proclaimed:

> This isn't going to be a bureaucracy. It is going to be a free enterprise with Government as a backup, as a watch dog, monitoring, not deciding, not negotiating, not collecting money, and not making decisions.

The President says:

> When the national board notifies the Secretary of Health and Human Services that a State has failed to comply with Federal requirements, the national board shall also notify the Secretary of the Treasury, and the Secretary of the Treasury will impose a payroll tax on all employers in the State. The payroll tax shall be sufficient to allow the Federal Government to provide health coverage to all individuals in the State and to reimburse the Federal Government for the costs of monitoring and operating the State system.

Mr. President, the rhetoric and the substance do not match. I will just note one other thing. I mentioned how they have this penchant for bypassing Congress—it is not that the Congress imposes the payroll tax, but the executive branch of Government. For goodness sakes. Is that voluntary? Is that not a very domineering Federal bureaucracy? Is not that something that we have not gotten used to in America?

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Connecticut [Mr. DODD] is recognized.

Mr. DODD. Mr. President, I ask unanimous consent that I be allowed to address the Senate as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized.

THE NORTH AMERICAN FREE-TRADE AGREEMENT

Mr. DODD. Mr. President, I rise today to speak in favor of the North American Free-Trade Agreement and to urge my colleagues to join me in supporting it.

I have spent the last several months reviewing all the relevant information about this trade agreement, discussing the matter with my constituents, and coming to a decision about which course of action would be best for the people of my State of Connecticut and best for the people of the United States of America.

I have concluded that the debate comes down to one between the future and the past. The North American Free-Trade Agreement represents the future, and by adopting it Americans can demonstrate their willingness to meet squarely the challenges ahead.

To reject this agreement, I have concluded, would be to hide from the future and pretend that the world has not changed during the last 30 years and is not changing radically before us.

I see three principal arguments for establishing the free trade area: First, it will create jobs in the United States; second, it could serve as the first step toward the creation of a powerful, hemisphere-wide trading bloc; and third, it could help guide the nations of Latin America and the Caribbean further down the path of democracy and prosperity. I will expand on each of these points in a moment.

Let me also say that this agreement is not perfect. It is not the agreement I would have negotiated if given the opportunity. But to vote against NAFTA because it does not fit exactly with my vision of the perfect free-trade agreement would be, in my opinion, shortsighted and self-defeating.

THE AMERICAN SPIRIT

Throughout our history, we Americans have been at our best when we have risen to face difficult challenges. We built a new nation on the shores of the American wilderness. After decades of gut-wrenching debate and a civil war, we abolished slavery. We fought two world wars to keep the yoke of tyranny off of Europe. We put a man on the Moon.

This is the America I know. This is the America I revere: An America of courage and stamina; an America that walks into its trials with its head held high and facing forward.

But now we hear from the opponents of NAFTA that this trade agreement represents a challenge we Americans simply cannot meet. Listen to what they tell us. They tell us that the United States of America—the country that tamed the wilderness, the country that defeated Nazism—cannot compete with Mexico, a poor nation with a gross domestic product one-twentieth of our own.

The Nation that put a man on the Moon and won the cold war will lose all of our jobs if we try to compete on a level playing field with Mexico. We can create an economy that remains the envy of the world, but opening that economy up will destroy it.

The opposition to the trade agreement is largely characterized by a timidity not in keeping with the great traditions of this Nation. I say this not to denigrate those who oppose this pact. Many of them live in my own State of Connecticut and have let me know of their concerns through thousands of letters, postcards, and phone calls over the last several months.

I suggest that the opposition to NAFTA is characterized by timidity not to impugn the agreement's opponents but to say that I sympathize with their concerns.

UNDERSTANDABLE ANXIETIES

I understand the fears of the many Americans who oppose this agreement. They have seen their wages stagnate during recent years. They have seen factories close their doors and jobs disappear. My own State of Connecticut has lost nearly 200,000 jobs since the beginning of this recession.

For more and more American workers, the American dream is receding further and further into the distance. People are hurting, and their pain cannot be lessened by a smoothly worded position paper or a neatly drawn graph or some vague promises about tomorrow.

Working people have seen Congress—a Democratically controlled Congress, I might add—fail to act on critical legislation to prevent the hiring of replacement workers during strikes, to raise the minimum wage, to strengthen OSHA. They have seen management hire temporary workers instead of full-time people making a decent wage. They have seen their own pay cut while top executives take home astronomical bonuses.

These are all real concerns, and each in its own way has contributed to the erosion of the standard of living of American workers. I have stood with labor on these issues. The Committee on Political Education of the AFL-CIO has given my voting record ratings of higher than 90 percent for each of the last 4 years. I have been a friend of labor, and I will continue to be one.

So I suggest that the anxiety felt by American workers is real but that the translation of this anxiety into opposition to this trade agreement is mistaken and misguided.

NAFTA AND JOBS

The fact is that rather than destroying jobs in this country and eroding our standard of living, the North American Free-Trade Agreement should create jobs and increase our standard of living. I think the evidence on this point is clear: The United States can and will compete in this new, international marketplace.

I would hope, Mr. President, in the ensuing weeks that people would focus on the facts in this debate. Too much emotion, too much rhetoric has been associated with this discussion, and people are not listening. NAFTA is becoming a mantra. But people need to pay attention to the facts, and I plan to take a few moments here to address those facts.

Our trade with Mexico is already creating jobs in this country. Since Mexico began its economic reforms in 1986, American exports to that country have more than tripled. We had a trade deficit with Mexico in 1987. After 6 years of freer trade, we now enjoy a trade surplus with Mexico of $5.4 billion.

This demonstrates, I think, that when the rules are made more fair, the United States remains second to none in economic competition. We have a trade surplus with Mexico despite the fact that Mexican tariffs on American goods are on average 2½ times higher than American tariffs of Mexican goods. Our exports to Mexico already support 700,000 jobs in this country, and these are good jobs that pay better than the average hourly wage.

NAFTA, in my view, will put us in a better competitive position than we find ourselves in today. The tariff system is stacked against us now. Under this trade agreement the tariffs will be eliminated and the field will be made truly level.

Nearly every major unbiased study has concluded that this trade agreement will increase employment in the United States. These are not studies, I would point out, conducted by the Government of Mexico, or the Clinton administration, or the Bush administration, or anyone else with a stake in seeing this agreement pass.

These were studies conducted by disinterested, respected third parties. I urge my colleagues to read those studies, to look at them carefully before drawing any definitive conclusions.

My own State of Connecticut is particularly well positioned to excel in this new international environment and I think the North American Free Trade Agreement will create jobs in a State where they are sorely needed. Connecticut exported $280 million in goods to Mexico in 1992. That is up 140 percent since 1987. Exports to Mexico now support, in my State, almost 8,000 jobs directly.

As the Hartford Courant pointed out in a recent editorial endorsing the trade agreement, "There would have been no recession in Connecticut had the rest of the economy enjoyed growth remotely similar to the growth in trade with Mexico and Canada."

These Connecticut exports to Mexico cut across many industries. They include chemical products, electronic equipment, paper products, industrial machinery and computers, transportation equipment, and food products.

Let me share with you a couple of specific examples of Connecticut firms that are exporting products to Mexico and creating jobs at home. Environmental Systems Products [ESP], located in East Granby, designs and manufactures motor vehicle emissions testing and inspection systems.

In July 1992 ESP won the emissions inspection and maintenance contract for Mexico City, the world's largest metropolitan area. This translated into $10 million in new sales for ESP.

Can you imagine, by the way, if, in Hartford or Miami, there had been a contract that had been awarded to a Mexican firm to come in and do these things, the outrage we would have heard?

And yet, a Connecticut firm in East Granby, CT, wins the contract in Mexico City, the largest metropolitan area in the world. I do not think it would have happened a few years ago had we not seen the reduction in the barriers that had existed to U.S. firms doing business in that country.

ESP also won a similar contract with the city of Guadalajara valued at $500,000. To meet its new-found demand in Mexico, ESP has hired 25 new employees at its Connecticut facilities.

Such scenarios are being played out across Connecticut as our State's firms adjust to the global marketplace and recognize the export opportunities available to them in Mexico. Connecticut peach and apple farmers and corn growers expect exports to Mexico to pick up considerably if the trade agreement goes into effect. Manufacturers of consumer goods, like American brands, Duracell and Nestle, are gearing up to increase sales to the Mexican market.

Connecticut's insurance industry, one of the largest employers in the State—roughly 50,000 people in my State employed in that industry—is eagerly awaiting the opening of a $3.5 billion market in Mexico. Aetna Life & Casualty has already formed a joint venture with a Mexican firm to sell insurance in Mexico. Connecticut telecommunications firms like GTE and General Signal stand to gain if NAFTA is adopted, as do construction and engineering firms like Stone & Webster Engineering and Combustion Engineering.

The list goes on and on and on. There are hundreds of Connecticut firms who will benefit from the opening of Mexico's markets that free trade will bring about. And each of these firms creates jobs in my State.

NAFTA AND WAGES

Much has been said by critics of the trade agreement about the difference in wages between Mexico and the United States. There will be a giant sucking sound—as one pundit put it—we are told, because NAFTA will encourage American firms to move to Mexico in search of cheap labor. Like much of the criticism of the free trade pact, this argument oversimplifies the complexities of economic decisions.

I would note the presence on the floor of our distinguished colleague from North Carolina, a businessman who knows the complexities of economic decisionmaking.

The fact is that companies do not base their decisions on where to locate on wages alone. That is an oversimplification. If that were the case, then Bangladesh and Haiti and other countries that have absolutely abysmal wage rates would be expert juggernauts.

Instead, firms take into account a wide range of factors in deciding where to establish operations.

To illustrate this point, I would like to share with my colleagues the experiences of Quality Coils, Inc., a manufacturer of electromagnetic coils in Bristol, CT. This company's story was recently told on the pages of the Wall Street Journal.

In 1989, Keith Gibson, who runs the company, shut down operations in Connecticut and moved them to Ciudad Juarez in Mexico, where wages were one-third those he was paying his workers in Connecticut. So far, I suppose, this story sounds like one straight from a NAFTA nightmare.

But, instead, moving the factory to Mexico turned into a nightmare for Mr. Gibson and Quality Coils. The firm's production facilities there lost money hand over fist. Absenteeism was high and productivity was low.

Rather than keep his plant in Mexico and continue losing money, Mr. Gibson moved his operations back to Connecticut in April of this year. And he rehired many of the workers laid off when he closed the plant in 1989.

Mr. Gibson, reflecting on this experience, said, "I can hire one person in Connecticut for what three were doing in Juarez."

The experience of Quality Coils illustrates a very important point. Wages are just one of many factors firms take into account when deciding where to locate their operations. Other factors include worker productivity, physical infrastructure, access to technology and access to markets.

Let me point out the fact that they had a bad experience there. Others have had good experiences. I do not want anecdotes to necessarily become the way in which we decide these issues, but I think it is important to point out that those who would suggest that this entire argument comes down to wages alone need to pay more attention to the other factors involved when a firm decides where to locate.

By all these standards, the United States in general and Connecticut in particular are ready and able to compete with Mexico and the rest of the world.

CREATION OF REGIONAL TRADING BLOCS

The American economy is now part of the world economy. Whether we like it or not, this is an indisputable fact. Given this fact, we can pursue three courses of action, in my view. We can dramatically increase tariffs, withdraw from global commerce, and retreat to fortress, America. Second, we can muddle along as we are now—and that is all you could describe it as, it is muddling—pursuing a middle course between free trade and protection while our competitors assemble themselves into powerful trading blocs.

Or finally, we can embrace the world and its challenges, which is the American tradition. We could open our markets to our neighbors and demand that they do the same in reciprocal arrangements. I see this as the wisest course for us to pursue and the surest means of establishing an America of prosperity.

I envision the creation of an inter-American economic coalition, a free trade zone extending from the Yukon to Tierra del Fuego and encompassing every nation of the hemisphere. Free trade among the United States, Mexico, and Canada would already create the biggest market in the world.

But we can go further. We can do better. We can create a trading bloc of three-quarters of a billion consumers. An alliance powerful enough to meet the Europeans and the Pacific rim countries together head on and prevail.

Just as the 20th century has been characterized by nationalism, I believe the 21st century will be a time of regionalism. The nations of the world will gather themselves into powerful trading blocs that will compete with each other in the global market. This process is already under way in Europe, and the Pacific rim countries will likely follow very shortly.

Such a scenario presents the United States with a choice. We can reject NAFTA and the possibility of forming a hemisphere-wide trading bloc. If this happens, the United States will find itself increasingly isolated in the global market.

The growing consumer markets of Mexico, Central America, and South America will be there for the Europeans and the Japanese and other Pacific rim countries to take advantage of. Distribution networks will be established, have no doubt about it; business relationships will gel, have no doubt about it; consumer loyalties will be created, have no doubt about it. American firms will increasingly find themselves at a disadvantage.

We should not fool ourselves on this point. If we reject the trade agreement and close our doors to the economies of our neighbors, they are not going to sit on their hands and wait for us to have a change of heart. They will not set themselves up to have their hopes dashed again.

Instead, they will form alliances with the Japanese, with the European community, with any other economic power willing to trade with them on fair terms. The countries of Latin America and the Caribbean want to join with the United States in a common endeavor to enrich the hemisphere, but if the United States says no, they will look elsewhere, they will do it immediately, and we will lose a historic opportunity to lead in the creation of a powerful, unified hemisphere of opportunity.

It is as simple as that. This train is leaving the station, and it is leaving whether the United States is on board or not.

IMPLICATIONS FOR LATIN AMERICA, CARIBBEAN

Over the years, I have given countless speeches on Latin America. There were probably times when my colleagues groaned when they saw me approaching the floor to talk about El Salvador, or Nicaragua, or one of the other nations of the region. And the fact is that Americans and the U.S. Congress did focus on Latin America during the 1980's. Why? Because large parts of the region were in crisis. It has often been said that the United States only cares about its southern neighbors when there is a war on down there.

But now most of the wars of the 1980's have ended. The curtain has been drawn on Latin America's encounter with the cold war, and I think the people of the region are universally glad to see that era go.

But just as the conflicts of Latin America have dissipated, so too has American interest in the region. We just finished discussing foreign aid to Russia. We have witnessed the White House signing of a monumental peace agreement between Israel and the Palestinians. We have troops on the ground in Somalia, and there is talk of sending more to Bosnia. President Clinton has already visited Japan.

It seems that we are focusing on every corner of the world now but our own. And yet it is with Latin America and the Caribbean that our fate in many ways is linked. And it is in Latin America and the Caribbean that the hopes of a post-cold war world organized around the principles of democracy, human rights, and unfettered trade are most within reach. This point bears repeating. There are more democratically elected governments in the Western Hemisphere now than at any time since the Spaniards first set foot here more than five centuries ago.

The free market is on the march throughout Latin America and the Caribbean. A region that used to be one of dictators, coups and civil wars, is on the verge of becoming one of democratic stability and peace.

And the nations of the region are already joining with each other to cement their gains and lay the groundwork for more. They are forming their own minitrading blocs. Argentina, Brazil, Paraguay, and Uruguay plan to create a southern cone common market that will create a free trade zone among those nations by the end of 1994.

The Andean nations of South America are negotiating a free-trade agreement. Colombia and Venezuela hope for such a pact with Mexico. Chile has already signed one.

The Central American countries, long the focus of discussion in this body because of the civil strife there, are discussing a free trade zone, and the English-speaking nations of the Caribbean have formed an economic community.

I should mention here that we have to be aware of the legitimate concerns of our friends in Central America and the Caribbean who may be put at a trade disadvantage by NAFTA at the outset. In the time before the creation of a hemisphere-wide free-trade agreement, we should work to address these concerns.

Things are happening fast now in the hemisphere, and the time has come for the United States to join this process. The historical ties, the geographic ties, the political ties, the economic ties are all there already.

This is a unique moment in history. The window is open but it will not stay open forever, if we do not take advantage of this wonderful opportunity that is being presented to us.

The foundation of a long-term productive relationship is in place. We need only put up the frame and complete the structure.

ALREADY A LUCRATIVE MARKET

Latin America and the Caribbean are already among the fastest growing markets for U.S. exports. Between 1991 and 1992, U.S. exports to the region grew by $12.4 billion, from $63.4 billion to $75.8 billion. That was a 19.5-percent increase in just 1 year. U.S. exports to the rest of the world increased by only 4 percent during that time. We now enjoy a $7 billion trade surplus with our neighbors in the Americas.

This region is now the United States' third largest trading partner, surpassed only by Canada and Western Europe. We have spent a lot of time and energy talking about trade with Japan in recent years, but how many of us know that we now do more business with Latin America and the Caribbean than with Japan?

If the United States signals that it is turning its back on the hemisphere by rejecting free trade with Mexico, the repercussions in Latin America and the Caribbean will be severe. I have lived in this part of the world, I have traveled extensively in it, and I am in contact with citizens of this region on almost a daily basis.

My colleagues know that I have not been vocal about every single corner of the world over the years. I have not claimed special expertise on Europe or Africa or Asia. I do, however, know this hemisphere. And I can tell my colleagues today that the eyes of the entire hemisphere are on this body, the U.S. Congress. Do not kid yourselves, a rejection of the North American Free-Trade Agreement will have grave foreign policy repercussions throughout Latin America. It is critical that we understand the implications of our decision.

A rejection of NAFTA will not only be interpreted as a rejection of Mexico, it will be seen as a slap in the face to the entire process of reform in Latin America. For too long, American actions have not lived up to American rhetoric when it comes to this part of the world. We have often said one thing and done exactly the opposite.

A rejection of the trade agreement and the possibility of a hemisphere-wide free-trade area that it brings will be seen as part of this historical pattern. For years, we have been urging and begging our southern neighbors to embrace democracy, to embrace free-market principles. We have urged them to open up their economies to international trade. We have urged them to free their markets and join the world community.

And now, as history would have it, most of the countries of the region have moved toward democracy and free markets. They have recognized that this is the course they must pursue if they ever hope to create prosperity, stability and justice for their people. In short, countries throughout the region, from Mexico to Bolivia, from Argentina to Jamaica, have followed our advice. They have done everything we have been asking of them for decades.

MEXICO'S TRANSFORMATION

Mexico has led the way in this area. Mexico's transformation since the mid-1980's has indeed been dramatic. We must remember that we are talking about a country with a long history of protectionism and state control of the economy. As recently as 1982, Mexico nationalized its banks.

Mexican President de la Madrid steered the country onto a different course in 1985, and Carlos Salinas de Gortari, who became President in 1988, has continued that course. More than 80 percent of Mexico's 1,155 state-run enterprises have been privatized or closed under President Salinas' leadership.

He has been a great friend to our country and a great modernizer to his own.

We are talking about major industries privatized, like TELMEX, the National Telephone Co., and Aeromexico and Mexicana, the two national airlines.

President Salinas has ordered government agencies and the remaining state enterprises to end discrimination against foreign firms. Tariff walls have crumbled in the past 6 years. Price controls and technical rules that favored Mexican firms at the expense of foreign competitors are being laid aside.

The other nations of the hemisphere are doing many of the same things. The trend is moving in our direction. Like Mexico, they are discovering the benefits that can come from a responsible free market system. They have pursued the path recommended to them for years by the United States.

CONSEQUENCES OF NAFTA DECISION

And what will the nations of the region get in return? If we pass NAFTA and begin to negotiate new trade agreements to link the entire hemisphere, they will become part of the most powerful trading bloc on Earth. They will have the opportunity to continue down the road of democracy and prosperity in the context of a two-continent-wide sphere of trade and cooperation.

The gains of recent years will be solidified and become the platform from which future success will be launched.

On the other hand, if we reject the agreement and bar the doors just when our neighbors have come knocking, we will be seen as the hypocrites of the hemisphere—the country that talks about lowering barriers to trade but maintains its own, the country that sings the tune of the free market but refuses to submit itself to one.

If this happens, if the United States refuses to match its words with its deeds, the nations of the region will either look elsewhere for partners, as I have suggested or, even worse, the entire reform process throughout this part of the world could be jeopardized.

If these countries that have gone down the road to democracy and free markets are rejected when they seek to institutionalize the reform process and link themselves with their brothers throughout the Americas, they may come to question whether they have gone down the proper road. Instead of continuing to open themselves to the outside world, they may close their doors once again. An outward gaze we see today may be replaced by an inward fixation.

We should not allow this to happen. We must pass the North American Free-Trade Agreement and begin work on a larger and better agreement that will link all of the Americas. We must seize on this challenge dealt to us by history. We must not flinch at just the moment when courage and resolve are demanded of us.

LEGITIMATE CONCERNS

A number of legitimate concerns have been raised about the trade agreement's impact on the environment and labor standards. There are also worries about the economic dislocation this pact could cause in certain parts of the economy.

In my view, the concerns about environment and labor standards have been met by the supplemental agreements signed by the United States, Mexico, and Canada last month. These are the first labor and environmental agreements ever negotiated to accompany a trade agreement.

Under these agreements, a new Commission on Labor Cooperation will work to make sure that all three nations enforce their labor laws. That is a historic achievement that ought not to be lost on us. The Commission's enforcement powers will have teeth: fines and trade sanctions would be levied against a country that fails to enforce its laws. That works to our benefit. That is in favor of the United States.

Similarly, a new Commission on Environmental Cooperation will have the power to ensure that each nation enforces its own environmental laws. Again, this agreement provides for sanctions to be applied against a country that violates it.

Instead of hurting the environment, many United States environmental groups such as the National Wildlife Federation believe NAFTA will go a long way toward improving the environment in Mexico. Just last month, Mexico and the World Bank signed a $4 billion agreement to clean up the border area. More such efforts are planned. That should be applauded by all of us.

In essence, these supplemental agreements on labor standards and the environment should ensure that no party to this agreement will seek to attract business by taking advantage of its workers or spoiling its environment. These agreements establish the rules of the trading game, and they will ensure that these rules are not broken.

Finally, there is much legitimate concern about the impact of NAFTA on certain vulnerable sectors of our economy. It is important to reiterate that, or balance, this trade agreement will create jobs in this country. Nearly every serious economic analysis of the agreement has clearly demonstrated this.

Some people, however, will inevitably lose their jobs due to trade with Mexico. To say otherwise would be foolish. Most of these jobs will be lost whether the North American Free-Trade Agreement takes effect or not, but we nonetheless have a serious responsibility to assist these people and help them adjust to the changing economy.

That is why we must push for a major retraining initiative to lend a helping hand to those who find themselves out of work as the result of the changing global economy.

We must also invest in our own physical and human infrastructure so that we will be in the best possible position to compete in the new global marketplace. We must invest in our roads and railways, we must rejuvenate our schools and rebuild our cities. We must make sure that the American workers are second to none when it comes to the skills necessary for the creation of the high-wage economy of the future.

CONCLUSION

In closing, this is the future I see for the United States. A future of prosperity built on trade and cooperation with the countries of our hemisphere, a future of skilled workers filling high wage jobs.

This is an opportunity for us to create the most remarkable trading relationship ever envisioned. It would dwarf those that exist in Europe or in the Pacific rim. This is in our self-interest. This is not to be done because it is a favor to our neighbors to the south. It is assistance to them, but, first and foremost, it is in our interest to pass this trade agreement. We must fashion this trade bloc and provide opportunities for Americans of future generations, a future in which the United States faces its challenges and overcomes its fears, the same kind of America that accomplished the great feats of this past century. We can start, in my view, building this future by approving the North American Free-Trade Agreement, and I urge my colleagues to be supportive of this effort.

Mr. President, I yield the floor.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I compliment my colleague from Connecticut. I have listened to a lot of speeches on the North American Free-Trade Agreement, and I have found none to be as comprehensive and as well thought out, well organized and logical as that of the distinguished Senator from Connecticut.

I compliment him because he is a powerful voice in this area, and he should be listened to. He is absolutely right.

Just a few years ago, I went down to visit President Salinas. He told me at that time I was the first United States Senator to visit the President of Mexico in 15 years. I think that is an incredible indictment of all of us for not paying more attention to this hemisphere and the problems that exist in this hemisphere and the friendships that can be engendered just by simple efforts.

The Senator is right. We would create the largest trading bloc in the world—700 million people. These people are our third largest trading partners; in manufactured goods the second largest trading partner. They are helping us in the antidrug effort like never before. They are cooperating with our DEA and others like never before. They have fought for democracy and for free market systems like never before. They are privatizing like never before. They are changing their whole system down there and bringing their people into a position of more self-empowerment. And they are the example for all the rest of the hemisphere, along with President Menem down in Argentina.

If we do not do this, we will set back Mexican-American relations at least 60 years and we will hurt this whole hemisphere, as the distinguished Senator from Connecticut said, a hemisphere that is watching us like hawks.

I do not wish to go on any further, but I compliment the distinguished

Senator because I think it is one of the best set of remarks on the North American Free-Trade Agreement I have heard. He certainly speaks with authority and with power, and I appreciate it personally.

Mr. DODD. I thank my colleague.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I have two sets of remarks that I would like to give, but I notice the distinguished Senator from Wisconsin on the floor. I understand the distinguished Senator from Wisconsin only needs 3 minutes. I would be happy, without losing my right to the floor, to yield so that he can give his statement.

Mr. KOHL. I thank my colleague from Utah for yielding to me for a brief period.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

Mr. KOHL. Mr. President, I rise to speak in support of the nomination of Prof. Walter Dellinger to be Assistant Attorney General for the Office of Legal Counsel. I am very confident that Professor Dellinger possesses the requisite professional background and character to serve as the head of that office. It is difficult for me to believe that his nomination is being contested at all because he is one of the most talented—and likeable—nominees I have ever met.

Walter Dellinger is exceptionally—and perhaps uniquely—qualified to examine the constitutionality of legislation on behalf of the Attorney General, the White House and the President. Professor Dellinger has devoted much of his career to the indepth study of the Constitution, and he is recognized as one of the Nation's leading legal scholars. Since February of this year, he has served as Associate Counsel to the President, and then as a consultant at the Department of Justice. Simply put, we should have confirmed him months ago.

Furthermore, Professor Dellinger has distinguished himself in front of the Supreme Court and perhaps he may even sit on the Supreme Court one day. But most importantly, Professor Dellinger has continually displayed a keen ability to remain objective while considering highly charged issues.

Last, I would like to comment on the Walter Dellinger I have personally come to know. He is among the brightest of all the Clinton nominees and he is among those most dedicated to public service. In discussions with Professor Dellinger what pleased me most was that his views are so moderate. In fact, when he told me that in some instances we ought to limit punitive damages, I knew then this was a man I liked, and that I could support.

Mr. President, throughout his professional and personal life, Professor Dellinger has exhibited the qualities required to head the Office of Legal Counsel. I expect him to be confirmed and I wish him well in his new position.

I thank you. I yield the floor.

WALTER DELLINGER (OPPOSE)

Mr. HATCH. Mr. President, I initially supported the nomination of Walter Dellinger to be Assistant Attorney General for Legal Counsel. Professor Dellinger is a very bright and able scholar, with whom I disagree on a number of issues.

Despite my disagreements with Professor Dellinger, I supported his nomination in the committee. I do not believe a President is entitled to a blank check in nominating individuals to executive branch positions, let alone to life-tenured judgeships. A President, is, in my view, however, entitled to some deference in choosing members of his or her administration, although considerably less deference is due with respect to life-time judicial appointments. Indeed, I have opposed one nominee to the Department of Justice, whose nomination was withdrawn by the President before the committee acted on her nomination. I have also opposed other nominations by President Clinton.

Moreover, my vote in favor of a nominee for a position in the executive branch does not signify I would support that nominee for a life-tenured position.

But, while I was prepared to cast my vote in favor of Professor Dellinger earlier this year, I will not do so now.

On August 11, 1993, Professor Dellinger assumed the position to which he had been nominated, on an acting basis. This was done despite the very clearly and plainly expressed opposition to the nominee by two Senators on this side of the aisle, the Senators from North Carolina. In my view, the administration has thumbed its nose at the Senate, a Senate controlled by the President's party. This nomination could have been called up for disposition. And until the Senate acted on the nomination, Professor Dellinger should have remained a consultant at the Department of Justice, and not assumed the active leadership of the division. It was not a wise decision by him to accept the advice he was given to assume this position on acting status in the face of what he understood to be strong opposition by two Senators.

Pending nominees have assumed their positions on an acting basis before. But in many cases, the nominee was a deputy in the office in question, on the day of his or her nomination. In other cases, there was no controversy or expressed opposition to the nominee who assumed acting leadership in the position for which he or she was nominated. But many nominees have served as consultants and awaited Senate action while a deputy became acting head of the office in the meantime.

Now I understand Professor Dellinger was switched from consultant to Deputy Assistant Attorney General for the very purpose of making him acting head of the office.

I am not suggesting that the Attorney General exceeded her legal authority here, but it seems to me a decent regard for the constitutional role of the Senate would have led the administration to await Senate action on this nominee in the face of opposition to the nominee in the Senate. This is at least the case, in my view, when the President's party controls the Senate. It is not this side which has declined to take up the nomination. And, it is no answer to say that one or more opposing Senators declined to grant consent to a time agreement; that is the prerogative of any Senator on either side of the aisle on any nominee or piece of legislation.

If the President wanted Professor Dellinger's nomination to be acted on so badly, it would have been called up. This is not intended in any way as a criticism of our distinguished majority leader, who is my friend. I well understand the time pressures on him. My criticism is aimed at an administration which, in the face of opposition in the Senate, refused to wait until the Senate disposed of the nomination, put the nominee into place on an acting basis, and thereby, together with the nominee, flaunted the Senate.

The fact that the two Senators are from the home State of the nominee is not central to my point, which is the larger one of flaunting the Senate's role in the advise and consent process. But, while not central, and even though this nomination is not for a state-based position such as district judge, U.S. attorney, or U.S. marshall, the fact that both home State Senators opposed the nomination and wished to be heard before confirmation carries weight with this Senator. To me, it means that Senate action comes first, placement in the position comes second. I think we set a bad precedent if an administration whose party also controls the Senate schedule can put a person into a position on an acting basis in the face of known opposition in the Senate. Here, the opposition is from both home State Senators. It does not matter what the vote was in committee. Many controversial matters on the floor have breezed through committee. The administration was aware of opposition to this nominee—that is why they could not get a vote on the nominee before the August recess. So, they installed him anyway.

Throughout this process, I want to be clear that I have had no reservations about this nominee's qualifications for the job or about his character and integrity. I do believe he and the administration made a misjudgment, and since that misjudgment—which was readily avoidable—impinges on the prerogatives of this body and, in particular, my two colleagues from North Carolina, I will oppose this nomination.

Let me add one more point because I want the record to be clear. Our distinguished chairman made reference to rumors or concerns brought to our attention. I will reiterate the chairman's remarks. Any concerns about the nominee brought to our attention were thoroughly checked out in a bipartisan fashion. There was not even a shred of evidence to support these concerns. My vote is not based on any other points than the ones I have mentioned earlier.

In my view, this controversy has absolutely nothing to do with any of the concerns referenced by the chairman last night.

Mr. President, these are important matters. This is important in my view. I believe that there are good people on both sides of this issue. As I said, Professor Dellinger has the credentials to fulfill this position. But I also think that the approach to the Senate has to be given some consideration as well.

TRAGEDY IN SOMALIA

Mr. HATCH. Mr. President, this morning brought more grim news from Somalia. Another American has been killed, this time by a mortar attack on the airport at Mogadishu.

I mourn this loss, as well as the loss of the other Americans who have died and who have been injured in Somalia. It is a tragedy. What is worse is that it is a needless and a pointless tragedy.

As one who knows what it is like to lose his only brother in a war, having lived through that tragedy, my heart and my prayers go out to the families who have lost their loved ones.

This military operation has been badly bungled by the Clinton administration and by the United Nations.

Where did this mission go wrong? It did so last March when President Clinton shifted the mission of our forces in Somalia from the humanitarian mission of delivering food to prevent mass starvation to the much larger mission of establishing security in Somalia and nation building.

Let us be clear. President Bush deployed forces to Somalia on a humanitarian mission that most of us supported. The forces we sent were sized and configured for opening roads for the delivery of food in the absence of organized resistance. And our forces achieved that mission.

But President Clinton changed that mission. At the bidding of the United Nations, he shifted the mission to building up a new Somali Government. Even this week Secretary of State Christopher has said that we will not leave until a "secure environment has been established." Yesterday, President Clinton said that American forces must stay to complete "the job of establishing security in Somalia."

What the administration did not do—and this represents its major policy failure—is reconfigure our forces for the new mission. We cannot pacify Somalia, or even Mogadishu, with the 4,000 troops we have in Somalia. If the President is serious about his new nation-building mission—and I want to express deep reservations about its wisdom—he must ask Congress to send the vastly larger forces needed to achieve that mission.

It is a simple question of means and ends. If the President wills these ends, he had better will the means. Otherwise, he will pointlessly sacrifice American lives and, I might add, the mission will inevitably fail.

The mistake of shifting missions without changing the forces is at the root of the tragic loss of American lives in recent weeks. Yet, unbelievably, the administration still does not see its error.

It is now sending another 1,000 troops and a few armored vehicles. But this will not create a force sufficient to establish security in Somalia. That is nowhere near enough. The new deployments may enhance the security of American troops in Somalia—and that is important in and of itself—but the only mission our forces will be able to achieve is the mission of defending themselves.

I would like nothing more than to be able to arrest Aideed and punish him for the actions of his forces. If we can do that with a surgical strike, I am in favor of it. But I am under no illusions about the massive deployments of troops that will be needed to achieve the mission of stabilizing and establishing security in Somalia.

The administration's basic inability to match mission and forces is deeply disturbing. Even more disturbing are the reports that the administration turned down the requests by commanders in the field for reinforcements and equipment needed to defend themselves. I will not prejudge these decisions, but a serious congressional inquiry into this tragic matter is imperative.

Mr. President, it seems more and more that it is amateur hour in American foreign policy. We sacrifice the lives of our troops to patrol the streets of Mogadishu, but we impose an embargo to the United Nations that prohibits the victims of genocide in Bosnia even to buy arms to defend themselves. We support a political role for the Khmer Rouge in Cambodia, but we hunt down General Aideed in Somalia. We use the United Nations for nation-building in Somalia, but we allow the United Nations to facilitate the brutal partition of a nation in Bosnia.

We are told that our policy is one of "assertive multilateralism." In fact, it is incoherent multilateralism.

It is time that this administration ends its excessive, and dangerous, reliance on the United Nations as a vehicle for American foreign policy.

We must stop allowing the international bureaucrats at the United Nations to treat the United States as their personal 911 emergency number. We should participate with other U.N. military missions, but only when U.S. forces are under U.S. command, and only when the operation serves vital American interests. No such interest exists in the streets of Mogadishu. No more American troops should die there.

Mr. President, I add that no more American troops should be taken hostage. We should do everything in our power to remedy that situation.

Mr. President, I sincerely hope that the administration will come to its senses and return to the Bush plan in Somalia. Our mission is complete. Our forces should be withdrawn. The United Nations should be tasked with pursuing a political—not military—solution to the internal conflict in Somalia.

Most of all, the administration must learn the lesson that the United States should put its troops in harm's way only if our vital and critical interests are at stake and should send enough forces so that they can achieve their mission rapidly and with the least risk to American lives.

Mr. President, I yield the floor.

SOMALIA

Mr. D'AMATO. Mr. President, first of all, I want to concur in the sentiments expressed by my good friend, the Senator from Utah [Mr. HATCH], as it relates to the United Nations literally taking command of our troops and our forces. I think that raises very serious questions—questions that we should be discussing as to when, how, and under what circumstances. Basically, I say they should not have command and control over U.S. forces.

Second, the fact that we have changed the mission in Mogadishu, in Somalia, where we once undertook a mission of mercy, for feeding starving people—and everyone could sympathize and support that effort; I did, and I think most of the American people did, as did Congress—we have gone from that humanitarian mission, where we put in 28,000 troops to guarantee the safety of the U.N. personnel undertaking that mission. Thereafter, we draw down that 28,000 to some 4,000 U.S. troops—most of them support, 1,200 Rangers. The fact of the matter is that by that draw down, and then a change of the mission from one which was of humanitarian nature but yet had sufficient fire power to assure that those charged with the responsibility of carrying this out could be protected, to one that we call—it is a wonderful sounding name—"nation building." That sounds like a political process: "nation building."

Mr. President, it is not a political process. It is not a political process if you have to use armed personnel and U.S. troops to go in and seek out people. It is not a political process if you are having fire fights with different segments, whether it is Aideed or anyone else. It is not a political process in the terms that we generally think about it. It is a much more aggressive one. It is a policy that departs from sending food in. A policy of seeking out and hunting down people who are armed and dangerous. By its very nature, it is much more dangerous.

What do we do? We withdraw support for the young men and women who we send over there in basically a humanitarian effort. And now, under the aegis of the United Nations, it has been changed, and it is much more a military action. That is what it is. Nation building is a military action.

Senator BROWN and I sent a letter to Secretary Aspin yesterday in which we requested from him confirmation or denial of those reports that we have read in a number of the media, in which it has been said that Secretary Aspin denied the request of General Montgomery to send armored personnel support tanks to Somalia for defensive purposes.

Let me read to you a report from Knight-Ridder, in the Albany Times Union:

> "Defense Secretary Les Aspin twice spurned requests from General Colin Powell to send additional tanks and troops to Somalia to defend American soldiers—before a dozen died in last week's fire fight," Pentagon officials said Wednesday. Officially, Aspin and the Pentagon decline to discuss the episode, saying that such matters are classified. Privately, Aspin aides acknowledged that the Secretary never acted on the request, made twice over a 3-week period. "The Defense Secretary was mulling this request when the mission blew up over the weekend," one said.
>
> In addition, it has been reported that the civilian advisers to Secretary Aspin said they feared there might be a political backlash from the Congress and the American people.

Since when has Congress ever, ever engaged in that kind of second-guessing of what was necessary for the defense of our young men and women? How dare those political bureaucrats make that assumption? And how dare the Secretary of Defense turn down that kind of request? Incredible.

Indeed, we have a right to these answers. Why did Secretary Aspin turn down a request that came from the field and that was approved by none other than Colin Powell, Chairman of the Joint Chiefs, to see that the kind of support necessary, that the tanks and equipment necessary to defend our young men were not made available?

If it is true that he feared a political backlash, does that mean that because of the sake of political expedience we do not give proper support to our young men and women in the field? Is that what that means? That is a pretty sad commentary.

Let me indicate to you why this takes on some relevance because the fact of the matter is these young rangers were pinned down for up to 9 hours, although American personnel quick reaction forces that were supposed to be able to respond in 20 minutes, it took them 9 hours to get to these rangers who were pinned down because they did not have what? Tanks in which to get them there. And after they started a rescue operation and hit withering fire, their commander on the ground determined that the losses would be too great and withdrew and, thereupon, it took another period of time before we could assemble tanks from other areas from the Malaysians who then broke through and were finally able to rescue these rangers who were pinned down for 9 hours.

Mr. President, maybe it is not the political thing to say or to do in this climate of political correctness, but Secretary Aspin has a lot to be called for and a great deal of accountability on why it is he turned down these tanks. And if the answer is that which we have heard from the nameless, faceless bureaucrats, because he feared a political backlash, then I suggest that he should be fired now. He should resign now, and if he does not resign, the President should remove him.

We understand the principle of civilian control and that the President is Commander in Chief of the military. But we also recognize that when we send our people out into the field, our young men and women, our soldiers, to take on hazardous and dangerous missions that we give them the best, that we support them, that we do not withhold support with something so basic as tanks to defend them in a situation that has changed from one that was supposed to be humanitarian to now a more militaristic adventure. And that is what it is. That is unconscionable to deny that field commander, who is backed up by no less than Colin Powell, the Joint Chiefs of Staff, to deny them that which they need to protect themselves.

I do not know how many lives may have been saved if those tanks were available. I do not know how many of those who were wounded may not have been wounded. I do not know whether or not that mission would have been conducted in that manner, dropping them in that manner, because they did not have tanks and could not approach. I do not know.

But I certainly would suggest to you that the conduct of this operation not only leaves a lot to be desired, but it would appear that we do things on the altar of political expedience, and that is not acceptable. It is not acceptable.

Mr. President, I want to suggest to you that we are getting ourselves further into a situation where we are losing control over the command of our own U.S. personnel. I believe that what we see in Somalia may be the harbinger of things to come that may bring greater consequences and devastation to this country.

We use these nice new terms "nation building." Well, if nation building means that we have to conduct strikes against various people and tribes, I would suggest to you that that is far more hostile than what it may sound like, that it is far more dangerous than the so-called humanitarian mission of bringing food to people.

I suggest to you that it is a military operation. We now use another term. Maybe it is to get around the War Powers Act. It is called peacekeeping, and we now talk about bringing in, injecting 25,000 so-called peacekeepers into Bosnia.

Let me tell you something. Sending 25,000 so-called peacekeepers into Bosnia is far more dangerous than having 4,000 troops in Somalia under the present situation. If you believe that 25,000 peacekeepers are going to keep the peace, then I tell you, you believe in the tooth fairy, because they are not going to keep the peace and they are going to wind up being targets themselves. And just like some of our United States servicemen have reported, we do not know who the enemy is in Mogadishu and Somalia. They are not going to know who the enemy is because one day it is one group and another day it is going to be the next group.

We are taking on the mission of being world policeman. We are saying that under the aegis of the United Nations we are going to enter wherever there is civil strife. If they say it is a U.N. operation, it is going to be United Nations in name alone, and the fact of the matter is the firepower, the men who bear the suffering, the combat forces are going to be primarily United States.

Have we become hired mercenaries to inject in every hot spot throughout the world?

These are the kinds of questions we better be answering ourselves. Are we going to have the incompetent bureaucrats at the United Nations determining the destiny of our U.S. service people? Are we going to have the command and control on battlefield situations, the lives of young U.S. citizens, who serve their country, determined by foreign nationals who may decide to send in help or may not decide to send in help? Who may decide it is appropriate?

We get reports that in certain situations when military operations were being conducted—and I say military operations in Somalia—that certain of the countries that participated, their commanders did not agree with the overall command and refused to undertake various operations.

How do you assure the safety of our U.S. troops in that kind of situation?

I suggest to you that we better have a clear understanding of this business. It is nice to bring in this business of one world—one world, former President Bush discussed that—and the use of the United Nations. When do you decide it is appropriate to use force? At what level, and who is going to participate? Who is going to fund this?

Mr. President, I know there are others who would like to speak to the issue at hand, the Dellinger nomination. I thank them for their indulgence to permit me the opportunity to raise these issues.

These are difficult times, but I think sometimes we are afraid to call them the way we see them because maybe it is not politically correct. There are other issues. There are those who say let us get Aideed.

I think the only thing necessary for us to do is to make sure that we secure those who have been taken hostage and get out as quickly as possible. I think this Nation is far greater than having to worry about how we are going to be viewed in other areas of the world. I do not think it is worth, that conflict in that area, one more U.S. life. Yesterday we had another person who was killed as they mortared the fields over there.

I do not like when I hear situations where the other convoys and the other troops of the nations are not fired upon, but it has now become sport to fire upon the U.S. personnel. I understand there will be deaths there. Pakistan suffered deaths. But now it is very clear we have become the enemy where here we are reaching out to give humanitarian aid to help starving people and are now viewed as the enemy. Here we went in with one purpose, and now we are being asked to hunt down whoever it is. I would like to hang him, no doubt about that.

Is it worth more and more human lives, more and more servicemen, one more man to go and get him. If we are going to get him, then for God's sake, let us authorize this and let us do it in an appropriate way. Let us see to it we have overwhelming power and force so that we do not unnecessarily jeopardize lives and do it in that manner as opposed to this haphazard manner calling it one thing and yet it is something else—putting a nice, acceptable political terminology on as nation building when it involves far more in the way of military risk than our previous authorized undertaking of supplying humanitarian relief.

I think we better be more realistic, and I also think we need real accountability.

Notwithstanding that, it may not sound nice, Secretary Aspin should go. He absolutely has forfeited his right to have the support of this Congress, of the people of this Nation, when he refused to send the necessary armament so that young men could be defended from the kind of thing that took place.

Mr. President, I see my colleague from Alabama, and I yield the floor.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

The PRESIDING OFFICER (Mr. KERREY). The Senator from Alabama is recognized.

Mr. HEFLIN. Mr. President, I rise today in support of the nomination by President Bill Clinton of Walter Dellinger to be Assistant Attorney General, in the Office of Legal Counsel at the U.S. Department of Justice.

Mr. Dellinger is a distinguished North Carolinian where he graduated with honors in political science in 1963 from the University of North Carolina at Chapel Hill. He went on to receive his law degree from Yale Law School in 1966. After graduation from law school, he served as a law clerk to Associate Supreme Court Justice Hugo Black, who was a native of my State of Alabama.

From 1969 through the present, Mr. Dellinger has held various positions at Duke University, one of our Nation's leading southern universities. He has been an associate professor of law, a professor of law, associate dean, and acting dean at Duke University Law School. He is a member of the American Bar Association and the North Carolina Bar Association.

Mr. Dellinger has received a number of honors and awards almost too many to mention. Some of the more significant of these are the Eugene Bost Research Fellowship; the Rockefeller National Humanities Fellowship; Project 1787 Constitutional Founding Fellowship; Yale Law School National Scholarship; and the General Motors National Scholarship.

Mr. President, the Office of Legal Counsel within the Justice Department is a most important position and the head of that office advises the Attorney General in carrying out her responsibility to "give advice and opinion upon questions of law when required to do so by the President of the United States." This is a statutory duty which has been imposed on the Justice Department since the enactment of the first Judiciary Act of 1789.

Many distinguished Americans have served in this position including Alabamian Charles Cooper, who served under Attorney General Edwin Meese, and who has publicly stated of Mr. Dellinger that:

> I have come to know him, like him, and respect him as a fine lawyer * * * [h]e is a splendid appointment for a Democratic President.

Similarly, Mr. Theodore Olson, who headed this office during part of the Reagan administration stated that while he may have disagreements on certain issues with the nominee that "nonetheless, I feel he is well qualified by experience, intelligence, and background to be President Clinton's Assistant Attorney General for the Office of Legal Counsel."

Our former colleague Senator Terry Sanford of North Carolina, who also served as president of Duke University, has also written to chairman of the Judiciary Committee JOE BIDEN, endorsing the President's nomination of Mr. Dellinger. And in July, Mr. Dellinger received a unanimous vote of approval from the Senate Judiciary Committee, indicating its trust in the President's nomination.

Mr. President, the Office of Legal Counsel is one of the most important legal positions within the executive branch of Government. This office has had a distinguished history of providing keen and objective legal analysis to the Attorney General, and I am convinced that Walter Dellinger will continue that devotion to the traditions of that office.

I generally defer to Presidential nominations to the executive branch of Government of both political parties, both Democratic and Republican, believing that the President has the right to select his choice as long as they are qualified by intelligence, integrity, good common sense, and are of good moral character. While I might not agree with some of the nominee's positions that he has taken on past policy issues, I respect the right of the President to select his nominee as long as he meets those foregoing criteria.

But a nomination to this particular office also requires, in my judgment, a higher standard. As one former deputy to this office in the Reagan administration, Robert Shanks, has stated:

> It is important to note that the Office of Legal Counsel is not a part of the official policymaking apparatus of the Department. It exists to provide the best possible legal advice in response to questions concerning the legality of proposed Executive actions. The trust and credibility of the Office—its reason for existing—would be diminished to the extent that partisan political considerations were perceived as affecting its best legal judgment. The Office, therefore, has strongly resisted the temptation to allow political pressures to affect its ability to render the best possible legal advice, based on an independent reading of the law.

Mr. President, it is this special responsibility to advise the Attorney General on the legality of proposed executive branch actions that makes this position of public trust so important. I am convinced that Walter Dellinger, based on his qualifications and experience as a lawyer, and his integrity as an individual, will exercise that independent judgment when necessary and will uphold the traditions of this distinguished office. I am pleased to support his nomination and urge my colleagues to cast their vote in his favor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. PRESSLER. Mr. President, I would like to speak on a subject separate from the immediate one, if I may do so.

The PRESIDING OFFICER. The Senator has that right.

NOMINATION OF JAMES E. HALL

Mr. PRESSLER. Mr. President, I would like to explain my position regarding James Hall, who has been nominated for a position on the National Transportation Safety Board [NTSB]. I understand the full Senate will probably confirm Mr. Hall's nomination later today. Yesterday, I voted against that nominee in the Senate Commerce Committee, on which I serve. I would like to explain why I oppose Mr. Hall's confirmation and give some of my views on the bureaucracy within the NTSB and the Federal Aviation Administration [FAA].

As a member of the Commerce, Science, and Transportation Committee, I have long been concerned about the effects of agency bureaucracy. I became especially concerned about it earlier this year when South Dakota Governor, George Mickelson and seven leading citizens were killed in a plane crash. At that time, I began to look into some of the Federal agencies' directives and standards in relation to aviation safety. It turned out the National Transportation Safety Board had sent the FAA two warnings about the Hartsell propeller, which appears to be at least part of the cause of that devastating plane crash. However, no airworthiness directive was issued by the FAA. In fact, the National Transportation Safety Board had even sent to the FAA a letter predicting a catastrophic accident would occur unless something was done. Yet, the FAA did not issue an airworthiness directive.

I am very concerned about the safety of the flying public. I am also concerned about safety for all modes of transportation, be it the train crash that occurred in Maryland, the Amtrak train accident that occurred recently in Alabama, or a pipeline breakage or an explosion during the transportation of hazardous materials. Because of these very real catastrophic accidents, the public deserves to have a National Transportation Safety Board that is first rate and will work to enhance transportation safety to the greatest extent possible. Therefore, the nomination to the NTSB should not be taken lightly.

Let me explain briefly my position regarding Mr. Hall's confirmation. I shall not ask for a rollcall vote on the floor, but I want to explain a bit of the background on this because I think it is vitally important to transportation safety in the United States.

Both the National Transportation Safety Board and the FAA are what we might call middle-level bureaucracies. These two agencies are very much concerned with keeping the American public safe, but they are not in the glare of everyday publicity. These two agencies do not get much scrutiny from a public administration point of view. Indeed, I have said we need to have an oversight Congress, a Congress that does not pass new laws but has an oversight into the various agencies to see how they are doing their jobs, how they are spending their money, and what the results are.

Mr. President, there is much talk about reinventing government. I frequently feel we as Senators are not doing our jobs as we should unless we spend some time looking into these agencies. And that is blue Monday work. When Congress creates a new bureau or agency, we get headlines and media coverage. However, when we hold oversight hearings and try to analyze the agencies with the Federal Government, there is very little credit given. There is very little press coverage. But that is not what we should be here for. We should be here to do our jobs effectively.

In our agenda, we should include taking a hard look at the National Transportation Safety Board. One of the law's requirements regarding membership qualifications is that at least three of the people on that Board be professionally qualified at the time of appointment. Specifically, the law states, the following:

> At any given time no less than three members of the Board should be individuals who have been appointed on the basis of technical qualification, professional standing, and demonstrated knowledge in the fields of accident reconstruction, safety engineering, human factors, transportation safety, or transportation regulation.

Obviously, the law's stated professional requirements are subjective. Frankly, I believe the law should be revised to make these requirements less subjective. It is my opinion we would not be upholding the law if we approve Mr. Hall's nomination. In fact, I have written to President Clinton on this very matter and am eagerly awaiting his reply.

I ask unanimous consent that a copy of that letter be printed in the RECORD immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PRESSLER. Let me clarify. I am not opposed to political appointees, nor do I question Mr. Hall's reputation. Further, I think the National Transportation Safety Board is currently composed of very forthright individuals who work diligently to protect the safety of our traveling public. I hope that point is very clear.

At this point, it is up to each Member of the Senate to decide for himself or herself whether Mr. Hall's confirmation should go forward. I became convinced during Mr. Hall's confirmation hearing that he did not meet the professional qualifications as provided by law. Frankly, I was disappointed in the answers he gave to several of my questions. I ask unanimous consent at this point to have some of those questions and answers printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PRESSLER. The bottom line is: What direction are we headed at the National Transportation Safety Board? I believe strongly the Senate, in its confirmation process, has a responsibility to raise a voice of objection if we feel some nominee is not well qualified for that particular job. That does not mean that nominee is not well qualified for another job. I believe this is the case with respect to Mr. Hall.

Let me go a step further. I believe the Congress of the United States has to do a better job of oversight hearings overall, and has to do a better job in scrutinizing nominations. I apply that to Republican as well as Democratic administrations and Senators. In fact, I spoke recently with Senator BOREN, who heads the commission on congressional reform in the Senate. One thing I believe is we could have shorter sessions by getting our work completed in the mornings, and having our votes stacked. I believe we owe that to those of us in the Senate who have families. But, also, I think every other Congress should be an oversight Congress, where we look into the agencies and evaluate what we have done and evaluate how our taxpayers' money is being spent. In that way, we could best accomplish an important goal advocated by our Vice President, AL GORE. The Vice President is working to reinvent Government, and make it more efficient. That is a goal I share, too. Unfortunately, instead of proper review, we often hurry along. We are constantly giving short shrift to agency oversight and the hearing confirmation process, for example, there were two or three other nominees this year that I had raised questions about, but I found most of them were just pushed on through the process. I think we need to do our duties more carefully and spend a little bit more time checking and rechecking and reviewing each and every individual nominated for an administrative position. Mr. President, I hope my position is better understood by my colleagues.

In the case of Mr. Hall, my concerns are as follows: A vote on Mr. Hall's nomination was scheduled less than 24 hours after the full committee's nomination hearing. I objected to such hasty action. Further, I had serious questions about Mr. Hall's responses to my questions during his nomination hearing and wanted my colleagues to have an opportunity to read the hearing transcript. Finally, in my judgment, Mr. Hall does not have the professional qualifications as defined by law. Mr. Hall even admitted this fact during his nomination hearings.

Mr. President, I remain convinced that by approving Mr. Hall's nomination we would not be living up to the true letter of the law. In closing, my position can best be explained by reciting a few quotes that I believe merit careful consideration:

> This Committee has on occasions rejected nominations to the NTSB because the nominee did not meet the requirements of the statute in terms of experience.
>
> Accident investigations and decisions as to cause are too important to leave to political amateurs.
>
> I will do what I can to see that qualified nominees, not political friends, serve on this important agency.

Mr. President, I congratulate the distinguished chairman of the Aviation Subcommittee, Senator FORD, for those forthright words. My colleague made these remarks last year—the last time this committee considered a nominee for the NTSB. He was right on target and I appreciate being able to associate myself with his comments. In short, we agree that the law's requirements must not be overlooked. I hope that is the case the next time we consider a nominee to the NTSB.

Mr. President, I do not intend to block Mr. Hall's confirmation. I take the floor to express my concerns and wish the RECORD to reflect that, had a rollcall vote been taken on this nomination, I would have voted in the negative. Nevertheless, I expect the Senate will approve this nomination, and I wish Mr. Hall well in his future service at the National Transportation Safety Board.

EXHIBIT 1

U.S. SENATE,
Washington, DC, September 8, 1993.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: You may recall that a letter to you dated May 28th expressed my concern that government leadership positions responsible for carrying out our nation's transportation agenda should be filled by qualified individuals. This is particularly important for those positions affecting the safety of our traveling public.

Generally, I am not opposed to appointments that are political in nature. However, in cases where the law provides for minimum qualification standards to be met, such as with the composition of the National Transportation Safety Board (NTSB), it is critical that the law be upheld. Therefore, I am very concerned with your nomination of James Hall to the National Transportation Safety Board (NTSB).

As you may know, the provisions governing the composition of the NTSB require that no less than three members of the Board are to be "appointed on the basis of technical qualification, professional standing, and demonstrated knowledge in the fields of accident reconstruction, safety engineering, human factors, transportation safety, or transportation regulation." Given the law's specific professional requirements for NTSB membership, as well as the fact that the NTSB is one of the most critical agencies for transportation safety, I believe it is necessary that the qualifications of any NTSB nominee—Democratic or Republican—be considered in relation to the professional background and qualifications of the current NTSB members, when appointed.

James Hall does not meet the professional qualifications as defined by law. In fact, Mr. Hall admitted this fact during his nomination hearing. Therefore, I would appreciate knowing the Administration's interpretation of the law as it applies to the composition of the NTSB. If the Administration interprets that the statute concerning membership qualifications has been upheld with respect to Mr. Hall's nomination, I urge that your next appointment to the NTSB be an individual with the technical qualifications and professional expertise required by law.

Thank you for your attention to my concerns. I look forward to your response.

Sincerely,

LARRY PRESSLER,
U.S. Senator.

EXHIBIT 2

Senator PRESSLER. As I said in my opening statement, the law governing the NTSB specifically addresses the composition of the Board including the qualifications of its members. The law's provisions regarding these qualifications reads: "At any given time no less than three members of the Board shall be individuals who have been appointed on the basis of technical qualification, professional standing, and demonstrated knowledge in the fields of accident reconstruction, safety engineering, human factors, transportation safety, or transportation regulation."

Do you feel that your background puts you in that category?

Mr. HALL. No, Senator, I do not think I am an expert in any one of those areas. I think that, as was mentioned earlier, I have had the opportunity to work on a number of complicated and complex matters in which I have had to look to technical and research advice in order to make decisions. And I feel that my knowledge of the NTSB and the type of staff that is there, that working with that staff I would be in a position to meet the requirements of the statute in terms of membership on the Board, but I do not profess to have an expertise in any of those areas.

Senator PRESSLER. Now, if you could change the procedures of the modal agencies in deciding on a course of action to alleviate a safety problem, what changes would you make?

Mr. HALL. I do not think at this point in time, Senator, not having served at the Board and had working, hands-on experience with that, that I could give you an answer to that question.

Senator PRESSLER. Okay. What actions would you take to provide greater assurances that the DOT and its modal agencies give NTSB recommendations their highest priority?

Mr. HALL. Well, I would not have any recommendations at this point in time, as I have stated earlier. However, I would assure you that I would be actively involved to be sure there is close cooperation, to be sure that any recommendations that are advanced are implemented.

Senator PRESSLER. What is the NTSB's definition of an unsafe condition?

Mr. HALL. I am not aware that there is a definition of an unsafe condition, as a formal one that the NTSB has.

Senator PRESSLER. What would your definition of an unsafe condition be?

Mr. HALL. Well, I would imagine that anything that would cause whatever mode of transportation to become hazardous would be one definition, but I do not know that I would have a—you know, that is probably a pretty subjective matter.

Senator PRESSLER. For example, the National Commission to Ensure a Strong Competitive Airline Industry is about to report the costs of certain safety rules. You will be one of the Nation's key decision makers in terms of deciding where costs override additional safety measures. You obviously have thought a great deal about this. You are going into one of the most important safety jobs for the people of this country. Give us your philosophy of what an unsafe condition is, or at what point the costs of implementing new safety regulations override the results?

Mr. HALL. I do not believe that that is a matter that I have a philosophy on. I think at the Board you are basically charged with looking at a specific accident, and as a result of that accident making specific recommendations, and I do not think that cost is necessarily a factor that the National Transportation Safety Board would factor in. That possibly would be done in the agencies. I think we are supposed to specifically look at the problems and recommend measures that we think would be corrective actions.

Senator PRESSLER. Now, according to the working draft issued July 19th, 1993, by the National Commission to Ensure a Strong Competitive Airline Industry, the commissioners outlined several major findings regarding the cost of safety regulations.

Some of these findings include: "Federal regulations in airworthiness directives impose a massive cumulative cost burden on airlines which has never been quantified by the Government; Major rules since 1984 have added $3.5 to $7.5 billion to past or future airline costs, based on an aggregation of FAA's original estimates of costs for specific rules; Congress, DOT, and FAA all contribute to this burden. Congress or DOT mandates can preordain the outcome of cost-benefit analysis; Given the extremely high level of safety in the airline industry which can make it increasingly expensive to achieve even incremental safety improvements, Federal regulators must do a better job of ensuring that additional requirements meet rigorous cost-benefit tests; Industry often warns of high costs while the FAA believes it is not provided with accurate data on costs early enough to make an informed judgment before proposing a rule."

What is your feeling on cost-benefit tests regarding safety?

Mr. HALL. Senator, I am not familiar with, obviously, the work of that Commission, other than what I have read in the newspaper, and have not had the opportunity to read the report in its entirety. My position, as I see it, on the National Transportation Safety Board is to protect the safety of the citizens of this country, and I am charged with that responsibility and that would be the basis under which I would operate.

Senator PRESSLER. How is the cost benefit measured in terms of safety by the NTSB?

Mr. HALL. I do not have that information at this time, Senator.

Senator PRESSLER. Does the NTSB agree with the cost-benefit analysis of DOT's modal agencies? What are your views?

Mr. HALL. Well, as I mentioned earlier, I do not think at this point in time I have sufficient information to answer that question. That is certainly an area that I am going to look forward to looking at if I have the opportunity to serve on the Board if confirmed.

Senator PRESSLER. As a member of this Committee, I am trying to get an understanding of your view of what you believe, and of what you think because you are going to be one of the key people that we will be counting on in the United States in the area of transportation safety. Obviously in preparing for this hearing and this job, you have thought these issues through. Obviously, the Commission places high emphasis in weighing costs versus benefits when it comes to issuing safety regulations. Do you agree with this type of analysis?

Mr. HALL. Senator, my understanding, again, of my role at the National Transportation Safety Board is that we would be making specific recommendations in the safety area. And as far as I am concerned, I am going to be charged with the safety of the public, and will do my very best to ensure that any recommendations that the Board can make that would make any of the modes of transportation safer are recommendations that are given consideration and advanced.

Senator PRESSLER. Well, give me your view—how do you view the Board? I mean, what do you see as your principal role in a very broad sense?

Mr. HALL. In a very broad sense, I would look to, obviously, the fact that the Board was created 25 years ago by Congress for the purpose of advancing—being an independent agency to advance—independent board to advance safety in the various modes of transportation. And I would strive very much, Senator, to maintain that independence, to look at the matters in each one of these modes as they are brought to my attention, to rely, as I mentioned earlier, on the technical expertise of the members of the NTSB staff, and then working with the other board members to make specific recommendations to advance safety across the transportation modes that is our responsibility.

And it is not a position in which—it is very similar, I think, to the position that I had, to some degree, in the Governor's Office in Tennessee, in which we would attempt to investigate, evaluate, make decisions, and see that those decisions are implemented.

UNITED STATES POLICY IN SOMALIA

Mr. PRESSLER. Mr. President, this is not the first time I have stood on the Senate floor and called for the withdrawal of all United States troops from Somalia. I do not expect it will be the last. I have had concerns about the use of United States troops in Somalia since they were first deployed in December of last year. At that time, the mission was at least laudable and clearly defined. It was a humanitarian endeavor. I believe it was referred to then as Operation Restore Hope. However, since May 4, 1993, when the United Nations assumed control of the operation, the mission has been difficult to understand and has not been defined. The new mission, UNISOM, was placed under U.N. command with a United States general, general Montgomery, taking orders from a Turkish general, general Bir. This is unprecedented in history, an American army, with the dubious mission of nationbuilding—whatever that is—under the command of a Turkish general who must relay all command decisions through a command post thousands of miles away in New York City. This sounds like a bad movie.

Is it any wonder there were command and control problems in the heat of the fire fight in Mogadishu—a clash that left at least 13 Americans dead and 80 wounded. These troops were pinned down for 7 hours while U.N. forces sat less than a mile away. This so-called rescue team had to wait for permission from U.N. Headquarters in New York to go to the assistance of the Americans.

Frankly, our problems in Somalia began the day our troops hit the beach. Our troops have overstayed their welcome. Our troops are being used by the warlord Aideed to facilitate instability in Mogadishu. Whether they are captives to displayed to the media, or corpses to be dragged through the streets of Mogadishu, our military personnel have become the targets in a brutal civil war. These problems are compounded by the lack of definitive civilian leadership in the Pentagon. Since ordering the continuation of the United States presence in an increasingly ill-defined mission, the Office of the Secretary of Defense has not been supportive of military requests for needed equipment in Somalia. It has been clear to all of us in Congress that our troops were the intended targets of Aideed's rogue units. At the very least, the safety of U.S. troops should have been of greater concern to the Secretary of Defense than possible political perception. Given these factors, how could it be that an equipment request from a field commander could make it all the way up the chain of command—through central command—through the Joint Chiefs of Staff—through the Chairman of the Joint Chiefs of Staff, only to be denied at the Secretary of Defense level? Did we not learn our lessons in Vietnam? This request was for armor, tanks, and personnel carriers, to ensure the safe transport of U.S. troops. Yet, according to newspaper reports, Morton Halperin, the man who advised the Secretary of Defense on the field commander's request was admittedly concerned about political perception, rather than the immediate safety of our forces. Let me remind my colleagues that Mr. Halperin has been nominated but is not yet confirmed for the position of Assistant Secretary of Defense for democratization and peacekeeping, a newly created position. I cannot understand why the Secretary of Defense would find the judgment of an unconfirmed civilian official to be more valid then that of the Joint Chiefs of Staff. Clearly, resource allocations in the field should be given profound consideration when they have been approved entirely by the military chain of command. In short, Mr. President, an ill-advised mission has been exacerbated by ill-advised decisionmaking at the Pentagon.

Now, in response to growing public outrage over our continued presence in Somalia, decisions must be made. It is reported the President plans to deploy as many as 2,000 troops in addition to the approximately 5,000 already on the ground. The President has set March 31, 1994, as the date for complete withdrawal of U.S. troops. March 31 is simply too far in the future. Furthermore, what is our mission? Why are we sending more troops? I would support the deployment of additional United States forces only if their mission is to retrieve any United States prisoners of war, account for those soldiers who are missing in action, and ensure the safe withdrawal of all United States troops from Somalia. The mission must be simple—to secure the safe and immediate withdrawal of all U.S. military personnel from the region.

The President has set March 31 as the date for withdrawal of U.S. troops. March 31 is simply too far in the future. The day that all military personnel are accounted for is the day the United States should withdraw from Somalia. This Nation has entered the third act of the Somalian drama, it must be the final act.

Mr. President, in conclusion and in summary, let me state that I stood on the floor of the Senate when we initially sent troops into Somalia and objected because, as a Vietnam veteran, I felt strongly that we were entering into a situation where tribal conflicts have been ongoing.

I traveled in eight countries in the central African region last spring. There have been tribal conflicts going on there since the 14th century and they will continue long after I am dead.

The point of the matter is that we cannot solve their problems. Instead, we are exacerbating them. I think the original humanitarian mission was good. When it switched to UNISOM and nation building, we were quickly drawn into a quagmire.

Americans have a strong inclination to get involved in other nation's affairs. There are many other countries in this world who need our help, unfortunately we have limited resources and many problems at home that need to be dealt with. In fact, we have problems within a few blocks of the Nation's Capitol where you could build a case to have troops stationed, and where you could build a case to have an "Operation Restore Hope." The same holds true in many of our other cities, small towns, and rural areas in the United States. We need to focus on our problems at home, beginning with the huge deficit. Sometimes by making ourselves strong at home, by taking care of the problems on our back doorstep, we serve mankind better.

So, Mr. President, I hope we will have the troops out of Somalia—lock, stock, and barrel in the near future. This was an ill-advised adventure. It has become an ill-defined mission with no clear-cut goals. The longer we stay, the worse the situation will become. The longer we stay, the more prisoners there will be and the more enmeshed we will become.

I can already predict an increased number of requests for aid from the United States. We are often blamed for every problem in the world. It is not our responsibility to continue paying as much money as we are to many of these countries without them doing something for themselves.

I hope that this is the last chapter in Somalia, and I hope the President has gotten the message. I hope the State Department and the Defense Department will become more organized and establish an efficient chain of command so that our fine fighting men in the field are not sacrificed needlessly.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BIDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

Mr. BIDEN. Mr. President, so far with regard to Walter Dellinger, I have heard the following reasons offered as to why we should either not vote on his nomination or, if we get around to voting on it, why we should vote against his nomination. They are not fascinating, but they are intriguing.

One is, the Justice Department should not have done what the ranking member of the Judiciary Committee acknowledged that it legally could do, but should not have done what they did, and that is make him Acting Director of the Office of Legal Counsel. That is the one argument. I have heard it in various shades. Some, like the Senator from North Carolina, have indicated they had no legal authority to do that and others, like Senator HATCH, said although they had legal authority, they should not have done it anyway. That is the one argument.

Notwithstanding the fact that he was nominated a long time ago, notwithstanding the fact it was clear whenever the Senator from North Carolina indicates he wants to talk extensively on a nominee that he means that this is going to take a while, notwithstanding those facts, it was argued that either, A—they had the authority but they hurt our feelings by going ahead and doing it or, B—they did not have the authority to do it but they went ahead and did it anyway. That is No. 1.

The second argument I have heard so far, and I hope I am not overly simplifying these but I think I am accurately portraying the essence of the arguments thus far put forward against Professor Dellinger, the second one is home-State prerogative. The Senators from the home State, notwithstanding the fact that they were—in particular the one who had taken the lead in dealing with the Judiciary Committee—they were consulted, every single question raised was investigated, every single resource made available through the majority as well as minority—that is Republican and Democratic—investigators on the committee, notwithstanding that, the home State Senators do not like the nominee, for various reasons: Ideology, temper—I do not know, but they do not like the nominee.

Nobody else in the entire U.S. Senate has come to the Senator from Delaware and said—I'm sure there are some—but none that I can remember have come to me and said, "We don't like this guy, and we don't want him to run this office."

So the two Senators say, "Look, he's from my State and, therefore, that should be good enough." Well, it is good enough to do one thing. It is good enough to slow this person up, for me to slow this person up as chairman of the Judiciary Committee, and take an extra hard look at the reasons offered by the Senators from the home State as to why they do not want him. I did that. The committee did that.

We did it with due diligence. We followed up on every single, solitary issue raised relative to the nominee. Those issues raised relative to his character were totally and completely without foundation and specious. That is not just the conclusion of the Senator from Delaware as chairman of the committee. That is the investigative staff conclusion. The investigative staff is made up of Republicans and Democrats, professional lawyers and investigators.

So the one thing that opposition of a home State Senator does entitle the home State Senator to, and will continue to, is to give an extra hard look by the committee because we take seriously the opposition of a home State Senator.

But what it does not do is entitle the home State Senators to be able to veto an administrative appointment that requires advice and consent. The Constitution does not contemplate that. It would be disaster if we had that as a measure.

I believe the public probably wonders whether or not the arcane rules of this body make sense anyway, let alone to make 100 of us individual Presidents who could decide merely based on the fact that a nominee hailed from our State whether or not they have a right to serve with the President in the Cabinet or in a sub-Cabinet position in the U.S. Government.

I hope we are not doing that. The senior Senator from North Carolina said last night that is not what he intends. I am happy to hear that.

So even the home State prerogative, the only one being asserted, and that is that a home State Senator should be given particular consideration, that was given, and that will continue to be given. So it seems to me to be a nonissue at this point, other than a home State Senator being able to come to the floor and under the rules of the Senate—not the traditions of the Senate, the rules of the Senate—exercise his or her right, which I respect, to filibuster a nominee, or to attempt to defeat a nominee. That is perfectly within their right. That is how it should go. That is what we should do. And that is what is happening now.

So let me review now. The first reason offered as to why we should not have Mr. Dellinger in the position of Assistant Attorney General is because his appointment, temporary appointment was premature—it offended the sensibilities of the Senate and, some assert, violated the authority the Attorney General has.

The second reason is home State prerogative. I hope that is no longer an issue because I hope I have demonstrated, and the senior Republican Senator has demonstrated, the committee exercised and gave wide deference to that home State prerogative. There is not a single time either home State Senator approached the Senator from Delaware with anything remotely approaching a concern about this nominee that the Senator from Delaware as chairman of the committee did not follow up on.

The third reason offered, or I think will be offered more today—I anticipate it being offered—is, well, the Democrats did it to Bush. I expect we are going to see the charts we saw last night, that there were x number of judicial nominees left hanging out there at the end of the last term. Therefore, somehow—I do not know quite how it fits, but somehow this means that this nominee should be left hanging and not be voted on.

When and if the Senator from North Carolina articulates that argument more fully, I will respond in detail to his argument. But I fail to see the causal relationship between the two even if the Senator from North Carolina's assertions last night were accurate, which I will take the time, if he raises them again, to demonstrate they are not.

The fourth argument raised as reason for opposition, the Senator from Delaware wrote a letter in 1989 to the President via the Attorney General, then Attorney General Thornburgh, that said all nominees from home States must be, you must go consult with the home State Senator before you send that nominee up. And if you do not, I as Chair will not consider the nominee.

It is reasonable for the Senator from North Carolina and others to assume that "all" meant literally all, any nominee. The truth of the matter is—and there is no way the Senator until last night would have known that—my discussions with the Bush administration, not beginning but culminating with my letter to them, were about judicial appointments for district courts. And I offered last night—and it is in the CONGRESSIONAL RECORD today—evidence of that, because the response to my letter where I used the phrase "all nominees" coming from the Justice Department said, and I am paraphrasing, in response to your letter about judicial nominees, Senator, we understand the following.

The administration knew back then in 1989 I was talking about judicial nominees. I knew I was talking about judicial nominees. My colleagues in the committee knew I was talking about judicial nominees. And now I hope the entire Senate knows we were talking about judicial nominees. So that fourth reason offered to slow up the Dellinger nomination I assume is no longer relevant now that the facts are known.

Now, there is a fifth reason that has been brought forward to oppose Walter Dellinger, and that reason is that he is too liberal—a legitimate reason to raise. That is the only thing I have heard. I have heard he is too liberal; that he had written opinions as a professor, written articles, advised Senators that the constitutional amendments relative to prayer were not appropriate, that he is prochoice, opposed to a balanced budget on a constitutional basis, whatever.

Well, I would argue that would be relevant, relevant and should impact on a Senator's vote relative to this nominee, if he were in a policymaking job. If he were going to be nominated for the Supreme Court—and he would make a fine Supreme Court Justice in my view—if he were going to be nominated for the Supreme Court, then I would think every Senator has every right to get up here and say, look, I do not want a Supreme Court Justice out there who is going to be able to overrule Supreme Court rulings or is going to rule on a Supreme Court case before the Supreme Court that says balanced budget amendments are unconstitutional or that prayer in school is unconstitutional or whatever else you disagree on. I respect that.

But I also would respectfully point out to my colleagues the Office of Legal Counsel is a job—and I read this into the RECORD last night—defined as being essentially the Attorney General's lawyer. His or her job, that is, the one for which Walter Dellinger has been nominated, is required to give a hard-baked legal opinion to the policymakers in the administration, whether it is the President or the Attorney General or other policymakers in the administration, as to what they are proposing. Is it (a) legal, and is it (b) constitutional.

The only relevant information that that lawyer's lawyer should and will give is what the State of the law is. He must write or she must write to the Attorney General or to the President: Mr. President, or Madam Attorney General, you wish to do the following. I regret to inform you that the Supreme Court has ruled on 77 occasions that you cannot do that. Although there is an argument against the Supreme Court position, I must inform you it is the law of the land.

Now, no one, no one, no one, has disputed that there is anyone more qualified—let me be precise—no one has disputed that Walter Dellinger is fully, totally, and completely qualified by competence, intellect, background, training, scholarship, and character to interpret what the law of the land is today.

This is a man who by everyone's account—liberal, conservative, good, bad, or indifferent—is a genuine legal scholar, fully competent to interpret what the law of the land is with alacrity and accuracy.

That is what this job is about.

Again, let us review the five arguments.

First, premature appointment.

We had our feelings hurt.

By the way, Walter Dellinger did not do that. Walter Dellinger did not say, by the way, premature appointment, even though he legally could do it without our colleagues' knowledge. You should not have done it. You hurt our feelings. A lot of Presidents and a lot of Attorneys General have done more than hurt our feelings. They have broken the law or interpreted the Constitution in the way that is fundamentally different than the vast majority of the constitutional scholars think it should be interpreted.

This does not fall in that category. The worst you could say is hurt feelings, lack of sensitivity. Is lack of sensitivity enough reason to deny one of the most brilliant scholars in America the opportunity to serve his Government in an advisory capacity as the lawyers' lawyer? I would respectfully suggest not.

Second reason: Home State prerogative.

I hope we are finished with that. I hope no one any longer is arguing that either, A, I did not accede to the prerogatives that are traditionally granted to home State Senators or, B, I hope we are not going to make the argument home State Senators have a constitutional right to veto any administrative appointment that requires advice and consent merely because that nominee hailed from their home State. I hope that is finished. If it is not finished, it is at least specious.

Third argument: Democrats did it to Bush.

We will deal with that when it is articulated more thoroughly, which I anticipate it will be.

Fourth argument: The chairman said so.

The chairman said all nominees. I hope we have settled that by using the correspondence from the Bush administration to the chairman relative to the point in question demonstrating beyond a reasonable doubt we were only talking about judicial district court appointments.

Lastly: He is too liberal.

Interesting, good reason for debate, ostensibly a rationale to vote "no" but not relevant to the job in question.

So I am ready to call the question, unless someone would like to speak in opposition to the nominee.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, it occurs to me that—

Mr. HELMS. Mr. President, will the Senator yield just one moment?

Mr. COVERDELL. I certainly yield to the distinguished Senator from North Carolina.

Mr. HELMS. Mr. President, let me inquire of the Senator from Delaware through the Chair whether we are going to play games, parliamentary games. I know how to play them too. If the Senator is going to call the question every time I step out, I will stay here.

Mr. BIDEN. Mr. President, responding to my friend, one game I do not want to play with the Senator from North Carolina is the parliamentary game.

Mr. HELMS. Very well. I thank the Senator.

Mr. BIDEN. Mr. President, let me clarify what I mean.

I did not, nor did I last night, nor would I ever merely because the Senator walks off the floor call the question. My point was, my question was in the form of a question. I said if there is no one, if there is no further debate on this question, I am prepared to. I did not say I was going to. I was inquiring if there is anyone wishing to come to the floor to debate. It is like that old joke. They say, you know, my job is to speak and yours is to listen. If you all finish your job before I finish mine, raise your hand so we can all go home.

My job is to move the nomination. Your job is to be opposed, and have the reasons to say so. If you no longer wish to speak in opposition, I am ready to vote. That is my only point.

Mr. HELMS. Who has the floor, Mr. President?

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. HELMS. He yielded to me. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HELMS. Mr. President, with all deference and all due respect, I do not need a lecture on parliamentary procedure or double talk. I have heard both since I have been in the Senate.

Now I want to review the question. Is the Senator from Delaware going to call the question or let anybody else call it every time I step in the cloakroom to take a telephone call?

Mr. BIDEN addressed the Chair.

Mr. PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. The answer is no, unless the Senator from North Carolina or someone else tells me there is no reason to debate any further. I will not call the question as long as anyone has a desire to say anything. That means if the Senator has to leave the floor, he says, Senator, we have 2 more, 5 more, 17 more people, or me, I wish to speak, but I have to leave the floor, no problem.

Mr. HELMS. Very well. No problem.

I thank the distinguished Senator from Georgia for yielding.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, it is extremely clear to me that we are engaged on a matter of this nomination because we have a disagreement among leadership, because there is strategic posturing underway at the moment with regard to a far more critical matter that he is before this U.S. Senate, this Government, and the American people.

I am taken aback that we are discussing the nomination of Walter Dellinger to be Assistant Attorney General for the Office of Legal Counsel while there are American soldiers under fire, dying, confronted with a combat situation for which they are not adequately prepared, and we are not discussing the matter. We are discussing the nomination of Walter Dellinger.

I respectfully would point out, Mr. President, that I do not believe the American people agree with this process. And I have often said that as a product of the 1992 election I can certify that the American people asked us to do things differently in Washington. When they see us here discussing this procedural matter rather than the life and death of American soldiers in an ill-defined combat situation, I think they will be gravely discouraged.

Mr. President, this morning in the Washington Post on a report of the situation in Somalia, the following language occurs that is exceedingly alarming to me, and I think ought to be to every Member of the United States Senate and particularly those who chair the committees of jurisdictions—the Armed Services Committee and the Foreign Relations Committee. I want to read for the RECORD this statement that appears in today's Washington Post. It says:

> The president suggested in an interview with Copley News Service published yesterday that the United Nations had changed its mission unwisely, failed to provide military operation to back up peace keepers and staffed the units with troops untrained for their jobs who refused to venture outside their areas and refused to take orders.

That is a very serious comment on the part of the President of the United States. But it becomes more alarming. Let me read on.

> The president also referred to U.N. actions as if he—

I repeat as if he, that is the President of the United States.

> and his U.N. ambassador had had no role in formulating or approving them.

The actions of the United Nations.

I repeat. The President also referred to U.N. actions, which I have just noted, as if he—the President of the United States—and his U.N. Ambassador had had no role in formulating or approving those actions.

Mr. President, that is incredulous. That is a stunning statement. And it ought to command the attention of every member of this Government. We have United States personnel in faraway Somalia, under the command of the United Nations, on a subject for which we have been engaged for months, for which there have been hostilities for months, and we are being told that the United Nations changed the mission from one of humanitarianism to one of hostilities, placed United States personnel in harm's way, and the President of the United States and the Ambassador—our Ambassador to the United Nations—did not know about it.

I do not believe I have ever read a more alarming statement. This is exceedingly troubling, and I believe it calls for an inquiry and presentation before the pertinent committees—and I so suggest—of the U.S. Senate and House. These statements should be clarified quickly, and these are the subject matter which we ought to be addressing, because we are talking about life and death and captivity of American military.

Mr. President, for the last several months, we have been arguing about what is the mission in Somalia, and we have been asking for clarification of the mission. Now we find that the United Nations is arbitrarily changing the mission and not notifying the President of the United States.

Mr. President, I suggest that, through no actions of our own Government, the mission has now been eminently defined. There is one mission, and that mission is to recover and account for any American in captivity or missing as a result of this type of inaction and unpreparedness.

We have one mission: To leave no American unguarded, unprotected, or behind—we now know the mission—not by planning, but by circumstance. We must recover and account for these Americans missing. Then I suggest, Mr. President, that the mission ought to revert to one of humanitarian support, and that the United States does not have a national interest in enforcing a civil government in Somalia, for which the Somalis cannot agree.

It was interesting to me to note that in this intense battle, there were no Somalis fighting on our side, just the other side.

We have one mission, Mr. President: To account for every missing American.

Mr. President, to continue with the subject of the disarray which surrounds this matter, I read from the Washington Post again:

> The United States general previously had made clear his awareness that his "thin-skinned" vehicles were vulnerable, and had asked last month for M-1A1 tanks and Bradley fighting vehicles, according to U.S. military sources. He had requested armaments to deal with the vulnerabilities of the remaining U.S. personnel.

Remember now, we had sent 28,000 for a humanitarian mission. We are down to 4,500, and the United Nations changes the mission to one of hostilities but does not advise the President. So the U.S. general has the foresight to recognize that he has taken on a new mission, and it is a more dangerous one, and he is much less capable of doing it. So he requests equipment to shore his position. What happened to the request?

> But that request, endorsed by the U.S. Central Command, was turned down by Defense Secretary Les Aspin.

It was turned down.

> An official representing Aspin's views said he refused the request because he got conflicting advice, saw no great sense of urgency, and was sensitive to the likelihood of a backlash in Congress.

Mr. President, there are no American soldiers, in my judgment, who have ever fallen that did not do so for a great purpose. I am speaking to the families of the 12 dead, now 13, not counting the ones previous to that—I think it is now 25—and the growing number of wounded. But to find out that they were left without the appropriate resources in the changed mission, which no one seems to know about, because of fear of a backlash here, does not quite ring right. It just does not ring right.

Mr. President, I will move on to an extended point with regard to this issue. I think we are seeing, firsthand, the reason that there are many in this Government who do not believe that the United States military should be placed under the command of foreign commanders, and specifically the U.N. command.

It seems to me that we have been progressively moving over these last few months to what I would call incremental multilateralism. There are more and more occasions where we see a willingness to put U.S. personnel under a foreign commander. Why not, people would say? We are seeing a greater role for the United Nations, a peacekeeping role, and the United States should be part of it.

I suggest that the United States falls in a unique category. It is the only military superpower in the world. It is highly visible. A U.S. captive says something that a captive of a nonmilitary power does not say. We are unique. We have a red target painted around us, and we cannot function in the role that our colleagues from Norway can. We are in a different circumstance, and it is more dangerous, as we witnessed the other night.

In any event, the increasing willingness to put U.S. personnel under the command of foreign commands or the U.N. command ought not to happen by osmosis. It ought not to just occur. If it is going to happen, it ought to occur because there has been a conscious decision and discussion in the legislative branch. It ought to be ratified by the Congress before it occurs.

Mr. President, in the same article, we talk about the fact that when this column was ambushed, for a varying number of reasons, it took 6½ to 7 hours for the relief to arrive.

Most of us have had an opportunity to serve in the military. We just witnessed the Persian Gulf war and saw that war has become a matter of seconds and minutes. The difference between life and death is very narrow. This would have been a slow relief column in World War I, 6½ hours pinned down, stuck, before the bureaucracy of a multilateral force could effectively respond. They could not even speak the same language. Of course, no one would expect that.

But in the name of this experiment of an international military, there are 13 people who will not participate in the debate anymore. I doubt that the families of these soldiers are very sympathetic to this concept.

Mr. President, in the very near term, the United States is going to have to confront this question as to whether or not it is integrated into an international military, which I contend it cannot do. It could even demean the international effort, because we tend to exacerbate circumstances by our presence in the world. I believe we would be better served as an international partner to the process, a partner not integrated as we have seen in Somalia. The U.S. military should be a partner to these events. They should not serve under U.N. command, and we have seen the most glaring evidence put before us as to why.

Mr. President, I hope this body will quickly return to the matter at hand. We have our men and women in a hostile situation that deserves our immediate and undivided attention.

Mr. President, I yield the floor.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise today to speak on the nomination of Walter Dellinger to serve as Assistant Attorney General for the Office of Legal Counsel at the Department of Justice.

On August 11, 1993, Mr. Dellinger was appointed Acting Assistant Attorney General without notification to the Senate. Mr. Dellinger was considered to be a controversial nominee as he was opposed by both home State Senators. They had returned negative blue slips to the Judiciary Committee and this action leaves no doubt that there would be considerable debate on his nomination.

Rather than await Senate action to carry out its advice-and-consent role on this nominee as prescribed by the Constitution, the administration saw fit to appoint Mr. Dellinger as Acting Assistant Attorney General. In the past, there have been officials appointed to an acting position to fill a vacancy but Mr. Dellinger's appointment does not reflect precedent—I repeat precedent—on this matter.

The appointment of Mr. Dellinger to serve in an acting position is, in this instance, contrary to the clearly established role of the Senate in the confirmation of senior executive branch officials.

This appointment is in disregard to the Senate's responsibility and is a breach of Senate prerogative which is constitutionally mandated.

Mr. Dellinger is a capable individual but I will oppose his nomination as a clear signal to the administration that this Senator believes firmly in the Senate's responsibility under the Constitution in the confirmation process.

LATEST DEVELOPMENTS IN SOMALIA AND THE NOMINATION OF MORTON HALPERIN

Mr. THURMOND. Mr. President, I have just returned from a White House meeting with other congressional leaders and the President to discuss our policy in Somalia. I commend President Clinton for consulting more closely with Congress. Whenever possible, we want to support the Commander in Chief, especially when Americans are fighting and dying overseas. Congress shares responsibility for how American military force is used, and the two branches must work together.

The President has decided on a temporary reinforcement by heavy armored forces to guarantee the protection of the light infantry forces now in Somalia. In addition to the armor already announced, the President is prepared to send as many as 2,000 more troops. I said in the Senate on Tuesday that such a temporary buildup might well be necessary for the security of our troops.

However, more than additional troops and equipment, we need to change the way our forces are operating in Somalia. As I also said on the Senate floor, this mission must be redefined in military terms so that our troops can operate the way they are trained.

The President indicated he hopes to have all Americans out of Somalia by March 31. I am not in favor of announcing a certain date for our departure, but I do feel that 6 more months in the Somali quagmire is too long. In my opinion we have discharged any obligation we have to Somalia. The President wants to remain until Somalia has a viable democratic government that can guarantee future stability. But this was not part of the original mission, and Congress was not consulted when the mission escalated and put our service men and women in danger.

The goal of nation building in Somalia is unrealistic in any case, and could keep us bogged down indefinitely, with more killed and wounded. This is not acceptable to the Congress or the American people.

On the other hand, it is not in the national interest to slink out of Somalia with our tail between our legs, chased out by warlords and thugs. We must use our temporary military buildup for leverage to get back our prisoners and our dead, and provide security for an orderly withdrawal in the near future—but a withdrawal on our terms.

American soldiers, sailors, marines, and airmen are the best in the world. They are not only well trained, they are also well motivated, brave, disciplined, and obedient. They will go and fight when and where they are told. In short, they are simply magnificent, and the Government has an obligation to them not to take their willing obedience for granted. We have a solemn moral duty not to throw their lives away lightly, for vague purposes not in the national interest.

Yet last night another brave American soldier lost his life in a mortar attack, and a dozen more were wounded.

The situation in Somalia is deplorable. But, Mr. President, who has the President nominated to become the Assistant Secretary of Defense to deal with peacekeeping missions like this one? Mr. Morton Halperin.

Despite some reservations, I have not opposed a single Department of Defense nominee of this administration. I believe the President should have the team he wants unless the nominee is dangerous to national defense. Mr. President, Morton Halperin is dangerous to national defense. He is a man of extremely poor judgment—the kind of poor judgment that can get Americans killed. Let me just read from one of his works and I think you will agree with me.

First, in a book entitled "Defense Strategies for the Seventies," he wrote:

> The Soviet Union apparently never even contemplated the overt use of military force against Western Europe. * * * The Soviet posture toward Western Europe has been, and continues to be, a defensive and deterrent one.

This was written in 1971. A vast majority of clear-thinking Americans knew even then that this view was fundamentally flawed and incorrect. Let me read what we know now. This is from the March 16, 1993, Washington Post:

> East Germany and Soviet planning for a military offensive against West Germany was so detailed and advanced that the Communists had already made street signs for western cities, printed cash for their occupation government and built equipment to run eastern trains on western tracks * * * the Soviet Bloc not only considered an assault but had achieved a far higher level of readiness than western intelligence had assumed.

Mr. President, I am at a loss as to how anyone could have so seriously misjudged Soviet intent. A mistake of this magnitude by an Assistant Secretary of Defense would threaten untold numbers of lives of young men and women in uniform. At a time when our soldiers are dying in the streets of Somalia, we can ill afford to have a man of Mr. Halperin's discredited judgment making decisions concerning the intentions of our enemies.

In fact, let me read to you from a Washington Times article published this morning that describes one of Mr. Halperin's misjudgments:

> * * * Some lawmakers called for the resignation of Defense Secretary Les Aspin for rebuffing demands from field commanders last month for armor to help protect U.S. troops in Somalia.

A separate article in the same issue says that—

> * * * military leaders, including General Powell, pressed for the armor. An Army official said Pentagon civilians—including Deputy Undersecretary of Defense Frank Wisner, designated Assistant Defense Secretary Morton Halperin, and other Aspin aides—opposed the military's request because they feared it "would appear too offensive-oriented."

Mr. President, I thought we learned something from Desert Storm and Desert Shield. I thought we all knew that when it comes to protecting the lives of our soldiers, superior force is the best policy. Yet Mr. Halperin does not want to appear too offensive-oriented. I ask you, Mr. President, how do you appear too offensive-oriented when you are protecting American lives from a vicious and well-armed enemy?

Mr. Halperin's ideas and advice are already at work in the Pentagon, although he has not been confirmed. I see his handiwork in the Somalia disaster. We can not and should not confirm this man. Morton Halperin's discredited ideas and extremely poor judgment may already be costing American lives. His nomination should be withdrawn.

I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas, [Mr. GRAMM], is recognized.

SOMALIA

Mr. GRAMM. Mr. President, I rise to speak about Somalia.

Mr. President, I believe, and I have always believed, that partisanship should end at the water's edge. As a result, I have tried to support our President in foreign affairs in each and every circumstance that I could.

I intend to support the President's decision to send reenforcements to Somalia, but only to protect the Americans that are there. I am very concerned about the President's policy. I do not believe that the President has a coherent policy.

We went to Somalia on December 9 in a great humanitarian effort to do one and only one thing, and that was to feed a hungry people. By any definition of the mission, that mission was finished by June of this year.

But, rather than saying that we had achieved what we went to Somalia to do, instead of taking the bow that was due Americans for their sacrifice and their commitment on behalf of a needy people halfway around the world, we started to change our mission. We, today, find ourselves in a combat role where Americans are being targeted, where Americans are being fired upon, and where Americans are dying.

Mr. President, I do not believe that the American people ever signed on to this new mission. I do not believe that Congress ever supported a mission in Somalia other than feeding hungry people. I believe that mission is complete.

I am going to support the President in sending additional combat troops in order to, No. 1, protect the Americans that are there; and, No. 2, to do whatever we have to do to obtain the freedom of any American that is held hostage. I think it is imperative that we take actions to bring Americans home.

The President's decision to extend our presence for 6 more months is totally unacceptable to me and totally unacceptable, I believe, to the Congress.

If the people of Texas—who are calling my phones every moment, who are sending me letters and telegrams by the hour—are representative of the will of the American people, the American people do not believe that we should allow Americans to be targets in Somalia for 6 more months. I cannot see anything that we would achieve in 6 more months in Somalia being worth the precious lives of more Americans.

I want to help the President. I am concerned that the President has no coherent policy. If he has it, he has certainly kept it to himself.

We had a briefing, as the Presiding Officer knows, the day before yesterday by the Secretary of Defense and the Secretary of State. From listening to them, I could determine no coherent policy, no clearly defined objective, that we had set out to achieve.

It is imperative that we do everything we can to protect Americans lives in Somalia. I am going to support the President in putting the troops on the ground to protect the Americans that are there, to use the force we need to free Americans that are held hostage, and then we need to bring all Americans in Somalia home.

March 31, 6 more months of Americans being targeted for no clearly defined reason, does not make sense. I do not support it, and I do not believe that the Senate of the United States will sustain that policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington, [Mr. GORTON] is recognized.

RURAL JOBS

Mr. GORTON. Mr. President, last week I had the great pleasure of holding a town meeting in Ferry County, WA, a large but sparsely populated county in the northeastern part of that State. Spread out over 2,200 square miles, Ferry County is home to some 6,700 hard-working and industrious people, salt of the Earth people who appreciate the land, raise their families on it, and enjoy their way of life.

The town meeting was held on the banks of the Kettle River in Curlew, a place off the beaten path but well worth the trip. Many people in Ferry County made an extra effort to attend this meeting, and the turnout was tremendous. I hold town meetings whenever I am home, in urban, suburban, and rural areas across the State. More people attended this meeting than any other I have held in the past 2 years.

I am convinced the turnout was so high because the people of Ferry County wanted to tell me the decisions being made in Washington, DC, threaten their way of life and are cutting into their ability to raise their families and build their communities.

For more than 100 years the people of Ferry County have relied on three natural resource based industries for their livelihood: timber, agriculture, and mining. And for over 100 years the people of Ferry County have protected their natural resources to ensure that their children and grandchildren share the same wonderful rural way of life they have enjoyed.

But today, that way of life is under assault.

Drastic reductions in timber harvests in the Colville National Forest threaten to eliminate hundreds if not thousands of jobs in the community. Huge increases in grazing fees charged to ranchers will, if implemented, almost certainly put many cattlemen out of business. The so-called reforms to our mining laws now being considered at the State and Federal levels may well mean the closure of the two gold mines in the county and the loss of still more jobs.

And all of this is being done under the guise of environmental protection and Government reform. It does not matter that the people of Ferry County have maintained their county in almost pristine condition for more than 100 years. It does not matter that they provide valuable and greatly needed products from natural resources—renewable resources in the case of grazing and forested land. Apparently, what matters is that some people in the Clinton administration feel that they know what is best for the people of Ferry County. They want to impose their values and their ideas on the people of that county. And they are indifferent to the people most immediately affected and to the human devastation their politically correct policies will impose.

And so, imagine my surprise when I returned to Washington, DC, and read in the Washington Post on Tuesday that President Clinton, in a speech to union leaders, said that he—and I quote—"would never knowingly do anything to cost an American a job."

That is a difficult line to sell to the people of Ferry County. Those people—real people who stand to lose real jobs if President Clinton is successful in implementing his programs. The President wants to impose sweeping rangeland reform that includes raising grazing fees to unrealistic levels that will put cattlemen out of business. The President also wants to rewrite mining law in a way that may very well mean the end of mining in Ferry County.

What could he possibly have meant when he said—and I quote him again—"I would never knowingly do anything to cost an American a job."

The President and his administration nodded their heads at the timber conference in Portland, OR, this past spring and pledged to come up with a plan that would save the spotted owl and not cost the Northwest any jobs. But by the time the ink was dry on the plan, even the President had to admit the job losses would be in the 5,000 or 6,000 range, and now that range is in the tens of thousands. Reducing timber cuts from several billion board feet a year to a few hundred million has—and will continue to—cost people their jobs. This is the result of policies knowingly adopted by the Clinton administration.

Families who manage the natural resources on which they rely for their economic well being are now being painted as "bad guys," when, in reality, they have the most to lose if those resources are mismanaged. But, instead of trusting these hard-working people to continue the stewardship of our resources, the administration is attempting to lock up the land and put it into some kind of environmental suspense account.

I would like to share with you a story about the people of Ferry County, their sense of individual and community responsibility and, not surprisingly, their skepticism about the Government. A few years ago there was an attempt in Congress to list the Kettle River in the Wild and Scenic River Program. Wary of this effort, the citizens of Ferry County banded together, as rural communities will, and fought off attempts to cede local control of the river to the Federal Government, a cause in which I am proud to say I joined.

After successfully winning that fight, the citizens of Ferry County were offered a $250,000 Government grant to study the Kettle River watershed and develop a management plan for it. Their response to this offer perhaps seems foolish to people in Washington, DC. But for the people of Ferry County it was the only right and sensible thing to do. They said, "No thanks. Keep your $250,000. We can raise our own money, do our own monitoring, and come together as a community to make sure the Kettle River is protected."

And that is exactly what they did. Through bake sales, dances, golf tournaments, and various other fundraising efforts, the people of Ferry County raised almost $12,000 and they are accomplishing with this rather modest sum what the Government said would cost a quarter of a million dollars. They are doing it with local volunteers, all tied to the community, all with a stake in the health of the Kettle River. That is the way the people of Ferry County think and that is the way they work.

I cite the example of Ferry County because I believe it to be representative of small communities throughout the West and across our country. These communities are under assault from their own Government, an activist Government which purports to know how everyone should live. Under the guise of environmental protection, this administration wields laws like the Endangered Species Act as a club, beating down timber towns, agricultural communities, and other natural resource-based rural economies. And, where it cannot accomplish its goals through existing statutes, it drafts new regulations, as in the grazing controversy, to make the utilization of natural resources on Federal land so prohibitively expensive as to make the continued use of these lands financially impossible.

Still, President Clinton says—and I quote—"I would never knowingly do anything to cost an American a job." Tell that to the cattlemen in Ferry County.

No one, not the cattlemen, not the wool growers, not even this Senator opposes raising grazing fees. But we cannot support a huge new regulatory regime because it will put good people out of business, no question about it. We cannot justly do this to people who have spent their lives working the land, who learned their way of life from their parents and grandparents, and who want to pass this way of life on to their children.

We should encourage these people, holding them up as examples for others to follow. Instead, this administration seeks to punish them.

Let me tell you about Margaret Grumbach, a 93-year-old woman from Curlew. Margaret's family and her husband's family homesteaded in the area in the late 19th century. Margaret has retired from ranching but both her son and grandson graze about 300 head of cattle on BLM land, in the Colville National Forest and on private land. The grazing fee increases proposed by the current administration would put these third- and fourth-generation ranchers out of business.

In addition, three of Margaret's nephews are loggers facing an uncertain future due to drastic cutbacks in timber supply in the Colville National Forest. This is the case despite the fact that timber is more abundant in Ferry County today than it was when Margaret was a child. And yet, the President says with a straight face that he—and I quote—"would never knowingly do anything to cost an American a job."

Let me tell you about Bill Brauner, the owner of Brauner Lumber Co., near Kettle Falls. His father was a lumberman who started his mill in 1930 at the height of the Great Depression. It was a small steam-powered mill. In 1950, after serving in World War II as a forestry engineer, Bill came back to the area, bought his father's mill and moved it across the river into Ferry County. Today his daughter, Marsha, and son, Bruce, work for the company. It took three generations of Brauners to build this lumber company. But Bill's company does not cut timber anymore. He mills logs others have cut and diversified his business to include purchasing milled lumber for local construction projects from other mills around the Northwest. Bill will survive, but you would have a hard time convincing him that Bill Clinton, "would never knowingly do anything to cost an American a job."

Bill Brauner used to mill 10 to 12 million board feet a year and now does half that amount. He used to employ 85 people in this rural community; today he employs 35.

Let me tell you about Bonnie Miller. Her grandfather mined gold at the old Knob Hill mine. Her father mined gold in Ferry County for 30 years. Her two brothers and brother-in-law are all currently employed by Echo Bay, a gold mining company for which Bonnie is a custodian. Bonnie believes the company will survive, but she says it gets harder and harder every year with more Government regulations and the threat of onerous and draconian revisions to current mining laws. You would have a hard time convincing Bonnie that Bill Clinton "would never knowingly do anything to cost an American a job."

This is what the people of Ferry County are facing.

What do we accomplish if the Government drives these people off the land? Where do they go? Who will provide this country with the products they make? These people are a part of some of the most productive segments in our economy. They are efficient, hardworking, dedicated Americans producing much-needed commodities for the people of the United States. Yet, they are portrayed as despoilers of the land, cattle barons out to make a buck at the expense of the American taxpayer, loggers stripmining the last stand of trees, miners raping the land for a few ounces of gold.

Something in our society is terribly out of whack when we begin to describe hardworking people, like those of Ferry County, as evil despoilers of the land. But that, apparently, is the trendy thing to do today. It is always unfortunate when the latest fad in politics wins out over the truth. But it is especially troubling and damaging here and now because the truth is that the people of Ferry County, WA, and the people of St. Mary's County, ID, and the people of Sheridan County, WY, and the people in a thousand other rural counties across America have shaped our country for the better. They have fed America, housed her, clothed her. They have built this country and provided a standard of living that is the envy of the world. And they will continue to do so for generations to come, in their own way, as they know best—if only they are allowed to do so.

But this administration does not want to let them do so, despite the fact that President Clinton "would never knowingly do anything that would cost an American a job."

Clearly, Mr. President, it can be argued that our growth and development and progress required changes in the management of our public and private lands. A wise conservation of our national environment is imperative, but all such changes come at a cost, a cost which must be balanced against the human and community costs of that management. Only by recognizing these costs can we minimize them, and only in this way can we determine that the human costs of measures proposed by an indifferent administration are sometimes too high and must not be imposed.

But when a President says he "would never knowingly do anything that would cost an American a job," he denies those costs and seeks to avoid a serious and rational debate about them. That is not leadership; it is a refusal to lead. It is unworthy of any President. I have stood with the people of Ferry County and listened to their concerns. I cannot begin to describe the admiration I have for their determination, their individualism, their sense of right and wrong.

I will issue a warning today to this administration: You underestimate the steely resolve of these Americans. Ferry County and thousands of other communities like it across the country are made up of individuals, people who value their independence and their way of life more than anything else in the world, and they will come together to protect that way of life.

In Ferry County, they have already banded together to form the Ferry County Action League. The league describes itself as a group of landowners, ranchers, loggers, farmers, miners, school teachers, business people, recreationists, and retirees with the sole purpose of protecting their economic and cultural base in a positive way by whatever means available, including litigation.

I am sure there are hundreds more of these groups across rural America. Soon there will be thousands. You will not trample on the rights of such people. They will not allow it.

More than a century and a half ago, the French historian Alexis de Tocqueville crossed the Atlantic to find out about America, to learn what our grand experiment in self-government was all about. In his resulting book, "Democracy in America," he wrote about Americans as individuals, but spoke of our genius to come together, to band together, as individuals in communities to solve local problems, particularly, of course, in rural communities where there was little or no government to turn to for help. He found this ability of Americans to work together to be the genius of this democracy.

It is particularly ironic more than 100 years later that rural communities are banding together once again. But today they are not banding together because there is no Government to solve their problems; today they are banding together because the Government is the problem, threatening their entire way of life.

Do not underestimate these people. They are the quiet producers of our country. They make us great, but they will protect their way of life with every nerve and sinew in their body, and this Senator is proud to stand with them.

Mr. DECONCINI addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

Mr. DECONCINI. Mr. President, I rise today in support of Walter E. Dellinger who has been nominated by President Clinton for the position of Assistant Attorney General for the Office of Legal Counsel, Department of Justice.

If confirmed, Professor Dellinger would head the Office of Legal Counsel and assist Attorney General Janet Reno in her duties as legal adviser to the President and all the executive branch agencies. As Assistant Attorney General, Professor Dellinger would also be responsible for providing objective legal advice to the executive branch on all constitutional questions, resolving interagency legal disputes, and serving as General Counsel for the Department itself. I believe, based on Professor Dellinger's distinguished legal career and numerous achievements, that he is eminently qualified for this position.

After receiving his undergraduate degree in political science with honors from the University of North Carolina at Chapel Hill, Professor Dellinger pursued his LL.B at Yale Law School. Upon completion of his studies, he became an associate professor of law at the University of Mississippi, taught for 2 years, and then served as law clerk to Justice Black.

From these notable beginnings, Professor Dellinger has gone on to distinguish himself in all aspects of his career. Not only has he become one of our country's foremost constitutional law scholars, he has written and lectured extensively on many constitutional issues and even argued some of them in front of the Supreme Court.

In addition to his scholarly achievements, Professor Dellinger has extensive practical experience as well. He has served as cocounsel on several occasions, with the majority of his law practice devoted to appellate brief writing and oral arguments in State supreme courts, the U.S. Court of Appeals, and in the U.S. Supreme Court.

Professor Dellinger is also principally responsible for drafting North

Carolina's new criminal procedure system. And, from 1977 to 1978, he served as consultant-draftsman for the North Carolina Criminal Code Commission which produced a new code that was substantially adopted by the General Assembly of North Carolina.

Currently, Professor Dellinger is serving as a consultant at the Department of Justice, and, prior to that position, served as Associate Counsel in the Office of the President. He is also responsible for authoring several Executive orders ultimately signed by the President earlier this year.

In addition to his many achievements, I also find impressive Professor Dellinger's dedication to public service. Over the past 4 years, he has devoted around 500 hours a year to pro bono activities. He has provided advice and counsel to public organizations concerned with the provision of reproductive rights to the disadvantaged and has provided pro bono legal services for women's and civil rights organizations.

Professor Dellinger has also devoted his personal time to the community. He has served on his local PTA board, has been a youth basketball coach, and, for the past 5 years, he has been a Meals on Wheels volunteer delivering hot meals to persons unable to leave their homes.

Most importantly, I want to mention the fact that the nominee possesses a sterling professional reputation. He has been described by his peers as an intellectual leader with great integrity, and also as an extremely gracious and warm man.

He has appeared before the Judicial Committee, particularly the Subcommittee on Constitution, many times.

Mr. President, it is clear that Professor Dellinger has not only the qualifications, but also the character and integrity needed to uphold the high standards such a position, and Department, demand. I support his nomination. I truly hope he is confirmed and cloture is achieved.

SOMALIA

Mr. DECONCINI. Mr. President, I am not going to take the time right now to discuss Somalia because I know others want to talk on the Dellinger nomination, including the Senator from Massachusetts and perhaps others. I will have some comments later on the present situation in Somalia.

I think President Clinton will announce either today or tomorrow a position, the United States disengagement from Somalia under a very orderly process. I hope people carefully pay attention to what he is going to tell us, because I believe he has a plan. It is different from where we have been drifting. It is, in my judgment, a standup plan that discusses and admits some errors were made in our policy in Somalia in going along with the U.N. mission. We have changed our position that was originally established by President Bush in December 1992. The President has set time limits, and he is prepared to use the necessary force to extract American troops and to also end our engagement there without dismantling the United Nations capabilities to provide the humanitarian success for which the United States can take full credit.

I yield the floor.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair for recognizing me.

Mr. President, I heard a number of times today declarations to the effect that the President ought to be allowed to have confirmed whomever he nominates. They have said over and over again, the President ought to be allowed to choose who is going to serve in his administration. As a rule, I agree with that.

But then I look at the vote on Robert H. Bork, of Pennsylvania, to be an Associate Justice of the U.S. Supreme Court, and not one Senator is making the declaration today, not a single one, thought that President Reagan ought to have the man whom Mr. Reagan had nominated to serve on the Supreme Court.

Now, let us make a few points clear. The distinguished Senator from Washington [Mr. GORTON] said last night and again today that we ought not to be discussing this nomination today; we should be discussing Somalia. I said earlier this morning that not only do I agree with SLADE GORTON, but I appreciate his saying that because it needed to be said.

The reason we are not discussing Somalia, the reason we are not considering the defense appropriations bill, is because of the lack of agreement on the other side of the aisle.

Now, the distinguished President pro tempore of the Senate, Mr. BYRD, has taken a flat-out and courageous position all along on the Somali question. And I support Senator BYRD. I have from the beginning. He knows that, and I have made it clear time and time again.

The majority leader did not want Senator BYRD to have his day in court on his amendment on the defense appropriations bill. So an impasse developed, and it was decided by the majority leader that we will waste time between now and next Wednesday on this nomination when the Senate could be working to reach a resolution of a matter which is of paramount importance to the American people.

I doubt that any other Senator's switchboard has been any less active than has the switchboard in my office. We have had hundreds of calls about the Somalia matter. And I daresay that the distinguished occupant of the chair has had that experience in his office as well.

So the Senate is not doing what the American people want us to do. We are playing games, engaging all sorts of pious pretenses that simply have no relevancy whatsoever.

Now, Senator BIDEN is my friend. We came into the Senate the same day, and we have differed in the past, and we differ on this. He is eloquent and he is amusing and he is interesting. But I do not authorize JOE BIDEN to speak for JESSE HELMS. I speak for JESSE HELMS. But he has repeatedly told the Senate what JESSE HELMS thinks and what JESSE HELMS has said and done.

He talks about the blue slip in a fashion that makes me wonder how he got to be the chairman of the Judiciary Committee if he knows no more about the blue slip system than he apparently knows—if one judges by the debate.

My first experience with the Judiciary Committee of the U.S. Senate predates any Senator extant in the Senate today.

I came here in the middle of 1951 as administrative assistant to a Senator who was a prominent member of the Judiciary Committee. As I recall, in addition to six ladies who served clerical functions, there were three others of us on the staff. One of my duties was to represent Senator SMITH as his staff member on the Judiciary Committee. So I know something about the blue slip dating back four decades.

Senator BIDEN, as I say, is my friend, but he has no argument with me in this matter. His argument is with the Senate system. As long ago as 1951, the home State Senators, as Senator BIDEN refers to us in this case, were given attention and were not given the brush-off.

The Senator from Delaware made much of the fact that Senator FAIRCLOTH was the first to return a blue slip. That is true. I think he preceded me by 1 hour. I agreed with Senator FAIRCLOTH about this nominee.

But about this business of saying, as so many Senators have, that "I may not agree with the nominee on all things, but he is the President's choice." I had a friend down in North Carolina—he is deceased now—named H.F. Seawell, Jr., a distinguished lawyer, and he used to say, the bad thing about some people in politics is that they are consumed by their own self-importance.

One cannot rewrite history, and one cannot be right all the time. Certainly, I am not going to try to rewrite history, and I acknowledge that I am not right all the time. I just try to be right as much as possible and as often as I can.

But we need to cut out this sham of the President's having an unquestioned right to have his nominees confirmed. What we are talking about today is the nomination of a liberal political activist who has slammed in the gut, time and time again, decent, brilliant Americans with whom he disagrees, while he sits in a academic ivory tower. He has worked hand-in-hand, behind the scene, with Members of the Senate to undermine nominees. He has viscerally mutilated the lives and careers of candidates, and nominee after nominee. He has been active in misleading politics, and that is all right with those who share his liberal philosophy. So do not try to trot him forth as a paragon of virtue—LAUCH FAIRCLOTH and I know better than that. Walter Dellinger is a fiercely bitter partisan, he has not played fair and he has not told the truth. These are two strikes against him with me.

But, Mr. President, at its core the nomination of Walter Dellinger really is about more than Walter Dellinger. It is also about the Senate itself. It is also about whether the powers and rights bequeathed to this institution by our Founding Fathers will survive.

Some politicians do not like the way this Senate was set up by our Founding Fathers. You hear it all the time, well, you have to limit this business of the minority having a right to stand up for its position, even a minority of one.

Well, the Founding Fathers thought it was a pretty good idea, to assure that any Senator—one Senator, two Senators, whatever—have a right to defend a cause in which he or they believed.

Yesterday's debate on this nomination occurred so late in the day that I suspect that few Senators heard the debate. So we perhaps should revisit the facts, and hopefully lay to rest some of the specious arguments that have been made on behalf of Walter Dellinger.

As I have said two or three times——

Mr. KENNEDY. Would the Senator yield for a brief question?

Mr. HELMS. I would prefer to finish my statement if the Senator does not mind. I thank the Senator for his interest.

Senators may have varying opinions about Mr. Dellinger's philosophy. But I believe that if his posture on political and philosophical issues could be made known to the American people, the vast majority of them would say, Don't let him serve.

Indeed, we shouldn't even be debating this nomination. SLADE GORTON had it right, last evening and today. We should be discussing Somalia. We ought to be discussing how much longer we are going to subject our troops to deadly risks, and the tragic results that have saddened the Nation.

But no; we are spending time on this nomination simply because the Senators on the other side of the aisle could not get together.

We should be discussing Somalia. We owe it to the American people to do so. But, the Senate is going out of session here today. We will begin another vacation tomorrow, but I intend to remain right here. There will be no Senate session on Monday or Tuesday either.

So it will be next Wednesday before the Senate returns. What, Mr. President, do you suppose the business is going to be next Wednesday? It will be the nomination of Walter Dellinger.

Small wonder that the American people are disillusioned with the Senate of the United States. And they have every right to be disillusioned, as I recall LAUCH FAIRCLOTH saying this morning, because it is this Senate and this House of Representatives combined that has run up a debt of $4.35 trillion. Look at what it costs just to pay the interest on that incredible debt.

I had some young people in my office just a while ago. I often conduct a little quiz. I ask young people if they know how much the national debt is. They said this morning that they know it is big, but they did not know the figures. So I give it to them right down to the penny. It makes those young people fighting mad to realize that their futures have been mortgaged by the Congress of the United States.

I mention all of this to emphasize that the Senate ought to get to work on what we are supposed to be doing, rather than wasting time on a nomination that ought never to have been made in the first place and ought not to be confirmed in any case.

If this nominee is confirmed, two fundamental principles of the Senate will be permanently undermined. I am saying this again because I have heard, three or four times, my friend from Delaware say what he thinks I am saying. I say to him with all due respect, that I can and do speak for myself. I do not want JOE BIDEN or anyone else to speak for me. I do not want anybody to speak for me. I know what my position is. JOE BIDEN may not agree with it; other Senators may not agree with it; but I insist on speaking for myself by myself.

The advice-and-consent power of the Senate, regarding Presidential appointments provided for under article II, section 2, of the Constitution, is very, very clear. I read that portion into the RECORD last night. Also very, very clear is the intent of the Founding Fathers regarding protecting the rights of the minority in the Senate, even a minority of one, in this case a minority of two.

All of this pontificating by supporters of the nominee—"Well, they just don't like Mr. Dellinger's philosophy, they just don't like him"—it is more than that. I do not like the nominee's carelessness with the truth. And I do not like the Judiciary Committee's passing over information that should have been considered and made public, including what the former chief counsel of the Senate Judiciary Committee said about the nominee. There has been silence in seven languages on that, we will get to that during this debate.

Mr. President, what I am saying is that we are being tested by the administration in this matter involving this nominee. And it is clear now that the nominee and the administration and the chairman of the Judiciary Committee—and I say that with great affection and respect—want to see how far they can go in thumbing their noses at the U.S. Senate. I believe that the vote that will occur 50 minutes from now will indicate that in this matter, on this occasion, the Republicans will say that the administration has gone far enough.

So there are three issues. Let me reiterate them for the purposes of emphasis.

One, the administration's trampling upon the advice-and-consent clause by installing Mr. Dellinger as Acting Assistant Attorney General when their efforts failed to get him confirmed before the August recess. First, they brought him in as a consultant.

They bumped him up a notch—and then they installed him as Acting Assistant Attorney General—contrary to the U.S. Constitution.

No statutory reference will change the plain fact that the Constitution was violated. Maybe nobody worried about that except LAUCH FAIRCLOTH and me, but I hope people have taken note of it.

Then there is the flagrant disregard and the arrogance by the nominee, so evident in the cavalier way he responded to questions, refused to answer questions, and pretended to be answering questions, which he was not.

(Mrs. FEINSTEIN assumed the chair.)

Mr. HELMS. Then the third thing is the blue slip. This, Madam President, is the first blue slip I have ever returned during my nearly 21 years in the Senate. Throughout the Carter years, there were some nominees for whom I did not have the highest regard, and I made it known. The White House and I worked it out in every case. I never sent in a blue slip. But the fact is that, throughout the Carter years, there was no problem, because the Judiciary Committee and the White House would say, OK, what can we do to work this out? We worked it out every time.

Madam President, the message from the Clinton administration has been: We are going to push Dellinger through, and that LAUCH FAIRCLOTH and JESSE HELMS can just go fly a kite. Well, there is a lot of string on our kite. We will see how far it goes. We will probably lose in the end because there may be some defections on our side.

You can bet, Madam President, that the other side is contacting and working on five or six Republican Senators who, so often, do not support the Republican cause. But the Democrat Senators vote together, unanimously, time after time after time.

As lawyers are fond of saying, here is the bill of particulars: The blue slips returned by LAUCH FAIRCLOTH and me were totally ignored. We heard all sorts of things, but not one scintilla of contact was made with me. This nomination was approved in committee, with almost no discussion, on a voice vote. And they have been trumpeting ever since, "A unanimous vote in the Judiciary Committee for Walter Dellinger."

Well, Madam President, we have voice votes all the time in the Senate, in committees, and so forth. You have heard today, ORRIN HATCH—whom the press has been advertising as supporting Mr. Dellinger—you have heard Senator HATCH say today that he is going to vote against the nominee. He said it this morning, as did Senator THURMOND, and others. So, we may lose, but at least we are making a record. I cannot believe we are going to lose this afternoon, and I do not think we are going to lose next Wednesday. In any event we are going to do the best we can to stand up for what we believe.

The administration was impatient with the pace by which the Senate has considered this nomination. So, they quietly took the unprecedented step of installing the nominee on the job in an acting capacity. I say again that the Justice Department acted quietly—nobody knew anything about it, to my knowledge—and appointed Mr. Dellinger Acting Assistant Attorney General for the Office of Legal Counsel—after bringing him in as a consultant and bumping him up to deputy assistant, and then making him acting assistant just days after the Senate declined to take up and confirm the Dellinger nomination prior to the August recess of the Senate.

The Justice Department had tried but failed to get Mr. Dellinger confirmed before the Senate went out in August. So they completely subverted the Advice and Consent clause of Article II, section 2 of the Constitution, and they put Dellinger on the job anyhow.

When asked about it, they responded sarcastically: "We got tired of waiting on the Senate." Well, that is too, too bad. That does not justify deliberately violating the Constitution of the United States.

So what is going on? Double talk all around. I heard one Senator almost tearfully say, "I do not agree with the nominee on everything, but I am going to vote for him." Why? Because Mr. Dellinger is a liberal Democrat.

I hope the Senator from Delaware realizes—and I think he does realize—that I would feel just as strongly about all of this if the shoe were on the other foot. I have told him privately—and I tell the Senate publicly—that if it ever happens the other way around, I will be right here in support of any Senator who opposes a nominee under this sort of circumstances.

So what we have here with this nomination, and all of the folderol that has gone with it, is an example of precisely what the Founding Fathers so clearly feared. They feared the tyranny of the majority in a democratic system. They said so. That is why they created the Senate, so that the rights of the minority would be protected, and so that a check imposed on the powers of the President would be there, and that is what this nomination is all about, whether the rights and prerogatives of a minority in the Senate, as set forth by our Founding Fathers, will survive.

That is what it is all about.

Perhaps the most offensive chapter in this story is the appointment of Walter Dellinger to be Acting Assistant Attorney General.

One of Senator FAIRCLOTH's aides asked the Justice Department, "How did you come to do all this?" And the official at the Justice Department said, "We were tired of waiting for the Senate to confirm Mr. Dellinger, so we just went ahead and appointed him."

How is that for arrogance? Don't you see? The Constitution does not matter. So much for article II, section 2 of the United States Constitution.

Senator FAIRCLOTH mentioned in his remarks that he and his staff inquired of the experts at the Congressional Research Service about their reaction to this high-handed maneuver at the Justice Department. Do you know what they said? They said, "To our knowledge, there is no precedent for appointing Mr. Dellinger as acting under such circumstances."

That is a fact that you will not see in the media and you will not hear in the media. Oh, every time this has been mentioned, we hear from across the aisle, "Well, the Bush administration did it," or "the Reagan administration did it." Not so. Not so, Madam President.

I expected this to be said. So I asked my staff to make careful contact with former Justice Department officials who had served in the previous administrations. There is one in particular who was in fact appointed as acting before being confirmed, and he reassured us that what the Justice Department has done in this case is a first; there had been nothing like it previously.

The Bush Justice Department designated certain officials to acting capacities prior to confirmation, but the situation was precisely opposite of what was done in the Dellinger case. There is no similarity whatsoever. The Bush nominees were not controversial. If they had been, they would not have been made "acting".

Then the Justice Department called around to all interested Senators, to get clearance for making the acting appointment. And even with these precautions, the Justice Department of the previous administration made the appointments full well knowing that they were stepping a little bit over the bounds, that there was a possibility that their actions would meet opposition from Senators when the nomination came to the floor.

But in no case could this or any other official whom we contacted, or the Congressional Research Service, identify even one instance of elevating an individual such as Mr. Dellinger to "acting" status. Because Mr. Dellinger is controversial and that is why the administration slipped him in and up.

Efforts by the Justice Department to obtain confirmation prior to the appointment failed. So, in response to the nomination's running into trouble in the Senate, the Justice Department went ahead and installed the nominee in this acting capacity.

On top of this, we have sent a letter to the distinguished Attorney General, Janet Reno, respectfully asking that she share with us the details of how this appointment was made. We had asked for it, and asked for it, and asked for it, and the department stonewalled us.

Now, how many people signed this letter to Miss Reno? Thirty Senators signed the letter, and it is going to be very interesting to see whether we have to go through the Freedom of Information Act to get information that ought to be readily available to the U.S. Senate, and the American people.

I do not know what Dellinger is doing down at the Justice Department. I have a hunch, but I do not know. Neither does the American public know what he is doing, and that is important.

The Washington Post reported on September 23 that the Justice Department's Office of Legal Counsel—of which Mr. Dellinger is acting head—reversed a Bush administration policy which was supported overwhelmingly by both Houses of Congress, the House and Senate. It was a policy calling for the death penalty for drug kingpins, and Walter Dellinger, I presume, ordered it reversed.

I must in fairness say that until the Attorney General replies to our letter and provides the information we will not know for certain, but it sounds like Walter Dellinger's handiwork.

Later on in this debate we are going to get into what Mr. Dellinger did to run down a fine American, who was eminently qualified to serve on the Supreme Court, a man named Bob Bork. They cut him down, and I will go to my grave regretting that Judge Bork was denied a seat that he richly deserved on the U.S. Supreme Court. And Walter Dellinger had a veiled hand in that. He did not tell the whole truth when we questioned him about it.

One of the reasons we have a blue-slip policy is to avoid situations like this where a Senator has to stand on the floor and say such things. But in any case, questions, many, many questions remain as to how forthcoming Mr. Dellinger has been in responding to questions about his record.

I first sent Mr. Dellinger a series of questions on June 30, and when he replied 2 weeks later many of his answers were either incomplete, not on point, evasive, or in direct contradiction to reliable, credible, published reports.

For example, I asked this nominee, and I am quoting myself: "Please furnish an account of the full extent of your participation in the confirmation proceedings for Supreme Court nominees Chief Justice Rehnquist, Judge Robert Bork, and Justice Clarence Thomas."

In relation to Judge Bork, here is the way Mr. Dellinger replied, and I am quoting him:

> The confirmation of Judge Bork: I briefed the chairman of the Senate Judiciary Committee on the original understanding of the advice and consent clause and on the nominee's writings, and I reviewed a report and analysis of those writings. My principal participation was as a witness at the hearings.

La de da, Madam President. The nominee strummed his harp a little bit and flew off, angel that he pretends to be.

This truncated answer to a legitimate question stands in contrast to credible published reports by the former chief counsel of the Senate Judiciary Committee, and others, who assert Mr. Dellinger's role in the confirmation proceedings of Judge Bork was, in fact, much more extensive than Dellinger had said, and that, among other things, Dellinger:

First, assisted in the recruitment of law school deans and law school professors to oppose the Bork nomination;

Second, he helped arrange six panels of witnesses opposed to Judge Bork, panels which appeared before the Senate Judiciary Committee.

Third, he participated in television and radio interviews pursuant to a media plan devised by the opponents of Bob Bork; and

Fourth, he served on advisory boards of academics who advised the chairman throughout the confirmation proceedings.

And I reiterate my affection for Senator BIDEN, at the same time emphasizing that JOE BIDEN was after Judge Bork's hide, and he got it.

Now, I do not know who is pulling our leg the most, Mr. Dellinger or the former chief counsel of the Senate Judiciary Committee. But, Madam President, I have no reason to question anything that the former chief counsel said, because he had nothing to gain or lose. It was separate and apart from this situation anyhow.

That issue along—and I mention it just as an example—ought to have been taken up by the Judiciary Committee, but it was not. They would not even call before the committee their own former chief counsel to determine who is telling the truth.

In any event, on July 30, I sent a followup letter to Mr. Dellinger respectfully seeking some clarification and elaboration on his response to this and a number of other questions that he failed to answer or answer adequately.

Even after his August 2 response to my followup letter, a number of questions still remained unanswered or in need of clarification. All told, I posed a total of 73 questions to Mr. Dellinger. On more than half of these questions—39—he gave answers that just absolutely were not satisfactory. They may have been satisfactory to JOE BIDEN or anybody else who is eager to push the nomination through, but they were not satisfactory to those of us who felt that we had a legitimate right to look into whether this man was telling the truth, and the whole truth.

He gave deficient responses time and time again. He either did not answer, gave a nonresponsive answer, a nonconclusive answer, or, as I said earlier, an answer contradicted by reliable, credible sources on record.

Questions about Mr. Dellinger's candor, or lack of it, regarding his participation in the confirmation proceedings of Judge Bork's nomination ought to be of interest to all Senators. But instead, we hear Senators say: "He might have some views that I do not agree with," as I heard one Senator say this morning, "but the President has a right to have around him the people he wants to have."

Well, not under the Constitution. The Senate has an obligation, under the advice and consent clause to use its own judgement. So it is not accurate to say the President has an unqualified right to make appointments to whomever he so pleases.

But the point, Mr. President, is that if Senators cannot rely on Mr. Dellinger's answers to questions prior to his confirmation, what can we expect after he is confirmed?

Madam President, I am going to have more to say on this subject as days go by, because I remain convinced that we need to explore this partisan political activist who has torpedoed decent people who happened to disagree with Mr. Dellinger's liberalism. He has been active behind the scenes in North Carolina. I am told that he may have worked on me. But if he did, it did not work. I am still in the Senate.

Madam President, I yield the floor.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

THE SITUATION IN SOMALIA

Mr. COATS. Madam President, I rise to speak on the situation as it currently exists in Somalia.

This Senate and Congress has been grappling with this issue now for several days and weeks; grappling, unfortunately, because there is a lack of definitive leadership from the administration as to what our policy is and what it should be.

I think in exploring that, it is important to go back somewhat to examine what our original mission was and how it was defined to both the Congress and the American people.

On December 4, 1992, President Bush announced his intention of sending United States forces into Somalia. He, at that time, articulated the object of the mission—create a secure environment for the distribution of food. The conditions of that involvement were clear: Combat forces were equipped and authorized to take any steps necessary to accomplish the humanitarian mission and to defend themselves in the process. U.S. troops were guaranteed the support of any additional U.S. force necessary to accomplish the mission. U.S. forces were not to engage in factional fighting.

Secretary Cheney, just recently on NBC news in an interview this week, stated:

> I think it is important to remember that when we went in, we went in with a very narrowly defined, very specific mission of creating a situation in which the humanitarian organizations could feed starving Somalis. And then it was our intention, as soon as we had done that, to turn the operation over to the United Nations and withdraw U.S. forces. We resisted then the pleas from the United Nations and others to broaden the mission.

Within 5 days of the President's announcement in December, United States combat forces entered Somalia with a very clear military objective—secure the airport and port at Mogadishu so that supplies could once again begin flowing to starving Somalians and secure the routes necessary to deliver those supplies.

Within 5 weeks, the U.S. force had reached a total of 25,800 people. And within 7 weeks, food and medicine were being delivered to all starvation-threatened areas and a drawdown of the force was already beginning.

President Bush said he hoped, optimistically, that he could bring the troops home by Christmas but that it might take a little bit longer than that. And it did, but not much. Because on May 4, 5 months after our engagement began, Operation Restore Hope was ended. In fact, all the feeding stations operated by humanitarian organizations were closed in August.

While this operation was not without risk, it succeeded because there was a clear understanding of the limits to our purpose in engaging troops in Somalia.

As Secretary Cheney said:

> What appears to have happened now is that the administration has allowed the United Nations, in effect, to rewrite the mission so that it is now much broader and involves what appears to be an open-ended military commitment.

And it is that broadening of the mission that occurred not by design, not by defining a policy for the American people and for the Congress and for the American military, but seems to have evolved by allowing drift, by inattention, by a failure to exercise decisive leadership; it seems to have evolved into a mission which is pursuing a military role in Somalia that is substantially, substantially, broader than the original mission.

This mission today, still not clearly defined, includes Somali reconciliation and rehabilitation, warlord hunting, nation building, police force training, and who knows what else. And all of this, ironically, is to be accomplished with a small force, which has been drawn down from that maximum of 25,800 to a force now below 5,000.

So, while the Bush administration responded and our military responded in a way I think we should when we commit U.S. troops —and that is with significant numbers and significant force to accomplish the mission, while, at the same time, minimizing the risk to our armed services personnel—while we reached that maximum of 25,800 to accomplish a narrowly defined mission, we now find ourselves with a force of less than 5,000 who have now been taking on a much broader mission.

That force is composed of military personnel who are essentially logistical and support personnel, not combat personnel. Yet much of the mission we now found ourselves engaged in involves the need for combat personnel.

President Bush defined a minimum commitment accomplished through maximum troop strength. President Clinton has given us a much broader, much more difficult commitment, with minimum troops who are severely constrained, without adequate support, without adequate backup.

We have been frustrated here in Congress because we have been unable to get a grasp even of what this mission is supposed to be. As late as this past Sunday evening, the Secretary of State said on CNN:

> President Clinton and the administration have reaffirmed their goal of ending the U.S. mission as soon as possible.

Excuse me, that was a statement from the Wall Street Journal quoting administration sources saying the President and administration officials are reaffirming their goal of ending U.S. involvement and the U.S. mission as soon as possible.

At the same time, the Secretary of State, Warren Christopher, was stating on CNN: "In the face of these kinds of attacks"—the attacks over the weekend that tragically took the lives of 12 Americans and wounded 78 other soldiers—"In the face of these kinds of attacks," Secretary Christopher said, "it is a time for Americans to be very steady in our response and not talk about getting out. Our forces will stay until their mission of establishing a secure environment has been fulfilled."

No wonder there is confusion. We turn on the television and the Secretary of State is saying we are going to renew our commitment; we are going to stay here as long as it takes.

We pick up the paper the next morning and the administration officials are saying we are going to get out of here as soon as possible.

With that, the Congress rightfully said: Will you come down and tell us what you are going to do, what our mission is? So both the Secretary of State and Secretary of Defense traveled here to Capitol Hill to meet in a combined private meeting of Members of the House of Representatives and the U.S. Senate in what has been described by Members on both sides of the aisle as a disastrous meeting. There was a total lack of a policy.

Secretary Christopher remained silent, no word at all from him as to what our policy would be. Secretary Aspin, the Secretary of Defense, floundered in terms of trying to answer questions from Members, both Republicans and Democrats. What are we doing? What is our goal? What is our mission? How do we solve this problem? What happened? Answers were not forthcoming, and we have been floundering since.

The President this morning called the leadership to the White House. Yet no definitive answer is before us. The American people are wondering where are we going? What are we doing? Why are we still there? I thought our troops were going to be home last Christmas. I thought we were there to feed starving Somalis. We are now told they are fed. Why are we hunting down warlords? Why are we fighting urban guerrilla warfare in the streets of south Mogadishu with troops who are not equipped and do not have equipment to effectively accomplish that task?

Now we hear the disturbing reports that, because of confusion in command, because we are not sure whether Boutros Boutros-Ghali is calling the shots or the President of the United States is calling the shots, we cannot assemble the quick-reaction force to get in and rescue marines and U.S. Army Ranger personnel caught in the crossfire.

What we are looking for is a policy. What we need is a leader who will define that policy. Foreign policy is not easy. The questions are not easy to answer in terms of what we need to do. But it requires leadership. That is why we have a President who is designated as Commander in Chief.

On March 21, it was reported in the Los Angeles Times the President said:

> I have had to take a good deal of time off to deal with foreign policy responsibilities.

He said it almost apologetically, perhaps the first time a President of the United States, the Commander in Chief, the Chief Executive Officer, has ever described dealing with international affairs as "time off."

Reports out of the White House over the weekend express frustration that the President is not able to continue with his domestic message, that it was swallowed up by world events.

Mr. President, I am sorry you do not have more time to spend in Jimmy's Diner and townhall meetings in California, but sometimes world events require your attention. Sometimes they overcome the agenda that you have set for yourself. While health care and other domestic issues are important, sometimes world events do not allow Presidents the luxury of solely focusing on those items, because the President is also Commander in Chief, and as Commander in Chief, he is expected to define a policy in terms of utilization of U.S. troops overseas. That is his responsibility.

Because we cannot get a defined policy, because we have not seen that leadership, it now falls to Congress to write that policy, which is exactly the wrong thing to do. We are going to have 535 Secretaries of State and Commanders in Chief trying to define military policy and foreign policy for the United States because there is a vacuum; it is not being defined. So we are all rushing to the floor with our ideas. What should we do?

None of the choices are good ones, because we have found ourselves, now, in a situation where there are really no easy ways out. There are no policies that can accomplish all we want to do.

Some suggest immediate withdrawal. Immediate withdrawal is very tempting, given the lack of policy coming out of the White House. But it is not without risk. The most important risk and concern is that of one or more American military personnel that are hostages. I am not about to endorse a policy that puts our troops on helicopters and ships and leaves, while those hostages are still held captive. We need, as a Nation, to do everything we can to secure their release. We cannot think of leaving until that release is secured.

Mr. KENNEDY. Will the Senator yield for a brief question?

Mr. COATS. I will be happy to yield.

Mr. KENNEDY. I understand we have about 10 minutes left before the vote. Just as a matter of a point of information, I had some brief remarks about Mr. Dellinger.

Had the Senator planned to speak up until the time of the vote?

Mr. COATS. I had been waiting on the floor since 12 to speak. I do not necessarily want to take any more time than is necessary.

I will be happy to try to leave some time to the Senator to speak on this before the vote.

Mr. KENNEDY. I thank the Senator.

Mr. COATS. I will do my best to get to that point.

That immediate withdrawal option also carries with it implications for future U.S. involvement and affects our policy and our relations with our allies. Others say we ought to deploy massive force, go back in, clean up the situation. That may be an open-ended commitment that lasts an awfully lot longer, and obviously exposes American forces to considerable peril.

Others say we need a quick show of force to secure the situation, and then accomplish the task and pull out.

Others say let us have incremental involvement until we get our mission accomplished, whatever that might be.

Senator NUNN came to the floor last evening and outlined some intriguing possibilities.

Again, I say the policy should not be defined by the Congress. Congress is being forced to define that policy because it is not being defined by the administration.

It is incumbent on the President as Commander in Chief to come forward and decide what he wants to do. I believe it is appropriate to present that to Congress. I believe he will not be successful unless the American people support it. But someone has to take charge, and it falls constitutionally to the President to lead.

People forget, despite the great success in the Persian Gulf, there was a very divided house here in terms of how we ought to proceed. President Bush was firm in his commitment, he was firm in his outline of what we ought to do. He presented it to the Nation, he presented it to the Congress, and he said, "I will take the heat, I will take the leadership, I will define the policy."

Fortunately, he defined the right policy and our success was evident.

It is hard to contradict the verdict of Newsweek magazine when they said the President looks like a student who has crammed on the economy and prayed that international relations would not come up on the final exam. It is like walking into the final exam and, to your horror, discovering that the test includes a question on something that you had not prepared for. Well, Mr. President, it is time that you prepared for it. We are waiting for your answer; we are waiting for your leadership.

Madam President, I think it is important that we step back just a little bit from the immediate situation and look at some of the parameters of how we ought to be making decisions in terms of involving U.S. troops. It is clear that the decisions that are going to be made have broader implications for us. They raise broader questions. The questions being: When are American casualties justified by America's aims?

We are questioning now whether these casualties are justified. It is difficult for me to call the family of Sergeant Martin in Indiana to explain to his family that his death was justified, and other Members have had to face the same thing. So it is important we ask this question so that these injuries and deaths will not be in vain, as tragic as they are.

American power and prestige today are unparalleled, but they are not unlimited. We are required by reality to be selective in our attention to the injustices of the world precisely because, as a superpower, we have great responsibilities that must not be compromised. Limited resources require a hierarchy of interests and values, a set of priorities: How do we make these choices?

First, we have to be committed to vital American interests and defending those interests. This is an open-ended pledge involving whatever force is necessary to meet the objective. These commitments cannot be compromised. But, second, we need to understand there is a different standard for interventions that engage our moral or humanitarian concerns but not our direct national vital interests.

In these cases, we must decide to support them only when they do nothing to undermine those vital interests. That means, I think, in general, that we have to have goals of minimal casualties, clear objectives, and limited timetable because when we enter hopeless and endless humanitarian missions, we squander two very important things: First, we waste lives, and that is a burden that we should not bear or accept; but second, we squander the will of the American public to intervene in the future, even when such interventions are important to our vital interests.

Today we face weapons of mass destruction and ballistic missile technology proliferation that have changed our threats. To defend our interests in the future, we will be forced to intervene in situations to shape a security environment that does not hold visions of horror and holocaust, and if we compromise that mission with misguided conflicts that undercut our credibility and our national willingness to intervene in other situations, we have done nothing for the cause of peace and/or the stability of the world.

When our vital interests are clear, commitment of our troops and even the tragic consequences of fatalities may not be too high a price. But when our goals are uncertain, one death is too many. This is not weakness, it is the careful defense of American power and a healthy respect for the complexities of history.

Many of these humanitarian missions involve complexity of history. They involve ethnic and religious and cultural conflicts that American troops and American best intentions are not going to be able to solve.

I hope we are learning some lessons from this. I hope that as we look at Somalia, we also think of Bosnia and the potential commitment of 25,000 United States troops, one-half of a U.N. force, perhaps under a U.N. command, and ask ourselves: Have we learned anything from Somalia? We are talking about Bosnia, a situation far more complex, far more vast in area, in complexity, in history than we are looking at in Somalia, a commitment that may have no end and no guarantee of resolution.

The history of the problems in Bosnia go back at least to 1389, 600 years. We need to understand that history before we make that commitment. If Somalia serves any purpose, let it be the purpose of utilizing the lessons learned there before we make policy committing troops to Bosnia. Perhaps it will be seen as an inexpensive lesson, although the loss of life can never be classified as inexpensive. It is a tragic lesson. But let us not compound it, let us not compound the tragedy by failing to learn the lessons we need to learn in formulating policy relative to future involvement of U.S. troops.

Madam President, there is more I could say. I would like to leave some time for the Senator from Massachusetts to make his comments before the vote. With that I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

Mr. KENNEDY. Madam President, it is a privilege to support the nomination of Walter Dellinger as Assistant Attorney General for the Office of Legal Counsel.

The Office of Legal Counsel assists the Attorney General in providing legal advice to the President and to the agencies and departments of the executive branch. The person heading that office must be a lawyer's lawyer, with outstanding legal skills, unquestioned integrity and sound judgment.

Walter Dellinger easily meets this high standard. As a professor of constitutional law at Duke University Law School, he has earned a distinguished reputation as one of the Nations preeminent legal scholars. He has demonstrated an extraordinary understanding of the Constitution, its history, and it fundamental role in our national life.

In recent years, Professor Dellinger has been an impressive and throughout commentator on contemporary legal and constitutional issues. He has appeared as a witness before the Senate Judiciary Committee on many occasions, and his testimony has consistently—and often courageously—assisted us in clarifying the most important and difficult challenges facing us.

Over the years, most of us on the committee have come to know Professor Dellinger personally, and our respect for him has become even greater. He is a wise and compassionate man, of unquestioned character and integrity. It is no surprise that his nomination was reported—and reported without dissent by voice vote—by the Judiciary Committee in July.

It is unfortunate that Professor Dellinger's nomination has been delayed in this way by the two Senators from his home State of North Carolina. There are sound historical and practical reasons for giving home-State Senators a clear opportunity to object to nominees from their State. But in the last 15 years, we have moved away from giving home-State Senators a veto over nominees who will serve in their States, let alone over nominees who will serve the whole Nation by taking high positions in Cabinet departments and agencies in Washington. The blue slip is an anomaly and an anachronism, and it is no longer an automatic veto.

When I served as chairman of the Judiciary Committee in 1979 and 1980, we established a blue-slip procedure that would specifically bring a home-State Senator's objections against a nominee to the attention of all the members of the committee, so that they could decide whether or not to proceed with the nomination. In fact, we were always able to work with home-State Senators, so that they never objected to a nominee in those 2 years.

A similar practice has continued under Senator THURMOND as chairman of the Judiciary Committee from 1981 through 1986, and under Senator BIDEN as chairman since 1987. When a home-State Senator objects to a nominee, the committee should be informed of the Senator's objections, and the Senator should have the opportunity to provide the committee with the reasons for those objections. The members of the committee then decide for themselves how much weight to give to the objections.

That is the procedure followed by the committee in this case, and it has afforded amply opportunity for all Senators, including the Senators from North Carolina, to raise the objections and have them considered by the committee and by the full Senate.

President Clinton deserves the opportunity to select his own team to manage the Department of Justice—without giving any Senator a veto power over those appointments.

The fact that Professor Dellinger is now serving as Acting Assistant Attorney General is no basis to oppose his confirmation. His immediate predecessor in the Bush administration, Timothy Flanigan, was also Acting Assistant Attorney General when he was confirmed by the Senate in 1992.

As one of the Nation's most highly respected constitutional scholars, Professor Dellinger is unquestionably and exceptionally well-qualifed to perform the important responsibilities of that office. This is not the time to refight the Battle of Bork or any other battles of the past.

Professor Dellinger deserves credit for one other reason—for being willing to come down into the arena and participate in those major battles, and he should not be punished now for doing so.

I believe that a large bipartisan majority of the Senate is now prepared, after this long and unreasonable delay, after hearing all the objections of Professor Dellinger's opponents, to advise and consent to his nomination, and we should have the opportunity to do so.

I commend the President for this excellent nomination. I urge the Senate to end this unfortunate and unwarranted filibuster and confirm Professor Dellinger.

Mr. LEAHY. Mr. President, I rise today in support of Prof. Walter Dellinger, who has been nominated to be Assistant Attorney General for the Office of Legal Counsel. Professor Dellinger is supremely qualified for this position. His experience as a scholar and advocate make him qualified beyond question.

His career as a scholar is impressive. He has served as associate professor of law, professor of law, associate dean and acting dean of the law school at Duke University, one of our Nation's finest universities. While attending Yale Law School, he was an editor of the esteemed Yale Law Journal. After that he clerked on the Supreme Court for Hugo Black, a justice renowned for his free-thinking and dedication to civil liberties. Furthermore, his articles on the law have been published by countless magazines and newspapers.

Professor Dellinger is also widely recognized as an experienced and talented litigant. He has argued cases before State-level appeals courts and the Supreme Court, and his successes are well-known. Indeed, Supreme Court scholars point to his 1990 argument for the Virginia Hospital Association—which benefited hospitals and nursing homes and the low-income and elderly people serviced by them—as a classic example of how to present a case effectively before the Supreme Court. He has argued cases on behalf of numerous nonprofit organizations, and has testified before Congress on many occasions.

He has also dedicated much of his energy to pro bono work in his local community and on the national level, from efforts with the local PTA to arguing cases on behalf of State governments. He has also volunteered to help needy North Carolinians in efforts like the Meals on Wheels Program.

The Senate has a responsibility to advise and consent on Department of Justice and other executive branch nominations. And we must always take our advice and consent responsibilities seriously because they are among the most sacred. But I think most Senators will agree that the standard we apply in the case of executive branch appointments is not as stringent as that for judicial nominees. The President should get to pick his own team. Unless the nominee is incompetent or some other major ethical or investigative problem arises in the course of our carrying out our duties, then the President gets the benefit of the doubt. There is no doubt about this nominee's qualifications or integrity. This is not a lifetime appointment to the judicial branch of government. President Clinton should be given latitude in naming executive branch appointees, people to whom he will turn for advice. I should also note that his nomination went through the Judiciary Committee—by no means a rubberstamp—unanimously.

The recent debate over Walter Dellinger is another instance of people putting politics over substance. Yes, he has advised and spoken out about high-profile constitutional issues of the day. I would hope that an accomplished legal scholar would not shrink away from public positions on controversial issues, as it appears his opponents would prefer. One can question Professor Dellinger's positions and beliefs, but not his competence and legal abilities.

Mr. SASSER. Mr. President, I rise in support of the nomination of Walter Dellinger to be Assistant Attorney General. I know Professor Dellinger, and know him to be a first-rate lawyer and constitutional scholar. I commend the President for nominating him to head the Office of Legal Counsel, a job for which he is well qualified and well suited, and I fully support his confirmation.

Professor Dellinger is a graduate of the University of North Carolina, and received his law degree from the Yale Law School. He clerked for former Senator and then-Justice Hugo Black on the U.S. Supreme Court. Thereafter, Professor Dellinger came to Duke Law School, where he has taught law since 1969. For at least part of that time, Professor Dellinger has also served as the dean of Duke Law School.

I have had the occasion to read some of Professor Dellinger's writings and hear his testimony before the Committee on the Budget. He appeared before the committee on June 4 of last year, at the invitation of Senator DOMENICI and myself, during the Budget Committee's hearings on the balanced budget amendment to the Constitution.

We invited Professor Dellinger to testify before our committee because we viewed him to be among the first tier of constitutional scholars in the Nation. In my assessment, his testimony before the Budget Committee confirmed why he holds that status.

His analysis of the issue before our committee was thoughtful and well-reasoned. His testimony displayed logic and intelligence. Many of the members and others present at that hearing that June morning and afternoon remarked as how they had rarely seen a more impressive discussion of the issue than occurred that day.

Now there will be some that will find fault with Professor Dellinger because he pointed out some of the difficulties in implementing a balanced budget amendment to the Constitution. Let me say three things in his defense on that score.

First, that is what we asked him to talk about when he came before the Committee.

Second, anyone who believes that the balanced budget amendment will be a piece of cake to implement has another thing coming. Even those of us who favor deficit reduction and have worked long and hard to cut the deficit see grave difficulties in crafting such an amendment to work correctly.

And that gets to my third point in response to such criticism: Among constitutional scholars, skepticism about the implementation of a balanced budget amendment to the Constitution is not limited to liberals or conservatives. No less a conservative scholar than Robert Bork has written persuasively of the myriad difficulties in implementing such an amendment.

In his testimony before our committee, Professor Dellinger ably addressed the questions that Senator DOMENICI and I addressed of him: What would be the role of the courts in interpreting the amendment? What would be the consequences of the amendment for the separation of powers? What other constitutional consequences might we expect? In his testimony in each of these areas he demonstrated his keen powers of analysis and explanation.

Mr. President, the position for which the President has nominated Professor Dellinger, to head the Office of Legal Counsel in the Justice Department, is the closest thing there comes to the President's own constitutional lawyer. This is the official to whom the President will likely turn when he needs a ruling on what the basic law of the land holds. This is an office for which Professor Dellinger is particularly well suited, as a premier constitutional scholar.

It is also an office for which the Senate should afford the President great deference in his choice. The President should be able to pick his own constitutional lawyer. The next President will pick his, or hers.

In sum, Mr. President, I strongly support the President's nomination of Walter Dellinger to be Assistant Attorney General. I urge all my colleagues to join me in voting for his confirmation.

Mr. SIMPSON. Mr. President, some Members who have come to the floor to discuss the Dellinger nomination to be Assistant Attorney General have discussed the blue slip procedure. That procedure allows Senators to express their opposition to nominees to Federal positions in their home State, such as U.S. attorneys, judges, and marshals. I understand that this nominee does not fall into that category. However, the policy of the blue slip was originally based on the need for comity in the Senate. The process leading to the consideration of this particular nominee on the floor has not been what I would call "fraught with senatorial courtesy"—or comity.

To compound the problem, someone in the administration has done what I consider to be a most arrogant act, in view of the controversy surrounding this nomination. Mr. Dellinger has now been named as Acting Assistant Attorney General for the Office of Legal Counsel. He was never a sure thing—there was always strong opposition to his nomination. Sure, other persons in other administrations have been designated as acting—but never in my memory when they were facing such opposition. This designation allows him to make all normal day-to-day decisions—and all this before being confirmed by the Senate. That crosses the line of good judgment and propriety and it severely minimizes the role of the Senate and the confirmation process. That action was taken, notwithstanding the controversy surrounding this nominee. It has exacerbated the feelings of many of us on this side of the aisle.

It is my understanding that both Senators from North Carolina made every effort to seek to be notified of the hearing dates for Mr. Dellinger. It is my understanding that they were not so notified. They may have wanted to testify themselves on this nomination, or to present others to testify against the nominee. They brought their concerns to the attention of the Republican conference. I can fully understand those concerns.

What has thoroughly convinced me that this nomination needs to be slowed is the recent action by the administration to name Mr. Dellinger as acting Assistant Attorney General. There were enough problems within the Senate concerning this nomination, without the administration pouring additional fuel on this flame. Based on that wholly inappropriate decision to name Mr. Dellinger as Acting Assistant Attorney General, I will most assuredly vote against invoking cloture on this nomination.

CLOTURE MOTION

The PRESIDING OFFICER (Mrs. MURRAY). Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on Executive Calendar No. 288, the nomination of Walter Dellinger to be an Assistant Attorney General:

> Harlan Mathews, Russell D. Feingold, Tom Daschle, Harry Reid, Dianne Feinstein, Barbara Boxer, John Glenn, Patty Murray, David Pryor, Jim Sasser, Wendell Ford, Harris Wofford, Max Baucus, Paul Wellstone, Edward M. Kennedy, Daniel K. Akaka, Joe Biden.

CALL FOR THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on Executive Calendar No. 288, the nomination of Walter Dellinger, to be an Assistant Attorney General, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Florida [Mr. MACK] and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 59, nays 39, as follows:

[Rollcall Vote No. 307 Ex.]

YEAS—59

Akaka
Baucus
Biden
Bingaman
Boren
Boxer
Bradley
Breaux
Bryan
Bumpers
Byrd
Campbell
Conrad
Danforth
Daschle
DeConcini
Dodd
Dorgan
Exon
Feingold
Feinstein
Ford
Glenn
Graham
Harkin
Heflin
Hollings
Inouye
Jeffords
Johnston
Kennedy
Kerrey
Kerry
Kohl
Lautenberg
Leahy
Levin
Lieberman
Mathews
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murray
Nunn
Packwood
Pell
Pryor
Reid
Riegle
Robb
Rockefeller
Sarbanes
Sasser
Shelby
Simon
Wellstone
Wofford

NAYS—39

Bennett
Bond
Brown
Burns
Chafee
Coats
Cochran
Cohen
Coverdell
Craig
D'Amato
Dole
Domenici
Durenberger
Faircloth
Gorton
Gramm
Grassley
Gregg
Hatch
Hatfield
Helms
Hutchison
Kassebaum
Kempthorne
Lott
Lugar
McCain
McConnell
Nickles
Pressler
Roth
Simpson
Smith
Specter
Stevens
Thurmond
Wallop
Warner

NOT VOTING—2

Mack
Murkowski

The PRESIDING OFFICER. On this vote, the yeas are 59, and the nays are 39. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

SCHEDULE

Mr. MITCHELL. Madam President, a second vote to invoke cloture on the pending nomination will occur next Wednesday one hour after the Senate convenes.

For the remainder of the day, debate will continue on the pending matter. As was announced last night, and I restate for the information of Senators, votes are possible, including rollcall votes on procedural matters, at any time that the Senate is in session throughout the day today, and for the remainder of this session.

Senators should be on notice that votes may occur at any time, without prior notice, and Senators should be prepared to come to the Senate floor within 20 minutes to make those votes.

I thank my colleagues for their cooperation.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

THE TRANSPORTATION APPROPRIATIONS BILL

Mr. JOHNSTON. I wanted to engage in a brief colloquy with the senior Senator from Mississippi about an amendment we attached to the Transportation bill which, in effect, said that I-69, when and if authorized—that the route should be from Indianapolis to Memphis through Arkansas and Louisiana to Houston, TX. The importance of this amendment, Madam President, was to make eligible for feasibility studies any of the proposed routes which would necessarily have to come through Louisiana and Arkansas. And the significance of it for the State of Louisiana is that there are four competing routes for study, and we wanted all of them to be considered—and we thought should be considered—on an equal basis. I do not know how many routes there are in Arkansas competing for study, but this was simply to clear up any misconception that there would be about the availability of the routes to be studied.

I understand that my friend from Mississippi was concerned about the State of Mississippi and what this meant for them.

Mr. COCHRAN. If the distinguished Senator will yield, I appreciate him taking the time to discuss the intent of the amendment offered to the Transportation appropriations bill.

My inquiry at this point is to assure the Senate that there is no intent in that amendment to exclude any routes that might be decided would be appropriate through the State of Mississippi, the States of Arkansas and Louisiana, or the possible route from Memphis to Houston for I-69.

Mr. JOHNSTON. Mr. President, the Senator is absolutely correct. One of the routes I have seen laid out on a map—I do not know how much engineering support it has, but I have seen it laid out on a map—comes through Greenville, MS, across the State of Arkansas, and through the Shreveport area. There are probably a number of different routes through Mississippi, and certainly a number—at least four—through Louisiana, and a number through the State of Arkansas. And this in no way excluded Mississippi, either from having the route studied, or from later being authorized. Really, this is not an authorized project. What we are talking about now is preliminary studies for the location of a route, and they in no way exclude the State of Mississippi.

Mr. COCHRAN. If the Senator will yield further, I thank him for his explanation of the intent of the amendment. I hope, as the bill goes to conference, we can further clarify, with a statement of the managers, language to the effect that Mississippi is certainly eligible to be considered as a possible place where a route for I-69 can transit. I thank the Senator for his assurance.

Mr. JOHNSTON. I thank the Senator.

Mr. COATS. Madam President, will the Senator from Louisiana yield just for a question?

Mr. JOHNSTON. I yield.

Mr. COATS. I wanted to confirm that the beginning point of this study starts in Indianapolis, IN; is that correct?

Mr. JOHNSTON. The I-69 route begins in Indianapolis, and I think the people from the Indianapolis area were the ones who got the movement started for I-69.

Mr. COATS. It was in Evansville, IN, with help from our friends in Kentucky.

Mr. JOHNSTON. Yes.

Mr. COATS. I want to make sure, as to the questions that were asked by the Senator from Mississippi about various routes that may go through some Southern States, that the amendment in no way affected the initiation of that route starting in Indiana and going south.

Mr. JOHNSTON. That is right. All the references always name Indianapolis as the starting point.

So, yes; it not does not include Indianapolis but it reinforces Indianapolis.

Mr. COATS. I thank the Senator.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Madam President, I make an inquiry: What is the pending matter before the Senate?

The PRESIDING OFFICER. The pending business is the nomination of Walter Dellinger.

UNANIMOUS-CONSENT AGREEMENT

Mr. EXON. Madam President, I ask unanimous consent that the pending matter be set aside for a point of personal privilege, and I make this request in behalf of the Senator from Nebraska, the Senator from New York, and the Senator from Hawaii.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EXON. Madam President, I ask unanimous consent that we be allowed to continue for 3 minutes in behalf of the Senator from Hawaii, 5 minutes in behalf of the Senator from New York, and 5 minutes in behalf of the Senator from Nebraska, as if in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. EXON. Madam President, I yield myself the 5 minutes allotted to this Senator.

A VICIOUS DOCUMENT

Mr. EXON. Madam President, I have before me, and will shortly enter into the CONGRESSIONAL RECORD, the most despicable piece of political literature that perhaps I have ever seen in my life, and I have seen a great deal of that kind of material.

Members of both political parties constantly bemoan the fact that politics has shrunk to a new level, an all-time low, and we are in a place to pledge today do something about it.

The existence of this document that I hold before me in the Senate today is concrete evidence that some are not practicing what they preach. I bring before the Senate a fundraising letter received by a gentleman in New Jersey from the so-called College Republican National Committee. The return address is a mysterious post office box here in Washington, DC. However, I further determined their headquarters is a mere four blocks from this point.

The letterhead bears a replica of an elephant, and the words "College Republican National Committee." I suspect and I hope that there is no direct connection or affiliation with the Republican National Committee. It would be appropriate for some on the other side of the aisle to so state and deplore such tactics.

The thrust of this vicious document is to attack my colleague, Senator BOB KERREY, for his vote in favor of the recently passed deficit reduction bill. I have no quarrel with the opponents of this legislation who base their opposition on factual disagreements. I voted for the bill, and I am glad I did. But at least I understand the arguments on the other side of this issue.

But let me read some of the libelous statements made in this letter, and I quote:

> In America, treason was once punishable by hanging—so despicable was the offense of betrayal—you and I need to let Senator KERREY know that his betrayal is still despicable—still deserving of punishment.

The fundraising letter further goes on to say that Senator KERREY voted against his oath to represent the people of Nebraska. It further states that Senator KERREY betrayed our Nation. The author of the letter, an individual named Bill Spadea, who is chairman of the so-called College Republican National Committee, of course attempts to cover his legal hindquarters by saying that he is "not saying that Senator KERREY committed treason," just that he betrayed his country.

Madam President, I cannot begin to tell you how low these tactics are.

The letter goes on to say that our President has a term which is "built on lies." The letter also goes on to say that we have been condemned "to a 4-year sentence in hell. Because hell is surely what you and I have in store for us."

Finally, Senator KERREY is accused of betraying "everything that you and I believe in" and "every ideal that America is based on."

I believe I have now given the Senate an accurate summary of the filth that has obviously been peddled nationwide by the so-called College Republican National Committee. I do not know who Bill Spadea is, and I quite frankly do not care. It is one thing to disagree on issues; it is quite another to accuse BOB KERREY of treason and betrayal. I do not think I need to remind the Senate about BOB KERREY's background. But maybe I need to remind the American people and the hatemongers around the country what BOB KERREY is all about.

The Congressional Medal of Honor is our Nation's highest award for valor. That must not mean anything to those who peddle lies for their own selfish purposes.

I have known BOB KERREY for more than a decade, and although we do not agree on every issue, I have always admired his courage, even on those occasions when we have disagreed. I daresay that no one who knows BOB KERREY would question his courage, his integrity, or his honor.

To accuse this Medal of Honor winner, devoted father, fantastically popular Governor, successful businessman, and now courageous and influential U.S. Senator of treason and betrayal is a direct affront, not only to all decent Americans and his colleagues on both sides of the aisle here, but specifically to Nebraskans, who have elected him twice to statewide office.

As you know, and I think you would expect, Madam President, this disgusting letter has an obvious purpose larger than simply attacking BOB KERREY. It will come as no surprise to any Senator that the end of the letter contains a plea for funds. Surprise, surprise, surprise. It may well be that this individual is misusing the Republican Party name and symbol only for his own personal gain. But it would be nice to hear this from a recognized and responsible Republican source.

In closing, I simply want to send the message loud and clear that the time for distortion, hate, and lies in politics must come to an end, and it must end now. Enough is enough.

Madam President, I ask unanimous consent that the letter to which I have referred be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COLLEGE REPUBLICAN NATIONAL COMMITTEE,
Tenafly, NJ.

"President Clinton, if you're watching now, as I suspect you are, I tell you this: I could not and should not cast a vote that brings down your Presidency."—Senator Bob Kerrey, August 6, 1993, Floor of the United States Senate.

No, Mr. ———.

It was far easier for Senator Kerrey to bring you down rather than Bill Clinton.

It was far easier for Senator Kerrey to vote for a tax hike that he doesn't believe in than side with you.

Betraying you was easier, Mr. ———!

Senator Kerrey's cynicism is astounding, even by "Washington Standards"!

Just consider this for a moment . . .

The American people (by a clear majority) were and are against Bill Clinton's Economic Package.

Senator Kerrey was against it, Mr. ———!

Senator Kerrey even went so far to say, "I don't think he [the president] likes it."

But in the end, when it really mattered, Senator Kerrey voted for it.

Voting against his conscience.

Voting against his oath to represent the people of Nebraska.

And voting against you, Mr. ———.

Today, you and I need to let Senator Kerrey know that this betrayal will not go unnoticed. Self betrayal—the betrayal of the people of his state—and the betrayal of a nation.

Senator Kerrey took an oath to represent the people of his state and to faithfully enact legislation, for the good of the nation, Mr. ———.

And yet, even though the people of the state of Nebraska clearly were against Bill Clinton's Economic Package . . .

Even though Senator Kerrey was certain that Clinton's Economic Package was far from being good for our nation . . .

Senator Kerrey voted in favor of it.

Sacrificing the good of our nation for the good of Bill Clinton.

Think about that, Mr. ———.

In America treason was once punishable by hanging—so despicable was the offense of betrayal.

I am not saying that Senator Kerrey committed treason.

But still, Mr. ———, you and I need to let Senator Kerrey know that his betrayal is still despicable—still deserving of punishment.

Because immediately after Senator Kerrey voted in favor of Bill Clinton's tax package, he was rewarded!

It is now understood that Bill Clinton will make Senator Kerrey Chairman of the Budget Cuts Commission.

Please, Mr. ———, help me at least take action to ensure that Senator Kerrey's betrayal is not rewarded.

Sign the Republican Petition to Bill Clinton and tell him in no uncertain terms that you do not want a wavering, weak-willed Senator to Chair this vital Commission.

At this point, there is little else you and I can do to prevent the tax hikes that Senator Kerrey has voted for us.

But we can take this decisive action and show Senator Kerrey that he should have voted with his conscience and with the majority of America—

And voted no!

You and I are the ones who are going to be punished for his betrayal because you and I are the ones who are going to have to pay for Senator Kerrey's gross lack of conscience.

Because Senator Kerrey sold out to "save" a presidency doomed for failure, you and I will suffer . . .

Suffer from an economic package that Senator Kerrey himself said would produce "Disdain, Distrust, and Disillusionment."

Disdain for a Congress that would pass an economic plan that calls for the highest tax hike in the history of the world—and DISDAIN for a Congress that just six months ago voted in favor of a pay raise for themselves.

Distrust for a president whose term is built on lies—and distrust for a liberal-controlled Congress and Senate who blatantly ignore the will of the people and legislate disaster.

Disillusionment in gridlock ever being broken as long as liberal wheelers and dealers continue to sidestep justice, ignore fairness, and condemn you and me to a four year sentence in hell.

Because Hell is surely what you and I have in store for us, Mr. ———.

What else can you call $240 billion in tax hikes?

What else do you call an additional $887 billion in debt in the next four years? (The debt increase that the Democrat-controlled House Budget Committee is expecting!)

What can you possibly call another five and a half million people who will be forced to pay additional Social Security taxes?

Please, Mr. ———, don't misunderstand me . . . I never really thought that Senator Kerrey could be trusted.

I never thought that you and I could count on this noted Democrat, Mr. ———.

But I never expected this!

When it came down to voting for his conscience, constituency, and for America . . .

He caved in, Mr. ———.

In a pathetic display of partisan politics, Senator Kerrey pledged his allegiance to the liberal agenda and to a presidency that even he has been violently opposed to.

And in that single unforgivable action, he betrayed everything that you and I believe in—everything you and I hold sacred, Mr. ——— and every ideal that America is based on.

For what?

To save a President who has put America's economy on the road to ruin.

Of course, afterwards, Senator Kerrey dismissed the notion that his voting against the President would have ruined the administration, but you yourself read his words—the disgusting quote I wrote at the top of this letter.

He didn't want to "Bring down" the presidency. But, Mr. ———, how on earth could Senator Kerrey bring down an administration that is already at an all time low?!

In his diatribe, Senator Kerrey even pleaded with Bill Clinton—urging Clinton to "Get back to the high road."

I think you and I know something that Senator Kerrey doesn't . . . Bill Clinton doesn't even seem to know where the road is, let alone the high road.

Right now I ask that you sign your name to our Republican Petition to prevent Bill Clinton from rewarding Senator Kerrey for his betrayal. Then return your signed Petition in the enclosed postage paid envelope so that I can immediately forward it to the White House before any action is taken.

Please be sure to include your most generous $25 or $35 contribution as well.

I need your $25 to continue to fight Bill Clinton's destructive agenda, Mr. ———.

I need your $35 to continue to fight to support Republican Senators who go into the trenches day after day to wage battle against the liberal tax-and-spend lackeys.

For the sake of truth rather than betrayal—justice rather than unjust taxing—and the American values you and I hold sacred, please don't let the Senate and House Republicans down now, Mr. ———.

God bless you,

BILL SPADEA,
Chairman.

Mr. EXON. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, I wish to associate myself with the strong remarks of my colleague from Nebraska in condemning this extraordinary fundraising letter.

Madam President, I am a very privileged person. I have had the great honor and privilege of serving in this body for three decades, and I have been a politician for over 40 years.

So like all of my colleagues, I am well aware that we should anticipate and at times expect to be condemned and criticized. It is one of the most cherished rights in our Constitution for citizens to stand up and criticize their leaders, and we all support that.

But like anything else, like every right in the Constitution, even the freedom of speech, there are limits. I believe that this letter has gone beyond that limit.

As my colleague, Senator EXON, has pointed out, to associate the word "traitor" with BOB KERREY is so obscene that I find it difficult to find words to describe my thoughts, because he and I have one thing in common: We served in the military. As one who served in the military, I look at him each day and salute him.

There are not too many of us in the United States with the Medal of Honor. In fact, in this body, he is the only one; and, I believe, in the whole Congress, he is the only one. I believe that there are less than 100 in the whole United States.

To pick our Nation's hero and associate the word "traitor" with him is not only obscene, it is despicable.

So, Madam President, I hope that the people of Nebraska will read this letter carefully and do what is right: Join us in condemning this attempt to smear the good name of BOB KERREY.

Thank you very much, Madam President.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Madam President, I, in turn, rise to associate myself with the remarks of the distinguished Senators from Nebraska and Hawaii, and to comment on the reference of the Senator from Hawaii to the Congressional Medal of Honor.

It may not be generally known in the civilian public, but so long as a winner of the Medal of Honor remains in uniform, he is saluted by any other person in uniform, regardless of rank. If he should be a coxswain in the Navy, admirals salute. When he comes aboard ship, he is piped aboard ship. He is given the honors of a most especial person.

To have such a letter sent out about such a person simply hurts us as individuals and requires that we respond as Senators.

The charge is made of betrayal, treason, and also the charge that Senator KERREY voted against his oath to represent the people of Nebraska, voted against his oath and was rewarded by being made chairman of the Budget Cuts Commission—rewarded. The charge is made that, in return for violation of his oath and treason and betrayal—those words—he was rewarded.

This is more than obscene. The oath in the U.S. Senate requires him to uphold and defend the Constitution of the United States against all enemies, foreign and domestic. And few persons would understand with any greater depth that oath than Senator BOB KERREY.

He rose on this floor—I will not ever in my time here forget listening to him as he stood over there about 9 o'clock at night and said, "Mr. President, if you are listening to me, if you are watching me, as I expect, let me tell you, I am going to vote for this legislation"—legislation I was largely responsible for as chairman of the Finance Committee. And he said, "It does not ask enough of the American people. You have given more things to people who threaten not to vote for you if they did not get this or did not get that."

I would like to quote from the speech. He said:

> Mr. President, I know how loud our individual threats can be. But I implore you, Mr. President, say no to us. Get us back on the high ground where we actually prefer to be. This legislation will now become law. As such, it represents a first step. But if it is to be a first step toward regaining the confidence of the American people and their Congress and their Federal Government, then we must tell the Americans the truth. And the truth is, Mr. President, to spend less means someone must get less.

I do not know if more honorable words have ever been spoken on this floor in the course of the protracted fiscal crisis of the past decade.

A man of honor, a recipient of the Congressional Medal of Honor spoke truth on this floor, earned the deep respect of his colleagues, deserves the great regard of the Nation, even as this letter from the College Republican National Committee deserves contempt.

I can only hope, Madam President—because I know that there is no person on that side of the aisle, no person, who in any way associates himself or herself with this letter—I hope some effort will be taken by the Republican National Committee to repudiate this insupportable and insufferably self-interested letter.

BOB KERREY rose to say Americans had to sacrifice more for their Nation, as he has done. And the College Republican National Committee is prepared to blaspheme, if I may use that term in the general sense, to send out this obscenity in order to get money.

I regret that Mr. Palmer, who got the letter, ever did. I am sure he does.

I hope now it can be put behind us. But that will take a positive action by members of the other party, which I am sure they will be willing to take, as I hope we would do in similar circumstances.

Thank you, Madam President.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Mr. COHEN. Madam President, I would like to take the floor just briefly to associate myself with the remarks of the three preceding speakers.

It has been said that silence sometimes becomes so loud it becomes a sound in itself. I did not want to let this occasion pass so that there would be silence on this side of the aisle which might be construed as a sound that in any way endorsed that letter.

I think it was Thomas Jefferson who once wrote a letter in which he said: "Politics is such a torment. I would advise everyone I love never to mix with it," which is, of course, advice he proceeded to ignore for himself as he continued to mix with it.

But more than 1 or 2 or 10 of us have taken this floor on many occasions to point out that there seems to be a breakdown in civility that is taking place, not only out in the streets in terms of the commerce between people, but right here in this Chamber.

This is exactly the kind of tactic, a fundraising tactic, that is contributing to the greater disenchantment on the part of Members from wanting to be involved in politics. It is tough enough to go out and campaign on the basis of one's record and votes without having one's character called into question and, more than character in this particular case, honor.

I remember not long ago the distinguished Senator from Hawaii [Senator INOUYE] also was the object of considerable attack, racial in nature, hateful in content, despicable by any account. It was my good friend Senator Rudman who took to the floor to denounce that sort of political terrorism.

So I hope that my colleagues on this side of the aisle would join with the Senators from New York, from Hawaii, and from Nebraska in expressing not only our objection, but our absolute sense of outrage that a Member who has as distinguished a record as Senator KERREY would come under this sort of attack.

We need not stoop to conquer. There are enough legitimate issues that separate us to merit a legitimate, civilized debate in the political system. We need not stoop to tarnish a man of this integrity and honor.

I think BOB KERREY made it very clear he did not like the President's program. He wanted to do much more. But he also said he felt an obligation as a Democrat, as a Senator, to do what he thought would be necessary to save the Presidency.

Some of us might disagree that the Presidency was at stake. That was his judgment.

None of us—none of us—should ever endorse a type of tactic, fundraising tactic, that would involve tarnishing, besmirching this man's character and honor.

So I want to associate myself with the Senators who have taken the floor and preceded me.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DOLE. Madam President, I just visited with the distinguished Senator from New York earlier about this, and I received a copy from Senator BOB KERREY.

I just indicate, this certainly does not reflect anybody's view in this Chamber or anybody's view in the Republican Party, as far as I know.

I know how direct mail operates sometimes. I know how it is put together by a lot of people—faceless, nameless people—and sometimes you find your name on it.

In any event, I just suggest that this is not the way that politics ought to be. I share the views already expressed on the floor.

As I said, I just received a copy from the Senator from New York, and I was back in my office and I received a copy from my friend, Senator KERREY, from Nebraska.

This goes beyond the pale. I think we will probably get the same response from the people it is mailed to.

Mr. WARNER. Will the distinguished Republican leader allow me to identify myself with his remarks.

To such an extent as it might be helpful, I was recently targeted on Republican National Committee stationery by the Republican National Committeeman from my State. I would hope we would all take due note that this official stationery which bears the logos of these respected national organizations is being abused by some individuals with their own agendas which do not necessarily reflect the official agendas of the organization.

It is incumbent upon the chairman of the Republican National Committee, and he is acting on my request, to put some control on the use of the logo. It is also incumbent on the National Young Republicans to put some control on their logo. So I hope that responsibility is accepted by the leadership to curtail the indiscriminate use by some persons of official logos.

Mr. DOLE. Madam President, I think the Senator makes a good point. I think it is not only the young who get carried away. I was subjected to a rather severe judgment by my former colleague, Senator Cranston, in Rolling Stone here a few weeks ago. Nobody jumped up in my defense, but I thought it was beyond the pale, too. I might suggest my colleagues read that. It is not just the young Republicans, sometimes it is the old Democrats, too.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Delaware.

Mr. ROTH. Madam President, first of all, let me say I want to associate myself with the remarks that have been made in connection with the distinguished Senator KERREY. There is no question but what the most precious asset one has is his reputation. It pains me to see anyone who serves this country honorably, attacked in the manner that Senator KERREY was.

Mr. SPECTER. Mr. President, I associate myself with the remarks made this afternoon concerning the letter written about Senator BOB KERREY—the remarks made by the distinguished Senator from Hawaii [Mr. INOUYE]; the distinguished Senator from Maine [Mr. COHEN]; and others who commented upon the inappropriateness of that kind of a letter.

Senator INOUYE said, very eloquently on the subject, that the right to criticize public officials is a treasured right in America but there are limits, and that letter passed the limits.

Madam President, the great English statesman, Edmund Burke, once outlined what he believed were just causes for combat. He said, "The blood of man should never be shed but to redeem the blood of man. It is well shed for our family, for our friends, for our God, for our country. * * * The rest is vanity; the rest is crime."

We have all been moved by the bloodshed and loss of life in Somalia, especially the wounds, imprisonments and deaths of our own young soldiers—brave Americans who first entered Somalia on a mission of mercy. These men and women went ashore in that starving country to feed children, to relieve suffering and provide medical attention to a land ravaged by famine, mobsters, and civil unrest.

Now, with American deaths entering the dozens, with soldiers missing in action or imprisoned, the words of CWO Michael Durant, who is the one known hostage held by a lawless warlord, hauntingly remind us that in Somalia we have lost our objective.

On a video tape that I know disturbed most Americans as much as it disturbed me, Michael Durant said simply, "I'm a soldier. * * * I have to do what I'm told. * * *" What a reminder to the leaders of nations of the incredible moral responsibility they have when first they determine to put countrymen in harms way. These are soldiers, they do what they are told. Consequently, leaders have a moral obligation to be certain, and I can not emphasize that word strongly enough, to be certain that what these young men and women are told to do is governed by objectives that are concrete, definable, understandable, and worthy of the risks they are asked to take.

Frankly, these objectives just do not exist, not now, not for us, not in Somalia. Going back to the words of Edmund Burke, Michael Durant's life is not hanging in the balance to provide safety for his family; he is not there to protect the security interests of his friends, or his country; not is he there to guarantee our freedom to worship God. Rather, he is the hostage of an outlaw for a reason that those who placed him in harms way have yet to define. Likewise, those who have already been killed—and those who continue to die—because of America's participation in the United Nations forces are doing what they are told without a clear, understandable and worthy objective. For this reason, I am calling for our troops to now be pulled out of Somalia as quickly as possible, consistent with their safety and the welfare of any and all United States hostages.

I am concerned that the policy taken by the White House is currently moving us in the wrong direction. Placing thousands of more troops and tons of heavy materiel into Somalia risks turning that crisis into a quagmire. It risks increasing numbers of American lives, hardens the resolve of Mohamed Farah Aideed and his supporters, and places hostages and potential prisoners like Michael Durant at grater risk as they become pawns in an international crisis that, frankly, should not be. Likewise, committing more U.S. troops takes the autonomy of our armed forces one more dangerous step toward entrenchment within the ranks of the United Nations. And this, alone, concerns me.

While I have long supported the United Nations, and understand its role in promoting peace and stability throughout the world, I am concerned by any attempt—deliberate or otherwise—that renders American autonomy subservient to that organization. While all eyes are on Somalia right now, I need not remind my colleagues that even as we debate America's place in the crisis of that nation, there are more than 80,000 U.N. peacekeepers deployed in 17 current missions throughout the world. Some of these missions, such as that involving India and Pakistan, began almost 50 years ago and continue to drain human and financial resources. Two new U.N. missions were launched even last month, and U.N. Secretary-General Boutros Boutros-Ghali has ominously predicted that more than 100,000 troops may be involved in U.N. missions by the end of the year.

I believe many of these missions are important, just as I believe the United Nations plays an important role in the global political community. But I am adamant in my position that America cannot give a blank check to a multinational coalition—a blank check that places its interests, lends its troops, and offers financial commitments to U.N. objectives that have little, if any, relevance to U.S. security.

When our soldiers go into battle, when our precious resources are committed to any conflict, we must have four clear, well-defined guidelines.

First, we must know what vital interests are at stake. Seldom, if ever, will we see all Americans support any U.S. commitment to battle; but our reason for being in that battle must be understandable, if not agreeable, to all Americans. When those vital interests involve an ally, or a coalition of nations of which we are a part, we must be in agreement concerning to what degree we are willing to commit our forces and resources.

Second, we must know who the enemy is and what kind of threat the enemy poses to our security forces. Only in this way can we be certain that our soldiers are properly equipped and able to carry out their objective.

Third, we must have a plan about how we can bring the mission in which we are engaged to a successful conclusions in the most efficient and effective manner possible. Our men and women should never be in harm's way even a day longer than is absolutely necessary.

Fourth, American interests under any circumstances, should never be subservient to the interests of any international coalition without the consent of Americans.

With the increasing activity of the United Nations, and as America is central to the success and support of the United Nations, I am concerned that these four objectives may not be considered as United States troops are committed to conflicts and crises like the one that now involves us in Somalia. Consequently, I shall be offering a resolution stating that U.S. forces cannot be placed in combat by the United Nations without the consent of a majority in Congress. I believe that only in this way can we be assured that American troops will remain safely within the stewardship of leaders elected by Americans. Only in this way can we be assured that the criteria outlined by Edmund Burke are met. Only in this way can we be assured that our men and women will not be swallowed up by an international organization that might more readily offer American blood and American lives for reasons and interests that may have nothing to do with America.

Madam President, I yield the floor.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER (Mr. KOHL). The Chair recognizes the Senator from New York.

SOMALIA

Mr. D'AMATO. Mr. President, I am going to speak to the same issue my distinguished friend and colleague, the senior Senator from Delaware, spoke to. Let me refer to an Associated Press article today. I am just going to read parts of it. If one were to just follow parts of this, it should be obvious that what is taking place is that decisions that should be based on military necessity, unfortunately, are being made on political judgments, politics.

This article is written by Donald M. Rothberg, Associated Press, Washington, AP:

> General Colin Powell was rebuffed twice last month when he recommended sending tanks and armored vehicles, along with additional troops, to Somalia, a military source added.

It goes on to say:

> Pentagon officials said Powell and Aspin spoke twice about the request.

But then the official who speaks in anonymity attempts to cloak this. He said, well, this really was not a request, this is not really something the general wanted. The military leadership was not pushing Aspin to do this.

How dare they, behind anonymity, attempt to cloak it that this was not really serious. Oh, no. The fact is that Powell, as a result of General Montgomery, who is the deputy commander of the United Nations and who is the United States general in charge in Somalia and made this request twice, his request went to the Marine Gen. Joseph Hoar, because this came from General Montgomery, the commander for the region. His request reached the Pentagon in early September. It came up through the channels to Powell who took it to Aspin with—I quote—"a favorable recommendation."

Let us not let the political bureaucrats and hacks attempt to becloud the issue. They are famous at that—obfuscation, and that is where we are at now.

Powell renewed the request later in the month. Now we hear that the administration has decided against pulling out U.S. troops and that they settled on a plan that will send 1,500 to 2,000 more soldiers there with the equipment that was initially requested last month, in September.

Let us go over this business about what was done and what was not done. We have to understand that when a request, which is called an action, reaches the Secretary of Defense, it comes with a recommendation from the Chairman and the Joint Chiefs. It is either concur or nonconcur. General Powell clearly concurred on the action, or it would have stopped at his level. In fact, Powell reportedly asked for approval twice.

Let me suggest that this is abhorrent. Are we sending young men to do a job, which is dangerous in its very nature, with the deck stacked against them? How dare we get this report back that the Secretary was concerned that there might be a backlash from Congress about sending equipment to defend our boys in the carrying out of their job, our men and women.

I believe that Secretary Aspin has let us down by turning a military decision into a political decision. That was wrong, and he must be removed. I yield the floor.

Ms. MIKULSKI. Mr. President, I rise today to voice my concern and that of my constituents concerning our continued presence in Somalia.

When our Armed Forces were first sent to Somalia they were provided a clear, understandable mission. They were there to feed the hungry, care for the sick, and protect humanitarian workers. The American people were proud to support our Armed Forces and their mission.

But not we find ourselves drifting from our original humanitarian purpose into something far more complex and dangerous. I worry that we now find ourselves in a position which is neither desirable, sustainable, nor enforceable.

Mr. President, I call on the administration to define both our purpose and our presence in Somalia. I supported the Byrd amendment to the Defense authorization because I believed our policy was drifting away from its original, humanitarian purpose into a murky military adventure.

Now, we have last Sunday's ambush of American rangers, the tragic loss of our servicemen's lives, the desecration of our dead, and the taking of U.S. hostages. The people of the United States and the Congress, demand that we have clear criteria and objectives for our continued involvement:

Why we are there?

What makes us stay?

And under what conditions we will get out?

Without a clear statement of objectives and criteria, Congress should not authorize our continued presence in Somalia, and the troops should be returned home immediately.

Finally, Mr. President, I want to express my deep sadness over the deaths of United States soldiers in Somalia. My thoughts and prayers go forth to the families and comrades of those who were slain. In these turbulent times, the example they have set, their devotion to duty, and their patriotism are examples for us all. I also want to state my heartfelt support and appreciation to the men and women who are now valiantly serving in Somalia. They, who have been serving in harm's way, are performing magnificently. May our leadership and actions be worthy of them.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

THE SENATOR FROM NEBRASKA—BRAVE, NOBLENESS OF PURPOSE

Mr. PELL. Mr. President, I would like to associate myself with the remarks made earlier concerning the Senator from Nebraska. There is no doubt in my mind, and I am sure in the mind of any here, as to the ability, the bravery, and nobleness of purpose of the Senator from Nebraska. It is acknowledged by Members on both sides of the aisle.

Accordingly, I associate myself with the remarks that have been made on this subject earlier this afternoon.

REDEFINING OUR POLICY IN SOMALIA

Mr. PELL. Mr. President, I am troubled and saddened by the continued deathtoll of United States soldiers in Somalia. In the last 24 hours we have witnessed additional United States casualties in Mogadishu as 2 of our soldiers have died and another 11 were wounded in an attack on that city's airport.

While I believe that we must bring in the troops necessary to protect our soldiers and the U.N. forces in Somalia, we should not use those troops to continue the present campaign with its huge emphasis on General Aideed. It has been a miscalculation to focus on capturing Aideed rather than on isolating him. We should concentrate on the successes achieved in reestablishing local government in northern Mogadishu and in the rest of Somalia. Above all, we should pursue a political solution backed by a strong U.N. military presence rather than engaging in high risk attacks on Aideed and his forces.

Despite our earlier errors, I believe that we would be committing an even greater mistake by forcing a precipitous withdrawal from our current commitment in Somalia. That is why I spoke before the Senate earlier this week to urge that the administration be given a chance to change course, rather than forcing them to immediately withdraw our forces by cutting off funding.

As I have said before, I support the U.N. operation in Somalia, and I support United States participation in it, particularly since we provided only about one-sixth of the forces. The administration has been working with the United Nations to improve the efficiency and effectiveness of its peacekeeping operations. Some of the reforms that are needed were detailed in reports of our Foreign Relations Committee entitled "Reform Of United Nations Peacekeeping Operations: A Mandate For Change" and in the final report of the U.S. Commission on Improving the Effectiveness of the United Nations, on which I served. With the expansion on U.N. peacekeeping operations in Cambodia, Somalia, and the former Yugoslavia, the need for reform has proved to be even more urgent.

I have come from a morning meeting with the President and his advisers and I applaud the President's efforts to consult with Congress and redefine our policy in Somalia. Those of us who attended expressed varying viewpoints, but in a civil and rational way.

I support the President's commitment to providing safety for our troops and other U.N. troops in Somalia, as well as to achieving our humanitarian goals in Somalia and concluding our commitment there.

Like many Members of Congress, I remain concerned about the circumstances and military tactics that led to last Sunday's tragedy. We must ask the administration for answers concerning the decisionmaking process that led to the weekend raid. There is no more urgent task at hand than to assure that the casualties of the last few days will not be repeated.

I commend the President for consulting closely with Members of the Congress in formulating a response to the changed situation in Somalia. Soon the President will set out the full context of the country's policy in Somalia. I have invited the Secretary of State to testify before the Foreign Relations Committee so that the committee and the Senate can have an opportunity to discuss the administration's policy in Somalia prior to its consideration by the Senate next week.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Mexico [Mr. DOMENICI].

GRAZING FEES AND LAND USE REFORM

Mr. DOMENICI. Mr. President, I will not take very much time of the Senate, but in my State there is a very genuine interest on a local issue. Obviously, we have all been speaking on the situation in Somalia or the situation in Russia.

But I choose this evening to try to tell the people in my State, and perhaps the States around New Mexico, in a part of the West and Southwest, the current state of affairs, as I understand them, with reference to the conference on the Interior appropriations bill as it pertains to the moratorium that the Senate voted 59 to 40 to adopt with reference to changing not only the grazing fees but a moratorium for 1 year on changing the rights and privileges and ownership and vested interest and the like with reference to the basic nature of the permits that permit ranching families and ranching interests to graze on the public domain which has been going on for so many decades now under various laws.

Let me first state that there are two parts to what is going on that I will try to indicate to the people in my State have been resolved not by any Republican because Republicans did not participate at all in the supposed settlement of this issue, but there are two parts and they are very distinct and very different.

One. What should we do about increasing grazing fees? We have all—western Senators on that side, western Republicans—said let us change the grazing fees. Let us raise them somehow. Let us look for a new formula. We have been ready to do that. We are prepared to do that. We will negotiate on that.

In fact, now that we know what the Democratic leadership on that committee wants to do, we will tell them early next week what we recommend on that aspect of this very serious issue.

Now, if you listen to the media and those who say get on with something, you would think that is all there is to this issue. And you would think for those 59 Senators, 39 of which were Republicans, who said hold on now, let us give these ranching communities and these ranching families a year to sort this out and have some hearings, the issue was only grazing fees.

I have just stated it is a little part of this problem which is before that committee that was going to be before this Senate but should be before the authorizing committee.

The other part is a series of reforms, so-called reforms. They are changes in the relationship of the user of that public land, that is, the ranchers, men and women, families. It is changing their rights, their privileges, their vested rights, their property rights, and it is that portion of what the Secretary of the Interior had planned to execute without Congress, by Executive order and through rulemaking, that is causing some severe, severe problems in that Appropriations Committee and will cause severe, serious problems in this Chamber because the very way of life, the property rights, what a ranch is worth, what you can borrow on it, what happens when you make improvements to it, who has the right to close you down and what are your appeal rights, those and many more like them were going to be decided under the rubric of changing the grazing fees.

Now, Mr. President, there is no gridlock with reference to changing the land user privileges and rights because there is nothing to gridlock. This is the first time this whole series of issues has been placed on the table by this Secretary of the Interior and the ranching community, and the Senators from those States are being told we are going to change them all without any hearings, without any law; we are just going to change them. And trust us, the Department of the Interior and those who work for them; we are going to do right.

Mr. President, in my case, I have thousands of ranching families who use the public domain along with their own land, along with State land and make a living in rural New Mexico. I am not prepared today, tomorrow, next week, if I am here for 20 more years, to say to the Department of the Interior you just take care of all this because you are going to do right by these ranching families.

I do not believe that for a minute, and anyone who thinks we are going to sit by and watch all of this get changed without an authorizing committee having hearings on it—and I am not talking about grazing fees. So to those who do not understand or refuse to listen when we say it is not the grazing fees that are in issue, it is what will our house on this ranch be worth next month or next year? Will we be able to borrow on the land and the permits as a unit or are you going to change it so that the value is down, the rancher's interests are changed without a committee of this Congress even holding a hearing on it?

Now, we are going to hear this over and over until it sets in, that we are not going to let anyone change these interests in any cavalier manner. We know best. We have looked at it. It is a compromise after all.

Well, that does not do the job because that is not the issue. The issue is should you do these things to thousands of ranching families? And let me tell you how serious it is. The occupant of the chair will understand this. Ranching families borrow money to operate. And that is understood. The occupant of the chair has been in business. You borrow money for your day-to-day operation and your overhead and you borrow money on your ranch house which is on your own land.

Well, let me tell you, the banks are saying no loans for operation. While this whole series of changes is to be made by the executive branch without a congressional hearing, without a change in the law, they are saying, while those are around, no money will be loaned.

Why do you think they are saying that? They are saying that because these changes are so significant that they render the property rights of the ranching family, the permittee—in some cases it will cut the value in half.

Now, I just ask, would we busy ourselves by letting an executive branch of this Government overnight by fiat change the value of houses across this country, by a rule that they would promote in the executive branch? Would we let them change the mortgage deduction by rule? Of course not. We would say that affects the value of the houses, that affects the carpenters who build houses.

The ranching communities are dependent upon the rights and privileges associated with this ranch house as a ranching unit with public domain permits. So it is enough to just tell you they are not going to lend money for everybody to understand there must be something dramatic happening.

Yes, there is. And do you know how it is going to happen if we do not put that moratorium on? It is going to happen by executive fiat, with no input from the Congress other than perhaps writing your letters of recommendation or suggestion.

That means that on this side of the aisle—and I hope on that side of the aisle, because I cannot believe that every Democrat from Western America has agreed to the proposal, which we have not seen yet in writing but which was given to us orally by the Senator who negotiated it, a good friend, Senator REID, who negotiated it with the House authorizing committee, not the Senate authorizing committee.

In fact, MALCOLM WALLOP, the ranking member of the authorizing committee, was not talked to. PETE DOMENICI, who works on this as much as he can probably be working on it, as long as anyone here now, I was not part of this so-called resolution of this problem. It was done in long distance with the House members on the authorizing committee, who we all know have been just kind of waiting around to do the ranchers in. In fact, they represent some constituencies that do not think we even ought to use the public domain for livelihood as ranchers, and raise beef cattle and other things.

So the solution that is being proposed here is a new grazing fee. We want to work on that. We will bring a grazing fee proposal also to be looked at that will be multiyear and will solve the problem that everybody is talking about on gridlock.

But what is being suggested now is that about two-thirds of these land use changes, these vested right changes, it is now being proposed—and I assume there are votes to support it, with not a single Republican involved there—about two-thirds of these dramatic, drastic changes are not going to even wait for public hearings. They are going to be written into an appropriations bill.

Let us get rid of it, people are saying. Let us write it right here in this appropriations bill, no hearings. The ranching community spent hundreds of thousands of dollars writing their version, their view, and sent it to the Secretary so they could be filtered into this process. It does not matter. We are going to write it into an appropriations bill.

And what an anomaly. The U.S. House, I say to my friend from Pennsylvania, with the authorizing committees right out front, they are turning down appropriations bills one at a time by saying: Are you authorizing on this appropriations bill? If you are authorizing, take the authorizing out. But not when it comes to ranchers. Authorize it right in the appropriations bill; change their livelihood; change their rights and their privileges, because we cannot afford to have this issue around any longer.

Mr. President, I am fearful that we are going to have it around for awhile. Anybody that wants to read into what I am saying, read whatever they like. But I can tell you right now that I pride myself in being a constructive Senator. I pride myself in working things out. I do not pride myself in causing gridlock around this place. But I will tell you that on this one, I am prepared to do that.

I truly believe it is unfair to change these kinds of rights, privileges, rules, and responsibilities in an appropriations bill without hearings, and we are going to hear responses next week saying we have been at this forever. I repeat: We have been at grazing fees issues for quite a while.

But we have not had in our authorizing committee, the Senate Energy Committee, a bill that changes such things as who owns the water rights; such things as who owns the improvements if they are made; such things as who is going to make the improvements in the future; such things as how do you cancel a permit permanently and irrevocably; what kind of appeal do the ranchers have; what kind of input do they have as an advisory group to what is going on? Those are just a few of the issues.

I do not believe this Senate, when it finally understands this, is going to agree—or I must say, should not agree—that we do this without any public hearings, without a thorough analysis. Let me tell you, the rule of unintended consequences when it comes to these kinds of relationships is front and center. The rule of unintended consequences is going to take hold if we do business this way. And my constituents by the hundreds are going to find out when it is too late that this was not done right. Or they might find out the year after next that there is no value left in what they spent 20 or 30 years putting together, maybe even a second generation doing, and doing it well.

Nobody is complaining about how they have maintained it, maintained the public domain. But they do not have any value left because what we have changed, without public hearing, without input, without analysis, is saying to them: What you thought you owned has changed. You really do not own it. What you thought you had in equity and value, that you could go to the bank for years and borrow money to keep your family going, and buy a new—buy whatever you need for the year that is coming, maybe it is just not worth anything anymore.

We have already disposed of the idea, I believe, at least for my State—I looked at it carefully—that this is a bunch of rich cattle people. Some call them corporate cowboys. That is not my State. My State has nearly 4,000 of these ranching permits, and the overwhelming proportion are small family ranchers, families who are living there to stay in their rural communities and participate in a lifestyle that has been kind of sort of the real blood and strength of rural communities.

So I guess I come here tonight as much out of sorrow and concern, as I am about to engage on a real crusade where I have some kind of angle about it. I am here to suggest that we ought to be fair, even if it is only 30,000, 40,000, or 50,000 ranching families, or the 4,000 in New Mexico. There are many Senators who have none of those. But if we can just vote kind of cavalierly, since it only hurts a few, then I think we are coming very, very close to pitting one part of this country against another part of this country.

Frankly, I do not like to see that happen. But I will not sit by without doing my share to let everybody in this place know that this is a basic thread of fairness, and you ought to give that to everybody. You ought to give it to minorities; you ought to give it to immigrants; you ought to give it to small business; and you ought to give it to the community called the ranching community of America.

Fairness demands that you not change their livelihood and their resources and the value of their estates and their farms in an appropriations bill with a whole batch of new laws, with unintended consequences, that are just waiting to come out of the woodwork. But when they come out, it is people they hurt, not woodwork.

I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania [Mr. SPECTER].

PRESIDENT CLINTON'S PROPOSED HEALTH CARE PROGRAM

Mr. SPECTER. Mr. President, I have been looking for a quiet moment on the Senate floor to speak relatively briefly about the administrative aspects of President Clinton's proposed health program.

I saw one of our colleagues on television recently being asked about whether the Senator had read the report, and I noted some embarrassment in the failure to give an affirmative answer. So I took a copy and found it was 239 pages long, and I proceeded to read this lengthy report, for those who may be watching on C-SPAN 2, here it is.

There is a great deal in this report which is going to require study and analysis. It is, on its face, only a preliminary report. "This document represents a preliminary draft of the President's health reform proposal." That is the first sentence on the front page. We have yet to receive the legislation which, according to the way legislation customarily follows a draft report, is likely to be a good deal more involved and obviously more specific, and most probably more complicated.

I inquired as to whether any Senator had put this report in the CONGRESSIONAL RECORD and was surprised to hear that none had. I believe that it has not been put in the RECORD on the House side either. I wonder, commenting on that, whether that reflects to any extent the reading by our colleagues who are Members of the Congress.

I intended to submit this preliminary report to be printed in the CONGRESSIONAL RECORD. However, I am advised by the Joint Committee on Printing that it would cost $12,000 to print and thus I will refrain from doing so.

People need to read it—Members of Congress and others—to understand what is happening as we look toward a very substantial debate on health care reform.

I share the objectives of President Clinton to provide comprehensive health care for all Americans. During my 12 years plus in the Senate, I have served on the Appropriations Committee for Health and Human Services and have been heavily involved in the work of the Congress. I have proposed extensive legislation in this field, going back almost a decade, when I first proposed legislation dealing with low-birthweight babies, and since have proposed comprehensive legislation and tried to bring this issue to the floor in the summer of 1992.

It seemed to me that with some 1,500 health bills pending, we did not have to wait any longer, that we could legislate on the subject, very much as we did on the Clean Air Act, where we brought a complicated question to the floor and broke up into task forces and finished the product and made substantial improvements. That effort on my part was not successful and was defeated largely along party lines. This spring I made another effort in the same direction when it appeared that the President's proposal was going to be substantially delayed, and the estimate was in May and then June and July and a speech to the joint session in September, and still we do not have the legislation.

I have felt keenly the need for legislating in this field. The one subject I want to comment about specifically—and many things are to be commented about, and it is going to take a long time to analyze the proposal—involves the administration, or the bureaucracy, or the boards, or commissions, which are set forth in this program. I candidly was very surprised when I saw all of the new administrative agencies.

So I asked my staff member, Sharon Helfant, a very able young woman, to make a list. After she made the list, she made a chart, and charts have become more numerous on the Senate floor in recent days. They tell quite a story without so many words. Sometimes the Senate floor can use fewer words—and that goes for me as well.

I ask that the camera pan the chart, if it would. On color coding, the existing governmental agencies are marked in green. They spend the money. The new agencies are marked in red, which is where we may end up if we have this much bureaucracy and administration.

I was surprised, Mr. President, to find that in this grouping there are 77 new entities, agencies, commissions, councils, and advisory groups which are marked in red. And there are at least 54 existing entities which will have new or expanded responsibilities or other changes in their present functions.

We all know how expensive—I meant to say expansive, but I could say expansive and expensive—our governmental agencies are, which are marked in green; but they are dwarfed by the new ones, which are marked in red. They cover many new subjects.

For example, there will be a national health board overseeing the entire program with enormous powers, which have yet to be fully delineated. One of them is the authority to preclude someone from traveling, hypothetically, from Camden, New Jersey to Philadelphia, going from one State to another to get specialized medical treatment, say, at the hospital of the University of Pennsylvania. There are very complicated health alliances which are set up, and in many States there will be many of them.

There is a national council on prescription drug programs. There is a new agency for malpractice dispute resolutions. There is a national health information system. There is a national privacy council. There is an advisory committee for the risk adjustment formula. There is an advisory commission for premium adjustments. There is a national health data advisory council. There is a national quality management program. There is a national guarantee fund. There is an advisory council on long-term care insurance. There is a national system of electronic claims management. There is a national trust fund for academic health centers. There is a commission on health benefit and integration demonstration programs. And there is a breakthrough drug committee, and on and on and on.

I know a colleague has come to the floor to seek recognition, so I will be relatively brief, Mr. President.

I ask unanimous consent at this juncture that the full text of a memorandum from my staff assistant, Sharon Helfant, to me dated October 6, 1993, be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. This memorandum sets forth the minimum of 77 new entities, and the minimum of 54 existing entities with newer expanded functions. The descriptions in this memorandum will enable those who care to read the CONGRESSIONAL RECORD to see a summary of what is to be involved.

In reviewing those programs and in looking over the work which the Subcommittee on Labor, Health, Human Services and Education does on the Appropriations Committee—where Senator HARKIN is the chair and I am ranking Republican member—I see the bureaus, agencies and advisory commissions that will be set up, which will have to be paid for. And I see the difficulty of allocating the existing funds within existing programs on the National Institutes of Health, where we have maintained increases on research, or on cancer programs—prostate cancer kills one out of nine men, and breast cancer kills one out of eight women—and our efforts to increase those funds. It is a source of considerable concern to me as to where the funds will come from for these new agencies and administration issues.

We are all concerned about the potential of big government and the problem with big government. We do want to be sure that the 37 million Americans now not covered are covered. We want to be sure that when a man or woman changes jobs, that person will be able to have health coverage in the new jobs and portability between jobs. And we want to be sure that the costs are reduced where they are spiraling out of sight.

But we have to be certain in this whole process that we do not unduly impact or harm the existing health care system we have, which does cover 86 percent of the American people, and which is the best health care system in the world.

We had heard in the years gone by a great deal about the Canadian system and its virtues. As time passed, we found there are enormous problems. We learned when people in Canada really need health care they come to neighboring United States cities, Seattle, Detroit, or Buffalo.

These are issues we have to study very carefully. When I found this document of 239 pages was not in the CONGRESSIONAL RECORD—this kind of administrative complex—it seemed worthwhile to reproduce the chart and set forth the summary of the documents, which I have asked to be included in the CONGRESSIONAL RECORD.

There will obviously be much more to be said, but this is a matter where we need input from all interested parties. There is enormous interest in this subject by the American people. I go hardly anywhere where people on the street do not say to me, "Be sure you get comprehensive health care which covers everybody." And on the trains people tell about their own individual problems, and people in the delivery system raise issues and concerns about what is going to happen.

I say to all of those who ask me, "Await the legislation, take a look at the legislation, identify issues which you think are problems, be specific, give specific recommendations as to what you would like to see changed."

I am not about to give blank checks to anybody when people ask me about these issues. But if there are solid problems and if I agree with the problems and agree with the improvements, the recommendations for amendments, we can take care of them on the Senate floor.

So this is a matter which requires considerable study. I hope that my comments today and the inclusion in the CONGRESSIONAL RECORD of this chart will be of assistance in the next stage of debate as America takes a look at the President's proposal, to see what really has to be done to achieve the objective of universal health care for all within sensible and reasonable parameters.

I thank the Chair and yield the floor.

EXHIBIT 1

Memorandum:
To: Senator Specter.
From: Sharon Helfant.
Date: Wednesday, October 6, 1993.
Subject: President's health care plan outline: newly created entities and functions; existing entities with new functions.

Below are lists of both the new entities and their functions and existing entities with new responsibilities. There are also numerous new responsibilities for various existing persons (such as the Secretary of HHS) and agencies (such as the Health Care Financing Administration (HCFA)) not specified below. In addition to this list and corresponding chart, such numerous responsibilities will call for expanding existing entities and will add significantly to the size of the present bureaucracy and administrative costs.

Clinton's health plan outline specifies a minimum of 77 new entities (agencies, commissions, councils) and a minimum of 54 existing entities with new or expanded responsibilities, or other changes in present function. These numbers are low estimates since certain entities will be multiple between, and often within, states (such as the Health Alliances and Health Plans).

I. NEW ENTITIES

1. National Health Board: The Board is responsible for:

(1) oversight of the state system;

(2) interpret and update the nationally guaranteed benefit package and issue regulations;

(3) oversee and enforce the national budget for health care spending;

(4) establish and manage quality performance of health plans;

(5) oversee the pricing of breakthrough drugs and make public declarations regarding the reasonableness of launch prices.

2. Health Alliances: Established by states to contract with health plans in providing coverage for businesses with less than 5,000 employees, Medicaid eligible individuals and families, self-employed, unemployed, part-time employed, government employees, and possibly early retirees and Medicare beneficiaries. Alliances are also responsible for:

(1) representing the interests of consumers and purchasers of health care services;

(2) structuring the market for health care to encourage the delivery of high-quality care and the control of costs; and

(3) assuring that all residents in an area who are covered through the regional alliance enroll in health plans that provide the nationally guaranteed benefits.

(4) negotiate and certify all health plans and adjust payments for each plan based upon cost characteristics of the enrolled plan.

3. Health Plans: Such health insurance plans (newly created and existing) provide coverage of the "nationally guaranteed benefits package" through contracts with regional or corporate alliances. Such plans must be state-certified and meet newly created federal requirements involving enrollment, community rating, fiscal soundness, consumer information to alliances and consumers, grievance procedures, arrangements with providers, marketing practices, verification of provider credentials, consumer protections, confidentiality, utilization management, and data management and reporting.

4. National Council on Prescription Drugs Program: Established under the National Board to develop a universal drug claim form.

5. Malpractice/Dispute Resolution models: Developed under the National Board to be used by health plans in establishing an alternative-dispute resolution process for consumers.

6. Payment transfer system: Established under the National Board for the Alliances use when formulating payments to each plan.

7. Program to report on ability of disabled persons to receive quality care in managed care plan (related to Medicaid): To be used by states in assessing Medicaid's ability to cover such persons under a managed care plan.

8. National Health Information System: Established under National Board to collect patient information in creating a national data bank (related to the creation of the Health Security Card to be carried by all Americans).

9. National privacy panel: Established under the National Health Information System to protect individuals' medical records.

9/10. Community based health information systems and regional centers: Established under the National Health Information System to collect patient information for a national system.

11. Advisory committee for risk-adjustment formula: Under the National Board to develop risk-adjustment formula for Health Alliance's payments to health plans.

12. Advisory Commission for premium adjustments: Under the National Board to assess differences among premiums between health plans.

13. National Health Data Advisory Council: Under the National Board to oversee the information and data activities, including standard setting and privacy collection.

14. Demonstration projects: The National Board contracts out research and oversees demonstration projects in meeting designated responsibilities.

15. National Quality Management Program: Established under the National Board monitor, assess and report on quality of health care under new system.

16/17. Regional centers and demonstration projects: Established under the National Quality Management program to assist in meeting designated responsibilities.

18. National Guarantee Fund: Created under the Department of Labor as a financial safeguard for the self-insured plans and other plans that are outside of the Health Alliances.

19. Formula grants to states for high-risk school districts: Depts of HHS and Education to administer a new grants program for health care at high-risk schools.

20. Long-Term Care Insurance Advisory Council: Established under the Dept of HHS to monitor the long-term care insurance market and to advise the Secretary of HHS on such matters.

21. Medical liability pilot program: Established under the Dept of HHS and based on practice guidelines adopted by the National Quality Management program (under the Board) to determine the effect of using practice patterns in certain specialty areas.

22. All-Payer Health Fraud and Abuse Program: Established under the Depts of HHS and Justice which creates a trust fund to develop and implement stronger law enforcement against fraud and abuse in the health care industry at federal, state and local levels.

23. Safety zones/antitrust exemptions: Administered by the Justice Dept and the Federal Trade Commission to establish areas where hospitals and other health institutions can freely share expensive technology without fear of breaking antitrust laws.

24. Demonstration programs to improve enforcement of long-term care insurance: A new program administered by the Dept of HHS to improve enforcement of laws regarding long-term care insurance practices.

25. Demonstration program re. integrated models of acute and long-term care services for disabled and chronic illness: Administered by the Dept of HHS to assess the feasibility of integrating different types of care with the goal of being more efficient and less costly for such persons.

26. Home and Community-based long-term care program: A new program under Title XV of the Social Security Act administered by HHS to encompass: (1) expanded home and community-based services; (2) improvements in Medicaid coverage for institutional care; (3) standards to improve the quality and reliability of private long-term care insurance and tax incentives to encourage people to buy it; (4) tax incentives that help individuals with disabilities to work; and (5) a demonstration study intended to pave the way toward greater integration of acute and long-term care.

27. New community health program: Established under the new Home and Community-based Long-Term Care program, services are provided through a new state program.

28. Combined new state program: Authorizes states to combine current Medicaid community long term care and institutional care with the new community health program as a combined new state program.

29. New outpatient prescription drug benefit: Expanded benefits under Medicare which will cover outpatient prescription drugs after a $250 deductible is met. The government will pay 80 percent and beneficiaries 20 percent, of the cost of each prescription with an annual limit on out-of-pocket expenditures of $1,000.

30. National system of electronic claims management: The Secretary of HHS establishes this national system as the primary method of determining eligibility, processing and adjudicating claims, and providing information to the pharmacist about the patient's drug use under the Medicare drug program.

31–41. Regional centers: The Secretary of HHS establishes ten regional centers under an expanded National Council on Graduate Medical Education to allocate training slots among individual residency training programs.

42. Grants for research on the impact of health care reform: An expanded health services research program to be administered by the Office for Research and Demonstrations within the Health Care Financing Administration (HCFA) and the Agency for Health Care Policy Research within the Public Health Service.

43. Medicare technical advisory group on Hospital Administrative issues: A new advisory council under the Health Care Financing Administration (HCFA) to streamline the process for settling cost reports under the Medicare program.

44. New grant programs for enhancing access to health care in rural underserved areas: To be administered by the Public Health Service (PHS) financed by savings as achieved through PHS programs which the plan expects to happen as persons presently being served by such programs receive coverage through Health Alliances.

45. National trust fund for academic health centers and affiliated teaching hospitals: A new pool of funds will be collected through Medicare and a surcharge on health plan premiums to fund the additional expense involved in academic research centers and teaching hospitals.

46–55. Residency programs: primary care-new physicians, continuing education and retraining/minority training programs/rural health/nurse practitioners/nurse mid-wives/physician assistants: Creates and/or expands programs in these areas. Funded through existing federal programs and a surcharge on health plan premiums.

56–61. Government subsidies: businesses (including self-employed and part-time)/individuals and families/unemployed/early retirees ("under review"): The federal government will subsidize all or part of the cost of the health plan premium.

62. Alternative Dispute Resolution program: all health plans must establish such a program for consumers.

63–64. Commission on Health Benefit and Integration/Demonstration program: Study the feasibility and appropriateness of transferring the financial responsibility for all medical benefits (including coverage through workers' compensation and automobile insurance) into the new health system.

65. Ombudsman program: Established under Health Alliances to provide assistance to consumers in an Alliance.

66. Consumer Advocacy program: Established under the state government and related to consumers of all health plans.

67. Technical Assistance program: Established under the state and administered through a designated organization to provide a variety of activities related to the Quality Management Program established under the National Board.

68. Demonstration projects for enterprise liability: Federal funds support states in establishing such projects designed to determine whether substituting physician liability with liability on the part of the health plan leads to improvements in the quality of health care, reductions in defensive medicine and better risk management.

69–76. New grant program to ensure access to health care for low-income, underinsured, hard to reach and otherwise vulnerable populations: includes programs in transportation/child care/advocacy and follow-up services/supplemental services: Through States such grant programs are to be used for above specified purposes in getting all persons into the health care system.

77. Breakthrough Drug Committee: Established under the National Board to assess the pricing of breakthrough new drugs and make public declarations regarding the reasonableness of prices.

II. EXISTING ENTITIES/NEW RESPONSIBILITIES

1–3. The Work Group For Electronic Data Interchange/National Institute of Standards and Technology under the Department of Commerce/American National Standards Institute: Assist the National Board in developing and implementing national standard forms for insurance transactions.

4–6. Consumer Product Safety Commission/National Highway Traffic Safety Administration under the Department of Transportation/National Institute of Standards and Technology under the Department of Commerce: Advise and assist the National Board with developing and revising privacy protection safeguards in national system related to administrative simplification.

7. Department of Treasury: If a State fails to comply with Federal requirements, the National Board informs the Secretary of the Treasury who will impose a payroll tax on all employers in the State. The tax will finance the Federal Government in providing health coverage to all individuals in the State and related administrative costs.

8. Department of Labor/the Employee Retirement Income Security Act of 1974 (ERISA): The Department oversees plans operating under ERISA and outside of Health Alliances. This includes corporations with over 5,000 employees, rural electric and telephone cooperatives, Taft-Hartley plans over 5,000 and the U.S. Postal Service.

9. Veterans Administration: Continues to provide health care to veterans. The Secretary shall determine if VA health centers should extend care to dependents of veterans. The VA must also assist the National Board with administrative simplification.

10. Department of Defense: Continues existing health programs and permits the Secretary to "coordinate the military system with national health reform." Also assists the National Board with administrative simplification.

11. Department of Health and Human Services: Expansion of programs within the Department of Health and Human Service's jurisdiction are listed below—numbers 12 to 38. In addition, HHS is to coordinate with the Department of Education on developing a state grant program for high-risk schools, and the Department of Justice on a new fraud and abuse program and assists the Board with administrative simplification. The Secretary is to report to the President on the extent to which each sector of the health care industry is voluntarily restraining costs and has the authority to collect related information.

12. Health Care Financing Administration (HCFA): Expansion of programs within HCFA's jurisdiction. This includes: Medicare, Medicaid and each of their related new and existing programs, and the Office for Research and Demonstrations. Please note expansions of such programs coincides with $238 billion in cuts over the next seven years—$124 billion in Medicare and $114 billion in Medicaid.

13. Medicare: Medicare continues to exist. Current and future beneficiaries may choose to be covered through a Health Alliance. Benefits are expanded to include an out-patient prescription drug benefit and home and community-based long-term care as detailed in under Section I: New Entities (listed above). The plan also calls for savings in the Medicare program of $124 billion over the next seven years (1994–2000).

14–16. Medicaid/Medicaid community long-term care/institutional care: A state may integrate beneficiaries into the Health Alliance. States also may create a new program to include existing Medicaid community long-term care and institutional care with a newly created home and community-based long-term care program. The plan also calls for savings in the Medicaid program of $114 billion over the next seven years (1994–2000).

17–18. Office for Research and Demonstrations under HCFA/Agency for Health Care Policy and Research under the Public Health Service: Administer newly created grants both within their agency and contracted out to determine the impact of health care reform.

19–20. Graduate Medical Education/National Council on Graduate Medical Education: Presently funded under Medicare, Graduate Medical Education funding is to continue with additional funds from health plans.

21. Public Health Service: Expansion of responsibilities for existing programs under the Public Health Service's jurisdiction are detailed below—numbers 22 to 37.

22. Health Services Research Program: Within the Public Health Service (through NIH and other entities) expansion of health services research related to the development of quality and outcome measures and consumer decision making within the Public Health Service (within NIH and other PHS entities).

23. National Institutes of Health: Expansion of prevention and human services research.

24–28. Family Planning / maternal infant health block grant / community health centers / health care for the homeless program / Indian Health Service: Continue to exist with the eventual goal of integrating individuals receiving care through these entities in to the new health care system. Savings are to be reallocated to a new grant program for enhancing rural underserved areas.

29–37. Residency training programs for: rural health including the National Health Service Corps / minority training programs / primary care (new physicians, continuing education and retraining), nurse practitioners, nurse mid-wives, and physician assistants): Expansion of such training programs in areas where they presently exist. Such programs are created where they do not exist and are to replace medical specialty residency positions in areas that are deemed to have too many.

38. National Practitioner Data Bank: Under the Dept of HHS to establish rule for public access to information on malpractice records of providers nationwide.

39. Department of Education: Authorized to work with the Dept of HHS to develop a new grant program to states for health in high-risk schools.

40–41. Department of Justice / Federal Trade Commission: Work together to establish "safety zones" for anti-trust exemptions in encouraging hospitals and other health institutions in the same community to share expensive technology.

42. State government: Assume primary responsibility for ensuring that all eligible individuals have access to a federally qualified health plan. If a state fails to do so, the federal government will assume such responsibilities to be funded by a payroll tax from all residents in the state. A state may create a single-payer system or create regional Health Alliances which contract with health plans. States also must: (1) administer subsidies for individuals and employers; (2) certify health plans; (3) regulate financing of plans within an overall budget; (4) administer data collection, qualify management, and program improvement; and (5) establish and govern health alliances.

43–44. Federal, state, and local law enforcement: Under the All-Payer Health Fraud and Abuse program administered by the Depts of Justice and HHS, will receive additional funds to implement new and existing law enforcement of health care fraud and abuse.

45. Health Plans: Health insurance plans continue to exist but must meet federal requirements as specified directly by insurance market reforms and the guaranteed benefits plan in the text of the plan and as created by the National Board.

46. Government workers: federal (FEHBP), state, and local: Such health plans must also comply with federal requirements and are rolled in to the Health Alliances.

47–52. United States Postal Service / Taft-Hartley plans / Rural Electric and Telephone Cooperatives / self-insuring corporations (over 5,000 employees): Continues to self-insure members and employees in compliance with federal requirements for qualified health plans and premium limits as set forth under this plan.

53–54. Supplemental plans / workers compensation / auto insurance health component and auto insurers: Such plans may continue to exist, however, workers compensation and auto insurance must roll in their health component to the basic health plan. This is applicable to both corporate and regional alliances.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma.

Mr. NICKLES. Mr. President, I compliment my friend and colleague from Pennsylvania for his statement.

ARMED FORCES PERSONNEL IN CERTAIN INTERNATIONAL OPERATIONS

Mr. NICKLES. Mr. President, when the Senate takes up consideration of the Department of Defense appropriations bill, I plan on offering an amendment that would prohibit U.S. combat forces from serving under foreign command in U.N. operations, unless authorized by Congress.

Mr. President, I might just mention a couple of things.

One, I have heard a couple of people refer to my amendment as dealing with Somalia. My amendment does not mention the word Somalia. I will tell my friends and colleagues that this amendment was contemplated far and long before the debacle and tragedy that happened earlier this week in Somalia.

As a matter of fact, I had this amendment drafted and prepared to offer on the foreign operations appropriations bill and decided to offer it on the Department of Defense appropriations bill because that is where we fund peacekeeping forces.

My interest in offering this amendment came not so much from Somalia, but from two other real concerns. One, repeated reports that this administration is contemplating committing 25,000 troops to Yugoslavia. Second is a draft Presidential Decision Directive, called PDD–13, which as reported may result in significant U.S. commitments to an international peacekeeping standing armed force. I have serious reservations about that proposed policy.

Mr. President, this amendment is very simple. I have it ready and am going to enter it into the RECORD so people can look at it. I am not saying it is perfect, but the thrust of it is very clear. It says we will not commit U.S. combat forces to any standing international armed force—which could be with the United Nations—nor to a U.N. operation which is under foreign command, unless authorized by Congress.

I might mention, too, this amendment in no way ties the President's hands. As a matter of fact, I think it clarifies his role as Commander in Chief.

The amendment also gives the President emergency authority. If he felt it was in the national security interest to do so, he can place combat forces under foreign command. Yet Congress would have to authorize this within 30 days. We state that the President would have to submit a report to Congress which specifies the role and the mission of such forces, the estimated cost, the probable maximum size, and probable duration of such commitment to the appropriate committees, and then the committees would have time to review, then we would have to pass a joint resolution authorizing the placing of such forces.

We also state that no funds shall be used to commit U.S. combat forces as any part of a standing international armed force.

Some people have talked about the desire and—I started to say the wisdom—I would say the lack of wisdom of putting U.S. combat forces under an international standing army to respond as called upon under foreign command.

I think that would be a serious, serious mistake, and I do not want to see us drawn into those kinds of conflicts without clearly knowing what was in our national security interests.

So that is the purpose of my amendment.

Again, Mr. President, let me just state: The word "Somalia" is not in this amendment. This amendment was drafted well before the tragedy in Somalia, but I think it is very pertinent. It is very important.

I might mention that this amendment does not affect medical, logistics, communications, humanitarian, training, or temporary observer or liaison activities.

So, we are directing this toward combat troops, and we are saying we do not want U.S. combat troops to be in U.N. operations under a foreign commander, unless authorized by Congress.

So, if the President, the Commander in Chief, would like to see that happen, he is going to have to request this shift to foreign command of Congress, and clearly state their mission. He is going to have to sell Congress and the appropriate committees, and then Congress is going to have to pass a joint resolution authorizing that, which I think is clearly constitutional.

I want to avoid some potentially tragic mistakes.

Again, Mr. President, I deeply regret the tragedy that has recently happened this week in Somalia. This amendment was not drafted to cure that problem. This amendment has been in the works for a long time, but it is drafted to try to, hopefully, avoid pitfalls where we would commit U.S. combat forces to an international body and find ourselves entangled in foreign obligations which we are not prepared, or at least not authorized to do so by Congress.

Mr. President, I ask unanimous consent to print in the RECORD an amendment offered by myself.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

On page 12, line 17, insert immediately after "installations." the following:

RESTRICTION ON USE OF UNITED STATES ARMED FORCES IN CERTAIN INTERNATIONAL OPERATIONS

(a) PROHIBITION.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to support United States Armed Forces personnel, other than those engaged in medical, logistics, communications, humanitarian, training, temporary observer or liaison activities, after March 1, 1994, when such forces are:

(1) under United Nations command if such forces would be under the command of foreign officers, unless prior to that date the President has submitted a report to Congress which specifies the role and mission of such forces, the estimated cost, their probable maximum size and the probable duration of such a commitment to the appropriate congressional committees, and such committees have had 30 days to review the consequences of such a commitment of U.S. Armed Forces, and a Joint Resolution authorizing the placing of such forces under foreign command has been enacted; or

(2) a part of any standing international armed force.

(b) The prohibition described in subsection (a(1)) shall not apply if the President determines that (1) national security interests justify a waiver of subsection (a), and (2) the President declares an emergency exists, and he immediately informs the Congress of his action and the reasons therefor, and (3) within 30 days there must be enacted a Joint Resolution of Congress authorizing that such actions are in the national security interests of the United States.

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President should notify the Speaker of the House of Representatives and the President of the Senate when there is pending in the United Nations Security Council any resolution that might entail the commitment of United States military personnel, and should seek the advice of the Chairmen and Ranking Members of the appropriate congressional committees prior to instructing the United States Permanent Representative to the United Nations regarding such a pending resolution.

(d) DEFINITION.—For purposes of this section, the term "appropriate congressional committees" means the Committees on Appropriations, Armed Services, and Foreign Relations and Select Committee on Intelligence of the Senate and the Committees on Appropriations, Armed Services, and Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

Mr. NICKLES. I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 101-194, appoints Shepard Lee of Maine to the Citizens' Commission on Public Service and Compensation, vice Walter B. Gerken of California.

LT. COL. FRANK WILLIAM CURTIS

Mr. NICKLES. Mr. President, 12 years ago, Lt. Col. Frank Curtis assumed the difficult challenge of bringing order to the Senate Service Department. That opportunity, if you want to call it that, was given to Frank by our distinguished former majority leader Howard Baker.

Not only was Frank an Oklahoman from Waynoka, but a friend and acquaintance here in the Senate. During that time, I had the occasion to know Frank and listen and learn from his colorful style and character.

As an Air Force officer, Frank was a logistics wonder. Beginning in the 1950s, he pioneered the B-36 fly away kits, used in atomic bomb tests. Later he became the logistics manager of the famed U-2 reconnaissance plane; and in Vietnam, he guided support troops for our combat aircraft. In short, he was a talented and gifted individual with a knack for developing a top-notch product and winning over doubters with his Oklahoma wit and charm.

On July 15, Frank Curtis succumbed to diabetes at the age of 62. Frank will be remembered for his abilities and contributions to his country, including the U.S. Senate. But, perhaps, his greatest contribution was to his family which he counted as his greatest logistical feat. He will be deeply missed by his wife, Janet, his twin daughters, Katy and Leslie, as well as his six grandchildren.

In keeping with the honor due him, he was buried with full military honors at Arlington National Cemetery in July. On behalf of all those in the Senate, I give my condolences to the Curtis family and extend my heart-felt thanks for the years they shared him with us.

Mr. President, I yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada [Mr. REID].

SENATOR BOB KERREY

Mr. REID. Mr. President, when I was growing up, I remember how I used to read about Audie Murphy, who won a Congressional Medal of Honor. A young 18- or 19-year-old man in the European theater, he not only won a Congressional Medal of Honor, he was the most decorated soldier in the Second World War.

As a young boy growing up in a very small town in Nevada, I never thought that I would be able to meet someone that won a Medal of Honor, let alone work with him every day in my profession.

I have had that opportunity. As a Member of the U.S. Senate, I have had the opportunity to serve with a man who won a Congressional Medal of Honor. Senator BOB KERREY, of Nebraska, is a national hero. On a dark night in Vietnam, on an island off the coast of Vietnam, as a commander of a Seal unit, he was very courageous. What he did was deserving of the Congressional Medal of Honor, something that is rarely received. In the process, BOB KERREY lost his leg. BOB KERREY wears an artificial limb.

I am very proud to serve with BOB KERREY. He is a close, personal friend of mine. There is no one in the U.S. Senate that I respect more than BOB KERREY.

When I received a copy of a letter from the College Republican National Committee and its chairman, I was sick to my stomach. This man, by the name of Bob Spadea, says a number of things about my friend BOB KERREY, Congressional Medal of Honor winner.

> Today, you and I need to let Senator Kerrey know that this betrayal will not go unnoticed. Self-betrayal—the betrayal of people of his state—and the betrayal of a nation.

The letter goes on a number of sentences later:

> In America treason was once punishable by hanging—so despicable was the offense of betrayal.

Another paragraph:

> Sign the Republican Petition to Bill Clinton and tell him in no uncertain terms that you do not want a wavering, weak-willed Senator * * *.

This wavering, weak-willed Senator is walking on an artificial limb as a result of being a hero for this country.

I have read this letter. It is trash. This man is trying to raise money, as he says in the letter. I hope he does not raise the money that pays for the postage. I hope he has personally signed a note for the postage. I hope he cannot pay it. I hope they file a law suit against him and assess costs and attorneys fees and garnish his wages, if he works. I hope they take his bank account. I hope they take his car to pay for the postage for this trash.

I feel—as the notes that have been prepared for me say—that I should go into how the letter was obviously written by someone who should not be in college. There is not a complete sentence; certainly not a paragraph in the whole letter.

But I am not going to go into the personal degradation of the person that wrote the letter, other than to say that this man should go to bed this night and think about what he has said and what he has done.

Our country is better than raising money politically by trashing somebody like BOB KERREY. Our country is better than having somebody trying to raise $25 or $35, as he says in this letter, by calling BOB KERREY a traitor to his country.

I hope this man, when he goes to bed tonight, will look at himself inwardly and recognize he has made a mistake and that he should apologize to BOB KERREY and send a letter to everybody that he sent one to originally and apologize to them for what he has done to defame the name of BOB KERREY.

THE GRAZING FEES COMPROMISE

Mr. REID. Mr. President, I come to the floor for a reason this evening. The reason I am here is that I watched—and I was not able to see it all because my staff did not come to me soon enough and I was in a conference—my friend, the senior Senator from New Mexico, on the floor recently talking about the conference that is going on now with the Interior Appropriations Subcommittee.

He said, among other things, that the compromise that has been negotiated with the House is bad for the ranchers; that he cannot believe how it came about. So I would like to take a little bit of time to educate, hopefully, my friend from New Mexico as to how the compromise came about and why it was necessary to compromise this issue dealing with grazing fees.

I have, since I came to the Congress of the United States, both in the House and in the Senate, worked very hard for rural Nevada interests.

When I served in the House of Representatives, I did not represent rural Nevada. I represented metropolitan Las Vegas; basically, a metropolitan area. But I always felt that I represented all of the State of Nevada.

When I served in the House of Representatives, my stationery, even though I represented a congressional district, said Nevada. It did not say First Congressional District. And when I was in the House of Representatives, I fought hard for rural Nevada interests.

Since I have come to the Senate, specifically, Mr. President, I have worked very hard for rural Nevada interests, as everyone in this Chamber, I think, knows.

Because of my position on the Appropriations Committee, I have been in the forefront of the mining and grazing fight for 7 years. I think that my credentials for protecting the West are beyond dispute.

I am not going to talk about mining, but I am this afternoon, because of my friend from New Mexico going to talk about grazing.

For years, prior to my coming to the Senate, grazing has been a contentious issue. Every year we, through the appropriations process, are able to hold up any reforms dealing with grazing. And all the western Senators, including the Senator from Nevada, walk out and declare victory. Victory for gridlock? I hope not. I hope we were declaring victory for fairness and that we would get something done. But now we are going on the seventh year involved in this and still nothing has been done.

Mr. President, you will remember as other Senators will remember, when there was an issue that came up when the interior bill was on the floor, chaired by the President pro tempore of the Senate, when that bill came before the Senate, there was an amendment offered by Senators DOMENICI and REID to establish a moratorium on grazing reform.

Many of my colleagues in the Senate, both Democrats and Republicans—mostly Democrats, but Senators on both sides of the aisle—said to me, we are willing to vote with you on this moratorium, but will you give us your word you will try to resolve this? We are sick of it. We want something done to resolve the issue. And I told those people who said that to me that I would do what I could to try to put to rest this contentious issue.

I was glad to try to do that because this issue is one that needs to be resolved for a number of interests. The most important interests that need this issue resolved are the ranchers. They need stability. They need to put an end to the looming threat of sky-high hikes like we have gotten from the House of Representatives over the years. Some of them passed the House with over 500-percent increases. So, above all, the ranchers needed this issue put to rest.

My friend from New Mexico said, among other things, property values would be destroyed. I think it is about time we stop talking hypotheticals and start talking facts. I know ranchers have called this Senator and have said,

> Senator, will you do something to get this issue resolved? I cannot sell my ranch because people are afraid to buy it because they do not know if the grazing fees are going to be $1.86 or $10.86 next year. I cannot borrow money anymore. Or, if I can borrow money, I cannot borrow as much as I used to. It is really affecting the way I operate my ranch.

The compromise that has been submitted to the conference is fair, equitable, and reasonable. It is not a perfect solution to the problem because they do not make them. As I told that conference, prior to my coming to the U.S. Senate I was a trial lawyer. I worked with people's problems. There were times when you could not settle the case and you would have to go to court and a jury would decide it.

I always knew, though, when we had a good settlement. That was when all the parties walked out unhappy. Everybody was unhappy. And that is what we have here. The ranchers are not real happy with the settlement we have obtained. Secretary Babbitt is not happy with the settlement we have obtained. The House Members that are interested in this issue, who have been sending over the 500-percent increases and 600-percent increases over the years, they are not happy. The environmentalists are not happy. But it is a compromise and that is what the art of legislation is; it is compromise. This is a good compromise.

Under this proposal, the grazing fee will be increased about 40-odd percent less over 3 years, rather than 2 years, than what Secretary Babbitt put in his proposed rule. We have done a number of other things that will make grazing fees more realistic. And, keep this in mind, make sure this is on the record: The actual cost of administering the grazing fee program throughout the Western part of the United States would cost, per animal unit month, about $3.70. In 3 years, we are only going to go up to $3.45. In 3 years we do not even cover the cost.

I am willing to do that because I believe the ranching community contributes to the well-being of the public lands through some of the riparian work they do, and have done, and will continue to do, and other things. So I think that is OK. I am willing to accept that. But this is not a significant increase.

For anyone to talk about the Federal Government being burdensome on ranchers regarding the grazing fee that is proposed in the next 3 years, it will not even cover costs because then, costs will probably be more than they are now.

This also allows the ability not to increase or decrease the grazing fee as suggested by Secretary Babbitt by 25 percent a year but, rather, limits it to 15 percent up or down.

There are other things, I think, that are important. It eliminates the grazing advisory boards and the district advisory councils and substitutes resource advisory councils. This steers us away from advisory boards that are focused only on single land use and is more consistent with what we talk about now, overall management of the land.

We have given the Secretary discretion in use of range improvement funds. This is good for the ranchers. And it is good for the Bureau of Land Management.

We have also made the rules that guide the BLM which this legislation does not cover, comparable to what the Forest Service does. That is the way it should be. You should not have one set of rules on Forest Service lands and one on BLM. They can be right next door to one another.

Unauthorized use: Current regulations require monetary compensation even on range damage that is unintentional. Here is something that certainly helps the ranchers. This change allows ranchers to use nonmonetary settlements in correcting mistakes. You could not do that before. That is what will happen if this compromise is accepted. There is also something that relates to disqualification. This condition allows the BLM to prohibit livestock operators who have had permits canceled due to prior performance from obtaining another permit for a period of 3 years.

That certainly does not seem anything that burdensome or unfair. There is nothing draconian about that. If someone has a grazing permit canceled for a willful violation—not a violation, but a willful violation—they should not be able to get a grazing permit, not forever, but for 3 years. That does not sound unreasonable to me.

There are certain acts, as I have indicated, that are prohibited. I talked about those.

Suspended nonuse: This refers to a situation where it was found that a particular allotment could not support the number of animal unit months specified in the associated permit. This will allow the number of allowable AUM's to be adjusted down and the balance suspended.

Subleasing: Under this provision, the Government will collect a surcharge from permittees who sublease to third parties. We have, throughout the West, and it is one reason grazing gets a lot of bad press, is we have people who obtain permits from the Federal Government and never operate the permits. They do not operate the ranch. They just are in the rental business. They rent their ranches. This would still allow the ranches to be rented, but there would be a surcharge for having done so.

Range improvement ownership: During the tenure of James Watt, he set up the Bureau of Land Management in grazing so it did not track with the Forest Service. One of the things he did was to say if somebody built something on the land, it was his or hers forever.

Let us follow this through logically. If someone in this Senate Chamber rents a home and they decide they want to build a bathroom in that home, when their lease is over with, they cannot take the bathroom with them. That is part of the house.

So all we have done here is, in the future, range improvements will not be those of the permittee. It will be just like the Forest Service. Anyone who has built something during the Watt era, because of his regulation, they will be able to have full ownership and title to that. That is their property forever. That seems fair and reasonable.

Water rights? Also during the Watt years, contrary to what they do on Forest Service lands, if somebody wanted to prove up water in the BLM, they would obtain the water rights. They would own the water rights.

So we have said, "Fine; you own the water rights. We are not going to take anything away from you, but in the future, water rights will be treated like they are on the Forest Service lands." That is the way I think it should be. Valid existing water rights held by committees will be honored under this provision. They can sell them, give them away; they can do anything they want with the water rights.

There are a number of other provisions that are in this proposed change, and I am not going to take more time to discuss them in detail, Mr. President, other than to say that this proposal is a good proposal; it is one that will put this thing to rest once and for all. Next year, we will not be hearing about this issue. I think what we should do, rather than trying to frighten the ranchers about how bad this is, I think we have to be realistic and tell them how good it is.

I think one reason certain people are concerned and upset is that by working out this compromise, a political issue has been put to rest. People will not be able to say that President Clinton is a bad guy; the West should never have voted for him. President Clinton is the first Democratic President in decades who carried significant Western States. I think with this compromise by his Secretary of Interior, he will stand in good stead in the Western United States.

This is fair, and it is reasonable, and I think it shows how the President cares, not only about his part of the country, the Arkansas area—East—but also the Western United States.

We are bringing the Bureau of Land Management regulations and laws into compliance with what we have on Forest Service land. I think this is important.

So I am sorry that a political issue has been taken away from some people on this issue; that they will no longer be able to bad-mouth the Secretary of Interior on this issue. I am sorry that people feel that way. This has been an issue that we have been trying to resolve since I came to the Senate.

I feel that it is important for the Western United States that this matter be put to rest. I hope on Wednesday, when the conference reconvenes, that it will be put to rest, because it is something that has been needed to be done for a long time. It will end the gridlock and demagoguery on this issue, and we should go on and tell the ranchers that they are stewards of the land, and they should treat it the way they have in the past, and they will be in good shape.

This gives land management the added tools they did not have before, and there is nothing wrong with that. A few bad apples—and we know who they were—is enough to spoil the barrel. And if people are good stewards of the land, as 99 percent of the grazing permittees, everything will be fine. If they are not, I think there is going to be some trouble. I think it is time this issue be put to rest. Ranchers now have stability to plan without the looming threat of sky-high hikes we have gotten from the other body.

I hope that, rather than frighten the ranchers, we will work toward promoting their businesses so they can continue to be a significant part of the Western United States and of this country.

I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER (Mr. WOFFORD). The Senator from Idaho.

Mr. CRAIG. Mr. President, the Senate is currently in what order?

The PRESIDING OFFICER. The Senate is in executive session on the nomination of Mr. Dellinger.

The Senator is recognized.

GRAZING RIGHTS

Mr. CRAIG. Mr. President, this afternoon while this body was discussing this most important nomination, another issue that the Senator from Nevada just addressed began to unfold in the Senate Appropriations Subcommittee for the Interior, an issue that is extremely important to western grazing States—some 16 States and some 17,800 grazers who seek permission through a permit system to graze their livestock on public lands.

We know that some time, this has been an issue of great concern to this body and to the other body and to a variety of groups across this country who believe that, for some reason, those who seek this permission to graze on public lands were not paying a just and appropriate fee for doing so, and that the action of livestock on public lands was in some form causing land and its values and its resource to deteriorate in such a way as not to be good for the ecosystems of the public grazing lands of the West.

We have debated that issue for a good time—the Senator from Nevada and I and others—over an extended period of time of a good number of years.

We have largely concluded, at least some of us have, that the public land policy so crafted by the Congress of the United States and administered primarily by the BLM, but also by the Forest Service, had continued to improve the environment in such a way as to cause it to be better than it had been in a good number of years; that if it was then not a matter of the environment, what was the reason that some groups had begun to argue that livestock grazing on public lands no longer had its place?

Out of those groups grew a slogan called "Cattle-Free by 93." That slogan echoed across the West, and concerned a lot of citizens who made their livelihood both in small and large ranching by grazing on those public lands. Bumper stickers were attached to the bumpers of trucks and pick-ups across the West that expressed that concern.

None of us believed that it could happen or would happen. There was no basis for it. One of the appropriate uses of our public lands was to graze livestock under the current public policy. Yes, many of us did argue that fees ought to be considered and possibly changed because they may not be at the rate they ought to be, compared with private grazing, although there had been numerous studies to demonstrate that when you graze on public lands versus private lands, there was a good deal more than the ranchers who grazed those livestock had to pay and, therefore, public grazing was as expensive to the individual operator.

We call public grazing, in terminology of the permit, AUM, or animal unit month. That is how the BLM and the Forest Service so determine the charge or the value of an animal unit grazing month on public lands. It is from that basis that this concern has developed.

What we did find in a variety of those studies was that oftentimes grazing on public land, because so much more of the individual rancher's time had to be utilized in moving the cattle, checking the water systems, putting salt out—doing all of the kinds of things that a wise steward of the land ought to do—was costing them $8 or $9 more per animal unit than they were being charged by the Forest Service or the BLM.

So that public graze really was costing the individual who gained that permit $7 or $8 per animal unit, and many of us argued that was enough. That, in many instances, was equal to private graze and, therefore, it was justifiable at the current rate under the current formula; but many disagreed.

That has been the substance of the debate or the basis of the debate on this issue for a good number of years. How did cattle or sheep affect the public land? Were they environmentally sound in the practices and policies under which they graze? Was the fee the proper fee that should be charged so that the public was gaining a reasonable return from this public resource?

Those of us in the West who find a good many of our constituents grazing on public land, and it makes up an awfully important part of the economy of rural Western States, said that those fees were adequate; that there was a formula in place that evaluated the market conditions and applied a grazing fee formula. Others, and especially those in the national environmental movement who really did not believe that cattle and sheep ought to be on public land, said something different.

Well, we debated that for a good number of years, and, of course, we know that in the past year since November things have changed in Washington. To town came a new President, and he brought with him a new administration, new Cabinet people, to administer public policy or to change public policy where they could or felt they should to conform with those principles and issues in which this President believed.

It was not very long after this new administration came to town and Secretary Babbitt was appointed Secretary of the Interior, that this document appeared on the streets of Washington, called "Rangeland Reform 1994."

In it, although it was argued to be a grazing fee increase, was substantive policy change, change that ought not come about unless we in the Congress or the appropriate authorizing committees actually sat down and looked at the policy and held public hearings and took public input upon the consequences of this kind of action.

But, of course, we did not do that, and the reason we did not do that was because we have not yet had time to do so. The grazing industry, though, of the public land, those 16 States of the West, did meet with Secretary Babbitt and Jim Baca, the Director of the BLM, and they said, "Let us work together. Let us see if we cannot strike a compromise. Let us try the reasonable grazing fee increase, and we will address some of those ecological concerns that you have under your rangeland ecosystems management approach."

Those meetings took place, and out of those meetings was crafted a piece of legislation, a bill that is now in the Energy and Natural Resources Committee of this Senate under the authorship of Senator CAMPBELL of Colorado and Senator WALLOP of Wyoming. It increased grazing fees, and it dealt with a variety of other environmental concerns that had been expressed by the Secretary of the Interior. We have not had hearings on it yet. We have not had the opportunity because this proposal only came out in August, and, of course, the bill was proposed in August.

Why, then, is the Senator from Nevada in the 11th hour of negotiations dark into the night proposing massive, sweeping changes in grazing fees and grazing policy in this country before the Interior Subcommittee of Appropriations at this time, not having consulted with any other western Senators, only negotiating with, interestingly enough, authorizing members from House committees, not from Senate committees?

Well, I am not sure why. You heard the Senator a few moments ago argue stability, we need stability in the public land communities of the West. You are darned right we need stability, Mr. President. This document proposed by the Secretary of the Interior threw the Western States' small ranching communities into absolute chaos. Why? Because the Secretary of the Interior was talking about taking away private water rights under Federal law, was talking of changing grazing tenures.

What does that mean? Well, it simply means that a ranching family who had a grazing permit for 50 or 60 years could have it taken away from them, and, therefore, the value of their ranch would be destroyed and the banker would say, "Hey, I am calling your note because you no longer have the capacity to graze 500 cows; you have the capacity only now to graze zero under your amount of private land because the Secretary of the Interior has taken away something that you viewed, and I as your banker, viewed as a value and the IRS itself viewed as a value."

It is a phenomenally complex issue. Oh, on the streets of America it is the big cattle barons of the West somehow getting more for less. There are not 17,800 cattle barons or sheep ranchers in the West, but there are thousands and thousands of small family operators living in communities of 200 or 300 who are barely making a living from the public land, who use it wisely and responsibly under public policy, who are taking their directions today from the BLM in the management of those lands.

Where then is this crisis of urgency that the Senator from Nevada talks about? Where is all of the need for phenomenal changes proposed in the document of "Rangeland Reform 1994"?

I am not sure. The authorizing committee has not had a chance to meet. The Senators have not had a chance to hold public hearings to see what the impact of these policies are going to be. But we now know that in the dark of night, last night and early this morning, was negotiated a major fee increase of well over 100 percent in 3 years, that subleasing and temporary nonuse and advisory boards that these ranching families were members of to advise the BLM on the wise management of the land, and that water rights and tenure would all be wiped away by a simple act in a committee that had not held hearings, had not asked the affected parties to come in and sit down and show them what it was all about.

We are really talking about small town U.S.A., about families, small operations, the buying of goods and services, a dramatic impact upon the economy of a region.

I was in Bruneau, ID, the weekend before last, a community of about 50 people, ranching families who have made their living for over two generations from the land. There were no sleek black Cadillacs pulled up to the parking meter because there are no parking meters and there are no sleek black Cadillacs in Bruneau, ID. There were some dusty pickups and there were a lot of young men and women who had driven in from their ranches 30 and 40 and 50 miles away out in the public lands, and they were saying to me, Senator, what is Bill Clinton doing to us? Why does he want us off the land? Why is he and his Secretary of Interior Bruce Babbitt proposing to take away water rights that I own? Is that not a Federal taking? Am I going to have to now use the limited amount of money I make to sue the Federal Government in court because they are taking away from me my property?

That is what the Senator from Nevada has now just proposed to do. I hope that the Appropriations Committee will not do that. I cannot believe that any Senator would want to stand in this Chamber and take away a property right. We have never done that at the Federal level unless we compensated for it. And yet waters rights in every Western State is a property right, and we know that. And it was granted by the State. It is something you take to the bank and you bank on, because it has value like the home you own in the suburbs.

Those are the tough issues we are going to have to deal with here. I cannot believe that this administration would declare war on the West. They have done it now in grazing. They are doing it in mining. They are attempting to do it by no desire to deal effectively with the Endangered Species Act. It is a fragile balance we have in large public land States like Idaho where over 64 percent of the total State of Idaho is owned by the citizens of this Nation and not by private landholders. It is Federal land. And we take very seriously our rights to use that land, and the public policy that should be determined in the appropriate authorizing committees as to how that land ought to be managed is important to Idaho and Western States.

So why now is there a back-door approach toward solving what is a problem, what deserves to be addressed, and the industry has come forward with a very comprehensive bill and has proposed to change? Why not allow the authorizing committees to go forward, to hold the hearings, to adjust the grazing fee to make sure that those cattle remain on the land in a responsible fashion?

Those are the issues at hand. I must tell you that I have grown extremely disturbed and frightened that this administration does not believe that the West is for people; that it is some kind of rural playground where Easterners can go and spend their money and see the sights and recreate on the land. That is a tragic attitude if in fact that is the attitude that exists. But when I see "Rangeland Reform 1994," I have to believe that that is the attitude, that they were unwilling to sit down and talk out the differences and work up a reasonable compromise. They will start taking land and taking rights and taking values and destroying what for well over 100 years has been a responsible and reasonable fashion for the management of public lands and for the effective utilization of their resources.

Two weeks ago I stood here on the floor and I offered an in-house memo that was from a group of employees in the Department of the Interior to Secretary Babbitt and his Director of BLM, Jim Baca.

In their own language, they said grazing fee increases are but a straw man. What is more important is the policy change.

Well, if it is the policy change that is more important, then, Secretary Babbitt bring that policy change before the Energy and Natural Resources Committee, let us have hearings on it, let us see what the impact is going to be. Let you not sit at your desk behind closed doors and arbitrarily decide how you are going to change major law.

I now find out why the Reid-Miller-Babbitt compromise deals with so much substance. Because even though the Secretary of Interior thought by executive order he could change law, he found he could not. That is why it is not just a fee increase. He found out now he has to use us. I use the word loudly when I say use "us", not for hearings, not for public notice, not for public dissemination to reaction, but quickly, through the Interior Appropriations Subcommittee, to get his way for this President in their assault and their war against the West.

It is a tragic and sad day if this is their approach that this administration will use in the formation of public policy.

I yield the remainder of my time.

NOMINATION OF WALTER DELLINGER OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

Mr. KERRY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in executive session considering the nomination of Mr. Dellinger.

ORDER OF PROCEDURE

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOMALIA

Mr. KERRY. Mr. President, this has been a tumultuous week in some respects in Washington because of the situation in Somalia. Not just tumultuous, it has been a very difficult week for all of us as Americans because we have had a lot of deja vu about Vietnam, about Lebanon, about the soldiers killed. We feel a sense of confrontation and impotence simultaneously. The situation in Somalia elicits a lot of different feelings from Americans.

This week has also been difficult because we lost 12 young American soldiers, another 75 or more have been wounded. And one young brave American pilot, Michael Durant, who hails from my region of the country, from our neighboring State of New Hampshire, is now being held hostage by a warlord, Mohamed Farah Aideed, who seeks power at any and all costs, including the lives of innocent Somali women and children. Five more soldiers are reported missing, and this morning's news suggests that more American servicemen may be wounded or dead as a result of another attack yesterday on the airport in Mogadishu.

Like every American, I was saddened and angered, deeply, deeply angered, and hurt, by the pictures of Somalis dragging a dead American soldier through the streets. The blatant disrespect for human life, which is such a contradiction to the mission that we went there for, that we put our soldiers at risk for, is difficult for all Americans to deal with. It is unconscionable, and clearly it demands a response.

But, Mr. President, I must say I have also been jarred by the reactions of many of our colleagues in the U.S. Senate and in the Congress. I am jarred by the extraordinary sense of panic that seems to be rushing through this deliberative body, and by the strident cries for a quick exit, an immediate departure notwithstanding the fact that what we are doing in Somalia does not bear any resemblance to Grenada, to Panama, to Iraq, and most importantly, to Vietnam.

This is not a Vietnam. It is not a potential Vietnam. This is a very different kind of operation. This reality does not excuse the lack of debate in this country. It does not excuse the failure to explain the mission, or to ensure that the mission is clear. None of that is excused. But, Mr. President, I do not believe that appropriate reaction is the reaction that we have heard from so many of our colleagues.

The choice for the United States of America is not between two alternatives only: staying in or getting out. There are many other choices in between which better reflect the aspirations and hopes of our country and, most importantly, better reflect the reasons that those 12 young Americans who gave their lives went to Somalia in the first place.

Mr. President, there is no question that some people think we have no business being in Somalia. There is no question that some people can legitimately make the argument that the mission has so changed that we should not be there now. Just moments ago, the President addressed some of these feelings.

But I am convinced, Mr. President, that sober reflection and careful analysis of the stakes, of the choices, and of the risks would bring us to concur with what the President of the United States has just announced to the Nation.

We must recognize that any decision that we make about Somalia is not just a decision to get our troops home. It is not just a decision about looking out for the interests of the United States.

There are extraordinary ramifications attached to the choice that we make in the next days in the Congress and in this country. What we choose to do will certainly affect the fate of Michael Durant. It will certainly affect the fate of other hostages, if there are other hostages. It will send a signal to other renegade elements throughout the world about American resolve under fire.

Over the years, we have spent countless dollars and sustained loss of life to influence disparate elements and the course of history in other countries, for example Vietnam. I want to emphasize that there is no similarity between the stakes in this mission and those that were presented in the course of arguments about Vietnam—a war that was the longest in American history and that most Americans supported for a good 7 or 8 years before a consensus developed to take a different course of action.

What we choose to do now will affect the Somali people and the future of this particular U.N. operation in extraordinary ways.

But it will also have deep implications for the projected peacemaking operation in Bosnia. It will influence the role that the United States can play as the one remaining superpower in the world and that we intend to play in the international community, and in future multilateral peacekeeping operations.

Mr. President, we have heard much rhetoric on this Senate floor about transitions in the world, about the so-called new world order, which we all know is long on new and short on order today.

But the fact is that nothing we choose to do will be the same as it was in the course of that bipolar. East-West struggle of the last 50 years. So as we decide in Somalia, we should consider carefully what impact our decision will have on the new order and on the operational capacity of the United Nations, of NATO, or of other international organizations to maintain stability in the world.

I believe, Mr. President, that the choice we make will have extraordinary ramifications. I also submit that because the President set a withdrawal date of 6 months from now, he has relieved the agony of that choice. It is not half as difficult as it might have been were there not a finality to the engagement of American troops in Somalia. But, Mr. President, because of the importance of the commitment we have made to international order over these last 50 years, we should consider carefully how these next days play out with respect to Somalia.

First of all, we should not let our outrage over events overtake our ability to make a rational and sensible decision that the American people can understand and support. I believe the President of the United States has offered that kind of rational decision.

It was President Bush who made the decision last December to involve the United States of America in Somalia. It was a decision produced in large part by television diplomacy. Nevertheless it was a decision that we, in our sense of conscience, as a nation, made. And it was made, I might add, with considerable national consensus. We went over there to relieve a desperate humanitarian situation. By that time, 300,000 Somalis had died from the famine and from civil war, hundreds of thousands more were at risk. We can truly say today that perhaps 1 million are alive who might not have been were it not for our effort.

By last December, Somalia had fallen into a state of literal chaos, racked by factional fighting and marauding armed bandits. The economy had collapsed. Civil authority ceased to function. The U.N.-brokered cease fire among Mogadishu's warlords had broken down. As a result the United Nations' peacekeeping operation, UNOSOM I, failed in its mission to provide adequate security for the delivery of relief supplies.

So in response to that situation, in the full light of day, the United Nations Security Council, on December 3, authorized the use of "all necessary means", including force, to establish "as soon as possible a secure environment" for the humanitarian relief operation in Somalia. Six days later, American troops began to be deployed to Somalia under Operation Restore Hope, in support of the Security Council's decision to intervene.

Before dispatching United States troops to Somalia, President Bush spelled out the mission in a televised address to the Nation. He said: "Make no mistake about it, we and our allies will make sure that aid goes through."

That was the mission. That has been the fundamental mission with some exceptions and unfortunate aberrations.

The following day, Defense Secretary Dick Cheney, told the American people: "We are prepared for hostilities, should they occur * * * and if necessary, to take preemptive action."

Everybody supported that. I did not see many of our Republican colleagues running down to the Senate floor to say, wait a minute, Secretary Cheney, what do you mean we are going to take preemptive action, that we are prepared for hostilities?

We know there was a risk, Mr. President.

A few days later, President Bush reiterated that point in a letter to Congress:

> We do not intend that U.S. Armed Forces deployed to Somalia become involved in hostilities. Nonetheless, these forces are equipped and ready to take such measures as may be necessary to accomplish their humanitarian mission and defend themselves, if necessary * * *.

As to the duration of the mission, the President's letter indicated that American forces would remain in Somalia "only as long as necessary to establish a secure environment for humanitarian relief operations." That is what we signed on to, and that is what the American people expected. We would then turn over those operations, as President Clinton has just said we will do, to the United Nations' peacekeeping force assigned to Somalia. In his letter President Bush went on to say:

"While it is not possible to estimate precisely how long the transfer of responsibility may take, we believe that prolonged operations will not be necessary." And so again, I believe President Clinton's decision today is in keeping with the original intent.

The American people and both Houses of Congress through separate resolutions supported the deployment of American troops to Somalia because the purpose of the mission was clear and it was acceptable and the duration of the mission was supposed to be relatively limited.

Our forces were sent to Somalia for one and one purpose only, Mr. President: to pave the way for the delivery of humanitarian relief. We understood that the mission was not without risk. Somalia was, and continues to be, a hotbed of guns and heavy weapons, many of which we and our Soviet adversary supplied during the cold war in the competition for influence in the Horn of Africa. We are the ones who put the weapons there that are now being fired at us.

We knew that American soldiers might be wounded in Somalia and that there might be casualties. But at the time we were willing to accept that risk because we saw the mission in legitimate, conscribed terms, the force was deemed to be sufficiently large to minimize the possibilities of confrontation, and the operation was under our control.

In the last few days, Mr. President, many of our colleagues, particularly those on the other side of the aisle have chastised the present administration for its failure to bring the boys home before the casualties ensue. If our troops had faced a blaze of bullets at that now-famous landing on the shores of Mogadishu in December instead of the glare of CNN cameras or if shortly thereafter there had been an enormous confrontation, I am not sure my colleagues would have been so quick to criticize the situation. I think they would have registered support for the President at that moment, and there would have been a greater opportunity to try to examine what the alternatives were.

As far as I am concerned, Mr. President, we made the right decision when we went into Grenada and into Panama, even though we knew casualties were a possibility. I believe, the previous administration made the right decision when it sent our forces to Somalia last December. Operation Restore Hope was a reflection of America at its best. It demonstrated the depth of our humanitarian spirit and the critical role of the United States in multilateral actions. With our participation and command, the U.N. task force in Somalia [UNITAF] was able to achieve its objective. Ports, Airports, and other corridors for the delivery of international relief were opened. Food began to move and the threat of famine began to ebb.

I think that the President today made the right decision to try to establish a process which will maintain the capacity of our forces, protect them, and to disengage while simultaneously upholding the mission we have set out to accomplish.

UNITAF's mission ended 4 months ago, in May, but American forces remain in Somalia as active participants in a U.N. operation which is distinctly different and more far-reaching than the one we originally signed up for. The American people understand this full well. They know that American soldiers and pilots are being wounded and killed for objectives which the present administration has until today failed to spell out or to restrain. That is why we are now mired in this debate over Somalia. That is why the calls for withdrawal resonate through this Chamber.

Seven months ago, at the end of March, the U.N. Security Council adopted a resolution expanding the U.N. mission in Somalia from establishing the conditions for the delivery of humanitarian relief to creating conditions for economic and political rehabilitation and recovery. The United Nations set out to lay the foundations for economic and political stability in Somalia through a multi-faceted operation that includes political reconciliation, political and administrative institution building, economic recovery and development, refugee repatriation, and security. The estimated length of time for this operation, called UNOSOM II, was 2 years.

Mr. President, the United States, through our representative to the United Nations, endorsed and voted for this operation. In fact, the Clinton administration agreed to leave some 3,000 American troops in Somalia to perform logistics for the other units under U.N. command and to make the 1,300-man Rapid Reaction Force, under United States command, available to the United Nations to provide rapid support for other U.N. units under attack. The Reaction Force was subsequently supplemented by an Army Ranger unit. As a result, U.S. forces have been on the front lines of the United Nation's efforts to establish security in southern Mogadishu and to capture Aideed.

Mr. President, I think one of the reasons that we are so torn about what has happened in recent days, frankly, is that we did not adhere to one of the painful lessons of the Vietnam period which is, a President should not send American forces into harm's way without a genuine national consensus.

Unfortunately, in candor, I must say the present administration failed to seek that consensus when it agreed to allow our forces to participate in UNOSOM II, an operation that has gone awry.

I believe that extensive consultation on and explanation of this issue several months ago would have benefited everybody and made it much easier to deal with the questions we face now or might have enabled us to avoid them altogether.

The American people and the United Nations and certainly the administration would have avoided the confrontation that we now find ourselves in.

I believe that the administration should have explained UNOSOM's objectives and the rationale for American participation in it. Had that occurred we would have been in a position to make a far more reasoned decision, absent the outrage that has been brought on by the events of the last days.

The fact of the matter is that did not happen. We are in Somalia and we have learned the hard way that there are real tangible costs to that involvement. We are now confronted with difficult questions. Should we leave? If so how and when? For however long we stay, what are the conditions under which we stay? Some will say 6 months is too long. Some will say it is not long enough. Some will say that there is no chance whatsoever for any of the objectives to be achieved and that we still ought to move faster to get out.

I recognize that UNOSOM II has had difficulties, but we ought to acknowledge also that, apart from about a 15-square mile area within Mogadishu, in the rest of Somalia UNOSOM II has had some extraordinary successes. With our help and that of the Ethiopians and the Eritreans, the United Nations has been able to forge an agreement among a broad range of Somalia parties for a transitional government at the national level and for governing structures at the regional and local levels. This agreement could provide the basis for further reconciliation. In some parts of Somalia, regional councils are already being set up. Security has been reestablished in most of the country with the exception, as I say, of that one southern portion of Mogadishu where there are a certain number of followers of Mr. Aideed.

With U.N. assistance, the Somali police force that was widely respected among all Somalis prior to the civil war has begun to be reconstituted. Initiatives are being taken to rebuild Somalia's judicial system.

I might ask my colleagues to look back quickly to a place called Cambodia. Japan took casualties and there was a hue and cry to get their troops out. But Japan hung in there, and the result was that there was an election, and a new government. Something good came out of that peacekeeping effort.

Notwithstanding the encouraging signs that I just articulated about Somalia, serious mistakes have been made in the U.N. operation to date. The military component has dominated the rest of the operation and none of us intended that. The United Nations Secretary General Boutros-Ghali and his appointed head of the operation in Somalia, Adm. Johnathan Howe, frankly seem to have become obsessed with capturing Aideed.

It should not have been hard for reasonable people to make a judgment about the difficulty or the odds against capturing Aideed successfully without a sound intelligence network on the ground and without a structure to support that kind of operation.

All the United Nations has succeeded in doing is raising Aideed's stature among those who support him and frankly enhancing his power, and, I might add, in making U.S. forces the best recruiting ticket that Mr. Aideed ever had.

A far more prudent course of action would have been and clearly now is, as the President has articulated, to isolate Aideed by working through the many Somalis who support the U.N. presence and have a vested interest in rebuilding Somalia and by working with other countries in the region that have a far better understanding of Somali history and society.

It is also very clear, Mr. President, that the U.N. operation needed to be redirected even before this week's result. Now it is an imperative and I think the President has appropriately made that clear. In addition, President Clinton has set a specific deadline, and he has told U.N. officials that the United States must build up the capability of its forces in Somalia, reinvigorate the political process directed toward the establishment of some form of working governmental structure and involve neighborhood African countries in that process.

I would applaud the fact that the President is guaranteeing the protection of the troops who are now there and that he has sent Ambassador Oakley back—an individual whose competence and experience in the region is obvious.

Mr. President, given Somalia's history, I am personally very skeptical that the United Nations can truly succeed in laying the cornerstones for a stable Somalia. Had that been the choice before we put the troops in, I am convinced that most Senators here would have said that that should not be the mission.

The President's chosen course of action makes it clear to Aideed and to others in the international community that the United States is not simply walking away from its responsibilities because the operation has become difficult. It strengthens the capacity of the U.N. force in the short term while simultaneously putting the United Nations on notice that we do not intend to stay in Somalia indefinitely. I believe it provides the best combination of our message. It provides the United Nations with a reasonable period of time to marshal other forces and to redirect its operation to enhance the prospects for success.

Mr. President, for years we have lamented the inability of the United Nations to act. With the demise of the Soviet Union and the end of the cold war, the United Nations finally has the opportunity to meet the aspirations of its creators. As the one remaining superpower, we have the opportunity to play a critical role in this process. And I applaud the President for choosing to try to do that. The way we handle our involvement in Somalia will be key to the ability of the United Nations to undertake peacemaking efforts in the future. Let us be clear that we understand what UNOSOM is at this point in time and what it is not. UNOSOM is not a warmaking effort. And Somalia is not Vietnam. We are not in Somalia to fight an ideology or an enemy nation. The country is not overrun by guerrillas jumping out at our forces at every turn.

The present U.N. operation in Somalia ought to be limited to those objectives we can reasonably expect to achieve. We should bend over backwards to say that it is, in these next few months. To end the suffering of the Somali people at the hands of their own warlords, I believe it is appropriate for us to try—and I emphasize try—to afford them an opportunity to break the cycle of famine and war and to build a foundation for a more stable country.

We cannot guarantee that outcome Mr. President. We have never been able to. But we have joined with other nations in a bold and noble effort, to try to do that for humanitarian purposes.

I applaud the President for now choosing to help to put us back on that humanitarian track.

One of the stated objectives of UNOSOM II is to establish a sufficient level of security to allow other activities—humanitarian, economic and political—to continue.

There is no doubt in my mind that the U.N. strategy for establishing security in Mogadishu has been a failure. But that is not a sufficient reason for the United States to withdraw at this moment, to cut and run. What we need to do is to get the United Nations back on track.

We need to adopt a military strategy that limits the risks, not only for our forces but for those of other participating nations. We need to abandon the chase for Aideed and concentrate, instead, on marginalizing him through diplomatic and political means. We need to ensure that there is sufficient United States manpower and equipment in Somalia to shore up our forces in the short term while making plans to replace them over the longer term. Judging from the information I have seen to date, U.S. and U.N. forces were poorly equipped for the operation they undertook last weekend, and the backup plan was sorely inadequate, to say the least. We need to insist that the actual deployment of U.S. forces on the ground minimizes, as much as possible, the potential for hostage taking. Finally, we need to force the United Nations to reinvigorate the other components of the operation particularly the political elements of the peacemaking process. If we do these things which the President now says we will then it makes sense to keep our forces in Somalia until the end of March.

Mr. President, we are in a situation now where withdrawal would send the wrong signal to Aidid and his supporters. It would encourage other nations to withdraw from the U.N. effort in Somalia and no doubt would result in the total breakdown of the operation and possibly the resumption of the cycle of famine and war which brought the United States and other members of the international community to Somalia in the first place. Rightly or wrongly, the Bush administration committed us to this operation. We, as a nation, have accepted this responsibility. We should not panic and flee when the going gets rough. If we are going to withdraw, we have an obligation to do so in a responsible manner, in a way that does not undermine the operation or leave the Somali people to a worse fate. I think the President's plan, as currently outlined, will allow us to step aside responsibly.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. DASCHLE. Mr. President, I have not had the opportunity to hear the entire statement of the Senator from Massachusetts, but I must say, what I heard, was stated with thoroughness and the courage. The insight that he continues to provide this body with regard to a number of issues relating to foreign policy is respected and deeply appreciated.

I, for one, would like to call attention to the fact that he has made a very important contribution with his statement this afternoon.

You know, Mr. President, the urge to generate money is a powerful one.

It can unleash amazing creativity. It has built great enterprises and accomplished wonderful feats.

But the urge to make money has its dark side, too. Since time immemorial people have lied, stolen, and treated one another in the most despicable ways—all for the sake of money.

And rarely, Mr. President, has there been a more graphic demonstration of the depths to which people are willing to sink to raise money than the fundraising letter sent out recently by the chairman of the College Republican National Committee.

This is a letter which all but accuses one of our Nation's most decorated war heroes of treason. The ugliness pours from the pen of its writer. Despicable, wavering, weak, betrayal, treasonous. All of these words are used in this letter attacking our colleague, BOB KERREY.

And toward what end is this torrent unleashed against a man whose stature makes the words used against him just a ridiculous irony? We know what the answer is. The answer is to raise money.

That's right, someone has somehow managed to convince himself no name in the book is too awful to be laid next to the name of BOB KERREY, so long as it will help him convince people to give his organization money.

The transgression for which the author of the letter imagines Senator KERREY has gone from war hero to traitor overnight is the vote. BOB KERREY cast for the deficit reduction proposal presented to the Congress by the President of the United States. He made a tough call on an important, very controversial issue.

There were those that night and those today who agree or disagree with the position that Senator KERREY took. But that, Mr. President, is what is now called Senator KERREY's transgression—doing his job.

Frankly, Mr. President, it is really not necessary for me to defend BOB KERREY against this sort of episode. His abilities, his record, his decency, and leadership defend themselves.

But once in awhile it is necessary to stop for a moment and label trash and greed for what they really are. This letter attacking our colleague, BOB KERREY, is trash. It is motivated by greed and hyperpartisanship. I hope it will be promptly and thoroughly repudiated by responsible Republican leaders.

PRESIDENT CLINTON'S SPEECH ON SOMALIA

Mr. MITCHELL. Mr. President, I would like to make a brief statement with respect to the situation in Somalia.

Mr. President, the President has stated his intention to remove American forces from Somalia by no later than March 31 and hopefully before then.

The initial American effort involved 28,000 U.S. troops. It was the proper and genuine desire to return American troops to this country as promptly as possible and replace them with forces from other nations that led to an increasing U.N. presence and participation. The establishment of a secure environment within which to make a successful humanitarian effort was successful until June, when an attack was made upon U.N. forces.

Unfortunately, as a result of that and succeeding events, the political effort, the effort to bring about a political settlement which would permit the continuation of the American withdrawal and their replacement by troops of other nations, was deemphasized in favor of a military effort.

The President has now reemphasized the importance of a political settlement, with the active assistance of other African nations and the participation of additional troops from other United Nations countries. He has appointed Ambassador Robert Oakley to return to the region to advance the diplomatic process.

The President indicated determination to work for the security of all Americans missing or held captive. This is important for all Americans. There can be no consideration of complete American withdrawal so long as a single American is held captive. Any American in that position must be treated properly and released or there will be the most severe consequences. There are differences of opinion among Members on this subject as there are differences of opinion among Members of Congress.

But I want to say to my colleagues that I have talked to a number of my constituents who called about this matter. Several of them said "We want immediate withdrawal." When I asked them, "Do you mean immediate withdrawal and leave Americans there?" They say, "No, that is not what I mean by 'immediate.' I just mean some time in the near future."

Mr. President, that is what the President of the United States has proposed. He has proposed to do this in an orderly way that will permit us to build upon the success that occurred prior to June and that will result in a continuation of the downward trend of the number of American troops in Somalia which peaked at 28,000 and is now below 5,000 in a way that will enable us to withdraw under circumstances that do not result in a reversal of the previous humanitarian efforts and that permit the possibility of a successful diplomatic process. I commend the President for his statement.

I also, Mr. President, thank and commend Senator DOLE for his positive statement made, following the President's remarks. It was a constructive comment, and I look forward to working with him and other Senators as the Senate debates this matter next week.

HEALTH CARE REFORM

Mr. DASCHLE. Mr. President, let me just briefly comment on a piece of legislation introduced by some of our colleagues in the House of Representatives. Congressmen COOPER and GRANDY and a number of Republicans and Democrats have put their collective work together in a health care reform bill introduced yesterday.

I, for one, want to applaud that effort. I applaud the contribution they made and their continued interest and involvement in what is going to be clearly one of the most important issues that we, in this Congress, will face; in my view, health reform will be a landmark piece of legislation; one of those hallmark legislative efforts that we will look back on decades from now, hopefully with pride and some satisfaction.

I applaud them for their effort and their cooperation and their work.

And I also hope that they, like we, will continue to work together on this matter.

I had the opportunity to examine the legislation this morning, and I must say I am concerned about a number of the shortcomings in the bill that I hope we can address. Their desire, like mine and many others, is to achieve universal access.

I believe the bill, as it is now written, falls short in guaranteeing everyone will have health care that is always there regardless of one's employment, regardless of one's economic situation, regardless of one's health status.

Universal coverage has to be a fundamental building block upon which we build health care reform. And I think, in this particular case, as well intended as this legislation is, it falls short.

I am also concerned, Mr. President, about the bill's failure to detail the basic benefits that will be covered. It is critical that we all agree upon what the benefits ought to be. I think there is general agreement that there should be a core benefits package for which we in Congress take responsibility. We cannot delegate that responsibility to someone else.

That, too, is an issue that I think we have to address in the coming months and an area in which I believe this bill falls short.

The third concern is one of portability and the problems of job lock that we have talked about so much about. It is not only job lock, it is employment lock.

Businesses have told me in recent months that they are troubled by the fact that they cannot hire employees at times because their health insurance company tells them that that particular employee has a preexisting condition, or a family member has therefore their insurance rates would rise so dramatically that it would not be economically advantageous to hire that particular employee. The President and the First Lady have attempted to address that very serious problem in their legislation. The bill introduced by my colleagues in the House fails, in my view, to address that problem as seriously and adequately as I think we must.

I think we have to agree on a set of principles, a set of goals that we want to achieve through health reform. The President has said there are six goals, and I think those are appropriately delineated. I hope we can assess all legislation, in both the House and the Senate, against those six goals.

For example, universal coverage and effective cost containment are goals the House version fails to adequately address. We really cannot be confident that this legislation, as currently written, will contain costs. But the means of achieving that goal is something upon which I think there can be a good deal of compromise and future collaborative effort.

I think it is important we do work together and I certainly recognize the contribution made by all of our colleagues who have seen fit to put their names on that bill. I look forward to working with them in the weeks and months ahead.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBB). The Chair recognizes the Senator from Arizona [Mr. DECONCINI].

Mr. DECONCINI. Mr. President, I know my distinguished colleague and friend, Senator BOREN, wants the floor here, too, and I will not be long. I appreciate his indulgence while I make some remarks about the situation in Somalia.

SOMALIA

Mr. DECONCINI. Mr. President, like all Americans, I was horrified to watch on CNN the film footage of the body of an American soldier being dragged through the streets of the Somali capital, Mogadishu. I was sickened to read about the casualties among the 100 elite U.S. soldiers who were trapped by Somali militiamen during the search and seizure mission. These men were sent into a politically dangerous situation without an adequate backup plan and were pinned down for at least 4½ hours before U.N. troops were able to come to their assistance.

While the problems with that particular mission may not be entirely attributable to the United Nations, the tragic loss of American lives points to the regrettable course of events which has led the United States to involve our soldiers in an expanded mission, far beyond the humanitarian initiative envisioned by former President Bush and our military leaders last December which had the overwhelming support of this body and of the American public.

How did we go from the praiseworthy mission of ensuring the delivery of food and medical aid to save the lives of starving Somalis to placing American soldiers under the command of the United Nations and charging them with the task of nation building and political reconciliation in clan-torn Somalia?

Over the past year we have strayed greatly from participating in humanitarian relief efforts to getting bogged down in a multinational effort which increasingly appears focused on hunting down a criminal warlord and local thug.

While I believe these criminals should be brought to justice, that is not part of the United States mission and it is not what the public was told we were going to do in Somalia.

It is not our responsibility to set up a government for the Somali people or to involve ourselves in their internal political struggle. That is the responsibility of the Somalis. The President pointed out today he is prepared to help. But our policy must not be to use American soldiers to achieve this for the Somali people. We can, however, assist this process by other means. The President indicated today that he is sending Ambassador Oakley back to that part of Africa to work with the Ethiopians and Eritreans to bring about political stability.

But building political institutions is not what Congress and the American people strongly supported when we were debating Operation Restore Hope.

Our initial operation, in which U.S. troops led multinational forces to allow humanitarian relief to reach the Somali people, ended on May 4 of this year. That operation literally saved the lives of hundreds of thousands of Somalis who were denied food and medical assistance by rival warlords. The American people properly responded to the tragic events which put so many Somalis on the brink of starvation by supporting Operation Restore Hope. It is a mission of which we can be justifiably proud.

I was in Mogadishu in April. I saw the successes of our mission. I saw the Somali people thanking the United States military for delivering the humanitarian relief that saved their lives and that of their families.

However, since the United Nations took over command of the U.S.-led multinational humanitarian mission, the political objectives sanctioned by U.N. Resolution 814 have taken total precedence over our efforts to relieve the heart-wrenching conditions of the Somalis.

In my view this was the mistake. The U.N.-led multinational mission, operating under U.N. Resolution 814, has far wider objectives than those of the original U.S. mission. U.N. Security Council Resolution 814 authorized the use of force, not only for relief purposes, but also to promote and advance political reconciliation and to reestablish national and regional institutions and civil administration throughout Somalia.

These are objectives greatly different from those contained in prior U.N. resolutions. They are objectives which belong to the Somali people. They do not belong to the U.S. Armed Forces. It is not our responsibility to use U.S. soldiers to pursue such goals, and certainly not under U.N. command.

There are two objectives which the President must reaffirm—which he did today—along with others. First and foremost, he must commit to do everything necessary to protect the safety of the American soldiers who are currently in Somalia and to use whatever means necessary to secure the release of any Americans being held hostage.

In order to do so, the President is prepared to commit additional forces. The announcement today that an additional 1,700 soldiers will be sent to Somalia may not be enough because of the conditions that have developed and the rivaling warlords.

The American people, I believe, expect us to do everything to get the hostages out. I think the President made very clear this afternoon that this is his objective. He is not going to rest until that occurs. Anybody who harms an American soldier, or an American, is going to be held responsible.

Once the security of U.S. soldiers is achieved, the United States must return to the purely humanitarian relief effort. Our mission should be based either offshore or in areas that are secure, not in the streets of Mogadishu. Our mission should be to remain ready to provide support to U.N. troops if humanitarian operations come under siege, but not to pursue a wider U.N. objective.

Americans are proud of the heroic efforts of our soldiers who have saved countless lives. I believe most Somalis, too, recognize the great humanitarian service our country has performed. We must return to the original mission—and we must do so without delay.

The President this afternoon made it very clear that our objective is to get out of Somalia as soon as possible. Our immediate objective is to secure the release of all American soldiers being held hostage. We are not going to stand by and permit hostages to be held indefinitely.

In the White House meeting today, the President went through the history of Operation Restore Hope and our mission in Somalia. Having met with the President this morning, I believe he was very up front. We have made some mistakes in Somalia. Now we have the responsibility to restore to the humanitarian mission which we did so well and of which we can be proud.

Mr. President, I think the President stood well. I hope the Nation will stand behind him. I truly believe that he is sincere in extracting U.S. troops as soon as possible. He even set a date, which I do not believe is the wisest thing to do because then people will say, "Oh, you didn't make it, so you are a failure," if you are 1 week later. But the President was up front about establishing a time and a process of how to get out of Somalia.

I think it is the right thing to do. I hope this body, as we debate this next week, will come to the same conclusion. To cut and run is not the answer.

Those who say, "I'm not talking about cutting and running, I'm talking about getting out in 30 days, 45 days, 90 days," in fact, that is what it amounts to. You just cannot pick up and leave, and leave soldiers and military people there who are unprotected, some of them held hostage today—and there may very well be confirmation that there is more than just one as time goes on.

Mr. President, it is a great challenge for our country. I think President Clinton is up for it. I think he has laid out a plan. I believe it is very clear. It was not a long statement. He is very determined on getting the United States out of there and with doing the job right. I think that is paramount of what this is all about.

I thank the Chair and I yield the floor.

Mr. BOREN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

A SINGLE VOICE

Mr. BOREN. Mr. President, I want to compliment my colleague from Arizona for the remarks he just made. He serves the Senate well on the Select Committee on Intelligence. I had the privilege of working with him on that committee—and I had the privilege of assuming those responsibilities prior to his becoming chairman—during the 6 years I chaired that committee.

One of the things that I learned from that responsibility—and I learned it again and again and I think we have to learn it as a nation—it seems over and over again, as we look back at the history of this country and our involvement in international affairs and, indeed, the involvement of other nations, the one lesson we have learned is that whenever it is possible, it is far better for this country at a time of crisis to be able to speak to other nations and to the rest of the world with a single voice. We only confuse matters when all of us try to speak; 535 Members of Congress cannot be Commanders in Chief. We cannot be negotiators. We cannot be Secretaries of State or Secretaries of Defense. There is but one Commander in Chief in this country, and that is the President of the United States. The more he is able to speak with clarity to the rest of the world, with the authority of our Government behind him in critical situations, the better off we are.

That is why, whether we have been in Democratic administrations or in Republican administrations, I have often pleaded with my colleagues for expressions of bipartisan support to a President in the midst of a crisis so that he can do just that.

I do so again today. I listened to the President's remarks this afternoon. They were clear, they were direct, they could not be mistaken in terms of their meaning, and they were logical in terms of the process that he followed in reaching the decisions that he has made.

The President has indicated to us that this is a complex situation. All of us understand that it is a complex situation. And he has appealed to us, particularly those of us in the Congress, to give him the time to put in place the appropriate steps to extricate ourselves and our military personnel from Somalia; to bring our troops home, but to bring them home in a way that will bring all of them home, that will bring all of them home safely so that those who remain in the intervening time are not put under greater risk, and to bring all of them home in a way that will not make it more likely that American troops will be put at risk at some future time in Somalia or somewhere else.

What a message we would send to the rest of the world, not only now, not only in this situation, but in situations that we cannot now even imagine in other parts of the world where Americans might be involved or put at risk, if it appears that we react with such shortsightedness and emotionalism, that the moment we run into a trouble situation, we immediately cut and run as some said. That is a message to those in the future to simply try to inflict harm on Americans and Americans will move out of the way and no longer be there and no longer be an impediment to whatever those people want to do. What a terrible precedent that would set.

We also understand that we are living in a very different kind of world in which the United States cannot be the policemen to the rest of the world. We cannot do it all by ourselves. For one thing, we cannot financially afford to bear the burdens of maintaining order and peace and tranquility in all of the regions of this world all by ourselves. And, therefore, we must and we should involve ourselves in multilateral action so that other nations can help us bear the burden.

When we looked at what happened in Somalia, the American people were confronted on the news—and let us think back to how it looked 2 years ago or 1½ years ago when we saw on television the faces of starving people, we saw innocent children dying in the streets. The American people said, we want something done, but at the same time, the American people said, We cannot afford to do it all by ourselves and we should not have to take the risks all alone. This is a worldwide responsibility. That was a sensible approach then, and it is a sensible approach now.

If we are going to be confronted time and time again with the choice of doing nothing when we are confronted with a situation like this, or doing it all by ourselves, we are going to find ourselves making a choice that is unacceptable either way we go. If we can develop a mechanism in which other nations of the world with their financial resources help us shoulder not only the financial burden but even, more importantly, the human risk involved in such intervention, it is a much fairer approach, as far as Americans and American young people and American taxpayers are concerned.

So, Mr. President, this is not a time for us to move without thinking things through. All of us saw those terrible scenes depicted on television. We saw what was happening to young Americans halfway around the world. Every single one of us was outraged. Every single one of us had the thought of what if that young person were my son, how would I feel about it?

We should feel that sense of responsibility as Members of the Senate, as trustees of this institution, our political institutions and as participants in these kinds of difficult decisions. But we have a responsibility to not only think in the short-term or to react with our emotions or to allow ourselves to reach out in anger without thinking about the consequences, because if we reach out in anger with an unwise retaliation, for example, we could find ourselves even more deeply embroiled in what, in essence, is a civil war in that country raging among several factions, and we could lead ourselves into a situation that would cost even more American lives, unnecessarily and tragically.

If we pull out immediately, if we do it next week without resolving the fate of those Americans who have been taken prisoner, what do we say in terms of our responsibility to them? If we pull out precipitously without putting additional forces in to protect those troops that are there, we could cause more casualties simply because we reacted with emotion and we have reacted with anger instead of with full thought and logic.

If we pull out without at least in some way giving the forces at work a chance to establish a framework that might lead to some kind of disarmament and order in the society, at least some hope for it, we pull out in a way that will almost assure that a few months from now or a year from now we are, once again, going to be confronted on the evening news with those scenes of starving people and innocent children dying in the streets all over again. And then what do we say as Americans? Do we care less about that now than we did 2 years ago? We will be torn all over again about what to do.

So it is not a simple matter, Mr. President. It is not a matter just of Somalia; it is a matter of how the United States is going to conduct itself in this new post-cold-war era. It is a matter that may well determine as a precedent whether or not we have effective multilateral responses where other nations bear their fair share in dealing with crises in the future. How we handle this situation may well determine whether the United States will have the moral authority or the leadership ability to get other nations to do their part in the future.

So it is a time to stop and think about that because the decision we make here may affect the course of our foreign policy and the course of international relationships in the world not only for now or this month but for this decade and well into the next century. It calls for wisdom, not immediate reaction, because we have the lives not only of those at stake in Somalia now but we have the lives of unnamed, perhaps as yet even unborn, young Americans in the future potentially at stake if we do not think this through in the right way and set up a framework not only now but for the future for dealing with these situations.

The first order of business ought to be for the Congress of the United States, after commenting upon the President's address, to not seek to legislate on this matter now. We ought to allow the President to speak with a single voice as long as he is speaking sensibly, as he did today, and we ought to at least give him the flexibility of managing this situation rather than writing down in every single detail what the President is going to be ordered to do hour by hour. It would be like playing in a card game with someone holding cards close to the vest and legislating that a mirror should be put up behind the President who is playing our hand.

Now, I know we all like to weigh in on these matters, and I know all of us share the outrage and we are overcome with emotion just as our constituents are, but there is a time when we have to exercise some responsibility as Members of the Senate and do it in a bipartisan way and to think beyond tomorrow morning, to think into next year and into the next century.

Mr. President, there is no doubt that mistakes have been made. There is no doubt that we need to get our mission back on track and to redefine it. The American people are right in demanding that and Members of this House who would demand it are correct. The President has indicated that he is on the road to doing just that.

Four or 5 days after our troops first landed in Somalia, Senator LEVIN, representing the Armed Services Committee, Senator PELL, the chairman of the Foreign Relations Committee, and I, as chairman of the Intelligence Committee, at that time went to Mogadishu. We were the first Members of the U.S. Congress from either House to be there. The Marines were still sleeping in open air. There were no facilities for them. They had literally just arrived.

In those first few hours, they had already established a secure situation. The fighting had stopped, and it was within a week that the relief personnel were able to move in and start the delivery of food. That happened because, as I said at the time, we had a uniquely talented, well-qualified team that knew what their mission was and were working together in a completely integrated fashion to achieve it.

We had the intelligence community sitting right with the commander of our American troops, Gen. Robert Johnston, an exceptional military leader, seated for at least half the day, spending at least half the hours of the working day with Ambassador Bob Oakley, our chief diplomatic representative. And because we had the diplomatic, military, and intelligence leadership in representation of this country working hand in glove with no space between them, literally glued to each other each working day, working as a team, we were able to have remarkable success in the early weeks and months of our operation in Somalia.

Most of the members of that team then departed, General Johnston and, of course, Ambassador Oakley. From that point in time we began to lose our focus. The United Nations and other nations and individual commands began to drive the operation.

One of the absolute hallmarks of that early period insisted upon by Ambassador Oakley and General Johnston was that we were not there to take sides between warring factions. I recall Ambassador Oakley stating he would not even meet with one of the warlords without the others being present because he did not want anybody to have a suspicion that he was saying one thing to the leader of one faction and something different to another.

And so we sought to be absolutely evenhanded, and we did it with great care and we did not engage ourselves as protagonists in that civil war. And because of that perceived fairness and evenhandedness, we were able to bring about to a large degree, at least temporarily, a disarmament of some of the warring fashions, and we were able, with safety and with a minimum of casualties and injuries, to deliver that humanitarian relief and even start the process of political dialog between the factions.

Now, somewhere along the way—and since I have no longer been involved in those responsibilities in the Intelligence Committee I have not followed it day to day, but somewhere along the way clearly we lost our way from that good beginning and we began to lose our credibility as being an evenhanded force that was there to help the people with no other ax to grind and no other secret or hidden agenda of favoring one faction over another.

Mr. President, it is time I think to recreate that team. One of the wisest things the President did today was to ask Ambassador Oakley to come back into the service and to be dispatched to Somalia to look into the situation. He can give the President of the United States and the Congress better advice on this matter than any other person I know available to us in the United States.

It is my hope that, likewise, the President might see fit to ask Gen. Robert Johnston, who commanded those marines who first landed, to also go, as he has asked Ambassador Oakley to go, to examine for him as a personal adviser to the President the military situation there to make sure we can bring the military situation back as it should be, serving the mission as it was originally defined.

I would hope that the assets of the intelligence community, as they were being very effectively in the beginning, could be drawn together into one coordinated program again.

So the President has set forth the right guidelines. The President has asked us to give him time. The President has asked us to let him speak for the United States of America. We should give him time, and we should not attempt to legislate in ways that tie his hand. We should let him speak with clarity for the United States. That is the best thing we can do, to assure the safety and security of the young people who are there on the ground wearing our uniform. That is the best thing we can do in terms of establishing sound precedence for multilateral actions in the future in areas of the world that we do not even yet imagine, where we cannot even predict.

That is the best thing we can do in terms of establishing a situation in Somalia where we have an opportunity perhaps to leave in a way that a year from now we will not be back to the same situation with the mass starvation which took us into that country in the first place.

So, Mr. President, let us on both sides of the aisle unite behind the proposition the President should be given a chance to deal with this situation along the lines he set out in his speech today.

I again urge the President to put back together that good team. You have tapped Ambassador Oakley. Ask Gen. Robert Johnston to go back with him simply to look at the situation, to advise, make sure those who were there in the early stages from the intelligence community go back, to put back that exceptional team to offer you an evaluation of what that situation is now.

We learned another lesson. Several of us for a long period of time urged that President Truman's original conception of establishing a standing military force that would train together under the auspices of the United Nations should be accomplished. President

Bush at one time offered the possibility of Fort Dix or some other installation that would no longer be utilized actively by American forces could be used for such training.

I am not getting into the argument of what forces should take over the command structure, whether American troops should be under the command of someone not an American or any of the rest of them.

However we resolve that issue, I know one thing. If we have troops that are identified in advance from the various countries that are donated to multilateral forces, if those troops have an opportunity to train together, get communications equipment that will enable them to talk to each other in emergency situations, get an agreed upon mode of procedure, an order of battle, a response rule that is common to all, a common way of approaching different situations by virtue of training together and working together when we get into these situations, rather than creating harm or dangers inadvertently sometimes for troops from other nations because they follow such different military policies and tactical procedures, we will be able to go into these situations with much more cohesion, with military officers knowing each other, with troops who trained together who have the same procedures for acting in emergency situations, that is bound to improve the security of multilateral forces that are involved in any kind of engagement of this kind in the future.

I hope that will be done. I hope we have also learned that lesson. We do not know how long we are going to have the opportunity to have the nations of the world join together in a way to try to create a new world order. We do not know how long we will have to put some flesh on the bones of that kind of concept, whether or not it is an international inspection regime to stop the proliferation of dangerous weapons and in which all of the leading nations of the world abide by responsible behavior participate or whether it is the development of some kind of effective multinational response where all of us are clearly watching to make sure that the mission does not stray off course. Whether we do that, we do not know how long we have to create this kind of mechanism or this kind of structure.

We were reminded just last week that the window of opportunity could close overnight without warning. We saw that with what happened in Moscow. We are the first generation of Americans out of the last four that is living in a world in which we are not burdened by superpower confrontation or the threat of massive wars of retaliation between superpowers hanging over our heads.

We have been given an opportunity to creatively build a new structure, a whole new set of institutions, perhaps better dealing with the lack of order and dangers and proliferation of weapons in the rest of the world.

That is the time to think. That is the time to think long range. That is the time to behave logically because we do not know how long we will have the opportunity. It is a task we should be moving on, and we have been moving on all too slowly.

The last thing we should do in the midst of a totally changed world situation with new opportunities never given to any generation is to act hastily and without thought in a way that would undermine the reputation and credibility of this Nation, in a way that would cast in doubt the ability of this country to ever lead or participate in multinational operations in the future, in a way that would likely lead to a return to the same conditions of starvation and mass disorder that was present in Somalia before we ever entered so that the sacrifices would be made would be sacrifices tragically made in vain because the same situations of starvation would return and we must not act in haste in a way that would endanger the lives of our American troops and those being held prisoner at this moment.

It is time for calm deliberation. That is in the national interest. It is a time for the Congress to stand aside and not legislate at this moment but instead give the President of the United States the bipartisan support he deserves, to give our Commander in Chief time to deal with this situation—flexibility to deal with this situation in a sound way.

As I said in the beginning, there cannot be 535 Commanders in Chief. There cannot be 535 military commanders or diplomatic negotiators. There can only be one in the United States. If we are going to have any chance to thread through this difficult and complex situation where there are no easy answers, we need to give the President of the United States that opportunity to lead. The soundness and the logic of his remarks today should merit our giving him that opportunity.

I see the distinguished minority leader just came on the floor. Let me commend him as he and I have worked together on so many occasions often with a Republican President with me as a Democrat saying allow a Republican President to have the opportunity to lead and speak for the Nation.

I compliment the Senator from Kansas on the remarks which he made earlier indicating that he is among the number of those who want us to think this through carefully, to do it in a bipartisan way, to do it in a cooperative way with our Commander in Chief as prudence would dictate. I compliment him on that.

I hope the rest of us in the Senate of the United States on both sides of the aisle will have the good sense to also follow that path.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island [Mr. CHAFEE].

VIOLENCE AGAINST WOMEN ACT OF 1993

Mr. CHAFEE. Mr. President, I am pleased today to join as cosponsor of S. 11, Violence Against Women Act of 1993, which was introduced by my friend and colleague, Senator BIDEN.

Since its introduction in the Senate in the beginning of this session, I have been taking a close look at this comprehensive piece of legislation. I have followed the Judiciary Committee's deliberations carefully and have reviewed the committee's report which was presented to the full Senate on September 10. After thorough consideration, I am pleased to note that there are a number of improvements that have been made to this act. I want to give it my wholehearted support.

The problem of violence against women has many ugly faces. Women encounter violence on the streets, on college campuses, in our public transit systems, and sadly, even in their own homes. The statistics in the United States really are mind-numbingly familiar—every week, 21,000 women in the United States of America report to the police that they have been beaten in their homes; a women is raped every 6 minutes; 20 percent of adult women have been sexually abused.

Listen to this statistic, Mr. President. According to the Surgeon General, violent attacks by men represent the number one health risk to adult women in America. Think of it—not breast cancer, not car accidents, not AIDS, but violent attacks exceeds all of those as the number one problem against women, the number one health risk. It is a shameful situation. I am hopeful that this bill will help address it.

I would like to take a moment to touch on the particular issue of gun violence. In my opinion, we will not begin to deal with violence against women, or violence in general, for that matter, until we do something about the prevalence of guns in our society, particularly handguns.

Given the dangers that they face every day, many women in our society understandably live in fear of being attacked. In order to assuage their fears, they take a variety of precautionary measures—and we are familiar with what they do wisely. They avoid walking alone at night. They stay away from certain neighborhoods. A growing number are unfortunately turning to handguns for their protection.

Everything we know about handguns kept in the home tells us that handguns are not the answer to violence against women. Indeed, a study published yesterday by the New England

Journal of Medicine reaffirmed earlier findings that a gun kept for self protection is much more likely to cause the death of a friend or a loved one than to deter any intruder.

Mr. President, I would like to read from today's Washington Post which reports on this study which I referred to, the study conducted by the New England Journal of Medicine.

This is the article:

> Challenging the common assumption that guns protect their owners a multi-state study of hundreds of homicides has found that keeping a gun at home nearly triples the likelihood that someone in the household will be slain there.
>
> There is a three times greater chance that someone in the household will be slain if a gun is kept right in the household.
>
> The study, published in today's edition of the New England Journal of Medicine, found no evidence—

No evidence, Mr. President—

> that guns offer protection, even against intruders into the home. Instead, guns are much more likely to cause the death of a member of the household than they are used to kill in self-defense, the study reported. Most often the homicides are committed by a family member or close friend.

This is a quote from the study.

> "Clearly, the evidence from this study and previous work shows that the risks outweigh any possible benefit of guns in the home," said Frederick P. Rivara of the University of Washington, one of the authors of the study.

Again, quoting from the study.

> "The majority of people who have a handgun keep it at home and the majority have it specifically for self-protection," Rivara said. "The study showed no evidence of a protective effect" compared with death rates in comparable households without guns.
>
> "Even when there was forced entry and a struggle against an assailant," Rivara said, "guns offered virtually no protection because they often were used against the homeowner or prompted the intruder to use another gun."

And so it goes, Mr. President.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(From the Washington Post, Oct. 7, 1993]

HOMICIDE RISK FOUND TO OUTWEIGH BENEFIT OF GUN FOR HOME PROTECTION

(By Barbara Vobejda)

> Challenging the common assumption that guns protect their owners, a multi-state study of hundreds of homicides has found that keeping a gun at home nearly triples the likelihood that someone in the household will be slain there.
>
> The study, published in today's edition of the New England Journal of Medicine, found no evidence that guns offer protection, even against intruders into the home. Instead, guns are much more likely to cause the death of a member of the household than they are to be used to kill in self-defense, the study reported. Most often, the homicides are committed by a family member or close friend.
>
> "Clearly, the evidence from this study and previous work shows that the risks outweigh any possible benefit of guns in the home," said Frederick P. Rivara, of the University of Washington, one of the authors of the study.
>
> "The majority of people who have a handgun keep it at home and the majority have it specifically for self-protection," Rivara said. "The study showed no evidence of a protective effect" compared with death rates in comparable households without guns.
>
> Even when there was forced entry and a struggle against an assailant, Rivara said, guns offered virtually no protection because they often were used against the homeowner or prompted the intruder to use another gun.
>
> The same research team found in a previous study that the risk of suicide increases fivefold in homes where guns are kept.
>
> In an accompanying editorial in today's issue of the journal, editor in chief Jerome P. Kassirer calls for more stringent restriction of handguns and assault weapons and "routine warnings about this risk by physicians and other health workers."
>
> "In parts of the country we've reached a killing threshold," where the escalation of firearm deaths has increased public support for gun control, Kassirer said in an interview. "But the lawmakers are still cowed by the NRA," he said, referring to the National Rifle Association.
>
> Led by Emory University professor Arthur L. Kellermann, the research team studied the records of three populous counties: King County, Wash., which surrounds Seattle; Cuyahoga County, Ohio, containing Cleveland; and Shelby County, Tenn., around Memphis. Rivara said the counties offered a sample representative of the entire nation because of the mix of urban, suburban and rural communities.
>
> Although 1,860 homicides took place during the study period, the team looked only at those that took place in the homes of the victims—about 400 deaths. The homicides took place from 1990 to 1992 in Cuyahoga County and from 1987 to 1992 in the two other counties.
>
> For each case, the researchers identified the neighborhood, sex, age and race of the homicide victims; then they conducted interviews to find a matching group of control subjects with nearly identical descriptions. They compared lifestyles, alcohol and drug use, violence and other characteristics of the paired groups to determine the factors that distinguished homicide households.
>
> The researchers found that homicides are much more likely to be committed in households where there has been previous violence and where a household member uses drugs or has been arrested previously.
>
> Even when those and other variables, such as the safety of the neighborhood, were factored out, members of households with guns were found to be 2.7 times more likely to experience a homicide than those in households without guns.
>
> In nearly 77 percent of the cases, victims were killed by a relative or someone they knew. In only about 4 percent of the cases were victims killed by a stranger. In most of the remaining cases, the identity of the persons who committed the homicides could not be determined.
>
> Jim Mercey, acting director of the division of violence prevention at the Centers for Disease Control in Atlanta, said the study was "a great leap forward in our understand of his problem" because it was the first to quantify how gun ownership affects individuals risks. Previous studies have shown how the availability of firearms in a city, for example, increases homicide rates in that city.
>
> Paul Blackman, research coordinator at the National Rifle Association, dismissed the study, saying it was "seriously flawed" because most of the homicides that took place in those counties did not take place in homes and because of its focus only on homicides, and not on other incidents as well involving guns.
>
> "Absolutely nothing can be learned about the protective value of firearms by studying homicides," Blackman said, citing surveys and other studies indicating that "99.8 percent of the protective uses of guns are nonfatal."

Mr. CHAFEE. Despite this and other previous studies, Mr. President, the insidious myth persists that a handgun will make you safer. Look at this advertisement from the July 1992, Ladies Home Journal. What a tender scene. A mother tucking her child into bed. There is the mother tucking the child into bed with the child holding a doll. Underneath are two handguns: The compact Colt 380 and the new Colt All-American. The caption above reads: "Self-protection is more than your right * * * it is your responsibility."

The message is clear: To neglect the purchase of a handgun is to fail in your job as a parent. "Self-protection is more than your right, it is your responsibility." It is an ad by Colt Manufacturing Co.

Sadly, Mr. President, this advertising campaign is working. Women handgun owners are rapidly growing as a group. Five years ago, only 5 percent of those who signed up for the National Rifle Association introductory personal protection course were women. Today, instructors say the number stands between 50 and 75 percent of those in the courses.

In my view, preying on the fears of women in this manner is absolutely unconscionable. We know beyond a doubt that in the vast majority of instances, handguns do not deter violence, they foster it. Yet, companies like Colt, and Smith and Wesson—which sells the ever popular Lady Smith handgun—continue to cash in on the false security that handgun ownership suggests.

That is why the Rhode Island Coalition Against Domestic Violence, which has voiced strong support for the Violence Against Women Act, has also endorsed my Public Health and Safety Act. My bill, S. 892, would ban the sale, the manufacture, and possession of handguns in the United States, except for selective units such as the police, military, licensed guards, and so forth.

Mr. President, I thank the sponsors of the Violence Against Women Act for developing and refining this thoughtful legislation. That is the legislation I previously referred to, authored by Senator BIDEN's committee. I thank them for taking the time to respond to my questions about its many provisions.

I am hopeful that the Senate will act on it in the near future, so that we can take the first step toward dealing with this horrible problem of violence against women.

I thank the Chair.

The PRESIDING OFFICER. Who seeks recognition?

Mr. BOREN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

UNANIMOUS-CONSENT AGREEMENT

Mr. BOREN. Mr. President, on behalf of the majority leader, I ask unanimous consent that the cloture vote scheduled for Wednesday, October 13, may be vitiated; that on Wednesday, October 13, beginning at 11:30 a.m., there be 1 hour for debate on the nomination, equally divided between Senators BIDEN and HELMS; that upon the use or yielding back of that time, the Senate stand in recess until 2:15 p.m., and that a vote occur without any intervening action or debate on the nomination of Mr. Dellinger at 2:15 p.m. on Wednesday, October 13.

Mr. DOLE. Mr. President, reserving the right to object. I will just make a brief statement.

This agreement has been discussed with the senior Senator from North Carolina [Mr. HELMS] and the junior Senator [Mr. FAIRCLOTH]. Both have agreed that they do not want the Senate to engage in any further delay in considering Somalia.

The Senators had hoped to proceed yesterday with considering the Defense appropriations bill. Since we did not do that, they are prepared not to object to this consent agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARTICLE ABOUT SENATOR DOLE

Mr. CHAFEE. Mr. President, I just want to say this while the Republican leader is on the floor. I understand there was, I guess you could label it a scurrilous article written in Rolling Stone magazine about the Republican leader. I have not seen it, but I am sure it is as I heard it described. It is something that should not have been written. It attacks motives rather than actions.

I think we have too much of that going on in this Nation, Mr. President. I saw the article that Bill Spadea, national chairman of the Young Republicans, a letter he distributed about Senator KERREY. All we can do is say that youth errs, and we have to give some kind of absolution, for I can only assume that Mr. Spadea is a young man who wrote this article about Senator KERREY. Where he describes Senator ROBERT KERREY as a wavering, weak-willed Senator, this is the only Senator in the U.S. Senate who won the Congressional Medal of Honor.

I think it is time that we toned down this political rhetoric. Former Senator Cranston, as I understand it, wrote the article dealing with our Republican leader.

But Mr. Spadea should go back and rethink his letters. Apparently, in your fundraising letters, you meant to make them 4 pages long and you meant to attack somebody. Mr. Spadea said that. I read his comments, and I think he ought to reconsider something that really is not very dignified.

Mr. DOLE. Mr. President, I thank the Senator from Rhode Island. The bottom line is that whether young or old, you can get carried away sometimes and say things you probably do not mean.

In any event, I have commented on that earlier, and I have written Mr. Spadea a letter suggesting that they ought to hire a new direct mail operative and somebody else to write the letters. I know it sometimes is right on the edge of how far you can go in this direct mail business. You get people excited enough to send in money. But I do not think anyone would send money in based on the letter I read today. I hope they will make that correction.

Mr. President, the Senator from Rhode Island was talking about the Biden domestic violence bill. I think what happened there, there has been a couple of domestic violence bills, one Republican bill I have introduced, along with others, and Senator BIDEN'S bill. I think what we have been doing is trying to work out a compromise, and I hope we have just about reached that point where we would have a bipartisan approach to domestic violence.

It is not a partisan issue, as the Senator from Rhode Island pointed out. We hope we can reach an agreement and take up that bill sometime in the next 2 or 3 weeks.

Mr. CHAFEE. I commend the Republican leader for his work on that, and I certainly hope and look forward to joining in that effort, because we all want to do something about it.

I am sure that the input of the distinguished Republican leader will be very, very helpful to it.

Mr. DOLE. I yield to the Senator from Louisiana.

VISIT TO THE SENATE BY THE PRIME MINISTER OF THAILAND

Mr. JOHNSTON. Mr. President, it is with a great deal of pleasure that I introduce to the Members of the United States. Senate Prime Minister Likphai Chuan, of Thailand. Thailand, as we all know, is a very great friend of the United States, and the Prime Minister, of course, is very well known and well regarded in this country and all over the world.

We are especially fortunate to have him here in our country. We are glad to have him, and I welcome him.

I yield the floor.

REMEMBERING GEN. JAMES H. DOOLITTLE

Mr. DOLE. Mr. President, September 27 was a sad day for all Americans. Last Monday, as I am sure many here know, Gen. James H. Doolittle passed away at age 93. This past Friday afternoon, General Doolittle was memorialized at the Fort Myer Memorial Chapel and buried at Arlington National Cemetery. I think it only appropriate that we take a minute to honor this true American hero.

General Doolittle had a long and distinguished military career. In 1922, he completed the first one-stop, cross-country flight from Pablo Beach, FL, to San Diego, CA. In 1929, he made the first ever blind flight, relying only on instruments to take off, fly a set course, and land.

However, General Doolittle is best remembered for his service during World War II. On April 18, 1942, just 4 months after the attack on Pearl Harbor, he led a squadron of 16 B-25 bombers from the deck of the aircraft carrier U.S.S. *Hornet* on the first aerial raid on the Japanese mainland.

A string of Japanese victories had followed the attack on Pearl Harbor, and the morale of the American people was at an all time low. All of that changed with General Doolittle's attack on Tokyo. Following his raid on the Japanese mainland, the spirit of the Nation soared, and America's morale received a boost when it was needed most.

For his actions over Japan, General Doolittle was awarded the Nation's highest military decoration, the Medal of Honor. But his service did not end there. He went on to serve in the European theater. As Commander of the 8th Air Force, he directed the strategic bombing of Germany until the end of the war.

General Doolittle's life was marked by courage, dedication, and sacrifice. He was a man who loved his country and served it well. We would all do well to emulate Gen. James H. Doolittle, a true American hero who will be greatly missed.

TRIBUTE TO FRED B. ANSCHUTZ

Mr. DOLE. Mr. President, I rise to pay tribute today to Fred B. Anschutz, a son of my hometown of Russell, KS, as his family gathers today in Denver to mourn his loss.

Fritz, as we knew him, brought his wisdom and good luck in oil exploration to new ventures throughout the Western United States—in minerals exploration, ranching, and transportation.

Yet, this fine gentleman will be remembered equally as a compassionate man whose first priority was his family and whose first concern was those in need. Further, his support for endeavors which enhanced our quality of life is broader than we may realize.

LUCK AND SAVVY

In northwestern Russell County, during the height of what was known as the oil boom, Fritz drilled an untapped pool of oil. This and several subsequent successes in the Great Plains and Wyoming made him an important player in oil exploration.

In an atmosphere of untamed good times with major successes and major disappointments, those were the days when a person's word was his promise and when deals were consummated with a handshake.

We view Fritz Anschutz and these men as important to the history of Russell and to stimulating confidence in exploration of the rich minerals beneath the Great Plains.

Today, Fritz, along with his son, Phil, and daughter, Sue, have parlayed their hard work and good fortune into oil development, ranching, and railroads in Colorado, Utah, Wyoming, and California.

PHILANTHROPIST AND HUMANITARIAN

Throughout his lifetime of risk taking, this modest and unassuming man saw to the needs of those in the Colorado area through the Anschutz Foundation. On the campus of the University of Kansas, our alma mater, his endowment of academic scholarships and funding of athletic facilities and programs is deeply appreciated as critical to the health and success of this major academic institution.

CHERISHED HIS FAMILY

Fritz and his late wife, Marian, carefully nourished and protected their son and daughter while at the same time teaching them to be smart business people, good parents, and humanitarians.

And as his family gathers today in Denver to pay its final tribute to Fred B. Anschutz, this Senator from Kansas joins in honoring the great heritage that Fritz has left us and extends heartfelt sympathy to his children, Phil and Sue, and to his grandchildren and great grandchildren.

We have lost a true entrepreneur and a true humanitarian.

SOMALIA

Mr. DOLE. Mr. President, I do believe that President Clinton deserves our support on a bipartisan basis in the efforts now in Somalia. He has indicated just a couple of hours ago that he does plan to withdraw all except a few hundred troops no later than March 31. I believe there is a specific plan, and I was encouraged by the fact that it seems to be an American plan, not a United Nations plan.

One thing that frustrates average Americans is that they seem to believe that the United Nations are directing our forces and we are the force taking the risk, suffering the casualties and suffering the death of good Americans in Somalia, and it is hard for the American people to accept. It is not that we do not respect the United Nations, but I do believe that the average American—and I think with justification—feels that they do not have the competence to direct the military operations.

So now the President said today—he used the word "we" time after time after time—we will do this and we will do that and we will do this. I believe with those several statements the United States will be in charge, in control, and will certainly make our task much, much easier in Somalia.

There are still some humanitarian efforts being undertaken, and this is necessary to protect our forces there. Most Americans agree we should not make any hasty withdrawal as long as there is one American held captive. He is, I guess, referred to under the rules as a detainee, but he is, in fact, a prisoner of war. So until that brave young man is released and any other that might be held—I think there are five Americans missing in action—I doubt any Americans, if at all, would suggest we beat a hasty retreat.

Finally, we had the experience during the Gulf crisis, some of it quite partisan. It is my hope that can be avoided. The last thing we need is a big partisan debate after the President submitted his plan and suggested a date for withdrawal. It may be earlier, or he may have to come to us next year and say maybe we cannot do it by that specific date.

But at least there is a plan. It is specific. It is an American plan, and I hope that we will have a broad bipartisan support giving the President the flexibility that he may need. The President has all the information—we have some of it—but he has the information on a daily basis, on an hourly basis, on a minute-by-minute basis. And I believe he has the force structure to make the proper decision.

I urge my colleagues that this is not a time to pick a partisan fight over the issue of Somalia. There will be other partisan debates. We will have our disagreements. Keep in mind that this was on the President's doorstep when he assumed the office of the Presidency.

If it is Bosnia, I might have a different view, because we have not yet injected American troops into that area of the world. But on this particular issue, it is my view that that President has earned the day and deserves our support. I hope it will be broad and across the aisle in both the House and the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FEINGOLD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

Mr. BIDEN. Mr. President, I ask unanimous consent that a list of appointed acting officials be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Name	Appointed "acting"	Nominated	Confirmed and appointed by President
SOME RECENT "ACTING" OFFICIALS NOMINATED FOR PAS POSITIONS			
Webster L. Hubbell	4/8/93 (Assoc. AG)	4/7/93	5/28/93
George J. Terwilliger [1]	11/22/91 (Deputy AG)	2/18/92	4/13/92
Wayne A. Budd [1]	3/27/92 (Assoc. AG)	3/3/92	4/13/92
Robert S. Mueller III	3/31/90 AAG/Crim.)	9/1/90	10/12/90
Vicki A. O'Meara	7/9/92 AAG/ENR)	3/13/92	
SOME "ACTING" AAGS FOR OLC NOMINATED FOR AAG/OLC			
Timothy E. Flanigan	10/17/91	4/9/92	8/12/92
J. Michael Luttig	5/25/90	6/28/90	10/12/90
Douglas W. Kmiec	7/15/88 (as of 7/8/88)	7/27/88	10/17/88
John M. Harmon	3/3/77 (as of 2/4/77)	5/5/77	6/29/77

[1] Previously confirmed in PAS position as U.S. Attorney.

Mr. SIMON. Mr. President, I strongly support the nomination of Walter Dellinger to head the Department of Justice Office of Legal Counsel.

There are two critical requirements, in my mind, for this position. The Assistant Attorney General must be an outstanding legal scholar and must have integrity.

Walter Dellinger more than meets these requirements. He is renowned for the brilliance of his legal analysis. Indeed, for this reason he has been called upon by the Judiciary Committee numerous times since I have served on the committee.

I don't always agree with Mr. Dellinger. For example, he has often expressed misgivings about the effect of the balanced budget amendment, something I care very deeply about, on our constitutional system. But whether or not one agrees with all his views, one thing is clear: Mr. Dellinger has brought an enormous sense of integrity and wisdom to his legal work. Let me give you an example.

Mr. Dellinger wrote a series of articles, a few years back, about the dangers of amending the Constitution to criminalize flag burning. It would have been easy for him to remain silent in the midst of widespread public opinion against flag burning. But maintaining silence would not have been a wise course. Flag burning is an abhorrent practice, but it can not be used to justify abridging rights under the first amendment. Walter Dellinger has provided important legal analysis on this and many other issues. He stood tall and let his voice be heard.

And this, ultimately, is why I endorse him—he is a man who has been unafraid to apply his extraordinary legal capabilities to the most difficult issues of the day. He is a man who believes, as our Founding Fathers did, in the ideal of civic courage.

One of Walter Dellinger's heroes, I know, is Justice Brandeis. In his brilliant concurring opinion in Whitney versus California, Justice Brandeis wrote these stirring words:

> Those who won our independence by revolution were not cowards. They did not fear political change. Those who won our independence believed that the freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of truth * * * that the greatest menace to freedom is an inert people; that political discussion is a political duty; and that this should be a fundamental principle of American government.

I am proud to endorse Walter Dellinger because he is a man who is unafraid to speak his mind about some of the most vexing public issues of the day—a man, in other words, of real civic courage.

MORNING BUSINESS

NATIONAL CHILDREN'S DAY BELONGS IN OCTOBER

Mr. PRESSLER. Mr. President, I would like to raise several concerns regarding Senate Joint Resolution 139, legislation that would change the date of "National Children's Day" from the second Sunday in October to the Sunday before Thanksgiving. I raise this issue as the author, 4 years ago, of the first resolution giving congressional recognition to this special day.

My first concern is that changing the date is insensitive to the volunteers who work nationwide on National Children's Day activities. For many who give their time to properly celebrate this day, the proposed change has come as a shock.

In my home State, Father Robert J. Fox, who is the national chairman of National Children's Day for the Catholic Church, informed me that pamphlets and literature have already been printed with the traditional date, which is this coming Sunday. In fact, regardless of what action Congress may take, Father Fox said he will continue to observe National Children's Day on the traditional second Sunday of October.

Second, I am concerned that a late November date is a poor choice for children. In my State of South Dakota, as in many States across the Nation, the frequently inclement weather in late November deters outdoor activities. Early October has milder weather, often beautiful Indian summer days, and is generally a better time for those planning events to honor our Nation's young people.

Third, celebrating National Children's Day in October has become an established tradition. To change that would end this growing tradition. Governors have issued State proclamations. Children's events have become annual occurrences. Many impoverished children are made to feel special because of this commemorative day.

In addition, changing the date is not what the late Dr. Patrick and his wife, Mary McCusker, had in mind when they founded Children's Day 45 years ago on the campus of Notre Dame University. Mary, now in an Omaha nursing home, is upset with the pending change. Mary McCusker and Father Fox's purpose, as is mine, is to establish one day, now and hereafter, to honor our Nation's children.

Mr. President, National Children's Day should remain in October. I hope that the proponents of changing the date would respect the wishes of those who made this day a reality—from Mary McCusker to Father Fox—and keep National Children's Day where it is.

POLICY OF FEDERAL FINANCING BANK

Mr. HEFLIN. Mr. President, for several years, I, and many of my colleagues, have actively supported a change in the policy of the Federal Financing Bank [FFB] to allow REA borrowers to refinance high interest loans.

I was very pleased that the Reconciliation Act included refinancing authority and I am also pleased that H.R. 3123 permits REA borrowers to pay a fee and obtain a 7-percent cap on the interest rate on these financed loans. This cap will enable REA borrowers to select short term interest rates while guarding against future increases above the 7-percent level.

REA borrowers will pay hundreds of millions of dollars in penalties in order to refinance FFB loans. By contrast, foreign governments were not required to pay any penalty at all when they refinanced more than $8 billion in FFB loans.

Mr. President, section 306(c) of the Rural Electrification Act provides for three types of penalties: First, penalties on post-1983 FFB loans; second, penalties on pre-1983 loans that have reached a 12-year maturity date for repricing as specified in the loan agreements; and third, penalties on pre-1983 loans which have not reached the 12-year maturity point.

In the case of this third category, it is my understanding that the penalty formula has been designed so that the FFB obtains the same value in the penalty payment as it would receive if the borrower waited until the 12-year period to refinance the loan. In order to do this, section 306(c) specifies that the penalty in the case of these loans will be the present value of 1 year of interest on the loan, plus the present value of the difference between two loan payment streams. In calculating this penalty it is extremely clear to me that the reason that section 306(c) refers to the present value of 1 year of interest is that borrowers are to be charged 1 year of interest discounted to present value based on the period between the refinancing date and the 12-year maturity date. In the case of these loans, treasury will receive the 1-year interest penalty before the 12-year maturity has elapsed, and so the provision specifies that there must be a present value determination to account for this early payment.

It would be contrary to both the plan language of section 306(c) and the intent for FFB to interpret the present value of 1 year of interest as authorizing FFB to charge a borrower 1 year of interest without discounting this amount to present value based on the difference between the refinancing date and the 12-year maturity date.

I have every expectation that FFB will implement section 306(c) in the manner I have outlined and as intended by Congress.

HELEN KAMER

Mr. LUGAR. Mr. President, I note with sadness the passing of Helen Kamer, a native of Sellersburg, IN, who since 1961 provided outstanding service to her country as a secretary in the State Department.

Helen Kamer represented the best of Government workers. She was a tireless achiever who maintained a special sense of humor under the most pressured situations. Her contributions to American interests in the Middle East and elsewhere should not be underestimated.

While Presidents, Secretaries of State and Ambassadors receive public acclaim for achievements, it is not often recognized that their successes are dependent upon many hours of professional and devoted work of others. No person exemplifies these professionals better than Helen Kamer.

Helen was on Secretary Kissinger's airplane when, through shuttle diplomacy, the disengagement agreements were negotiated between Egypt and Israel and between Syria and Israel. She was at Camp David in 1978 and supported the efforts of the American diplomatic team in facilitating the peace accords between President Sadat and Prime Minister Begin. Working out of a temporary trailer, Helen was one of three secretaries who worked day and night to produce drafts, talking points, statements and dozens of other documents essential to the search for peace.

After Camp David, Helen remained a part of the process which implemented peace between Israel and Egypt. She was chief assistant and secretary to the U.S. Ambassador in Cairo when the last phase of the Egyptian-Israeli peace agreement was implemented.

Presidents and Secretaries of State came and went, as did special Middle East peace negotiators, but Helen remained, tirelessly promoting American interests by working for peace. Helen Kamer was one of the unsung heroes of America's search for peace in the Middle East.

In 1975, Helen was named the State Department's "Secretary of the Year." She set a standard of professionalism and commitment to which all Americans can aspire. This Hoosier remains an outstanding example of those who commit themselves to tirelessly and professionally serve their country.

EDITORIAL BY HARRY S. DENT, OCTOBER 7, 1993

Mr. THURMOND. Mr. President, some of our colleagues no doubt remember my good friend, Harry S. Dent, from when he was my administrative assistant during the 1970's. Harry is a man who has devoted his life to helping others and has rendered many great services to the people of South Carolina and the United States. Harry served as a special assistant to President Nixon and in the Ford and Bush administrations. He now devotes his life to serving God through his Columbia, SC-based ministry.

As one of my State's most prominent religious leaders, Harry often is called upon to contribute to the public debate on leading social issues. Just this past weekend, the State newspaper published an article by Harry that I thought was particularly insightful and I would like to share it with each of you. I ask unanimous consent that excerpts of this article be inserted into the RECORD following my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS OF EDITORIAL

(By Harry S. Dent)

In today's America, even in the Bible Belt, most people do not appreciate God's teachings against destruction of the family.

Sure, we can do what we please in America! But, our emphasis on rights over responsibilities is devastating Americans and our families.

When God created humans, He commanded obedience. Also, He provided freedom of choice and judgment. Adam and Eve fell for the siren song of the serpent: Don't obey God; you can live by your own rules. This is America today; situation ethics, moral relativism, "but it won't happen to me!"

Yet, God has a special plan for the family. Pop and Mom are to be "one," not two. Pop is designated as the spiritual leader and role model for leading the family as to what is right versus wrong. So, the first training ground for righteousness is the nuclear family: Pop, Mom and the kids.

Today about half of the nuclear families are exploding in selfishness (our sin nature) by today's Adams and Eves. *The Wall Street Journal* reports that "70 percent of the juvenile offenders in long-term correctional facilities grew up without a father in the household." . . . Even the liberal *Atlantic Monthly* bemoaned the destruction of the American family in a cover story, "Dan Quayle Was Right!"

We all need to be concerned for America and our kids and grandkids. *Newsweek*, says we are bequeathing to them huge financial, moral and social deficits. But God has a big heart. He provides for forgiveness and a new start. . . .

U.S. News & World Report writes that a majority of parents would rather enjoy the pleasures of the world than a stable family. . . .

But, there is hope where there is faith. The Bible is packed with reality and common sense for guiding us past the siren songs of life. Why? Because there is love. Through the Bible, God is showing us how to avert destruction of ourselves and our posterity through unconditional love, nurture and training righteousness for families. St. Paul says it best in II Timothy 3:16: "All Scripture is given by inspiration of God and is profitable for teaching, rebuking, correcting, and training in righteousness. . . ."

Oh how we need to get into God's Book! It's in our own interest and that of America and our precious posterity.

MILITARY ORDER OF IRON MIKE AWARD

Mr. WARNER. Mr. President, each year the Marine Corps League presents the Military Order of Iron Mike Award. This award recognizes an individual who has made an exceptional contribution to the U.S. Marine Corps and to the Nation. The award is named after the landmark statue, Iron Mike, located at the Marine Recruit Depot, Parris Island, SC. This bronze rendering of a World War I vintage marine figure is instantly recognizable to every marine. He is symbolic of iron will and uncompromising spirit that characterizes the Corps.

The list of recipients of the Iron Mike Award is indeed distinguished. It includes former Commandants like Lew Walt and Lou Wilson; former Senate colleagues like Dewey Barlett and Steve Symms; entertainment personalities like Bob Hope and John Wayne.

The recipient of this year's award is not as famous as Hope or Wayne. He has not won as many elections as Barlett or Symms. Moreover, he has not served as long as Walt or Wilson. But no recipient ever deserved it more. This year's recipient is Arnold Punaro. He is one of the usung heroes that makes the U.S. Senate work. He is known to all of us as the staff director of the Senate Armed Services Committee.

The award was presented to him at the annual meeting of the Marine Corps League in Washington last month.

His gracious acceptance speech reveals the influence his experience as a combat marine has had on the sense of commitment that characterizes his service to the committee, the Senate, and the Nation. This same sense of commitment that we witness each day won for him the Bronze Star for Valor and the Purple Heart over 23 years ago in a jungle stream in the Que Son Mountains of Vietnam. Mr. President, the Armed Services Committee is proud of Arnold and his achievements. I know I speak for most members of the committee when I express congratulations.

Mr. President, Arnold Punaro's speech as well as the citation accompanying this award and General Carl Mundy's introduction deserves the attention of the Senate.

Accordingly, Mr. President, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CITATION FOR MR. ARNOLD PUNARO, 1993 RECIPIENT OF THE NATIONAL MARINE CORPS LEAGUE "MILITARY ORDER OF THE IRON MIKE AWARD"

The National Marine Corps League takes pleasure in conferring the "Military Order of the Iron Mike Award" on Arnold Punaro for service as set forth in the following citation:

As a Marine, as the Staff Director of the Senate Armed Services Committee and a Patriot, Arnold Punaro has demonstrated his unwavering commitment to insuring a United States capable of protecting its worldwide interests and a strong Marine Corps prepared to act as the nation's expeditionary force in readiness. As one of the Corps' strongest advocates on the Hill, he has successfully worked for legislation supporting a strong national defense. During his more than 20 years of tenure on the Senate Armed Services Committee, he has compiled an unequalled record as a proponent of his country and Corps. He has been instrumental in the successful approval in Congress of hundreds of proposals and budget activities crucial to the Marine Corps. These have included making the Commandant a permanent Member of the Joint Chiefs of Staff and the Assistant Commandant a permanent four star billet. Also, insuring approval of dozens of weapons systems essential to the Corps to include the LSD–41 Class Ships, the Landing Craft, Air Cushioned Program, the AV8–B Harrier, the Light Armored Vehicle, the V–22 Osprey, Hospital Ships, and WASP Class Amphibious Ships. His work on legislative proposals that support military personnel and their families is without parallel. It includes the Nunn-Warner Benefits Package of 1978, the Variable Housing Allowance, Additional Pay and Benefits related to the Persian Gulf Conflict, the Special Joint Duty Credit Program, and separation initiatives related to the draw down of the Armed Forces.

Further, he has been a leader in their fight to keep the active Marine Corps at an end strength of 177,000, the Marine Corps Reserve at 42,000, and to insure amphibious assault and maritime prepositioning shipping to support at least 2 and ½ Marine Expeditionary Brigades.

Arnold Punaro's exceptionally outstanding service reflects great credit upon himself and is in keeping with the highest examples of leadership in government service.

Given under my hand, this 25th day of August, in the year of our Lord, one thousand nine hundred and ninety three. Signed, Frank Meakem, National Commandant.

REMARKS OF GENERAL CARL MUNDY, COMMANDANT OF THE MARINE CORPS, IN INTRODUCING ARNOLD PUNARO TO RECEIVE THE 1993 MILITARY ORDER OF THE IRON MIKE AWARD

When a Marine serves his country in uniform every day, he serves somewhat in the spotlight. But wearing the uniform of a citizen Marine or Reserve Marine means service to the country and to the Corps which oftentimes goes unnoticed. I can assure you that it's never unappreciated by those of us who know what the people in the Total Force side of our Corps do that some call the Reserve side that I would prefer to simply call Marines. Tonight the spotlight deservedly shines on Colonel Arnold Punaro, United States Marine Corps Reserve. As I said earlier, when I began this evening, a pillar, literally a pillar of those who raise and provide Armies and maintain Navies, Marine Corps, and Air Forces.

After Spring Hill College in Mobile, Alabama, graduated him in 1968 he was Commissioned as a 2nd Lieutenant of Marines. He was awarded the Bronze Star for Valor and a Purple Heart for wounds received as a Platoon Commander in Vietnam. Arnie then left the active component and has worked for Senator Sam Nunn, the distinguished Chairman of our Senate Armed Services Committee in its national security matters since 1973. Laboring tirelessly behind the scenes for over two decades, Arnold Punaro can count among his many achievements most of the major programs which will help to define the Marine Corps' combat readiness and power projection into the next century. Literally, as I said to you, I know of no one who has contributed or on a day-to-day basis, contributes more to our Corps than this great American.

So tonight I take pride in introducing a combat veteran from LIMA three-seven, the veteran Staff Director of the Senate Armed Services Committee, a friend to all Marines and certainly to me, Colonel Arnold Punaro, United States Marine Corps Reserve, who is the recipient of the Military Order of the Iron Mike Award.

REMARKS BY ARNOLD L. PUNARO, RECIPIENT OF THE MILITARY ORDER OF THE IRON MIKE AWARD AUGUST 25, 1993

Thank you.

General and Mrs. Mundy, General Gray, other General Officers, Commandant Meakem, my wonderful wife, Jan, and my son, Joe, fellow Marine Corps Leaguers and Marines and friends of the Marine Corps.

Twenty three years ago in a jungle stream, in the Que Son Mountains of Vietnam a young Marine Corporal dashed from a totally safe position to help a seriously wounded Second Lieutenant.

Cpl. R.L. Hammonds had been in Vietnam over 12 months and would—within five days—rotate back to his home in Texas.

What made Cpl. Hammonds choose danger over safety? Choose his fellow Marine over his personal welfare?

Perhaps Cpl. Hammonds possessed the raw courage of the Marines at Belleau Wood who stormed into withering German machine gun fire. When dusk came, the Marines had captured the objective taking more casualties than in the first 143 years combined.

Perhaps Cpl. Hammonds recalled a pork-chop shaped island in the Pacific that was the nastiest death trap ever prepared by the Japanese. This epic of human bravery translated into Nimitz's legendary quote that on Iwo Jima "uncommon valor was a common virtue."

Perhaps Cpl. Hammonds looked back to the "attack in another direction" of the 7th Marines who faced devastating cold and 100,000 Chinese in Korea's fiercest fighting. Historian Allan Millett said the Chosin Reservoir withdrawal remains one of those military masterpieces that occur when skill and bravery fuse to defy rational explanation.

Perhaps Cpl. Hammonds looked ahead to the liberation of Grenada and Panama; to the lightening-fast breach of mine fields, barbed wire, and fire trenches to free Kuwait; or to the alleviation of human suffering in Northern Iraq, Bangladesh or Somalia—or to those Marines poised today offshore at the tinderbox of the world—the Balkans.

Marines like Cpl. Hammonds were ready because of a seamless web of character, courage, commitment and success in combat that defines and describes the United States Marine Corps.

Today, however, there are forces at work that would rip and tear at this seamless web—forces that, if successful, could significantly reduce the Corps ability to meet the nation's tasking in the future.

These forces may be more dangerous than the frontal assaults on the Corps' existence in the late 40s because: they are subtle—not direct; they are incremental—not revolutionary; they occur over time—not immediately; they are led by budget bureaucrats—not warriors.

Let me mention four major areas of concern. They relate to the fighting size of the Corps, the speed and lift of the Corps, the power of the Corps and the values of the Corps.

In terms of the size, there are forces that would slash the Corps to below 160,000—the smallest since before the Korean War, despite increased operational commitments. A determined fight to keep the active Marine Corps at 177,000 and the Marine Reserve at 42,000 has enlisted the shock troops of the Marine Corps League and the many other Marine organizations and friends of the Corps. So far, Congress has supported the higher levels—yet key decisions will be made next month. One final push is needed. Now is the time to fix bayonets and take the Hill—Capitol Hill.

In terms of the speed and the lift of the Corps—that is the ability to get Marines to the fight quickly with the right gear and sustainability—there are forces who would eliminate the revolutionary descendant of vertical envelopment pioneered in 1946. Thank goodness the same pencil pushers who tried to kill the V-22 were not around when the helicopter was invented. For the first time in three years, Congress will not have to have to add money for the V-22—it is in President Clinton's budget. The challenge now is a year-to-year effort to insure a cost-effective development, a successful flight test program with adequate funding levels and the earliest operational deployment.

In a related area, there are forces that would cut back the needed assault or amphibious shipping. Marines can do a lot of things but they can't walk on water to reach the battlefield. As part of a smaller surface Navy, we must fight to retain a modern amphibious fleet with 12 big decks like the Wasp and with the new LX class ship to provide the needed combat footprint and sustainability.

In terms of the power of the Corps; the ability to prevail once reaching the battlefield—equipment deficiencies identified in Desert Storm such as night fighting, communications and intelligence, mine countermeasures, and aviation upgrades are being corrected. One only has to look around at the marvelous technology on display here to see the tremendous support available—and Congress must provide the funding to buy it.

But one key area is not 100% certain—the advanced amphibian assault vehicle—the "skip a generation" triple a-v which is the essential teammate of the V-22, the landing craft air cushion, V-STOL aircraft and the LX.

The success of the Marine Corps in the future will depend on a combination of a fighting Corps of 177,000 backed up by a reserve of 42,000, with the speedy V-22 flying off new assault ships alongside AV-8Bs with LCAC's skimming over the beaches and the triple A-V keeping pace—all with realtime intelligence and command and control to rapidly adjust during the assault.

Our actions today will determine into the next century: the fighting size of the Corps, the speed and lift of the Corps, and the power of the Corps.

These are the winning combination of punches needed for "operational maneuver from the sea"—the ability of the Corps to do it better, quicker and cheaper far beyond today's horizon.

We can be encouraged in all these areas by the strong leadership and support at HQMC and the receptive ear of Secretary Aspin and his new team who are longstanding Marine supporters. But we must all fight those forces that would push these decisions in the wrong direction.

We must also take on the preservation of core values—that is both Corps as in Marine Corps and core as in fundamental.

The first Corps—the Marine Corps—must continue to spin that seamless web of combat power and courage while adapting to changing circumstances. That shouldn't be hard for a Corps that has always cut against those who insist on the "conventional wisdom."

Before World War II, conventional wisdom scoffed at the idea of amphibious assault from the sea.

Before Korea, conventional wisdom suggested the helicopter had little military value.

Before Vietnam, conventional wisdom denigrated the Marine's intense focus and training in combined arms, jungle and mountain warfare.

Before the 1980s, conventional wisdom snickered when the Marine decided to emphasize quality and high school graduates—rather than quantity—accompanied by the recruiting slogan of "we didn't promise you a Rose Garden."

Before the Persian Gulf War, conventional wisdom questioned the Marine's revitalization of the Marine Air Ground Task Force and maneuver warfare, the purchase of Maritime Prepositioning ships, and the light armored vehicle.

And I am sure conventional wisdom today is second-guessing the Marine's examination of new roles and missions, special MAGTFs, joint task forces, adaptive force planning, and combat development systems—while always keeping the focus on the Marine's expeditionary character as well as the "911" force in readiness at bargain basement prices.

We must also fight to maintain core or fundamental values that put the mission first, the unit second and the individual third. The proposal to open the ranks of the military to homosexuals is inconsistent with this approach.

In this fight in the halls of Congress, no one stood more resolute than my boss, Senator Sam Nunn.

In this fight in the corridors of the Pentagon, no one was more steadfast—no one displayed more courage under significant pressure than our Commandant, General Carl

Mundy, General Mundy—your Corps and your country salutes you.

But in the fights ahead on the size of the Corps, on the speed and lift of the Corps, on the power of the Corps and on the values of the Corps, we must insure that our leaders do not stand alone—that men and women like Cpl. Hammonds answer the call to protect the Corps' future.

But someone will have to fill in for Cpl. Hammonds for, not far from here, on the hallowed grounds of the Vietnam Memorial, you will find his name chiseled in stone along with 13,072 of his fellow Marines. Cpl. Hammonds died in that jungle stream 23 years ago helping the wounded Second Lieutenant.

I was that Second Lieutenant whom Cpl. Hammonds shielded from additional bullets and harm, and I stand before you tonight deeply grateful for this award but fully realizing that no one person can take credit for the accomplishments in the citation. Whatever any of us do is made possible by Marines like Cpl. Hammonds who choose danger over safety and who put their fellow Marines first and their own personal welfare second.

Let each and every one of us tonight make that same choice and each and every day in our own way help a fellow Marine and his or her family provide a better Marine Corps and one that will be ready twenty-three years from now with the needed size, speed and power and anchored in bedrock values.

And while these fights might seem as distant from this room as a rifle's crack and a muzzle flash, as a radio's squawk, or the growl of a light armored vehicle, to the Marine on the cutting edge in the fleet Marine Force, it is part of their everyday existence.

And when we, the Marines of today, make that final muster with the Marines of Belleau Wood, of Iwo Jima, of the Frozen Chosin, of Desert Storm, of Somalia, and with Cpl. Hammonds—and they ask the question—what did you do in this fight: did you waiver? did you falter? did you fail?

We must all answer and report: Not on my watch.

God Bless our Corps and our country; Semper fidelis Cpl. Hammonds, and thank you Marine Corps League.

NEW AID PROGRAM FOR EAST TIMOR

Mr. PELL. Mr. President, I am very pleased to announce today that the United States Agency for International Development [USAID] has decided to initiate a substantial 3-year program in East Timor. The aid program will focus on strengthening local representative organizations, promoting productive employment, and improving the quality of life for the Timorese.

The situation in East Timor is deplorable. For many years I have expressed my concerns over the human rights situation there, resulting from the actions of the Indonesian Government that invaded East Timor in 1975. The Indonesian Government repeatedly has used as an excuse for its occupation of East Timor the effort it has made to improve the lives of the East Timorese following centuries of Portuguese colonial rule.

If only the Indonesians had improved East Timor as much as the rest of Indonesia. Out of 27 provinces, East Timor is the poorest. Annual per capita income in 1989 was $181, compared to a national average of $448. Infant mortality is the second highest in Indonesia with 100 deaths per 1,000 births, caused in part by low rates of immunization, lack of clean water, nutritional problems from vitamin and protein deficiencies, and shortages of medicine and trained medical personnel. In the capital city of Dili less than 40 percent of the households receive piped water.

In terms of education East Timor has also been neglected. Over 60 percent of the work force have never attended school. Only 13 percent have completed primary school. With only one university and one polytechnical school, enrollment is below the national average. Those who do graduate have limited employment opportunities.

East Timor's economy is largely based on agriculture, employing 90 percent of the population. The main crops of rice, corn, cassava, sweet potato, and coffee have low yields. Increasing employment opportunities need to be found in other industries, but the Indonesian military indirectly exercises monopoly control of the economy, depressing prices for products while receiving the profits from trade. Indonesians staff most of the positions in the provincial government and any large businesses. The East Timorese are thus caught in a vicious hold of enforced deprivation.

Key aspects of the new American aid program include:

Supporting non-governmental organizations [NGO] to promote conservation farming and to encourage diversified cropping, to develop water systems and to provide health and nutrition education;

Supporting the development of indigenous nongovernmental organizations by establishing an institutional and human resource center to provide management and financial training;

Supporting an Asian Foundation program to provide training and technical assistance to local governments and to provide training and resources for local journalists;

Allocating resources to educational facilities in East Timor to strengthen local faculties;

Expanding United States assistance in improving basic infrastructure in East Timor, in particular providing a substantial portion of housing loans under the United States Housing Guarantee Program to East Timor cities;

Using funds available under the Public Law 480 title II commodity program to provide additional funding for community-based programs for shelter, infrastructure, urban environmental improvement, microenterprise development, and NGO capacity building; and

Conducting an ongoing research program in the needs of the East Timor community.

This program, as the administration notes in its report to me, "will bring with it greater USG [United States Government] presence which will help ensure attention to the human rights issue in East Timor."

I enthusiastically welcome this new program for that reason. However, I know the capacity for abuse and misdirection in aid programs to politically sensitive areas, such as East Timor. I intend to monitor closely the implementation of this program to ensure, first, that the East Timorese directly benefit; second, that East Timorese institutions are strengthened, and third, that the Indonesian authorities do not influence the recipients of this assistance.

I would hope, for example, in developing specific projects USAID will consult closely with representatives of the East Timorese, especially with the Catholic Church in East Timor, led by Bishop Bello.

As Margaret Carpenter noted during her confirmation hearing to be Assistant Administrator for Asia and Near East of the U.S. Agency for International Development, in response to a question by me, "Institutional and human resource development is crucial to fostering development and ensuring that the Timorese people have a say in defining their needs and means for their economic development." Unfortunately, the Indonesians have allowed them little voice to date. I hope our new program will.

STATEMENT ON THE NOMINATION OF MORTON H. HALPERIN TO BE ASSISTANT SECRETARY OF DEFENSE FOR DEMOCRACY AND PEACEKEEPING

Mr. KENNEDY. Mr. President, the nomination of Morton H. Halperin to be Assistant Secretary of Defense for Democracy and Peacekeeping is currently pending before the Armed Services Committee. I welcome this nomination, and look forward to Dr. Halperin's confirmation.

Those of us who have worked with Mort Halperin in the past know that our Nation will benefit from having such an intelligent, creative, hardworking individual in this important leadership post.

The position for which Dr. Halperin has been nominated, Assistant Secretary of Defense for Democracy and Peacekeeping, is a new position created in the Defense Department to deal with the dramatic global changes since the end of the cold war. With the fall of communism, the long-term security of our Nation will depend heavily on our success in promoting democracy and stability in the international community.

Dr. Halperin has the experience and the knowledge to play a key role in developing a sensible policy for conducting and supporting peacekeeping operations, providing humanitarian assistance, and formulating new means for promoting democracy, thereby preventing threats to the United States before they develop.

Mort Halperin has outstanding career credentials that attest to his ability to serve in the position for which he has been nominated. Currently a senior associate at the Carnegie Endowment for International Peace, Dr. Halperin is also Baker professor in the Elliot School of International Affairs of the George Washington University. He has taught at Harvard, Yale, Columbia, and MIT, and he has written extensively on defense policy, international affairs, and arms control.

Dr. Halperin has served in the Government as senior staff member of the National Security Council under President Nixon, and prior to that as Deputy Assistant Secretary of Defense for International Security Affairs under President Johnson, for which he won the Meritorious Civilian Service Award from the Department of Defense.

Despite his credentials, despite his impressive service to our Nation in the past, and despite the confidence expressed in him by the President and the Secretary of Defense that he will serve the Nation proudly, some Members of this body have chosen to oppose the nomination of Dr. Halperin before he has even had this hearing in the Armed Services Committee, without knowing all the facts, and without allowing Dr. Halperin an opportunity to answer questions about his record and his views.

An example of this situation occurred on the floor today. The Senator from South Carolina cited press reports, based on an unnamed source, stating that Dr. Halperin had advised Secretary Aspin against sending armored forces to Somalia to reinforce our troops there over the past month. The Senator went as far as to assign partial blame to Dr. Halperin for the tragedy in Somalia this past weekend.

After the Senator's statement this afternoon, a member of my staff spoke to Dr. Halperin, and questioned him directly on the reports about advice he provided to the Secretary. Dr. Halperin stated categorically that he had been in no way involved in the decision as to whether the Department of Defense would order additional armored forces to Somalia.

To me, this fact is a stunning example of why all Members deserve to hear the full story about Dr. Halperin straight from Dr. Halperin. The Armed Services Committee will give him that opportunity, and I urge all Senators to await the committee's action. In the meantime, Senators should be aware that Dr. Halperin has the strong support of many eminent Americans and I ask unanimous consent that a list of these individuals, leaders in the field of American security, may be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

MEMBERS OF THE DEFENSE AND INTELLIGENCE COMMUNITIES WHO HAVE ENDORSED MORTON H. HALPERIN

Former Secretaries of State: Cyrus Vance, Edmund P. Muskie.

Former Secretaries of Defense: Robert S. McNamara, Clark Clifford, Elliot Richardson, Harold Brown.

Former Deputy Secretary of Defense and Ambassador Paul H. Nitze.

Former Directors of Central Intelligence: William E. Colby, Admiral Stansfield Turner (USN Ret.).

Former Deputy Director of CIA for Intelligence (and former Director of the Department of State Policy Planning Staff) Robert R. Bowie.

Former Special Assistant to the President for National Security Affairs McGeorge Bundy.

Former Deputy Special Assistants to the President for National Security Affairs: Carl Kaysen, Francis M. Bator.

Former Head of the Institute for Defense Analyses General W. Y. Smith (USAF Ret.).

Lieutenant General Robert E. Pursley (USAF Ret.).

Former Ambassadors: Raymond Garthoff (to Bulgaria), Donald F. McHenry (to the United Nations), James F. Leonard (to the United Nations), Ralph Earle II (to Salt II and Director of ACDA), Arthur Hartman (to the Soviet Union), Jonathan Dean (to MBFR Talks).

Congressman Howard L. Berman (Chairman, Subcommittee on International Operations of the Committee on Foreign Affairs).

Former Congressman Stephen Solarz.

Former Undersecretary of the Navy David E. McGiffert.

Former Undersecretary of the Air Force (and Deputy Assistant Secretary of ISA in DoD) Townsend Hoopes.

Former Assistant Secretaries of Defense: Lawrence J. Korb, Ambassador Paul C. Warnke (and Director of US ACDA).

Former Deputy Assistant Secretaries of Defense: Richard C. Steadman, Laurence S. Finkelstein.

Former Deputy Director, US ACDA, Spurgeon M. Keeny, Jr.

Former Assistant Director of the US ACDA (and Chairman of the Board, The Henry L. Stimson Center) Barry Blechman.

Former Senior Staff Member, National Security Council, Jan M. Lodal.

Editor, Foreign Policy Magazine, Charles William Maynes.

President, The Henry L. Stimson Center, Michael Krepon.

Professor, U.S. Naval Academy, George Quester.

ADJOURNMENT OF THE TWO HOUSES OVER THE COLUMBUS DAY HOLIDAY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 161, a concurrent resolution providing for adjournment of the House and Senate, just received from the House, that the concurrent resolution be agreed to, and the motion to reconsider laid upon the table. And I am authorized to state this request has been cleared with the Republican leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the concurrent resolution (H. Con. Res. 161) was agreed to, as follows:

H. CON. RES. 161

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, October 7, 1993, or Friday, October 8, 1993, pursuant to a motion made by the majority leader or his designee, it stand adjourned until noon on Tuesday, October 12, 1993, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, October 7, 1993, pursuant to a motion made by the majority leader or his designee, in accordance with this resolution, it stand recessed or adjourned until noon on Wednesday, October 13, 1993, or at such time as may be specified by the majority leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

EXECUTIVE SESSION

THE EXECUTIVE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the following nominations: Calendar Order Nos. 367, 377, 378, 379, 380, 381, 382, 403, 404, 406, 407, 408, 409, 410, 412, 416, 417, 418, 419, 421, 422, 430, 431, 432, 444, 445, 446, 447, 448, 449, 450, and all nominations placed on the Secretary's desk in the Coast Guard and Foreign Service.

I further ask unanimous consent that the nominees be confirmed en bloc; that any statements appear in the RECORD as if read; that upon confirmation, the motions to reconsider be laid upon the table, en bloc; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF ENERGY

Tara Jeanne O'Toole, of Maryland, to be an Assistant Secretary of Energy (Environment, Safety and Health), vice Paul L. Ziemer, resigned.

DEPARTMENT OF STATE

John D. Negroponte, of New York, a career member of the Senior Foreign Service, class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines.

EXECUTIVE OFFICE OF THE PRESIDENT

John Roggen Schmidt, of Illinois, for the rank of Ambassador during his tenure of service as the Chief U.S. Negotiator to the Uruguay round.

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Margaret V.W. Carpenter, of California, to be an Assistant Administrator of the Agency for International Development.

Carol J. Lancaster, of the District of Columbia, to be Deputy Administrator of the Agency for International Development.

ASIAN DEVELOPMENT BANK

Linda Tsao Yang, of California, to be U.S. Director of the Asian Development Bank, with the rank of Ambassador.

DEPARTMENT OF ENERGY

Daniel A. Dreyfus, of Virginia, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Mary Jo Bane, of Massachusetts, to be Assistant Secretary for Family Support, Department of Health and Human Services.

Shirley Sears Chater, of Texas, to be Commissioner of Social Security.

THE JUDICIARY

Herbert L. Chabot, of Maryland, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office. (Reappointment)

DEPARTMENT OF STATE

Roger R. Gamble, of Virginia, a career member of the Senior Foreign Service, class of minister-counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.

William Dale Montgomery, of Pennsylvania, a career member of the Senior Foreign Service, class of counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bulgaria.

Richard A. Boucher, of Maryland, a career member of the Senior Foreign Service, class of counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

Peter F. Romero, of Florida, a career member of the Senior Foreign Service, class of counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

Parker W. Borg, of Minnesota, a career member of the Senior Foreign Service, class of minister-counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iceland.

Thomas Michael Tolliver Niles, of Kentucky, a career member of the Senior Foreign Service, class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

Edward Joseph Perkins, of Oregon, a career member of the Senior Foreign Service, class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Australia.

William Lacy Swing, of North Carolina, a career member of the Senior Foreign Service, class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti.

Richard W. Teare, of Ohio, a career member of the Senior Foreign Service, class of minister-counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Papua New Guinea and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Solomon Islands and Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

Theresa Anne Tull, of New Jersey, a career member of the Senior Foreign Service, class of minister-counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brunei Darussalam.

PEACE CORPS

Carol Bellamy, of New York, to be Director of the Peace Corps, vice Elaine L. Chao, resigned.

DEPARTMENT OF COMMERCE

David J. Barram, of California, to be Deputy Secretary of Commerce.

DEPARTMENT OF LABOR

Anne H. Lewis, of Maryland, to be an Assistant Secretary of Labor.

Katharine G. Abraham, of Iowa, to be Commissioner of labor Statistics, U.S. Department of Labor, for a term of 4 years vice Janet L. Norwood, term expired.

NATIONAL SCIENCE FOUNDATION

Neal F. Lane, of Oklahoma, to be Director of the National Science Foundation for a term of 6 years.

DEPARTMENT OF STATE

Madeleine Korbel Albright, of the District of Columbia, to be a Representative of the United States of America to the Forty-eighth Session of the General Assembly of the United Nations.

Edward S. Walker, Jr., of Maryland, to be an Alternate Representative of the United States of America to the Forty-eighth Session of the General Assembly of the United Nations.

Victor Marrero, of New York, to be an Alternate Representative of the United States of America to the Forty-eighth Session of the General Assembly of the United Nations.

Karl Frederick Inderfurth, of North Carolina, to be an Alternate Representative of the United States of America to the Forty-eighth Session of the General Assembly of the United Nations.

Sam Gejdenson, U.S. Representative from the State of Connecticut, to be a Representative of the United States of America to the Forty-eighth Session of the General Assembly of the United Nations.

William F. Goodling, U.S. Representative from the State of Pennsylvania, to be a Representative of the United States of America to the Forty-eighth Session of the General Assembly of the United Nations.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE COAST GUARD, FOREIGN SERVICE

Coast Guard nominations beginning Malcolm D. Stevens, and ending Patrick M. Gorman, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 7, 1993.

Coast Guard nominations beginning Gordon D. Garrett, and ending Joseph R. Castillo, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 14, 1993.

Coast Guard nominations beginning Jon D. Allen, and ending Robert M. Dean, IV, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 4, 1993.

Foreign Service nominations beginning Paul Snow Carpenter, and ending James G. Wallar, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 14, 1993.

STATEMENT ON THE NOMINATION OF DR. TARA J. O'TOOLE

Mr. JOHNSTON. Mr. President, the members of the Committee on Energy and Natural Resources have carefully examined the background and qualifications of Dr. Tara J. O'Toole, who has been nominated by President Clinton to be Assistant Secretary of Energy for Environment, Safety and Health.

There were some initial misgivings about memberships that Dr. O'Toole had listed on the official papers she provided to the committee. Dr. O'Toole met with many members of the committee, as did Secretary O'Leary. The vast majority of the committee was satisfied with Dr. O'Toole's explanations and impressed with her credentials. After a thorough hearing, the committee voted 18 to 2 to recommend her confirmation to the Senate.

Dr. O'Toole indicated in her Senate papers that she had been a member of a group that was referred to before Dr. O'Toole joined as Marxist-Feminist Group I. In the late 1970's this informal women's discussion group changed its name to Northeast Feminist Scholars. Dr. O'Toole did not join the group until several years later when she was in her medical residency at Yale. Having heard this explanation, most of the members of the committee were convinced that while it might have been smarter for Dr. O'Toole to list this group by its current name, she clearly is not a Marxist.

What Dr. O'Toole is, however, is highly qualified for this job.

The Assistant Secretary for Environment, Safety and Health is responsible for ensuring the health and safety of the public and the workers involved in the cleanup of the nuclear weapons complex.

Dr. O'Toole is a medical doctor with a speciality in occupational health. She received her medical degree from George Washington University, completed her residency at Yale University, and received a masters of public health from Johns Hopkins University.

For the past 4 years, Dr. O'Toole has studied the problems of the cleanup program of the Department of Energy as a senior analyst at the Congressional Office of Technology Assessment. She was a principal author of the study Complex Cleanup, outlining the problems of nuclear weapons complex cleanup. Dr. O'Toole was project director for the followup study, Hazards Ahead, about worker safety in the cleanup.

The cleanup of the nuclear weapons complex is one of the most costly and difficult jobs facing America today. Dr. O'Toole's specialized medical training and her professional background combine to make her a most qualified person to tackle the public health and occupational safety aspects of this problem.

STATEMENT ON THE NOMINATION OF TARA O'TOOLE

Mr. LOTT. Mr. President, today, we consider the nomination of Tara O'Toole, to be the Assistant Secretary for Environment, Safety and Health at the Department of Energy. It is a position of great importance and responsibility.

The nominee will be responsible for the nuclear safety policies and practices for 20,000 Federal workers and

146,000 DOE contractor employees. The nominee will establish and oversee all worker protection programs at DOE and investigate all serious accidents.

The power of the position is substantial. The nominee has the authority to determine and shutdown unsafe operations, at DOE military and civilian facilities. Moreover, the nominee independently oversees DOE compliance with State and Federal environmental laws.

The nominee will have substantial access to and influence over sensitive U.S. military and civilian nuclear programs.

It is a position directly related to national security. I want to emphasize that point to my colleagues. This nomination—to this position—should not be taken lightly. We should discharge our duties very, very carefully.

For the RECORD, the following insert outlines the responsibilities and authority of the Assistant Secretary of Environment, Health and Safety as described by the Department of Energy.

I ask unanimous consent that the outline be printed in the RECORD.

There being no objection, the outline was ordered to be printed in the RECORD, as follows:

THE OFFICE OF THE ASSISTANT SECRETARY FOR ENVIRONMENT, SAFETY AND HEALTH

The Office of the Assistant Secretary for Environment, Safety and Health:

Establishes occupational health and safety policies, including nuclear safety policies and practices, for 20,000 federal workers and 146,000 DOE contractors employees.

Provides independent oversight of the adequacy of Department of Energy (DOE) field office and contractor environment, health and safety programs at DOE facilities.

Is the only organization that independently oversees the adequacy of worker protection programs at DOE. (DOE is exempted from inspections and enforcement of regulations by the Occupational Safety and Health Administration by virtue of its authority under the Atomic Energy Act of 1954.)

Investigates all serious accidents at DOE facilities.

Has authority to shutdown unsafe operations at DOE facilities.

Provides independent oversight of DOE compliance with state and federal environmental laws.

Mr. LOTT. Mr. President, in this context, we need to examine the nominee's experience and the organizations to which she joined as a member. We need to understand the nominee's views on nuclear energy and how she will carry out her responsibilities.

I have very serious reservations over the qualifications of the nominee. There are three serious shortcomings. First, the nominee's lack of managerial experience.

Second, in a position so critical to national security, her membership and participation with certain groups cause great concern.

And third, her memberships in environmental organizations which oppose any form of nuclear energy and actively practice civil disobedience to oppose nuclear energy and storage. This leads me to additional questions on the nominee's agenda and objectivity.

I believe that it is critical that the Senate and the American public understand the nominee's background, experience, and views which will affect our national policy and security.

I would also like to address what appears to be the administration's attempts to silence legitimate discussion concerning this nomination. The following is an excerpt from the administration:

> Spurious charges have been leveled against Dr. Tara O'Toole that harken back to the McCarthy era.

There we have the defense but no real informative discussion. Anyone who raises legitimate questions concerning the nominee is smeared by the McCarthy label. It is a time-honored tradition, but brought to a new high in the era of political correctness—such charges stop needed, healthy debate. In this case, it is clearly an attempt to stifle any debate on policy implications and national security—it is an undignified diversion.

Having said that, I would like to take this opportunity, for the record, to outline my concerns over this nominee. The first is over the nominee's ability to manage the size of the organization for which the nominee will be responsible.

No one questions the nominee's academic qualifications, her credentials as a physician or as a researcher. However, this position requires extensive managerial skill and expertise which is not reflected in the material submitted to the committee. The Assistant Secretary for Environment and Health is directly responsible for managing and administering an organization of approximately 400 employees—which in turn oversees and affects the policies and practices of 20,000 DOE employees and 146,000 contract employees.

The nominee comes to the Department at a time when the ability to create effective organizational structures and systems is critical to successfully meet the complex challenges of cleaning up DOE facilities.

However, the area which causes me the greatest concern is not the lack of managerial experience, but the nominee's memberships in various organizations and the positions and views of those organizations.

We define ourselves by the groups or organizations to which we belong. If one joins the Republican or Democratic Party, for the most part, it is because of a shared set of political beliefs with one of the parties. If a person joins a church, it is because they share a common set of beliefs or faith with members of that church. At the same time, people usually do not join a group or organization if they disagree or do not share its views or beliefs.

As a result, this body has, on many occasions, concluded that membership in certain organizations is an important consideration in determining whether a nominee is fit for office or confirmation. For example, if someone belongs to an organization or club which discriminates on the basis of religion, race, or gender, it is assumed that such association reflects that nominee's views. If such views are at odds with our stated national policies and objectives, it can serve to disqualify that person from holding a public position.

I believe it is reasonable to continue looking at one's memberships in trying to determine whether a nominee is right for the job.

I ask unanimous consent to print in the RECORD the committee form which the nominee filled out listing her various memberships.

There being no objection, the form was ordered to be printed in the RECORD, as follows:

U.S. SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Addendum to Statement for Completion by Presidential Nominees.

Nominee: Tara O'Toole.

Position to which nominated: Assistant Secretary of Energy for Environment, Safety and Health.

EMPLOYMENT RECORD

Occupational Medicine Fellow, Johns Hopkins University School of Public Health, Johns Hopkins Hospital, Baltimore, Maryland: 7/88–7/89.

Senior Analyst, U.S. Congress Office of Technology Assessment, Oceans and Environment Program, 600 Pennsylvania Avenue, S.E., Washington, D.C.: 8/89–Present. Analyst and contributing author responsible for those aspects of 1991 OTA report "Complex Cleanup" that dealt with potential off-site health impacts of contamination at DOE facilities. Project director of "Hazards Ahead," 1993 OTA report that addressed health and safety threats faced by cleanup workers at DOE facilities. Member of team conducting OTA study of environment, safety and health aspects of nuclear weapons dismantlement in U.S. and in Russia. (This report will be released in Fall 1993.)

Professional Memberships (all memberships—no offices held): American Public Health Association: 1977–present; Association of Occupational and Environmental Health Clinics: 1989–present; Society for Occupational and Environmental Medicine: 1989–present; American College of Occupational and Environmental Medicine: 1987–present; Society for Research and Education in Primary Care Medicine: 1984–87; American College of Physicians: 1984–87; American Association for the Advancement of Science: 1988–present; American Medical Women's Association: 1992–93.

Social, Charitable and Civic Memberships (all memberships—no offices held): Women's Housing Coalition, Baltimore, Maryland: 1990–present; Natural Resources Defense Council: 1989–present; Greenpeace: 1989–1992; Sierra Club: approx. 1990–91; Environmental Defense Fund: approx. 1990–92; National Abortion Rights Action League: 1989–present; Central American Health Network: 1988–1992; Marxist/Feminist Group: present; Physicians for Social Responsibility: 1979–

present; Physicians for Reproductive Health: 1990–92; George Washington University School of Medicine Alumni Fund: 1991–present; Physicians for a National Health Care Plan: 1990–present; WETA: 1990–present.

Mr. LOTT. Mr. President, in filling out the forms for the confirmation process, the nominee submitted, that she belonged to an organization called the Marxist/Feminist Group. No one else wrote that down. It is not something others cooked up. Moreover, she listed herself as a present member.

According to the nominee's affidavit, the nominee joined the group in 1981 and continued as a member through 1993. It is not something the nominee did back in the hey day of the late 1960's or early 1970's—or in period of youthful idealism. No, she listed herself as a current member.

The administration's defense is that the name of this group had changed 3 years prior to the nominee joining the group in 1981. If that is the case, why did the nominee not submit the name of the group as the Northeast Feminist Scholars [NFS] instead of the Marxist/Feminist Group?

In truth, the group continued to go by the name the Marxist/Feminist Group—if not formally, at least informally.

Now, the nominee claims that even though she joined an organization called the Marxist/Feminist Group, she did not endorse marxism nor did she assume anyone else in the group endorsed marxism.

My question is, if one does not believe or never believed in marxism to some degree, why would anyone join anything called the Marxist/Feminist Group?

For the record, the White House response to Senators JOHNSTON and WALLOP, Dated July 6, 1993, makes some rather unbelievable statements.

For example:

> Dr. O'Toole has never endorsed marxist theory, nor has she ever had the impression that any other members of the Northeast Feminist Society [NES] (Marxist/Feminist Group) held such beliefs.
>
> Dr. O'Toole never assumed that membership in NFS (Marxist/Feminist Group) would suggest to anyone that she endorsed marxism.

In this case, it is hard to believe that she, at some time, did not believe, to some degree, in marxism. The administration's defense seems disingenuous at best. It strains reasonable credibility.

It would be more credible to say:

> Yes, I did try marijuana and I did inhale, or yes, I once believed in marxism, but now I neither smoke marijuana nor believe in marxism.

The nominee also submitted that she belonged to an organization called the Central American Health Network from 1988 through 1992. The nominee's membership in this organization, combined with her membership in the marxist feminist organization, raise additional questions, as to her underlying beliefs and views in relation to national and public policy.

It also begins to establish a pattern of the nominee joining organizations which oppose and disagree with U.S. military and nuclear policy.

The Central American Health Network was established in 1983, in large part due to the group's opposition to United States policy in Nicaragua, Guatemala, and El Salvador.

The network was nonprofit and humanitarian. It delivered medical supplies and helped upgrade primary care in these three countries.

I do not question the nature of what the organization was trying to do. However, the group's bias and judgment is open to question.

The organization worked through the Sandinista Ministry of Health in Nicaragua from 1983 to the present time. However, in Guatemala and El Salvador, the health network refused to work with the governments of either country. Their position is understandable considering the human rights violations of Guatemala and El Salvador during that period.

However, it is hard for me to understand why the human rights abuses and violations in Guatemala and El Salvador are any less offensive than the gross abuses and violations occurring during that same period in Nicaragua.

The network's cooperation and work through the Sandinista government prior to free elections appears to be an implicit endorsement of that regime and rejection of U.S. policy. Likewise, their refusal to work with the anti-Marxist governments and ministries in El Salvador and Guatemala is a condemnation of both countries and the United States alliance with those countries.

In my view, if their objective was only humanitarian, a more appropriate position would have been to condemn the abuses occurring in all three countries and to work only through nongovernmental entities.

However, it appears, based on its actions and from discussions with the Central American Health Network, that the organization was more favorably inclined to support the Marxist regimes and movements of the region—and to oppose both U.S. policy and the regional nonmarxist governments.

In addition, I have strong reservations of confirming someone to this position who has belonged to an organization which opposes all forms of nuclear energy and the storage of nuclear waste.

The nominee lists membership in Greenpeace from 1989 to 1992. During that period of time, Greenpeace so strongly opposed nuclear energy and storage that it practiced civil disobedience in opposition.

There is probably no greater issue of national importance at the Department of Energy than the resolution of how to safely store the Nation's military and civilian nuclear waste. I am greatly concerned that the nominee may come with such biases that these efforts could be jeopardized.

And so a legitimate question is, How can this nominee objectively approach the very complex issues of nuclear weapons, power, and cleanup without a bias or agenda which may work against the national security interest.

In summary, these memberships, not only the ones I have mentioned, but the other memberships listed by the nominee, suggest a predisposition for extremism and radicalism. In my view, this position is too sensitive, too complex, and the risks too high to confirm such a nominee.

I do believe that the nominee has noble intentions; however, I fear the nominee would approach her assignments from a fundamentally flawed framework.

Consequently, I cannot support or consent to this confirmation. My purpose today is to establish the record as to why I am opposing this nominee.

I hope I am proven wrong. The Secretary of Energy strongly supports the nominee as do other members of the Energy Committee. These are endorsements on which I place great value.

But, ultimately, the President and the Secretary of Energy are responsible and will be held accountable. They must ensure that our energy policy promotes the Nation's energy and security interest—they must ensure that this nominee carries out such policies and not an agenda which would work against the Nation's best interest.

STATEMENT ON THE NOMINATION OF DANIEL A. DREYFUS

Mr. WALLOP. Mr. President, I rise in support of the nomination of Dr. Daniel Dreyfus to be Director of the Office of Civilian Radioactive Waste Management for the Department of Energy.

We are fortunate indeed that such a talented and dedicated public servant is willing to take on the difficult and controversial task of overseeing the long-term management and disposal of this Nation's nuclear waste. Dr. Dreyfus' engineering training, his familiarity with the scientific issues which will be facing him, and his ability to deal with the political obstacles that exist, uniquely qualify him for this position.

Dr. Dreyfus has had a long career in the area of energy policy and planning. His years of Government experience, both with the Senate Energy and Natural Resources Committee and with the Department of the Interior, as well as his private sector experience, have prepared him well to take on the extremely important and challenging responsibilities of the Office of Civilian Radioactive Waste Management.

Mr. President, I believe Dan Dreyfus will be a great asset to the Department of Energy, and I urge my colleagues to support his nomination.

STATEMENT ON THE NOMINATION OF DAVID R. BARRAM

Mr. HOLLINGS. Mr. President, I am pleased that the Senate is considering the nomination of David R. Barram for the position of Deputy Secretary of Commerce. The Committee on Commerce, Science, and Transportation held Mr. Barram's confirmation hearing on September 15, 1993, and reported his nomination on October 6, 1993.

Traditionally, the Deputy Secretary of Commerce has served as the Department's chief operating officer, or its internal manager. Management of the Department of Commerce [DOC] operations covers a wide range of complex activities, from the development of trade, technology, and telecommunications policy to oceans and atmospheric issues. While directing DOC has always been challenging, the Department's diverse programs are particularly important today as the world focuses more closely on economic competition and new international alliances.

On the edge of the 21st century, DOC stands as the lead Federal agency for major economic and technology initiatives. The operation of these diverse programs with tighter budgets requires an innovative and experienced manager.

Mr. Barram has such experience. He has a long and distinguished career managing world-class high-technology companies such as Apple Computer, Silicon Graphics, and Hewlett-Packard. His accomplishments and talents are familiar to many of my colleagues in the Senate.

Most recently, Mr. Barram held the position of vice president and chief financial officer of Apple Computer, Inc. During his tenure, he was involved in several reorganizations of the company intended to ensure that the company could compete in the ever-changing high-technology marketplace. Prior to his position with Apple Computer, Inc., Mr. Barram served as the first chief financial officer of Silicon Graphics.

In addition, Mr. Barram has demonstrated a commitment to advancing educational goals and is a member of the board of directors for the National Center on Education and the Economy, a nonprofit organization. He has served on the State of California Schools Operations Committee and has authored articles on education and business.

Mr. Barram graduated from Wheaton College with a bachelor of arts in 1965 and received his master's degree in business administration from Santa Clara University in 1973.

Mr. Barram's expertise in managing premiere high-technology firms will be an asset to DOC and to the administration. Therefore, I urge my colleagues to support the President's nomination of David R. Barram to be the Deputy Secretary of Commerce.

DEPARTMENT OF THE ARMY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the following nomination reported today by the Armed Services Committee: Gen. George A. Joulwan, to be general; I further ask unanimous consent that the nominee be confirmed; that any statements appear in the RECORD as if read; that upon confirmation, the motion to reconsider be laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination, as confirmed, is as follows:

IN THE ARMY

The following named officer for reappointment to the grade of general while assigned to a position of importance and responsibility under title 10, United States Code, section 601(a):

To be general

Gen. George A. Joulwan, xxx-xx-xxxx, U.S. Army.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

REPEALING OF REQUIREMENT THAT UNDER SECRETARY FOR HEALTH IN THE DEPARTMENT OF VETERANS AFFAIRS BE A DOCTOR OF MEDICINE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1534, relating to a repeal of a requirement that the Under Secretary for Health in the Department of Veterans Affairs be a doctor of medicine, introduced earlier today by Senators ROCKEFELLER and MURKOWSKI; that the bill be read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relative to the passage of this item appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 1534) was deemed read three times and passed, as follows:

S. 1534

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF REQUIREMENT THAT UNDER SECRETARY OF VETERANS AFFAIRS FOR HEALTH BE A DOCTOR OF MEDICINE.

(a) REPEAL.—Subsection (a)(2) of section 305 of title 38, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking out "shall be a doctor of medicine and"; and

(2) in subparagraph (A)—

(A) by striking out "in the medical profession,"; and

(B) by striking out the comma after "policy formulation".

(b) TECHNICAL CORRECTION.—Subsection (a)(1) of such section is amended by striking out "a Under Secretary" and inserting in lieu thereof "an Under Secretary".

QUALIFICATIONS FOR VA'S UNDER SECRETARY FOR HEALTH

Mr. ROCKEFELLER. Mr. President, I am delighted that the Senate is acting on this bill which I introduced, along with my good friend, the ranking minority member on the Committee on Veterans' Affairs, Senator MURKOWSKI. This legislation would modify current law so as to allow the Under Secretary for Health of the Department of Veterans Affairs to be other than a medical doctor. Under current law, section 305 of title 38, United States Code, which dates from 1946, the Under Secretary for Health must be a doctor of medicine.

Mr. President, proposals to change this current law limitation have been discussed for a number of years but have never moved forward. I believe that there are two compelling reasons for now taking action on this proposal—one immediate and one more long term.

Mr. President, the longer term and more important, reason for supporting this change in law is related to the future of the VA health care system as we embark upon national health care reform. I am satisfied that the President's proposal, under which VA will be allowed to compete with other providers for patients from among the veteran population, is the right way for VA to go. Were VA to remain outside of the future health system, I believe that it would be very detrimental to the system's long term survival. However, for VA to be competitive in the coming competitive environment, there will have to be some significant changes in how the system is managed and marketed.

As Secretary of Veterans Affairs Jesse Brown said in his letter transmitting this legislation, which I will place in the RECORD at the conclusion of my remarks, "The position of Under Secretary for Health is that of an executive. An individual serving in the position must possess health care management skills, and must be capable of developing and directing implementation of health care policy." I agree completely with this view and also agree with Secretary Brown's further statement that "[m]any very capable and experienced persons who have these skills do not also possess the degree of doctor of medicine."

Mr. President, the more immediate reason for making this change relates to the compelling need to find a highly qualified candidate to fill the currently vacant position of Under Secretary for Health. The process to find someone for this position began early this year. The search committee that was established to find a candidate screened a large number of applications from M.D.'s, but, of the four individuals finally selected, none was available for nomination to the position.

Mr. President, while I am satisfied that the search process was carried out in an appropriate manner and that there were some highly qualified candidates among those screened by the search committee, the fact is that there is no nominee for this critical position many months after it was known that the position would be open. The process must go forward as soon as possible to identify further candidates.

As consideration has been given to how to proceed further with this search, VA proposed amending the law so as to remove the requirement that the Under Secretary be an M.D., thereby allowing VA to solicit applications from a wider pool of potential applicants. The anticipation is that this change will generate interest in the position from among VA non-M.D. managers as well as non-M.D.'s involved with other health systems.

Mr. President, although I would think that it would be clear, let me state unequivocally that I am not antiphysician nor should this legislation be viewed this way. I have the highest regard for those who are doctors of medicine and would be quite happy to have the President nominate an M.D. to be the next Under Secretary for Health. At the same time, I do not believe that only a physician can fill that position.

Mr. President, I plan to work, along with Senator MURKOWSKI, other members of our committee, and our colleagues in the House, to gain final enactment of this legislation in the near future.

Mr. President, I ask unanimous consent that the September 16, 1993, letter from Secretary Brown, which transmitted this legislation to the Senate, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SECRETARY OF VETERANS AFFAIRS,
Washington, September 16, 1993.

Hon. AL GORE,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: We are transmitting a draft bill, "To amend title 38, United States Code, to delete a requirement that the Under Secretary for Health in the Department of Veterans Affairs be a doctor of medicine."

The Under Secretary for Health in the Department of Veterans Affairs is the head of VA's Veterans Health Administration, and is responsible for administering a health care system consisting of 171 medical centers, 371 outpatient clinics, 131 nursing homes, and 36 domiciliaries. The Veterans Health Administration employs over 200,000 individuals, and its budget for Fiscal Year 1993 was just under $15 billion. The position of Under Secretary for Health is that of an executive. An individual serving in the position must possess health care management skills, financial management and budgeting skills, and must be capable of developing and directing implementation of health care policy. Many very capable and experienced persons who have these skills do not also possess the degree of doctor of medicine, and are excluded from serving as the Under Secretary. Such persons include the heads of many large health care institutions. This draft bill would permit consideration of those individuals.

VA estimates that there would be no cost associated with enactment of the draft bill.

The Office of Management and Budget advises that there is no objection from the standpoint of the administration's program to the submission of this legislative proposal to the Congress.

Sincerely yours,

JESSE BROWN.

Mr. MURKOWSKI. Mr. President, I am pleased to join with the chairman of the Committee on Veterans' Affairs, Senator ROCKEFELLER, in introducing legislation which would allow a nonphysician to serve as VA's Under Secretary of Health.

Current law requires that the position be filled by a medical doctor. This bill would eliminate that requirement and instead allow the President to appoint, and the Senate to confirm, a woman or man who is not a physician. Of course, the legislation would not preclude the nomination, confirmation and service of a physician should the President select a physician for the office.

The Under Secretary for Health is responsible to the Secretary of Veterans Affairs, the President, the Congress, and ultimately the American people for the health care provided to America's veterans by the Department of Veterans Affairs. He or she will serve as the head of the Veterans Health Administration, an organization of 200,000 health care providers operating through a system of 171 medical centers, 371 outpatient clinics, 131 nursing homes, and 36 domiciliaries. He or she will be given stewardship of a budget of approximately $16 billion in the year to come. Each day finds approximately 85,000 veterans as patients in a VA facility. Each year, VA provides over 23 million outpatient visits.

The Under Secretary for Health faces one of the most challenging missions in the Federal Government. Many, perhaps most, of these challenges are not just the challenges of medicine. They are instead the challenges inherent in the leadership of such a widespread, complex organization. To be sure, some of the challenges are the challenges of the clinical practice of medicine. To be successful, the Secretary of Veterans Affairs must be able to call upon a VA leadership team with expertise and skill in both medicine and management.

This legislation will allow the President and Secretary to decide for themselves if the medical expertise is most needed at the under Secretary level as well as throughout the Veterans Health Administration. This legislation would allow VA the same freedom that private health care systems have to select the best possible person for their top leadership. This legislation would be one step toward implementing the goals of the Vice Presidents' effort to reinvent government by reducing statutory micromanagement of Federal personnel decisions. I urge my colleagues to join me in support of this legislation.

HIGHER EDUCATION TECHNICAL AMENDMENTS OF 1993

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 218, S. 1507, the Higher Education Technical Amendments bill; that the bill be read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements thereon appear in the RECORD at the appropriate place, as though read.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 1507) was deemed read three times and passed, as follows:

S. 1507

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Higher Education Technical Amendments Act of 1993".

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 2. EFFECTIVE DATE FOR PELL GRANTS FOR INCARCERATED INDIVIDUALS.

Section 410 of the Higher Education Amendments of 1992 (20 U.S.C. 1070a note) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

"(2) that the changes made in section 401(b)(8)(B), relating to Federal Pell Grants for incarcerated individuals, shall apply to the awarding of Federal Pell Grants for periods of enrollment on or after July 1, 1996;".

SEC. 3. BASIC EDUCATIONAL OPPORTUNITY GRANTS.

The second sentence of section 401(a)(1) (20 U.S.C. 1070a(a)(1)) is amended by inserting ", except that this sentence shall not be construed to limit the authority of the Secretary to place an institution on a reimbursement system of payment" before the period.

SEC. 4. EARLY INTERVENTION APPLICATION.

Section 404G (20 U.S.C. 1070a-27) is amended—

(1) in the first sentence, by striking "an appropriation" and inserting "to be appropriated"; and

(2) by striking the second sentence.

SEC. 5. INTEREST RATES FOR NEW BORROWERS AFTER OCTOBER 1, 1992.

The matter preceding subparagraph (A) of section 427A(e)(1) (20 U.S.C. 1077a(e)(1)) is amended by inserting "(other than a loan made, insured or guaranteed under section 428A)" after "this part".

SEC. 6. FORBEARANCE CLARIFICATION.

Subparagraph (A) of section 428(c)(3) (20 U.S.C. 1078(c)(3)(A)) is amended by striking "for the benefit of the student borrower serving in a medical or dental internship or residency program".

SEC. 7. UNSUBSIDIZED LOAN INTEREST RATES.

Paragraph (4) of section 428H(e) (20 U.S.C. 1978–8(e)(4)) is amended by striking "427A(e)" and inserting "427A".

SEC. 8. PRESERVATION OF BORROWER CLAIMS AS DEFENSES.

Paragraph (1) of section 432(m) (20 U.S.C. 1082(m)(1)) is amended by adding at the end the following new subparagraph:

"(E) PRESERVATION OF BORROWER CLAIMS AS DEFENSES.—

"(i) The promissory note prescribed by the Secretary shall include the following provision:

"'ANY HOLDER OF THIS NOTE IS SUBJECT TO ALL CLAIMS AND DEFENSES WHICH I COULD ASSERT AGAINST THE SCHOOL IF (1) THIS LOAN IS MADE BY THE SCHOOL OR (2) THE PROCEEDS OF THIS LOAN ARE USED TO PAY TUITION AND CHARGES OF A SCHOOL THAT REFERS LOAN APPLICANTS TO THE LENDER, OR THAT IS AFFILIATED WITH THE LENDER BY COMMON CONTROL, CONTRACT OR BUSINESS ARRANGEMENT. MY RECOVERY UNDER THIS PROVISION SHALL NOT EXCEED THE AMOUNT I PAID ON THIS LOAN.'

"(ii) For purposes of this subparagraph—

"(I) an institution shall be considered to refer loan applicants to a particular lender if the institution urges, suggests, or otherwise recommends that loan applicants borrow from the lender and the lender is on notice of such recommendation by the institution at the time the loan is made, unless the institution does no more than identify the lender as an available source of student loans; and

"(II) a business arrangement exists if the lender and the institution agree to engage in cooperative activity with regard to the making of loans for students in attendance at the institution, except for activity specifically and expressly required by this Act or regulations issued by the Secretary.

"(iii) Notwithstanding the provisions of section 433.2 of title 16, Code of Federal Regulations, the provisions of clauses (i) and (ii) shall apply to all loans made, insured or guaranteed under this part.".

SEC. 9. COHORT DEFAULT RATE.

(a) FINDINGS.—The Congress finds that—

(1) many institutions of higher education with high cohort default rates have avoided or sought to avoid loss of eligibility under the Federal Family Education Loan Program by alleging improper servicing or collection of the defaulted loans taken into account in determining their default rates;

(2) institutions of higher education bear a fair share of the blame for the increased level of defaults in such program;

(3) since a borrower remains responsible for paying on a loan even if there is improper loan servicing or collection it would not be fair to forgive the institution of higher education for the default based on such errors, and exclusion of such loans would result in a misleading cohort default rate which is not reflective of the institution's performance;

(4) providing institutions of higher education with access to servicing or collection records relating to loans taken into account in determining the institution's cohort default rate, for the purpose of appealing the loss of eligibility, would frustrate the statutory purpose of reducing student loan defaults because collection and review of the records could not be completed within the statutory time frames for such review; and

(5) it is unnecessary to afford institutions of higher education such access to loan records because the statutory threshold percentages for loss of eligibility due to high cohort default rates are substantially above the preferred level of such rates for eligible institutions.

(b) SIMPLIFICATION OF DEFINITION OF COHORT DEFAULT RATE.—Subparagraph (B) of section 435(m)(1) (20 U.S.C. 1085(m)(1)(B)) is amended by striking all beginning with ", and," through "calculation of the cohort default rate".

(c) EFFECTIVE DATE AND SAVINGS PROVISION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (b) shall be effective on the date of enactment of this Act and shall apply to all determinations made by the Secretary under section 435(m)(1)(B) of the Higher Education Act of 1965 on or after that date, including determinations made on or after such date for fiscal years for which the Secretary made determinations under such section prior to such date.

(2) SAVINGS PROVISION.—The amendment made by subsection (b) shall not affect a determination of institutional eligibility made before the date of enactment of this Act.

SEC. 10. FEDERAL WORK-STUDY PROGRAMS.

Paragraph (5) of section 443(b) (20 U.S.C. 2753(b)(5) is amended to read as follows:

"(5) provide that the Federal share of the compensation of students employed in the work-study program in accordance with the agreement shall not exceed 75 percent for academic year 1993–1994 and succeeding academic years, except that the Federal share may exceed such amounts of such compensation if the Secretary determines, pursuant to regulations promulgated by the Secretary establishing objective criteria for such determinations, that a Federal share in excess of such amounts is required in furtherance of the purpose of this part;".

SEC. 11. COST OF ATTENDANCE.

Section 472 (20 U.S.C. 1087ll) is amended—

(1) in paragraph (10), by striking "and" after the semicolon;

(2) in paragraph (11), by striking the period and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(12) for a student who receives a loan under part B or D of this title (or on whose behalf the parent of such student receives a loan under section 428B or part D), an allowance for the actual cost of any loan fee, origination fee, or insurance premium charged to such student or such parent on such loan, or the average cost of any such fee or premium charged by the Secretary, eligible lender, or guaranty agency making or insuring such loan, as the case may be.".

SEC. 12. CLARIFICATION REGARDING IRS FILINGS.

Section 479 (20 U.S.C. 1087ss) is amended—

(1) in subsection (b)(3)—

(A) in subparagraph (A), by inserting "(including any prepared or electronic version of such form)" before "required"; and

(B) in subparagraph (B), by inserting "(including any prepared or electronic version of such return)" before "required"; and

(2) in subsection (c)—

(A) by amending subparagraph (A) of paragraph (1) to read as follows:

"(A) the student's parents were not required to file an income tax return under section 6012(a)(1) of the Internal Revenue Code of 1986; and"; and

(B) by amending subparagraph (A) of paragraph (2) to read as follows:

"(A) the student (and the student's spouse, if any) was not required to file an income tax return under section 6012(a)(1) of the Internal Revenue Code of 1986; and".

SEC. 13. DISCRETION OF STUDENT FINANCIAL AID OFFICER.

Section 479A (20 U.S.C. 1087tt) is amended by adding at the end the following new subsection:

"(c) ADJUSTMENTS FOR SPECIAL CIRCUMSTANCES.—

"(1) IN GENERAL.—A student financial aid administrator shall be considered to be making an adjustment for special circumstances in accordance with subsection (a) if—

"(A) in the case of a dependent student—

"(i) such student received a Federal Pell Grant as a dependent student in academic year 1992–1993 and the amount of such student's Federal Pell Grant for academic year 1993–1994 is at least $500 less than the amount of such student's Federal Pell Grant for academic year 1992–1993; and

"(ii) the decrease described in clause (i) is the direct result of a change in the determination of such student's need for assistance in accordance with this part that is attributable to the enactment of the Higher Education Amendments of 1992; and

"(B) in the case of a single independent student—

"(i) such student received a Federal Pell Grant as a single independent student in academic year 1992–1993 and qualified as an independent student in accordance with section 480(d) for academic year 1993–1994, and the amount of such student's Federal Pell Grant for academic year 1993–1994 is at least $500 less than the amount of such student's Federal Pell Grant for academic year 1992–1993; and

"(ii) the decrease described in clause (i) is the direct result of a change in the determination of such student's need for assistance in accordance with this part that is attributable to the enactment of the Higher Education Amendments of 1992.

"(2) AMOUNT.—A financial aid administrator shall not make an adjustment for special circumstances pursuant to this subsection in an amount that exceeds one-half of the difference between the amount of a student's Federal Pell Grant for academic year 1992–1993 and the amount of such student's Federal Pell Grant for academic year 1993–1994.

"(3) ACADEMIC YEAR LIMITATION.—A financial aid administrator only shall make adjustments under this subsection for Federal Pell Grants awarded for academic years 1993–1994, 1994–1995, and 1995–1996.

"(4) SPECIAL RULE.—Adjustments under this subsection shall only be made in fiscal year 1993 if an Act that contains an appropriation for fiscal year 1993 to carry out this subsection is enacted on or after the date of enactment of the Higher Education Technical Amendments of 1993.".

SEC. 14. CORRESPONDENCE RULE WAIVER.

Subparagraph (B) of section 481(a)(3) (20 U.S.C. 1088(a)(3)(B)) is amended by inserting ", except that the Secretary, for good cause as determined by the Secretary, may deem a nonprofit institution that provides a 4-year or 2-year program of instruction for which such institution awards a bachelor's or associate's degree to be in compliance with the provisions of this subparagraph" before the semicolon.

SEC. 15. WAIVER OF ABILITY TO BENEFIT RULE FOR CERTAIN SCHOOLS.

Subparagraph (D) of section 481(a)(3) (20 U.S.C. 1088(a)(3)(D)) is amended by inserting ", except that the Secretary, for good cause as determined by the Secretary, may deem an institution that has entered into a contract with a Federal, State or local government entity to serve students described in section 484(d) to be in compliance with the provisions of this subparagraph" before the period.

SEC. 16. DEFINITION OF ACADEMIC YEAR.

Paragraph (2) of section 481(d) (20 U.S.C. 1088(d)(2)) is amended by inserting ", except that the Secretary may waive the 30-week requirement described in this paragraph for good cause as determined by the Secretary" before the period.

SEC. 17. TREATMENT OF UNCOMPENSATED FINANCIAL AID APPLICATION PREPARERS.

Subsection (f) of section 483 (20 U.S.C. 1090(f)) is amended by striking "the preparer of such financial aid application" and inserting "any individual who receives compensation from an applicant or an applicant's family for the purpose of preparing such financial aid application, and nothing in this paragraph shall be construed to require an individual who does not receive such compensation to include such information on such application".

SEC. 18. STUDENT ELIGIBILITY FOR FORMER TRUST TERRITORIES.

Subparagraph (B) of section 484(a)(4) (20 U.S.C. 1091(a)(4)(B)) is amended by inserting ", except that the provisions of this subparagraph shall not apply to students from the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau" after "number".

SEC. 19. DISCLOSURE OF COMPLETION OR GRADUATION RATE.

Subparagraph (A) of section 485(a)(3) (20 U.S.C. 1092(a)(3)(A) is amended by striking "beginning on July 1, 1993, and each year" and inserting "within 270 days after the date on which the Secretary issues final regulations implementing the provisions of this paragraph and each July 1".

SEC. 20. INDEPENDENCE OF ACCREDITING AGENCIES.

Subparagraph (A) of section 496(a)(3) (20 U.S.C. 1099b(a)(3)(A)) is amended by striking "subparagraph (A) of paragraph (2)" and inserting "clause (i) of paragraph (2)(A)".

SEC. 21. OPERATING PROCEDURES FOR ACCREDITING AGENCIES.

The matter preceding paragraph (1) of section 496(c) (20 U.S.C. 1099b(c)(1)) is amended by inserting "determining an institution of higher education's eligibility to participate in programs under" after "purpose of".

SEC. 22. FINANCIAL RESPONSIBILITY STANDARDS.

Subsection (c) of section 498 (20 U.S.C. 1099c(c)) is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "may" and inserting "shall"; and

(ii) by inserting "that provides a 2-year or 4-year program of instruction for which the institution awards an associate's or bachelor's degree" before "to be"; and

(B) by amending subparagraph (C) to read as follows:

"(C) such institution submits a report to the Secretary from an independent certified public accountant that certifies that the institution has sufficient resources to ensure against the precipitous closure of such institution, including the ability to meet all of such institution's financial obligations (including refunds of institutional charges and repayments to the Secretary for liabilities and debts incurred in programs administered by the Secretary); or"; and

(2) by adding at the end the following new paragraph:

"(6)(A) In carrying out the provisions of this subsection the Secretary shall establish financial responsibility standards that include requiring an institution of higher education to maintain an asset-to-liability ratio of 1:1.

"(B) For the purpose of computing an asset-to-liability ratio described in subparagraph (A) and paragraph (2), an institution—

"(i) may count as a current asset the equity (the difference between book cost and the mortgage owed) in facilities (land and buildings) owned and occupied by such institution and used to provide education and training services described in such institution's official publications;

"(ii) in the case of an application for recertification under this section, shall take into consideration the depreciation and current value of such facilities determined in accordance with a professional appraisal; and

"(iii) shall use the lesser value between the equity value and the current value of such facilities.".

SEC. 23. NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS.

Section 551 (20 U.S.C. 1107) is amended—

(1) in paragraph (1) of subsection (b), by striking "the Federal share of";

(2) in subparagraph (B) of subsection (e)(1), by striking "share of the cost of the activities of the Board is" and inserting "contributions described in subsection (f) are"; and

(3) by amending subsection (f) to read as follows:

"(f) MATCHING FUNDS REQUIREMENT.—

"(1) IN GENERAL.—The Secretary shall not provide financial assistance under this subpart to the Board unless the Board agrees to expend non-Federal contributions equal to $1 for every $1 of the Federal funds provided pursuant to such financial assistance.

"(2) NON-FEDERAL CONTRIBUTIONS.—The non-Federal contributions described in paragraph (1)—

"(A) may include all non-Federal funds raised by the Board on or after January 1, 1987; and

"(B) may be used for outreach, implementation, administration, operation, and other costs associated with the development and implementation of national teacher assessment and certification procedures under this subpart.".

SEC. 24. COOPERATIVE EDUCATION.

The matter preceding paragraph (1) of section 802(b) (20 U.S.C. 1133a(b)(1)) is amended by inserting "the Secretary shall reserve such amount as is necessary to make payments in such fiscal year, in accordance with section 802 of the Higher Education Act of 1965 (as such Act was in effect on July 22, 1992) to each institution of higher education that was, on the date of enactment of the Higher Education Amendments of 1992, operating a cooperative education program under such section pursuant to a multiyear award. Of the remainder of the amount appropriated in such fiscal year" after "fiscal year".

SEC. 25. PACIFIC REGIONAL EDUCATIONAL LABORATORY.

The matter preceding paragraph (1) of section 101A(b) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2311a(b)) is amended—

(1) by striking "Center for the Advancement of Pacific Education, Honolulu, Hawaii, or its successor entity as the Pacific regional educational laboratory" and inserting "Pacific Regional Educational Laboratory, Honolulu, Hawaii"; and

(2) by inserting "or provide direct services regarding" after "grants for".

SEC. 26. DISTRIBUTION OF FUNDS TO POSTSECONDARY AND ADULT PROGRAMS.

Section 232 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in the first sentence, by inserting "or consortia thereof" before "within"; and

(B) in the second sentence—

(i) by inserting "or consortium" before "shall"; and

(ii) by inserting "or consortium" before "in the preceding";

(2) in subsection (b)—

(A) in paragraph (1), by inserting "or consortia" after "institutions"; and

(B) in the matter preceding subparagraph (A) of paragraph (2), by inserting "or consortia" after "institutions"; and

(3) in subsection (c)—

(A) in paragraph (1), by inserting "or consortium" after "institution"; and

(B) in paragraph (2), by inserting "or consortia" after "institutions".

SEC. 27. GRADUATE PROGRAMS.

Notwithstanding any other provision of law, if an individual received multiyear fellowship assistance under part B, C, or D of title IX of the Higher Education Act of 1965 in fiscal year 1992, then the Secretary of Education shall apply the provisions of such parts (as such parts were in effect on July 22, 1992) for the remainder of the duration of such multiyear fellowship assistance.

SEC. 28. PATRICIA ROBERTS HARRIS FELLOWSHIP PROGRAM.

The Secretary of Education may use funds made available to carry out part B of title IX of the Higher Education Act of 1965 (20 U.S.C. 1134d et seq.) for fiscal year 1994 to carry out the provisions of section 27 for individuals eligible for multiyear fellowship assistance under part B (as such part was in effect on July 22, 1992) in fiscal year 1993.

DESIGNATING THE WOODROW WILSON PLAZA

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 219, S. 832, a bill to designate the Woodrow Wilson Plaza in Washington, DC; that the bill be deemed read three times, passed, and the motion to reconsider laid upon the table; and that any statements relating to this measure appear in the RECORD at the appropriate place, as though read.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 832) was deemed read three times and passed, as follows:

S. 832

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the plaza to be constructed on the Federal Triangle property in Washington, DC as part of the development of such site pursuant to the Federal Triangle Development Act (Public Law 100-113) shall be known and designated as the "Woodrow Wilson Plaza".

RESOLUTION AUTHORIZING REPRESENTATION OF MEMBERS OF THE SENATE

Mr. MITCHELL. Mr. President, on behalf of myself and the distinguished

Republican leader, Mr. DOLE, I send to the desk a resolution to direct the Senate legal counsel to represent Members who have been named in a lawsuit pending in the U.S. District Court for the District of Columbia, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 150) to authorize representation of Members of the Senate in the case of Douglas R. Page v. Robert Dole, et al.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MITCHELL. Mr. President, a lawsuit has been filed in the U.S. District Court for the District of Columbia challenging the constitutionality of rule XXII of the Standing Rules of the Senate. Under rule XXII, debate on a pending matter may be limited by a vote of three-fifths of the Senators duly chosen and sworn or, in the case of an amendment to a Senate rule, a vote of two-thirds of the Senators voting, a quorum being present.

The plaintiff asserts that rule XXII is unconstitutional because, in his view, the Constitution requires that the Senate act by majority vote, except in those limited instances, not applicable here, where the Constitution specifies otherwise. The plaintiff further contends that rule XXII diminishes the influence of his vote for Members of the majority party, who the plaintiff claims are deprived, under rule XXII, of the power to bring legislation to a vote.

The plaintiff has named as defendants all but one of the current Members of the Senate, together with a former Senator. He seeks a declaration that rule XXII is unconstitutional and an injunction requiring that the Senate in the future limit debate by a simple majority of a quorum.

The resolution at the desk would authorize the Senate Legal Counsel to represent all the defendants in this case and to move to dismiss the complaint, which faces several threshold legal barriers.

First, the plaintiff lacks legal standing to request that a court review his challenge to the constitutionality of the Senate's rule. The Senate Legal Counsel's motion will describe why the plaintiff's assertion of the generalized interest of all citizens, or of a speculative injury to the plaintiff's right to vote, is not sufficient to confer standing on the plaintiff.

Second, the lawsuit is barred by the speech or debate clause of the Constitution, which provides that "for any Speech or Debate in either House, [Members] shall not be questioned in any other Place." The clause protects Members from questioning, whether in the form of a civil or criminal case brought by the executive branch or a civil action brought by a private individual, about conduct within "the 'sphere of legitimate legislative activity.'" *Eastland* v. *United States Servicemen's Fund*, 421 U.S. 491, 501 (1975) (citations omitted). Here, the lawsuit challenges a rule about the length of debate, a matter which is within the sphere of protected legislative activity, and seeks an order from the court directing Senators to close debate by a rule to be prescribed by the court, namely, a vote of a simple majority of a quorum.

Finally, the lawsuit raises general separation of powers concerns, in addition to the specific proscription of the speech or debate clause, that have in the past led courts to decline to review congressional rules of procedure. The Constitution assigns to the Senate the power to "determine the Rules of its Proceedings," and it is difficult to imagine a more intrusive judicial action than an injunction, like the one sought by the plaintiff, that would dictate how the Senate should regulate the length of its debates.

Indeed, the rules for determining the length of debates are complex and the subject of development and reconsideration over the course of time. At the time a cloture rule was adopted in 1917, the Senate, as President Wilson observed, had "no rules by which debate can be limited or brought to an end, no rules by which dilatory tactics of any kind can be prevented. A single Member can stand in the way of action if he has but the physical endurance." The rule adopted in 1917 provided for a two-thirds vote of Members present to limit debate. In 1975, the Senate adopted the current requirement of a three-fifths vote of the membership of the Senate to limit debate. Senator BYRD, in his illuminating addresses on the history of the Senate, stated that "the current cloture rule is the product of decades of trial and experience aimed at curbing the extremes in the use of filibusters to block Senate action."

In addition to rule XXII, the Senate employs a variety of other methods to control debate. For the conduct of much of its business, the Senate is governed by unanimous consent agreements of its Members. In addition, several statutes control the timing of debate on legislation relating to particular subjects, including two of the most significant pieces of legislation that have been or will be addressed this Congress. Debate on the Omnibus Budget Reconciliation Act of 1993 (Pub. L. No. 103-66) was governed by the limitations on debate set forth in a provision of the Congressional Budget Act of 1974, as amended, 2 U.S.C. 641(e), which restricts debate in the Senate on budget reconciliation measures to not more than 20 hours. Debate on the North American Free-Trade Agreement will be subject to the fast-track procedures of the Trade Act of 1974, which limit debate in the Senate on bills implementing trade agreements to no more than 20 hours. 19 U.S.C. 2191(g).

Nor is rule XXII the only instance in which the Senate has required more than a simple majority to alter a legislative procedure. For example, the inclusion of extraneous matter in budget reconciliation bills is prohibited, 2 U.S.C. 644, but three-fifths of the Members duly chosen and sworn may waive this prohibition. 2 U.S.C. 621 note. Other requirements under the Congressional Budget Act similarly may be waived by three-fifths of the Senate membership. 2 U.S.C. 621 note.

The Senate has in the past vigorously debated, and will, I am sure, debate with equal vigor in the future, the merits of rule XXII, including the question presented by the plaintiff's complaint of whether a majority of the Senate should be permitted to end debate. Serious issues, rooted in fundamental questions about democratic governance, have been and will continue to be raised about the Senate's cloture rule. The burden of a Senate brief in this case will be only to demonstrate that the Senate is the proper place for the resolution of that debate. As the Supreme Court observed in *United States* v. *Ballin*, 144 U.S. 1, 5 (1892), a case involving a challenge to a congressional quorum rule, "[n]either do the advantages or disadvantages, the wisdom or folly, of such a rule present any matters for judicial consideration."

The PRESIDING OFFICER. Without objection, the resolution and the preamble are agreed to.

The resolution (S. Res. 150) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 150

Whereas, in the case of Douglas R. Page v. Robert Dole, et al., No. 93-1546, pending in the United Stated District Court for the District of Columbia, the plaintiff has named ninety-nine Members of the Senate, and a former Member, as defendants;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(1), the Senate may direct its counsel to defend present and former Members of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the present and former Members of the Senate who are defendants in the case of Douglas R. Page v. Robert Dole, et al.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RESOLUTION TO AUTHORIZE THE PRODUCTION OF RECORDS

Mr. MITCHELL. Mr. President, on behalf of myself and the distinguished Republican leader, Senator DOLE, I send to the desk a resolution on authorization of the production of Senate records and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 151) to authorize the production of records by the Committee on Foreign Relations.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MITCHELL. Mr. President, in connection with a pending investigation, the Department of Justice has requested copies of records of the investigation of the Subcommittee on Near Eastern and South Asian Affairs of the Foreign Relations Committee into allegations relating to delays in the release of American hostages held throughout 1980 in Iran.

The Department of Justice is reviewing a referral to it of testimony taken by the panel conducting a similar investigation in the other body, the House Task Force To Investigate Certain Allegations Concerning the Holding of American Hostages in Iran in 1980. In its final report, the House Task Force made public a joint recommendation of the majority and minority members of the task force that the Department of Justice be asked to review sworn testimony taken by task force staff to determine if some witnesses had committed perjury. The Department of Justice believes that records of the Senate investigation may aid in determining whether any witnesses perjured themselves in congressional testimony.

In keeping with the Senate's customary practice with regard to similar requests, this resolution would authorize the chairman and ranking minority member of the Committee on Foreign Relations, acting jointly, to provide to the Department of Justice records of its subcommittee's investigation of allegations relating to the release of the hostages.

The PRESIDING OFFICER. Without objection, the resolution and the preamble are agreed to.

The resolution (S. Res. 151) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 151

Whereas, in 1992 the Subcommittee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations conducted an investigation into allegations relating to the release of American hostages held in Iran;

Whereas, in the course of reviewing testimony taken by the staff of the House Task Force To Investigate Certain Allegations Concerning the Holding of American Hostages in Iran in 1980 to determine whether certain witnesses committed perjury, the Department of Justice has requested access to records of the related Senate investigation;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Committee on Foreign Relations, acting jointly, are authorized to provide to the Department of Justice records of the investigation of the Subcommittee on Near Eastern and South Asian Affairs of allegations relating to the release of American hostages held in Iran.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Thomas, one of his Secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE PRESIDENT

RELATING TO THE NAVAL PETROLEUM RESERVES—MESSAGE FROM THE PRESIDENT—PM 51

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services:

To the Congress of the United States:

In accordance with section 201(3) of the Naval Petroleum Reserves Production Act of 1976 (10 U.S.C. 7422(c)(2)), I am informing you of my decision to extend the period of maximum efficient rate production of the naval petroleum reserves for 3 years from April 5, 1994, the expiration date of the currently authorized production period.

The report investigating the necessity of continued production of the reserves as required by section 201(3)(c)(2)(B) of the Naval Petroleum Reserves Production Act of 1976 is attached. Based on the report's findings, I hereby certify that continued production from the naval petroleum reserves is in the national interest.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 7, 1993.*

MESSAGES FROM THE HOUSE

At 1:58 p.m. a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. CARR, Mr. DURBIN, Mr. SABO, Mr. PRICE of North Carolina, Mr. COLEMAN, Mr. FOGLIETTA, Mr. NATCHER, Mr. WOLF, Mr. DELAY, Mr. REGULA, and Mr. MCDADE as managers of the conference on the part of the House.

The message further announced that the House has passed the following bill; without amendment:

S. 1508. An act to amend the definition of a rural community for eligibility for economic recovery funds, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions:

H. Con. Res. 160. A concurrent resolution to correct the enrollment of H.R. 3123.

H. Con. Res. 161. A concurrent resolution for an adjournment of the House from Thursday, October 7, 1993, or Friday, October 8, 1993, to Tuesday, October 12, 1993 and an adjournment or recess of the Senate from Thursday, October 7, 1993, to Wednesday, October 13, 1993.

At 5:13 p.m. a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks announced that the House agree to the amendments of the Senate to the bill (H.R. 2517) an act to establish certain programs and demonstrations to assist States and communities in efforts to relieve homelessness, assist local community development organization, and provide affordable rental housing for low-income families, and for other purposes.

The message also announced that the House agrees to the committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H.R. 2518) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 25, 28, 29, 45, 48, 51, 53, 56, 59, 60, 70 and 120; and that the House recedes from its disagreement to the amendments of the Senate numbered 6, 11, 15, 23, 24, 34, 41, 49, 54, 57, 58, 65, 68, 69, 74, 92, 104, 108, 111, 117, 123, 124, 129, and 133, and agrees thereto, each with an amendment, in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED

At 5:30 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1508. An act to amend the definition of a rural community for eligibility for economic recovery funds, and for other purposes.

H.R. 2685. An act to amend title 5, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 7, 1993, he had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 102. Joint resolution to designate the months of October 1993 and October 1994 as "Country Music Month."

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1595. A communication from the Chairman of the International Trade Commission, transmitting, pursuant to law, report on the impact of the Caribbean Basin Economic Recovery Act on U.S. industries and consumers; to the Committee on Finance.

EC-1596. A communication from the United States Trade Representative, transmitting, pursuant to law, a notice relative to the Trade Act of 1974; to the Committee on Finance.

EC-1597. A communication from the Assistant Legal Adviser (Treaty Affairs), Department of State, transmitting, pursuant to law, a report of the texts of international agreements and background statements; to the Committee on Foreign Relations.

EC-1598. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-108 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC-1599. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-109 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC-1600. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-110 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC-1601. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-111 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC-1602. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-112 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC-1603. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-113 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC-1604. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-114 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC-1605. A communication from the Comptroller General of the United States, transmitting, pursuant to law, reports and testimony for August 1993; to the Committee on Governmental Affairs.

EC-1606. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report of a review of the retained earnings of the District of Columbia Water and Sewer Enterprise Fund; to the Committee on Governmental Affairs.

EC-1607. A communication from the Director of the Office of Personnel Management, transmitting, a draft of proposed legislation entitled "Federal Workforce Restructuring Act of 1993"; to the Committee on Governmental Affairs.

EC-1608. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "The Changing Face of the Federal Workforce: A Symposium on Diversity"; to the Committee on Governmental Affairs.

EC-1609. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation entitled "Transit Benefit Program Act of 1993"; to the Committee on Governmental Affairs.

EC-1610. A communication from the Executive Director of the District of Columbia Retirement Board, transmitting, pursuant to law, a report of financial disclosure statements for Board Members for calendar year 1992; to the Committee on Governmental Affairs.

EC-1611. A communication from the Acting Chief Judge, United States Claims Court, transmitting, pursuant to law, a report of a review panel relative to the claim of Spalding and Son, Inc.; to the Committee on the Judiciary.

EC-1612. A communication from the Assistant Attorney General, transmitting, a notice relative to the Freedom of Information Act; to the Committee on the Judiciary.

EC-1613. A communication from the Secretary of Education, transmitting, pursuant to law, a report of final regulations—School, College, and University Partnerships Program; to the Committee on Labor and Human Resources.

EC-1614. A communication from the Secretary of Education, transmitting, pursuant to law, a report of final regulations—National Institute on Disability and Rehabilitation Research; to the Committee on Labor and Human Resources.

EC-1615. A communication from the Secretary of Education, transmitting, pursuant to law, a report of final funding priorities—Program for Children with Severe Disabilities; to the Committee on Labor and Human Resources.

EC-1616. A communication from the Secretary of Education, transmitting, pursuant to law, notice of final priority for Special Projects and Demonstrations for Providing Supported Employment Services to Individuals with the Most Severe Disabilities and Technical Assistance Projects; to the Committee on Labor and Human Resources.

EC-1617. A communication from the Secretary of Education, transmitting, pursuant to law, a report of final funding priorities—Secondary Education and Transitional Services for Youth with Disabilities Program; to the Committee on Labor and Human Resources.

EC-1618. A communication from the Secretary of Education, transmitting, pursuant to law, a report of final regulations—Training Program for Federal TRIO Programs, Upward Bound Program, and the Student Support Services Program; to the Committee on Labor and Human Resources.

EC-1619. A communication from the Secretary of Education, transmitting, pursuant to law, a report of final funding priorities—Services for Children with Deaf-Blindness Program; to the Committee on Labor and Human Resources.

EC-1620. A communication from the Secretary of Education, transmitting, pursuant to law, a report of final funding priorities—Early Education Program for Children with Disabilities; to the Committee on Labor and Human Resources.

EC-1621. A communication from the Comptroller General of the United States, transmitting, a report of the financial audit of the financial statements of the Pension Benefit Guaranty Corporation for 1991 and 1992; to the Committee on Labor and Human Resources.

EC-1622. A communication from the Acting Director of Communications (Legislative Affairs), Equal Employment Opportunity Commission, transmitting, pursuant to law, the annual report of the Office of General Counsel for fiscal year 1992; to the Committee on Labor and Human Resources.

EC-1623. A communication from the Assistant Comptroller General, General Accounting Office, transmitting, pursuant to law, notice of a delay relative to a report on the regulation of dietary supplements; to the Committee on Labor and Human Resources.

EC-1624. A communication from the Commissioner of the Office of Educational Research and Improvement, Department of Education, a report entitled "Dropout Rates in the United States: 1992"; to the Committee on Labor and Human Resources.

EC-1625. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Health, United States, 1992 and Healthy People 2000 Review"; to the Committee on Labor and Human Resources.

EC-1626. A communication from the President of the Capitol Historical Society, transmitting, pursuant to law, the annual report for the fiscal year ending January 31, 1993; to the Committee on Rules and Administration.

EC-1627. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the annual report for fiscal year 1992; to the Committee on Small Business.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–293. A concurrent resolution adopted by the House of Representatives of the State of Texas relative to the use of processed food stamps; to the Committee on Agriculture, Nutrition, and Forestry.

"HOUSE CONCURRENT RESOLUTION 127

"Whereas, Numismatics, the study or collection of currency, is a hobby with a long and distinguished history that is practiced by millions of individuals all over the world; and

"Whereas, By collecting and cataloging rare coins, tokens, paper money, and other related objects, these individuals are helping to preserve the symbols of economic exchange throughout the world, thus allowing future generations a glimpse into history; and

"Whereas, Like other collectors, numismatists are particularly interested in colorful, unique specimens that may be valued for their artistic merit as well as their historical significance; and

"Whereas, Food coupons, commonly referred to as "food stamps," distributed by the United States Department of Agriculture meet these criteria and, as a medium of exchange used to pay for goods or services rendered, fall into the general category of objects collected by numismatists; and

"Whereas, Under the terms of The Food Stamp Act of 1964, as amended, redeemed food stamps are remitted to the federal reserve, which destroys the cancelled coupons to prevent their further use; this Act specifies that food stamps may be issued only to households that have been certified as eligible and prohibits the disposal of cancelled coupons outside authorized channels, thus preventing numismatists from adding these specimens to their collections; and

"Whereas, At a time when millions of Americans are committing themselves to reducing waste and pollution by recycling and eliminating unnecessary paper and plastic products, this continuous cycle of creating and destroying paper food stamps seems to be unconscionably inefficient; by allowing collectors to purchase cancelled food coupons for a fraction of the face value, the government could reduce waste and, at the same time, create a source of revenue for the United States Department of Agriculture; and

"Whereas, This type of exchange would not be unprecedented, since current federal laws and federal regulations allow numismatists and other hobbyists to purchase U.S. Military Payment Certificates (MPC's) and ration coupons from the 1940's; like food stamps, MPC's were to be used only by authorized persons, in this case within the confines of U.S. military establishments, and were not intended for circulation among the general public, but the historical value of these certificates was soon recognized and they have become collectors' items; and

"Whereas, By clearly endorsing the used food coupons with the word "void," "used," or "cancelled," or by devising some other way to cancel coupons without destroying their artistic value, the United States Department of Agriculture could prevent fraudulent uses of these coupons while allowing legitimate hobbyists to enjoy them as part of their collections; and

"Whereas, At this time, several states are experimenting with a plastic debit card, similar to a credit card, that could eventually render the current paper food stamp system obsolete; and

"Whereas, By acting now to remove the restrictions against the collection of cancelled food stamps, Congress could create a huge market that would absorb the surplus coupons and simultaneously provide a new source of revenue; in doing so, elected officials would demonstrate dedication to streamlining government waste and would allow numismatists around the world an opportunity to add this unique form of American currency to their collections; now, therefore, be it

"*Resolved*, That the 73rd Legislature of the State of Texas, Regular Session, 1993, hereby memorialize the Congress of the United States to enact legislation to authorize the United States Department of Agriculture to sell processed, previously-redeemed, discontinued, and no-longer negotiable food stamps to the public for numismatic purposes; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, the president of the senate and speaker of the house of representatives of the United States Congress, and all members of the Texas delegation to the Congress, with the request that this resolution be entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States."

POM–294. A concurrent resolution passed by the Legislature of the State of Texas relative to the use of processed food stamps; to the Committee on Agriculture, Nutrition, and Forestry:

"HOUSE CONCURRENT RESOLUTION 127

"Whereas, Numismatics, the study of collection of currency, is a hobby with a long and distinguished history that is practiced by millions of individuals all over the world; and

"Whereas, By collecting and cataloguing rare coins, tokens, paper money, and other related objects, these individuals are helping to preserve the symbols of economic exchange throughout the world, thus allowing future generations a glimpse into history; and

"Whereas, Like other collectors, numismatists are particularly interested in colorful, unique specimens that may be valued for their artistic merit as well as their historical significance; and

"Whereas, Food coupons, commonly referred to as "food stamps," distributed by the United States Department of Agriculture meet these criteria and, as a medium of exchange used to pay for goods or services rendered, fall into the general category of objects collected by numismatists; and

"Whereas, Under the terms of The Food Stamp Act of 1964, as amended, redeemed food stamps are remitted to the federal reserve, which destroys the cancelled coupons to prevent their further use; this Act specifies that food stamps may be issued only to households that have been certified as eligible and prohibits the disposal of cancelled coupons outside authorized channels, thus preventing numismatists from adding these specimens to their collections; and

"Whereas, At a time when millions of Americans are committing themselves to reducing waste and pollution by recycling and eliminating unnecessary paper and plastic products, this continuous cycle of creating and destroying paper food stamps seems to be unconscionably inefficient; by allowing collectors to purchase cancelled food coupons for a fraction of the face value, the government could reduce waste and, at the same time, create a source of revenue for the United States Department of Agriculture; and

"Whereas, This type of exchange would not be unprecedented, since current federal laws and federal regulations allow numismatists and other hobbyists to purchase U.S. Military Payment Certifications (MPC's) and ration coupons from the 1940's; like food stamps, MPC's were to be used only by authorized persons, in this case within the confines of U.S. military establishments, and were not intended for circulation among the general public, but the historical value of these certificates was soon recognized and they have become collectors' items; and

"Whereas, By clearly endorsing the used food coupons with the word "void, "used," or "cancelled," or by devising some other way to cancel coupons without destroying their artistic value, the United States Department of Agriculture could prevent fraudulent uses of these coupons while allowing legitimate hobbyists to enjoy them as part of their collections; and

"Whereas, At this time, several states are experimenting with a plastic debit card, similar to a credit card, that could eventually render the current paper food stamp system obsolete; and

"Whereas, By acting now to remove the restrictions against the collection of cancelled food stamps, Congress could create a huge market that would absorb the surplus coupons and simultaneously provide a new source of revenue; in doing so, elected officials would demonstrate dedication to streamlining government waste and would allow numismatists around the world an opportunity to add this unique form of American currency to their collections; now, therefore, be it

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Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, the president of the senate and speaker of the house of representatives of the United States Congress, and all members of the Texas delegation to the Congress, with the request that this resolution be entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States."

POM–295. A resolution adopted by the Common Council of the City of Buffalo relative to the funding of the DARE program; to the Committee on Appropriations.

POM–296. A memorial adopted by the Senate and House of Representatives of the State of Washington relative to I Corps; to the Committee on Armed Services.

"HOUSE JOINT MEMORIAL 4021

"Whereas, It is the policy of the Washington State Legislature to recognize excellence in all fields of endeavor; and

"Whereas, Our military has exhibited the highest level of excellence in sacrificially protecting our state and nation from enemies of liberty for over two hundred years; and

"Whereas, All the citizens of Washington state deeply admire and appreciate the brave men and women in uniform who valiantly and proudly serve their country so well; and

"Whereas, I Corps has played a key role in defending liberty against oppression around the world over the past seventy-five years with distinguished service; and

"Whereas, From the trenches of Europe to the jungles of Asia, the soldiers of I Corps have fought and died to secure the freedoms guaranteed us by the Constitution of the United States; and

"Whereas, January 15, 1993, marked the seventy-fifth anniversary of the Corps since it was created in Neufchateau, France during World War I; and

"Whereas, In each of the three wars of I Corps, the Corps entered when things were going badly and performed its mission with skill and determination and emerged victorious; and

"Whereas, In 1981, the Corps was brought back to full strength at Fort Lewis, Washington Where it presently plays an active and significant role in the Pacific Rim area; and

"Whereas, I Corps has participated in more campaigns than any other corps, is the most decorated corps in the Active Army, and is the only corps every to receive the United States Presidential Unit Citation; and

"Whereas, In a dramatically altered world order, I Corps has assumed a significant and strategic role in America's armed forces poised to strike world-wide to meet any contingency; and

"Whereas, the success of I Corps is a direct result of the professionalism, dedication, and motivation of its soldiers and the support of their families, friends, and communities; Now, therefore,

"Your Memorialists respectfully pray that all the men and women of I Corps both past and present be honored and saluted, and we reaffirm our appreciation for and commitment to those who serve in military uniform on our behalf. Be it

"*Resolved*, That copies of this Memorial be immediately transmitted to the Honorable Bill Clinton, President of the United States and Commander-in-Chief; General Colin Powell, Chairman of the Joint Chiefs of Staff; LTG Carmen J. Cavezza, I Corps Commander; the President of the United States Senate; the Speaker of the House of Representatives; and each member of Congress from the State of Washington."

POM-297. A concurrent resolution adopted by the Senate and House of Representatives of the State of Michigan relative to salvage vehicle documentation; to the Committee on Commerce, Science and Transportation.

"HOUSE CONCURRENT RESOLUTION NO. 233

"Whereas, A salvage vehicle is an automobile that has been severely damaged in an accident and, according to the insurance company, is more expensive to repair than the car is worth. unfortunately, there are unscrupulous dealers throughout our nation who purchase salvage, or "totaled," vehicles at very low prices from insurance agencies, rebuild them, and resell them as undamaged used cars. Even though many states require words such as "salvaged" or "rebuilt" to appear on title documents, other states do not, and it is estimated that the practice of selling overpriced and possibly unsafe rebuilt salvage vehicles costs American consumers as much as $4 billion a year; and

"Whereas, The state of Michigan has an excellent program of salvage vehicle documentation. This program has recently received considerable attention and was featured on the nationally renowned television newscast, *60 Minutes*. Public Act 255 of 1988, amending Michigan's Salvage Title Law, sets forth provisions that would thwart those who transport salvage vehicles to states with no salvage title law to be retitled and resold; and

"Whereas, In our Great Lake State, dealers are required by law to give buyers written notice that a vehicle was once titled as salvage. In addition, the Michigan Department of State operates a special program to review Michigan title documents and notify unsuspecting used car purchasers all over the country when this review shows that the vehicles they purchased were once salvage. Moreover, Michigan law requires the licensing of all vehicle dealers. This program, if instituted nationwide, would circumvent auto theft, contribute to the safety of American motorists, restore the competitive position of true salvage vehicle recyclers and rebuilders, and have a positive effect on automobile insurance rates; now, therefore, be it

"*Resolved by the House of Representatives (the Senate concurring)*, That we hereby urge the United States Congress to adopt a nationwide program of salvage vehicle documentation; and be it further

"*Resolved*, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation."

POM-298. A concurrent resolution passed by the Legislature of the State of Texas relative to medical savings accounts; to the Committee on Finance.

"HOUSE CONCURRENT RESOLUTION NO. 145

"Whereas, Rapidly rising health care costs, which now consume 14 percent of the gross national product, threaten to destroy our nation's employment base and economic security; and

"Whereas, American workers have shown a genuine willingness to cooperate with business owners in efforts to confront the problems that are at the root of rising medical costs and health care spending; and

"Whereas, In recognition of the cooperative spirit that characterizes America's approach to the problem of health care, members of the 102d Congress have sponsored legislation that would create medical savings accounts; and

"Whereas, Built up by contributions from employees and employers, these medical savings accounts would allow complete freedom in choices of routine health care while offering protection against the costs of catastrophic illnesses; and

"Whereas, By giving American workers true control over their medical finances, administrative costs would be substantially reduced, and normal market incentives would apply to decisions in health care spending; now, therefore, be it

"*Resolved*, That the 73rd Legislature of the State of Texas hereby request the Congress of the United States to enact the appropriate changes in the Internal Revenue Code to allow employers to set up tax-free medical savings accounts that would enable consumers to control medical care spending; and, be it further

"*Resolved*, That medical savings accounts be included as a part of the national health care initiative being developed by the Congress; and, be it further

"*Resolved*, That the Texas secretary of state forward official copies of this resolution to the President of the United States, to the Speaker of the House of Representatives of the United States Congress, to the President of the Senate of the United States Congress, and to all members of the Texas delegation to the Congress, with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States."

POM-299. A resolution adopted by the Town of Pembroke, North Carolina, relative to the tobacco industry; to the Committee on Finance.

POM-300. A resolution adopted by the Ahoskie Chamber of Commerce relative to taxes on cigarettes; to the Committee on Finance.

POM-301. A resolution adopted by the House of Representatives of the State of Florida relative to Cuba and Haiti; to the Committee on Foreign Relations.

"HOUSE RESOLUTION NO. 2443

"Whereas, despite the persistent and continuing diplomatic efforts of the United States and other concerned member states of the United Nations to help bring about democracy in Cuba and Haiti, the repressive governments in those countries continue to deny their citizens the fundamental freedoms and basic human rights guaranteed under law in the United States and many other countries around the world and expressed in the Charter of the United Nations and in the Universal Declaration of Human Rights, and

"Whereas, the Congress has most recently expressed the concern of the citizens of this country for the sufferings of our neighbors living under the appalling conditions in Cuba and Haiti, which conditions are a direct result of such repression, by passing the Cuban Democracy Act of 1992 and by supporting the current embargo against Haiti imposed by the Organization of American States, and

"Whereas, the support of President Clinton was instrumental in the passage of the Cuban Democracy Act, and the President has also shown a willingness to meet with Haitian President Jean-Bertrand Aristide to explore opportunities to negotiate a settlement for the restoration of democracy in Haiti, and

"Whereas, the United Nations in recent years has determined that massive and systematic violations of human rights have constituted "threats to peace" under Article 39 of Chapter VII of its charter and has, accordingly, imposed international sanctions against such countries as the former Rhodesia, South Africa, Iraq, and the former Yugoslavia, and

"Whereas, the long-suffering citizens of Cuba and Haiti are no less deserving of international efforts on their behalf than those for whom the United States and other member states of the United Nations have already exerted themselves, now, therefore,

"*Be it Resolved by the House of Representatives of the State of Florida:* That the members of the Florida House of Representatives, on behalf of the citizens of Florida, consider the current, repressive government in Cuba and Haiti threats to international peace as a result of their extreme political intolerance, pervasive abuse of human rights, and appalling indifference to the continuing decline in living conditions within their respective countries. Be it further

Resolved, That the members of the Florida House of Representatives, on behalf of the citizens of Florida, urge the President of the United States and the Congress to do all in their power to alleviate the sufferings of the citizens of Cuba and Haiti, beginning with support for a mandatory international embargo against the repressive governments in those countries, under the auspices of Article 39 of Chapter VII of the Charter of the United Nations. Be it further

Resolved, That a copy of this resolution be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress."

POM–302. A memorial adopted by the Senate and House of Representatives of the State of Washington relative to Bosnia; to the Committee on Foreign Relations.

"HOUSE JOINT MEMORIAL 4005

"Whereas, The rape of women in Bosnia appears to be deliberate, massive, and systematic; and

"Whereas, A fact-finding team of the European Community estimated that thirty thousand to fifty thousand Muslim women had been raped and tortured since the fighting began last April; and

"Whereas, The team concluded that the mass rapes there were a strategy of war for purposes of "ethnic cleansing," and not just crimes of opportunity for individual soldiers; and

"Whereas, All Americans should speak out against the most sadistic violence, systematic torture, and murder haunting Europe since the Nazi campaigns; and

"Whereas, United States groups seeking action on Bosnia include the American Jewish Committee, the American Muslim Council, the Anti-Defamation League of B'nai B'rith, the American Task Force for Bosnia, the National Association of Arab Americans, and the Albanian American Civic League; Now, therefore,

Your Memorialists respectfully pray that the White House condemn the rape of women in Bosnia and the ethnic cleansing and create an international war crimes tribunal. Be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable Bill Clinton, President of the United States, the Members of the United Nations, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington."

POM–303. A petition from the Susquehanna River Basin Commission relative to internal control requirements; to the Committee on Governmental Affairs.

POM–304. A resolution adopted by the Michigan House of Representatives relative to the desecration of the flag; to the Committee on the Judiciary.

"HOUSE RESOLUTION NO. 340

"Whereas, The 1989 decision by the United States Supreme Court to overturn a Texas case in which a protester had been convicted of burning the American flag has outraged the American people. In effect, this decision has made legal the burning or defiling of our country's most precious symbol. People from all parts of the country and virtually all backgrounds and party affiliations have condemned this decision; and

"Whereas, For more than 200 years, Old Glory has been a revered part of American life. It has been a source of inspiration in battles from Fort McHenry to Omaha Beach to Iwo Jima. In poem, song, and art, the Stars and Stripes has become as much a part of our culture and folklore as our history. Most recently, events in the Middle East have served once again to remind us of how precious the American flag is and to fill our hearts with pride as it was flown bravely by yet another generation of America's youth in a face-off with a tyrant. Indeed, it is impossible for patriotic American citizens to look upon the flag without remembering the valiant men and women whose courage, blood, and lives have been spent to keep our flag flying freely; and

"Whereas, Veterans' groups, expressing the sentiment of our people, have called for action to ban the desecration of the American flag. Indeed, to ignore the effect of this decision would be an affront to everyone who has been committed to the ideals of our nation in times of war and in times of peace; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby memorialize the United States Congress to pass an amendment to the United States Constitution to prohibit the desecration of the American flag; and be it further

"*Resolved*, That a copy of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation."

POM–305. A resolution passed by the American Association of Law Libraries relative to the Information Access Enhancement Act; to the Committee on Rules and Administration.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Environment and Public Works:

Jean C. Nelson, of Tennessee, to be an Assistant Administrator of the Environmental Protection Agency, vice E. Donald Elliott, resigned.

Lynn R. Goldman, of California, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency, vice Linda J. Fisher, resigned.

Elliott Pearson Laws, of Virginia, to be Assistant Administrator, Office of Solid Waste, of the Environmental Protection Agency, vice Don R. Clay, resigned.

Robert W. Perciasepe, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency, vice LaJuana Sue Wilcher, resigned.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following executive reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary:

Doris Meissner, of Maryland, to be Commissioner of Immigration and Naturalization, vice Gene McNary, resigned.

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. NUNN, from the Committee on Armed Services:

Gen. George A. Joulwan, U.S. Army, for reappointment to the grade of general while assigned to a position of importance and responsibility.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself, Mr. BROWN, Mr. BURNS, Mr. COATS, Mr. COVERDELL, Mr. DOLE, Mr. FAIRCLOTH, Mr. GRAMM, Mr. HATCH, Mr. HELMS, Mrs. KASSEBAUM, Mr. KOHL, Mr. LIEBERMAN, Mr. LOTT, Mr. MCCAIN, Mr. NICKLES, Mr. PRESSLER, Mr. SHELBY, Mr. SPECTER, Mr. STEVENS, Mr. THURMOND, Mr. WALLOP, and Mr. SMITH):

S. 1524. A bill to repeal the retroactive application of the income, estate, and gift tax rates made by the Budget Reconciliation Act and reduce administrative expenses for agencies by $3,000,000,000 for each of the fiscal years 1994, 1995, and 1996; to the Committee on Finance.

By Mr. GLENN:

S. 1525. A bill to improve the quantity and quality of foreign language instruction offered in our Nation's elementary and secondary schools; to the Committee on Labor and Human Resources.

By Mr. INOUYE:

S. 1526. A bill to improve the management of Indian fish and wildlife and gathering resources, and for other purposes; to the Committee on Indian Affairs.

By Mr. RIEGLE (for himself, Mr. D'AMATO, Mr. BRYAN, Mr. KERRY, Mr. DOMENICI, Mr. SASSER, Mr. SHELBY, Mr. CAMPBELL, Mrs. BOXER, Mrs. BOXER, Mrs. MURRAY, and Mr. SARBANES):

S. 1527. A bill to provide for fair trade in financial services; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SIMON:

S. 1528. A bill to amend the National Labor Relations Act to set a time limit for labor rulings on discharge complaints, and for other purposes; to the Committee on Labor and Human Resources.

S. 1529. A bill to amend the National Labor Relations Act to permit the selection of an employee labor organization through the signing of a labor organization membership card by a majority of employees and a subsequent election, and for other purposes; to the Committee on Labor and Human Resources.

S. 1530. A bill to amend the National Labor Relations Act to require Federal contracts debarment for persons who violate labor relations provisions, and for other purposes; to the Committee on Labor and Human Resources.

S. 1531. A bill to amend the National Labor Relations Act to impose a penalty for encouraging others to violate the provisions of the National Labor Relations Act, and for other purposes; to the Committee on Labor and Human Resources.

S. 1532. A bill to amend the National Labor Relations Act to provide equal time to labor organizations to present information relating to labor organizations, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. LOTT:

S. 1533. A bill to improve access to health insurance and contain health care costs, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself and Mr. MURKOWSKI):

S. 1534. A bill to amend title 38, United States Code, to repeal a requirement that the Under Secretary for Health in the Department of Veterans Affairs be a doctor of medicine; considered and passed.

By Mr. GLENN (for himself, Mr. STEVENS, and Mr. PRYOR):

S. 1535. A bill to amend title 5, United States Code, to eliminate narrow restrictions on employee training, to provide a temporary voluntary separation incentive, and for other purposes; to the Committee on Governmental Affairs.

By Mr. INOUYE:

S. 1536. A bill to amend the Federal Property and Administrative Services Act to provide an opportunity for former owners to repurchase real property to be disposed by the United States; to the Committee on Governmental Affairs.

By Mr. ROCKEFELLER (for himself and Mr. DECONCINI):

S. 1537. A bill to amend the Stevenson-Wydler Technology Innovation Act of 1980; to the Committee on Commerce, Science, and Transportation.

By Mr. DASCHLE:

S. 1538. A bill to make a technical correction with respect to the temporary duty suspension for clomiphene citrate; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MITCHELL (for himself and Mr. DOLE):

S. Res. 150. A resolution to authorize representation of Members of the Senate in the case of Douglas R. Page v. Robert Dole, et al; considered and agreed to.

S. Res. 151. A resolution to authorize the production of records by the Committee on Foreign Relations; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself, Mr. BROWN, Mr. BURNS, Mr. COATS, Mr. COVERDELL, Mr. DOLE, Mr. FAIRCLOTH, Mr. GRAMM, Mr. HATCH, Mr. HELMS, Mrs. KASSEBAUM, Mr. KOHL, Mr. LIEBERMAN, Mr. LOTT, Mr. MCCAIN, Mr. NICKLES, Mr. PRESSLER, Mr. SHELBY, Mr. SPECTER, Mr. STEVENS, Mr. THURMOND, Mr. WALLOP, and Mr. SMITH):

S. 1524. A bill to repeal the retroactive application of the income, estate, and gift tax rates made by the budget reconciliation act and reduce administrative expenses for agencies by $3,000,000,000 for each of the fiscal years 1994, 1995, and 1996; to the Committee on Finance.

REPEAL OF RETROACTIVE TAXES

Mrs. HUTCHISON. Mr. President, the pro football season began a few weeks ago. Before the season, NFL owners sat down and decided the rules by which this season's games will be played. As a result, everyone in the NFL understands the field will be 100 yards long, that there will be four quarters of 15 minutes each in a game, how penalties will be called, and so on.

Several weeks ago, the NFL kicked off its new season, and perhaps the most exciting game of the inaugural weekend was the Washington Redskins' thrilling—and I might add, very lucky—victory over the defending Super Bowl champion Dallas Cowboys. I know Redskins fans would like to change a lot of things about this season, but imagine how Redskins players, coaches, and fans would react if the rules were changed today, and their win over the Cowboys was nullified by a retroactive rules change.

Of course, NFL coaches will never let this happen, because the players would not know if they had to run 100 yards or 125 yards for a touchdown.

The Congress of the United States—2 months ago—changed the playing field for individuals and small businesses, and in a much more important context. I'm referring, of course, to the retroactive provisions of the tax bill, which go back to January in order to reach into voters' wallets.

Mr. President, today I rise to introduce legislation to right one of the most egregiously unfair acts ever committed against American taxpayers. I seek repeal of the retroactive provisions of the recently enacted tax bill.

In my view, we ought to repeal all of the $250 billion in new taxes approved last month:

Higher taxes on Social Security, that strike at senior citizens' financial security—218,000 seniors in my State will pay an additional $196 million;

Higher energy taxes, that will increase the costs of practically everything we buy;

New taxes on small businesses, that will slow the sector of our economy that creates more than one-half of all new jobs and is the engine of economic growth;

New taxes on corporate and individual income, that penalize productivity.

But this tax bill also had a new twist. Instead of just reaching forward with new taxes, this law reached back to impose taxes retroactively—even on dead people; that is, people who died between January 1 and August 10.

The legislation Senator SHELBY and I offer this morning will make a modest start in the other direction—the right direction. Our bill couples the repeal of an egregiously unfair new tax with a modest cut in Federal overhead spending.

The spending cuts we propose will not harm national security, nor will they subtract one penny from Social Security, nor from veterans benefits or any payments to people in need. They will not cut needed Federal investment in highways, research, nor in any programs that support job creation now and in the future.

The spending cuts in our legislation will not reduce Federal support for agriculture, nor for small business creation, nor for the export of American goods. These cuts will not reduce Medicare or Medicaid payments. They will not slow delivery of the U.S. mail.

In short, Mr. President, the spending cuts we propose will not harm the American people. They will, however, slash Federal agencies' overhead and administrative spending by about $10 billion over the next 3 years—not by cutting muscle and fiber, but by trimming away some of the fat.

Furthermore, our legislation gives to individual agency heads the power to review their own operations and to decide whether to cut travel budgets, or equipments leases, or printing, or consultants, or other administrative items in order to meet their targets.

Is this magic? No, this is simply learning from the private sector. When a business or a corporation—or a household—encounters financial adversity, the first thing it does is cut overhead. Priorities are set. That's all our legislation would do—cut Federal Government overhead, in order to repeal unfair new taxes.

Mr. President, I submit to you and to my colleagues that retroactive taxes on the American people is justice turned on its head.

When I was home during August and September, I visited with thousands of my constituents at dozens of stops across Texas. I heard from working people and their families, from Social Security retirees, from small businesses, that they are working just as hard as they can to support themselves.

My constituents told me they just cannot afford to send another penny to Washington—especially to subsidize a bloated Federal Government.

Over and over again, my constituents told me the same thing. Many struggle every day to put food on their tables, to put a roof over their heads, to clothe and care for their children, to pay for the gasoline they must have to get to work. Every day, they try to save for college and their retirements. And as a result of the action we took on the floor of this body on August 10, they are, to quote Tennessee Ernie Ford, "another day older and deeper in debt."

Every day, men and women who own small businesses work to meet a payroll, to compete in the marketplace, to build a future for their enterprises, and—hopefully—earn a profit and create new jobs for the people who are struggling to make ends meet.

But with one stroke of the congressional pen, all of their investing and planning and belt-tightening this year is for nothing. Their budgets are exploded. They now face balloon tax payments for the rest of this year that will break the bubble of our feeble economic recovery.

Nothing in our legislation would cut the higher tax bills, Mr. President, that are on the horizon for next year. I regret that we cannot cut those, too, because we cannot tax our country into prosperity. But early action on our legislation will protect about $10 billion from the retroactive confiscation by the Federal Government and enable small businesses to stabilize for this year and plan for the new taxes that will be due for 1994.

Every day our newspapers are filled with reports of businesses and corporations that are reducing their expenses, streamlining operations, eliminating waste, and prioritizing their budgets. Government can and must do the same.

Congress has been guilty of taxing too much, spending too much. By passing this legislation, we can in one stroke cut wasteful Government spending, give a boost to the economy, and most important, Mr. President, keep faith with the American people that we will not change the rules in the middle of the game.

Mr. President, I introduce a bill to repeal the retroactive tax increases of the Budget Reconciliation Act and to cut Government administrative expenses and ask that it be appropriately referred.

Mr. President, I would like to name the following Senators as original cosponsors of the bill: Senators BROWN, BURNS, COATS, COVERDELL, DOLE, FAIRCLOTH, GRAMM, HATCH, HELMS, KASSEBAUM, KOHL, LIEBERMAN, LOTT, MCCAIN, NICKLES, PRESSLER, SHELBY, SPECTER, STEVENS, THURMOND, and WALLOP.

Mr. President, I ask unanimous consent that a letter from the National Taxpayers Union in support of repealing the retroactive tax rate be entered into the RECORD.

I also would like to thank Senator BIDEN of Delaware for yielding the floor to me, and Senator HELMS from North Carolina as well. I yield the floor. Mr. President, thank you.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL TAXPAYERS UNION,
Washington, DC, October 5, 1993.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR HUTCHISON: The National Taxpayers Union (NTU), America's largest taxpayer organization, is pleased to endorse your proposed legislation to repeal the retroactive income, estate, and gift tax increases which were enacted as part of the 1993 Budget Reconciliation Act.

We commend you and Senator Richard Shelby, your lead cosponsor, for taking the initiative to repeal the unfair and, in some cases, unconstitutional tax rate increases that have been applied retroactively. To enact an effective date retroactive to January 1, 1993, before President Clinton and the 103rd Congress took office, is obviously wrong. Taxpayers are outraged and your proposed repeal will certainly be well received across America.

We also appreciate your thorough effort to offset the estimated revenue loss which would result from repeal by reducing federal administrative expenses by $10.5 billion. As you know, increased taxes have never provided deficit reduction. That will only be achieved by additional restraint in the growth of federal spending.

Again, the National Taxpayers Union is pleased to endorse your proposed legislation and to urge your Senate colleagues to join with you in working for its passage.

Sincerely,

AL CORS, JR.,
Director, Government Relations.

Mr. SHELBY. Mr. President, I am proud to join my colleague from Texas today in seeking the repeal of the retroactive increase on the individual income, estate, and gift taxes.

There was a lot of discussion in the conference report over the constitutionality of these provisions. Mr. President, this bill that the Senator from Texas [Mrs. HUTCHISON] has just introduced is not about what is or is not constitutional. This bill is about what is right.

The American people were outraged, and I think rightly so, to discover that the administration and the Congress had squeaked out a few extra billion dollars by rolling back the effective dates on their new tax increases. This was done all in the name of deficit reduction. I am all for deficit reduction, Mr. President, but there are more responsible, I believe, and right ways to achieve it.

This bill that the Senator from Texas introduced is budget neutral. It still achieves the deficit reduction targets called for in the budget. However, Mr. President, it relies on cuts in Government overhead costs instead of backdoor taxes to achieve them.

Mr. President, this bill is aimed simply at repealing the retroactive increases on the individual income, estate and gift taxes. By doing this, we allow taxpayers time to order their finances and plan their budgets to accommodate their new tax obligations under this legislation.

Mr. President, removing the retroactive tax increases will help small businesses and self-employed taxpayers who are hit hard by the Budget Reconciliation Act of 1993. Pushing the effective date forward to August 10, 1993 allows these taxpayers to use these revenues as they had previously planned—on investment, employee salaries, and new equipment.

Finally, it is simply absurd—medieval—to levy taxes on deceased Americans. The confusion and complexity of recalculating the tax liability of these individual's estates will be particularly onerous—not to mention pairful for many families, especially small business.

Mr. President, this legislation is less about taxes than it is about principles. And it is critical that we define what those principles are for the American people. Fairness—our country rests on fairness, Mr. President, and retroactivity is unfair. That is why these tax increases are wrong.

Mr. President, while all Members of this body did not agree on the President's budget as a whole, I think we all did agree on one thing—retroactive taxes are a fiscal and political mistake. I ask my colleagues to join with the Senator from Texas in pushing this legislation.

Mr. COVERDELL. Mr. President, I rise today to join Senators HUTCHISON and SHELBY in introducing a bill which seeks to repeal the retroactive tax increases contained in the recently passed Omnibus Budget Reconciliation Act of 1993, and which cuts Government administrative spending by a corresponding amount. It is no secret that I opposed the 1993 retroactive tax increases. Earlier this summer, I introduced a constitutional amendment that would prohibit the imposition of retroactive tax increases in the future. I also think the 1993 retroactive tax increases must be repealed, and that is why I strongly support this bill and urge my colleagues to do the same. In further support of this bill, I submit for the RECORD an op-ed piece regarding retroactive taxes which appeared in the Washington Times on September 7, 1993, and I ask unanimous consent that this column be placed in the RECORD immediately following my statement.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Times, Sept. 7, 1993]

TO DRIVE A STAKE THROUGH RETROACTIVITY

(By Paul Coverdell)

Vice President Al Gore sealed the passage of the Clinton tax plan with a bang of the gavel in the Senate chambers last month. But if President Clinton and Mr. Gore expected the debate over the fairness of the Clinton plan to end with their narrow victory, they were sorely mistaken.

In fact, voter anger and frustration seem to be growing. A Washington Post-ABC News poll released Aug. 10, some four days after the plan's passage in the Senate, showed a majority of Americans, who once supported the plan, now oppose the Clinton tax package.

Why is the frustration growing? Why are talk shows and news reports continuing to focus so much attention on a plan that narrowly passed both Houses of Congress more than two week ago? The answer can be found in one phrase—retroactive taxes. Americans are continuing to register their disapproval of a plan that not only raises taxes in the future, but also reaches back some nine months to extract extra taxes on wages and income already earned.

The retroactive tax is wrong. It is bad policy, and it is a reprehensive action on the part of the government.

Therefore, as a result of this action, I have proposed a constitutional amendment banning the U.S. government from imposing tax increases retroactively. The amendment has garnered the support of my freshman Republican colleagues, and a total of 19 senators.

There are two similar measures pending in the House of Representatives, with more than 200 cosponsors.

I do not take lightly amending the U.S. Constitution, but the notion of retroactive taxation cuts to the rotten core of a government that can't live within the means and must change the rules of millions of Americans in the middle of the road.

Mr. Clinton doesn't just tax retroactively in his own term. He goes back to before he was even sworn in as president or before any member of Congress—the very Congress that approved the tax plan—was seated and sworn to uphold the Constitution.

The Clinton administration realizes it has created a controversy. The White House spin doctors have gone out of their way to produce lists they say bolster the cause for a retroactive tax increase.

But, in their rush to show retroactive taxation has been done before, they continue to miss the point. Retroactive taxes are wrong, no matter how many times they have been enacted under a Democratic or a Republican administration. The American people shouted in the '92 elections that they wanted Washington to change the way it does business. If we use congressional past actions as justification for the future, we betray the mandate of the '92 elections.

One of my favorite lists was put out by the U.S. Treasury Department. Its argument was that retroactive taxes had been imposed 13 times in the past. Not surprisingly, 12 of the 13 items listed occurred under Democratic administrations, and none imposed the tax in a former administration as Mr. Clinton's retroactive plan does.

Some have pointed out that, in addition to the retroactive tax increases listed in the Treasury document, four tax bills enacted under President Reagan took effect retroactively. These tax proponents fail to point out that these bills included no retroactive rate increases, only tax law changes that were often ameliorated by generous transition rules.

A second front for those in favor of the retroactive tax is to cite a handful of court cases that appear—however ambiguously—to have upheld the practice in the past. Again, no court case, however, has focused on a tax increase that became effective during a previous administration.

I believe this Congress should make it clear, once and for all, that the American people will not put up with this kind of government tyranny.

This country was founded on the fundamental principle that its citizens should not be subject to taxation without representation. In a recent article in the Heritage Foundation's Policy Review, John G. West Jr. points out that Thomas Jefferson believed that low taxes and frugal government are the most basic tenets of civil liberty. The article quotes a letter written by Jefferson to Samuel Kercheval in 1816, in which Jefferson recognized that the debate involved a choice "between economy and liberty, or profusion and servitude. If we run into such debts, that we must be taxed in our mead and in our drink, in our necessaries and our comforts, in our labors and our amusements, for our callings and our creeds, as the people of England are, our people, like them, must come to labor 16 hours in the 24, give the earnings of 15 of these to the government for their debts and daily expenses; and the 16th being insufficient to afford us bread."

It was clear to Jefferson that the only way to preserve freedom was to protect its citizens from oppressive taxation. And I believe he would agree that the retroactive imposition of massive taxes is the ultimate slap in the face to the pursuit of liberty, despite the Democrats' defense that the retroactivity "only affects the rich." More than 1.25 million small businesses nationwide that file as individuals will take a direct hit by these retroactive taxes. In the long run, the tax increase will affect everyone, because of its effect on job creation.

Jefferson also recognized that once the protection, for any group, from oppressive taxation is lost, the battle for freedom is over. Toward that end, Mr. West again notes that Jefferson wrote:

"A departure from principle in one instance becomes a precedent for a second; that second for a third; and so on, till the bulk of the society is reduced to be mere automatons of misery, and to have no sensibilities left but for sinning and suffering."

While the U.S. Supreme Court has been less than clear in its holdings on the constitutionality of retroactive taxation, one can only hope that the Clinton tax bill will be ruled unconstitutional under current law by a sensible judge. But I intend to continue to seek support for the constitutional amendment I have introduced to ensure this very basic freedom for the American people.

The voters are right to be upset. A retroactive tax is wrong.

Mr. NICKLES. As best we can tell, most Americans oppose retroactive laws of every sort, but retroactive tax increases are especially detested. All retroactive laws offend the American sense of fair play; they change the rules after the game has begun—but retroactive tax increases add insult to injury by levying a financial penalty on those who played the game honestly and fairly under the former rules.

That is why, today, I join my colleague from Texas, [Mrs. HUTCHISON] in introducing legislation to repeal the retroactive effective date of the increase in income, estate, and gift tax rates imposed by the Omnibus Reconciliation Act of 1993. It is also my intention to introduce a rules change which will prevent the Senate from considering retroactive taxes; unless waived by three-fifths of the body. This will prevent future abuses of the use of retroactive taxation.

Senators SHELBY and HUTCHISON will join me in introducing this legislation. This proposal has been supported by the National Taxpayers Union, the Tax Limitation Committee, the Association of Concerned Taxpayers, and Citizens for a Sound Economy.

When the tax bill was signed by the President on August 10, 1993, it actually rewrote tax rates for the past 8 months. This law changes the rules of the road more than halfway through the trip. I think this is wrong.

Retroactive taxes are unfair and set a dangerous precedent. They take money out of the pockets of businesses and individuals that are expanding and creating jobs. These are taxes based on earnings made even before President Clinton was sworn into office.

Retroactive taxes further erode the little trust people have in Federal Government. If the Government can impose retroactive taxes on the rich today, it can place retroactive taxes on other taxpayers tomorrow.

President Clinton's tax package increases taxes $2 for every $1 in spending cuts. Many of the tax increases are retroactive to January 1, 1993, while 80 percent of the spending cuts are scheduled to occur in 1997 and 1998—after the next Presidential election.

We must undo the wrong which has been done. And we must also make sure that Congress cannot so easily do it again. I will be introducing legislation which compliments Senator HUTCHISON's proposal. This legislation takes a prospective view of this unfair practice, by changing the Standing Rules of the Senate to prohibit the consideration of any retroactive tax increases unless a three-fifths supermajority waive the prohibition by rollcall vote.

To retroactively tax is to betray the trust of the people. Thomas Jefferson, in his first inaugural address said, "* * * a wise and frugal government which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government. * * *" Mr. President, I submit that the Government's action to tax income retroactively is tantamount to taking "from the mouth of labor the bread it has earned." This is not right and should not be allowed to occur.

I encourage my colleagues in the Senate to support these two pieces of legislation, in order to return some sense of fairness and trust to the U.S. taxpayer.

Mr. STEVENS. Mr. President, I am pleased to cosponsor the legislation introduced by Senator HUTCHISON. This legislation would repeal the retroactive increase in income, estate, and gift tax rates included in the Omnibus Budget Reconciliation Act of 1993 [OBRA], also known as the tax bill.

This legislation is necessary to protect the American taxpayer from unfair tax increases. The administration's increases in the income, estate, and gift taxes retroactively increase taxes to before President Clinton took office.

American taxpayers have the right to know how much their Government will tax their earnings. This is not a temporary wartime surtax or restriction on a tax credit or deduction. The administration's actions increased tax rates on individuals for income they earned or gifts they received over the past 8 months.

Taxing individuals and corporations on financial transactions made under laws previously enacted—retroactive taxes—is inequitable. Changing the law retroactively makes sound investment decisions turn sour. Even the draft constitution of Russia prohibits retroactive taxes.

Under the administration's recently passed tax bill, Bob Persons, a restaurant owner from Girdwood, AK, and Tennys Owens, an art gallery owner from Anchorage, AK, will find that they owe Uncle Sam additional taxes at the end of this year—taxes they had no way to know they would be expected to pay. These business owners used the money they would have set aside for taxes to build sales, to hire new people. Now, they have to go in debt to pay retroactive taxes. This is a serious problem for Bob and Tennys, for thousands of other Alaskans, and for millions of Americans who are going to have to go into debt to pay Uncle Sam.

Especially devious, and in my judgment, unconstitutional, is the tax increase on the estates of individuals who died after January 1, 1993. Their estates will have to pay higher taxes even though the tax rate increase was not part of the law on the date the deceased passed away. This is the first time in the 77-year history of the estate tax that the rates have been increased retroactively.

Approximately 80 percent of businesses in this country pay income taxes as individuals—they are the sole proprietors, partnerships, and small businesses in neighborhoods from Barrow, AK to Key West, FL. By requiring them to pay retroactive taxes, taxes they did not, and could not, plan for, these businesses are going to have to devote resources that have already been invested in hiring new employees, or purchasing new plants and equipment to pay back taxes. This will stifle economic activity. It will not boost it.

Earlier this session, I cosponsored legislation to amend the Constitution, Senate Joint Resolution 127, to prohibit retroactive tax increases. Adoption of that resolution is essential to prevent what happened in the recent tax bill from ever happening to the American taxpayer again. I believe the taxpayers in my State of Alaska understand this. They work hard for their money. They plan and save to increase their income, to send their children to college, and to eventually retire. Retroactive tax increases hurt these people the most. They are unfair, and should not be permitted.

I urge the Senate to support the legislation introduced today to repeal the retroactive increase in income, estate, and gift tax rates.

By Mr. GLENN:

S. 1525. A bill to improve the quantity and quality of foreign language instruction offered in our Nation's elementary and secondary schools: to the Committee on Labor and Human Resources.

FOREIGN LANGUAGE ASSISTANCE

•Mr. GLENN. Mr. President, I rise today to introduce the Foreign Language Assistance Act of 1993, a bill that will encourage and assist elementary and secondary schools to improve and expand instruction in one of our Nation's critical skills: the ability to speak and comprehend foreign languages and to understand foreign cultures. The world has changed dramatically since Congress enacted the Foreign Language Assistance Act of 1988. New nations, alliances, and trading partners have emerged, and our political and economic relationships with foreign countries and companies have become more complex and diverse than ever. Our country's future, to a large extent, hinges on our capacity for cooperation and competition on the world scene. In this environment of increasing interdependence, our schools can no longer afford to produce largely insular students with little or no proficiency in foreign languages and with only scant knowledge of foreign societies, economies and geography. Critical to our ability to compete successfully in the global economy and to function effectively in international affairs is our ability to communicate with and understand people from all over the world.

I would like to focus on the importance of foreign language proficiency and international awareness to our competitiveness in the world marketplace. I am certainly not the first to do so: since at least 1979, when the President's Commission on Foreign Languages and International Studies reported its findings, national commissions, associations and other groups and experts have advocated foreign language competence as an effective tool in conducting international trade. A 1989 National Governors' Association report found that our country was ill-prepared to engage in international trade because of our lack of understanding of the languages, cultures, and geographic characteristics of our competitors. The report asked: "How are we to sell our products in a global economy when we neglect to learn the languages of our customers? How are we to open overseas markets when other cultures are only dimly understood?" President Clinton echoed the NGA's concern in his address to the National Education Association on July 5 of this year:

> The new global economy is based on interacting and doing business with people all over the world, understanding their economies and their languages * * * We need to know more about foreign languages than just how to order in a restaurant. Foreign languages in this era aren't simply a sign of refinement; they are a survival tool for America in the global economy.

The Department of Education, earlier this year, added foreign languages to the core subjects listed in National Education Goal No. 3. The third goal now reads: "By the year 2000 all students will leave grades 4, 8, and 12 having demonstrated competence over challenging subject matter including English, mathematics, science, foreign languages, civics and government, arts, history and geography * * *." The inclusion of foreign languages in this goal reflects not only the value of foreign language proficiency but also the importance of beginning foreign language study at an early age—in elementary school, and continuing those studies long enough, at least through high school—to acquire a meaningful level of competency. Scientific research of the last 10 years supports what many teachers and parents have already observed, that younger children learn foreign languages much more easily than do older students. The research attributes this to a critical restructuring of the brain that takes place in children between the ages of 4 and 10. Most American students who take a foreign language, however, begin studying the language in 9th grade, age 14, and, most commonly, study it for only 2 years. To obtain higher levels of proficiency, of course, requires much longer sequences of study and a consistent, cumulative acquisition of skills.

Currently, very few students in the United States leave high schools, let alone the earlier grades, with any degree of functional competence in a foreign language. In fact, according to 1990–91 surveys conducted by the American Council on the Teaching of Foreign Languages and the Joint National Committee for Languages, less than 5 percent of elementary school students in this country receive any foreign language instruction at all, and only 10–20 percent of students are studying foreign languages in middle school. Approximately 38 percent of students take foreign language courses in high school, and less than 20 percent of those students go beyond the second level of study. There are still areas of the country where foreign language instruction is not even available at the high school level. Only 5 percent of U.S. college graduates are fluent in any language other than English.

Our economic competitors, on the other hand, regularly introduce their students to foreign languages at an early age and usually require a long sequence of foreign language study for graduation from secondary school. In 13 of the 15 developed countries surveyed by the National Foreign Language Center in January 1993, foreign language study is compulsory beginning at ages 8 to 11. In many of these countries, students may choose an additional foreign language at age 13 just before the age most students in the United States begin study of a first foreign language. In Germany, for example, all students, regardless of ability or classification, are required to take a foreign language from grade 5 until they leave school. The European Community will require fluency in two foreign languages for high school graduates by the year 2000. In Japan, nearly all students in grades 7 to 9 are required to study English for 3 years, and English is a required core subject for students in both academic and vocational programs in grades 10 to 12. In fact, the United States is virtually alone in the world in delaying foreign language study until high school and concentrating its energies in 2-year programs. Furthermore, in the United States, instruction is seldom offered in major languages such as Japanese, Chinese, Russian, and Arabic, which take at least 4 to 6 years of study to gain competence.

I am offering my bill as an amendment to the Elementary and Secondary Education Act. The bill addresses the major problems affecting elementary and secondary foreign language education today and brings the Foreign Language Assistance Act of 1988 up to date and in line with the National Education Goals. Problems addressed in the bill include: First, the need to provide articulated sequences of foreign language study beginning in elementary school, with the goal of producing students proficient in one or more foreign languages; second, the need to recruit and train foreign language teachers at all levels of elementary and secondary education, with the goal of alleviating the severe shortage of foreign language teachers reported by many States; and third, the need to evaluate and study effective methods of teaching and learning foreign languages. The legislation authorizes $75 million in Federal matching grants with the Federal share decreasing from 90 percent to 40 percent over 5 years as well as bonus grants to States with exemplary foreign language programs.

I have long been an enthusiastic supporter of the Eisenhower Mathematics and Science Education Program, and I am pleased that the program has received substantial funding over the years as a critical skill under the Elementary and Secondary Education Act. Certainly the advancement of knowledge in mathematics and science is crucial to our technological and economic future—and the earlier we can instill in our children an awareness of and excitement for learning those subjects, the better. Our future, however, will not be confined to what we learn or sell within our own borders; it will be closely intertwined with developments in the rest of the world. Thus, there can be no doubt that a knowledge of the world and the ability to deal with people from other countries in their own languages are critical skills, too, deserving of Federal support as comprehensive as that provided in the Eisenhower legislation—for instructional programs, teacher recruitment and training, and research and evaluation. Foreign language education is key to opening up possibilities for the future and to maximizing our advancements in mathematics, science and other fields. Global literacy is increasingly becoming a prerequisite for success in a rapidly changing, interdependent world.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1525

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FOREIGN LANGUAGE ASSISTANCE.

Part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3001 et seq.) is amended to read as follows:

"SEC. 2101. SHORT TITLE.

"This part may be cited as the 'Foreign Language Assistance Act of 1993'.

"SEC. 2102. FINDINGS.

"The Congress finds that—

"(1) foreign language proficiency is key to our Nation's international economic competitiveness, security interests and diplomatic effectiveness;

"(2) the United States lags behind other developed countries in the opportunities the United States offers elementary and secondary school students to study and become proficient in foreign languages;

"(3) more teachers must be trained for foreign language instruction in our Nation's elementary and secondary schools, and those teachers must have expanded opportunities for continued improvement of their skills;

"(4) students with proficiency in languages other than English should be viewed as valuable second language resources for other students; and

"(5) a strong Federal commitment to the purpose of this part is necessary.

"SEC. 2103. PURPOSE.

"It is the purpose of this part to improve the quantity and quality of foreign language instruction offered in our Nation's elementary and secondary schools.

"SEC. 2104. PROGRAM AUTHORIZED.

"(a) AUTHORITY.—

"(1) GRANTS FROM THE SECRETARY.—In any fiscal year in which the appropriations for this part equal or exceed $50,000,000, the Secretary is authorized, in accordance with the provisions of this part, to award grants to States from allocations under section 2105 to pay the Federal share of the costs of the activities described in section 2107.

"(2) STATE GRANT PROGRAM.—In any fiscal year in which the appropriations for this part do not equal or exceed $50,000,000, the Secretary is authorized to make grants, in accordance with the provisions of this part, to State educational agencies, local educational agencies, consortia of local educational agencies, or consortia of local educational agencies and institutions of higher education, to pay the Federal share of the cost of activities described in section 2107.

"(b) SUPPLEMENT NOT SUPPLANT.—Funds provided under this part shall be used to supplement and not supplant non-Federal funds made available for the activities described in section 2107.

"(c) DURATION.—Grants or contracts awarded under this part shall be awarded for a period of not longer than 5 years.

"SEC. 2105. ALLOCATION OF FUNDS.

"(a) ALLOCATION.—From the amount appropriated under section 2113 for any fiscal year, the Secretary shall reserve—

"(1) not more than ½ of 1 percent for allocation among Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Republic of Palau (until such time as the Compact of Free Association is ratified) according to their respective needs for assistance under this part;

"(2) not more than ½ of 1 percent for programs for Native American students served by schools funded by the Secretary of the Interior if such programs are consistent with the purpose of this part;

"(3) 10 percent for national programs described in section 2108(a);

"(4) 5 percent for evaluation and research described in section 2108(b); and

"(5) in the case of a fiscal year in which appropriations for this part equal or exceed $50,000,000, 10 percent for bonus grants described in section 2108(c).

"(b) FORMULA.—In any fiscal year in which the appropriations for this part equal or exceed $50,000,000, the remainder of the amount so appropriated (after meeting the requirements of subsection (a)) shall be allocated among the States as follows:

"(1) ½ of such remainder shall be allocated among the States by allocating to each State an amount which bears the same ratio to ½ of such remainder as the number of children aged 5 to 17, inclusive, in the State bears to the number of such children in all States; and

"(2) ½ of such remainder shall be allocated among the States according to each State's share of allocations under chapter 1 of title I for the preceding fiscal year,

except that no State shall receive less than ¼ of 1 percent of such remainder.

"(c) SPECIAL RULE.—The provisions of Public Law 95–134 shall not apply to assistance provided pursuant to paragraph (1) of subsection (a).

"SEC. 2106. IN-STATE APPORTIONMENT.

"(a) FUNDING ABOVE $50,000,000.—In any fiscal year in which appropriations for this part equal or exceed $50,000,000, each State receiving a grant under this part shall distribute not less than 95 percent of such grant funds so that—

"(1) 50 percent of such funds are distributed to local educational agencies within the State for instructional programs described in paragraph (1) of section 2107; and

"(2) 50 percent of such funds are distributed to local educational agencies within the State for teacher development and recruitment activities described in paragraph (2) of section 2107.

"(b) FUNDING BELOW $50,000,000.—In any fiscal year in which appropriations for this part do not equal or exceed $50,000,000, the Secretary shall award grants to State educational agencies, local educational agencies, consortia of local educational agencies, or consortia of local educational agencies and institutions of higher education, so that—

"(1) 50 percent of the funds all such entities in a State receive shall be used for instructional programs described in paragraph (1) of section 2107; and

"(2) 50 percent of the funds all such entities in a State receive shall be used for teacher development and recruitment activities described in paragraph (2) of section 2107.

"SEC. 2107. AUTHORIZED ACTIVITIES.

"A State, State educational agency, local educational agency, consortium of local educational agencies, or consortium of a local educational agency and an institution of higher education may use payments received under this part for the following activities:

"(1) INSTRUCTIONAL PROGRAMS.—Activities which establish, improve or expand elementary or secondary school foreign language programs, including—

"(A) elementary school immersion programs with articulation at the secondary school level;

"(B) content-based foreign language instruction; and

"(C) intensive summer foreign language programs for students.

"(2) TEACHER DEVELOPMENT AND RECRUITMENT.—Activities which—

"(A) expand or improve preservice training, inservice training and retraining of teachers of foreign languages, which training or retraining shall emphasize—

"(i) intensive summer foreign language programs for teachers; and

"(ii) teacher training programs for elementary school teachers;

"(B) recruit qualified individuals with a demonstrated proficiency in a foreign language to teach foreign languages in elementary and secondary schools, which individuals may include—

"(i) a retired or returning Federal Government employee who served abroad or a Federal Government employee whose position required proficiency in one or more foreign languages;

"(ii) a retired or returning Peace Corps volunteer;

"(iii) a retired or returning business person or professional who served abroad or whose position required proficiency in one or more foreign languages;

"(iv) a foreign-born national with the equivalent of a bachelor's degree from a domestic or overseas institution of higher education;

"(v) an individual with a bachelor's degree whose major or minor was in a foreign language or international studies; and

"(vi) a graduate of a fellowship or scholarship program assisted under the David L. Boren National Security Education Act of 1991 (20 U.S.C. 1901 et seq.);

"(C) develop programs of alternative teacher preparation and alternative certification to qualify such individuals to teach foreign languages in elementary and secondary schools; and

"(D) establish programs for individual foreign language teachers within a local educational agency in order to improve such teachers' teaching ability or the instructional materials used in such teachers' classrooms.

"SEC. 2108. FEDERAL ACTIVITIES.

"(a) NATIONAL PROGRAMS.—From amounts reserved pursuant to section 2105(a)(3) in each fiscal year, the Secretary is authorized to make grants to State educational agencies, local educational agencies or consortia of local educational agencies to pay the Federal share of the cost of model demonstration programs that represent a variety of alternative and innovative approaches to foreign language instruction for elementary or secondary school students, such as two-way bilingual immersion programs.

"(1) two-way language programs; and

"(2) programs that integrate educational technology into curricula.

"(b) EVALUATION AND RESEARCH.—From amounts reserved pursuant to section 2105(a)(4) in each fiscal year, the Secretary—

"(1) shall evaluate programs assisted under this part; and

"(2) through the Office of Educational Research and Improvement, shall award grants or enter into contracts for research, regarding—

"(A) effective methods of foreign language learning and teaching;

"(B) assessments of elementary school foreign language programs and student skills; and

"(C) the efficacy of secondary school foreign language programs.

"(c) BONUS GRANTS.—

"(1) IN GENERAL.—From amounts reserved pursuant to section 2105(a)(5) in any fiscal year, the Secretary is authorized to award bonus grants to States which—

"(A) require at least 3 years of foreign language study for all students graduating from secondary school in the State;

"(B) require at least 1 year of foreign language study prior to entrance into grade 9 in the State;

"(C) have at least 40 percent of the elementary school students in the State enrolled in foreign language instruction programs; or

"(D) have at least 70 percent of the secondary school students in the State enrolled in foreign language instruction programs.

"(2) AMOUNT.—Each State eligible to receive a grant under paragraph (1) in a fiscal year shall receive a grant in such fiscal year in an amount determined as follows:

"(A) 50 percent of such amount shall be determined on the basis of the number of children aged 5 to 17, inclusive, in such State compared to the number of such children in all such States.

"(B) 50 percent of such amount shall be determined on the basis of such State's share of allocations under chapter 1 of title I compared to all such States' share of such allocations.

"SEC. 2109. APPLICATIONS.

"Each State, State educational agency, local educational agency, consortium of local educational agencies, or consortium of a local educational agency and an institution of higher education, desiring assistance under this part shall submit an application to the Secretary at such time, in such form, and containing or accompanied by such information and assurances as the Secretary may reasonably require.

"SEC. 2110. PAYMENTS; FEDERAL SHARE; NON-FEDERAL SHARE; WAIVER.

"(a) PAYMENTS.—The Secretary shall pay to each eligible entity having an application approved under section 2109 the Federal share of the cost of the activities described in the application.

"(b) FEDERAL SHARE.—

"(1) IN GENERAL.—The Federal share—

"(A) for the first year for which an eligible entity receives assistance under this part shall be not more than 90 percent;

"(B) for the second such year shall be not more than 80 percent;

"(C) for the third such year shall be not more than 60 percent; and

"(D) for the fourth and any subsequent year shall be not more than 40 percent.

"(c) NON-FEDERAL SHARE.—The non-Federal share of payments under this part may be in cash or in kind, fairly evaluated, including equipment or services.

"(d) WAIVER.—The Secretary may waive, in whole or in part, the requirement to provide the non-Federal share of payments for any State, State educational agency, local educational agency, consortium of local educational agencies, or consortium of a local educational agency and an institution of higher education, which the Secretary determines does not have adequate resources to pay the non-Federal share of the program or activity.

"SEC. 2111. PARTICIPATION OF CHILDREN AND TEACHERS FROM PRIVATE SCHOOLS.

"(a) PARTICIPATION OF PRIVATE SCHOOL STUDENTS.—To the extent consistent with the number of children in the State or in the school district of each local educational agency receiving assistance under this part who are enrolled in private nonprofit elementary and secondary schools, such State or agency shall, after consultation with appropriate private school representatives, make provision for including services and arrangements for the benefit of such children as will assure the equitable participation of such children in the purposes and benefits of this part.

"(b) PARTICIPATION OF PRIVATE SCHOOL TEACHERS.—To the extent consistent with the number of children in the State or in the school district of a local educational agency receiving assistance under this part who are enrolled in private nonprofit elementary and secondary schools, such State or agency shall, after consultation with appropriate private school representatives, make provision, for the benefit of such teachers in such schools, for such training and retraining as will assure equitable participation of such teachers in the purposes and benefits of this part.

"(c) WAIVER.—If by reason of any provision of law a State or local educational agency is prohibited from providing for the participation of children or teachers from private nonprofit schools as required by subsections (a) and (b), or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation on an equitable basis, the Secretary shall waive such requirements and shall arrange for the provision of services to such children or teachers, subject to the requirements of this section. Such waivers shall be subject to consultation, withholding, notice, and judicial review requirements in accordance with section 1017 of this Act.

"SEC. 2112. DEFINITIONS.

"For the purpose of this part—

"(1) the term 'articulation' means the continuity of expectations and instruction from year to year and level to level within foreign language study;

"(2) the term 'content-based foreign language instruction' means instruction in which portions of subject content from the regular school curriculum are taught or reinforced through the medium of a foreign language;

"(3) the term 'foreign language instruction' means instruction in any foreign language, with emphasis on languages not frequently taught in elementary and secondary schools;

"(4) the term 'immersion' means an approach to foreign language instruction in which students spend one-half or more of their school day receiving instruction in the regular school curriculum through the medium of a foreign language;

"(5) the term 'intensive summer foreign language program' means a program in which participants are immersed in the foreign language for the duration of the activity;

"(6) the term 'State' means each of the 50 States, the District of Columbia and the Commonwealth of Puerto Rico; and

"(7) the term 'two-way language program' means a foreign language program in which native speakers of English are brought together with approximately equal numbers of speakers of another language and in which content instruction, reading and language arts are taught in both English and the non-English language, with the goal of producing students who have high levels of proficiency in English and the non-English language, appreciation for other cultures, and academic achievement at grade level expectation or above.

"SEC. 2113. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $75,000,000 for fiscal year 1994, and such sums as may be necessary for each of the 4 succeeding years, to carry out this part.".•

By Mr. INOUYE:

S. 1526. A bill to improve the management of Indian fish and wildlife and gathering resources, and for other purposes; to the Committee on Indian Affairs.

INDIAN FISH AND WILDLIFE RESOURCES MANAGEMENT ACT

• Mr. INOUYE. Mr. President, I rise today to introduce the Indian Fish and Wildlife Resources Management Act of 1993.

This bill is designed to provide statutory authority for the fish and wildlife resources programs operated by the Department of the Interior for which organic legislation presently does not exist. Ongoing program operations are conducted under the general authority of the 1921 Snyder Act (25 U.S.C. 13). Most fish and wildlife programs on Indian reservations are contracted to tribes under Public Law 93-638, enabling tribal governments and intertribal fish and wildlife organizations to carry out programs that would otherwise be administered by the Federal Government.

This legislation will create a comprehensive statutory basis for these programs by providing congressional recognition of the associated resource management roles and responsibilities of tribal governments. It will provide statutory authority for tribal fish hatchery programs, an education in fish and wildlife resource management program, a tribal bison conservation and management program, and provide for Native Hawaiian community-based fisheries demonstration projects.

Mr. President, since time immemorial Indians and native Hawaiians have developed life styles, cultures, religious beliefs and customs around their relationships with fish and wildlife resources. Generations of native peoples have used these resources to provide food, shelter, clothing, tools and artifacts which were bartered for a variety of goods. These resources continue to provide a base of sustenance, cultural enrichment and economic support for many tribes, and help maintain tribal social structure and stability by permitting gainful employment in traditional and desirable occupations.

Indian reservations throughout the United States account for millions of public-use days of hunting, fishing, and related outdoor activities. Tribal fish and wildlife program activities are being conducted on more than 125 reservations in 23 states which contain millions of acres of lakes and impoundments and thousands of miles of streams and rivers. On some reservations, fish and game codes, ordinances, and regulations are in place and adequate management personnel are available. However, the majority of reservations are in need of revised codes and updated fish and game codes. Almost all are in need of assistance to fully implement and enforce codes and ordinances, to monitor hunting and fishing activities and to manage associated resources.

Further, Mr. President, approximately 100 facilities located on more than 30 Indian reservations coast-to-coast are engaged in fish production programs. Salmon and steelhead releases from tribal hatcheries in the Pacific Northwest benefit Indian and non-Indian commercial and sport fisheries in the United States and Canada. Returning spawners help satisfy subsistence and ceremonial needs, and are frequently distributed to the elderly and the poor. Recreational opportunities created by the stocking of trout, walleye and other species attract sport fishermen, and help promote tribal economies.

In August 1992 and again in January and June of 1993, the Committee on Indian Affairs sponsored meetings with tribal representatives to explore the need for development of legislation designed to protect and enhance Indian fish and wildlife resources. Tribal input on the need for such legislation was also received by the House Subcommittee on Native American Affairs in February 1993. Based upon the views expressed at these meetings, and the comments received and testimony taken at the committee's June 1993 hearings, I am pleased to introduce this important legislation.

I ask unanimous consent that the bill be printed in the RECORD immediately following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Indian Fish and Wildlife Resources Management Act of 1993."

(b) TABLE OF CONTENTS.—

TITLE I—GENERAL PROVISIONS
Sec. 101. Findings.
Sec. 102. Purpose.
Sec. 103. Definitions.
TITLE II—INDIAN FISH AND WILDLIFE PROGRAMS
Sec. 201. Management of Indian Fish and Wildlife and Gathering Resources.
Sec. 202. Education in Indian Fish and Wildlife Resource Management.
Sec. 203. Indian Fish Hatchery Assistance Program.
TITLE III—INDIAN BISON CONSERVATION AND MANAGEMENT
Sec. 301. Indian Bison Conservation Program.
Sec. 302. Indian Bison Ranching Demonstration Projects.
TITLE IV—NATIVE HAWAIIAN COMMUNITY-BASED FISHERIES DEMONSTRATION PROJECTS
Sec. 401. Findings.
Sec. 402. Purpose.
Sec. 403. Definitions.
Sec. 404. Native Hawaiian Community-Based Fisheries Demonstration Projects.
TITLE V—AUTHORIZATION OF APPROPRIATIONS
TITLE VI—MISCELLANEOUS PROVISIONS
Sec. 601. Regulations.
Sec. 602. Severability.
Sec. 603. Trust Responsibility.
Sec. 604. Treaty Obligations.

TITLE I—GENERAL PROVISIONS

SEC. 101. FINDINGS.

(a) The Congress finds and declares that—

(1) the United States and Indian tribes have a government-to-government relationship;

(2) the United States has a trust responsibility to protect, conserve, and manage Indian fish and wildlife and gathering resources consistent with the treaty rights of Indian tribes;

(3) the United States' trust responsibility extends to all federal agencies and departments and absent a clear expression of congressional intent to the contrary, the United States has a duty to administer federal fish and wildlife conservation laws in a manner consistent with its fiduciary obligation to honor and protect the treaty rights of Indian tribes;

(4) federal statutes and regulations affecting Indian fish and wildlife resources and tribal resource management activities shall be interpreted in accordance with the trust responsibility set forth in this Act;

(5) fish and wildlife resources located on Indian lands, in adjacent regional resource management areas, and on ceded territory on which treaty rights have been retained continue to provide sustenance, cultural enrichment, and economic support for Indian tribes, and support the maintenance of economic stability by enabling gainful employment in resource management occupations;

(6) Indian tribal governments retain jurisdiction over hunting and fishing activities on Indian lands;

(7) Indian tribal governments serve as comanagers of fish and wildlife resources with other tribal governments, state governments and the federal government, sharing management responsibilities for fish and wildlife resources as a function of treaties, statutes, and judicial decrees;

(8) since time immemorial, Indian cultures, religious beliefs and customs have been centered around their relationships with fish, wildlife and gathering resources, and Indian people have relied on these resources for food, shelter, clothing, tools and trade;

(9) Indian fish and wildlife resources are renewable and manageable natural resources that are among the most valuable tribal assets and which are vital to the well-being of Indian people;

(10) Indian lands contain millions of acres of natural lakes, woodlands, and impoundments, thousands of perennial streams, and tens of millions of acres of wildlife habitat;

(11) Indian fish and wildlife programs contribute significantly to the conservation and enhancement of fish, wildlife and gathering resources, including those resources which are classified as threatened and endangered;

(12) federal, state, and tribal fish hatcheries produce tens of millions of salmon,

steelhead, walleye and other fish species annually, benefitting both Indian and non-Indian sport and commercial fisheries in the United States and Canada, and serving Indian subsistence and ceremonial needs;

(13) comprehensive and improved management of Indian fish and wildlife resources will yield greater economic returns, enhance Indian self-determination, strengthen tribal self-governance, promote employment opportunities, and improve the social, cultural and economic well-being of Indian and neighboring communities;

(14) amongst the wildlife resources upon which Indian people have traditionally relied for a principle source of subsistence is the American bison, a primary wildlife specie of the Great Plains ecosystem which continues to contribute spiritual, cultural, and economic benefits to many Indian tribes through tribal bison ranching activities;

(15) the United States has an obligation to provide assistance to Indian tribes to—

(a) enable integrated management and regulation of hunting, fishing, trapping and gathering activities on Indian lands, including the protection, conservation and enhancement of resource populations and habitats upon which the meaningful exercise of Indian rights depend;

(b) maintain fish hatcheries and other facilities and structures required for the prudent management, enhancement and mitigation of fish and wildlife resources; and

(16) existing federal laws and programs do not assure the adequate protection and management of Indian fish and wildlife resources, nor gathering of natural resources nor do they sufficiently address or meet the operation and maintenance needs of tribal fish production facilities.

SEC. 102. PURPOSES.

The purposes of this Act are—

(a) to reaffirm and protect Indian hunting, fishing, trapping and gathering rights, and to provide for the conservation, prudent management, enhancement, orderly development and wise use of the resources upon which the meaningful exercise of Indian rights depend;

(b) to enhance and maximize tribal capability and flexibility in managing fish and wildlife resources for the continuing benefit of Indian people, and in co-managing shared resources for the benefit of the nation, in a manner consistent with the exercise of Indian hunting, fishing, trapping and gathering rights and the United States' trust responsibility to honor Indian treaty rights and protect Indian resources;

(c) to support the federal policy of Indian self-determination and tribal self-governance by authorizing and encouraging government-to-government relations and cooperative agreements amongst federal, state, local and tribal governments, as well as international agencies and commissions responsible for multi-jurisdictional fish and wildlife resource decision making;

(d) to authorize and establish Indian bison ranching demonstration projects that may be administered by Indian tribal governments pursuant to the Indian Self-Determination and Education Act to meet tribal bison ranching and management needs, and to train Indian people in bison management techniques;

(e) to authorize and establish an Indian Fish Hatchery Assistance Program that may be administered by Indian tribal governments pursuant to the Indian Self-Determination and Education Act to meet Indian hatchery needs and fulfill tribal co-management responsibilities; and

(f) to authorize and establish an Indian Fish and Wildlife Resource Management Education Assistance Program to promote and develop full tribal technical capability and competence in managing fish and wildlife resource programs.

SEC. 103. DEFINITIONS.

For the purposes of this Act—

(1) The term "Bureau" means the Bureau of Indian Affairs within the United States Department of the Interior.

(2) The term "ceded territory" means land ceded to the United States by treaty upon which the treating tribe retain hunting, fishing and gathering rights.

(3) The term "co-management" means a process involving two or more recognized governmental or governmentally-chartered authorities having rights to, jurisdiction over, or responsibilities for the management or use of a fish or wildlife resource during some phase of its life cycle.

(4) The term "cooperative agreement" means a written agreement entered into by two or more parties agreeing to work together to actively protect, conserve, enhance, restore or otherwise manage fish and wildlife resources.

(5) The term "Indian fish hatchery" means any single- or multi-purpose facility which is engaged in the spawning, hatching, rearing, holding, caring for or stocking of fish including related research and diagnostic fish health facilities and which is:

(A) owned or operated by an Indian tribe or the Bureau of Indian Affairs, or by the U.S. Fish and Wildlife Service on Indian lands, or

(B) is owned or operated by a government agency pursuant to federal statute and has as a purpose, the mitigation or recovery of fish resources subject to treaty rights as determined by a federal court.

(6) The term "fish hatchery maintenance" means work that is required at periodic intervals to prolong the life of a fish hatchery and its components and associated equipment, and to prevent the need for premature replacement or repair.

(7) The term "fish hatchery rehabilitation" means noncyclical work that is required to address the physical deterioration and functional obsolescence of a fish hatchery building, structure or other facility component, or to repair damage resulting from aging, natural phenomena and other causes, including work to repair, modify, or improve facility components to enhance their original function, the application of technological advances, and the replacement or acquisition of capital equipment, such as, among others, fish distribution tanks, vehicles, and standby generators.

(8) The term "forest land management activity" has the same meaning given to such term by section 304(4) of the Indian Forest Resources Management Act (25 U.S.C. 3103(4)).

(9) The term "Indian" means a member of an Indian tribe as defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b).

(10) The term "Indian fish and wildlife organization" means a tribal or multi-tribal commission, authority, or other body for the purpose of representing or coordinating tribal interests in pursuing resource management or rights protection goals and strategies.

(11) The term "Indian fish and wildlife resource" means any species of animal or plant life for which Indians have a right to fish, hunt, trap or gather for subsistence, ceremonial, recreational or commercial purposes, or for which an Indian tribal government has management or co-management responsibilities.

(12) The term "Indian lands" means all lands within the limits of any Indian reservation, public domain Indian allotments, all other lands title to which is either held in trust by the United States for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation, all dependent Indian communities, and all land owned by an Indian tribe, including land owned by an Alaska Native village or an Alaska Native corporation.

(13) The term "Indian reservation" means reservations established pursuant to treaties, Acts of Congress or Executive orders, public domain Indian allotments, and Indian lands in the State of Oklahoma.

(14) The term "Indian tribe" means any Indian tribe, band, nation, rancheria, pueblo, or other organized dependent Indian group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because to their status as Indians.

(15) The term "integrated resource management plan" means the plan developed pursuant to the process used by tribal governments to assess available resources and to provide identified comprehensive management objectives that include quality of life, production goals and landscape descriptions of all designated resources that may include, but are not limited to, water, fish, wildlife, forestry, agriculture, minerals, and recreation, as well as community and municipal resources, and may include any previously-adopted tribal codes and plans related to such resources.

(16) The term "regional resource management areas" means those areas in which an Indian tribe has a right to fish, hunt, gather or trap for subsistence, ceremonial or commercial purposes, or in which an Indian tribe has management or co-management responsibilities.

(17) The term "resource management activities" means all activities performed in managing Indian fish, wildlife, gathering, and related outdoor recreation and resources; including, but not limited to—

(A) implementation and enforcement of tribal fish and wildlife codes, ordinances, and regulations;

(B) development of integrated resource management plans for Indian lands or regional resource management areas, surveys, or inventories;

(C) population and life history investigations;

(D) harvest management and use studies;

(E) fish production and hatchery management;

(F) judicial services;

(G) co-management activities with federal, state, local or tribal governments or international agencies;

(H) public use management;

(I) information management;

(J) public relations and general administration;

(K) mitigation for habitat loss; and

(L) rehabilitation, restoration and enhancement of fish and wildlife habitat.

The term "resource management activities" does not include forest land or agricultural management activities.

(18) The term "Secretary" means the Secretary of the Interior.

(19) The term "tribal bison ranching demonstration projects" means any activity undertaken by an Indian tribe which relates to the production, rearing, holding, management, or preservation of bison, including

training in bison ranching management techniques.

(20) The term "tribal co-management" means the sharing of decision-making and management responsibilities with one or more tribal governments in local, regional, national and international fish and wildlife resource management processes.

(21) The term "tribal organization" has the meaning given to such term by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), including Indian fish and wildlife organizations.

TITLE II—INDIAN FISH AND WILDLIFE PROGRAMS

SEC. 201. MANAGEMENT OF INDIAN FISH, WILDLIFE AND GATHERING RESOURCES.

(a) MANAGEMENT OBJECTIVES.—Consistent with the provisions of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b et seq.), the Secretary shall support tribal administration of Indian fish and wildlife resource management activities to achieve the following objectives:

(1) to carry out the government-to-government relationship between Indian tribal governments and the United States in the management of Indian fish and wildlife resources;

(2) to protect Indian hunting, fishing, and gathering rights guaranteed to Indian tribes by the United States through treaty, statute, Executive Order, or court decree;

(3) to provide for the development and enhancement of the capacities of Indian tribal governments to manage Indian fish and wildlife resources;

(4) to protect, conserve and enhance Indian fish and wildlife resources that are important to the subsistence, cultural enrichment, and economic development of Indian communities;

(5) to promote the development and use of Indian fish and wildlife resources for the maximum benefit of Indian people, by managing Indian resources in accordance with tribally-developed integrated resource management plans which provide coordination for the comprehensive management of all natural resources;

(6) to selectively develop and increase production of certain fish and wildlife resources;

(7) to authorize and support tribal co-management or cooperative activities in local, regional, national or international decision-making processes and forums;

(8) to develop and increase production of fish, wildlife and bison resources so as to better meet Indian subsistence, ceremonial, recreational and commercial needs.

(b) MANAGEMENT PROGRAM.—(1) In order to achieve the objectives set forth in subsection (a), the Secretary, in full consultation with Indian tribes and tribal organizations, shall establish the Indian Fish and Wildlife Resource Management Program which shall be administered consistent with the provisions of the Indian Self-Determination and Education Assistance Act (24 U.S.C 450 et seq.);

(2) The Secretary shall promote tribal management of Indian fish, wildlife, trapping and gathering resources, and implementation of this Act, through contracts, cooperative agreements, or grants under the Indian Self-Determination and Education Assistance Act (25 U.S.C. et seq.), or other federal laws.

(3) The Secretary, upon the request of any Indian tribe or tribal organization, shall enter into a contract, cooperative agreement, or a grant under the Indian Self-Determination and Education Assistance Act, with the tribe or tribal organization to plan, conduct, or administer any program of the Department of the Interior, or portion thereof which affects Indian fish and wildlife resources and which is currently administered by the Secretary without regard to the agency or office of the Department of the Interior or the organizational level within the Department.

(4) The Secretary shall, upon the request of an Indian tribe or tribal organization, enter into a cooperative agreement with the tribe or tribal organization on any management issue affecting Indian fish and wildlife resources

(c) MANAGEMENT ACTIVITIES.—Indian fish and wildlife resource management activities carried out under the program established in subsection (b) may include, but shall not be limited to—

(1) the development, implementation, and enforcement of tribal codes, ordinances, and regulations;

(2) the development and implementation of resource and management plans, surveys, and inventories.

(3) the conduct of fish and wildlife population and life history investigations, habitat investigations, habitat restoration, harvest management, and use studies;

(4) fish production and hatchery management;

(5) the development of tribal conservation programs, including employment and training of tribal conservation enforcement officers; and

(6) participation in joint or cooperative management of fish and wildlife resources on a regional basis with federal, state, tribal, and local or international authorities.

(d) SURVEY AND REPORT.—(1) The Secretary is authorized to enter into contracts or provide grants to Indian tribes or tribal organizations under the authority of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) for the purpose of developing a report to the Congress based on a survey of each Indian reservation that shall include, but not be limited to—

(A) a review of existing tribal codes, ordinances, and regulations governing the management of fish and wildlife resources;

(B) an assessment of the need to update and revise tribal codes, ordinances, and regulations governing tribal fish and wildlife resource protection and use;

(C) a determination and documentation of the need for tribal conservation officers, tribal fisheries and wildlife biologists, and other professionals to administer Indian fish and wildlife resource management programs;

(D) an assessment of the need to provide training to and develop curricula for Indian fish and wildlife resource personnel, including tribal conservation officers, which incorporate law enforcement, fish and wildlife conservation, identification and resource management principles and techniques; and

(E) a determination and documentation of the condition of Indian fish and wildlife resources.

(2) Within one year of the date of enactment of this Act, the Secretary shall submit to the Congress a report which includes the results of the survey conducted under the authority of subsection (1) of this section.

(e) INDIAN FISH AND WILDLIFE RESOURCE MANAGEMENT PLANS.—(1) To meet the management objectives set forth in subsection (a), an Indian fish and wildlife resource management plan shall be developed and implemented as follows:

(A) Pursuant to a self-determination contract or self governance compact under the Indian Self-Determination and Education Assistance Act, an Indian tribe may develop or implement an Indian fish and wildlife management plan. Subject to the provisions of subparagraph (C), the tribe shall have broad discretion in designing and carrying out the planning process.

(B) If a tribe elects not to contract the development or implementation of a plan, the Secretary shall develop or implement the plan in close consultation with the affected tribe.

(C) Whether developed directly by the tribe or by the Secretary, the plan shall—

(i) determine the condition of fish and wildlife resources and habitat conditions,

(ii) identify specific tribal fish and wildlife resource goals and objectives,

(iii) establish management objectives for the resources,

(iv) define critical values of the Indian tribe and its members and provide identified comprehensive management objectives,

(v) be developed through public meetings,

(vi) use the public meeting records, existing survey documents, reports, and other research from federal agencies and tribal community colleges, and

(vii) be completed within three years of the initiation of activity to establish the plan.

(2) Indian fish and wildlife management plans developed and approved under this section shall govern the management and administration of Indian fish and wildlife resources by the Bureau and the Indian tribal government.

(f) TRIBAL MANAGEMENT IN REGIONAL RESOURCE MANAGEMENT AREAS.—

(1) REVIEW.—To achieve the objectives set forth in section 201(a), and consistent with the provisions of the Indian Self-Determination and Education Assistance Act, the Secretary shall review existing programs involving the management of multi-jurisdictional fish, wildlife and gathering resources in regional resource management areas, for the purpose of determining the need for Indian representation, program adequacy and staffing needs to appropriately represent the interests of member tribes.

(2) REPORT.—Within one year of the date of enactment of this Act, the Secretary shall submit a report to the Congress based upon the review conducted under subsection (1) of this section assessing fish and wildlife program adequacy and staffing needs, and the condition of fish and wildlife resources in regional resource management areas.

(g) ASSISTANCE.—The Secretary is authorized to provide financial and technical assistance to enable Indian tribes to—

(1) update and revise tribal codes, ordinances, and regulations governing tribal fish and wildlife resource protection and use;

(2) employ tribal conservation officers, tribal fisheries and wildlife biologists, and other professionals to administer Indian fish and wildlife resource management programs; and

(3) provide training for Indian fish and wildlife resource personnel including tribal conservation officers under a curricula that incorporates law enforcement, fish and wildlife conservation, identification and resource management principles and techniques.

SEC. 202. EDUCATION IN FISH AND WILDLIFE RESOURCE MANAGEMENT.

(a) SCHOLARSHIP PROGRAM.—(1) The Secretary is authorized to grant fish and wildlife management scholarships to Indians enrolled in accredited programs for post-secondary and graduate fish and wildlife resource management-related fields of study as full-time students.

(2) A recipient of a fish and wildlife management scholarship shall be required to

enter into an obligated service agreement in which the recipient agrees to accept employment with an Indian tribe, a tribal organization, with the Bureau of Indian Affairs, or with the U.S. Fish and Wildlife Service for one year for each year the recipient received scholarship assistance following completion of the recipient's course of study.

(3) The Secretary shall not deny scholarship assistance under this subsection solely on the basis of an applicant's scholastic achievement if the applicant has been admitted to and remains in good standing in an accredited post-secondary or graduate institution.

(b) FISH AND WILDLIFE EDUCATION OUTREACH.—The Secretary shall conduct, with the full and active participation of Indian tribes, a fish and wildlife and gathering resource education outreach program to explain and stimulate interest in all aspects of Indian fish and wildlife management and to generate interest in careers as fisheries or wildlife biologists or management.

(c) POSTGRADUATE RECRUITMENT.—The Secretary shall establish and maintain a program to attract professional Indian fish or wildlife biologists who have graduated from post-secondary or graduate schools for employment by Indian tribes, tribal organizations, the Bureau of Indian Affairs, or the U.S. Fish and Wildlife Service in exchange for the Secretary's assumption of all or a portion of the employee's outstanding student loans, depending upon the period of employment involved.

(d) FISH AND WILDLIFE BIOLOGIST INTERN PROGRAM.—(1) The Secretary shall, with the full and active participation of Indian tribes, establish a Fish and Wildlife Resources Intern Program for at least 20 Indian fish and wildlife intern positions. Such positions shall be in addition to the forester intern positions authorized in section 314(a) of the National Indian Forest Resources Management Act (25 U.S.C. 3113(a)). Individuals selected as interns shall be enrolled full-time in approved post-secondary or graduate schools in curricula leading to advanced degrees in fish or wildlife resource management-related fields.

(2) The Secretary shall pay all costs for tuition, books, fees and living expenses incurred by Indian fish and wildlife interns while attending approved study programs.

(3) An Indian fish and wildlife resource intern shall be required to enter into an obligated service agreement to serve in a professional fish or wildlife management-related capacity with an Indian tribe or tribal organization, or with the Bureau of Indian Affairs, or with a U.S. Fish and Wildlife Service program serving or benefitting Indian fish and wildlife resources, for one year for each year of education for which the Secretary pays the intern's educational costs under this subsection (2).

(4) An Indian fish and wildlife resource intern shall be required to report for service to his or her employing entity during any break in attendance at school of more than 3 weeks duration. Time spent in such service shall be counted toward satisfaction of the intern's obligated service agreement.

(e) COOPERATIVE EDUCATION PROGRAM.—(1) The Secretary shall maintain a cooperative education program for the purpose of recruiting promising Indian students who are enrolled in secondary schools, tribally controlled community colleges, and other post-secondary or graduate schools for employment as professional fisheries or wildlife biologists or other related professional positions with an Indian tribe, tribal organization, the Bureau of Indian Affairs, or with the U.S. Fish and Wildlife Service serving or benefitting Indian lands.

(2) Under the program authorized in subsection (1), the Secretary shall pay all cost for tuition, books and fees of an Indian student who is enrolled in a course of study at an educational institution with which the Secretary has entered into a cooperative agreement, and who is interested in a career with an Indian tribe, tribal organization, the Bureau of Indian Affairs, or with the U.S. Fish and Wildlife Service serving or benefitting Indian lands.

(3) Financial need shall not be a requirement to receive assistance under the program authorized in subsection (1).

(4) A recipient of assistance under the program authorized in subsection (1) shall be required to enter into an obligated service agreement to serve as a professional fish or wildlife biologist or other related professional with an Indian tribe, tribal organization, the Bureau of Indian Affairs, or the U.S. Fish and Wildlife Service, for one year for each year that the Secretary pays the recipient's education costs pursuant to paragraph (2).

(f) ADEQUACY OF PROGRAMS.—The Secretary shall provide administrative oversight of the programs described in this section until a sufficient number of personnel are available to administer Indian fish and wildlife resource management programs on Indian lands and resource management areas.

(g) OBLIGATED SERVICE; BREACH OF CONTRACT.—

(1) OBLIGATED SERVICE.—Where an individual enters into an agreement for obligated service in return for financial assistance under any provision of this section, the Secretary shall adopt such regulations as are necessary to provide for an offer of employment to the recipient of such assistance as required by such provision. Where an offer of employment is not reasonably made, the regulations shall provide that such service shall no longer be required.

(2) BREACH OF CONTRACT.—Where an individual fails to accept a reasonable offer of employment in fulfillment of such obligated service or unreasonably terminates or fails to perform the duties of such employment, the Secretary shall require a repayment of the financial assistance provided, pro rated for the amount of time of obligated service that was performed, together with interest on such amount which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Secretary of the Treasury.

SEC. 203. INDIAN FISH HATCHERY ASSISTANCE PROGRAM.

(A) PROGRAM.—The Secretary, with full and active participation of Indian tribes, shall establish and administer an Indian Fish Hatchery Assistance Program to produce and distribute fish of the species, strain, number, size and quality to assist Indian tribes to develop tribal hatcheries and enhance fisheries resources on Indian lands to meet resource needs, including but not limited to, Indian subsistence, ceremonial and commercial fisheries needs.

(b) REPORT.—Within one year of the date of enactment of this Act, the Secretary, with the full and active participation of Indian tribes, shall submit a report to the Congress identifying the facilities which comprise the Indian Fish Hatchery Program, the maintenance, rehabilitation, and construction needs of such facilities, and providing a plan for their administration and cost-effective operations.

(c) FISH HATCHERY MAINTENANCE AND REHABILITATION.—Within one year of the date of the enactment of this Act, the Secretary, with the full and active participation of Indian tribes, shall submit a report to the Congress identifying maintenance and rehabilitation needs of the facilities that comprise the Indian Fish Hatchery Assistance Program, identifying criteria and procedures to be used in evaluating and ranking fish hatchery maintenance and rehabilitation project proposals submitted by Indian tribes.

(d) CONTRACTING.—Upon the request of any Indian tribe, the Secretary shall enter into a contract or annual funding agreement with the tribe pursuant to an Indian Self-Determination Education and Assistance Act contract, cooperative agreement, or grant, to plan, conduct and administer the Indian Fish Hatchery Assistance Program, or portions thereof.

(e) FISH HATCHERY OPERATING AGREEMENTS.—For hatcheries defined under section 103(5)(B), within one year of the date of the enactment of this Act, the entities owning or operating such hatcheries shall enter into agreements with the Secretary and the affected Indian tribes specifying the manner in which each hatchery facility shall be operated so as to mitigate or recover Indian fish resources subject to treaty fishing rights.

TITLE III—INDIAN BISON CONSERVATION AND MANAGEMENT

SEC. 301. INDIAN BISON CONSERVATION PROGRAM.

(A) The Secretary is authorized to enter into contracts with or make grants to Indian tribes and tribal organizations to develop and maintain an Indian Bison Conservation Program to meet tribal subsistence, ceremonial, commercial, and resource needs.

(b) A program established under the authority of this section shall provide for the preservation, restoration, production, care and management of bison.

(c) Funds provided under this section may be used to—

(1) develop and implement bison management plans, surveys, and inventories;

(2) conduct research on bison populations and habitat;

(3) undertake habitat restoration; and

(4) develop range ecology and conservation programs.

SEC. 302. INDIAN BISON RANCHING DEMONSTRATION PROJECTS.

(a) The Secretary, with the full and active participation of Indian tribes, shall establish Indian Bison Ranching Demonstration Projects to support Indian tribes in their initiation, management, and maintenance of bison ranching operations to meet tribal subsistence, ceremonial, commercial, and resource needs.

(b) Within 24 months of the date of enactment of this Act, the Secretary, with the full and active participation of Indian tribes, shall submit a report to the Congress assessing the effectiveness of the Indian Bison Ranching Demonstration Projects.

(c) Within 18 months of the date of enactment of this Act, the Secretary shall, with the full and active participation of Indian tribes, submit a report to the Congress identifying criteria and procedures to be used in evaluating and ranking bison ranching operation maintenance and rehabilitation project proposals submitted by Indian tribes.

TITLE IV—NATIVE HAWAIIAN COMMUNITY-BASED FISHERIES DEMONSTRATIONS PROJECTS

SEC. 401. FINDINGS.

The Congress finds that—

(1) Native Hawaiians comprise a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago whose society was organized as a nation prior to 1893;

(2) At the time of the arrival of the first non-indigenous people in 1778, the Native Hawaiian people lived in a highly-organized, self-sufficient, subsistence society based on a communal land tenure system with a sophisticated language, culture, and religion.

(3) As inhabitants of an archipelago, the Native Hawaiian people have, since time immemorial, relied on their surrounding fishery resources for basic subsistence, economic, social, cultural, and spiritual sustenance;

(4) The protection and preservation of Native Hawaiian traditional fisheries practices including the management and conservation of fisheries resources, and enforcement of conservation measures, and the adaption of such traditional practices consistent with modern management and conservation principles, are vital to the well-being of the Native Hawaiian people;

(5) Native Hawaiians have distinct rights recognized by federal law as beneficiaries of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108) and of the Act entitled "An Act to provide for the admission of the State of Hawaii into the Union", approved March 18, 1959 (73 Stat. 4)

(6) The United States trust responsibility for the lands set aside for the benefit of Native Hawaiians has never been extinguished; and

(7) The federal policy of self-determination and self-governance is recognized to extend to all Native Americans, including Native Hawaiians.

SEC. 402. PURPOSES.

The purposes of this Title are—

(1) to support and reaffirm Native Hawaiian self-determination for the management, conservation, enforcement, and economic enhancement of traditional Native Hawaiian fisheries;

(2) to reaffirm and protect Native Hawaiian fishing rights, and to provide for the planning, management, conservation, enhancement, orderly development and wise use of the resources upon which the meaningful exercise of such rights depends;

(3) to encourage communications and cooperative agreements between state, federal and Native Hawaiian entities responsible for multi-jurisdictional fish resource decision-making; and

(4) to authorize and establish Native Hawaiian community-based fisheries demonstration projects.

SEC. 403. DEFINITIONS.

For Purposes of this Title—

(1) The term "fishery" means the harvest and use of one or more stocks of marine fish found in the waters surrounding the area that now comprises the State of Hawaii.

(2) The term "Native Hawaiian" means any individual who is a descendant of the aboriginal Polynesian people who, prior to 1778, occupied and exercised sovereignty and self-determination in the area that now comprises the State of Hawaii.

(3) The term "Native Hawaiian community-based entity" means any entity or organization which is composed primarily of Native Hawaiian members from a specific community, which assists in the social, cultural and economic development of the Native Hawaiians in that community, and whose stated purpose includes the protection and preservation of Native Hawaiian traditional fisheries practices.

(4) The term "Western Pacific Fishery Management Council" means the regional Council established by Section 302 of the Magnuson Fishery Conservation and Management Act with authority over the fisheries in the federal waters of the Exclusive Economic Zone surrounding American Samoa, Guam, the State of Hawaii and the Commonwealth of the Northern Mariana Islands.

(5) Unless otherwise indicated, all other definitions contained in section 103 shall apply to this title.

SEC. 404. NATIVE HAWAIIAN COMMUNITY-BASED FISHERIES DEMONSTRATION PROJECTS.

(a) DEMONSTRATION PROJECTS AUTHORITY.—The Secretary shall make a direct grant to the Western Pacific Fishery Management Council ("Council") in order that the Council may provide funding to Native Hawaiian community-based entities for the purpose of establishing at least three, but not more than five, demonstration projects to foster and promote the self-determination of Native Hawaiian communities over the management, conservation, enforcement and economic enhancement of Native Hawaiian fisheries.

(b) DUTIES AND RESPONSIBILITIES OF WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL.—The Western Pacific Fishery Management Council shall—

(1) award, administer, and exercise oversight responsibility over the grants authorized under this Title to qualified Native Hawaiian community-based entities; and

(2) submit an annual report to the Congress assessing the status and progress of the demonstration projects, including any obstacles experienced by the demonstration projects which have impeded the purposes of this Title.

(c) USE OF FUNDS.—Demonstration projects funded under this section shall foster and promote the self-determination of Native Hawaiian communities over the management, conservation, enforcement and economic enhancement of Native Hawaiian fisheries, and may include, but not be limited to—

(1) the identification and application of traditional Native Hawaiian fishery management practices on a community-wide basis;

(2) the planning, development and application of community-based enforcement plans in order to protect and conserve off-shore and ocean resources, and to enforce existing applicable state and federal laws, in cooperation with state and federal entities;

(3) the development of community-based economic enhancement fishery projects; and

(4) research, community education, and materials, including equipment, necessary to accomplish the purposes of the demonstration projects under this Title.

(d) ADMINISTRATIVE COSTS.—No more than 7 percent of the funds appropriated to carry out the provisions of this Title for any fiscal year may be used for administrative purposes by the Western Pacific Fishery Management Council.

(e) TECHNICAL ASSISTANCE.—In order to carry out the purposes of this Title, state and federal agencies, including the Western Pacific Fishery Management Council, are authorized to assist the Native Hawaiian community-based demonstration projects in meeting their technical assistance and management needs, as determined by the affected Native Hawaiian communities.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. REGULATIONS.

Except as otherwise provided by this Act, the Secretary shall promulgate final regulations for the implementation of this Act within 18 months following the date of the enactment of this Act. All regulations promulgated pursuant to this Act shall be developed by the Secretary with the full and active participation of the Indian tribes.

SEC. 602. SEVERABILITY.

If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision or circumstance and the remainder of this Act shall not be affected thereby.

SEC. 603. TRUST RESPONSIBILITY.

(a) In any departmental action which affects Indian fish and wildlife resources, the Secretary shall fully consult with and seek the participation of Indian tribes in a manner consistent with the federal trust responsibility and the government-to-government relationship between Indian tribes and the federal government.

(b) Nothing in this Act shall be construed to diminish or expand the trust responsibility of the United States for Indian natural resources, or any legal obligation or remedy resulting therefrom.

SEC. 604. TREATY OBLIGATIONS.

Nothing in this Act shall be construed to diminish or adversely affect the rights of Indian tribes established in existing treaties or other federal laws or court decrees.•

By Mr. RIEGLE (for himself, Mr. D'AMATO, Mr. BRYAN, Mr. KERRY, Mr. DOMENICI, Mr. SASSER, Mr. SHELBY, Mr. CAMPBELL, Mrs. BOXER, Mrs. MURRAY, and Mr. SARBANES):

S. 1527. A bill to provide for fair trade in financial services; to the Committee on Banking, Housing, and Urban Affairs.

FAIR TRADE IN FINANCIAL SERVICES ACT OF 1993

• Mr. RIEGLE. Mr. President, together with my distinguished colleague, Senator D'AMATO, the ranking minority member of the Banking Committee, and along with Senators BRYAN, KERRY, DOMENICI, SASSER, CAMPBELL, BOXER, SHELBY, MURRAY, and SARBANES, all members of the Banking Committee, I am introducing the Fair Trade in Financial Services Act of 1993. Identical legislation is also being introduced today on the same bipartisan basis in the House by Congressmen SCHUMER, LEACH, and STARK. We are coordinating our actions to make clear the importance we attach to getting this legislation enacted this Congress.

This act is a version of legislation that has passed the Senate on several occasions, but that for various reasons has failed to become law. We are introducing the bill again because the critical trade problems it seeks to address have become a higher priority issue for our country. President Clinton trumpeted this change in his first major speech on trade policy at American University on February 27 this year at which he stated, "It is time to make trade a priority element of

American security." In announcing the principles upon which his Administration's trade policy would be based he stated:

> It will say to our trade partners that we value their business, but none of us should expect something for nothing. We will continue to welcome foreign production and services into our markets, but insist that our products and services be able to enter theirs on equal terms.

That is precisely the guiding principle on which the Fair Trade in Financial Services Act is based. It says to foreign countries, your financial firms are welcome in our market, but we expect our firms will not be discriminated against in entering and operating in your markets.

NATIONAL TREATMENT

The United States has for over half a century offered foreign financial institutions the same competitive opportunities that domestic financial institutions enjoy in our market despite the fact that foreign countries from which some of those firms come do not give U.S. firms similar access to their markets.

In 1978, Congress passed the International Banking Act [IBA] formally giving equality of competitive opportunity to foreign financial firms. The 1978 committee report on the IBA cited concerns about discrimination against United States firms by some other countries and by Japan in particular. It stated:

> European Common market countries have been most receptive to the benefits brought by American banks to their economies. Japan is a contrast. By the restrictive practices of its officials, American banks are competitively disadvantaged * * *.

While Congress was concerned in 1978 about the inconsistency between our national treatment policy and the differing policies of some of our competitors, it hoped these matters could be resolved by U.S. negotiators without further congressional action. It did require the Treasury Department to conduct a study on the extent to which American banks were denied national treatment in their banking operations abroad. This original Treasury report was completed in 1979, and, at the request of Congress, was updated three times. In 1988, during passage of the Omnibus Trade and Competitiveness Act, Congress added a new section to the International Banking Act that instituted these national treatment reports as items the Treasury must submit to Congress every 4 years.

The first report under that provision was released in December, 1990, and detailed substantial market barriers harmful to United States interests in Japan, Korea, Taiwan, Brazil, Venezuela, and other major trading partners. The Treasury Department has been negotiating with these countries for several years in an attempt to end such discrimination, without notable success.

THE FAIR TRADE ACT

The Fair Trade in Financial Services Act builds on the national treatment report requirement contained in the 1988 trade bill. It defines national treatment to clarify that the term means receiving "the same competitive opportunities (including effective market access) as are available to domestic financial firms." In many foreign markets, U.S. firms receive de jure national treatment—equality according to the letter of the law—but have not gained de facto national treatment—real equality of competitive opportunity in practice. If foreign countries do not provide true equality of competitive opportunity, the bill requests that the Treasury Department negotiate to obtain it. If negotiations to obtain national treatment from countries denying it fail to succeed, the act allows but does not require the Secretary of the Treasury, the U.S. negotiator on trade in financial services, to publish in the Federal Register a determination that a given country discriminates against U.S. financial institutions.

Such publication would authorize U.S. banking and securities regulators, after consultation with and only with the concurrence of the Treasury, to deny applications for U.S. regulatory approval filed by banking or securities firms from the discriminating country. Such denials would only affect opportunities for future expansion in the U.S. market and would not force foreign financial firms to shrink their existing operations.

The bill, which gives totally discretionary powers to the Treasury, is designed to give our negotiators new leverage to open foreign financial markets, not close our own. At a time of increasing uncertainty in international trade, such flexibility can offer an effective yet prudent tool for increasing market access.

COMPETITIVENESS AND OUR NATIONAL SECURITY

No issue is more important to this Senator than the competitiveness of U.S. firms in today's increasingly global economy. We must take the importance of our competitiveness to heart, and tailor a national strategy to boost the international performance of U.S. industries. We must ensure as well that our firms get the same fair treatment—and I stress fair treatment—abroad that we grant foreign firms here. These are not just arcane issues of economic or trade policy. They are of the utmost importance to the long-run security of our Nation.

The cold war era clearly has ended, and the standards for judging our own security and position in the world must change. We no longer have the luxury of viewing our world role in terms of superpower conflict. The United States is now a partner and competitor in an increasingly integrated world economy. Americans are increasingly concerned about our country's ability to be as successful in this new global economic competition as it was in winning the cold war. If we do not compete effectively in the new global marketplace, both the standard of living of our citizens and our national security are threatened.

FOREIGN BANKS FROM COUNTRIES THAT DENY ACCESS TO OUR INSTITUTIONS HAVE GROWN RAPIDLY IN THE UNITED STATES

Foreign banking institutions currently control close to 25 percent of all banking assets booked in the United States, four times the amount they held in 1980. Japanese banks alone have 14 percent of these assets. In some markets, such as California, Japanese banks hold nearly 25 percent of total assets. Furthermore, foreign loans in the United States are growing three times as fast as domestic loans. Foreign banks now hold more than 40 percent of all U.S. commercial and industrial loans, and over 50 percent of such loans in New York and California.

In sharp contrast, the share of banking assets held by American and other foreign banks in Japan, while never large, is actually declining. In recent years the United States share of the Japanese banking market has fallen from 3 percent to 0.3 percent. United States banks control only about $21 billion in Japanese banking assets. All foreign banks together now have less than 3 percent of the Japanese market, and that too is in decline. United States banks hold similarly small shares of banking assets in other rapidly-growing economies, particularly Korea and Taiwan.

BANKS CAN HELP U.S. EXPORTERS

The inability of our banks to enter foreign markets has important consequences for our export industries. Home-country banks are essential partners in industrial firms' attempts to expand overseas trade. We have been told that non-U.S. banks are apt to favor exporters from their own countries because of proximity, longstanding relationships, closer legal access, common customs and language, and perhaps social or political pressures. Robert Heller, a former Federal Reserve Governor and Bank of America official, stated 5 years ago:

> If American banks disengage from the international arena, American businessmen will have to conquer new export markets without an important ally in the form of their own banks. The loss of that extra competitive edge may be costly in terms of foreign sales.

The export performance of U.S. firms has, if anything, become much more important to our economic well-being since that statement was made. Export growth will hinge in part on our will to address domestic economic weaknesses such as our lack of savings, our budget deficit, and the short-term planning horizons of our corporations. We must be equally concerned, however, with whether our financial institutions are getting a fair chance to compete in foreign markets where they can aid other U.S. exporters. It is important to remember, too, that the financial services arena is much broader than just the banking sector. American securities firms, investment advisers, and insurers are truly world leaders. They are aggressive in pursuing new markets, far out front in creating new products, and major generators of profits that come home to the United States. In many foreign markets, these institutions face barriers equal to or greater than those faced by banks.

The ability of U.S. firms to get this fair chance varies widely around the world, and the thicket of market barriers that remain should be a cause of significant concern. Some of our trading partners have made real progress toward financial market liberalization, while others continue to resist what little pressure we have been able to bring to bear.

MARKET BARRIERS IN JAPAN

As I stated earlier, in 1990 the Treasury produced its first quadrennial National Treatment Study, as required under the Omnibus Trade and Competitiveness Act of 1988. In that report the Treasury stated that, "Despite * * * the fact that Japan has continued generally to provide de jure national treatment for foreign banks, * * * a number of factors has made access and operating conditions difficult." The report further states that:

> Despite modest improvements, a variety of factors have kept the Japanese banking market difficult to penetrate and the slow pace of liberalization and deregulation has provided domestic banks with an unfair competitive advantage over foreign banks both in Japan and globally. Foreign banks continue to find the Japanese market difficult to penetrate, particularly in traditional banking functions.

In other words, the Treasury report suggests that while Japan gives foreign banks de jure national treatment, it does not give them a real opportunity to compete in the Japanese market.

The situation is a little better in Japan's securities markets. The Treasury report concludes:

> Full and easy access to the Japanese investor base and entire range of securities activities is still difficult despite continued efforts to open and liberalize Japanese securities markets. * * * In general, Tokyo is viewed as a key financial center, but one in which change has not kept pace with that in other major centers. By any standard of openness, Tokyo lags substantially behind New York and London. * * * Thus, despite significant steps forward, the process of creating a truly level playing field is far from complete.

United States firms and Government agency investigations have cited many means by which the Japanese deny foreign financial institutions a fair opportunity to compete. Among these are:

Impediments to developing money market instruments that deny foreign banks an opportunity to fund themselves in domestic yen.

Laws, regulations, and practices that substantially impede the introduction of innovative new securities products, and which prevent Japanese investors from gaining access to foreign markets and financial advice.

Laws, regulations, and practices that severely limit the opportunities of foreign firms to manage pension funds and mutual funds.

Administrative restrictions that deny foreign firms effective access to the potentially huge Japanese corporate underwriting market.

A crucial lack of transparency in the entire regulatory system that keeps foreign firms in the dark regarding the real rules of the game in the Japanese market. Foreign firms are not given fair opportunities to engage in the process through which official policies, regulations, and administrative guidance are developed by the Ministry of Finance. Some claim that it is hard for them even to obtain clear written statements of the rules or policies once they are decided. Furthermore, the bureaucracy is empowered to interpret the law as it deems fit, creating fears of arbitrary treatment of foreign firms if they even question any regulatory decisions of Government officials.

This list of practices is only meant to be illustrative and is certainly not an exhaustive description of the Japanese practices that need to be remedied. The results of these and other barriers are disturbing. As Treasury Under Secretary Lawrence Summers recently stated,

> U.S. firms, which are world class competitors in other markets, cannot break into the Japanese market * * * there has only been one yen issue by a Japanese corporation that was lead managed by a foreign firm. Our investment advisory firms manage less than one percent of Japanese pension fund assets.

In another recent speech, Under Secretary Summers continued:

> * * * (T)here needs to be more of a two-way street. Our firms are sometimes denied access or face unnecessary barriers in competing abroad. Banks of some countries—we call them free riders—enjoy the benefits of access to the U.S. market while they are insulated from strong foreign competition at home.

Treasury Secretary Bentsen also voiced concern during his confirmation hearings that U.S. financial firms are still denied a fair opportunity to compete in a number of overseas markets. Indeed, the Secretary stated:

> [T]he touchstone of our trade policy, including international negotiations on financial services, is that we must demand reciprocity.

U.S. officials have been negotiating for over 10 years to achieve such a two-way street. Progress toward liberalization has been painfully slow, and some question the Japanese Government's commitment to real change. The importance of opening this sector to U.S. participation was highlighted in July when it was made a prominent objective in the new bilateral trade negotiating framework agreed to by President Clinton and Prime Minister Miyazawa. With the bill we introduce today, we seek to give our negotiators the leverage necessary to achieve our objectives in those trade talks.

OTHER TRADING PARTNERS

Japan is by no means the only country in which United States firms face major obstacles in financial services. Many nations maintain significant barriers to United States and other foreign financial firms despite more than a decade of intensive bilateral and multilateral efforts to liberalize these markets. Brazil, Venezuela, South Korea, and Taiwan serve as illustrations of the problems United States firms face around the globe.

Brazil currently prohibits the entry of new foreign banks. The Government also restricts the ability of foreign banks already present in that market to expand their Brazilian operations. This is accomplished through prohibitions on increasing capital, a ban on adding sub-branches, and numerous other restrictions. In Venezuela, foreign banks are barred from establishing subsidiaries or branches, and may not purchase more than a 20-percent stake in a Venezuelan bank. Banks existing before 1975 that have more than 20 percent foreign ownership are subject to a wide variety of operational and expansion restrictions.

In Korea, the financial sector is tightly controlled, to the detriment of foreign participation. Branching and many bank operations remain restricted, despite recent Government proposals to liberalize financial services. Foreign firms have only limited access to local currencies and are unable to raise capital locally. According to the Treasury Department study, "significant denials of national treatment continue."

In Taiwan, foreign banks, insurers, and securities firms all face discrimination. Banks are restricted in branching local deposit-taking, and commercial paper activities. In securities, the Government restricts the number of foreign firms and the amount of capital they can bring to the market, bars ownership on the Taiwan Stock Exchange, and effectively limits foreign firms' activities to stock brokerage.

The persistence of these barriers—despite years of United States attempts to eliminate them—clearly illustrates the need for more effective negotiating tools for our negotiators in trade talks on financial services. The United States must be able to bring a stronger posture to the table in the future.

FINANCIAL SERVICES IN THE GATT

In our negotiations on financial services in the GATT round we find foreign countries with closed financial markets unwilling to grant us access because they already enjoy complete freedom of access to our markets. We have no leverage to obtain our objectives. As a result, none of the major goals the United States originally sought in financial services in the Uruguay round are achieved in the current draft agreement. Senators D'AMATO, SASSER, and I wrote to President Clinton in July urging him not to sign a GATT agreement that locks our market open while losing the authority to pursue bilateral negotiations with countries that discriminate against our firms. Enactment of this law would help convince other GATT nations to be more forthcoming in the current talks.

PAST ACTION

The Senate has several times passed legislation similar to the bill we are introducing today. In fact, similar legislation passed both the Senate and the House as part of the Defense Production Act [DPA] in 1990, but did not become law because Senate consideration of that conference report was blocked by a few Senators who objected to the nonfinancial services provisions of the DPA. The Senate passed the bill again in 1991, and it garnered strong support from Majority Leader RICHARD GEPHARDT, Congressman SCHUMER, and others. It was also supported by the Treasury Department. The measure died, however, in part because State Department and other officials of the previous administration fought against it.

TRADE IS NOW A PRIORITY

America is opening a new chapter in its economic history. We cannot afford and should no longer be willing to overlook unfair treatment in trade and financial matters. We must demand and aggressively pursue an end to the substantial barriers facing our firms abroad.

The Fair Trade in Financial Services Act will give our negotiators new leverage to help our financial institutions have the opportunity to compete in other markets. As I noted earlier, this is important not only for financial firms but for U.S. exporters generally. The Banking Committee knew this in 1978 and stated in its report on the International Banking Act of 1978:

> American banks abroad can and should play a significant role in supporting American exports. The Committee is concerned with the uneven treatment accorded to American banks abroad, particularly in contrast with the open reception foreign banks have been given in our domestic market and its consequent effect on our balance of trade.

My only regret is that the Congress and executive branch did not focus more quickly on the need to give our negotiators the tools needed to ensure U.S. firms receive fair treatment in international financial services. The time has come to end the delay. The Fair Trade in Financial Services Act of 1993 is an important market-opening measure which we will attempt to move expeditiously through the Banking Committee and through the Senate.

Senator D'AMATO joined me in introducing the original Fair Trade in Financial Services Act in 1990 and I am pleased he is the principal cosponsor of today's bill. I am also delighted that Congressmen SCHUMER and LEACH are introducing an identical bill on the House side. By working with the Clinton administration it is our hope to get this much needed legislation enacted into law. To that end we have scheduled a legislative hearing on the bill on October 26 at which Congressmen SCHUMER and LEACH will testify. At that same hearing, we hope to have a unified administration position in favor of the bill presented to the Banking Committee. After that hearing we look forward to working with administration officials in preparation for a committee markup of this legislation in November.

I ask unanimous consent that a copy of the bill I am introducing be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Fair Trade in Financial Services Act of 1993".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Effectuating the principle of national treatment for banking organizations.
Sec. 3. Effectuating the principle of national treatment for securities organizations.
Sec. 4. Financial interdependence study.
Sec. 5. Conforming amendments.

SEC. 2. EFFECTUATING THE PRINCIPLE OF NATIONAL TREATMENT FOR BANKING ORGANIZATIONS.

The International Banking Act of 1978 (12 U.S.C. 3101 et seq.) is amended by adding at the end the following new section:

"SEC. 18. NATIONAL TREATMENT.

"(a) PURPOSE.—The purpose of this section is to encourage foreign countries to accord national treatment to United States banking organizations that operate or seek to operate in those countries.

"(b) IDENTIFYING COUNTRIES THAT DENY NATIONAL TREATMENT TO UNITED STATES BANKS OR BANK HOLDING COMPANIES.—The Secretary shall identify the extent to which foreign countries deny national treatment to United States banking organizations—

"(1) according to the most recent report under section 3602 of the Omnibus Trade and Competitiveness Act of 1988 (or update thereof); or

"(2) based on more recent information that the Secretary deems appropriate.

"(c) DETERMINING WHETHER DENIAL OF NATIONAL TREATMENT HAS SIGNIFICANT ADVERSE EFFECT.—

"(1) IN GENERAL.—The Secretary shall determine whether the denial of national treatment to United States banking organizations by a foreign country identified under subsection (b) has a significant adverse effect on such organizations.

"(2) FACTORS TO BE CONSIDERED.—In determining whether and to what extent a foreign country denies national treatment to United States banking organizations, and in determining the effect of any such denial on such banking organizations, the Secretary shall consider appropriate factors, including—

"(A) the size of the foreign country's markets for the financial services involved, and the extent to which United States banking organizations operate or seek to operate in those markets;

"(B) the extent to which United States banking organizations may participate in developing regulations, guidelines, or other policies regarding new products, services, and markets in the foreign country;

"(C) the extent to which the foreign country issues written regulations, guidelines, or other policies applicable to United States banking organizations operating or seeking to operate in the foreign country that are—

"(i) prescribed after adequate notice and opportunity for comment;

"(ii) readily available to the public; and

"(iii) prescribed in accordance with objective standards that effectively prevent arbitrary and capricious determinations;

"(D) the extent to which United States banking organizations may offer foreign exchange services in the foreign country; and

"(E) the effects of the regulatory policies of the foreign country on—

"(i) the lending policies of the central bank of that country;

"(ii) capital requirements applicable in that country;

"(iii) the regulation of deposit interest rates by that country;

"(iv) restrictions on the operation and establishment of branches in that country; and

"(v) restrictions on access to automated teller machine networks in that country.

"(d) DETERMINATION.—

"(1) PUBLICATION.—If the Secretary determines that the denial of national treatment to United States banking organizations by a foreign country has a significant adverse effect on such organizations, the Secretary—

"(A) may, after initiating negotiations in accordance with subsection (g), and after consultation with the United States Trade Representative, the Secretary of State, and any other department or agency that the Secretary deems appropriate, publish that determination in the Federal Register;

"(B) shall, not less frequently than annually, in consultation with any department or agency that the Secretary deems appropriate, review each such determination to determine whether it should be rescinded; and

"(C) shall inform State bank supervisors of the publication of that determination.

"(2) EXCEPTION FOR COUNTRIES THAT ARE PARTIES TO CERTAIN AGREEMENTS GOVERNING FINANCIAL SERVICES.—Paragraph (1) shall not apply to a foreign country to the extent that a determination under that paragraph with respect to the foreign country would permit action to be taken under this section that would be inconsistent with a bilateral or multilateral agreement that governs financial services that the President entered into with that country and the Senate and the House of Representatives approved, before the date of enactment of this section.

"(e) SANCTIONS.—

"(1) ACTION BY FEDERAL BANKING AGENCY.—If a determination under subsection (d)(1) is in effect with respect to a foreign country and a publication of that determination has been made in accordance with subsection (d)(1)(A), in evaluating an application or notice filed by a person of that foreign country, the appropriate Federal banking agency—

"(A) shall consider the determination and the conclusions of—

"(i) the reports required under section 3602 of the Omnibus Trade and Competitiveness Act of 1988 (and updates thereto); and

"(ii) the reports submitted in accordance with subsection (h);

"(B) shall consult with the Secretary concerning such determination and conclusions; and

"(C) may, only with the concurrence of the Secretary, deny the application or disapprove the notice, based on the determination under subsection (d)(1).

"(2) PREVENTING EXISTING ENTITIES FROM BEING USED TO EVADE THIS SECTION.—

"(A) IN GENERAL.—If a determination has been published in accordance with subsection (d)(1)(A) with respect to a foreign country, a bank, foreign bank described in section 8(a), branch, agency, commercial lending company, or other affiliated entity that is a person of that country shall not, without prior approval of the appropriate Federal banking agency, after consultation with the State bank supervisor, directly or indirectly, in the United States—

"(i) commence any line of business in which the person was not engaged as of the date the determination was published in the Federal Register; or

"(ii) conduct business from any location at which the person did not conduct business as of that date.

"(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to companies described in section 2(h)(2) of the Bank Holding Company Act of 1956.

"(f) EXEMPTIONS FROM SANCTIONS.—

"(1) IN GENERAL.—Subsection (e) does not apply to the subsidiaries in the United States of a person of a foreign country if the Secretary determines that the banking laws and regulations of the foreign country, as actually applied, meet or exceed—

"(A) the standards for treatment of subsidiaries of United States banking organizations contained in the Second Banking Directive, and in any amendment to the Second Banking Directive, if the Secretary determines that such amendment—

"(i) does not restrict any operation, activity, or authority to expand any operation or activity, permitted under those standards, of any subsidiary in the foreign country of any such bank or bank holding company; or

"(ii) is in accordance with national treatment of subsidiaries of such banking organizations; or

"(B) any set of standards that, taken as a whole, is no less favorable to United States banking organizations than the standards referred to in subparagraph (A).

"(2) STANDARDS FOR EXERCISE OF DISCRETION.—In exercising any discretion under this subsection, the Federal banking agencies, after consultation with the Secretary, shall consider, with respect to a bank, foreign bank, branch, agency, commercial lending company, or other affiliated entity that is a person of a foreign country and is operating in the United States—

"(A) the extent to which the foreign country is progressing toward according national treatment to United States banking organizations; and

"(B) whether the foreign country permits United States banking organizations to expand their activities in that country, even if that country determined that the United States did not accord national treatment to the banking organizations of that country.

"(g) NEGOTIATIONS.—

"(1) IN GENERAL.—The Secretary—

"(A) shall initiate negotiations with any foreign country with respect to which a determination made under subsection (d)(1) is in effect; and

"(B) may initiate negotiations with any foreign country which denies national treatment to United States banking organizations to ensure that the foreign country accords national treatment to such organizations.

"(2) EXCEPTIONS.—Paragraph (1) does not require the Secretary to initiate negotiations with a foreign country if the Secretary—

"(A) determines that the negotiations—

"(i) would be so unlikely to result in progress toward according national treatment to United States banking organizations as to be a waste of effort; or

"(ii) would impair the economic interests of the United States; and

"(B) gives written notice of that determination to the chairperson and the ranking minority member of the Committee on Banking, Housing, and Urban Affairs of the Senate and of the Committee on Banking, Finance and Urban Affairs of the House of Representatives.

"(h) REPORT.—

"(1) CONTENTS OF REPORT.—Not later than December 1, 1994, and biennially thereafter, the Secretary shall submit to the Congress a report that—

"(A) specifies the foreign countries identified under subsection (b);

"(B) if a determination under subsection (d)(1) is in effect with respect to the foreign country, provides the reasons therefor;

"(C) if the Secretary has not made or has rescinded such a determination with respect to the foreign country, provides the reasons therefor;

"(D) describes the results of any negotiations conducted under subsection (g)(1) with the foreign country; and

"(E) discusses the effectiveness of this section in achieving the purpose of this section.

"(2) SUBMISSION OF REPORT.—The report required by paragraph (1) may be submitted as part of a report or update submitted under section 3602 of the Omnibus Trade and Competitiveness Act of 1988.

"(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

"(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term 'appropriate Federal banking agency'—

"(A) in the case of a noninsured State bank or branch, means the Board of Governors of the Federal Reserve System; and

"(B) in any other case, has the same meaning as in section 3 of the Federal Deposit Insurance Act.

"(2) BANKING ORGANIZATION.—The term 'banking organization' means a bank, including a branch or subsidiary thereof, or a bank holding company.

"(3) NATIONAL TREATMENT.—A foreign country accords 'national treatment' to United States banking organizations if it offers them the same competitive opportunities (including effective market access) as are available to its domestic banking organizations.

"(4) PERSON OF A FOREIGN COUNTRY.—The term 'person of a foreign country' means—

"(A) a person organized under the laws of the foreign country;

"(B) a person that has its principal place of business in the foreign country;

"(C) an individual who is—

"(i) a citizen of the foreign country, or

"(ii) domiciled in the foreign country; and

"(D) a person that is directly or indirectly controlled by a person described in subparagraph (A) or (B), or by an individual described in subparagraph (C).

"(5) SECOND BANKING DIRECTIVE.—The term 'Second Banking Directive' means the Second Council Directive of December 15, 1989, on the Coordination of Laws, Regulations, and Administrative Provisions Relating to the Taking Up and Pursuit of the Business of Credit Institutions and Amending Directive 77/780/EEC (89/646/EEC).

"(6) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.".

SEC. 3. EFFECTUATING THE PRINCIPLE OF NATIONAL TREATMENT FOR SECURITIES ORGANIZATIONS.

(a) PURPOSE.—The purpose of this section is to encourage foreign countries to accord national treatment to United States securities organizations that operate or seek to operate in those countries.

(b) IDENTIFYING COUNTRIES THAT DENY NATIONAL TREATMENT TO UNITED STATES SECURITIES ORGANIZATIONS.—The Secretary shall identify whether and to what extent foreign countries deny national treatment to United States securities organizations—

(1) according to the most recent report under section 3602 of the Omnibus Trade and Competitiveness Act of 1988 (or update thereof); or

(2) based upon more recent information that the Secretary deems appropriate.

(c) DETERMINING WHETHER DENIAL OF NATIONAL TREATMENT HAS SIGNIFICANT ADVERSE EFFECT.—The Secretary shall determine whether the denial of national treatment to United States securities organizations by a foreign country identified under subsection (b) has a significant adverse effect on such organizations.

(d) DETERMINATION.—

(1) PUBLICATION.—If the Secretary determines that the denial of national treatment to United States securities organizations by a foreign country has a significant adverse effect on such organizations, the Secretary—

(A) may, after initiating negotiations in accordance with subsection (g), and after consultation with the United States Trade Representative, the Secretary of State, and any other department or agency that the Secretary deems appropriate, publish that determination in the Federal Register; and

(B) shall, not less frequently than annually, in consultation with any department or agency that the Secretary deems appropriate, review each such determination to determine whether it should be rescinded.

(2) EXCEPTION FOR COUNTRIES THAT ARE PARTIES TO CERTAIN AGREEMENTS GOVERNING FINANCIAL SERVICES.—Paragraph (1) shall not apply to a foreign country to the extent that a determination under that paragraph with respect to the foreign country would permit action to be taken under this section that would be inconsistent with a bilateral or multilateral agreement that governs financial services that the President entered into with that country and the Senate and the House of Representatives approved, before the date of enactment of this section.

(e) SANCTIONS.—

(1) RECOMMENDATION BY THE SECRETARY.—If a determination under subsection (d)(1) is in effect with respect to a foreign country, the Secretary may, after consultation with the United States Trade Representative, the Secretary of State, and any other department or agency that the Secretary deems appropriate, and subject to the specific direction of the President (if any), recommend to the Commission that the Commission deny any

application or notice filed by a person of that foreign country.

(2) Action by Commission.—If a determination under subsection (d)(1) is in effect with respect to a foreign country and a publication of that determination has been made in accordance with subsection (d)(1)(A), in evaluating any application or notice filed by a person of that foreign country concerning which the Commission has received a recommendation from the Secretary under paragraph (1), the Commission—

(A) shall consider—

(i) the recommendation of the Secretary; and

(ii) the determination and the conclusions of the reports and updates under section 3602 of the Omnibus Trade and Competitiveness Act of 1988 and the reports submitted in accordance with subsection (g);

(B) shall consult with the Secretary concerning the determinations and conclusions referred to in subparagraph (A)(ii); and

(C) may deny the application or disapprove the notice, unless the Commission determines that the denial or disapproval would be inconsistent with the public interest and the protection of investors.

(3) Notice required to acquire registered securities organization.—

(A) In general.—If a determination under subsection (d)(1) is in effect with respect to a foreign country, no person of that foreign country, acting directly or indirectly, may acquire control of any registered securities organization, unless—

(i) the Commission has been given notice not less than 90 days in advance of the acquisition, in such form as the Commission shall prescribe by rule and containing such information as the Commission may require by rule or order; and

(ii) the Commission has not disapproved the notice under paragraph (2)(C).

(B) Notifying secretary.—The Commission shall promptly notify the Secretary of any notice received under subparagraph (A).

(C) Extending 90-day period.—The Commission may, by order, extend for an additional 180 days the period during which the Commission may disapprove a notice received under subparagraph (A).

(4) Standards for exercise of discretion.—In exercising any discretion under this subsection, the Secretary and the Commission shall consider, with respect to a securities organization that is a person of a foreign country and is operating in the United States—

(A) the extent to which the foreign country is progressing toward according national treatment to United States securities organizations; and

(B) whether the foreign country permits United States securities organizations to expand their activities in that country, even if that country determined that the United States did not accord national treatment to securities organizations of that country.

(f) Negotiations.—

(1) In general.—The Secretary—

(A) shall initiate negotiations with any foreign country with respect to which a determination under subsection (d)(1) is in effect; and

(B) may initiate negotiations with any foreign country which denies national treatment to United States securities organizations to ensure that the foreign country accords national treatment to such organizations.

(2) Exceptions.—Paragraph (1) does not require the Secretary to initiate negotiations with a foreign country if the Secretary—

(A) determines that the negotiations—

(i) would be so unlikely to result in progress toward according national treatment to United States securities organizations as to be a waste of effort; or

(ii) would impair the economic interests of the United States; and

(B) gives written notice of that determination to the chairperson and the ranking minority member of the Committee on Banking, Housing, and Urban Affairs of the Senate and of the Committee on Energy and Commerce of the House of Representatives.

(g) Report.—

(1) Contents of report.—Not later than December 1, 1994, and biennially thereafter, the Secretary shall submit to the Congress a report that—

(A) specifies the foreign countries identified under subsection (b);

(B) if a determination under subsection (d)(1) is in effect with respect to the foreign country, provides the reasons therefor;

(C) if the Secretary has not made, or has rescinded, a determination under subsection (d)(1) with respect to the foreign country, provides the reasons therefor;

(D) describes the results of any negotiations conducted under subsection (f)(1) with the foreign country; and

(E) discusses the effectiveness of this section in achieving the purpose of this section.

(2) Submission of report.—The report required by paragraph (1) may be submitted as part of a report or update submitted under section 3602 of the Omnibus Trade and Competitiveness Act of 1988.

(h) Definitions.—For purposes of this section, the following definitions shall apply:

(1) Broker.—The term "broker" has the same meaning as in section 3(a)(4) of the Securities Exchange Act of 1934.

(2) Dealer.—The term "dealer" has the same meaning as in section 3(a)(5) of the Securities Exchange Act of 1934.

(3) Commission.—The term "Commission" means the Securities and Exchange Commission.

(4) Investment adviser.—The term "investment adviser" has the same meaning as in section 202(a)(11) of the Investment Advisers Act of 1940.

(5) National treatment.—A foreign country accords "national treatment" to United States securities organizations if it offers them the same competitive opportunities (including effective market access) as are available to its domestic securities organizations.

(6) Person of a foreign country.—The term "person of a foreign country" means—

(A) a person organized under the laws of the foreign country;

(B) a person that has its principal place of business in the foreign country;

(C) an individual who is—

(i) a citizen of the foreign country; or

(ii) domiciled in the foreign country; and

(D) a person that is directly or indirectly controlled by a person described in subparagraph (A) or (B), or by an individual described in subparagraph (C).

(7) Secretary.—The term "Secretary" means the Secretary of the Treasury.

(8) Securities organization.—The term "securities organization" means a broker, a dealer, or an investment adviser.

(i) Other Authority Not Affected.—This section does not limit the authority of the Commission, the Secretary, or any other department or agency under any other provision of Federal law.

SEC. 4. FINANCIAL INTERDEPENDENCE STUDY.

Subtitle G of title III of the Omnibus Trade and Competitiveness Act of 1988 (22 U.S.C. 5351 et seq.) is amended by adding at the end the following new section:

"SEC. 3605. FINANCIAL INTERDEPENDENCE STUDY.

"(a) Investigation Required.—The Secretary, in consultation and coordination with the Securities and Exchange Commission, the Federal banking agencies, and any other appropriate Federal department or agency designated by the Secretary, shall conduct an investigation to determine—

"(1) the extent of the interdependence of the financial services sectors of the United States and foreign countries—

"(A) whose financial services institutions provide financial services in the United States; or

"(B) whose persons have substantial ownership interests in United States financial services institutions; and

"(2) the economic, strategic, and other consequences of that interdependence for the United States.

"(b) Report.—

"(1) Report required.—Not later than 3 years after the date of enactment of this section, the Secretary shall submit a report on the results of the investigation under subsection (a) to the President, the Congress, the Securities and Exchange Commission, the Federal banking agencies, and any other appropriate Federal agency or department, as designated by the Secretary.

"(2) Contents of report.—The report required under paragraph (1) shall—

"(A) describe the activities and estimate the scope of financial services activities conducted by United States financial services institutions in foreign markets (differentiated according to major foreign markets);

"(B) describe the activities and estimate the scope of financial services activities conducted by foreign financial services institutions in the United States (differentiated according to the most significant home countries or groups of home countries);

"(C) estimate the number of jobs created in the United States by financial services activities conducted by foreign financial services institutions and the number of jobs created in foreign countries by financial service activities conducted by United States financial services institutions;

"(D) estimate the additional jobs and revenues (both foreign and domestic) that would be created by the activities of United States financial services institutions in foreign countries if those countries offered such institutions the same competitive opportunities (including effective market access) as are available to the domestic financial services institutions of those countries;

"(E) describe the extent to which foreign financial services institutions discriminate against United States persons in procurement, employment, the provision of credit or other financial services, or otherwise;

"(F) describe the extent to which foreign financial services institutions and other persons from foreign countries purchase or otherwise facilitate the marketing from the United States of government and private debt instruments and private equity instruments;

"(G) describe how the interdependence of the financial services sectors of the United States and foreign countries affects the autonomy and effectiveness of United States monetary policy;

"(H) describe the extent to which United States companies rely on financing by or through foreign financial services institutions and the consequences of such reliance (including disclosure of proprietary information) for the industrial competitiveness and national security of the United States;

"(I) describe the extent to which foreign financial services institutions, in purchasing high technology products such as computers and telecommunications equipment, favor manufacturers from their home countries over United States manufacturers; and

"(J) contain other appropriate information relating to the results of the investigation required by subsection (a).

"(c) DEFINITIONS.—For purposes of this section the following definitions shall apply:

"(1) DEPOSITORY INSTITUTION AND DEPOSITORY INSTITUTION HOLDING COMPANY.—The terms 'depository institution' and 'depository institution holding company' have the same meanings as in section 3 of the Federal Deposit Insurance Act.

"(2) FEDERAL BANKING AGENCY.—The term 'Federal banking agencies' has the same meaning as in section 3 of the Federal Deposit Insurance Act.

"(3) FINANCIAL SERVICES INSTITUTION.—The term 'financial services institution' means—

"(A) a broker, dealer, underwriter, clearing agency, transfer agent, or information processor with respect to securities, including government and municipal securities;

"(B) an investment company, investment manager, investment adviser, indenture trustee, or any depository institution, insurance company, or other organization operating as a fiduciary, trustee, underwriter, or other financial services provider;

"(C) any depository institution or depository institution holding company; and

"(D) any other entity providing financial services.

"(4) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.".

SEC. 5. CONFORMING AMENDMENTS.

(a) REPORTS ON FOREIGN TREATMENT OF UNITED STATES FINANCIAL INSTITUTIONS.—Section 3602 of the Omnibus Trade and Competitiveness Act of 1988 (22 U.S.C. 5352) is amended—

(1) in the first sentence, by inserting "with updates on significant developments every 2 years following the study conducted in 1994," before "the Secretary of the Treasury"; and

(2) by adding at the end the following: "For purposes of this section, a foreign country denies national treatment to United States entities unless the foreign country offers such entities the same competitive opportunities (including effective market access) as are available to the domestic entities of the foreign country.".

(b) NEGOTIATIONS TO PROMOTE FAIR TRADE IN FINANCIAL SERVICES.—Section 3603(a)(1) of the Omnibus Trade and Competitiveness Act of 1988 (22 U.S.C. 5353(a)(1)) is amended by inserting "effective" before "access".

(c) PRIMARY DEALERS IN GOVERNMENT DEBT INSTRUMENTS.—Section 3502(b)(1) of the Omnibus Trade and Competitiveness Act of 1988 (22 U.S.C. 5342(b)(1)) is amended—

(1) by striking "does not accord to" and inserting "does not offer"; and

(2) by striking "as such country accords to" and inserting "(including effective market access) as are available to".•

• Mr. D'AMATO. Mr. President, I am pleased to join Senator RIEGLE in introducing the Fair Trade in Financial Services Act of 1993.

The bill has been the subject of considerable attention by the Committee on Banking, Housing, and Urban Affairs and successful action by the Senate in recent years. By introducing the bill today, I want to make clear that national treatment remains a mainstay of U.S. trade policy. Since Congress may soon consider important trade agreements as a result of NAFTA and the ongoing GATT negotiations, this is an appropriate time to underscore the benchmark trade principle of national treatment.

Mr. President, the Fair Trade in Financial Services Act would provide the Secretary of the Treasury, our primary trade negotiator on trade involving financial services, the authority and discretion to restrict the operations of foreign banks and securities firms in the United States if U.S. banks, securities firms, and investment advisors are not granted national treatment—equality of competitive opportunity—in the home country of such foreign banks and securities firms. Under the bill, if foreign governments are found to discriminate against U.S. financial organizations by not providing equivalent competitive opportunities, the Secretary of the Treasury would be permitted to deny national treatment to some or all financial firms from that country. Under the bill, denials would only affect opportunities for future expansion in the U.S. market and would not force financial firms to shrink their existing operations. The bill would also establish procedures for the exercise of the authority by the Secretary and require consultation with the banking and securities regulators.

Mr. President, I believe this bill will facilitate the efforts of our trade negotiators to open foreign markets to U.S. financial institutions. Treasury Undersecretary for International Affairs, Lawrence Summers, reiterated the Treasury Department's commitment to defending the interests of the U.S. financial community in opening restricted foreign markets during an appearance before the committee.

Mr. President, our trade policy should be aimed at opening foreign financial markets for U.S. business. This bill will enhance the authority of our negotiators to accomplish this goal primarily through negotiations while providing assurance that we will retain the statutory authority to make certain that the principles of fairness and reciprocity are honored by our trading partners and enforceable by our Government.

Mr. President, I am hopeful the administration will support this bill and cooperate in its prompt passage. Only by collaborating across all agencies of our Government involved with trade can we succeed in eliminating the discrimination many countries practice against U.S. firms, especially in the financial services area. I believe the approach in this bill is entirely consistent with the principles that President Clinton announced to guide our trade policy in a speech last February. In that speech, he stated that his administration's trade policy would:

> * * * say to our trading partners that we value their business, but none of us should expect something for nothing. We will continue to welcome foreign products and services into our markets, but insist that our products and services be able to enter their on equal terms.

That statement of fair play in international trade is exactly what the Fair Trade in Financial Services Act seeks to apply to trade in financial services.

I will work closely with Senator RIEGLE and my colleagues in the House, Congressmen SCHUMER and LEACH, who are introducing an identical bill on a bipartisan basis in the House.•

By Mr. SIMON:

S. 1528. A bill to amend the National Labor Relations Act to set a time limit for labor rulings on discharge complaints, and for other purposes; to the Committee on Labor and Human Resources.

S. 1529. A bill to amend the National Labor Relations Act to permit the selection of an employee labor organization through the signing of a labor organization membership card by a majority of employees and a subsequent election, and for other purposes; to the Committee on Labor and Human Resources.

S. 1530. A bill to amend the National Labor Relations Act to require Federal contracts debarment for persons who violate labor relations provisions, and for other purposes; to the Committee on Labor and Human resources.

S. 1531. A bill to amend the National Labor Relations Act to impose a penalty for encouraging others to violate the provisions of the National Labor Relations Act, and for other purposes; to the Committee on Labor and Human Resources.

S. 1532. A bill to amend the National Labor Relations Act to provide equal time to labor organizations to present information relating to labor organizations, and for other purposes; to the Committee on Labor and Human Resources.

LEGISLATION TO IMPROVE LABOR-MANAGEMENT RELATIONS

• Mr. SIMON. Mr. President, today I am introducing a series of bills to encourage better relations between labor and management in our country.

If the United States is to remain a competitive and prosperous nation in a global economy, we must encourage labor-management cooperation and the participation of workers in decisions that affect the workplace.

U.S. labor laws were designed to establish an equitable framework for labor and management to represent their interests and settle their differences. The way in which these laws have been amended and interpreted has had a direct impact on union membership.

As Prof. Paul Weiler has written:

> Congress adopted as our national legal policy the promotion of worker organization

into independent unions of their own choosing. (Weiler, Paul "Governing The Workplace: Employee Representation In The Eyes Of The Law".

As current law stands, however, independent unions have been stifled not promoted. Public policy needs to once again promote worker rights. We need to level the playing field.

Unlike Japan, Western Europe, and Canada, there has been a steady decline in labor union membership in the United States during the past 20 years. Almost 27 percent of people in the United States were unionized in 1972. Today approximately 16 percent of our work force is unionized—excluding governmental employees, it's about 12 percent—compared to 42 percent in Germany and Canada, 58 percent in Great Britain, 28 percent in France, 50 percent in Brazil, 35 percent in Mexico, and 90 percent in Sweden. This decline hampers growth and opportunity in our Nation. It is no coincidence that as the percentage of union membership has gone down, so have the average wages of our workers. In 1972, when 26 percent of the work force belonged to unions, the average worker, according to the Bureau of Labor Statistics, earned $315 a week. In 1991, the percentage of union workers had dropped to 16 percent, and average earnings were down to $255. We cannot allow this trend to continue. It is not healthy for our workers or our economy. It's a sad commentary on the state of our affairs when you consider that among all industrialized workers, only Korea has a lower percentage of unionized workers.

Not only is this bad for workers; it is also bad for business. It's bad for business because studies show that satisfied workers are more productive workers. Studies also show that union workers tend to be more satisfied workers. In fact, union membership adds to productivity in this country.

Morton Bahr, President of Communications Workers of America stated, "[s]trong labor movements are the rule not the exception, in the nations that are our toughest international competitors." Although economists do not agree on much, they do agree that the United States will compete with the rest of the world either through high skills or low wages. Unless we do something to change our course, this Nation will continue to follow the low wage route. Increasing employee participation is the best route to an economy based on high skills and higher productivity.

For example, The Washington Post reported on September 6, 1992:

> The median income for a union member was $33,345, compared with the median earnings of $27,613 for all adults. The survey shows that 39% of union members earn more than $35,000 a year, compared with 28% of the overall population.

As I indicated earlier, the statistics demonstrate that as the percentage of union members has declined, so has our average manufacturing wage. There is no question in my mind that if 35 or 40 percent of workers were organized in the United States, we would have a more productive, healthier, and more competitive workplace.

Of course, the causes of union decline are complex. Factors such as the trade deficit, budget deficit, employers who engage in union busting activities and negative public relations, and the failure by unions themselves to involve women and minorities have all contributed to member decline. Public policy, however, which has permitted, even encouraged, certain employers to resist union organizing activities, is the principal cause of the decline in union membership in the United States.

In addition to promoting global competitiveness, the bills I introduce today will seek to protect workers' rights in the work place. Workers should be free from coercion, threats, and undue influence when deciding if they wish to join a labor union, employer's group, or associate with any group. In other words, people should be free to associate with whomever they so choose at work. Further, employers and labor unions should be allowed the same access when it comes to distributing information to workers.

Unions were first recognized in Britain in 1824. As a system of collective bargaining developed, regulations governing health and safety and workmen's compensation were adopted. Labor unions have been leaders in social progress and reforms; social security, having minimum wage, and child labor laws just to name a few. Today, concern over worker safety, privacy in the work place, equal treatment for women, and health care are areas where labor unions can have a positive impact on our public policy.

We can achieve these noble goals. Each of my bills addresses a different problem in current labor law.

The first bill I will introduce is called the National Labor Relations Board Ruling Time Limit Act. It requires the National Labor Relations Board to rule within 30 days after receiving a charge of unfair labor practices, resulting in a discharge.

Second, the Labor Relations Representative Amendment Act would provide for expedited elections, when a supermajority of workers sign cards indicating their desire to join a union. 60 percent of workers would constitute a supermajority. This is similar to a practice that has worked well in Canada.

The next two bills impose significant penalties on those who violate the NLRA. The Federal Contracts Debarment Act makes anyone who continually and blatantly violates the NLRA ineligible for Federal contracts for up to 3 years. The National Labor Relations Penalty Act makes it illegal for any law firm or consulting firm to encourage or aid in violation of the NLRA. If a firm violates this act, it can be fined up to $10,000.

The final bill is called the Labor Organizations Equal Presentation Time Act. As the name indicates, it requires employers who participate in antilabor organization activities on the job to give equal time to the labor organizations. Workers must have equal access to information on both sides.

We need to improve labor-management relations in this country and these bills will help bring some needed changes. I know others are studying this important issue—most notably the Commission on the Future of Worker-Management Relations, chaired by Assistant Secretary John Dunlop. I look forward to the recommendations of this important Commission.•

By Mr. LOTT.

S. 1533. A bill to improve access to health insurance and contain health costs, and for other purposes; to the Committee on Finance.

AFFORDABLE HEALTH CARE NOW ACT

• Mr. LOTT. Mr. President, I rise today to offer legislation which will improve access to health insurance, help contain health care costs, and address the areas of health care which really warrant reform.

My office has received over 3,000 calls from Mississippians and others across the country about the plan proposed by President Clinton. I want to tell my colleagues today there is a great deal of apprehension, or perhaps I should say fear, about what this plan could possibly do to the quality of health care delivery and the existing availability of medical treatment.

Health care reform is a subject which has now captured the national spotlight, and tapped the conscience of all Americans. It is one of the most difficult problems facing our country today. We all need and deserve health care that is affordable and accessible. Rapidly increasing costs, however, have made these goals hard to reach. I have looked closely at the details of a number of proposals presented in Congress, and have decided to offer the American public an alternative.

This plan I am introducing is a practical approach. It will expand access to affordable group health coverage for employers, employees, and their families. Also, it will help eliminate job-lock and the exclusion of such individuals from coverage due to preexisting condition restrictions.

In addressing health care reform, we must make sure that we do not sacrifice quality as we reform the present system. In addition, I believe that any plan ultimately approved by Congress must ensure that we retain the positive things about our country's health care system, like the individual freedom to choose your own doctor and hospital.

The health care problems we face are very complex, and a solution is not going to happen overnight. Obviously, we need to do something, but any reform must be carefully weighed. We need to have a full and thorough debate on all the options facing us. The issue of health care is too important simply to rush to judgment.

I urge my colleagues to examine the merits of this legislation, this practical approach to health care reform.●

By Mr. GLENN (for himself, Mr. STEVENS, and Mr. PRYOR):

S. 1535. A bill to amend title V, United States Code, to eliminate narrow restrictions on employee training, to provide a temporary voluntary separation incentive, and for other purposes; to the Committee on Governmental Affairs.

FEDERAL WORK FORCE RESTRUCTURING ACT OF 1993

Mr. GLENN. Mr. President, on behalf of myself, Senator STEVENS, and Senator PRYOR, I rise to introduce the Federal Work Force Restructuring Act of 1993. This legislation is an initiative of the Vice President's National Performance Review [NPR]. This bill reflects the strong commitment of the Clinton administration to trim the Federal work force and to make Government more responsive and effective.

The legislation's purpose is to provide agency heads with a range of tools and incentives to assist them in restructuring their work force. The bill would allow agencies to employ voluntary separation incentive payments to encourage Federal employees to resign or retire from Federal service. In addition, it would reform current law on employee training. Employee retraining will be increasingly necessary as we seek to create a multiskilled Federal work force, adaptable to changing circumstances and technology.

One central goal of the Vice President's National Performance Review is Governmentwide downsizing. In developing its initiatives, the NPR examined employment and management trends in State and local governments, other countries, and the private sector. Separation incentives have long been recognized by private industry as an important tool in restructuring their work force.

The purpose of the bill is to provide agencies with the tools they need to downsize, by allowing them to offer targeted separation incentives—early retirement or financial payments or both—to selected groups of employees. These financial payments would be the lesser of $25,000 or the amount an employee would be paid in severance pay if their jobs were being abolished. An agency head could designate components of his or her agency, particular locations or offices, and/or particular job grades or occupations where separation incentives would be offered.

This latter point is very important because there are going to be some disappointed Federal employees who find themselves ineligible for any separation payment. Let me point out that this is not some sort of new benefit for Government workers. Instead, it is proposed as a carefully crafted, sensible, and humane alternative to reductions in force [RIF's]. It is proposed as a cost-effective tool to meet the Vice President's goal of reducing the Federal work force by 252,000 people.

Hand-in-hand with the goal of downsizing is the retraining of the existing work force. As we cut the fat, we must build the muscle. The Federal Work Force Restructuring Act would provide needed flexibility in retraining Federal employees for new assignments. Under the terms of the legislation, the purpose of training would be expanded to include improving individual and organizational performance. Training would be related to the achievement of agency mission and performance goals.

As chairman of the committee on Governmental Affairs, I am scheduling a hearing on this legislation for October 19, 1993. At that hearing, we hope to examine a number of concerns related to this bill, including its costs and impact.

I am pleased to already have bipartisan support for this measure, with both the chairman and ranking member of the Federal Services, Post Office and Civil Service Subcommittee of the Governmental Affairs Committee as original cosponsors of the bill. I look forward to working with Senator STEVENS, Senator PRYOR, and other committee members on this measure.

I ask unanimous consent that statements by Senators STEVENS and PRYOR be included as if read, and further ask that the text of the bill be printed in full following these remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1535

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Workforce Restructuring Act of 1993".

SEC. 2. EMPLOYEE TRAINING.

(a) IN GENERAL.—Chapter 41 of title 5, United States Code, is amended—

(1) in section 4101(4) by striking out "fields" and all that follows through the semicolon and inserting in lieu thereof "fields which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals;";

(2) in section 4103—

(A) in subsection (a) by striking out "In" and all that follows through "proficiency" and inserting in lieu thereof "In order to assist in achieving an agency's mission and performance goals by improving employee and organizational performance"; and

(B) in subsection (b)—

(i) in paragraph (1) by striking out "determines" and all that follows through the period and inserting in lieu thereof "determines that such training would be in the interests of the Government.";

(ii) by striking out paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(iii) in subparagraph (C) of paragraph (2) (as redesignated under clause (ii) of this subparagraph) by striking out "retaining" and all that follows through the period and inserting in lieu thereof "such training.";

(3) in section 4105—

(A) in subsection (a) by striking out "(a)"; and

(B) by striking out subsections (b) and (c);

(4) by repealing section 4106;

(5) in section 4107—

(A) by amending the section heading to read as follows:

"**§4107. Restriction on degree training**";

(B) by striking out subsections (a) and (b) and redesignating subsections (c) and (d) as subsections (a) and (b), respectively;

(C) by amending subsection (a) (as redesignated under subparagraph (B) of this paragraph)—

(i) by striking out "subsection (d)" and inserting in lieu thereof "subsection (b)"; and

(ii) by striking out "by, in, or through a non-Government facility"; and

(D) by amending paragraph (1) of subsection (b) (as redesignated under subparagraph (B) of this paragraph) by striking out "subsection (c)" and inserting in lieu thereof "subsection (a)";

(6) in section 4108(a) by striking out "by, in, or through a non-Government facility under this chapter" and inserting in lieu thereof "for more than a minimum period prescribed by the head of the agency";

(7) in section 4113(b) by striking out all that follows the first sentence;

(8) by repealing section 4114; and

(9) in section 4118—

(A) in subsection (a)(7) by striking out "by, in, and through non-Government facilities";

(B) by striking out subsection (b); and

(C) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 41 of title 5, United States Code, is amended—

(1) by striking out the items relating to sections 4106 and 4114; and

(2) by amending the item relating to section 4107 to read as follows:

"4107. Restriction on degree training.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 3. VOLUNTARY SEPARATION INCENTIVES.

(a) DEFINITIONS.—For purposes of this section, the term—

(1) "agency" means an Executive agency, as defined under section 105 of title 5, United States Code, but does not include the Department of Defense, the Central Intelligence Agency, or the General Accounting Office; and

(2) "employee" means an employee, as defined under section 2105 of title 5, United States Code, of an agency, serving under an appointment without time limitation, who has been currently employed for a continuous period of at least 12 months, including an individual employed by a county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), but does not include—

(A) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the Government; or

(B) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under the applicable retirement system referred to in subparagraph (A).

(b) AUTHORITY TO MAKE PAYMENT.—(1) In order to assist in the restructuring of the Federal workforce while minimizing involuntary separations, the head of an agency may pay, or authorize the payment of, a voluntary separation incentive payment to employees—

(A) in any component of the agency;

(B) in any occupation;

(C) in any geographic location; or

(D) on the basis of any combination of the factors described under subparagraphs (A) through (C).

(2) In order to receive an incentive payment under paragraph (1), an employee shall separate from service with the agency (whether by retirement or resignation) during the 90-day period described under paragraph (3).

(3) The head of an agency shall designate a continuous 90-day period for purposes of separation under this subsection for such agency or any component thereof. Such 90-day period shall begin no earlier than the date of the enactment of this Act and shall end no later than September 30, 1994.

(4) Notwithstanding the provisions of paragraphs (2) and (3), an employee may receive an incentive payment under this section and delay a separation from service if—

(A) the agency head determines that it is necessary to delay such employee's separation from service in order to ensure the performance of the agency's mission; and

(B) no later than 2 years after the date of the last day of the 90-day period designated under paragraph (3), such employee separates from service in the agency.

(c) VOLUNTARY SEPARATION INCENTIVE PAYMENT.—A voluntary separation incentive payment—

(1) shall be paid in a lump sum after the employee's separation;

(2) shall be equal to the lesser of—

(A) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section; or

(B) $25,000;

(3) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit;

(4) shall not be taken into account in determining the amount of any severance pay to which an employee may be entitled under section 5595 of title 5, United States Code, based on any other separation; and

(5) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(d) SUBSEQUENT EMPLOYMENT AND REPAYMENT OF INCENTIVE PAYMENT.—(1) An employee who has received a voluntary separation incentive payment under this section and accepts employment with the Government of the United States within 5 years of the date of the separation on which payment of the incentive is based shall be required to repay the entire amount of the incentive payment to the agency that paid the incentive payment.

(2) If the employment is with an Executive agency (as defined under section 105 of title 5, United States Code), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee.

(3) If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee.

(4) If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee.

(e) REGULATIONS.—The Director of the Office of Personnel Management may prescribe any regulations necessary for the administration of this section.

(f) JUDICIAL BRANCH PROGRAM.—The Director of the Administrative Office of the United States Courts may, by regulation, establish a program consistent with the program established by subsections (a) through (d) of this section for employees of the judicial branch.

(g) REDUCTION GOALS.—It is the sense of Congress that—

(1) employment in the executive branch should be reduced by not less than one full-time equivalent position for each 2 employees who are paid voluntary separation incentives under this Act; and

(2) each agency should adjust its employment levels to achieve such result.

SEC. 4. SUBSEQUENT EMPLOYMENT AND REPAYMENT OF SEPARATION PAYMENT.

(a) DEFENSE AGENCY SEPARATION PAY.—Section 5597 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(g)(1) An employee who receives separation pay under this section on the basis of a separation occurring on or after the date of enactment of the Federal Workforce Restructuring Act of 1993 and accepts employment with the Government of the United States within 2 years of the date of the separation on which payment of the separation pay is based shall be required to repay the entire amount of the separation pay to the defense agency that paid the separation pay.

"(2) If the employment is with an Executive agency (as defined under section 105 of title 5, United States Code), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee.

"(3) If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee.

"(4) If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee.".

(b) CENTRAL INTELLIGENCE AGENCY SEPARATION PAYMENT.—Section 2(b) of the Central Intelligence Agency Voluntary Separation Pay Act (Public Law 103-36; 107 Stat. 104) is amended by adding at the end thereof the following: "An employee who receives separation pay under this section on the basis of a separation occurring on or after the date of the enactment of the Federal Workforce Restructuring Act of 1993 and accepts employment with the Government of the United States within 2 years of the date of the separation on which payment of the separation pay is based shall be required to repay the entire amount of the separation pay to the Central Intelligence Agency. If the employment is with an Executive agency (as defined under section 105 of title 5, United States Code), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee. If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee. If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the employment is in a position for which there is exceptional difficulty in recruiting a qualified employee.".

SEC. 5. FUNDING OF EARLY RETIREMENTS IN CIVIL SERVICE RETIREMENT SYSTEM.

(a) IN GENERAL.—Section 8334 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(l) In addition to any other payments required by this subchapter, an agency shall remit to the Office for deposit in the Treasury of the United States to the credit of the Fund an amount equal to 9 percent of the final rate of basic pay of each employee of the agency who retires under section 8336(d).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to retirements occurring on or after the date of the enactment of this Act.

• Mr. STEVENS. Mr. President, I am pleased to join my friend, chairman of the Governmental Affairs Committee, JOHN GLENN, in sponsoring this measure to assist Government agencies as they attempt to streamline their operations.

This proposal is the natural progression of legislation which was enacted last year to minimize civilian layoffs at the Department of Defense. From all accounts, the flexibility we provided has proved to be invaluable to both management and employees.

It should be made clear, however, that we are not creating an entitlement program. Agency heads must retain the authority and discretion to offer the incentives in specific locations, or job classifications, or whatever combination best suits the particular agency.

And, it should also be understood that this is a one-time opportunity—agencies will offer these incentives for a finite period of time during fiscal year 1994. Once that window is closed, it will not be reopened. Both agency heads and employees need to carefully consider all options and eventualities before any decisions are made.

Mr. President, while I have reservations about particular provisions of this bill, I support its basic concept of giving agencies the tools needed to reach a goal we can all agree is necessary—a voluntary Federal work force reduction to meet budgetary necessities. I look forward to working with the Governmental Affairs Committee and other Members of the Senate to fine tune this legislation so that the Senate can act expeditiously and allow

Federal agencies to get on with the job of rightsizing the Federal Government.•

• Mr. PRYOR. Mr. President, I am pleased to join Senator GLENN as an original cosponsor of this bill which will help us reduce the Federal work force by 252,000 jobs over the next several years by allowing agencies to offer employees retirement and resignation incentives. We know this strategy will work because it is working at the Department of Defense [DOD]. DOD first offered separation incentives on January 19, 1993, and since then, 28,000 employees have left the Department.

When I visited with civilian employees at Eaker Air Force Base in Blytheville, AR, in February 1992, who were facing the closing of their base, it became clear that preventive measures were needed to help DOD employees avoid layoffs. I am pleased to have worked with DOD in designing the separation incentives. The incentives have improved employees' morale and have minimized the need for DOD to use reductions in force which disproportionately affects women and minorities.

The success rates of the incentives, coupled with early retirement, is undeniable. Simply offering early retirement as an option historically attracted 16 percent of eligible retirees. That number dropped to below 5 percent in 1991 and 1992. However, early retirement, plus some type of incentive, has encouraged 25 percent of eligible DOD employees; 26 percent of eligible postal employees; and 38 percent of eligible Office of Thrift Supervision employees to elect retirement.

The National Performance Review report recommends that the buy-out program be implemented to help soften the impact of the restructuring of the Federal work force. Incentives have been used by the private sector to achieve work force reductions. I applaud the President and Vice President for this initiative, and I look forward to working with Senator GLENN, the chairman of the Senate Governmental Affairs Committee, on this legislation.•

By Mr. INOUYE:

S. 1536. A bill to amend the Federal Property and Administrative Services Act to provide an opportunity for former owners to repurchase real property to be disposed by the United States; to the Committee on Governmental Affairs.

REAL PROPERTY LEGISLATION

• Mr. INOUYE. Mr. President, I rise today to introduce a bill to amend the Federal Property and Administrative Services Act of 1949 to provide a right of first refusal to those property owners from whom land was acquired by the United States through the exercise of the power of eminent domain.

This right of first refusal to repurchase the land would come only after the property is no longer being used for the purpose for which it was originally acquired, and only in the circumstance in which the Government is ready to dispose of the property.

The amendment which I propose today would require the United States to provide written notice of the intention of the Government to dispose of real property to the title holder of the property from whom the Government acquired the property by eminent domain.

The title holder would then have an opportunity to enter into a contract with the United States to purchase the property. If this right of first refusal is not acted upon within 1 year from the time that notice is provided, the Government could proceed with the disposal of the property.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD immediately following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1536

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. . OPPORTUNITY FOR FORMER OWNERS TO REPURCHASE REAL PROPERTY TO BE DISPOSED BY THE UNITED STATES.

Section 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484) is amended by adding at the end thereof the following new subsection:

"(p)(1) Notwithstanding any other provision of this section, no property described under paragraph (2) may be disposed under this section, unless—

"(A) the person who last held title to the real property before the United States acquired title by eminent domain—

"(i) is provided written notice of the intention of the United States to dispose of such real property; and

"(ii) is made a written offer to purchase such real property at the fair market value of such property on the date of such offer; and

"(B) within one year after the date on which such person received an offer as provided under subparagraph (A)(ii), such person—

"(i) signs a refusal to purchase such property; or

"(ii) has not entered into a contract with the United States to purchase such property.

"(2) The property referred to under paragraph (1) is any real property—

"(A) which is acquired by the United States by eminent domain; and

"(B) of which title was last held by any person other than a Federal, State, or local governmental entity, or foreign governmental entity before such property was so acquired.

"(3) The provisions of this subsection shall apply to any real property described under paragraph (2) or any part of such property.

"(4) The provisions of this subsection shall not apply to any real property if—

"(A) title was last held by any natural person before being acquired by the United States by eminent domain; and

"(B) all such natural persons are deceased before the date on which a contract to repurchase such real property from the United States is entered into.".•

By Mr. ROCKEFELLER (for himself and Mr. DECONCINI):

S. 1537. A bill to amend the Stevenson-Wydler Technology Innovation Act of 1980; to the Committee on Commerce, Science, and Transportation.

TECHNOLOGY COMMERCIALIZATION ACT OF 1993

• Mr. ROCKEFELLER. Mr. President, I am pleased to be joined today by my colleague and friend Senator DECONCINI in sponsoring the Technology Commercialization Act of 1993. Senator DECONCINI had made such tremendous contributions to this body, to his state, and to the nation that he will be greatly missed when the 104th Congress convenes in 1995. It is an honor for me that he has joined me in sponsoring this bill.

From my perspective as chairman of the Science, Technology and Space Subcommittee, and from Senator DECONCINI's perspective as chairman of the Judiciary Subcommittee on Patents, Copyrights, and Trademarks, we are acutely aware of the role that new technology can play in the economic competitiveness of our country. Because of my assignment, I also hear from many American business executives about their efforts to work with Federal laboratories in joint research projects to develop the new technologies that will make our industries more competitive. From these exchanges, I have identified some of the problems in Federal technology policy that have made these efforts less productive than could be.

The changes we are proposing in Federal technology policy are not earthshaking, but they will result in better use of Federal laboratories and will advance American international competitiveness. They are part of an ongoing move toward increased emphasis on Federal support for the commercialization of technology, not just the development of technology this change was also evidenced last year in the package of proposals that a number of us in the Democratic Economic Leadership Strategy Group introduced. I hope this bill will receive the same serious consideration and early approval that most of that package received.

In the process of drafting this bill, we have consulted extensively with the U.S. companies which make the biggest investments in new product research and development and with the Federal agencies and laboratories which conduct a large proportion of the Government's research and development. From these consultations, I believe that both of these groups, as well as the American people, will benefit from this proposal. To obtain additional views, I plan to hold a hearing on this bill later this month in the Subcommittee on Science, Technology, and Space.

Mr. President, technology is often called the engine of economic growth. It is said that technology determines our national income, our social well-being, and our international competitiveness. While those statements are true, they do not tell the whole story. In fact, the development of new technology cannot, by itself, bring any of these gains.

The critical factor in producing these benefits is the commercialization of technology. Economic benefits accrue only when a technology is brought to the marketplace. Only when technology is commercialized, can it create jobs, production, and profits. In turn, it is today's earnings from commercialized technology which will enable our manufacturers to undertake the research and the investments that lead to the next generation of technology and commercialization and to more jobs for Americans tomorrow.

The Federal Government has long had a role in technology development, predominately supporting basic science research and conducting mission-oriented research and development, primarily of defense technologies. These Federal research and development programs are conducted by private industry, by universities and other not-for-profit study centers, and by Federal laboratories. This legislation deals with the research jointly conducted by private entities and Federal laboratories under a cooperative research and development agreement.

While the Government's research programs were not initiated to promote technology commercialization, Federal policy has moved steadily in that direction. For example, technologies that private companies developed for our defense programs and our space programs sometimes also produced spin-off technologies that were commercialized for other applications. Because these programs generally assign ownership of the technology to the private companies which conducted the research and made the discovery, the companies had an ownership incentive to commercialize the technology and develop it further.

Federal research and development policy took an important step toward greater emphasis on technology commercialization in 1980 with enactment of the Stevenson-Wydler Technology Innovation Act (15 U.S.C. Chapter 63) and the Bayh-Dole Act of 1980 (35 U.S.C. Chapter 18). The former established a policy and mechanisms for utilizing Government funded technology developments by the private sector. The latter law promotes commercialization of inventions that come from federally funded research and development by granting ownership of these inventions' intellectual property rights to the individuals, small businesses, universities, and other nonprofits which conducted the research. That Bayh-Dole policy has been quite successful in moving technology from the laboratory to the market place.

In 1986 and 1989, Federal policy took more steps toward increased emphasis on technology commercialization through amendments to the Stevenson-Wydler Act. The first, the Federal Technology Transfer Act of 1986, established a process for joint research by Government-operated Federal laboratories and collaborating parties. These cooperative research and development agreements, or CRADA's, are usually partnerships between Federal labs and U.S. manufacturing companies. The second, the National Competitiveness Technology Transfer Act of 1989, extended this cooperative research and development program to Federal laboratories operated by Government contractors.

In contrast to the provisions of the Bayh-Dole Act, which put the intellectual property rights that came out of federally financed research into the private sector where they could be commercialized, the Stevenson-Wydler Act allowed the Federal laboratories to retain these rights. Partially as a result of these differences in policies, the rate of commercialization of technology developed by the universities under the Bayh-Dole provisions has been much greater than the rate of commercialization of technology from Federal laboratories.

Recent General Accounting Office reports which provide data on Federal laboratories' and universities' research and development expenditures, inventions, and intellectual property income give us a good picture of just how much less successful the Federal laboratories have been. These reports indicate that during fiscal years 1989 and 1990, the most recent period studied, Government-operated Federal laboratories spent $31.8 billion on research and development. These expenditures resulted in the grant of 1,511 patents, of which 89 were licensed for commercialization. During the 2-year period, the Federal laboratories received $12.6 million in income from their technology licenses. Those data mean that the Federal laboratories had an average R&D expenditure of $357 million per each commercialized technology. They also show that only 1 out of every 17 patents from Government-operated Federal laboratories was commercialized.

In contrast, the record of university research, much of which is also federally financed and undertaken for the same purposes as research in the Government-operated Federal laboratories, is much better. The GAO indicates that during the same 2-year period, the 25 universities which receive the bulk of Federal research funding spent $11.2 billion on research and development, about one-third of what the Government-operated Federal laboratories spent. In the same period, they obtained 886 patented inventions, about 60 percent of the Federal laboratories' achievement. Of greater importance, however, the 25 universities granted 673 licenses for the commercialization of the inventions, more than 7½ times as many as the Federal laboratories with only one-third of the R&D expenditure, and they received $110.9 million in license income, almost 9 times more than the Federal laboratories.

These results document what we should have known. The Federal Government does not do a very good job of commercializing technology. Moreover, these 2 years studied in depth by GAO do not appear to be unusual. In other data, GAO indicates that from 1981 to 1991, all of the Government-operated Federal laboratories granted 455 exclusive licenses for the commercialization of technology developed at the laboratories. A single American university, the Massachusetts Institute of Technology, granted more than that—and MIT was not even among the top three American universities in granting commercialization licenses during the 2 years studied in detail.

It is obvious from these data, Mr. President, that commercialization of technology and industrial innovation in the United States is more likely to occur when the private sector, rather than the Government, has title to the intellectual property. This should not be surprising. Commercialization depends upon actions by business and the exclusive ownership of the intellectual property rights increases the likelihood of commercial success. With ownership, businesses are more prepared to undertake the expenses of commercialization, including the expense of participating in the cooperative R&D agreement itself.

The Stevenson-Wydler Technology Innovation Act currently gives Federal laboratories an option to claim ownership to technology developed jointly by a laboratory and a private research partner under the terms of a cooperative research and development agreement, despite the fact that the private sector partners in most cases provide the majority of the financing of the research. I believe that this ability by the Federal Government to claim a right of ownership to intellectual property developed jointly with American companies has inhibited the establishment of cooperative R&D agreements and has retarded the commercialization of federally supported technology developments. This view is shared by the many research-intensive U.S. companies we contacted.

The bill we are introducing today eliminates this option by directing Federal laboratories to ensure that the private sector is assigned title to any intellectual property arising from a CRADA. The private sector partners generally pay most of the research costs for each project. They are the only partner who will commercialize a discovery. They should have property rights that justify the expenses of commercialization.

This should not be viewed as a Government give-away program. It is not. The research conducted in a CRADA is of interest to both partners, and the Federal Government will retain a paid-up, irrevocable license for its own use of the intellectual property. And the bill requires that this assignment of title to the private partner be made "in exchange for reasonable compensation to the laboratory." We have not chosen to delimit this compensation any further because it will depend on the type of research being conducted and should therefore be left to the negotiators of the agreement to decide. It could range from an agreement to reimburse the laboratory for its research costs if the product is a commercial success, to an agreement to share in the income from the invention.

This provision, in addition to putting technology in the commercial sector where it can be commercialized, will greatly speed the negotiations of CRADA's. Under current law, the most time-consuming, and often deal-breaking, part of the negotiation between Federal laboratories and the potential research partners is over ownership, assignment, licensing, restriction, and so forth, of the intellectual property rights. Our bill eliminates this obstacle.

Another provision of the bill will also help simplify and speed up the negotiations. It is the so-called march-in rights that the Federal Government will retain in the intellectual property assigned to the private partner. Under this provision, the Federal laboratory can assign a license to another company if the title holder does not commercialize the technology or is not manufacturing in the United States. These assignment rights will greatly reduce, if not eliminate, the time now spent on negotiating about the implication of the law's existing manufacturing-in-the-United States preference. The private company will be told that if it does not manufacture in the United States, the license to manufacture can be assigned to a company, possible a competitor, which will.

In addition, we have added a section to beef up previous congressional action to further boost technology commercialization from Federal laboratories. To reorient Federal scientists' traditional attachment to basic research and publication of research results in the direction of working with the private sector on patenting and licensing suitable inventions, the Congress created an incentive program for laboratory scientists in its 1986 amendments to the Stevenson-Wydler Technology Innovation Act. A recent GAO report indicates that we did not quite get the right combination, and that the current royalty sharing system has had little impact on scientists' interest in patenting and commercializing.

GAO's recommendations to improve this situation are incorporated into this bill by providing that the laboratory scientists responsible for an invention or other protectable intellectual property will receive the first $10,000 in income if the property is commercialized, and, after the laboratory has recovered its R&D costs, will receive 15 percent of additional income. The bulk of the remaining income must be used by the laboratory to support its research efforts. In this way, the Government scientists not only will see their creativeness contributing to the competitiveness of the nation but also will see the rewards to themselves and to their laboratories of supporting U.S. industry efforts to develop technologies that lead to commercial products.

Mr. President, the bill we are introducing applies both to Government-operated Federal laboratories and to contractor-operated Federal laboratories. The stipulation that the patents obtained for these inventions will be assigned to the private sector partner applies equally to Government-owned contractor-operated laboratories (the so-called GOCO labs), where the laboratory scientists are not Government employees, and to Government-owned Government-operated laboratories (the so-called GOGO labs), where the laboratory scientists are Government employees.

However, in recognition of the century-old Federal policy that copyright protection is not available for any work of the U.S. Government, the protection available through copyrights and computer mask work registrations is different for the two types of Federal laboratories. The bill acknowledges this difference and proposes no change in existing copyright law or policy. The bill defines assignable intellectual property rights as "patents, copyrights, and computer chip mask work registrations" in the case of GOCO laboratories but defines the same term as only "patents" in the case of GOGO laboratories where the scientists are Government employees and their work is considered work of the U.S. Government.

This distinction does not imply that the private parties in CRADA's will be unable to obtain copyrights and computer chip mask work registrations for technology they develop in the course of the collaborative research with GOGO laboratories. It is my belief that in many, if not most cases, the private parties will be able to obtain such protection.

To test this belief and, thereby, to be able to provide U.S. companies with information about the copyrights they will own if they work with Federal scientists from Government-owned Government-operated laboratories, I asked the U.S. Copyright Office to provide guidelines on the conditions under which private sector partners can own copyrights and computer chip mask work registrations for technology which arises from a CRADA. I have received a response to my inquiry, and it confirms my belief. There are many conditions under which private companies will be able to obtain a copyright in the technology, such as computer software, that comes out of joint research with a Government-operated Federal laboratory.

Mr. President, I ask unanimous consent that the text of the Technology Commercialization Act of 1993 and the guidance provided by the U.S. Copyright Office be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1537

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Technology Commercialization Act of 1993".

SEC. 2. FINDINGS.

The Congress finds and declares the following:

(1) The commercialization of technology and industrial innovation are central to the economic, environmental, and social well-being of citizens of the United States.

(2) The Government can help United States business to speed the development of new products and processes by entering into Cooperative Research and Development Agreements which make available the assistance of the Federal laboratories to the private sector, but the commercialization of technology and industrial innovation in the United States depends largely upon actions by business.

(3) Government action to claim a right of ownership to any invention or other intellectual property developed under a Cooperative Research and Development Agreement can inhibit the establishment of such agreements with business and can prevent the commercialization of technology and industrial innovation by business.

(4) The commercialization of technology and industrial innovation in the United States will be enhanced if the ownership of any invention or other intellectual property developed under a Cooperative Research and Development Agreement belongs to a company or companies incorporated in the United States.

SEC. 3. TITLE TO INTELLECTUAL PROPERTY ARISING FROM COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.

Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended as follows:

(1) In the text of subsection (b) immediately preceding paragraph (1), strike "Government-operated Federal laboratory, and to the extent provided in an agency-approved joint work statement, a Government-owned contractor-operated laboratory, may" and insert "Federal laboratory shall ensure that title to any intellectual property arising

from the agreement, except intellectual property developed in whole by a laboratory employee, is assigned to the collaborating party or parties to the agreement in exchange for reasonable compensation to the laboratory, and may".

(2) In subsection (b)(2), strike "or in part".

(3) Amend subsection (b)(3) to read as follows:

"(3) retain a nonexclusive, nontransferable, irrevocable, paid-up license from the collaborating party or parties for any intellectual property arising from the agreement, and have such license practiced throughout the world by or on behalf of the Government, but shall not, in the exercise of such license, publicly disclose proprietary information related to the license;".

(4) Amend subsection (b)(4) to read as follows:

"(4) retain the right, in accordance with procedures provided in regulations promulgated under this section, to require a collaborating party to grant to a responsible applicant or applicants a nonexclusive, partially exclusive, or exclusive license to use the subject intellectual property in any field of use, on terms that are reasonable under the circumstances, or if the collaborating party fails to grant such a license, to grant the license itself if the laboratory finds that—

"(A) the collaborating party has not taken, and is not expected to take within a reasonable time, effective steps to achieve practical application of the subject intellectual property in the field of use;

"(B) such action is necessary to meet health or safety needs that are not reasonably satisfied by the collaborating party;

"(C) such action is necessary to meet requirements for public use specified by Federal regulations and such requirements are not reasonably satisfied by the collaborating party; or

"(D) the collaborating party has not entered into or is in breach of an agreement made pursuant to subsection (c)(4)(B).".

(5) In subsection (d)(2), strike "and" at the end;

(6) In subsection (d)(3), strike the period at the end and insert "; and".

(7) At the end of subsection (d), insert the following new paragraph:

"(4) the term 'intellectual property rights' means—

"(A) in the case of government-owned, government-operated Federal laboratories, patents; and

"(B) in the case of government-owned, contractor-operated Federal laboratories, patents, copyrights, and computer chip mask work registrations.".

SEC. 4. DISTRIBUTION OF INCOME FROM INTELLECTUAL PROPERTY RECEIVED BY FEDERAL LABORATORIES.

Section 14 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710c) is amended to read as follows:

"SEC. 14. DISTRIBUTION OF INCOME FROM INTELLECTUAL PROPERTY RECEIVED BY FEDERAL AGENCIES OR LABORATORIES.

"(a) IN GENERAL.—

"(1) Except as provided in paragraphs (2) and (4), any income received by a Federal agency or laboratory from the licensing or assignment of intellectual property under agreements entered into by Federal laboratories under section 12, and intellectual property of Federal agencies or laboratories licensed under section 207 of title 35, United States Code, or under any other provision of law, shall be retained by the agency or laboratory and shall be disposed of as follows:

"(A)(i) The head of the agency or laboratory or his designee shall pay to the laboratory employee or employees who have assigned their rights in the intellectual property to the United States, to the laboratory operator, or to a collaborating party or parties to a research agreement an amount equal to the sum of—

"(I) the first $10,000 received by the agency or laboratory from the intellectual property; and

"(II) 15 percent of any income received by the agency or laboratory from the intellectual property in excess of the sum of the amount paid pursuant to item (I) and the value of unreimbursed research and development resources provided by the laboratory under the terms of the agreement.

"(ii) An agency or laboratory may provide appropriate incentives from royalties to laboratory employees who contribute substantially to the technical development of licensed or assigned intellectual property between the time that the intellectual property rights are legally asserted and the time of the licensing or assigning of the intellectual property rights.

"(iii) The agency or laboratory shall retain the income received from intellectual property until the agency or laboratory makes payments to laboratory employees under clause (i) or (ii).

"(B) The balance of the income shall be transferred to the agency's laboratories, with the majority share of the royalties or other income going to the laboratory where the intellectual property originated, and the income so transferred to any such laboratory may be used or obligated by that laboratory during the fiscal year in which it is received or during the succeeding fiscal year—

"(i) for payment of not more than 15 percent of such income for expenses incidental to the administration and licensing of intellectual property by the agency or laboratory with respect to intellectual property which originated at that laboratory, including the fees or other costs for the services of other agencies, persons, or organizations for intellectual property management and licensing services;

"(ii) to reward scientific, engineering, and technical employees of the laboratory, including developers of sensitive or classified technology, regardless of whether the technology has commercial applications;

"(iii) to further scientific exchange among the laboratories of the agency; or

"(iv) for education and training of employees consistent with the research and development mission and objectives of the agency or laboratory, and for other activities that increase the potential for transfer of the technology of the laboratories of the agency.

All income retained by the agency or laboratory after payments have been made pursuant to subparagraphs (A) and (B) that is unobligated and unexpended at the end of the fiscal year succeeding the fiscal year in which the income was received shall be paid into the United States Treasury.

"(2) If, after payments to employees under paragraph (1), the intellectual property income received by an agency and its laboratories in any fiscal year exceeds 5 percent of the budget of the laboratories of the agency for that year, 75 percent of such excess shall be paid to the United States Treasury and the remaining 25 percent may be used or obligated for the purposes described in clauses (i) through (iv) of paragraph (1)(B) during that fiscal year or the succeeding fiscal year. Any income not so used or obligated shall be paid into the United States Treasury.

"(3) Any payment made to an employee under this section shall be in addition to the regular pay of the employee and to any other awards made to the employee, and shall not affect the entitlement of the employee to any regular pay, annuity, or award to which the employee is otherwise entitled or for which the employee is otherwise eligible, or limit the amount thereof. Any payment made under this section to any employee shall continue after the employee leaves the employment of the laboratory or agency.

"(4) A Federal agency receiving income as a result of intellectual property management services performed for another Federal agency or laboratory under section 207 of title 35, United States Code, may retain such income to the extent required to offset the payment of income from intellectual property under paragraph (1)(A)(i), and costs and expenses incurred under paragraph (1)(B)(i), including the cost of foreign protection of the intellectual property of the other agency. All income remaining after payment of the income, costs, and expenses described in the preceding sentence shall be transferred to the agency for which the services were performed, for distribution in accordance with clauses (i) through (iv) of paragraph (1)(B).

"(b) CERTAIN ASSIGNMENTS.—If the intellectual property from which the income is derived was assigned to the Federal agency—

"(1) by a contractor, grantee, or participant in a cooperative agreement with the agency; or

"(2) by an employee of the agency who was not working in the laboratory at the time the intellectual property was originated;

"the agency unit that was involved in such assignment shall be considered to be a laboratory for purposes of this section.

"(c) REPORTS.—

"(1) In making its annual submission to the Congress, each Federal agency shall submit, to the appropriate authorization and appropriations committee of both Houses of the Congress, a summary of the amount of income received from intellectual property and expenditures made (including employee awards) under this section.

"(2) Not later than October 1, 1996, the Comptroller General shall review the effectiveness of the various income-sharing programs established under this section and report to the appropriate committees of the House of Representatives and the Senate, in a timely manner, the Comptroller General's findings, conclusions, and recommendations for improvements in such programs.".

SEC. 5. AMENDMENT TO BAYH-DOLE ACT.

Section 210(e) of title 35, United States Code, is amended by inserting "and the Technology Commercialization Act of 1993" after "Federal Technology Transfer Act of 1986".

REGISTER OF COPYRIGHTS,
Washington, DC, September 15, 1993.

DEAR SENATOR ROCKEFELLER: I am responding to your request of September 10, 1993 for comments about the conditions under which private sector partners who collaborate on a Cooperative Research and Development Agreement (CRADA) with a government-owned government-operated laboratory (GOGO labs) can claim copyright and computer chip mask work protection for works which arise from a CRADA.

You explain that you intend to propose legislation to amend the Stevenson-Wydler Technology Innovation Act of 1980 to require Federal laboratories "to ensure that rights to jointly developed intellectual property" arising from a CRADA "are assigned to private sector party or parties to each agreement." You do not propose any amendment of the Copyright Act such as last year's bill, S. 1581. That is, the prohibition on copyright in works of the United States Government, as provided in section 105 of title 17 of the United States Code remains in force. The mask work law contains a similar prohibition. 17 U.S.C., section 903(d).

You seek guidelines for determining the copyright status of computer software, for example, created under different fact patterns relating to collaboration under a CRADA.

The Copyright Office can only provide tentative, preliminary comments since there are no settled precedents for all of the fact situations you pose.

Pattern #1. A private company develops a new computer-operated manufacturing process and takes its invention to a Federal laboratory to seek ideas on testing and improving necessary computer software through a CRADA research project. The laboratory employees are very helpful but contribute no copyrightable work. Can the private company own a copyright in the computer software which results from the collaboration?

Response. If the Federal employees contribute no copyrightable authorship, the private company can copyright the software which results from the CRADA collaboration since the private company is the sole author of the copyrightable material.

Pattern #2. A GOGO laboratory develops software that could be adaptable for use by a private company after considerable work to make the software commercially viable. The private company and the Federal employees work together to refine and adapt the software. Can the private company own a copyright in the computer software which results from the collaboration "as an original or as a derivative work?"

Response. It is clear that the private company cannot claim copyright as "an original work" under these facts since the company is adapting pre-existing public domain software. If the company works alone to adapt the software, the company could copyright the adaption as a derivative work, claiming copyright only in any new creative expression it has added to public domain material. Under fact pattern number 2, however, the private company employees and Federal employees work together. It is not clear, under these facts, whether or not copyright can be claimed. To the extent the private sector contribution can be segmented and separately identified, a valid copyright may be claimed. On the other hand, if the private sector and government contributions are merged or intermingled, the right to claim copyright is doubtful. As a general principle, you cannot protect material in the public domain. The courts will tend not to enforce the copyright, and may even hold the copyright invalid, if copyrightable matter and uncopyrightable matter are merged. This is known as the "merger doctrine."

Pattern #3. This fact pattern is similar to pattern number 2, except that although the private company and the Federal employees work together initially, their collaboration ends before they develop a commercially useful product. The private company on its own continues the adaptation work until it achieves a useful product. Can the private company own a copyright in this computer software "as an original or as a derivative work?"

Response. The response is essentially the same as the response to pattern number 2. Copyright cannot be claimed in an "original work," since the software has been adapted from pre-existing public domain software. To the extent the private The company can separately identify its original authorship contribution, the company may claim copyright as a derivative work. The fact that the collaboration ends before a commercially useful product is achieved should mean that the private company will be able to establish its separate authorship and claim copyright as a derivative work. The burden of proof may, however, be substantial, given that the company adapts public domain software with the initial collaboration of Federal employees in the adaptation. Excellent business records would probably be necessary to establish the separate authorship of the private company in any copyright infringement suit.

Pattern #4. The private company and the GOGO laboratory sign a CRADA to conduct research on a new product. In the course of this research, the scientists from each side jointly write an original software program to control the manufacturing process. Can the private company own a copyright in the computer software which results from this collaboration?

Response. This is the most difficult fact pattern of all. The Federal employee contribution should be part of the public domain. Our general response again is that if the private company can identify its separate copyrightable authorship, it may be able to claim a valid copyright. If, however, the private sector and federal contributions to the development of the software are merged, then the right to claim copyright is in doubt. If the court applies the merger doctrine, it would probably refuse to enforce the copyright against an alleged infringer because the public has the right to use the public domain portion of the work.

You asked for our comments about the claims of copyright in computer software primarily. The responses would be essentially the same with respect to mask works, although there is no case law that applies the copyright law's merger doctrine to mask works.•

By Mr. DASCHLE:

S. 1538. A bill to make a technical correction with respect to the temporary duty suspension for clomiphene citrate.

DUTY SUSPENSION LEGISLATION

• Mr. DASCHLE. Mr. President, I am introducing today noncontroversial legislation to make a technical correction to the temporary duty suspension on clomiphene citrate, a pharmaceutical preparation approved by the Food and Drug Administration and used for the treatment of human infertility. This legislation is similar to a measure that I introduced in the last Congress.

There are no U.S. manufacturers of clomiphene citrate, and it is imported into the country in bulk and finished form. Prior to 1989, both forms of clomiphene citrate were within the scope of the temporary duty suspension that prevailed at that time under the tariff schedules of the United States [TSUS].

When the conversion was made from the TSUS, to the Harmonized Tariff Schedule of the United States [HTSUS] on January 1, 1989, the finished form of clomiphene citrate was inadvertently omitted from the scope of the duty suspension. This probably occurred because the HTSUS, unlike the TSUS, distinguishes between finished and bulk products, resulting in two separate tariff classifications.

To remedy this omission, this bill amends the temporary duty suspension language so that it refers to the tariff classification numbers of both forms of clomiphene citrate.

I urge my colleagues to give this bill favorable consideration.

Mr. President, I request that the full text of the bill be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1538

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLOMIPHENE CITRATE.

(a) IN GENERAL.—Heading 9902.29.95 of the Harmonized Tariff Schedule of the United States is amended by inserting "or 3004.90.60" after "2922.19.15".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, after December 31, 1988, and before January 1, 1993.

(2) RELIQUIDATION.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the appropriate customs officer on or before the 195th day after the date of the enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in heading 9902.29.95 of the Harmonized Tariff Schedule of the United States—

(A) that was made after December 31, 1988, and before January 1, 1993, and

(B) with respect to which there would have been no duty if the amendment made by subsection (a) applied to such entry or withdrawal, shall be liquidated or reliquidated as though such amendment applied to such entry or withdrawal.

(3) PROPER REQUEST.—For purposes of paragraph (2), the request filed with the Customs Service shall contain sufficient information to enable the Customs Service to—

(A) locate the entry relevant to such request; or

(B) reconstruct the entry, if the entry cannot be located.•

ADDITIONAL COSPONSORS

S. 289

At the request of Mr. REID, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 289, a bill to amend section 118 of the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes.

S. 340

At the request of Mr. HEFLIN, the names of the Senator from Utah [Mr. BENNETT], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 340, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the application of the act with respect to alternate uses of new animal drugs and new drugs intended for human use, and for other purposes.

S. 416

At the request of Mr. DECONCINI, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 416, a bill to authorize the provision of assistance to the victims of war in the former Yugoslavia, including the victims of torture, rape, and other war crimes and their families.

S. 496

At the request of Mr. SIMON, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 496, a bill to amend chapter 44 of title 18, United States Code, to strengthen Federal standards for licensing firearms dealers and heighten reporting requirements, and for other purposes.

S. 545

At the request of Mr. BOREN, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of S. 545, a bill to amend the Internal Revenue Code of 1986 to allow farmers' cooperatives to elect to include gains or losses from certain dispositions in the determination of net earnings, and for other purposes.

S. 578

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 578, a bill to protect the free exercise of religion.

S. 651

At the request of Ms. MIKULSKI, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 651, a bill to amend the Office of Federal Procurement Policy Act to provide for expanded participation of historically black colleges and universities and nonprofit organizations owned and controlled by black Americans in federally funded research and development activities.

S. 732

At the request of Mr. KENNEDY, the names of the Senator from New Hampshire [Mr. GREGG], and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of S. 732, a bill to provide for the immunization of all children in the United States against vaccine-preventable diseases, and for other purposes.

S. 784

At the request of Mr. HATCH, the name of the Senator from Ohio [Mr. GLENN] was withdrawn as a cosponsor of S. 784, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish standards with respect to dietary supplements, and for other purposes.

S. 921

At the request of Mr. BAUCUS, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 921, a bill to reauthorize and amend the Endangered Species Act for the conservation of threatened and endangered species, and for other purposes.

S. 950

At the request of Mr. CHAFEE, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 950, a bill to increase the credit available to small businesses by reducing the regulatory burden on small regulated financial institutions having total assets of less than $400,000,000.

S. 1082

At the request of Mr. COCHRAN, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1082, a bill to amend the Public Health Service Act to revise and extend the program of making grants to the States for the operation of offices of rural health, and for other purposes.

S. 1124

At the request of Mr. D'AMATO, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1124, a bill to enhance credit availability by streamlining Federal regulations applicable to financial institutions, and for other purposes.

S. 1154

At the request of Mr. DECONCINI, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 1154, a bill to amend the Foreign Assistance Act of 1961 to provide for the establishment of a microenterprise development fund, and for other purposes.

S. 1406

At the request of Mr. KERREY, the names of the Senator from Minnesota [Mr. DURENBERGER] and the Senator from Nebraska [Mr. EXON] were added as cosponsors of S. 1406, a bill to amend the Plant Variety Protection Act to make such act consistent with the International Convention for the Protection of New Varieties of Plants of March 19, 1991, to which the United States is a signatory, and for other purposes.

S. 1425

At the request of Mr. CONRAD, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1425, a bill to establish a National Appeals Division of the Department of Agriculture to hear appeals of adverse decisions made by certain agencies of the Department, and for other purposes.

S. 1432

At the request of Mr. HOLLINGS, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 1432, a bill to amend the Merchant Marine Act, 1936, to establish a National Commission to Ensure a Strong and Competitive United States Maritime Industry.

S. 1447

At the request of Mr. BRYAN, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 1447, a bill to modify the disclosures required in radio advertisements for consumer leases, loans and savings accounts.

S. 1522

At the request of Mr. KOHL, his name was added as a cosponsor of S. 1522, a bill to direct the U.S. Sentencing Commission to promulgate guidelines or amend existing guidelines to provide sentencing enhancements of not less than three offense levels for hate crimes.

SENATE JOINT RESOLUTION 41

At the request of Mr. MCCAIN, his name was added as a cosponsor of Senate Joint Resolution 41, a joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget.

SENATE JOINT RESOLUTION 75

At the request of Mr. ROTH, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Wisconsin [Mr. KOHL], the Senator from Connecticut [Mr. DODD], the Senator from Montana [Mr. BAUCUS], the Senator from Maryland [Ms. MIKULSKI], the Senator from Virginia [Mr. ROBB], the Senator from Kentucky [Mr. FORD], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Utah [Mr. HATCH], the Senator from Utah [Mr. BENNETT], the Senator from Florida [Mr. MACK], the Senator from Mississippi [Mr. LOTT], the Senator from South Dakota [Mr. PRESSLER], the Senator from Missouri [Mr. BOND], and the Senator from Oregon [Mr. PACKWOOD] were added as cosponsors of Senate Joint Resolution 75, a joint resolution designating January 2, 1994, through January 8, 1994, as "National Law Enforcement Training Week."

SENATE JOINT RESOLUTION 83

At the request of Mr. DECONCINI, the names of the Senator from North Dakota [Mr. DORGAN], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Maryland [Mr. SARBANES], and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of Senate Joint Resolution 83, a joint resolution designating the week beginning February 6, 1994, as "Lincoln Legacy Week."

SENATE JOINT RESOLUTION 122

At the request of Mr. LAUTENBERG, the names of the Senator from Texas [Mrs. HUTCHISON], the Senator from Pennsylvania [Mr. WOFFORD], the Senator from Mississippi [Mr. LOTT], the Senator from Indiana [Mr. COATS], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Nebraska [Mr. KERREY], and the Senator from Georgia [Mr. COVERDELL] were added as cosponsors of Senate Joint Resolution 122, a joint resolution designating December 1993 as "National Drunk and Drugged Driving Prevention Month."

SENATE JOINT RESOLUTION 131

At the request of Mr. BRADLEY, the names of the Senator from West Virginia [Mr. BYRD] and the Senator from Idaho [Mr. KEMPTHORNE] were added as cosponsors of Senate Joint Resolution 131, a joint resolution designating the week beginning November 14, 1993, and the week beginning November 13, 1994, each as "Geography Awareness Week."

SENATE JOINT RESOLUTION 132

At the request of Mr. BURNS, the names of the Senator from Nevada [Mr. REID], the Senator from New Jersey [Mr. BRADLEY], and the Senator from Maine [Mr. COHEN] were added as cosponsors of Senate Joint Resolution 132, a joint resolution designating the week of October 17, 1993, through October 23, 1993, as "National School Bus Drivers Safety Week."

SENATE JOINT RESOLUTION 134

At the request of Mr. BIDEN, the names of the Senator from Pennsylvania [Mr. SPECTER], the Senator from Mississippi [Mr. COCHRAN], and the Senator from Pennsylvania [Mr. WOFFORD] were added as cosponsors of Senate Joint Resolution 134, a joint resolution to designate October 19, 1993, as "National Mammography Day."

SENATE JOINT RESOLUTION 137

At the request of Mr. LEAHY, the names of the Senator from New Jersey [Mr. BRADLEY], the Senator from Oklahoma [Mr. BOREN], the Senator from Nebraska [Mr. EXON], the Senator from New York [Mr. D'AMATO], the Senator from Tennessee [Mr. SASSER], the Senator from South Dakota [Mr. PRESSLER], the Senator from Nevada [Mr. REID], the Senator from Missouri [Mr. DANFORTH], the Senator from Ohio [Mr. METZENBAUM], the Senator from Maryland [Ms. MIKULSKI], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Ohio [Mr. GLENN], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Virginia [Mr. WARNER] were added as cosponsors of Senate Joint Resolution 137, a joint resolution designating October 16, 1993, and October 16, 1994, each as "World Food Day."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the names of the Senator from Michigan [Mr. LEVIN], the Senator from Tennessee [Mr. SASSER], the Senator from Hawaii [Mr. AKAKA], the Senator from Rhode Island [Mr. CHAFEE], the Senator from South Dakota [Mr. DASCHLE], the Senator from Rhode Island [Mr. PELL], the Senator from Illinois [Mr. SIMON], the Senator from Ohio [Mr. GLENN], the Senator from Michigan [Mr. RIEGLE], the Senator from Alabama [Mr. SHELBY], the Senator from North Carolina [Mr. HELMS], and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE RESOLUTION 150—TO AUTHORIZE REPRESENTATION OF MEMBERS OF THE SENATE

Mr. MITCHELL (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 150

Whereas, in the case of Douglas R. Page v. Robert Dole, et al., No. 93-1546, pending in the United States District Court for the District of Columbia, the plaintiff has named ninety-nine Members of the Senate, and a former Member, as defendants;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend present and former Members of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the present and former Members of the Senate who are defendants in the case of Douglas R. Page v. Robert Dole, et al.

SENATE RESOLUTION 151—TO AUTHORIZE THE PRODUCTION OF RECORDS

Mr. MITCHELL (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 151

Whereas, in 1992 the Subcommittee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations conducted an investigation into allegations relating to the release of American hostages held in Iran;

Whereas, in the course of reviewing testimony taken by the staff of the House Task Force to Investigate Certain Allegations Concerning the Holding of American Hostages in Iran in 1980 to determine whether certain witnesses committed perjury, the Department of Justice has requested access to records of the related Senate investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Committee on Foreign Relations, acting jointly, are authorized to provide to the Department of Justice records of the investigation of the Subcommittee on Near Eastern and South Asian Affairs of allegations relating to the release of American hostages held in Iran.

NOTICES OF HEARINGS

SUBCOMMITTEE ON MINERAL RESOURCES DEVELOPMENT AND PRODUCTION COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. AKAKA. Mr. President, I would like to announce for my colleagues and the public that an oversight hearing has been scheduled before the Subcommittee on Mineral Resources Development and Production.

The purpose of the hearing is to receive testimony on ocean mining technology.

The hearing will take place on Thursday, November 4, 1993, at 2 p.m., in room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE., Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510, Attention: Heather Hart.

For further information, please contact Lisa Vehmas of the subcommittee staff at 202/224-7555.

SUBCOMMITTEE ON MINERAL RESOURCES DEVELOPMENT AND PRODUCTION COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. AKAKA. Mr. President, I would like to announce for my colleagues and the public that a hearing has been scheduled before the Subcommittee on Mineral Resources Development and Production.

The purpose of the hearing is to receive testimony on S. 1170, a bill to amend the Mineral Leasing Act to provide for leasing of certain lands for oil and gas purposes.

The hearing will take place on Thursday, October 14, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE., Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510, Attention: Heather Hart.

For further information, please contact Lisa Vehmas of the subcommittee staff at 202/224-7555.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The purpose of the hearing is to receive testimony on the administration's National Action Plan to reduce greenhouse gases.

The hearing will take place on Thursday, October 28, 1993, at 9:30 a.m., in Room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE, Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510, Attention: Leslie Black Cordes.

For further information, please contact Leslie Black Cordes of the Committee staff at 202/224-4756.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE NUTRITION AND FORESTRY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, October 7, 1993, at 2:30 p.m. in SR-332 on agricultural research priorities.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, October 7, 1993, at 10:30 a.m. to consider the nomination of Gen. George A. Joulwan, USA for reappointment to the grade of general and to be Commander in Chief, U.S. European Command and Supreme Allied Command, Europe.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet today, Thursday, October 7, 1993, at 2 p.m., in closed session, to receive testimony on the current situation in Somalia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, October 7, 1993, at 2 p.m. to hold a hearing on the nominations of Pierre Leval to be U.S. Circuit Judge for the second circuit, Leonie Brinkema to be U.S. District Judge for the Eastern District of Virginia, Deborah Chasanow to be U.S. District Judge for the District of Maryland, and Peter Messittee to be U.S. District Judge for the District of Maryland.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, October 7 1993, to consider the nomination of Doris Meissner of Maryland to be Commissioner of Immigration and Naturalization.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

NATIONAL MEDAL OF TECHNOLOGY

• Mr. LIEBERMAN. Mr. President, on Thursday, September 30, 1993, President Clinton presented medals to the 1993 recipients of the National Medal of Science and the National Medal of Technology. These medals recognize individuals and companies whose discoveries and innovations greatly benefitted the United States in the areas of science and technology. This medal is the highest symbol of achievement in these areas awarded by the President and parallels such awards as the Baldridge Award.

Dr. William J. Joyce, of Newtown, CT, president and chief operating officer for Union Carbide Corp., has been selected as one of the recipients for the National Medal of Technology in recognition of his far-reaching vision and unceasing efforts on behalf of the world renowned UNIPOL polyethylene process. Dr. Joyce's tireless efforts to transform the polyethylene industry began when he joined the company in 1957 and led to the development of the UNIPOL process in the early 1970's. This technology has revolutionized the entire plastics industry, and enabled the United States to become the world leader in the $30 billion worldwide polyethylene industry.

The UNIPOL process also represents a vast improvement in environmental and safety performance over conventional technology. Since its introduction, it has resulted in energy, operating and raw material cost savings of nearly $7 billion. It uses less energy, reduces emissions to the environment, operates at lower, thus safer, temperatures and produces a superior product.

The administration works with the Foundation for the National Medals of Science and Technology to signify the importance of both science and technology and uses the medals to celebrate American achievement in these areas and to improve public understanding of the critical role that they play in America's global competitiveness.

Mr. President, it is also fitting that this award is presented in the same week that President Clinton announces his trade promotion policies. Under the direction of Dr. Joyce and Union Carbide chairman, Robert D. Kennedy, the Danbury-based corporation plans to enter into a partnership with Petrochemical Industries Co. K.S.C. [PIC] of Kuwait to construct a world-scale petrochemicals facility in that country to serve markets in the Far East. This $2 billion project will result in U.S. exports of about $600 million in products, service and technology, including Union Carbide's award-winning UNIPOL, and its other leading technologies.

I extend my deepest congratulations to Dr. Joyce and all of the people of Union Carbide for their commitment to technology excellence.•

REGARDING THE RETIREMENT OF GEORGE BRETT

• Mr. DANFORTH. Mr. President, I rise to pay tribute to George Brett, who retired from the Kansas City Royals last Sunday after 21 great seasons.

Last Sunday, baseball fans around the country watched as Brett grounded a single up the middle for his 3,154th, and final, base hit in his final at bat. Brett also got a game-tying hit up the middle in his last at bat in Kansas City last Wednesday.

This is not surprising. Brett will be remembered for many accomplishments as a baseball player, but I think he will be remembered most for his ability to come through in the clutch. The three-run home run Brett hit against the Yankees's ace stopper Rich Gossage in the 1980 playoffs to ice Kansas City's first league championship is etched into the minds of every Royals fan. So are the two home runs Brett hit in the third game of the 1985 playoffs, helping propel the Royals into the World Series. During the past two decades, we all were comforted knowing that George Brett would have a chance to win the game, win the division, win the league, and win the World Series. His ability to step to the plate when the game was on the line, stare down the pitcher, and deliver is what separated him from the rest.

George Brett's career numbers cannot fully reflect his unique qualities. But they show a lot. He is the only baseball player in history with as many as 3,000 hits, 600 doubles, 100 triples, 300 home runs, and 200 stolen bases. He is 5th all time in doubles, 10th in extra base hits, and 11th in hits.

Brett will be remembered for always playing hard. Whether trying to stretch a double into a triple in an important game during the pennant race, or running out a routine ground ball to second base in the ninth inning of a blowout, Brett always played baseball as it should be played—with intensity and sportsmanship.

Brett will be remembered as, and will continue to be, a great spokesman for the game. In his thousands of interviews, he was always cheerful, down to earth, witty, and self-deprecating. He never blamed other people for his, or the team's, problems. Nor did he boast when the team was doing well.

Finally, George Brett will be remembered for his loyalty. In announcing his retirement, Brett said that the one thing he was proudest of is spending his whole career with one team. In an era of free agents and players demanding trades from one team to another, Brett chose to play with Kansas City for all 21 years of his career. Instead of asking to move to a city with a big media market, Brett chose to dedicate himself to making Kansas City a better place. Brett's activities in local charities are well-known and very well regarded. And luckily for Kansas City, this native of California has chosen to stay in the city, raise his family, work for the team, and I am sure maintain his commitment to public service.

These qualities are the reasons George Brett is a true American hero.

Thanks for the memories, George.●

NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL FUND

● Mr. SIMON. Mr. President, today I would like to praise the good work of the National Law Enforcement Officers Memorial Fund. Their organization has been instrumental in gaining the important recognition that law enforcement officers, slain in the line of duty deserve. Their continuing efforts deserve our support and praise.

One of their most obvious accomplishments is the beautiful memorial located in Washington, DC. The memorial is a fitting tribute to law enforcement officers and their families. The visitors center provides the people of this country with a chance to gain a deeper understanding of the great sacrifice made by those in the law enforcement community. It is important that this memorial stand as a constant reminder of the honor and valor of those killed in the line of duty.

I would like to recognize the National Law Enforcement Officers Memorial Fund for their tireless dedication to this worthwhile endeavor. I wish the memorial continued success.●

DEATH OF DR. DONALD WOODS THOMAS

● Mr. LUGAR. Dr. Donald Woods Thomas was particularly well known to those of us in Congress for his frequent appearances before the Senate Foreign Relations Committee during the 1970's and 1980's in support of international assistance programs administered through the U.S. Agency for International Development and other international humanitarian concerns. Dr. Thomas, former executive director of the board for International Food and Agricultural Development and Economic Cooperation support staff in USAID, passed away on April 15, 1993.

Dr. Thomas began his career at Purdue University in 1954 as an assistant professor of agricultural economics, after having earned his bachelor's, master's and doctor's degrees from Pennsylvania State University. He served as associate dean and director of international programs in agriculture, Purdue University, since its inception in 1965. He was interim dean of the Office of International Programs from June 1990 until June 1992.

Among the positions D. Woods Thomas held at Purdue, he served as the first dean of international agriculture. Of the projects he led, developing institutional capabilities in research, education, and extension in countries of Africa, Asia, and Latin America, he was proudest of the institution he headed in Brazil. This formerly small 250-student, rural college is now the Federal University of Vicosa, a world-class research and teaching institution with an enrollment of over 10,000 students.

I would like to pay tribute to the memory of Dr. Donald Woods Thomas for his long service and leadership in and dedicated contribution to international development and especially to the participation of U.S. universities in international development activities. Dr. Thomas will be greatly missed by all of us who share his belief that international development activities are part of the land grant mission, and a clear responsibility of the United States as a participant in global affairs.●

HOW MANY MORE WAYS CAN THIS STORY BE TOLD?

● Mr. DASCHLE. Mr. President, I had the opportunity to read a commentary in Sunday's Washington Post by Cindy Loose. I am sure many others read it as well, and anyone who read it must have shared my deep sense of sorrow and rage at the violence in this tragic story. I will ask that a copy of the article be inserted into the RECORD at the end of my statement.

The evening of September 25 I turned on the news to learn that there had been five shootings in just 6 hours in Southwest Washington. Five shootings in 6 hours in the middle of a Saturday afternoon. One of those shot was 4-year-old Launice Smith. After being in intensive care for 5 days, Launice died last Thursday. This little girl's tragic death is the subject of Ms. Loose's commentary.

Ms. Loose talks about how every reporter writes about a story like this hoping that it will make a difference, that it will touch someone and arouse or renew in them the commitment to try to change the direction in which our society is heading. But the problem is, these stories, these tragedies do not seem to be making a difference. As Ms. Loose finally laments, "How many more ways can this story be told?"

I do not know how many people were affected as I was by Launice Smith's death. I do not know how many people have simply become immune to the tragedy we are witnessing in this city and around the Nation. I do know, however, that I have had enough. I am tired of hearing a new story of violence on the news each night. I am tired of waking up to another tragedy on the front page of the paper. I am tired of living in fear for my children's safety.

The status quo is unacceptable, and it is frankly unacceptable that we have not been able to stem the tide of this wave of violent crime sooner. The real point of my statement today is to add yet another voice to the chorus calling for change and expressing commitment to restoring some semblance of safety and order to the streets of our Nation. Because we cannot afford to go down this road any longer—that truth is becoming clearer and clearer every day.

The article follows:

[From the Washington Post, Oct. 3, 1993]

HOW MANY MORE WAYS CAN THIS STORY BE TOLD?

(By Cindy Loose)

A young mother sat in a rocking chair cradling the dead toddler whose brain had been invaded by a stray bullet. She did not cry, but looked down with a gentle, loving expression on her face.

The respirator had been turned off moments before. The white tape that had held the breathing tube in place was still splayed around the edges of the little girl's lips.

One by one, the teenagers and slightly older relatives who had loved 4-year-old Launice Smith took turns Thursday saying goodbye in that rocking chair in the intensive-care unit where Launice had lain in a coma for five days. They took pictures with a Polaroid.

It is the kind of moment reporters try to capture, then later have to live with. We do it to make money, but also with the vague hope it will somehow make a difference, that in the great scheme of things, we play our little part and it will spur other people to do their little parts.

But it isn't working.

I first wrote about such things in Detroit for little more than a year about eight years ago. I really believed then that my words would anger or sicken my fellow citizens and elected officials into making changes. But here it is, eight years later, and I see the same expression on the faces of the same kind of people who have seen the same kinds of things. It is a placid look, the features controlled and normal, except for the eyes.

The look was on the face of Launice's mother at Children's Hospital when she pulled away a loose cloth expecting to see bandages on her baby's head and instead saw the gaping wound doctors decided was best left uncovered.

The first time I saw that look nearly eight years ago, it was etched on the face of a 6-year-old girl who had been siting next to her cousin at an indoor birthday party when drug dealers mistook her house for a rival's and sprayed it with bullets.

The little girl was grazed across the cheek. Her 7-year-old cousin's head was blown away, large pieces of it landing in the little girl's lap.

The last time I saw her, a month after the shooting, she still had not spoken a word. The only time she made any sound was at night, when she would scream in her sleep.

How many more ways can this story be told?

We citizens tend to get angry at our public officials at moments like this. Yet they are not monsters, and only monsters could not be touched by what we've all seen in the last week.

Some of the measures we need to take are so obvious. So why do we seem unable to take them year, after year after year? The mayor and other people who are nominally in charge of this city have called this week for more police. Few people want fewer police. But how many times do we want police to arrest and rearrest the people who terrorize these neighborhoods?

The man suspected in the death of Launice and Kervin Brown had been arrested in 1990 and again in 1991 on charges serious enough to have kept him in jail for years. More than a year before this week's slayings he had walked away from a work-release program. A bench warrant had been issued, but apparently no one had bothered to pick him up. And we wonder why people are reluctant to testify.

Many have despaired of the problem's ever being fixed. But there is hope. You can find it even in families that typify everything that is wrong with the inner city.

A glimmer can be found in the strength of the 21-year-old mother of Launice Smith. The behavior of this young black woman living in one of the worst projects in the city kept reminding me this week of the glamorous and wealthy Jackie Kennedy as she bravely carried herself through the funeral of her slain husband.

Angelia Smith took in her three half-siblings when her mother died and was raising them, along with her daughter, in a bare one-bedroom apartment. The day after her daughter's death, she went to get groceries for her brother and little sisters and kept reminding the girls to do their homework.

After Launice died, the city gave the family blankets and food vouchers and talked about getting them a bigger apartment. Workers fixed the living-room window that had been broken by someone throwing a snowball. In the hall leading to the third-floor walk-up, a window within reach of children had what appeared to be a bullet hole, shards of glass hanging from the window frame. Workmen did not fix that.

Meanwhile, the two political parties parry views on the rare occasions when they think about the problem at all. One end of the spectrum emphasizes law and order and demands personal responsibility. The other focuses on the ravages of poverty and underlying causes.

The politicians act as if the two philosophies were mutually exclusive, with no understanding that there are good people who need help and bad people who need punishment.

No one exists in a world of perfect justice. But those of us outside the inner city generally live by a system of rewards and punishments. Yet for some reason we are puzzled by the behavior of people who, by and large, get nothing for doing the right thing, for being honorable and kind and decent, and on the other hand see no penalties incurred by those who tear their neighborhoods apart.

I returned home through night after watching the mother of Launice Smith make funeral arrangements for her daughter. Over dinner, my husband and I talked about how exactly one year ago, I was in labor with our first child, a daughter. We remembered how scared we were, and how beautiful Madeline was the moment she was born with a mass of black hair on a perfectly shaped head.

At one point in our conversation, my husband asked if I was feeling all right, and I knew he was thinking of my work week, in which I had covered the murder of a Korean shopkeeper and the lingering death of a little girl. I said I felt fine, surprisingly so. A little later, I began to rock my baby to sleep. She was just hours away from being precisely one year old.

I looked at her sleeping face, and the image of another rocking chair and another child and another mother came to mind. My baby was so still. I jostled her slightly, the way I did in her first few months when I was paranoid about her breathing. She moved her hand against my chest.

I walked her to a bedroom decorated with pink elephants and blue giraffes and white lambs. I put her in her crib, and I began to sob.•

FACES OF THE HEALTH CARE CRISIS

• Mr. RIEGLE. Mr. President, I rise today in my continuing effort to put a face on the health care crisis in our Nation. Today I want to tell the story of a single working mother, Kathy Krueger, from Kentwood, MI. Kathy was recently blessed with the birth of her first child, Rachael. Unfortunately, as a result of complications from the delivery, Kathy lost her job and health insurance after her daughter's birth.

Kathy is 28 years old and has worked as a home lighting design consultant for 5 years. She worked at her most recent job for over 2 years and had good health insurance benefits through her employer.

After her daughter's birth on June 21, Kathy experienced complications which kept her from returning to work immediately after her maternity leave ended. Even though her doctor called her employer several times to verify that Kathy was unable to return to work, Kathy was fired on August 31. Unfortunately the Family and Medical Leave Act was not enacted by Congress in time to help Kathy keep her job.

As a result of losing her job, Kathy also lost her health insurance. Kathy is entitled to COBRA benefits but her former employer did not offer her this option to extend her health insurance for 18 months, as is required by law. I have contacted the Department of Labor on her behalf to investigate the situation, but meanwhile Kathy is uninsured and cannot pay for urgent medical care.

Since she lost her health insurance last month, Kathy has had to have outpatient surgery, called a DNC, to treat an infection. She is still waiting for the bill for this surgery, but she estimates the cost will be over $1,000. In addition, she has had to pay over $300 for prescriptions to prevent further infection and promote blood clotting after the surgery. In fact, Kathy found out she lost her health insurance when she went to fill a prescription to treat her infection.

Without a job and without health insurance, Kathy cannot support herself and her 3½-month-old daughter. She does not want to rely on public assistance, but she has nowhere else to turn. This is the first time in her life that she has not had a job and she is doing all she can to find another one. The problem is that even when Kathy finds another job with health insurance, her postpartum condition may not be covered because it is a preexisting condition.

It is important that working parents like Kathy Krueger have a guarantee of health insurance coverage regardless of their job situation or health status. Americans deserve the peace of mind that health insurance coverage can bring. I will do everything I can to work with my colleagues, President Clinton and First Lady Hillary Rodham Clinton to reform our health care system and provide access to affordable health care for all Americans.•

DEFENSE ACQUISITION PILOT PROGRAM AMENDMENT

• Mr. ROTH. Mr. President, in September, the Senate passed the 1994 Defense Authorization Act which included my amendment enhancing the Defense Acquisition Pilot Program. Today, I rise to emphasize to my colleagues here in the Senate, as well as to Secretary Aspin, the important opportunity my amendment provides for improving the Government's buying system.

First, Mr. President, I want to again express my thanks to my colleagues, Senators NUNN, BINGAMAN, THURMOND, SMITH, GRASSLEY, and COHEN, who cosponsored this amendment. I also wish to add my thanks to Senator GLENN and Senator LEVIN and the staffs of all of these Senators for their expert support in reaching an agreement on this amendment. In addition, Deputy Secretary of Defense, William Perry, and the DOD staff played a key role in shaping the amendment and I thank him for that. I believe that only through this type of cooperative and bipartisan effort will we really begin to solve the complex problems of the Federal procurement system.

Mr. President, many billions of taxpayer dollars can be saved by reforming the Federal buying system. The National Performance Review's recommendations are estimated to save more than $20 billion through reinventing the Federal Government's buying system. A recent Defense Sciences Board study showed that more comprehensive reforms could save $20 billion per year in the Defense Department alone. My amendment clearly places the Senate on the path to making the reforms needed to achieve these savings.

Mr. President, I have emphasized starting with the Pentagon's buying system because the vast majority of weapon acquisition programs are experiencing serious cost and schedule problems. The GAO reported that program cost increases on the order of 20 to 40 percent are common. Acquisition costs for Navy major weapon systems are over budget by as much as 179 percent, Air Force systems by as much as 158 percent, and Army systems by as much as 220 percent, even after accounting for the effects of inflation and quantity.

Every week, we can read in the newspapers and trade journals new evidence on the critical need for the changes in the acquisition system.

Recently, we found more alarming news of the continuing problems with the C–17 airplane. A test plane failed to meet Air Force requirements when a wing was damaged during a static stress test. After spending $10.4 billion developing the C–17, the aircraft is basically unaffordable and does not meet Air Force requirements.

The Army decided to move ahead on its all source analysis system following a 2-year wait while officials debated the future of the program. Recent reports estimated the anticipated contract to be worth about $100 million. That 2-year delay cost the taxpayer in the range of $5 to $10 million with no return on their money.

The Air Force has reiterated its support for the stealthy tri-service standoff attack missile. This continued support is in spite of an increase in development and production costs from $13.9 to $15.4 billion while the inventory dropped from 7,450 to 6,650 missiles. This represents about a 25-percent increase in the per unit cost of the missile. I must raise the question about the affordability of a $2.3 million tactical missile.

Mr. President, anyway you look at these problems you have to conclude that the acquisition system is not working and that taxpayer money is being wasted. You also have to conclude that the problems are present in all stages of the acquisition cycle and in all participating and support organizations. Further, who is accountable for these decisions or lack of decisions and no one seems to be asking the affordability questions. Huge amounts of taxpayer money will continue to be wasted until the procurement system undergoes a comprehensive reform.

This is why my amendment is so critical to the Congress and to the Defense Department. It is also critical to the American taxpayer who is seeing tax increases looming in every direction. We must institute innovative concepts to improve the efficiency of government operations and my amendment does exactly that. My amendment, in conjunction with the original pilot program, empowers the Department of Defense to test the benefits of waiving statutes and regulations and innovative approaches to management and administration of the acquisition process. Additionally, it enables program managers to test innovative approaches to the procurement process itself. In discussions with program managers and program executive officers in each of the services, this is exactly the opportunity they are looking for. However, up to this time, the bureaucracy will not allow for such innovation. Mr. President, I believe that the chances to see these bureaucratic roadblocks removed are better than ever. From my discussions with Deputy Secretary of Defense Perry, I know that he is making every effort possible to change the culture of Defense Department procurement; however, the established bureaucracy has repealed many past attempts at reform.

In a December 1992 report on Defense weapons systems acquisition, the GAO concluded that, "the underlying cause of persistent and fundamental problems in the DOD's weapons acquisition process is a prevailing culture that is dependent on generating and supporting new weapons acquisitions. The culture is made up of interests that influence and motivate the behaviors of participants in the process." The Defense Science Board's task force on defense acquisition reform has just recently released its report and identified three major problems to be solved:

Broaden the industrial base upon which DOD depends,

Effective access to important technologies, products, and processes, and

Defense acquisition must be made more efficient.

However, they caution that, "These problems cannot be solved with current defense acquisition practices." The report further describes many specific problems associated with the acquisition system and recommends making profound changes and difficult choices. It specifically calls for DOD to commit to an evolutionary approach to a fundamentally new system. My amendment provides the congressional authority needed by DOD to start addressing the cultural problems identified by GAO and making the profound changes and difficult choices recommended by the Defense Science Board.

From my discussions with the Defense Department, I am aware of the seven programs that are to be recommended by DOD to be included in the pilot program. The systems to be recommended do not include any systems that are widely recognized horror stories. Mr. President, I am very pleased with the initiative being demonstrated by Ms. Colleen Preston and her staff and I can only encourage them to go further. I urge DOD to select one or more programs to test acquisition reform concepts contained in my amendment. Programs such as the C–17, unmanned aerial vehicles, the Army Tactical Command and Control System, Ballistic Missile Defense, Comanche helicopter, and the Milstar satellite have all demonstrated that the current procurement system is incapable of producing usable products within cost and schedule. If the Pentagon is serious about putting an end to its buying system problems, it must be willing to apply alternative management and process approaches that can fix the problems on such highly visible programs.

Mr. President, there are a number of initiatives in DOD and Federal Government procurement reform currently underway. I must say that I am delighted that this issue, which I have worked on for over a decade, is finally receiving the attention required to make significant changes. However, Mr. President, most of these initiatives just do not go far enough to streamline the process or to realize the large potential dollar savings to the American taxpayer.

A joint effort of the Senate Armed Services and the Governmental Affairs Committees which proposes legislation implementing the recommendations of the section 800 panel is nearing completion. My colleagues, Senator BINGAMAN and Senator LEVIN, informed this body in August that this bill soon would be introduced and hearings held this fall. I have been heavily involved in this effort and I look forward to working with my fellow cosponsors and in particular with the chairman of the Governmental Affairs Committee to get a bill adopted that makes major improvements in the Federal buying system. The efforts of the section 800 panel were to address the statutes of procurement and therefore, the legislation is focused on the interface between Government and industry and more specifically, the contract formation process. However, the current draft of the Senate bill represents only about 10 percent of the savings that could be realized by comprehensive reform.

I am aware that the Defense Department is developing its own response to the section 800 panel recommendations and that legislation from the Vice President's National Performance Review should be reaching the Congress soon. When these proposals reach the Senate, I look forward to continuing to work with the administration in my role as the ranking Republican on the Governmental Affairs Committee and as a long time advocate of reducing the bureaucracy.

Mr. President, we must address the entire acquisition system from requirements definition to equipment retirements.We have to streamline the buying process and the over-built bureaucracy that has a vested interest in preventing reform. The buying system must procure affordable systems when they are needed.

Mr. President, the time is here for the bureaucracy to stand aside and allow innovative actions to demonstrate the time and dollar savings of comprehensive acquisition reform. My amendment creates the environment for demonstrating reforms that work. The Defense Department needs to embrace it and take advantage of it.●

ADDRESS OF HAMPTON UNIVERSITY PRESIDENT DR. WILLIAM R. HARVEY, "A VISION OF OUR TIME"

• Mr. ROBB. Mr. President, I rise today to place in the CONGRESSIONAL RECORD the speech that a remarkable individual delivered at a historic event in the Commonwealth of Virginia.

On April 1, 1993, Hampton University, located in Hampton, VA, celebrated the 125th anniversary of the opening of the Hampton Normal and Agricultural Institute. Throughout the distinguished history of what is now Hampton University, strong leadership with a vision of the institution's role in the society at large has been its hallmark.

When Brig. Gen. Samuel Chapman Armstrong opened the doors of the Hampton Normal and Agricultural Institute on April 1, 1868, he was just 29 years old. The founding of this school at a difficult time of adjustment for the country was a feat in and of itself. The dreams and aspirations of the students who had only recently known freedom, combined with young General Armstrong's vision and leadership, made a reality of the fine institution that Hampton University is today.

As Dr. Harvey so eloquently relates, Hampton University has continued its spirit of leadership throughout its distinguished 125 years. Within 12 years of its founding, Hampton graduates were teaching more than 10,000 black Southern children. Its museum, founded in August 1868, was the Commonwealth's first, and its fine collections of African, African-American, and native American pieces is world renowned. In 1878, Hampton contributed to American history by becoming the first federally funded boarding school of native Americans who joined with African-Americans in a multicultural setting. In the medical field, the first native American woman physician, Susan Laflesche Picotte, graduated from Hampton, the first public hospital in the city was founded on the campus by faculty members, and in 1944 Hampton's School of Nursing awarded the first baccalaureate nursing degree in Virginia.

Today, Hampton is blessed with another visionary leader in its president, Dr. William Harvey. He sounds the call for Hampton, its students, and graduates to now step to the forefront in battling those national problems that threaten the social, political, and economic well-being of our society. Dr. Harvey envisions Hampton battling these problems by "becoming once again not only an academy for learning, but also an academy for leadership and service." I commend him for his efforts toward establishing a leadership institute and curriculum at Hampton University that can then be replicated nationwide. Such efforts will improve the lives of all our citizens and are deserving of our praise and our support.

Mr. President, given the tradition of leadership that has blessed Hampton University throughout its proud history, the standards of excellence within its student body, faculty, and alumni upon which it can draw, and the vision and dedication of its current president, Dr. Harvey, I have no doubt the next 125 years of this remarkable institution's history will be just as glorious as the past 125 years.

I ask that the remarks of Dr. William R. Harvey, president of Hampton University, delivered on the occasion of Hampton's 125th anniversary, be placed in the CONGRESSIONAL RECORD immediately following my statement.

The remarks follow:

A VISION FOR OUR TIME

(By Dr. William R. Harvey)

On this day, April 1, 1868, one hundred and twenty-five years ago, Brigadier General Samuel Chapman Armstrong opened the doors of Hampton Normal and Agricultural Institute. In so doing, he facilitated physical entry into an academy of learning. He also opened up a world to a generation of people who only recently had thrown off the shackles of bondage, emerging into a world dramatically different from any they had known.

Although confused and perplexed by the implications of their newly won freedom, they recognized that this place, Hampton Normal and Agricultural Institute, represented more than a mere school. It represented the road to true freedom—to freedom of the body, the mind, the soul. It represented the opportunity to grow, to achieve, to value, and to serve. Therefore, they brought to Hampton Normal and Agricultural Institute the hopes, the dreams, the aspirations of their hearts and the unfulfilled dreams of their ancestors who did not make it to that hour. Indeed, they brought with them the burden of the past. But more importantly, they brought with them the promise of the future.

Although he was only 29 when he started Hampton, General Armstrong was wise beyond his years; a visionary without qualification. And because of his vision, the hopes of these black men and women were indeed realized. The man who stood before them on that bright April day, regal, courageous, and determined in his cause translated his vision into reality. He said to his eager young students, it is your time, a time to learn, a time to grow, and a time to prepare yourselves "to lead and to serve." He said, we shall achieve these aims by subscribing to the principles of "learning by doing" and offering an "education for life."

He said, it is the aim of this institution "* * * to build up an industrial system for the sake not only of self-support and intelligent labor, but also for the sake of character." General Armstrong was big on character.

These ideas were, in all aspects, revolutionary. They were borne of the hopes of a visionary, a dreamer. General Armstrong paid dearly for those dreams. They were borne in an atmosphere of lingering racism, of continuing rejection of black worth, of ongoing disbelief in black potential to lead, to serve, to effect good in this world.

Despite severe economic limitations and basic resources, Armstrong resisted affiliation with any one entity, be it state, federal or religious. This spirit of independence reflected his belief that his pioneering institution needed to approach all potential friends with an unbiased posture, maintaining its independence and unencumbered freedom and swing with the Pendulum of Time and Circumstances. That independence continues to prevail today. Hampton is not intimidated by the whims of political person or party. Rather, it embraces the best and most positive from all parties or people. I stand here tonight in the shadow of Samuel Chapman Armstrong and I, too, am fully committed to Hampton University's independence for now and for generations yet unborn.

Samuel Chapman Armstrong founded a school that recognized centuries of strong black backs and hands. He added the sunlight of education wrapped around the dignity of human labor. As U.S. history records, within 12 years of Hampton's founding, its graduates were teaching more than 10,000 black southern children, reversing the cycle of pain, ignorance and human degradation. Again, this reversal was not popular or widely endorsed, but Armstrong knew that it was the right thing to do, and he did it resolutely.

The emphasis on preparing students for leadership and service has demanded excellence in all of the school's endeavors. The result has been the pioneering of programs with national and international impact in numerous areas. For example:

The University's renowned museum, founded in August of 1868, is the first in Virginia. It includes a superb collection of African art, the first to be assembled by an African-American. In 1894, Hampton also distinguished itself by becoming the first institution in the world to acquire African-American art. Today the museum houses one of the world's premier collections.

Hampton made a significant contribution to American history through the development of the first federally funded boarding school for Native Americans. Beginning in 1878, for 45 years Hampton educated over 1,300 Native American students from 65 different tribes. This program was a model for a network of schools established throughout the country. However, Hampton was unique in that it was the only school which educated African-Americans and Native Americans together in a multi-cultural setting.

The global impact of the program which General Armstrong created is evidenced by the fact that by 1890, Hampton had an international student body. This "girdle around the world" consisted of students from Japan, China, Cuba, Hawaii, Gabon, Russia and Armenia. Moreover, twenty-eight schools were established on the Hampton model in this country and abroad. They included St. Paul's and Tuskegee University in the United States, and schools in Japan, Hawaii, the Virgin Islands, the Philippines, Greece, and several countries in Africa.

In addition to serving as a model for other schools, Hampton has lent its support to numerous institutions. In the early years, General Armstrong used his influence and connections on several occasions to help the College of William and Mary recover from the devastation of the Civil War. In 1872, Armstrong provided William and Mary President Benjamin Ewell with an entre to influential politicians in Washington, and to northern philanthropists who might provide resources for the impoverished College of William and Mary. Another example occurred in 1907, when William and Mary President Lyon Tyler wrote Hampton University President Hollis B. Frissell, asking if he would intercede on behalf of William and Mary which was seeking $40K from the General Education Board. Dr. Tyler wrote, "You reside near us and know what we are doing, and I know that your generous spirit can be relied on to join in assisting our institution. The College has greatly improved along all lines, and we will reach this year about 240 students."

Hampton's pathbreaking contributions in the field of medicine have spanned more than a century. Many of the earliest graduates became doctors, including Susan Laflesche Picotte, the first Native American woman physician. In 1891, Dixie Hospital, today known as Hampton General Hospital, the first public hospital in the City of Hampton, was founded on the campus by Hampton faculty members. Another milestone in medicine was achieved in 1944, when Hampton's School of Nursing awarded the first baccalaureate nursing degree in Virginia.

The above selected milestones demonstrate that through the years, Hampton University has opened the floodgates for the emergence of more than a century of black leaders who served their people, this nation and this world. In formulating the Hampton philosophy with its emphasis on character, General Armstrong set a standard which is timeless in its use and application. Can we in our time do otherwise?

Now as then, our nation cries out for men and women "who will not be bought or sold * * * who in their innermost souls are true and honest * * * men and women who are not afraid to call sin by its right name * * * men and women who are as true to duty as is the needle to the pole * * * men and women who will stand for the right though the heavens fall." In short, like Armstrong's world, our world today cries out for men and women who are willing to exercise the courage of their own convictions, and promote what is right and what is fair, without regard for popular acclaim.

It is not enough, for educational institutions to produce successful physicians, accountants, or systems analysts, if they are unwilling or unable to transfer those experiences and sound values to those who walk beside them and to those who will succeed them. For all the progress of the 1950's and 1960's, too many of us became too prematurely self-satisfied with short-term "illusions of success."

We relaxed our resolve and tabled those experiences which gave us that "grit in our craw." For example, we stopped those precious annual oratorical contests in our schools and churches, and now too many of our young people are unable to manage basic oral and written communications skills. We stopped our open discussions of values, ethics, and character and their development in the classrooms, and began to insert sensational, empty and directionless "rap sessions." We became so caught up in blaming others, that we surrendered the responsibility for our own lives, our own cultural preservation and community sustenance. We bargained away those sacrifices made by our forebears. The result is our continuing suffering and languishing with social, political and economic inertia—the willingness to hoard and the unwillingness to share those accumulated blessings with those truly in need. That my friends, is a crime * * * and we will and are paying dearly for that crime.

What am I suggesting? It is time for us to take back—our neighborhoods * * * our responsibilities * * * our todays * * * our tomorrows * * * our legacy. We must save our children. Somebody said that "children are the message that we send into the future." We must reclaim, rekindle, reignite and reinvigorate the hopes and aspirations of our children—the greenest, richest and most precious Plants in this Garden called Life. In this society, many of us have made children and their hopes and dreams an afterthought and such callousness must cease.

We must return to being unashamed and unapologetic in openly discussing with young people values, character development, and ethics clarifications. We must stand for what is right and not tip-toe around what is wrong. Let us call it what it is: We need to propagandize—yes, Evangelize with a Holy Fire—make clearcut distinctions between right and wrong. We must outline our lofty expectations and be clear about what is nonnegotiable. We must become the embodiment of men and women striving to do what's right, against hapless but popular alternatives. Our young people are hungering for leadership. Someone to stand up, straighten and stiffen their backs, take a stand for Justice and Truth and acknowledge the responsibility for our own destiny.

What do I mean?

No one is irresponsibly impregnating our teenage girls but us—not racism, not sexism, not classism, not elitism—but us.

We own no poppy fields; we own no marijuana farms; we possess no fleet of airplanes to bring drugs from overseas, and we own no crack laboratories. No one is putting the needles into our veins but us. No one is cramming cocaine powder up our nostrils but us. And no one is routinely gunning down our young, ripening and potential-laden youths in our streets and our playgrounds but us. We are the problem: therefore, we must become its solution.

Since no one person or no one entity can be all things to all people, I will not propose a wide array of solutions. In my vision of the future, Hampton University will attack these national problems by becoming once again not only an academy for learning, but also an academy for leadership and service. In my vision, you would see the hundreds and thousands of young people who leave their Home by the Sea in Hampton, Virginia, go out into the world with a lifetime dedication to correcting the ills in our society.

You would see hundreds of the best and brightest young people in this country—young people totally committed to leadership and community service—young people recruited and trained for just this purpose. You would see a curriculum focused on critical and analytical thinking skills, problem solving, the issues of race, economics, crime, morality, and a required community service component at some point during the student's four years.

In this vision, you would see talented young people fully indoctrinated with the ideals of self-sufficiency, ownership and community as the foundation for true liberation. You would see thousands of young, well-trained people of impeccable character, leaders committed to becoming great teachers, and artists, and scientists, but also committed to ridding our communities of crime and illiteracy, to improving the environment, to moving our race from a position of consumership to ownership, to creating a world where man's inhumanity to man is the rare exception rather than the prevailing rule.

If I could render up for you a portrait of the kinds of young leaders this academy would produce, you would see a procession of Sojourner Truths, Samuel Chapman Armstrongs, Booker T. Washingtons, W.E.B. DuBoises, Thurgood Marshalls, Marva Collinses, and Martin Luther Kings.

In order to translate this vision into reality, it would mean building a leadership program into the entire university structure. Whether they were going to pursue physics, math, history, engineering, architecture, education, nursing, or any of the other 50-odd majors that we offer, every student that came to Hampton would be a part of this mandatory leadership program.

The four-year leadership program would teach that wise and courageous leadership and service must be dedications for life. We would honor and teach: values, decency, dignity, honesty, respect for oneself, respect for others, integrity.

Before graduation, every student would be required to work one year in a school, community center, or some other community uplift program. There will be no restrictions on size or type of community to be served. It could be an affluent neighborhood or it could be a ghetto.

It is my feeling that it would take approximately $50 million to support this kind of program, because I would want every student admitted to Hampton to receive a full tuition scholarship. Room and board would be paid by their parents, guardians or student entitlements such as the Tuition Assistance Grant in Virginia or the Federal Pell Grant. Financing for the $50 million would come from individuals, corporations and foundations who share my vision of an academy for the training of outstanding leaders. To some such a concept may seem expensive, but it is not nearly so expensive as the continuing cost of welfare and the construction of more prisons. More importantly, an investment in the training of America's leaders is an investment in the nation.

I truly believe that we are limited only by the boundaries of our imaginations. Whatever we envision, we can accomplish; whatever we dream, we can become. Call me a radical, a visionary, a dreamer. I welcome the designation. General Samuel Chapman Armstrong was a radical, a dreamer. And because he dreamed we find ourselves this evening in this time, in this place, revering his dream. Armstrong had a vision for his time. And I have a vision for our time.

Therefore, call me a dreamer, but better yet, join me in the fulfillment of this dream. For, as Langston Hughes so eloquently put it, "The dream belong not to the dreamer alone, but to all who helped to build." Whether you know it or not, those of you in this room tonight, those of you who have given so generously to the University's scholarship fund already share the dream. Moreover, you too are inspired by what Hampton University was and motivated by what you know she can become.

Through our countless contributions and sacrifices we have kept faith with the directive General Armstrong issued moments before he died. Quite simply, he said, "Hampton must not go down!" "Hampton must not go down!"

On this 125th anniversary of our founding, let it be said that Hampton has not gone down. We have kept General Armstrong's nobel dream alive and we have expanded it. We have strengthened its academic program and financial base. More importantly, we honor his tradition of leadership and service. We have embibed the Hampton spirit. It is a spirit that fuses ordinary people with extraordinary ideas and strength of purpose. On Anniversary Day 1993, let it be said that by adhering to Armstrong's vision in his time, the Hampton community sets forth a brand new vision for its time. Let's get on with it.•

FRANKLIN NATIONAL MEMORIAL COMMEMORATIVE MEDAL CEREMONY

● Mr. BIDEN. Mr. President, yesterday, in the midst of Fire Prevention Week, and just 3 days away from the anniversary of the great Chicago fire of 1871, the Clinton administration chose to recognize and celebrate the contributions of firefighters to American society in a Rose Garden ceremony.

The White House ceremony honored the contributions of a great American and the organizer of the first fire company—Benjamin Franklin—as well as the programs which the sale of the newly created Ben Franklin firefighters silver medal will go to support. More importantly, this ceremony served to personally recognize and honor our Nation's hard-working firefighters.

America's firefighters themselves are true heroes. They are the brave men and women who put themselves at risk—the ultimate risk—to work to protect our lives and our homes every time they are called.

Knowing of the Delaware firefighting community's level of interest and active participation in and contributions to firefighting issues, the White House invited a number of Delawareans to the ceremony as honored guests. They included the Delaware Volunteer Firemen's Association [DVFA] officers—president Harry Warner, 1st vice president Al Metheny, 2nd vice president Lynn Rogers, secretary Ace Carrow, and treasurer Charles L. Emerson.

In addition, director of the Delaware State Fire School Lou Amabili, and one of the directors of the DVFA, Steve Austin, were also honored. Finally, the White House also chose to recognize the officers of the Delaware Volunteer Firemen's Ladies' Auxiliary—namely, president, Peg Scarpitti, 1st vice president, Annabelle Boone, 2nd vice president, Sally Stevenson, secretary, Virginia Yeager, and treasurer, Betty Taylor.

As I walked along the parade route of the Delaware Volunteer Firemen's annual convention in Laurel several Saturdays ago, I wished I could have handed out to all present a personal invitation to yesterday's very special event. However, I am sure the thousands of firefighters' friends and families who attended the parade, as well as my colleagues, would want to join me in paying tribute to these men and women in Delaware and across this Nation who give of themselves daily to make our world more secure.

This ceremony was the culmination of legislation I introduced in 1991 and was based on the previous work of our late colleague, Senator John Heinz, to provide financial support to the over 1 million men and women risking life and limb in the dangerous—and sometimes deadly—battle against fire.

My legislation, which passed in the Senate and was signed into law by President Bush, created the Benjamin Franklin National Memorial Commemorative Medal. At no cost to the taxpayer, the sale of this medal supports programs in areas including burn research, education programs for low-income areas especially hard-hit by fires, arson prevention, and the John Heinz Memorial Scholarship Fund. I am pleased to report that, after much nay-saying about possible sales of the medal, recent U.S. Mint figures indicate that over 85,000 medals have already been sold—surpassing all initial mint projections.

It is clear that there is far more that we should do to assist our Nation's firefighters—fighting not only fires, but also finances and fatigue to keep their companies well-equipped and ready to respond—but this medal will go a long way toward providing firefighters better training and equipment, educating the public about the threat of fire, and developing better ways to treat the victims of fire.

Today, I take this opportunity to salute my fellow Delawareans for their leadership in the firefighting community. In the months ahead, I will continue to work—as I have for the last 21 years as a U.S. Senator—to provide well-deserved support and recognition for all of America's firefighters.●

ORDERS FOR WEDNESDAY, OCTOBER 13, 1993

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand adjourned until 9:30 a.m. on Wednesday, October 13, and that when the Senate reconvenes on Wednesday, October 13, the Journal of proceedings be deemed to have been approved to date, the call of the calendar be waived, and no motions or resolutions come over under the rule; that the morning hour be deemed to have expired, that the time for the two leaders be reserved for their use later in the day; that at 9:30 a.m., the Senate proceed to consideration of the Department of Defense appropriations bill and that the period between 9:30 a.m. and 11:30 a.m. on that day be for opening statements and debate only; and that at 11:30 a.m., the Senate proceed to executive session to resume consideration of the Dellinger nomination; that upon disposition of the nomination of Walter Dellinger, the Senate return to legislative session and resume consideration of the Department of Defense appropriations bill, which is H.R. 3116.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL WEDNESDAY, OCTOBER 13, 1993, AT 9:30 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I now move that the Senate stand adjourned until 9:30 a.m., Wednesday, October 13, as provided for under the provisions of House Concurrent Resolution 161.

The motion was agreed to and, at 7:18 p.m, the Senate adjourned until 9:30 a.m., Wednesday, October 13, 1993.

NOMINATIONS

Executive nominations received by the Senate October 7, 1993:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE POSITION AND GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8037:

To be deputy judge advocate general of the U.S. Air Force

COLONEL (BRIG GEN SEL) ANDREW M. EGELAND, JR. [redacted] U.S. AIR FORCE.

IN THE ARMY

THE FOLLOWING NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be general

GEN. JIMMY D. ROSS [redacted] U.S. ARMY.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be general

LT. GEN. LEON E. SALOMON [redacted] U.S. ARMY.

THE FOLLOWING NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. WILSON A. SHOFFNER [redacted] U.S. ARMY.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. JOHNNIE E. WILSON [redacted] U.S. ARMY.

DEPARTMENT OF STATE

NICHOLAS ANDREW REY, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

THE JUDICIARY

DAVID W. HAGEN, OF NEVADA, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF NEVADA VICE EDWARD C. REED, JR., RETIRED.

CLAUDIA WILKEN, OF CALIFORNIA, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA VICE A NEW POSITION CREATED BY PUBLIC LAW 101–650, APPROVED DECEMBER 1, 1990.

ENVIRONMENTAL PROTECTION AGENCY

MARY DOLORES NICHOLS, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE WILLIAM G. ROSENBERG, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate, October 7, 1993:

EXECUTIVE OFFICE OF THE PRESIDENT

JOHN ROGGEN SCHMIDT, OF ILLINOIS, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS THE CHIEF U.S. NEGOTIATOR TO THE URUGUAY ROUND.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

MARY JO BANE, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARY FOR FAMILY SUPPORT, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

SHIRLEY SEARS CHATER, OF TEXAS, TO BE COMMISSIONER OF SOCIAL SECURITY.

DEPARTMENT OF ENERGY

TARA JEANNE O'TOOLE, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENT, SAFETY AND HEALTH).

DANIEL A. DREYFUS, OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT, DEPARTMENT OF ENERGY.

DEPARTMENT OF LABOR

ANNE H. LEWIS, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF LABOR.

KATHARINE G. ABRAHAM, OF IOWA, TO BE COMMISSIONER OF LABOR STATISTICS, UNITED STATES DEPARTMENT OF LABOR, FOR A TERM OF FOUR YEARS.

DEPARTMENT OF STATE

ROGER R. GAMBLE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME.

WILLIAM DALE MONTGOMERY, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BULGARIA.

RICHARD A. BOUCHER, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CYPRUS.

PETER F. ROMERO, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ECUADOR.

JOHN D. NEGROPONTE, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE PHILIPPINES.

PARKER W. BORG, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ICELAND.

THOMAS MICHAEL TOLLIVER NILES, OF KENTUCKY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GREECE.

EDWARD JOSEPH PERKINS, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO AUSTRALIA.

WILLIAM LACY SWING, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HAITI.

RICHARD W. TEARE, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO PAPUA NEW GUINEA AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

THERESA ANNE TULL, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BRUNEI DARUSSALAM.

PEACE CORPS

CAROL BELLAMY, OF NEW YORK, TO BE DIRECTOR OF THE PEACE CORPS.

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

MARGARET V.W. CARPENTER, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.

CAROL J. LANCASTER, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.

ASIAN DEVELOPMENT BANK

LINDA TSAO YANG, OF CALIFORNIA, TO BE UNITED STATES DIRECTOR OF THE ASIAN DEVELOPMENT BANK, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF COMMERCE

DAVID J. BARRAM, OF CALIFORNIA, TO BE DEPUTY SECRETARY OF COMMERCE.

THE JUDICIARY

HERBERT L. CHABOT, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM EXPIRING FIFTEEN YEARS AFTER HE TAKES OFFICE.

NATIONAL SCIENCE FOUNDATION

NEAL F. LANE, OF OKLAHOMA, TO BE DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION FOR A TERM OF SIX YEARS.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF STATE

MADELEINE KORBEL ALBRIGHT, OF THE DISTRICT OF COLUMBIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 48TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

EDWARD S. WALKER, JR., OF MARYLAND, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 48TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

VICTOR MARRERO, OF NEW YORK, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 48TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

KARL FREDERICK INDERFURTH, OF NORTH CAROLINA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 48TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

SAM GEJDENSON, U.S. REPRESENTATIVE FROM THE STATE OF CONNECTICUT, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 48TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

WILLIAM F. GOODLING, U.S. REPRESENTATIVE FROM THE STATE OF PENNSYLVANIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 48TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be general

GEN. GEORGE A. JOULWAN, [redacted] UNITED STATES ARMY.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING MALCOLM D. STEVENS, AND ENDING PATRICK M. GORMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 7, 1993.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING PAUL SNOW CARPENTER, AND ENDING JAMES G. WALLAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 1993.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING GORDON D. GARRETT, AND ENDING JOSEPH R. CASTILLO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 1993.

COAST GUARD NOMINATIONS BEGINNING JON D. ALLEN, AND ENDING ROBERT M. DEAN, IV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 4, 1993.

HOUSE OF REPRESENTATIVES—*Thursday, October 7, 1993*

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

With the noise of conflict and the sound of hostility in so many places, we pray, almighty God, that those in great need will know Your presence and Your life redeeming power. We pray, O God, that those who suffer and their families will realize the transcending strength that Your word does give and grasp the faith and hope of Your abiding nearness and Your mercy to every person. May Your benediction that speaks of abiding faith remind us of Your peace that passes all human understanding. Bless us, O God, this day and every day. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Pledge of Allegiance will be given by the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2401. An act to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

H.R. 2750. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2401) "An act to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NUNN, Mr. EXON, Mr. LEVIN, Mr. KENNEDY, Mr. BINGAMAN, Mr. GLENN, Mr. SHELBY, Mr. BYRD, Mr. GRAHAM, Mr. ROBB, Mr. LIEBERMAN, Mr. BRYAN, Mr. THURMOND, Mr. WARNER, Mr. COHEN, Mr. MCCAIN, Mr. LOTT, Mr. COATS, Mr. SMITH, Mr. KEMPTHORNE, Mr. FAIRCLOTH, and Mrs. HUTCHISON, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2750) "An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LAUTENBERG, Mr. BYRD, Mr. HARKIN, Mr. SASSER, Ms. MIKULSKI, Mr. D'AMATO, Mr. DOMENICI, Mr. HATFIELD, and Mr. SPECTER to be the conferees on the part of the Senate.

TRIBUTE TO DR. LAUREL T. ULRICH

(Mr. SWETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWETT. Mr. Speaker, I rise today to pay tribute to one of New Hampshire's most admired citizens, Dr. Laurel Thatcher Ulrich, a history professor at the University of New Hampshire.

Today, President Clinton will award her the Frankel Prize and the medal of arts designated for contributions in the humanities, adding to her long list of honors. She already has received the 1991 Pulitzer Prize in history, a $320,000 McArthur Fellowship, a Guggenheim Fellowship, and the prestigious Bancroft Prize from Columbia University for her work, "A Midwife's Tale."

Dr. Ulrich's research approaches 17th-century life from the viewpoint of an anthropologist and literary critic, drawing on diaries, household inventories, gravestones, and court records, to fashion a highly original and vividly realized portrait of women and their relations with each other, their children, and men in early American history.

Her dedication to quality education and research and her commitment to the art of history and social sciences deserves our admiration and praise. I ask my colleagues to join me and the President in honoring this truly remarkable woman from New Hampshire.

DISCHARGE PETITION: ALLOW THE BRADY BILL TO COME UP FOR A VOTE

(Mr. SENSENBRENNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, today I am filing a discharge petition to bring H.R. 1025, the Brady bill, to the floor of the House of Representatives for a vote.

In this Congress the Brady bill has been on the slow track to oblivion. Just one public hearing has been held, after having been canceled a couple of times, in a Judiciary subcommittee.

In the preceding Congress the Brady bill had been passed by the House in May of 1991, only to die a slow and torturous death in the other body. It seems to me that this House needs to take action on an essential element of a crime control package, the Brady bill. The only people who will be denied firearms if the Brady bill becomes law are convicted felons and adjudicated mental incompetents who cannot legally own firearms at the present time.

I urge my colleagues to sign this discharge petition because it would be a crime if Congress left town this year without voting on the Brady bill.

ON THE RETIREMENT OF RAYMON ROEBUCK

(Mr. RAHALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAHALL. Mr. Speaker, I rise with a heavy heart for the loss we

□This symbol represents the time of day during the House proceedings, e.g., □1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

incur when Raymon Roebuck leaves the House. But conversely, I find that we can do so with a light heart, and a joyous one.

It is easy to be joyous about Raymon's retirement, when you consider that now, at long last, after giving us more than three decades of his time, his professional services, his personal attention, his loyalty, and I believe, his love.

He will now have more time for his extended family, his many friends, his church work, his grandchildren.

Raymon has been a blessing. When it is late at night, and the session has been long and grinding, when tempers are short, and when patience has long gone out the window, we can go and speak softly to Raymon.

He will calm us with his insight, provide us with the sustenance our bodies and our minds need, or give us the latest on what is happening in sports.

Anything to get us through our days—that is Raymon's way of serving—even if it was the shock of telling us—Members of this body to, "Hold on, Sir, you will have to wait for your hot dog."

Again, as we all say goodby, to Raymon, today we do so knowing that Raymon is retiring from service in the House, not from life.

I wish him Godspeed.

TRIBUTE TO THE HON. "BOB" MICHEL

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, when the next Congress convenes, the Republican conference will have a new leader and the district next door to mine will have a new Representative. Whomever those persons are, they will have a difficult time filling the shoes of BOB MICHEL. I am proud to be the leadoff speaker on our side of the aisle in honoring our retiring leader.

BOB MICHEL is one of those rare persons who can hold together a group of people as diverse as the House Republicans, who can be a partisan when necessary but can also sit down and find agreement with both sides of the aisle when the best interests of the country require it.

When he retires after nearly 50 years of public service, BOB will know that he has made our country a better place, and few people can truly make that claim. His retirement, although richly deserved, will leave a void for the country and for Illinois in particular. BOB MICHEL has been stalwart in representing the interests of central Illinois.

As an aside, Mr. Speaker, when I was first running for office in a new district and they were drawing a new map, there was some talk about MICHEL and I may end up in the same district. And as a very brash, inexperienced Member, I thought that would not be such a tough race. Little did I know what a giant BOB MICHEL was.

I am proud to call BOB MICHEL my friend and neighbor. I want to thank him for the help he has given me as a rather new Member of Congress. And I know I speak for millions of Illinoisans when I say, thank you BOB for your service, for your leadership, and for your friendship.

BAN FGM

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, women around the world face daily humiliations, discriminations, hardships, subordination, and suffering. Women in Africa may win the prize. Young girls in many African countries face a traditional ritual that involves the cutting or complete removal of their sex organ—or female genital mutilation [FGM]. FGM is often called female circumcision, implying a similarity to male circumcision. There is no similarity, unless male circumcision involved amputation.

FGM causes serious health problems—bleeding, chronic urinary tract and pelvic infections, build up of scar tissue, and infertility. The women that have been genitally mutilated experience severe trauma, painful intercourse, are at higher risk of AIDS, and experience the trauma again with each childbirth, and all for a practice that has no medical purpose.

The practice of FGM stems from an intricate mix of traditional African society's perceptions of gender roles, sex, health practices, local customs, superstition, and religious traditions. The net result is total control over a woman's sexuality and reproductive system.

As communities of African immigrants from nations where FGM is practiced grow in the United States, we must make it clear—they and their rich and proud cultures are welcome in the United States, but the practice of FGM is not. For that reason, Representative BARBARA-ROSE COLLINS and I are introducing legislation to prohibit FGM in the United States. This practice runs contrary to this country's attitudes toward women's equality and women's place in society. There is no place for FGM here.

TRIBUTE TO BOB MICHEL

(Mr. FISH asked and was given permission to address the House for 1 minute.)

Mr. FISH. Mr. Speaker, I rise this morning to pay tribute to a man I am honored to call a friend, Congressman BOB MICHEL. He is a leader in the tradition of Gerald Ford and John Rhodes.

BOB is enormously popular with Republicans and highly respected among our Democratic colleagues. He is the kind of leader you never want to disappoint, and like all his Republican colleagues I have always looked to him for guidance.

BOB'S reputation for loyalty works both up and down the Republican Party. During his time as our leader, he remains loyal to everybody from Presidents to the most junior Republican Members.

To me, his trademark is his willingness to listen. There is almost always a Member on the floor, who wants to get his ear, and as I watch him, I am impressed with the fact that BOB constantly gives his full attention. BOB'S attitude has inspired me throughout my years, and I feel a great sense of loss that he retires next year.

□ 1010

THE SITUATION IN SOMALIA

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, events in Somalia make it plain that the United States must review its policy there. The death, wounding, and capture of American soldiers underscores the need for review.

Before American troops are committed to foreign operations, there must be a clear policy. Such a policy must include a precise statement of our goals and purposes and clear rules of engagement. It must also set out what we intend to do there, why we are there, how and when we will extract our people.

Such a policy must also give American troops the ability to defend themselves, and sufficient resources, in terms of the number of troops, weapons, equipment, and other forms of support, to assure their eventual safe return.

It is apparent that those requirements have not yet been met in our presence in Somalia. I am calling upon the administration to review these matters, consult with the Congress, and make available to the American people the information needed to gain their support. We cannot continue to expose U.S. military personnel to fatality, injury, or capture without giving them the means and the opportunity to defend themselves.

I will support a clear and decisive policy with discernible and achievable military goals. If that is not possible, our troops should be withdrawn forthwith.

TRIBUTE TO HON. BOB MICHEL

(Mr. HASTERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTERT. Mr. Speaker, I rise today with my colleagues on this side of the aisle to show respect and pay tribute to BOB MICHEL. BOB MICHEL has certainly been an institution to this House for years, a man whose heart is as big as this Capitol, a man whose understanding of politics and politicians goes beyond that which a junior Member like myself can really begin to comprehend.

BOB came out of the same flatlands and corn fields of Illinois as I did. He brought to this place good common sense, congeniality, and certainly a style of leadership that says we listen, we contemplate, we make wise decisions, and we follow through.

I think in my limited years at both the State and Federal levels of public service, I can think of no greater tribute than to say that BOB MICHEL is a politician in all the very best respects of that word.

BOB MICHEL has given the word politician a very, very honorable definition.

IN HONOR OF TERRY DUNCAN, OCTOBER 7, 1993

(Mr. DARDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DARDEN. Mr. Speaker, pain and suffering have visited many American families this week. We all know of the tragic losses suffered in Somalia and we grieve for the families who lost loved ones there. Our soldiers died in pursuit of a noble cause—saving the lives of others. They are heroes.

Today I would like to take a moment to honor the memory of yet another hero, an American killed in fighting this week. Terry Duncan died Sunday night during the unrest in Moscow. He, too, died saving the lives of others.

Terry Duncan was a graduate of Tulane University and George Washington University. His grandparents, Mr. and Mrs. Hurchel Boggus, are residents of Heard County, GA.

Witnesses said Terry Duncan was killed during the battle between Communist hardliners and Russian troops, but not before he saved the lives of three other people who had been wounded in the fighting, including a reporter for the New York Times.

On behalf of the House of Representatives, I extend our deepest and most heartfelt sympathies to the family and friends of Terry Duncan. Let us remember his courage and selflessness for many years to come.

ON THE RETIREMENT OF HON. BOB MICHEL

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, our leader of the Republican Party here, BOB MICHEL, is retiring. He is the son of a French immigrant. BOB MICHEL has lived the American dream.

Many people do not know that he served in World War II, was wounded as a combat infantryman, defending American freedom in World War II, earning two Bronze Stars, the Purple Heart, and four battle stars.

Politics In America writes of him:

> Many would agree with the judgment that he has been the most impressive House leader of either party since Sam Rayburn.

His calming voice has kept some of us more conservative Members in line. I would say that both parties will miss him.

TRAGIC LOSS OF OUR SOLDIERS IN SOMALIA

(Mr. TUCKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TUCKER. Mr. Speaker, I would like to rise this morning to join in the comments on the tragic loss of American soldiers in Somalia. This is indeed a time of bereavement and a time of review.

Mr. Speaker, I rise in support of the efforts of the administration and of this House and its leadership to move swiftly, to move expeditiously to review our policy in Somalia, for even as I speak right now on the House floor the leadership is meeting with the White House and with the administration, and I believe that very soon we are going to have a resounding and resolute policy that sets some timetables about removing our troops from Somalia; but let us never forget, Mr. Speaker, the noble and laudable efforts of the soldiers in the mission that they were originally dispatched to do, for indeed hundreds of thousands of lives have been saved. Twenty percent of all children under 5 years old were being killed in Somalia, so when we look back in the annals of time and the annals of history, Mr. Speaker, we will realize that indeed even if we have to pull out, we will have done a noble thing in Somalia and that our soldiers will not have died in vain.

INTRODUCTION OF RESOLUTION TO INVESTIGATE THE HOUSE POST OFFICE

(Mr. ISTOOK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISTOOK. Mr. Speaker, we do not make little messes here in Congress. When we make a mess, it is a doozy. The House bank, which caused such a fuss last year, still is not over. Only this week, Jack Russ, former Sergeant at Arms for this House, pleaded guilty to major embezzlement.

Because it takes so long to resolve these things, it is important to get started as early as possible when any problem surfaces. That is why we need to act on the resolution for an Ethics Committee investigation into the House post office.

The former bagman in that scheme has pleaded guilty to helping Members of Congress embezzle taxpayers' money. It is time to find out how many Congressmen, which Congressmen, and how much money.

No coverups, Mr. Speaker. The public is sick of Congress hounding everybody else, while going soft on our own. We cannot close our eyes and pretend nothing happened.

I will be asking for a floor vote on a privileged resolution, H.R. 238, the Istook resolution, to get our Ethics Committee active on this matter. I hope all Members of this body will support that effort.

AMERICAN MILITARY MISSION IN SOMALIA

(Mr. MCHALE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHALE. Mr. Speaker, last Sunday a company of U.S. Rangers courageously fought a 12-hour battle against an overwhelming force of well armed urban guerrillas loyal to Somali warlord, Mohammed Aideed. Despite intense small arms and rocket fire, our soldiers fiercely and bravely defended their perimeter until reinforced by an armored relief column. The Rangers suffered 70 percent casualties, including at least 12 dead and 75 wounded. Photos and video tapes after the battle depicted atrocities which both angered and sickened our Nation.

In the wake of such battlefield courage displayed by our soldiers, I disagree with those who would appease Aideed by calling for an immediate and precipitous withdrawal from Somalia. Now is not the time to initiate a cowardly rush for the door.

In my view, American combat forces should be removed from Somalia, but in an orderly military retrograde, where the timetable is ours not Aideed's. If we as a nation display weakness, no matter how carefully cloaked in public policy debate, the inevitable message to Aideed and others will be that United States foreign policy can be shaped and altered by the brutal taking of American lives. Such a message invites repetition.

Finally, we must be firm in our resolve that those who were responsible for last Sunday's attack will be held accountable. No matter how long it takes. No matter what it costs. Such a commitment is not revenge. It is a solemn, unpaid debt we owe to our dead and wounded soldiers.

TRIBUTE TO REPUBLICAN LEADER BOB MICHEL

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, today we pay tribute to our Republican leader, BOB MICHEL, who has announced his retirement at the end of this Congress.

The son of a French immigrant, BOB MICHEL has lived the American dream.

As a wounded combat infantryman, he defended American freedom in World War II, earning two Bronze Stars, the Purple Heart, and four battle stars.

As a Member of the United States House of Representatives, he has worked for the people of the Illinois 18th District since 1957.

☐ 1020

BOB MICHEL's colleagues have voted him Republican leader seven consecutive times, and in 1989 President Ronald Reagan presented him with the Citizens Medal, our Nation's second highest presidential award.

Mr. Speaker, Politics in America writes of BOB MICHEL, "Many would agree with the judgment that he has been the most impressive House leader of either party since Sam Rayburn."

The Almanac of American Politics says, "He is a man of old-fashioned personal decency."

Mr. Speaker, we will miss such a great leader, and we will miss such a great friend, the gentleman from Illinois [Mr. MICHEL].

TWO PERSONS LEAVING AN IMPRINT ON THE HOUSE OF REPRESENTATIVES

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, normally Members take the well to talk about what we would call galactic, or global, or profound issues. Today I am not going to do that. I will talk about two very important people who I think have left an imprint on this House of Representatives, one of whom who has been spoken about at length this morning, and he is our friend, the gentleman from Illinois [Mr. MICHEL], the minority leader who announced that he would not seek reelection at the end of this term.

Mr. Speaker, I have known, BOB for all of my 23 years here in the House, and he is a very good man who has served well and served faithfully his country and his constituency.

Another one who has, perhaps, a little less lofty position here in the House, but is our equally good friend, is Raymon Roebuck who is the manager of the Democratic Cloakroom. Raymon is hanging it up, or calling it a day, as we say, after over 30 years of service to the Democratic side, but also to the Republican side because often I see some of my colleagues from the Republican side coming into our Cloakroom for a good lunch, or some commiseration, or a little bit of advice from Raymon.

So, in any event, Mr. Speaker, the House is composed of great leaders with a lot of public notoriety, as well as great leaders who do not have that same kind of public celebrity, but in this case we will miss both of these gentlemen.

WE NEED A PLAN TO GET OUR TROOPS OUT OF SOMALIA

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, those who do not learn from history are condemned to repeat it. Two thousand more combat troops into Somalia so that they can be withdrawn in 6 months. This is the same kind of dribble in, incremental "light at the end of the tunnel" talk that we heard in Vietnam in 1968.

What are those troops going to do? Are they going to be commanded by the same incompetent U.N. bureaucrats that got 24 Americans killed in the first place?

Remember, the United Nations is still in command in Somalia. Has the United Nations agreed to let these troops concentrate on securing the release of our POW's?

What if our POW's are not back in the end of 6 months? Are we going to send more troops in? Or are we going to pull out?

Do we yet have a plan to complete the mission in Somalia? Better yet, do we even have a mission in Somalia?

Mr. Speaker, the Clinton administration has answered none of these basic questions. Yet the White House wants us to give them 6 more months. We have been there 10 months, and the situation gets worse each day.

We do not need more rhetoric about nation building, we do not need American foreign policy dictated by U.N. diplocrats in their New York salons. We want a concrete, step-by-step plan to get our POW's out and our troops home.

The next photo op on the White House lawn celebrating the return of American troops must only occur after all of our troops are safely returned to American soil.

HEALTH CARE REFORM

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Ms. SLAUGHTER Mr. Speaker, when President Clinton came to Congress 2 weeks ago, he made a promise to me, and to every other American. He promised a plan to provide each of us with the security of knowing we will get the health care we need, whenever we need it.

As the President proposes, the Congress will dispose. I will be working closely with my constituents in Rochester to examine how the program will affect my district—where we have already made such great strides in expanding access and controlling health care costs.

I am pleased that there are already many aspects of the proposed health care reforms that will help the people of my district. For example, I recently heard from a constituent named James Dunbar. He is personally worried about rising health care costs—because his monthly Social Security check is almost entirely consumed by the cost of his medication. For seniors like Mr. Dunbar, health care reform promises relief, through the proposed prescription drug coverage plan. This is an important step in making prescription drugs affordable for the millions on fixed incomes.

The President's plan promises responsibility and accountability. It also proposes to keep health care costs from spiraling, by more effectively controlling spending.

For the sake of Mr. Dunbar, for our own families and communities, we must work to make these promises become reality.

We must find a way to provide coverage for those 37 million Americans currently without health care. It will be our job to look carefully and deliberatively at the President's proposal. And it will then be our turn to save what is right and correct what is wrong with our present health care system. For the sake of James Dunbar, my district and our Nation's future, I look forward to this opportunity.

THE RETIREMENT OF BOB MICHEL

(Mrs. FOWLER asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. FOWLER. Mr. Speaker, I rise today to commend our distinguished minority leader, Representative BOB MICHEL, for his many years of service to this body. The gentleman from Peoria is a man of integrity and keen intelligence, and he has served his district and our Nation in a truly outstanding manner.

Being an effective leader is never an easy task, and I am sure it can be especially frustrating as the leader of the minority party. However, Representative MICHEL has carried out his responsibilities with energy, humor, and a deep commitment to getting the job done.

His keen intelligence, his integrity, and his gentlemanly demeanor have endeared him to all the Members of the House, and we will miss him.

I hope he knows that when he leaves Washington, he will take with him not only the satisfaction of his accomplishments, but also the gratitude and best wishes of his many friends and admirers on both sides of the aisle.

SUPPORT NAFTA

(Mr. LAUGHLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAUGHLIN. Mr. Speaker, I want to begin by saying the North American Free-Trade Agreement is a major breakthrough in economic policy.

NAFTA will create the largest market in the world with a combined economy of $6.5 trillion and 370 million people.

Mexico's population is growing at 2 percent per year, and it is a significant market now for U.S. agricultural products. The agreement will boost Mexico's demand for greater volume and variety of our food products.

Current Mexican tariffs on United States agricultural products range from 10 to 25 percent. These are two-and-a-half-times higher than the American tariffs on Mexican products.

Mexico will provide United States producers a new and growing market. This will help alleviate the surplus of agricultural goods in our country.

Among the agricultural industries that will benefit from a strong trade agreement with Mexico include rice, cattle, corn, grain, and cotton.

For the future of agriculture and thus our economy I am asking my colleagues to support the North American Free-Trade Agreement.

THERE'S STILL A CHANCE FOR BOB MICHEL TO BECOME SPEAKER OF THE HOUSE

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, I rise to pay tribute to the distinguished Republican leader, the gentleman from Illinois, [Mr. MICHEL], a hero to the Second World War. He has also been a hero of Congress as an institution. A wise man, a man of great common sense, a decent human being, BOB MICHEL is respected on both sides of the aisle.

Mr. Speaker, I hope that BOB and Mrs. Michel do not go too far when his term is up. His dream of a Republican majority will come, and a careful reading of the Constitution shows that the Speaker of the House does not have to be a Member of the House. The Speaker always has been since 1789, but, if there ever were to be a person to break that tradition, a person whose word is respected on both sides of the aisle, it is BOB MICHEL. Perhaps he yet will be Speaker of the House.

THE MISSION IN SOMALIA

(Mr. BLUTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUTE. Mr. Speaker, the events in Somalia took on a more personal meaning to families in my district of Massachusetts yesterday when it was learned that one native son, who was serving there as an Army ranger, had been killed, and another seriously wounded.

Mr. Speaker, we need to take a very hard look at our deployment of troops in that African nation. The administration needs to specify why our people should be continued to be deployed in Somalia. Our humanitarian mission there is long over, and it has become painfully evident that an American presence is not welcomed there.

Tragedies continue to mount, death tolls are on the rise. What is our overriding national interest in Somalia that would justify our young people continuing to risk their lives there?

Let us get a plan to get our troops home, but, while doing that, let us make sure that they have everything they need to protect themselves and prevent the type of situation which saw our troops under fire without adequate reinforcements or armor.

□ 1030

Mr. Speaker, let us vow to never let that situation happen anytime, anywhere.

TRIBUTE TO HON. BOB MICHEL, REPUBLICAN LEADER

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, over the past several years, as we have observed the respect and confidence level in this institution, the greatest deliberative body known to man, decline, no one, but no one, was thinking of BOB MICHEL.

BOB MICHEL clearly is the most capable, caring, understanding, compassionate Member of this institution bar none, and I believe that his absence, when he retires in 15 months, not tomorrow, as he likes to remind us, will create an incredible void here.

Mr. Speaker, I wish him well in his future endeavors. This place will be much worse off for his retirement.

BOB MICHEL, A MEMBER OF GREAT INTEGRITY

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, some years ago there was a gentleman who served in this body from Pennsylvania by the name of Paul Dague. Just before Paul died I had an opportunity to interview him, and I asked him what his greatest accomplishment in the Congress was, and he said, "I left the Congress with my integrity intact."

That is a statement that can be made about BOB MICHEL. In fact, I know of no one in this body who could make that statement more than BOB MICHEL. He retires with his integrity intact, and because he has had that integrity, he has had the kind of character that has allowed him to lead, but, more importantly, to mentor many Members who have come through this Congress on both sides of the aisle.

We are a greater institution for having had BOB MICHEL serve here, we will continue to be a great institution because he has 15 more months of leadership ahead, and I look forward to working with him during that time.

REFORM OF WELFARE SYSTEM TIED TO HEALTH CARE REFORM

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, the current health care system threatens our security—the security of working people, and the ability of the Government to deal with the Federal deficit.

If we do nothing to control the costs of health care, by the year 2000, 1 out of every 4 Federal dollars will go toward health care costs in the Medicare and Medicaid Programs, siphoning off needed funds to improve our economy and other critical investments.

We want to reform our welfare system. But many people find themselves in welfare lock. They are reluctant to take a job if that job will not provide them and their children with health care coverage.

Many working people find themselves in job lock. They cannot take a new job unless that new position will provide health benefits. And what is worse is people who find themselves unemployed and without coverage. These people, already in a tenuous financial condition, could be wiped out if they or a family member becomes seriously ill while they lack insurance.

Finally, many people who have taken early retirement fear that the coverage they have will be canceled or that they must work until they are eligible for Medicare.

Americans should be assured that if they get sick they will be taken care of and not be financially ruined. I look forward to working with my colleagues to ensure that this security, this piece of mind, become a reality.

WISCONSIN JOINS FIGHT ON CRIME, MOVES TO ENACT DEATH PENALTY

(Mr. ROTH asked and was given permission to address the House for 1 minute.)

Mr. ROTH. Mr. Speaker, last year murders took the lives of 22,000 Americans. It is time we turn the tables.

To combat this horrific rise in violent crime, my own State of Wisconsin is moving to enact the death penalty—77 percent of Wisconsin residents support capital punishment according to a poll taken last night by a television station in Green Bay. Wisconsin citizens understand the need to get tough on crime.

It is about time we do the same here in Congress.

Here are some appalling examples. Carl Wayne Buntion had 11 felony convictions and 9 separate prison terms. He was released and then murdered a police officer. He should get the death penalty.

Sam Barnett was released after getting early parole only to rape the same 9-year-old girl again. He should never step outside of a prison again.

We need to get tough with criminals and protect victims for a change.

No more parole. No more endless and costly appeals. No more revolving doors at our prisons. And yes, the death penalty for certain heinous crimes.

If you do the crime you do the time. No exceptions, no excuses.

DEATH COUNT IN SOMALIA APPROACHES THAT OF DESERT STORM

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, the issue of Somalia is not just upon us, it has been happening to us. We have lost nearly as many lives in Somalia as we did in Desert Storm over a much shorter period.

They have been dragging our men through the streets dead, and if it continues, perhaps our women. At a time when this Congress, under the leadership of the Democrats, has cut defense $127 billion, we are sending troops overseas. In the tax budget they passed, where 80 percent of the spending cuts come after 1996, they cut defense $127 billion. This comes at a time when the President is going to send troops to Haiti, possibly Bosnia, and, yes, we are even in Somalia today.

We need to direct our forces in areas where we can do some good. Do we stay in Somalia? If we do, do we kill the same people that we were trying to help?

Whether we are liberal, conservative, dove, or hawk, it is time to bring our men and women home from Somalia. Our mission of humanitarianism is done. Let us get out and save lives.

FURTHER DEPLOYMENT OF TROOPS IN SOMALIA DEPENDENT ON CONGRESSIONAL AUTHORIZATION

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, let me say to my colleagues that there is no legal authorization fro the deployment of the United States forces in Somalia. President Bush deployed large forces without prior or subsequent authorization from this Congress, as required under the War Powers Act, and President Clinton has continued that deployment with a reduced force but still without authorization from the Congress.

Many Members will be surprised to learn that the resolution we passed in this House last spring to authorize humanitarian assistance is not in effect because it was never subsequently passed by the U.S. Senate. There is no outstanding authorization of any sort.

The President must meet the October 15 deadline set by this House to submit a report for authorization. Furthermore, that report should be under section 4(A)(1) of the War Powers Act. It should set out the objectives, the scope, and the duration of the deployment. It should start the 60-day clock ticking in this House, and we have to either accept that report, modify it, or reject it and bring the troops home.

Mr. Speaker, it is time for the President and the Congress to face up to their constitutional responsibilities.

AN EXPRESSION OF PRIDE FOR SERVICE OF REPUBLICAN LEADER, BOB MICHEL

(Mr. PORTER asked and was given permission to address the House for one minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, I was first elected to Congress in a special election in January 1980. The following December I had the great pleasure of voting to elect my Illinois colleague, BOB MICHEL, as our Republican leader. It was, perhaps, the best vote I have ever cast in Washington.

BOB has been our party's leader in the House ever since, during almost the entire time I have been a Member of this body, and longer, continuously, than any other Republican leader in history—longer than John Rhodes, longer than Charlie Halleck, longer than Jerry Ford.

There has never been a moment when we have been other than proud of him. Because with BOB MICHEL of Peoria, the heartland of this great country, you get exactly what you see, not an ounce of deviousness or guile, nothing but good old American straightforwardness decency and devotion to country, to this institution, to his fellow Members, to his State, community, and, perhaps most importantly, to his family.

And what a beautiful family. With his lovely wife, Corrine, always at his side, and his four fine children, BOB has cut a swath of good ole Republican fiscal conservatism combined with a desire to make our system work throughout his service in Washington.

Working together, avoiding gridlock, and yes, compromise and getting the job done—dirty words in Washington in a time of combat politics and entertainment news—have been his hallmark.

When I leave this body I will look back on my time as a soldier in BOB MICHEL's army as among my fondest memories—a man who has done the American people, the U.S. House of Representatives, and everyone of us proud.

□ 1040

SUPPORT AMERICAN TROOPS IN SOMALIA

(Mr. PAYNE of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE of New Jersey. Mr. Speaker, I rise this morning to support President Clinton in his stand to remain in Somalia and to come before the House to express the plan for the next 6 months. I think that the United States has a question: Will the United States be a member of the world body of United Nations, or will we become a country of isolationism, as President Taft wanted us to do?

Mr. Speaker, as you know, the United States did not approve the League of Nations in World War I when the body of nations came together. The Congress said we do not approve of that.

I think the question today is whether the United States of America is going to be a participant in the new international order, the new world order, where the United Nations will be the police people of the world.

Mr. Speaker, I was so proud this morning when I saw Sgt. Bobby Jackson from a hospital in Germany, an African-American who was wounded with those on that tragic day when we lost 12 soldiers. He said he was proud to be in Somalia. He said he had a mission. He said he volunteered in this all-volunteer army. He said he hopes he recovers to go back to complete the mission.

Mr. Speaker, I hope we do not allow hysteria to enter into this. Let us see where we will go in this new world order for the future.

ADMINISTRATION ON DISASTROUS COURSE

(Mr. ROGERS asked and was given permission to address the House for 1 minute.)

Mr. ROGERS. Mr. Speaker, even as the President this minute is trying to justify to American parents why their sons and daughters are sacrificing their lives in Somalia, I have learned that the night before last his United Nations Ambassador voted in the United Nations, and they approved, another peacekeeping operation. This one is in Rwanda.

Even as the American troops are now entering Haiti on another peacekeeping mission and we are learning of the deaths over the weekend of 12 brave American boys in Somalia, and 2 more overnight last night. Where does it end? Can anyone in this room tell me where Rwanda is, or why we are going there, or what vital American interest is at stake in Rwanda?

We are told we are going to be patrolling between the majority Hutus and the minority Tutsis in Rwanda. Why, Mr. Speaker?

We are now involved in 17 peacekeeping operations in the world, from El Salvador to Cambodia, with 14 more requests pending. There are dozens more on the table.

Mr. Speaker, this multilateralism we are talking about is leading to American deaths, with no justification. I urge the administration to abandon this disastrous course they are now on.

TRIBUTE TO HON. ROBERT H. MICHEL

(Ms. DUNN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN. Mr. Speaker, I thank you for this opportunity to express my appreciation to a great Republican leader the gentleman from Illinois [Mr. MICHEL].

I had heard of BOB MICHEL many years before I actually had the chance to work with him here in the Congress. I remember him through the sixties, through the trying periods of the seventies, and well into the eighties, when we worked together to elect a great Republican President, Ronald Reagan.

BOB MICHEL was always the leader. He was always calm and thoughtful and provided great leadership when we often needed that through the years. When I was Republican State chairman in a little State far away, Washington State, BOB MICHEL came out to help us do the job that we were elected to do in electing Republicans to office. He was there for the Republican leadership conferences. He was there for those of us Western chairmen who needed a strong influence, a good spokesman for our party.

But as I have come to this Congress as a freshman, I want to say, more than ever have I appreciated our leader, BOB MICHEL. This gentleman has taken the time to listen to us freshmen, to help us learn the process, always calm, always thoughtful, always giving us good advice and providing good leadership.

Mr. Speaker, I want to say thank you to the gentleman from Illinois. I want to say for me, and for many others, when he leaves this body, he will be taking the heart of this great institution with him.

TRIBUTE TO HON. ROBERT H. MICHEL

(Mr. WALSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALSH. Mr. Speaker, when one thinks of honesty, integrity, fairness, warmth, and friendship you have a picture of our minority leader, BOB MICHEL.

BOB was one of the first people I met when joining the House 5 years ago. His gracious welcome has made many a freshman feel welcome and at ease, no matter how difficult the problems in Congress might be BOB never takes himself too seriously—A good lesson for all of us. If you need help or advice, you automatically turn to BOB because he always has the right approach to the situation.

We were all sorry from a professional standpoint to learn he would not seek reelection next year. At the same time, after 36 years of service in Congress, if anyone deserves the chance to sit back and smell the roses, BOB is that person.

Fortunately he will be with us to provide his leadership skills through 1994. There are many serious problems facing this Nation that will occupy him during this time, but we all know BOB will meet the challenge.

There is an old Irish saying that sums up the quality of this man:

> Humor, to a man, is like a feather pillow. It is filled with what is easy to find, but gives great comfort.

That humor and great comfort is what BOB MICHEL means to every Member of this House, both sides of the aisle.

MENTAL ILLNESS AWARENESS WEEK

(Mr. MACHTLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MACHTLEY. Mr. Speaker, I rise today in support of Mental Illness Awareness Week. Fortunately, the efforts of the mental health community have made this heightened awareness last much longer than a week.

As a cofounder of the House Working Group on Mental Illness, along with my distinguished colleague, the gentleman from Oregon [Mr. KOPETSKI] and the gentleman from West Virginia [Mr. WISE], we have become all too familiar with the frightening statistics confronting our Nation concerning mental health.

Mr. Speaker, 19 percent of all adults in any given 6-month period are going to be suffering in this country from mental illness or substance abuse disorders. One-third of our homeless suffer from mental illness. Some 12 percent of American children and adolescents today, suffer from mental illness or substance abuse, and 4 out of every 5 will have no treatment.

The costs associated with not dealing with mental illness today are far greater than the costs associated with facing the issues. Businesses will lose over $100 billion due to lost productivity due to substance abuse and mental illness. Direct costs in treating mental illness can be as little as $68 billion. There is a cost effectiveness to dealing with this tragic issue in our Nation.

Mr. Speaker, I urge my colleagues to join me in supporting Mental Illness Awareness Week and improving the plight of the mentally ill. It is up to us to ensure that mental illness is included in our health care debate this year.

QUESTIONS CONCERNING SOMALIA

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, today President Clinton finally announces this administration's policy relating to Somalia. Today we hear the weak justification for sacrificing young American lives. Today the American people learn why we have wasted $1 billion to rescue ungrateful Somalis. Today we finally learn when our troops will come home.

Mr. Speaker, I and the American people demand that this Congress now ask some serious questions: Why did this House fail to act months ago on my bill to withdraw our troops? Why did we allow our troops to serve under a bungled foreign command? Why did we expose our helicopter crews to obvious fatal ground fire? Why did this administration use nation-building as a cover?

Mr. Speaker, have we so weakened our military in 10 months that this fiasco can happen again? Will we bring the Somali criminal acts to justice, or will Americans all over the world be targets for international terrorism?

Mr. Speaker, the dozens of Americans who sacrificed their lives, including the latest fatality last night, deserve answers to these questions. I demand that this House and its committees address these questions and address these issues now.

TRIBUTE TO THE HONORABLE ROBERT H. MICHEL

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, 1 minute is hardly enough time to describe our great Republican leader, BOB MICHEL. We will undoubtedly be taking special orders in the months to come to honor this great man. But for now two terms come to mind when I think of BOB MICHEL. Being a former marine myself, the first term I think of is "esprit de corps." BOB MICHEL has been the spirit of the Republican Party for all these 38 years.

□ 1050

BOB MICHEL is a great man, the living embodiment of all that is best about the Republican Party.

There is one other term that comes to mind when I think of BOB MICHEL. That word, that phrase, is "semper fidelis," another Marine Corps term. It means "always faithful."

I think back to the first 2 years of the Ronald Reagan Presidency, when BOB MICHEL put his heart and soul into passing the Reagan program through Congress. He made tough votes that were difficult to make, cutting back on entitlement programs, doing things that we should have been doing all along. He almost lost the election because of it in 1982, but he was always faithful to his beliefs, to the Republican philosophy of limited government, and to putting the vital interests of our country first.

We are going to miss that man dearly. God bless him.

TRIBUTE TO HON. BOB MICHEL

(Mr. BLILEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLILEY. Mr. Speaker, I rise today to speak of a man who Congressional Quarterly's "Politics in America" describes—in his own words— as a "doggone decent son of a gun." Well, my fellow Members, this fine gentleman from Illinois is not only a decent and honorable man, but also a good friend and a trusted adviser to this institution.

To many of us who came into the House in 1980, we looked to BOB MICHEL as the captain of our ship—and we strongly do so today as well. With a firm hand on the tiller, BOB MICHEL has steered our party in the House through the calm waters of agreement and the stormy seas of dissent. But, through it all, this loyal public servant has stayed the course—offering guidance and good humor to all along the way.

However, Mr. Speaker, what has distinguished this leader the most in his years of service is his passion—his passion to see the good in his fellow man and woman, while others only would see the bad; his passion to fight not only for the things that would "play in Peoria," but also for the things that would help all American families; and finally, his passion for his party and this institution has been a constant source of inspiration to me and to those who may have forgotten the true meaning of public service.

Mr. Speaker, it has been—and will continue to be—a distinct honor and privilege to serve in the U.S. House under a man of such rare quality as our minority leader. While his presence in this body will be greatly missed, there are plenty of us who understand his desire to conquer the new challenges that lie ahead—like knocking those three stokes off his game in the early months of 1995.

In closing, Mr. Speaker, I have one final comment to share with BOB MICHEL and that is to say "thank you." I thank you, BOB, for your tireless efforts and your loyal commitment to your party and to your Nation—your hard work certainly did not go unnoticed.

THANK YOU, BOB MICHEL

(Mr. PORTMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTMAN. Mr. Speaker, I also rise today to thank BOB MICHEL, to thank BOB MICHEL for leading my party and this House with integrity and with what one publication has called "old-fashioned personal decency," but also to thank him for his extraordinary service to Presidents of the United States over his 13 years of service as leader of the Republicans in this House.

In my first 2 years in the Bush White House, I saw firsthand BOB MICHEL's great value to the Presidents of this country. I saw his calm, cool-headed approach to issues. I saw his loyalty, and I saw his very sound advice and counsel.

Mr. Speaker, our leader will be missed. I hope that we will remember what he stood for.

THE HONORABLE BOB MICHEL

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, like my colleagues before me, I rise to honor our leader, BOB MICHEL.

Leader MICHEL has exhibited traits of ethnics in all of his actions, personally and in conducting business in the House, of always putting the Nation's business before personal business. And when there is a debate on issues, whether it is within the Republican Party or with the majority party here in the House, always conducting the debate in an honorable fashion, with concentration on differences of opinion and not differences in personality.

Mr. Speaker, I want to say it has been a privilege to serve under Leader MICHEL these last 5 years. I certainly hope that whoever replaces him as leader of the Republican Party in the House in the future will keep his honorable traits in mind and incorporate them into our leadership into the future.

A TIME FOR CHANGE

(Mrs. MEEK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK. Mr. Speaker, soon the House will consider the goals 2000 legislation. As one who was intimately involved with school reform in Florida, I welcome this initiative. It is not surprising that some of those opposing this effort to improve our schools are the leading opponents of public education.

For the first time in 13 years we have a President who believes that improvement of education is much more than a throw away line in a campaign speech. For the first time in 13 long years, it is possible to move ahead with educational reform because for this President reform means action, not reaction.

This bill calls for the setting of voluntary national education standards, including content standards. The bill also authorizes incentive grants to assist in the implementation of the goals.

The opponents of this legislation are using the same arguments used in the 1960's when the Federal elementary and secondary programs were created. This is yet another example for their arguments intellectual costiveness. They say this takes away local flexibility and will create a national school board, but these are the same people who decry that state of America's public schools. They really want to shut down public education and limit it to the wealthy.

Mr. Speaker, the House should reject the Janus-faced arguments of the opponents of goals 2000. Let us get on with the improvement of our schools and pass this bill.

SOMALIA

(Mr. DORNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, I will be participating in a special order soon for a great American, BOB MICHEL. But this morning I want to pass on to my colleagues and my fellow Americans two tragic phone calls I received last night after a special order that I did with several colleagues on Somalia.

One gentleman was listening to my recitation of the names of the 12 heroic young men who were killed in Somalia. He said he began to cry, because he recognized the name of the son of his best friend from high school who, like myself, served his country in Vietnam. He and his friend had survived Vietnam, and the son dies in an alley in Mogadishu.

But the worst call came from the wife of a U.S. Army captain stationed at Fort Campbell. One of her neighbors, another military wife, recognized that it was her husband being mutilated and dragged through the streets of Mogadishu, his corpse. She had not been informed by the Army that he was dead or missing. She sees him on a television screen mutilated and dead and stark naked and being dragged around.

I think that this House ought to have a joint session, doors closed, get the intelligence briefings I am getting upstairs, every one of us, to decide how to advise the President about what to do in Somalia.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2872

Mr. PORTER. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2872.

The SPEAKER pro tempore (Mr. TUCKER). Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2446, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1994

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, October 7, 1993, to file a conference report on the bill (H.R. 2446) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

CONFERENCE REPORT ON H.R. 2518, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. NATCHER. Mr. Speaker, pursuant to the order of the House of Wednesday, October 6, 1993, I call up the conference report on the bill (H.R. 2518) making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

GENERAL LEAVE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report on H.R. 2518 now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

□ 1100

The SPEAKER pro tempore (Mr. TUCKER). Pursuant to the order of the House on Wednesday, October 6, 1993, the conference report is considered as read.

(For conference report and statement, see proceedings of the House of October 5, 1993, at page H7422.)

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. NATCHER] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. PORTER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present the conference report on H.R. 2518, the fiscal year 1994 appropriations bill for the Departments of Labor, Health and Human Services, and Education, and related agencies. The full conference agreement, House Report 103-275, was printed in the CONGRESSIONAL RECORD of October 5, 1993, and has been available to Members since Wednesday morning.

I am pleased to bring this conference report to the House. I think the conferees were able to work out a good bill. We have resolved all 135 amendments in disagreement, and we did it in the shortest conference we have had since I have been chairman of the subcommittee.

Mr. Speaker, let me say this, it speaks well for our staff. We have an excellent staff on our committee, just like we do on all of the committees in the House. It is a distinct honor and a privilege for me to work with the ranking member, the gentleman from Illinois [Mr. PORTER] and all of the members on this subcommittee. Mr. Speaker, we are friends, we work together.

I want to thank Senator HARKIN and his colleagues and all the Members on our side for their good efforts.

Mr. Speaker, I believe Members of the House will be pleased with the conference agreement. It reflects the important priorities of the administration, as well as those of Members of the House and Senate. The conference report is within, Mr. Speaker, our 602(b) allocation for both budget authority and outlays. The agreement contains $261,158 million for the three Cabinet departments and 15 related agencies under the jurisdiction of the Labor-HHS-Education Subcommittee. I will highlight just a few of the programs in the bill that I know are of interest to Members, and provide a more detailed description for the RECORD:

Childhood immunization receives $528 million, which is a $187 million increase. Mr. Speaker, that is the way it should be.

Ryan White treatment programs are increased by $231 million to a total of $579 million.

Head Start is funded at $3,326 million which is $550 million above the 1993 level.

Also $1,118 million is provided for dislocated workers, an increase of $551 million, while $888 million is provided for summer jobs to provide the same number of training slots in 1994 as in 1993.

An increase of $630 million is provided for the National Institutes of Health for a total of $10,956 million.

Mr. Speaker, the Chair will be interested to note that when I was elected a member of this committee, we had $73 million for the National Institutes of Health, as a total; $155 million is provided for the administration's education reform proposals, including $100 million for school to work, in both the Departments of Labor and Education, $8,020,000,000 is included for student financial assistance, which will support a maximum Pell grant of $2,300 and 1993 funding levels for campus-based programs; $1,475,000,000 is provided for fiscal year 1995 funding of the Low Income Home Energy Assistance Program.

Finally, I want to make certain Members understand that the issue of public funding for abortions is not a part of this conference report. The Senate adopted the same language that was contained in the House bill, permitting public funding in the case of endangerment of the life of the mother, rape, and incest.

In summary, Mr. Speaker, I believe the conference report is a good one. We have worked on it hard, Mr. Speaker, and we have had a lot of help. Everyone has helped us. It should be adopted by the House, and I urge that the Members support this conference report.

SUMMARY OF H.R. 2518, THE LABOR-HHS-EDUCATION APPROPRIATIONS BILL

The conference agreement provides $261,158 million for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and Related Agencies. This total is $13,886 million above amounts provided in fiscal year 1993. Of the total included in H.R. 2518, $67,230 million is provided for discretionary programs, which is $4,530 million above 1993, and $193,928 million is provided for mandatory program, which is $9,356 million above 1993. The bill is within its 602(b) allocation for both budget authority and outlays.

DEPARTMENT OF LABOR

The bill includes $14,581 million in budget authority for the Department of Labor. $10,553 million is included for discretionary funding, which is $778 million above 1993. $1,118 million is provided for dislocated workers, and $888 million is included for summer jobs. The number of summer job training slots will be the same in calendar year 1994 as in 1993. Job Corps is funded at $1,040 million, with adequate funding to support four new centers, to be awarded competitively.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The bill includes $216,891 million for the Department of Health and Human Services, of which $185,402 million is for mandatory programs and $31,489 million is for discretionary programs. This represents an increase of $11,349 million over 1993 for mandatory programs, and $3,586 million over 1993 for discretionary programs. Within the total, $10,956 million is included for the National Institutes of Health, which is $630 million above the 1993 level. The Head Start program receives $3,326 million, a $550 million increase over 1993. Childhood immunization is funded at $528 million, $187 million over 1993. The Ryan White treatment programs are supported at a level of $579 million, which is $231 million over 1993. $117 million is provided for tuberculosis control activities, a $38 million increase. Low income home energy assistance receives $1,475 million in fiscal year 1995 funding.

DEPARTMENT OF EDUCATION

The bill includes a total of $28,768 million for the education program. Of the total, $4,498 million is for mandatory activities, and $24,271 million is for discretionary programs. $155 million is provided for education reform activities. The bill includes $8,020 million for student financial assistance, including funding at the 1993 level for campus-based programs and sufficient funding to support a $2,300 maximum Pell grant. $250 million is included for the Pell grant shortfall. Impact aid is funded at $798 million, including $136 million for "b" payments.

Mr. Speaker, I reserve the balance of my time.

Mr. PORTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is a great privilege for me to manage this bill on the Republican side. On the Labor, Health and Education Subcommittee we do business in a bipartisan fashion.

Mr. NATCHER conducts all of the subcommittee business honestly, openly and with supreme integrity. His approach toward the Labor, Health and Education bill is one of inclusion, negotiation and compromise. It epitomizes the manner in which I believe we ought to govern this country, and he does it efficiently.

I want to thank the chairman's staff, which always does an outstanding job—Bob Knisely; Sue Quantius; Mark Mioduski, and he and his wife just had a baby boy, Ryan; Nancy Krekeler; Joanne Orndorff; the staff director Mike Stephens, who does such a superb job for all of us on the subcommittee, and on our side, John Blazey, representing Mr. McDade, and my staffer, Mike Myers, who also do a wonderful job.

Mr. Speaker, I also want to commend the new Members on our side who did really an outstanding job this year to get up to speed on the vast number of issues and programs we deal with in our bill. Helen Bentley and Henry Bonilla spent as many days in committee hearings as the chairman and I did, and they contributed significantly to the bill we are considering today.

This is a good bill. It is under the 602(b)s on both authority and outlays. It makes the hard priority choices to provide needed increases in important domestic programs and to provide the necessary offsets to pay for them.

Mr. Speaker, this bill does the right thing for the NIH—our Nation's premiere biomedical research organization.

The President did the country a service by calling the Nation to reform its health care system. But, he overlooked one very important component of the health care debate—research, which is our only real hope for containing long-term health care costs through cures, early diagnosis and prevention.

The President's budget cut funding below the 1993 level for 9 of the 17 Institutes, reducing funding for research on mental health, diabetes, arthritis, and heart disease—by far the largest killer of both men and women.

We restored those cuts and provided at least a 6-percent increase for each Institute, and we did it by adjusting priorities, and staying within our budget allocation. In addition, we provided important startup funding for the intramural human genome research initiative which will help find the genes which cause breast cancer, colon cancer and the other 4,000 genetic diseases.

This funding will continue modest growth in biomedical research funding to support the dramatic progress in understanding breast cancer, heart disease, Alzheimer's, diabetes, AIDS and other devastating human afflictions.

The President sent us a message about health care reform. This bill sends the President a message about biomedical research. I hope he is listening.

Mr. Speaker, this bill also contains the largest increase for Impact Aid in a decade—over $46 million to educate children whose parents live and work on Federal property. The funding, while still far short of the amount owed to local school districts by the Federal Government, will help schools maintain services to federally-connected students like the thousands of military dependents in my congressional district.

The bill is not a perfect one. It contains unauthorized advance funding for the LIHEAP program which was first enacted to provide emergency energy relief to low income individuals in 1981. Since that time, fuel oil and electricity prices have declined by 50 percent to pre-1974 levels. While we still have a need in this country to provide assistance to low-income individuals this supposedly temporary program is no longer the proper vehicle, nor is the unauthorized advance funding appropriate.

This bill also contains a Senate provision which prohibits implementation of regulations that would allow the use of helper-class workers on Davis-Bacon construction sites just as they are used on 75 percent of all private-sector construction sites. These regulations were promulgated and implemented under three successive administrations and upheld by the courts after a decade of litigation.

Mr. Speaker, it is especially ironic that Congress would pass this prohibition at the same time the administration is attempting to give women and minorities an entry point to nontraditional occupations through the school-to-work program at DOL and the Step-Up Program at HUD. These programs create training opportunities nearly identical to the helper classification.

In fact, the National Association of Minority Contractors supports the helper regulations that this bill prohibits in order to give minorities the opportunity to learn the construction trades so they may achieve journeyman status.

There is simply no justification for the Appropriations Committee to intervene in this matter, and, in fact, the conference committed that this would be a 1-time, 1-year prohibition. If the authorizing committees believe this matter requires congressional intervention, they are more than welcome to revisit the issue. And the President already has the authority to withdraw the regulations if he is dissatisfied with them.

Nevertheless, Mr. Speaker, on the whole, this bill is a very good one, and I urge Members to vote for it.

Mr. Speaker, I reserve the balance of my time.

□ 1110

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. I thank the gentleman for yielding this time to me.

Mr. Speaker, I want to point out that the chairman and I went on this subcommittee the same day and, as he said, at the time we went on the subcommittee the funding for the National Institutes of Health was $73 million. In this bill it is $11 billion. We are doing the research essentially for the world as far as health is concerned.

In that length of time we have changed the health system of the world. The delivery system has not kept up with the research that we have done, and that is one of the big things that we are hearing about now on health.

Until the delivery system catches up, we are going to continue to hear about it because we have the kind of a system now that, if delivered, would deliver a lot more health care to the American people.

And so it is very difficult in an area where technology has moved as fast, and the new knowledge has moved as fast, we are not moving the same kind of health care today that we moved 20 years ago.

So you cannot expect the system to operate on the same amount of money.

We are also subsidizing health professionals, doctors, to the extent of about $100,000 per year in the education of health professionals; and that is over and above what they pay. This is all good because it has produced the health system that is unequaled anywhere else in the world, if we can provide the way that people can finance it so everybody has access to it.

In education, I was on the Committee on Education and Labor when we only had one education program for post-12, and today we have numerous ones in this bill.

So the educational system has spread throughout the population.

Mr. Speaker, this is a good bill, it is one of the very few bills that will hit the floor that has very substantial increases for a number, a number of the programs that are in it, and it shows the dedication, I think, that we have to make the quality of life better for the American public and for American people.

So, Mr. Speaker, I support the bill.

Mr. PORTER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas [Mr. BONILLA], a fine new member of our subcommittee.

Mr. BONILLA. Mr. Speaker, I rise to join the distinguished gentleman from Kentucky to walk down the center of the aisle today in support of this most important appropriations bill. This appropriations bill helps Americans become better educated, develops the skills needed to keep pace in the job sector, and prevents and treats illness. This bill affects and protects almost every American in a fiscally responsible manner.

I want to commend my chairman, Mr. NATCHER, and my ranking member, Mr. PORTER, and their hard-working staffers for their dedication in crafting this conference report. Their success in reaching agreements on 135 items in about 2½ hours is a record for this subcommittee. I only hope that my future conference committees will be as equally efficient. I know as long as Chairman NATCHER runs the conference this new record will remain in jeopardy.

I want to highlight a few vital rural programs for my rural colleagues, who often share my view that Congress too often turns its back on the heartland. This conference report makes a good faith effort to provide access to health care in our rural communities. Overall spending has been increased by 9 percent on programs that greatly effect rural health care.

Community and migrant health care centers funding has been increased to provide comprehensive primary health care in our rural communities. Last year these clinics served over 6.5 million people.

The area health education centers [AHEC] have been increased 11 percent while the border health centers funding has been restored to fiscal year 1993 levels. The AHEC Program links university health service centers with community health service delivery systems to provide training sites for students, faculty, and practitioners. The border health education centers fund schools to support health education and training centers to improve the supply, distribution and quality of health personnel along the border between the United States and Mexico.

Rural Americans will benefit from increases in the Nurse Practioners/Nurse Midwives Program, essential access community hospitals, and restoration of some of transition grants funds. The allied health grants were increased to address the growing shortage of allied health personnel in both rural and urban areas. The Physicians Assistants Program which delivers health care and emergency services in rural areas was increased from last year's level. This program is especially important to the health of rural Americans.

The Family Medicine Residencies Program has been funded to provide grants to medical schools to teach family medicine programs which are greatly needed to field the demand for doctors in rural America.

The rural health research and rural outreach grants have been increased to coordinate public and private sector efforts nationwide to strengthen and improve the delivery of health services to populations in rural areas. They provide health services to rural populations not currently receiving them and enhance access to and utilization of existing services.

I do have one serious problem with the conference report and that is the Davis-Bacon provision. The other body included a provision that would prohibit the Secretary of Labor from using any funds to implement or administer both the recently issued final helper regulations and the proposed apprenticeship regulations. I do not believe this provision should be in the report.

I believe this ban effectively prevents the Department of Labor from executing regulations that update and upgrade the system of approving apprenticeship programs around the country and registering and training new apprentices, until Congress passes a new act.

The helper regulations were finally issued after more than 10 years of litigation and debate, culminating in favorable rulings by the U.S. District Court and the U.S. Court of Appeals. Both courts found that the helper regulations are fully consistent with the language and purpose of the Davis-Bacon Act, and the Supreme Court declined an appeal of that ruling.

This provision is very unfair to smaller employers and small minority contractors. In some States, small contractors who want to offer responsible apprenticeship programs for their own employees can not do so because of old rules that favor large companies. The National Association of Minority Contractors supports the helper regulations as a positive way for their constituents to enter the public works sector of the construction industry.

Under the current revised regulation, the helper classification serves as both a stepping stone to a formal apprenticeship or other training programs and provides a solid, well-paying job.

I believe the current regulation is consistent with the President's support of easing the transition from school to work for noncollege bound youth.

I want to commend my ranking member, Mr. PORTER for raising this issue in conference. We lost but I pledge to work harder next year to restore equity and fairness to the Federal contracting process that allows any business the ability to compete.

Overall this conference report is a good one. This bill is fiscally responsible and provides for medical research that invests in Americans and saves lives and saves dollars. I urge my colleagues to adopt the conference report.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Speaker, I rise today in strong support of the fiscal year 1994 appropriations bill for the Departments of Labor, Health, Human Services, and Education.

I want to begin by commending our distinguished chairman, the gentleman from Kentucky [Mr. NATCHER], and the ranking minority member, the gentleman from Illinois [Mr. PORTER], with whom I have had the privilege of working to bring this important bill to the floor.

Mr. Speaker, the conference report reflects the real spirit of a House-Senate compromise. Each amendment has been addressed carefully, with consideration given to the impact on the people.

Indeed, as so often referred to by our chairman, H.R. 2518, as reported out here today, is truly the people's bill.

It includes support for job training programs at all levels—adults, youth, and older Americans.

Biomedical research is given the resources to exploit numerous opportunities including those in cancer, heart disease, sickle cell disease, aging related eye diseases, diabetes, and AIDS.

Support is provided for low-income home energy assistance to help ensure that our needy citizens are not forced to choose between heat and food. For far too many people, we know too well that that type of choice can mean death.

For our children, not only does the bill give the Nation's needy children a head start, it also enhances adoption opportunities, and provides for abandoned infants as well.

The bill provides for strengthening our education system including ensuring drug-free and safe schools.

For higher education, the bill includes support to ensure continued higher education at both the undergraduate and graduate levels, at majority and minority institutions alike. This support is necessary if we are truly committed to increasing America's competitive edge in the ever changing global markets.

The bill addresses the increasing violence that is occurring across the Nation. In response to this escalating problem, the bill includes support for violence prevention initiatives, and substance abuse intervention and treatment.

The allocations reflect an equitable distribution of resources to respond to the needs of the American people. For example, the bill includes $988 million for adult job training, $1.1 billion for dislocated workers, $243 million for substance abuse prevention, $487 million for drug free schools, $3.3 billion for Head Start, $528 million for immunization programs, $1.5 billion for low-income home energy assistance, $871 million for the older American aging programs, $6.6 billion for Pell grants, and $11 billion for biomedical research.

Mr. Speaker, I am particularly pleased with provisions in H.R. 2518 that support efforts which I have advocated through the years. For example, the bill includes $16 million for strengthening graduate education at historically black colleges and universities. It includes bond authority to allow historically black colleges and universities to restore deteriorated infrastructure, $3.5 million for faculty development, $1 million for the Institute for International Public Policy, and $418 million for TRIO. With regard to health, the bill includes $604 million for community health centers, $687 million for maternal and child health, and $98 million for Healthy Start Infant Mortality Program.

Mr. Speaker, the funding of these and related programs will help to better prepare Americans to capitalize on job opportunities in changing markets, to provide safer schools for our children, to reduce the frequency at which our elderly must choose between food and heat, to provide health care services to the needy, to control and prevent child abuse and family violence, and to improve the health of the American people.

I am proud of the leadership of our subcommittee and the commitment each of the subcommittee members give to addressing the needs of the American people. Mr. Speaker, I strongly urge my colleagues to support the passage of H.R. 2518 which will improve the quality of life for all Americans.

□ 1120

Mr. NATCHER. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the chairman for yielding this time to me.

It is a great honor for us to serve on the subcommittee of the gentleman from Kentucky [Mr. NATCHER] who is the chairman of the full committee, as well. He is truly one of the historic figures in this body.

I share the view that the gentleman from Illinois [Mr. PORTER] and the chairman have expressed about the extraordinary capability of our staff, and I commend them for the outstanding work they have done.

Mr. Speaker, I would like to discuss what the conferees have done with regard to two programs. I agree with the comments my colleagues on both sides of the aisle have made about the balance of this bill. I want to discuss two programs, chapter 1 and Head Start that were designed to help the most at-risk children in our society. These programs are also, I suggest, critically important to insuring a competitive, world-class work force for America in the next century.

It is my view, Mr. Speaker, that these desperately needed programs are not performing at the level we should and must expect.

In reading the Senate report on its bill, I was pleased to see that Chairman HARKIN and his colleagues in the other body agreed with our committee's assessment, as spelled out in our report, that significant program and policy change are required.

Secretaries Riley and Shalala also understand that these programs need review and "reinvention." There are signs that the Head Start Commission Secretary Shalala has convened is going to be the catalyst for a more effective Head Start Program. The administration's reauthorization proposal for the Elementary and Secondary Schools Act is a step in the right direction from where chapter 1 and other Education Department programs are now.

But, Mr. Speaker, we need to go much, much further when this Congress reauthorizes ESEA and Head Start.

I believe, Mr. Speaker, we need a fundamental consolidation and reorganization of programs serving both preschool and school-age children, and we must be evaluating our investments in these programs not based upon process requirements, as we do now, but on improved outcomes.

I agree that our current resources are not equal—and, I stress—not equal to the crisis families and children in America face today, but this makes it all the more critical that we make sure that every penny that we spend on education is spent wisely and effectively.

In absolute terms, Mr. Speaker, the resources we are spending on children in need are, though insufficient, substantial but dispersed and too difficult to access by States and local education agencies.

For example, if fiscal year 1993, we have spent over $850 million on various types of child care, another 2.7 billion on Head Start, nearly $47 million on Comprehensive Child Development Centers, not to mention almost $750 million on maternal and child health, as well as services to runaway youth and child abuse prevention.

Add another $6.7 billion in chapter 1 and $1.5 billion in what the Department calls "School Improvement Programs," as well as numerous other programs, we are not only talking about real money, we are talking about real people's lives, and a real opportunity that we at the Federal level must seize upon to improve the lives and the outcomes of those young Americans. We cannot afford to do otherwise, and I commend both the chairman [Mr. NATCHER], the gentleman from Illinois [Mr. PORTER] and other members of the committee and my other colleagues on the conference for recognizing that and acting on it.

Vice President GORE has talked about reinventing government. Education is a very major part of what our constituents expect us to accomplish in Government at every level. We need to give to local governments flexibility, reduction in process requirements and increase our outcome expectations and focus on performance.

I thank the chairman for his work in this regard and his continuing commitment to accomplish this objective in the years to come.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I want to commend our chairman, the gentleman from Kentucky [Mr. NATCHER], and the ranking Republican member, the gentleman from Illinois [Mr. PORTER] for their leadership in bringing this conference report to the floor of the House today. I also want to thank all of my colleagues on the Labor-HHS-Education Subcommittee, for their support and hard work in crafting this bill.

The members of the conference committee had a difficult job to try to respond to the tremendous needs with which we are faced and to live within our tight budget constraint. I believe we were successful. This legislation will provide critical assistance to working men and women and it addresses America's health and education needs. Therefore, I urge my colleagues to support the conference report on the 1994 Labor-HHS-Education appropriations bill.

We all know how difficult times are for too many Americans today. Many

Americans and their families are struggling to find work and to keep their jobs. Our students need more assistance to meet the increasing costs of higher education. And too many children still need to be immunized, too many young teenagers are becoming parents, too many women are dying needlessly of preventable and treatable diseases and too many people are still becoming infected with HIV and dying from AIDS.

By enacting the conference agreement now before us, we will move aggressively to help those who have lost their jobs, children who need a head start on their educations, people who are suffering from devastating diseases, and students who need assistance in order to go to college.

In this bill we were able to almost double the funding dedicated to job retraining and assistance for dislocated workers—assistance essential to the hundreds of thousands of working men and women in need of help to get off the unemployment lines and back to work. This increase in funding will help give these workers a real chance at getting new and better jobs.

The bill also includes significant funding for Secretary Reich's important new one-stop-shop initiative designed to assure that workers are given all the retraining assistance they need. One-stop-shop is an essential part of the Secretary's goal of speeding the process of helping workers find new jobs.

I am also pleased that the bill includes funding to launch Secretary Reich's and Reilly's vital new school-to-work initiative, which I also strongly support. This program represents the beginning of our new thinking about the way we prepare our young people to make a successful transition to the workplace [It is the first step to assuring that American workers remain the best educated, best trained workers in the world.]

The bill provides critical increases in funding for biomedical research—a total of $10.95 billion for the NIH—and fully funds the administration's 1994 breast cancer and AIDS research requests. The committee was also able to provide funding above 1993 levels for childhood immunizations, community health centers, family planning, the Ryan White programs, and for our efforts to combat tuberculosis.

The conference agreement increases funding for Head Start by $550 million, and I was pleased that, with our chairman's leadership, impact aid, targeted to the neediest of our students and school districts, was increased. The bill also includes vital funding for college aid programs which enable our young people to pursue their higher education goals.

Mr. Speaker, Again, I want to thank Chairman NATCHER, our ranking Republican member, Mr. PORTER, all of the subcommittee members and the dedicated staff who make this all possible—Mike Stephens, Sue Quantius, Bob Knisely, Mark Mioduski, Joanne Orndorff, Nancy Kreckler, and John Blazey. I urge my colleagues to support this important conference report.

It makes a difference in the lives of American men, women, and children, and as the chairman so aptly put it to my colleague before, "This is the people's bill which we should pass in this House today."

□ 1130

Mr. PORTER. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. GOODLING], the distinguished ranking member of the Committee on Education and Labor.

Mr. GOODLING. Mr. Speaker, I want to assure the gentleman from Maryland that, if the ranking member on the authorizing committee has anything to do with it—hopefully he will—we will make very sure that chapter 1 and Head Start concentrate on excellence, not access, and hopefully we will be successful.

Mr. Speaker, I rise in support of the conference report on H.R. 2518, the fiscal year 1994 appropriations bill for the Departments of Labor, Health and Human Services, and Education. As I have in the past, I wish to congratulate the gentleman from Kentucky [Mr. NATCHER]; the committee's ranking member, the gentleman from Pennsylvania [Mr. MCDADE]; the subcommittee's ranking member, the gentleman from Illinois [Mr. PORTER]; and the other members of the subcommittee for having so successfully upheld the priorities of the House, because I believe we need to focus on our priorities which are both successful and cost-effective.

I was very pleased to learn that the conference report provides $91.4 million for the Even Start Program, an increase of $2.25 million over the level provided during the current fiscal year. Even Start is about helping parents gain literacy skills while learning how to be their children's first teachers. As our Nation strives to meet the national education goals, it is even more critical that we empower parents to be their child's first teacher and to provide them with the parenting and educational skills necessary to accomplish the first goal of insuring that each child comes to school ready to learn.

I was also delighted to learn that the conferees agreed to provide $4 million for the Dwight D. Eisenhower Leadership Program. This program was an initiative included in the 1992 Higher Education Act reauthorization, and its first grants are now being awarded. The support it has received in the conference report was essential to signal it has the confidence of the Congress and will become firmly established.

It was also gratifying to note the conference report provides the Infants and Families Grants Program of the Individuals with Disabilities Education Act with a $39.9 million, or 18.7 percent, increase over current funding. This significant increase will encourage all States to participate in this grant program, which provides early intervention services to all eligible infants and toddlers with disabilities.

Along with other Members, I have some concern that the conference report contains a $550 million, or 19.8-percent, increase in the funding level of Head Start. Head Start seems to enjoy broad bipartisan support in Congress, but it is by no means a perfect program. With this latest increase, funding for the Head Start will have grown by well over $1 billion in the last 2 years. There are vast inconsistencies in the quality of services provided to Head Start children and their families, and just last week the inspector general at HHS issued another report that is critical of the financial management practices of Head Start.

I am also glad to see the conference committee agreed to include advance fiscal year 1995 funding for the Low Income Home Energy Assistance Program.

Moving finally to the subject of employment and job training, the conference report provides needed funding increases in excess of $600 million for job training programs under the Job Training Partnership Act. Specifically, the report provides for a $551 million increase for programs that serve this Nation's dislocated workers.

Further, the conference report provides $50 million for the funding of one-stop centers—single points of entry into our training and work force preparation system. Earlier this year the gentleman from Wisconsin [Mr. GUNDERSON] and I introduced legislation in the National Work Force Preparation and Development Reform Act, which is the only legislation to implement one-stop centers nationwide. I also join with the gentlewoman from New York [Ms. MOLINARI] and the gentlewoman from Kansas on the Senate side to introduce a reform program for Head Start.

I do have some concerns about certain cuts. I have concerns when we raid chapter 2 because we find out, as we travel across the country, that this is the one opportunity they have had to do the kind of reform programs that are necessary.

Again I want to express my appreciation to the committee, and I want to deliver a message to the staff of the chairman, and I want the staff to understand that the chairman, after all of these appropriations bills are finished, deserves and has earned a 3-day R&R program wherever the Sun is the brightest and the warmest, and I will expect the staff to make sure that happens.

Mr. NATCHER. Mr. Speaker, first I want to thank my friend, the gentleman from Pennsylvania [Mr. GOODLING], for his statement.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I rise today to commend the gentleman from Kentucky [Mr. NATCHER] and the ranking member, the gentleman from Illinois [Mr. PORTER] for bringing this conference report on the Labor, Health and Human Services, Education appropriation bill for fiscal year 1994 to the floor. The chairman's wisdom and the knowledge of the different accounts in the legislation is remarkable. This is an excellent subcommittee, and I am honored to serve as a member under his leadership.

One important measure of the strength of our country, Mr. Speaker, is the health and education and well-being of our people. It is the work of this subcommittee to fund that, and that is why, as I say, it is an honor to serve there.

This bill responds to many of the top priorities of the Clinton administration and our country. The Labor section addresses displaced workers and the administration's hopes for disadvantaged youth with increased funding for youth training, Job Corps, summer youth employment, and the School-to-Work Program.

The Health and Human Services section reflects the new administration's commitment to respond to the AIDS epidemic with a 21-percent increase in funds for research, a 9-percent increase for prevention, and a 66-percent increase in funds for patient care.

The bill also reflects the administration's priority on women's health, as well as the Senate's, the Congress of the United States' emphasis on women's health, with $292 million for breast cancer research, an increase of $84 million, or 40 percent, over 1993 and $7.5 million for a new initiative to research ways to prevent domestic violence and violence against women.

At the same time, this bill gives new attention to children's concerns with major increases in funding for such programs as Head Start and childhood vaccinations. And the bill helps alleviate the backlog in Social Security disability claims.

The Education section includes $155 million for education reform and funds a variety of vital programs that will make the difference for the future of our country.

Mr. Speaker, this conference report deserves the support of this House. Again, let me commend chairman NATCHER and my colleagues on the committee for their work on this bill.

Mr. PORTER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Maryland [Mrs. BENTLEY], a fine new member of our subcommittee.

Mrs. BENTLEY. Mr. Speaker, as a new member of the Labor-HHS-Education Subcommittee, I want to take a brief moment to thank Chairman NATCHER and his very capable staff for assembling a bill that I think is good for the country. I also want to thank my ranking member, Mr. PORTER, and his staff for their fine work over the course of several months of hearings.

I think that this is a bill that we can all live with. I am pleased that the committee sought to increase programs such as Healthy Start, which has done so much to help bring down the appallingly high levels of infant mortality that continue to plague many regions of the country. I am pleased that the committee rose to meet the challenge of providing comprehensive, community-based services that will help alleviate this problem.

In addition, the bill makes great strides in terms of offering much-needed assistance to many of our struggling young families through innovative programs such as our family support centers. Our rapidly expanding senior citizen community is also well served by this bill through a variety of programs that provide much-needed services to the frail and nonfrail elderly alike.

Mr. Speaker, I want to associate myself with the remarks of the various subcommittee members this morning.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I rise in strong support of the conference agreement on H.R. 2518, the fiscal year 1994 Labor, Health and Human Services, and Education appropriations bill.

It was a great honor to be able to join my colleagues who are also new to the Labor-HHS Subcommittee in signing the conference agreement for the first time. I want to congratulate the chairman of the subcommittee—and of the full Appropriations Committee—Congressman NATCHER, for his leadership in shepherding this critical piece of legislation through the long and difficult budget process. I also want to thank the ranking minority member of the subcommittee, Mr. PORTER, for his important contributions to this bill and for his commitment to bipartisanship.

The subcommittee had to contend with tight budget caps that forced us to eliminate approximately $4 billion from the President's request. At the same time, however, we managed to shift our budget priorities toward investments that will improve the Nation's quality of life and economic competitiveness. In particular, I am proud that this legislation significantly increases support for biomedical research for breast cancer and AIDS; preventive health; and job training for dislocated workers. The conference report will also help eliminate waste and fraud in student aid programs so that we can use those resources to expand access to higher education.

I am especially pleased that the conference report contains language, which Senator D'AMATO and I crafted, to direct the National Institutes of Health to aggressively pursue research on the environmental causes of breast cancer. Science is currently at a loss to explain the dramatic increase in rates of breast cancer in the New York metropolitan area and around the country. I will continue to work with my colleagues to see that the NIH expands its efforts to increase our understanding of environmental factors that contribute to breast cancer and other forms of the disease. I thank the chairman and my colleagues for their help with this matter.

BIOMEDICAL RESEARCH AND PREVENTIVE MEDICINE

The bill raises funding for biomedical research at the National Institutes of Health [NIH] to a total of $10.9 billion—a $610 million increase over fiscal year 1993. These funds will provide an average increase for each Institute of 5.9 percent over fiscal year 1993 and increase the percentage of approved research grants which get funded. This success rate has fallen dangerously low in recent years, jeopardizing the Nation's future as the world leader in biomedical research.

Today we take a crucial step in securing our Nation's place as the unquestioned leader in biomedical research. This legislation provides a 40 percent increase in funding for breast cancer research that will give our doctors the tools to find a cure for this disease. These funds are an indication of continued progress in our effort to focus more support on women's health research.

We are also taking an important step in the fight against AIDS by expanding funds for research, care, and prevention. In addition to a significant increase in funding for AIDS research, the $45 million increase for the Centers for Disease Control and Prevention [CDC] will provide badly needed assistance to New York City, Westchester County, and the rest of the Nation in expanding critically needed AIDS prevention activities.

I am especially pleased that the bill includes approximately $10 million for two programs aimed at enhancing preventive health efforts. Five million dollars will support expansion of the NIH's bionutrition research initiative that is seeking to develop better ways of using nutrition to prevent diseases.

The bill also includes $5 million in new funds for the CDC's Comprehensive School Health Program, which supports comprehensive health training programs in public schools. Last year, New York State's application for this program was approved but unfunded due to insufficient appropriations. This increase will help ensure that New

York State receives funding under this program.

JOB TRAINING

The bill also includes significant increases in programs designed to overhaul the Nation's employment services system in order to deal with the effects of structural unemployment and to enhance our economic competitiveness. This comprehensive effort, which was promoted by the Clinton administration, includes stepped up support for dislocated worker assistance, school-to-work transition programs, and one-stop career centers that will provide workers immediate access to information about job openings and employment training opportunities.

The conference report includes $100 million for the school-to-work transition initiative, split between the Departments of Labor and Education, and $50 million for the DOL's One-Stop Career Centers Program. New York State is on the cutting edge in efforts to update our employment services system to meet the challenges of a global economy. These new initiatives will provide critical Federal support so that New Yorkers who are struggling in this economy can get the support they need to succeed.

HIGHER EDUCATION: CRACKING DOWN ON WASTE AND FRAUD WHILE EXPANDING ACCESS

The subcommittee worked hard to find the resources to support priority programs in elementary and secondary, special, and higher education. As a member of the Education and Labor Committee and now as a member of the Appropriations Committee, I have been working to eliminate waste and fraud in Federal student aid programs.

As we struggle to deal with the funding shortfall in the Pell Grant Program and to provide low-interest loans to financially pressed students, we must act to stamp out fraud that robs these programs of literally billions each year. That is why I am especially proud that the conference report contains major new funding for the newly established State Postsecondary Review Program, which is designed to cut down on student loan defaults and target waste and fraud in all student aid programs.

By eliminating this waste, we will be able to invest more in programs to help at-risk youth stay in school and to expand access to higher education. The conferees took a step in that direction by allocating $1.8 million to kick off a new initiative aimed at helping at-risk teenagers succeed in school and qualify for college scholarships.

The Early Intervention Scholarship and Partnership Program, which is modeled after New York's Liberty Scholarship Program, will finance grants to States for programs of counseling, mentoring, tutoring for students who are at risk of dropping out of school but have the ability to benefit from postsecondary education. With future appropriations, the program will support State and local efforts to guarantee scholarships for at-risk students who stay in school.

Mr. Speaker, in an era of fiscal austerity, it is critical that we shift our spending priorities toward investments that will make our Nation stronger. I believe the conference report on H.R. 2518 makes important progress in that direction, and I urge my colleagues to support this measure.

Mr. FAWELL. Mr. Speaker, I strongly oppose a provision in the Labor-HHS-Education appropriations bill which prohibits the Secretary of Labor from using any funds to implement or administer the recently issued Davis-Bacon helper regulations. This language is only going to waste billions of taxpayer dollars and deny the opportunity for thousands of semi-skilled workers to get the experience they need to advance in the construction field.

The Subcommittee on Labor Standards, Occupational Health and Safety has already held one hearing on reform of the Davis-Bacon Act and at least one additional hearing is planned prior to subcommittee markup. There are currently several proposals to reform the act—including H.R. 2042, of which I am a cosponsor. Any reform of the Davis-Bacon Act is most appropriately considered by the authorizing committee of jurisdiction. A legislative rider to an appropriations bill is neither the procedure nor the place for debate on such a complex and controversial issue as Davis-Bacon reform.

Helpers are semi-skilled workers who work on construction projects under the supervision of higher skilled journeyman-level workers. After nearly a decade of litigation over the use of helpers, the helper classification for Davis-Bacon projects was finally implemented by the Department of Labor last spring. Both the U.S. District Court and the U.S. Court of Appeals have found that the helper classification is totally consistent with the language and purpose of the Davis-Bacon Act. The Congressional Budget Office has estimated that the use of helpers will save $600 million and create 250,000 jobs annually.

This provision will now increase the total costs for Federal construction by 1.6 percent. The taxpayers will be forced to pay approximately $600 million more over the next year. This represents an unwise use of Federal dollars and it flies in the face of attempts to reinvent government as we know it today. Moreover, it will deny opportunities to disadvantaged workers. The helper regulations have withstood years of challenges in the court system and have been found to be entirely in line with the intent of the Davis-Bacon Act. Prohibiting the use of helpers will deny entry-level jobs to those who desperately need the opportunity to move forward and get the skills necessary for a career in the construction industry.

Mr. FORD of Michigan. Mr. Speaker, I rise in support of the bill, H.R. 2518, the Labor/Health and Human Services appropriations conference report for 1994.

The report before us addresses difficult choices because of our ever-tightening discretionary budget. It is not all that I would like. I had hoped that with new leadership from President Clinton and the elimination of the firewalls that separated defense and domestic spending, we could have had more resources for the important programs aimed at ensuring the education and welfare of our people, particularly our children.

The Labor/HHS appropriations report would attempt to address the continuing shortfalls in education and labor programs produced by 12 years of neglect by Republican administrations. The reality is that it is very difficult to reverse the decline in our ability to address our distressing social deficit when we are faced with an overwhelming fiscal deficit. The Appropriations Committee, led by the distinguished gentleman from Kentucky, Mr. NATCHER, had done the very best it could under trying circumstances.

On the positive side, Pell grants will remain at $2,300. The appropriation for dislocated worker programs would be doubled to $1.1 billion. The Department of Labor estimates 545,000 would be able to participate. Again, however, the number of dislocated workers scrambling for jobs in the economy is enormous. We are facing auto plant closures, the migration of jobs abroad, displacements caused by our efforts to clean our air and to protect dwindling forests in the Northwest, and, of course, dislocations if NAFTA passes.

The Head Start Program, one of the items particularly targeted to increased funding by President Clinton, would receive $5 million more than in 1993. That is a good start toward the President's goal of providing Head Start to every eligible child. We hope and expect that more funding will be made available when the Committee on Education and Labor reauthorizes Head Start.

Mr. MINGE. Mr. Speaker, today I voted against the conference report for H.R. 2518, Labor, Health and Human Services, and Education appropriations for fiscal year 1994. While the bill included programs that would benefit millions of Americans, in the end I had to stand by my pledge to cut spending and reduce the budget deficit.

Spending on certain programs and services could have been cut more deeply without negatively impacting essential programs. Too many areas of the conference report contained funding levels higher than what the administration requested, some of which were singled out as possible budget cutting areas by the Congressional Budget Office.

It was extremely difficult to oppose a bill that contained funding for programs I ardently support. If separate votes had been held for each provision of the bill, I would have supported funding for numerous programs and services covered in the bill, including the following: Head Start; child care; employment and training; AIDS research; local health centers; several elementary, secondary, and higher educational programs; and elderly, veterans, and family services. Had it been possible, I would have supported these programs and, in fact, would have liked to see increased spending in some areas. However, when voting on an omnibus spending bill like today's, it is impossible to distinguish irreplaceable programs from those that could have been cut. When it came to a vote, I decided I could not in good conscience abandon my work toward reducing the deficit.

Mr. FAZIO. Mr. Speaker, I rise in support of the conference report on H.R. 2518, the

Labor, Health and Human Services, and Education and related agencies appropriations bill for fiscal year 1994.

This year, the conferees have once again managed to set priorities and make hard choices. The result is a bill that continues to fund a lot of good programs, as well as to meet new needs. H.R. 2518 funds everything from our jobs programs, to the research programs in the National Institutes of Health, to key educational programs, to community health centers. It is also the major source of funds for critical women's programs, like maternal and child health, breast and cervical cancer research, and family planning. Child care programs, child support enforcement programs, Head Start, foster care and adoption assistance support services, nutrition services for our elderly citizens—all these key support systems are dependent upon the funding in this bill.

Nearly three-quarters of the money in this bill supports entitlement programs—programs whose costs we must pay—like Social Security and Medicare. The subcommittee has no control over the funds for these programs, which are automatically spent. The remaining funds—about 25 percent of the total money in this bill—are divided among the other labor, health, human services, and education programs that are so critical to us, especially now.

The total fiscal year 1994 funding in this bill is $4.1 billion less than the President requested in his budget. The bill also meets its spending target, set by the Appropriations Committee, based on the fiscal year 1994 budget resolution. H.R. 2518 does not drive us deeper into debt, but helps us meet our goal of living within our means.

America's families, workers, children, and elderly need the programs and services that H.R. 2518 sustains and provides. It is obvious that, without this bill, we would not be able to fund the essential programs that support our basic needs. A vote for the health, education, nutrition, and employment programs in H.R. 2518 is a vote for us all.

Mrs. MORELLA. Mr. Speaker, I rise in support of the Labor-Health and Human Services-Education appropriations bill. This report includes critical funding for a wide range of programs within the Departments of Labor, Health and Human Services, and Education. While the funding levels are not as high as many of us had hoped, the conferees are to be commended for their very difficult task. They were working within extremely tight budget restrictions, and they did their best to fund critical priorities.

I am particularly pleased that the conferees included $750,000 for implementation of the Women in Apprenticeship and Non-Traditional Occupations Act, legislation which I sponsored and was approved by Congress last year. This act will provide incentives to private employers to increase job opportunities for women in the skilled trade. The wage scale in such jobs is usually 30 percent higher than in typically female occupations.

The conference report also includes $7.5 million to fund a new initiative at CDC to address the public health implications of injuries resulting from domestic violence and sexual assault. This program was authorized in H.R. 2201, legislation introduced by Congressmen KREIDLER, MCDERMOTT, and I, and incorporated in the reauthorization of the Centers for Disease Control Injury Prevention and Control Program. This program will provide funding to train health care providers to identify and treat victims of domestic violence and sexual assault; to provide public education programs about the health consequences of domestic violence, and to conduct epidemiological research to determine the incidence, types, and effects of domestic violence nationwide.

Domestic violence has profound effects on women's health. Battering results in more injuries to women than rapes, car accidents, or muggings combined. It is estimated that one-third of all women in emergency rooms are there because of battering and that every year domestic violence generates 99,800 hospitalization days, 28,700 emergency room visits, and 39,900 physician visits.

I commend the conferees for providing increased funding for biomedical research at the National Institutes of Health, despite the tight budget restrictions. The conference report includes increases for AIDS research, prevention, and services. I am pleased that both the House and Senate reports included language that Senator MURRAY and I submitted urging the National Institutes of Health to fund research on the development of chemical methods, either a microbicide or virucide, to prevent the transmission of sexually transmitted diseases, including HIV, that women can use without the knowledge or consent of their partner. This research must be an essential component of our AIDS prevention effort.

Mr. Chairman, I thank you, the ranking Republican, Mr. PORTER, and the other members of the subcommittee for their fine efforts. I also want to note the contributions made by the new women members of the subcommittee, particularly in furthering women's health priorities.

☐ 1140

Mr. NATCHER. Mr. Speaker, we have no further requests for time.

Mr. PORTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. NATCHER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TUCKER). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 311, nays 115, not voting 7, as follows:

[Roll No. 486]

YEAS—311

Abercrombie
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Callahan
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastert
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Houghton
Hoyer
Hutto
Hyde
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCrery
McCurdy
McDade
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Schenk
Schiff
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tejeda

Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NAYS—115

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Bartlett
Barton
Bereuter
Boehner
Bunning
Burton
Buyer
Calvert
Camp
Canady
Castle
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
Deal
DeLay
Dickey
Doolittle
Dornan
Dreier
Dunn
Everett
Ewing
Fawell
Fields (TX)
Gallegly
Goodlatte
Goss
Grams
Hancock
Hansen
Hefley
Herger
Hoekstra
Hoke
Huffington
Hughes
Hunter
Hutchinson
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Knollenberg
Kolbe
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Manzullo
McCandless
McCollum
McHugh
McInnis
McKeon
Mica
Miller (FL)
Minge
Moorhead
Nussle
Orton
Oxley
Packard
Pallone
Paxon
Penny
Peterson (MN)
Petri
Pombo
Portman
Quillen
Quinn
Ramstad
Ridge
Roberts
Rohrabacher
Roth
Royce
Saxton
Schaefer
Schroeder
Sensenbrenner
Shaw
Shuster
Smith (MI)
Smith (OR)
Smith (TX)
Solomon
Spence
Stump
Sundquist
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Walker
Walsh
Zeliff
Zimmer

NOT VOTING—7

Ackerman
de la Garza
Gingrich
Hayes
Murtha
Rahall
Thurman

☐ 1203

Mr. SMITH of Michigan changed his vote from "yea" to "nay."

Mr. YOUNG of Alaska and Mr. BARCIA of Michigan changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. THURMAN. Mr. Speaker, during rollcall vote No. 486 on H.R. 2518 I was unavoidably detained. Had I been present I would have voted "yes."

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the order of the House of Wednesday, October 6, 1993, the amendments in disagreement and motions printed in the joint explanatory statement of the committee of conference to dispose of amendments in disagreement are considered as read.

The SPEAKER pro tempore. The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 6: Page 3, line 10, after "addition," insert "$178,000,000 is appropriated for carrying out part B of title II of the Job Training Partnership Act to be available for obligation for the period October 1, 1993 through June 30, 1994; and, in addition, $50,000,000 is appropriated for carrying out part D of title IV of the Job Training Partnership Act to be available for obligation for the period October 1, 1993 through June 30, 1995; and, in addition,".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: In lieu of the first sum named in said amendment, insert "$206,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 11: Page 5, line 19, strike out "$3,327,707,000" and insert "$3,338,389,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$3,376,617,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 15: Page 9, line 12, after "Act" insert ": *Provided*, That, notwithstanding 31 U.S.C. 3302, or any provision of Public Law 102-170, Public Law 102-394, this Act, or any subsequent Appropriations Act, the Secretary of Labor is authorized to accept, retain and spend in the name of the Department of Labor all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91-0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992)".

SEC. 100. CONGRESSIONAL COVERAGE UNDER HEALTH CARE LEGISLATION.—

(a) FINDINGS.—Congress finds:

(1) Congress is expected to consider health care reform legislation in the near future that would offer a standard benefit package with several different options for the delivery of those benefits.

(2) The standard benefits offered under all plans will be the same. Quality standards will apply to all plans.

(3) Consumers will have the ability to choose a plan on an annual basis, and will have access to full information about all plans so that they may make their choice based on the quality of plans and consumer satisfaction of plans.

(4) Members of Congress should be treated the same and offered the same choices as every American in the health care system.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that any legislation approved by Congress should provide health care plans of comparable high quality and that Members of Congress participate on equal basis with all other Americans in the health care system that results from health care reform legislation.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert ": *Provided*, That the Secretary of Labor is authorized to accept, retain and spend in the name of the Department of Labor all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91-0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992)".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 23: Page 16, strike out lines 4 to 7 and insert:

For expenses necessary for the maintenance and operating of a comprehensive program of centralized services which the Secretary of Labor may prescribe and deem appropriate and advantageous to provide on a reimbursable basis under the provisions of the Economy Act (subject to prior notice to OMB) in the national office and field: *Provided*, That such fund shall be reimbursed in advance from funds available to agencies, bureaus, and offices for which such centralized services are performed at rates which will return in full cost of operations including services obtained through cooperative administrative services units under the Economy Act, including reserves for accrued annual leave, worker's compensation, depreciation of capitalized equipment, and amortization of ADP software and systems (either acquired or donated): *Provided further*, That funds received for services rendered to any entity or person for use of Departmental facilities, including associated utilities and security services, shall be credited to and merged with this fund.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

For expenses necessary during the fiscal year ending September 30, 1994, and each fiscal year thereafter, for the maintenance and operation of a comprehensive program of centralized services which the Secretary of Labor may prescribe and deem appropriate and advantageous to provide on a reimbursable basis under the provisions of the Economy Act (subject to prior notice to OMB) in the national office and field: *Provided*, That such fund shall be reimbursed in advance from funds available to agencies, bureaus, and offices for which such centralized services are performed at rates which will return in full cost of operations including services obtained through cooperative administrative services units under the Economy Act, including reserves for accrued annual leave, worker's compensation, depreciation of capitalized equipment, and amortization of ADP software and systems (either acquired or donated); *Provided further*, That funds received for services rendered to any entity or person for use of Department facilities, including associated utilities and security services, shall be credited to and merged with this fund.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 24: Page 17, after line 2, insert:

SEC. 102. Section 8102 of title 5, United States Code ("the Act") is amended to redesignate subsection (b) of subsection (c) and to add the following new subsection (b):

"(b) An individual convicted of a violation of 18 U.S.C. 1920, or of any felony fraud related to the application for or receipt of benefits under subchapter I or III or chapter 81 of title 5, shall (in addition to any other penalties provided by this subchapter) as of the date of the conviction, forfeit all entitlement to any prospective benefits provided by subchapter I or III for any injury occurring on or before the date of the conviction.".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 102. None of the funds in the Employees' Compensation Fund under 5 U.S.C. 8147 shall be expended for payment of compensation, benefits, and expenses to any individual convicted of a violation of 18 U.S.C. 1920, or of any felony fraud related to the application for or receipt of benefits under subchapters I or III of chapter 81 of title 5, United States Code.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 25: Page 17, after line 2, insert:

SEC. 103. None of the funds appropriated under this Act shall be expended by the Secretary of Labor to implement or administer either the final or proposed regulations referred to in section 303 of Public Law 102-27.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 25, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

Mr. DELAY. Mr. Speaker, I rise today in opposition to an amendment contained in the Labor, HHS appropriations conference report. This amendment, No. 25, would prohibit the Secretary of Labor from using any funds to implement or administer the final Davis-Bacon helper regulations. Rather than prohibiting something new, these regulations are court-tested, final regulations which the Department of Labor has already begun implementing. It has been estimated that in order to bring these regulations fully into effect, the process will take approximately 3 years. The language contained in the conference report arbitrarily prohibits these regulations without ever giving them the opportunity to work or realize any of their projected benefits.

Helpers are semiskilled workers who work under direct supervision of higher skilled journey-level workers. Helpers are widely used in the private sector, where approximately 75 percent of all construction work is performed by contractors who use semiskilled helpers. The helper regulations serve the original purpose of the Davis-Bacon Act—bringing practices on Federal construction projects in line with locally prevailing practices on private work. In fact, Vice President GORE's National Performance Review recently recommended changes to bring the antiquated Davis-Bacon Act into the realities of today's construction marketplace, which these regulations clearly do.

Under the regulations, helpers are paid the locally prevailing wage rate for the type of work they perform. Without the helper regulations, all workers on Federal projects, regardless of task, must be paid the high wage rate paid to a skilled craftsman. In this way, the helper classification serves as an entrance into construction for groups not traditionally prevalent in the industry—for example, minorities and women. The helper classification serves as a strong first step up the job ladder for workers who are interested in furthering their education and pursuing a career in construction. At the same time, helpers who do not want to participate in a 4-year apprenticeship or other formal training program are provided entrance into the industry and a good paying job. Forcing contractors to pay all workers the high journey-level wage rate effectively precludes groups who have no previously trained in construction from having the opportunity to work on Federal construction projects.

Clearly, the helper classification is consistent with President Clinton's goal of facilitating the transition between school and work for noncollege bound youth. However, the helper classification is also strikingly similar to the recently released Department of Housing and Urban Development's Step-Up Preapprenticeship program. The regulations governing step-up provide flexibility in Federal prevailing wage and apprenticeship requirements to provide employment to public housing residents and other low-income persons. According to HUD, the Step-Up Program has proven its success in Chicago, where apprentices work side by side with union journeymen renovating housing. Under this program, apprentices spend up to 1 year in step-up status, after which they must be placed in appropriate further training or career opportunity positions.

I would also like to mention that one of the chief opponents to the helper regulations, organized labor, has seen fit to allow their own classification of helpers or subapprentices over the last decade in order to meet the private marketplace's changing needs. However, they are refusing to allow the taxpayer to enjoy the same advantage for fear of losing their crown jewel, their cash cow, and their control over young people's entrance into the construction industry together with their stronghold in the Federal construction market.

It has been estimated that when the helper classification becomes widely used on Davis-Bacon projects, an estimated 250,000 jobs will be created and $600 million a year will be saved. By prohibiting helpers on Davis-Bacon projects, we are further exacerbating the very problems which top the American agenda today—our Nation's huge Federal deficit, lack of job creation and near-stagnant economy.

More than a decade of litigation and debate regarding the helpers issue has culminated in favorable rulings by both the U.S. District Court (1990) and the U.S. Court of Appeals (1992), affirming that helper regulations are fully in line with the purpose of the Davis-Bacon Act. The Supreme Court denied an appeal of those rulings.

With all the benefits associated with the helper regulation—benefits to contractors, disadvantaged workers and the Federal Government—one may wonder why we are arbitrarily prohibiting their implementation. Supporters of this ban will tell you it is to protect against shoddy construction and unsafe working conditions for construction employees. This argument simply does not hold water.

As I previously mentioned, in the private sector more than 75 percent of all construction is performed by contractors who use semiskilled helpers. There is simply no rationale for assuming that Federal construction is any different than private construction in this regard. A recent OSHA study found that open shop employers, the majority of whom employ semiskilled helpers on their jobsites, are safer than their union counterparts. The OSHA report, "Analysis of Construction Fatalities—The OSHA Database 1985–1989" showed that over the 5-year period of the report, the unions experienced a fatality ratio of 20.9 per 100,000 workers—more than 25 percent higher than the open shop's 15.1 per 100,000 workers. While construction unions account for approximately one-fifth of the total workforce, they also account for more than one-fourth of the fatalities in the industry. The safety of construction employees would not be affected by the use of helpers on Davis-Bacon construction projects.

Further, construction must be performed to specifications and contractors are not paid for faulty work. Plain and simple, if a contractor were to perform shoddy construction, he would jeopardize his payment and his reputation. Quality of Federal construction would not be jeopardized by employing helpers on those projects.

Although the conference committee has seen fit to allow this 1-year ban of the Davis-Bacon helper regulations, I would like to reiterate my strong objection to this prohibition. The helper regulations have been one small positive step toward alleviating the burdens imposed by the outdated, unnecessary Davis-Bacon Act. They at least help bring the law back to its original intent, which it certainly does not meet in practice today. The Davis-Bacon Act today discriminates against minorities and women and the very group it intended to help—small, local contractors. For this reason, along with the fact that no other industry in our Nation is regulated in this manner, I have offered H.R. 2393, legislation to repeal the Davis-Bacon Act, which I urge my colleagues to support.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 28: Page 18, line 1, after "Center" insert ": *Provided further*, That no more than $5,000,000 is available for carrying out the provisions of Public Law 102–501".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 28, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 29: Page 19, line 14, strike out "$2,500,000" and insert "$3,000,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 34: Page 24, line 21, after "grants" insert ": *Provided further*, That $8,000,000 shall be for extramural facilities construction grants to be awarded on in a competitive basis and in accordance with the criteria of section 481A(c)(2) of subpart 1 of part E of title IV."

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$7,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 41: Page 26, line 8, strike out "$2,057,167,000" and insert "$2,119,205,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 41 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$2,125,178,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 45: Page 28, after line 16, insert:

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1995, $26,600,000,000 to remain available until expended.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 45, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 48: Page 30, after line 11, insert:

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1995, $190,000,000, to remain available until expended.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 48, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

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The SPEAKER pro tempore (Mr. TUCKER). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 49: Page 30, line 19, strike out "$20,181,775,000" and insert "$20,172,775,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 49 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$20,183,775,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 51: Page 31, after line 2, insert:

For carrying out title XVI of the Social Security Act for the first quarter of fiscal year 1995, $6,770,000,000, to remain available until expended.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 51, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 53: Page 31, line 6, after "Act" insert "or as necessary to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 as such sections were in effect on January 1, 1993".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 53, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 54: Page 31, line 7, after "therein" insert ": *Provided*, That no more than $542,398,000 shall be derived from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds: *Provided further*, That reimbursement to the Trust Funds under this heading for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 shall be made, with interest, not later than September 30, 1996: *Provided further*, That not more than $1,800,000 is available for expenses necessary for the Commission on the Social Security "Notch" Issue, established by section 635 of Public Law 102-393 as amended".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 54 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert ": *Provided*, That reimbursement to the Trust Funds under this heading for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 shall be made, with interest, not later than September 30, 1996: *Provided further*, That not more than $1,800,000 is available until September 30, 1995 for expenses necessary for the Commission on the Social Security "Notch" Issue, established by section 635 of Public Law 102-393 as amended".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 56: Page 32, after line 14, insert:

For making payments to States or other non-Federal entities under titles I, IV-A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the first quarter of fiscal year 1995, $4,200,000,000 to remain available until expended.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. SPEAKER, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 56, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 57: Page 32, after line 18, insert:

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,507,408,000 to be available for obligation in the period October 1, 1994 through June 30, 1995, of which $100,000,000 shall be available for reimbursing States for costs incurred during the period October 1, 1993 through September 30, 1994.

For making payment under title XXVI of the Omnibus Budget Reconciliation Act of 1981, an additional $600,000,000: *Provided*, That all funds available under this paragraph are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 57 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,475,000,000 to be available for obligation in the period October 1, 1994 through June 30, 1995.

For making payment under title XXVI of the Omnibus Budget Reconciliation Act of 1981, an additional $600,000,000: *Provided*, That all of the funds available under this paragraph are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 58: Page 33, line 5, strike out "$447,643,000" and insert "$472,649,000, including $12,000,000 which shall be for carrying out the National Youth Sports Program: *Provided*, That payments from such amount to the grantee and subgrantee administering the National Youth Sports Program may not exceed the aggregate amount contributed in cash or in kind by the grantee and subgrantee: *Provided further*, That amounts in excess of $9,400,000 of such amount may not be made available to the grantee and subgrantees administering the National Youth Sports Program unless the grantee agrees to provide contributions in cash over and above the preceding years cash contribution to such program in an amount that equals 50 percent of such excess amount: *Provided further*, That notwithstanding any other provision of this Act, no department, agency, or instrumentality of the United States Government receiving appropriated funds under this Act for fiscal year 1994 shall, during fiscal year 1994, obligate and expend funds for consulting services in excess of an amount equal to 96.48 percent of the amount estimated to be obligated and expended by such department, agency, or instrumentality for such services during fiscal year 1994: *Provided further*, That notwithstanding any other provision of this Act, the aggregate amount of funds appropriated by this Act to any such department, agency, or instrumentality for fiscal year 1994 is reduced by an amount equal to 3.52 percent of the amount expected to be expended by such department, agency or instrumentality during fiscal year 1994 for consulting services. As used in the preceding two provisos, the term 'consulting services' includes any services within the definition of sub-object class 25.1 as described in the Office of Management and Budget Circular A-11, dated August 4, 1993.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 58 and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$464,224,000, of which $42,940,000 shall be for carrying out section 681(a) of the Community Services Block Grant Act, including $12,000,000 which shall be for carrying out the National Youth Sports Program: *Provided*, That payments from such amount to the grantee and subgrantee administering the National Youth Sports Program may not exceed the aggregate amount contributed in cash or in kind by the grantee and subgrantee: *Provided further*, That amounts in excess of $9,400,000 of such amount may not be made available to the grantee and subgrantees administering the National Youth Sports Program unless the grantee agrees to provide contributions in cash over and above the preceding years cash contribution to such program in an amount that equals 29 percent of such excess amount".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 59: Page 33, line 9, after "$892,711,000" insert ", which shall be available for obligation under the same statutory terms and conditions applicable in the prior fiscal year".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 59, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 60: Page 33, strike out lines 11 and 12 and insert:

For making grants to States pursuant to section 2002 of the Social Security Act, $2,800,000,000. For carrying out section 2007 of the Social Security Act, an additional $1,000,000,000, which shall remain available until expended.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 60, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 65: Page 35, line 5, strike out "$94,149,000" and insert "$92,793,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 65 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$94,431,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 68: Page 37, line 14, strike out "1911(d)" and insert "1503".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 68 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "1911(d) and section 1503".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 69: Page 37, after line 15, insert:

SEC. 207. For the purpose of carrying out subparts II and III part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.) for fiscal years 1993 and 1994, the Secretary of Health and Human Services shall obligate $7,532,065 from the amounts made available pursuant to section 1935(b) of such Act for fiscal year 1994, of which $673,706 shall be available to Arkansas, $40,702 shall be available to Georgia, $144,331 shall be available to Hawaii, $488,178 shall be available to Idaho, $223,109 shall be available to Indiana, $820,641 shall be available to Iowa, $729,745 shall be available to Kansas, $609,672 shall be available to Kentucky, $69,682 shall be available to Louisiana, $34,514 shall be available to Maine, $349,997 shall be available to Minnesota, $8,626 shall be available to the Red Lake Indian Tribe, $500,441 shall be available to Mississippi, $184,176 shall be available to Montana, $231,450 shall be available to Nebraska, $8,896 shall be available to North Carolina, $97,530 shall be available to North Dakota, $66,083 shall be available to Ohio, $578,520 shall be available to Oklahoma, $557,924 shall be available to Oregon, $167,753 shall be available to South Carolina, $319,674 shall be available to Tennessee, $196,426 shall be available to West Virginia, $195,834 shall be available to Wisconsin, and $234,455 shall be available to Wyoming.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Natcher moves that the House recede from its disagreement to the amendment of the Senate numbered 69 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 207. For the purpose of carrying out subparts II and III of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.) for fiscal year 1994, the Secretary of Health and Human Services shall obligate $7,532,065 from the amounts made available pursuant to section 1935(b) of that Act for fiscal year 1994 to those States and Indian tribes or tribal organizations for which the amounts specified in the award statement issued by the Substance Abuse and Mental Health Services Administration under those subparts on November 2, 1992, was greater than the amount specified in the award statement issued on August 6, 1993, in the amounts equal to those differentials.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 70: Page 37, after line 15, insert:

SEC. 208. Not to exceed $190,400,000 may be obligated in fiscal year 1994 for contracts with Utilization and Quality Control Peer Review Organizations pursuant to part B of title XI of the Social Security Act.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 70, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment no. 74: Page 37, strike out all after line 19 over to and including line 5 on page 38 and insert:

For carrying out education reform activities authorized in law, including activities authorized by the Carl D. Perkins Vocational and Applied Technology Education Act, $166,000,000, of which $5,000,000, under section 402 of the Perkins Act, shall be used by the Secretary for activities, including peer review of applications, related to school-to-work transition, and not less than $45,000,000 shall be used under section 420A of the Perkins Act for State grants and subgrants to initiate activities in States and localities related to school-to-work transition: *Provided*, That $116,000,000 of the funds provided shall be for carrying out activities authorized by the Goals 2000: Educate America Act, or similar legislation, if enacted into law by April 1, 1994 of which $5,000,000 shall be used for "State Planning for Improving Student Achievement Through Integration of Technology Into the Curriculum"; and that if such legislation is not enacted by that date, this amount shall be used for alleviation of the funding shortfall in the Pell Grant program under subpart 1 of Part A of title IV of the Higher Education Act of 1965: *Provided further*, That any funds appropriated in this account may be transferred as necessary to other Department of Education accounts.

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 74 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

For carrying out education reform activities authorized in law including activities authorized by the Carl D. Perkins Vocational and Applied Technology Education Act, $155,000,000, of which $5,000,000, under section 402 of the Perkins Act, shall be used by the Secretary for activities, including peer review of applications, related to school-to-work transition, and $45,000,000 shall be used under section 420A of the Perkins Act for State grants and subgrants to initiate activities in States and localities related to school-to-work transition: *Provided*, That $105,000,000 of the funds provided shall be for carrying out activities authorized by the Goals 2000: Educate America Act, or similar legislation, if enacted into law by April 1, 1994, of which $5,000,000 shall be used for "State Planning for Improving Student Achievement Through Integration of Technology Into the Curriculum"; and that if such legislation is not enacted by that date, the $105,000,000 shall be transferred to "Student Financial Assistance" to be used to alleviate the funding shortfall in the Pell Grant program under subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended: *Provided further*, That funds appropriated in this account shall become available on July 1, 1994 and remain available through September 30, 1995.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 92: Page 41, line 20, after "1965" insert ": *Provided further*, That of the amount provided for the State and local programs under part B of title V of the Elementary and Secondary Education Act, up to $32,838,000 may be used for Department of Education activities authorized under the Safe Schools Act, or similar legislation, if such legislation is enacted by April 1, 1994; and any funds used for such activities shall be available from October 1, 1993 through September 30, 1994".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 92 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the amount provided, $20,000,000 shall be used for Department of Education activities authorized under the Safe Schools Act, or similar legislation, if such legislation is enacted by April 1, 1994, except that if such legislation is not enacted by that date, this amount shall be transferred to "Student Financial Assistance" to be used to alleviate the funding shortfall in the Pell Grant program under subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 104: Page 43, line 23, after "expended" insert "and $2,000,000 shall be for construction and shall be available until expended".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 104 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$1,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 108: Page 44, line 22, after "411(b)" insert ", including $5,000,000 for model community education and employment centers".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 108 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert "including $3,000,000 for model community education and employment centers".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 111: Page 45, line 9, strike out "$2,250" and insert "$2,300".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 111 and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$2,300; Provided further, That notwithstanding section 401(g) of the Act, as amended, if the Secretary determines, prior to publication of the payment schedule for award year 1994–1995, that the $6,303,566,000 included within this appropriation for Pell Grant awards for award year 1994–1995 is insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amendment paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 117: Page 46, line 23, strike out "$889,855,000" and insert "$882,974,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 117 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$893,688,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 120: Page 49, line 8, after "amended" insert "(or any successor authority)".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 120, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 123: Page 49, line 15, strike out all after "Act," down to and including "2012" in line 22 and insert "$301,398,000: *Provided*, That $31,000,000 shall be for research centers, including funds to extend the existing award for a research center on the education of disadvantaged students for up to one year; $38,032,000 shall be for regional laboratories, including $9,508,000 for rural initiatives; $40,000,000 shall be for activities under the Fund for Innovation in Education; $4,463,000 shall be for civic education activities under section 4609; $5,396,000 shall be for Grants for Schools and Teachers under subpart 1 and $3,687,000 shall be for Family School Partnerships under subpart 2 of part B of title III of Public Law 100–297; $14,582,000 shall be for national diffusion activities under section 1562; $16,072,000 shall be for national programs under section 2012, including $3,672,000 for the National Clearinghouse for Science and Mathematics under section 2012(d); and $15,000,000 shall be for regional consortia under subpart 2 of part A of title II; $9,607,000 shall be for Javits gifted and talented students education; $27,000,000 shall be for star schools, of which $45,500,000 shall be for a demonstration of a statewide, two-way interactive fiber optic telecommunications network, carrying voice, video, and data transmissions, and housing a point of presence in every county; $1,737,000 shall be for territorial teacher training; and $3,212,000 shall be for the National Writing Project".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 123 and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$292,592,000: *Provided*, That $31,000,000 shall be for research centers, including funds to extend the existing award for a research center on the education of disadvantaged students for up to one year; $38,032,000 shall be for regional laboratories, including $9,508,000 for rural initiatives $32,500,000 shall be for activities under the Fund for Innovation in Education; $4,463,000 shall be for civic education activities under section 4609; $5,396,000 shall be for Grants for Schools and Teachers under subpart 1 and $3,687,000 shall be for Family School Partnerships under subpart 2 of part B of title III of Public Law 100–297; $16,072,000 shall be for national programs under section 2012, including not less than $5,472,000 for the National Clearinghouse for Science and Mathematics under section 2012(d); and $13,871,000 shall regional consortia under subpart 2 of part A of title II; $25,944,000 shall be for star schools, of which $4,000,000 shall be awarded competitively for a demonstration of a statewide, two-way interactive fiber optic telecommunications network, carrying voice, video, and data transmissions, and housing a point of presence in every country; and $3,212,000 shall be for the National Writing Project."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion is agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 124: Page 50, line 2, strike out "$145,101,000" and insert "$147,517,000, of which $19,000,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended, and $4,960,000 shall be for section 222 and $2,802,000 shall be for section 223 of the Higher Education Act, of which $2,500,000 shall be for demonstration of on-line and dial-in access to a statewide, multitype library bibliographic database through a statewide fiber optic network housing a point of presence in every county, connecting library services in every municipality".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 124 and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$146,309,000, of which $17,792,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended, and $4,960,000 shall be for section 222 and $2,802,000 shall be for section 223 of the Higher Education Act, of which $2,500,000 shall be for demonstration of on-line and dial-in access to a statewide, multitype library bibliographic data base through a statewide fiber optic network housing a point of presence in every county, connecting library services in every municipality, to be awarded competitively".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 129: Page 53, line 8, strike out "$292,640,000" and insert "$320,000,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 129 and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "$312,000,000, of which $7,000,000 shall be for Ready to Learn activities consistent with the purposes outlined in P.L. 102–545".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 133: Page 64, after line 2, insert:

"SEC. 509. (a) Notwithstanding any other provision of law, monthly benefit payments under part B or part C of the Black Lung Benefits Act for months after December 1993 and before October 1994 shall be calculated as though the provisions of Federal law prescribing pay rates for Federal employees continued in effect, without amendment to or limitation of such provisions, after January 1993.

"(b) Of the amounts provided under title XII of Public Law 102–368, Additional Assistance to Distressed Communities, under the heading "Community Investment Program", $225,000,000 are rescinded.".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 133 and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "508".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 2750, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION ACT, 1994

Mr. CARR of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. WOLF

Mr. WOLF. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WOLF moves that the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on H.R. 2750, be instructed to insist upon its disagreement to Senate amendment numbered 129.

□ 1220

The SPEAKER pro termpore. (Mr. MONTGOMERY). The gentleman from Virginia [Mr. WOLF] will be recognized for 30 minutes, and the gentleman from Michigan [Mr. CARR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in passing its version of H.R. 2750, the fiscal year 1994 Transportation appropriations bill, the Senate has reduced the funding for the St. Lawrence Seaway Development Corporation by $650,000. Of this amount, the Senate is assuming a $500,000 saving in fiscal year 1994 through the consolidation of the Corporation's operation in Massena, NY. The remaining $150,000 is a 50 percent cut in the Corporation's marketing budget.

Mr. Speaker, this is ill-advised, and I move to instruct the House conferees to insist that the Senate recede to the House conferees to insist that the Senate recede to the House on this matter.

Mr. Speaker, I reserve the balance of my time.

Mr. CARR of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to congratulate the gentleman from Virginia [Mr. WOLF] for his motion. We have reviewed it. It makes a lot of sense. We believe it will be helpful in the conference, and we urge its adoption.

Mr. WOLF. Mr. Speaker, I yield myself such time as I many consume. I do have one additional comment that I would like to make.

Mr. Speaker, let me thank the chairman for his support. I do want to raise one other issue.

I would like to talk about the amendment which was made in the Senate by Senator DOLE and Senator BOND on the Transportation appropriation bill to authorize $150,000 for the legal fees of the five travel office employees put on paid administrative leave as a result of the White House purge of the White House travel office earlier this year.

Mr. Speaker, we are dealing with this issue in this bill for only one reason, and that is the overreaching of the White House, and I believe the gross mismanagement that has taken place with regard to this issue. From the podium of the White House press secretary, these employees have been maligned and found guilty by a self-appointed jury at the White House. Their good reputations have been tarnished, and I believe that is unfortunate.

This has also proven costly for the American taxpayer. As the Washington Post pointed out today, the cost of the Clinton administration travel office firings are still growing. We are currently paying for two travel office staffs, one in the White House, and one waiting in exile to be placed in their new jobs.

There are many indicators that the ones currently working in the White House are not doing a very good job and, therefore, calling on outside agencies to help them.

I will tell my colleagues that these are career Federal employees who really do not have any money of their own. They are not like a Member of the Congress who can use his campaign fund to pay for their legal fees. It is not like they are plugged in like Cabinet officers and can get high-powered people to come and help them financially. These are average individuals who really do not have the money to pay.

Although it is unfortunate that this amendment is on the Transportation appropriation bill, and I believe it should have been more appropriately on the Treasury postal appropriation bill, which has the jurisdiction over the White House, or the State, Commerce, Justice bill, I think it is a necessary amendment.

I would also hope, Mr. Speaker, that the White House would feel a moral obligation to deal with this issue in some manner on their own so that this appropriation would not have to be expended.

Also, Mr. Speaker, I call on the White House to reduce their spending at the White House by a corresponding amount of $150,000 so that it does not cost the taxpayers of this country any additional money.

Mr. Speaker, let me also say that I do hope and urge that the attorneys involved in representing these individuals will exercise restraint in their billings on this matter and not run the clock up and think that they have an opportunity for deep pockets.

Mr. DOLE's amendment provides for the necessary legal expenses of the five former employees who were placed on administrative leave, and these funds will not be disbursed, and I want to stress this, Mr. Speaker, they will not be disbursed until the Justice Department has provided notification that such employees are no longer the subject of an investment under this matter. So in order for the money to be expended, it would be necessary for the Justice Department to release this so that the employees are no longer under investigation.

THE COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, DC, September 30, 1993.

To the President of the Senate and the Speaker of the House of Representatives:

This is an interim report on the General Accounting Office (GAO) review of the White House travel office being conducted pursuant to Public Law 103-50.

During May 1993, White House and other officials took a number of actions that led to the announcement of the dismissal of the seven White House employees who had for some years operated the White House Travel Office. Those actions and others involving the Department of Justice, the Federal Bureau of Investigation (FBI), and the Internal Revenue Service (IRS) raised concerns in the Congress about the propriety of the dismissals and related activities of the agencies involved.

Although the White House initiated an internal management review of the situation, the Congress provided for an independent review by GAO. Specifically, Section 805 of Public Law 103-50 provides that: "Notwithstanding any other provision of law, the Comptroller General of the United States shall conduct a review of the action taken with respect to the White House travel office and shall submit the findings from such review to the Congress by no later than September 30, 1993."

In response to this statutory mandate, we initiated a review of the White House Travel Office matter. To ensure that we included in our review the full range of congressional concerns about the episode, we consulted with congressional staff representing each of the committees and Members of Congress, both majority and minority, who had expressed an interest to us in the White House Travel Office. From the outset of our work, we said that it was unlikely that a comprehensive review of the issues involved could be completed before the September 30 reporting date contained in the statute. We agreed that we would inform the Congress by that date of the scope and progress of our review. That is the purpose of this report.

OBJECTIVES OF OUR REVIEW

Our review is designed to provide a comprehensive assessment of the full range of issues raised in the July 2, 1993, White House Travel Office Management Review and in the subsequent congressional debate about those events. Specifically, we are examining (1) the procurement practices, financial management, and oversight of the Travel Office prior to the events of May 1993; (2) the investigation of the Travel Office conducted by the White House officials, including the involvement (if any) of other investigative agencies of the government, such as the FBI and the IRS, as well as the involvement of nongovernment individuals and organizations; (3) actions taken to improve the management and operations of the Travel Office since the events of May; and (4) personnel actions affecting the Travel Office employees.

If other relevant issues arise during the course of our work, we will expand our objectives as necessary to ensure that our report provides a comprehensive assessment of all of the circumstances surrounding these matters. If we uncover evidence of possible criminal action, we will refer that evidence to the FBI for further investigation.

PROGRESS HAS BEEN MADE IN ESTABLISHING PROCEDURES FOR OUR WORK

It is taking considerable time and effort to negotiate access to the information and individuals necessary for us to complete our review. We are making progress in establishing suitable procedures, and our access to records and individuals is beginning to accelerate. However, some access issues remain which we will continue to pursue.

This review of the White House Travel Office is unusual and time-consuming because of the combination of three highly sensitive concerns. First, because of balance of power concerns, the White House traditionally has been reluctant to open its operations to GAO review. Our reviews of other matters at the White House, such as the use of military aircraft for White House staff travel[1] or retroactive appointments of White House personnel,[2] have required extensive negotiations with White House officials for us to obtain access to the records and individuals necessary to complete our work. In some cases, we have been unable to reach conclusions or assure that the entire matter was reviewed because records were not made available. Over the years, and through many administrations, White House officials' actions to restrict our access have been based on the premise that the activities of the immediate offices of the President are confidential and not subject to routine congressional or public scrutiny.

The second sensitive matter in this review is the fact that the Department of Justice and the FBI have initiated several internal investigations of matters related to the White House Travel Office episode. The FBI and the Public Integrity Section of the Justice Department's Criminal Division are conducting a criminal investigation of the travel office operations. The Department of Justice's Office of Professional Responsibility is conducting an independent investigation of such matters as the interaction between the White House and the FBI during the episode and whether the criminal investigation was properly initiated through the Attorney General's office. Under most circumstances, it is GAO policy not to interfere with or duplicate ongoing criminal investigations. Thus, we generally do not need access to records and information associated with criminal or other internal Department of Justice investigations. However, in this case, because the investigations are central to the objectives of our statutorily required review, we have sought to obtain access to records and individuals despite the other ongoing investigations.

Because our requirements for information involve access to records and individuals at both the White House and Department of Justice, there have been extensive and time-consuming negotiations with both White House and senior Department of Justice officials to reach agreements that will permit us to obtain the breadth of access necessary to complete our review in a reasonable period of time. As a result, we have not made as much progress on the review itself as would have been desirable. Nonetheless, we have obtained some records of White House Travel Office activities both before and after the events of May, and we have conducted some of the interviews necessary to our work. We expect our work to accelerate in the near future as additional records and individuals are made available.

Until the past few days, however, we have not had any success in reaching agreement with the Department of Justice on access to records or individuals. We were told in mid-August by a high-level Justice official that the Department would work with us to reach agreement on appropriate procedures for obtaining records and access to individuals. However, subsequent requests to, and meetings with, relevant Justice organizations produced no progress toward that end. In response to our reiteration of the critical importance of this access to our ability to complete our review, the Associate Deputy Attorney General notified us, in a letter dated September 24, 1993, that we will be given access to most of the records and individuals requested to date (see app.). Some limitations remain, but the records and interviews promised, if provided, should permit us to make considerable progress on our objectives while we further pursue the remaining matters.

The third sensitive area involved in this review is related to the issue of assessing the IRS actions related to the White House Travel Office episode. Section 6103 of the Internal Revenue Code, which prohibits, under criminal penalties, release of information about taxpayers—individuals or corporations—unless the taxpayer consents, must be carefully adhered to in our work. Through the cooperation of the IRS and the Department of the Treasury Inspector General, as well as our own access authority in this area, we expect to obtain the information we need to assess this issue. However, it is unlikely that we will be able to provide detailed information about the matter in a public report.

POTENTIALLY SERIOUS OBSTACLES REMAIN UNRESOLVED

Although both the White House and the Department of Justice have provided or promised the access needed for our work, several obstacles remain which must be overcome if we are to provide the comprehensive review we have planned and to which we are committed. Although the White House is providing documents at an increasing rate, those documents are reviewed prior to our receipt, and some decisions have been made to redact information on the grounds that it is not pertinent to our review or is information that the White House Counsel's office believes is privileged.

We have discussed with the White House Counsel officials our concern that procedures must be established for us to obtain an overview of the universe of records involved, so that we can satisfy ourselves that we have obtained all the relevant documents and understand the basis for any decision to withhold records. White House officials have stated that such procedures can be established, but is not clear to us how that will be accomplished. Failure to achieve this objective, which is central to government auditing standards, could compromise our ability to report comprehensive findings.

Another important obstacle is the limitation imposed by the FBI's ongoing criminal investigation. In his letter of September 24, 1993, the Associate Deputy Attorney General declined at this time to release documents associated with the criminal investigation. He requested that we postpone efforts to interview certain individuals because "premature interviews [of those persons] would create the risk of compromising an ongoing criminal investigation." The individuals named include the seven former Travel Office employees, as well as certain other individuals who are central to the completion of our review. The Associate Deputy Attorney General stated in his letter that an effort will be made to expeditiously complete the criminal investigation, we will be notified promptly when Justice determines that any particular interview no longer presents a problem for the criminal investigation, and the Justice Department will reconsider our request to pursue an interview on a case-by-case basis if an urgent need develops as our review proceeds.

Considerable information has been recently provided or promised and it will take some time to complete the interviews with the individuals the Justice Department has agreed we can meet with. Thus, we plan to proceed with our review and temporarily postpone certain interviews as the Justice Department requests. Such cooperation is consistent with our general policies on such matters when a criminal investigation is ongoing. If the criminal investigation is completed "expeditiously," it should not adversely affect the timely completion of our work. However, unforeseen further delays or limitations generated by the outcome of the investigation (such as the continuing unwillingness of some individuals to meet with us because they have been or might be criminally charged) may limit our ability to reach clear conclusions about the activities of the Travel Office before May 1993 or may require that we qualify our observations and conclusions. We will continue to work with the Department of Justice to minimize the impact of these problems on our review.

PLANS FOR COMPLETION OF OUR REVIEW

From the outset of this review, we have devoted the resources necessary to carry out the work in a timely fashion. We will continue to do so. We plan to provide regular status reports to interested congressional officials and will call attention promptly to any further unanticipated obstacles if they arise.

We are spending copies of this report to the Chairmen and Ranking Minority Members of relevant congressional committees, the White House Chief of Staff, the Attorney General, the Director of the FBI, the Commissioner of the IRS, and other interested parties upon request.

MILTON J. SOCOLAR,
Acting Comptroller General.

FOOTNOTES

[1] Military Aircraft: Travel by Selected Executive Branch Officials: (GAO/AFMD-92-51, April 7, 1993).

[2] Personnel Practices: Retroactive Appointments and Pay Adjustments in the Executive Office of the President (GAO/GGD-93-148, Sept. 9, 1993).

U.S. DEPARTMENT OF JUSTICE, OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, DC, September 24, 1993.

Ms. NANCY KINGSBURY,
Director, Federal Human Resource Management Issues, U.S. General Accounting Office, Washington, DC.

DEAR MS. KINGSBURY: The Department of Justice is making every effort to cooperate with your review of the treatment of the employees of the White House Travel Office, and I believe that you will be able to make a great deal of progress in your investigation without compromising our ongoing investigations.

I understand that the FBI and the Public Integrity Section of the Criminal Division have made arrangements for you to review documents of the White House Travel Office, and that your review of those documents is already underway. We are also prepared to

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Footnotes at end of article.

make the following documents available to you:

1. Policy Statements or Operating Procedures:

All documents requested, if they exist, will be provided to you by the FBI.

2. Documents related to the FBI's interaction with the White House at the time of the dismissal of the Travel Office employees:

a. Copies of correspondence between the FBI and Members of Congress concerning the Travel Office will be provided.

b. The May 24, 1993 letter from Mr. Heymann to Senator Biden stating the Department of Justice policy regarding contacts between the White House and the Department will be provided.

c. Copies of the following documents prepared by the FBI concerning its interaction with the White House will be provided:

1. FBI "Chronology" regarding the Travel Office matter. (This internal FBI document apparently was not transmitted to the Attorney General, but formed the basis for the FBI "Management Review" which also will be provided to you.)

2. FBI "Management Review" submitted to the Attorney General will be provided.

3. Copies of any FBI statements to the press about the White House Travel Office will be provided.

3. A copy of the final report of the Office of Professional Responsibility about the White House Travel Office matter will be provided when it is completed and submitted to the Deputy Attorney General.

The following documents that you have requested do not exist:

1. copies of any records in FBI files concerning press inquiries. The FBI has advised me that no such records are kept.

2. Copies of any documents associated with the processing of a GAO Hotline complaint about the White House Travel Office filed in December 1988 by GAO with the White House Legal Counsel's office. It appears that GAO did not report this allegation to the FBI. A review of the FBI indices has been conducted and there is no record of anyone else having reported it to the FBI.

Consistent with Department of Justice policy, we are not able to provide internal FBI and Justice Department documents relating to the criminal investigation at this time. Similarly, any written correspondence with persons involved in the Travel Office investigation or their attorneys will not be released at this time. In the event that you have a specific compelling need for any particular document, please let me know and we will consider your request.

We have no objection to your request to interview the officials of the Department of Justice named in your letter about their interaction with White House officials during the early stages of the Travel Office investigation. However, we do request that you begin those interviews no earlier than October 8 so that the Office of Professional Responsibility may complete its interviewing process.

I am not aware of what involvement the FBI special agent based in Nashville, Tennessee had in the Travel Office matter. He is not a Special Agent in Charge, and I ask that you defer any request to interview him until I can determine what if any involvement he had.

I understand that the Public Integrity Section has already agreed that you may proceed to interview all but 2 of the 18 White House staff members and 1 of the 2 OMB employees mentioned in your letter. In the category of "other" individuals, the Public Integrity Section has removed its objection to one of the persons listed and requested that you defer interviews of the others. Also, the Public Integrity Section has agreed to notify you when it determines that any particular interview no longer presents a problem for the criminal investigation.

After a thorough review, it is my considered judgment that premature interviews of the remaining persons whose interviews the Public Integrity Section has requested that you postpone would create the risk of compromising an ongoing criminal investigation. As you know, GAO traditionally has deferred to the Department of Justice when actions by GAO might interfere with ongoing investigations. However, I understand your legitimate need to comply with your statutory obligation and ask only that you postpone certain interviews until the criminal investigation has progressed to the point at which there would be no undue interference. If an urgent need develops to conduct any particular interview as your investigation proceeds, we will reconsider any requests on a case-by-case basis.

As we discussed, it is important that GAO agree to disclose the results of any interviews that you conduct in the event that such disclosure is required by a court pursuant to the Jencks Act in any future prosecution.

We are trying to move expeditiously to complete our criminal investigation. I appreciate your understanding and look forward to working with you in an effort to accommodate your interests.

Sincerely,

DAVID MARGOLIS,
Associate Deputy Attorney General.

[From the Washington Post, October 7, 1993]

COSTS OF CLINTON TRAVEL FIRINGS STILL GROWING

(By Ann Devroy)

The firing of the White House travel office staff last spring is turning into a costly decision. Not only are five employees still being paid for not working, but Congress is about to authorize $150,000 for their legal fees at the same time the Justice Department is using its resources to continue investigating some of them.

The Senate yesterday, with no objection from Democrats or the White House, unanimously adopted an amendment to the Transportation Department spending bill that appropriates $150,000 to a legal defense fund. It will pay legal fees for five of the seven workers who were fired and later ordered reinstated on administrative leave.

The White House originally announced the firing of all seven travel office employees and called in the FBI to investigate what it called "serious" questions about management of funds. Aides later acknowledged five of the seven had no control over or access to funds. Those five were eventually reinstated on administrative leave.

Following its own management review, the White House announced the five would be given jobs in government, although not their old travel office positions. The White House and the five employees have not been able to agree on new jobs, but the five continue to draw their salaries. Meanwhile four other employees are being paid to handle the White House travel work.

The firings produced a plethora of follow-up inquiries into how the travel office investigation, as well as the original FBI investigation into financial improprieties, was handled. FBI sources said that investigation is "ongoing" because the five former employees retained lawyers, and other lawyers have become involved, complicating the process of interviewing witnesses.

A General Accounting Office investigation of the travel office affair also is running past its due date, in part because key administration officials have been slow to provide information and documents.

Senate Minority Leader Robert J. Dole (R–Kan.) and Sen. Christopher S. Bond (R–Mo.) said they introduced the amendment to cover the legal fees for the five reinstated workers because they were the "true, real-life victims" of the debacle. They "woke up one May morning only to hear their good reputations smeared on national television by an incompetent White House staff." They were accused of "gross mismanagement" and subjected to an FBI investigation, Dole and Bond said.

Dole said each of the five had incurred a legal bill of $30,000 or more to defend themselves against the allegations and to get their jobs back. None of the five earned more than $60,000 and some made significantly less.

The Senate version of the Transportation bill will go to conference with the House version, which was completed before the legal fees issue came up. A congressional aide said it is unlikely that the House would reject the spending, since it will be offset by a cut Dole proposed in another category of the Transportation bill.

White House Deputy Chief of Staff Roy Neel called the situations of the five "unfortunate." He said the White House had "worked very hard to provide them good jobs at good salaries." The jobs under consideration are at least comparable to the ones they held, he said. Each now is reviewing an offer to work in a federal agency, not the White House.

The seven-man team of career employees at the White House travel office has been replaced by four permanent workers, plus a subcontracted employee of American Express who makes travel arrangements for White House staff. In addition, Neel said, the White House "on occasion" uses employees of other departments, such as Commerce or Transportation, to handle out-of-town arrangements.

The original firings were portrayed by the White House as the result of gross mismanagement and as a cost-savings mechanism that would reduce the size of the travel staff yet provide the same service.

[From the Washington Times, October 7, 1993]

SENATE OKS PAYING WHITE HOUSE TRAVEL AIDES' LEGAL FEES

(By Paul Bedard)

The Senate yesterday unanimously agreed to pay $150,000 in legal bills facing five White House travel office workers wrongly fired in May.

An amendment to the Transportation Department appropriations bill sponsored by Sen. Minority Leader Bob Dole, Kansas Republican, and Sen. Christopher Bond, Missouri Republican, would let the five workers draw from the fund to pay legal bills now totaling about $150,000.

Mr. Dole, in a floor speech, blamed the White House for slandering the reputations of the five and said the fund is meant to help the longtime federal workers recover from the costly effort to fight the White House charges.

The Senate vote sets up a potential fight with the White House, which didn't endorse Mr. Dole's effort. "We're not taking a position," said White House spokeswoman Lorraine Voles.

The five travel office workers—John Dreylinger, John McSweeney, Barney Brasseaux, Robert Van Eimeren and Robert Maughan—were fired in May after the White House charged them with financial mismanagement of the office, which handles travel plans for the press and White House staff.

They subsequently were put on leave after the White House conceded the five were not involved in any financial mismanagement. However, the White House didn't stop an FBI investigation, which required them to retain lawyers.

The lawyers also acted as middlemen between the five and the White House counsel's office, which tried to find new jobs for the former travel aides.

All five said this week they planned to accept new jobs in other agencies and departments that were arranged by the White House.

They spent an average of $30,000 each defending themselves against the charges and negotiating for new jobs in the government. Private supporters contributed about $40,000 to a private defense fund.

Mr. McSweeney, whose legal expenses total $32,000, said he was pleased with the Senate vote. "I'm delighted," he said. "This is great news."

Mr. Dole and Mr. Bond rapped the White House handling of the travel office scandal. White House aides, including one of the president's cousins, ousted the longtime travel staff in a power play.

To justify the firings, the White House claimed the travel staff was guilty of mismanagement—a charge Chief of Staff Thomas F. "Mack" McLarty later retracted.

Mr. Dole said yesterday: "The only ones guilty of gross mismanagement were the White House staffers themselves, who tried to hide their own misconduct by pinning the blame on the very people whose livelihoods they were jeopardizing."

If approved in conference, the legal defense fund would be administered by the Transportation Department's general counsel's office.

Mr. ROBERTS. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Speaker, I thank the gentleman from Virginia for yielding. I want to take this time to congratulate him and thank him for his leadership in trying to search out a reasonable compromise here, a reasonable policy not only in behalf of the employees of the White House, but in such a way that we will be able to really protect from future occurrences of this nature in behalf of all Federal employees. I do not know of anybody in this Congress who has been more able and more persistent and more consistent in riding shotgun, if I can use that phrase, in behalf of Federal employees than the gentleman from Virginia, and I want to thank him for his perseverance in this regard.

I have a personal interest in this particular case. I have taken the floor on past occasions. I am not on the Appropriations Subcommittee or Committee, but one of the White House employees involved in this, who is, like the others, waiting in purgatory, is my next-door neighbor. And I can assure Members as we have gone through 6 months of purgatory, it becomes a very personal issue in regard to someone who not only is a fine Federal employee, and has been doing a good job at the White House, but who is a personal friend as well.

I talked with Senator DOLE's office yesterday, and I talked with the Senator about the process. I think the gentleman from Virginia and myself would have preferred the $150,000 contingency fund or the lawyer's fund to be on the Treasury and Postal bill, or perhaps in a supplemental. But the Senator indicated to me, and I think he is right, we have to strike when the iron is hot.

I agree with the gentleman. I associate myself with his remarks.

I am concerned about a report by the GAO, who acted in behalf of this House to really conduct a full investigation and a report to the House on this matter. The report dated September 30 indicates that they have been having a lot of problems. They said at the outset that the comprehensive review of these issues might not be completed before the September 30 reporting date. So they came back to the House and indicated they have three concerns.

The White House has been reluctant to open its operations to the GAO review. Second, they are having a great deal of difficulty with the Department of Justice and the FBI. And third, they have some problems in regards to sensitive issues with the IRS, which prohibits, under a criminal penalty, the release of information about taxpayers.

I certainly hope we can reach a conclusion in regards to the GAO study, and I am concerned. Although I will say I want to thank Mr. McLarty of the White House, whom I talked with at a social occasion, who has been more than willing to work with us, and more especially thank the gentleman from Maryland [Mr. HOYER], who has been extremely helpful, and our former colleague, Mr. Panetta, who has tried to put this issue behind us. But the issue is not behind us. There have been a lot of press reports about job offerings or job availability. I can tell Members from my personal experience with regard to the employees involved that there is a courtesy call to an agency, and then that individual does not know if that is a make-work job, or if it is a job that that individual can really contribute to or whatever. And these people are still in purgatory.

In essence, in terms of the so-called really a criminal investigation by the FBI, there was a statement made that these people are not under investigation. But yet their lawyers received some written correspondence saying "at this time." Well when you say "at this time," obviously it stretches on, and on, and on, and now we are at a 6-month period.

□ 1230

I hope we can resolve this. I have thought from the outset that an independent scrutiny of some kind would certainly be more in keeping with the problem here.

I again want to thank the gentleman from Virginia [Mr. WOLF] and let us see if we can get it resolved.

I think his idea with regard to the $150,000 is a good one. Again I associate myself with his remarks.

Mr. WOLF. I thank the gentleman for his remarks.

Mr. Speaker, let me say in closing that I would hope that both sides of the aisle could come together and develop some legislation to deal with situations such as this. I know we are taking time here, I can see that some Members are bored with this, that we are taking the time of the body, but I want to tell you that if you were a Federal employee making $60,000 or $50,000 or $40,000 and you had no deep pockets, no big contributors to call on and you are trying to educate your kids this would be important to you. I would hope I would be as consistent on this issue if Reagan were President or if Bush or Jack Kemp, were President, that I would be up here, making the same points, whoever might be involved. This has been absolutely wrong.

Now, if a different person gets involved, it should make no difference.

What I want to say in closing is that I hope we can work out bipartisan legislation that would set up a group—perhaps a nonprofit group—that would look at these kind of cases, that would exercise discretion. I must tell my colleagues that although I believe it is right to assist these five travel office employees, I think the precedent that we are setting here is not necessarily a good precedent.

Let me say for myself that this is a special circumstance, a one-time example, a one-time case. But how we treat the least of these people under a political cloud indicates how we will treat anybody else.

Mr. Speaker, I will revise and extend my remarks and submit the rest of my statement in the RECORD with a number of documents with it, if I may.

Mr. Speaker, I reserve the balance of my time.

Mr. CARR of Michigan. Mr. Speaker, I yield such time as he might consume to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. I thank the chairman of the subcommittee very much for yielding this time to me.

Mr. Speaker, I stand to underscore the fact that this is a nonpartisan, certainly a bipartisan, issue. I want to thank my colleagues and friends, the gentleman from Virginia [Mr. WOLF], the gentleman from Kansas [Mr. ROBERTS], the gentleman from Michigan [Mr. CARR], and the gentleman from Maryland [Mr. HOYER] for what they have been doing both publicly and behind the scenes to rectify the situation.

I know that a number of our colleagues do feel that this is taking up a lot of time for a handful of people, that we are making the White House go through the hoops trying to find jobs for these people. But the fact is that this is a problem of the White House's own making. If they had conducted themselves properly, it would not have happened, we would never have had to come to the floor.

The fact is that the White House was wrong in this situation. The fact is that even though this is just a handful of people, every one of those people represent not just an individual but a family that lives in a community that represents the Federal workforce.

What the gentleman from Virginia [Mr. WOLF] said is absolutely right, that if any administration, whether it be Republican or Democrat, can get away with treating these employees in the way that the administration treated them initially, then it reflects upon their attitude toward the Federal work force.

I know that it does not, it does not reflect the President's attitude; that it will not reflect the administration policy in the future. But it is important to draw attention to this because this is an inexplicable and unjustifiable breach of trust between the executive branch and its work force. It cannot be ignored; it cannot be put under the carpet; it cannot be brushed aside by some half-hearted commitments.

The administration is going to have to follow through. They are going to have to make these people whole again. That is all that is being asked.

Again I thank my colleagues for drawing attention to it, and I trust that this body will make sure that that goal of making Federal employees whole again and treating them with dignity and the respect to which they are entitled will be accomplished.

I thank the Speaker, and I thank the chairman, the gentleman from Michigan [Mr. CARR], for yielding.

Mr. CARR of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to congratulate the gentleman from Virginia, my good friend and colleague on the Subcommittee on Transportation Appropriations, Mr. WOLF, and my colleague on the full Committee on Appropriations, Mr. MORAN, and I know that we are joined in this particular issue by Mr. WYNN of Maryland and Mrs. MORELLA of Maryland and Mr. HOYER of Maryland.

I believe there is general agreement among the people in this particular area that these individuals ought to be taken care of, that their legal expenses be reimbursed and provided for.

I want to associate myself with the remarks of the gentleman from Virginia [Mr. WOLF] that the process by which this is being done is an unfortunate process.

Mr. Speaker, I want to call the attention of the Members of the House that this is authorization language in an appropriations bill, and that has been very much discussed here. We are told by the House rules that we are not supposed to do this.

Furthermore, this particular provision, as the gentleman from Virginia [Mr. WOLF] said, is probably more appropriately in the appropriation for the White House, which is in Mr. HOYER's subcommittee, or in the Subcommittee on Commerce, Justice, State Appropriations, chaired by the gentleman from Iowa [Mr. SMITH], with the ranking member being Mr. HAROLD ROGERS from Kentucky.

We as a Subcommittee on Transportation have very little expertise other than the testimony of the two gentlemen who have just spoken about the matter.

I think we have all been interested in the issue of the travel office in the White House. Most of us have derived what information we have either from personal testimony of the individuals involved or what we have read in the newspaper.

Our subcommittee is not a particular good forum to make good judgments about this issue.

Furthermore, the appropriate authorizing committees have not contacted us and expressed their approval for this process. I think it would be well if we checked with them before going into conference.

I want to let everybody know I intend to do that. I have not had the opportunity to do that. This is an issue that has arisen since yesterday and this morning, and I intend to touch those bases and see what the authorizing committees think.

One other thing, while I am in general agreement with Mr. WOLF and Mr. MORAN, I think it bears saying that to do this is in the nature of a private bill on a public appropriation. We are talking about five individuals specifically. The legislation talks about five people specifically, not by name, but we know what their names are.

That raises the question that perhaps—and I know Mr. MORAN and Mr. WOLF would agree with this statement—there are probably others in the Federal Government who for whatever reason get wrongly discharged and then have to hire attorneys and then are subsequently reinstated and their legal bills are not paid.

So what really ought to be happening here is not having Senator DOLE lobbying this provision on the transportation appropriations bill, but Mr. DOLE and others ought to be proposing legislation which would reimburse in a generic way all public employees wrongly discharged and reinstated, for their legal expenses.

And I hope that while we have got this immediate situation and if we take care of it, I hope that the gentleman from Virginia and the gentleman from Kansas will be joining in some fashion with the Democrats as well on both sides of the aisle, both Houses, to actually put some kind of generic legislation in place for the protection of all Federal workers.

□ 1240

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. CARR. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Speaker, I think the gentleman makes a legitimate point. I think the distinction here is perhaps a little bit different. I have a letter from Mr. McClarty who said:

> DEAR CONGRESSMAN WOLF: At the outset, I want to say, as I have said previously, that the handling of the Travel Office matter was regrettable. On behalf of the White House, I have publicly apologized to the Travel Office employees and their families for the manner in which this issue was handled. We have tried to identify any errors that were made, and to rectify them as best we can.

So the gentleman is right. I think he makes a good case. Since there has been an acknowledgment, this was the vehicle and Senator DOLE took the vehicle, but I will work on legislation, I will put it in a draft and I will circulate it to other Members that will deal with this issue, because insofar as I am concerned, this is a one-time situation with regard to dealing with it in this manner.

I thought about it last night and I really could not let the process foreclose these five people, one who is a constituent of mine, from being taken care of.

I think the gentleman makes some very, very valid points.

Mr. ROBERTS. Mr. Speaker, will the gentleman yield?

Mr. CARR. I am glad to yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding to me.

In my opening remarks I said that both the gentleman from Virginia and myself had some concern about the process, which I think the gentleman has spoken to, but at the outset let me point out that over a 6-months' time frame in trying to work this out for the gentleman from Virginia [Mr. MORAN], who has done a very good job in this respect, and our former colleague, Mr. Panetta, Mr. McClarty, and more especially the gentleman from Maryland [Mr. HOYER], who has really taken the lead, we tried to do three things. We tried to say in terms of setting the record straight that none of the five were really guilty of any wrongdoing, that they work up on a certain day in May to find themselves actually pilloried in the Nation's press for something they did not do, and that in the process of making things right we asked for three things, a statement saying that they were not really guilty of anything, and second, that some kind of an appropriate job that was commensurate with their present job could be found in the Federal Government. Those efforts are ongoing.

But in the process, all of a sudden we find that with the Justice Department continuing their investigation, they must have some kind of legal defense. Those bills are piling up.

So rather than to worry about the process, and I would remind the gentleman again that I did talk to the Senator's office in relation to what appropriate vehicle we could find, a supplemental or whatever we are talking about here, and the Senator indicated that he felt very strongly about this and we had to move; that is, the bills must be paid.

So I think it is commensurate with the promise of the White House that we take advantage of this if we can.

I will tell the gentleman that if we do not do it on the Transportation bill, I have a feeling that the Senator, and as far as I am concerned I will join that effort on every appropriation bill, be it Agriculture or be it Transportation or be it post office or the White House or whatever until we get the situation settled.

I appreciate what the gentleman is saying, but we need to get this matter behind us.

Mr. CARR. Mr. Speaker, I appreciate the gentleman's remarks. I would say that I do not foresee this being a major obstacle to the conclusion of our conference. I expect that the gentleman will be pleased with our actions.

I merely want to point out that circumstances do occasionally arise and they have an immediacy that far exceeds our ability to pass authorization legislation.

No one is going to get this Member of Congress to say that on occasion for good cause, with the acceptance of the appropriate parties in the House and in the Senate, we should not be doing these things.

I merely want to point out that this is a surprise to this subcommittee. This is not normally part of our jurisdiction. It was thrown in our midst from the other body, I think in a somewhat deliberate way in an effort to keep the particular issue alive. I think this issue could be solved on behalf of these individuals in a far less public forum.

I know that all the Members are concerned about the generic impact of singling out just five people who have been wrongfully displaced and reinstated, with their legal bills, when others in the Federal service have not been similarly treated, and that wreaks an unfairness on them.

I take the gentleman at his word that he will be working for authorization language in the appropriate forums, and I would like to pledge my support to those efforts.

I know the gentleman is a passionate spokesperson for the Federal worker.

With that, Mr. Speaker, and with a pledge that we will contact the appropriate authorization committees and try to work this thing out in a favorable fashion in the conference, I yield back the balance of my time.

Mr. WOLF. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Virginia [Mr. WOLF].

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. CARR of Michigan, DURBIN, SABO, PRICE of North Carolina, COLEMAN, FOGLIETTA, NATCHER, WOLF, DELAY, REGULA, and MCDADE.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

ADJOURNMENT OF THE HOUSE FROM THURSDAY, OCTOBER 7, 1993, OR FRIDAY, OCTOBER 8, 1993, TO TUESDAY, OCTOBER 12, 1993, AND RECESS OF THE SENATE FROM THURSDAY, OCTOBER 7, 1993, TO WEDNESDAY, OCTOBER 13, 1993

Mr. STUDDS. Mr. Speaker, I send to the desk a privileged concurrent resolution (H. Con. Res. 161) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 161

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, October 7, 1993 or Friday, October 8, 1993, pursuant to a motion made by the Majority Leader or his designee, it stand adjourned until noon on Tuesday, October 12, 1993, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, October 7, 1993, pursuant to a motion made by the Majority Leader or his designee, in accordance with this resolution, it stand recessed or adjourned until noon on Wednesday, October 13, 1993, or at such time as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, OCTOBER 13, 1993

Mr. STUDDS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, October 13, 1993.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF TIME FOR CONTINUED PRODUCTION FROM NAVAL PETROLEUM RESERVES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. —)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Armed Services, and ordered to be printed:

To the Congress of the United States:

In accordance with section 201(3) of the Naval Petroleum Reserves Production Act of 1976 (10 U.S.C. 7422(c)(2)), I am informing you of my decision to extend the period of maximum efficient rate production of the naval petroleum reserves for 3 years from April 5, 1994, the expiration date of the currently authorized production period.

The report investigating the necessity of continued production of the reserves as required by section 201(3)(c)(2)(B) of the Naval Petroleum Reserves Production Act of 1976 is attached. Based on the report's findings, I hereby certify that continued production from the naval petroleum reserves is in the national interest.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 7, 1993.*

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 44

Mr. FIELDS of Texas. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from Oklahoma [Mr. ENGLISH] as a cosponsor of the bill, H.R. 44.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AVIATION INFRASTRUCTURE INVESTMENT ACT OF 1993

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 269 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 269

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2739) to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and to the amendment in the nature of a substitute made in order as original text and shall not exceed 90 minutes, with 60 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology, and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of four titles as follows: (1) titles I and II consisting of the text of the amendment in the nature of a substitute recommended by the Committee on Public Works and Transportation now printed in the bill; (2) a title III consisting of the text of the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology on the bill (H.R. 2820) to authorize appropriations for the Federal Aviation Administration for fiscal years 1994, 1995, and 1996 for research, engineering, and development to increase the efficiency and safety of air transport and now printed in H.R. 2820; and (3) a title IV consisting of the text of the amendment printed in the report of the Committee on Rules accompanying this resolution. The amendment in the nature of a substitute made in order as original text shall be considered by title rather than by section. Each title shall be considered as read. All points of order against the amendment in the nature of a substitute made in order as original text are waived. No amendment affecting the subject matter on title IV of the amendment in the nature of a substitute made in order as original text shall be in order. Upon designation of title IV of the amendment in the nature of a substitute made in order as original text, no further amendment shall be in order. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

☐ 1250

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 269 is a modified open rule providing for the consideration of H.R. 2739, the Aviation Infrastructure Investment Act of 1993. The rule provides for 90 minutes of general debate.

One hour is to be equally divided and controlled between the chairman and ranking minority member of the Committee on Public Works and Transportation. Twenty minutes will be equally divided and controlled between the chairman and ranking minority member of the Committee on Science, Space, and Technology, and 10 minutes will be equally divided and controlled between the chairman and ranking minority member of the Committee on Ways and Means.

Mr. Speaker, H.R. 2739 was reported from the Committee on Public Works and Transportation and authorizes funding for programs within its jurisdiction for fiscal years 1994 through 1996.

The Committee on Science, Space, and Technology was not referred H.R. 2739, but did report H.R. 2820, the Federal Aviation Administration Research, Engineering and Development Authorization of 1993, which contains matters relating to aviation research and development within the jurisdiction of that committee.

In addition, Mr. Speaker, the Committee on Ways and Means reported an amendment to H.R. 2739 that would amend the Internal Revenue Code relating to expenditures from the Airport and Airway Trust Fund.

Mr. Speaker, the rule makes in order, as original text, a substitute bill consisting of two titles reported by the Committee on Public Works, a third title consisting of the text of H.R. 2820 as reported by the Committee on Science, Space, and Technology, and a fourth title consisting of the text of the amendment reported from the Committee on Ways and Means printed in the report to accompany the rule.

The rule further provides that the substitute shall be considered by title, with each title considered as read. House Resolution 269 also waives all points of order against the substitute.

In addition, Mr. Speaker, the rule provides that no amendment that affects the subject matter of title IV of the substitute shall be in order. The rule further provides that after designation of title IV, no further amendments shall be in order.

Finally, Mr. Speaker, House Resolution 269 provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 2739, as modified, authorizes a total of $28 billion for fiscal year 1994, 1995, and 1996.

As reported by the Public Works Committee, the bill authorizes $2.1 billion for airport infrastructure improvements for fiscal year 1994 and $2.2 billion for fiscal years 1995 and 1996.

The bill also authorizes $2.4 billion for fiscal year 1994, $2.6 billion for fiscal year 1995, and $2.7 billion for fiscal year 1996 for the facilities and equipment program of the Federal Aviation Administration. In addition, Mr. Speaker, the bill authorizes $4.6 billion for fiscal year 1994, $4.7 billion for fiscal year 1995, and $4.8 billion for fiscal year 1996 for FAA operations.

Mr. Speaker, H.R. 2739 is important legislation. The improvement of our Nation's airports and airways is not only critical for safety reasons but also for economic reasons as well. I urge my colleagues to adopt House Resolution 269 so that the House can proceed to the consideration of this vital legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of this rule providing for the consideration of H.R. 2739, the Aviation Infrastructure Investment Act. As the distinguished chairman of the Rules Committee has described, this rule incorporates the text of H.R. 2820, the Federal Aviation Administration Research, Engineering and Development Authorization Act and provides for an open amendment process for the provisions of both of these measures.

The rule also adds a title reported by the Ways and Means Committee which permits expenditures from the airport and airway trust fund for the purposes set out in the two bills. This title is not open for amendment, but I have no objection to this restriction.

Mr. Speaker, this bill authorizes funds for the improved development and operation of our Nation's airports and airways, which is badly needed. As we all know from traveling back and forth between our districts and Washington, airport congestion and flight delays continue to grow, and it is essential that we increase the capacity of our airports. Passage of this bill will create critically needed improvements in aviation infrastructure and will also generate economic benefits and jobs.

The bill also contains important provisions to assist the Federal Aviation Administration in performing its functions to ensure an efficient and safe air traffic system.

Some Members may have concerns over certain parts of this bill, but this rule will allow those concerns to be addressed through the open amendment process.

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted[1]	Open rules		Restrictive rules	
		Number	Percent[2]	Number	Percent[3]
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	37	10	27	27	73

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Sept. 29, 1993.

OPEN VERSUS RESTRICTIVE RULES: 103d Cong.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (d–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1(not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1-D not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	0	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	0	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	0	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0 (May 24, 1993).
H. Res. 173 May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (May 20, 1993)
H. Res. 183, May 25, 1993	0	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	0	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176.. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	0	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	0	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 218, July 20, 1993	0	H.R. 2530: BLM authorization, fiscal year 1994–95	NA	NA	
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	0	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)		A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization			PQ: 237–169. A: 234–169. (Sept. 13, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D–67; R–24)	A: 241–182. (Sept. 28, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D–3; R–9)	1 (D–1; R–0)	A: 213–191–1. (Sept. 14, 1993).
H. Res. 262, Sept. 28, 1993	0	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; 0-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

☐ 1300

Mr. Speaker, I urge adoption of the rule so that we can proceed with consideration of this bill.

Mr. MINETA. Mr. Speaker, I rise in support of H. Res. 269, a rule which will govern the floor debate of H.R. 2739, the Aviation Infrastructure Investment Act of 1993. This is an open rule which deserves the bipartisan support of all of my colleagues. H.R. 2739 authorizes funding of $28 billion for fiscal years 1994 through 1996, for the development and operation of the Nation's airports and airways. Of the $28 billion, $6.5 billion is authorized for the development of airports, $7.9 billion for modernization of the air traffic control system and other FAA facilities and equipment, and $14 billion for FAA operations.

In addition to authorizing funding for these airport and operational programs, this bill also addresses several other legislative issues that are important to improving these programs. For example, this bill addresses revenue diversion, which is an issue that has recently become the center of very public debate. Airport Improvement Program funds are very limited. Unfortunately, there are never enough discretionary funds available to meet the many airport requests. This bill directs the Secretary to take into consideration whether an airport is diverting revenue off airport when discretionary funds are awarded.

It also establishes a fixed 5-year term for the Administrator of the Federal Aviation Administration. As those of us who have worked with the FAA know, the average length of time that an Administrator stays in the office is approximately 2 years. This is an agency that is so highly technical that past Administrators have acknowledged that, despite their aviation expertise, the learning curve to become a proficient Administrator is over a year. The result of this combination of constant turnover and complex subject matter is that the FAA has had significant periods of time in the past several years in which the agency was being run by an Administrator in training. Hopefully, this bill will provide some additional stability to this agency that is so vital to aviation safety.

This bill addresses several other important issues that improve the operation of the air transportation system. I urge my colleagues to support this open rule that would enable this important legislation to come to the floor.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to H. Res. 269 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of bill, H.R. 2739.

The Chair designates the gentleman from Texas [Mr. COLEMAN] as Chairman of the Committee of the Whole and requests the gentleman from Kentucky [Mr. BARLOW] to assume the chair temporarily.

□ 1300

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2739) to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes, with Mr. BARLOW (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Minnesota [Mr. OBERSTAR] will be recognized for 30 minutes; the gentleman from Pennsylvania [Mr. SHUSTER] will be recognized for 30 minutes; the gentleman from California [Mr. BROWN] will be recognized for 10 minutes; the gentleman from Pennsylvania [Mr. WALKER] will be recognized for 10 minutes; the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 5 minutes; and the gentleman from Texas [Mr. ARCHER] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Chairman, I yield myself 9 minutes.

Mr. Chairman, the Committee on Public Works and Transportation today brings H.R. 2739, the Aviation Infrastructure Investment Act of 1993, to our colleagues and to this body to reauthorize the programs of the Federal Aviation Administration for the future years, $28 billion of program for fiscal years 1993, 1994, and 1995.

At the outset I want to express my appreciation to my colleague on the subcommittee, the ranking member, the gentleman from Pennsylvania [Mr. CLINGER]. The gentleman and I have worked together on economic development legislation and on the Subcommittee on Investigations and Oversight, and now on the Subcommittee on Aviation, for more than a decade, and have had a very splendid, cordial, and mutually beneficial working relationship. I have enormous respect for the gentleman's intellect, integrity, thoughtful and constructive contributions to the work of our subcommittee. I want to express my very deep appreciation for his support and for his partnership in bringing this legislation forward.

I also want to express my great appreciation to the chairman of the full committee, the gentleman from California [Mr. MINETA], who chaired this subcommittee some years ago, and who left a great legacy of constructive and forward-looking, progressive legislation in the field of aviation, and who has continued his partnership with our subcommittee. Also the other gentleman from Pennsylvania [Mr. SHUSTER], who I want to say to my colleagues as ranking member of the full committee has participated in every one of the hearings our subcommittee has had. The gentleman takes note and takes interest. It is a very great source of strength for all of us on the committee to have that kind of participation, interest, support, and understanding of the legislation.

Mr. Chairman, improving our aviation infrastructure is critical to the Nation's transportation network and to the well-being of our entire country. Flight delays due to inadequate infrastructure costs our economy billions of dollars annually.

In 1989, the Nation logged 114 million hours of delay in the Nation's aviation system, costing the economy over $7 billion.

It was imperative that the Congress take action to reduce delays by providing adequate funding to expand infrastructure, that is, the hard side of the airport, and to improve, modernize, and advance the state of the art of the technology of aviation in the air traffic control system.

We had landmark legislation in 1990 that moved us far along the road in that direction. This legislation that we bring today further fine-tunes the 1990 landmark bill and charts us on a course for the next 3 years.

The recession that we have been through, both at home and abroad, not just in the United States, but in the European Economic Community and in the Pacific Rim, has slowed the growth in air travel. But, nonetheless, all forecasts are for growth to resume and again place enormous demands on our airports and our air traffic control system.

The Federal Aviation Administration estimates that airline passenger emplanements will increase by 60 percent over the next 10 years, and that the number of aircraft movements will go up in the range of 23 percent. Without an aggressive investment program, this growth will not be accommodated in a manner that will be efficient and destined to reduce delay.

The programs authorized by H.R. 2739 not only will generate the critically needed improvements in aviation infrastructure, but will also generate very substantial economic benefits and jobs. For every $1 billion invested in airport development, we can count on an additional $3 billion in economic benefits and some 40,000 to 50,000 jobs.

The authorizations that we have provided in this legislation are in line with the fiscal 1994 budget resolution and with the resolution's assumptions for spending in the years beyond 1994.

Specifically, the bill authorizes $6.5 billion for fiscal years 1994, 1995, and 1996. These levels of funding will allow the airport improvement program to make the kinds of investment and capital developments at airports of all types and all sizes.

The legislation also commits a significant amount of funding to reduce the impact of aircraft noise on airport neighbors. The AIP program that we authorized in this legislation is supported 100 percent by the taxes generated under the airline ticket tax, the fuel tax, and that are deposited into the Airport and Airway Trust Fund.

The bill also takes steps toward dealing with some problems that in our hearings we discerned have crept into the AIP program, specifically that of airports diverting revenues generated at the airport to points off the airport, to support other city government functions. With only a very few exceptions, airports are required to keep revenues generated at the airport working on that airport.

The bill first requires airports to report annually on revenues shifted off the airport. This will give the FAA, the Department of Transportation, and the Congress a better idea of what is going on in this area than we have now.

Second, the FAA is directed under this legislation in administering the discretionary fund in the AIP program to consider revenue diversions as a factor mitigating against receiving a discretionary grant. Other factors can override, but this language will ensure that discretionary funds will be used where they are needed most, and we expect will discourage off-airport diversion of airport-generated funds.

□ 1310

The bill makes some relatively minor changes to the AIP program, but minor in scope, but important to those for whom these changes are made.

The minimum amount available to small primary airports is increased from $400,000 to $500,000. I thank the gentleman from Pennsylvania [Mr. SHUSTER] for his work on this particular issue and for his support. This will better enable small airports to undertake the needed improvements which are so critical in this era of hub-and-spoke transportation.

The bill expands the number of airports participating in the military airport program from 12 to 16. Former military fields offer great opportunities to expand capacity at relatively low cost. The apportionment for airport system planning is increased in this bill in recognition of the importance of long-range solid planning to responsible and careful and integrated evolution of the airport transportation system.

The bill also makes eligible for AIP funding certain types of security equipment. The bill also encourages the use of innovative concrete and other materials in airport construction.

This bill authorizes nearly $8 billion for further modernization of the air traffic control system, also funded 100 percent from the Aviation Trust Fund. Overall, the modernizaton of air traffic control is expected to cost $32.8 billion through the year 2000.

Much remains to be done in modernization, and the effort has not been without its difficulties. Undertaking a project of this complexity, it is very understandable that there would be program delays and some uncertainties as to types of equipment. But I feel, based on the hearings that we have conducted, that although virtually every program and project has fallen behind schedule, the FAA and its major contractor, IBM, are well underway, on track, on course meeting timetables for the completion of the advanced automation system.

The bill authorizes $14 billion for FAA's operations over the next 3 years. This program funds the nearly 50,000 employees of FAA, including the Air Traffic Controllers, Safety Inspectors, Equipment Maintenance Technicians, Security Personnel, and all the support staff for those critical activities.

Beyond the trust fund program, the bill addresses a number of other important issues. First of all, we establish a fixed term for the Administrator of FAA of 5 years. I think this is very important to maintain continuity and stability and program planning in the FAA.

We clarify that the passenger facility charge program will not be applied to frequent flyer tickets. We commission a study of the high-density rule and allocation of landing slots at the four slot-controlled airports.

We direct that the rulemaking be undertaken to reduce the sample size of the very costly random drug testing program now in effect.

These are very important steps, important policy changes in the current operation of FAA programs and help us keep the modernization of the air traffic control system on track and the investment in the Nation's airport infrastructure program on track, expanding capacity and accommodating growth and economic development in this country.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of this legislation. The distinguished chairman of the Subcommittee on Aviation has quite accurately described this bill.

I would emphasize that we come to the floor today with strong bipartisan support for this legislation. We do here, in funding improvement of our Nation's airports, what I think the Congress and the Government should be doing, which is to spend the taxpayers' dollars to build assets for America. And it is very important to emphasize that the expenditures included in the construction of our airports and the support systems for our airports come from the Aviation Trust Fund, and so the expenditures do not contribute to the general fund deficit.

The funds come from the Aviation Trust Fund, which is supported by user charges. The people who use the airports are the ones who put the money into the trust fund, and that is as it should be. And indeed, there is a balance in the trust fund of over $4 billion today so the trust fund is quite adequate to support the level of spending included in this legislation.

Further, I would emphasize that this legislation is fair to the small airports, the small primary airports. As has been pointed out by the distinguished chairman, we will have their minimum allocation rise from $400,000 to $500,000 a year. It is very important that this occur, again, out of the trust fund, because this is one of the few sources available to small airports.

The larger airports have bonding capabilities and other capabilities to raise funds, but the smaller airports are quite limited. So this provision is particularly important to the smaller primary airports across America.

The only problem that I have had with this legislation is that, indeed, there is a provision in here which says that the National Labor Relations Act "shall apply to National and Dulles Airports." The problem is not with the National Labor Relations Act or the collective bargaining provisions but with the application of this law to public airports.

No other airport in America is subject to the NLRA or told how to deal with their employees. This is a local option. In fact, the Washington airport employees have actually done quite well under the airport's current labor code. In my view, there is no need for this provision. And it is unfortunate that we were unable to eliminate this particular provision in committee.

However, in all other respects, I strongly support this legislation. It is good for America. I urge its passage.

Mr. Chairman, I ask unanimous consent that the remainder of my time be allocated to the gentleman from Pennsylvania [Mr. CLINGER], the distinguished member of the Subcommittee on Aviation, who will manage this bill for our side from this point on.

The CHAIRMAN pro tempore (Mr. BARLOW). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I rise in strong support of H.R. 2739, the Aviation Infrastructure Investment Act of 1993. This important piece of legislation authorizes for 3 years the FAA airport improvement program, FAA facilities and equipment, and FAA operations. In addition to these funding authorizations, the bill makes several legislative changes to existing law on a variety of issues. These changes will help enhance the effectiveness of the programs and the air transportation system.

At the outset, let me express my appreciation for the dedication of the chairman and ranking member of the Subcommittee on Aviation, Chairman OBERSTAR and Congressman CLINGER. Their continued responsiveness to the issues facing the aviation community have resulted in a bipartisan legislative product that is balanced in its approach to both authorization levels and legislative issues. This bill reflects the many hours of hearings and meetings held to obtain input from interested parties. In addition, I would like to thank the ranking member of the Committee on Public Works and Transportation, Congressman SHUSTER, for his help and support in this effort.

The airport improvement program is authorized in the amounts of $2.105 billion for fiscal year 1994, $2.161 billion for fiscal year 1995, and $2.214 billion for fiscal year 1996. These authorization levels reflect a balance between the safety and capacity enhancement needs of the airports and the budget realities that necessarily limit our ability to meet all existing needs. The FAA facilities and equipment and operations programs are currently authorized through fiscal year 1995. This bill would provide authorization for an additional year in order for the three programs to expire at the same time. The funding levels for the facilities and equipment and FAA operations programs have been reduced to reflect the lower than anticipated rate of growth in air traffic.

These funding levels will continue to spend down the uncommitted balance in the Aviation Trust Fund, which is important to keep faith with the flying public. Excise taxes are collected for the transportation by air of commercial passengers and cargo. It is important that the taxes collected for the upkeep of the air transportation system are actually spent for that purpose. For too long, the uncommitted balance in the trust fund was permitted to grow. This bill continues this committee's effort to spend down that balance and put to work the taxes collected by the users of the air space system.

The bill also addresses several legislative issues that range from increasing the minimum entitlement for small airports from $400,000 to $500,000 annually, to ensuring that a sufficient number of slots are available at high density airports to meet the needs of essential air service to rural communities. These legislative changes improve the implementation of the programs funded by the trust fund.

Some of the provisions address issues that are important to the airline community. For example, this bill clarifies that passenger facility charges are not authorized to be collected on unpaid air transportation, such as frequent flier awards. In addition, the Secretary may disapprove a project to be funded with PFC's if the project cannot be adequately justified. I believe these changes are important in order to preserve the integrity of the passenger facility charge program, which provides airports with a much needed revenue source.

Also of importance to commercial airlines, this bill requires the Department of Transportation to complete a rulemaking within 1 year of the enactment of this legislation to determine whether and how much the random drug testing rate for safety and security sensitive airline employees should be reduced. If such a rulemaking is not completed within the specified time, the random drug testing rate shall be automatically reduced from 50 to 25 percent. The aviation community has long called for such a reduction, especially since the Department of Transportation's own internal random drug testing rate was reduced several years ago to 25 percent. This type of reduction would save the airlines millions of dollars a year. It is also worth nothing that the Commission to Ensure a Strong Competitive Airline Industry recommended that a reduction in the random drug testing rate be studied.

The bill contains several other legislative provisions which I fully support, including a fixed term for the FAA Administrator and a mandatory study of the high density rule.

Finally, I strongly urge my colleagues to pass this important piece of legislation. It clearly reflects a bipartisan effort. It is well reasoned in its approach. It has the support of the airport and aviation community. It deserves the support of all my colleagues here today.

□ 1320

Mr. CLINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to join my chairman in strong support of H.R. 2739, the Aviation Infrastructure Investment Act. I would start by saluting my chairman, who is one of the preeminent leaders in aviation matters in this country, and has fashioned here, I think, a very thoughtful, excellent bill, taking into account the concerns of all in the industry, and it has been a real pleasure to work with him.

I would also thank him for the extreme generosity which he has always shown to the members of the minority as full partners in fashioning this piece of legislation, and in other matters which we have dealt with as partners over the years.

Mr. Chairman, H.R. 2739 is a straightforward 3-year reauthorization of the Federal Aviation Administration's Airport Improvement Program [AIP], as has been indicated, and makes no significant policy changes. It does contain a couple of dozen provisions that I would characterize as a refinement.

Examples of these include a prohibition on airports collecting passenger facility charges from passengers traveling on frequent flyer tickets, a bone of contention for some time; establishing a 5-year term for the FAA Administrator, which the gentleman from Minnesota [Mr. OBERSTAR] mentioned; directing DOT to study and make recommendations on the need to continue with the high-density rule; and a provision prohibiting DOT from taking slots away from U.S. carriers in order to accommodate foreign carriers at our high-density airports, unless the foreign country provides equal access to U.S. carriers.

It has already been mentioned that the Airport Improvement Program is entirely funded out of the Aviation Trust Fund, which gets its receipts through taxes levied on airline tickets and aviation fuel. The program does not, repeat, does not rely on general tax revenues. It is in every sense a user-supported program, much the same way as gasoline taxes underwrite our Federal highway construction program.

They are consistent, I would say, with the traditional treatment of this bill in this Congress. There are no earmarks, no set-asides, for specific airports in this bill. That has been a longstanding policy of our committee.

I am not going to describe the bill. The chairman, the gentleman from Minnesota [Mr. OBERSTAR] has done a superb job at describing all of the provisions in the bill, but I would like to mention two items, the first of which I feel will be of immeasurable help to small community airports.

Under current law commercial service airports enplaning 10,000 or more passengers receive at least $400,000 annually from the Aviation Trust Fund. This bill would increase that minimum entitlement to $500,000.

I represent, as do many in this body, a rural district comprising or encompassing 15 counties. Virtually every airport in or near my district is served by a commuter airline picking up or dropping off 20 to 30 passengers at a time. Needless to say, the magnitude of the traffic, the relatively small number of passengers enplaning, the limitation on the fact that we cannot really make a lot of money from landing fees or long-term parking concessions, means that they really have limited resources to address the needs that they have, so they are almost totally reliant and rely upon AIP grants for capital improvements.

Let us face it, airports are a very expensive proposition, no matter their size. It does not matter where you are building it, they cost a lot of money. Relatively mundane items such as runway lights, repaving taxiways, repairing or improving terminal buildings, easily run into hundreds of thousands, if not millions, of dollars.

Small airports are constantly being challenged by the need to maintain and update their plant, and finding the resources to make such improvements. That is why I think increasing this minimum entitlement is so important to the many, many small airports around this country that rely upon AIP for their funding.

The second issue I wanted to bring to Members' attention is the effort of some cities to divert, and I underscore what the chairman has already mentioned, the effort by some cities to divert airport-generated revenues into their own coffers; collect money from citizens all over the country to be used only in the city where the airport happens to be located. I think fundamental to our system of airways and airports is the notion that it is a national system.

The Federal Government, in partnership with local governments, has played a major role building a system of airports through the Aviation Trust Fund, with its collection and disbursement of airline ticket taxes and aviation fuel taxes.

The role played by local governments, though, is usually limited, and I think rightly limited, to ownership and management in lending their credit ratings to help airports raise capital in the credit market. Rarely do local governments actually contribute local tax revenues to support an airport's operation.

Unfortunately, Mr. Chairman, local governments are beginning to look upon airports as a source of revenue, as a cash cow, to support local needs such as public education and fire and police services. This, I think, breaks faith with what we have traditionally recognized as a source of funding to create a national system.

In one instance a large city is currently attempting to triple its landing fees charged to commercial air carriers using the excess revenues for general government purposes. If the city is successful in this instance, it will open up, I think, a Pandora's box. It will open up all airports across the country to the same sort of raids on their cash flows.

The consequence of this scenario is chilling. The cost of flying will rise dramatically, at a time when they really cannot afford to do that. Fewer people will fly, and air carriers will pare back their services and employees, so language has been inserted in this bill directing the Secretary to consider whether cities are attempting to shift revenues off-site.

If the Secretary makes such a finding, then it could be used as a factor against awarding discretionary grants to the airports. Such a finding would not have any bearing whatever, and I have to underscore this, would not have any bearing whatever on an airport's annual entitlement program as compared with the discretionary funds.

Finally, I would just join with my leader, the gentleman from Pennsylvania [Mr. SHUSTER], ranking member of the full committee, in indicating our dissent from section 207 of the bill stipulating that employees of Washington's National and Dulles Airports should be covered by the National Labor Relations Act and its governing collective bargaining positions, because this is unique to this airport.

Mr. Chairman, this is a good bill. By and large, I think it seeks to build on the accomplishments we have achieved, and to be sure that we continue to have safe, efficient airport and airway facilities for future generations.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. BARLOW). The time of the gentleman from Pennsylvania has expired.

The Chair would state that 10 minutes of general debate is controlled by the Committee on Ways and Means.

At this point the Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI] for 5 minutes, and the gentleman from Texas [Mr. ARCHER] for 5 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 2739, the Aviation Infrastructure Investment Act of 1993, including the Ways and Means Committee amendment.

H.R. 2739 authorizes needed funding for the development of our Nation's aviation system. It funds programs that are essential to improving the safety of air travel, increasing the capacity of our aviation system, and reducing congestion at our Nation's airports. It recognizes the critical role that our airports and airways play, as part of our Nation's overall transportation system, in allowing us to compete successfully in the global economy. And, importantly, the programs established by H.R. 2739 will generate economic development and provide much-needed jobs for Americans who desperately want to work.

The Ways and Means Committee amendment is necessary to make this bill work. It extends authority to spend out of the Airport and Airway Trust Fund and allows expenditures to be made for the purposes envisioned by the Committees on Public Works and Science, Space, and Technology. The Committee on Public Works asked us to provide this amendment because, without it, expenditures generally could not be made out of the trust fund for the purposes contemplated by the bill. Thus, it was necessary that the Ways and Means Committee amendment be incorporated into the authorization bill.

Mr. Chairman, I believe that H.R. 2739 is important for the safety of the traveling public, for the development of our country's airports and airways, for global competitiveness, and for economic stimulation and job creation. I strongly urge support for H.R. 2739, including the Ways and Means Committee amendment.

For purposes of legislative history, I am entering into the RECORD an explanation of the Ways and Means Committee amendment to H.R. 2739.

EXPLANATION OF WAYS AND MEANS COMMITTEE AMENDMENT TO H.R. 2739 (AVIATION INFRASTRUCTURE INVESTMENT ACT OF 1993)

I. LEGISLATIVE BACKGROUND

H.R. 2739 ("Aviation Infrastructure Investment Act of 1993") was reported by the House Committee on Public Works and Transportation on September 14, 1993 (H. Rept. 103–240). The bill, as reported, amended the Airport and Airway Improvement Act of 1982 (as amended in 1987, 1990, and 1992) to provide airport and aviation program authorizations for the Department of Transportation and the Federal Aviation Administration (FAA) (other than research and development (R&D) for fiscal years 1994, 1995, and 1996). (H.R. 2739 modifies existing authorizations for fiscal years 1994 and 1995, and adds authorizations for fiscal year 1996.)

The House Committee on Science, Space, and Technology reported H.R. 2820 ("Federal Aviation Administration Research, Engineering, and Development Authorization Act of 1993") on August 31, 1993 (H. Rept. 103–225). H.R. 2820 provides authorizations for FAA R&D programs for fiscal years 1994, 1995, and 1996. The Committee on Science, Space, and Technology expects to offer the provisions of H.R. 2820 as an amendment to H.R. 2739, when H.R. 2739 is considered by the House. (H.R. 2820 modifies existing R&D authorizations for fiscal year 1994, and adds R&D authorizations for fiscal years 1995 and 1996.)

The Committee on Public Works and Transportation requested that the Committee on Ways and Means provide a conforming amendment to the Airport and Airway Trust Fund ("Trust Fund") provisions in the International Revenue Code (sec. 9502) to reflect the proposed authorizations from the Trust Fund. The Committee on Ways and Means approved a committee amendment by voice vote on October 6, 1993, and the amendment is to be offered as a separate title to H.R. 2739.

II. EXPLANATION OF COMMITTEE AMENDMENT

PRESENT LAW—AVIATION EXCISE TAXES; TRANSFER OF REVENUES TO THE AIRPORT AND AIRWAY TRUST FUND

Aviation Trust Fund taxes.—Under present law, aviation excise taxes for the Trust Fund are imposed as follows: 10-percent air passenger ticket tax; 6.25-percent air cargo tax; $6.00 per person international departure tax; and, fuels taxes for noncommercial aviation (15-cents-per-gallon tax on gasoline and 17.5-cents-per-gallon tax on jet fuel). These Trust Fund taxes are scheduled to expire after December 31, 1995.

The Omnibus Budget Reconciliation Act of 1990 ("1990 Act") provided for increases in the air passenger tax from 8 percent to 10 percent, the air cargo tax from 5 percent to 6.25 percent, the gasoline tax for noncommercial aviation from 12 cents to 15 cents per gallon, and the jet fuel tax for noncommercial aviation from 14 cents to 17.5 cents per gallon. Under the conference agreement for the 1990 Act, the revenues from these increases in the aviation taxes were to be retained in the General Fund through December 31, 1992, and to be transferred to the Trust Fund for 1993–1995.[1] For 1993–1995, all of the above aviation excise tax revenues are to be credited to the Trust Fund.

Other taxes on aviation fuels.—Currently, there is also a tax of 0.1 cent per gallon imposed on all aviation fuels (commercial and noncommercial), which is deposited in the Leaking Underground Storage Tank Trust Fund (through December 31, 1995, when this tax is scheduled to expire). In addition, the Omnibus Budget Reconciliation Act of 1993 ("1993 Act") imposed a permanent 4.3-cents-per-gallon tax (beginning on October 1, 1993) on noncommercial aviation fuels, to be retained in the General Fund. Effective on October 1, 1995, commercial aviation fuels will be subject to the 4.3-cents-per-gallon General Fund tax.

TRUST FUND EXPENDITURE PURPOSES

The present Trust Fund statute (Code sec. 9502(d)) authorizes amounts to be paid out of the trust Fund for obligations incurred under the previous airport and airway authorization Acts from 1970 to 1992 (as those Acts were in effect on the date of enactment of the Airport and Airway Safety, Capacity, Noise Improvement and Intermodal Transportation Act of 1992). Also, amounts are authorized to be paid out of the Trust Fund for obligations incurred under the Federal Aviation Act of 1958, as amended, which are attributable to planning, research and development, construction, or operations and maintenance of (1) air traffic control, (2) air navigation, (3) communications, or (4) supporting services for the airway system.[2] In addition, administrative expenses of the Department of Transportation attributable to Trust Fund-related activities described above are authorized from the Trust Fund. Trust Fund expenditures currently are authorized through September 30, 1995.

PROPOSED AIRPORT AND AIRWAY TRUST FUND AUTHORIZATIONS FOR FISCAL YEARS 1994–1996 UNDER H.R. 2739 AND H.R. 2820, AS REPORTED

TRUST FUND AUTHORIZATION AMOUNTS

H.R. 2739, as reported by the Committee on Public Works and Transportation, and H.R. 2820, as reported by the Committee on Science, Space, and Technology, would provide total trust Fund authorizations of $6.7 billion for fiscal year 1994, $6.9 billion for fiscal year 1995, and $7.1 billion for fiscal year 1996, as compared to $6.7 billion for fiscal year 1993.

Table 1 shows the Trust Fund authorization amounts for fiscal year 1993 under present law and for fiscal years 1994, 1995, and 1996 under H.R. 2739 and H.R. 2820, respectively, as reported.

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[1] Footnotes at end of article.

TABLE 1.—AIRPORT AND AIRWAY TRUST FUND PROGRAM AUTHORIZATIONS, FISCAL YEARS 1993–1996

[In millions of dollars]

Program	Present law 1993	Projected— 1994	1995	1996
H.R. 2739				
Airport improvement program [AIP]	1,800	2,105	2,161	2,214
Facilities and equipment [F&E]	2,350	2,524	2,670	2,735
Operations and maintenance [O&M]	2,279	1,725	1,745	1,803
Small community air service	39	39	39	39
Rental payments—GSA lease	30	37	38	39
Subtotal	6,498	6,430	6,653	6,830
H.R. 2820				
Research, engineering, and development	230	250	275	302
Total trust fund	6,728	6,680	6,928	7,132

These authorizations are subject to appropriations. Thus, the amounts actually spent on aviation programs could be smaller than the amounts shown above. The uncommitted balances in the Trust Fund at the end of fiscal years 1994, 1995 and 1996, respectively, will depend upon the amounts actually appropriated and the Trust Fund revenues actually received. Further, the uncommitted balance in fiscal year 1996 will be affected by whether or not (and at what level) the Trust Fund taxes are extended beyond their current expiration date of December 31, 1995.

MODIFICATION OF TRUST FUND EXPENDITURE PROGRAMS

Limit on FAA operations amounts.—As reported, H.R. 2739 would reduce the current overall limit on Trust Fund financing of the FAA budget from a maximum of 75 percent to 70 percent for each fiscal year. Further, the Trust Fund amount for FAA operations and maintenance could not exceed 50 percent of the amounts appropriated each year for airport improvements, airway facilities and equipment, and research and development. (The intent of this provision is to limit the portion of Trust Fund spending to approximately one-third for FAA operations and maintenance (O&M) and two-thirds for FAA's capital-related programs (AIP, F&E, and R&D).)

Airport equipment.—As reported, H.R. 2739 would clarify (specify) that security equipment eligible for AIP funding includes explosive detection devices and universal access systems.

Noise abatement program.—As reported, H.R. 2739 would make permanent the existing authorization for soundproofing of certain residential buildings.

REASONS FOR CHANGE

The Committee on Ways and Means considers it important to continue to allow expenditures to be made from the Trust Fund to maintain and expand the Nation's airport and airway system and to improve aviation safety. The committee amendment extends the Trust Fund expenditure authority through fiscal year 1996 to reflect the Trust Fund authorization programs contained in H.R. 2739 and H.R. 2820.

EXPLANATION OF PROVISION

The committee amendment provides conforming amendments to the Trust Fund statute (code sec. 9502(d)) to (1) extend authority to make expenditures from the Trust Fund from October 1, 1995 through September 30, 1996 (fiscal year 1996), and (2) allow expenditures from the Trust Fund for the purposes provided in H.R. 2739 and H.R. 2820.

Effective date.—The committee amendment is effective on the date of enactment.

FOOTNOTES

[1] 1990 Act Conference Report (H.Rept. 101-964), pp. 1054–1055. However, due to a statutory drafting omission in the 1990 Act, revenues from the increases in the air passenger and air cargo taxes initially were not retained in the General Fund through 1992 as intended in the conference agreement. A technical correction was enacted in 1992 (P.L. 102-581) to reflect the intent of the 1990 Act conference agreement, and the appropriate fund adjustment was made.

[2] The Airport and Airway Trust Fund expenditure programs authorized under present law include: (1) the airport improvement program (airport planning, airport construction and repair, certain airport terminal facilities, land acquisition, airport-related equipment, airport noise abatement, and interactive training programs); (2) airway facilities and equipment (FAA air navigation facilities); (3) research, engineering, and development; (4) operations and maintenance (FAA air controller system); (5) small community air service ("essential air service" for certain small communities); and (6) grants to up to four vocational institutions for the acquisition of facilities for the advanced training of maintenance technicians for air carrier aircraft.

□ 1330

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The time controlled by the Committee on Ways and Means is considered as having been used or yielded back.

Mr. OBERSTAR. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. SANGMEISTER].

Mr. SANGMEISTER. Mr. Chairman, I thank the gentleman for yielding this time to me.

First of all, let me thank full committee Chairman MINETA and Aviation Subcommittee Chairman OBERSTAR, as well as ranking members, BUD SHUSTER and BILL CLINGER, for their hard work and fairness in bringing this bill to the floor.

I rise in support of H.R. 2739 and urge Members to vote for its passage. I would like to take a moment, though, to address an issue of the utmost importance to the Chicago region and, for that matter, the entire aviation industry. I am speaking of the proposed development of a third major airport to serve the Chicago area.

Like most in this Chamber, I support the AIP Discretionary Grant Program. I believe it makes sense to give FAA leeway in determining which airports receive funds—they are the experts. It also is designed to take politics and pork out of the picture when disbursing limited airport funds. However, recent actions by FAA raise serious concerns about the decisionmaking process used in awarding or denying these grant moneys. It seems that FAA has taken its "discretionary" role to new levels. Let me explain.

In January of this year, the State of Illinois was allocated $2 million under the AIP Program to prepare a master plan and environmental assessment for development of a third airport in the south suburban area of Chicago. This allocation, in effect, set aside the funds and laid out certain requirements that had to be met before they were released. For months, the State of Illinois worked diligently to meet all of these requirements—the most important one being that they would "continue to work with all parties and communities to achieve regional consensus regarding its preferred site." The State of Illinois provided documentation of its efforts and, again, met the requirements laid out in the original allocation.

Last week, however, the FAA decided to change the rules in the middle of the game—or, I should say, with 1 second left on the clock. FAA withdrew the $2 million allocation on September 30, the last day of fiscal year 1993. In a written statement they rationalized this action by saying that regional consensus had not been achieved. The only problem is, this never was a requirement for release of the funds. The only burden on the State of Illinois regarding "regional consensus" was that they had to work to achieve it. FAA played a card that wasn't even in the deck when the game began. That, my colleagues, is unfair and in my view poses some serious questions that I want addressed.

I would like to stress at this point that I do not think Congress should get involved in micro-managing the AIP Discretionary Grant Program by setting the requirements for grants. However, as a member of the committee with oversight of the AIP Program, I strongly believe that Congress should make sure FAA is living up to its commitments to grant applicants. FAA should not be allowed to pull the rug out from under applicants who work in good faith and meet all the requirements of allocation agreements.

Again, this episode raises some serious questions that FAA must address and at the proper time ask unanimous consent to have included in the RECORD by October 5, 1993, letter to FAA Administrator David Hinson.

First of all, is this "regional consensus" requirement going to be applied to all AIP grant applications? If so, I would be interested in knowing how such a vague standard would be implemented. If its not going to be applied to all applicants, then one would think that, at the very least, it should be applied to all AIP grants in the Chicago area—last week's action has shown us that FAA is very concerned with the need to show consensus on airport projects in this area.

I bring it to the committee's attention, though, that this has not been the case. FAA has approved a request from the city of Chicago to do a new master plan for O'Hare International Airport—without the consensus of the States of Illinois or Indiana. Mr. Chairman, this is obviously a double standard, one that, I believe, raises questions about how the AIP Program is being run.

To be sure, there is always plenty of room for disagreement over airport improvements and expansions. The Federal Government, through the AIP Program, should be the catalyst for helping communities work through these differences so that needed infrastructure improvements can go forward. I am sure we can all agree that FAA should live up to its commitments to applicants, regardless of what political party controls the executive branch. I thank the gentleman for this time and assure the leadership of the Public Works and Transportation Committee that I will be providing them a copy of FAA's response to my inquiry.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 5, 1993.

Mr. DAVID HINSON,
Administrator, Federal Aviation Administration, Suite 1010, Washington, DC.

DEAR MR. HINSON: In am writing in regard to FAA's recent decision not to release the $2 million in previously approved Airport Improvement Program (AIP) funds to study a third major airport for the Chicago area. I am concerned that the decision to tie any planning funds for this project to a showing of "regional consensus" not only reverses the terms of the original grant allocation, it sets a troubling precedent.

It is my understanding that the applicant, the State of Illinois, has satisfied all terms of the original allocation. However, FAA has now changed the terms of that agreement by tying any planning funds for this project to a showing of regional consensus between the States of Illinois and Indiana and the City of Chicago. This is an obvious departure from the original agreement, which simply required that the State of Illinois pledge "to continue to work with all parties and communities to achieve regional consensus regarding its preferred site."

The first question I would like answered is: what is FAA's definition of "regional consensus" in this particular case? Does FAA's decision not to award these funds mean that the City of Chicago and the States of Illinois and Indiana must agree on a *site* for a third airport or simply the need for a third airport? As I am sure you know, a great deal of time and money has been invested in the planning process for this project. I need to know if these efforts are meaningless without the City of Chicago's approval of a specific site.

The other question I would like answered is whether this new "showing of regional consensus" standard will be applied to all future AIP discretionary grant applications. If so, I would like to know FAA's plans for implementing this policy. If not, I would like to know the Department's justification for singling out this particular application.

I would appreciate your prompt attention to this matter and look forward to hearing from you soon.

Sincerely,

GEORGE E. SANGMEISTER,
Member of Congress.

cc: Chairman Norman Mineta, House Committee on Public Works and Transportation; Chairman James Oberstar, House Subcommittee on Aviation.

Mr. CLINGER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. KIM], a member of the committee.

Mr. KIM. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of this important, bipartisan legislation. As a member of the Aviation Subcommittee and having helped shape this measure, I believe that by and large this is a good bill that represents a sound investment in American's airports and airways. It's the kind of constructive, affordable progress the American public wants to see from Congress.

The 3-year reauthorization of the Airport Improvement Program will help direct stable, long-term investment in airports across the Nation, including many in southern California. Funding for these improvements comes mostly from the Aviation Trust Fund, a special account entirely supported by aviation consumer user fees like passenger ticket, freight waybill, international department and jet fuel taxes.

These aviation taxes have already been collected as evidenced by the $4 billion uncommitted surplus in the Aviation Trust Fund. They cannot be used for anything else. Therefore, these aviation infrastructure improvements do not add to the deficit. We are simply fulfilling the promise made to the taxpayer to put those already collected monies to work upgrading our Nation's air services.

These improvements will help stimulate new job creation and economic growth around the country at no new cost to the taxpayer. Through continued modernization of our air transportation system, we help ensure our economic leadership in today's and tomorrow's increasingly interdependent and competitive global market.

For example, Ontario International Airport—an important transportation hub in California's rapidly growing inland empire—is undergoing a major expansion and modernization program which includes the construction of a new passenger terminal to meet current and future growth. Just last week, an $11 million Federal down payment on the apron and enplanement infrastructure was made. A $22 million letter of intent is pending with the FAA. All this is possible because of the AIP we are reauthorizing today.

This legislation also sets aside 10 percent of the AIP for improvements to small reliever airports, like those in Chino and Upland, CA. Unlike major airports, they cannot rely on airlines and concession fees for supplemental income. The AIP is their primary resource for safety and other needed improvements.

This bill also responsibly addresses a number of smaller, but locally significant, problems. For example, it includes a provision I added that helps provide relief to Orange County residents adversely affected by aircraft noise coming from the new flight patterns at John Wayne International Airport. These flight path changes were made by the FAA for safety reasons. I am encouraged that John Wayne will now be able to compete for noise mitigation funds just like other airports around the country. This is a win-win measure as it helps improve safety at the airport while positively addressing the quality of life concerns raised by John Wayne's neighbors.

While not a perfect bill, this is a positive measure deserving support. It is product of careful, bipartisan work on the Public Works Committee. I want to commend Chairman MINETA, RANKING member SHUSTER, Subcommittee Chairman OBERSTAR and Subcommittee ranking member CLINGER for their leadership in directing the responsible measure. I urge my colleagues to join me in voting for H.R. 2739.

The CHAIRMAN. The Committee on Science, Space, and Technology controls 20 minutes of the time.

The Chair recognizes the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, for the purpose of debate, I yield 10 minutes of that time to the ranking member of our subcommittee, the gentleman from Florida [Mr. LEWIS], and I ask unanimous consent that he be allowed to yield portions of that time.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There is no objection.

Mr. VALENTINE. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I rise in support of title III of H.R. 2739 which was reported from the Committee on Science, Space, and Technology as H.R. 2820. I speak as chairman of the Subcommittee on Technology, Environment and Aviation which reported H.R. 2820 and as the Member who introduced that bill.

Title III authorizes appropriations for the FAA Research, Engineering and Development for fiscal years 1994, 1995, and 1996. This legislation has been thoroughly reviewed and has widespread support. We held hearings and received testimony from some of the most knowledgeable people in aviation. Before considering this legislation we had meetings with universities, industry, and the FAA as well.

For the past several years, the committee has requested that FAA submit a research budget that would be sufficient to address the safety and capacity issues facing the aviation community. The committee is pleased that the administration now has begun to place increased emphasis on the research program. The administration's fiscal year 1994 request is equivalent to the committee's authorization of $250 million. We look forward to working cooperatively with the administration as we strive toward continuous improvement in our air traffic control system.

For fiscal year 1994, H.R. 2739 replaces the $336 million authorization level contained in Public Law 102–581, to reflect the amount requested by the administration. The authorized level of $250 million is $20 million above the fiscal year 1993 appropriated level. The bill authorizes for fiscal years 1995 and 1996, $275 million and $302 million for FAA Research, Engineering and Development.

These additional funds would come from the Airport and Airway Trust Fund and be used for research, engineering and development, and demonstration projects and activities. Portions of the funding would be used to establish two new programs—a research and development program to enhance the competitiveness of the U.S. aviation industry and an aircraft cabin air quality research program. Finally, the bill would impose "made in America" requirements for all funded projects.

I urge my colleagues to support this legislation.

Mr. Chairman, I reserve the balance of my time.

□ 1340

Mr. LEWIS of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I strongly support H.R. 2739.

The Federal Aviation Administration's research authorization before the House represents a strong bipartisan effort to enhance the Agency's research programs.

The legislation mandates that FAA establish a long-term research program in cabin air quality.

Airplane cabin air quality has not shown to be harmful. However, that is the heart of the problem. The potential transmission of diseases by bacteria and viruses has never been studied scientifically.

In 1979 an outbreak of flu occurred, infecting 72 percent of the passengers on a commercial aircraft that was delayed on the ground for 3 hours.

In 1981 and in 1982 outbreaks of measles occurred among international passengers who flew to the United States.

Currently, the Centers for Disease Control is involved in four separate investigations on the possibility of the transmission of tuberculosis in the cabin air environment.

The author of the only scientific study of the airline cabin environment testified that "* * * further research should be done to investigate links between reduced ventilation rate and potential for increased transmission of infections or diseases."

A similar request was made by flight attendants.

In response to all this information FAA admitted that such research had never been conducted.

The legislation mandates that FAA study the cabin air quality. If there is a problem, it should be addressed before major health problems occur.

On the other hand, if the cabin air quality and disease transmission are not problems, then FAA will have a scientific database on which to base future decisions.

The FAA R&D authorization also contains a provision requiring the Agency to establish a joint dual-use aviation research and development program.

One solution that addresses the decreasing defense technology base and, at the same time enhances U.S. aviation competitiveness, is the Joint Aviation R&D program.

The program calls for the establishment of a joint FAA-Federal Agency aviation research and development program, which will be conducted by grants to industry.

The intent is to assist the defense sector in making the transition to civilian sector. This would preserve both the high technology involved and the jobs.

Moreover, the technologies developed could be used by industry to improve U.S. aviation competitiveness, which would benefit all taxpayers.

This approach utilizes the expertises of FAA, with its long history of joint DOD–FAA industry projects, that has produced many commercially viable technologies. To be successful, a joint program must be industry led.

In order to make advancements in aviation safety and to develop future technologies, FAA must have a strong research program.

This authorization before the House accomplishes that goal.

I want to thank Chairman BROWN, and ranking Republican member, Mr. WALKER, for their leadership and support of the FAA research programs.

I also want to thank subcommittee chairman, Mr. VALENTINE, for his willingness to work in a bipartisan manner to draft the authorization legislation and to include and support the provisions I discussed earlier.

Finally, I want to thank Public Works chairman, Mr. MINETA, and ranking member, Mr. SHUSTER, for their willingness to work with the Science Committee to include the research provisions in the legislation before the House.

I also want to thank the subcommittee chairman, Mr. OBERSTAR, and ranking member, Mr. CLINGER, for their leadership.

Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. VALENTINE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. CLINGER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. MCKEON], a member of the subcommittee.

Mr. MCKEON. Mr. Chairman, I thank my colleague for yielding time to me.

Mr. Chairman, subsection "C" of section 105 of H.R. 2739 designates funding for infrastructure improvements at current and former military airports. This program increases system capacity by encouraging joint-use agreements at military airports and promoting civilian use of former military airports. Currently, there are 12 airports which the Federal Aviation Administration has designated for this program. Under H.R. 2739, this number would be increased to 16.

Mr. Chairman, Palmdale Regional Airport, which is located in my district, and has operated under a joint-use agreement since 1990, has sought FAA designation under this program. I know that members of the Aviation Subcommittee, including our chairman, Mr. OBERSTAR, have visited this facility and realize that it meets the criteria for inclusion under section 105. The military airport set-aside is especially timely in this era of defense conversion, and I was pleased that Norton Air Force Base, which is represented by our California colleague, Mr. LEWIS, was the first California installation selected to this program.

Mr. Chairman, Palmdale Airport, which is situated in an area dominated by aerospace, should also be included as part of this ongoing effort to ensure successful civilian use of military airports. I look forward to continuing to work with the Aviation Subcommittee and the FAA on this issue, and urge my colleagues to support this legislation.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. VISCLOSKY].

Mr. VISCLOSKY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I would call your attention to page 16 of House Report 103–240, which accompanies H.R. 2739, the Aviation Infrastructure Investment Act of 1993.

This section of the committee's report encourages a $2 million Federal grant to the Illinois Department of Transportation for a study of the south suburban area of Chicago, IL, for the Chicago metropolitan region's third major airport. I am strongly opposed to the release of any Federal moneys to the State of Illinois by the FAA for the purpose of site selection for a third Chicago airport because any money spent without the consensus of the State of Indiana, the State of Illinois, and the city of Chicago will be completely wasted.

As you know, the site selection for a third Chicago airport has been debated and studied for many years. The tristate site selection process, which originally included the State of Wisconsin, led to the bistate site selection process when all proposed sites had been narrowed down to those within the States of Indiana and Illinois. After more than 7 years and the expenditure of more than $7 million, no ground has been broken and no airport is being built.

Mr. Chairman, I am specifically concerned about language in the second paragraph under item No. 3, "New Chicago Airport," which states:

> The Committee * * * encourages the Secretary [of Transportation] and the FAA Administrator to take all necessary steps to ensure that the release of this $2 million award is carried out within 30 days after the enactment of this legislation.

On September 30, 1993, the FAA notified the Illinois Department of Transportation that it was withdrawing the conditional allocation of the $2 million for this study made in the final days of the Bush administration. I will include a copy of this FAA letter for printing in the RECORD.

Mr. Chairman, I realize that the committee filed its report on September 14, 1993—more than 2 weeks before the FAA sent its letter to the Illinois Department of Transportation. Thus, I would ask for clarification that, in light of the September 30 FAA letter, the committee recognizes that since fiscal year 1993 has ended, these funds can no longer be released. Finally, I would like clarification that it remains the committee's position that, before any further grant award is made to the State of Illinois for the purpose of developing an air carrier airport in the south suburban area of Chicago, IL, the State of Illinois, the city of Chicago, and the State of Indiana should continue to work to achieve regional consensus regarding a proposed site for this project.

U.S. DEPARTMENT OF TRANSPORTATION,
Des Plaines, IL, September 30, 1993.

Hon. KIRK BROWN,
Secretary, Illinois Department of Transportation, Springfield, IL.

DEAR SECRETARY BROWN: On January 19, 1993, the Federal Aviation Administration conditionally approved an allocation of $2,000,000 in fiscal year 1993 Airport Improvement Program funds to prepare an airport master plan and environmental assessment (Phase 2A) for the development of an air carrier airport at a site located in the south suburban area of Chicago, Illinois.

I am writing to inform you that we have concluded that it is necessary to withdraw the allocation at this time.

I want to express our appreciation for your cooperation. If you have any questions, please feel free to contact me.

Sincerely,
LOUIS H. YATES,
Manager,
Chicago Airports District Office.

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Mr. OBERSTAR. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the gentleman has stated the issue essentially correctly. The committee report language does state very clearly that the Secretary should first determine that the State of Illinois is attempting to work with all interested parties and affected communities to achieve regional consensus regarding the proposed site.

In consultation with my colleagues from Illinois on the subcommittee, there is a clear consensus that all parties should be consulted and that there should be a continual effort working toward regional consensus.

Mr. VISCLOSKY. Mr. Chairman, I thank the gentleman.

Mr. CLINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. BUYER] for purposes of engaging in a colloquy with Chairman OBERSTAR and myself.

Mr. BUYER. Mr. Chairman, I rise today to bring to the attention of the committee a difficulty that has developed regarding the interpretation of regulations at the Federal Aviation Administration with regard to the designations of primary airports.

For that reason, Mr. Chairman, I wish to entertain a colloquy with the gentleman from Minnesota [Mr. OBERSTAR] and the gentleman from Pennsylvania [Mr. CLINGER].

For the last 3 years, Kokomo Airport in my district in Indiana has received the designation as a primary airport for the purpose of participation in the Airport Improvement Program. Now the FAA has changed its mind and claims that it made a mistake with the original classification as a primary airport in 1990. An airport just outside my district in Anderson which is in the district of the gentleman from Indiana [Mr. SHARP] is similarly affected, and any negative repercussions would be strongly felt in the entire area.

While I am concerned for my local community, I am also concerned that this is another blow to rural America. Here is another barrier to rural America's economic well-being that is not felt by our urban areas, who are much better placed to seek alternative sources of funding, not only for airport services, but also general economic development. This interpretation on the part of the Federal Aviation Administration is another governmental roadblock on rural areas that large cities do not encounter.

I am also concerned that this is discriminatory in that the users of small airports contribute to the Airport Improvement Program through the payment of aviation fuel taxes, yet they do not receive the comparable access or availability of funds as do other end users.

This removal of the designation as a primary airport will have negative consequences to the Kokomo Airport and the surrounding community. I am concerned over the airport's continued capability to maintain and improve needed aviation services. I am also concerned over the ability of the airport to serve as a drawing card for economic development. Kokomo Airport is used extensively by one of the largest employers in the community, that being Delco Electronics, a subsidiary of G.M. We also have Chrysler there in Kokomo.

I recognize that these two airports in Indiana may not be the only ones impacted by this situation. I have only recently learned that administrative remedies that were pursued at the Department of Transportation have been denied. Therefore, I am hopeful that the Committee will look into the definition of revenue passenger, its use in determining primary airports under the Airport Improvement Program, and what relief might be available to small airports that nonetheless have significant passenger movements, not only in my district in Indiana, but also across this country.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. BUYER. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, the gentleman has raised a very important issue here. It is unique in his circumstance, but not unique in the whole country. There are other airports, and we do not know the extent of the question, there are other airports in a similar situation.

While the fuel tax yields less than 1 percent of the total revenues into the Aviation Trust Fund, there should be a means—it is 5 percent, less than 5 percent let us say, into the trust fund, there should be a way that we can accommodate the gentleman's concern in order to assure that the Komomo Airport, which is making a contribution to air travel but in a different way, participate more fully in the Aviation Improvement Program.

With my colleague, the gentleman from Pennsylvania, we will be glad to work with the gentleman and the FAA to come to perhaps a happier resolution of this matter.

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. BUYER. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, I just would indicate that I share the gentleman's concern. I appreciate the gentleman bringing this matter to our attention.

Coming from a rural area, I can appreciate what the gentleman is raising here. I think it is an important issue and we look forward to working with the gentleman to try to resolve this.

Mr. BUYER. Mr. Chairman, I thank both gentlemen and look forward to working with them.

Mr. OBERSTAR. Mr. Chairman, I yield 3½ minutes to the gentleman from Illinois [Mr. LIPINSKI].

Mr. LIPINSKI. Mr. Chairman, I would like to comment on some of the things said by my friends and colleagues, the gentlemen from Illinois and Indiana.

I have worked with the gentleman from Illinois throughout this reauthorization in an attempt to resolve this regional issue. While I certainly look forward to working with him in the future, Mr. VISCLOSKY raises a point here today that deserves my support.

Although we are talking about spending Federal money, this is really just a regional issue. Other than the Federal Government, the three units of Government involved are: The city of Chicago, the State of Illinois, and the State of Indiana. All three will be significantly impacted by the construction of a third Chicago airport.

This impact will be felt whether or not the airport is built in Peotone.

The Governor of Illinois is up for reelection and wants to build an airport so that he can say to the voters, "Hey, look what I can do. I can bring Federal money back to the State of Illinois."

The problem with the Governor's plan is that we in this House must also answer to the voters. We must be able to defend how we spend the taxpayers' money. We must make good decisions, based on sound data and not on political whim.

I opposed the $2 million grant award for one very simple, straightforward reason: There is no need to build a third airport in the Chicago Metropolitan Area. It would be a waste of money to build—or even study the building—of such a facility.

Chicago is home to two of the Nation's premier airports: Midway Airport and O'Hare International. These facilities serve as international gateways and hub facilities for major carriers and regional airlines. Both airports serve as the economic base for the local community and the entire region. Thousands of jobs depend on the continued vitality of these airports.

Each of these airports have been improved—and will continue to be improved—with Federal dollars. This is because O'Hare and Midway are capable of handling any future increase in air traffic. A third airport would only serve to divert traffic away from these two facilities.

Mr. SANGMEISTER has raised the subject of O'Hare and its master plan—that the FAA should now ensure that the State of Illinois is consulted on—and supportive of—grants to Chicago's airports. After all, he correctly pointed out, the $2 million was denied because the State could not achieve regional consensus on Peotone.

Let me just say that the FAA is completely within the law to approve funding for O'Hare and Midway Airports, without regard to the desires of the State or Governor of Illinois.

O'Hare and Midway are real. They are viable facilities that help this Nation transport its citizens and their goods. The Federal Government is committed to providing the funding necessary to carry out these important missions.

Peotone is fantasy. There is no comparison, legally or otherwise, between grants made to O'Hare and Midway, and the grant for the Peotone study. I think the State of Illinois would do well to remember this fact.

I understand Mr. VISCLOSKY'S motivation for raising this important subject today. I also understand why Mr. SANGMEISTER has felt the necessity to speak out.

All three of us have remained—and will remain—deeply involved in local aviation issues. But, regardless of the committee report, the grant has now been denied. The FAA acted within its rights and saved the taxpayers $2 million that would otherwise have been wasted. I cannot help but join my colleague from Indiana in applauding this action.

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Mr. CLINGER. Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield 2½ minutes to the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. Mr. Chairman, I was prepared to offer an amendment. I understand some concerns by the subcommittee and feel that I can probably address this by making a comment to the committee and to the House at this time. I want to talk about a program administered in Beaver County, PA, in the western part of my district. It has been a program that has successfully trained and placed students in air traffic control towers in good-paying technical jobs and at no cost to taxpayers. Ironically this program now is being pitted against more traditional programs with similar objectives which are completely financed with Federal taxpayer dollars. Now I am convinced the FAA air traffic control college training program can serve as a model for our new era of reinventing Government which can produce greater results while expending fewer resources. It is in the same vein that I would like to express my utter dismay at recent events which would serve to undermine the continued success of the FAA air traffic control college training initiative and an institutional bias against programs which trained qualified air traffic controllers at no cost to the Federal Government. I want to add that now the FAA has continued to keep many of these CCBC graduates on the waiting list for up to 1½ years after initially hiring 33 of these graduates who have distinguished themselves very well in control towers.

Now in order to give these demonstration programs an opportunity to work, Mr. Chairman, employment must be found for these graduates. I understand that some 300 air traffic controllers may be expected to retire this year, opening new opportunities for some of these graduates. Of course, the FAA has the authority to discontinue this former relationship.

As I was saying, the FAA has the authority to discontinue its former relationship with the ATC CTI institutions; however, I cannot imagine the logic behind a decision to drop support for a program which has provided the FAA with well screened, well trained employment candidates and at no cost to the FAA. The Community College of Beaver County program has proven that academic institutions can, without direct financial support from the FAA, prepare students for the air traffic control profession with a level of competence which qualifies them for direct placement into air traffic control positions, and I think this is the direction we want to go.

Mr. OBERSTAR. Mr. Chairman, I yield myself 30 seconds for the purpose of saying I appreciate the gentleman raising this issue. It is our position on the subcommittee that graduates of all the various air traffic controller programs should receive equal consideration for hiring by the FAA on the basis of qualification. There should be no preferential treatment for any particular group, nor should any group be discriminated against because of one or another independent judgment levied by the FAA.

Mr. KLINK. I agree, Mr. Chairman.

Mr. CLINGER. Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, if the gentleman from Pennsylvania [Mr. CLINGER] has no other speakers, I will yield myself such time as I may consume just to make a few concluding remarks. I will then yield back, and then we can proceed under the 5-minute rule.

Mr. CLINGER. Mr. Chairman, I yield back the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in conclusion of general debate I simply want to say that I think the issues have been laid out very thoroughly in discussion on both the Republican side and on our side.

This is a $28 billion investment program in aviation for the next 3 years to enhance and expand the capacity of our air traffic control system, make air travel safer, make it more efficient, reduce cost to the traveling public, keep the airlines operating efficiently and sustain competition, and that is our principal objective, and we urge support for this legislation.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in strong support of H.R. 2739, Aviation Infrastructure Investment Act of 1993, which authorizes the appropriation of funds to improve the Nation's airports and airways. It expands and clarifies much needed language which I proposed and was adopted in 1987 to insure that disadvantaged business enterprises are encouraged to participate as contractors at airports across the country. As former chair of the Government Operations Subcommittee with jurisdiction in this area, the former Government Activities and Transportation Subcommittee, I have followed the ups and downs of our aviation system over the years and I am keenly aware of the importance of investing in the appropriate systems and structures to insure that we retain the most modern and efficient aviation industry in the world. We must continue to provide the appropriate supports to this system which is vital to our Nation's health.

While generally pleased that this bill continues in our tradition of insuring safe air travel for all, I am particularly pleased that the report includes language that expands and clarifies the Disadvantaged Business Enterprise Program as I proposed and was adopted in the Airport and Airway Safety, Capacity and Expansion Act of 1987. The language would permit the airport owner-operator and businesses operating at the airport concessions, including automobile rental and all other consumer products and services, to achieve compliance with the statutory minimum 10-percent goal through direct ownership arrangements with DBE's. Where direct ownership is not practical, the statute provides an alternative means for achieving DBE participation through the purchase of goods and services from DBE firms.

The past administration was particularly slow in publishing proposed regulations on this program. Even though the legislation gave the administration 180 days to promulgate regulations after becoming law, we had to wait until this week for them to be printed in the Federal Register. I hope and expect that the Clinton administration will move more quickly in printing the regulations for H.R. 2739 than the previous administration.

In the report the committee notes that the DBE Program has been hampered by inadequate funding to assist minority contractors to take advantage of potential contracts. The report explains that one of the barriers to this program is the lack of knowledge by many airport sponsors that the costs of DBE Program development and implementation are allowable costs under the Airport Improvement Program [AIP] when they are incurred in connection with approved AIP projects. I am sure that the new Department of Transportation can get the word out. In addition, I am hopeful that the final regulations proposed by the Department of Transportation will make it clear that the same barriers exist for the implementation of DBE programs at airport consumer services and products concessions, such as automobile rental and other consumer services. Clearly funds must be made available so that disadvantaged business enterprises can be made aware of the programs that exist to increase their participation in these contracts.

Mr. Speaker, I once again commend the committee on its fine work and I look forward to working with them and the administration in insuring that the programs included in this bill are administrated effectively. I urge my colleagues to join me in voting in favor of H.R. 2739.

Mr. EWING. Mr. Chairman, I rise to express my strong opposition to the delay of $2 million in funding for a study of a third major regional airport for the Chicago area, to be undertaken in Peotone, IL. The Chicago region is facing two serious aviation constraints which are negatively impacting air travel nationwide. First, O'Hare airport, the world's busiest, is nearing its capacity to handle additional aircraft. Second, operating delays at O'Hare are costing the airlines hundreds of millions of dollars and affecting airline schedules nationwide.

Funding for a study of a third major airport in the Chicago area has been stalled because the Federal Aviation Administration asserts there is no regional consensus for the Peotone site. From the outset of this project, exceptional efforts were made to include all parties impacted by a new airport in the Chicago area. While no site received the complete support of all parties involved, such a consensus could not be realistically expected given the size and impact of this type of project and the diverse makeup of the parties involved in the negotiations for a site.

I find it unfortunate that partisan tactics have won the day over real progress. If the regional consensus is to be the standard against which all major projects of this type are to be judged, then I would expect the FAA apply this same criteria to any expansions of Chicago's O'Hare or Midway Airports. Any plans to expand these airports would necessarily be at the exclusion of a third site and would therefore impact communities that would benefit from a third airport.

Mr. MANTON. Mr. Chairman, while I will support H.R. 2739, the Aviation Infrastructure Investment Act of 1993, I do so with some reservations. I hope the chairman of the Aviation Subcommittee, my friend JIM OBERSTAR, understands my concerns and will work with me to ensure that my concerns are unfounded.

Mr. Chairman, section 210 of the bill, "High Density Rule and Reallocation of Slots," causes me some distress. The purpose and potential effect of this provision is certainly open to a myriad of interpretations. As a Congressman representing one of the Nation's busiest airports, La Guardia, a high-density airport which operates under the slot system, I want to make absolutely sure that it is not the intent of the Committee on Public Works and Transportation that this legislation be a backdoor method of changing existing statutes and regulations and regard to high density airports.

As the good chairman of the Aviation Subcommittee knows, I have long been concerned about the safety of operations at La Guardia and other high density airports and the impact these airports have on the citizens living near them, particularly with regard to noise. In fact, Chairman OBERSTAR was kind enough to work with me during the development of the aviation provisions contained in Public Law 101–508, the Fiscal Year 1991 Budget Reconciliation Act, to address the concerns of my constituents in Queens, NY, who have long suffered from airport noise pollution.

Mr. Chairman, I appreciate the language included in H.R. 2739 which ensures that the high-density study called for under section 210 will take into account the concerns of citizens living adjacent to major airports, including the residents of Queens, with regard to safety and noise. I am particularly pleased that the proposed study involves the cities, the airport authorities and, most importantly, the citizens most directly affected by airport operations.

As the chairman of the subcommittee knows, I fully support the accelerated development of quieter airplanes. I believe the Federal Government should do its utmost to facilitate the phase-in of stage III aircraft and I stand ready to assist Chairman OBERSTAR any way I can to achieve this goal.

Mr. Chairman, I look forward to an exhaustive study of operations at high density airports which will focus on the impacts of airport operations on the surrounding communities. However, I will strongly oppose any attempts to white-wash these complicated issues so as to force high density airports to grant additional slots to airlines which are not warranted and which will pose an adverse risk to the safety and well-being of the average citizen living near these airports.

Mr. OBERSTAR. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the following four titles will be considered by titles as an original bill for the purpose of amendment and each title is considered as read:

First, titles I and II consisting of the text of the amendment in the nature of a substitute printed in H.R. 2739;

Second, title III consisting of the text of the amendment in the nature of a substitute printed in H.R. 2820; and

Third, title IV consisting of the text of the amendment printed in House Report 103–277.

No amendment affecting the subject matter of title IV is in order.

Upon designation of title IV, no further amendment is in order.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 2739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Aviation Infrastructure Investment Act of 1993".

Mr. CARR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to congratulate the subcommittee members for their work. We track on the Appropriations Transportation Subcommittee their work and know it well. We know that they have worked very, very hard. There are many good things in this particular bill, and I want to commend the chairman and the ranking member of those many good things.

I reluctantly, however, have to oppose the bill in its present form, Mr. Chairman. Perhaps through the amendment process we would get to a better bill, and I want to alert the House that I had intended to offer an amendment to strike section 102(b)(5), which I will get to in a few minutes, but I am not going to do that today in the interests of time. We understand that the bill that has been introduced on the other side does not contain this provision. We hope and urge the subcommittee members not to recede to the Senate, if they are successful in passing their bill, without this particular provision which I am going to talk about in a minute, and we will handle it that way.

I merely want to make a couple of comments and, hopefully, constructive criticism of the bill.

Mr. Chairman, we hear from the same people in the Transportation Appropriations Subcommittee that the gentleman's committee hears from, the FAA and from people around the country. The evidence before our committee discloses that the AIP program is sorely deficient in that it does not have or contain a mechanism by which we can have accountable investment criteria used for the many airport grants that are spread across the Nation. It is as if one were taking grass seed and throwing it out on the lawn hoping that something good was going to happen from it, and we know that when one broadcasts grass seed on their front lawn, only about 5 percent of that germinates. My guess is that, when we broadcast airport dollars across the Nation with no real investment criteria, we only get for the economy a rate of return that is very, very low. On the other hand, where we target our grass seed in our lawn, and where we drill it and we plant it, we can get germination rates of 95 percent, and we believe that one of the great deficiencies in our aviation airport grant program is that we are not doing enough to require the FAA to create an investment criteria so that we can guarantee to the taxpayers that we are investing their scarce dollars in a priorities manner which will ensure a positive economic rate of return.

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Mr. Chairman, it is quite clear that there is a return to whatever community gets to spend the money. The question is whether their spending the money in that particular location is the best and highest use from an economic rate of return for the entire aviation system. And we submit that it really is not.

I was sorely disappointed that the authorizing subcommittee did not take this opportunity to really investigate investment criteria, trying to get a positive economic rate of return to the economy, and somehow or other fold that into the authorization program. We really would urge them to do that in the future.

I think the second problem that we have is that it is a 3-year authorization. As you know, the administration only asked for a 1-year authorization. Apparently the other body is into a 1-year authorization. We believe that a 1-year authorization is prudent at this time, while we are going through the reinvention of Government, the proposal by the Gore task force to alter the construct of the FAA. We think that would have been a preferable way to deal with this. In fact, this appropriator is more pleased when the authorization committee is doing the job more frequently. We think that is a more productive interplay for both our committees and enhances cooperation.

Lastly, let me get to the point I raised earlier that I wanted to deal with by way of amendment, but will not, in the interest of time today.

The CHAIRMAN pro tempore (Mr. BARLOW). The time of the gentleman from Michigan [Mr. CARR] has expired.

(By unanimous consent, Mr. CARR was allowed to proceed for 4 additional minutes.)

Mr. CARR. Mr. Chairman, the Members of this body should be aware that there is a provision in this bill which is bad public policy, is opposed by the administration, and should not be enacted into law. That is section 102(b)(5), which brings back a so-called penalty clause. Similar legislation was in effect from 1976 through 1990. The purpose of the provision was to force the Appropriations Committees to fully fund the authorized levels recommended for capital investment programs of the FAA. In effect, the provision penalized the general taxpayers of this country by requiring that they unfairly subsidize the aviation system out of general tax revenues, while aviation user fees built up in the Aviation Trust Fund.

According to the Congressional Budget Office, the penalty clause was directly responsible for the accumulation of unobligated funds in the Aviation Trust Fund. Let me quote from a report they issued in December 1988:

> The current accumulated surplus in the aviation trust fund is illusory. While this surplus appears to indicate that private sector users have paid more in taxes than they have received in service, the opposite is, in fact, the case. The uncommitted balance in the trust fund has developed, ironically, because private sector users of the aviation system have received more in capital and operating spending than they have paid in taxes.

According to CBO in March 1989, "the major financial effect of the penalty clause is the buildup of a trust fund surplus * * * $5.3 billion of the current $6.8 billion surplus—about 75 percent—may be attributed to the penalty clause."

The overpayment of aviation expenses by the general fund was affirmed by the Assistant Secretary of Transportation for Governmental Affairs, who wrote the House Appropriations Committee in January 1990 that "aviation users are getting more than they are paying for, but at the expense of the general taxpayer."

The penalty clause was discontinued in 1990, because it was finally realized that the provision was not effective at forcing the Appropriations Committee to fully fund particular programs without regard to program realities, the need to reduce the deficit, or congressionally mandated budget allocations. Since the repeal of the penalty clause, trust fund expenses have greatly exceeded annual revenues, drawing down the trust fund balance. For example, in fiscal year 1993, trust fund revenues are estimated at $4.5 billion, while appropriations from the trust fund are $7.2 billion. Over that single year, the trust fund balance is being reduced from $10.5 billion to $7.9 billion.

However, in this bill, the Public Works Committee is recommending that the penalty clause be put back into place. Their report, page 10, even admits that the uncommitted trust fund balance will rise over the period covered by this authorization, after falling significantly between 1990 and 1994. The amount of the FAA's budget which would come from the trust fund would be reduced to 70 percent, even though the experts in the FAA and the Department of Transportation say that the fair share from the trust fund is 85 percent. The general taxpayer will have to pick up the rest of the bill, while unused funds build up again in the Aviation Trust Fund.

In summary, Mr. Chairman, the penalty clause is not a partisan issue—it has been opposed by Republican and Democratic administrations alike. It is not supported by the experts in the Congressional Budget Office, the FAA, or the Department of Transportation. It is not even effective at achieving its stated purpose.

We would kindly ask the chairman, the ranking member, and all the members of the Subcommittee on Aviation if in conference they would not remove this provision from the bill.

The CHAIRMAN pro tempore. Are there any amendments to section 1?

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to amplify and support the comments of the gentleman from Michigan, the chairman of the Transportation Appropriations Subcommittee, on the so-called penalty clause, section 102b6.

Just a few days ago, this body agreed that the Aviation Trust Fund should pay $2.3 billion of the FAA's operating expenses for fiscal year 1994. According to the FAA, however, the penalty clause in this bill would cause that amount to be reduced by over $350 million and made up from general revenues. That is money that will sit unused in the Aviation Trust Fund while the general taxpayer subsidizes aviation users. I believe the Members of this body are tired of jurisdictional games with the transportation trust funds. Just 3 years ago, the FAA Administrator testified before the Public Works Committee that 85 percent of the agency's budget should be financed from the Aviation Trust Fund. This bill caps that amount at 70 percent, and the effective percentage is considerably less than that: general fund taxpayers will have to subsidize aviation travelers, while the taxes paid by aviation users pile up in the Aviation Trust Fund.

We have been down this road before, Mr. Chairman. The trust fund balance builds up due to the penalty clause, then there are calls to take the trust fund off budget to ensure that funds are spent. I would hope the Members would see through these kinds of gimmicks, and not reinstitute a failed provision that was dropped in 1990.

I want to assure my colleagues that this is not a partisan issue. The penalty clause is opposed by the Clinton administration, just as the previous penalty clause was opposed by the Republican administration. The Department of Transportation has written to the chairman of the Public Works Committee that this provision is one which gives DOT serious concern, and they recommend the provision not be enacted.

I hope the committee will reconsider its position on the penalty clause when members go to conference, because in general this is a good bill and one which lays out a solid foundation for aviation infrastructure in this country. I want to compliment Mr. OBERSTAR, Mr. MINETA, and Mr. CLINGER for their leadership on this legislation, and I look forward to working with them on this and other matters in the coming months.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my colleagues have heard the Committee on Appropriations' side of this issue. Now I shall attempt to clarify the issue and lay out the facts and the reality.

The reality, first of all, is there is no penalty clause reinstituted. There was a penalty clause in the years prior to 1990. Together with the gentleman from Pennsylvania [Mr. CLINGER], I endeavored with the then chairman of the Transportation Appropriations Subcommittee, the gentleman from Florida [Mr. LEHMAN], to work out a means by which we could repeal the penalty clause, achieve an increasing level of funding out of the trust fund for airport improvement programs commensurate with the inflow of tax dollars from the ticket tax to the trust fund, in sufficient amount to ensure a dedicated revenue stream to keep on track the improvements in airport capacity enhancement that are necessary to accommodate air traffic growth and reduce delays in the systems. We achieved that understanding.

This chairman, in the committee-reported bill in 1990, worked out language that repealed that penalty clause, I say to my colleague the gentleman from North Carolina [Mr. PRICE] and to the gentleman from Michigan [Mr. CARR].

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And in walking in lockstep, the Office of Management and Budget, the Department of Transportation, the Federal Aviation Administration, the House Committee on Appropriations, Subcommittee on Transportation, the Senate Transportation Appropriations Subcommittee, and our committee moved ahead with an authorization level that was matched by the appropriation level without the penalty clause and, at the same time, we agreed to increase to 75 percent the amount of money coming out of the Aviation Trust Fund into operations and maintenance, an amount that was agreed upon with OMB, the Department, the Subcommittee on Transportation and the aviation-using and traveling public as an amount that was appropriate, an amount that reflects the Department of Defense usage, the public interest role in air traffic control and the contribution of general revenue dollars that would be appropriate at that level.

For 2 years, this accommodation worked. For fiscal 1993, the appropriation level was reduced. For fiscal 1994, the appropriation level was drastically reduced from the amount authorized.

We intended that level to go up to $2.1 billion, and we were slowed down by the other body that refused to approve a 3-year bill last year. We got into a 1-year bill.

The gentleman from Michigan raised the question of more frequent authorizations. Our objective is a little different. We think it is more useful to set forth a 3-year authorization level so that the aviation community, the Office of Management and Budget, the Department of Transportation, the FAA can all plan on dependable amounts of money for airport improvement projects and that the Committee on Appropriations can look ahead down the line. And we worked with the committee to see not what is needed in the system but what level of funding do they think they can provide. And we put an authorization that reflected their judgment as well as that of the executive branch.

Now, if we reduce the amount of money out of the Aviation Trust Fund for the AIP Program, and we keep the percentage going out of the trust fund into O&M, then there is going to be a very great disparity over time. And the amount of money going into O&M out of trust fund dollars will escalate as the AIP goes down.

We do not think that that is appropriate. We do not think that that is fairness in the context of the agreement that we reached almost 3 years ago. In fact, if we look at the levels of funding, we see that when the amount went down from $1.8 billion, which the administration requested, to $1.5 billion that the Subcommittee on Transportation in the House reported to this body, we see some very significant changes in the way in which the O&M is funded.

If we cut it even further, we would even exceed that 75-percent amount coming out of the O&M. So I think it is appropriate, keeping the two in check.

The CHAIRMAN pro tempore (Mr. BARLOW). The time of the gentleman from Minnesota [Mr. OBERSTAR] has expired.

(By unanimous consent, Mr. OBERSTAR was allowed to proceed for 2 additional minutes.)

Mr. OBERSTAR. There are two ways to accommodate the concerns of the gentleman from North Carolina and the gentleman from Michigan.

One, for the tax to be reduced, to take that 2 percentage points which we did not ask for in the 1990 summit that were added on to the ticket tax, take that 2 percent off. That will slow down the amount of build up into the Aviation Trust Fund.

Or, second, the Committee on Appropriations could appropriate up to the level authorized.

Now, we will be glad to sit with the Committee on Appropriations and work out an accommodation on the dollar amounts that they believe are appropriate for aviation, that they believe under their 602(b) allocation can go into aviation. But when that subcommittee took the 1.8 that the administration requested and took $300 million out of it and shifted it to surface transportation, it really shortchanged aviation.

So I say to my colleagues on the Committee on Appropriations, let us, as the Prophet Isaiah said, "Sit down and reason together."

The CHAIRMAN pro tempore. If there are no further amendments to section 1, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—AIRPORT AND AIRWAY IMPROVEMENT ACT AMENDMENTS

SEC. 101. AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 505(a) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2204(a)) is amended—

(1) by striking "and" following "1992,"; and

(2) by inserting after "1993" the following: ", $18,071,700,000 for fiscal years ending before October 1, 1994, $20,232,700,000 for fiscal years ending before October 1, 1995, and $22,446,700,000 for fiscal years ending before October 1, 1996".

(b) OBLIGATIONAL AUTHORITY.—Section 505(b)(1) of such Act is amended by striking "1993" and inserting "1996".

SEC. 102. AIRWAY IMPROVEMENT PROGRAM.

(a) AIRWAY FACILITIES AND EQUIPMENT.—Section 506(a)(1) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2205(a)(1)) is amended by striking "$11,100,000,000" and all that follows through "1995" and inserting the following: "$10,724,000,000 for fiscal years ending before October 1, 1994, $13,394,000,000 for fiscal years ending before October 1, 1995, and $16,129,000,000 for fiscal years ending before October 1, 1996".

(b) OTHER EXPENSES.—Section 506(c) of such Act is amended—

(1) by striking "–1995" in the heading for paragraph (4) and inserting "–1993";

(2) by striking "1993, 1994, and 1995" in paragraph (4) and inserting "and 1993"; and

(3) by adding at the end the following:

"(5) FISCAL YEARS 1994–1996.—The amount appropriated from the Trust Fund for the purposes of clauses (A) and (B) of paragraph (1) of this subsection for each of fiscal years 1994, 1995, and 1996 may not exceed the lesser of—

"(A) 50 percent of the amount of funds made available under section 505 and subsections (a) and (b) of this section for such fiscal year; or

"(B)(i) 70 percent of the amount of funds made available under section 505, subsections (a) and (b) of this section, and section 106(k) of title 49, United States Code, for such fiscal year; less

"(ii) the amount of funds made available under section 505 and subsections (a) and (b) of this section for such fiscal year.".

(c) PRESERVATION OF FUNDS.—Section 506(e)(5) of such Act is amended by striking "1995" and inserting "1996".

SEC. 103. OPERATIONS OF FAA.

Section 106(k) of title 49, United States Code, is amended by striking ", $5,100,000,000" and all that follows through "1995" and inserting ", $4,576,000,000 for fiscal year 1994, $4,674,000,000 for fiscal year 1995, and $4,810,000,000 for fiscal year 1996".

SEC. 104. APPORTIONMENT OF FUNDS.

(a) MINIMUM AMOUNT FOR PRIMARY AIRPORTS.—Section 507(b)(1) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2206(b)(1)) is amended by striking "$400,000" and inserting "$500,000".

(b) CONSIDERATION OF DIVERSION OF REVENUES IN AWARDING DISCRETIONARY GRANTS.—Section 507 of such Act is further amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) CONSIDERATION OF DIVERSION OF REVENUES IN AWARDING DISCRETIONARY GRANTS.—In deciding whether or not to distribute funds to an airport from the discretionary funds established by subsections (c) and (d), the Secretary shall consider as a factor militating against the distribution of such funds to the airport the fact that the airport is using revenues generated by the airport or by local taxes on aviation fuel for purposes other than capital or operating costs of the airport or the local airports system.".

SEC. 105. USE OF APPORTIONED AND DISCRETIONARY FUNDS.

(a) INTEGRATED AIRPORT SYSTEM PLANNING SET-ASIDE.—Section 508(d)(4) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2207(d)(4)) is amended by striking "½" and inserting "¾".

(b) MILITARY AIRPORT SET-ASIDE.—Section 508(d)(5) of such Act is amended by striking "and 1995" and inserting ", 1995, and 1996".

(c) DESIGNATION OF MILITARY AIRPORTS.—Section 508(f)(1) of such Act is amended by striking "12" and inserting "16".

(d) CONSTRUCTION OF PARKING LOTS, FUEL FARMS, AND UTILITIES.—Section 508(f)(6) of such Act is amended by striking "and 1995" and inserting "1995, and 1996".

SEC. 106. PROJECT SPONSORSHIP.

Section 511(a) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2210(a)) is amended—

(1) by striking "and" at the end of paragraph (16);

(2) by striking the period at the end of paragraph (17) and inserting "; and"; and

(3) by adding at the end the following:

"(18) the airport owner or operator will submit to the Administrator and make available to the public an annual report listing in detail (A) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made, and (B) all services and property provided to other units of government and the amount of compensation received for provision of each such service and property.".

SEC. 107. INCLUSION OF TERMINAL DEVELOPMENT AS A PROJECT COST.

Section 513(b)(2) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2212(b)(2)) is amended—

(1) in the second sentence by inserting after "may be used" the following: ", subject to the approval of the Secretary,"; and

(2) by adding at the end the following: "All or any portion of the sums to be distributed at the discretion of the Secretary under sections 507(c) and 507(d) for any fiscal year may be distributed for use by primary airports each of which annually has .05 or less of the total enplanements in the United States for project costs allowable under paragraph (1) of this subsection.".

SEC. 108. INCLUSION OF EXPLOSIVE DETECTION DEVICES AND UNIVERSAL ACCESS SYSTEMS.

Section 503(a)(2)(B)(ii) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2202(a)(2)(B)(ii)) is amended by inserting after "or security equipment" the following: ", including explosive detection devices and universal access systems,".

SEC. 109. DECLARATION OF POLICY.

Section 502(a) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2201(a)) is amended—

(1) by striking "and" at the end of paragraph (13);

(2) by striking the period at the end of paragraph (14) and inserting "; and"; and

(3) by adding at the end the following:

"(15) the airport improvement program should be administered to encourage the development and use of innovative concrete and other materials in the construction of airport facilities to minimize initial laydown costs, minimize time out of service, and maximize lifecycle durability.".

SEC. 110. TECHNICAL AMENDMENTS.

(a) DEFINITIONS.—Section 503(a)(2)(B) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2202(a)(2)(B)) is amended by moving clauses (vii) and (viii) 2 ems to the right.

(b) AIRPORT PLANS.—Section 504(a)(1) of such Act (49 U.S.C. App. 2203(a)(1)) is amended by redesignating clauses (1), (2), and (3) as clauses (A), (B), and (C), respectively.

(c) AIP OTHER EXPENSES.—Section 506(c)(3)(B)(i) of such Act (49 U.S.C. App. 2205(c)(3)(B)(i)) is amended by striking "and," and inserting ", and".

SEC. 111. LETTERS OF INTENT.

Section 513(d)(1) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2212(d)(1)) is amended by adding at the end the following new subparagraph:

"(H) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to prohibit the obligation of amounts pursuant to a letter of intent under this paragraph in the same fiscal year as the letter of intent is issued.".

The CHAIRMAN pro tempore. Are there any amendments to title I?

AMENDMENT OFFERED BY MR. MCCANDLESS

Mr. McCANDLESS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCANDLESS: Page 8, after line 22, insert the following:

SEC. 112. PALM SPRINGS, CALIFORNIA.

(a) AUTHORITY TO GRANT RELEASE.—Notwithstanding section 4 of the Act of October 1, 1949 (50 U.S.C. App. 1622c), and subject to the provisions of subsection (b), the Administrator of the Federal Aviation Administration shall grant releases from all of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated September 15, 1949, under which the United States conveyed certain property to Palm Springs, California, for airport purposes. The releases shall apply only to approximately 11 acres of lot 16 of section 13, and approximately 39.07 acres of lots 19 and 20 of section 19, used by the city of Palm Springs, California, for general governmental purposes.

(b) CONDITIONS.—Any release granted by the Administrator of the Federal Aviation Administration under subsection (a) shall be subject to the following conditions:

(1) The Administrator shall waive any requirement that there be credited to the account of the airport any amount attributable to the city's use for governmental purposes of any land conveyed under the deed of conveyance referred to in subsection (a) before the date of the enactment of this section.

(2) The city shall abandon all claims, against income of the Palm Springs Regional Airport or other assets of that airport, for reimbursement of general revenue funds that the city may have expended before the date of the enactment of this section for acquisition of 523.39 acres of land conveyed August 28, 1961, for airport purposes and for expenses incurred at any time in connection with such acquisition, and such claims shall not be eligible for reimbursement under the Airport and Airway Improvement Act or any successor Act.

Mr. McCANDLESS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. McCANDLESS. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, is this the amendment that deals with the transfer of land at the Palm Springs Airport?

Mr. McCANDLESS. Mr. Chairman, the gentleman is correct.

Mr. OBERSTAR. Mr. Chairman, if the gentleman will continue to yield, we have reviewed this amendment and we are prepared to accept it.

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. MCCANDLESS. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, we have also had a chance to review the amendment on this side and are prepared to accept it.

Mr. MCCANDLESS. Mr. Chairman, I thank the gentlemen for their acceptance of the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. MCCANDLESS].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there any further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—MISCELLANEOUS PROVISIONS

SEC. 201. PROTECTION OF SMALL COMMUNITY AIRLINE PASSENGERS.

(a) ACCESS TO HIGH DENSITY AIRPORTS.—Section 419(b) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1389(b)) is amended by adding at the end the following new paragraph:

"(10) ACCESS TO HIGH DENSITY AIRPORTS.—

"(A) NONCONSIDERATION OF SLOT AVAILABILITY.—In determining what is basic essential air service and in selecting an air carrier to provide such service, the Secretary shall not give consideration to whether slots at a high density airport are available for providing such service.

"(B) MAKING SLOTS AVAILABLE.—If basic essential air service is to be provided to and from a high density airport, the Secretary shall ensure that a sufficient number of slots at such airport are available to the air carrier providing or selected to provide such service. If necessary to carry out the objectives of this subsection, the Secretary shall take such action as may be necessary to have such slots transferred or otherwise made available to the air carrier; except that the Secretary shall not be required to make slots available at O'Hare International Airport in Chicago, Illinois, if the number of slots available for basic essential air service to and from such airport is at least 132 slots.".

(b) TRANSFERS OF SLOTS AT HIGH DENSITY AIRPORTS.—Section 419(b)(7) of such Act (49 U.S.C. App. 1389(b)(7)) is amended—

(1) by striking "TRANSFER OF OPERATIONAL AUTHORITY AT CERTAIN" and inserting "TRANSFERS OF SLOTS AT";

(2) by striking "an airport at which the Administrator limits the number of instrument flight rule takeoffs and landings of aircraft" and inserting "a high density airport";

(3) by striking "operational authority" and inserting "slots";

(4) by striking "has to conduct a landing or takeoff" and inserting "have";

(5) by striking "such authority" the first place it appears and inserting "such slots";

(6) by striking "such authority is" and inserting "such slots are"; and

(7) by inserting "basic essential" after "used to provide".

(c) DEFINITIONS.—Section 419(k) of such Act (49 U.S.C. App. 1389(k)) is amended by adding at the end the following new paragraphs:

"(6) HIGH DENSITY AIRPORT.—The term 'high density airport' means an airport at which the Administrator limits the number of instrument flight rule takeoffs and landings of aircraft.

"(7) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

"(8) SLOT.—The term 'slot' means a reservation for an instrument flight rule takeoff or landing by an air carrier of an aircraft in air transportation.".

SEC. 202. ACCESS OF FOREIGN AIR CARRIERS TO HIGH DENSITY AIRPORTS.

(a) IN GENERAL.—Title IV of the Federal Aviation Act of 1958 (49 U.S.C. 1371–1389) is amended by adding at the end the following:

"SEC. 420. ACCESS OF FOREIGN AIR CARRIERS TO HIGH DENSITY AIRPORTS.

"(a) IN GENERAL.—The Secretary shall not take a slot at a high density airport from an air carrier and award such slot to a foreign air carrier if the Secretary determines that air carriers are not provided equivalent rights of access to airports in the country of which such foreign air carrier is a citizen.

"(b) DEFINITIONS.—In this section, the terms 'high density airport', 'Secretary', and 'slot' have the meaning such terms have under section 419.".

(b) CONFORMING AMENDMENT.—The portion of the table of contents contained in the first section of such Act relating to title IV is amended by adding at the end the following:

"Sec. 420. Access of foreign air carriers to high density airports.

"(a) In general.

"(b) Definitions.".

SEC. 203. RULEMAKING ON RANDOM TESTING FOR PROHIBITED DRUGS.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall complete a rulemaking proceeding and issue a final decision on whether there should be a reduction in the annualized rate of random testing for prohibited drugs now required by the Secretary for personnel engaged in aviation activities. If the Secretary does not issue the final decision on or before the last day of such 1-year period, then, effective on the succeeding day, the annualized rate of random testing shall be 25 percent of such personnel.

SEC. 204. PASSENGER FACILITY CHARGES.

(a) CLARIFICATION OF APPLICABILITY.—

(1) GENERAL RULE.—Section 1113(e)(1) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1513(e)(1)) is amended by adding at the end the following new sentence: "After the date of the enactment of this sentence, no public agency authority shall collect a fee authorized to be imposed under this subsection from a passenger enplaning at an airport if the passenger did not pay for the air transportation which resulted in such enplanement, including any case in which the passenger obtained the ticket for the air transportation with a frequent flier award coupon without monetary payment.".

(2) LIMITATION ON STATUTORY CONSTRUCTION.—The amendment made by paragraph (1) shall not be construed as requiring any person to refund any fee paid before the date of the enactment of this Act.

(b) USE OF REVENUES AND RELATIONSHIP BETWEEN FEES AND REVENUES.—Section 1113(e)(2) of such Act is amended—

(1) by striking "and" at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B)(iii) and inserting "; and"; and

(3) by adding at the end the following:

"(C) that the application includes adequate justification for each of the specific projects.".

SEC. 205. TERM OF OFFICE OF FAA ADMINISTRATOR.

Section 106(b) of title 49, United States Code, is amended by adding at the end the following: "The term of office for any individual appointed as Administrator after the date of the enactment of this sentence shall be 5 years.".

SEC. 206. NOISE ABATEMENT PROGRAM.

(a) SOUNDPROOFING OF CERTAIN RESIDENTIAL BUILDINGS.—Section 104(c)(2) of the Aviation Safety and Noise Abatement Act of 1979 (49 U.S.C. App. 2104(c)(2)) is amended—

(1) by inserting "(A)" before "to operators of airports"; and

(2) by striking the period at the end and inserting "; and (B) for projects to soundproof residential buildings—

"(i) if the operator of the airport involved received approval for a grant for a project to soundproof residential buildings pursuant to section 301(d)(4)(B) of the Airport and Airway Safety and Capacity Expansion Act of 1987;

"(ii) if the operator of the airport involved submits updated noise exposure contours, as required by the Secretary; and

"(iii) if the Secretary determines that the proposed projects are compatible with the purposes of this Act.".

(b) SOUNDPROOFING AND ACQUISITION OF CERTAIN RESIDENTIAL PROPERTIES.—Section 104(c) of such Act is further amended by adding at the end the following:

"(4) SOUNDPROOFING AND ACQUISITION OF CERTAIN RESIDENTIAL PROPERTIES.—The Secretary is authorized under this section to make grants to operators of airports and to units of local government referred to in paragraph (1) for projects to soundproof residential buildings located on residential properties, and for projects to acquire residential properties, at which noise levels are not compatible with normal operations of an airport—

"(A) if the operator of the airport involved amended an existing local aircraft noise regulation during calendar year 1993 to increase the maximum permitted noise levels for scheduled air carrier aircraft as a direct result of implementation of revised aircraft noise departure procedures mandated for aircraft safety purposes by the Administrator of the Federal Aviation Administration for standardized application at airports served by scheduled air carriers;

"(B) if the operator of the airport involved submits updated noise exposure contours, as required by the Secretary; and

"(C) if the Secretary determines that the proposed projects are compatible with the purposes of this Act.".

SEC. 207. LABOR MANAGEMENT RELATIONS.

The Metropolitan Washington Airports Act of 1986 (49 U.S.C. App. 2451–2461) is amended—

(1) in section 6007(c)(5) by striking "to the extent that the Federal Aviation Administration is so authorized on the date of enactment of this title";

(2) by redesignating sections 6010, 6011, and 6012 as sections 6011, 6012, and 6013, respectively; and

(3) by inserting after section 6009 the following new section:

"SEC. 6010. LABOR MANAGEMENT RELATIONS.

"(a) APPLICATION OF FEDERAL LABOR LAWS.—Except as otherwise provided by this section, the provisions of the National Labor Relations Act and the Labor Management Relations Act, 1947 shall apply to labor-management relations between the Airports Authority and labor organizations representing bargaining units at the Metropolitan Washington Airports.

"(b) SUITS.—

"(1) JURISDICTION OF U.S. COURTS.—The courts of the United States shall have jurisdiction with respect to actions brought by the National Labor Relations Board under this section to the same extent that such courts have jurisdiction with respect to actions brought under the National Labor Relations Act.

"(2) LABOR CONTRACT VIOLATIONS.—Suits for violation of contracts between the Airports Authority and a labor organization representing bargaining units at the Metropolitan Washington Airports, or between any such labor organizations, may be brought in any district court of the United States having jurisdiction of the parties, without respect to the amount of controversy.

"(3) AGENTS OF LABOR ORGANIZATIONS.—A labor organization described in paragraph (2) and the Airports Authority shall be bound by the authorized acts of their agents. Any such labor organization may sue or be sued as an entity and in behalf of those whom it represents in the courts of the United States. Any money judgment against such a labor organization in a district court of the United States shall be enforceable only against the organization as an entity and against its assets and shall not be enforceable against any individual member or the member's assets.

"(c) COLLECTIVE-BARGAINING AGREEMENTS.—

"(1) PERIOD OF EFFECTIVENESS.—Collective-bargaining agreements between the Airports Authority and labor organizations shall be effective for not less than 2 years.

"(2) RESOLUTION OF GRIEVANCES.—Collective-bargaining agreements negotiated by the Airports Authority shall provide for procedures for resolution by the parties of grievances and other disputes arising during the term of the agreement, culminating in binding third-party arbitration, unless the parties agree otherwise.

"(3) RESOLUTION OF DISPUTES IN NEGOTIATIONS.—The Airports Authority and a labor organization may by mutual agreement adopt procedures for the resolution of disputes or impasses arising in the negotiation of a collective-bargaining agreement.

"(d) LABOR DISPUTES.—

"(1) WRITTEN NOTICE REQUIREMENT.—If there is a collective-bargaining agreement between the Airports Authority and labor organizations in effect, no party to such agreement shall terminate or modify such agreement unless the party desiring such termination or modification serves written notice upon the other party to the agreement of the proposed termination or modification not less than 90 days prior to the time it is proposed to make such termination or modification. The party serving such notice shall notify the Federal Mediation and Conciliation Service of the existence of a dispute within 45 days of such notice if no agreement has been reached by that time.

"(2) MEDIATION OF DISPUTES.—If the parties fail to reach agreement or to adopt a procedure providing for a binding resolution of a dispute by the expiration date of the agreement in effect, or the date of the proposed termination or modification, the Director of the Federal Mediation and Conciliation Service shall direct mediation of the dispute. For this purpose, the Director shall submit to the parties a list of not fewer than 10 names. If the parties fail to select a mediator, the selection shall be made by the Director.

"(3) ARBITRATION BOARD.—

"(A) ESTABLISHMENT.—If no agreement is reached within 90 days after the expiration or termination of the agreement or the date on which the agreement became subject to modification under paragraph (1) of this subsection, or if the parties decide upon arbitration but do not agree upon the procedures therefor, an arbitration board shall be established consisting of 3 members, 1 of whom shall be selected by the Airports Authority, 1 by the bargaining representative, and the third by the 2 thus selected who shall be designated chairman. If either of the parties fails to select a member, or if the members chosen by the parties fail to agree on the third person within 5 days after their first meeting, the selection shall be made utilizing the rules of the American Arbitration Association.

"(B) HEARINGS AND DECISIONS.—The arbitration board shall give the parties a full and fair hearing, including an opportunity to present evidence in support of their claims, and an opportunity to present their case in person, by counsel or by other representative as they may elect. All procedural disputes shall be decided by the board. The board shall have the authority to administer oaths and compel the attendance of witnesses and the production of documents. Decisions of the board shall be conclusive and binding upon the parties. The board shall render its decision within 45 days after its appointment, unless a later date is mutually agreed upon by both parties.

"(C) COSTS.—Costs of the arbitration board shall be shared equally by the Airports Authority and the bargaining representative.

"(D) PROCEDURES.—In the case of a bargaining unit whose collective-bargaining representative does not have an agreement with the Airport Authority, if the parties fail to reach agreement within 90 days of the commencement of collective bargaining, mediation will take place in accordance with the terms of paragraph (2) of this subsection, unless the parties have previously agreed to another procedure for a binding resolution of their differences. If the parties fail to reach agreement within 180 days of the commencement of collective bargaining and if they have not agreed to another procedure for binding resolution, an arbitration board shall be established to provide conclusive and binding arbitration in accordance with the terms of paragraph (3) of this subsection.

"(E) CONSIDERATIONS IN MAKING AWARDS.—Except insofar as compensation and benefits may be specified elsewhere in this title, the arbitration board, in arriving at its award, shall take into account compensation, benefits, and conditions of employment of comparable employees in Alexandria, Arlington, and Fairfax Counties, Virginia; the District of Columbia; and Montgomery and Prince Georges Counties, Maryland, and other criteria traditionally considered in collective bargaining.

"(e) NO STRIKES OR LOCKOUTS; MAINTENANCE OF STATUS QUO.—Notwithstanding any other provision of law, the parties to a collective bargaining agreement between the Airports Authority and a labor organization shall not resort to strike or lockout. The parties shall refrain from making changes in working conditions pending the resolution of labor disputes as provided in subsection (d) of this section.".

SEC. 208. TECHNICAL AMENDMENT.

Section 9130 of the Aviation Safety and Capacity Expansion Act of 1990 (49 U.S.C. App. 2226b) is amended by striking "subsection" and inserting "section".

SEC. 209. REPORT ON CERTAIN BILATERAL NEGOTIATIONS.

The Secretary of Transportation shall report every other month to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of all active aviation bilateral negotiations and informal government-to-government consultations with United States aviation trade partners.

SEC. 210. HIGH DENSITY RULE AND REALLOCATION OF SLOTS.

(a) HIGH DENSITY RULE.—

(1) STUDY.—The Secretary of Transportation shall conduct a study and provide recommendations to Congress on whether improvements in the technology and procedures of the air traffic control system and the use of quieter aircraft make it possible to eliminate the limitations on hourly operations imposed by the high density rule contained in part 93 of title 14 of the Code of Federal Regulations or to increase the number of operations permitted under such rule. The study shall include consideration of the effects of the elimination of limitations or an increase in the number of operations allowed on each of the following:

(A) Safety.

(B) Congestion and delay in any part of the national aviation system.

(C) The impact of noise on persons living near the airport.

(D) Competition in the air transportation system.

(E) The profitability of operations of airlines serving the airport.

(2) COORDINATION.—In conducting the study under this subsection, the Secretary of Transportation shall consult with officials of airports subject to the high density rule, the cities in which such airports are located, representatives of citizens living in the vicinity of such airports, air carriers now serving such airports or interested in inaugurating such service, and other interested persons.

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall transmit the findings of the study conducted under this subsection, together with recommendations, to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) SLOTS FOR FOREIGN AIR TRANSPORTATION.—

(1) STUDY.—The Secretary of Transportation shall conduct a study to determine the impact of a change in law or regulations that would prohibit the withdrawal of a slot from an air carrier providing interstate air transportation at a high density airport in any case in which such slot is withdrawn in order to allocate it to an air carrier or foreign air carrier to provide foreign air transportation.

(2) CONTENTS.—In conducting the study under this subsection, the Secretary shall examine the following:

(A) The impact of a prohibition described in paragraph (1) on the aviation relationship between the United States Government and foreign governments.

(B) Whether such a prohibition would result in the withdrawal of slots from general aviation and military aviation in order to allocate them to air carriers and foreign air carriers providing foreign air transportation and the impact of such a withdrawal of slots on general aviation and military aviation.

(C) The impact on air carriers providing interstate air transportation of the current practice of withdrawing slots in order to allocate them to air carriers or foreign air carriers providing foreign air transportation.

(D) The impact of the planned relocation of Air Force Reserve units and the Air National Guard at O'Hare International Airport on the future availability of slots at that airport.

(3) REPORT.—Not later than June 1, 1994, the Secretary of Transportation shall transmit to Congress a report on the results of the study conducted under this subsection, together with such recommendations for legislative or administrative action as the Secretary determines appropriate.

SEC. 211. REPEAL.

Section 31 of the Airport and Airway Development Act of 1970 (49 U.S.C. App. 1731) is hereby repealed.

AMENDMENT OFFERED BY MR. GLICKMAN

Mr. GLICKMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GLICKMAN:

SEC. 212. LOVE FIELD, TEXAS.

Section 29 of the International Air Transportation Competition Act of 1979 is repealed.

Mr. GLICKMAN. Mr. Chairman, at the outset, I want to say it is my intention to ask unanimous consent to withdraw this amendment.

This amendment is controversial, and it is one that I have been working for many years on with the chairman of this subcommittee, the gentleman from Minnesota [Mr. OBERSTAR], and the gentleman from Pennsylvania [Mr. CLINGER] and others.

But I wish to at least bring it to the attention of the body today. The section I am attempting to strike is commonly known as the Wright amendment, named after our former Speaker. That amendment prohibits commercial air carriers from providing service between Dallas Love Field and points located outside of Texas or its four surrounding States. That is, out of Dallas Love Field we can only fly airplanes within the State of Texas or within the States of New Mexico, Oklahoma, Arkansas, and Louisiana.

It is the only airport in the country which restricts flights based upon point of destination, what State one is in.

I have come down to the floor and railed about this amendment, because the city I represent, Wichita, is only about 45 miles from the Oklahoma border. Unfortunately, our airport, our city is not eligible to be served from Dallas Love Field, because we are not in the next contiguous State.

Over the last several years, we have had a very nice, low-cost carrier operating out of Dallas Love Field, which has served points within the four contiguous States at a much lower price, much lower fare than they offer people outside of the four-State area.

This statue was originally passed as part of a law, the International Air Competition Act of 1980, to protect then relatively new Dallas-Fort Worth Airport, DFW.

□ 1430

It was developed to ensure commercial air carriers moved from the older Love Field to the new primary airport at DFW. However, now DFW is the second busiest airport in the United States. Its gates are full. Its runways are jammed, as anybody knows who flies there. It no longer needs protection from Love Field's competition.

It is time to allow the power of the marketplace, rather than the intrusion of unnecessary Federal law, to dictate who our airports serve.

In any event, I am going to put most of my statement in the RECORD. I would have to acknowledge, however, that fares from Dallas-Fort Worth to Wichita have been much lower in recent months. American Airlines has made a significant attempt, it has led the way, to bring down the excessively high fares Wichita and other cities shut out by the Wright amendment have experienced over the last several years, and Delta Airlines has in many cases followed suit. Both carriers have been working with me and others on ways to try to improve the fare differential.

In my judgment the Wright amendment is still unreasonable and wholly unfair. By allowing travel to Love Field only from points in Texas, Louisiana, Oklahoma, Arkansas, and New Mexico, it arbitrarily permits service from cities such as Albuquerque to Love Field, which is nearly 600 miles, but does not allow service from Wichita, which is 330 miles, to Love Field. The amendment does not even permit connecting service.

In any event, I have pursued this matter for some time. I do know that the air carriers today are in very serious trouble, and at least for the time being, I am intent on working with the carriers and the airport authorities to see if we can get this matter resolved without the need for legislation. I am convinced that as long as this threat of legislation is there, the carriers will be responsible and deal with me on this issue.

However, I am going to tell them that I am going to continue to monitor the issue, and as I saw once in a movie, and I cannot remember which one, I think it was the movie "Oliver," where Fagan said, "I am reviewing the situation." Well, I will be constantly reviewing the situation to make sure that we continue to work responsibly with the carriers, who I know are having some serious financial problems, particularly in this era.

I want to thank the chairman of the Subcommittee on Aviation for his help generally on these and many other issues, and look forward to his working with me side-by-side to continue monitoring the fares and route problems arising out of the Wright amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN pro tempore. (Mr. BARLOW). Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN pro tempore (Mr. BARLOW). The amendment is withdrawn.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate the gentleman from Kansas [Mr. GLICKMAN] withdrawing the amendment. He has been a vigorous advocate for his community and for increased competition, and as an advocate for competition, I share that outlook and I respect his doggedness and determination and perseverance on this subject.

The gentleman is correct, Love Field is the only airport in the country governed by a Federal law that regulates services to and from that airport. However, the context was that this was part of an agreement between the two cities of Dallas and Fort Worth, and made possible the construction of the new airport. We have held extensive hearings on the subject at the gentleman's request, and specifically on his bill.

Mr. Chairman, I have two concerns, but the first concern is of opening Love Field to greater traffic creates very serious safety problems. There does not appear to be a way to resolve those safety problems by pursuing the matter in the context that the gentleman from Kansas chooses to pursue it; that is, by expanding services at Love Field to the entire United States. There would be very, very limited separation, and an unsafe distance of roughly 2 miles from aircraft that would be making the approach to Love Field and aircraft making an approach to DFW.

I have reviewed those traffic patterns very, very carefully and held extensive discussions. In fact, I went to the tower and the TRACON at DFW to talk with air traffic controllers about this and other safety matters, and remain very deeply concerned about that. I do not think there is the technology today to make such approaches safe, without setting off conflict alerts and causing serious problems for air traffic controllers and pilots, even with TCAS as it now exists.

Second, I have a concern about the genuineness of Southwest Airlines in their desire to compete. I interceded with DFW Airport to make, and received a commitment from them, to make an equal number of gates available to Southwest at DFW, equal to the number they now operate out of Love Airfield, and to do so at the time this occurred, which was a little over 2 years ago, within 3 weeks. They made a commitment to do so, made the offer to Southwest Airlines, but its chairman refused the offer. They do not want to compete at DFW.

Therein is the dilemma. We are not going to get enhanced competition unless Mr. Kelleher is willing to move his airline operations out of Love Field to DFW, where he would have a bigger airport, more space, more gates, growth opportunities, but then he has to compete with American.

The gentleman from Kansas [Mr. GLICKMAN] proceeds on this issue from one perspective, therefore, and we proceed on it from another perspective. As we continue to work on this issue, I think we hopefully will be able to come to an accommodation that will reduce the cost of travel for the gentleman's constituents.

Mr. GLICKMAN. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, I appreciate the gentleman's point. The problem we have with this agreement is that Southwest would have to move the base of operations from Love Field to DFW, an airport they currently do not serve, and it would have been a major capital expenditure for them to do it.

I understand that the gentleman made that offer in good faith and they chose not to do it. I would still say that it gnaws on me and my constituents that we have to drive 47 miles south to the Oklahoma border, and at that point we are eligible to be served by a low-cost carrier because they can fly into the State just south of us, but they cannot fly into our State.

Something is wrong in our system of free enterprise, which the gentleman and I both extol all the time, that that kind of arbitrary, paternalistic rule is still in effect. One of these days I hope the people will feel that DFW is sufficiently enough built up that it can take the competition from another airport, and we have the technology to not raise any safety issues.

I am not sure those safety issues are necessarily true, because as the head of the Department of Transportation indicated, we could in fact do this without abridging safety. However, I understand the gentleman's concerns, and I look forward to working with him.

Mr. OBERSTAR. I thank the gentleman.

Mr. BURTON of Indiana. Mr. Chairman, I ask unanimous consent to return to title I.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. There being no objection, the committee will now consider any amendments to title I.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 8, after line 22, insert the following:

SEC. 112. EXPLOSIVE DETECTION K-9 TEAMS.

Section 529 of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2225) is amended to read as follows:

SEC. 529. EXPLOSIVE DETECTION K-9 TEAMS.

"(a) GRANTS.—The Secretary shall make grants for expenses of training and evaluation of dogs for the explosive detection K-9 team training program for the purpose of detecting explosives at airports and aboard aircraft. Not later than 180 days after the date of the enactment of the Aviation Infrastructure Investment Act, the Secretary shall extend such program to the largest 50 airports in the United States, as determined by the number of passenger enplanements in calendar year 1992.

"(b) FUNDING.—There is authorized to be appropriated from the Trust Fund for carrying out subsection (a) such sums as may be necessary for fiscal years beginning after September 30, 1993. Such funds shall remain available until expended."

Mr. BURTON of Indiana (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BURTON of Indiana. Mr. Chairman, I will offer two amendments. One is to title I and one is to title II. It goes back to 1989. The gentleman from Minnesota [Mr. OBERSTAR] and the ranking Republican and I talked about this. We have been talking about this for the past 3 to 4 years, now.

The necessity for taking this kind of action, I think, is much more apparent today than it was about 3 or 4 years ago. We had the World Trade Center bombing. We saw some terrorist activity that destroyed a very, very important structure, at least almost destroyed it, and caused a lot of personal injury and property damage.

One of the concerns that I have had since 1989 was the possibility of terrorists with plastic explosives getting onto commercial aircraft in this country, with small detonating devices that are not picked up by a metal detector, something about the size of the gentleman's watch, and putting that detonating device into the plastic on the plane and the timer goes off and it kills a bunch of innocent people flying across this country.

One of the ways to guard against this was to build and put in all the airports around the country things called thermal neutron analysis devices, which cost a great deal of money. I think that is what they were called, TNA's.

The other alternative, instead of spending all that money, was to put sniffer dogs at the airports. These sniffer dogs are being used right now to detect narcotics, they are being used by police agencies around the country to detect plastic explosives and other explosive devices, and they have been very effective.

The problem with them is that they are good for about 45 minutes, and then they have to have another team come on. What we suggested in 1989 was two teams of German Shepherds or other dogs or animals that can do this job for the 25 major airports around the country, and the cost of that for the training and getting them implemented with the people that would be taking them around to the airports was about $2 million. This $2 million takes into account the initial cost of training the dogs, which costs about $10,000 for the teams, including the dogs and their handlers.

□ 1440

Mr. Chairman, a lot of people might say, "My gosh, do we really need to do this?"

There have been meetings around the world of terrorist groups in places like Khartoum involving a number of countries, and their total objective is to try to cause problems for their enemies, including the United States of America.

These are fringe groups. These are not large ethnic or religious groups but fringe groups that are doing this. I want to emphasize that very thoroughly, because there are a lot of people who may have the same religious beliefs as some of these groups that are not involved in this kind of activity but are tarred with the same brush. But there are fringe lunatic groups that are planning to do this.

So since we know that they have done this to the World Trade Center and since we know there have been terrorist activities that have destroyed planes and other aircraft around the world, it seems to me the prudent thing for this Congress to do since it costs so little is to try to protect people flying across this country on commercial aircraft from our major airports or the major international airports.

So I would just like to say to the chairman of the subcommittee and the ranking Republican that I hope they will take a serious look at this because I think we would be penny-wise and pound-foolish to not do something of this nature, and I would ask the gentleman from Minnesota [Mr. OBERSTAR] if he would engage in a colloquy with me for just a moment.

I understand the gentleman has some objection to these amendments right now because he has not had time to really take a close look at them, but I also understand that he has said he would take a serious look at these to see if he thinks it is necessary when he goes to conference.

Mr. OBERSTAR. Mr. Chairman, if the gentleman will yield, I compliment the gentleman on his perseverance—I will not say doggedness, but his perseverance—in persisting on this issue. The gentleman has raised it as far back as 1989 when our subcommittee held hearings on security issues and brought legislation to the House floor. We had a dialogue about this matter, and the gentleman from Pennsylvania [Mr. CLINGER] and I made a commitment to inquire of the FAA, and we did have the FAA come up and visit with us. We have never had testimony at a hearing on sniffer dogs, but the extensive discussions we have had brought evidence, as the gentleman has already said, that the endurance of the dogs is not sufficient to sustain through hours and hours of sniffing baggage flowing through an airport.

Mr. Chairman, if the gentleman will continue to yield and allow me to continue, I will see that the gentleman gets sufficient time if his time runs out.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has now expired.

(On request of Mr. OBERSTAR, and by unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 4 additional minutes.)

Mr. OBERSTAR. Mr. Chairman, if the gentleman will continue to yield, security experts today that we have talked with about this matter say there is, of course some deterrence quality from the appearance of dogs at airports or in key areas, but technology has really advanced significantly, and while TNA is still not quite experimental, it is not a fully operational device yet, but it is the best technology for detecting the plastic explosives.

There are sniffer electronic systems that can detect explosives. We have not visited this issue in hearings, and we would have welcomed the gentleman's appearance and we would have had the FAA at the same hearings. I would like to suggest that we again bring the FAA to our committee office with the gentleman in attendance and explore this issue more fully.

Mr. BURTON of Indiana. Mr. Chairman, I would be happy to do that, and I appreciate the gentleman's willingness to do it.

Let me just say that the technology to which the gentleman refers has been questioned by a number of people, as the gentleman knows. There are a number of people, including scientists and others, who feel that this is not as effective as it should be and the technology has to evolve further.

Mr. OBERSTAR. And that is why it is not fully operational at this time.

Mr. BURTON of Indiana. That is right. And in the interim it seems to me, since there has been a manifestation, a very real manifestation, of terrorism within the United States, at the World Trade Center and other areas, that we need to be very prudent and do something as a stopgap measure until we get this technology to protect the major airports and the people going across this country on commercial aircraft. So I do appreciate my colleague's saying that he would do this.

Mr. CLINGER. Mr. Chairman, will the gentleman yield to me?

Mr. BURTON of Indiana. I yield to the ranking member of the subcommittee.

Mr. CLINGER. Mr. Chairman, I would just like to join in this and indicate that I think the gentleman has brought a matter of real concern to us. I think the gentleman has also correctly pointed out that recent events certainly give some urgency to the need to be ensuring that we have proper security measures at our airports.

I would share with the chairman of the subcommittee his concern that TNA clearly is not the final answer. It is an evolving technology. There are other technologies evolving as well. I would join with the gentleman and say that we ought to sit down and say, "OK, can we work it out and have an interim kind of a thing here that would address the concern that you and I both have?"

Mr. BURTON of Indiana. Yes, I agree. And in closing, let me just say: I really appreciate both the chairman and the ranking Republican agreeing to meetings on trying to work this thing out. We may have to spend $4 or $5 million, but as I said before, the amount of money we are talking about in the overall scheme of things is very small compared to the protection we can provide to the American traveling public.

With that, Mr. Chairman, I thank the gentleman very much, and I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Mr. BONIOR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to engage the manager of the bill in a colloquy on an airport situation in my district that is of great concern to me and my constituents.

The Berz-Macomb Airport is a privately owned airport in Macomb County, MI.

The operation of this airport affects rapidly developing residential neighborhoods in both Macomb and Shelby Townships—two of the fastest growing residential areas in Michigan.

There are already significant environmental problems associated with the present level of airport operations, which are a continuing threat to the quality of life in these communities.

I do not believe that Berz-Macomb should be considered as a candidate for expansion or for any further development.

As the FAA makes determinations about where to spend its very limited resources for airport development, it would be unwise to allocate dollars for any expansion of Berz-Macomb.

The high population density and type of community development here indicate that this area is not compatible with further airport expansion.

The people in this community and community leaders including myself are determined to oppose any further development at Berz-Macomb.

Expansion of Berz-Macomb would be a detriment to our community and would be strongly opposed by the local citizens.

The allocation of any Federal funds for this purpose would be a serious mistake and an unwise use of tax dollars.

I would appreciate the bill manager's comments on the situation at Berz-Macomb.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding.

I concur in the gentleman's assessments. The gentleman has provided the subcommittee with extensive documentation on the Berz-Macomb Airport problem. This is one of the classic situations in the country where typically local government by inaction or by inattentiveness has allowed population to encroach upon an airport, and then the airport finds it wants to expand but its expansion means unacceptable noise levels to airport neighbors.

If I recall rightly, this airport is less than 40 miles from the Detroit-Wayne County Airport, the major airport of Detroit.

Mr. BONIOR. That is right.

Mr. OBERSTAR. It does not seem reasonable for this facility to seek expansion when there is already a sizable airport, one of the Nation's most competitive airports, nearby. The AIP dollars, as we saw in the exchange just a little bit ago with the chairman of the Transportation Subcommittee of the Appropriations Committee, are too scarce to squander on expansion of facilities where such expansion does not make sense locally and does not contribute to the national portfolio of airport capacity enhancement.

Mr. BONIOR. Mr. Chairman, I appreciate the gentleman's comments, and I thank him for his concern with this issue.

The CHAIRMAN. Are there any further amendments to title I?

If not, are there further amendments to title II?

AMENDMENT OFFERED BY MR. LIGHTFOOT

Mr. LIGHTFOOT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LIGHTFOOT: At the end of title II of the bill add the following:

SEC. 212. CHILD RESTRAINT SYSTEMS ON COMMERCIAL AIRCRAFT.

(a) IN GENERAL.—Section 601 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1421) is amended by adding at the end the following new subsection:

"(g) CHILD RESTRAINT SYSTEMS.—Not later than 90 days after the date of the enactment of this subsection, the Secretary shall issue regulations requiring the use of child safety restraint systems approved by the Secretary on any aircraft operated by an air carrier in providing interstate air transportation, intrastate transportation, or overseas air transportation. Such regulations shall establish age or weight limits for children who are to use such systems.".

(b) CONFORMING AMENDMENT.—The table of contents contained in the first section of such Act is amended by inserting at the end of the matter relating to section 601 the following new item:

"(g) Child restraint systems.".

Mr. LIGHTFOOT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

□ 1450

Mr. LIGHTFOOT. Mr. Chairman, I am very pleased to join with my colleague from Washington State, JOLENE

UNSOELD, in offering an amendment which will protect, in fact, the smallest, most vulnerable, of our Nation's airline passengers. The Lightfoot-Unsoeld amendment will require the use of child safety restraint systems on commercial aircraft. It's very simple, only one page.

Under current FAA regulations adults are required to be restrained during takeoff, landing, and turbulent conditions. Under current FAA regulations your baggage must be secured at your feet of in an overhead compartment. Under current FAA regulations your pet, traveling by air, must be safety secured in a cage yes, even cadavers must be safely secured in place.

Yet under current FAA regulations, infants under the age of 2 may sit in the lap of the parent and must take his or her chances that it will be a smooth flight. Sadly, despite aviation's enviable safety record, our tiniest passengers have been put at needless risk.

I first became involved in this issue back in 1989 after the Sioux City crash. In that crash, of four children on the aircraft, one child died and two were injured.

One child was found 15 rows from where they had actually been seated, in an overhead baggage compartment, only because someone heard it cry.

Their lives may have been saved or injuries minimized by the use of a child safety seat.

Children are at risk in more than just plane crashes. Early this year, a flight from Miami to San Francisco encountered turbulence so severe that 26 people were injured. Nine people were hospitalized including one person who suffered a broken leg. Sadly, two infants, seated on their parents' lap were among the injured. The children could have been spared with the use of a simple child safety restraint system.

The Lighfoot-Unsoeld amendment is supported by the National Transportation Safety Board, our country's leading safety experts, the Air Transport Association, which represents all the airlines, the Aviation Consumer Action Project, which basically represents airline passengers, the Air Line Pilots Association, which is the pilots on the airlines, and the Association of Flight Attendants, those folks who work with airline passengers every day and every night of the year.

Who would oppose legislation endorsed by safety professionals, consumers, aviation management, and aviation labor? Sadly, it is the FAA. The FAA has objected to protecting the lives of children on aircraft because they believe it would lead to ticket price increases and ultimately force young families to drive.

The FAA's conclusions were reached via a $63,000 tax-supported contract study they commissioned. However, the National Transportation Safety Board analyzed the FAA's study and concluded the results were flawed in the major assumptions used to reach its conclusions. The FAA provided the contractor bad numbers and, coupled with the contractor's inexperience with aviation, other errors were made. Simply put, garbage in, garbage out.

Further, General Motors Research Institute also looked into the issue and concluded it is twice as safe for families with young children to drive 300 miles as it is to fly and just as safe to drive as to fly 700 miles.

The Lightfoot-Unsoeld amendment has been worded to give the Secretary of Transportation the broadest possible latitude in setting the rules requiring child safety restraints. But it is a violation of an infant's basic rights when we give them one level of protection and adults another much higher level. After all, a child cannot be taken to or from the airport without a safety seat, why should they fly without one?

This House has had a long and honorable history of demanding from the FAA a higher level of protection for the flying public. This House has taken the lead in issues the flying public now takes for granted like floor level lighting, protective breathing devices, and smoke detectors. Today we can close one of the final loopholes in aviation safety by giving our children the protection they deserve.

After all, if you cannot take them to the airport, or take them away from the airport without the use of a safety seat, why in the world should they be the only thing on a commercial aircraft that is not required to be tied down?

I think one of the things that leads to some misconception of the arguments that we have heard is that the airlines then will suddenly start charging for seats.

It has been suggested to us by the airline industry that child safety seats very well could be one of the best market promotion tools they have, offering reduced fares for adults, kids fly free during off-peak hours, just as one example. It seems to me that anything that the airlines can do to enhance the use of commercial aircraft certainly accrues to their benefit and they obviously are not going to get out and promote something that is detrimental to getting people to ride on airplanes.

So, Mr. Chairman, I think the time has come, we have labored over this for a number of years. I am extremely pleased that JOLENE UNSOELD has offered her very able assistance on this particular package. I believe today we can finish one loophole that has caused us a great deal of concern and problems over the years.

Mr. Chairman, I yield back the balance of my time.

Mrs. UNSOELD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, imagine yourself flying with an unrestrained infant when an emergency hits. You are told to wrap the baby in pillows, place it on the floor between your legs, and—without removing your seat belt—brace it with your body. Without an infant restraint system, this is the best you can do to protect your child. Tragically, that's rarely good enough.

Mr. Chairman, listen to the story of a woman in her own words on the plane that crashed in Sioux City, IA, in 1989.

> I can still remember the look in the flight attendant's eyes as we both knew this baby had a slim chance of surviving the crash landing. Picture me—a person only 5 feet 3 inches tall—trying to bend over to reach the floor to hold onto my baby, a task that was almost physically impossible. Imagine the sickening feeling of realizing our baby was being sucked out of my grasp as the plane flipped over. There has never been such a feeling of helplessness and terror in my life.

It is a miracle that her daughter survived.

You may think a larger person—a stronger person—could have held on to that baby. Think again. During a crash landing, a child as small as 30 pounds can be thrown forward with 1,000 pounds of force—1,000 pounds.

Clearly, the Federal Aviation Administration recognizes the risk parents take by flying with infants on their laps. That's why the FAA recommends infants be secured during takeoff and landing. But they cannot bring themselves to require it. That is right—they require that you, the other passengers, the flight attendants, the pilot, the bags in the overhead compartment and even the soda cans in the kitchen be secured, but not your infant. This is crazy Mr. Chairman, and it can be deadly.

All we are asking is that children under the age of 2 be given the same protections as you or I. Please support the youngest and most vulnerable of your constituents. Please think of their future. Please support the Lightfoot-Unsoeld amendment.

AMENDMENT OFFERED BY MR. OBERSTAR AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. LIGHTFOOT

Mr. OBERSTAR. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. OBERSTAR as a substitute for the amendment offered by Mr. LIGHTFOOT: At the end of title II of the bill add the following:

SEC. 212. CHILD RESTRAINT SYSTEMS ON COMMERCIAL AIRCRAFT.

(a) IN GENERAL.—Section 601 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1421) is amended by adding at the end the following new subsection:

"(g) CHILD RESTRAINT SYSTEMS.—Not later than 90 days after the date of the enactment of this subsection, the Secretary shall issue regulations requiring an air carrier to provide, upon the request of a revenue passenger on behalf of a revenue child passenger, a child safety restraint system approved by the Secretary on any aircraft operated by such air carrier in providing interstate air transportation, intrastate transportation, or overseas air transportation. Such regulations shall establish age or weight limits for children who may use such systems.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in the first section of such Act is amended by inserting at the end of the matter relating to section 601 the following new item.

''(g) Child restraint systems.''.

Mr. OBERSTAR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment offered as a substitute for the amendment offered by Mr. LIGHTFOOT be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. Mr. Chairman, I respect very deeply and very greatly the sincerity, genuineness with which both the gentleman from Iowa [Mr. LIGHTFOOT] and the gentlewoman [Mrs. UNSOELD] have pursued this issue. When the gentleman from Iowa served on the Subcommittee on Aviation some years ago, he asked Mr. CLINGER and me to hold a hearing on the subject of child restraints, and we conducted that hearing, accumulating many pages of documentation from expert witnesses, extensive review of the subject matter from all parties both for, against, neutral, expert witnesses.

You know, when we started out with this issue, I thought this has got to be the simplest thing in the world we can do to save lives and require child safety restraints onboard aircraft.

At the end of the hearing, frankly, my views were changed. We heard the powerful and heartwrenching statements that the gentlewoman from Washington referred to.

□ 1500

We also received testimony and carefully reviewed studies that suggested young families who would be required to buy a seat for their child would most likely abandon air travel, get in their cars and drive to reduce the cost of travel, putting themselves and their children at greater risk.

If you look at the stark contrast between highway safety records and aviation safety records, you see very quickly the great disparity that exists between the two modes. The number of passengers who would die in highway accidents would be far greater than the number of infant lives saved in the situation where the law might require the purchase of an airline ticket for a safety seat for the child.

A study done by the University of Maryland and included in our documentation concluded:

> Given that highway travel is less safe than air travel, the mandatory use of child safety belts in air transport will result in an increase in the number of lives lost.

Accident analyses that we have had completed for the subcommittee's purposes indicated that over a 10-year period, three infant lives were lost in aviation because the child was unrestrained, only three in 10 years.

The same analysis of how many families would be diverted to the highways if they had to purchase a ticket indicates that some 300,000 families would make that choice.

The result if you took that option, according to this analysis, would be 115 lives lost over 10 years, compared to 3 lives lost in the 10-year period of unrestrained children on board aircraft.

Far more significant for safety of passengers aboard aircraft in the event of a tragedy has been the subcommittee's insistence that the FAA proceed with its seat strengthening requirement for airlines, to strengthen from 9 G's to 16 G's the force resistance of airline seats.

As the Sioux City crash indicated, typically in a crash of that type the seats just accordion forward and lives are lost by the impact. In that terrible tragedy, lives were saved because seats stayed in place due to the seat strengthening requirements and the modifications of aircraft that have taken place over the years and are continuing to take place as new aircraft come on board and older aircraft are modified to meet that standard.

I do not think it makes sense to require families to pay out an awful lot of money, but I do think that they ought to have the choice.

The amendment that I have offered as a substitute for the gentleman's amendment would give parents that choice. If they choose to buy a ticket for a child and want a child restraint seat, the air carrier is required to provide an approved child safety restraint device or seat for that child passenger.

I think this substitute amendment reinstitutes in the equation the element of choice and puts the choice on the passenger, on the parent, rather than forcing or imposing a requirement on the airline and upon all the traveling public at great cost, with rather minimal benefit.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Let the Chair advise the Member, the Chair has been advised that there will be objections to extensions of time ultimately, other than just a few minutes for each Member. The Chair would just advise the Members let us try to keep it as short as possible if we can.

Is there objection to the request of the gentleman from Minnesota to proceed for 1 additional minute?

There was no objection.

Mr. BILBRAY. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Nevada.

Mr. BILBRAY. Mr. Chairman, I just was curious, in this provision as I understand it, under the gentleman's provisions unless the passenger pays for an additional seat, the airline is not obligated to provide a child restraint seat.

What about the fact, as often happens, I have a grandchild 18 months old, often when they fly out here my daughter and my son-in-law often have the middle seat that is empty because the plane is not full. Would the airline be required to provide a seat in that case, even though they did not buy the seat, even though it is available and they have restraint seats?

Mr. OBERSTAR. Under my provision, the airline would be required to provide a child restraint seat for a ticketed child.

Mr. BILBRAY. But when there is an open seat, I can understand the argument, the fact that some parents will not travel, as the gentleman said, with two seats, I mean buying an additional seat, but if there are open seats and often airlines fly with open seats and sometimes the center seat is open and they have their child in it, why not require at least in that particular case where there is an open seat that the airline would be required to provide the child restraint seat.

Mr. OBERSTAR. That is still an option for the airline under the circumstance to allow the child to do that.

Mr. BILBRAY. I understand it is an option, but why not require it?

Mr. LAZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Lightfoot-Unsoeld amendment. This amendment, which would require the use of child safety restraint systems on commercial aircraft, takes an important step toward maintaining safety in the skies.

On January 25, 1990, a B–707 crashed in Cove Neck, NY. Of the seven infants on board, six were injured and one was killed. On July 19, 1989, a DC–10 crashed in Sioux City, IA. Of the three infants and one small child on the plane, one infant was killed and the two other infants and the small child were injured. On November 15, 1987, a DC–9 crashed in Denver, CO. A 6-month-old infant was one of the 25 passengers killed. None of these children were using an FAA-approved child-restraint device.

Mr. Chairman, these are only some of the statistics from some of the recent airline crashes. There are vast statistics of injuries sustained by infants during turbulence. We have all heard, at one time or another, a horror story about an infant being pulled from his parents' arms and propelled through the cabin in a crash or turbulence.

It is sad that a society which takes such pride in the safety and well-being of its children could have overlooked this vital safety measure for so long. There are safety requirements for infants and small children riding in cars and safety requirements for children riding on bikes, but there are no specific safety requirements for infants and small children on commercial aircraft. Ironically, passengers on aircraft are allowed to hold children on their laps, but they are not allowed to hold their briefcases, which may weigh much less than a child.

In recent years, the FAA has developed many new regulations aimed at improving occupant protection and cabin safety. None, however, have included mandatory infant and child restraints. Although a voluntary policy was instituted, the National Transportation Safety Board [NTSB] stated in 1990 testimony before the Subcommittee on Aviation, that it had been ineffective. The time has come to require a mandatory policy of compliance to ensure the safety of our children.

Mr. Chairman, I am an original cosponsor of H.R. 1533, a bill identical to this amendment. It was one of the first bills I signed onto as a Member of Congress. I am a cosponsor because I feel very strongly about the safety of children, perhaps because of my two very young daughters.

This amendment would afford infants and children the same level of protection we offer all other passengers on airplanes. I urge my colleagues to vote "yes" on this important child safety issue.

Mr. LIGHTFOOT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would say at the outset that the gentleman from Minnesota [Mr. OBERSTAR] and I are good friends. There are a number of issues that we have agreed upon and still agree upon, but apparently we have a little difference of opinion on this particular one.

As the chairman pointed out, we did have a hearing on child safety seats, but at the time the FAA brought that study to us, the very day of the hearing, which did not give any of the groups who were in opposition to the proposal an opportunity to analyze it.

Then the Public Works Committee asked the NTSB to do an analysis of the study and they said, I will use a couple quotes:

> The Board found several errors in the study's analysis of fatalities and injuries under (2) because it was, first of all, prepared by persons with no knowledge of aircraft crash worthiness, kinematics and injury mechanicals.

The NTSB also included a sample of accidents examined by the contractor was not valid to demonstrate the effectiveness of child safety seats.

□ 1510

In essence what they did, they used all highway statistics. That includes everyone that is killed inside the city limits of a community. I say to my colleagues, "If you have driven around the Beltway of Washington, DC, that's a lot more dangerous than it is going on I-80 in Chicago to Omaha, NE, and I think, if you're going to compare apples to apples, then you have to compare interstate highway miles only, and that's basically what the GM folks came up with."

The gentleman also mentioned, and I keep hearing this statement come up by those who are not really in love with our approach here, that we are going to require parents to buy a ticket. That is not true. There is nothing in this amendment that says anything about requiring anyone to buy a ticket. It simply says that child safety seats will be used on commercial aircraft, and, as the gentleman from Nevada mentioned a moment ago, current practice is to allow parents who have children, if there are vacant seats on the aircraft, allow those children to occupy those seats. There is absolutely no reason to believe that that would change.

Again we talk about, as you know, the number of lives. We are not just talking about crashes here. I have been flying for, I guess, 20-some-odd years. I got a commercial rating, and there are a lot of hazards with aviation that are not confined just to crashes. In fact, somebody once said that a good landing is a controlled crash one walks away from, but, be that as it may, a lot of accidents occur, a lot of injuries occur, when aircraft come in contact with what is called clear air turbulence. At this point in time we still do not have the kind of technology we need to accurately predict where that might be, and, when one is riding on an airplane and when the captain says, "Even though the seatbelt light is turned off, please keep your belts fastened while you are in the seat," it is not just some rhetoric they are going through. It is for very valid safety reasons.

I was in an aircraft or got to see an aircraft after it landed that had gone through some clear air turbulence over the State of Kansas last year. It happened right after the meal, and they just served lasagna, and it was not a pretty sight, and there were several people who were injured who were up and walking around at the time they hit the turbulence.

I would say again, with the greatest of respect for the gentleman from Minnesota [Mr. OBERSTAR], my basic disagreements with him on his substitute would be that we are going to force the airlines now to provide the seat, and at a time when we are worried about the viability of airlines it does not seem to me that it is appropriate that we force them to come up with some additional kinds of equipment which they have no way of predicting when it would be needed. Parents who travel now because of the laws in all 50 of our States own DOT approved child safety seats. They bring the child to the airport in that safety seat, they leave the airport with that child in the safety seat, and it just seems that it is logical for them to be allowed to use that safety seat while they are en route in the aircraft, and that is all we are merely asking to do.

Mr. SHUSTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the substitute offered by the gentleman from Minnesota [Mr. OBERSTAR] and against the mandatory requirement. The anecdotal evidence here is always touching, wrenching, when we talk about anybody being killed, particularly infants, but I would remind my colleagues that we charge the FAA with the safety provisions. It is up to the FAA to set these standards, and the FAA is opposed to this mandatory provision introduced by my good friend, the gentleman from Iowa [Mr. LIGHTFOOT].

In fact, Mr. Chairman, the one study that is available, and there may well be flaws in it, but the one study that is available says that more lives will be lost by passing this because people will move into the automobile with their infants, and I would suggest to my good friend that I think it is a bit disingenuous to say that the amendment offered by the gentleman from Iowa [Mr. LIGHTFOOT] does not require people to buy seats for infants because the amendment does indeed require a safety seat be used, and how can one fulfill that requirement unless they buy a seat?

The evidence is clear. In fact, the FAA says that the cost will be about $250 million a year of increased costs for parents to do this, and the evidence is very unclear. In fact, the only evidence that we have in terms of statistical studies shows that this could have a perverse effect of actually increasing total fatalities in transportation.

So, Mr. Chairman, for all of those reasons I certainly understand the well-meaning intent of the gentleman from Iowa [Mr. LIGHTFOOT], my good friend, but I believe the hard evidence suggests that we should not place this mandate, one more mandate, on the American people when indeed we have the FAA in place and charged with the responsibility of setting the safety standards.

So, I, therefore, urge support for the substitute amendment offered by the gentleman from Minnesota [Mr. OBERSTAR].

Mr. BILBRAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like at this time to enter into a colloquy with the gentleman from Minnesota [Mr. OBERSTAR] based on the fact of talking about empty seats that are available to parents, as I brought up earlier, and whether or not a legislative history can be created and the fact that the committee would urge the Secretary to pass regulations that would provide that, when empty seats are available, as often happens, that child restraint seats be made available at the airline for those infants at that time.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. BILBRAY. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, the gentleman has made a very useful suggestion in the course of our earlier exchange, and I think that clearly in the course of rulemaking, as this amendment provides and directs the Secretary to accomplish, that in the course of rulemaking the Secretary can direct the making available of seats that are not purchased at the time of flight, available for child restraint systems, as the gentleman has suggested. I would say that my substitute offers a way to accommodate both the concerns of the gentleman from Iowa [Mr. LIGHTFOOT] and those of the FAA. Passengers who cannot afford to buy a seat for their child would be able to do so, and they would get a restraint system, but under my substitute passengers who could not afford an infant seat would not be required to do so. They would not be forced at the highways, but, when seats are available, as the gentleman has suggested under rulemaking, the Secretary can direct that such seats be made available.

Mr. BILBRAY. Mr. Chairman, what I was hoping that the gentleman from Minnesota [Mr. OBERSTAR] would do on behalf of the committee was to urge the Secretary to do so, not just——

Mr. OBERSTAR. We will do so.

Mr. BILBRAY. So not just say he can do such.

Mr. OBERSTAR. We will do so, and, when this legislation gets through conference and we bring it back, we will pursue that approach that the gentleman from Nevada [Mr. BILBRAY] suggests.

Mrs. UNSOELD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have appreciated all the work that the chairman has done in this committee, and I am particularly appreciative of his high regard for life and, in fact, the sacred quality of life. We require infant restraints in automobiles. I would plead with the chairman to keep in mind that sacred quality of life and provide the same protection in this instance that is in force in others.

Bucking the safety issue to FAA, as was suggested by a colleague on this other side of the aisle, is really shirking our responsibility. The Government is repleat with examples of agencies, regulatory agencies, that become captive to those they regulate, and it is the role of Congress to redirect policy or to remind agencies of their responsibility.

I would plead with the gentleman from Minnesota [Mr. OBERSTAR] to endorse this proposal because of his high regard for life.

Mr. OBERSTAR. Mr. Chairman, will the gentlewoman yield?

Mrs. UNSOELD. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I appreciate the very genuine and sincere approach the gentlewoman from Washington [Mrs. UNSOELD] has taken and her enormous sensitivity to life. In so many respects and so many ways she has been an advocate for quality of life.

But in the highway program, Mr. Chairman, there is no Federal law requiring child safety seats on board automobiles.

Mrs. UNSOELD. Mr. Chairman, I used "we" loosely. It is required in many States.

Mr. OBERSTAR. Yes, but with this amendment we would be going further than Federal highway safety law does today for the purposes of aviation

Mrs. UNSOELD. It is a little difficult to keep a plane within the State's borders.

Mr. OBERSTAR. But we are still doing more than Federal highway safety laws do today, and we are leaving the element of choice, as there is in most States and under most laws, for the automobile, and still only less than half of parents choose to use child safety restraints in automobiles. I think we are actually going further in this language for aviation than Federal law does, than State law does.

☐ 1520

Mrs. UNSOELD. Mr. Chairman, you have the wrong committee for me to help you work on that issue. But I would urge you to please give consideration to those infants and those under 2 years old, who are so helpless and are dependent upon us adults to make the decisions for them that are going to protect them. They should be as safe as the pop cans on the planes.

Ms. PELOSI. Mr. Chairman, I rise today in strong support of the Lightfoot-Unsoeld child safety restraint amendment to the Aviation Infrastructure Investment Act. As a cosponsor of H.R. 1533, the bill on which this amendment is modeled, I support the use of child safety restraints for children under 2 years old on commercial flights.

Presently, children under the age of 2 years are held in their parents' laps on commercial flights. These children are more at risk than any other airplane passengers, who are restrained in their seats. It is absurd that present policy treats the safety of an infant with less regard than the safety of an adult. Young children traveling in airplanes should be provided with safety features which are provided for adults—that is, an effective restraint such as an infant seat. As we all know, children in cars must be strapped into an infant seat. Young children traveling in airplanes should be afforded the same level of safety as children traveling in cars.

The Association of Flight Attendants is among the supporters of this amendment. Flight attendants are responsible for the safety of their passengers, yet they cannot protect unrestrained infants in the event of severe turbulence or—even worse—an accident.

This amendment does not mandate one type of safety restraint, but would give the Secretary of Transportation ample latitude in setting requirements for proper child restraints on commercial flights.

Mr. Chairman, the Lightfoot-Unsoeld amendment is an important amendment protecting our youngest children. I urge my colleagues to vote in favor of this amendment to the Aviation Infrastructure Investment Act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR] as a substitute for the amendment offered by the gentleman from Iowa [Mr. LIGHTFOOT].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LIGHTFOOT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 270, noes 155, not voting 13, as follows:

[Roll No. 487]

AYES—270

Allard
Andrews (ME)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Barcia
Barlow
Barrett (WI)
Barton
Bateman
Beilenson
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Calvert
Camp
Canady
Cantwell
Carr
Castle
Chapman
Clay
Clement
Clyburn
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Cooper
Coppersmith
Costello
Coyne
Cramer
Crane
Danner
de Lugo (VI)
Deal
DeLay
Derrick
Deutsch
Dickey
Dicks
Dingell
Dixon
Doolittle
Dreier
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Emerson
English (OK)
Ewing
Farr
Fawell
Fazio
Fields (TX)
Fingerhut
Foglietta
Ford (MI)
Ford (TN)
Fowler
Franks (CT)
Frost
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodlatte
Gordon
Goss
Grams
Gunderson
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hefner
Hilliard
Hoagland
Hobson
Hochbrueckner
Hoke
Horn
Houghton
Hoyer
Huffington
Hughes
Hutto
Inhofe
Istook
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kildee
Kim
Kleczka
Klein
Kolbe
Kyl
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Levin
Levy
Lewis (FL)
Lipinski
Lloyd
Machtley

Mann
Manton
Manzullo
Martinez
Mazzoli
McCandless
McCloskey
McCurdy
McHugh
McInnis
McKeon
Meehan
Meek
Menendez
Meyers
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Ortiz
Owens
Oxley
Packard
Parker
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Richardson
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schiff
Schumer
Sharp
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Smith (NJ)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Stokes
Studds
Stupak
Sundquist
Swett
Synar
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Valentine
Vento
Volkmer
Vucanovich
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wise
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

NOES—155

Abercrombie
Andrews (NJ)
Baker (LA)
Ballenger
Barca
Barrett (NE)
Bartlett
Becerra
Bliley
Boehner
Bonilla
Burton
Byrne
Callahan
Cardin
Clayton
Clinger
Coble
Coleman
Condit
Conyers
Cox
Crapo
Cunningham
Darden
DeFazio
DeLauro
Diaz-Balart
Dooley
Dornan
Dunn
Engel
English (AZ)
Eshoo
Evans
Everett
Fields (LA)
Filner
Fish
Frank (MA)
Franks (NJ)
Furse
Gallegly
Gingrich
Goodling
Grandy
Greenwood
Gutierrez
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Herger
Hinchey
Hoekstra
Holden
Hunter
Hutchinson
Hyde
Inglis
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnston
Kasich
Kennedy
Kennelly
King
Kingston
Klink
Klug
Knollenberg
Kopetski
Kreidler
Lambert
Lazio
Leach
Lehman
Lewis (GA)
Lightfoot
Linder
Livingston
Long
Lowey
Maloney
Margolies-Mezvinsky
Markey
Matsui
McCollum
McCrery
McDade
McHale
McKinney
McMillan
Mfume
Michel
Mink
Morella
Murtha
Myers
Nadler
Nussle
Olver
Orton
Pallone
Pastor
Payne (NJ)
Pelosi
Pombo
Reynolds
Roemer
Romero-Barcelo (PR)
Rose
Rostenkowski
Roth
Rowland
Roybal-Allard
Rush
Sanders
Schenk
Schroeder
Scott
Sensenbrenner
Serrano
Shays
Shepherd
Slaughter
Smith (IA)
Smith (MI)
Smith (OR)
Smith (TX)
Stark
Strickland
Stump
Swift
Talent
Thomas (CA)
Thomas (WY)
Thompson
Underwood (GU)
Unsoeld
Velazquez
Visclosky
Walker
Walsh
Washington
Waters
Wolf
Woolsey
Wyden
Zeliff

NOT VOTING—13

Ackerman
Berman
de la Garza
Dellums
Faleomavaega (AS)
Flake
Green
Lewis (CA)
McDermott
McNulty
Murphy
Quillen
Wilson

□ 1543

Messrs. ROSTENKOWSKI, JEFFERSON, McHALE, SCOTT, HEFLEY, REYNOLDS, and SMITH of Michigan changed their vote from "aye" to "no."

Miss COLLINS of Michigan and Messrs. COMBEST, BAESLER, DE LUGO, HOAGLAND, TORKILDSEN, DREIER, GILCHREST, NEAL of Massachusetts, GOODLATTE, PORTER, WAXMAN, and GOSS changed their vote from "no" to "aye."

So the amendment offered as a substitute for the amendment, was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN (Mr. COLEMAN). The question is on the amendment offered by the gentleman from Iowa [Mr. LIGHTFOOT], as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LIGHTFOOT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 374, noes 48, not voting 16, as follows:

[Roll No. 488]

AYES—374

Abercrombie
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Byrne
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Crane
Cunningham
Danner
Darden
de Lugo (VI)
Deal
DeLauro
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Dreier
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Gordon
Goss
Grams
Grandy
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hastings
Hayes
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hutto
Hyde
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kaptur
Kasich
Kennedy
Kildee
Kim
King
Kleczka
Klein
Klink
Klug
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (FL)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
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McCurdy
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McKinney
McMillan
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
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Molinari
Mollohan
Montgomery
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Moran
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Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
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Watt
Waxman
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Allard
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Baker (LA)
Ballenger
Bartlett
Bliley
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Bonilla
Burton
Callahan
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Condit
Cox
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DeFazio
DeLay
Doolittle
Dornan
Dunn
Goodling
Hancock
Hefley
Hoekstra
Hoke
Hunter
Inglis
Kanjorski
Kingston
Knollenberg
Lightfoot

Linder
Mica
Michel
Myers
Nussle
Penny
Pombo
Ramstad
Roberts
Rohrabacher
Royce
Sarpalius
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Berman
Brown (CA)
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Dellums
Faleomavaega (AS)
Flake
Green
Kennelly
Lewis (CA)
McDermott
McNulty
Murphy
Quillen
Romero-Barcelo (PR)
Wilson

□ 1602

So the amendment, as amended, was agreed to.

The result of the vote was annonced as above recorded.

AMENDMENT OFFERED BY MS. DANNER

Ms. DANNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. DANNER: Page 12, before line 8, insert the following:

SEC. 203. PROCESSING FEES.

Section 313(f) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1354(f)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) FOREIGN REPAIR STATION CERTIFICATION AND INSPECTION FEES.—The Administrator shall establish and collect fees for certification and inspection of repair stations outside of the United States equivalent to the costs of providing the certification and inspection services.".

Redesignate subsequent sections of title II of the bill accordingly.

Ms. DANNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mr. OBERSTAR. Mr. Chairman, will the gentlewoman yield?

Ms. DANNER. I yield to the chairman of the subcommittee, the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. I thank the gentlewoman for yielding.

Mr. Chairman, we have examined this amendment. It deals with fees on foreign repair stations, to recover the costs of FAA certification and inspection of repair stations in other countries. We accept the amendment.

Mr. CLINGER. Mr. Chairman, will the gentlewoman yield to me?

Ms. DANNER. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. I thank the gentlewoman for yielding to me.

Mr. Chairman, we have had a chance to see the amendment on this side. I think it makes eminent good sense. It was a recommendation of the National Performance Review. It is a sensible amendment. We are delighted to accept it.

Mr. DANNER. Mr. chairman, my amendment takes language from Vice President GORE's Reinventing Government report and codifies his recommendation by calling on the Federal government to start charging fees for the services it provides. This is a good government amendment and the beginning of what I hope will be further action to enact Mr. GORE's recommendations so we may create a government that works better and costs less.

Specifically, the amendment will require the Federal Aviation Administration to recoup the expenses it incurs when it sends FAA inspectors to certify and do spot checks of foreign repair stations.

I believe it is financially responsible to charge these facilities for the full expense the Federal Government incurs for FAA certification and surveillance. With my amendment, the FAA will now be required to charge for all the expenses it incurs for these inspection.

In speaking with the airlines, the FAA and air cargo groups, none felt the additional costs will be significant or have an adverse impact on their operations.

Mr. Chairman, I urge adoption of this good Government amendment and thank the chairman of the Aviation Subcommittee and his staff for their support on this matter.

Mr. Chairman, I thank the gentlemen, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Missouri [Ms. DANNER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Chairman, I offer an amendment.

The clerk read as follows:

Amendment offered by Mr. OBERSTAR: Page 26, line 1, strike "June 1" and insert "January 15".

Mr. OBERSTAR. Mr. Chairman, the purpose of this amendment is to accelerate the date by which the FAA is to complete the study required by section 210 of the bill for a system for allocating slots for international service at O'Hare Airport.

Mr. CLINGER. Mr. Chairman, if the gentleman will yield, I rise in very strong support of this amendment, and I just wish to indicate that it will accelerate the time in which there will be a report due. It moves the time up by 6 months, to January. I think it is an excellent amendment, and we are happy to support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MORAN

Mr. MORAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORAN: Page 24, after line 18, insert the following:

(4) NONAPPLICABILITY TO WASHINGTON NATIONAL AIRPORT.—This subsection shall not apply to operations at Washington National Airport.

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 20 minutes, to be equally divided between the gentleman from Virginia [Mr. MORAN] and myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. WOLF. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MORAN. Mr. Chairman, this bill includes a provision that would require the FAA to review the slot restrictions that currently exist at four high-density airports: O'Hare, J.F.K., LaGuardia, and Washington National Airports.

My amendment would delete Washington National Airport from that review. The reasons are very clear.

First of all, there has been an ironclad commitment that was signed by all the parties, including the local Governments in this region, that the slot restrictions at National Airport would not be changed. We currently have 62 takeoffs and landings at National Airport, more than 1 a minute; 37 commercial slots. The principal concern is one of safety, safety for airline passengers, safety for the residents who live in this very populous metropolitan area.

Mr. Chairman, any breach of that commitment would be unconscionable, and that is exactly the intent of this review.

You would not do the review of the slot restrictions unless there was an intent to lift or remove restrictions on these high-density airports.

Mr. Chairman, $1.5 billion has been invested in a capital improvement program at Washington National Airport. That capital improvement program is based upon the assumption that those slot restrictions will not change.

Mr. Chairman, National Airport is not the only airport, not the only access that people in the Washington metropolitan area have available to them. The fact is that Washington/Dulles Airport, which is undergoing a $1 billion expansion, has plenty of capacity; Baltimore-Washington International Airport [BWI], has underutilized capacity. It does not make sense to divert flights from those airports to Washington National Airport.

We sit right in the heart of a very populous area. This is a sensitive area, as well, from a political standpoint, as the chairman and my colleagues would understand.

I would like to posit one further reason why this amendment should pass, and that is that if it does not, it is going to be interpreted as one more action that the Congress has taken for its own convenience. Rightfully or wrongfully, that is the way it will be interpreted.

Mr. Chairman, we have a commitment that the slot restrictions at National Airport will not be changed. It is inappropriate to conduct this review.

I ask my colleagues to support the amendment.

Mrs. MORELLA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Moran amendment to eliminate Washington National Airport from the review of slot restrictions at our Nation's high density airports.

The existing slot rule at National Airport was a compact between Federal, local, and airport officials. Its establishment by the Federal Aviation Administration was in response to the many appeals of citizens and local elected officials for relief from airport noise. Its preservation is essential to the promises that were made during the development of legislation providing for the transfer of National and Dulles airports from FAA control to the Metropolitan Washington Airports Authority. Indeed, the rule allowing only 37 commercial slots per hour has been established by the Washington Metropolitan Airport Act itself.

Over the past 5 years, there have been legislative and administrative attempts to alter the slot rule at National Airport. In the past, these attempts have been cited as necessary for airline competition. However, I want to emphasize again, that any efforts to alter the slot rule would be a breach of the good faith agreement that led to legislation transferring control of National and Dulles airports from the FAA to a local authority. Changes in the slot rule would destroy years of hard work by citizens, by Members of Congress, and airport officials to provide genuine relief to the surrounding communities impacted by the traffic in and out of National Airport.

My constituents in Montgomery County, MD, are hard-hit when it comes to airport noise. They are impacted by flights, not only from Washington National Airport, but from Dulles and Baltimore-Washington International Airport, as well, It would be simply unfair to expect my Montgomery County Community to bear the brunt of any additional noise as a result of any tampering with the existing slot rule.

I urge my colleagues to support the Moran Amendment that would delete Washington National Airport from the FAA study of the slot rule at high density airports.

□ 1610

Mr. CLINGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose this amendment as strongly as I can. It would exclude, make an exception and exclude National Airport from a study provision, and I think it has to be emphasized this is a study provision in this bill, which requires the Secretary to study and provide recommendations on the efficacy of the High Density Rule. That is what it does.

If there were to be any changes whatever in any of the slot-controlled airports, be it National, O'Hare, LaGuardia, there would be required new legislation which would come before this body and be subject to a full debate at that time.

But, Mr. Chairman, since this slot-control rule was enacted in 1969, there have been enormous changes in our aviation world, refinements, improvements. The technology has improved dramatically. Our ability to control aircraft has improved dramatically.

It seems to us that it is time, it is a reasonable period of time to at least take a look at this and see if in fact the improvements in technology, the improvements in our ability to control aircraft have reached a stage where we could review this and perhaps make changes in the slot control group.

I would also point out that we have had dramatic improvements in our ability to control noisy aircraft. It will not be too much longer that we are going to have an absolute prohibition on the use of the noisier aircraft. We move to stage 3.

I know that is a concern of those who are in favor of this amendment, but we have made strides in all these areas.

All we are asking and all we are proposing is that we have an opportunity to study this question. If it turns out there is no merit in what we are proposing, then obviously there will not be legislation proposed, but I do think it is a little harsh to say that we cannot even look at it. We cannot even consider whether or not changes that have existed would make it feasible to make those changes.

So, Mr. Chairman, I would urge opposition to this amendment.

Mr. CARDIN. Mr. Chairman, will the gentleman yield?

Mr. CLINGER. I am happy to yield to the gentleman from Maryland.

Mr. CARDIN. Mr. Chairman, one of the concerns that we have in support of the Moran amendment is that the study, what assurances do we have that the agreements that were reached in 1986 when the National Airport was transferred to the Authority, there were arrangements made between the jurisdictions, Maryland, Virginia, and the District of Columbia, as to the number of flights.

Will the study be mindful of he commitments that were made in 1986? It seems to me the study is just going to be looking at the congestion-noise issues and would not take into consideration commitments that have been previously made by the local jurisdictions. That is one of our concerns.

What assurances can the gentleman give us that that would also be part of the study?

Mr. CLINGER. I think clearly we are going to have a study which is obviously going to be mindful of this. At the moment, as the gentleman knows, by law there is a limitation of 37 slots. So that is clearly a part of the mix. That was part of the agreement that was made. That would have to be a part of any consideration of a study that would be made in regard to this issue.

Mr. CARDIN. Would the study take into consideration commitments that were given when the current arrangements at National Airport were established in 1986?

Mr. CLINGER. In 1986?

Mr. CARDIN. Yes.

Mr. CLINGER. It is part of the law. That is in the law now. That would have to be a part of the consideration of any study that would be undertaken.

Therefore, Mr. Chairman, I would again urge opposition to this amendment which simply calls for a study, nothing beyond that.

Ms. NORTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to say to my colleagues that I rise to strongly support the Moran amendment and to say to my colleagues, you should not want to touch this one with a 10-foot pole. Not only does it break a promise that there would be no increase in the number of slots at National Airport, because it says there may well be an increase in the number of slots at National Airport, but National Airport is nationally regarded as the plantation of the Congress itself. National Airport is seen, and I might say not without cause, as an airport the Congress has kept close to itself for its own convenience as, if you will forgive me, a perk of the Congress.

National Airport was handed over to local control in the late eighties with a promise not to change the number of slots.

Who wants this change? It is the big airlines who want this change. They have been trying for years to expand the number of slots at National Airport. If you vote against the Moran amendment, you will be seen by your constituents as voting for your own convenience, as voting to expand slots so that you can more easily come in and go out of National Airport. That may not be what you mean, but that is how it will be read to mean.

To throw National Airport into any group of airports like this is to forget what the history of National Airport has been. Members had control of National Airport itself until the courts threw out that control only within the last couple of years.

This very evening by coincidence, Mr. Chairman, I am going to an FAA noise hearing in the District of Columbia about a promise that has not been kept on noise in this region, despite the number of slots we now have.

The gentleman says what harm can it do to study the number of slots? We have not done anything about the number of slots.

The gentleman forgets that we have outstanding bonds, may have more, that we are in the middle of construction. Do we want to send a signal that this construction may be undone, despite the millions of dollars that are tied up in it by a study that has now been thrown on the table out of nowhere by the Congress and again it will be interpreted that we are doing the bidding of the airlines and that we are doing our own bidding.

I do not mean to suggest that is what this bill is about, but it is time that this Congress understood the appearances it gives when it takes actions like this.

I am asking that we omit National Airport. It is not just another airport. It is an airport fraught with history, a history in which this Congress is deeply implicated.

National Airport is not a perk. If you vote against the Moran amendment and it appears to be a perk and it looks as though we want to expand the number of slots for our own convenience and that we are not treating National Airport as we treat all other airports. We do not need to send that signal during this Congress.

Mr. Chairman, vote for the Moran amendment.

□ 1620

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise against the amendment, in opposition to what the committee has done, and in strong support for the amendment offered by the gentleman from Virginia [Mr. MORAN].

For those of my colleagues who are new here since 1986, this airport used to be the airport that everyone thought that Congress controlled. The Congress did a bold act, and, quite frankly, when the Congress ran this airport, it was the worst run airport in the Nation. The congestion was a mess. They could not even connect the metro to the terminal. It was a fiasco.

So, working together in a bipartisan manner, Mr. Chairman, we developed a program, Maryland, Virginia, and the entire country, of slot limits on this airport.

Now what my colleagues will be voting on today—think of two words. This is special interest legislation for an airline or two to come in here, and, second, this is what I call the aluminum sky policy. They want to pour every aircraft that they can into this airport regardless of anything.

Now what are the meanings? One, congestion at the airport, as the gentlewoman said, this airport is being planned for the limits that we have, but for those of my colleagues who are new, it was a snowy day, it was a snowy day in Washington, when an Air Florida airplane hit the 14th Street Bridge, and many people died. If my colleagues recall, Lenny Scutnick was the one who was the hero who saved many, many people.

They want to bring in as many as they possibly can. They do not care how much noise comes up into Georgetown.

Let me just say for the Members who are listening:

This airport is not in my congressional district. Now it used to be in my congressional district. I helped fashion a compromise with the gentleman from Maryland [Mr. HOYER] and the other Members from this region, and the gentlewoman from Maryland [Mrs. MORELLA]. It was bipartisan. But now they want to come in, and they want to pour them in.

Now, if FAA wants to do this and they say it is just a study, well, that is the way this thing begins.

Lastly, the Congress does not have the right to do this. I say to my colleagues, "You wouldn't want this done in your own airport in your own region. Think in terms of the gentleman from Virginia who represents this airport, the gentlewoman from the District of Columbia who represents this airport. You don't have any right to come in and tell them what their slot limits should be. Let's respect what was done in the past."

Now, Mr. Chairman, most businessmen come and say they can never rely on what the Congress does because they do something 1 year, and then they change the tax laws 4 or 5 years later. This would be doing the same thing. It is the aluminum sky policy to bring congestion and, I believe, perhaps dangerous.

The last point is the Airline Pilots Association took a poll about 2 months ago, and National Airport, this airport that they want to bring more aircraft in, was voted as the most dangerous airport in the Nation—the most dangerous airport in the Nation. Now, my colleagues' families come through this airport, my colleagues' staff comes through this airport, people come through this airport that live in this region. It is wrong. It is unfair. I strongly urge my colleagues to support the gentleman's amendment to keep the agreement that was fashioned after so many years of animosity that completely works, and I urge a yes vote for the amendment offered by the gentleman from Virginia [Mr. MORAN].

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we need some truth in amending here, and accuracy in amending.

First of all, Mr. Chairman, this amendment strikes that language unnecessarily. It proposes to remove a study of the slot or the high-density rule that happens to include National Airport. It does not, the provision in the bill does not, have implementing language. No administrative action can result from the study to be undertaken. This study, I would say to the gentleman from Virginia [Mr. WOLF], was not stimulated by some airline. In fact, I would suspect that the airlines would not like to have an increase in the number of slots at National because they like the control, they like to have those slots priced very high, and they like to limit the number of the operations there because it increases their bottom line. The Presidential Commission on Airlines recommended a study of the high-density rule. We did not focus on National Airport.

Second, I want to point out that in the law, the high-density rule, the administrator may not increase the number of instruments flight rule, takeoffs and landings, authorized for air carriers by the high-density rule at Washington National Airport and may not decrease the number of such takeoffs and landings except for reasons of safety.

Mr. Chairman, we have to study the high-density rule to determine whether the Nation's and the world's busiest airport, O'Hare, can make adjustments in the way that airport operates to accommodate the increasing number of international arrivals, the increasing numbers of commuters, the increased numbers of essential service operations that want to use that airport, and, if we have service to Chicago out of National, as we do, then National has to be included in the study.

But make no mistake about it. Let us be honest. The provision in the bill does not change this law. It does not change the law.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, the gentleman says it does not change the law, but it provides for the study which will lead to that.

Second, this is——

Mr. OBERSTAR. Reclaiming my time, Mr. Chairman, I have the time. "Lead to" means another act of Congress.

The gentleman had plenty of time.

If any other act were ever proposed to move then against any such act——

Mr. WOLF. Mr. Chairman, would the gentleman yield?

Mr. OBERSTAR. And there would be hearings, there would be full action by the committee, before any such action would be taken.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Virginia.

Mr. WOLF. I think, if I tell the gentleman the difference here that the Congress has enacted on the other airports, we are not trying to kill the study for the other airports. We are not trying to kill the study for the three other airports. The Congress, working under the leadership of the gentleman from California [Mr. MINETA] fashioned this compromise——

Mr. OBERSTAR. Mr. Chairman, I reclaim my time. The gentleman refused to accede to a limitation on time. We could have had this debate all concluded by now. But I insist on pointing out that this is a study. It does not single out National Airport. It deals with the four slot-controlled airports. If we are going to improve air traffic in this country, we have got to look at the totality. We cannot say, "Study the high-density rule, but, by the way, don't include one-fourth of it." That does not make any sense.

Furthermore, Mr. Chairman, when this study is complete, it has to be submitted to the White House, to the Congress; that is, to this body, to the other body. No action can be taken to implement one whit of a recommendation, and before any further action be taken, this Subcommittee on Aviation would hold hearings, we would explore the issue publicly, but I repeat: The focus is not on National Airport. There is no intention here to change the high-density rule at National Airport. But we do have to study it as part of the total air system in America.

Mr. Chairman, no airport is an isolated island. Do not make it out to be something that it is not. Never fear to study, but never study out of fear.

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. In regard to that, in regard to the study that has been proposed here, it is suggested that somehow it is going to be made in a vacuum, that there is going to be somebody who is going to rule on high that this has to be changed. But I would call the attention of the Members of the legislation which says:

> In conducting the study under this subsection, the Secretary of Transportation shall consult with officials of airports subject to the high density rule, the cities in which such airports are located, representatives of citizens living in the vicinity of such airports, air carriers now serving such airports or interested in inaugurating such service.

So, this is going to be a very comprehensive study, and everybody is going to have an opportunity to be heard and to have their concerns considered.

Mr. CARDIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first I would like to thank the gentleman from Minnesota [Mr. OBERSTAR] for his comments. I certainly feel better listening to his explanation of the committee's action of requesting a study, and I know that the gentleman is sincere, and I know that the gentleman from Pennsylvania is sincere, in looking at the total needs of our air traffic in this country.

But let me tell my colleagues why I hope this Committee will adopt the amendment offered by the gentleman from Virginia [Mr. MORAN]. I think it is very important that this amendment be adopted. It is important that we look at the high density rules and the impact that the high density rules have on the three airports that were mentioned other than National.

☐ 1630

But if you include National in the review, I am afraid that it will become a political issue, and not an issue on the policies of where additional flights may in fact be slotted.

The history at National Airport and the number of slots involves a great deal of political compromise. The three jurisdictions involved, all their representatives support the slot agreements that were reached in 1986. For, you see, two of the regional airports are under the Authority; one is not. There are different funding mechanisms involved here and different considerations.

So I think it is very important that we go forward with the study that the chairman wants to see. That study should look at safety issues, customer convenience issues, and noise issues. But if you include National in the study, I am afraid it is going to be a political review.

Now, the question I asked the gentleman from Pennsylvania is, in the study, would the understandings that were reached in 1986 concerning the number of flights out of National be part of the study? Because the number of flights at National is involved in the political arrangements reached on the running of the three airports, and it should be part of the considerations. But if you start looking at that, I think you compromise the other study.

Mr. Chairman, I want to thank you for your comments and the way your committee is going about this review. But for the sake of the work of your committee, I hope this Committee will adopt the Moran amendment.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. CARDIN. I will be glad to yield to my friend from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I appreciate the gentleman's thoughtful analysis of the subject. But how can you proceed on a study of the high-density rule that covers four major airports in America without at least including the traffic that originates and terminates at National Airport, when traffic goes from this airport to those other three?

Mr. CARDIN. Mr. Chairman, reclaiming my time, I interpret the Moran amendment to allow the study to look at all flights going into the other three airports, including those originating at National Airport, as part of its study. If we need to clarify that, I am sure we would be supportive of a clarifying amendment to make it clear that the study would look at flights that are at National Airport that involve the other three airports.

Mr. MFUME. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Moran amendment.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to join my colleague, the gentleman from Maryland [Mr. CARDIN], in saying how much respect we have for the chairman of the subcommittee, as well as for the chairman of the full committee. In particular, I worked closely with the chairman of the full committee, who was then chairman of the subcommittee, that worked so hard on the agreement to put National Airport and Dulles Airport under the Authority. I was opposed to that initially and served on the Holton Commission. Senator SARBANES, my colleague, sat on that commission as well. As you will remember, rare for Senator SARBANES, there was a minifilibuster in the Senate which placed the legislation in jeopardy.

In the course of the consideration, there was clearly an agreement. That agreement, as the chairman has so ably expressed, incorporated into the statute the limitation on slots.

Mr. Chairman, the reason for the Moran amendment, which I very strongly support, is that we ought not in any way to implicitly or explicitly, and I agree with the chairman, we do not explicitly do that, send a message that in the course of a study, that the slot limitation at National should not be perceived to be, in effect, inviolate.

The Chairman and the ranking member ask why, if this is just a study, is the Moran amendment necessary? It is necessary because it is important for us to send the message to those who do this study of the three other airports involved, that that study ought not be premised or based in its conclusions in any way that the slots at National can be modified.

Now, clearly we believe they ought not to be. But can be. If this is a part of the study, logically that will be part of the consideration. It is inevitable that that will occur.

Therefore, this amendment is not irrelevant, but is in fact on point. It is to restore the views of this Congress that in putting the Authority together, we made an agreement, and we have not changed that agreement. That agreement was that the slots will be limited. There is no such agreement with respect to the other three airports.

I would suggest further to my good friend, the gentleman from Minnesota [Mr. OBERSTAR], who so ably chairs this subcommittee, that the Moran amendment does not in any way preclude consideration by the study of what the flights are into or out of National, just as it will not preclude, although other airports are not referenced in the study, flights into

Heathrow or out of Heathrow, or into Los Angeles International or out of Los Angeles International. Obviously, in the course of that study they will have to be considered.

What the Moran amendment, however, clearly enunciates, is that we have not changed our policy.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I will be glad to yield to my friend from Minnesota.

Mr. OBERSTAR. But the language of this amendment is that this provision shall not apply to operations at National Airport. It takes National out of the equation. Furthermore, I say to the gentleman, that a study is not a threat. It does not provide any implementation authority. It does not amend the basic law. The basic law directs that the FAA shall not increase or decrease operations at National.

Mr. HOYER. Mr. Chairman, reclaiming my time to just respond to my friend, I understand that. Let me reiterate that I do not believe the Moran language in any way precludes studies, the studies including the flights and the relevance those flights have to the other three airports. Clearly they will have to look at other airports which are not mentioned in this legislation either to determine that.

What it will do, in my opinion, is it will raise the specter that possibly these will be changed. That specter ought not to be raised. Why? Because this region, in the consideration of that legislation, agreed to the Authority concept and the Authority reality on the basis of this agreement. We think that ought not be changed.

Mr. Chairman, we would ask our colleagues to support that amendment.

The CHAIRMAN pro tempore (Mr. MFUME). The question is on the amendment offered by the gentleman from Virginia [Mr. MORAN].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. MORAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 110, noes 294, not voting 34, as follows:

[Roll No. 489]

AYES—110

Abercrombie
Bacchus (FL)
Baesler
Bartlett
Bateman
Becerra
Beilenson
Bentley
Bevill
Blackwell
Bliley
Bonilla
Boucher
Brown (OH)
Byrne
Cardin
Clayton
Coleman
Collins (IL)
Collins (MI)
Condit
Cooper
Derrick
Dooley
Edwards (TX)
Engel
English (AZ)
Eshoo
Fields (LA)
Fingerhut
Foglietta
Fowler
Frank (MA)
Gephardt
Gilchrest
Gonzalez
Goodlatte
Gutierrez
Hall (OH)
Harman
Hastings
Hefley
Hefner
Hinchey
Hoagland
Horn
Hoyer
Huffington
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kennedy
Kennelly
Klein
Lancaster
Lantos
Lehman
McDermott
McKinney
McMillan
Meek
Meyers
Mfume
Mink
Montgomery
Moran
Morella
Myers
Nadler
Norton (DC)
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pickett
Price (NC)
Rangel
Reed
Regula
Reynolds
Roybal-Allard
Rush
Sawyer
Scott
Sharp
Shepherd
Sisisky
Smith (IA)
Spratt
Stokes
Stupak
Swift
Tanner
Thompson
Thornton
Thurman
Underwood (GU)
Unsoeld
Velazquez
Watt
Waxman
Wheat
Williams
Wolf
Woolsey
Wynn

NOES—294

Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Barton
Bereuter
Bilbray
Bilirakis
Bishop
Blute
Boehlert
Boehner
Bonior
Borski
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cantwell
Carr
Castle
Clay
Clement
Clinger
Clyburn
Coble
Collins (GA)
Combest
Conyers
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de Lugo (VI)
Deal
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Emerson
English (OK)
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Filner
Fish
Ford (MI)
Ford (TN)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Geren
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gordon
Goss
Grams
Grandy
Gunderson
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Hastert
Hayes
Herger
Hilliard
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Hughes
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Johnson (GA)
Johnson (SD)
Johnson, Sam
Johnston
Kaptur
Kasich
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
LaRocco
Lazio
Leach
Levin
Levy
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McHale
McHugh
McInnis
McKeon
Meehan
Menendez
Mica
Michel
Miller (FL)
Mineta
Minge
Moakley
Molinari
Mollohan
Moorhead
Murtha
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Paxon
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickle
Pombo
Pomeroy
Portman
Poshard
Quinn
Rahall
Ramstad
Ravenel
Richardson
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Royce
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Saxton
Schenk
Schiff
Schroeder
Schumer
Sensenbrenner
Serrano
Shaw
Shays
Shuster
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stark
Stearns
Stenholm
Strickland
Studds
Stump
Sundquist
Swett
Synar
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Torkildsen
Torres
Traficant
Tucker
Upton
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walker
Weldon
Whitten
Wise
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—34

Ackerman
Berman
Bryant
Chapman
de la Garza
DeFazio
Dixon
Faleomavaega (AS)
Flake
Gillmor
Green
Greenwood
Houghton
Hunter
Laughlin
Lewis (CA)
Machtley
Markey
McNulty
Miller (CA)
Murphy
Porter
Pryce (OH)
Quillen
Ridge
Romero-Barcelo (PR)
Schaefer
Torricelli
Towns
Walsh
Washington
Waters
Wilson
Yates

□ 1700

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Mr. DeFazio against.

Messrs. TRAFICANT, HAYES, TAUZIN, BARCIA of Michigan, OLVER, and EMERSON changed their vote from "aye" to "no."

Mr. BARTLETT of Maryland and Mr. SAWYER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1700

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent that all debate on the remainder of the bill and any amendments thereto be limited to a total of 1 hour and 15 minutes, of which 1 hour shall be for an amendment, if offered, by the gentleman from Virginia [Mr. WOLF], with 30 minutes to be controlled by the gentleman from Virginia [Mr. WOLF], and 30 minutes to be controlled by myself.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro·tempore [Mr. BARLOW] having assumed the chair, Mr. COLEMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill

(H.R. 2739) to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, due to a recent series of previously scheduled town hall meetings and individual meetings with constituents I was unable to register my votes.

Had I been present:

On October 7: Rollcall votes 488 and 489. I would have voted "aye" on No. 488 and "no" on No. 489.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I ask for this time that I might inquire of the distinguished majority leader the program for next week, and I am happy to yield to my friend, the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. I thank the gentleman for yielding, Mr. Speaker.

Obviously there are no more votes today. There will not be votes on tomorrow. There will not be votes on Monday, October 11, which of course is Columbus Day. In fact, the House will not be in session on Monday.

On Tuesday, October 12, the House will meet at 12 noon and will begin consideration of 10 bills under suspension of the rules. The bills are:

H.J. Res. 228, Romania MFN;

H. Con. Res. 113, relating to the Asia Pacific Economic Cooperation Organization;

H. Con. Res. 140, commemorating the 60th anniversary of the Ukraine famine;

H.R. 2650, to designate portions of the Maurice River and its tributaries in New Jersey as components of the National Wild and Scenic Rivers Systems;

H.R. 914, Red River Designation Act of 1993;

H.R. 1425, American Indian Agriculture Act of 1993;

H.R. 2399, Catawba Indian Tribe of South Carolina Lands Claims Settlement Act of 1993;

H.R. 1102, Court Arbitration Authorization Act of 1993;

H.R. 2632, Patent and Trademark Office Authorization Act of 1993; and

H.R. 2840, Copyright Royalty Tribunal Reform Act of 1993.

Recorded votes on those bills will be postponed until the end of those suspensions, and we expect no votes until 4 p.m. on Tuesday.

We will also be taking up H.R. 2446, military construction appropriations conference report, and H.R. 2445, a motion to go to conference on energy and water development appropriations.

On Wednesday, October 13, and the balance of the week, the House will meet at 10 a.m. Bills to be considered will be H.R. 1804, Goals 2000: Educate America Act, subject to a rule; H.R. 2739, Aviation Infrastructure Investment Act of 1993 to complete consideration; H.R. 3167, the unemployment compensation program extension, subject to a rule; H.R. 1845, National Biological Survey Act of 1993 to complete consideration; H.R. 2351, the Arts, Humanities, and Museums Amendments of 1993, modified open rule, 1 hour of debate; and H.R. 2151, the Maritime Security and Competitiveness Act of 1993, subject to a rule.

We do have a number of bills in conference that are appropriaton bills, the D.C., appropriation, Commerce, Justice and State appropriation, Interior appropriation, VA-HUD appropriation, and Transportation appropriation, and some of those or all of those could be available during the week.

Mr. MICHEL. The gentleman will recall our earlier conversation this morning about the number of items that we are going to have to contend with before we adjourn this session of Congress. And with the hope that that could be done by Thanksgiving, as distinguished from spilling over into December, I think we were in agreement that we wanted to admonish our Members, or at least remind our Members that we are going to have to have an accelerated schedule around here, which does not call for our being back in our districts on Mondays and Fridays maybe as much as we have in the past. It ought to be probably a 5-day workweek. And I think if we would alert the Members to that early enough, that the prize for doing that is having an adjournment that we can maybe before Thanksgiving.

If the majority leader would sustain or corroborate what this Member feels about it, why may be we can spark a fire here.

Mr. GEPHARDT. The gentleman stated correctly our goal which we talked about together. We do hope to be able to finish our work by Thanksgiving. In fact, a number of days before Thanksgiving so that Members can get back to their districts on time. We realize that the Wednesday before Thanksgiving is a very hard day to travel, so we would like to be able to get done much prior to that.

If we do that, it means that there has to be a number of Monday and Friday activities here. Next Friday we are going to be here. The week after that, October 18, we intend to be here, a Monday, and October 22, a Friday. Then the next week, October 25 and 29 we intend to be here on Monday and again on Friday. And Members should expect that we are trying to get all the appropriation bills done on time. The continuing appropriation runs out on October 21. So we will be having a lot of activity coming up to that date.

So the gentleman has stated it correctly. If we are going to reach the goal of getting out on or before or about November 22 for this year, this session of Congress, then we have to work Mondays and Fridays between now and then.

Mr. MICHEL. I thank the majority leader, because I think the members all appreciate knowing specifically the dates that he enumerated, the Fridays and Mondays when we are expected to be here. I know the gentleman has the same complaint that I have, "Why didn't you tell me? I planned this or that for such and such a date." And we are trying to give all Members notice that we have just got to be working those days. If there is cooperation of the membership, we can meet our target date, and I thank the distinguished gentleman.

Mr. SANTORUM. Mr. Speaker, will the distinguished minority leader yield?

Mr. MICHEL. I yield to the gentleman from Pennsylvania.

Mr. SANTORUM. Mr. Speaker, I thank the gentleman for yielding.

As the majority leader knows, the unemployment benefits last extension ran out on October 2, which was last week. And the Ways and Means Committee promptly reported a bill to the Rules Committee, and the Rules Committee reported a bill to the floor to solve that problem and extend benefits from October 2 for the next 4 months.

We have yet to see this bill come to the floor. The chairman of the Ways and Means Committee did an excellent job in coming up with a funding mechanism. It is a paid-for bill; it is as noncontroversial bill that sailed through the Ways and Means Committee. I am wondering, since these benefits expired on October 2, and the soonest we can take this bill up under the schedule here is October 13, I would just question the majority leader as to what is the holdup of this noncontroversial measure?

Mr. GEPHARDT. If the gentleman will yield further, obviously it is not as noncontroversial as the gentleman would state. There are difficulties that we are trying to surmount. We are talking with the members of the committee. We are talking with other people on this side, and we will bring the bill to the floor as quickly as we possible can.

Mr. SANTORUM. If the gentleman will continue to yield, what we have heard on this side is that there is a problem with one of the funding provisions having to do with welfare funds for aliens, and that the provision of giving money to aliens is holding up benefits for citizens who pay taxes into the unemployment compensation fund.

Is that an accurate assessment of the problem with the funding mechanism?

Mr. GEPHARDT. There are a variety of problems, that not being the only one, and we are trying to work our way through all of the problems.

Mr. SANTORUM. I thank the gentleman.

Mr. MICHEL. Mr. Speaker, if there are no other requests, I yield back the balance of my extended minute.

□ 1710

ETHANOL IS GOOD FOR THIS COUNTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. EWING] is recognized for 5 minutes.

Mr. EWING. Mr. Speaker, I take this 5-minute special order to have the opportunity to talk about something that is very important in my district. I think it is very important in the United States and in the Midwest particularly.

Since I took office in July 1991, I have spent a great deal of time trying to assure that ethanol will receive fair treatment in the Clean Air Act regulations.

Ethanol, of course, is the alternate fuel.

Reformulated gasoline, RFG, that program requires a different gasoline to be sold in the summer in cities with the worst smog problems. When the Clean Air Act was amended in 1990, Congress clearly intended that ethanol, which is a renewable fuel made from corn, particularly from corn, would be able to compete in the RFG Program.

Now, that was not stated that ethanol would be the only ingredient to be put in the reformulated fuel program, but that it would be one of those elements.

However, the EPA issued regulations last year which would have prevented ethanol from competing in this program. Despite attempts by President Bush to settle this matter last fall, the issue is still very much unresolved.

The EPA is under a Federal court order to announce its final decision in December 1993. In a recent letter which I had from President Clinton in response to my correspondence to him about the urgency of this matter, the President seems to be distancing himself from the decision of the EPA and in the letter he indicated that whatever regulations the EPA is to recommend, it will be outside of his control.

Now, Mr. Speaker, the President made some commitments during his campaign. When he campaigned in the Midwest in the Corn States, he made commitments about ethanol. The President has certainly intervened in a number of other instances where regulatory decisions were being considered—food safety, wetlands, the Northwest forests—and the bottom line is that the decision made by the EPA on this issue will say a lot about how important agriculture and rural America is to the President.

The facts are that ethanol is good for the environment. A recent study by the Council on Great Lakes Governors confirmed that ethanol is just as effective in fighting smog as is its main competitor, MTBE.

Ethanol will create jobs for American agriculture and in rural America. Currently, 1 out of every 7 bushels of corn in Illinois is used for ethanol production. Inclusion in the RFG Program could add more than 20 cents a bushel to the price of corn.

Ethanol is good for energy security because it is a renewable fuel. MTBE is derived from methanol and is mostly imported. Ethanol is domestically produced from domestically grown crops.

Ethanol is good for America. The EPA and President Clinton should assure that it is able to compete as one of those elements in the Clean Air Act programs.

Mr. Speaker, it will create hundreds of jobs, it will help bring prosperity back to the farm, to the cornbelt and to the Midwest, and I ask the President and the EPA to look with every haste at coming to a conclusion that will include ethanol.

BAD ADVICE FROM MORTON HALPERIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana [Mr. LIVINGSTON] is recognized for 5 minutes.

Mr. LIVINGSTON. I thank the Speaker.

Mr. Speaker, if reports in today's Washington Times are true, then we now have evidence that Mr. Morton Halperin, the administration's designee as Assistant Defense Secretary for Democracy and Human Rights, is singularly unsuited to any position of authority or counsel to deal with the security needs of the United States of America.

The news this week is filled with horror stories from Somalia which stem from the Clinton administration's approaches to the problems of that country.

The news that the Defense Department twice turned down requests from its own generals relayed through Gen. Colin Powell to send armored personnel carriers to protect our troops in Somalia is disturbing, to say the least.

Several months ago an American soldier there told the Washington Post, and I quote, "We aren't doing nothing for the Somalis but dodging bullets." And they should not be dodging bullets anyway. They would not be, had we maintained our original mission to provide neutral security for the delivery of food to the starving Somalis. But at the very least, if our generals say they need armament to keep our troops from getting killed by those bullets, then they darned well should be provided with that armament.

According to the Washington Times, which I include for the record, Halperin, although not yet confirmed in his post, was one of the few Defense Department officials who most strongly urged that armament not be sent, for the ridiculous and spurious reason that to send it "would appear too offensive." That is from the Washington Times today, that it "would appear too offensive."

Too offensive? We are talking about protecting the American soldiers in a hostile environment. What is really offensive to me, as I am sure it is to all Americans, is the thought of U.S. soldiers getting killed who might otherwise have easily been protected. And the bad advice came from Morton Halperin. This is the same Morton Halperin who reportedly was a prime mover behind the ill-conceived Presidential Directive 13, which would have made U.S. military forces subservient to the whim of the United Nations.

It is just such thinking which expanded the Somali mission into something called nation-building in the first place. In fact, it is such thinking which has marked the statements and writings of Morton Halperin for two decades, in his seemingly endless quest to have the United States give up its sovereignty on military matters in favor of multinational authority.

For example, in the left-wing publication, The Nation, Halperin wrote on June 9, 1979, that:

> All of the genuine security needs of the United States can be met by a simple rule which permits us to intervene only when invited to do so by a foreign government.

If we had followed that advice, we would not had saved our medical students in Grenada, nor would we have stopped the Communists from using immense stores of arms there to foster revolution throughout the Americas.

If we had followed that advice, we would never have tracked down, and toppled from illegitimate power, that drug-running thug, Manuel Noriega.

Adopting Halperin's approach is just stupid and dangerous, as we are now coming to realize. It is also immoral.

The list of other Halperin idiocies is long and well documented. Halperin wrote in 1976 that "covert actions and spies should be banned and the CIA's clandestine Service Branch disbanded," and in 1987 he repeated the call to "abolish covert operations."

And just this summer he wrote that "The United States should explicitly surrender the right to intervene unilaterally in the internal affairs of other countries by overt military means or by covert operations."

Mr. Speaker, if we had followed that advice, we never would have won the cold war, and millions of people who now are free would instead still be shackled in brutal oppression and slavery.

Even a novice to intelligence activities understands that wars can be avoided with properly directed covert action.

Now is the time—indeed, it is well past time—for Mr. Clinton and his Defense Secretary, Les Aspin, to withdraw Mr. Halperin's name from Senate consideration, to completely sever all Defense Department ties, formal and informal, with Mr. Halperin, and to convince the American people that U.S. troops will only be deployed in the interest of the United States, not at the whim of the ineffective and often counterproductive United Nations.

Unfortunately, the deaths of our soldiers who were denied the protection of necessary armament make it abundantly clear that either Mr. Halperin does not care about or he does not understand the needs of the troops in the field, and so he should not be confirmed as an Assistant Secretary of Defense or any other functionary of the U.S. Department of Defense.

Mr. Speaker, I include the article from the Washington Times by Bill Gertz, as follows:

ASPIN UNDER FIRE FOR SAYING NO TO EARLIER ARMS REQUESTS

(By Bill Gertz)

Gen. Colin Powell twice last month asked Defense Secretary Les Aspin for tanks and armored vehicles to protect U.S. forces in Somalia but was rebuffed for political reasons.

Defense officials close to the decision said yesterday that military leaders wanted to deploy the armor in early September but Pentagon civilians opposed it because they feared Congress' reaction.

"It was politics, pure and simple," said one official.

Meanwhile in Mogadishu, the Army major who is the chief spokesman for the U.N. mission in Somalia said U.S. forces have switched from peacekeeping to a "fugitive hunt" for Somali warlords—a job they are not trained for.

"We have this fugitive hunt—this is not a military operation," said Maj. David Stockwell. "So the military winds up taking casualties and looking inept. If there is a problem, maybe it is a problem with the mission."

In a telephone interview that echoed with the sound of automatic-weapons fire in the background, Maj. Stockwell said U.S. forces needed tanks and armored personnel carriers Sunday to speed up the rescue of two downed helicopters and 70 Army Rangers pinned down by Somali gunfire and rocket attacks.

"If U.S. forces had armor, they could have reacted more quickly, since they have common communications, training and tactics," the major said. Instead, they had to wait four hours for Pakistani and Malaysian armored vehicles.

On Capitol Hill yesterday, members of Congress criticized Mr. Aspin for not sending the armor. Sen. Alfonse M. D'Amato, New York Republican, called the inaction "unconscionable," while Rep. James T. Walsh, New York Republican, called on Mr. Aspin to resign.

Military officials close to the operation said Army Maj. Gen. Thomas M. Montgomery, deputy commander of U.N. forces and commander of U.S. forces in Somalia, sought tanks and armored vehicles for his troops in early September.

Gen. Montgomery sent the request to Gen. Joseph P. Hoar, commander of the Central Command, who relayed it to Gen. Powell.

Gen. Powell, who retired last week as chairman of the Joint Chiefs of Staff, appealed to Mr. Aspin that the tanks and armored vehicles were needed as part of force-protection operations, military officials said.

"Powell brought the request to Aspin's attention on two separate occasions," one official said.

An Aspin spokesman declined comment yesterday.

Pentagon officials told reporters Tuesday that Mr. Aspin deferred a decision on the matter because he received conflicting advice from his advisers. Air Force Maj. Tom LaRock, a Pentagon spokesman, said deployment decisions "are classified and come to Secretary Aspin on a daily basis."

"He bases his decisions on the best military and diplomatic information available at the time," Maj. LaRock said.

But Pentagon sources said military leaders, including Gen. Powell pressed for the armor.

An Army official said Pentagon civilians—including Deputy Undersecretary of Defense Frank Wisner, designated Assistant Defense Secretary Morton Halperin and other Aspin aides—opposed the military's request because they feared it "would appear too offensive-oriented."

"A month later you wonder why it wasn't already there," the official said. "General Montgomery obviously saw this coming."

Maj. Stockwell said that the first group of 14 armored vehicles began arriving in Mogadishu yesterday. Four tanks also will be sent.

He said the military's mission in Somalia needs to be changed or clarified to avoid a repeat of Sunday's costly events.

Twelve U.S. soldiers were killed and 78 wounded in a Somali guerrilla attack. The remains of two soldiers are in Somalia custody, and one U.S. helicopter pilot has been captured. At least six other soldiers are missing.

The U.N. spokesman's unusually blunt comments are likely to spur demands in Congress that the Clinton administration clarify its Somalia policy and set a deadline to bring troops home.

Maj. Stockwell said "we are undertaking efforts" to retrieve Army Chief Warrant Officer Michael Durant, a helicopter pilot captured by Somalia on Sunday. But no contacts with the Somalis holding him have been made. U.N. forces also are trying to recover the remains of the two soldiers displayed on videotape, he said.

Maj. Stockwell said a rescue force had to shoot its way into the sites of the downed aircraft and stranded Rangers and it suffered a number of casualties in the process.

"The Rangers, who were pinned down, took most of their casualties early on and fended off fire that was unbelievably thick," Maj. Stockwell said. "We resupplied them with water, ammunition and food and supplied air cover. There must have been several hundred militias firing at 70 guys."

The Rangers had surrounded the downed helicopter and informed the U.S. commander that they did not require immediate evacuation from the scene, Maj. Stockwell said, adding that gave Gen. Montgomery time to organize the rescue force.

Maj. Stockwell, an Army Ranger, defended Gen. Montgomery's quick actions to mount the multinational operation that fought its way through Mogadishu for several hours to rescue U.S. servicemen.

Under the U.N. command structure, none of the multinational forces are required to take part in dangerous "quick reaction" missions and they cannot be ordered to do so, Maj. Stockwell said.

The U.N. forces have "all the responsibility but very little authority," he said.

Sunday's rescue force had to blast through Somali street barricades and overcome heavy fire from small arms, machine guns and grenade launchers en route to the two crashed helicopters.

The helicopters were shot down during a "search and seizure" operation to nab aides to Somali warlord Mohamed Farrah Aidid. Two of his top aides and 17 other Aidid guerrillas were captured.

THE SITUATION IN SOMALIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii [Mrs. MINK] is recognized for 5 minutes.

Mrs. MINK. Mr. Speaker, I rise today to express my dismay and distress over the deteriorating situation in Somalia.

When United States military forces were first sent to Somalia to join the United Nations peacekeeping mission in December 1992, the objective for the United States forces appeared both clear and limited: To deliver food and humanitarian aid to Somalia's starving masses. In deploying the first American forces to Somalia, President George Bush indicated he expected the forces to achieve this objective quickly and then return home.

Because the American forces achieved the objective of alleviating the misery in Somalia, the United States had begun the process of withdrawing its forces. However, as the U.S. forces were being withdrawn, the U.S. role there was being recast from humanitarian to a militant and political one. This was a terrible mistake.

While the United States Congress supported the use of American forces to deliver food and humanitarian aid and thereby alleviate the immediate problem in Somalia, the Congress did not endorse the use of United States forces to fight one or another of Somalia's warring clans. Nor did the U.S. Congress endorse the use of U.S. forces to capture and punish General Mohammed Farah Aideed, leader of the most powerful of the warring clans. Finally, the Congress did not at anytime endorse the use of U.S. forces to build a nation where none now exists.

Neither the United Nations nor the United States can influence the outcome of the ongoing Somalia power struggle. For this reason and also because the United States position with regard to Somalia has grown unclear, unrealistic, and untenable, the United States should leave Somalia immediately and allow the Somalis to find their way to establishing their own indigenous government.

CHANGE OF SPECIAL ORDER TIME

Mrs. BENTLEY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes in lieu of my previously approved 60-minute special order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

NO PRINCIPLES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Mr. Speaker, there is an old term in politics for people who keep switching principles to keep in the limelight on important issues. They are allied political prostitutes. Anyone earning that name is quickly shunned from substantive issues.

The Wall Street Journal points out some of these people who have switched principles in an article "Some Former Foes of NAFTA Join Administration, Find Discomfort in Clash of Past, Present Views." This article only confirms the suspicions of the American public that those serving in Government or former Government officials are nothing more than hired guns for special interests.

I can understand lobbying—but an individual switching principles for a buck is not respected—unless he or she always was just an opportunist and nothing more.

One person named in the article is Michael Waldman, who is in charge of President Clinton's communication strategy on the NAFTA. What is so surprising is that Michael Waldman was director of Public Citizen's Congress Watch. In that capacity he wrote many anti-NAFTA pieces.

I applaud his former boss, Ralph Nader, who claims that "everytime he—meaning Waldman—talks on NAFTA his prior words will be paraded in front of him."

Ralph Nader has the right idea—hold these people accountable for their words and views.

Chuck Fox is another escape from the anti-NAFTA forces. He worked for Friends of the Earth, and strongly opposed the North American Free-Trade Agreement. Previously, he helped develop opposition to NAFTA. Now he is pushing the agreement as a special assistant at the Environmental Protection Agency.

In fact, he is assigned to the war room and is locating and coordinating support among the environmentalists, in support of the agreement. He claims the agreement is a precedent-setting green trade agreement. How can he say that when the Canadian Provinces have the opportunity to opt out of the agreement? It is time that former organization people and Federal officials do not get away with selective memory. The American people are the big losers in the process.

Another official who has switched sides, according to the Wall Street Journal, is Ron Brown, Secretary of Commerce. Remember, Mr. Brown was chairman of the Democrats national committee. In that position he spoke against NAFTA because his principal goal was to elect Democrats.

Now—I submit to you—it is either a good agreement or it isn't. You can't have it both ways. As Secretary of Commerce, Mr. Brown is supporting the agreement because he claims it creates jobs and his principal goal is to promote economic growth. On the surface, this at best looks like the actions of political opportunism. The job growth, I question.

What is lacking though in the debate about NAFTA—or any other trade agreement is leadership. The one person who has stood up for principle in this debate against the pressure of his party is the distinguished majority leader, Congressman RICHARD GEPHARDT.

What should we call those who are paid and switch from the antiforces to the proforces arguing any side of the issue? How can the American people trust their judgment—or believe they are hearing the truth?

In the article, Lori Wallach of Public Citizen summed it up best. She said,

> When you look at those folks in those jobs you can come to only two conclusions: Their heart is not in it, or they have no principles.

The American people deserve better than this. We are debating the future of American—indeed changing the very legal map of the country and our constitutional protections. There is no place for hired guns or political prostitutes in this debate.

THE NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, I am here once again this evening to talk about the North American Free-Trade Agreement.

The longer this debate goes on and the more I listen to the arguments of the NAFTA supporters, I cannot help but think of that old story about an admiral on a battleship steaming along on a dark sea when he sees lights dead ahead.

The admiral says, "Signal him to alter his course."

The signalman sends out a signal, and back comes the message, "You alter your course."

"Tell him he is under orders to alter his course. I am an admiral."

Back comes the message, "I am a seaman first class. You alter your course."

Now the admiral is getting upset. He says, "Tell that pipsqueak to move or we will blow him out of the water. We are on a fully armed Navy destroyer."

And the message comes back, "You better move. I am on a lighthouse."

Mr. Speaker, sometimes those of us who oppose NAFTA feel like that lighthouse. We are trying to change the course and steer America away from NAFTA before our economy, our jobs, and our standard of living ends up on the rocks, because I think when all is said and done the debate over NAFTA comes down to one thing, jobs, jobs and the standard of living that those jobs make possible.

The one argument that I have heard time and again on this floor from supporters of NAFTA is this, they admit that NAFTA will cause job dislocation in the short term, but they say that the jobs that will move south of the border will be low-wage, low-skilled jobs, not the high-wage, high-skilled jobs needed to compete in the future, because they say Mexico does not have the capacity to handle high-skilled jobs.

□ 1730

Well, I would like to direct their attention, and the attention of people who share that opinion, to an article that appeared in yesterday's edition of the Washington Post on the business page, an article which in its own words illustrates some of the economic pressures central to the debate over NAFTA. This article ran in the business section. The headlines read, and I quote, "A High-Tech, Low-Wage Lure, Hughes' Move to Mexico Illustrates a Thorny NAFTA Issue."

Mr. Speaker, it tells a story of Hughes Aircraft Company, a high-technology defense contractor in Newport Beach, CA. They make microcircuits for missiles, jet fighters, and other defense systems, which is difficult work by anybody's standards.

The article begins, and I quote,

> When former Hughes Aircraft Co. project manager William Lewis was assigned the task in 1988 of defending a company decision to transfer high-technology U.S. defense work from Newport Beach, Calif., to a Hughes plant here in Mexico, he was suspicious.
>
> "I had to live the lie," Lewis said in a telephone interview, referring to claims that jobs wouldn't be lost. "I knew that somewhere down the line, people would lose their jobs because of this."

And they did, Mr. Speaker.

Mr. Speaker, within months after the decision was made Hughes Aircraft closed its doors in Newport Beach for good, and hundreds of workers lost their jobs to Mexico. But the thing is they were not low-skilled jobs or low-wage jobs. These were high-precision, high-skilled, microcircuit jobs that started people off at $17 an hour.

And how did they end up in Mexico? Well, Mr. Speaker, they ended up in Mexico for the same reason that 500,000 other American jobs migrated to Mexico in the past 10 years, the same reason that thousands more will go if NAFTA passes. It is because Mexico has lax environmental laws, no health and safety laws, a corrupt judicial system, a 58-cent-an-hour minimum wage just beckoning companies to move south, and NAFTA does nothing to change that. It just makes it easier for companies to move.

Mr. Speaker, if my colleagues do not believe me or the article in the Washington Post, maybe they will believe the Mexican Government. This is an ad they are running in major business publications, or did run in major business publications, throughout the United States. It says, "You can't cut labor costs 300 percent in 90 minutes. Yes, you can in Yucatan, a place in Mexico." This ad goes on to say, "Come on down where we pay a dollar an hour in wages and benefits, or less than a dollar an hour in wages and benefits." On this side of the ad it says, "You can save $15,000 per worker, and you and your plant manager can live well, and your company will be more competitive," that is, American jobs will be gone. And then there is a number to call.

Of course we called the number, Mr. Speaker, and of course they had been flooded from this ad by inquiries by American companies just eager to go south.

Hughes moved to Tijuana for one simple reason, because Mexican workers earn less in an entire day than workers in Newport Beach make in an hour. Workers in Newport Beach started out, as I said, at $17 an hour, but, as the story points out, the starting wage in Tijuana for a line operator, the people manning the microscopes and chip assembly lines, is 20 Mexican pesos a day, or about $6.40 a day. Six dollars and forty cents a day, and NAFTA will encourage more of the same.

But, if my colleagues listen to the arguments of NAFTA supporters, that is not supposed to happen because Mexican workers cannot do high-skilled work. Indeed the story points out that only a few years ago companies like Hughes had seemed immune to the southbound trend of lower technology industries. After all, they say, the precision work performed by defense contractors was regarded as too sensitive to delegate to workers in a developing country such as Mexico.

But the story points out, high-technology companies, such as Hughes, are finding that with proper training and supervision Mexican workers are just as capable as their United States counterparts in manufacturing the complex microchips that go into aerospace and defense products. The story says that inside dust-free production rooms at the Hughes plant in Tijuana, Mexicans from dirt-poor neighborhoods don smocks and surgical masks each day to operate 100,000 dollars' worth of machines, and do my colleagues know what they do? They produce and test tiny microcircuits whose construction is so intricate, so delicate, that microscopes are required to examine wiring one-eighth the thickness of a human hair.

Mr. Speaker, does that sound like low-skilled work? Does that sound like easy work that anybody can do? Of course not, and it is exactly the kind of high-skilled jobs that everybody agrees America needs to compete in the future.

I am not saying that our future lies in defense contracts, but we are clearly beginning the process of conversion in this country. But if Mexican workers can do this kind of work, what does that mean for the future of jobs at American electronics companies? In the future of jobs at computer plants and assembly plants that will rely on the same kind of high-skilled labor, what happens to those jobs if NAFTA makes it easier for them to move to Mexico?

Mr. Speaker, it is simple questions like this that NAFTA supporters cannot answer. Never mind the fact that Hughes and the U.S. Government were using U.S. tax dollars through defense contracts to take away American jobs. That is a whole separate issue. The fact is Mexico is spending a record $30 million to hire lobbyists to sell NAFTA, and the American companies are pitching in a few million dollars' worth more, and they still cannot answer some very basic, simple questions like: Why would an employer pay $17 an hour when NAFTA will make it easier for him or her to pay 58 cents an hour?

Simple questions, Mr. Speaker.

They tell us that NAFTA will help Mexican workers to buy our products. But we have to ask ourselves this: How are they supposed to buy American cars when a week's wage will barely allow them to buy a set of spark plugs?

Simple questions.

Supporters say NAFTA will help Mexican workers. They say, as their productivity rises, wages will rise.

Well, let us look at the facts. Since 1979, and this is a startling fact, productivity in Mexico has gone up dramatically, but wages have gone down at least 25 percent, and, if one looks at the bureau of statistics, government bureau of statistics in Mexico, and our Bureau of Labor Statistics, they say 32 percent. Why should it be any different under NAFTA, and who is getting all of these profits?

Simple questions, Mr. Speaker.

NAFTA supporters claim that each Mexican buys $450 worth of American goods. But that is only true if my colleagues believe the average Mexican is buying robots for his home and large industrial equipment for his basement, if he has one. I say to my colleagues, "The truth is, if you look at that figure that they talked about in terms of $5 billion in surplus in exports to Mexico, 85 percent of the goods Mexico buys are parts and machines for factories that they are going to build. We are literally shipping our factories to Mexico, and our jobs will follow. Why don't they ever mention that?"

Simple questions.

Lobbyists concede that NAFTA will send many jobs to Mexico, but they say, "Down the road, down the road, others will take its place."

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. Mr. Speaker, I yield to my friend, the gentleman from Ohio, who has been exceptionally articulate and well versed on this issue, and I thank him for his leadership.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Michigan.

I want to go back to some of the things the gentleman said about wages and the incredible wage differential between Mexican wages and American wages and how the differential has only gotten worse. In fact, as productivity in Mexico has gone up so that their workers are producing more and more efficiently, their wages have actually gone down. At the same time, and this has a major bearing on the number of multinational corporations that will continue to go and go in a greater rate to Mexico under NAFTA, it is what happened this week on some issues on worker safety.

In Mexico, Mr. Speaker, Mexican workers not only are not paid very much. Their environmental laws are not only weak, those that are in effect are unenforced. The whole issue of Mexican worker safety is a major, major problem in Mexico.

This week our U.S. Trade Representative dismissed, even mocked, the U.S. Trade Representative's responsibility to enforce existing U.S. trade law. Specifically our Trade Representative dismissed a 43-page petition which detailed systematic workers rights violations in Mexico.

□ 1740

He accepted the GSP's problems that were cited in countries like Pakistan, Costa Rica, Paraguay, Peru, the Dominican Republic, and the Republic of Haiti, but he simply threw out the 43-page petition in great detail outlining the Mexican worker violations by Mexican employers or by multinational company employers in Mexico.

His doing that simply is saying we do not care what Mexico does to its workers. Now, that is not only a bad thing for Mexico and Mexican workers, but what that means in terms of NAFTA is that, first, of all, American companies closed down places in Macomb County, MI, and Lorain County, OH. They close the plant down and move to Mexico because, first, the wages are so much lower in Mexico; second, the environmental laws are so much poorer in Mexico; and, third, the American Government clearly, the United States Trade Representative clearly does not care that workers are being exploited by avoiding labor laws, child labor laws, worker safety laws, occupational hazard laws, and all those kinds of things.

So this decision by the United States Trade Representatives, in violation of American law, says again to an employer, go ahead and go to Mexico. You can pay less wages. You do not have to worry about the minimum wage. You do not have to worry about protecting workers. You do not have to worry about the health of workers.

You have to in this country. So if you have got to follow OSHA in this country, and you have got to pay a minimum wage, and you have got to pay a decent wage, and you have got to follow environmental laws, you do not have to do any of that in Mexico.

So it is not just the wage differential that you cite where you say you cannot cut labor costs 300 percent in 90 minutes, yes, you can, in Yucatan. It is also environmental laws, it is worker safety laws, it is all the things that our country stands for. This Congress has fought, and DAVID BONIOR, the majority whip, has been one of the leaders, in fighting for safety in the workplace, for good environmental laws. We are just throwing that out the window and saying go to Mexico. You do not have to follow any of that stuff.

Mr. BONIOR. What is so disturbing about this is that corporations that normally behave in a fair and decent manner here in the United States, although many of them have to be pulled to the table and recognize the rights of neighbors and workers to a decent and clean standard of living, nevertheless, they have accepted that principle, at least recently, have gone down there, without any feeling, or understanding, corporate ethic, or sensibility.

The people of Mexico, they have gone down there. If you look at the maquiladora areas along the border of the United States and Mexico, Matamoros, Tijuana and other places, there are 500 corporations along those borders where they assemble parts and basically ship things right back to the United States or overseas, where the Mexican consumer does not really see it. It is just a place to assemble and ship and export;

If you look at those places, the wages are phathetically low, as you mentioned. The environmental standards are ungodly in many instances. People living in filth, living with toxic chemicals, polluted streams and rivers where they get their water and where they bathe. It is absolutely a horror story out of a Third World nightmare that goes on. Normal corporations that consider these things in this country do not think anything about their lack of ethics in Mexico. And that is disturbing, because these often are the same corporations who are trying to extend NAFTA. They are part of NAFTA-USA, or whatever they call themselves, the people that are behind this NAFTA project.

And you are absolutely right. The people who work so hard in this country to give us decent wage standards, child protection laws, clean environmental laws, health and safety benefits, you know, the labor union gets a bad rap in this Chamber and in this country now. They are not in vogue anymore. They only represent, what, 17 percent of the people now in the country.

But people have to understand a lot of the wonderful standards that have been brought to this country in terms of health care and in terms of clean environment and in terms of worker rights and the right to petition your employer, the right to a decent wage, the right to safe working conditions, are the product of people like A. Phillip Randolph, and Gumpers, and Meany, and all the labor people in this country who sweated and were literally beaten on the picket lines over the centuries, to get us to the point where we have a relatively good decent place where our workers and families live today.

If this treaty goes through, what we will be doing is lowering our standard to meet the Mexican standard. And the Mexican standard, which as you have correctly pointed out and which I have tried to, is pathetically low. It is taking us back. It is not moving us forward to the future.

My bottom line on NAFTA, and I think yours and others in this chamber, is their standards should have to come up to ours. Not only these environmental standards and worker standards and wage standards, but the democratization standards which we have talked a good deal about on this floor.

Mr. BROWN of Ohio. If the gentleman will yield, you are exactly correct in that we in this country proudly over the last particularly 30 and 40 years have come to a consensus. I mean, we argue about our environmental regulations, too stringent or not stringent enough; our worker safety regulations, too stringent, or not stringent enough; or public health standards, clean water, and clean air. Do we go too far, or not quite far enough. All of those kinds of discussions.

But we have reached a consensus in this country, local health departments, State governments, this Government in Washington, all of us have reached some general consensus that we have good solid clean air, clean water, safe drinking water laws, that we have good public health laws, that we take care of our children and our families and our neighborhoods and our environment that way.

That is why those groups that fought, that is why we owe so much to those groups that you mentioned, to organize labor groups and environmental groups, to farmers and all of us who have been part of that.

Now, what we do with NAFTA though is erode those. NAFTA in some cases can override some of those state laws and some of those perhaps even county health department laws. It can override. It will do what you say it will. It will harmonize downward.

They love to talk about harmonization of standards. But I heard, I believe it was Mr. Kantor, the other day talking about harmonizing upward Mexican standards.

Well, the word "harmonize" means they go up and we go down. It means a pulling on our wage rates, our wage levels down, which means a worse standard of living for us. It means a pulling down of our environmental standards. It means a dilution of pulling down of child labor laws and other kinds of labor standards.

The agreement is not constructed in a way that it pulls Mexico up. It really does not do that. As you said so well, with all these multinational corporations in Mexico, while productivity has gone up, wages have still gone down. It is because it is a government they have that is not free. As you said so many times, you cannot have free trade without trading with a free government, without free elections.

What NAFTA does, more than anything, is put an American Government Good Housekeeping Seal of Approval on the behavior of the Mexican Government, on those kind of "Yes, you can, Yucatan" ads. It puts a Good Housekeeping Seal of Approval on Mexican antidemocracy standards and all the things they have done to have one-party rule in that country. It puts our Government's Good Housekeeping Seal of Approval on their keeping their wage rates down and wrecking the environment and hurting workers, and all the things the Mexican Government has done that our country blessedly has risen above over the years and reached that consensus. NAFTA is just bad news in that way, absolutely.

Mr. BONIOR. That is one of the most distressing points of this whole debate, is we will be rewarding the people who have perpetrated these bad environmental laws, these antidemocratization standards, these phony unions they have down there. We will be saying to them because you have done this, because you have a political system where 58 opposition leaders were assassinated over the last 10 years by the state police, because you have a political system where 23 journalists were killed in the last 4 years under Salinas, we are going to reward you.

We should be doing what the Europeans have done to countries that wanted to enter the European Community. The European Community has taken 30 years and spent over $100 million between 1989 and 1993 to integrate countries whose political and economic systems were a lot closer than ours is to Mexico. When countries like Spain, Portugal, and Greece, whose democratization standards and standard of living were not quite the same as the French, the British, the Germans, when they wanted to enter the EC they were told you have got to meet two criteria. It is written right into the EC documents. A, you have got to raise your standard up, and you have got to increase your democratization. When they did that, then their acceptance was embraced, or will be embraced.

□ 1750

And it is what we are doing to Turkey today. We ought to be engaged in that same type of a process. Yet we are trying to do the same thing that the Europeans have taken 40, 45 years, spent hundreds of millions of dollars, as I said, in the last 4 years. We are trying to do this within months, without spending a dime.

We cannot get people to come forward and say, how are we going to pay for NAFTA. When you say, what do you mean pay for NAFTA? Well, you are going to lose $2.5 to $3 billion in tariff revenue. You have got border cleanup that is going to cost in the billions of dollars. You have got infrastructure, roads, bridges, and highways that are going to cost. Texas alone wants $10 billion for infrastructure improvement.

You have got worker retraining that is going to cost billions of dollars, it has been guesstimated, where the cost is anywhere between 40 and 50 billion. And we cannot even get them to come here and suggest to us how we are going to pay the next tranche of extension of unemployment benefits for people who have been out of work for a long time.

Mr. BROWN of Ohio. Mr. Speaker, that is exactly right. All the reasons that the majority whip and so many others in this Chamber in both parties oppose NAFTA are very valid.

One of the reasons that has only more recently been discussed is plain and simple, NAFTA is a $50 billion new Government program.

We could not get the votes in this Chamber to pass a stimulus package, to create jobs in our country. We are having trouble getting the votes for an unemployment compensation benefits for our workers, many of whom will be put out of work more, if NAFTA passes. We cannot get enough deficit reduction in this Chamber because people on both sides of the aisle sometimes fail. We cannot do a lot of the things we need to do.

But the Members that support NAFTA, who say we have to have deficit reduction, who say this, who say that, who will not vote for programs for our own workers to retrain them and our own workers for investment in their futures and highways and bridges and schools and vocational training, want to vote for NAFTA and say, do not worry about it. We will come up with the $50 billion later.

They are not being honest. They are not being truthful. They are not being straightforward, and they are selling the American people a bill of goods with a $50 billion new Government program.

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from California [Mr. DREIER], who is one of the strongest supporters of NAFTA, an articulate spokesman, always a challenge to deal with on the floor of the House of Representatives.

Mr. DREIER. Mr. Speaker, how about upstairs in the Rules Committee?

Mr. BONIOR. A challenge that is not quite so daunting up there.

Mr. DREIER. Mr. Speaker, I thank my very dear friend, the gentleman from Mt. Clemens, and my friend, the gentleman from Lorain. I have the utmost regard for both. Frankly, I have the utmost regard for all the Members who have been involved in this debate.

I would just like to take one moment to respond to some of these things.

I do not want to take a lot of your time. I am going to be going through some specifics myself in a few minutes, when you all complete. I would be happy to let you-all challenge any of the things that I have to say.

The only thing that I would like to point to is, we have regularly seen this chart, "Yes, you can, Yucatan," night after night after night.

I am not going to stand here as an apologist for that. The fact of the matter is, we have seen behavior that has taken place during the 60-year history of one-party control, the Institutional Revolutionary Party's control of Mexico, that I would not support. And my friend from Mt. Clemens would not support, and my friend from Lorain would not support. No one in this Congress would support it, but we must acknowledge that since the last part of the Miguel de la Madrid administration, when President Miguel de la Madrid joined the General Agreement on Tariffs and Trade and then, of course, the full presidency of President Salinas, I am not going to stand as an apologist of the killing of 23 journalists or any other human rights violations which have taken place, but I would argue that as serious as those are, they pale in comparison to the behavioral pattern that we have seen in the past.

So what my friend talks about, the fact that in Europe years were spent trying to overcome some of the problems that existed between countries, we have seen over the past 6 years tremendous improvements in moving in the direction of a free market.

We have seen improvements in moving in the direction towards greater political pluralism. There are still problems in Mexico.

I stand here and say, yes, there are problems in Mexico. But I happen to believe that implementation of a North American Free-Trade Agreement will help move us in the direction of improving those rather than maintaining the status quo.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his contribution.

I would rebut this arguments by suggesting that when I started this debate, frankly, I had been under the impression that the Madrid government and now the government of President Salinas was an improvement over the past. You read about it all the time. You heard about it.

But when you look at the statistics, the human rights reports that were written by Amnesty International, the numbers that I cited with respect to opposition leaders, 58 assassinated by the state police. Twenty-three journalists, actually, there are more than 23, there were 61 journalists killed in the last 10 years, 23 in the last 4 years.

You look at the wage scale. I agree with you, they have moved to a free economy, but who has it benefited? Basically, a few rich. Mexico has increased the number of billionaires, "b," not "m," "b," from 2 to 13 in the last few years, the fastest growth of any country on Earth.

Mr. DREIER. The middle class and the upper-middle class in Mexico has increased to almost the same size as the Canadian middle- and upper-middle class. We have seen an explosion in the increase in middle-income wage earners in Mexico over the past 6 years. That cannot be ignored. We have seen real improvement and change.

Mr. BONIOR. The fact of the matter is that half of the people in Mexico live in poverty. The fact of the matter is that real wages now are lower than they were in 1979. That is not me saying it. Those are statistics that come from the Mexican Government. They come from our own Bureau of Labor Statistics.

Yes, in the last 5 years they have increased somewhat, because 1987 was the worst year in Mexican history in terms of wages. They bottomed out.

Mr. DREIER. The last 5 years wages rates have gone up at a higher rate than productivity has gone up. In the last 5 years wages rates have exceeded productivity.

Mr. BROWN of Ohio. Mr. Kantor came in front of our committee the other day and sang this same song, which is tiresome at best, that productivity has exceeded wage rates. By any measurement, there is one example that they can use to build their case, but by any other measurement you make, if you go back 7 years, if you go back 9 years, 10 years, 12 years, that is simply not the case.

If you go back those 12 years to the year 1980 or 1981, as the gentleman from Michigan [Mr. BONIOR] said, wage rates have dropped 30 percent and productivity has gone up 40 percent. That is clearly an economy that is run from the top down with no democracy injected into it, not real capitalism. It is statism.

In any free society, as productivity goes up, wages roughly shadow, within a point or two, or three, or four, or five, roughly shadow those wages. So all those businesses have gone, all those American companies have moved to Mexico, stealing American jobs, hiring mostly young women in Mexico that they use for a few years and then get rid of them and hire more young women, hire them at very low wage rates. They cannot build any decent kind of standard of living to buy much.

Mr. BONIOR. They live in corrugated cardboard huts. It is unbelievable, the poverty line.

Mr. BROWN of Ohio. And the whole point of NAFTA, the major selling block, the major fundamental foundation of the pro-NAFTA people in selling their case is, if we pass NAFTA, a big middle class will be born in Mexico and will grow, and grow, and grow, and they will be able to buy American products.

As long as they do not have free elections and a billion dollars to bargain collectively and form unions and as long as they do not have any kind of wage standards and labor standards to allow people to join the middle class, that is not going to happen. It is only going to make the 36 families that we have talked about on this floor many times——

Mr. BONIOR. That own 54 percent of the wealth.

Mr. BROWN of Ohio. That is not doing anybody any good except them.

It is hurting Mexican workers. It is hurting American workers. It is hurting Mexican workers, who get peanuts for what they do. It is hurting American workers who always live under the hammer of an employer saying, if you do not take this give back, if you do not take this pay cut, if you do not let your health benefits be slashed, we are going to move to Mexico.

So as an employee, I will say, probably, "Well, I will take the give back."

Mr. BONIOR. Take this poster. And they will put it up on a bulletin board. They will not have to pay anything to their employees in American factories. That is what American employers are going to do.

□ 1800

The message is quite clear here. They can do it for a lot less.

Mr. BROWN of Ohio. If they are doing that during the NAFTA debate, you can bet those are going to proliferate, and Chihuahua is going to do it, and every state in Mexico is going to start doing that stuff. Yucatan is just a little bolder and a little more brazen than others. You can bet those are going to paper the country with those kinds of solicitations.

Mr. DREIER. Will the gentleman yield?

Mr. BONIOR. If the gentleman will let me finish my statement, I will be happy to yield to my friend.

Mr. DREIER. Mr. Speaker, I would first like to ask my friend, I would like to explore with my friend this issue of wage rates versus productivity.

We talk about looking at these snapshot timeframes, where we can look at 5 years, 7 years, 12 years. What I would like to ask my friends is whether or not they are aware of the developments that took place in Mexico between 1979 and 1981.

Of course, we know that during that time there was a tremendous oil boom that took place. We saw a surge in oil prices. At the same time, there was a flow of very unwise foreign lending which came in and artificially led wage rates to be increased. It seems to me we need to recognize that with that snapshot, following those developments, unwise foreign lending, then if you look at the tremendous socialistic policies that were put into place by President Jose Lopez Portillo, it created that tremendous crash. We have now seen that overcome dramatically. That is why I like to look at history and learn from history.

Mr. BONIOR. I do, as well. I think it is important to note here what happened. There was this tremendous boom in Mexico, lots of oil and gas, in the timeframe that the gentleman mentioned. What happened to all of those revenues? Were they put into nutrition programs for the kids in Mexican schools? Did they build sewer and water treatment facilities? Did they provide decent educational facilities?

Mr. DREIER. No, wage rates were artificially high.

Mr. BONIOR. They did not do any of that. Do you know what happened? It went into the pockets of a few wealthy people. That is what happened.

Mr. DREIER. Wage rates were high under that situation. Since that time, since the mid-1980's, we have seen a tremendous increase, not in the 36 families' net worth; yes, it is great, but we have seen an increase in the size of the middle- and upper-middle class. In excess of 20 million of the 88 million Mexicans fall within that category, 28 million in Canada.

It is very clear that it is a growing bloc, and we cannot ignore it, because those are the ones that have the purchasing power who will be able to buy more U.S.-manufactured goods, products, when we bring about a NAFTA.

I am here just to march in lock-step with my good friend, Mickey Kantor, and your President, Bill Clinton.

Mr. BONIOR. He is my good friend, too.

Mr. Speaker, a good middle-class job, a real good middle-class job, is to work in their Ford factory, the Escort factory, that moved, by the way, from Michigan to Mexico and took a lot of jobs with it, thousands of jobs. It is the Hermosilla plant. They pay about $2.30 an hour, benefit package and everything. Compare that to what an autoworker makes in this country. That is not enough to buy, as I said earlier, a decent set of spark plugs and other things for an automobile, let alone someone can afford to purchase an automobile.

We ought to really tell it like it is. This agreement was not meant to help American workers. It was not meant to help Mexican workers. It was negotiated so a few rich people on both sides of the border could get richer, richer on the backs of working people. I do not care what the $30 million hired guns try to tell us that are running around this town, that have money, $30 million from Mexico, to come and influence this vote. This NAFTA is nothing but a job-stealing, worker-exploiting, community-busting agreement. We have got to do everything we can to educate the American public and our colleagues to defeat it.

The question that supporters of NAFTA never ask is the most obvious one: What happens to the workers that get left behind? They say, "Well, you know, we are going to create these jobs, and, you know, they will be rehired again."

What happens when communities see plants leave? What happens when families are forced to pick up the pieces? NAFTA supporters predict, they predict that hundreds of new jobs will be created down the road. They cannot really say when, but they say, "Trust us. Everything is going to work out fine." The point is, these are only theories.

As one writer wrote:

> American workers are being asked to jeopardize the job they have now and opt for two in the bush, when nobody can really say when or what kind of jobs are coming along.

Mr. Speaker, American workers are not stupid. That is why this thing is so unpopular in the polls. They know what will happen. They have seen it right before their eyes for the past 12 years. People in my district know that when a plant closes, it is just not the workers who are affected, it is everybody. It hits the dentist, it hits the doctor, it hits the florist, it hits the grocer, it hits the person who runs the gas station. The movie theaters see shorter lines. The grocery stores see fewer customers. The neighborhood restaurants see empty tables.

Mr. BROWN of Ohio. Will the gentleman yield on that point, Mr. Speaker?

Mr. BONIOR. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, it is not only that NAFTA is a job killer for people who work in factories, as the gentleman from Michigan said. It is absolutely a small business killer, too.

There are several ways that small business gets hurt from NAFTA. One is, I was talking to a plant owner, I went to the plant and was talking to the owners in a community in my district called Avon. In Avon there is a plant that employs about 100 people. It is owned locally, owned by three brothers. Those brothers told me that one of their competitors, which happens to be a European company, but a large multinational company, is going to build a plant, if NAFTA passes, in Mexico. They have the capital, this European company has the capital to put a plant in Mexico.

My friends in Avon do not have the money to be able to do this, so they cannot go to Mexico. It is small. The plant can go to Mexico and hire people at 80 cents an hour, evade environmental laws, pay no attention to worker safety, and those kinds of things for people, and simply out-compete, because of the big, big, big differential in costs with the small business in my district.

Other kinds of small businesses, as you say, that get hurt are those small businesses that supply the larger businesses. There are two Ford plants in my district. One of them makes the Thunderbird. That Thunderbird is also made in Mexico, a small plant in Mexico. Today, anyway, it is a small plant. If NAFTA passes, if they begin to shift production from the Lorraine Ford plant assembling Thunderbirds to Mexico, that means the small suppliers around Lorraine County, in northeast Ohio and Medina County and that area, those small suppliers that have grown up, if you will, around that Ford plant, that might have 10 workers or 40 workers, they are job shops, machine shops, they are parts shops, they are all different kinds of people that build things and make things to supply the Ford plant. Those people are not big enough to go down to Mexico to supply Ford in Mexico, so that kind of small business group is hurt badly by NAFTA.

The third group is what you say, the florists, the realtors, the dentists, the self-employed persons, the movie theater owner, that simply sees less money in their community, and they are hurt by NAFTA just as much.

When we talk about NAFTA being a job-killer, it devastates small businesses and it can hurt communities.

Mr. BONIOR. We know from direct experience in our own States how devastating that can be. I could name a dozen towns that were once great in Ohio, and the gentleman could probably name a dozen in Michigan, and they were once great. I will not do it, because I do not want to embarrass the people who are trying to valiantly to make a comeback, and some are, who have in the last 15 years been absolutely devastated; great places at one time, and you can see the life blood sucked out of them because of dislocation.

Do the Members know what happens to workers who are left behind? We do not need to read about this in books. We do not need to read theories of what will happen from some economist who sits in a designer chair in some climate-controlled office, because the gentleman and I have lived it. We have seen it.

When I drive home from Washington, and occasionally I do that, maybe once or twice a year, instead of flying, I go through those Pennsylvania, Ohio, and Michigan towns. I have seen the devastation. We have seen what happens to workers who are left behind.

My district office sometimes helps displaced workers find new jobs. In Michigan, the autoworkers who lost their $15 an hour jobs are not seeing these new exports create high-paying jobs. They are not seeing the yellow brick road promised by NAFTA supporters. Most of them are lucky if they can find a job for $6 an hour.

These are the fathers of four who are forced, and we see it every day, they are forced to deliver pizzas. They are the steel workers, as someone once said, with fingers too big to use a computer, and who are waiting to be trained, retrained for work. They are the fathers and mothers and brothers and sisters who sit down with the Yellow Pages and make hundreds of calls every day, trying to get an interview somewhere.

Mr. Speaker, these are parents who have mortgages to pay, families to feed, clothes to buy for their kids. This is not some kind of theory, it is real life. Is this the direction that we want our country to go in? Is this the high-wage, high-skilled path to the future that our opponents talk about?

I think we all agree that we need an agreement with Mexico and Latin America, but can we not do better than this? Of course we can, but why should that matter to people like, for instance, Bob Novak. If he is wrong about NAFTA, he is not going to lose his job. If NAFTA takes Americans' jobs, Lee Iacocca is going to go right on cashing in on his stock options and making millions.

If NAFTA forces our standard of living down, all of these former Presidents who were at the White House supporting NAFTA the other day, they are not going to feel it. They are going to get $75,000 a pop for a speech that is shorter than we have been talking here this evening.

Mr. BROWN of Ohio. And not as good, I might add, if the gentleman will yield.

Mr. BONIOR. And not as good, the gentleman is correct, I say immodestly.

What the NAFTA debate comes down to is this. Under no conceivable circumstance would any of the people who support NAFTA be hurt if NAFTA goes through, but American workers will. We have seen that happen. We have seen the lives of our fathers and our brothers, our sisters, our neighbors destroyed over the past 10 years.

□ 1810

We have seen entire communities laid to waste in the dust of factories who have headed south. We have seen our standard of living driven down in this country, and that is why we are not going to let this agreement go through. And that is why there is so much support to kill NAFTA.

There is a general sense out there that this is a screwing, that the American people are not being treated fairly.

Mr. BROWN of Ohio. If the gentleman will yield, it is interesting that the supporters of NAFTA trot out their six Presidents, and then they trot out their newspaper publishers, and then they trot out their Harvard economists, particularly the economists that they love from the east coast and the west coast, not so many economists from the middle of the country and Middle America, and they trot out some of their friends in academia, all of the people that, as you say, will not be hurt by NAFTA. But the interesting thing about this debate is the more the people in this country know about NAFTA, the less they like it. The more that workers hear about it, the less they like it. The more that small businesses hear about it, the less they like it. And that is because, and we can feel that in this Congress more and more where Members are coming out in opposition to NAFTA, because they are getting more and more mail from home, and they are going home like in the August work recess when we were out of session and people came back here and could not believe how many talked to them about what a bad deal NAFTA was for those businesses, for their workplaces, for their communities, for their schools, for their children, and for their way of life. Over and over again it is clear that the public is just sweeping across this institution, writing letters and saying no to NAFTA. And it is just real clear that we are winning this fight in large part not because of the newspapers, or not because of anything that any of us are doing, but because the public is overwhelmingly opposed to this agreement and think it is a bad deal.

Mr. BONIOR. Let me just finish my statement and conclude by suggesting to my friend that over the past 80 years people like our parents and grandparents have worked too hard, and they have fought too long to raise the standard of living in this country. Great people in the consumer movement, in the environmental movement, in the labor movement, people like Walter Reuther, and A. Philip Randolph and others have worked so hard so that people can own enough money to raise their families, to educate their kids, to buy a car, buy a home, take a nice vacation and retire in dignity with good health. That is the American dream for many of the people that we represent. And we cannot afford an agreement that will take us back to the Dark Ages and bring our standard of living down. We need to be moving forward.

My bottom line, as I said earlier to my friend from Ohio, my bottom line on Mexican trade is if we are going to have an agreement with Mexico it should be one that raises their standards to our level, not lower ours to theirs. Only then can we compete on the quality of the product and not on the misery and the suffering of the people who make it. And only then can we create the kind of future that we want for our communities and for our country. And only then can we avoid that lighthouse that I have talked about earlier, and have an agreement that will benefit the people of America and the people of Mexico.

We can do it. We can make this a real agreement that helps people. But you have to have people involved. You just cannot have the top corporate elite in both countries involved. You have to bring people to the table who have a stake.

We are their voices here. We are their voices, the voices of the people who are left out, who were not at the table when this thing was put together, and we will say no on their behalf. And then we will come together to form a common and decent market for workers in all of the Americas.

Mr. Speaker, I yield back the balance of my time.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hollen, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 161. Concurrent resolution providing for an adjournment of the House from Thursday, October 7, 1993 or Friday, October 8, 1993 to Tuesday, October 12, 1993 and an adjournment or recess of the Senate from Thursday, October 7, 1993 to Wednesday, October 13, 1993.

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The SPEAKER pro tempore (Mr. BARLOW). Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, we are 23 days away from a major human rights victory in Haiti. We are 23 days away from the restoration of democracy in Haiti, 23 days away from the return of constitutional government in Haiti. In accordance with an agreement that was signed on Governors Island with the United States and the United Nations, and the illegal representatives of the illegal Government of Haiti, plus the legal Government of Haiti, the return of President Aristide, the lawfully elected President of Haiti, elected by 70 percent of the voters, will take place on October 30, just 23 days away.

The timetable was moving forward. Whether or not we complete all of the steps in the sequence and arrive at the final solution on October 30 will depend on the resolve of the President of United States.

All parties to the agreement except one are cooperating and fulfilling and enforcing the agreement. The one party to the agreement that is not fully living up to the agreement is the illegal government that was installed as a result of the coup d'etat against President Aristide 2 years ago, although they did go to Governors Island, and they did agree that they would relinquish power by October 30. There are elements among the military, the army, and the police who are in Haiti, and the police are just a unit of the army, there are elements there who are insisting that they will not abide by the agreement. They are terrorizing the population, and they have murdered some people within the last month-and-a-half.

We are about to witness a major achievement which will set a precedent for the new world order if we pursue this agreement to its logical conclusion. But the handful of thugs, the handful of people who have the guns, you know in Haiti the army is 7,000 men only against a nation of 7 million, and 70 percent of those 70 million people voted for a President, and it is 70 percent of the population against the rest of the population, but the army has the guns. The handful of people who are terrorizing the population, they have the guns. And without threatening war, without intervention, without a United Nations special peacekeeping force, carefully and diligently, diplomats have worked out a situation whereby the army promised to back down. The army promised by October 30 that it would cooperate with the restoration of constitutional government.

Elements of the army now threaten to torpedo that agreement, and the only voice that they will listen to at this point is the voice of President Clinton. Whether or not this agreement succeeds or not, whether or not this process succeeds or not is now very much in the hands of the President. They only understand the language of firmness, the language of commitment. We do not have to threaten to send necessary troops. We just have to repeatedly let them know that this Government will not tolerate a torpedoing or a sabotaging of this agreement.

So we are urging the President at this point to take whatever actions are necessary to impress upon the handful of army commanders who are still leading a violent group against the population, to impress upon them the fact that the United States is very serious about guaranteeing that this agreement is enforced.

About 10 days ago a CODEL of Representatives of the House went to Haiti under the leadership of Congressman RANGEL. I was a member of the CODEL. And we went there because we were requested by President Aristide and the leaders of the Haitian legal Government, the constitutional Government, to show a presence as soon as possible. They had undergone a month-and-a-half of escalation of violence, 100-some people has been killed, and people maimed, and beaten, and finally a close friend and supporter of President Artistide had been dragged out of a church and murdered.

□ 1820

So they asked us to go right away in the hope that we would express by our presence the fact that the United States was still firmly committed to this agreement. I think our trip was successful. I think it was successful in that we went and we made a firm statement about the need to stop the violence and stop the killing. President Clinton gave us a letter to give to Prime Minister Malval. Prime Minister Malval was recently installed by President Aristide as one of the steps toward restoring constitutional government.

The letter from President Clinton to Prime Minister Malval said quite clearly that the United States was still firmly committed to the enforcement of the agreement and that it would hold the coup leaders responsible for any further violence.

Our presence there I think had some effect for some short period of time. The killings stopped for about a week. The violence stopped for about a week. But now the violence has resumed again in the last few days. The killings and threats have begun again.

It is necessary for the President to send a strong message again that we intend to support this agreement all the way to October 30.

I think it would be a major achievement not only by the Clinton administration but by the Organization of American States, a major achievement by the United Nations, a major achievement in this new world order, it will be an unprecedented situation where the legally elected president or leader of a republic in this hemisphere was returned to power as a result of pressure brought by the international community and the United States.

That has never happened before. It has never happened before. The coup leaders, the military juntas across the western hemisphere and across the world have had their way. Now in this new world order committed to democracy, committed to human rights, the international community of the United

Nations and the community of nations within this hemisphere, under the Organization of American States, have made it clear that we stand firmly behind constitutional governments and against military juntas who are in power as a result of illegal coups d'etat.

This agreement that is moving forward and will culminate in the return of President Aristide by October 30 is the result of actions by President Clinton which were very vital. The situation was turned around a few months ago when President Clinton decided that he would issue an order to freeze the assets of all the coup leaders and people who supported the coup, all the assets that they had in this country would be frozen. The President decided to deny visas to those people who supported the coup and the President decided to go to the United Nations and request effective sanctions from the international community. This is after more than a year and a half of making statements—true, under President Bush we made statements that we supported the democratically elected Government of Haiti, we supported President Aristide. We made statements like that. We refuse to recognize the military junta under President Bush. But we never took any steps beyond that. It was President Clinton who turned the situation around by freezing the assets, denying visas, and going to the United Nations and calling for strong action by the entire international community.

Yes, there had been some efforts to impose sanctions by the Organization of American States. But that had fallen flat. Nobody was serious about that. Other nations outside of the Western Hemisphere did not abide by it. So the coup leaders had no threat to the economy, no threat to the loss of vital materials such as oil until the President turned the situation around by calling for United Nations strong sanctions, which were instituted. Less than 2 months after the institution of the strong actions by the United Nations, the coup leaders came to the Governors Island to negotiate. They were willing to negotiate because the country was running out of oil, the most vital ingredient, and there were other serious hardships resulting from an embargo imposed by the international community.

The coup leaders came to Governors Island, and they agreed to a process which called for the restoration of democracy in Haiti by October 30.

As I said before, this agreement sets a major precedent. We did not restore constitutional government by sending in a major invasion force, we did not restore constitutional government by taking sides in a civil war. It was all negotiated.

It would be almost a miracle if, on October 30, this process does achieve the restoration of democracy with the return of President Aristide.

I congratulate President Clinton, I congratulate him on being willing to take the critical steps to turn the situation around, of stepping out to initiate a foreign policy which is a foreign policy very much in the interest of the American people. It is in the interest of American people to have democracy in this hemisphere, everywhere. Free-market democracies are very much in the interests of the American people. They have a direct bearing on what we do, on our economy, on our trade. There are numerous ways where the existence of free-market democracies are directly related to the prosperity and welfare of the people of this country. Free-market democracies that are achieved without war, without an investment in military operations which might result in the loss of lives, is also far more desirable than other ways to achieve democracy through more difficult means.

So it is a major precedent. It has a direct bearing on the lives of the people of this country. Many people have tried to wed the Haitian situation to the Somali situation.

Somalia was a case where we went in to bring humanitarian relief to individual human beings. Somalia is a case unprecedented, probably, in this century, where there was a complete breakdown of law and order within a society; not a civil war. You did not have one ethnic group fighting another, or one faction—one religion fighting another. Somalia was a situation where people all speak the same language, they are all the same race, they are not broken up into different ethnic groups within that race. They are all the same religion. Yet they broke up into various factions, fighting for the most selfish of reasons. And the government just disintegrated.

We did not go in to do anything except to bring relief to individuals who were just starving to death because of this chaos and because food supplies were being captured by armed gangs and could not reach people, even humanitarian aid sent from around the world.

Somalia at this point, with two-thirds of the country secured, two-thirds of the country on its way to recovery, there is no starvation in two-thirds of the country. Crops are growing again, farmers are working their fields again. Law and order has been restored to Somalia. But yet you have remaining a hot spot, one situation in Mogadishu, which has exploded and resulted in the loss of lives not only of American boys but also numerous other U.N. soldiers, and of course many innocent civilians, Somalians.

It is a most unfortunate situation. It is mostly successful, but the remaining situation leads many Americans to conclude that we should never go outside of our borders to try to help anybody; that it is not in our interest, we have nothing to gain from Somalia. Somalia does not have any oil, does not have any uranium, is not strategically located, there is no more cold war, so we do not care whether it falls into the hands of the Soviet Union or some other bloc. It is strictly a humanitarian gesture, for the most noble of reasons we have gone into Somalia. It is most unfortunate that one tiny faction with guns, one hard-headed, selfish, brutal, mad-dog faction has caused all this trouble. We should not equate that with Haiti, however. Haiti is a totally different situation. Haiti is not broken up into factions. Haiti is a situation where 70 percent of the people on election day, an election supervised by international observers, 70 percent agreed they wanted one man for President. That man was in the office of President for 7 months. During the 7 months that President Aristide was in office, most of the Haitian people who had been trying to get out of Haiti to come to the United States by any means necessary, using boats, rickety ships, so desperately that they would take any kind of risk, they stopped. It stopped.

□ 1830

For 7 months there were almost no Haitians attempting to enter the United States. They had hope. Not only had they voted for this man, 70 percent, they believed in him. They did not have any foreign aid program overnight. They did not have any discovery of oil overnight. They were not suddenly wealthy overnight. Nothing happened, except they felt they had a government that believed in trying to do what it could to help all the people in Haiti. This is after decades of oppression, decades of oppression under Duvalier's, Papa Doc Duvalier, Baby Doc Duvalier, who along with an elite group of people in Haiti, an elite group of people in the United States who owned some businesses there and helped to run the country from here, they ran the country of Haiti, a country of 6 million people. They ran the country as if it was a giant plantation.

The elite lived very well, but the great majority of the people lived in the most degrading kinds of conditions and turned Haiti into the poorest country in this hemisphere, one of the poorest countries in the world. All that happened before Aristide was elected. Once he was elected and the people saw they had hope they stopped trying to enter the United States illegally. We did not have a problem of large numbers of illegal Haitian refugees. We did not have a problem which made us behave in an inhumane way by denying people the right to enter the country in order to seek asylum. Many of the problems as a result of the desperate attempt of people to get out of Haiti did not exist, and they will not exist again if President Aristide is returned. If President Aristide is returned and a stable government restored, the democracy which the Haitian people have fought for begins to blossom, you will have the creation of a new market. Instead of the Haitian populace becoming a burden on the United States or the Western Hemisphere, you will have the flowering of a new economy in Haiti which will create a new market and new kinds of relationships with all their governments within this hemisphere and the economies in this hemisphere. We would be on the side of promoting human rights. We would be on the side of promoting democracy. We would be on the side of promoting prosperity for the Haitians, a people who have fought hard and long for this democracy.

The Haitian people are to be congratulated. I first should congratulate President Clinton. He was a key force that turned this situation around.

We certainly should congratulate President Aristide. President Aristide has maintained from the very beginning that he would not countenance violence, that he would insist on a peaceful solution to the problem. With 6 or 7 million people in Haiti against an army of 7,000, even if they did not have guns and you started a guerrilla warfare, you probably ultimately after the deaths of thousands of people would be able to overwhelm the military thugs and take back the country.

President Aristide insisted that he did not want sacrifices in that kind of guerrilla warfare.

He is to be congratulated for having faith in the United Nations and in the United States and going to Governor's Island to sign an agreement which had very unusual elements in it. The agreement signed at Governor's Island provides that the people who staged the coup would be in charge right up until the very end of the process for restoring the constitutional government, right up to the end.

General Cédras and Police Chief Michel Francois, right up to the very end they would be in charge of the army, of maintaining law and order. Right up until the very end they would be expected to make certain that the transition takes place.

In the Governor's Island agreement, President Aristide was called upon to appoint a Prime Minister, but the Prime Minister could not walk into his office without having the army or the police escort him there safely. The Prime Minister could not appoint a Cabinet without the members of that Cabinet having the army or the police to protect their offices and allow them to go in and take control of their departments. All of this was in the hands of the very people who staged the coup in the first place. It took a lot of faith to believe that such a plan would work.

At the very end of the plan, by the time President Aristide returned, basically the country is still in the hands of the army and the police. The U.N. observers will be there by October 30, but there are only going to be 1,500 U.N. observers, unarmed observers, observers who have no mandate to interfere in any way in the implementation of justice in the country, along with trained police from Canada, from France that are supposed to train the army and the police and convert the coup leaders, the terrorists into a civilian force and a peaceful army that will continue with the same people basically. It takes a lot of faith to sign an agreement like that. That is the agreement that President Aristide signed. It is up to the United States and the United Nations to enforce that agreement now.

I congratulate President Aristide for having that kind of faith. He has done everything he was supposed to do to live up to this agreement.

Now I congratulate the Haitian people. The Haitian people are to be congratulated above all. They have exhibited a great hunger and thirst for democracy from the very beginning. The Haitian people, without a single set of guns or tanks or armored cars, rose up to express their discontent with dictator Duvalier and after days and days of peaceful demonstrations they forced Duvalier to leave Haiti, and that set off a chain reaction that led to the establishment of a new constitution. Nobody believed they would ever write a constitution. All kinds of efforts were put forth to prevent them from developing a constitution. They wrote the Constitution. They had an election to approve the Constitution. The Constitution was approved.

They held elections. They held their first elections. At their first elections the army came in and shot people down at the polls. Nevertheless, they resolved to hold another election. They held another election and the army rigged the election by forcing every voter to hand their ballots to a soldier first before it was cast.

Finally, they had an election that was supervised by the international community and that is the election that elected President Aristide.

It has taken many, many years to reach this point.

Finally, they elected President Aristide. After 7 months he was overthrown, and now within 23 days President Aristide will be returning to Haiti. That is 23 days away from a major human rights victory, 23 days away from a major victory for democracy, 23 days away from a major return to constitutional government which has set a new precedent for this New World order.

The members of the Codel that went to visit Haiti less than 10 days ago have called upon President Clinton to meet with us to discuss the situation for the next 23 days.

In the last few days it has deteriorated and people have been killed. There are threats.

We worry about a mad dog faction staging a massacre at the last minute. We call upon President Clinton to do whatever is necessary to see to it that is prevented.

The Congressional Black Caucus also calls upon President Clinton to appoint a White House coordinator for the Haitian initiatives.

Beyond October 30, humanitarian aid will have to be offered. The police training process goes forward. Road building, economic development, a number of things are going to happen to rebuild the country of Haiti under President Aristide.

We call upon the President to appoint a White House coordinator for Haitian initiatives. That person would expedite the flow of decisionmaking which would facilitate the reconstruction of Haiti.

We call upon the President to also expedite the appointment of a new Ambassador to Haiti. We understand a candidate has been nominated, William Lucey Swing. His nomination is pending before the Senate.

We would like to see the new Ambassador to Haiti installed in Haiti before October 30. That again sends a signal to the thugs, it sends a signal to the opposition to the accord, the agreement.

We would like to other nations like France have their Ambassadors in place in Haiti before October 30.

☐ 1840

Mr. Speaker, there are a number of other steps that the Congressional Black Caucus has voted to take in support of the restoration of democracy in Haiti, but I would like to conclude with my appeal to the American people to understand that here is a victory for nonviolence, here is a victory for a peaceful process whereby we have restored constitutional government, here is an opportunity to make certain that this nation will never again have to face a situation where illegal military forces take over.

We call upon the American people to establish a people-to-people relationship with Haiti. There are churches in Haiti which need aid; there are hospitals in Haiti which need aid. There are organizations in this country, nonprofit organizations, that know very well how nonprofit organizations have to operate in order to exist. Schools need help. We would like for churches here to adopt churches there, schools here to adopt schools there, hospitals here to adopt hospitals there.

Haiti has been isolated although it is only 500 miles away from the shores of the United States. It has been basically isolated from the benefits of American democracy, from the interchange that is necessary. If we have an interchange, person to person, from here on, then we will never have to worry about having to fight dictators in Haiti again, we will never have to worry about having to go through a long tortuous process of diplomacy to restore a constitutionally elected government.

Mr. Speaker, we are 23 days away from victory, 23 days away from what will set a new precedent in this new world order. What we have done in Haiti we should do again and again in this hemisphere to send a clear message that we are in support of democracy, and we do not have to have guns and military intervention to enforce that democracy. It is 23 days away.

I salute the people of Haiti, I salute President Aristide, and I salute President Clinton for his very aggressive and forward-looking foreign policy initiative with respect to Haiti. In 23 days we will have a major victory for all of us.

Mr. DELLUMS. Mr. Speaker, it is with pleasure that I rise to join my honorable colleagues, the gentleman from New York [Mr. OWENS] and the gentleman from Massachusetts [Mr. KENNEDY], to address the long anticipated return to Haiti of President Jean-Bertrand Aristide on October 30, 1993.

Although we are aware of the immense difficulties that lie ahead for the President and his supporters, we also see the hope and the energy which the Haitian people now share in shouldering the task of making a new nation.

We believe that the recently formed coalitions supporting President Aristide, including community activists, dedicated supporters of democratic government, and business leaders give a positive signal that he will have the necessary support for a strong, new beginning for his democratically based Government.

The poverty in Haiti is crushing, but President Aristide is full of plans and hope, shared cautiously by many Haitian business leaders, that it is possible for the economy to recover, for human rights to be respected and protected, for corruption to be controlled, and further deterioration of the environment to be arrested.

I ask my colleagues to consider the most practical support that we can now give Haiti during its most energetic and optimistic period. Monetary assistance given in peacetime for bootstrapping operations is much cheaper than military remedies taken after civilian control is lost.

I ask that my colleagues join me in extending our strongest good wishes to President Jean-Bertrand Aristide for a successful return to Haiti and his Presidency, and that we commit ourselves to assisting our friend and neighbor in the Caribbean to achieve a healthy initiation into democracy and economic health.

ORDER OF BUSINESS

Mr. DREIER. Mr. Speaker, I ask unanimous consent that my very dear friend, the gentleman from Georgia [Mr. GINGRICH], the distinguished minority whip, be able to precede me with his 6-minute presentation.

The SPEAKER pro tempore (Mr. BARLOW). Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT OF CANDIDATE FOR LEADER OF THE HOUSE REPUBLICAN PARTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 6 minutes.

Mr. GINGRICH. Mr. Speaker, I want to put into the RECORD my statement from today when I announced for leader of the House Republican Party. Many of my colleagues suggested that it contained information important to all Members of the House, and to our staff and, frankly, to the American people. I said at that time, with 75 Members of the House gathered over in front of the Capitol:

STATEMENT OF CONGRESSMAN NEWT GINGRICH

We are gathered in front of the world's best known symbol of freedom, the U.S. Capitol. As Republicans we represent a party founded 139 years ago on the principles of free men, free labor, and free soil.

We Republicans believe in freedom, free speech, free elections, free markets, and the rights and responsibilities of free men and women. These are the practical principles that have allowed more people to achieve more prosperity than any system in history.

In our efforts to form a more perfect union and to guarantee every person their rights to "life, liberty and the pursuit of happiness" we Americans have accomplished an enormous amount.

Prosperity beyond expectation, opportunity beyond belief, scientific and technological achievements beyond anyone's dream. These have been the achievements of that amazingly diverse people called Americans.

Yet, today we are reminded by tragedies in Somalia and Bosnia, in Haiti and Russia that freedom is not automatic or easy. Even here in our nation's capital the sounds of gunfire and the sights of drugs, decay and death remind us that freedom can be lost.

As Republicans we know that no civilization can survive with twelve-year-olds having babies, fifteen-year-olds killing each other, seventeen-year-olds dying of AIDS and eighteen-year-olds getting diplomas they can't read.

As Republicans we know the welfare state has failed. Since we believe "all men are endowed by their creator with certain inalienable rights" we know this failure occurred because of a basic misunderstanding of human nature. We Republicans know that if you reduce a citizen to a client, subordinate them to a bureaucrat and subject them to rules that are anti-family, anti-work, anti-property and anti-opportunity you will create social pathologies. That is exactly what has occurred. The violence, degradation and brutality portrayed on the evening television news are the natural products of the current system's distortion of human nature.

With this failure, our generation has, in Franklin Delano Roosevelt's phrase, a rendezvous with destiny. Our generation must replace the welfare state with an opportunity society.

We Republicans are committed to developing a replacement which will:

Create new economic growth with better jobs and more take home pay.

Establish a system of health which uses individual responsibility, market incentives, malpractice reform, and classic American principles to give the American people the best care at the lowest cost with the maximum choice.

Create new approaches to education and training that will guarantee the best learning in the world so we can have the best jobs in the world.

Develop and implement a workfare replacement for the welfare system, establish enterprize zones to encourage job creation and empower the poor so we can work with them to truly save the inner city.

Adopt thorough reforms of the criminal justice system to end the plague of violent crime and drug addiction that threatens every American.

Establish and enforce new standards of conduct for our campaign system, the lobbying process, and the legislative and executive branches. Honest self government is the foundation of our entire process of freedom under the law.

Apply the principles of quality and the information revolution to thoroughly rethink and rebuild every process government administration so we can dramatically improve services while radically lowering costs.

Establish priorities and create new approaches so we can move systematically and methodically first to a balanced budget and then to pay down the national debt.

Maintain a powerful military while rethinking its structure and overhauling its administrative overhead to lower its cost.

Work with the President to develop and implement a sound, sustainable foreign policy that protects America while enlarging the opportunities for freedom whenever practical.

These are enormous challenges. They must be met if we are to renew American civilization and maintain our freedom, our prosperity, and our safety.

We House Republicans face an extraordinary challenge in seeking to replace the welfare state and to help the American people create an opportunity society.

Yet challenges are not new to America nor to House Republicans. We all stand on the shoulders of Bob Michel, our Leader and we know the challenges he faced. The son of first generation immigrants to America, a World War II combat infantryman with a purple heart and a medal for capturing 28 German soldiers. Bob Michel has served his country in war and peace. He has worked with nine Presidents. As our Leader he has been vital to Presidents Reagan, Bush and Clinton.

As my colleague, my Leader, my mentor, and my friend Bob Michel has taught me much about the burdens of leadership, the challenges of honest self-government and the joys and tribulations of the collegial legislative process.

Bob Michel's announced retirement will create a large challenge for House Republicans. Frankly I cannot meet that challenge by myself. No younger Member could provide the wisdom, courage and experience that 50 years, a half century, of public service taught the Leader from Peoria.

However, with the help of my colleagues, with the already committed support of over 100 members of the House Republican Conference, I believe we can build a team that can fulfill our rendezvous with destiny.

With their help, with their commitment, with their talents, I am convinced we can renew American civilization. Together we can reestablish safety for all Americans, economic opportunity for all Americans, learning for all Americans and health care for all Americans.

Together we can rebuild the process of self-government so every American can pursue happiness within the rule of law.

Together we can enlarge the frontiers of freedom so our children and grandchildren can live in a world of prosperity, safety, and freedom.

Within that spirit, for that purpose, and to achieve those goals, I am a candidate for Leader of the House Republican Party.

□ 1850

THE TRUE FACTS ABOUT THE NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore (Mr. BARLOW). Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 60 minutes.

Mr. DREIER. Mr. Speaker, I have taken out the time this evening to speak specifically about an issue which is going to be hotly debated for the next month and a half at least here in the House of Representatives, on radio talk shows, on television programs, on the floor of the other body, on the floor of this body, in committee here, and throughout the world, and that is the North American Free-Trade Agreement.

Earlier this evening we heard from two of my very distinguished colleagues, Representative SHERROD BROWN from Lorain, OH, and our distinguished majority whip, my friend from Mount Clemens, MI, Mr. BONIOR. They stand here as two articulate, committed opponents of the North American Free-Trade Agreement.

But, quite frankly, as I listen to people talk about NAFTA, most of them have indicated that while they may be leaning against the North American Free-Trade Agreement vote that is coming before us, they believe that it is the right thing to do. The reason they are leaning against it is the very simple fact that so many things have been said about it that are untrue that it has instilled in the American people a great sense of fear, and that sense of fear has led many Americans to believe strongly in the need to defeat the North American Free-Trade Agreement. So it has led them to call our offices, send letters, march in front of offices, and fall in line with Ross Perot, who has authored a book, along with Pat Choate, that has at least 193 inaccuracies.

So the American people have really come down on the side of fear, rather than facts. Tragically, many of my colleagues who have engaged in this debate here in the House have really perpetuated that, I am sorry to say.

As I was pointing out to my friend, the gentleman from Michigan [Mr. BONIOR], earlier, he was standing here next to the chart that he stands next to regularly. He carries it around, he points to it, as most opponents do. It is the chart that is an advertisement that I wish did not exist. It talks about how United States businesses should take advantage of low wage rates in the Yucatan. That is about the only thing they can point to.

When it comes down to it, Mr. Speaker, I am convinced that the North American Free-Trade Agreement is going to enhance the standard of living and the quality of life, both in Mexico, and, contrary to what many would lead you to believe, right here in the United States.

Earlier we were talking about the fact that we should renegotiate the North American Free-Trade Agreement. Mr. BONIOR talked about the need to bring about a NAFTA that we can get behind. Unfortunately, what has happened is there is not a realization that we cannot negotiate another North American Free-Trade Agreement.

Why? Because the forces that have now come out in opposition to the North American Free-Trade Agreement are so schizophrenic that they represent extremes. In fact, if you look at the opposition to the North American Free-Trade Agreement, you see Jesse Jackson and Pat Buchanan; you see my former Governor in California, Jerry Brown, and Ross Perot. It is an amazing litany of people who are opposed for different reasons.

The point that I make is that they oppose this for so many different reasons, many of which are unfounded, that they could never come together on an agreement.

I argue that the skill that has gone into this agreement, while not perfect, it is still lightyears ahead of the status quo.

Now, what is the goal of implementing a free-trade agreement like this? It is to help the consumer gain the ability to purchase the best quality product at the lowest possible price. And that is what we are really here to discuss. As that happens, as people are able to purchase the best quality products at the lowest possible price, it naturally brings out an increase in economic growth.

Now, as we look at this debate, the opponents would love to see us argue that there are winners and losers. While as we watch this baseball series continue as we head toward the World Series, there are winners and losers in many areas. There are winners and losers in sports; there are winners and losers in war; there are winners and losers in political battles that exist.

But, Mr. Speaker, in the area of trade, as barriers are reduced, trade is a win-win situation. I stand strongly convinced that the people whom I represent in southern California will benefit greatly, almost immediately, from implementation of the North American Free-Trade Agreement.

What I would like to do, since so many of my colleagues point to this single chart, Mr. Speaker, I would like to get specific and talk about the issue of free trade itself.

Mr. Speaker, the very distinguished gentleman from Florida who chairs the Trade Subcommittee of the Committee on Ways and Means, SAM GIBBONS, wanted to be here this evening to participate. But since a number of our other colleagues took time, he had to go off to a meeting at which he was talking about tax and trade policy with some people and was unable to join us.

So I would like to make, if I could, very briefly, the argument that SAM GIBBONS makes, because clearly implementation of the North American Free-Trade Agreement is a bipartisan issue.

Mr. Speaker, I am a Republican. I support the North American Free-Trade Agreement. SAM GIBBONS is a committed, loyal Democrat. He is a free-trade Democrat who recognizes that diminishing barriers is the wave of the future.

We are also joined by another free trader, a new Member of Congress, the gentleman from Arizona [Mr. COPPERSMITH], my friend from Phoenix, who joined us here last night, and I know is going to have quite a bit to offer in just a few minutes.

But I would like to take, Mr. Speaker, the arguments that have been provided regularly by Mr. GIBBONS in press conferences and meetings that we have had in which we have talked about NAFTA.

What the gentleman says is that if you look at the past several decades, what we have seen is one-way free trade. Now, what exactly does that mean? It means basically that the Mexican producers have had virtual tariff-free access to the American consumer. They have been able to, with very little in tariffs, sell their products to the United States, whereas we have had very punitive tariff barriers which have prevented the flow of United States products from the United States to Mexico.

So if you look at this, we have had one-way free trade. Mexicans have been able to sell their goods and services here in the United States, and yet we have had what on average is a 10-percent tariff on United States-manufactured goods which we have attempted to export into Mexico.

Now, if you look at the developments which have taken place in the past several years, it is amazing. My friends, Messrs. BROWN and BONIOR, argued about the problems that exist in Mexico.

Once again, Mr. Speaker, I will say that I am in no way an apologist for the problems that exist in Mexico. I do believe that we must recognize and all should acknowledge that over the past 6 years we have seen tremendous improvements, and we have already seen some improvements in that one-way free-trade system. But NAFTA is going to finally bring about the ultimate, and that is a zero-zero tariff.

Now, what has happened in that 6-year period? Well, in the mid-1980s, 1986, actually, we had a $5.7 billion trade deficit with Mexico. Basically we saw the United States purchasing $5.7 billion more in goods and services manufactured by the Mexican people than they were buying from us.

During the latter part of the 1980's we have witnessed the greatest market-oriented approach taken by a government in Mexico in the past six decades. What has happened is President Salinas has privatized the telephone industry, privatized the banking industry, and moved boldly toward political reform.

Contrary to what many people have argued, political reform has seen the opposition PAN party, the National Action Party, win mayorships throughout the country, and governorships, too. This was unheard of under the one-party control system that the PRE party has had in the past.

So, while not perfect, I am convinced that we have seen and history has now shown in the past 6 years that there has been tremendous improvement.

What has that done? It has strengthened the economy of Mexico, and we have seen some improvement in the tariff barriers which exist in Mexico. That improvement has obviously been beneficial and it has created what we have now, and that is a $5.4 billion trade surplus with Mexico.

Basically, the Mexican people, who are so often labeled poor and unable to purchase anything, the Mexican people, who now have a middle class which is in excess of 20 million, virtually the size of the Canadian middle class, are not simply, people who live in cardboard boxes, as is so often described by opponents to NAFTA.

□ 1900

I acknowledge that there are people who live in cardboard boxes, but I believe that NAFTA is going to be one of the things that will help to create economic opportunities so that they can emerge from that substandard quality of life.

So what we have come to today is we have found that the Mexican people, last year, were able to purchase $5.4 billion more in goods and services from the United States than we were from them because of not only the move toward privatization, which President Salinas has led, but also toward a slight reduction in tariff barriers.

But, Mr. Speaker, we still have an incredibly high tariff barrier, and I would like to ask you, Mr. Speaker, to focus on these charts here.

First of all, if you look at the average tariff, the average tariff on computers being sold from the United States into Mexico averages between 10 and 20 percent. Mr. Speaker, one incredible example that I have shared with our colleagues here before is the fact that in California we have heard that IBM has indicated that if NAFTA passes, we will see a tremendous improvement and an opportunity for IBM made and Tandy and other companies to sell their computers in Mexico. If NAFTA fails, IBM will have no choice other than to move facilities, which it has presently in my State of California and in other States, to Mexico. Why? Because it is essential for them to be able to gain access to the 88 million consumers in Mexico.

Right now, the tariff is between 10 and 20 percent on computers going into Mexico from the United States. And the average tariff that we have on their computers coming from Mexico into the United States is between 3.7 and 3.9 percent.

When NAFTA is completely implemented, what will happen, Mr. Speaker? We will see a complete zeroing of those.

Now, one of the things that has been said very clearly is that if NAFTA is defeated, the cork on the champagne bottles will be popping. Where? In Japan and Germany and other spots which would love to have the opportunity to move to Mexico and gain access to Mexico so that they can use it as an export platform into the United States.

Mr. Speaker, if we pass NAFTA, we reduce the tariff barrier, which is between 10 and 20 percent on computers, down to zero for United States-manufactured computers going into Mexico. And we create this relationship of free trade with our neighbor that we share a 2,000-mile border with.

But, Mr. Speaker, Japan, Germany, other countries will still have the same 10- to 20-percent tariff barriers as they attempt to sell into Mexico.

Let us look at computer chips. Right now, on average, there is a 10-percent tariff on computer chips from the United States going into Mexico. Right now, there is zero tariff on computer chips coming from Mexico into the United States.

On electronic products, the average Mexican tariff, 2.6 percent; the average United States tariff, 2.4 percent.

Let us look at the tariff on cars. That is something that is so often discussed here. I think my friend from Phoenix and I discussed this last night. We have often quoted the Big 3 auto makers who have referred to the fact that they know we are only able to sell 1,000 United States-manufactured automobiles in Mexico per year. In the first year, it has been projected that we will see 60,000 automobiles sold. That is a sixtyfold increase. Then there was this incredible figure given by Bill Hoagland, the executive vice president of General Motors, who referred to the fact that in the first year we will create 15,000 United States automaker jobs, and we will see a dramatic increase of thousands and thousands of United States-made automobiles going to Mexico.

Again, last night my friend from San Diego, the gentleman from California [Mr. HUNTER], as we were in this exchange here, referred to the fact that the average Mexican income is $2,500. How can they afford to purchase automobiles. The average Mexican income is not the determinant here. We have to recognize that what happens, Mr. Speaker, is you see the middle- and upper-middle-class, which is growing to, as I said, in excess of 20 million citizens, those are the people who are in a position to purchase these kinds of automobiles.

The tariff right now is 20 percent. The United States tariff on Mexican-manufactured automobiles coming in is only 2 percent. It will be eliminated under a North American Free-Trade Agreement with zeroing out.

Mr. Speaker, I yield to may friend, the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Speaker, I thank the gentleman for yielding to me and just want to follow up on this.

Essentially, we sell more cars, United States manufacturers sell more cars in Japan, which is a market that is essentially closed to United States auto makers. The Japanese drive on the left and there are other reasons why it has been very difficult. There is a tremendous demand for these products in Mexico, but the current Mexican tariff acts as a significant barrier.

It is essentially a 20-percent tax that a Mexican consumer must pay, whereas, the effect of the United States tariff is only 2.2 percent, I believe, on the chart. And it is a significant problem.

I would also like to point out, the gentleman raised the point that averages can be deceiving. We all know the story of the person who drowned in a body of water that had an average depth of 6 inches. The point is not what is the average, and the point is also, as I think you raised earlier, is not just what the historical trend has been but where it is going.

Last night you gave one example of comparing Mexican wage rates and, by using 1980, you can get an artificially distorted figure. So opponents are using a figure that was artificially inflated for a number of historical reasons. We can go into it again or not, depending upon the time.

So looking at wage rates from 1980 gives you a distorted picture, rather than looking at what has happened over the past 6 years.

I think it is even more important, as you focus on the fact that there is this large Mexican middle class that is growing, that you need to keep in mind that economic growth is not necessarily going to come from the developed countries, from the G–7 group, our trading partners in Europe and Japan. Those are fully developed economies. And while they will grow and we hope they will grow rapidly, they still will not grow nearly as rapidly as the developing economies such as in Mexico.

And where economic growth and growth of exports will come from in the future is going to be that Mexican market. By turning our back on it today, by keeping the status quo, which essentially locks us from one of the fastest growing markets and one of the markets that has been growing faster for exactly the types of exports and jobs that we want to encourage in this country, we are essentially cutting ourselves off from where the growth will come from in the future.

Mr. DREIER. My friend is right on target in that he is focusing not just on Mexico but all of Latin America.

By 1995, we are going to see at least four South American countries proceed with implementation of their own free-trade agreement. We all know that people from Chile have been knocking on our doors. I am sure they probably contacted my friend over the past several years. They have contacted me saying, will you sign on in support of a United States-Chile free-trade agreement? People know that the diminution of barriers is the wave of the future, and that is what we are trying to recognize here.

I have these charts, and we can briefly go through them. I would like my friend to interject at any point here.

The point that I am making is what I call the brilliant SAM GIBBONS line. SAM GIBBONS likes to talk about one-way free trade. And our good friend, Mr. GIBBONS, talks about the fact that they have had virtually unlimited one-way free trade.

I think that this chart, these charts that I have here best outline what I call the great SAM GIBBONS thesis.

I was talking about cars earlier, which is the example that is so often used. My friend mentioned that. We have a 2.2 percent tariff on Mexican-manufactured cars coming into the United States, and they have a 20 percent tariff on cars that are manufactured in the United States going into Mexico. And people will be able to afford U.S.-manufactured automobiles. After all, we know that that decision that was made by the United Auto Workers and General Motors to move their plant from Mexico back to Lansing, MI, was a clear demonstration that they believe that they are going to find a greater level of productivity right here in the United States. And they are still going to have that wonderful consumer market, which is big and growing, in Mexico.

Look at light trucks. Light trucks, 20 percent tariff on United States-manufactured light trucks going into Mexico; a 2.2 percent tariff on Mexican-manufactured trucks coming into the United States.

□ 1910

Auto parts. That is another big industry we hear about. We constantly hear about this auto parts industry which is going to be devastated with the implementation of the North American Free-Trade Agreement.

Right now, under the present status quo, we have a 13.1 percent tariff on United States-manufactured auto parts going into Mexico, a four-tenths of 1 percent tariff on Mexican-manufactured auto parts coming to the United States. Look at the incredible disparity that is there, nearly, what would that be, about a 26 times difference there.

Mr. COPPERSMITH. If the gentleman would yield, actually, it is higher there. It is 33 to 1. We have talked about how the average Mexican tariff is two and one-half times the average United States tariff, but these are good examples about how in specific industries, and specific industries that are quite important in terms of jobs, in terms of growth, that number can be higher. With cars and light trucks, it is a 9 to 1 ratio, and with auto parts, it is even worse, at a 33 to 1.

What people need to remember, what people need to know, is that in many ways NAFTA requires far more of the Mexican Government than it requires of the United States. It opens up opportunities to the United States as well as opportunities to Mexico, possibly to a far greater degree in exactly the kinds of industries that will lead the way to the 21st century.

Mr. DREIER. If I could even expand on my friend's points, look at chemicals: a 10 to 20 percent Mexican tariff; zero to 4 percent. I can certainly understand why the chemical industry and the workers in the chemical industry very much support the North American Free-Trade Agreement.

Why? Is it wrong for them to want to have more consumers of their product? I do not think so. If we bring about a North American Free-Trade Agreement, we are going to greatly expand the number of consumers in Mexico who will be able to be purchasing items made by the chemical industry here in the United States.

Pharmaceuticals. It is incredible when we look at the pharmaceuticals industry, a 15 percent average Mexican tariff and a 3.5 percent average United States tariff; basically, the SAM GIBBONS thesis once again proved, one-way free trade. Mexican goods are able to flow into the United States, and yet we have that average 15 percent tariff seriously jeopardizing the flow of pharmaceuticals into Mexico.

Look at the textile and apparel industry. That is one of the most interesting ones of all. One night I read here, Mr. Speaker, a letter that came from some people in the textile industry in the Southeastern part of this country. That, by the way, is one of the very interesting arguments as it relates to trade.

Professor Michael Porter from Harvard University did a fascinating study about the fact that we have seen trading blocs emerge from within the United States, and specialization take place in different regions of this country. He likes to point to the fact that in the early part of this century there were many people in the Northeastern part of this country who decided that the Northeast would be devastated. Why? Because the textile industry was relocating from that part of the United States to the Southeastern part: Georgia, the Carolinas, other States in the Southeast.

We all know what happened. There was a natural shift that took place. That obviously is what is going to happen with us here. The textile and apparel industry recognizes today that much of their threat comes not from the Americas, but from the Pacific rim.

In NAFTA is defeated, we will see countries in the Pacific rim, Japan, Singapore, Taiwan, others, hoping to use Mexico as an export platform into the United States. If that happens, the chance for it will be enhanced.

If NAFTA is passed, the now average 14- to 20-percent tariff on U.S.-manufactured textiles and apparel will go down to zero. The average tariff of 6 percent of Mexican-manufactured textiles and apparel will also go down to zero, so there will be a natural benefit to the United States.

Let me underscore once again, from the Pacific rim, they will still be forced to deal with a 14- to 20-percent average tariff, so we will be benefiting this region and we will not be allowing those in the Pacific rim to take advantage.

As I said, they would very much like to see us defeat NAFTA, but my friend, the gentleman from Phoenix, and I are going to do everything we can to make sure that it does not happen.

Mr. COPPERSMITH. Will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Arizona.

Mr. COPPERSMITH. As the gentleman points out right now, and as the chairman, the gentleman from Florida [Mr. GIBBONS] points out, we have one-way free trade. It only stand to reason that if there is two-way free trade between both markets, that there will be an expansion for the United States.

It is a point that I think we can look at by just looking at the record, by looking at history. People, I think, when they realize and study, will realize that the whole trend of history is that lowered tariff barriers, expansion of trade, benefits both parties; that is, it is a win-win situation.

Here we are showing exactly where the win comes from for the United States. We have also got a track record to show as Mexico lowered its tariffs as part of the 1986-87 economic reforms, our exports to Mexico increased considerably, and the great majority of those exports, however we calculate the numbers, whether we use the Mexican Government's statistics or the United States Government's statistics, for goods that are consumed in Mexico, our exports to Mexico have increased tremendously, to over $40.6 billion in 1992. That means jobs here.

By increasing that, by seeing where the trend is going, it results in jobs here in those specific sectors that will benefit the most from reducing tariff barriers and expanding.

It bears repeating, and I do not know how many times I will have to repeat it, but we will try, we will keep repeating it, that free trade, expanded trade, creates a win-win situation. The rising tide will lift all boats. Mexico will gain and the United States will gain.

Mr. DREIER. John F. Kennedy's great quote.

Mr. COPPERSMITH. Indeed, Mexico will gain, the United States will gain, and both will gain at the same time.

In many ways, people, I think especially those opposed to NAFTA, and who give their reasons, are really arguing illogically, because in many ways we want Mexico to gain. If Mexico gains, we will gain, even if it is a relative wash here, because the immigration problems are really economically driven. If Mexico's economy continues to improve, long term, that is the best solution.

Second, there are empirical studies that show that when countries reach a per capita income of about $5,000 per year, there are more resources and more public demand to deal with environmental problems.

It is hard for me to see how we can have concern for the Mexicans by basically saying the prescription is to prevent them from having jobs, even if we maybe disagree with the types of jobs they have; to prevent them from raising their standard of living so they can deal with their environmental problems that affect our border States so much, and prevent them from developing the kind of economy that can reduce the immigration pressures and create a larger and expanding market for United States products in these sectors and in others.

Mr. DREIER. Let me, if I could, just continue with our one-way free trade arrangement, and realize how we are struggling to create two-way free trade by, again, pointing to the examples. If we look at industrial machinery, in the area of industrial machinery, we have a 10 to 17 percent Mexican tariff on average today. The United States tariff on Mexican industrial machinery coming into the United States, between zero percent and 2 percent, so obviously, we have this wall which is much higher, and once again, industrial machinery that would be coming to Mexico from the Pacific rim, from Germany, from other countries in the world. We will still be faced with this 10 percent to 17 percent tariff that exists, but it will drop to zero under the North American Free-Trade Agreement for the United States.

Household appliances, that is one of the other areas. Many people talk about the fact that the average middle income wage earner in Mexico cannot afford to buy household appliances. Baloney.

Mr. Speaker, we have seen a tremendous increase in the sale of household appliances. Many of the appliance manufacturers here in the United States have already witnessed an increase in the sale of their appliances in Mexico, and that is even with a 17.1 percent average tariff, whereas the tariff on Mexican-manufactured appliances is only eight-tenths of one percent. We have already seen an increase.

What will happen? Germany, countries in the Pacific rim, Japan, Taiwan, Singapore, Malaysia, Indonesia will still be faced with that 17.1 percent tariff, but for the United States manufacturers, for the workers here in the United States, it comes right down to zero, so that is an incredible disparity there.

Steel mill products. In steel mill products, the average tariff, 10 to 15 percent on United States manufactured steel mill items going into Mexico, and yet a 4 percent average tariff on Mexican items coming here in the steel mill products area.

Then if we can go on to look at flat glass, bearings, machine tools, the average tariff on flat glass, once again, one-way free trade, look at that wall that is incredibly high today. Under NAFTA, we bring it to zero.

□ 1920

Twenty percent is the Mexican tariff on flat glass. The U.S. tariff is only three-tenths of 1 percent, an amazing disparity there, which is almost as high as some of those my friend has referred to.

The bearing industry, look at that, 12-percent tariff to 7-percent tariff. Under NAFTA it comes right down to a zero. Machine tools, 13-percent average Mexican tariff. Mr. Speaker, the average U.S. tariff today is only 2 percent. So the benefit is accrued directly to the United States. The benefit is much greater to the United States than it is to Mexico.

It seems to me that as we look at this argument again that the Mexican people are so poor they cannot afford to purchase these items that are manufactured in the United States, again, it is hogwash. Why? Because while my friend from Lorain, OH, Mr. BROWN, proceeded to talk earlier about the fact that people are so impoverished on one side, and we have only 36 extraordinarily wealthy families, he is ignoring the 20 million Mexicans who buy American products and fall in the middle- to upper-middle area and that group is growing.

I want to see the people who are tragically relegated to living in cardboard boxes, as we have seen in those pictures, have the opportunity to have a decent standard of living. We all want to see that happen. Maintaining the status quo, which has created that situation, is not in any way going to improve their quality of life. Implementing the North American Free-Trade Agreement will.

In Mexico, a middle-class family is one who falls in the following category: They own a home, they take at least a week vacation a year in Mexico, they own a stove and a refrigerator, often manufactured right here in the United States, and 50 percent of them have microwave ovens, 30 percent a videocassette recorder. And this market of the middle- and upper-middle-class Mexican is roughly the same as the middle- and upper-middle-class market that exists in Canada.

So often we hear that we are very happy with the arrangement we have embarked upon with Canada, and yet the arrangement, or the possibility of including Mexico in that would be devastating for us.

I am happy to yield to my friend from Arizona.

Mr. COPPERSMITH. Mr. Speaker, I think the one tariff that we have not explored is what will happen to the relative tariffs on charts, and I think that is an omission that my colleague from Claremont needs to clarify the next time.

But I want to interject with two points here. One is, you talked about a number of household goods. And I think this ties in, and I can tie some personal experience here. I served as a Foreign Service officer and lived overseas for a little over 2 years working at a United States embassy. I think it is difficult for many Americans who have never spent significant time out of the country to understand exactly how powerful an influence the United States is. What a cachet, what desire foreign consumers have for things American. I think maybe you have stories about that in terms of the spread of McDonald's, or of NBA basketball. But I think until you actually spend time overseas, and shop in an overseas supermarket or an overseas market, and understand exactly what power American brands and American quality has overseas, a lot of times we lose sight of that, and we take for granted the products that our workers produce, their skills, and their abilities.

Mr. DREIER. And Mexico is probably the best example. I know that my friend, coming from Arizona, has certainly traveled throughout Mexico. My being a Representative here from California, I have spent time traveling throughout Mexico. One of the things that I have observed is that the people of Mexico desperately want to have the opportunity to purchase United States-manufactured goods.

Mr. COPPERSMITH. As my friend pointed out, they have the ability to do so, and the middle class in Mexico is growing. It is increasing. While Mexico may represent 5 percent of the gross domestic product of the North American free-trade area, it will account for 15 percent of the economic growth in the years forthcoming.

Mr. DREIER. Absolutely. It is one of the fastest growing, and it is the 13th largest economy on the face of the Earth, and it is one of the fastest growing. That growth is what is creating an opportunity for them to have increased buying power. And it has come about because of privatization. And as that expands, another great line that my hero, SAM GIBBONS, talks about is the fact that there are 500 million people South of our border, and that is a tremendous market for us. And we need to do everything that we possibly can to take advantage of that market. Clearly, if this Congress were to be so stupid as to turn down the North American Free-Trade Agreement, we would basically be slamming the door on the prospect of a half a billion consumers, because defeating NAFTA would clearly create a situation that would open the door to one of the things that was said to me today in one of the many meetings that I attended on NAFTA, which is that basically what we have today is a tax, a tax that prevents the flow of United States goods to Mexico. It is a tax that is being shouldered by the people of Mexico, jeopardizing the flow of United States goods there. And it is the tax which prevents the number of goods that the consumers of Mexico would like to have from getting there.

That is why doing everything that we possibly can to ensure passage of NAFTA is the best route toward increasing opportunity. And I am happy to yield further to the gentleman from Arizona.

Mr. COPPERSMITH. It goes without saying that right now the Mexican market has a significant barrier to entry for American goods. In Mexico it is only possible for many goods to be sold there to that rapidly growing market if they are manufactured in Mexico.

Under NAFTA, that NAFTA lowers the Mexican tariffs, and it ends the one-way free trade, allows two-way free trade, and allows companies to choose to ship goods from the United States and serve both markets, whereas in many industries, computers being one, companies have to locate in Mexico to serve the Mexican market, the expanding Mexican market.

Mexico has to do much more under NAFTA because it has to lower more significant barriers, 2.5 times on average. We have discussed some of the specific sectors.

What is most interesting is a number of those sectors are exactly the high-tech, high-wage, higher value industries with the jobs that we need to create for the rest of this decade and for the 21st century.

Going back to some historical experience, we have talked about the national figures that as Mexico went through its economic reforms how our trade expanded to approximately $41 billion in the past year. We have experience in Arizona that as that happened our local experience was industries were able to expand their exports to Mexico, and the jobs that were export-related and created by that increase in Mexican demand are exactly the type of jobs that we need to encourage for this decade and for the 21st century. It has been well documented from studies that jobs tied to export pay a significant premium, 10 percent to 15 percent higher than jobs that do not involve it.

Mr. DREIER. Actually 17 percent on average is the wage-rate disparity. I mean, it is that much higher for those involved in the export industry than those who are not involved in the export industry, and that has been the one area where we have seen growth.

Now I know that the economy of Arizona is doing much better than the economy of California. One of the reasons is that many of the great industries in California have moved to Arizona.

Mr. COPPERSMITH. A wonderful trend which I will not debate with my friend here tonight.

Mr. DREIER. But what we have found is that we still have very serious problems, a 9-percent unemployment rate in the State, 10-percent unemployment in Los Angeles County. And the one area where we in California have seen growth is in the export sector. In fact, there is no way that Arizona will ever be able to overcome California as the gateway to the Pacific rim. Clearly, we have a geographic advantage there, and that will continue, and we have been exporting to the Pacific rim. We also have been exporting in great numbers to Mexico, and clearly as we work to enhance opportunities, to find markets throughout the world, which is essential, I would like to use the old line that trade is the currency of friendship. And clearly as we look toward increasing our relationships, strengthening them with our friends and neighbors throughout the world, working to diminish those barriers is the way to do it.

People talk often about, in a pejorative way, Mexico, and we in both of our States have problems of illegal immigration and other things. Clearly, illegal immigration is one of my greatest concerns, and one of the greatest concerns of the constituents whom I represent. And it is my belief that the best way to get at the root of the illegal-immigration problem is to strengthen the economy in both Mexico and the United States. As the economy of Mexico is strengthened, what we will see is people who often leave Mexico seeking economic opportunity, and then sending money back to their families, they would, with NAFTA, and increased opportunities in their own country, be able to stay with their families, which of course is their first choice.

I also should say that I hope very much that we can end the welfare magnet which often draws people across the border, leading them to come here for health care, for education, welfare, and other government services. That happens in large part because this institution has imposed on the States an unfunded Federal mandate which dictates to them the requirements that they provide those government services. I believe we should end those unfunded mandates, and at the same time pass the North American Free-Trade Agreement so that we can enhance economic opportunity within Mexico, so that people will have the incentive to stay with their families and will not be drawn for economic opportunity to the border.

☐ 1930

Mr. COPPERSMITH. I thank the gentleman for yielding.

Mr. Speaker, moving back to, I think, the point the gentleman raised earlier, which is that the United States can win while Mexico wins through expanded trade and that improvements to the Mexican economy and raising their standard of living not only increases the market for American products but also helps alleviate some of the problems we have discussed that are created by the status quo, the environmental problems, the movement of jobs, movement of people and so on.

There have been many ironies in public life, but I think one of them is that people who argue against the North American Free-Trade Agreement make the argument that is not supported by the great majority of economists who have studied the issue, that it will move jobs to Mexico. But at the same time they can argue with a straight face that somehow NAFTA is a bad deal for Mexican workers. And its that kind of an argument that is a little awkward where we insist that somehow this will benefit Mexico, to then turn around and say, well, it really will not benefit Mexico.

Mr. DREIER. Reclaiming my time, I am very happy that my friend brought up the issue of economists. Now, I do not regularly stand here and argue in behalf of the findings of economists, but I found it very interesting in the exchange that took place between our two colleagues, Messrs. BROWN and BONIOR, in which they referred to the fact that there may be some economists out on the west coast, some economists on the east coast, who support the North American Free-Trade Agreement, but there are very few of them in the Midwest.

I would challenge that by saying that certainly at a great institution like the University of Chicago there are obviously many economists who have come to the conclusion that the North American Free-Trade Agreement is a positive thing and in fact there are 276 economists who have signed a letter to President Clinton stating their strong support and commitment to the North American Free-Trade Agreement, believing that it is going to enhance the job opportunities and economic growth on both sides of the border.

Mr. Speaker, I further yield to the gentleman.

Mr. COPPERSMITH. Earlier this evening the gentleman reminded me that I have quoted from John F. Kennedy, and I would like to quote from Harry Truman, who once—

Mr. DREIER. Let us find a Republican someplace, at some point.

Mr. COPPERSMITH. Well, I think I will leave that task up to the gentleman from California if he really wants to do the heavy lifting.

But I want to quote from Harry Truman, who once asked his advisers if they could find a one-armed economist. They wondered why. And he said, "Because every time I talk to an economist, he says, 'On the one hand, but then on the other hand.'" He thought he could put an end to that problem.

But here you have a situation where the vast majority of economists—this is not a "on the one hand, on the other hand" issue; I think most people, most experts, all living ex-Presidents who have looked at the issue, recognize that this is a good thing for the United States.

It opens up a market that we need to access, it opens up a fast-growing market; exports, where the economic action is going to be during this decade and the 20th century; and it would be a terrible mistake for us to start a round of protectionism, for us to turn our backs on a rapidly growing market and just hand it over to the Europeans and the Japanese.

Mr. DREIER. That is exactly what we would be doing, clearly.

Mr. Speaker, my friend talked last night about this wage situation briefly, and our friend, the majority leader in his speech referred to the fact that wage rates, which is productivity, from 1980 to 1992, was one which has actually seen productivity far exceed wage rates. The fact of the matter is that has not been the case. In the latter 1970's, 1979 to 1981, actually, we saw a surge in oil prices and an unwise foreign lending, which went to Mexico, creating a situation which led wage rates to artificially increase and then during the early part of the 1980's we saw socialist policies which brought about a major collapse. And if you look at the entire time period since the Salinas presidency has been in place, we have seen an increase in wage rates of 26.2 percent and productivity increase by 23.1 percent.

I thank very much my friend for participating in this.

Mr. Speaker, this debate is going to be continuing on for the next 45 days. I actually look forward to the night when I will not be charged with standing here in the well taking my colleagues' and friends' and staff members' time to talk about the North American Free-Trade Agreement. But until we pass this agreement, I am going to be doing everything that I possibly can to argue in behalf of what I believe is the best and most important economic growth package we could possibly put forward.

With that I yield back the balance of my time.

A FURTHER UPDATE ON THE SITUATION IN SOMALIA AS IT AFFECTS THE SITUATION HERE IN THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN. Mr. Speaker, again, as I do whenever I take a special order, I want to note, to save my staff from answering a lot of phone calls that are well-meaning but dealing from a lack of knowledge, about the audience that watches these special orders. Going back two speakers ago—and this should have been undone by now—a fine Irish politician from Massachusetts, out of anger at a Member who was heading toward the highest leadership on this side of the aisle come next Congress, out of anger at this Member from Georgia, he asked these six cameras, paid for by the taxpayers, to peruse the House to show an empty Chamber to indicate that we are talking to ourselves or to all our good recorders of official debate here and whoever is sitting in the chair, like yourself, Mr. Speaker, and a few police officers who assure the security of the galleries, and that no one else is listening.

So, I say slowly, and with some accuracy, that over a million fellow American citizens, most of them keenly interested in the political process and what happens in this, the larger Chamber, both physically and in number of Members, the descendant of the Mother of Parliaments in London and certainly arguably the world's most important deliberative body on the planet, the House of Representatives, people who are interested in this are most assuredly voters, all of them taxpayers, interested, and 1 million-plus out of 260 million Americans is a sizable audience.

They are listening intently tonight, given the fact that I could not even call my own office from the cloakroom here because of the calls that have been received throughout the night and the entire day about my special order on yesterday.

I know how keenly and, in some cases, how desperately Americans are trying to find out what is going on in Somalia.

Since I addressed the House almost 24 hours ago from this lectern—and I am using this lectern because I want to be able to spread out my material and try to give some coherence to this special order because I was unable to do that because of the welcome participation of three colleagues trying to get things off their chest about the bloodshed in Somalia.

Now, the most important thing that has happened since I spoke is not the President's speech delivered earlier this evening or this afternoon west coast time, it is that two more Americans have died. One of them died of mortar fire yesterday. That would be No. 24.

No. 25 died of wounds received Sunday in the fire fight to rescue the crew of the first helicopter that was downed. I am sorry I was unable to get the name of the man who died yesterday or even whether he was a marine or a soldier, from a mortar attack by Aideed's forces, and the man who died today from wounds received Sunday. He is a ranger. He died of multiple gunshot wounds to his chest and abdomen.

These men are in the absolute peak of physical condition, probably the reason he was able to have clung to life through Monday, Tuesday, Wednesday, and today, endured a hospital plane evacuation to our major casualty hospital in Germany, where he died.

□ 1940

His earthly remains will be on the way back probably to Fort Campbell or Fort Drum, NY, or Campbell, KY, at this moment. I hope to be able to go Wednesday to Fort Campbell to offer some congressional presence at the funeral for many of the men from that base who died in Sunday's fire fight.

Now, as I stand here, Mr. Speaker, I am probably, through some unrelenting efforts on my part, the most thoroughly briefed Member of the U.S. Senate or the U.S. House on what happened on Sunday and into the early hours of Monday morning, October 4.

Let me try and relate, and some of the families are watching it at Fort

Campbell, let me try and relate what happened. Then I will discuss the intelligence aspects of it, without giving away any of the honor that has been bestowed on me to serve on the Intelligence Committee. I am not giving away any sources or analyses, just a relation of what has happened and what will be common knowledge over the next few days as this is given to the news media.

Michael Durant, chief warrant officer, 3d class, to use his own words, Black Hawk pilot, should be the major focus of our foreign policy and our military policy right now, to get him out, not only because he is as important to our Nation as is the President himself—that is what a nonroyalist, nonmonarchist, republican form of Government is all about—that every single citizen is equal in stature in his country to the President of the United States; but Michael Durant—and we will get him back. He will probably be nominated, as the senior surviving officer on the scene of the second crash site, he will probably be nominated for the Congressional Medal of Honor, with the two rangers who rapelled down to the site to give added fire power to Michael Durant and his three crew members.

Here is what happened. We felt we had a lead in Somalia on where Aideed was, certainly where most of his lieutenants were. The Olympic Hotel was the highest facility in that area, five stories across the street, was one of Aideed's many safe house areas.

Let me put a footnote on here, having been to Somalia, briefly, so many years ago, almost two decades ago. It blends in my excellent memory in with some other cities in that area; but my daughter, Robin, before she was married years ago in the early eighties went over to help Mother Teresa and some of her young nuns in that area. She went into the International Airport at Mogadishu, went to the AID compound, visited some houses and then went out in the field to some of the camps, that even then were holding off starvation. This would probably have been on my daughter's way back from Sawankhalok Camp in Thailand helping Vietnamese refugees. She came home through Somalia.

She was reminding me what I can see in the photograph, the imagery I have seen today, that every home is a fortress. They are not open areas with lawns or open areas like some other African countries with humble abodes where you can see the people. It is more in the style of an ancient city like Damascus, where the streets are dusty and narrow. Most of the streets around both helicopter crash sites were so narrow you could barely get a jeep through them. Then the highways where you can have traffic intersect these noncompass directed streets. These cities just sort of grow up over centuries.

My daughter, Robin, said, "Remember, every home is a fortress with walls around it."

So that Aideed's allies and forces sympathetic to him, people who want to kill U.N. workers or kill relief workers or create a problem, every home area around this Olympic Hotel is a fortress with people behind the walls. They can pop up, shoot over the wall, shoot through the gates, come out in the streets, create road blocks and ambushes, which is what happened, and then retreat back into their houses.

By the way, the reason my daughter just called me in the Cloakroom is that the Toronto Star reporter, Paul Watson, who was in Mogadishu, was interviewed on CNN immediately following the President's speech, which had many positive aspects to it, particularly extending his grief to the whole Nation, to the families who lost their young heroes in Sunday's and Monday's action and yesterday's mortaring and the man who died in the hospital in Germany from Sunday's combat.

The CNN reporter comes up to interview Paul Watson of the Toronto Star in Mogadishu, because he is the only man available.

Here is what my daughter tells me that Paul Watson said. I would like to interview him and debate him. I offer a challenge through CNN to let me have access to him to debate what he said.

He said, "You know, what happened to the Americans was terrible."

He is one of the ones who wrote about what the President called and what I called last night desecration of the bodies of our heroes.

He said, "You know, we have got to realize that I, Paul Watson, have seen Somali babies in hospitals."

My daughter said, she was alerted to a possible connection that we were killing Somali babies. Therefore, who are we to get too exercised over the abuse and probably torturing to death, given what I said last night and I will say it again: Nobody puts handcuffs on a dead body.

One of the men, the man who was not stripped naked, but the one who had half of his flight suit trousers on, he had a white plastic handcuff which we brought to that area, so they were taken off our men, around one of his wrists. They had been cut. He was obviously handcuffed alive, captured at the scene, and then beaten to death later.

Until I am proven otherwise on that, nobody puts handcuffs on a dead body.

Was Watson indicating that something is equal here?

And the CNN reporter—I am not going to use his name because I have heretofore respected him, he said, "You mean, Paul, there is simply too much focus on the Americans?"

My daughter, Robin, said he used the words "focus on the Americans."

Well, we are Americans. Our President was just speaking to us about the sacrifice of these men, how we had saved under President Bush's Operation Restore Hope close to a million human beings. The country is only half the size of L.A. County in population. It is bigger than the State of California in land mass. There are only 3 million people in Somalia.

Mr. Speaker, if we saved a third of that country from dying a horrible slow death of starvation and if babies have been killed because of fire fights; for example, after they had murdered under Aideed 24 Pakistanis and the crowd overwhelmed them and women had participated in the killing. The next day the Pakistanis were ambushed.

Yes, they fired into a crowd because they knew that their fellow soldiers had been eviscerated. They had been disemboweled, is what I had described to me by people returning from the scene, and they did not want that to happen to them.

But then are the Pakistanis trained for urban containment of rioting?

The death toll in Moscow just went up to 187 from fire fights there around the biggest government building in and around what was once the Evil Empire, and still the biggest building in the largest remaining state of Russia.

When you get fire fights going in the city, of course, women and children, particularly if they are being used as "human shields," which is another description of how the attacks were made on the Nigerians last month and the Pakistanis in the first 2 weeks of June. If that happened, are we going to put a Canadian on the air because no American journalist had the intestinal fortitude as journalists to remain in Somalia?

Remember the scenes of them swarming the beaches when we first arrived the first week in December under Restore Hope, the operation to stop the dying of a million people, a third of the country?

Where is all the press now so that we have to go to a Canadian who is trying to use the old moral equivalency argument that a lot of other Canadians of a liberal stripe used all during the Cuban through Vietnam years, and say that we are focusing too much on Americans?

☐ 1950

No, my focus tonight is on Americans. We lost 19 Americans trying to liberate Grenada. We lost 23 in seeking the arrest of the drug warlord and killer Noriega who had killed Major Heraldi, tortured him to death, and shot another freedom-loving Panamanian to death outside his office. Noriega cools his heels in a Miami jail today, but we lost 23 Americans trying to effect the arrest of Noriega, and all of that came to pass after the murder at a checkpoint of a United States officer born in Colombia, but a naturalized citizen, Lt. Roberto Paz. Add him to the 23 that died. That is 24. So, it is 19 in Grenada, 24 in Panama, including Lieutenant Paz.

Mr. Speaker, we have now passed that today. Twenty-five dead in Somalia.

Enough about Paul Watson and the Toronto Star. Now back to the chronology of what happened Sunday.

We have intelligence reports of a gathering the press reported as 19 of Aideed's henchmen successfully apprehended. It was actually 20. There was a miscount. Our rangers rappelled onto the roof of the Olympic, came down through the floors, moved up a short distance to this safe house of Aideed's forces, where they were gathering like a mafia meeting, and they got 20 of them. One American ranger died in that operation.

Once that had happened, groundfire took down the first American Black Hawk with four crew members about 4:15–4:20. Very bright lighting. He came down hard, but right side, on a roof's edge, and the helicopter toppled into the alley, the rotor blades tearing up the helicopter partially, and it appears one of the crewmen was killed on impact. The other three scrambled out, prepared to defend themselves, and about 90 rangers, and this is what the President alluded to tonight in his speech, moved not too far, several hundred yards, from the safe house in the Olympic Hotel area up to the first crash site, formed a defensive perimeter around the downed chopper and the three surviving of the four crewmen, and then the crowds began to form.

Aideed's people began a major firefight that lasted for hours, from 4:30 in the afternoon well into the night. During this period, as the other ranger Black Hawk helicopters from one of our classified units that the press is printing about all the time now, the 160th out of Fort Campbell, they were circling, trying to offer what air support they could, and within the hour another Black Hawk, Durant's, was hit. They went down to the southwest, about the same equidistance from the Olympic Hotel safe house area, and they hit upright. All four crewmen appeared to have survived.

And then one of the other helicopters that had some rangers on board came over, and two U.S. rangers volunteered, a firefight had not started yet at the second crash site, volunteered to rappel down ropes to the crash site. They went down heavily armored with extra rifles and with much ammunition to develop a holding position for the four down crewmen. They rappelled down safely, and their fate is unknown to this moment.

I started to say it last night: St. John, the Evangelist, 15:13: "Greater love than this has no man that he gives up his life for his friends." That is what these rangers were offering, their lives on a voluntary basis above and beyond the call of duty. Maybe rangers do not think this is above and beyond the call. They are outstanding, exceptionally well trained, the best trained men in the world like our Seals, like the fighter pilots of all services, like these combat helicopter pilots that fly with the 160th Special Operation Aviation Regiment, open parentheses, airborne, close parentheses, and a firefight soon developed there.

Now comes the rescue effort and where our policy was not thought through. There were no armored vehicles, and Mr. Aspin, our Secretary of Defense, has honorably stepped forward today and said, "Yes, I made a wrong call, but nobody had suggested we needed armor for rescue missions." That is sort of a given if you have military experience though. I always think in terms of rescues, having been plucked out of the ocean at 6 miles out with no Mae West and no liferaft. In peacetime I think in terms of all military operations: "What's the backup contingency for rescues if people get in trouble?"

I do not think people were thinking through our mission here if we did not have armor on the ground to go through these medieval streets in Mogadishu to get to a firefight scene, and, by the way, there have been warnings that Aideed was building up his forces far more powerful than we thought, and there have been warnings that he was lusting to take a hostage, a diplomat, of course a high-ranking military person, any U.N. person, to trade for Osman Atto, O-s-m-a-n A-t-t-o, his chief lieutenant, his main financier, some sort of Somali millionaire. It seems hard to comprehend anybody would have money in this country wracked with poverty. It is always on the edge of famine. Since my daughter was there 12 years ago, it has been on the edge of famine. But we hold this key lieutenant. We took him some weeks back, Osman Atto, and he wants him back as of a week ago. We knew he was lusting to take a hostage.

Now he has Michael Duran, and, God willing, he has three more. I will clarify that in a second, but we are not sure.

A resuce was to be run by Malaysian/U.S. forces and some Pakistanis. They had the armored vehicles. What type of armored vehicles? Ancient, obsolete armored vehicles condemned by us because we have Bradley M-2's, fighting vehicles, and M-1 tanks. So, we had none of those available because Colin Powell, who retired 3 days before this loss of 13 Americans, 14 now, he recommended several times over the last few months we must put armor in there to have them available for a worse-case scenario.

So, we joined up some of our other regular Army men and rangers with the rescue force in Malaysian vehicles, and we started up one of the main streets near a major what I call a British roundabout, like the spokes of a wheel where these streets that you can travel or cut through all of these medieval alleyways, and before they had reached the first major intersection, they were ambushed, and a rocket propelled grenade destroyed a big truck which you have seen burning on the evening news, killed a Malaysian, injured some of our men, and the firefight was on at the ambush site. It took them 4 or 5 hours to get to the Olympic Hotel area and the two crash sites.

It is now past 3 o'clock in the morning. In the dead of night they reached site one, relieve our rangers. The commander, Danny McNight, was wounded. Lt. Col. Danny McNight, they have food, water and extra ammunition dropping to them all during this elongated firefight, and they started taking the wounded rangers and the survivors of the first crash out to the north to the main, I think, October 21 Road. That is the name of a road, a revolutionary date, and they got them up to the compound, I think, of the United Arab Emirates U.N. forces, and then began to chopper them out or truck them out in the dead of night to begin the medical evacuation of the most seriously wounded to Germany.

□ 2000

Now they then had to fight their way to the second crash site. When they got to the second crash site, there was no one there. This was where Chief Warrant Officer Black Hawk Pilot Michael Durant had gone down.

They found the signs of, and I am going to not tell everything that was described to me until this comes out, and it will be written about carefully some day, hopefully by, most assuredly by, Michael Durant. But there were signs of a horrendous firefight, where these six American were surrounded. They obviously used their door guns. There were cartridges from NATO 7.62 weapons all over the place. And many cartridges from 9-millimeter handguns, automatics.

I do not know whether the Rangers used Berettas, which is the standard military weapon today, replacing the old reliable Colt .45, or whether they have the option to get the best state-of-art, which is the German Sig-Sauer, which our Seals opt for, because I have seen them with those, and they told me it won the competition, but Beretta was willing to make weapons in New Jersey. The Germans said no, we will not manufacture in the United States.

So maybe it was Sig-Sauers, and maybe Berettas. It does not matter if it was old Browning high powers. There were 9-millimeter cartridges, pistol cartridges, everywhere, which means they were down to fighting with their sidearms.

There was much sign of struggle. There were no bodies of Aideed's people. They were all dragged away. And it appears that the two bodies that were so badly abused were from that site.

I think I am at liberty to say that we have the remains of our heroes who were so horribly pictured on American television over the last 3 days. Those remains are not only back in the arms of their loving fellow countrymen, but they are on American soil as I speak tonight, and the identification process is going on.

As I said this morning, I got a call from my office last night, one of my staffers, as I was doing last night's special order, that an Army wife from Fort Campbell had been told that another Army wife had identified her beloved husband as one of those whose remains were being abused in the street.

So, we are going to get back Warrant Officer Michael Durant. We have the remains of two of the heros from that second site firefight. And, God willing, we will be able to account for, we pray alive, the three missing men from that site.

Now, where do we go from here? What did the President say in his speech?

Immediately after the speech I was stopped by a camera crew that they said was a pool crew out in front in the lobby of the Rayburn Building in front of the Armed Services room. They said, "What do you think?"

I said, "Well, I feel like I wrote the speech, most of it, so obviously I am not going to criticize it in its totality."

I have received some criticism all day yesterday that I had suggested from the well in the morning and in my special order that we put at least 5,000 combat-trained of America's best in that area to seek the release of Mike Durant and to figure out what we were going to do after we had made our men safe, with armor and well-trained people. And I said, and the President used this tonight, "under U.S. control. Not under U.N. control."

I have no contempt for the United Nations, and I am not an anti-U.N. person. And I have never had a bumper sticker on a car that said United States out of the United Nations and United Nations out of the United States.

I believe that world organization has done much good. But they are no good in combat situations, because they always have to rely on the fighting men of individual countries. Nobody has the training, the skill, or the high-technology equipment that the United States does. We have fought for that tooth and nail, conservative Democrats and conservative Republicans, against the handful of liberal Republicans, usually under 5 or 6, certainly under 10, and, many times in the mid-1980's, a majority of Democrats, liberals, trying to hollow out America's forces, not part of the Reagan rebuilding of our forces.

We have brought ourselves to the point where in Desert Shield and Storm we had a 42-day air war and a 100-hour land war. Because of the training of our men and women and our high-technology weapons, we were able to defeat the army of Iraq, which was the fourth, fifth, or sixth in size in the world, with top Soviet equipment. It is fine after the fact to say they did not know how to use it and they were soft enemies for us and it was not a highly achieved victory.

Tell that to the families of the over 200 Americans who died, and tell it to the 199 allies who died at our side in that 28-nation allied group that drove Saddam Hussein out of Kuwait.

But when it comes to the United Nations, in any tough conflict, we are the teeth of the United Nations. Everybody defers to the United States.

What did Clinton say a couple of days ago? That they will not come out of their compounds to fight? What is that, a charge of cowardice against the U.N. forces? When you are being ambushed at every single intersection of every alley way, and you do not have British Challenger tanks, German Leiper tanks, or U.S. Abrams M–1 tanks, maybe you do not want to come out in thin-skinned trucks, which was the lead vehicle smashed in the Malaysian rescue effort.

I said yesterday that greater love hath no man, and that applies to the Malaysian young man who died trying to rescue our Rangers.

The situation there now, when President Clinton calls for a March 31, cutoff date, is probably evolving like this. Did Aideed watch the President's speech in some television safe house in Mogadishu? Undoubtedly. Saddam Hussein used to watch all of President Bush's speeches, and to this day watched CNN and brags that he, what President Bush called the insipient Hitler of the Middle East, that little Hitler, Saddam Hussein, brags today to every visitor that comes through Baghdad that he has outlasted, politically out-survived, George Bush, Margaret Thatcher, Brian Mulroney, the Prime Minister of Japan, and several other leaders of countries that were part of protecting the world's oil reserves and liberating Kuwait from the torture of its people.

After all, when I got home last night my wife said, "How many presidents has Castro politically survived?" And I held up eight fingers.

My wife said, "So we are going to get Aideed. And you, BOB DORNAN, want to get Aideed for what he has done to 25 Americans." And before I could answer, my wife Sally says, "Have we gotten Pol Pot yet for murdering 2 million people?" She knew what the answer was. Have we gotten Idi Amin, who killed 400,000 of his own people? Who dissected his wives, made his children look at it, and engaged in cannibalism? No. Idi Amin, because he professes an Islamic faith, a false profession, he has been given sanctuary for all these years, since his serial killing and mass slaughter, he has been given sanctuary by our good friends, the Saudis. He lives like a Saudi prince in Saudi Arabia somewhere.

How are we doing with Baby Doc Duvalier, living like a king in Cote D'Azure French Riviera with stolen money secreted away in Swiss bank accounts? Money stolen from the impoverished nation of Haiti?

How are we doing with Qadafi, who is still holding back the 2 people who murdered 259 people on Pan Am 003, and 11 innocent Scot citizens on the ground? Two hundred and seventy dead because of Qadafi.

Qadafi set off the bomb in the La Belle disco April 5, 1985. On all the headlines it said American Jimmy Ford, African-American Sergeant Spec. 5, died in the La Belle disco with a Turkish lady who was dating one of our servicemen.

We forgot to ever point out to our fellow Americans that 2 months later, on June 5, in the same German hospital where the American died today from the Somalia firefight, Sergeant Jimmy, also Jimmy Goines, died, with his wife holding one hand and his son holding the other.

□ 2010

Both his legs had been amputated. They were waiting to award him his Purple Heart when he would be well enough to participate in the ceremony. Unfortunately, he died, and it was awarded posthumously. He was killed by Mu'ammar Qadhafi. Both those sergeants and that Turkish lady were killed by him.

How are we doing getting him? He lives like a king in Libya with oil money still flowing into that country. Most of it illegally, and he is sweating the sanctions that the U.N. is about to crank up on him right now. So he may yet deliver his two humble, uneducated killers that ran the plot to blow up 007.

Finally, my wife said to me, who have we gotten, these world serial killers? And I said, well, let us see. The Bolivians got Che Guevara. He is still glorified on some U.S. college campuses by Marxist teachers, and a few posters go up in college dorms with Che Guevara's Argentine face on it for the killing he pulled off in most of Central America and South America.

I said the Romanians managed to get Mr. and Mrs. Ceausescu on Christmas Day a few years back, I guess 1989 it was.

The Israelis got the mass serial killer Adolf Eichmann, who managed to kill a great percentage of the fellow Hungarian Jews of my colleague, the gentleman from California [Mr. LANTOS] in the slaughter that was still going on even though they knew the victory would go to the Allies and not to the Nazis. They got Adolf Eichmann and they got Klaus Barbie. But Klaus Barbie is eating well in a jail somewhere in France. While Jean Melan, who was tortured to death by Klaus Barbie's Gestapo, his relatives have not had the benefit for half a century of that beautiful man's heroism as the leader of the French Underground, the Meke.

Let us see. Who else did we get? Not a good track record at all.

God took out Dr. Mengele in the surf in Brazil. The Ayatollah died in his sleep in Iran, and all those that did the killing in his name are still loose. As a matter of fact, it is Iranian weapons, and they are buying heavy weapons from North Korea. They ship weapons to Sudan, Khartoum and they are driven across Ethiopia on a latitude right into central Somalia. So the killing still goes on from Iran.

My point, in response to my wife's rhetorical challenge to all Americans and all freedom-loving people, is we do not have a very good track record in bringing to justice serial killers who kill in the tens and sometimes hundreds of thousands. We do not have a good track record. So if it comes down to Michael Durant versus Osman Oto, what would the American people say? And that is why we need a clear, concise vision of a foreign policy vis-a-vis the foresaken country of Somalia.

ROBERT BYRD said the other day, one of the senior Senators in the majority party in the Senate, "Americans by the dozens are paying with their lives and limbs for a misplaced policy on the altar of some fuzzy multiculturalism." Senator BYRD is demanding that we are out of this by December.

Representative BENJAMIN GILMAN of New York, my good friend, ranking Republican on the House Foreign Affairs Committee, urged that Congress accelerate its timetable to debate the administrative policy.

We passed a weak resolution here asking that the President tell us by November 15 what is the policy. Is he going to substitute this speech tonight for a real hard policy?

SAM NUNN, who more or less liked the President's speech, said, yesterday, "Right now I am concerned because we do not have sufficient military power to protect our own forces."

As we speak, C–5's are landing, what they call combat offloading. That means almost with the engines running. Not with the big C–5, but the C–130 offloading means your engine is running and you take off as soon as your cargo and pilots are out the back door. In the C–5 case, it is out the giant open nose of a mouth, and we are bringing tanks and supplies in there right now. Senator NUNN says it is very unusual for the United States to be in a position where we cannot really rescue our own forces.

Now I guess we will be able to do that, as Aideed prepares to replace the 80 or so of his henchmen that died in this fire fight. Yes, they had about 500 wounded. That is what this Canadian was prattling on about. I read that last night about Black Hawks, the figure 25.

The Somali capital is going to be torn apart by warlords in the far foreseeable future. That is why we have to have a clear foreign policy.

Tonight CBS, after the President's speech, did a service for me, because I have here the President's remarks from May 5. I asked my staff to get them for me today, because that is the day when George Bush had his involvement here ended.

CBS said tonight there is a poll, a brandnew poll, I forget who CBS joins up with, that says 32 percent of our fellow Americans blame Clinton for this mess in Somalia. But 45 percent, over 32, blame President Bush.

Now, I am not being blindly partisan when I defend my friend President Bush, but the President tonight did give him credit for saving, he called it, "American leadership," a million lives and that the President-elect Clinton signed off on that policy when our forces landed on the beach by the International Airport, a massive lighted beach by our media.

But President Clinton, and I will read his exact words in a minute, ended Operation Restore Hope on May 5 when he used those 24 Marines in combat fatigues. And I repeat what I said last night, nobody in the military goes to the White House in anything but their very best pressed Class A uniform with all the brass shining, all the ribbons attached that you had ever earned anywhere, anytime in your service. I have never seen people in fatigues on the White House lawn or inside.

The word I was groping for last night was props. I said supernumaries. I said extras. Most of you may not know, unless you have been to a Universal Studio tour, that means they were props.

As he stood there, he turned to Scotland-born U.S. Marine Corps Gen. Robert Johnston, who was the Operations Commander under Schwarzkopf in Desert Storm. And he said, "The General has told me, mission accomplished."

Those are the words that came out of the President after he shook the hand of every single one of those picked 24 Marine props to say, hey, I am part of this, even though it was Bush's deal. Here I am. I am part of it. Mission accomplished. We won. We are out of there. Restore Hope is over.

One month to the day later, the 24 Pakistani U.N. troops are ambushed and murdered by Aideed forces, and then we began this gray period where we are the teeth of the United Nations. We are supposed to go out and do their bidding and hunt down Aideed.

Here is something that a 20-year-old infantryman, who refused to give his name, said. He personally believes that it is time to get a clear policy and resolve this thing.

He said, "Yes, we should probably avenge the casualties." That could be your husband, your brother, your father. You raise up your kids decently. You give them birthday parties. You dress them up for all the holidays, Thanksgiving dinner, and then you see this person covered with dust, naked, broken, dragged through the streets. Kids dancing on them, playing around on them.

They went over there on a humanitarian mission to feed them.

□ 2020

This was actually a military family lady. "We have done our part. We have fed them. It is time to come home."

What Americans were saying is that these people do not look hungry in Mogadishu. They never have. They did not look hungry in Addis Ababa just in the north when I went through there, but when I went out to the camps of Insilkia and Ibnet, I saw 100,000 people and 10,000 of them were dead 3 weeks later because they were forced out of the camps by the Marxist government and died on the road.

I physically saw 10,000 human beings from a small knoll. I looked at them. Some of them, I saw their faces as I walked through the camp, and counted 7 dead bodies, 10,000 people dead 3 weeks after I looked at them in this large camp. That was the government killing people while the rest of the free world is trying to figure out how to help them.

One lady named Joyce spoke about the death of her 24-year-old husband, another 75th Ranger Regiment hero. "My husband enjoyed being a Ranger. That was his job. He died for his country. I am sure he has no regrets."

It is up to us to figure out where we are going with this policy. Last night they put the heading on my remarks in the CONGRESSIONAL RECORD as "Operation: No Name." That is the problem when you are letting the U.N. command your troops. I do not have time tonight, but here is a whole report by one of the chiefs of staff of one of our Congress Members who has made himself an expert and chairs our Task Force on Terrorism on all the connections between Aideed. He brought it to my attention, a speech that went unreported right down the road here at the National War College at Fort McNair, by one of Clinton's better appointments, Ambassador Madeleine Albright, our permanent representative to the United Nations.

She said in the speech last month, she heavily hinted that Mogadishu outlaw Mohamed Farah Aideed is being assisted by Islamic, and she said fundamentalists, but I think the word should be terrorists. The liberal media has so much fun attacking anybody who has fundamentalist Jewish, fundamentalist Protestant, or fundamentalist Catholic beliefs, as I do, in this country, that she should have said, "by Islamic terrorists," who disgrace one of the world's three great religions, Islam.

She said, "In Somalia we have indications that a tactical alliance may be forming between Aideed's faction, terrorists based in Sudan, and the government of Iran."

It is very hard to quantify, by the way, Brent Scowcroft says, "Do not look to scapegoat other people. Aideed is a horror and terror in his own right."

She continued, "I am not going to quantify. Let us just say there are some who have no stake in the international systems, and they operate together to undermine the international community."

Another author, an Arab author, Mohamed Mohad Dessin, wrote a book, "Islamic"—there is that word again—"Fundamentalism, The New Global Threat."

He says that, "Diplomatic visitors report a noticeable increase in Iranian activity in Mogadishu and the Somali capital," and there are terrorist training camps. I wish all Americans could avail themselves of this long report.

I mentioned briefly last night how we were raised in my generation that every American like Michael Durant is as important as the President. I was thinking about this last night.

In the third and fourth grade in New York City at De La Salle, a Christian Brothers school, I had the same teacher, and actually I had him for three grades, Brother William. He taught me the first time about Teddy Roosevelt and a conflict in 1904 where a thug, an outlaw like Aideed named Raisuli, captured, and I have learned since from the Library of Congress not an American but a Greek who had applied for American citizenship.

How is that for Teddy Roosevelt, the President, saying "This guy wants to be an American, so I am treating him like an American." Roosevelt sent the whole fleet available in the Atlantic waters then into the harbor at Tangier, and he told the Sultan of Morocco, "I want Ian Perdicaris alive or Raisuli dead," and they got Mr. Perdicaris out alive.

I was taught that again by the nuns, the Sacred Heart Sisters, that taught me in Beverly Hills Catholic School, Good Shepherd, years later that Teddy Roosevelt, when he said, "I want this one person freed or we are coming after the outlaw to kill him," that is when I picked up in my education that every American citizen anywhere in the world has the full protection of the U.S. Government, which at this point in time happens to be the only superpower in the world.

Here is the wire service story off the wire service machines out here. This is what we tried to ask about today, with no success.

"Gen. Colin Powell was rebuffed twice last month when he recommended sending tanks and armored vehicles along with additional troops to Somalia," a military source asking anonymity, of course, said today.

"As Chairman of the Joint Chiefs of Staff, Powell passed on the request from a military commander in Somalia." Maj. Gen. Thomas M. Montgomery, commander of United States forces in Somalia, asked for these. It was one of several requests.

Now we are going to have to find out what went wrong there. Why did people in the Pentagon, civilians, McNamara's peace kid types from the 1960's, why did they think we did not have to have the armor as backup protection for our men carrying most of the combat burden now?

If there is an absence of a Clinton doctrine, I am afraid it is because there is a Morton Halperin doctrine. I hope our Republican leader in the Senate, because that is their responsibility for advice and consent, I hope Bob Dole will mobilize his forces, which he was unable to do with Joycelyn Elders, with political correct appointees up and down the line, I hope he can focus on stopping the appointment of Morton Halperin.

This operation, nonoperation, unnamed operation, has the fingerprints of Morton Halperin all over it. It has the fingerprints of the 1960's thinking all over it, that what Senator BYRD called fuzzy multinationalism is the way to go.

Listen to some of the questions I wanted to ask and was unable to ask at this Somali briefing: "What was the extent of involvement by the United Nations command in the planning of Sunday's raid?"

Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore (Mr. BARLOW). The Chair advises that the gentleman from California [Mr. DORNAN] has 10 minutes remaining.

Mr. DORNAN. Mr. Speaker, I will put in all these questions in the RECORD. There are nine of them, with many subquestions. I will include this in the RECORD, and anybody who wants to follow the RECORD, Mr. Speaker, can see how many of these questions the Republican staff on the Committee on Armed Services worked up will get answered by next week:

QUESTIONS/ISSUES FOR SOMALIA BRIEFING

(1) What was the extent of involvement by the UN (UNOSOM II) command in the planning and execution of Sunday's raid?

Was operational control of those U.S. forces involved in any way subordinated to non-U.S. control?

Precisely who is making the call as to where and how U.S. forces are employed against Aideed?

(2) What kind of U.S. force was kept in reserve to support the contingent conducting the raid?

Do U.S. forces routinely depend on non-U.S. forces to provide back-up capability during military operations?

Why did it take up to 7 hours for the UN multi-national contingent to reach the Rangers pinned down in support of the downed helicopter?

(3) It is widely reported that the armored reinforcements going into Somalia were actually requested by General Montgomery back in early September. Is this true, and if so, why were they denied?

(4) President Clinton expressed concern on Monday for the adequacy of the protection for U.S. forces in Somalia. Has the Joint Staff, CENTCOM or anyone else in the command chain expressed concern prior to this past weekend about inadequate available capability to protect our forces?

(5) What capabilities will the mechanized company with one platoon of tanks give the U.S. forces in Somalia?

Tanks are usually very vulnerable when used in city or built-up area as they lose their stand-off and mobility advantage. Why do we think 4 or 5 tanks will give U.S. forces a decisive advantage?

(6) Why were the AC-130s operating in June out of Djibouti withdrawn?

(7) It has been suggested that the force levels we have in Somalia are on the minimal end of the scale for what is required to support continued operations. Given this past weekend's experience do we have enough forces in Somalia, even after the small reinforcements on the way?

Do we have enough forces to enjoy a "decisive" advantage?

Have we moved away from the "decisive force" doctrine?

(8) Who authorized the change in the employment of the U.S. Quick Reaction Force (QRF) from the original concept of a garrisoned reaction capability to their current use as a day-to-day military force?

When the tactical mission changed, did anyone reassess force requirements for the new mission?

(9) Given the vulnerability of our helicopters, why was this operation conducted in broad daylight?

How has the Somali anti-aircraft/air defense capability evolved over the past few months?

Since we don't have the forces to maintain open lines of communication on the ground and air mobility now appears to be in question, how will our forces conduct future operations?

I do at this point want to read something from today's October 7 Washington Post that is stunning. It was the President yesterday being quoted in today's paper. This is the liberal Washington Post, one of America's three great dominating newspapers, all of them liberal on their editorial pages, and all of their reporters, I have never met a conservative reporter. I take it back, yes, at the L.A. Times, one long ago at the L.A. Times, none at the other, and none at the Capital City's paper, the reporters, with the Washington Times, thank God, on its heels all the time.

This is the Post. Listen to this:

The President suggested in an interview with Copley News Service published yesterday that the United Nations had changed its mission unwisely, failed to provide military operation to back up peacekeepers, and staffed the units with troops untrained for their jobs who refused to venture outside their areas and refused to take orders.

Doesn't this sound like vintage Clinton?

The President also referred to U.N. actions as if he and his U.N. Ambassador has had no role in formulating or approving them. The United States sits on the Security Council and can veto any resolution. The Clinton Administration supported the resolution that established the peacekeeping effort, in line with Clinton's campaign rhetoric of relying more on multinational institutions to address international problems. When the United Nations included efforts to hunt down Aideed and his key aides for the murders of Pakistani troops, the Clinton Administration voted for the resolution. But in the interview, Clinton expressed doubts about the operation. He said, "the Copley interview we were asked to come in and, in effect, be the police officer in this thing, to start this thing going * * * And then the U.N. shifted course and said we ought to stay there until nation-building takes place."

Clinton said he did not want "our young people in harm's way in the absence of the United Nations aggressively proceeding with a plan to turn this country back over to the Somali or to have a long-term peace-keeping strategy that does not involve the United States."

But Clinton made the commitment to leave the troops in Somalia as part of the U.N. force when the mission changed, the key decisionmaking point for the president. At that time, there was no specific date for turning the country back, or any schedule for withdrawing all Americans.

□ 2030

Mr. Speaker, I would like to put in the RECORD at this point reasons why Morton Halperin should not be confirmed as the newly created Under Secretary of State, that is level 2, right under the Secretary, for Democratic Institutions around the world.

THE CASE AGAINST MORTON HELPERIN

Morton Halperin has been nominated to be Assistant Secretary of Defense for Democracy and Peacekeeping, a new position created by the Clinton Administration. Mr. Halperin:

Is a principal architect of Presidential Decision Directive #13, a blueprint for largely subsuming U.S. participation in "peacekeeping" to UN command and control.

Favors considerably augmenting the capabilities and responsibilities of the UN, to include the authority to raise revenues by taxing multilateral transactions such as arms sales, telecommunications, and multinational corporate sales.

Has, since the early 1970s, consistently strongly opposed U.S. covert operations abroad. (He now claims that within the last two years, he has changed his mind.)

Has participated in leadership positions with radical leftist groups engaged in public campaigns to shut down the counterintelligence capabilities of the FBI and Justice Department and to reduce drastically the foreign intelligence capabilities of the CIA.

Considers his role in defeating Senator Dole's constitutional amendment to the Constitution prohibiting the burning of the American flat a crowning career achievement.

Opposes the unilateral use of U.S. force except in very limited circumstances (e.g., opposed American intervention in Grenada and Panama).

Opposes random drug-testing for federal employees, including those in sensitive positions such as air traffic controllers and national security officials.

Consistently excused the actions of the Soviet Union and its client like Cuba at the height of the Cold War, characterizing their intentions as benign.

Spent five months leading Daniel Ellsberg's defense team and testified on Ellsberg's behalf, characterizing the Pentagon Papers as inconsequential to U.S. national security interests.

Flew to the U.K. to testify on behalf of Philip Agee, CIA renegade who exposed the identities of hundreds of American intelligence agents, including Athens CIA Station Chief Richard Welch who was subsequently murdered.

Filed a "friend of the court" brief in defense of David Truong, a Vietnamese expatriate convicted of espionage on behalf of communist Vietnam and theft of government property.

Played an integral role in orchestrating the Clinton Administration's campaign to allow gays in the military.

Considers such issues as mental health, prior arrest record, drug or alcohol abuse, or members in the Communist Party irrelevant questions to be asked for security clearance background checks.

I am going to do a special order, ironically, last week on all of the material that I have called the case against the Helperin nomination. If, as reported in the Washington Times, the Post, and I believe the New York Times, it was Mr. Halperin that advised Mr. Aspin not to send armored vehicles to that area, and if Mr. Aspin is not going to resign, and I do not believe at this point he should, certainly Mr. Aspin should withdraw the Halperin nomination.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARLOW). The gentleman will please not refer to actions of the Senate.

Mr. DORNAN. In closing again, I will put in the RECORD the case against Mr. Halperin.

I want to close by reemphasizing something that the President said that was positive at the end of his speech where he said the Nation is grateful to these men.

All of the analogies to the Ia Drang Valley battle, where we inserted only two companies at first of the 1st Battalion, the 7th Cavalry of the 1st Cavalry Airmobile in that terrible week of November 14 to 18 of 1965, when we lost 304 men on the ground, and one Skyraider Air Force pilot died trying to support them, all the comparisons in the Ia Drang Valley model to November 1965, all of the comparisons to Vietnam in general by the American people in the street, in interviews, I want to point something out to my liberal colleagues. Americans do not question our mission in Vietnam. Rarely do you see that, unless it is some leftover 1960's flower child. Most Americans still agree with Ronald Reagan that Vietnam was a noble cause to save half of Vietnam from the curse of communism that wrecked so much of the world. And we are still reading of the wreckage of lives and the environment. And we still see China hurting the people with communism, and the North Koreans into the mischief, and the China nuclear testing, and North Korea making nuclear weapons. Castro still has 11 million people living in Castro's decaying Communist island prison. And Vietnam, all of it suffering under communism. It was the halfhearted way we pursued the noble cause, the political battles fought and lost here on Capitol Hill, the lack of resolve, no policy, no commitment, McNamara driving a negotiating process with the blood of Americans. In any other democracy McNamara would have resigned in disgrace, not have been given by a President a tax-free $250,000-a-year job in 1960 dollars as head of the World Bank. Maybe a British Secretary or Minister of Foreign Affairs or Defense would resign over an issue like this.

One of the Republican Senators is demanding Les Aspin's resignation. All I am asking Les to do is re-look at this Halperin nomination and reevaluate the flawed 1960's McNamara-type advice. Aspin used to work for McNamara. That is where he started out in public service, one of the whiz kids over there.

Let us have more definitive Reagan doctrine foreign policy. And I will ask to put in again the Cap Weinberger six rules that we should study before we even go into a humanitarian operation.

Outlined by former Secretary of Defense Caspar Weinberger in a November 28, 1984, speech:

First, is the situation vital to United States or allied national interests?

Second, have all other options already been considered or used?

Third, is there a clear commitment, including allocated resources, to achieving victory?

Fourth, are there clearly defined political and military objectives?

Fifth, will our commitment of forces change if our objectives change?

Sixth, will the American people and Congress support the action?

Let us rethink what we are doing, and let us debate it in this Chamber and in the Senate Chamber at the north end of this building. Let us be careful how we remove ourselves and to set a date certain of March 31. Does this not drive Aideed to go underground, to bury his weapons, so to speak, and wait until we are gone on March 31, and then, according to Clinton, the rest of the U.N. forces, so poorly trained, will flee. That is what Boutros Boutros-Ghali, Secretary of the United Nations said, they will all pull out if we pull out. And then he goes on with his killing again, and brags to the world that he drove the world's only superpower out of his nation, and the famine starts again, and the brave camera crews, which we do not have any American types these days, and I do not blame them after they tore apart five CNN crew and murdered them right in the street after an incident last month. Then do our cameramen go back and show us those beautiful little faces of those starving African children in Somalia? Where are the cameras in south Sudan where Africans of Christian heritage are being slaughtered in the tens of thousands by those from north Sudan, and the arms flow from there, meanwhile, through terribly suffering Ethiopia into the killing of Somalia.

I will do a special order, Mr. Speaker, on this again next week when we have had a weekend to reflect on what policy should evolve out of all of this in this Chamber and in concert with the executive branch.

COMMUNICATION FROM DIRECTOR, NON-LEGISLATIVE AND FINANCIAL SERVICES OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from Leonard P. Wishart III, Director, Office of the Director, Non-Legislative and Financial Services, U.S. House of Representatives:

Non-Legislative and
Financial Services,
Washington, DC, October 6, 1993.

Hon. Thomas S. Foley,
Speaker, House of Representatives, Washington, DC.

Dear Mr. Speaker: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that a member of my staff has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,
Leonard P. Wishart III, *Director.*

COMMUNICATION FROM THE HONORABLE OWEN PICKETT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable Owen Pickett, Member of Congress:

House of Representatives,
Washington, DC, October 4, 1993.

Hon. Thomas S. Foley,
Speaker, House of Representatives, Washington, DC.

Dear Mr. Speaker: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the Juvenile and Domestic Relations District Court, Virginia Beach, Virginia.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

With kindest regards, I am

Sincerely yours,
Owen Pickett,
Member of Congress.

CONFERENCE REPORT ON H.R. 2446

Mr. HEFNER submitted the following conference report and statement on the bill (H.R. 2446) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes:

Conference Report (H. Rept. 103-278)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2446) "making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 5, 8, 18, 19, 41, 43, 44, 45, 46, 47, and 48.

That the House recede from its disagreement to the amendments of the Senate numbered 34, 35, 36, 37, and 39, and agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$562,008,000*; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$247,491,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$102,040,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$25,029,000*; and the Senate agree to the same.

Amendment numbered 21:

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,069,601,000*; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,298,486,000*; and the Senate agree to the same.

Amendment numbered 31:

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$26,337,000*; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$26,496,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 3, 4, 6, 7, 9, 11, 12, 13, 17, 20, 23, 24, 25, 26, 27, 28, 29, 30, 33, 38, 40, and 42.

W.G. (Bill) Hefner,
Thomas M. Foglietta,
Carrie P. Meek,
Norman D. Dicks,
Julian C. Dixon,
Vic Fazio,
Steny H. Hoyer,
Ronald D. Coleman,
William H. Natcher,
Barbara F. Vucanovich,
Sonny Callahan,
Helen Delich Bentley,
David L. Hobson,
Joseph McDade,
Managers on the Part of the House.

Jim Sasser,
Daniel K. Inouye,
Harry Reid,
Herb Kohl,
Robert C. Byrd,
Slade Gorton,
Ted Stevens,
Mitch McConnell,
Mark O. Hatfield,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2446) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

Items of General Interest

Reprogramming of Authorized Projects.—The conferees note that funding for many military construction projects could not be accommodated in this conference agreement because of budget constraints. However, the conferees expect that the Department of Defense Authorization Bill for fiscal year 1994, when enacted, will contain authorizations for projects not included in this conference report. In light of this situation, the conferees direct the Department of Defense to give priority consideration to those authorized by unfunded projects in its fiscal year 1995 budget submission for military construction. In addition, the conferees will consider reprogramming requests for such authorized projects that are executable in fiscal year 1994.

Reprogramming Thresholds.—The conferees believe it appropriate to raise the thresholds for both active and reserve components. As a part of the dual criteria, the current 25 percent threshold will remain for both active and reserve components. However, the conferees agree to increase the dollar amount to $2,000,000 for the active components and $600,000 for the reserve components. The increase for the active components will apply to both military construction and family housing construction programs and will be retroactive for projects funded in prior years.

Famiy Housing Reprogramming Criteria.—To provide the individual services the flexibility to proceed with construction contracts without disruption or delay, the costs associated with environmental hazard remediation such as asbestos removal, radon abatement, lead-based paint removal or abatement, and any other legislated environmental hazard remediation may be excluded, provided that such remediation requirements could not be reasonably anticipated at the time of budget submission. This exclusion applies to projects authorized in the budget year as well as projects authorized in prior years for which construction contracts have not been completed. This exclusion applies to reprogrammings as well as to the calculations to determine the requirement for advance notification to the Committees regarding maintenance and repair expenditures in excess of $15,000 for a military family housing unit, or $25,000 for a General or Flag Officer Quarters. However, the Committees will continue to require an after-the-fact notification where such costs cause the thresholds to be exceeded. The notification shall include work scope, cost break-out and other details pertinent to asbestos and/or lead-based paint removal work and shall be reported on a semi-annual basis.

Family Housing Operation and Maintenance.—The conferees regret the need to reduce the family housing operation and maintenance account. The conference action is driven by budget constraints with regard to outlays. Given the reduced funding available for the family housing program, the services should consider closing units which have deteriorated, especially when they are in localities having adequate and affordable housing in the private community. The conferees expect the Department to adequately provide for maintenance of its housing inventory in future budget submissions.

Recission.—The conferees agree to rescind $277,595,000 from appropriations made in fiscal years 1990, 1991, 1992 and 1993. The rescissions represent the amount for projects at military bases that are no longer needed because of the approved 1993 base realignment and closure recommendation. The rescissions also represent projects that are no longer required because of mission changes and force structure reductions. Below is a summary of the rescissions listed by appropriation account:

Military construction:	
Army	$13,900,000
Navy	122,627,000
Air Force	30,095,000
Defense-wide	15,500,000
Subtotal, military construction	182,122,000
Family housing:	
Navy and Marine Corps	40,371,000
Air Force	55,102,000
Subtotal	95,473,000
Total	277,595,000

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 103-136 and Senate Report 103-148 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or the Senate have directed the submission of a report from the Department of Defense, such report is to be submitted to both House and Senate Committees on Appropriations.

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSIONS)

Amendment No. 1

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$906,676,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference appropriates $906,676,000 for Military Construction, Army instead of $837,644,000 as proposed by the House and $723,505,000 as proposed by the Senate. The conferees agree to the following additions and deletions to the amounts and line items as proposed by the House:

Alabama-Fort Rucker:	
Road upgrade	+$1,300,000
Alaska—Fort Richardson:	
Joint mobility center	+10,000,000
Alaska—Fort Wainwright:	
Waste oil burning power plant	+740,000
Colorado—Fitzsimons Army Medical Center:	
Dial center office facility	+4,400,000
Georgia—Fort Gillem:	
Physical fitness center	+2,600,000
Kansas—Fort Riley:	
Barracks and administration renovation	+9,900,000
Battle simulation facility	+4,742,000
Nevada—Hawthorne AAP:	
Rehabilitate rail line	+4,700,000
North Carolina—Fort Bragg: Library	+5,500,000
Overseas Classified: Communications maintenance facility	−3,600,000
Unspecified Worldwide Locations: General reduction	+28,750,000
Various locations:	
Rescission, fiscal year 1992	−4,700,000
Rescission, fiscal year 1993	−9,200,000

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

Alabama—Anniston Army Depot: Ammunition demilitarization facility, phase IV	$110,900,000
Alabama—Fort Rucker:	
Personnel services facility	14,400,000
Alaska—Fort Richardson:	
Road improvements	0
Kentucky—Fort Campbell:	
Rail spur	0
Maryland—Edgewood Arsenal: Child development center	1,450,000
New Mexico—White Sands Missile Range: Rehab facilities	0
New York—Fort Drum:	
Range complex	0
North Carolina—Fort Bragg:	
Overhills tract land acquisition	15,000,000
Simmons airfield land acquisition	1,450,000
Oklahoma—Fort Sill:	
Central vehicle wash facility	7,600,000
Environmental training center	3,700,000
Texas—Fort Bliss:	
Tactical equipment shop	12,800,000
Tactical equipment shop	2,800,000
Texas—Fort Hood:	
Battalion command and control building	5,600,000
Deployment storage facility	1,500,000
Texas—Fort Sam Houston:	
Fire station	1,300,000
Utah—Tooele Army Depot:	
Treaty compliance facility	1,500,000
Kwajalein:	
Sewage treatment facility	11,200,000
Unaccompanied personnel housing	10,000,000
Unspecified worldwide locations:	
Planning and design	84,441,000
Unspecified minor construction	12,000,000

New York—Fort Drum.—The conferees agree that a reprogramming request will be considered for two projects at Fort Drum as follows:

Range control	$2,950,000
POL storage	1,550,000

Alaska—Fort Richardson: Road Improvement.—The conferees agree that the Road Improvement project at Fort Richardson, Alaska fits within the definition of Minor Construction. Therefore, the conferees direct the Army to address this project during fiscal year 1994.

Kentucky—Fort Campbell: Rail Spur.—There is a clear division in the community over this project. The conferees direct the Army to hold public hearings to ascertain the real cost of this project and to assure public safety and public concerns are addressed. The Army should consult with the Chamber of Commerce, municipal officials, local farm representatives and the Economic Development Council, and other interested citizens prior to moving forward with this project.

Texas—Fort Bliss: Barracks Modernization.—The conferees understand that there is a shortfall in funds in the amount of $1.4 million to complete a fiscal year 1991 barracks modernization project (project number 33758) at Fort Bliss. The Army is directed to utilize funds from available savings to complete this project and submit a reprogramming request, if necessary.

Amendment No. 2

Earmarks $109,441,000 for study, planning, design, architect and engineer services as proposed by the House instead of $88,000,000 as proposed by the Senate.

Amendment No. 3

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which rescinds a total of $13,900,000. The House bill proposed a general reduction rather than rescissions. The conference agreement rescinds funds for projects that are no longer required due to Base Realignment and Closure, Part III.

MILITARY CONSTRUCTION, NAVY

(INCLUDING RESCISSIONS)

Amendment No. 4

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$681,373,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $681,373,000 for Military Construction, Navy instead of $575,971,000 as proposed by the House and $580,033,000 as proposed by the Senate. The conferees agree to the following additions and deletions to the amounts and line items as proposed by the House:

California—Alameda Naval Air Station: Control tower complex	−$4,700,000
California—El Toro Marines Corps Air Station: Maintenance hangar addition	−1,950,000
California—San Diego Naval Training Center: Fire protection system	−700,000
Connecticut—New London Naval Submarine Base: Pier improvements	+4,200,000
Florida—Cecil Field Naval Air Station: Sanitary wastewater system upgrade	−1,500,000
Hawaii—Barbers Point Naval Air Station: Fire fighting training facility	−1,350,000
Maryland—Indian Head NSWC: Hazardous waste treatment facility	+10,000
Maryland—NAS Patuxent River: Sewage treatment plant	+1,000,000
Maryland—Patuxent River NAWC: Hazardous material storage facility	+3,400,000
Mississippi—CBC Gulfport:	
Family service center	+2,000,000
Child development center	+2,400,000
Tennessee—Memphis Naval Air Station: Fuels trainer facility	−600,000
Virginia—Norfolk Naval Aviation Depot: Aircraft rework facility—DBOF	−17,800,000
Virginia—Oceana NAS: Replace fuel tank farm	+1,800,000
Virginia—Quantico Marine Corps Combat Dev Command: Rehab instruction space	+5,000,000
Guam—Fleet and Industrial Supply Center: Gas bottle storage facility—DBOF	−1,240,000
Guam—Military Sealift Command Office: Operations building	+2,170,000
Guam—Naval Magazine: Inert storehouses	−3,750,000
Guam—Naval Oceanography Command Center: Oceanography building alterations	−690,000
Guam—Navy Public Works Center:	
Transportation parts storage facility—DBOF	−1,610,000
Waterfront utilities—DBOF	−11,840,000
Unspecified worldwide locations: General reduction	+135,492,000
Various locations:	
Rescission, fiscal year 1990	−7,662,000
Rescission, fiscal year 1991	−14,406,000
Rescission, fiscal year 1992	−62,899,000
Rescission, fiscal year 1993	−37,660,000

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

Arizona—MCAS Yuma: Barracks	0
California—Camp Pendleton:	
Emergency off-base water supply main	$750,000
Flood protection-sewage treatment plant	1,000,000
Relocate water wells	1,800,000
Replace drainage structures	3,000,000
Indiana—Crane NSWCD: Ordnance environmnetal test facility	9,600,000
Maryland—Annapolis, Naval Academy: Visitors center	0
Maryland—Patuxent River NAWC:	
Advance system integration facility, phase II	10,000,000
Jet engine test cell	4,900,000
Mississippi—Pascagoula:	
Academic instruction facility	0
Electrical distribution upgrade	0
Mississippi—CBC Gulfport: Warehouse	0
Pennsylvania—Philadelphia Naval Shipyard:	
Asbestos removal facility	2,300,000
Power plant modernization	11,500,000
Guam—Andersen AFB Naval Air Facility:	
Bachelor enlisted quarters renovation	3,560,000
Bachelor officer quarters modernization	3,750,000
Guam—Fleet and Industrial Supply Center: Integrated storage handling facility—DBOF	21,200,000
Guam—Naval Hospital: Child development center	2,460,000
Guam—Naval Station:	
Child development center addition	2,020,000
Explosive ordance disposal operations facility	12,500,000
Guam—Navy Public Works Center: Sewerage treatment plant—DBOF	7,230,000
Italy—Naples Naval Support Activity: Quality of life facilities, phase I	11,740,000
Italy—Sigonella Naval Air Station: Child development center	3,460,000
Spain—Rota Naval Station: Child development center	2,670,000
Unspecified Worldwide Locations: Planning and design	64,373,000

Amendment No. 5

Earmarks $64,373,000 for study, planning, design, architect and engineer services as proposed by the House instead of $59,373,000 as proposed by the Senate.

Amendment No. 6

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of matter inserted by said amendment, insert: *: Provided further, That of the funds appropriated for "Military Construction, Navy" under Public Law 101–148, $7,662,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Navy" under Public Law 101–519, $14,406,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Navy" under Public Law 102–136, $62,899,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Navy" under Public Law 102–380, $37,660,000 is hereby rescinded*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement rescinds a total of $122,627,000. The House bill proposed a general reduction rather than rescissions. The conference agreement rescinds funds for projects that are no longer required due to Base Realignment and Closure, Part III, as well as funds for projects that are no longer required due to force structure changes or mission changes.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS)

Amendment No. 7

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$1,021,567,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,021,567,000 for Military Construction, Air Force instead of $913,297,000 as proposed by the House and $963,726,000 as proposed by the Senate. The conferees agree to the following additions and deletions to the amounts and line items as proposed by the House:

Alaska-Eielson AFB:	
Upgrade water treatment plant	+$3,750,000
Upgrade waste water plant	+1,750,000
Alaska-Elmendorf AFB: Runway repair	+2,500,000
Fort Richardson-Joint mobility center	+5,500,000
Florida-Eglin AFB: Renovate climatic test chamber, phase II	−20,000,000
Georgia-Moody AFB:	
Aircraft pavements	+9,000,000
Large aircraft hangar	+4,700,000
Georgia-Robins AFB: Add/alter logistical systems operations center	+3,000,000
Hawaii—Hickam AFB: Dormitory	+50,000

Louisiana—Barksdale AFB:	
Replace apron/fuel hydrants	+10,000,000
Apron lighting	+1,300,000
New Mexico—Holloman AFB: Fighter maintenance facility	+1,900,000
New Mexico—Kirtland AFB: Upgrade utility system	+8,000,000
North Dakota—Grand Forks AFB: Repair aircraft pavements	+10,200,000
North Dakota—Minot AFB: Repair runway/taxiway	+8,500,000
Ohio—Wright Patterson AFB:	
Acquisition management complex	+14,400,000
Fire station	+1,230,000
Fire protection system	+1,400,000
South Dakota—Ellsworth AFB: Consolidated admin center, phase I	+6,200,000
Tennessee—Memphis Naval Air Station:	
Add/alter high-bay technical training facility	−3,000,000
Alter technical training facility	−2,000,000
Renovate dormitory	−1,200,000
Virginia—Langley AFB: Base civil engineering complex, phase I	+1,300,000
Guam—Anderson AFB: Underground fuel storage tanks	−4,100,000
Oman—Thumrait AB: War readiness material covered storage facility	−1,800,000
Qatar—Doha: War readiness material warehouse	−5,500,000
Unspecified Worldwide Locations: General reduction	+51,190,000
Various locations:	
Rescission, fiscal year 1990	−8,315,000
Rescission, fiscal year 1991	−6,550,000
Rescission, fiscal year 1992	−12,980,000
Rescission, fiscal year 1993	−2,250,000

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

Alabama—Maxwell AFB: Upgrade runway	$5,000,000
Arizona—Davis—Monthan AFB: Consolidated parts storage	0
California—Beale AFB: Education center/library	3,100,000
California—McClellan AFB:	
Convert to integrated media center	1,600,000
Repair aircraft parking apron	6,700,000
California—Travis AFB: Add/alter dormitories, phase VI	5,100,000
Florida—Tyndall AFB:	
Add to base supplies and equipment warehouse	3,200,000
Security police operations	2,400,000
Georgia—Moody AFB:	
Mission equipment storage	0
Large aircraft wash rack	0
Georgia—Robins AFB: Hydrant refueling system	0
Maryland—Fort George Meade: Add to operations facility	1,450,000
Nevada—Nellis AFB: Add/alter physical fitness training facility	4,350,000
New Mexico—Cannon AFB: Renovate and expand dormitory	3,100,000
New Mexico—Kirtland AFB: Add/alter base support facilities	0
North Dakota—Grand Forks AFB: Hydrant fuel system	3,250,000
North Dakota—Minot AFB: Fire station	0
Oklahoma—Altus AFB: Drop zone land acquisition	780,000
Oklahoma—Tinker AFB: Consolidated vehicle maintenance facility	0
Oklahoma—Vance AFB: Airfield pavements, phase IV	5,000,000
Texas—Brooks AFB: Center for environmental excellence	8,400,000
Texas—Dyess AFB: Add/alter dormitories	5,200,000
Utah—Hill AFB: Upgrade industrial wastewater collection system	6,200,000
Virginia—Langley AFB: Add/alter operations facility	0
Antigua Island—SLFI—upgrade backup generator	1,000,000
Ascension Island—SLFI—wastewater treatment plant	3,400,000
Diego Garcia:	
GPS instrumentation facility	1,700,000
Satellite tracking storage facility	560,000
Germany—Ramstein AB: Child development center	3,100,000
Greenland—Thule AB: Wastewater treatment plant	5,492,000
Turkey—Incirlik AB: Add/alter dormitories	2,400,000
United Kingdom—RAF Mildenhall: C–130 phase maintenance hangar	4,800,000
Unspecified Worldwide Locations: Planning and design	63,882,000

California—DOD/VA Joint Venture at Travis Air Force Base.—The conferees understand that the Department of Veterans Affairs (DVA) is currently negotiating with the Naval Facilities Command (NAVFAC) to manage the renovation and expansion of the David Grant Medical Center at Travis AFB. Once completed, the joint use facility will provide medical services to veterans in Northern California. The conferees are concerned that the veterans population will continue to be underserved in Northern California until such time as the new hospital additions are completed. Therefore, should the DVA and NAVFAC reach a project management agreement, the conferees expect and strongly encourage NAVFAC to use all means necessary to expedite the completion of the renovation and expansion of the medical center.

Florida—Homestead Air Force Base.—The conferees are concerned about the undue delay by the Air Force in initiating construction of facilities to support the 482nd F–16 Fighter Wing (AFRES) and the 301st Rescue Squadron (AFRES) at Homestead Air Force Base. Funds in the amount of $10 million for planning and $66 million for construction were previously appropriated in the 1992 Supplemental Appropriations Act (P.L. 102–368) for restoring airfield operations at Homestead Air Force Base. The conferees note that progress in restoring operations together with providing for Air Force Reserve facilities consistent with Base Realignment and Closure recommendations has been lacking. Therefore, the conferees direct the Air Force to submit to the Appropriation Subcommittees on Military Construction an expedited plan and schedule for construction of various facilities at Homestead Air Force Base no later than November 20, 1993.

Guam.—The conferees direct the Air Force to report to the Appropriation Subcommittees on Military Construction as to why a consolidation of military air assets on Guam cannot include the integration of the Navy with the Air Force in these times of reduced funding and changing military threats.

Amendment No. 8

Earmarks $63,882,000 for study, planning, design, architect and engineer services as proposed by the House instead of $58,180,000 as proposed by the Senate.

Amendment No. 9

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert: *:Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 101–148, $8,315,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 101–519, $6,550,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 102–136, $12,980,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 102–380, $2,250,000 is hereby rescinded*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement rescinds a total of $30,095,000. The House bill proposed a general reduction rather than rescissions. The conference agreement rescinds funds for projects that are no longer required due to Base Realignment and Closure, Part III.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING RESCISSION)

Amendment No. 10

Appropriates $562,008,000 for Military Construction, Defense-Wide, instead of $618,770,000 as proposed by the House and $524,165,000 as proposed by the Senate. The conferees agree to the following additions and deletions to the amounts and line items as proposed by the House:

Kentucky—Fort Campbell: Expand aircraft ramp, SOF	$+2,650,000
Louisiana—Fort Polk: Elementary school	+4,950,000
Maryland—Forest Glen (WRAIR): Army institute of research, phase II	−33,140,000
Maryland—Fort Meade: Supercomputer facility, phase I	−12,720,000

Ohio—Defense Electronics Supply Center, Dayton: Install gas-fired boilers	−6,000,000
Texas—Fort Sam Houston: Hospital replacement, phase VII	−25,000,000
Puerto Rico—Defense Fuel Support Point Roosevelt Roads: fuel tankage	−5,800,000
Unspecified Worldwide Locations: General reduction	+14,298,000
Planning and Design: Special operations command	+2,000,000
Unspecified Minor Construction: Special operations command	+2,000,000
Various Locations: Rescission, fiscal year 1992	−15,500,000

The conferees agree to fund all other items in conference at the level proposed by the House, shown below:

Alaska—Elmendorf AFB: Hospital replacement, phase II	$37,000,000
Arizona—Yuma Marine Corps Air Station: Add/alter medical/dental clinic	6,000,000
Florida—Eglin Aux Field 9: Add to weapons maintenance shop	580,000
Rhode Island—Newport Naval Education and Training Center: Medical clinic, phase II	4,000,000
Diego Garcia: Fuel tankage	9,558,000
Overseas Classified: Powerhouse	10,755,000
Unspecified Worldwide Locations: Contingency construction	12,200,000
Planning and design:	
Defense level activities	10,305,000
Defense medical support activity	25,865,000
Unspecified Minor Construction:	
Joint Chiefs of Staff	5,975,000
DOD dependent schools	4,000,000
Defense medical support activity	3,757,000

Maryland—Walter Reed Army Institute of Research.—The conferees have provided $15 million in fiscal year 1994 for the next increment for construction of a new facility for the Walter Reed Institute of Research. The fact that this is less than the budget request should in no way be construed as a diminution in support.

The Committees on Appropriations have had a long standing interest in replacing the deplorable and inadequate facilities housing the Walter Reed Institute of Research. The conferees note that the Department has recommended studying the possible reutilization of existing facilities as a possible alternative to construction of a new facility. The conferees are aware that utilization of the Armed Forces Institute of Pathology (AFIP) was considered in 1987 as a possible alternative and was dismissed as having inadequate space and as being unacceptably expensive to modify. The conferees also note that while the National Performance Review recommended closure of the Uniformed Services University of the Health Sciences (USUHS), that facility includes most of the same deficiencies and cost implications as found in AFIP. The conferees wish to point out that ground breaking and award has already been delayed twice from an original date of November 1992 and subsequently June 1993 while the OSD studied and restudied the issue. The conferees are firm in their belief that this issue has been studied enough and want to reiterate that no more delays in award will be tolerated. The conferees therefore direct that an award be made for a new WRAIR not later than December 25, 1993. In addition, the conferees direct the Department to include the next increment of funding in the fiscal year 1995 budget and include the balance if required in the five year defense plan.

Amendment No. 11

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$44,405,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $44,405,000 for study, planning, design, architect and engineer services instead of $42,405,000 as proposed by the House and $37,405,000 as proposed by the Senate.

Amendment No. 12

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which rescinds $15,500,000. The House bill proposed a general reduction rather than a rescission. The conference agreement rescinds funds for projects that are no longer required due to Base Realignment and Closure, Part III.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

Amendment No. 13

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$302,719,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $302,719,000 for Military Construction, Army National Guard instead of $203,980,000 as proposed by the House and $291,250,000 as proposed by the Senate. The conferees agree to the following additions and deletions to the amounts and items as proposed by the House:

Alabama—Birmingham: Aviation support facility	+$4,907,000
Alabama—Montgomery: Organizational maintenance shop	+389,000
Arizona—Camp Navajo: Water filtration system	+1,000,000
California—Camp Parks/Dublin: Armory and OMS	−9,967,000
California—Van Nuys: Armory addition	+6,518,000
California—Burbank: OMS modification	+905,000
Connecticut—Bradley Field: Aviation facilities	+6,000,000
Florida—Eglin AFB: Range, multipurpose complex (MPRC)	−3,825,000
Hawaii—Molokai: Armory	+1,050,000
Hawaii—Oahu: Armory	+4,300,000
Indiana—Camp Atterbury: State military facility	+16,000
Indiana—Evansville: Armory and/or OMS	+801,000
Iowa—Camp Dodge:	
Battalion complex, phase II	+3,800,000
Consolidated paint facility	+37,000
Kansas—Fort Riley: Maintenance and training equipment site wash rack	+3,398,000
Kentucky—Fort Knox: Maintenance and training equipment site facility	+10,000,000
Massachusetts—Ayer: Add/alter combined support maintenance shop	+3,002,000
Minnesota—Various Locations: Alter fourteen armories and maintenance shops	−4,527,000
Mississippi—Camp Shelby: Vehicle wash facility	+5,000,000
Mississippi—Jackson: Armory	+2,550,000
Missouri—Fort Leonard Wood: Armory/OMS	+2,349,000
New Mexico—White Sands:	
OMS	+2,940,000
Tactical site	+1,995,000
Maintenance and training equipment site facility	+3,570,000
North Dakota—Bismark: Aviation C–12 hangar	−656,000
Oklahoma—Camp Gruber/Braggs: Modified record fire range	−937,000
Oregon—Camp Withycombe: Support maintenance shop	+7,569,000
Oregon—Pendleton: Aviation support facility	+3,515,000
Pennsylvania—Fort Indiantown Gap:	
Flight simulator and aeromedical physiology complex	−4,584,000
State military facility	+9,200,000
South Carolina—Columbia:	
Combined support/maintenance shop	+8,616,000
Land acquisition	+950,000
South Carolina—Leesburg: Wash rack/fuel facility	+1,009,000
South Carolina—Summerville: OMS	+834,000
South Dakota—Sioux Falls (Joe Foss Field):	
Armory addition	+30,000
Maintenance shop	+1,700,000
Tennessee—Camden: Armory addition	+714,000
Tennessee—Milan: Armory	+1,357,000
Tennessee—Tiptonville: Armory	+1,157,000
Tennessee—Waverly: Armory addition	+587,000
Texas—Corpus Christi:	
Add/Alter armory	+2,719,000
Organizational maintenance shop	+991,000
Texas—San Antonio: Organizational maintenance shop	−1,578,000
Vermont—Jericho: Training facility	+3,200,000
Wisconsin—Camp Williams; Combined maintenance facility	+11,900,000
Wyoming—Camp Guernsey: Barracks renovation	+3,338,000
Unspecified Worldwide Locations—Planning and design	+900,000

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

Alabama—Fort McClellan: Training site addition	0
Arizona—Marana: Dining facility/dormitory	$2,919,000
Arkansas—Camp Robinson: Training site, sewer improvement	4,424,000
California—Fort Funston/San Francisco: Military vehicle storage building	739,000
California—Fort Irwin: Maintenance pad covers	1,265,000
Connecticut—Groton: Avation facilities	0
Illinois—Rock Island: Armory	3,310,000
Indiana—Camp Atterbury: Training facilities, phase VIB	7,545,000
Indiana—Indianapolis: Combined support/maintenance facility	0
Indiana—Lafayette: Armory and OMS	3,116,000
Iowa—Des Moines: Remove underground fuel tanks	0
Kansas—Nickell Barracks (Salina): Training site complex, phase I	6,168,000
Kansas—Salina:	
Training site, phase I	0
Training site, phase II	0
Louisiana—Ruston: Armory/OMS	0
Maryland—Hagerstown: Add/alter armory	1,776,000
Minnesota—Inver Grove Heights:	
Armory and OMS	4,571,000
Armory	0
Minnesota—Various Locations: Add/alter seven armories	3,225,000
Mississippi—Camp Shelby: Regional school facility, phase I	6,000,000
Mississippi—Camp McCain: Range and training area improvements	5,500,000
Mississippi—Greenville: Armory	2,230,000
Mississippi—Tupelo: Add/alter Army aviation support facility	3,210,000
Mississippi—Various Locations: Add/alter six armories	5,204,000
Missouri—Poplar Bluff: Armory and OMS	2,842,000
Nebraska—Camp Ashland: Education facility	0
Nevada—Las Vegas/Clark County: Armory, phase II	1,430,000
Oklahoma—Frederick: Armory	1,200,000
Pennsylvania—Johnstown:	
Addition to joint Armed Forces aviation facility	5,004,000
Armory expansion	3,309,000
South Carolina—Leesburg: Regional NCO academy	0
South Carolina—Eastover: Add/alter armory	0
Tennessee—Elizabethton: Armory storage addition	100,000
Tennessee—Jefferson City: Armory	952,000
Tennessee—Sevierville: Armory	1,352,000
Tennessee—Symrna:	
Armory	3,934,000
Warehouse	710,000
Texas—Lubbock: OMS and AFRC, phase II	1,726,000
Texas—Weslaco: Armory and OMS	5,567,000
Wisconsin—West Bend: Armory	0
Guam—Barrigada: U.S. Property/fiscal office/warehouse, phase II	1,573,000

California—Camp Parks/Dublin-Planning and Design.—The conferees agree that, within planning and design funds for the Army National Guard, $900,000 shall be allocated for design of an armory and an organizational maintenance shop.

Texas—Lubbock: Organizational Maintenance Shops AFRC, Phase II.—The conferees have agreed to provide funding of $1,726,000 for this project but understand that additional funding may be required. If additional funding is required, the Department should request necessary reprogramming of funds.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

Amendment No. 14

Appropriates $247,491,000 for Military Construction, Air National Guard instead of $161,761,000 as proposed by the House and $254,923,000 as proposed by the Senate. The conferees agree to the following additions and deletions to the amounts and line items as proposed by the House:

Alaska—Eielson AFB: Fuel system maintenance hangar	+$8,900,000
Georgia—Robins AFB: Support and hydrant system	+$5,750,000
Hawaii—NAS Barking Sands: Forward air control point facility	+$8,500,000
Hawaii—Hickam AFB: Consolidated support facility	+$9,700,000
Idaho: Idaho training range	+6,700,000
Kentucky—Standiford (Louisville): Relocation facilities, phase IV	+5,000,000
Massachusetts—Barnes Airport: Alter ops/training facility	+600,000
Massachusetts—Otis ANGB: Communications/electronics facility	+3,000,000
Massachusetts—Worcester ANGB: Base supply warehouse	+390,000
Mississippi—Gulfport Mpt: Troop camp quarters	−5,300,000
Missouri—Rosecrans Memorial Airport (St. Josephs): Jet fuel storage	+4,000,000
Nebraska—Lincoln MAP: Replace heat system	+1,500,000
Nevada—Reno IAP: Aircraft arresting systems	−1,830,000
New Hampshire—Pease AFB: Upgrade KC-135 hydrant refueling system	−5,100,000
Oregon—Portland IAP: Drainage improvements	+350,000
Oregon—Kingsley Field/Klamath Falls: Repair runway/taxiway	+8,500,000
Unspecified Worldwide Locations: General reduction	+35,070,000

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

Alabama—Abston ANG station (Montgomery)	0
Alabama—Birmingham MAP: Road relocation	6,300,000
Alabama—Maxwell AFB: Runway extension	0
Georgia—Dobbins AFB (Marietta): Small arms range	0
Illinois—Capital MAP (Springfield): Upgrade runway	2,300,000
Indiana—Hulman Field (Terre Haute) dining hall and medical training facility	3,800,000
Iowa—Des Moines MAP: Jet fuel storage complex	4,000,000
Iowa—Sioux Gateway Airport (Sergeant Bluff): Base civil engineer maintenance complex	2,650,000
Massachusetts—Barnes Airport: Vehicle maintenance shop	0
Ohio—Toledo Express Airport:	
Add/alter operations and training facility	1,800,000
Taxiway and arm/dearm pads	1,950,000
Oregon—Portland IAP: Site restoration	0
South Dakota—Joe Foss Field (Sioux Falls): Power check pad	0
Texas—Kelly AFB (San Antonio): Base supply warehouse	4,300,000
Virginia—Richmond IAP: Fuel storage complex	0
Guam—Andersen AFB: Base supplies and equipment warehouse	400,000
Puerto Rico—Puerto Rico IAP:	
Add/alter F-16 avionics shop	320,000
Alter fuel systems maintenance facility	750,000
Upgrade F-16 aircraft parking ramp security system	2,000,000
Unspecified Worldwide Locations: Planning and design	10,868,000

Idaho—Gowen Field: Idaho Training Range.—The conferees agree to provide funding of $6,700,000 to the Air National Guard for the development of expanded training capabilities for the Air Force's composite wing at Mountain Home Air Force Base. The conferees support the concept of expanded training capabilities for the composite wing and understand that an environmental impact statement is being prepared. However, the conferees direct that none of the funds provided for expansion of training capabilities be obligated until the Secretary of Defense has provided to the Committees on Appropriations certification in writing that the funding is required for training and readiness and is consistent with the full environmental impact statement that reviews alternatives.

MILITARY CONSTRUCTION, ARMY RESERVE

Amendment No. 15

Appropriates $102,040,000 for Military Construction, Army Reserve instead of $87,825,000 as proposed by the House and $124,794,000 as proposed by the Senate. The conferees agree to the following additions and deletion to the amounts and line items as proposed by the House:

Georgia—Fort McPherson: Command headquarters, phase I	+$15,000,000
South Carolina—Fort Jackson: USARC/OMS/DS shop	−2,728,000
Unspecified Worldwide Locations: Planning and design	+1,943,000

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

California-Los Alamitos: Logistic Facility	0
New Jersey—Fort Dix: Upgrade range 65	2,700,000
Washington—Fort Lawton: Reserve center	0

Washington—Fort Lawton (Seattle): Planning and Design.—The conferees agree that, within planning and design funds for the Army Reserve, $1,943,000 shall be allocated for design of a reserve center. The conferees also direct that construction funds for the reserve center be included in the Department's fiscal year 1995 budget submission.

MILITARY CONSTRUCTION, NAVAL RESERVE

Amendment No. 16

Appropriates $25,029,000 for Military Construction, Naval Reserve instead of $28,647,000 as proposed by the House and $25,013,000 as proposed by the Senate. The conferees agree to the following additions and deletion to the amounts and line items as proposed by the House:

Maryland—Baltimore: MCRC improvements	+$460,000
Michigan—NRRC Detroit: MCRC repair/construction	+698,000
New Jersey—West Trenton: MCRC replacement conversion	+264,000
Washington—Bangor: Reserve center	+3,000,000
Unspecified Worldwide Locations: General reduction	−8,040,000

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

Louisiana—Naval Support Activity New Orleans: Marine Corps reserve force headquarters	$8,700,000
Unspecified Worldwide Locations: Planning and design	1,815,000

MILITARY CONSTRUCTION, AIR FORCE RESERVE

Amendment No. 17

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$74,486,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $74,486,000 for Military Construction, Air Force Reserve instead of $66,136,000 as proposed by the House and $68,427,000 as proposed by the Senate. The conferees agree to the following additions to the amounts and line items as proposed by the House:

Florida—Homestead AFB: Medical training facility	+$2,750,000
New York—Niagara Falls IAP: Corrosion control facility	+800,000
Unspecified Worldwide Locations: General reduction	+4,800,000

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

Georgia—Dobbins AFB: Firing range	$1,900,000
Flight simulation center	6,000,000
Ohio—Youngstown MAP: Munitions maintenance complex	0
Unspecified Worldwide Locations: Planning and design	3,989,000

NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

Amendment No. 18

Restores House language stricken by the Senate which appropriates $140,000,000 for North Atlantic Treaty Organization Infrastructure programs.

Amendment No. 19

Deletes Senate language which established a new account for construction outside the United States, appropriated $300,000,000 and included a certification requirement regarding burdensharing.

FAMILY HOUSING, ARMY

Amendment No. 20

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$228,885,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $228,885,000 for Construction, Family Housing, Army instead of $218,785,000 as proposed by the House and $228,385,000 as proposed by the Senate. The conferees agree to the following addition to the amounts and line items as proposed by the House:

Construction improvements	+$10,100,000

The conferees agree to fund the other item in conference at the level proposed by the House, as shown below:

Nevada-Hawthorne AAP: Demolish Abandoned Housing Units	$500,000

Construction Improvements.—Within the total funding amount for Construction Improvements, $4,400,000 shall be allocated to Fort Richardson, Alaska and $5,700,000 for Fort Wainwright, Alaska.

Amendment No. 21

Appropriates $1,069,601,000 for Operation and Maintenance, Family Housing, Army instead of $1,067,922,000 as proposed by the House and $1,125,601,000 as proposed by the Senate. The conferees agree to the following addition to the amounts and line items as proposed by the House:

General reduction	+$1,679,000

Amendment No. 22

Appropriates a total of $1,298,486,000 for Family Housing, Army instead of $1,286,707,000 as proposed by the House and $1,353,986,000 as proposed by the Senate. This sum is derived from the conference agreement on amendments numbered 20 and 21.

FAMILY HOUSING, NAVY AND MARINE CORPS

(INCLUDING RESCISSIONS)

Amendment No. 23

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$370,208,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $370,208,000 for Construction, Navy and Marine Corps instead of $367,769,000 as proposed by the House and $354,738,000 as proposed by the Senate. The conferees agree to the following addition and deletions to the amounts and line items as proposed by the House:

Washington-NAS Whidbey Island: 106 units	+$10,000,000
Various locations:	
Rescission, fiscal year 1990	−14,100,000
Rescission, fiscal year 1991	−25,018,000
Rescission, fiscal year 1993	−1,253,000
Construction improvements	−7,561,000

The conferees agree to fund the other item in conference as proposed by the House, as shown below:

United Kingdom: Naval Activities London (purchase 81 leased units)	$15,470,000

Amendment No. 24

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$772,055,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $772,055,000 for Operation and Maintenance, Family Housing, Navy and Marine Corps instead of $781,952,000 as proposed by the House and $835,055,000 as proposed by the Senate.

The conferees agree to the following deletion to the amounts and line items as proposed by the House:

General reduction	−$9,897,000

Amendment No. 25

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$1,142,263,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates a total of $1,142,263,000 for Family Housing, Navy and Marine Corps instead of $1,149,721,000 as proposed by the House and $1,189,793,000 as proposed by the Senate. This sum is derived from the conference agreement on amendments numbered 23 and 24.

Amendment No. 26

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert: *: Provided, That of the funds appropriated for "Family Housing, Navy and Marine Corps" under Public Law 101–148, $14,100,000 is hereby rescinded :Provided further, That of the funds appropriated for "Family Housing, Navy and Marine Corps" under Public Law 101–519, $25,018,000 is hereby rescinded: Provided further, That of the funds appropriated for "Family Housing, Navy and Marine Corps" under Public Law 102–380, $1,253,000 is hereby rescinded*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement rescinds a total of $40,371,000 previously appropriated for construction of new family housing units and for improvement of existing family housing units. These projects are no longer required due to Base Realignment and Closure, Part III.

Family Housing, Air Force
(including rescissions)

Amendment No. 27

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$187,035,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $187,035,000 for Construction, Family Housing, Air Force instead of $192,197,000 as proposed by the House and $195,035,000 as proposed by the Senate. The conferees agree to the following addition and deletions to the amounts and line items as proposed by the House:

Italy—Comiso AB (purchase 460 leased units)	−$20,200,000
Various locations:	
Rescission, fiscal year 1992	−6,400,000
Rescission, fiscal year 1993	−48,702,000
Construction improvements	+15,038,000

The conferees agree to fund the other items in conference at the level proposed by the House, as shown below:

Illinois-Scott AFB: Housing Relocation, Phase II	$10,000,000
Planning	$11,901,000

Construction Improvements.—Within the total funding amount for Construction Improvements, up to $15,100,000 shall be allocated to Nellis Air Force Base, Nevada and $6,900,000 shall be allocated to Kirtland Air Force Base, New Mexico.

Amendment No. 28

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$790,912,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $790,912,000 for Operations and Maintenance, Family Housing, Air Force instead of $805,847,000 as proposed by the House and $853,912,000 as proposed by the Senate.

The conferees agree to the following deletion to the amounts and line items as proposed by the House:

General reduction	−$14,935,000

Amendment No. 29

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$977,947,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates a total of $977,947,000 for Family Housing, Air Force instead of $998,044,000 as proposed by the House and $1,048,947,000 as proposed by the Senate. This sum is derived from the conference agreement on amendments numbered 27 and 28.

Amendment No. 30

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which rescinds a total of $55,102,000 previously appropriated for construction of new family housing units and for improvement of existing family housing units. These projects are no longer required due to Base Realignment and Closure, Part III.

Family Housing, Defense-Wide

Amendment No. 31

Appropriates $26,337,000 for Operation and Maintenance, Family Housing, Defense-Wide instead of $25,711,000 as proposed by the House and $27,337,000 as proposed by the Senate. The conferees agree to the following addition to the amounts and line items as proposed by the House:

General reduction	+$626,000

Amendment No. 32

Appropriates a total of $26,496,000 for Family Housing, Defense-Wide instead of $25,870,000 as proposed by the House and $27,496,000 as proposed by the Senate. This sum is derived from the conference agreement on amendment numbered 31.

Homeowners Assistance Fund

Amendment No. 33

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows the appropriated amount for Homeowners Assistance Fund, Defense to remain available until expended.

Base Realignment and Closure Account, Part I

Amendment No. 34

Appropriates $12,830,000 as proposed by the Senate instead of $27,870,000 as proposed by the House. The conferees agree that the reduction of $15,040,000 from the House proposed amount shall be applied against the Navy's allocation because of projects no longer needed as a result of the approved 1993 base closure recommendations.

Amendment No. 35

Deletes House language which establishes a minimum funding level for environmental restoration.

Base Realignment and Closure Account, Part II

Amendment No. 36

Appropriates $1,526,310,000 as proposed by the Senate instead of $1,800,500,000 as proposed by the House. The reduction reflects projects no longer required as a result of approved 1993 base closure recommendations.

Washington—Naval Station Everett: Bachelor Enlisted Quarters.—The conferees direct that within Base Realignment and Closure, Part II funds, $7,450,000 be for the construction of a Bachelor Enlisted Quarters at Naval Station Everett, which is required due to the closure of Sand Point. The conferees urge the Navy to continue to support the ongoing facility requirements at Naval Station Everett, and direct the Navy to include funds for a second Bachelor Enlisted Quarters as part of its fiscal year 1995 Military Construction budget submission.

Amendment No. 37

Deletes House language which restricts appropriated funds to the approved 1991 base realignments and closures.

Base Realignment and Closure Account, Part III

Amendment No. 38

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$1,144,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,144,000,000 for Base Realignment and Closure, Part III instead of $1,200,000,000 as proposed by the House and $1,197,000,000 as proposed by the Senate.

New Jersey—McGuire AFB.—The conferees direct that, within Base Realignment and Closure, Part III funds, the Air Force allocate the funds necessary to start construction at McGuire Air Force Base of housing and dormitory space in order to alleviate the housing shortage that the accelerated realignment at McGuire will create.

Amendment No. 39

Deletes House language which restricts appropriated funds to the approved 1993 base realignments and closures.

General Provisions

Amendment No. 40

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken by said amendment, insert:

SEC. 122. (a) Notwithstanding any other provision of law, the Secretary of the Army shall transfer, no later than September 30, 1994, without reimbursement or transfer of funds, to the Architect of the Capitol, a portion of the real property, including improvements thereon, consisting of not more than 100 acres located at Fort George G. Meade in Anne Arundel County, Maryland, as determined under subsection (c).

(b) The Architect of the Capitol shall, upon completion of the survey performed pursuant to subsection (c) and the transfer effected pursuant to subsection (a), utilize the transferred property to provide facilities to accommodate the varied long term storage and service needs of the Library of Congress and other Legislative Branch agencies.

(c) The exact acreage and legal description of the property to be transferred under this section shall be determined by a survey satisfactory to the Architect of the Capitol and the Secretary of the Army, and in consultation with officials of Anne Arundel County, Maryland.

(d) Any real property and improvements thereon transferred pursuant to this section shall be under the jurisdiction of the Architect of the Capitol, subject to the rules and regulations providing for the use of such property as may be approved by the House Office Building Commission and the Senate Committee on Rules and Administration: *Provided* that any existing improvements made available by the Architect to the Librarian of Congress, under the direction of the Joint Committee on the Library, or hereafter erected upon such real property pursuant to law for the purposes of providing for the long term storage and service needs of the Library of Congress shall be subject to the provisions of sections 136, 141 and 167 to 167j of Title 2, United States Code.

(e) Portions of the real property and any improvements thereon transferred pursuant to this section that are not determined to be immediately required for storage or service needs by the Architect are authorized to be leased temporarily to the Secretary of the Army: *Provided*, That nominal lease payments made by the Secretary of the Army shall be credited to the appropriation "Architect of the Capitol, Library Buildings and

Grounds, Structural and Mechanical Care, No Year''.

(f) There are authorized to be appropriated to the Architect of the Capitol such sums as may be necessary to carry out the provisions of this section.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The previously recommended transfer of property located at the Army Research Laboratory, Woodbridge Research Facility, Virginia, to the Architect of the Capitol for use of storage and service needs of the Library of Congress and the Legislative Branch agencies has not been endorsed by the conferees. Instead, property in Fort George G. Meade, Maryland, has been identified for such use. The property in Fort George G. Meade identified which would meet the Library's goal is located generally north of State route 32 and south of Rock Avenue and First Street. The Architect is directed to consult with appropriate officials of Anne Arundel County, Maryland, concerning the exact acreage and legal description of the property. The conferees direct that the Architect of the Capitol and Secretary of the Army enter into an agreement to determine the utilities and services to be provided by the Secretary to the property. The conferees further direct that the Architect provide landscaping to maintain an appearance appropriate for the surrounding area.

Amendment No. 41

Deletes Senate language which proposed a general reduction.

Amendment No. 42

Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken by said amendment, insert:

SEC. 124. None of the funds appropriated in this Act or any other Act may be used for the purposes of establishing any criminal detention or rehabilitation facility or program at Fort George Meade, Maryland.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement deletes House language which waives certification requirements for a defense access road at Camp Dodge, Iowa, and inserts language which prohibits the use of funds in this act or any other act during fiscal year 1994 to be used for the purposes of establishing any criminal detention or rehabilitation facility or program at Fort George G. Meade, Maryland.

Amendment No. 43

Restores House language stricken by the Senate regarding compliance with the ''Buy American Act''.

Amendment No. 44

Restores House language stricken by the Senate regarding in the purchase of American-made equipment and products.

Amendment No. 45

Restores House language stricken by the Senate regarding fraudulent ''Made in America'' labels.

Amendment No. 46

Deletes language proposed by the Senate which would earmark $4,400,000 for a Dial Central Office Facility at Fitzsimons Medical Center, Colorado. Funding for this project is provided under Military Construction, Army account.

Amendment No. 47

Deletes language proposed by the Senate which would earmark $2,800,000 for an ACMI support facility at the Gulfport-Biloxi Regional Airport, Mississippi.

Amendment No. 48

Deletes language proposed by the Senate regarding land transfer in Hawaii.

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ALABAMA		
ARMY		
ANNISTON ARMY DEPOT		
AMMUNITION DEMILITARIZATION FACILITY, PHASE IV	110,900	110,900
FORT RUCKER		
OPERATIONS FACILITY	1,150	1,150
PERSONNEL SERVICES FACILITY	---	14,400
PETROLEUM LAB AND FUEL STORAGE	5,800	5,800
BARRACKS	20,000	20,000
ROAD UPGRADE	---	1,300
AIR FORCE		
GUNTER AFB		
CHILD DEVELOPMENT CENTER	2,700	2,700
EMERGENCY POWER GENERATOR PLANT	1,200	1,200
HAZARDOUS WASTE ACCUMULATION FACILITY	310	310
SPILL CONTAINMENT CONTROLS	470	470
MAXWELL AFB		
AIR FORCE QUALITY CENTER	4,650	4,650
UPGRADE RUNWAY	9,200	5,000
SPILL CONTAINMENT CONTROLS	970	970
TAXIWAY/RAMP	3,800	3,800
UNDERGROUND FUEL STORAGE TANKS	1,700	1,700
UPGRADE UTILITY SYSTEMS, PHASE I	5,050	5,050
DEFENSE-WIDE		
FORT MCCLELLAN		
FT MCCLELLAN ELEMENTARY SCHOOL ADDITION	2,798	2,798
ARMY NATIONAL GUARD		
CULLMAN		
ADD/ALTER COMBINED SUPPORT MAINTENANCE SHOP	---	5,070
BIRMINGHAM		
AVIATION SUPPORT FACILITY	---	4,907
MONTGOMERY		
ORGANIZATIONAL MAINT SHOP	---	389
MOBILE		
ORGANIZATIONAL MAINTENANCE SHOP	502	502
AIR NATIONAL GUARD		
ABSTON ANG STATION (MONTGOMERY)		
COMMUNICATIONS AND ELECTRONICS TRAINING FACILITY	693	693
BIRMINGHAM MAP		
AIRCRAFT MAINTENANCE HANGAR	5,500	5,500
FUEL CELL DOCK	4,400	4,400
ROAD RELOCATION	---	6,200
DANNELLY FIELD (MONTGOMERY)		
VEHICLE MAINTENANCE COMPLEX	1,750	1,750
ARMY RESERVE		
BIRMINGHAM		
BATTLE PROJECTION CENTER	4,719	4,719
TOTAL, ALABAMA	188,262	216,328
ALASKA		
ARMY		
FORT RICHARDSON		
JOINT MOBILITY CENTER	---	10,000
FORT WAINWRIGHT		
WASTE OIL BURNING POWER PLANT	---	740
AIR FORCE		
CAPE ROMANZOV AFS		
REPLACE TRAMWAY SYSTEM	3,350	3,350

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
EIELSON AFB		
CHILD DEVELOPMENT CENTER	5,400	5,400
FIRE TRAINING FACILITY	2,400	2,400
UPGRADE WATER TREATMENT PLANT	---	3,750
UPGRADE WASTE WATER PLANT	---	1,750
ELMENDORF AFB		
ADD TO SANITARY SEWER SYSTEM	5,100	5,100
CHILD DEVELOPMENT CENTER	5,070	5,070
CORROSION CONTROL FACILITY	5,975	5,975
DINING FACILITY	6,800	6,800
HAZARDOUS WASTE STORAGE FACILITY	3,900	3,900
MUNITIONS EQUIPMENT FACILITY	1,860	1,860
MUNITIONS MAINTENANCE FACILITY	2,100	2,100
RUNWAY REPAIR	---	2,500
FORT RICHARDSON		
JOINT MOBILITY CENTER	---	5,500
DEFENSE-WIDE		
DEF REUTILIZATION & MKTG OFC FAIRBANKS		
COVERED STORAGE	6,500	6,500
ELMENDORF AIR FORCE BASE		
HOSPITAL REPLACEMENT, PHASE II	135,000	37,000
AIR NATIONAL GUARD		
KULIS ANGB (ANCHORAGE)		
REPLACE UNDERGROUND STORAGE TANKS	1,100	1,100
EIELSON AFB		
FUEL SYSTEM MAINTENANCE HANGAR	---	8,900
ARMY RESERVE		
FORT RICHARDSON		
ADD/ALTER USARC/OMS/DS-GS/AMSA/STORAGE	10,324	10,324
TOTAL, ALASKA	194,879	130,019
ARIZONA		
ARMY		
FORT HUACHUCA		
BATTALION HEADQUARTERS	4,800	4,800
GENERAL PURPOSE ADMINISTRATIVE FACILITY	4,050	4,050
AIR FORCE		
DAVIS-MONTHAN AFB		
UNDERGROUND FUEL STORAGE TANKS	650	650
VEHICLE MAINTENANCE FACILITY	---	5,500
LUKE AFB		
DINING FACILITY	4,700	4,700
FIRE TRAINING FACILITY	800	800
FLOOD CONTROL	---	6,000
UNDERGROUND FUEL STORAGE TANKS	1,250	1,250
NAVAJO ARMY DEPOT		
ALTER MINUTEMAN II STORAGE FACILITIES	7,250	7,250
DEFENSE-WIDE		
YUMA MARINE CORPS AIR STATION		
ADD/ALTER MEDICAL/DENTAL CLINIC	---	6,000
ARMY NATIONAL GUARD		
CAMP NAVAJO		
WATER FILTRATION SYSTEM	---	1,000
MARANA		
OMS	---	553
DINING FACILITY/DORMITORY	---	2,919

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
TUCSON IAP		
ADD/ALTER COMMUNICATIONS FACILITY	700	700
REPLACE UNDERGROUND STORAGE TANKS	440	440
TOTAL, ARIZONA	24,640	46,612
ARKANSAS		
AIR FORCE		
LITTLE ROCK AFB		
ADD/ALTER ENGINE INSPECTION AND REPAIR SHOP - DBOF	1,200	1,200
ADD/ALTER CHILD DEVELOPMENT CENTER - DBOF	2,250	2,250
ALTER OPERATIONS CENTER	1,050	1,050
ARMY NATIONAL GUARD		
CAMP ROBINSON		
ARMORY	3,205	3,205
RANGE, MODIFIED RECORD FIRE	907	907
TRAINING SITE, SEWER IMPROVEMENT	4,223	4,424
TRAINING SITE, UTILITIES RENOVATION	1,275	1,275
AIR NATIONAL GUARD		
LITTLE ROCK AFB		
AIRCREW TRAINING FACILITY	3,750	3,750
FT SMITH MAP		
AIRCRAFT CORROSION CONTROL FACILITY	1,100	1,100
TOTAL, ARKANSAS	18,960	19,161
CALIFORNIA		
ARMY		
FT IRWIN		
WHOLE BARRACKS RENEWAL	5,900	5,900
NAVY		
ALAMEDA NAVAL AIR STATION		
CONTROL TOWER COMPLEX	4,700	---
BARSTOW MARINE CORPS LOGISTICS BASE		
INDUSTRIAL WASTE TREATMENT PLANT	8,690	8,690
CAMP PENDLETON MARINE CORPS AIR STATION		
RADAR AIR TRAFFIC CONTROL FACILITY ADDITION	3,850	3,850
CAMP PENDLETON MARINE CORPS BASE		
WEAPONS STORAGE	480	480
AUTOMATED FIELD FIRING RANGE	1,340	1,340
SEWERAGE FACILITY	7,930	7,930
WATER DISTRIBUTION SYSTEM IMPROVEMENTS	1,380	1,380
EMERGENCY OFF-BASE WATER SUPPLY MAIN	---	750
FLOOD PROTECTION-SEWAGE TREATMENT PLANT	---	1,000
RELOCATE WATER WELLS	---	1,800
REPLACE DRAINAGE STRUCTURES	---	3,000
EL TORO MARINE CORPS AIR STATION		
MAINTENANCE HANGAR ADDITION	1,950	---
FALLBROOK NAVAL WEAPONS STATION ANNEX		
HARM MISSILE MAGAZINES - DBOF	4,630	4,630
LEMOORE NAVAL AIR STATION		
FIRE FIGHTING TRAINING FACILITY	1,930	1,930
SAN DIEGO FLEET AND INDUSTRIAL SUPPLY CENTER		
FIRE PROTECTION SYSTEMS - DBOF	2,270	2,270
SAN DIEGO MARINE CORPS RECRUIT DEPOT		
WAREHOUSE	1,130	1,130
SAN DIEGO NAVAL HOSPITAL		
CHILD DEVELOPMENT CENTER	2,700	2,700
SAN DIEGO NAVAL TRAINING CENTER		
FIRE PROTECTION SYSTEM	700	---

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TWENTYNINE PALMS MARCORP AIR-GRND COMB CTR		
ACADEMIC INSTRUCTION BUILDING ADDITION	600	600
ANTI-ARMOR TRACKING RANGE MODERNIZATION	3,940	3,940
WEAPONS STORAGE	3,360	3,360
AIR FORCE		
BEALE AFB		
EDUCATION CENTER/LIBRARY	---	3,100
EDWARDS AFB		
CHILD DEVELOPMENT CENTER	5,900	5,900
UNDERGROUND FUEL STORAGE TANKS	5,400	5,400
MCCLELLAN AFB		
FIRE PROTECTION ACFT FACILITIES - DBOF	1,900	1,900
CONVERT TO INTEGRATED MEDIA CENTER	---	1,600
REPAIR AIRCRAFT PARKING APRON	---	6,700
TRAVIS AFB		
ADD/ALTER DORMITORIES, PHASE VI	---	5,100
AIRCRAFT GENERAL PURPOSE MAINTENANCE SHOP	11,200	11,200
UNDERGROUND FUEL STORAGE TANKS - DBOF	2,840	2,840
VANDENBERG AFB		
HARDWARE STORAGE FACILITY	3,500	3,500
SLFI-TPQ-18 RADAR FACILITY	2,408	2,408
SLFI-UPGRADE FIRE PROTECTION SYSTEM	1,600	1,600
UNDERGROUND FUEL STORAGE TANKS	1,700	1,700
UPGRADE ELECTRICAL SYSTEM	11,520	11,520
DEFENSE-WIDE		
MARCH AFB		
DEFENSE REUTILIZATION/MARKETING OFFICE RELOCATION	630	630
EDWARDS AIR FORCE BASE		
LIFE SAFETY UPGRADE	1,700	1,700
ARMY NATIONAL GUARD		
FORT FUNSTON/SAN FRANCISCO		
MILITARY VEHICLE STORAGE BUILDING	---	739
FORT IRWIN		
MAINTENANCE PAD COVERS	---	1,265
FRESNO/SHIELDS		
ARMORY AND ORGANIZATIONAL MAINTENANCE SHOP	---	8,147
VAN NUYS		
ARMORY ADDITION	---	6,518
BURBANK		
OMS MODIFICATION	---	905
AIR NATIONAL GUARD		
FRESNO ANGB		
REPLACE UNDERGROUND FUEL STORAGE TANKS	490	490
ONTARIO INTERNATIONAL AIRPORT (ANG)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	310	310
NAVY RESERVE		
NAVAL STATION SAN DIEGO		
CONSTRUCTION BATTALION UNIT FACILITY	1,000	1,000
AIR FORCE RESERVE		
TRAVIS AFB		
AERIAL PORT TRAINING FACILITY	3,050	3,050
ALTER RESERVE OPERATIONS AND TRAINING FACILITY	4,000	4,000
TOTAL, CALIFORNIA	116,628	149,902
COLORADO		
ARMY		
FITZSIMONS ARMY MEDICAL CENTER		
DIAL CENTRAL OFFICE FACILITY	---	4,400

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FORT CARSON		
RANGE CONTROL FACILITY	4,050	4,050
AIR FORCE		
BUCKLEY ANG BASE		
COMMUNICATION DATA PROCESSING FACILITY	39,000	39,000
CHEYENNE MT COMPLEX AFB		
UPGRADE ELECTRICAL SERVICE	4,450	4,450
PETERSON AFB		
ADD/ALTER INTEGRATION SUPPORT FACILITY	16,400	16,400
PRECISION MEASUREMENT EQUIPMENT LABORATORY	2,200	2,200
TEST AND EVALUATION SUPPORT FACILITY	2,430	2,430
US AIR FORCE ACADEMY		
ADD/ALTER WASTEWATER TREATMENT PLANT	7,100	7,100
ENHANCED FLIGHT SCREENER HANGARS	3,800	3,800
UNDERGROUND FUEL STORAGE TANKS	780	780
AIR NATIONAL GUARD		
BUCKLEY ANGB (AURORA)		
F-16 WEAPONS RELEASE SHOP	1,300	1,300
AIR FORCE RESERVE		
PETERSON AFB		
ORGANIZATIONAL MAINTENANCE SUPPORT FACILITY	1,200	1,200
TOTAL, COLORADO	82,710	87,110
CONNECTICUT		
NAVY		
NEW LONDON NAVAL SUBMARINE BASE		
BACHELOR ENLISTED QUARTERS MODERNIZATION	14,800	14,800
ELECTRICAL DISTRIBUTION IMPROVEMENTS	8,190	8,190
HAZARDOUS WASTE TRANSFER FACILITY	1,450	1,450
INDUSTRIAL WASTE TREATMENT FACILITY	5,700	5,700
PIER IMPROVEMENTS	---	4,200
STEAM TURBINE GENERATOR	6,600	6,600
ARMY NATIONAL GUARD		
BRADLEY FIELD		
AVIATION FACILITIES	---	6,000
AIR NATIONAL GUARD		
BRADLEY FIELD (GRAMBE)		
ADD/ALTER BASE CIVIL ENGINEER FACILITY	510	510
TOTAL, CONNECTICUT	37,250	47,450
DELAWARE		
AIR FORCE		
DOVER AFB		
ADD/ALTER DINING FACILITY - DBOF	2,500	2,500
DORMITORY - DBOF	3,200	4,400
INSTALL EMISSION CONTROL DEVICES	860	860
AIR NATIONAL GUARD		
GREATER WILMINGTON AIRPORT		
COMMUNICATIONS FACILITY	900	900
REPLACE UNDERGROUND FUEL STORAGE TANKS	890	890
TOTAL, DELAWARE	8,350	9,550
DISTRICT OF COLUMBIA		
NAVY		
WASHINGTON COMMANDANT NAVAL DISTRICT		
CHILD DEVELOPMENT CENTER	1,480	1,480
FIRE PROTECTION SYSTEM	1,630	1,630

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
WASHINGTON NAVAL RESEARCH LABORATORY		
NAVAL CENTER FOR SPACE TECHNOLOGY	1,980	1,980
SPECIAL PROJECTS BUILDING	400	400
AIR FORCE		
BOLLING AIR FORCE BASE		
ADD TO CHILD DEVELOPMENT CENTER	2,000	2,000
TOTAL, DISTRICT OF COLUMBIA	7,490	7,490
FLORIDA		
NAVY		
CECIL FIELD NAVAL AIR STATION		
SANITARY WASTEWATER SYSTEM UPGRADE	1,500	---
JACKSONVILLE NAVAL AIR STATION		
BACHELOR ENLISTED QUARTERS	13,800	13,800
HELICOPTER WASH AND RINSE FACILITY	620	620
MAYPORT NAVAL STATION		
AIR EMISSIONS CONTROL	3,260	3,260
PENSACOLA NAVAL AIR STATION		
RADAR AIR TRAFFIC CONTROL CENTER	1,880	1,880
WATER SURVIVAL TRAINING FACILITY	4,540	4,540
AIR FORCE		
CAPE CANAVERAL AFS		
SEWAGE TREATMENT PLANT	11,900	11,900
SLFI-BACKUP POWER	2,500	2,500
SLFI-BACKUP POWER	800	800
SLFI-UPGRADE WATER SUPPLY MAINS	1,200	1,200
UNDERGROUND FUEL STORAGE TANKS	400	400
UPGRADE FIRE SYSTEM	2,400	2,400
EGLIN AFB		
AIRCRAFT ENGINE TEST FACILITY	1,600	1,600
RENOVATE CLIMATIC TEST CHAMBER, PHASE II	57,000	37,000
REPLACE POL PIPELINE	3,300	3,300
UPGRADE HYDRANT FUELING SYSTEM	4,550	4,550
VEHICLE MAINTENANCE/WAREHOUSE FACILITIES	2,600	2,600
EGLIN AFB AUXILIARY FIELD 9		
ADD/ALTER DORMITORIES	4,479	4,479
UPGRADE SANITARY SEWAGE SYSTEMS	1,750	1,750
UPGRADE STORM SEWAGE SYSTEM	1,600	1,600
PATRICK AFB		
ALTER MAINTENANCE HANGAR	2,000	2,000
UNDERGROUND FUEL STORAGE TANKS	1,850	1,850
TYNDALL AFB		
ADD TO BASE SUPPLIES AND EQUIPMENT WAREHOUSE	---	3,200
BASE SUPPLY LOGISTICS CENTER	2,600	2,600
SECURITY POLICE OPERATIONS	---	2,400
DEFENSE-WIDE		
EGLIN AUX FIELD 9		
ADD TO SUPPLY WAREHOUSE/WRM STORAGE	1,502	1,502
ADD/ALTER AVIONICS SHOP	4,500	4,500
MH60G HELICOPTER HANGAR	5,700	5,700
MUNITIONS MAINTENANCE FACILITY	2,550	2,550
SQUADRON OPERATIONS FACILITY MC130	2,750	2,750
SQUADRON OPERATIONS FACILITY MH60G	2,250	2,250
ADD TO WEAPONS MAINTENANCE SHOP	330	580
ARMY NATIONAL GUARD		
EGLIN AFB		
RANGE,MULTIPURPOSE COMPLEX (MPRC)	3,825	---
AIR NATIONAL GUARD		
JACKSONVILLE IAP		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,150	1,150

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE RESERVE		
HOMESTEAD AFB		
MEDICAL TRAINING FACILITY	---	2,750
MACDILL AFB		
AEROMEDICAL EVACUATION FACILITY	750	750
TOTAL, FLORIDA	153,436	136,711
GEORGIA		
ARMY		
FORT BENNING		
BARRACKS MODERNIZATION	18,500	18,500
MULTIPURPOSE MACHINE GUN RANGE	1,650	1,650
WHOLE BARRACKS RENEWAL	17,500	17,500
FORT GILLEM		
PHYSICAL FITNESS CENTER	---	2,600
FT STEWART/HUNTER AAF		
CARGO HANDLING FACILITY	4,500	4,200
EXPAND AMMUNITION STORAGE AREA	3,600	3,600
HARDSTAND	8,700	9,400
RAILROAD TRACK IMPROVEMENT	2,000	3,100
NAVY		
ALBANY MARINE CORPS LOGISTICS BASE		
CHILD DEVELOPMENT CENTER	940	940
KINGS BAY NAVAL SUBMARINE BASE		
DIKES	3,730	3,730
UTILITIES AND SITE IMPROVEMENTS	7,190	7,190
KINGS BAY TRIDENT TRAINING FACILITY		
FIRE FIGHTING TRAINING FACILITY	3,870	3,870
AIR FORCE		
MOODY AFB		
AIRCRAFT PAVEMENTS	---	9,000
LARGE AIRCRAFT HANGAR	---	4,700
ROBINS AFB		
J-STARS ADD/ALTER MAINTENANCE COMPLEX	9,300	9,300
J-STARS ADD/ALTER OPERATIONS COMPLEX	4,100	4,100
J-STARS ADD/ALTER UTILITIES	3,500	3,500
J-STARS SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT	7,500	7,500
ADD/ALTER LOGISTICAL SYSTEMS OPERATIONS CENTER	3,000	3,000
ADD/ALTER DORMITORIES - DBOF	4,300	4,300
AIRCRAFT SUPPORT EQUIPMENT PAINT FACILITY	970	970
UPGRADE INDSTRL WASTEWATER TRTMNT AND DSPSL PLANT	10,700	10,700
DEFENSE-WIDE		
ROBINS AFB		
LINWOOD ELEMENTARY SCHOOL ADDITION	1,580	1,580
ROBINS ELEMENTARY SCHOOL ADDITION	1,580	1,580
AIR NATIONAL GUARD		
ROBINS AFB		
SUPPORT AND HYDRANT SYSTEM	---	5,750
PETROLEUM OPERATIONS COMPLEX	600	600
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,150	1,150
LEWIS B. WILSON AIRPORT (ANG) (MACON)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	340	340
MCCOLLUM ANG STATION (KENNESAW)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	315	315
SAVANNAH ANG COMMUNICATIONS STATION		
REPLACE UNDERGROUND FUEL STORAGE TANKS	330	330
SAVANNAH COMBAT READINESS TRAINING SITE		
FIRE DETECTION AND SUPPRESSION SYSTEMS	1,650	1,650
REPLACE UNDERGROUND FUEL STORAGE TANKS	315	315

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
SAVANNAH MAP		
REFUELING VEHICLE PARKING AND OPS COMPLEX	990	990
ARMY RESERVE		
FORT MCPHERSON		
COMMAND HQ, PHASE I	---	15,000
AIR FORCE RESERVE		
DOBBINS AFB		
FIRING RANGE	---	1,900
FLIGHT SIMULATION CENTER	---	6,000
TOTAL, GEORGIA	124,400	170,850
HAWAII		
ARMY		
SCHOFIELD BARRACKS		
MULTI-PURPOSE FAMILY SERVICE CENTER	16,000	16,000
OPERATIONS FACILITY	2,600	2,600
NAVY		
BARBERS POINT NAVAL AIR STATION		
CHILD DEVELOPMENT CENTER	2,700	2,700
FIRE FIGHTING TRAINING FACILITY	1,350	---
HONOLULU COMP&TELCOMM AREA MASTER STA EPAC		
BACHELOR ENLISTED QUARTERS MODERNIZATION	4,390	4,390
BACHELOR ENLISTED QUARTERS MODERNIZATION	4,730	4,730
PEARL HARBOR COM OCEANOGRAPHIC SYS PACIFIC		
BERTHING PIER	16,780	16,780
PEARL HARBOR NAV INACTIVE SHIP MAINT FAC		
INACTIVE SHIPS PIER	2,620	2,620
PEARL HARBOR NAVAL SUBMARINE BASE		
BACHELOR ENLISTED QUARTERS COMPLEX	25,500	25,500
ENLISTED MESS HALL MODERNIZATION	2,640	2,640
SUBMARINE BERTING WHARF	26,000	26,000
PEARL HARBOR NAVY PUBLIC WORKS CENTER		
INDUSTRIAL WASTE TREATMENT PLANT - DBOF	18,560	18,560
WASTEWATER COLLECTION SYSTEM IMPROVEMENT - DBOF	8,980	8,980
AIR FORCE		
HICKAM AFB		
DORMITORY	5,950	9,500
MILSTAR COMMUNICATIONS GROUND TERMINAL	2,200	2,200
UNDERGROUND FUEL STORAGE TANKS	2,100	2,100
KAENA POINT		
POWER PLANT	7,350	7,350
DEFENSE-WIDE		
DEFENSE FUEL SUPPORT POINT PEARL HARBOR		
POL LABORATORY FACILITY	2,250	2,250
ARMY NATIONAL GUARD		
MOLOKAI		
ARMORY	---	1,050
OAHU		
ARMORY	---	4,300
KAUAI		
RANGE, KNOWN DISTANCE UPGRADE	334	334
AIR NATIONAL GUARD		
HICKAM AFB		
FUEL SYSTEM MAINT AND CORROSION CONTROL FACILITY	5,300	5,300
NAS BARKING SANDS		
FORWARD AIR CONTROL POINT FACILITY	---	8,500
HICKHAM AFB		
CONSOLIDATED SUPPORT FACILITY	---	9,700

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NAVY RESERVE		
NAVAL STATION PEARL HARBOR		
CONSTRUCTION BATTALION UNIT ADDITION..............	500	500
TOTAL, HAWAII....................................	158,834	184,584
IDAHO		
ARMY NATIONAL GUARD		
GOWEN FIELD		
COMBAT VEHICLE TRANSITION COMPLEX................	5,044	5,044
USPFO ADMIN OFFICE/WAREHOUSE ADDITION............	1,391	1,391
HOMEDALE		
ARMORY...	1,157	1,157
AIR NATIONAL GUARD		
BOISE AIRPORT		
FIRE STATION AND AGE FACILITY....................	1,750	1,750
GOWEN FIELD		
IDAHO TRAINING RANGE.............................	---	6,700
TOTAL, IDAHO.....................................	9,342	16,042
ILLINOIS		
AIR FORCE		
SCOTT AFB		
INTEROPERABILITY TEST AND TRAINING FACILITY.......	5,000	5,000
MUNITIONS STORAGE FACILITY/LAND ACQUISITION - DBOF	2,450	2,450
ARMY NATIONAL GUARD		
ROCK ISLAND		
ARMORY...	---	3,310
AIR NATIONAL GUARD		
CAPITAL MAP (SPRINGFIELD)		
ALTER STORM DRAINAGE DISPOSAL....................	500	500
UPGRADE RUNWAY...................................	---	2,300
GREATER PEORIA AIRPORT		
ADD/ALTER F-16 AIRCRAFT AVIONICS SHOP............	840	840
ARMY RESERVE		
ARGONNE		
USARC/OMS..	10,381	10,381
TOTAL, ILLINOIS..................................	19,171	24,781
INDIANA		
NAVY		
CRANE NSWCD		
ORDNANCE ENVIRONMENTAL TEST FACILITY..............	---	9,600
ARMY NATIONAL GUARD		
CAMP ATTERBURY		
STATE MILITARY FACILITY..........................	---	5,400
TRAINING FACILITIES, PHASE VIB...................	---	7,545
RANGE, INF SQUAD BATTLE COURSE...................	1,156	1,156
RANGE, MOD RECORD FIRE UPGRADE...................	654	654
EVANSVILLE		
ARMORY AND ORGANIZATIONAL MAINTENANCE SHOP........	---	6,050
LAFAYETTE		
ARMORY AND ORGANIZATIONAL MAINTENANCE SHOP........	---	3,116
AIR NATIONAL GUARD		
HULMAN FIELD (TERRE HAUTE)		
DINING HALL AND MEDICAL TRAINING FACILITY.........	---	3,800
REPLACE UNDERGROUND FUEL STORAGE TANKS...........	950	950

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FT WAYNE MAP		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,350	1,350
TOTAL, INDIANA	4,110	39,621
IOWA		
ARMY NATIONAL GUARD		
CAMP DODGE		
ARMORY	---	4,550
BATTALION COMPLEX, PHASE II	---	3,800
CONSOLIDATED PAINT FACILITY	---	1,500
AIR NATIONAL GUARD		
DES MOINES MAP		
ADD/ALTER DINING AND MEDICAL TRAINING FACILITY	1,800	1,800
JET FUEL STORAGE COMPLEX	---	4,000
REPLACE UNDERGROUND FUEL STORAGE TANKS	880	880
SIOUX GATEWAY AIRPORT (SERGEANT BLUFF)		
BASE CIVIL ENGINEER MAINTENANCE COMPLEX	---	2,650
MUNITIONS MAINTENANCE AND STORAGE COMPLEX	---	2,850
TOTAL, IOWA	2,680	22,030
KANSAS		
ARMY		
FORT RILEY		
BARRACKS & ADMIN RENOVATION	---	9,900
BATTLE SIMULATION FACILITY	---	4,742
AIR FORCE		
MCCONNELL AFB		
CONTROL TOWER CAB	900	900
LAND RESTRICTIVE EASEMENT ACQUISITION	1,000	1,000
ARMY NATIONAL GUARD		
NICKELL BARRACKS (SALINA)		
TRAINING SITE COMPLEX, PHASE I	---	6,168
FORT RILEY		
MAINTENANCE AND TRAINING EQUIPMENT SITE WASH RACK.	---	3,398
AIR NATIONAL GUARD		
FORBES FIELD (FORBES)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,400	1,400
MCCONNELL AFB (WITCHITA)		
ALTER MEDICAL TRAINING AND TELECOM	890	890
TOTAL, KANSAS	4,190	28,398
KENTUCKY		
ARMY		
FORT CAMPBELL		
AIRFIELD IMPROVEMENTS	3,950	3,950
DINING FACILITIES MODERNIZATION	3,500	3,500
MOBILIZATION WAREHOUSE	850	850
WHOLE BARRACKS RENEWAL	32,000	32,000
FORT KNOX		
MAINTENANCE FACILITY	12,200	12,200
MULTIPURPOSE TRAINING RANGE	4,150	4,150
WHOLE BARRACKS RENEWAL	25,000	25,000
DEFENSE-WIDE		
FORT CAMPBELL		
EXPAND AIRCRAFT RAMP, SOF	---	2,650
SOF BATTALION HEADQUARTERS BUILDINGS	4,300	4,300
ELEMENTARY SCHOOL	8,982	8,982

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
LINCOLN ELEMENTARY SCHOOL ADDITION...................	1,900	1,900
MAHAFFEY MIDDLE SCHOOL ADDITION.....................	2,300	2,300
FORT KNOX		
KINGSOLVER/VAN VOORHIS ELEMENTARY SCHOOL...........	1,600	1,600
SIX GYMNASIUM ADDITIONS............................	6,107	6,107
ARMY NATIONAL GAURD		
FORT KNOX		
MAINTENANCE AND TRAINING EQUIPMENT SITE FACILITY..	---	10,000
AIR NATIONAL GUARD		
STANDIFORD (LOUISVILLE)		
RELOCATION FACILITIES, PHASE IV....................	---	5,000
TOTAL, KENTUCKY....................................	106,839	124,489
LOUISIANA		
AIR FORCE		
BARKSDALE AFB		
UPGRADE BULK STORAGE BASINS.........................	1,600	1,600
WEAPONS STORAGE AREA SECURITY.......................	960	960
REPLACE APRON/FUEL HYDRANTS.........................	---	10,000
APRON LIGHTING......................................	---	1,300
DEFENSE-WIDE		
FORT POLK		
ELEMENTARY SCHOOL...................................	---	4,950
AIR NATIONAL GUARD		
HAMMOND COMMUNICATION STATION		
REPLACE UNDERGROUND STORAGE TANKS...................	350	350
NEW ORLEANS NAS		
REPLACE UNDERGROUND FUEL STORAGE TANKS..............	350	350
ARMY RESERVE		
NEW ORLEANS		
LAND ACQUISITION....................................	645	645
NAVY RESERVE		
NAVAL AIR STATION NEW ORLEANS		
ORDNANCE COMPLEX....................................	1,900	1,900
NAVAL SUPPORT ACTIVITY NEW ORLEANS		
MARINE CORPS RESERVE FORCE HEADQUARTERS.............	---	8,700
AIR FORCE RESERVE		
BARKSDALE AFB		
WELDING AND MACHINE SHOP............................	600	600
TOTAL, LOUISIANA....................................	6,405	31,355
MAINE		
NAVY		
KITTERY PORTSMOUTH NAVAL SHIPYARD		
HAZARDOUS WASTE STORAGE FACILITY - DBOF.............	4,780	4,780
ARMY NATIONAL GUARD		
NORWAY		
ARMORY EXPANSION/REHABILITATION.....................	1,380	1,380
TOTAL, MAINE..	6,160	6,160
MARYLAND		
ARMY		
ABERDEEN PROVING GROUND		
APPLIED INSTRUCTION FACILITY........................	14,000	14,000
TARGET ASSEMBLY AND STORAGE FACILITY................	1,800	1,800
UPGRADE RANGE COMPLEX...............................	4,450	4,450
EDGEWOOD ARSENAL		
CHILD DEVELOPMENT CENTER............................	---	1,450

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NAVY		
ANNAPOLIS, NAVAL ACADEMY		
PHYSICAL THERAPY/TRAINING/MEETING CENTER	---	6,500
BETHESDA NATIONAL NAVAL MEDICAL CENTER		
CHILD DEVELOPMENT CENTER	3,090	3,090
INDIAN HEAD NSWC		
HAZARDOUS WASTE TREATMENT FACILITY	---	3,400
NAS PATUXENT RIVER		
SEWAGE TREATMENT PLANT	---	1,000
PATUXENT RIVER NAWC		
ADVANCE SYSTEM INTEGRATION FACILITY, PHASE II	---	10,000
HAZARDOUS MATERIAL STORAGE FACILITY	---	3,400
JET ENGINE TEST CELL	---	4,900
AIR FORCE		
ANDREWS AFB		
AIR FREIGHT TERMINAL - DBOF	4,400	4,400
FIRE TRAINING FACILITY - DBOF	1,000	1,000
UPGRADE COMPOSITE ADMIN FACILITY - DBOF	9,940	9,940
UPGRADE SANITARY SEWER SYSTEMS	2,650	2,650
FORT GEORGE MEADE		
ADD TO OPERATIONS FACILITY	1,450	1,450
DEFENSE-WIDE		
FORT DETRICK		
BIOLOGICAL INCINERATOR	4,300	4,300
FOREST GLEN (WRAIR)		
ARMY INSTITUTE OF RESEARCH, PHASE II	48,140	15,000
FORT MEADE		
OPS BLDG 1 ROADWAY STRUCTURAL ENHANCEMENT	5,910	5,910
SUPERCOMPUTER FACILITY, PHASE I	52,720	35,000
ARMY NATIONAL GUARD		
HAGERSTOWN		
ADD/ALTER ARMORY	---	1,776
TOWSON		
ADD/ALTER ARMORY	2,823	2,823
AIR NATIONAL GUARD		
ANDREWS AFB (CAMP SPRINGS)		
ADD/ALTER AVIONICS AND ECM POD FACILITY	1,100	1,100
REPLACE UNDERGROUND FUEL STORAGE TANKS	890	890
GLENN L MARTIN AIRPORT (BALTIMORE)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,000	1,000
NAVY RESERVE		
NAF WASHINGTON		
EQUIPMENT OPERATIONS FACILITY	2,500	2,500
BALTIMORE		
MCRC IMPROVEMENTS	---	460
AIR FORCE RESERVE		
ANDREWS AFB		
CONSTRUCT AIRCRAFT PARKING APRON	8,000	8,000
REPLACE AIRCRAFT PARKING APRON	13,373	13,373
TOTAL, MARYLAND	183,536	165,562
MASSACHUSETTS		
ARMY NATIONAL GUARD		
AYER		
ADD/ALTER COMBINED SUPPORT MAINTENANCE SHOP	---	3,002
AIR FORCE RESERVE		
WESTOVER AFB		
MEDICAL TRAINING FACILITY	2,600	2,600

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
BARNES AIRPORT		
ALTER OPS/TRAINING FACILITY......................	---	600
OTIS ANGB		
COMMUNICATIONS/ELECTRONICS FACILITY...............	---	3,000
WORCESTER ANGB		
BASE SUPPLY WAREHOUSE..............................	---	390
TOTAL, MASSACHUSETTS...............................	2,600	9,592
MICHIGAN		
AIR NATIONAL GUARD		
ALPENA COUNTY REGIONAL AIRPORT		
UPGRADE WATER DISTRIBUTION SYSTEM..................	1,400	1,400
SELFRIDGE ANGB (MT CLEMENS)		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	710	710
WK KELLOGG REGIONAL AIRPORT (KELLOGG)		
ADD/ALTER FUEL CELL AND CORROSION CONTROL FACILITY	1,100	1,100
NAVY RESERVE		
NRRC DETROIT		
RESERVE CENTER ADDITION............................	3,100	3,100
MCRC REPAIR/CONSTRUCTION...........................		698
TOTAL, MICHIGAN....................................	6,310	7,008
MINNESOTA		
ARMY NATIONAL GUARD		
CAMP RIPLEY		
ORGANIZATIONAL MAINTENANCE SHOPS...................	2,625	2,625
RANGE, MULTI-PURPOSE (HEAVY).......................	3,185	3,185
INVER GROVE HEIGHTS		
ARMORY AND ORGANIZATIONAL MAINTENANCE SHOP.........	---	4,571
VARIOUS LOCATIONS		
ADD/ALTER SEVEN ARMORIES...........................	---	3,225
AIR NATIONAL GUARD		
DULUTH ANGB		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	1,000	1,000
TOTAL, MINNESOTA...................................	6,810	14,606
MISSISSIPPI		
NAVY		
CBC GULFPORT		
FAMILY SERVICE CENTER..............................	---	2,000
CHILD DEVELOPMENT CENTER...........................	---	2,400
AIR FORCE		
COLUMBUS AFB		
UPGRADE AIRFIELD LIGHTING..........................	2,900	2,900
KEESLER AFB		
FIRE TRAINING FACILITY.............................	690	690
UNDERGROUND FUEL STORAGE TANKS.....................	600	600
UPGRADE SANITARY SEWER SYSTEM......................	2,920	2,920
UPGRADE STUDENT DORMITORY..........................	4,500	4,500
ARMY NATIONAL GUARD		
CAMP SHELBY		
REGIONAL SCHOOL FACILITY, PHASE I..................	---	6,000
VEHICLE WASH FACILITY..............................	---	5,000
CAMP MCCAIN		
RANGE AND TRAINING AREA IMPROVEMENTS...............	---	5,500
GREENVILLE		
ARMORY...	---	2,230

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
JACKSON		
ARMORY	---	2,550
TUPELO		
ADD/ALTER ARMY AVIATION SUPPORT FACILITY	---	3,210
VARIOUS LOCATIONS		
ADD/ALTER SIX ARMORIES	---	5,204
AIR NATIONAL GUARD		
ALLEN C THOMPSON FIELD (JACKSON)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	730	730
GULFPORT MPT		
REPLACE UNDERGROUND FUEL STORAGE TANKS	335	335
UPGRADE ELECTRICAL DISTRIBUTION SYSTEM	850	850
TOTAL, MISSISSIPPI	13,525	47,619
MISSOURI		
ARMY		
FORT LEONARD WOOD		
OPERATIONS FACILITY	1,000	1,000
AIR FORCE		
WHITEMAN AFB		
B-2 ADD/ALTER MUNITIONS STORAGE FACILITY	3,338	3,338
B-2 AIRCRAFT APRON/TAXIWAY UPGRADE	3,400	3,400
B-2 AIRCRAFT MAINTENANCE DOCK	14,500	14,500
B-2 DEFENSE ACCESS ROADS	7,150	7,150
B-2 HYDRANT FUELING SYSTEM LOOP, PHASE II	2,700	2,700
B-2 UPGRADE BASE ROADS	5,900	5,900
B-2 UTILITY UPGRADE / LAND ACQUISITION	4,850	4,850
B-2 VEHICLE MAINTENANCE FACILITY	1,700	1,700
ARMY NATIONAL GUARD		
FORT CROWDER		
TROOP MEDICAL TRAINING FACILITY	386	386
FORT LEONARD WOOD		
ARMORY/OMS	---	2,349
POPLAR BLUFF		
ARMORY AND ORGANIZATIONAL MAINTENANCE SHOP	---	2,842
AIR NATIONAL GUARD		
JEFFERSON BARRACKS ANG SITE (ST LOUIS)		
ALTER COMMUNICATIONS ELECTRONICS TRAINING FACILITY	2,800	2,800
UPGRADE DINING HALL	720	720
ROSECRANS MEMORIAL AIRPORT (ST JOSEPHS)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,250	1,250
JET FUEL STORAGE	---	4,000
TOTAL, MISSOURI	49,694	58,885
MONTANA		
AIR FORCE		
MALMSTROM AFB		
BASE ENGINEERING COMPLEX - DBOF	6,200	6,200
UNDERGROUND FUEL STORAGE TANKS	1,500	1,500
ARMY NATIONAL GUARD		
FT WM HENRY HARRISON		
MEDICAL UNIT TRAINING FACILITY	501	501
AIR NATIONAL GUARD		
GREAT FALLS IAP		
MEDICAL TRAINING AND DINING HALL	2,900	2,900
REPLACE UNDERGROUND FUEL STORAGE TANKS	400	400
TOTAL, MONTANA	11,501	11,501

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NEBRASKA		
AIR FORCE		
OFFUTT AFB		
ADD TO EMERGENCY BACK-UP POWER	2,300	2,300
REPAIR AIRFIELD PAVEMENTS AND LIGHTING	8,700	8,700
DEFENSE-WIDE		
OFFUTT AIR FORCE BASE		
LIFE SAFETY UPGRADE	1,100	1,100
AIR NATIONAL GUARD		
LINCOLN MAP		
ALTER MAINTENANCE HANGAR	---	7,300
REPLACE HEAT SYSTEM	---	1,500
FIRE STATION	1,850	1,850
TOTAL, NEBRASKA	13,950	22,750
NEVADA		
ARMY		
HAWTHORNE AAP		
CONTAINER HOLDING PADS	7,000	7,000
REHABILITATE RAIL LINE	---	4,700
NAVY		
FALLON NAVAL AIR STATION		
DIXIE VALLEY LAND ACQUISITION	---	1,600
AIR FORCE		
NELLIS AFB		
ADD/ALTER PHYSICAL FITNESS TRAINING FACILITY	---	4,350
BOMBER LIVE ORDNANCE LOADING APRON	---	4,100
UPGRADE POL TANKS	1,650	1,650
ARMY NATIONAL GUARD		
LAS VEGAS/CLARK COUNTY		
ARMORY, PHASE II	---	1,430
AIR NATIONAL GUARD		
RENO IAP		
AIRCRAFT ARRESTING SYSTEMS	1,830	---
FLIGHT SIMULATOR BUILDING	---	400
REPLACE UNDERGROUND FUEL STORAGE TANKS	460	460
TOTAL, NEVADA	10,940	25,690
NEW HAMPSHIRE		
AIR NATIONAL GUARD		
PEASE AFB		
UPGRADE KC-135 HYDRANT REFUELING SYSTEM	5,100	---
NEW JERSEY		
ARMY		
FORT MONMOUTH		
SATELLITE CONTROL SYSTEM	7,500	7,500
PICATINNY ARSENAL		
ADVANCED WARHEAD DEVELOPMENT FACILITY	---	4,400
EXPLOSIVES DEVELOPMENT FACILITY	---	6,100
NAVY		
EARLE NAVAL WEAPONS STATION		
EXPLOSIVES HOLDING YARD - DBOF	1,290	1,290
HAZARDOUS WASTE STORAGE FACILITY - DBOF	870	870
MATERIALS HNDLG EQUIP SERV CTR ALT - DBOF	420	420
AIR NATIONAL GUARD		
ATLANTIC CITY AIRPORT		
FIRE STATION	1,350	1,350
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,900	1,900

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY RESERVE		
FORT DIX		
UPGRADE RANGE 65	---	2,700
NAVY RESERVE		
NRC KEARNY		
INSTALL AIR CONDITIONING	800	800
WEST TRENTON		
MCRC REPLACEMENT CONVERSION		264
TOTAL, NEW JERSEY	14,130	27,594
NEW MEXICO		
ARMY		
WHITE SANDS MISSILE RANGE		
CHILD DEVELOPMENT CENTER	---	3,300
TARGET TRACK	2,900	2,900
AIR FORCE		
CANNON AFB		
BASE CIVIL ENGINEERING COMPLEX	6,150	6,150
FIRE TRAINING FACILITY	1,000	1,000
RENOVATE AND EXPAND DORMITORY	---	3,100
SOUND SUPPRESSOR SUPPORT PAD	665	665
UNDERGROUND FUEL STORAGE TANKS	1,100	1,100
HOLLOMAN AFB		
ADD/ALTER DORMITORIES	6,400	6,400
SEWER EFFLUENT SYSTEM	1,800	1,800
FIGHTER MAINTENANCE FACILITY	---	1,900
UNDERGROUND FUEL STORAGE TANKS	1,000	1,000
KIRTLAND AFB		
AEROSPACE ENGINEERING FACILITY	3,167	3,167
ALTER DORMITORY	5,100	5,100
COMPOSITE MATERIALS LABORATORY	5,750	5,750
SPACE STRUCTURES LABORATORY	6,200	6,200
UPGRADE ELECTRICAL DISTRIBUTION SYSTEM	6,844	6,844
UPGRADE UTILITY SYSTEM	---	8,000
DEFENSE-WIDE		
CANNON AIR FORCE BASE		
ADD/ALTER HOSPITAL AND LIFE SAFETY/SEISMIC UPGRADE	13,600	13,600
ARMY NATIONAL GUARD		
WHITE SANDS		
OMS	---	2,940
TACTICAL SITE	---	1,995
MAINTENANCE AND TRAINING EQUIPMENT SITE FACILITY	---	3,570
AIR NATIONAL GUARD		
KIRTLAND AFB (KIRTLAND)		
ALTER MAINTENANCE SHOPS	345	345
ALTER OPERATIONAL TRAINING FACILITY	390	390
POWER CHECK PAD WITH SOUND SUPPRESSOR	800	800
AIR FORCE RESERVE		
KIRTLAND AFB		
CIVIL ENGINEERING TRAINING FACILITY	900	900
TOTAL, NEW MEXICO	64,111	88,916
NEW YORK		
ARMY		
U S MILITARY ACADEMY		
WHOLE BARRACKS RENEWAL	13,800	13,800

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
GABRESKI AIRPORT (WEST HAMPTON BEACH)		
WASTE WATER TREATMENT PLANT	---	2,700
HANCOCK FIELD (SYRACUSE)		
FIRE STATION	1,350	1,350
NIAGARA FALLS INTERNATIONAL AIRPORT		
ALTER KC-135 OPERATIONS FACILITIES	1,650	1,650
SCHENECTADY AIRPORT		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,050	1,050
STEWART AIRPORT (NEWBURGH)		
INDUSTRIAL WASTE HOLDING POND	320	320
AIR FORCE RESERVE		
NIAGARA FALLS IAP		
BASE COMMUNICATIONS CENTER	1,300	1,300
CORROSION CONTROL FACILITY	---	800
TOTAL, NEW YORK	19,470	22,970
NORTH CAROLINA		
ARMY		
FORT BRAGG		
OVERHILLS TRACT LAND ACQUISITION	---	15,000
SEWAGE TREATMENT PLANT UPGRADE	540	540
SIMMONS AIRFIELD LAND ACQUISITION	---	1,450
TACTICAL EQUIPMENT SHOP	7,100	7,100
TACTICAL EQUIPMENT SHOP	23,000	23,000
WHOLE BRIGADE BARRACKS COMPLEX	71,600	71,600
LIBRARY	---	5,500
NAVY		
CAMP LEJEUNE MARINE CORPS BASE		
LANDFILL	7,690	7,690
MULTI-PURPOSE TRAINING RANGE	5,300	5,300
WASTEWATER TREATMENT PLANT, PHASE I	28,300	28,300
CAMP LEJEUNE NAVAL HOSPITAL		
BACHELOR ENLISTED QUARTERS	2,370	2,370
CHERRY POINT MARINE CORPS AIR STATION		
AIRCRAFT MAINTENANCE TRAINING FACILITY	4,040	4,040
COMMUNICATIONS CENTER	3,460	3,460
AIR FORCE		
POPE AFB		
ADD/ALTER DORMITORIES	4,300	4,300
DINING FACILITY	4,300	4,300
SEYMOUR JOHNSON AFB		
ADD/ALTER DORMITORIES	4,900	4,900
MUNITIONS MAINTENANCE SUPPORT FACILITY	480	480
DEFENSE-WIDE		
FORT BRAGG		
MEDICAL TRAINING FACILITY	18,450	18,450
SOF BARRACKS COMPLEX	20,000	20,000
FT BRAGG ELEMENTARY SCHOOL	8,838	8,838
HOSPITAL REPLACEMENT, PHASE II	195,000	35,000
CAMP LEJEUNE MARINE CORPS BASE		
AUDITORIUM/BAND ROOM, HIGH SCHOOL	1,465	1,465
MULTI-PURPOSE ROOM, STONE STREET ELEMENTARY SCHOOL	328	328
ARMY NATIONAL GUARD		
FAYETTEVILLE		
ORGANIZATIONAL MAINTENANCE SHOP	473	473
ARMY RESERVE		
MOREHEAD CITY		
ADD/ALTER USARC/OMS/AREA MAINT SPT ACTIVITY	9,335	9,335
TOTAL, NORTH CAROLINA	421,269	283,219

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NORTH DAKOTA		
AIR FORCE		
GRAND FORKS AFB		
HYDRANT FUEL SYSTEM	---	3,250
REPAIR AIRCRAFT PAVEMENTS	---	10,200
UNDERGROUND FUEL STORAGE TANKS	2,600	2,600
MINOT AFB		
REPAIR RUNWAY/TAXIWAY	---	8,500
UNDERGROUND FUEL STORAGE TANKS	2,000	2,000
DEFENSE-WIDE		
GRAND FORKS AIR FORCE BASE		
LIFE SAFETY UPGRADE	860	860
ARMY NATIONAL GUARD		
BISMARCK		
AVIATION C-12 HANGAR	1,297	1,300
CAMP GRAFTON (DEVILS LAKE)		
RANGE, MODIFIED RECORD FIRE	1,038	1,038
HEATING PLANT ADDITION	1,826	1,826
AIR NATIONAL GUARD		
HECTOR FIELD (FARGO)		
UPGRADE STORM DRAINAGE	400	400
TOTAL, NORTH DAKOTA	10,021	31,974
OHIO		
AIR FORCE		
WRIGHT-PATTERSON AFB		
ADD/ALTER ACQUISITION MANAGEMENT COMPLEX, PHASE II	12,850	12,850
ADD TO AVIONICS RESEARCH LAB, PHASE II	5,650	5,650
RENOVATE ELECTRIC SUBSTATIONS	4,450	4,450
SEAL FUEL CONTAINMENT DIKES	1,500	1,500
UNDERGROUND FUEL STORAGE TANKS	3,200	3,200
ACQUISITION MANAGEMENT COMPLEX		14,400
FIRE STATION		1,230
FIRE PROTECTION SYSTEM		1,400
DEFENSE-WIDE		
DEFENSE ELECTRONICS SUPPLY CENTER, DAYTON		
INSTALL GAS-FIRED BOILERS	6,000	---
DEFENSE CONSTRUCTION SUPPLY CENTER, COLUMBUS		
CHILD DEVELOPMENT CENTER	3,100	3,100
ARMY NATIONAL GUARD		
RICKENBACKER AIRPORT		
CONSOLIDATED DINING FACILITY	---	1,250
AIR NATIONAL GUARD		
MANSFIELD LAHM AIRPORT		
MEDICAL TRAINING AND DINING FACILITY	---	2,900
TOLEDO EXPRESS AIRPORT		
ADD/ALTER OPERATIONS AND TRAINING FACILITY	---	1,800
FIRE SUPPRESSION SYSTEMS	---	1,100
TAXIWAY AND ARM/DEARM PADS	---	1,950
ARMY RESERVE		
COLUMBUS		
USARC/OMS/AMSA/DS-GS SHOP	14,701	14,701
AIR FORCE RESERVE		
YOUNGSTOWN MAP		
SHORTFIELD LANDING ZONE	---	6,400
WIDEN AIRCRAFT PARKING APRON	1,450	1,450
TOTAL, OHIO	52,901	79,331

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
OKLAHOMA		
ARMY		
FORT SILL		
CENTRAL VEHICLE WASH FACILITY	---	7,600
ENVIRONMENTAL TRAINING CENTER	---	3,700
WHOLE BARRACKS RENEWAL	15,700	15,700
AIR FORCE		
ALTUS AFB		
C-17 ADD TO AIRCRAFT MAINTENANCE FACILITY - DBOF	3,300	3,300
C-17 ADD TO FLIGHT SIMULATION TRNG FACILITY - DBOF	2,850	2,850
C-17 FIRE STATION - DBOF	780	780
DROP ZONE LAND ACQUISITION	---	780
TINKER AFB		
ALTER HYDRANT FUELING SYSTEM	4,129	4,129
ENGINEERING AND CONTRACT SUPPORT FACILITY	5,900	5,900
INDUSTRIAL WASTEWATER REGIONAL CONNECTION - DBOF	5,400	5,400
MILSTAR COMMUNICATIONS GROUND TERMINAL	800	---
SEAL FUEL CONTAINMENT DIKES	620	620
UNDERGROUND FUEL STORAGE TANKS	4,700	4,700
VANCE AFB		
AIRFIELD PAVEMENTS, PHASE IV	---	5,000
T-1 SPECIALIZED UPT MAINTENANCE SUPPORT	2,700	2,700
UPGRADE AIRFIELD LIGHTING	3,300	3,300
ARMY NATIONAL GUARD		
FREDERICK		
ARMORY	---	1,200
AIR NATIONAL GUARD		
TULSA IAP		
ADD/ALTER FIRE STATION	460	460
WILL ROGERS WORLD AIRPORT (OKLAHOMA CITY)		
COMPOSITE SUPPORT FACILITY	3,900	3,900
MOBILITY EQUIPMENT STORAGE WAREHOUSE	950	950
TOTAL, OKLAHOMA	55,489	72,969
OREGON		
ARMY NATIONAL GUARD		
CAMP WITHYCOMBE		
SUPPORT MAINTENANCE SHOP	---	7,569
PENDLETON		
AVIATION SUPPORT FACILITY	---	3,515
AIR NATIONAL GUARD		
PORTLAND IAP		
ADD/ALTER FIRE STATION	500	500
DRAINAGE IMPROVEMENTS	600	950
KINGSLEY FIELD/KLAMATH FALLS		
REPAIR RUNWAY/TAXIWAY	---	8,500
TOTAL, OREGON	1,100	21,034
PENNSYLVANIA		
ARMY		
TOBYHANNA ARMY DEPOT		
WATER POLLUTION ABATEMENT	750	750
NAVY		
PHILADELPHIA NAV INACTIVE SHIP MAINT FAC		
BERTHING WHARF IMPROVEMENTS, PHASE II	8,660	8,660
PHILADELPHIA NAVY AVIATION SUPPLY OFFICE		
ELECTRICAL DISTRIB SYSTEM UPGRADE - DBOF	1,900	1,900
PHILADELPHIA NAVAL SHIPYARD		
ASBESTOS REMOVAL FACILITY	---	2,300
POWER PLANT MODERNIZATION	---	11,500

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
OLMSTEAD FIELD, HARRISBURG IAP		
SOF AVIONICS/ECM POD FACILITY	1,300	1,300
ARMY NATIONAL GUARD		
FORT INDIANTOWN GAP		
STATE MILITARY FACILITY	---	9,200
JOHNSTOWN		
ADDITION TO JOINT ARMED FORCES AVIATION FACILITY	---	5,004
ARMORY EXPANSION	---	3,309
AIR NATIONAL GUARD		
FT INDIANTOWN GAP ANG COMMUNICATIONS SITE (LICKDALE)		
CIVIL ENGINEERING MAINTENANCE SHOPS	850	850
STATE COLLEGE		
COMMUNICATIONS ELECTRONICS TRAINING COMPLEX	---	9,700
AIR FORCE RESERVE		
GREATER PITTSBURGH IAP		
BASE CIVIL ENGINEERING COMPLEX	---	3,100
JET FUEL STORAGE COMPLEX	4,300	4,300
OFF BASE FIRING RANGE	1,300	1,300
TOTAL, PENNSYLVANIA	19,060	63,173
RHODE ISLAND		
NAVY		
NEWPORT NAVAL EDUCATION AND TRAINING CENTER		
BACHELOR ENLISTED QUARTERS	7,500	7,500
ELECTRICAL DISTRIBUTION SYSTEM UPGRADE, PHASE II	3,800	3,800
DEFENSE-WIDE		
NEWPORT NAVAL EDUCATION AND TRAINING CENTER		
MEDICAL CLINIC, PHASE II	---	4,000
AIR NATIONAL GUARD		
COVENTRY AGS		
REPLACE UNDERGROUND FUEL STORAGE TANKS	840	840
NORTH SMITHFIELD ANGS (SLATERSVILLE)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	550	550
QUONSET STATE AIRPORT (WARWICK)		
BASE ENGINEER MAINTENANCE FACILITY	2,750	2,750
REPLACE UNDERGROUND FUEL STORAGE TANKS	890	890
NAVY RESERVE		
NETC NEWPORT		
CONSTRUCTION BATTALION UNIT ADDITION	500	500
TOTAL, RHODE ISLAND	16,830	20,830
SOUTH CAROLINA		
ARMY		
FORT JACKSON		
OPERATIONS FACILITY	1,100	1,100
RANGE UPGRADE	1,600	1,600
NAVY		
BEAUFORT MARINE CORPS AIR STATION		
BACHELOR ENLISTED QUARTERS, PHASE II	8,390	8,390
JET FUEL DELIVERY SYSTEM IMPROVEMENT	2,510	2,510
CHARLESTON NAVAL WEAPONS STATION		
FIRE PROTECTION PIPELINE - DBOF	580	580
AIR FORCE		
CHARLESTON AFB		
FIRE TRAINING FACILITY - DBOF	1,100	1,100
SHAW AFB		
CHILD DEVELOPMENT CENTER	2,650	2,650
CONTROL TOWER	2,700	2,700
UNDERGROUND FUEL STORAGE TANKS	520	520

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
COLUMBIA		
COMBINED SUPPORT/MAINTENANCE SHOP	---	8,616
LAND ACQUISITION	---	950
LEESBURG		
WASH RACK/FUEL FACILITY	---	1,009
SUMMERVILLE		
OMS	---	834
AIR NATIONAL GUARD		
MCENTIRE ANGB (EASTOVER)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,750	1,750
UPGRADE AIRFIELD LIGHTING AND PAVEMENT	4,200	4,200
ARMY RESERVE		
FORT JACKSON		
USARC/OMS/DS SHOP	10,428	10,428
TOTAL, SOUTH CAROLINA	37,528	48,937
SOUTH DAKOTA		
AIR FORCE		
ELLSWORTH AFB		
CONSOLIDATED ADMIN CENTER, PHASE I	---	6,200
ALTER AIRCRAFT MAINTENANCE DOCK	630	630
DEFENSE-WIDE		
ELLSWORTH AIR FORCE BASE		
LIFE SAFETY UPGRADE	1,400	1,400
ARMY NATIONAL GUARD		
SIOUX FALLS (JOE FOSS FIELD)		
ARMORY ADDITION	---	3,700
MAINTENANCE SHOP	---	1,700
AIR NATIONAL GUARD		
JOE FOSS FIELD (SIOUX FALLS)		
ADD/ALTER FUEL SYSTEMS MAINTENANCE/CORROSION DOCK	1,700	1,700
ALTER COMPOSITE OPERATIONS AND TRAINING FACILITY	350	350
TOTAL, SOUTH DAKOTA	4,080	15,680
TENNESSEE		
NAVY		
MEMPHIS NAVAL AIR STATION		
FIRE ALARM SYSTEM IMPROVEMENTS	1,100	1,100
FUELS TRAINER FACILITY	600	600
POTABLE WATER SYSTEM IMPROVEMENTS	350	350
AIR FORCE		
ARNOLD ENGINEERING DEV CENTER		
UPGRADE SEWAGE TREATMENT PLANT	1,500	1,500
MEMPHIS NAVAL AIR STATION		
ADD/ALTER HIGH-BAY TECHNICAL TRAINING FACILITY	3,000	---
ALTER TECHNICAL TRAINING FACILITY	2,000	---
RENOVATE DORMITORY	1,200	---
DEFENSE-WIDE		
MILLINGTON NAVAL AIR STATION		
HOSPITAL LIFE SAFETY/SEISMIC UPGRADE, PHASE II	5,000	5,000
ARMY NATIONAL GUARD		
CAMDEN		
ARMORY ADDITION	---	714
ELIZABETHTON		
ARMORY STORAGE ADDITION	---	100
JEFFERSON CITY		
ARMORY	---	952
MILAN		
ARMORY	---	1,357

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
SEVIERVILLE		
ARMORY	---	1,352
SMYRNA		
ARMORY	---	3,934
WAREHOUSE	---	710
TIPTONVILLE		
ARMORY	---	1,157
WAVERLY		
ARMORY ADDITION	---	587
AIR NATIONAL GUARD		
ALCOA AIR NATIONAL GUARD STATION		
ADD/ALTER COMMUNICATIONS ELECTRONICS TRNG FACILITY	1,300	1,300
MCGHEE-TYSON AIRPORT (ALCOA)		
PMEC ADMINISTRATIVE SUPPORT FACILITY	2,200	2,200
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,100	1,100
NASHVILLE MAP		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,000	1,000
NAVY RESERVE		
NMCRC CHATTANOOGA		
RESERVE CENTER REPLACEMENT	3,690	3,690
TOTAL, TENNESSEE	24,040	28,103
TEXAS		
ARMY		
FORT BLISS		
CONSOLIDATED MAINTENANCE FACILITY	14,000	14,000
TACTICAL EQUIPMENT SHOP	---	12,800
TACTICAL EQUIPMENT SHOP	---	2,800
FORT HOOD		
BATTALION COMMAND AND CONTROL BUILDING	---	5,600
CLOSE COMBAT TACTICAL TRAINER FACILITY	7,500	7,500
COLD/DRY STORAGE FACILITY	13,400	13,400
DEPLOYMENT STORAGE FACILITY	---	1,500
TACTICAL EQUIPMENT SHOP	5,300	5,300
TEST AND EVALUATION SUPPORT FACILITY	5,200	5,200
WHOLE BARRACKS RENEWAL	18,000	18,000
FORT SAM HOUSTON		
FIRE STATION	---	1,300
MULTI-PURPOSE FAMILY SERVICE CENTER	4,351	4,351
NAVY		
CORPUS CHRISTI NAVAL AIR STATION		
BACHELOR ENLISTED QUARTERS IMPROVEMENTS	1,670	1,670
AIR FORCE		
BROOKS AFB		
CENTER FOR ENVIRONMENTAL EXCELLENCE	---	8,400
DYESS AFB		
ADD/ALTER DORMITORIES	---	5,200
UPGRADE HYDRANT FUELING SYSTEM, PHASE II	9,500	9,500
WEAPONS STORAGE AREA SECURITY	890	890
GOODFELLOW AFB		
BASE CIVIL ENGINEERING COMPLEX	3,700	3,700
KELLY AFB		
ADD/ALTER DORMITORIES - DBOF	2,000	2,000
ALTER WEAPON SYSTEM SUPPORT CTR, PHASE II - DBOF	7,800	7,800
C-17 ADD/ALTER NDI FACILITY - DBOF	4,900	4,900
C-17 ALTER DEPOT AVIONICS FACILITY - DBOF	731	731
C-17 ENGINEERING TEST LABORATORY	2,600	2,600
UPGRADE SANITARY SEWER MAINS	3,000	3,000
UPGRADE STORM DRAINAGE SYSTEM, PHASE I	2,900	2,900
UPGRADE TAXIWAY	3,550	3,550

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
LACKLAND AFB		
ALTER BASE SUPPORT FACILITY	5,400	5,400
BASE CONTRACTING CENTER	2,450	2,450
MISSION SUPPORT CENTER	7,543	7,543
TRAINING SERVICES FACILITIES	5,800	5,800
DORMITORY	8,900	8,900
LACKLAND TRAINING ANNEX		
VEHICLE MAINTENANCE FACILITY	1,200	---
LAUGHLIN AFB		
FIRE STATION	2,400	2,400
UPGRADE AIRFIELD LIGHTING	3,000	3,000
UPGRADE AIRFIELD PAVEMENT	3,250	3,250
RANDOLPH AFB		
CONTROL TOWER	2,800	2,800
UPGRADE ELECTRICAL DISTRIBUTION SYSTEM	2,500	2,500
REESE AFB		
UNDERGROUND FUEL STORAGE TANKS	900	900
SHEPPARD AFB		
ADD/ALTER CHILD DEVELOPMENT CENTER	780	780
ENJJPT ALTER FLIGHT TRAINING FACILITY	2,200	2,200
FIRE TRAINING FACILITY	850	850
DORMITORY	14,200	14,200
DEFENSE-WIDE		
FORT SAM HOUSTON		
COMBAT MEDIC TRAINING COMPLEX	1,400	1,400
HOSPITAL REPLACEMENT, PHASE VII	75,000	50,000
NCO ACADEMY-AMEDD CENTER AND SCHOOL	3,400	3,400
ARMY NATIONAL GUARD		
CORPUS CHRISTI		
ADD/ALTER ARMORY	---	2,719
ORGANIZATIONAL MAINTENANCE SHOP	---	991
LUBBOCK		
ORGANIZATIONAL MAINTENANCE SHOPS & AFRC, PHASE II	---	1,726
WESLACO		
ARMORY AND ORGANIZATIONAL MAINTENANCE SHOP	---	5,567
AIR NATIONAL GUARD		
ELLINGTON FIELD (HOUSTON)		
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,600	1,600
KELLY AFB (SAN ANTONIO)		
BASE SUPPLY WAREHOUSE	---	4,300
REPLACE UNDERGROUND FUEL STORAGE TANKS	560	560
AIR FORCE RESERVE		
KELLY AFB		
RED HORSE STRUCTURAL/UTILITY FACILITY	2,300	2,300
TOTAL, TEXAS	259,425	286,128
UTAH		
ARMY		
DUGWAY PROVING GROUND		
LIFE SCIENCES TEST FACILITY	16,500	16,500
TOOELE ARMY DEPOT		
TREATY COMPLIANCE FACILITY	1,500	1,500
AIR FORCE		
HILL AFB		
FIRE TRAINING FACILITY - DBOF	880	880
UPGRADE INDUSTRIAL WASTEWATER COLLECTION SYSTEM	---	6,200
UPGRADE INDUSTRIAL WASTEWATER TRTMNT PLANT - DBOF	5,100	5,100
UPGRADE WATER DISTRIBUTION SYSTEM	2,400	2,400
DEFENSE-WIDE		
DEFENSE REUTILIZATION AND MKTG OFC HILL AFB		
FIRE PROTECTION AND OPEN STORAGE	1,700	1,700

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
CAMP WILLIAMS		
RANGE, INFANTRY SQUAD BATTLE COURSE	1,066	1,066
RANGE, MOUT ASSAULT COURSE	850	850
AIR NATIONAL GUARD		
SALT LAKE CITY IAP		
ADD/ALTER COMMUNICATION AND ELECTRONICS FACILITY	850	850
ALTER COMPOSITE SUPPORT FACILITY	950	950
SITE RESTORATION	2,000	2,000
TOTAL, UTAH	33,796	39,996
VERMONT		
ARMY NATIONAL GUARD		
CAMP JOHNSON		
ORGANIZATIONAL MAINTENANCE SHOP	1,002	1,002
JERICHO		
TRAINING SITE SUPPORT FACILITY	304	304
TRAINING FACILITY	---	3,200
AIR NATIONAL GUARD		
BURLINGTON IAP		
FIRE STATION	1,500	1,500
TOTAL, VERMONT	2,806	6,006
VIRGINIA		
ARMY		
FORT BELVOIR		
ELEMENTARY SCHOOL	---	8,000
OPERATIONS FACILITY	860	860
FORT LEE		
APPLIED INSTRUCTION FACILITY	12,600	12,600
WHOLE BARRACKS RENEWAL	20,000	20,000
FORT MYER		
WHOLE BARRACKS RENEWAL	6,800	6,800
NAVY		
CHESAPEAKE MARINE CORPS SEC FORCE BATTN NW		
ACADEMIC INSTRUCTION BUILDING	2,320	2,320
INDOOR RANGE COMPLEX	3,060	3,060
CRANEY ISLAND FLT AND INDUS SUPPLY CTR ANNEX		
WASTEWATER TREATMENT PLANT MODS - DBOF	11,740	11,740
NORFOLK CDR OPERATIONAL TEST AND EVAL FORCE		
OPERATIONS TEST AND EVALUATION MANAGEMENT CENTER	8,100	8,100
NORFOLK NAVAL AIR STATION		
BACHELOR ENLISTED QUARTERS	12,270	12,270
NORFOLK NAVAL AVIATION DEPOT		
AIRCRAFT REWORK FACILITY - DBOF	17,800	---
NORFOLK NAVY PUBLIC WORKS CENTER		
TRASH RECYCLE FACILITY ADDITION - DBOF	5,330	5,330
OCEANA NAS		
REPLACE FUEL TANK FARM	---	1,800
PORTSMOUTH NORFOLK NAVAL SHIPYARD		
BACHELOR ENLISTED QUARTERS	13,420	13,420
QUANTICO MARINE CORPS COMBAT DEV COMMAND		
ANTI-ARMOR TRACKING AND LIVE FIRE RANGE	3,600	3,600
REHAB INSTRUCTIONAL SPACE	---	5,000
CHILD DEVELOPMENT CENTER	3,850	3,850
WALLOPS IS NAVAL SURFACE WEAPONS CTR DET		
SHIP SELF-DEFENSE ENGINEERING FACILITY	10,170	10,170

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
LANGLEY AFB		
ADD/ALTER OPERATIONS FACILITY	5,373	---
BASE CIVIL ENGINEERING COMPLEX, PHASE I	4,000	5,300
FIRE STATION	3,850	3,850
RESTORE KING STREET BRIDGE	4,100	4,100
UNDERGROUND FUEL STORAGE TANKS	500	500
DEFENSE-WIDE		
FORT BELVOIR		
ADMINISTRATIVE BUILDING	5,200	5,200
DEFENSE GENERAL SUPPLY CENTER		
ALTER HAZARDOUS MATERIAL WAREHOUSE	2,900	2,900
HAZARDOUS MATERIAL PROCESSING FACILITY	4,600	4,600
SHEDS FOR OIL STORAGE	9,500	9,500
FORT EUSTIS		
LIFE SAFETY UPGRADE	3,650	3,650
NAVAL AMPHIBIOUS BASE, LITTLE CREEK		
SOF SPECBOATRON PATROL COASTAL SUPPORT	7,500	7,500
PORTSMOUTH NAVAL HOSPITAL		
HOSPITAL REPLACEMENT, PHASE V	211,900	20,000
QUANTICO MARINE CORPS COMBAT DEV COMMAND		
QUANTICO HIGH SCHOOL ADDITION	422	422
AIR NATIONAL GUARD		
CAMP PENDLETON ANGB (VIRGINIA BEACH)		
BASE CIVIL ENGINEER MAINTENANCE/STORAGE FACILITY	1,150	1,150
RICHARD E BYRD IAP (SANDSTON)		
ADD/ALTER FUEL SYSTEMS MAINTENANCE DOCK	1,300	1,300
REPLACE UNDERGROUND FUEL STORAGE TANKS	1,100	1,100
NAVY RESERVE		
MCRC DAM NECK (CAMP PENDLETON)		
ELECTRONICS MAINTENANCE SHOP	1,000	1,000
TOTAL, VIRGINIA	399,965	200,992
WASHINGTON		
ARMY		
FORT LEWIS		
INCINERATOR BUILDING COMPLETION	14,200	14,200
NAVY		
BANGOR NAVAL SUBMARINE BASE		
MESS HALL ADDITION	1,720	1,720
OILY WASTE TREATMENT FACILITY	1,380	1,380
EVERETT NAVAL STATION		
BREAKWATER	22,200	22,200
STEAM PLANT	11,800	11,800
KEYPORT NAVAL UNDERSEA WARFARE CENTER DIV		
HAZARDOUS WASTE STORAGE FACILITY - DBOF	8,980	8,980
AIR FORCE		
FAIRCHILD AFB		
INTELLIGENCE TECHNICAL TRAINING FACILITY	3,500	3,500
MCCHORD AFB		
ADD/ALTER DORMITORIES - DBOF	6,500	6,500
CHILD DEVELOPMENT CENTER COMPLEX - DBOF	4,400	4,400
DEFENSE-WIDE		
FAIRCHILD AIR FORCE BASE		
UTILITY/LIFE SAFETY UPGRADE	8,250	8,250
ARMY NATIONAL GUARD		
YAKIMA TRAINING CENTER (YAKIMA)		
RANGE, MACHINE GUN MODIFICATION	1,527	1,527

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
BELLINGHAM MUNICIPAL AIRPORT ANG		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	420	420
CAMP MURRAY ANGS (TACOMA)		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	380	380
FOUR LAKES COMMUNICATIONS STATION (CHENEY)		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	360	360
PAINE FIELD ANG STATION (EVERETT)		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	320	320
SEATTLE AIR NATIONAL GUARD BASE		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	320	320
ARMY RESERVE		
FORT LEWIS		
USARC/OMS/AMSA/ECS/WAREHOUSE.....................	14,703	14,703
NAVY RESERVE		
JOINT TRAINING CENTER EVERETT		
RESERVE CENTER REPLACEMENT.......................	2,550	2,550
BANGOR		
RESERVE CENTER...................................	---	3,000
TOTAL, WASHINGTON................................	103,510	106,510
WEST VIRGINIA		
AIR NATIONAL GUARD		
E WV REGIONAL APT (MARTINSBURG)		
ADD TO AERIAL PORT TRAINING FACILITY.............	390	390
YEAGER AIRPORT (CHARLESTON)		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	370	370
TOTAL, WEST VIRGINIA.............................	760	760
WISCONSIN		
ARMY NATIONAL GUARD		
CAMP WILLIAMS		
COMBINED MAINTENANCE FACILITY.....................	---	11,900
AIR NATIONAL GUARD		
BILLY MITCHELL FIELD (MILWAUKEE)		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	600	600
TRUAX FIELD (MADISON)		
FIRE STATION.....................................	1,400	1,400
VOLK FIELD (CAMP DOUGLAS)		
REPLACE UNDERGROUND FUEL STORAGE TANKS............	510	510
NAVY RESERVE		
NMCRC GREEN BAY		
RESERVE CENTER ADDITION..........................	650	650
AIR FORCE RESERVE		
BILLY MITCHELL FIELD		
ADD FIRE PROTECTION TO AIRCRAFT HANGARS..........	1,500	1,500
UPGRADE BASE FUELS COMPLEX.......................	1,800	1,800
TOTAL, WISCONSIN.................................	6,460	18,360
WYOMING		
AIR FORCE		
F E WARREN AFB		
REMOTE MISSILE CREW FACILITIES...................	3,800	3,800
RENOVATE SECURITY POLICE OPERATIONS..............	6,000	6,000
UNDERGROUND FUEL STORAGE TANKS...................	2,200	2,200
WEAPONS STORAGE AREA SECURITY....................	640	640

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
CAMP GUERNSEY		
BARRACKS RENOVATION	---	3,338
TOTAL, WYOMING	12,640	15,978
CONUS CLASSIFIED		
ARMY		
CLASSIFIED LOCATIONS		
CLASSIFIED PROJECTS	3,000	1,852
AIR FORCE		
CLASSIFIED LOCATION		
OMEGA FACILITIES	2,600	2,600
SPECIAL TACTICAL UNIT DETACHMENT FACILITY	5,540	5,540
DEFENSE-WIDE		
CLASSIFIED LOCATION		
SITE IMPROVEMENTS	5,600	5,600
TOTAL, CONUS CLASSIFIED	16,740	15,592
CONUS VARIOUS		
NAVY		
CONUS VARIOUS		
WASTEWATER COLLECTION & TREATMENT SYSTEM	3,260	3,260
ANTIGUA		
AIR FORCE		
ANTIGUA ISLAND		
SLFI-UPGRADE BACKUP GENERATOR	1,000	1,000
ASCENSION ISLAND		
AIR FORCE		
ASCENSION ISLAND		
SLFI-WASTEWATER TREATMENT PLANT	3,400	3,400
DIEGO GARCIA		
AIR FORCE		
DIEGO GARCIA		
GPS INSTRUMENTATION FACILITY	1,700	1,700
SATELLITE TRACKING STORAGE FACILITY	560	560
DEFENSE-WIDE		
DIEGO GARCIA		
FUEL TANKAGE	9,558	9,558
TOTAL, DIEGO GARCIA	11,818	11,818
GERMANY		
AIR FORCE		
RAMSTEIN AB		
CHILD DEVELOPMENT CENTER	3,100	3,100
GREENLAND		
AIR FORCE		
THULE AB		
WASTEWATER TREATMENT PLANT	5,492	5,492
TOTAL, GREENLAND	5,492	5,492

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
GUAM		
NAVY		
ANDERSON AIR FORCE BASE NAVAL AIR FACILITY		
BACHELOR ENLISTED QUARTERS RENOVATION	3,560	3,560
BACHELOR OFFICER QUARTERS MODERNIZATION	3,750	3,750
FLEET AND INDUSTRIAL SUPPLY CENTER		
GAS BOTTLE STORAGE FACILITY - DBOF	1,240	---
INTEGRATED STORAGE HANDLING FACILITY - DBOF	21,200	21,200
MILITARY SEALIFT COMMAND OFFICE		
MILITARY SEALIFT COMMAND OPERATIONS BLDG	2,170	---
NAVAL HOSPITAL		
CHILD DEVELOPMENT CENTER	2,460	2,460
NAVAL MAGAZINE		
INERT STOREHOUSES	3,750	---
NAVAL OCEANOGRAPHY COMMAND CENTER		
OCEANOGRAPHY BUILDING ALTERATIONS	690	---
NAVAL STATION		
CHILD DEVELOPMENT CENTER ADDITION	2,020	2,020
EXPLOSIVE ORDNANCE DISPOSAL OPERATIONS FACILITY	12,500	12,500
NAVY PUBLIC WORKS CENTER		
SEWERAGE TREATMENT PLANT - DBOF	7,230	7,230
TRANSPORTATION PARTS STORAGE FACILITY - DBOF	1,610	---
WATERFRONT UTILITIES - DBOF	11,840	---
AIR FORCE		
ANDERSEN AFB		
UNDERGROUND FUEL STORAGE TANKS	4,100	---
ARMY NATIONAL GUARD		
BARRIGADA		
U.S. PROPERTY/FISCAL OFFICE/WAREHOUSE, PHASE II	---	1,573
AIR NATIONAL GUARD		
ANDERSON AFB		
BASE SUPPLIES AND EQUIPMENT WAREHOUSE	400	400
TOTAL, GUAM	78,520	54,693
ITALY		
NAVY		
NAPLES NAVAL SUPPORT ACTIVITY		
QUALITY OF LIFE FACILITIES, PHASE I	11,740	11,740
SIGONELLA NAVAL AIR STATION		
CHILD DEVELOPMENT CENTER	3,460	3,460
TOTAL, ITALY	15,200	15,200
KWAJALEIN		
ARMY		
KWAJALEIN		
SEWAGE TREATMENT FACILITY	11,200	11,200
UNACCOMPANIED PERSONNEL HOUSING	10,000	10,000
TOTAL, KWAJALEIN	21,200	21,200
OMAN		
AIR FORCE		
THUMRAIT AB		
WAR READINESS MATERIEL COVERED STORAGE FACILITY	1,800	---
PUERTO RICO		
DEFENSE-WIDE		
DEFENSE FUEL SUPPORT POINT ROOSEVELT ROADS		
FUEL TANKAGE	5,800	---

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
PUERTO RICO IAP		
ADD/ALTER F-16 AVIONICS SHOP	320	320
ALTER FUEL SYSTEMS MAINTENANCE FACILITY	750	750
UPGRADE F-16 AIRCRAFT PARKING RAMP SECURITY SYSTEM	2,000	2,000
TOTAL, PUERTO RICO	8,870	3,070
QATAR		
AIR FORCE		
DOHA		
WAR READINESS MATERIEL WAREHOUSE	5,500	---
SPAIN		
NAVY		
ROTA NAVAL STATION		
CHILD DEVELOPMENT CENTER	2,670	2,670
TURKEY		
AIR FORCE		
INCIRLIK AB		
ADD/ALTER DORMITORIES	2,400	2,400
UNITED KINGDOM		
AIR FORCE		
RAF MILDENHALL		
C-130 PHASE MAINTENANCE HANGAR	4,800	4,800
OVERSEAS CLASSIFIED		
ARMY		
OVERSEAS CLASSIFIED		
COMMUNICATIONS MAINTENANCE FACILITY	3,600	---
DEFENSE-WIDE		
OVERSEAS CLASSIFIED		
POWERHOUSE	10,755	10,755
TOTAL, OVERSEAS CLASSIFIED	14,355	10,755
NATO		
NATO INFRASTRUCTURE	240,000	140,000
WORLDWIDE UNSPECIFIED		
ARMY		
UNSPECIFIED WORLDWIDE LOCATIONS		
HOST NATION SUPPORT	25,000	25,000
PLANNING AND DESIGN	84,441	84,441
UNSPECIFIED MINOR CONSTRUCTION	12,000	12,000
NAVY		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	64,373	64,373
UNSPECIFIED MINOR CONSTRUCTION	5,500	5,500
AIR FORCE		
UNSPECIFIED WORLDWIDE LOCATIONS		
GENERAL REDUCTION	---	-6,700
PLANNING AND DESIGN	63,180	63,882
UNSPECIFIED MINOR CONSTRUCTION	6,844	6,844
DEFENSE-WIDE		
UNSPECIFIED WORLDWIDE LOCATIONS		
CONTINGENCY CONSTRUCTION	12,200	12,200
ENERGY CONSERVATION IMPROVEMENT PROGRAM	50,000	50,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
PLANNING AND DESIGN		
SPECIAL OPERATIONS COMMAND	5,700	7,700
STRATEGIC DEFENSE INITIATIVE ORGANIZATION	535	535
DEFENSE LEVEL ACTIVITIES	10,305	10,305
DEFENSE MEDICAL SUPPORT ACTIVITY	25,865	25,865
SUBTOTAL, PLANNING AND DESIGN	42,405	44,405
UNSPECIFIED MINOR CONSTRUCTION		
ON-SITE INSPECTION AGENCY	812	812
SPECIAL OPERATIONS COMMAND	2,922	4,922
STRATEGIC DEFENSE INITIATIVE ORGANIZATION	2,192	2,192
DEFENSE LEVEL ACTIVITIES	2,000	2,000
JOINT CHIEFS OF STAFF	5,975	5,975
DOD DEPENDENT SCHOOLS	4,000	4,000
DEFENSE MEDICAL SUPPORT ACTIVITY	3,757	3,757
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	21,658	23,658
ARMY NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	522	10,271
UNSPECIFIED MINOR CONSTRUCTION	5,000	5,000
AIR NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
GENERAL REDUCTION	---	-5,740
PLANNING AND DESIGN	9,900	10,868
UNSPECIFIED MINOR CONSTRUCTION	4,000	4,000
ARMY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	4,897	7,004
UNSPECIFIED MINOR CONSTRUCTION	2,100	2,100
NAVY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
GENERAL REDUCTION	---	-9,140
PLANNING AND DESIGN	1,359	1,815
UNSPECIFIED MINOR CONSTRUCTION	1,042	1,042
AIR FORCE RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
GENERAL REDUCTION	---	-2,780
PLANNING AND DESIGN	3,400	3,989
UNSPECIFIED MINOR CONSTRUCTION	3,904	3,904
TOTAL, WORLDWIDE UNSPECIFIED	423,725	417,936
WORLDWIDE VARIOUS		
ARMY		
VARIOUS LOCATIONS		
RESCISSION, FISCAL YEAR 1992	---	-4,700
RESCISSION, FISCAL YEAR 1993	---	-9,200
NAVY		
LAND ACQUISITION		
LAND ACQUISITION	1,340	1,340
VARIOUS LOCATIONS		
HOST NATION INFRASTRUCTURE SUPPORT	2,960	2,960
RESCISSION, FISCAL YEAR 1990	---	-7,662
RESCISSION, FISCAL YEAR 1991	---	-14,406
RESCISSION, FISCAL YEAR 1992	---	-62,899
RESCISSION, FISCAL YEAR 1993	---	-37,660

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
VARIOUS LOCATIONS		
RESCISSION, FISCAL YEAR 1990	---	-8,315
RESCISSION, FISCAL YEAR 1991	---	-6,550
RESCISSION, FISCAL YEAR 1992	---	-12,980
RESCISSION, FISCAL YEAR 1993	---	-2,250
DEFENSE-WIDE		
VARIOUS LOCATIONS		
RESCISSION, FISCAL YEAR 1992	---	-15,500
ARMY NATIONAL GUARD		
UNSPECIFIED LOCATIONS		
INDOOR RANGE MODERNIZATION	637	637
VARIOUS LOCATIONS		
ARMORY UNIT STORAGE BUILDINGS	750	750
TOTAL, WORLDWIDE VARIOUS	5,687	-176,435
FAMILY HOUSING, ARMY		
CALIFORNIA		
FORT IRWIN (220 UNITS)	25,000	25,000
HAWAII		
SCHOFIELD BARRACKS (260 UNITS)	39,000	39,000
SCHOFIELD BARRACKS (88 UNITS)	13,000	13,000
MARYLAND		
FORT MEADE (275 UNITS)	26,000	26,000
NEVADA		
HAWTHORNE AAP		
DEMOLISH ABANDONED HOUSING UNITS	---	500
NEW YORK		
U.S. MILITARY ACADEMY (100 UNITS)	15,000	15,000
NORTH CAROLINA		
FORT BRAGG (224 UNITS)	18,000	18,000
WISCONSIN		
FORT MCCOY (16 UNITS)	2,950	2,950
CONSTRUCTION IMPROVEMENTS	67,530	77,630
PLANNING	11,805	11,805
SUBTOTAL, CONSTRUCTION	218,285	228,885
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	41,707	41,707
MANAGEMENT ACCOUNT	81,163	81,163
MISCELLANEOUS ACCOUNT	1,840	1,840
SERVICES ACCOUNT	62,447	62,447
UTILITIES ACCOUNT	281,348	281,348
LEASING	268,139	268,139
MAINTENANCE OF REAL PROPERTY	388,528	388,528
INTEREST PAYMENTS	17	17
GENERAL REDUCTION		-56,000
SUBTOTAL, OPERATION AND MAINTENANCE	1,125,189	1,069,189
PLUS APPROPRIATION FOR DEBT REDUCTION	412	412
TOTAL, FAMILY HOUSING, ARMY	1,343,886	1,298,486

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, NAVY		
CALIFORNIA		
PUBLIC WORKS CENTER SAN DIEGO (318 UNITS)	36,571	36,571
DISTRICT OF COLUMBIA		
PUBLIC WORKS CENTER WASHINGTON DC (188 UNITS)	21,556	21,556
FLORIDA		
PUBLIC WORKS CENTER PENSACOLA (SELF-HELP CENTER/ WAREHOUSE)	300	300
GEORGIA		
NAVAL SUBMARINE SUPPORT BASE KINGS BAY (FAMILY HOUSING OFFICE/SELF-HELP CENTER/WAREHOUSE)	790	790
MAINE		
NAS BRUNSWICK (20 MOBILE HOME SPACES)	490	490
VIRGINIA		
NAVAL AIR STATION OCEANA (COMMUNITY CENTER)	860	860
NAVAL COMPLEX NORFOLK (392 UNITS)	50,674	50,674
WASHINGTON		
NAVAL SUBMARINE BASE BANGOR (290 UNITS)	27,438	27,438
NAS WHIDBEY ISLAND (106 UNITS)	---	10,000
SCOTLAND		
NAVAL SECURITY GROUP ACTIVITY EDZELL (40 UNITS)	6,000	---
UNITED KINGDOM		
NAVAL ACTIVITIES LONDON (PURCHASE 81 LEASED UNITS)	15,470	15,470
VARIOUS LOCATIONS		
RESCISSION, FISCAL YEAR 1990	---	-14,100
RESCISSION, FISCAL YEAR 1991	---	-25,018
RESCISSION, FISCAL YEAR 1993	---	-1,253
CONSTRUCTION IMPROVEMENTS	190,696	183,135
PLANNING	22,924	22,924
SUBTOTAL, CONSTRUCTION	373,769	329,837
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	36,904	36,904
MANAGEMENT ACCOUNT	87,769	87,769
MISCELLANEOUS ACCOUNT	1,133	1,133
SERVICES ACCOUNT	45,347	45,347
UTILITIES ACCOUNT	194,952	194,952
LEASING	113,308	113,308
MAINTENANCE OF REAL PROPERTY	355,554	355,554
MORTGAGE INSURANCE PREMIUMS	88	88
GENERAL REDUCTION	---	-63,000
SUBTOTAL, OPERATION AND MAINTENANCE	835,055	772,055
TOTAL, FAMILY HOUSING, NAVY	1,208,824	1,101,892
FAMILY HOUSING, AIR FORCE		
ALABAMA		
MAXWELL AFB (55 UNITS)	4,080	4,080
ARKANSAS		
LITTLE ROCK AFB (HOUSING OFFICE/MAINT FACILITY)	980	980
CALIFORNIA		
VANDENBERG AFB (166 UNITS)	21,907	21,907
FLORIDA		
PATRICK AFB (155 UNITS)	15,388	15,388
TYNDALL AFB (INFRASTRUCTURE FOR FUTURE 450 UNITS)	5,732	5,732
GEORGIA		
ROBINS AFB (118 UNITS)	7,424	7,424

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ILLINOIS		
SCOTT AFB		
HOUSING RELOCATION, PHASE II	---	10,000
LOUISIANA		
BARKSDALE AFB (118 UNITS)	8,578	8,578
MASSACHUSETTS		
HANSCOM AFB (48 UNITS)	5,135	5,135
MONTANA		
MALMSTROM AFB (HOUSING OFFICE)	581	581
TEXAS		
DYESS AFB (MAINTENANCE FACILITY)	281	281
LACKLAND AFB (111 UNITS)	8,770	8,770
VIRGINIA		
LANGLEY AFB (HOUSING OFFICE)	452	452
WASHINGTON		
FAIRCHILD AFB (1 UNIT)	184	184
WYOMING		
F E WARREN AFB (104 UNITS)	10,572	10,572
ITALY		
COMISO AB (PURCHASE 460 LEASED UNITS)	20,200	---
VARIOUS LOCATIONS		
RESCISSION, FISCAL YEAR 1992	---	-6,400
RESCISSION, FISCAL YEAR 1993	---	-48,702
CONSTRUCTION IMPROVEMENTS	53,070	75,070
PLANNING	9,901	11,901
SUBTOTAL, CONSTRUCTION	173,235	131,933
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	43,543	43,543
MANAGEMENT ACCOUNT	44,282	44,282
MISCELLANEOUS ACCOUNT	4,639	4,639
SERVICES ACCOUNT	28,183	28,183
UTILITIES ACCOUNT	211,036	211,036
LEASING	118,266	118,266
MAINTENANCE OF REAL PROPERTY	403,942	403,942
MORTGAGE INSURANCE PREMIUMS	21	21
GENERAL REDUCTION	---	-63,000
SUBTOTAL, OPERATION AND MAINTENANCE	853,912	790,912
TOTAL, FAMILY HOUSING, AIR FORCE	1,027,147	922,845
FAMILY HOUSING, DEFENSE-WIDE		
CONSTRUCTION IMPROVEMENTS	159	159
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	1,977	1,977
MANAGEMENT ACCOUNT	220	220
MISCELLANEOUS ACCOUNT	26	26
SERVICES ACCOUNT	416	416
UTILITIES ACCOUNT	898	898

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
LEASING	22,882	22,882
MAINTENANCE OF REAL PROPERTY	918	918
GENERAL REDUCTION	---	-1,000
SUBTOTAL, OPERATION AND MAINTENANCE	27,337	26,337
TOTAL, FAMILY HOUSING, DEFENSE AGENCIES	27,496	26,496
HOMEOWNERS ASSISTANCE FUND		
OPERATING EXPENSES	151,400	151,400
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART I		
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART I	27,870	12,830
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II		
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II	1,800,500	1,526,310
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III		
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III	1,200,000	1,144,000
TOTAL, BASE REALIGNMENT AND CLOSURE ACCOUNTS	3,028,370	2,683,140

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

New budget (obligational) authority, fiscal year 1993	$8,396,345,000
Budget estimates of new (obligational) authority, fiscal year 1994	10,794,341,000
House bill, fiscal year 1994	10,273,731,000
Senate bill, fiscal year 1994	9,753,477,000
Conference agreement, fiscal year 1994	10,065,114,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	+1,668,769,000
Budget estimates of new (obligational) authority, fiscal year 1994	−729,227,000
House bill, fiscal year 1994	−208,617,000
Senate bill, fiscal year 1994	+311,637,000

W.G. (BILL) HEFNER,
THOMAS M. FOGLIETTA,
CARRIE P. MEEK,
NORMAN D. DICKS,
JULIAN C. DIXON,
VIC FAZIO,
STENY H. HOYER,
RONALD D. COLEMAN,
WILLIAM H. NATCHER,
BARBARA F. VUCANOVICH,
SONNY CALLAHAN,
HELEN DELICH BENTLEY,
DAVID L. HOBSON,
JOSEPH MCDADE,
Managers on the Part of the House.

JIM SASSER,
DANIEL K. INOUYE,
HARRY REID,
HERB KOHL,
ROBERT C. BYRD,
SLADE GORTON,
TED STEVENS,
MITCH MCCONNELL,
MARK O. HATFIELD,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCNULTY (at the request of Mr. GEPHARDT), for today after 2 p.m., on account of personal business.

Mr. ACKERMAN (at the request of Mr. GEPHARDT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GOODLATTE) to revise and extend their remarks and include extraneous material:)

Mrs. BENTLEY, for 60 minutes, on November 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, and 19.

Mr. LIVINGSTON, for 5 minutes, today.

Mr. DORNAN, for 60 minutes, today and on November 1, 2, 3, 4, 5, 8, 9, 10, 11, and 12.

(The following Members (at the request of Mr. OBERSTAR) to revise and extend their remarks and include extraneous material:)

Mrs. MINK, for 5 minutes, today.

Ms. NORTON, for 60 minutes, today.

(The following Member (at the request of Mr. DREIER) to revise and extend his remarks and include extraneous material:)

Mr. LEACH, for 60 minutes, today.

(The following Member (at the request of Mr. DORNAN) to revise and extend his remarks and include extraneous material:)

Mr. TUCKER, for 60 minutes, on October 13.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GOODLATTE) and to include extraneous matter:)

Mr. ZELIFF in two instances.
Mr. DUNCAN.
Mr. KING.
Mr. GILMAN.
Mr. HUNTER.
Ms. SNOWE.
Mr. GEKAS.
Mr. FAWELL.
Mr. SUNDQUIST.
Mr. MOORHEAD.
Mr. OXLEY.
Mr. SKEEN.
Mr. REGULA.
Mr. RAMSTAD.
Mr. CRANE.
Mr. EVERETT in two instances.
Mrs. BENTLEY in three instances.
Mr. CASTLE.

(The following Members (at the request of Mr. OBERSTAR) and to include extraneous matter:)

Mr. SAWYER.
Mr. CLAY.
Mr. MARTINEZ.
Mr. NADLER.
Mr. HOYER.
Mr. DELLUMS.
Mr. MILLER of California.
Mr. COLEMAN.
Mr. HOCHBRUECKNER in two instances.
Mr. HOAGLAND.
Mr. CONDIT.
Mr. KILDEE.
Mr. BREWSTER.
Mr. BEILENSON.
Mr. KREIDLER.

(The following Members (at the request of Mr. DORNAN) and to include extraneous matter:)

Mr. SERRANO.
Mr. TRAFICANT.
Ms. ESHOO.
Mr. LAZIO.
Mr. KLEIN.
Mr. THOMAS of California.
Mr. PALLONE.
Mr. BLACKWELL.
Mr. BROWN of California.
Mrs. BENTLEY.
Mr. LIPINSKI.
Ms. LONG.
Ms. KAPTUR.
Mrs. COLLINS of Illinois.
Mr. BARCIA of Michigan.

ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2685. An act to amend title 5, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1508. An act to amend the definition of a rural community for eligibility for economic recovery funds, and for other purposes.

ADJOURNMENT TO TUESDAY, OCTOBER 12, 1993

Mr. DORNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 161, of the 103d Congress, the House stands adjourned until 12 noon, Tuesday, October 12, 1993.

Thereupon (at 8 o'clock and 40 minutes p.m.), pursuant to House Concurrent Resolution 161, the House adjourned until Tuesday, October 12, 1993, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1997. A letter from the Resolution Trust Corporation, transmitting the Corporation's statements of financial position for the 6-month period ending June 30, 1993; to the Committee on Banking, Finance and Urban Affairs.

1998. A letter from the Secretary of Energy, transmitting notification that the Department's report on "Federal Government's Energy Management and Conservation Program," will be delayed; to the Committee on Energy and Commerce.

1999. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Secretary's determination and justification to exercise the authority granted him under section 451 of the Foreign Assistance Act of 1961, as amended, authorizing funds for a voluntary contribution to the United Nations Transition Authority in Cambodia, pursuant to 22

U.S.C. 2261; to the Committee on Foreign Affairs.

2000. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense equipment sold commercially to Egypt (Transmittal No. OTC–37–93), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

2001. A letter from the Director, Office of Management and Budget, transmitting his certification that the amounts appropriated for the Board for International Broadcasting for grants to Radio Free Europe/Radio Liberty, Inc., are less than the amount necessary to maintain the budgeted level of operation because of exchange rate losses in the third quarter of fiscal year 1993, pursuant to 22 U.S.C. 2877(a)(2); to the Committee on Foreign Affairs.

20020. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation entitled "Federal Workforce Restructuring Act of 1993"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HEFNER: Committee of Conference. Conference report on H.R. 2446. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103–278). Ordered to be printed.

Mr. ROSTENKOWSKI: Committee on Ways and Means. House Joint Resolution 228. Resolution to approve the extension of nondiscriminatory treatment with respect to the products of Romania (Rept. 103–279). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. House Concurrent Resolution 113. Resolution relating to the Asia Pacific economic cooperation organization (Rept. 103–280 Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GONZALEZ (for himself and Mr. NEAL of North Carolina):

H.R. 3235. A bill to amend subchapter II of chapter 53 of title 31, United States Code, to improve enforcement of antimoney laundering laws, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BEILENSON:

H.R. 3236. A bill to amend title 23, United States Code, to authorize a State to include in highway construction contracts a guaranty or warranty clause for materials and workmanship; to the Committee on Public Works and Transportation.

By Mr. BONILLA (for himself, Mr. HALL of Texas, Mr. LIVINGSTON, Mr. MCCOLLUM, Mr. BARTON of Texas, Mr. POMBO, and Ms. DUNN):

H.R. 3237. A bill to amend the Internal Revenue Code of 1986 to increase the expense treatment under section 179 of such Code for the first 3 years a business is in existence and to allow an income tax credit for one-half of an individual's self-employment taxes; to the Committee on Ways and Means.

By Mr. BREWSTER (for himself, Mr. JEFFERSON, and Mr. CAMP):

H.R. 3238. A bill to clarify the tax treatment of certain environmental cleanup costs; to the Committee on Ways and Means.

By Ms. BYRNE:

H.R. 3239. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for certain oil cleanup costs, and for other purposes; to the Committee on Ways and Means.

By Mr. EVANS:

H.R. 3240. A bill to amend title 38, United States Code, to eliminate the terms for appointment for members of the Board of Veterans' Appeals and to ensure pay equity between those members and administrative law judges; to the Committee on Veterans' Affairs.

By Mr. MCCRERY:

H.R. 3241. A bill to assure that advertisements by States for participation in their lotteries are subject to regulation by the Federal Trade Commission; to the Committee on Energy and Commerce.

By Mr. MILLER of California (for himself, Mr. FOGLIETTA, Mr. LIPINSKI, and Mr. WYNN):

H.R. 3242. A bill to prohibit for a 5-year period the award of contracts for the procurement of milk products for schools and military bases to companies convicted of violating any of the antitrust laws in connection with a contract with the Department of Defense or with any school or other institution eligible for payments under the Child Nutrition Act of 1966 or the National School Lunch Act; jointly, to the Committees on Education and Labor and Armed Services.

By Mr. PRICE of North Carolina (for himself, Mr. HOAGLAND, Mr. LANCASTER, and Mr. VALENTINE):

H.R. 3243. A bill to suspend temporarily the duties on sumatriptan succinate (bulk and dosage forms); to the Committee on Ways and Means.

By Mr. REYNOLDS:

H.R. 3244. A bill relating to the discount factors applicable to medical malpractice companies under section 846 of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

H.R. 3245. A bill to amend the Internal Revenue Code of 1986 to increase the tax on firearms; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. SAWYER (for himself, Mr. MYERS of Indiana, and Mr. PETRI):

H.R. 3246. A bill to provide that the provisions of chapters 83 and 84 of title 5, United States Code, relating to reemployed annuitants shall not apply with respect to postal retirees who are reemployed, on a temporary basis, to serve as rural letter carriers or rural postmasters; to the Committee on Post Office and Civil Service.

By Mrs. SCHROEDER (for herself and Miss COLLINS of Michigan):

H.R. 3247. A bill to amend title 18, United States Code, to carry out certain obligations of the United States under the International Covenant on Civil and Political Rights by prohibiting the practice of female circumcision, and for other purposes; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. SCHUMER (for himself, Mr. LEACH, and Mr. STARK):

H.R. 3248. A bill to provide for fair trade in financial services; jointly, to the Committees on Banking, Finance and Urban Affairs, Energy and Commerce, and Ways and Means.

By Mr. SMITH of Iowa:

H.R. 3249. A bill to amend the Public Health Service Act to provide grants for the development of rural telemedicine, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself, Mr. HALL of Texas, and Mr. INGLIS of South Carolina):

H.R. 3250. A bill to repeal the retroactive application of the income, estate, and gift tax rates made by the budget reconciliation act and reduce administrative expenses for agencies by $3 billion for each of the fiscal years 1994, 1995, and 1996; jointly, to the Committees on Ways and Means and Government Operations.

By Mr. TORKILDSEN (for himself, Mr. MEEHAN, Mr. CANADY, Mr. COPPERSMITH, Mr. FRANK of Massachusetts, Mr. BLUTE, Mr. KLUG, Mr. ZIMMER, Mr. GOSS, Mr. LEVY, and Mrs. THURMAN):

H.R. 3251. A bill to amend title II of the Social Security Act to extend the provisions which currently suspend payment of old-age, survivors, and disability insurance benefits to individuals imprisoned upon conviction of a felony so as to apply to all individuals imprisoned throughout at least 1 month upon conviction of any criminal offense, and to amend title XVI of such act to suspend a payment of supplemental security income benefits to such individuals; to the Committee on Ways and Means.

By Mr. VENTO:

H.R. 3252. A bill to provide for the conservation, management, or study of certain rivers, parks, trails, and historic sites, and for other purposes; to the Committee on Natural Resources.

By Ms. LONG:

H.R. 3253. A bill to rename Huntington Lake, IN, the "J. Edward Roush Lake"; to the Committee on Public Works and Transportation.

By Mr. ROTH:

H.J. Res. 275. Joint resolution to require the withdrawal of American forces from Somalia; to the Committee on Foreign Affairs.

By Mr. STUDDS:

H. Con. Res. 161. Concurrent resolution providing for an adjournment of the House from Thursday, October 7, 1993, or Friday, October 8, 1993, to Tuesday, October 12, 1993, and adjournment or recess of the Senate from Thursday, October 7, 1993, to Wednesday, October 13, 1993; considered and agreed to.

By Mr. DEFAZIO (for himself, Mr. ANDREWS of Maine, Mr. LIPINSKI, Mr. LAROCCO, and Mr. SANDERS):

H. Con. Res. 162. Concurrent resolution expressing the sense of the Congress that the President should report to Congress pursuant to section 4(a)(1) of the War Powers Resolution as it applies to the use of United States Armed Forces in Somalia; to the Committee on Foreign Affairs.

By Mr. CAMP:

H. Con. Res. 163. Concurrent resolution concerning the release of the American hostages in Somalia and United States Armed Forces withdrawal; to the Committee on Foreign Affairs.

By Mr. WALKER:

H. Res. 272. Resolution amending the Rules of the House of Representatives to create the Committee on the Investigation of Corrupt Practices; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 28: Mr. BROWN of Ohio.

H.R. 50: Mr. RUSH, Mr. OLVER, and Mr. YATES.

H.R. 322: Mrs. MORELLA and Mr. LIPINSKI.

H.R. 393: Mr. HUGHES.

H.R. 429: Mr. MCCRERY.

H.R. 466: Mr. LEWIS of Georgia, Mr. HANCOCK, Mr. MCDERMOTT, and Mrs. CLAYTON.

H.R. 546: Mr. COLEMAN, Mr. EDWARDS of Texas, and Mr. GENE GREEN of Texas.

H.R. 654: Mr. BATEMAN, Mr. SHAYS, Mr. STUMP, Mr. WOLF, Mr. FILNER, Mr. YOUNG of Alaska, Mr. FORD of Michigan, Mr. ALLARD, Mr. JEFFERSON, Mr. CONYERS, Mr. REYNOLDS, Mr. MCHUGH, Mr. HOUGHTON, Mr. BACCHUS of Florida, Mr. SERRANO, Ms. KAPTUR, Mr. FALEOMAVAEGA, Mr. PETERSON of Minnesota, and Mr. MCDADE.

H.R. 760: Mr. FIELDS of Texas.

H.R. 830: Mr. GENE GREEN of Texas, Mr. GRAMS, and Mr. CUNNINGHAM.

H.R. 886: Mr. KINGSTON and Mr. GEKAS.

H.R. 944: Mr. ROYCE.

H.R. 957: Mr. ANDREWS of Maine, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. PELOSI, and Ms. NORTON.

H.R. 1048: Mr. COPPERSMITH, Mrs. JOHNSON of Connecticut, and Mr. HOAGLAND.

H.R. 1172: Mr. FARR.

H.R. 1276: Mr. MACHTLEY.

H.R. 1302: Mr. GENE GREEN of Texas.

H.R. 1322: Mr. WYNN, Mr. MYERS of Indiana, Mr. HUTCHINSON, Mr. SMITH of Iowa, Mr. CALVERT, Mr. STUDDS, Mr. HANSEN, Mr. FRANK of Massachusetts, Mr. HORN, Mr. PAYNE of New Jersey, Mr. ROBERTS, Mr. TOWNS, Mr. STEARNS, Mr. BONILLA, and Mr. LEVY.

H.R. 1362: Mr. BARLOW and Mr. WYNN.

H.R. 1399: Mr. ROYCE.

H.R. 1423: Mr. PETERSON of Florida, Mr. GINGRICH, Ms. SHEPHERD, and Ms. WATERS.

H.R. 1457: Mr. STRICKLAND and Mr. WASHINGTON.

H.R. 1470: Mr. RIDGE and Mr. SANTORUM.

H.R. 1493: Mr. GENE GREEN of Texas.

H.R. 1552: Mr. GEJDENSON and Mr. GOODLATTE.

H.R. 1627: Mr. ARCHER.

H.R. 1786: Mr. WYNN.

H.R. 1886: Mr. TORKILDSEN.

H.R. 1933: Mr. SANDERS.

H.R. 2152: Mr. ENGEL.

H.R. 2171: Mr. BARCA of Wisconsin, Mr. JOHNSTON of Florida, and Mr. SUNDQUIST.

H.R. 2173: Mr. MANTON

H.R. 2211: Mr. DOOLITTLE and Mr. LEWIS of California.

H.R. 2292: Mr. ENGEL.

H.R. 2319: Mr. DEAL, Mr. DELLUMS, Mr. MCCLOSKEY, Ms. PELOSI, and Mr. WYNN.

H.R. 2394: Mr. MORAN.

H.R. 2395: Mr. MORAN.

H.R. 2476: Mr. KOPETSKI.

H.R. 2484: Mr. WYNN.

H.R. 2547: Mr. SISISKY.

H.R. 2623: Mr. CALLAHAN, Ms. FURSE, and Mr. LAUGHLIN.

H.R. 2663: Mr. QUILLEN.

H.R. 2721: Ms. FURSE and Mr. WYNN.

H.R. 2788: Mr. ROMERO-BARCELO.

H.R. 2834: Mr. SCHIFF, Ms. FURSE, and Mr. JOHNSTON of Florida.

H.R. 2835: Mr. SCHIFF, Ms. FURSE, and Mr. JOHNSTON of Florida.

H.R. 2847: Mr. PORTER.

H.R. 2873: Mr. HASTINGS, Mr. MILLER of Florida, Mr. TAYLOR of North Carolina, Mr. HOBSON, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. LAUGHLIN.

H.R. 2896: Mr. GENE GREEN of Texas, Mr. ZELIFF, and Mr. LIPINSKI.

H.R. 2959: Mr. DOOLITTLE, Mr. GRAMS, Mr. MOORHEAD, Mr. MCHUGH, Mr. GOSS, Mr. FRANKS of New Jersey, Mr. BATEMAN, Mr. HANCOCK, and Mr. GALLO.

H.R. 2971: Mr. KOPETSKI, Mr. BISHOP, and Mr. WYNN.

H.R. 3039: Mr. COBLE.

H.R. 3041: Mr. FRANK of Massachusetts.

H.R. 3078: Ms. LONG.

H.R. 3080: Mr. PORTER.

H.R. 3087: Mr. TAUZIN, Mr. FAWELL, Mr. KING, Mr. TANNER, and Mr. GOODLATTE.

H.R. 3102: Mr. DEUTSCH, Mr. WISE, Mr. TRAFICANT, Mr. RAHALL, Mr. CALLAHAN, Mr. PETRI, Mr. THOMAS of Wyoming, Mr. DARDEN, Mr. GILLMOR, Mr. BLILEY, Mr. QUILLEN, Mr. ROBERTS, and Mr. COPPERSMITH.

H.R. 3125: Mr. GENE GREEN of Texas.

H.R. 3132: Mr. FORD of Tennessee and Mr. MILLER of California.

H.R. 3136: Mr. GORDON.

H.R. 3182: Mr. BONIOR.

H.R. 3208: Mr. BONIOR.

H.R. 3212: Mr. MACHTLEY, Mr. GOSS, Mr. PACKARD, Mr. SAM JOHNSON, Mr. KIM, Mrs. VUCANOVICH, and Mr. HASTERT.

H.R. 3213: Mr. HANSEN and Mr. PICKETT.

H.R. 3222: Mr. SABO.

H.J. Res. 1: Mr. BECERRA and Mr. STUDDS.

H.J. Res. 113: Mr. TEJEDA.

H.J. Res. 131: Mr. JOHNSON of South Dakota, Mr. GILMAN, Mr. SUNDQUIST, Mr. CALVERT, Mr. PRICE of North Carolina, Mr. GUNDERSON, Mr. MOORHEAD, Mr. FORD of Michigan, Mr. VALENTINE, and Mr. BROWDER.

H.J. Res. 178: Mr. STARK, Mr. LAZIO, Mr. SPRATT, Mr. REED, Mrs. FOWLER, Mr. CALLAHAN, Mr. HYDE, Mr. PETE GEREN of Texas, and Mr. GLICKMAN.

H.J. Res. 188: Mr. COPPERSMITH, Mr. GLICKMAN, Mr. KLECZKA, Mr. TAYLOR of North Carolina, Mr. DEUTSCH, Mr. HILLIARD, Mr. MINGE, and Ms. WATERS.

H.J. Res. 194: Mr. BURTON of Indiana.

H.J. Res. 216: Mr. SCHAEFER, Mr. PARKER, Mr. KOPETSKI, Mr. HILLIARD, Mr. TAYLOR of North Carolina, Mr. ROYCE, Mr. DUNCAN, Mr. EWING, Mr. HERGER, Mr. HOUGHTON, Mr. LANTOS, Mr. BUNNING, Mr. PRICE of North Carolina, Mr. BARTLETT of Maryland, Mr. MCCOLLUM, Mr. FIELDS of Texas, Mr. NEAL of Massachusetts, Mr. RAVENEL, Mr. SPENCE, Mr. TANNER, Mr. YOUNG of Alaska, Mr. GILMAN, Mr. HOCHBRUECKNER, Mr. RAMSTAD, Mr. NATCHER, Mr. STUMP, Mr. ZELIFF, Mr. CHAPMAN, and Mr. KILDEE.

H.J. Res. 218: Mr. BAKER of California, Mr. BUNNING, Mr. DOOLITTLE, Mr. BURTON of Indiana, Mr. CLEMENT, Mr. FIELDS of Louisiana, Mr. CLINGER, Mr. MARTINEZ, Mr. TOWNS, Mr. HALL of Texas, Mr. TORRICELLI, Mr. MCDADE, Mr. LEWIS of California, Mr. WASHINGTON, Mr. SMITH of Michigan, Mr. HAMILTON, Mr. SHAW, Mr. WYNN, Mr. REED, Mr. HALL of Ohio, Mr. MCNULTY, and Mr. LEVIN.

H.J. Res. 234: Mr. BURTON of Indiana, Mrs. LLOYD, Mr. DIXON, Mr. EVANS, Mr. FARR, Ms. SLAUGHTER, Mrs. MORELLA, and Mr. NADLER.

H. Con. Res. 3: Mr. SKEEN, Mr. THOMAS of Wyoming, and Mr. MACHTLEY.

H. Con. Res. 14: Mr. INSLEE, Mr. BLACKWELL, Mr. SMITH of New Jersey, Mr. BARCA of Wisconsin, Mr. KLINK, Mr. MILLER of Florida, Mr. BARRETT of Nebraska, Mr. REGULA, Mr. EMERSON, Mr. HERGER, Mr. DIXON, Mr. GUTIERREZ, Mr. MEEHAN, Mr. MOLLOHAN, Mr. MINGE, Mr. NUSSLE, Mr. ENGEL, Mr. KYL, Mr. DIAZ-BALART, Mr. RUSH, Mr. CLAY, Mr. BROWN of Ohio, Mr. SPRATT, Mrs. MALONEY, Mr. ROEMER, Mr. APPLEGATE, Mr. CANADY, Ms. DELAURO, Ms. LOWEY, and Mr. STRICKLAND.

H. Con. Res. 56: Mr. WYNN.

H. Con. Res. 84: Mr. MARTINEZ and Ms. NORTON.

H. Con. Res. 135: Mr. PICKETT, Mr. KINGSTON, and Mr. ACKERMAN.

H. Con. Res. 147: Mr. SHAYS.

H. Res. 38: Mr. TORRES and Mr. FILNER.

H. Res. 148: Mr. STRICKLAND.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 44: Mr. ENGLISH of Oklahoma.

H.R. 2872: Mr. PORTER.

DISCHARGE PETITIONS

Under clause 3, rule XXVII the following discharge petitions were filed:

Petition 6, October 7, 1993, by Mr. SENSENBRENNER on H.R. 1025 has been signed by the following Members: F. James Sensenbrenner, Jr., John Edward Porter, Marjorie Margolies-Mezvinsky, Henry J. Hyde, and Porter J. Goss.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. SOLOMON on H.R. 493: Bill Emerson, Craig Thomas, F. James Sensenbrenner, Jr., Dave Camp, Dick Swett, and Bob Franks.

Petition 3 by Mr. McCOLLUM on House Joint Resolution 38: Jon Kyl, Dave Camp, and Dick Swett.

Petition 4 by Mr. HOEKSTRA on House Joint Resolution 9: Craig Thomas, Stephen Horn, Mel Hancock, John J. Duncan, Jr., Tom Lewis, F. James Sensenbrenner, Jr., Peter Blute, Dave Camp, Richard H. Baker, Dan Miller, Rod Grams, Ernest J. Istook, Jr., Barbara F. Vucanovich, and Gary A. Franks.

Petition 5 by Mr. STEARNS on House Joint Resolution 156: Mel Hancock, Jack Quinn, Peter Blute, and Rod Grams.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2739

By Ms. DANNER:

—Page 12, before line 8, insert the following:

SEC. 203. PROCESSING FEES.

Section 313(f) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1354(f)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) FOREIGN REPAIR STATION CERTIFICATION AND INSPECTION FEES.—The Administrator shall establish and collect fees for certification and inspection of repair stations outside of the United States equivalent to the costs of providing the certification and inspection services.".

Redesignate subsequent sections of title II of the bill accordingly.

EXTENSION OF REMARKS

THREE OUTSTANDING WOMEN TO RECEIVE CONGRESSWOMAN MARY T. NORTON AWARD AT 58TH UNITED WAY LUNCHEON

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. MENENDEZ. Mr. Speaker, on Tuesday, October 12, 1993, the 58th annual kickoff luncheon will be hosted by the United Way of Hudson County at the Meadowlands Hilton in Secaucus, NJ. William E. Martin, president of the United Way of Hudson County for 37 years, reports that this campaign kickoff will feature presentations of the prestigious Congresswoman Mary T. Norton Award for outstanding community service, and keynote remarks by Richard A. Kraft, president and chief operating officer of Matsushita Electric Corp. of America. The company and its employees, under the leadership of Mr. Kraft, has been a model of corporate involvement in Hudson County. Company officials and employees have joined heart and hand in conducting a clothing drive for the homeless, provided microwaves to enhance food pantries to feed the hungry, and conducted an excellent all-around United Way campaign.

Since 1935 the United Way of Hudson County has met human service needs through its 33 agencies, voluntary organization presidents, professional personnel, and approximately 1,100 corporate, labor, government and civic leaders who volunteer their services. A mighty army has been available to help those in need.

This thank you luncheon will kickoff with a film salute to the National Football League, celebrating 20 years of NFL/UW TV productions, which enables the United Way message to reach an estimated 80 million viewers weekly during the football season, and provides community service opportunities and recognition for the National Football League family. NFL Commissioner Paul Tagliabue, a native of Jersey City, is providing the film presentation, showing that this is truly a partnership in caring.

Three years ago, the United Way of Hudson County created the Congresswoman Mary T. Norton Award, so named because of the Congresswoman's deep commitment to human service needs. The award recognizes women who have made outstanding contributions to the success of United Way programs both in our community and throughout the Nation. It symbolizes the spirit of the United Way—to increase the organized capacity of people to care for one another.

Former Congressman Frank J. Guarini, who served as a Member of Congress for the 14th District of New Jersey, was instrumental in the establishment of this award. Today I join with the United Way in expressing appreciation to former Congressman Guarini for his annual interest in reporting these awards in the CONGRESSIONAL RECORD. I am proud to continue this tradition. We also wish to express our appreciation for his support of the American Way Program, established in 1990, to aid newcomers from the Asian Pacific countries to learn the American way and the importance of mutual cooperation. This program, coordinated by Conrad J. Vuocolo, is the only one of its type in the Nation.

The recipients of the award for 1993 are:

Jean McFaddin, group vice president of R.H. Macy & Co., and the producer of Macy's Emmy Award-winning Thanksgiving Day Parade. As group vice president and executive director of public relations and promotions, Ms. McFaddin is responsible for developing merchandising programs and production of premiere celebrations for Macy's stores nationwide. She created "The 50th Anniversary Celebration of the Wizard of Oz," featuring giant inflatables of Dorothy and her friends on Macy's famed marquee. Jean won Emmys for the 1979, 1982, 1983, 1986, and 1987 parades. We are proud that many of the figures used in the parade are made and stored in Hoboken, NJ. She also directed New York City's July 4th Land Festival in 1977. Jean has been named a "Quintessential New Yorker" by Town & Country magazine and has received the Humanitarian Award of New York's Community of Mayors Association.

A member of the New York Board of Directors for the Cystic Fibrosis Foundation for 10 years, she received their 1990 Outstanding Service Award. Jean is also on the national board of directors of Race Against Time, a nonprofit foundation committed to creating educational films on genetic therapy and other medical advances.

Ms. McFaddin holds a master's degree from the University of Texas in theatrical production, and has received undergraduate degrees at Stephen's College, Columbia, MO, and the University of Texas, her native State.

Zulima V. Farber, appointed by Gov. James J. Florio, and sworn in on August 18, 1992, as New Jersey's Public Advocate and Public Defender, is the first Hispanic woman to serve in a New Jersey cabinet post. A native of Cuba, she became involved in law and public service when she learned that her 13-year-old brother had been arrested for carrying anti-Castro literature in Santiago, Cuba. Fearing further retribution against the family, her parents sent her to live with relatives in West New York, NJ. A graduate of Memorial High School, she worked as a secretary to a Union City attorney, and with the help of a small scholarship enrolled in Montclair State College. She worked for 2 years as an instructor in Spanish while studying for a doctorate in Spanish literature at the City University of New York. Encouraged by her husband, Eugene Farber, a law student, she enrolled in Rutgers School of Law.

She served as a legal specialist with the Newark Department of Health and Welfare in 1974; as assistant counsel to the Governor in 1978; a member for 10 years of the Jersey City Medical Center Board of Directors; chairperson of the New Jersey Advisory Committee to the U.S. Commission on Civil Rights; on the Hudson County Improvement Authority; and in other capacities.

Ms. Farber is a member of the American Bar Association and several State professional organizations. Described as a "woman on the move and one willing to take personal risks for just causes," Ms. Farber resides in North Bergen, NJ.

Denis Arthur has a long history of community service. As a member of the board of directors of the Hudson County Chamber of Commerce and Industry, she spearheaded the school mentor program, which has over 130 mentors from the business community working with 6th and 7th graders in the Jersey City Public Schools. She also helps to keep Girl Scouting in the forefront with the business community through the Annual Business Luncheon.

A graduate of Trenton State College, she has taught school in Livingston and Newark and worked as an executive with the National Personnel Service, in corporate planning and as director. Ms. Arthur founded Ready Personnel Services and Ready Temps, helping shape the future of young people in the marketplace. She has been involved in the Hudson County business community for over 20 years, and is a member of the National Association of Personnel Consultants, the board of directors of the New Jersey Association of Personnel Consultants, and of the Jersey City Rotary Club. She operates her personnel service organization at the Jersey City waterfront and resides in Berkeley Heights with her daughter, Tracey.

Congresswoman Mary T. Norton, in 1925, was one of the first women elected to the U.S. House of Representatives. She was elected to represent Jersey City and Bayonne, 12th district, as the first woman from the Democratic party and the first woman from an eastern State elected to the House in her own right. More than 40 years ago, Congresswoman Norton was a champion of child care, women's rights, labor safety standards, and education. She was also instrumental in the inclusion of women in high levels of government service. She served 13 terms, retiring in 1950.

Also at this luncheon, the second annual Louis T. Scialli Memorial Award will be presented to Thomas Favia, president of the Jersey City Education Association. Mr. Favia was selected unanimously by the board of directors of the United Way of Hudson County to receive this award.

The United Way of Hudson County initiated the Louis T. Scialli Memorial Award as a tribute to the accomplishments of the membership of the Jersey City Education Association. Mr. Scialli served as president of the JCEA

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

from 1969 until his passing in 1990. He developed strong programs, making the Hudson County Human Services Network perhaps one of the most effective in the entire Nation. JCEA members have served magnificently under the late Lou Scialli. It is for this reason that the United Way of Hudson County announced the initiation of the Louis Scialli Memorial Award.

Last year Joseph McLaughlin, president of the International Brotherhood of Electrical Workers, Local 827, working with the New Jersey Bell Telephone Co., received the first award.

Thomas Favia, who worked many years shoulder to shoulder with the late Mr. Scialli, is president of the JCEA and is involved in skillful negotiations and representation for Jersey City's teachers, and also maintains other employees who have recently become affiliated with the Jersey City union.

I am pleased to report that the per capita giving by the Jersey City teachers, with the assistance of the JCEA, is the largest in the entire State of New Jersey.

Despite problems the United Way is encountering at the national level, with the assistance of individual donors and corporations the United Way hopes to meet the Hudson County quota for this year. Board chairman Burton Trebour, vice president of APA Transport Co.; Robert Smith, chairman of the finance committee; past presidents David Leff; Frank Nilan and LeRoy Lenahan will lead the dedicated staff and volunteers in reaching the goal.

Cuts forecast in human services mean local communities will receive less Federal and State assistance. It is therefore important that the entire community, its corporate leaders and elected officials, work with the thousands of donors to help deliver the financial assistance necessary to continue services in our area.

When we realize that the United Way agencies respond to more than 165,000 service requests each year, we come to understand the importance of their work. The approximately $2 million distributed each year by the United Way of Hudson County transforms into $34 million of additional funds through foundations and other areas. We know of the great work being done through the North Hudson Community Action Corp. and 30 other service agencies, serving elders, children, and entire families.

Since last year's redistricting, Hudson County has three Members in the House of Representatives. Both Congressmen DONALD PAYNE and ROBERT TORRICELLI join with me in this message. We invite all of our colleagues in the House of Representatives to extend their congratulations and best wishes to the United Way of Hudson County and all present at this kickoff luncheon.

GOLDEN ANNIVERSARY TRIBUTE TO LEIGH AND FRANCES JOY

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, I rise to pay tribute to Thomas Leigh and Frances Joy, a very special couple who are celebrating their 50th wedding anniversary.

Leigh and Frances Joy are both natives of Washington, DC. The youngest of the three children of Frank and Helen Joy, Leigh attended Roosevelt High School, where he was a star baseball pitcher. Frances, the daughter of Charles and Louise Huntington, attended Holy Cross High School. Soon after graduating from their respective high schools Leigh and Frances married, on October 12, 1943.

Shortly after the Joy's wedding, Leigh joined the Navy and shipped off for active duty in World War II. After transferring to the Marine Corps as pharmacist's mate, Leigh was awarded the Silver Star and Purple Heart for valor in the battle of Pelilu in the South Pacific.

At the age of 30, Leigh became president of the B. Frank Joy Co., a business his father started in 1917 that is still successfully operating in the Washington area today. While running this company, Leigh coached baseball and softball teams for which his son and daughters played.

Frances was very active in raising the Joy's three children—Ken born in 1946, Gail born in 1949, and Mary Susan born in 1960—transporting them to their many athletic and social events. Frances was also very active in their community church.

Leigh and Frances are now retired and spending much of their time on the golf course. They still look after their three children, as well as their nine grandchildren.

Mr. Speaker, I ask that the Congress pay tribute to Leigh and Frances Joy, a proud American family enjoying each other and the entire Joy family on their golden anniversary. My wife Carol Ann and I are happy to be part of their extended family and proud to call them our friends. We wish them a happy and healthy future.

AMERICA CAN PUT AMERICANS BACK TO WORK

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. CRANE. Mr. Speaker, free-spending proponents of big Government believe that the only way to solve our social ills is through the creation of Government programs. Liberal idealists reject the idea that private organizations might better serve the needy. I have always believed these conclusions to be false. It is not in spite of, but because of private industry's self-interest that it is able to operate more efficiently than publicly funded programs.

The following article by Sol Stern, published in the September 7, 1993 edition of the Wall Street Journal, chronicles the success enjoyed by one private firm which is serving not only its own needs, but also the needs of the unemployed. This company, called America Works, is turning a profit and serving the public good, training and placing the unemployed in stable jobs. In the process, they build tax rolls, decrease the burden of social services, and even manage to turn a profit.

As Congress and the administration debate the reinvention of Government, we might all keep the example of America Works in mind. I believe that Government needs to be redefined, not reinvented. As all those who read this article will quickly see, private industry has a much more compelling desire to see individuals succeed. That desire may not be entirely altruistic, but it is all the more successful because of the self-interest which motivates it.

Too often, Government does not have an interest in the needs of its citizens. Private industry has just such an interest. Too often, Government jobs programs do not lead to more employment. Private industry does.

I recommend this article to all my colleagues and to all those who wish to reinvent, redefine, or otherwise reform Government.

[From the Wall Street Journal, Sept. 7, 1993]

BACK TO WORK

(By Sol Stern)

With the Labor Day holiday over, and summer unofficially at a close, most Americans return to their jobs today. But what of long-term welfare recipients? How exactly, can government prod these people, almost all of whom are women with children, back into the labor market?

Back in the 1992 campaign, Bill Clinton promised to "end the welfare system as we know it." And now his administration must wrestle with the high expectations created by that pledge. The president's welfare-reform planners might find a few hints to solving the riddle at a small, private-sector employment agency called America Works, located in lower Manhattan.

For the past five years, America Works has placed thousands of welfare clients in New York and Connecticut, with an average of between five and six years on the rolls, in private-sector jobs with an average starting salary of $15,000 plus benefits. Employers have been overwhelmingly satisfied. America Works has a long list of companies that keep coming back, asking for more referrals from the welfare rolls.

America Works has staked its survival as a profitable business on the proposition that welfare clients, properly motivated and helped with a limited amount of technical assistance, can be successful at getting and holding jobs.

Consider the case of 35-year-old Lenore Green. Other than having two short-term jobs, she has been on public assistance all her adult life. Ms. Green had a disappointing experience with New York City's Human Resources Administration. "They basically give you the Yellow Pages and tell you to start calling to find a job," she says.

WORTH THE TRIP

When Ms. Green heard about America Works, she asked her caseworker to refer her to the firm, even though its offices are in lower Manhattan and she lives in the Bronx. When she made the trip, she found a businesslike facility, in contrast with the grim welfare offices she was used to visiting. A polite receptionist directed clients and visitors to the business lab, the preemployment classroom, a small meeting room and staff offices. America Works was humming with activity, and no one was waiting in line.

Ms. Green signed up, and after a week of pre-employment screening and "job readiness" training, she landed a two week data-entry job. Immediately thereafter she was sent on two interviews, each of which led to a job offer. She currently works in the claims department of Amalgamated Life Insurance Co.

America Works functions as a kind of "old girls' network." (Most of its clients are women.) Staff members build relationships with employers and provide the connections to the job market that women on welfare usually lack. "After screening to make sure there's a fit with what the employer is looking for, they go out and represent you to the employer," Ms. Green says. "They help you get that interview."

America Works makes its money by contracting with state welfare agencies to place clients in jobs. The contract is performance-based: The company is paid (about $4,000 a client in Connecticut and $5,300 in New York) only after the client has completed a four-month probationary period with an employer. The state comes out ahead as well. For its fee of $5,300, America Works estimates that it saves taxpayers $22,000 a year, the cost of keeping a mother and two children on the welfare rolls in New York.

America Works is the brainchild of a husband-and-wife team, Peter Cove and Lee Bowes. Mr. Cove is a community activist, a veteran of the 1960s War on Poverty and various nonprofit employment training projects; Ms. Bowes is a sociologist. They launched America Works in the mid-1980's with $1 million in start-up capital and the belief, based on their own experiences in the job-training field, that the primary obstacles preventing welfare clients from finding and retaining jobs are a lack of connections and gaps in interpersonal skills. Extended education and training programs are unnecessary, time-consuming diversions, Mr. Cove and Ms. Bowes argue. Further, they contend, clients with shaky self-confidence are best served by an early success in getting a job, not by long periods of preparation.

America Works' week-long training sessions are narrowly focused on the skills needed to land an entry-level job. A counselor works with clients on such basics as maintaining a businesslike personal appearance, speaking properly, preparing a resume, showing up on time and arranging child care. Attendance is strictly enforced: If a client is late to class, even by five minutes, she is dropped from the program, though she may enroll again at a later date. After completing the class, clients spend half their day in the company's business lab, working on typing, word processing, and other office skills while they wait for job interviews. During the remainder of their day, they can seek employment on their own.

Paula Phillips, an energetic former schoolteacher who leads the training sessions, stresses that clients' success depends on their own motivation and effort. "There are no guarantees," she tells her class of 46 women. "If you want something to happen, you've got to make it happen."

Nevertheless, she continues, "if we don't find people a job, we can't stay in business. We want to find jobs for as many people as possible."

The company's entrepreneurial ethos is catching. We spoke with numerous women and men in America Works classes who defied the stereotypes of long-term welfare clients steeped in a permanent culture of dependency. After waiting several months to be admitted to the program, they understood that they had to compete for jobs, were working very hard at improving their skills in the business lab, and were confident that they would succeed.

Employers are impressed with the workers' enthusiasm. "Their candidates really want to work," says the personnel director of a catalog company who, since 1989, has relied exclusively on America Works for filling entry-level positions. "They have people who have been out of work and so they're willing to stay with a job for quite some time," says the manager of a law office. "They're willing to stay longer than other people who haven't been on public assistance. We're willing to take a chance on them; we get a dedicated and loyal employee. It's a win-win situation."

During the four-month probationary period, the employer pays an agreed-upon wage to America Works, which pays the employee minimum wage. (Employee's welfare grants are gradually reduced during their transition to permanent work.) The trial period allows the employer to evaluate the new employee's work habits and adaptability to the company culture.

CONFOUNDING PESSIMISM

At the same time, America Works offers the employee services to ease the transition from dependency to the job market. America Works job counselors visit the worker on the job every week and meet with the employee's supervisor every other week to "troubleshoot." If there are problems with punctuality or attendance, or if the client needs help with child care or housing, the counselor will intervene.

After the probationary period, the employee is paid a standard wage. The support America Works provides during the transition period is clearly effective; an estimated 85% to 90% of its clients are still in their jobs at the end of the first year.

America Works confounds the shared pessimism of both liberals and conservatives about the possibility of getting welfare recipients into jobs quickly. It points beyond the familiar "won't work" vs. "can't work" argument, toward pragmatic, intermediate solutions. There are thousands of welfare recipients who deserve a better chance than the one the welfare bureaucracy now affords.

HOPE FOR CONTINUING GOOD RELATIONS BETWEEN THE UNITED STATES AND GREECE

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mrs. BENTLEY. Mr. Speaker, as a Member of Congress and a friend of Greece, I have followed with keen interest developments in that country and the current electoral campaign for the election of a new parliament and cabinet.

Certainly, neither I, nor any Member of Congress that I am aware of, wishes to interject himself/herself in another country's internal affairs. But all of us hope that the excellent relations between Athens and Washington, fostered by Prime Minister Constantine Mitsotakis, will continue after the October 10 elections.

I have been impressed with the economic stabilization and growth that has been achieved in the past 3½ years and the ambitious program of infrastructure building now in progress in Greece. Moreover, I also applaud the statesmanship displayed by Prime Minister Mitsotakis in his sincere efforts to bring about peace in the Balkans.

Ultimately, the decision as to who shall govern Greece after October 10 belongs to the Greek people, as it should be in the oldest democracy in the world. But as a Member of Congress with a large ethnic Greek constituency, I certainly hope that the excellent state of United States-Greek relations will continue, irrespective of the outcome of the October 10 contest.

TRIBUTE TO MINORITY LEADER ROBERT MICHEL

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. EVERETT. Mr. Speaker, I rise today to pay tribute to a great statesman and outstanding American, our leader Congressman ROBERT MICHEL. On October 4, BOB announced his retirement from the U.S. House of Representatives.

BOB MICHEL exemplifies all that is America. He is the son of a French immigrant and was wounded while defending freedom in World War II. His bravery earned him two Bronze Stars, a Purple Heart, and four battle stars.

In 1957, BOB MICHEL carried his pride and patriotism to the U.S. House of Representatives where he has labored continuously for the people of Illinois' 18th Congressional District.

Since 1981, BOB's colleagues have voted him Republican leader seven consecutive times. He was elected to his first leadership position as chairman of the Republican Congressional Campaign Committee in 1972, chosen as Republican whip in 1974, and became leader in 1980. He also served as permanent chairman of the 1984, 1988, and 1992 Republican national conventions.

In addition to his distinguished leadership record, BOB MICHEL has been personally honored by everyone from President Ronald Reagan to the Reserve Officer Association to the U.S. Chamber of Commerce for his exemplary civic service.

Today, I would like to offer my heartfelt congratulations to BOB and his family on a job well done. I wish him a happy and leisurely retirement and the knowledge that this House is better for his 38 years service.

ANTHONY MANSOUR

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. KILDEE. Mr. Speaker, I rise today to honor an outstanding member of the community, Anthony J. Mansour. Mr. Mansour is being presented with the Golden Door Award by the International Institute of Flint, MI on Tuesday, October 12.

The International Institute annually presents the Golden Door Award to individuals who have through their civic and voluntary involvement made a positive impact on the Flint community and the International Institute. The award recipients are persons who have adopted the United States as their home. They come from divergent parts of the world but are united in their commitment to serving the community. They exemplify the best our foreign born citizens have given to the United States.

Anthony "Tony" Mansour continues that tradition of service. I have counted Tony among my closest friends for many years. He has been a powerful advocate for the rights of the Palestinian people. He is a respected leader in the Arab American community of Genesee County. He is a founding member of the American Arab Heritage Council, an active member of the American Arab Anti-Discrimination Committee, the Arab American Leadership Council, the Arab American Institute, the Arab American Bar Association, the Arab Community Center for Economic and Social Services, the Palestine Aid Society, and the American Near East Refugee Aid Initiative.

In addition to this he was elected to the Circuit Court for the Seventh Judicial Circuit and served from 1966 through 1973. At that time he returned to a thriving law practice. He has made significant contributions to the education field. He has promoted legal education in this community and been a lecturer and instructor with Mott Adult High School, and Baker College. Through his participation with the Curriculum Advisory Committee at Mott Community College he has established legal education programs for legal secretaries and paralegal assistants. He is a fellow of the American Bar Association, a prestigious group of the top 2 percent of attorneys throughout the country. He is a member of the Genesee County Bar Association and the State Bar of Michigan. Tony has held numerous posts with each organization including the judicial qualifications screening committee.

Tony came to this country from Nazareth, Palestine when he was 18-months-old. He and his wife, Muriel, have six children and several grandchildren. I commend the International Institute for recognizing the achievements of this great man and ask the House of Representatives to join me in congratulating Anthony Mansour as he is presented with this well-deserved award.

H.R. 2445, THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT FOR FISCAL YEAR 1994, TO TERMINATE THE SUPERCONDUCTING SUPER COLLIDER

HON. PETER HOAGLAND

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. HOAGLAND. Mr. Speaker, earlier this summer, the House voted to cut spending by terminating several programs whose costs far outweigh any merits the programs may have. The programs we voted to cut include the superconducting super collider, the advanced solid rocket motor, the advanced liquid metal reactor, and the SP-100 space reactor. Now each of these projects are coming before the House again, because the Senate and the Appropriations conferees were not willing to make the tough choices on these programs. I urge my colleagues here in the House who are serious about cutting spending to stick to your guns and insist on these cuts.

Last year, we voted to cut the superconducting super collider and the advanced solid rocket motor, but these programs are still eating up taxpayer dollars. The American people are sick and tired of seeing their money go to these multibillion dollar programs as we slide deeper and deeper into debt—and I'm sick of it as well.

I am pleased that the House rejected the rule to consider the conference report that would have continued to fund the Advanced Solid Rocket Motor Program. That is the kind of resolve we need to show on upcoming votes on each of the programs I mentioned.

The time has come to pull the plug on the superconducting super collider. We must be prepared to reject any conference report that continues to fund it. I was disappointed that not a single House conferee was appointed that agreed with the majority of the House on this issue. We must also insist that the other programs the House voted to eliminate, such as the advanced liquid metal reactor and the SP-100 space reactor, are eliminated once and for all in the conference report.

The American people are clearly ready to make the tough choices and cut Government spending. The House took the first step by voting to cut these programs when these bills were first considered. Now, as these bills come back to us for final consideration, we must finish the job the American people sent us here to do.

IN CELEBRATION OF THE 25TH ANNIVERSARY OF ASPIRA, INC. OF NEW JERSEY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. MENENDEZ. Mr. Speaker, I rise today in celebration of the 25th anniversary of ASPIRA, Inc. of New Jersey, a nonprofit organization providing counseling and leadership development programs to Hispanic and other minority youth. This Friday, October 8, 1993, ASPIRA celebrates this milestone with an anniversary gala in East Brunswick, NJ. David Diaz of WCBS news will act as master of ceremonies, and the celebrants will be addressed by keynote speaker Antonia Pantoja, founder of the ASPIRA movement in this country.

I have long recognized the vital importance of the services which ASPIRA provides, and I have taken the floor of the house in the past to recognize its work. Today I rise once again to reconfirm my belief in ASPIRA's mission, and to thank the dedicated group of professional educators and counselors who make the movement possible.

ASPIRA was founded by a group of Hispanic leaders and educators recognizing the need to ameliorate the alarming dropout rate among Puerto Rican youth in New Jersey. Its mission became the strengthening of the Hispanic community's economic base by promoting education among its youth—thus crating the community's future leaders.

ASPIRA's mission of "Leadership through Education" reinforces a value for education; community awareness and participation; a positive self-identity; the development of leadership skills; and parental awareness of educational programs and policies that affect their children.

ASPIRA's mission is symbolized by the pitirre, a small, fragile tropical bird found on the island of Puerto Rico. It is known for its agility and rapid flight and for its ability to outsmart, tire, and defeat much larger birds. The pitirre represents ASPIRA and is symbolic of the youth who aspire to acquire knowledge and develop into the leaders of the future. The ASPIRANTE, like the pitirre, will overcome the seemingly overwhelming odds against them throughout life. It is through their struggle that they will gain the skills necessary to return and struggle for the betterment of their communities. I know my colleagues in the House join me in saluting ASPIRA.

CONGRATULATIONS TO COMPETITION WINNERS FROM SHOREHAM, LONG ISLAND

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, I am pleased to acknowledge the achievements of four outstanding young constituents from the First Congressional District of New York: Sean Burrows, Keith Chan, Robert Nelson, and Rebecca Siddons, all from the Shoreham-Wading River High School. These Long Island students were recently recognized as 4 of the 12 New York State winners of the Foundation for a creative America's Young Inventors' and Creators' competition. Two of the four students, Sean Burrows and Rebecca Siddons, are also national winners and will be in Washington, DC, on October 30, 1993, for an awards ceremony.

The young inventors' and creators' competition is designed to educate students about our Nation's patent and copyright systems while challenging them to create unique and original projects. Included among the Shoreham students' winning creations is a smoke detector for the hearing impaired and a wet floor sign with an alarm that is activated when someone walks onto the slippery area.

This year's competition marks the 100th anniversary of American film. Like many American businesses, the motion picture industry originated with the help of innovative and original thinkers such as Thomas Alva Edison and Mary Pickford. With continued hard work and a little luck, perhaps this year's contestants will enjoy similar success with their inventions and creations.

Mr. Speaker, it gives me great pleasure to congratulate these four young men and women from Long Island, NY, for their exceptional performances. I would also like to commend their instructors, John Holzapfel, Mary Loesing, Florence Mondry, and Karen Peterson, for their efforts in leading these students to success. The Shoreham-Wading River community is very proud of their outstanding work.

FIFTH ANNIVERSARY OF THE COMMISSIONING OF THE *PRIDE OF BALTIMORE II* TO BE CELEBRATED ON OCTOBER 22, 1993

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mrs. BENTLEY. Mr. Speaker, I rise today to recognize the 5th anniversary of the *Pride of Baltimore II* which will be celebrated on October 22, 1993.

That day, I will have the pleasure of attending a celebration honoring the *Pride of Baltimore II*. The *Pride of Baltimore II*, a topsail schooner built along the lines of a 19th century Baltimore clipper, symbolizes the rebirth and the character of the city of Baltimore.

Through the able leadership of Captains Jan Miles and Robert C. Glover and the 11 other crewman who maintain the complex rig and abundant brightwork, the *Pride II* has embarked on voyages to ports in many foreign cities, including Rio de Janeiro, Buenos Aires, La Guaira and Panama. Wherever the *Pride II* may travel, it carries with her the enterprising spirit of all the citizens of Baltimore and its predecessor, the *Pride of Baltimore*, which was lost at sea in May, 1986, after sailing more than 150,000 miles in 9 years.

For the last 5 years, it has served as a world class ambassador of economic development and goodwill for the State of Maryland and the Port of Baltimore. In the course of its mission, the *Pride* has promoted stronger commercial and cultural links between Maryland and her international trading partners.

With her unlimited international sailing capacity, the *Pride* has evolved into a valuable educational resource. The Student with Pride program links Maryland students with their counterparts from all over the globe. Together, the students study a curriculum of geography, math, science, and history based on the *Pride's* voyages. The crew stays in touch with the students via the latest in satellite and facsimile technology.

Mr. Speaker, it is with great pleasure that I commemorate the 5th anniversary of the commissioning of the *Pride of Baltimore II*.

MISGUIDED POLICY IN SOMALIA

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. EVERETT. Mr. Speaker, the Clinton administration's policy regarding Somalia has become a complete failure in my mind. The United States forces operating in Somalia are now in the untenable situation of trying to carry out a botched and unguided mission that encompasses humanitarian, peacekeeping, peacemaking, and nation-building efforts. The command and control arrangement that was originally set up when the United States first handed over the humanitarian mission to the United Nations has since become confused and ineffective—this must be addressed immediately before any more American lives are needlessly lost. Operation Restore Hope has turned into Operation Quagmire.

The policy initiated by the Bush administration to provide humanitarian assistance to the starving people of Somalia has been successfully fulfilled. Since the Clinton administration has taken over, the nature of the policy shifted to economics and nation-building that is being loosely coordinated with the United Nations. In a recent speech to the Center for Strategic and International Studies, Secretary of Defense Les Aspin went so far as to say "our overall criteria for success should include progress in economic, political, and security elements of the Somali problem." This speech is a perfect illustration of why the administration's foreign policy has gone bad. In this time of severe reductions to our national defense budget, we have no business launching a political and economic exercise half way around the world; especially when the people we are trying to help are shooting at us.

On May 25, the House voted to approve H.J. Res. 45, a joint resolution authorizing the use of United States Armed Forces in Somalia for up to an additional 12 months; it was adopted on a vote of 243 to 179. I voted against this measure because we had since achieved our objective of making the food supply accessible to all Somalians.

When we launched Operation Restore Hope last December, we really didn't have any vital interests in Somalia; our involvement was primarily humanitarian in nature. We continue to not have interests in Somalia that would warrant the further use of the United States military. The United Nations peacekeeping force must assume the broader role of peace "maker" until General Aideed's forces are neutralized.

Yesterday, my Republican colleagues and I sent a letter to President Clinton requesting that he bring the United States military operation in Somalia to a close, and shift the responsibility of this mission back to the United Nations. Moreover, we stressed the fact that we have successfully completed the humanitarian mission of food distribution in Somalia; the mission has now changed to nation-building, which is the role of the United Nations. I hope the President takes heed in this letter and listens to the American people; it's time to bring our troops home from Somalia.

HEALTH PROFESSIONS EDUCATION AVAILABILITY ACT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. TRAFICANT. Mr. Speaker, it's a well-known fact that shifting the emphasis in the physician work force from specialists to generalists will improve access to health care and cut costs. In fact, the Council on Graduate Medical Education [COGME] under the Department of Health and Human Services has issued an extensive report supporting this fact called, "Improving Access to Health Care Through Physician Workforce Reform: Directions for the 21st Century." America is in need of more primary care physicians. As a result, I have introduced H.R. 3220, the Health Professions Education Availability Act of 1993, to emphasize training in primary care education and to encourage students to enter a field in primary care.

At this time, I would like to summarize COGME's findings on this issue. First, the growing shortage of practicing generalists—i.e., family physicians, general internists, and general pediatricians—will be greatly aggravated by the growing percentage of medical school graduates who plan to subspecialize. The expansion of managed care and provision of universal care will only further increase the demand for generalist physicians. Second, increasing subspecialization in U.S. health care escalates health care costs, results in fragmentation of services, and increases the discrepancy between numbers of rural and urban physicians. Third, a rational health care system must be based upon an infrastructure consisting of a majority of generalist physicians trained to provide quality primary care and an appropriate mix of other specialists to meet health care needs. Today, other specialists and subspecialists provide a significant amount of primary care. However, physicians who are trained, practice, and receive continuing education in the generalist disciplines provide more cost-effective care than nonprimary care specialists and subspecialists.

In its first report 1988, COGME recommended increased numbers of physicians in family practice and general internal medicine to assist in meeting problems of access to primary care services. However, interest by medical school graduates is rapidly increasing in procedurally oriented subspecialties, and similarly, interest in primary care is declining dramatically among U.S. medical students. Should these current trends continue we can conclude that primary care services will increasingly be provided by subspecialists who have had little or no education for primary care. Moreover, primary care provided by subspecialists can be expected to cost more. And finally while an overall increase in the total physician-to-population ratio would further hinder efforts to reduce costs, an oversupply of subspecialists would be more costly than would an oversupply of generalists.

The truth is, the medical education system must respond today, to the Nation's health care and physician work force needs in the 21st century. These include the need for more minority and generalist physicians, more primary care research, and increased access to primary care, particularly in underserved rural and urban communities. Changes in the institutional mission, goals, admissions policies, and curriculum are necessary to respond to these needs. My bill, H.R. 3220, does not increase the overall medical student population, rather, it directs health professions schools to respond to the need for more minority and generalist physicians by shifting the current trends in the physician work force.

Specifically, under H.R. 3220, the Secretary of Education may make an award of a grant or contract to a health professions school only if the school agrees to emphasize training in primary health care and encourage the students of the school to enter a field of primary health care as a career choice.

Furthermore, foreign students are often accepted over American and legal alien students. As a result, America is exporting one of our greatest national resources—education—and taking away opportunities from qualified minority students. Under H.R. 3220, the Secretary of Education may make an award of a grant or contract to a health professions school only if the school agrees that, in considering applications for admission to the programs of health professions education operated by the school, the school will admit an individual who is not a citizen or permanent resident alien of the United States only if no qualified applicant who is such a citizen or alien is seeking admission.

The final vote on health care reform legislation will usher a new era of health care for all Americans. It's time to prepare our physician work force for the 21st century, improve access, and cut costs. I urge Members to cosponsor H.R. 3220, the Health Professions Education Availability Act of 1993.

TRIBUTE TO THE MORRISANIA DIAGNOSTIC AND TREATMENT CENTER ON ITS 20TH ANNIVERSARY

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to the Morrisania Diagnostic and Treatment Center, which on October 15 will celebrate its 20th year of service to the Morrisania, Highbridge, and Concourse communities of the South Bronx. I would also like to take this opportunity to recognize Dr. James Dumpson, chairman of the board of directors of the New York City Health & Hospitals Corp., and Dr. Antonia Novello, our former Surgeon General both of whom will be honored on October 15 for their contributions to the health of our communities.

In 1971 New York City Mayor John V. Lindsay broke ground on a new facility designed to provide comprehensive primary health care to approximately 55,000 area families. A pioneer of the team concept of health care management, this newest member of the New York City Health & Hospitals Corp. system organized its staff into cohesive units consisting of adult and pediatric physicians; registered head and staff nurses; community health nurses, nurses' aides, and ambulatory care technicians; social workers and caseworkers; and module clerks. Over the past 20 years these units have worked as teams to bring continuity of care to each registered household's entire family.

The Morrisania Diagnostic and Treatment Center also delivers primary pediatric care at four elementary schools, performs health care screenings at the 151st Street Shelter/Emergency Assistance Unit, operates the Highbridge Family Practice Clinic in the Bronx, and provides a full range of mental health services, including child psychiatry, support family therapy groups, a Center for Learning Disabilities, and a psychiatric Day Hospital, which serves as a much-needed alternative to institutionalization.

Mr. Speaker, in his address last month to a joint session of Congress, President Clinton emphasized that the prompt provision of preventive medical services is essential to the health security of our Nation. For 20 years the Morrisania Diagnostic and Treatment Center has made the maintenance of good health the watchword of its practice. Under the able leadership of Executive Director Angel M. Laporte, Jr., who has implemented the Communicare/Managed Care programs and is committed to the philosophies of total quality management and continuous quality improvement, the Morrisania Diagnostic and Treatment Center is certain to be even more successful in securing the health of the Morrisania, Highbridge, and Concourse communities.

I hope my colleagues will join me in honoring the physicians, nurses, caseworkers, administrators, clerical workers, and all of the other caregivers and support staff of the Morrisania Diagnostic and Treatment Center for their outstanding efforts at this important milestone.

A TRIBUTE TO HON. ROBERT MICHEL

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. GILMAN. Mr. Speaker, I had planned to participate in the tribute to the gentleman from Illinois [Mr. MICHEL] which many of our colleagues had arranged at the opening of today's session. However, the lengthy conference at the White House on the Somalia crisis prevented my returning to the House Chamber in a timely fashion. Accordingly, I wish to express my sentiments now, and assure my colleagues that they are just as sincere and heartfelt as those delivered earlier today.

Mr. Speaker, the announcement earlier this week stunned and saddened many of us. BOB MICHEL's decision not to seek reelection to Congress is not simply the well earned retirement of a hard-working and dedicated colleague, it is the departure of a dear and valued friend.

BOB MICHEL was first elected by the people of Illinois to Congress in 1956. today, he is the only Republican Member of this Chamber who remembers service under President Eisenhower. He is one of only three Republican Members who had the experience of service under President Kennedy.

Throughout all these years of congressional service, BOB MICHEL deservingly earned a reputation for integrity, for expertise, and for having an open mind as well as a warm heart. The logical choice for Republican leader in 1981, his over one dozen years in that position were golden years for BOB MICHEL and his party. An articulate spokesperson, a skilled leader, a respected adviser, he was extremely effective in advancing the programs of Presidents Reagan and Bush. It is well known that his door has been open for both sides of the aisle at all times.

BOB MICHEL will long be remembered as a friend of Congress: as a man who defended this institution at a time when its detractors had the rapt attention of the sensationalist media. BOB never hesitated to point out our achievements, and the fact that for over 200 years we have functioned as the greatest and most effective legislative body the world has ever seen.

This Chamber—indeed, American politics—will be a sadder place without BOB MICHEL's presence. He will be sorely missed by all of us, on both sides of the aisle, and by his constituents from the Peoria area of Illinois who had come to trust in his leadership throughout the past 37 years.

A TRIBUTE TO THE LAKE HURON AREA COUNCIL, BOY SCOUTS OF AMERICA

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. BARCIA of Michigan. Mr. Speaker, I rise today to pay tribute to the Lake Huron Area Council, Boy Scouts of America on the occasion of their annual fall jamboree. I have been invited to attend this event at Camp Rotary in Clare, MI. Through this statement, I wish to express my sentiment about this wonderful jamboree.

Mr. Speaker, as we all well know, the Boy Scouts of America provides an opportunity for the young men of our Nation to participate in an organization which fosters important values, and passes on essential elements of our Nation's heritage. These values provide a foundation upon which our young men can build strong character, and virtue, to last a lifetime. The Boy Scouts have been involved in the development of our young men for close to a century now. By providing instruction in outdoorsman skills, intellectual pursuits, citizenship, and many, many other activities the Boy Scouts help to develop an individual's mind, body and spirit.

Not only does this organization promote respect for our land, its conservation and wise use, it also equips our young men with a desire to become leaders, in their communities, and even on the national level. Many of my colleagues here in Congress have been Boy Scouts, and in the future I am certain that additional scouts will come to this House and make their mark as distinguished public servants.

I would also like to congratulate the fine individuals involved in organizing, and truly giving life, to the many troops throughout my district. Much of the time expended in these activities is only compensated by the satisfaction gained through the knowledge that they have contributed something to the development of our greatest resource, our youth.

Thomas Jefferson once wrote, "I know no safe depository of the ultimate power of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion." I submit that this is exactly what the Boy Scouts of America does.

Through its merit badges, especially Citizenship in the Community and Citizenship in the

Nation, the Boy Scouts inform our young men about the ideals, structures, and practical aspects of the political system of which they are a part. Through community activities and the concepts that underlay the Scout Oath, such as selfless service and assistance to their fellow man, the Boy Scouts build a resolve in our young men to take their place as concerned citizens and participants in a great democracy.

Mr. Speaker, I have devoted a great portion of my life to public service, with the hope that I could make some contribution. I am certain that there are scouts at this fall's jamboree with similar hopes and aspirations. I invite them to take the chance, so that they may contribute a passage to our history.

TRIBUTE TO THE MEN OF THE U.S.S. "RIXEY"

HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. KLEIN. Mr. Speaker, I rise today to pay tribute to the valiant troops of the U.S.S. *Rixey.* The brave fighting men and medical staff are a tribute to the spirit of this Nation.

During the 27 months of its maiden voyage throughout the Pacific, the *Rixey* served as both a combat ship, painted in the gray color of an armed vessel, and a medical facility, carrying over 70 medicial personnel. In this 2-year period the *Rixey* covered the equivalent of approximately six trips around the globe, averaging a continuous speed of 7 knots.

Under the command of such men as Capt. A.H. Pierson (MC) USNR, of Portland, OR, and Comdr. A.F. DePalma (MC) USNR, of Newark, NJ, the *Rixey* participated in four invasions. In this capacity she carried 46,318 troops and 16,324 patients. The remarkable aspect of this service is that she never reported a mechanical failure, under the watchful eye of Lt. G.S. Gunderson, ENS, USNR, the ship's engineering officer.

Mr. Speaker, I would like to commend the heroic efforts of these men and their crew in their fearless service to the people of this country.

A GOLDEN ANNIVERSARY TRIBUTE TO HAYWARD AND BERNICE ABNEY

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. BLACKWELL. Mr. Speaker, I rise today to bring to the attention of my colleagues and the entire Nation, a most special occasion which will soon take place in the great City of Philadelphia. Fifty years ago, Hayward and Bernice Abney exchanged their glorious vows of holy matrimony, and today, their love for each other is stronger than ever.

As the proud parents of four sons and six daughters, Hayward and Bernice have always sought to impart their strong commitment to excellence in every aspect of life to their children. Hayward served our great Nation with honor and distinction in the U.S. Army during the Second World War. All four of his sons followed in their father's footsteps of military service by joining the U.S. Air Force. Following his tenure in the Army, Hayward became a respected and admired employee at the world-renowned Philadelphia Electric Company. His years of dedicated service and hard work were celebrated upon Hayward's retirement, and as a testament to this remarkable work ethic, several of Hayward's relatives are still employed at Philadelphia Electric.

Mr. Speaker, in my entire congressional district, I can hardly think of a more inspirational woman than Bernice Abney. Indeed, raising 10 children is alone a remarkable feat. Bernice, however has always had time to dedicate her boundless energy to the community. From her work at her church, to the making of her famous apple and sweet potato pies, Mrs. Abney has always been there for others, even during her intensive kidney dialysis treatments. To those who know and love her, she is a pillar of strength, and a woman who can always be counted upon.

At this time, I would like to ask my colleagues to rise and join me in paying tribute to Hayward and Bernice Abney. On behalf of the entire U.S. Congress, I would like to offer my warmest congratulations on the occasion of their glorious golden anniversary. In addition, I would like to extend our salutations to their 10 children, 13 grandchildren, and one great grandchild. May God continue to bless this beautiful union which should serve as an example to the entire Nation what the power of love and commitment can accomplish.

DEDICATION OF THE DUNDALK-PATAPSCO NECK HISTORICAL SOCIETY MUSEUM

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mrs. BENTLEY. Mr. Speaker, my fellow colleagues, when Americans think of historic preservation, they often picture places like the Smithsonian Museums, the Walters Art Gallery, and the B&O Railroad Museum. These large institutions, while respectable in their own right, often overlook the smaller accomplishments of everyday people. While the Smithsonion may run an exhibit on the Dead Sea Scrolls, they probably will never display something that impacts the daily events of our lives. Oftentimes we fail to venerate those people and events who make the difference in local communities.

This is why it is important that communities like the Dundalk area support the preservation of local history and pride. With this community spirit in mind, I will have the honor of attending the dedication of the Dundalk-Patapsco Neck Historical Society's new museum on October 10, 1993.

This new historical museum will make available many educational and cultural programs for children and adults. And once completed, it is sure to bring more people into the revitalization area and will enhance the economic growth of the community. It will benefit both the citizens and the business community.

The center room will be a meeting place used by community groups holding meetings. Displays featuring early settlers of the area and prominent citizens will be on exhibit. Another room will feature businesses of the area and historical events such as wars, aviation, and fairs. Two prominent displays will offer members of the community and local artists the opportunity to display their hobbies, crafts, photography, and art. A minitheater for the many educational slide shows and video tapes can be used for research projects.

The zoo, the science center, the aquarium and the Peabody Institute are just a few of the many organizations participating in traveling programs which will bring exhibits to the center.

For the adults, quiltmaking classes, genealogy classes, and various seminars will be available. The new museum will have its first chance to display the society's commitment to education on October 21, 1993, when it will be hosting 150 students from the Holabird Middle School. Members will be assisting the teachers with tours of various locations of the museum area and showing slide shows to each group. A different slide show will be shown to each of the six groups and will focus on the topics they are studying at the time, such as local history and the War of 1812.

Since its founding in 1970, the Dundalk-Patapsco Neck Historical Society has provided a valuable service to the community, helping to revive the character and flavor of historic Dundalk. They have collected information and artifacts on the history of the Dundalk-Patapsco area, helped citizens research town history, designated Dundalk as a National Register Historic District, participated in the Dundalk Heritage Festivals and Defenders' Day, and most significantly, will celebrate the dedication of its museum. The Dundalk-Patapsco Neck Historical Society had the vision, courage, and fortitude to convince Baltimore County of the need and importance of having a museum to house the collection of information and artifacts and pay tribute to the many dedicated community volunteers who worked so hard to make this dedication possible.

Mr. Speaker, my colleagues, I am pleased to congratulate the Dundalk-Patapsco Neck Historical Society on this momentous occasion.

TRIBUTE TO THE FREE POLISH KRAKUSY SOCIETY

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. TRAFICANT. Mr. Speaker, I rise in honor of the Free Polish Krakusy Society in my 17th Congressional District of Ohio. Their work on behalf of both the Polish community, and the community as a whole, has been exemplary.

Mr. Speaker, the society celebrated its 90 year anniversary on September 1, 1993. On that date in 1903, Jacob Kardyszewski invited to his home in Youngstown, OH, 12 Polish fellowmen for the purpose of establishing a new organization named "The Society of the Free Polish Krakusy under the name of Tadeusz Kosciuszko." The group was founded with the goal of joining all Polish fellowmen into one great organization that promoted self-reliance and continued love for Poland and its language. Four years later, the organization realized the need for insurance protection for its members and applied to the Polish National Alliance for the protection. The society was designated as Lodge 827.

Since its inception, the society has been successful in realizing its original goals. Its facility on South Avenue is now recognized as a center for educational, cultural, and social pursuits for not only those with Polish heritage, but all backgrounds. Its generous contribution to various patriotic, humanitarian, and charitable causes is evidence of the society's immeasurable involvement in the community. Its activities include Christmas parties for children, aid to widows and orphans of deceased members, appealing for ambulatory buses for handicapped children in Poland, and volunteering at the Red Cross and local hospitals.

While serving the community, members of the society have risen to the top of their respective vocations. Outstanding leaders of government, industry, professions, and business have emerged from the ranks of the society. Current leaders of the society are performing wonderfully, and I would like to congratulate the 1993 officers for their efforts: Julian Fryda, president; Kazimierz Mazur, vice president and recording secretary; Tadeusz Lyda, financial secretary; Charles Kish, treasurer; Joseph Magielski and Joseph Sikora, trustees; Kazimierz Ochocinski and Andrzej Modelski, sick committee; Frank Garchak and Michal Labedz, finance committee; Walter Lipinski and Stanislaw Jankiewicz, color bearers; Felix Lipinski, sergeant-at-arms; Charles Kish, Jr., doorkeeper; and Joseph Sikora, accountant.

Mr. Speaker, I join the citizens of my district in saluting this excellent organization on their 90th anniversary. The society has much to be proud of as it heads toward its centennial.

THE SYRIAN BOYCOTT OF ISRAEL

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. LAZIO. Mr. Speaker, the world rejoiced when Prime Minister Yitzhak Rabin and PLO Chairman Yasser Arafat shook hands on the South Lawn September 13, demonstrating to all that after 40 years of bloodshed and unrest in the Middle East, peace is just possibly at hand. That is why I was both saddened and incensed when I read in the September 27 New York Times that the Syrian Government has called for tightening the Arab States' 40 year-old economic boycott of Israel.

This is not the first action on the part of the Syrian Government to try to disrupt the peace process. Syria's President, Hafez Assad, refuses to sanction the new Israel-PLO pact, charging that the Palestine Liberation Organization negotiated separately and secretly with Israel. Syrian obstinacy has stalled Israel's peace talks with Lebanon. Without the willing participation of Syria, the Middle East peace process will remain incomplete and may even fall apart.

Syria must abandon its longstanding attempts to sabotage what so many have worked so hard and so long to achieve. The United States, and all nations of good will, should pressure Syria to forswear its hostile policies and join the civilized and peace-loving community of nations in this historic effort to make a permanent peace in the Middle East.

HONORING CONNIE YOUNG YU ON RECEIVING THE FREEDOM AWARD

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Ms. ESHOO. Mr. Speaker, I rise today to honor Connie Young Yu on the occasion of her receiving the Freedom Award at the Asian-Americans for Community Involvement 20th Anniversary banquet.

Connie Young Yu has a distinguished record of community service with two mighty weapons—quite literally, the pen and the sword.

Ms. Yu is a renowned author of adult and children books, as well as articles on the history of Chinese people in America. She has educated people on the Chinese community and their heritage, highlighting little known information, the immigrant experience, and problems of discrimination.

Ms. Yu was also a founding member of Asian-Americans for Community Involvement in 1973, a role conducive to her political activism. As part of the Media Committee, she has led letter writing campaigns to major corporations, created public service announcements, and filed complaints to protest racial stereotyping of Asian-Americans in the media.

She was later appointed to serve on the Legal Compliance Committee for Textbook Adoption of the California State Board of Education. In addition, Ms. Yu has worked on projects for radio, was the first Asian-American Trustee of Mills College, her alma mater, and was a founding member of the Angel Island Immigration Station Historical Advisory Committee which led to the restoration of the immigration barracks on Angel Island.

Besides writing, Ms. Yu fences competitively and was a finalist at the 1992 Pacific Coast Fencing Championship. Today, she teaches fencing at the Palo Alto Jewish Community Center to youngsters and volunteers her time as director of the San Jose Fencing Center.

Mr. Speaker, I am proud to honor Connie Young Yu and pleased to congratulate her on her receiving this prestigious award.

TRIBUTE TO BOB MICHEL

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. THOMAS of California. Mr. Speaker, when I was elected to Congress in 1978, my constituents sent me here to try and cut spending, provide the basic services that the Nation depends on the Federal Government for and protect the individual liberties of each citizen. It was with great comfort and sense of confidence than that I cast my vote for a Republican leader in 1980 who had been fighting for the same agenda for over 20 years—BOB MICHEL. And since then he has never let up in pursuing those goals.

Over the course of the next 15 months, there will be many tributes to BOB MICHEL citing his outstanding service to country, loyalty to the Republican Party and great abilities as a Member of Congress and Republican leader. All of these true.

But I think the highest tribute to BOB MICHEL is to remember what kind of a man he is—a good and decent man who was willing to fight hard for his and his party's principles, but who was also strong enough to know when it was time to stop the fight and do what had to be done for the sake of the country. This takes a special kind of strength of character and sense of duty to country.

For this I salute BOB MICHEL. This body will miss him when he is gone. But I am confident that the country has not seen the last of BOB MICHEL'S service to this country.

SHORTENED LIST OF RELIANCE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. DUNCAN. Mr. Speaker, I would like to call to the attention of my colleagues and other readers of the RECORD an editorial written by Mike Royko that appeared in the Washington Times on September 30.

Mr. Royko wisely points out that, before we invest the federal government with vast new powers in the health care arena, we should consider its track record in the other areas in which it has intervened. If the list of things that the federal government does better than the private sector is indeed so limited, we must think twice before giving it control over one-seventh of our national economy.

In addition, I share Mr. Royko's reservations about completely overhauling a health care system that currently provides coverage for 86 percent of Americans just to ensure that the remaining 14 percent are covered as well. I certainly recognize that our present system needs some reform. However, I wonder whether President Clinton's so-called cure will be worth its price to the majority of the American people.

SHORTENED LIST OF RELIANCE

I swerved slightly to go around the lean young man who was furiously pedaling his expensive bike. He glanced at me, expecting the glare bicyclists often get from car drivers.

Instead, I smiled and gave him a friendly thumbs-up gesture. He waved back. What a fine young fellow, I thought.

I few minutes later, I was cruising through Lincoln Park, Chicago's yuppie haven, and there was the usual parade of health-conscious young joggers, out for their morning cardiovascular fix.

I beeped my horn smiled and gave them the thumbs-up gesture, too.

Such admirable lads, and lassies, fine-tuning their bodies. I could imagine them eating a bowl of bran for breakfast, a bit of skinless chicken for lunch and maybe having a mild wine spritzer after work. Unless they were going to run another five miles at dusk.

And it made me feel good. Why? Because while shaving that morning—which is the most strenuous exercise I engage in—I had my radio on and an economist was talking about the Clinton's revolutionary health care proposals.

The economist wasn't very enthusiastic. That's because he is a fairly young, healthy economist.

And the way he saw it, healthy, gainfully employed young people—such as himself and the lad on the bike and the joggers in the park—would wind up picking up an unfair piece of the tab for maintaining deteriorating bods such as mine.

Because they are young and healthy, they seldom need the services of a doc, unlike a wreck such as myself who is constantly being poked, prodded and prescribed.

But whether they like it or not, need it or not, they will be in the health program and will pay in one way or another.

After hearing that, how could I not feel warmth and affection for those who will be helping pay my way through the frequent aches and pains of my twilight years? Bless their Nike-clad feet.

The economist was also concerned about small businesses—the beauty parlor with two or three workers; the small diner with the same; the tavern with a couple of bartenders and a floor man; the countless small businesses that will have to start paying medical insurance.

Even the working mother, who hires someone to take care of her kids.

But I'm not a working mother, a beautician, a saloonkeeper, or a hamburger flipper, so that lets me off the hook.

And by the time I finished shaving, the radio economist had completely changed my views on a national medical program.

Until he made me realize that I was going to get something for nothing. I had nothing but distrust for the Clinton plan.

My lack of trust is based on a list I once made of things the federal government really does well.

Here is that list:

(1) Fight wars.

(2) ?

As you can see, it is a short list.

In recent years, we have learned that the federal government isn't very good at watching lending institutions, which is why the S&L scandal is the biggest financial mess in our history.

We also know the federal government can't protect our borders which is why we had to finally throw up our hands and tell millions of illegal aliens: "OK, you're here, and there's nothing we can do about it, so just stop by the office and we'll make you legal."

It's not good at preventing tons of dope from flowing into this country to scramble the brains of hundreds of thousands of junkies, who then go on to steal, maim or murder to support their habit.

And it is of little, or no help in protecting the victims of the crimes brought on by the drug flow, ghetto life, fatherless little gunmen and other urban frights.

It's absolutely awful at handling money. Even a Skid Row wino maintains a more efficient budget than does the Congress of the United States. And the Skid Row panhandler probably puts in a harder day's work than the average federal bureaucrat.

Most businessmen will tell you that all the federal government does for them is take a piece of the profit while loading them down with more paperwork,

So I was suspicious about the federal government taking over all medical care.

Especially when I did some reverse math.

The White House kept telling us about the 37 million Americans who are without some form of health coverage. (Many of them by choice, which was never mentioned.) The 37 million became a mantra.

Yes, that's a lot of people. But you can look at it another way. About 220 million Americans have some coverage.

So, in my simpleminded way. I figured that if the vast majority of Americans have some form of health coverage, leave them alone and find a way to take care of the minority who don't. Why throw everything up for grabs and create another army of bureaucrats?

But that was before I learned that I will be one of those who stands to get something for nothing. So from now on, I'm a health-reform cheerleader.

Something for nothing. So what's wrong with that? It's become part of the American Dream.

LET STATES DEMAND GUARANTEES FROM HIGHWAY CONTRACTORS

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. BEILENSON. Mr. Speaker, 2 years ago, the vast majority of the House joined me in passing an amendment to the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA] that would have made a long overdue correction in our highway construction programs by permitting States to include contractor guarantees in their Federal aid highway contracts. Such guarantees would save tens of billions of dollars over a few years' time. The amendment passed by a vote of 400 to 26 but, unfortunately, was dropped from the final bill by House and Senate conferees at the insistence of special interests. Today I am introducing legislation identical to that amendment, which I invite my colleagues to cosponsor.

Because Federal highway dollars have traditionally been reserved for construction, rather than maintenance, the Federal Highway Administration has prohibited States from requiring any warranties from contractors when awarding federally funded contracts, because warranties might cause bidders to raise the initial price of a project. The effect of this policy is that we reward the use of the cheapest, lowest quality materials in highway construction, and prevent States from building quality performance standards into their construction contracts.

Transportation officials in the Bush administration supported changing this outdated policy, believing that the introduction of contractor guarantees into the bidding process might spur innovation, superior quality, and the use of the kind of advanced technology other countries are already aggressively taking advantage of.

Evidence of the potential benefits of such a policy is overwhelming. In Europe, where highway contracts are awarded on the basis of a combination of cost, quality, and a contractor's 3 to 5 year full replacement guarantee, roads cost an average of 30 percent more to construct, but they last twice as long as they do here. Sounder sub-bases, thicker pavements, advanced polymer additives, and stronger asphalts produce highways that are smoother and quieter, and are stubbornly resistant to ruts, cracks, and potholes. European roads even handle heavier loads than are permitted on our highways.

Meanwhile, our own strict "low-bid" system gives contractors no incentive at all to consider long-term performance when preparing their bids. We literally reward the use of the cheapest, lowest quality materials, and the least expensive labor; we actually penalize any effort to improve road quality or offer superior workmanship. It is an inflexible, unwise, and short-sighted policy that costs taxpayers billions of dollars in unnecessary highway repair bills and results in intolerable and costly traffic delays.

It is no surprise that while total Government expenditures for roads have doubled over the past decade, half of all roads in America are rated in fair to poor condition. A 1991 report by the Office of Technology Assessment on the quality of our public works infrastructure found that "when construction quality is poor and repairs are needed constantly * * * the costs of providing alternative service or of traffic diversion and delay can equal the capital cost, doubling the total expense of a given project."

A few weeks ago, Vice President GORE's National Performance Review recommended that the Federal Government encourage "best value procurement" by recognizing "other factors besides price" in making purchases. As we embark on a multibillion dollar investment in the restoration of the Nation's infrastructure, I believe we owe it to the taxpayers to do everything we can to adopt reforms that will save us money, help make the road construction industry more competitive, stimulate investment, and make our transportation infrastructure more durable and efficient.

I invite my colleagues to join me in this effort by cosponsoring my bill.

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GUARANTY AND WARRANTY CLAUSES.

Section 114 of title 23, United States Code, is amended by adding at the end the following:

"(e) GUARANTY AND WARRANTY CLAUSES.—A State highway department may, in accordance with standards developed by the Secretary, include a clause in a contract for the construction of a Federal-aid highway which requires the contractor to guarantee or warrant materials and workmanship. Any such clause shall apply to a specific construction product or feature and may not provide for routine maintenance.".

EDWARD ROUSH HONORED

HON. JILL L. LONG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Ms. LONG. Mr. Speaker, I rise to introduce legislation which would redesignate the Huntington Lake, located in Huntington and Wells Counties, IN, as the "J. Edward Roush Lake."

Elected to the House of Representatives in 1958, Edward Roush represented Indiana's Fourth Congressional District until 1977, not including a two-year term from 1969–1970. During his tenure in the House, Mr. Roush served on the Committees on Science and Astronautics Technology and Government Operations, completing his service as a distinguished Member of the Appropriations Committee. Mr. Roush concentrated his efforts primarily in the environmental pollution control area, as well as technology utilization, industrial standards, and research distribution.

Prior to his coming to Congress, Mr. Roush represented his home of Huntington as a Member of the Indiana General Assembly, followed by his service as Huntington County's Prosecuting Attorney. Mr. Roush also served in the Army from 1942–1952 with honor, was decorated with four medals for his service in Korea, and currently holds a rank of Major, Retired Reserve.

Since his departure from Congress, Mr. Roush has continued to demonstrate his dedication and commitment to civic endeavors, and has contributed substantially toward further improving his local community, the State of Indiana, and his nation. Mr. Roush currently serves as a member of the Board of Trustees of his alma mater, Huntington College, and was elected as Chairman of the Board in 1981. Also, Mr. Roush served the U.S. Environmental Protection Agency (EPA) as Director of the Office of Regional and Intergovernmental Operations from 1977–79, accepting the task of coordinating the EPA's ten regional districts' agency headquarters.

With regard to Huntington Lake, the lake project was authorized in the Flood Control Act of 1958 (P.L. 85–500) prior to Mr. Roush's election to Congress. However, Mr. Roush played an important role in seeing the project progress from its authorization stage to its initial operation in October of 1968. The Huntington Lake project has since proven to be a success in providing the area residents with additional flood abatement, a water supply, a source for recreation, and a resource for fish and wildlife conservation.

For these reasons, underscoring his efforts in environmental conservation and protection, I believe it would be a worthy gesture to honor Mr. Roush by renaming the Huntington Lake the "J. Edward Roush Lake" as a sign of our appreciation for his past public service and lasting commitment to his community and country.

USTR REFUSES TO ENFORCE UNITED STATES TRADE LAW AND REJECTS MEXICO GSP WORKER RIGHTS PETITION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. BROWN of California. Mr. Speaker, yesterday U.S. Trade Representative Mickey Kantor announced his decision to dismiss out of hand a detailed, 43-page petition urging that Mexico be excluded from the Generalized System of Preferences [GSP] program because of widespread and systematic worker rights violations.

I am deeply disappointed by this cynical decision which, left unchallenged, absolves U.S.T.R. from having to investigate this searing indictment of complicity between the Government of Mexico and the government-controlled, officially approved labor federation [CTM] to systematically and ruthlessly deny Mexican workers their freedom and basic rights. Acceptance of this petition would have given many Mexican workers who want to join free and independent trade unions their first opportunity to describe how their rights are trampled. At the same time, it would have extended to the Mexican Government an opportunity to answer these very serious allegations on the public record.

Why is the Mexican Government afraid to defend its enforcement of its own labor laws? Why, too, is U.S.T.R. willing to cover up and contrive legalistic excuses so that the Mexican Government can evade compliance with our existing GSP law?

This U.S.T.R. action makes a mockery of the Clinton Administration's commitment to press the Mexican Government to enforce its own labor laws.

What good is to come from the much ballyhooed NAFTA supplemental agreement on worker rights when U.S.T.R. shows its true colors and exempts the Mexican Government from existing worker rights protection in the U.S. GSP trade law?

Turning a deaf ear to this petition sends exactly the wrong message to the Mexican Government about its systematic labor repression. It is flatly inexcusable to the Congress and American people who want immediate and effective action to extend basic freedom to the Mexican workers.

SUPPORT FOR THE NATIONAL ENDOWMENT FOR THE ARTS

HON. MIKE KREIDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. KREIDLER. Mr. Speaker, this week the House will consider H.R. 2351, the Arts, Humanities, and Museums Amendments of 1993, which includes a reauthorization for the National Endowment for the Arts [NEA].

The NEA has a long tradition of vital support for the arts in our country. In my community we have a number of outstanding groups such as the Broadway Center for the Performing Arts, Tacoma Symphony, Tacoma Opera, and Tacoma Actor's Guild in Tacoma, the Washington Commission for the Humanities in Seattle, and KCTS Public Television in Seattle. Each of these organizations receives funding from various Government sources, including the NEA.

NEA grants have contributed significantly to the revitalization and rejuvenation of the arts in downtown Tacoma. For example, a challenge grant of $420,000 provided construction funds for expanding the Broadway Center for the Performing Arts, which serves local arts groups and touring artists. This grant, along with matching funds from the State and community, has made a big difference for Tacoma—not only by improving the quality of life and cultural awareness of citizens in the area, but by contributing to the city's economic development.

I understand the decision of the Committee on Education and Labor to exercise fiscal restraint and decrease some of the authorization levels for the NEA. These are tough times and everyone must share in the burden of deficit reduction.

However, I am concerned about efforts to abolish the NEA altogether. In their zeal to eliminate funding for projects they don't like, they are often distorting the truth. The fact is, the NEA has funded thousands of projects over the years, and only a handful have been controversial. The fact is, grant applications must go through a rigorous peer review process and meet court-determined obscenity guidelines. And the fact is, Congress made substantial changes in the operations of the NEA in 1990, including procedural changes on reviewing grant applications, which were designed to deal with the complaints of critics of the agency.

I think that under the leadership of the new chairperson, Jane Alexander, the NEA will implement the new procedures fully and effectively. The enduring benefits that the NEA provides to our Nation's citizens are well worth the 70 cents per person per year it costs. I urge my colleagues to support continued funding for the NEA and to reject any moves to limit further its role in our society or, worse, abolish it altogether.

ENVIRONMENTAL REMEDIATION EXPENDITURES

HON. BILL K. BREWSTER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. BREWSTER. Mr. Speaker, along with two colleagues from the House Ways and Means Committee, Congressmen JEFFERSON and CAMP, I am introducing legislation to restate existing practice with respect to the deductibility under U.S. income tax law of business expenditures to clean up petroleum contaminated soil and groundwater.

Over the last 10 years, legislation and regulations requiring identification and cleanup of leaking underground petroleum storage tanks has added substantial new costs to the business of marketing petroleum products. The intent and the effect of the new layer of law and regulation will be positive over the next 10 to 20 years period. We will all receive the benefit of the expenditures that petroleum marketers are required to make. Yet, the cost of new environmental compliance is substantial. The Environmental Protection Agency estimates that 53 percent of the approximately 80,000 rural gas stations and 25 percent of the 200,000 stations nationwide will close by the end of 1998 as a result of new RCRA-related regulations affecting underground storage tanks.

Petroleum marketers who must replace existing petroleum storage tanks with new upgraded tanks are faced with a cost of $15,000 to $20,000 per 12,000 gallon storage tank. In some cases, a low level petroleum leak is discovered when older tanks are replaced. This unhappy situation is then exacerbated when marketers attempt to obtain bank financing for the cleanup, which typically costs in the range of $100,000 per service station outlet. Lender liability exposure under Superfund and RCRA makes banks and financial institutions extremely wary in extending credit to marketers for such government mandated environmental expenditures.

The legislation I am introducing today will continue current law tax treatment of these expenditures for soil and ground water cleanup, that is to say that these expenses will continue to be deductible against income in the year in which they are incurred. This legislation is prompted by a recent Internal Revenue Service Technical Advisory Memorandum, #9315004, which calls into question the deductibility of such expenditures. While the Internal Revenue Service has not taken a formal position that environmental remediation is a capital expenditure, I feel that it is important to clear the air on this question by restating the current practice that treats soil and groundwater cleanups as deductible business expenses.

On its face, it seems clear to me that the cost of remediating soil and ground water do not add value to the property in question. At the best, all that is done is to restore soil and groundwater to its original state before the contamination occurred. No marketer would make these sorts of expenditures unless they were required by law or good business practices. In no sense can these expenditures be properly viewed as increasing the value of a business asset. The cost of cleaning up soil and groundwater is something that must continue to be viewed as a deductible expense.

I would like to make it clear to my colleagues that this bill does not expand existing law tax treatment with respect to other petroleum related infrastructure. The expenditures marketers make on new underground storage tanks, associated piping and other business assets will continue to be treated as investments in capital goods and depreciable under existing tax schedules. This bill relates only to the cleanup of soil, ground water and associated environmental studies or assessments.

To the extent that we have environmental cleanups that need to be made, we should encourage private parties to spend the money necessary to clean up the problem. We must never let a situation develop where cleanup costs are viewed as capital in nature under the Internal Revenue Code. If this happens a situation will develop where many small businesses could not afford to spend the money to clean up contaminated sites. Ultimately the effects of such behavior would fall on public taxpayers and State-sponsored underground storage tank funds. This is not a desirable result, and this legislation will ensure that, so far as our income tax laws are concerned, these cleanup costs will continue to be viewed as fully deductible. It is also my hope that the lender liability issue will be addressed by the Congress as well. I will, however, defer to my colleagues on the House Energy and Commerce Committee in dealing with this question as it relates more particularly to matters within their jurisdiction.

CUB SCOUT LEADERS RESCUE DROWNING GIRL

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mrs. BENTLEY. Mr. Speaker, my fellow colleagues, I rise today to recognize the valiant efforts of two Cub Scout leaders from my district.

On Saturday, July 17, 1993, assistant Cubmaster officer John Sherwood and den leader Keith Vaughn were with their Cub Scout pack and family members on an outing at Gunpowder Falls State Park in Harford County, MD. It was during this outing that a young girl dove into the frigid waters of a stream there and went into immediate shock.

Through their quick thinking, courage, and Scout training, the two men were able to pull the girl from the stream. If it weren't for the gallant efforts of officer John Sherwood and Keith Vaughn, the current would have surely carried this girl away and she would have drowned.

During times such as these when young people are subject to so many negative influences, volunteer adult Scout leaders, such as Mr. Vaughn, officer Sherwood, and Cubmaster Maurice Irvine, provide sorely needed positive role models.

Mr. Speaker, my colleagues, it is with pleasure that I commend these two brave men on this heroic act.

TRIBUTE TO JOSEPH AND LORETTA CROYLE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. TRAFICANT. Mr. Speaker, it brings me great pleasure to rise in honor of Joseph and Loretta Croyle, a loving couple from my 17th Congressional District in Ohio.

Mr. Speaker, the Croyles will celebrate 50 years of marriage on November 15, 1993, with their five children, five granddaughters, and one grandson. They were married in Nectarine, PA, in the Church of God of Prophecy by the Reverent Paul Ian.

Mr. Croyle not only has a dedication to his wife but to the community as well. After retiring from General Motors in Lordstown, he served as chairman of the Retirees Union at the automaker. He and Mrs. Croyle have enjoyed camping and raising their exemplary children in their 50 years together.

Mr. Speaker, I join the citizens of my district in honoring Mr. and Mrs. Croyle on their golden anniversary. Their milestone speaks to the character of the people in my district and their devotion to family. May God be with Mr. and Mrs. Croyle as they begin another 50 years with one another.

TRIBUTE TO THE CHARTER TOWNSHIP OF HAMPTON—THE OCCASION OF ITS SESQUICENTENNIAL CELEBRATION

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. BARCIA of Michigan. Mr. Speaker, I rise today to pay tribute to the Charter Township of Hampton, the place of my birth, which is celebrating its sesquicentennial Friday, October 8, 1993. The history of Hampton Township, the first organized township in Michigan north of Saginaw, is part of the early history of Bay City, Bay County, and the northern part of the Lower Peninsula of Michigan from 1843 to 1857 when Bay County was organized. Hampton during its first years, comprised more territory than many famed Kingdoms of the Old World. When Hampton Township was first established in 1843 its territory covered from Saginaw County to the Straits of Mackinac, almost half of the very new State of Michigan.

Hampton Township was in an excellent position, with its crossroads and beltline railroads, which made this township unrivalled for shipping facilities from Bay City ports. The land was low and water filled. In fact on some 19th century maps, Hampton was called Swampland. Through hard work, systematic draining, and dyking in the lowest places, Hampton is a fertile and productive farming community. Sugar beets, potatoes, tomatoes, melons, berries grow there in sweet abundance.

The first meeting for the Township of Hampton took place in the year 1843, and was held at the house of Sidney Campbell, in the Globe Hotel. The election was for supervisor. There were two candidates, James Birney and S.S. Campbell: the latter of which won with seven votes. One account of this election reads:

> William McCormick's hat was the ballot box and it was a standing joke of the old settlers ever after that he wore a hat large enough to hold all the votes between here and Mackinac.

Mr. Campbell was declared the winner and his duty was to attend meetings of the county board of supervisors. The meetings were held in Saginaw, and Mr. Campbell was expected to paddle his canoe to and from the meetings.

Mr. Speaker, Hampton Township has grown and prospered in many ways since these early days. Today, I would like to ask my colleagues to join me in recognizing Hampton Township as a model American township and to congratulate its residents during this time of celebrating their sesquicentennial. I would especially like to pay tribute to the elected officials of Hampton Township who have had the foresight to implement policies that have lead to a very progressive local government with a focus on increasing business investment and enhancing economic opportunity for it's citizens.

It is with gratitude and pride that I reflect on the courage and strength it must have required to build Hampton Township, and today I would like to recognize all of the people who have chosen to live in this area and who are the ones responsible for making this such a wonderful, family-oriented, and successful community.

TRIBUTE TO THE CLEAR RIDGE BABE RUTH BASEBALL TEAM

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. LIPINSKI. Mr. Speaker, it is with great pleasure that I rise to congratulate the fine young men of the Clear Ridge, IL, Babe Ruth youth baseball team. This team joins Chicago's own White Sox in winning a baseball championship for the fine people of Illinois. Under the able direction of Coach Bob Jirik, these boys compiled a 14–3 record in winning the local Babe Ruth League title. The team then seized the district championship by a score of 4–0 and the Illinois State Championship 5–1. This successful season ended with second place honors in the Ohio Valley Regional Championship.

My congratulations to Buddy Carey, Joe Deskovich, Tony Jirik, Jim Juchinski, Roger McGuire, Matt McHugh, Vince Liberto, Mike Orszula, Joe Poluszny, Norm Pacyga, Mark Pavelka, Mike Tribe, Tom Vaughan, and Brian Wilken. With the numerous obstacles facing our young people today, I am heartened by the accomplishments of the Clear Ridge baseball club. As the Chicago White Sox fight to return the American League Pennant to America, let us all remember the value of our national pastime to our Nation's youth. I commend these boys for their teamwork, dedication, and athletic prowess, and I hope they will continue to bring honor to the people of Illinois and this country in their future endeavors.

INTRODUCTION OF THE MILK DEBARMENT BILL

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. MILLER of California. Mr. Speaker, Federal and State investigators have found evidence in at least 20 States that executives at our largest dairy companies—including Borden, Pet, and Dean Foods—have conspired to rig bids on milk products sold to schools and military bases. As a result, taxpayers, who subsidize meals for students and military personnel, have been overcharged for milk and ice cream, while dairy companies have received millions of dollars in overinflated profits.

To date, 48 people and 43 companies have been convicted or have plead guilty to Federal criminal charges of price fixing and bid rigging. Two dozen individuals have been sentenced to prison, and $91.4 million in criminal fines and civil damages have been handed down by the courts.

It is outrageous that despite such convictions, these companies remain eligible to receive Federal contracts for the procurement of milk products.

Today, I and several colleagues are introducing legislation to debar dairy companies convicted of these antitrust violations from contracting with schools under the Child Nutrition Act of 1966 and the National School Lunch Act, and the Department of Defense for the procurement of milk and milk products for a 5-year period.

Debarment of such companies has been recommended by the General Accounting Office. It is time that we put a stop to this outrageous conduct by these dairy companies.

IMPROVING OPERATIONS OF THE UNITED STATES POSTAL SERVICE

HON. THOMAS C. SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. SAWYER. Mr. Speaker, today I am introducing legislation that will help the U.S. Postal Service meet temporary personnel needs in rural areas. I am honored to be joined in this effort by Congressman JOHN MYERS, ranking minority member of the Committee on Post Office and Civil Service, and Congressman TOM PETRI, ranking minority member of the Subcommittee on Census, Statistics and Postal Personnel, which I chair.

Over the years, the Postal Service has identified a need to hire individuals on a temporary basis. This is particularly true in rural areas. In some rural communities, where unemployment is low and the workload is heavy, the Postal Service often has trouble attracting temporary letter carriers to fill in on the regular letter carrier's day off.

There are far fewer postal employees working in rural areas than in larger metropolitan communities. Therefore, those areas have more trouble hiring trained temporary employees for extended period of time. When career postal employees in rural areas are sick, on vacation, on detail or otherwise off from work, there often aren't trained employees who are familiar with the route and understand the customer's needs to take their place temporarily.

An example of this situation occurs when a postmaster of a rural post office is on annual leave. Because there are far fewer postal employees in rural post offices than in larger facilities, there are no supervisory or management employees to serve as acting postmaster. As a consequence, the Postal Service often will hire an untrained local resident to fill in for the postmaster. Wouldn't a better alternative be to hire—on a temporary basis—a retired postmaster who may be living in the community, who does not need training, and who understands postal regulations and procedures?

Another concern is that temporary employees in rural areas might stay in their position for only a short period of time. They are likely to accept a temporary position only until they find permanent employment, and then they move on. A high turnover rate among temporary postal employees in some rural areas does not promote efficient service.

The Postal Service's primary goal is to move the mail in a timely and efficient manner. Even when a rural postmaster or rural letter carrier is not scheduled to work, on vacation, or sick, the Postal Service must continue to meet the needs of its customers.

Therefore, it is clearly in our best interests to ensure that the Postal Service can attract applicants for temporary assignments from a skilled labor pool. I believe that we can assist the agency by making postal employment attractive to retired postal employees. These retirees are likely to have free time, to be willing to work part time, and to understand the importance of serving the customer. Equally important, they are familiar with postal procedures and regulations.

Unfortunately, provisions of title 5, United States Code, relating to reemployed Federal annuitants, all but prevent postal retirees from considering reemployment with the Postal Service. Sections 8331 and 8401 provide that reemployed postal annuitants must forfeit an amount equal to their annuity if they become reemployed by the agency. In other words, it doesn't pay to go back to work for the Postal Service once you've retired.

My legislation provides for an exemption from the offset provisions contained in title 5 for retired postal employees who become reemployed by the Postal Service in temporary positions. Under the bill, postal annuitants could be reemployed by the Postal Service for 90-days in a calendar year without having their annuity offset. Further, the measure provides for a 180-day lifetime limit eligibility for this exemption.

The reason for the time limits are clear. It is not our intention to have postal retirees take away opportunities from individuals seeking career appointments with the Postal Service.

Enactment of this measure will have no impact on the Federal budget. In fact, operational costs incurred by the Postal Service are borne solely by the Agency because it is not funded with taxpayer dollars. The bill does not require the Postal Service to hire its retirees. It simply gives the Agency flexibility to turn to a pool of trained and experienced individuals when no one else is available to fill a position temporarily in a rural area.

I believe that at a time when the Postal Service is facing rising operational expenses, passage of this legislation would be the fiscally smart thing to do. I urge my colleagues to support this legislation and I welcome their cosponsorship.

KEVORK HOVNANIAN: A BUILDER OF DREAMS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. PALLONE. Mr. Speaker, I rise today to pay tribute to a man who has helped thousands of people realize one of the keys to the American Dream: to own a home of their own. Kevork Hovnanian, the founder, chairman and chief executive officer of Hovnanian Enterprises, Inc., has been building moderately-priced housing from New Jersey to Florida for the past 34 years.

The personal history of Mr. Hovnanian, who recently celebrated his 70th birthday, is itself a powerful evocation of the American dream. For it is the story of an immigrant to this country who, through honest hard work, has risen to the top of his field. Mr. Hovnanian got his start in the building industry in Baghdad, Iraq. The son of Armenian immigrants, he began working for his father's general contracting business at the age of 14. He would go on to become the major road builder in Baghdad, until the revolution in the late 1950's ruined his business and forced him to seek refuge in the United States, where his three brothers had come to study.

The Hovnanian brothers managed to scrape up about $4,000 to start a construction business. Given the abundant open space and the ever-growing demand for quality, affordable housing for growing baby boomer families, the Hovnanians found a perfect niche in the market and made brilliant use of their opportunity. The brothers went their separate ways in the late 1960's, but all of them are still in the housing industry. Kevork Hovnanian's company. Hovnanian Enterprises, Inc., is the tenth largest homebuilder in the nation. Ara Hovnanian, Kevork's son, he also has four daughters, is now president of the company, having earned his MBA from the University of Pennsylvania's Wharton School of Business. The company builds about 4,000 homes per year, mostly in the mid-level price range. But Hovnanian Enterprises also builds everything from luxury homes on the Jersey Shore to much-needed affordable housing in urban areas, such as the Central Ward section of Newark, NJ.

Now, Mr. Hovnanian is seeking to bring the American dream of owning a new home to a part of the world where this ideal seemed impossible just a few years ago: the newly independent nations of the former Soviet Union. Mr. Hovnanian has set up a branch office in Moscow to coordinate efforts. Although Hovnanian Enterprises has not yet been able to begin construction, Mr. Hovnanian remains confident that once the political and economic situation stabilizes, the former USSR will provide the largest market for new housing in the world.

Mr. Hovnanian's involvement with the former Soviet Union began in the aftermath of the 1988 earthquake in Armenia. Mr. Hovnanian built 92 condominiums in the Armenian city of Stepanavan, with all of the materials shipped from the U.S. The building of the homes in Stepanavan is just one example of the longstanding devotion that Kevork Hovnanian has maintained to his Armenian heritage. He serves as the chairman of the Committee of the Diocese of the Armenian Church of the United States and has been deeply involved in efforts to provide assistance to Armenia, in the form of food, medicine and other essential items, as requested by the President of Armenia and the Catholicos of the Church Of Armenia.

Mr. Speaker, these initiatives, as well as his many other endeavors, truly show what makes Kevork Hovnanian a unique and special businessman: combining a hard-headed business sense to get in on the ground floor of a growing market with a willingness to take a major risk in an enterprise that offers the potential to offer people their first opportunity to experience the pride and the joy of home ownership. I am proud to pay tribute to this fine businessman and community leader. As a recent profile of Kevork Hovnanian in the Newark Star-Ledger put it, he is truly "a builder of dreams."

CONGRESS AGAIN ON RECORD IN SUPPORT OF LONG ISLAND BREAST CANCER STUDY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. KING. Mr. Speaker, I rise to thank the members of the conference committee on the Labor/HHS appropriations bill (H.R. 2518) for recognizing the need for a Federal study of the environmental causes of breast cancer in Nassau and Suffolk Counties on Long Island.

In recent days, Senator D'AMATO, Senator MOYNIHAN, and I spared no effort to personally contact each conferee to relay the urgency, cite the alarming statistics and explain our concerns about the toll of breast cancer on Long Island. I am gratified that language in support of the Long Island breast cancer study has been included in the final conference report on H.R. 2518.

Earlier this year, Congress approved and the President signed legislation directing the National Cancer Institute to study the possible environmental causes of the unusually high rate of breast cancer on Long Island (Public Law 103-43). In approving H.R. 2518 today, Congress has again spoken loudly to urge that this study be conducted and completed without delay.

On September 20, I sponsored a special public forum on breast cancer which was held in Oceanside, NY, a community in my district. More than 200 concerned people attended to receive a legislative update from Representative SUSAN MOLINARI and me, hear a panel of Federal health experts discuss research, prevention and treatment and pick-up information pamphlets and other materials.

From the accounts I heard at the forum and from traveling extensively around my district, I know that there is great concern among women on Long Island about breast cancer—and for good reason. A recent study indicated that the breast cancer mortality rate for certain women in Nassau County was 16 percent higher than that of New York State and 36 percent higher than that of the Nation. In addition, I have seen estimates indicating that 80 percent of the women who are diagnosed with breast cancer fall into no known high risk category.

We must find out more about this disease and find a safe, effective and proven cure. The National Cancer Institute investigation of the environmental causes on Long Island is an important step in this process. That is why I made it a top priority during my first months as a Member of Congress and why I am gratified that it has again received such overwhelming, bipartisan support.

It has been a great pleasure to work so closely on this important issue with Senator AL D'AMATO, Senator PAT MOYNIHAN, Congresswoman SUSAN MOLINARI as well as my fellow members on the Long Island congressional delegation. I am very pleased that our efforts to get congressional approval for the study have proven to be successful at every step of the legislative process.

Mr. Speaker, on behalf of my constituents, I want to thank the Members of this institution for again going on record and recognizing the unacceptably high toll of breast cancer on Long Island. I look forward to working with my colleagues to ensure that the will of Congress to promptly conduct and complete this investigation is followed.

HONORING NORMAN Y. MINETA

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Ms. ESHOO. Mr. Speaker, as Members of the House, we have the privilege of being able to come to the floor and speak about a constituent who deserves to be recognized, or for a particular event in our district that deserves to be brought to the attention of our House.

It is rare that we do this and at the same time get the privilege of honoring one of our colleagues, however that is what I get to do this evening.

Mr. Speaker, tomorrow night the Asian-Americans for Community Development is going to honor our colleague, NORM MINETA. It is an honor that all of the South Bay Area joins in giving Rep. MINETA.

When you think of what AACI stands for—Asian-Americans for Community Involvement—the very name seems to define NORM MINETA. As an American of Asian ancestry there is no one else in this Nation who has done more for Americans of Asian ancestry than NORM MINETA. Whether it is in civil rights, fighting hate crimes, breaking glass ceilings, mentoring young leaders, or simply serving as an example to other Asian-Americans about how someone can serve his or her country—NORM MINETA is there.

Mr. Speaker, I have the privilege that perhaps only our distinguished dean of the California delegation, DON EDWARDS shares with me. While we are in Washington, we see Rep. MINETA as an outstanding representative who is the chairman of a major committee, a leading authority on transportation policy, and a national leader for Americans of Asian ancestry.

Back in the Santa Clara County, we get to see Norm Mineta, again an outstanding representative who is accessible and accountable to his constituents but also someone who has a long history of community involvement, especially at the personal level. People in Santa Clara County love Norm Mineta and ACCI has made a superb choice in honoring him.

Mr. Speaker, Asian-Americans for Community Involvement is an outstanding organization which has done tremendous work in our community under the leadership of another fine community leader, Dr. Allen Seid.

ACCI's choice of our colleague from California is truly a great selection. Mr. Speaker, I know that you and the House of Representatives will join me in the rare instance of honoring one of our own colleagues for distinguished community service—our good friend, Rep. Norm Mineta.

And I know that every Member of the House will join me in saying to him, "Thanks a million, Norm."

OAK ELEMENTARY SALUTED

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. SUNDQUIST. Mr. Speaker, I am proud to point out to my colleagues that a school in my district, Oak Elementary in Bartlett, TN, is 1 of 59 schools nationally which have been honored for their efforts to keep drugs away from youngsters.

Oak Elementary was honored by the U.S. Department of Education under its Safe, Disciplined and Drug Free Schools Recognition Program. I am sure that colleagues will join me in commending the faculty and staff at Oak Elementary for this achievement, and I hope they will permit me a moment to talk about what Oak Elementary Schools' program accomplished. After all, we honor these schools and these programs because they serve as a model others may follow. There is much in the Oak Elementary School Program that is worth copying.

For example; they used an assertive discipline approach which involved students and parents and which stressed prevention; they targeted at-risk youngsters for special attention; they sought and received extensive support from parents and the Bartlett Community, a fact noted in Redbook magazine; they involved the local police department in a comprehensive drug awareness/self-concept program; started a "Just Say No Moms" organization to support classroom activities; and made a strong commitment to student participation in extra-curricular activities.

I think the program at Oak Elementary is exceptional. I am proud of the educators, administrators, parents and community leaders who implemented it, and of the boys and girls who participated in the programs and who have learned a valuable lesson about living a drug-free lifestyle.

TRIBUTE TO RAYMON ROEBUCK

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. CLAY. Mr. Speaker, it is an honor to pay tribute today to one of the finest distinguished gentlemen in our midst—the most gracious manager of the Democratic Cloakroom snack bar, Mr. Raymon Roebuck.

I am saddened to know that today Raymon Roebuck will retire from his post. He has provided nourishment and inspiration, strength and motivation to the Democratic Members of this body for more than three decades. Ray has labored with diligence and dedication and heart and has been the source of comfort for countless Members and pages over the years. I am personally grateful to Ray for all of his thoughtfulness and assistance.

Raymon Roebuck is one of our Nation's secret treasures. He will be greatly missed, but never forgotten, by his many friends in Congress. I wish Ray every happiness in his new future. May he share many years of health and happiness with his numerous friends and family members.

IN THE AFTERMATH OF RUSSIA'S CRISIS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. HOYER. Mr. Speaker, today is a day of mourning in Russia, by President Yeltsin's order. As he said, everyone who was killed in last weekend's violence, regardless of where they stood on the barricades, was a child of Russia.

I share Boris Yeltsin's deep regret over the bloody confrontation between supporters of the now-defunct parliament and the military. But as President Clinton and many Members of this body have said, Yeltsin had no choice. Nor did we, in choosing to endorse his resort to violence against forces seeking to overthrow through armed rebellion a legitimately elected president. And any state that experienced an attempted coup d'etat would introduce extraordinary measures to ensure the maintenance of order.

Still, I am disturbed about the imposition of media censorship, and the banning of political parties and newspapers. I am pleased that President Yeltsin, in his address to the people of Russia yesterday, announced the lifting of censorship and confirmed his intention to proceed with parliamentary elections in December. But candidates representing a broad spectrum of views must have the right to participate in that vote. And they must also be able to campaign on an equal basis with candidates espousing views held by President Yeltsin.

Also very disturbing are reports that the security forces have severely beaten people not involved in the violence, including members of the Moscow City Council. One of them, Boris Kagarlitsky, was a human rights activist during the communist era. Yesterday's Financial Times quoted him as saying that police had beaten confessions out of demonstrators and bystanders. Kagarlitsky said: "I was a dissident under Brezhnev and jailed for 13 months then. But I was never beaten like that."

Mr. Speaker, given Russia's history of centralized and often brutal authoritarian power, loosing the security forces upon political opponents—as opposed to armed rebels—is very dangerous. With no tradition of democracy, due process, or an independent judiciary, the lack of restraint on police can gain an unhealthy momentum of its own. President Yeltsin must act now to rein them in, and demonstrate to his own people and to the world that "order" does not mean "repression." Until last weekend, his actions were careful and measured. We will be carefully watching to see that extraordinary repressive measures introduced in the immediate aftermath of an attempted coup do not become ordinary—for it was this, after all, that was the essence of Bolshevism.

During every period of mourning, it is natural to look ahead to the future. Along with the people of Russia, I do so today. I remain confident about the prospects for establishing democracy in Russia. But as Thomas Jefferson said, "eternal vigilance is the price of liberty." It is also the prerequisite to liberty. This is a conviction I am happy to share with the newspaper editors and television broadcasters of Russia, who, after protesting the temporary imposition of censorship, can today once again criticize Boris Yeltsin and his policies. They must staunchly defend their right to do so, and we must support their efforts.

TWO MILLION MORE WITHOUT HEALTH INSURANCE

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mrs. COLLINS of Illinois. Mr. Speaker, last week the Census Bureau reported that 2 million more working Americans were without health insurance at the end of 1992 than were without insurance at the end of 1991.

Two million more people had to delay going to the doctor for routine treatment and instead wait until their conditions were advanced and even more expensive to treat.

Two million more Americans were not able to pay their hospital bills thus causing the hospital to shift its cost to paying patients.

Two million more parents face financial ruin if they or their children become ill.

Two million more mothers do not seek prenatal care when they are pregnant resulting in many more low birth weight babies.

Mr. Speaker, the naysayers would have you believe that health care reform is too expensive. The fact is, the real expense comes from delaying reform. We cannot afford 2 million more health insurance victims of our current system. The need for reform is clear and grows clearer as the days pass and the number of uninsured grows. Let's fix the system now.

TRIBUTE TO CHILD DEVELOPMENT CENTERS IN FORT BLISS, TX

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. COLEMAN. Mr. Speaker, I rise today to recognize the outstanding efforts of the Child Development Centers in Fort Bliss, Texas. The Child Development Centers are among the first to be accredited by the National Academy of Early Childhood Programs. They have shown a superlative effort in taking care of the children of the men and women of the Fort Bliss Army Base.

This effort is even more extraordinary because out of the hundreds of child care centers in this country, only four have been granted this prestigious accreditation, and out of these four, three are in Fort Bliss.

Mr. Speaker, the Fort Bliss Child Development Services provide full-day, part-day and hourly care for children ages 6 weeks to 6 years of age including kindergarten. The Main Center is located at Building 1730 Haan Road, Fort Bliss, serving 375 children daily. Its director is Virgetta Johnson. The Lower Beaumont Center is located in Building 7113 and serves 120 children daily. its director is Teresa Tafoya. The Junior Enlisted Child Development Center is located in Building 51, with a capacity of 86. Its director is Jennifer Symes. In addition to the three accredited centers, the Child Development Centers offer School-Age Programs at Bliss Elementary School and 55 Family Child Care Homes. All total, the Fort Bliss Child Development Centers serve 2200 children.

The accreditation standards developed by the National Academy of Childhood Programs take into account much more than the minimum standards required by State licensing. The standards go above and beyond the industry norm. These standards were developed over a three-year period with input from approximately 200 educators and administrators from around this country. They include: a well-qualified and trained staff, an adequate number of staff for the number of children, the meeting of stringent health and safety standards, and the opportunity for parental involvement at every level. Finally, the accreditation process includes an on-site study of the program and review by a three-member national commission.

So in closing, Mr. Speaker, I commend the exemplary efforts of the Fort Bliss Child Development Centers. May they continue to do the outstanding work that they are doing. Because of their great work, tomorrow's children are much the better for it.

$250,000 PRIZE TO SPACE PIONEER DR. WILLIAM H. PICKERING

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. MOORHEAD. Mr. Speaker, it's a pleasure for me to announce to my colleagues in the United States House of Representatives that Dr. William H. Pickering is the first recipient of the $250,000 Francois-Xavier Bagnoud Aerospace Prize.

The Prize, awarded on October 7 by the University of Michigan, is being offered in recognition of outstanding accomplishments in the aerospace field, with primary consideration being given to innovative achievement in aerospace engineering, science and medicine that have resulted in important benefits and significant advancements to the well-being of humanity.

As the Director of the Jet Propulsion Laboratory from 1954 to 1976, Dr. Pickering was the central figure in the rapid and successful U.S. response to the surprise Soviet launch of Sputnik in 1958 with the launching of Explorer I.

At the time, Dr. Pickering and JPL were working on the development of satellites and ballistic missiles, He, Gen. John Medaris who was in charge of the Army's space efforts, and Dr. Werner von Braun, the director of the Army's ballistic missile agency, were asked to accelerate their efforts.

Dr. Pickering and his colleagues succeeded splendidly when just 83 days after the launch of Sputnik, Explorer I became America's first satellite.

Under Dr. Pickering's direction, JPL developed the basic concept and design of the altitude-stabilized, automated spacecraft for remote investigations of other bodies of the solar system. Spacecraft developed by JPL—Ranger, Surveyor, Mariner, Viking, and Voyager, have flown to the Moon, Mercury, Venus, Mars, Jupiter, and Saturn.

On a broader scale, Dr. Pickering is being honored for a lifetime of achievement. He is Professor Emeritus of Electrical Engineering at the California Institute of Technology and president of his own firm doing work in satellite applications.

He has been awarded honorary doctorate degrees from Clark University, Occidental College and the University of Bologna, Italy. He has received many honors and awards, nationally and internationally, including the Edison Medal, the Spirit of St. Louis Medal, the Columbus Gold Medal, and the Robert H. Goddard Memorial Trophy.

Dr. Pickering has been made an Honorary Knight Commander of the British Empire by order of Her Majesty, Queen Elizabeth. In 1975, President Ford presented him with the nation's highest scientific award, The National Medal of Science.

It is easy to see that as the first recipient of the Francois-Xavier Bagnoud Aerospace Prize, Dr. Pickering is a wonderful selection. His biography, his list of achievements, is of such stellar proportions that it is clear that he will bring as much honor to the Bagnoud Prize as the Prize will bring to him.

Mr. Speaker, I congratulate Dr. Pickering who is a long time friend and constituent for this singular honor and I congratulate the Francois-Xavier Bagnoud Aerospace Prize Board for selecting a great man for its first honoree.

TRIBUTE TO BOB MICHEL

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Ms. SNOWE. Mr. Speaker, like so many of my colleagues, I was saddened to hear of BOB MICHEL's decision to retire at the end of the 103d Congress. BOB MICHEL has been a bold, capable, courageous, and energetic leader in Congress ever since he was elected in 1956.

BOB MICHEL's distinguished record of public service spanning almost 40 years is an inspiration to so many of us in Congress on both sides of the aisle. The legacy he leaves behind will be a memorable one. He steered the party forward when we faced difficulties, and he was quick to give others the credit when our party basked in the glow of success. Americans all over the Nation could depend on his loyalty, his public service, and his commitment to just causes. He will be sorely missed by all, but remembered in so many ways.

I would like to wish BOB, his lovely wife Corinne, and their four children the very best in the future.

H. RES. 134

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. SYNAR. Mr. Speaker, much has been made of H. Res. 134, Congressman INHOFE'S proposal to change the rules governing discharge petitions. Certainly, more than this issue warranted. This resolution sought only to change a single rule of a seldom used procedure.

As my colleagues know, a discharge petition is used to force the committee of jurisdiction to discharge bills that have been referred to it for consideration. House rules dictate that a bill will be immediately discharged from committee and scheduled for consideration by the full House when a discharge petition for the bill is signed by 218 Members. Under prior House rules the names of the 218 signatories were only unveiled after the 218th signature was obtained. Under Mr. INHOFE'S resolution the name of each signer of discharge petition is immediately disclosed upon signing. It is a change that sounds innocuous and probably would have quietly passed, had it not been for the publicity generated about this proposal.

Early last week I voted with 383 of my House colleagues to adopt H. Res. 134. While I ultimately supported the Inhofe resolution, my decision was not an easy one. I have some serious concerns about the impact of this resolution on the legislative process and about the tone of the debate surrounding the House's consideration of the resolution.

Proponents of the Inhofe proposal alleged its consideration was being hindered by the heavy-handed tactics of House leaders who sought to retain a policy of secrecy and dishonest representation. Such a charge, needless to say, focused attention on his proposal.

However, the issue was not one of maintaining a dishonest status quo. What was at issue was whether or not this body would pass a bill that could open it up to coercion.

Proponents also claimed that passing this legislation would bring sunshine to government. All that Congressman INHOFE'S resolution does is change the timing of when signatures on discharge petitions are released. Not whether they are, but when.

In addition, Mr. INHOFE and others argued that not releasing the names of signers before the petition receives a majority allows Members to deceive their constituents about their support for a bill. Members may say they support legislation, may even cosponsor it, but stop short of taking the final step that will bring it to the floor for a vote. This lack of action, Mr. INHOFE contends, is indicative of deception on the part of Members.

I disagree. Refusal to sign a discharge petition does not mean a Member is not supportive of legislation. Even if a Member supports legislation, he or she may be reluctant to bring it to the floor outside the proper process. A discharge petition precludes process.

The discharge petition was originally brought into being as a means to circumvent the committee process by a determined majority of the House. It was intended as a procedure of last resort. A procedure to be used only when normal channels failed. As such, it is a necessary safeguard to our democratic process. A life preserver, if you will, to be used to keep the process afloat when it has been tossed overboard. You do not use a life preserver unless you're in danger of drowning: a discharge petition is much the same.

By discharging a committee of legislation, an opportunity for public input and involvement is lost. Hearings, wherein information is made available to Members by proponents of different sides of the issue are foregone.

Congressman INHOFE suggests that by changing the timing of when the names on the petitions are released, Members will be forced to be more candid in their statements of support for legislation. If this is the case, then releasing the names earlier may indeed be beneficial. However, this benefit is of limited application as only 31 discharge petitions have been entered in the last 57 years.

Furthermore, releasing the names of signers before a majority is garnered may have serious drawbacks that could outweigh that single benefit. Rather than benefiting the public, the Inhofe proposal may instead bolster groups with narrow interests who would use the disclosed names of discharge petition signers as a lobbying tool.

Special interests are even now plotting ways to use the discharge procedure to promote their agendas. They see it as a way to circumvent committees where they do not have "friends." I cannot emphasize enough how unwise the increased use of this procedure would be as it undermines the committee process the House relies on to consider complex policy issues.

That said, in the end, I still found myself supporting this measure during the House's vote.

What the whole debate boils down to is this: substantively, Does the Inhofe proposal make a difference in the discharge procedure? The answer is no. After studying the issue for some time, I realized that while there is potential for good and bad to result from this change, it is not innately one or the other. By its existence, this bill will not make individual Members do other than what is within them to do. In the past, the discharge petition has been used by Members only as a last resort. I have faith that each of my colleagues will continue to act within the bounds of his or her own conscience.

Some may wonder, then why vote for it? The primary reason is this: this whole debate has enhanced the perception of secrecy that surrounds the Congress. I believe that the previous rule entailed no real secrecy. In terms of the damage this issue has wrought, however, it may as well have been the most secret rule in existence.

Despite the fact that this is probably the most open Congress in the history of the body, the institution is plagued by a perception of secrecy. In this case, that perception is more important than the realities surrounding this issue. It distracts the Congress from tackling the many substantive issues that face us today. It enforces the perception shared by many of the American people that they are not participants in the process. That no matter what they do, or how they vote, or what they say, the power structure of Washington will do as it will.

Democracy is not a spectator sport. It is important that people participate in the process. If in passing this bill, we in some measure reassured the American people that this is a responsive body, then we did right in passing it.

TRIBUTE TO RALPH ROSS BELLITO "BOOTS BELL"

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. TRAFICANT. Mr. Speaker, I rise here to pay tribute to Boots Bell, a radio personality from my 17th Congressional District who recently passed away. In the words of some of his colleagues, Boots Bell was a legend and his passing marks the end of an era.

Mr. Speaker, Boots Bell started as a disc jockey in 1959 on WHOT in Youngstown. Boots had a powerfully deep voice, one that instantly grabbed hold of you like a strong fist. He was most popular with the younger set, we call them Baby Boomer's today, because he was so different, like their music. Boots wore a goatee and flashy suits. In those days, men did not wear beards, let alone goatees. The look, the voice, the clothes, and the music were very cool to all the young teenage sock hoppers.

Mr. Speaker, Boots worked radio in Youngstown until the day he died. He did stints on four different radio stations in the Mahoning Valley. Before that he served a 3-year tour of duty in Korea where he was wounded several times. His numerous medals include the Purple Heart and five bronze stars. he received a bayonet wound through the knee, and as a result he walked with a cane. He was a true American hero.

Mr. Speaker, Boots Bell was an icon in the Mahoning Valley. Everyone recognized Boots, his voice and his style. His loss creates a void that can never be filled. He will be sadly missed. I know I join his family and friends in passing on condolences. May God bless him.

A SALUTE TO HEARTS & VOICES

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. NADLER. Mr. Speaker, I rise today to pay tribute to an organization of performers in my district called Hearts & Voices. This fine organization brings music, care, and comfort to people hospitalized with AIDS. On Sunday, October 3, 1993, Hearts & Voices gave their 1,000th show.

The isolation experienced during hospitalization by many people with AIDS when they are away from their homes, and far from their emotional support systems, is tremendous. Hearts & Voices adds care, concern, and entertainment to the lives of people with AIDS, through their weekly, high quality, polished performances.

Patients in seven different New York hospitals have been entertained by over 600 volunteer performers from Broadway, off-Broadway, cabaret, piano bars, opera, television, even the circus. I am proud of their dedication, and proud to represent a community of artists that has responded to the AIDS epidemic with such energy, compassion, and creativity.

Please join me in applauding the talented volunteers of Hearts & Voices and their supporters for their exemplary work and their care and kindness in reaching out to people hospitalized with AIDS.

TRIBUTE TO RAYMON ROEBUCK

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. MARTINEZ. Mr. Speaker, as we all know, when Ray Roebuck retires, gone will be a piece of House history. Many Members came and went, yet Ray remained. He was a bastion of familiarity and friendliness for all those who were weary eyed from a nearby floor fight or hungry from an arm twisting session on a close vote.

Ray always managed to have a smile on his face and a hot cup of coffee in his hand—no matter how early in the morning or how late in the day he was at his post. His service and camaraderie over the years will not be forgotten any time soon by those of us who were fortunate enough to have benefitted from his dedication.

I feel both sadness and elation at this time of Mr. Roebuck's retirement. My sadness comes from the fact that we have lost a person who truly loved and cared about his job. But elation stems from my heart, as I know Ray will enjoy the extra time he is now afforded to pursue his longstanding relationships with his family, church, and community here in Washington.

Good luck in your retirement and may God bless you.

TRIBUTE TO THE EMPLOYEES OF CHEM-TRONICS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. HUNTER. Mr. Speaker, I rise today to congratulate the employees of Chem-tronics in El Cajon, CA, as they celebrate the company's 40th anniversary this month. Established by Bernard Gross, Daniel Brimm, and James Lowrie, the company has been an important part of the San Diego area economy since its founding in 1953.

Chem-tronics was one of the pioneers in instituting a unique process known as chemical-milling—the production of aerospace components. This method of production has proven advantageous in the construction of aircraft as components could be made lighter, resulting in better flight performance.

Throughout the years, Chem-tronics has embarked on a number of successful endeavors. Its aviation repair division, formed in the early 1970's, performs repair and reformation of fan blades for jet engines. An in-house metallurgical laboratory enables the company to perform analysis of various materials. Computer-aided design and manufacturing has allowed Chem-tronics to stay at the forefront of aerospace technology.

But it is the dedication of the Chem-tronics staff that has ensured 40 years of prosperity. I'm sure the entire Chamber joins me in wishing the employees of Chem-tronics congratulations on this anniversary and success in their next 40 years.

TRIBUTE TO CATHERINE PRICE

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. GEKAS. Mr. Speaker, it is with great pride that I rise to pay tribute to a woman who personifies the words dedication and responsibility, Catherine Price, Executive Director of the United Church of Christ Homes in Hummelstown, PA. This year, Ms. Price will be completing her two year term as elected chair of the board of directors of the American Association of Homes for the Aging [AAHA].

Ms. Price has been an active member of the AAHA governance since 1978 when she served on the Association's House of Delegates. Ms. Price has also served on sixteen of the Association's Committees, nine of which she has Chaired. It goes without saying that Ms. Price has been relentless in her pursuit of helping to shape the direction and growth of AAHA, and for that, the Association has certainly benefitted.

Ms. Price has been a very visible Chair for AAHA having visited nearly every state affiliate during the last two years. During her tenure as Chair of the Board of the American Association of Homes for the Aging, the membership has grown from approximately 3,000 to over 4,500 members. Additionally, under her tenure AAHA was successful in adding another State Association to its 38 existing state affiliates.

Ms. Price has demonstrated a strong sense of social responsibility which has always been a value she has vehemently promoted. Under her guidance, the Association developed a social accountability guide in cooperation with the Catholic Health Association. The guide has been valuable in assisting long term care housing and health providers to identify benevolent and charitable services they provide in their communities. Ms. Price has always been proud of her formal training as a nurse, and I believe that this is where her strong sense of social responsibility was born.

This sense of dedication and responsibility can also be seen in the development of the Association's vision statement, a task initiated by Ms. Price. The vision statement of AAHA clearly identifies and reaffirms the Association's commitment to providing high-quality and affordable health, housing and community services to elderly individuals.

During her tenure as chair, Kay has made significant contributions toward helping to chart the course of the Association on public policy concerns. She oversaw the development of AAHA's long term care reform position. I would note that many of the components of this plan have been included in the President's health care reform proposal. Additionally, her leadership has helped enlighten policy makers about the importance of merging housing and support services in the continuum of care.

Finally, and certainly not the least of her wonderful efforts, is her continued dedication and devotion to the community of elderly persons served by United Church of Christ Homes (UCCH). While Ms. Price was assuming the demanding task of serving as AAHA's chair, she did not forget her responsibilities as Executive Director of the UCCH. Under her leadership, the organization nearly doubled the number of persons it serves during the last three years. Her community is vibrant, caring and typifies the best in service to our older citizens.

One of the remarks she consistently makes during her many speeches as AAHA's chair has been "we can't provide care to the elderly on the backs of the caregivers." This statement reflects her understanding and appreciation of the employees of homes and services for the aging. And because of that understanding and appreciation, she is admired by those who have had the privilege of working with her. In fact, when you ask her employees what word comes to mind to describe her as a boss, they use the words like warm and compassionate.

Mr. Speaker, Ms. Price's record illustrates her dedication and sense of responsibility in improving the lives of the elderly and the quality of AAHA as an Association.

I congratulate Kay for all she has accomplished and all she will continue to accomplish, to improve the lives of older people in this nation. Her efforts have touched many individuals in a special way.

NAFTA TO BENEFIT FARMERS

HON. WILLIAM H. ZELIFF, JR.

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. ZELIFF. Mr. Speaker, I would like to bring to the attention of my colleagues the attached article, which notes the benefits that NAFTA will bring to New Hampshire farmers, as a result of the lowering of trade restrictions with Mexico.

NAFTA WILL BENEFIT NH FARMS

(By Stacey W. Cole)

Laying politics aside, I believe that the North American Free Trade Agreement will benefit New Hampshire's 2,900 farms and the business communities that rely on agriculture to produce income and jobs. And our nation's environment as well.

Mexico is the third largest market for United States farm and food products. With agricultural exports to Mexico having risen by $2.6 billion over the last six years and another $500 million increase being projected for 1993, Mexico has become the largest growth market of the U.S. During those last six years Mexico has unilaterally liberalized its economic and trade policies. And United States agricultural exports have climbed an impressive 248 percent during that same time frame.

Currently it is estimated that 97,000 U.S. jobs are attributable to agriculture and food industry trade with Mexico. The U.S. Department of Agriculture (USDA) expects that the NAFTA agreement would add 54,000 more new jobs to this total.

The USDA predicts that, under NAFTA, producers of dairy products, greenhouse and nursery products, apples, cattle, hay, hogs, eggs and poultry—crops that generate a major percentage of New Hampshire farm receipts—will enjoy increased exports and revenues over what would occur without NAFTA.

Let's take a look at how USDA believes NAFTA would affect five of New Hampshire's important farm commodities.

Dairy products: They are one of the largest generators of farm cash receipts. Under NAFTA, Mexico, by eliminating restrictive import licenses on milk powder, will provide immediate duty-free access for 40,000 tons. Since most New Hampshire dairymen are paid the blended price for milk, increased exports without tariffs should affect diary income favorably.

It is true that U.S. exports above the quota initially will face a high tariff, but this tariff will be phased out over 15 years.

Greenhouse and nursery products: Under NAFTA, Mexico's 10 percent tariff on imports of many nursery products and 20 percent tariff on most cut flowers, foliage, branches and plant parts will be eliminated immediately. While Mexico has the potential to increase exports to the U.S., NAFTA merely restores Mexico's competitive position relative to its South American competitors whose products now enter the U.S. duty-free.

Apples: They are another large generator of farm cash receipts in New Hampshire. Mexico now imposes a 20 percent tariff on fresh apple imports. Under NAFTA, this tariff would be phased out over 10 years.

Cattle and Calves: Under NAFTA, Mexico will immediately eliminate its current duties on live cattle, chilled frozen beef of 15, 20, and 25 percent respectively. The USDA predicts that at the end of 10 years, U.S. beef exports to Mexico will almost triple the quantity exported in 1992.

Hay and forage crops: They are also a strong income producer for New Hampshire farmers. Currently hay exports to Mexico face a 10–15 percent tariff while imports from Mexico are duty-free. Under NAFTA, Mexico's 10 percent tariff on alfalfa and 15 percent tariff on other hay will be phased out over 10 years.

Even though New Hampshire farmers may not directly export farm products to Mexico, I believe that increased export trade will more quickly clear the market and improve farm income thereby. The environment is another target of opponents of NAFTA. It is interesting to note that the major environmental groups and organizations are split wide open on NAFTA. According to the latest information I have, the National Audubon Society, World Wildlife Fund and National Wildlife Federation support the trade agreement while it is opposed by Greenpeace, the Sierra Club and Friends of the Earth. As one who appreciates the natural world around us and opposes environmental degradation, I am confident that a more prosperous Mexico will encourage them to invest in environmental improvements. A poor country tends to exploit its land and its resources. Over the long haul, I believe NAFTA will be good for our country.

SVOBODA CELEBRATES CENTENNIAL

HON. WILLIAM H. ZELIFF, JR.

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1993

Mr. ZELIFF. Mr. Speaker, I would like a moment to recognize the Svoboda, the official newspaper of the Ukrainian National Association, and to congratulate them on their centennial celebration. Svoboda is the oldest Ukrainian newspaper in the world and one of the oldest ethnic newspapers in the United States.

Svoboda has been a valuable resource to thousands of Ukrainian immigrants, providing them with information about the United States and the world in their native language. In addition, it has also helped to create several organizations to benefit the educational, social, and cultural needs of the Ukrainian-American community. Lastly, and most importantly, Svoboda has provided the rest of the world with information concerning the Ukraine's struggle for independence throughout this century.

HOUSE OF REPRESENTATIVES—*Tuesday, October 12, 1993*

The House met at 12 noon and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 12, 1993.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

Rabbi Wayne Dosick, Congregation Elijah Minyan, LaCosta, CA, offered the following prayer:

Elohanu Va'lohay Avotanu.

God of our ancestors; God the generations; Our God, and God of eternity; God of everything and every one:

We come before You on this day, acknowledging and respecting our diversity, celebrating and rejoicing in our unity, for we are all Your children.

We praise You and we thank You for all the many blessings with which You shower us day by day.

And we humbly ask You, in the words of the ancient prayer:

Barchanu Aveinu kulanu c'echad b'or panacha.

"Bless us, O God, all of us together, with the light of Your presence."

Let us encounter You, so that we may be bathed in Your divine light, so that we may reflect the holy sparks of Your divine being.

Give us a full measure of Your wisdom and Your strength, Your justice and Your compassion, Your kindness and Your goodness, so that all that we do is filled with Your spirit.

Bless, O God, the men and women who come to this hallowed House.

Let them hear the voice of Your ancient prophets calling to them, so that where there is pain, they will offer healing, where there is anguish, they will give comfort, where there is despair, they will bring hope.

Enflame their souls, and ours, O God, with sacred passion, and guide each one of us to a life of meaning and worth, of caring and sharing, of decency and dignity; a life of doing what is right and what is good.

Bless us with joy and with love, and bless us—and Your whole world with us—with Your greatest gift, Your gift of everlasting and enduring peace.

And let us all say: Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair requests the gentlewoman from Connecticut [Mrs. KENNELLY] to lead the House in the Pledge of Allegiance.

Mrs. KENNELLY led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RABBI WAYNE DOSICK

(Mr. BEILENSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEILENSON. Mr. Speaker, on behalf of my good friend, the gentlewoman from California [Ms. SCHENK], who was unable to be here this morning, I would like to welcome Rabbi Wayne Dosick, Ms. SCHENK's rabbi, who just gave us that beautiful morning prayer.

Rabbi Dosick joins us from San Diego, CA, where he served synagogue pulpits now for 18 years.

Rabbi Dosick is a spiritual and community leader in San Diego as well as an academician and writer. He recently wrote a new and original work, "The Business Bible: Ten New Commandments for Creating an Ethical Workplace." Rabbi Dosick's basic message, to quote from his treating of his 10th commandment, "Know before whom you stand," is that, "We live our lives not alone, not in a vacuum, not without consequence. We stand before something higher than each of us."

I believe we can all learn from this lesson both in our professional lives and in our personal lives.

Congresswoman SCHENK values Rabbi Dosick not only as a close personal friend but as a spiritual guide who has been an invaluable source of inspiration and support. We are delighted to have him here with us today at the Nation's Capitol.

WE SHOULD RETHINK OUR POLICY IN SOMALIA AND IN HAITI

(Mr. HYDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I fear this administration is beginning to use our troops as members of the Peace Corps, with guns, sending them to various parts of the world to do various tasks, all the while saying they are not combat. The debacle of what is happening off the coast of Haiti is but the most recent example.

Last December troops were sent to Somalia to serve a humanitarian mission, to feed the starving people. That mission has been completed, but we are still there. Not only are we there, but the mission has been expanded now into nation-building. As we keep our troops vulnerable to the warlord Aideed, we must ask ourselves what is our national interest in this impossible dream of building an emerging democracy out of Somalia, which is run by clans of warlords. The first thing we should do is get our prisoners back, one or more; the next thing we should do is let the nation-building be left to those countries in the region that have cultural, geographic, and political ties to Somalia.

Let us take another look at Haiti.

CONSTITUENTS SHOW CONCERN ABOUT SOMALIA AND HAITI

(Mrs. KENNELLY asked and was given permission to address the House 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, having been home for the weekend I have had the opportunity to talk to some of my constituents about Somalia and Haiti.

My constituents are wrestling with their feelings about Somalia. Obviously, they were terribly upset by American casualties and furious that backup forces were not prepared to rescue those involved. Yet they were incredibly proud of how the American Rangers stood firm until help finally arrived.

By no means do they hysterically call for our immediate retreat. They understand the new U.S. troops are being sent in to help protect those already there. They all hope for a swift resolution of this situation, although many believe that if the urban guerrilla fighting continues with no real

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

move by Aideed and his forces to resolve this situation peacefully, we should plan an orderly pullout.

With regard to Haiti, at this point I must say most do not have much hope for the Haiti venture. Stability can come only when all parties involved in the dispute at hand want peace. This is not yet the case in Haiti. We would do well to consider this as we plan our next steps.

CONGRESS HAD SPOKEN ON THE SITUATION IN SOMALIA

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute.)

Mr. THOMAS of Wyoming. Mr. Speaker, there has been a great deal of debate concerning the lack of Somali policy over the past week or 10 days. This is as it should be. There should be public debate.

The debate, however, should be anchored on accurate information. One area of talk show mythology is that the Congress was asleep and did not speak out as the mission was changed by the United Nations. Not true.

Let me cite to you a couple of positions that were taken: Back on April 1, 1993, this is the Republican policy committee: "U.S. Forces in Somalia have fulfilled the mission. Therefore, President Clinton should bring the troops home."

We said on February 19: "Since the Clinton administration took office, our role in Somalia has apparently changed significantly."

We said just last week: "Republicans reject isolationism; however, we believe the United States should not take on broad peacekeeping role that is dangerously open-ended."

Mr. Speaker, our situation in Somalia is not a lack of ability on the part of the military; it is the victory of procrastination over policy, a failure of policy.

Let us get our act together.

VOTING RECORDS OF THE DELEGATES

(Mr. UNDERWOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, the phrase "My dear colleagues," has an ambivalent meaning for delegates who are elected to sit here on behalf of U.S. citizens. There is yet another effort to direct some nastiness at the five delegates who inhabit this institution.

According to Roll Call, some Members from the minority may request a box on the television vote count to separate out the delegate votes from the Representatives' in a further attempt to stigmatize and separate the delegates from the rest of the House.

□ 1210

Why stop at counting the votes separately? Why not ask the delegates to wear a delegate hat, like a dunce cap, so that we can spot them immediately? Why not reserve seats for delegates at the back of the House so that we know where they are located at all times? Why not give us separate water fountains and bathroom facilities, so that we will not contaminate the legislative process?

This list can go on and on in this ridiculous attempt to further humiliate those of us who are only given limited participation in House affairs.

Come on, colleagues, let the courts sort out our status relative to the Committee of the Whole vote and let us get on with real legislative issues.

Mr. Speaker, I am here to represent people, not to confound the constitutional process.

VEHICLE FOR CHANGE?

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, the President has said that he wants to reinvent government, because our Government is broken. And I agree we should clean house. I have an even better idea. Why do we not reinvent the Congress?

We have the right vehicle for change: The Joint Committee on the Organization of Congress.

We formed this committee so it would boldly propose real changes to the way this place is run.

Unfortunately, this vehicle is stuck in a traffic jam of Democrat indifference, apathy, opposition, and intransigence.

Let us face it. The Democrat majority is not interested in change. They want the status quo so they can continue to rule the way they have ruled for the last 40 years.

Well, Mr. Speaker, if the Joint Committee on Reform does not come up with some real proposals for change, the American people will be the real losers, and we will never get the real change in Government that they want and deserve.

TIME TO LOOK AT OUR OWN WAR ZONE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, America has another mission, a secure environment for Haiti. I think it is appropriate that Haiti have a source environment, but you see, in the words of Marvin Gaye, I must ask, what's going on?

America's greatest threat is not posed in Somalia, Bosnia, or Haiti. I think we had better look at your town and my town. What is going on in the streets of America, and let us check it out.

We have war zones in some of our cities. Our border with Mexico is an absolute joke. Our police departments are outgunned.

If we want to do something about a safe environment, I think it is time if we are going to keep sending GI's overseas, maybe we would not hear, "Yankee go home," if we started to help the people in our cities.

Now, look, everybody here wants to help everybody else. The fact is we are the policemen for the world, but the truth is we are also becoming the neighborhood crime watch.

I say to the Congress, if we are going to become the neighborhood crime watch, let us take a look at your town and my town. Let us help our own country out.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair would like to welcome our guests in the gallery, but you cannot participate in the debate, and you cannot applaud.

SOUTH CAROLINA COACH SETS NATIONAL HIGH SCHOOL FOOTBALL RECORD

(Mr. RAVENEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAVENEL. Mr. Speaker, last Friday night, an event of national significance took place in South Carolina.

John McKissick, coach of the Summerville High School green wave football team, was credited with his 406th career win, establishing a new national record. McKissick's recordbreaking 406 came in this, his 42d season, all at Summerville.

In the words of his close friend and statistician, Archie Paris, "John McKissick's tenure has seen sons follow fathers, nephews follow uncles, and cousins gather to keep the dynastic program alive."

McKissick was selected the National High School Coach of the Year in 1980 and saw his stadium named John McKissick Field in 1987. Winning nine State titles, he was inducted into the National High School Hall of Fame in 1990.

John McKissick: A productive and nationally honored son of South Carolina of whom we are all proud.

PULL THE PLUG ON TV MARTI

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SKAGGS. Mr. Speaker, TV Marti—the United States Government's television broadcasts to Cuba—is a waste of money. We are spending $60,000 a day to send 2½ hours of programming that no one receives, because the Cuban Government has jammed TV Marti from day one. In today's Washington Times there's an article written by a reporter who just returned from Havana. He searched and searched for a single TV Marti viewer to no avail. He writes, and I quote, "no one could be found who has seen the television program or who knew any one who had."

He did, however, discover that as many as 100,000 Cuban households have primitive microwave receivers that pick up a nice 10-channel cable package. They are watching CNN, HBO, ESPN, Mexican commercial broadcasts, Spanish language stations out of Miami, and the Disney channel. Why would any hard-working Cuban wake up at 3:30 in the morning to watch the static and snow that is TV Marti, when they can tune in to prime-time news reports and the latest box office hits? Why indeed? As one of the people interviewed said: "I have HBO and CNN, why do I need TV Marti?"

A more important question for Congress though, is why have American taxpayers invested $67 million to date for this futile venture? House and Senate appropriations meet tomorrow to decide TV Marti's fate—the House bill cut funds for TV Marti, but the Senate put all $12 million back in. It is time to pull the plug on this ineffective cold war relic and score a victory for fiscal sanity.

Mr. Speaker, we are in conference on this tomorrow. TV Marti should have its plug pulled.

Mr. Speaker, I include the following article from the Washington Times of October 12, 1993:

[From the Washington Times, Oct. 12, 1993]

MARTI'S JAMMED BUT PIRATED CABLE A HIT

(By Torn Carter)

HAVANA.—Fidel Castro wants Washington to know that U.S. funding for Television Marti is money for nothing.

But even without TV Marti, thousands of viewers in Havanna channel-surf past Cuban state television in favor of CNN, HBO, ESPN, Mexican commercial broadcasts, Spanish-language stations out of Miami and the Disney Channel.

As many as 100,000 Cubans in Havana have rigged primitive microwave receivers that pirate a 10-channel cable package that is beamed by satellite to the major tourist hotels in downtown Havana.

"My father, my brother and me love HBO and Disney," said Sandro, 29, a computer programmer who works at a bicycle parking lot in Vedado. "We use it to learn English. I love 'Cops.'"

Radio Marti is listened to throughout the island and is commonly heard on the streets of Havana. By some estimates, as many as 70 percent of Cuba's 10 million people listen to Radio Marti regularly.

TV Marti is another story.

Despite claims from the United States to the contrary, Cuban officials say no one sees it. And as long as it comes in, Cuban jamming technicians will keep TV Marti from the eyes of the Cuban people.

Specifically, Cuban officials want the U.S. Congress, which is currently in the midst of an acrimonious appropriations debate regarding funding for the TV program, to know that almost no one in Cuba can see the program, which is costing U.S. taxpayers an estimated $60,000 a day.

"If effectiveness is spending money constructively, then [TV Marti] is inefficient," said Leonardo Cano, an analyst from the Central Committee of the Cuban Communist Party who monitors broadcasts from the United States to Cuba. "But if effectiveness is only to provoke our government, then, yes, I agree TV Marti is effective."

Both Cuban and Western diplomats in Havana agree that the 2½-hour daily Spanish-language news and features program, which originates in Washington and is beamed to Cuba from a tethered satellite balloon in the Florida Keys at 3:30 a.m. each morning, is seen by almost no one.

"There are windows when it can be seen for a day or two," said one Western diplomat in Havana. "But generally speaking, it is reaching very few people," he said.

The only place TV Marti is seen regularly is in the waiting room at the U.S. Interests Section in Havana. The show is taped each night and shown on monitors to Cubans waiting to apply for visas to the United States. About 400 Cubans a day are able to see TV Marti that way.

In late August, Rolando Bonachea, the head of TV Marti in Washington, said that his daily broadcasts could be seen west of Havana in Pinar del Rio, Mariel, Candelaria and Bahia Honda, but during two days there last week and dozens of interviews, no one could be found who had seen the television program or who new anyone who had.

There was also a report out of Cojimar, east of Havana, that TV Marti was seen on several days in September.

"We were excited to see TV Marti," said Christian, 24, who is studying to be an English teacher in Pinar del Rio, about a two-hour drive west of Havana. "Prohibited ideas are exciting to college students, and we were hopeful that we could see it here, but it was rejected [jammed]."

Christian who asked that only his first name be used, rattled off a list of U.S. radio stations, including Radio Marti, that he listens to regularly.

"English radio is our influence—we listen to improve our skill—but in this province I have never heard of anyone who has seen TV Marti," he said.

The Cuban television engineer who directed the "development, production, installation and [current] operation" of the jamming of TV Marti estimates that the entire jamming system to keep TV Marti away from Cuban eyes has cost the Cuban government less than $100,000 in materials. Carlos Martinez, who is one of the top officials in the Cuban equivalent of the FCC, said it costs about "5 to 7 pesos in electricity a day" ($5 to $7 on the official exchange but less than a quarter on the street), a figure Western diplomats in Havana call "preposterous."

TV Marti supporters say it costs the Castro government as much as $1 million a day to jam the broadcasts because at least some of the devices are fixed to helicopters, which deplete Mr. Castro's dangerously low fuel supplies.

Mr. Martinez said he has jamming devices on "land, helicopters and on boats" but called the $1 million figure "ridiculous."

The jamming process begins in downtown Havana at the Cuban Institute of Radio and Television. On the ninth floor, Carlos Rodriguez, a 22-year-old Communist Party Youth member who wears a scruffy beard and a sleeveless Motley Crue T-shirt, monitors the quality of Cuban radio and television broadcasts.

One television monitor is turned to Channel 13, where TV Marti comes in. One night last week, until 3:30 sharp, the monitor showed only static and snow. Like clockwork, when the TV Marti broadcast began, Mr. Rodriguez turned to a special white telephone hot line and gave the jamming order to a small telecommunications shack on a hill in the Lawton neighborhood of Havana.

Within seconds, the snow and static returned to the monitor.

Using parts stolen from the government or about $50 worth of electronic equipment brought to Cuba by relatives or friends from the United States, Cuban TV whizzes fashion an illegal metal dish, resembling a garbage-can lid or a wok, and a receiver that can pick up the U.S. commercial signals, such as CNN and Disney.

The Cuban government allows the tourist hotels to broadcast the channels to their guest rooms, and while the private dishes technically are illegal, they are tolerated by the government.

Western diplomats say the government permits the channels only as long as they do not broadcast information damaging to the Cuban government.

Recently, when Cuban refugees washed up on the shores of Mexico and were then returned to Cuba, to be subsequently allowed to come to Miami, there was "dramatic footage" and a lot of unflattering commentary on Cuba on Mexico's Echo channel.

"The next week, Echo was no longer offered in the package," said a Western diplomat in Havana.

In a neighborhood near the Plaza de la Revolucion, a half-dozen dishes poke out of the top of houses. Nobody seems to miss TV Marti.

"I have HBO and CNN. Why do I need TV Marti?" said one homeowner.

QUESTIONS FOR THE PRESIDENT

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, for many of us in Congress, President Clinton has not adequately justified our involvement in Somalia or defined our mission there. Most of the policies and issues that President Clinton is attempting to address today should have been addressed months ago.

To that end, a number of Members have posed in a letter to the President the following questions:

First, what are the vital national security interests that require the placement of United States forces in Haiti under the auspices of the United Nations?

Second, what is the mission of the United States forces involved in the U.N. mission in Haiti and the estimated duration of the mission?

Third, what is the exact size and composition of the United States forces involved in the U.N. mission in Haiti?

Fourth, what is the estimated cost of the U.N. mission to the United States?

Fifth, what is the precise command and control relationship between the U.S. forces and the United Nations?

Sixth, what is the precise command and control relationship between the U.S. forces involved and the commander of the U.S. military command here in the United States?

Seventh, to what extent will United States forces deployed to Haiti rely on non-United States forces for security and self-defense, and what is the ability of those non-United States forces to provide adequate security to the United States forces involved?

Eighth, what are the rules of engagement for the United States forces in Haiti?

Ninth, what are the conditions under which the U.S. forces can be withdrawn?

Mr. Speaker, I am greatly concerned that the Clinton administration will once again rush into another U.N. operation in Haiti without thoroughly defining our vital interests and mission or taking the steps necessary to protect our troops.

Mr. Speaker, we need these questions answered.

HAITI IS VITAL TO UNITED STATES INTERESTS

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, if Cuba or France or some other foreign power invaded Haiti today, the overwhelming majority of the voice in Washington would be raised in a loud cry to send in the Marines to oust the interlopers. Rightly or wrongly, Haiti has always been considered a vital interest of the United States. Haiti is just 500 miles away in this Western Hemisphere. In the best and most positive spirit of an updated Monroe Doctrine now is the time for the United States to come to the aid of democracy in Haiti. A new Monroe Doctrine should strive to guarantee democracy and economic development throughout the Western Hemisphere. The United States is a party to the Governor's Island Agreement. This administration pressured President Aristide into signing an agreement which exposes all of his democratic allies in Haiti to injury and possible death. Haiti has a President elected by 70 percent of the votes. Haiti has a Prime Minister with a cabinet.

Mr. President, now is not the time to waffle. If we are concerned about the safety of our Embassy then you have the right to send in troops to protect our Embassy and American citizens. Do whatever is necessary to alleviate these fears. But I beg you, Mr. President, to stand behind the Governor's Island Agreement and guarantee the return of President Aristide on October 30. Democracy in Haiti is definitely a vital interest of the United States.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair would like to remind Members that they cannot address the President directly, but they should address the Chair.

ONE HUNDRED AND SIXTY YESTERDAYS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, American troops went to Somalia to feed the starving. On May 5, President Clinton welcomed the United States commander, General Johnston, and his troops home from Somalia. In his speech he said:

> General Johnston has just reported to me: Mission accomplished. And so on behalf of all the American people, I say to you, General, and to all whom you brought with you: Welcome home, and thank you for a job very, very well done.

Evidently, the job was not done. It has been 160 days since General Johnston announced "mission accomplished." Yet American troops are still there. Last Thursday, President Clinton, announced more troops would be sent and that they will continue to stay until at least late March of next year. Noncombat troops will continue to stay even longer. Of course, none of these troops were ever intended to be combat troops. As President Clinton himself said back on May 5, "your mission was humanitarian and not combat."

America cannot cut and run; we never have, we never will. The President has put America into a position where, if we do what should have been done in the first place, we will look like we are doing the wrong thing at the last minute. The President is the Commander in Chief. He has now determined troops will have to be there for many tomorrows. The question is, why were they there for 160 yesterdays?

□ 1220

OUR GOAL IN SOMALIA: DISENGAGE OUR FORCES AND PROTECT EVERY AMERICAN THERE

(Mr. REED asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REED. Mr. Speaker, the President was correct last week when he outlined American policy in Somalia. Strategically he indicated that we must disengage our forces because there is no overriding and overwhelming American interest to maintain large forces in Somalia. He was also correct tactically because, in order to accomplish such a disengagement, we must be strong on the ground. Therefore, we must reinforce our forces on the ground. Since May 4 of this year, American strength has decreased from 28,000 personnel to about 4,000 personnel. It is a path to reduce American presence, to bring our forces home and to reorient our policy in Somalia.

We also must be cognizant of a continuing role for the United Nations, but the United Nations should be able to find its way in Somalia. It is our goal now, the goal of the United States, to disengage our forces, and, over all, to protect every American service man and woman who is in Somalia. That ultimately is the challenge we face, to bring all our forces home safely and surely.

NOBODY KNOWS WHAT OUR POLICY IS IN SOMALIA

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute.)

Mr. BURTON of Indiana. Mr. Speaker, our goal in Somalia was to feed the hungry, and President Bush said that we would have our troops out of that country by Inauguration Day last January. What happened? We stayed there.

In April, Mr. Speaker, many of us in the Congress sent a letter to the President of the United States saying, "Our job is done. Let us bring our troops home and turn this over to the United Nations."

Well, on May 5, Mr. Speaker, the President welcomed our troops home. He declared that the mission was accomplished and that everything was fine, except they expanded our mission into nation building. They cut our troop strength from 28,000 to 4,000, left our troops exposed and expanded the mission. I ask my colleagues, "Can you believe that?"

Now, Mr. Speaker, they are sending in 1,700 more troops. That is just a little bit. I say, if you're going to do it, go in and get the job done, but sending a few more in is a recipe for disaster like we faced in Beirut. Nobody knows what our policy is in Somalia.

I was at the White House last week. Senators and Congressmen really still do not know what our policy is. We have a vacillating, inconsistent, and unsure foreign policy, and it is not just damaging America right now, and our prestige. It is endangering the future stability of many parts of the world. We need to get our act in order.

HEALTH CARE DESERVES FAIR DEBATE

(Mr. STRICKLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRICKLAND. Mr. Speaker, we have a great freedom in this House to express ourselves to the American people. At times, however, this freedom is exploited. Such was the case on September 30 when a leader of the minority party took the floor of this Chamber, and, using convoluted reasoning, implied that President Clinton intends to ration health care.

Implying that the Clinton model is a system that will explicitly ration care, this leader of the minority party said, and I quote from the RECORD, "Now let us be very clear with people. Essentially rationed care means that if you are over 55 and you need kidney dialysis, you die."

Mr. Speaker, that statement was meant only to distort the truth and to scare Americans. Such distortions cannot go unchallenged. I hope that in the future, my colleague from the other side of the aisle would have a greater devotion to fair debate and intellectual integrity.

WE MUST STOP TAXPAYERS' DOLLARS FROM ENDING UP IN THE HANDS OF DRUG DEALERS

(Mr. FRANKS of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRANKS of Connecticut. Mr. Speaker, one of the worst aspects of our current welfare system is the possibility that our hard-earned tax dollars could go to individuals who may use the money to buy illegal drugs. There are good reasons to believe that this is happening to some degree. After all, unemployment is the highest in our inner cities, illegal drug transactions are the highest in our inner cities, and welfare use is high in our inner cities. Where is the money coming from?

Thus, Mr. Speaker, our current welfare system is not only making people more dependent on the Government, but it may be inadvertently helping the underground drug industry to flourish. In both instances, Mr. Speaker, we, the taxpayers, lose. But the welfare recipients, and more importantly, their children, are the big losers.

Mr. Speaker, maybe we should consider an alternate means of dispensing benefits to those on welfare to prevent taxpayers' dollars from ending up in the hands of drug dealers.

INTRODUCTION OF THE YOUTH HANDGUN SAFETY ACT

(Mr. CASTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CASTLE. Mr. Speaker, 2 weeks ago I met with a group of about 90 students at Dover High School located in Delaware's capital. I asked them how easy it is for them to get their hands on a handgun. The answer: "As easy as going out in front of school at the end of the day."

That is the stark reality of kids and guns in large cities and small towns alike throughout this country today.

On our streets and in our schools, juveniles are openly carrying handguns to impress their friends and to protect their turf and they are using them to kill other young people.

Juveniles and gang members in a majority of States can openly carry guns on the streets because there are no laws prohibiting the open carrying and possession of guns by minors.

My distinguished colleague from Kansas, DAN GLICKMAN, and I have introduced the Youth Handgun Safety Act to close this loophole in Federal gun laws.

The bill makes it illegal for anyone to sell, deliver, or transfer a handgun or ammunition to any person under the age of 18. It also makes it unlawful for youths under the age of 18 to possess a handgun, except for hunting, a gun safety course, or target practice under the supervision of an adult.

I, as much as others, wholeheartedly respect Americans' second amendment rights to bear arms; no one wants to restrict a person's freedom to use firearms to hunt and shoot weapons in rifle contests. However, children using guns to kill others was not what the Framers of the U.S. Constitution had in mind when they drafted the second amendment.

Will enacting this legislation completely stop handgun-related violence by youth? No. But it will act as a strong deterrent and help us get handguns out of the hands of our children and teenagers.

CAN WE AFFORD IT?

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Even after all the hype, Mr. Speaker, the administration has still not submitted a specific health care bill to the Congress. Even after a speech to the Nation in a joint session, no one knows exactly how much this bill, when it is submitted, is going to cost. Even after several congressional hearings, no one, not even the Secretary of Health and Human Services, can explain exactly how this plan will work or how it will be financed.

Mr. Speaker, all we really know for certain is that the President has promised so much that it will be unbelievably expensive. It apparently will be paid for by new taxes on business and increased Federal spending. This will inevitably lead to huge numbers of lost jobs and higher prices for everyone, or, as one Democrat Congressman said, "It will add big bucks to the deficit and cause much higher prices for consumers."

Mr. Speaker, I can think of all sorts of wonderful things I wish our Federal Government could do for our people. However, in the end, the big question is: Can we afford it?

The answer on the health care plan is that we cannot even come close to being able to afford all that the President has promised.

□ 1230

REPORT ON NAFTA FROM A GOVERNMENT OPERATIONS COMMITTEE MEMBER

(Mr. ZELIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZELIFF. Mr. Speaker, late last night, I and several of my colleagues from the Government Operations Committee returned from a 4-day factfinding trip to Mexico. The purpose of the trip was to explore the issues surrounding the debate over NAFTA.

For me, the trip was an opportunity to pursue firsthand answers to questions I have had relative to labor and environmental concerns. I found a country that is on a steady road toward development and prosperity. I saw firsthand a market that favors American products, a market that will expand tremendously with the passage of NAFTA. And, Mr. Speaker, I found a government headed by President Salinas with the vision to lead Mexico into the 21st century.

Mexico is still a developing country and has a number of major problems to overcome. But NAFTA is already leveraging improvements in Mexico, both in the area of labor and the environment. In the end, both our countries will benefit from the expanded trade. NAFTA will solidify an already close economic relationship between Canada, the United States, and Mexico, allowing North America to effectively compete with any challenge from Asia or the European Community. As we enter a stronger global market, NAFTA is a good deal for this country, Mr. Speaker, and I urge my colleagues to support it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken at the end of legislative business today.

MOST-FAVORED-NATION STATUS FOR ROMANIA

Mr. ROSTENKOWSKI. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 228) to approve the extension of nondiscriminatory treatment with respect to the products of Romania.

The Clerk read as follows:

H.J. RES. 228

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves the extension of nondiscriminatory treatment with respect to the products of Romania transmitted by the President to the Congress on July 2, 1993.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 20 minutes and the gentleman from California [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Joint Resolution 228, which would extend normal, or most-favored-nation, tariff treatment to the products of Romania.

This resolution would have the effect of approving the United States-Romania Trade Agreement, which was signed in April 1992 in response to Romania's progress toward democratic and economic reform, and which was submitted by the Clinton administration to the Congress in July of this year.

Under title IV of the Trade Act of 1974, congressional approval of this trade agreement, through passage of a joint resolution, is required in order to grant Romania MFN status, since Romania currently does not have MFN.

Romania has not received MFN treatment since 1988, when the Romanian Government renounced the renewal of its MFN status subject to the conditions in United States law and the United States President accordingly issued a proclamation withdrawing MFN treatment.

Mr. Speaker, written comments submitted to the Committee on Ways and Means on the United States-Romania Trade Agreement reflected tremendous support for renewal of Romania's MFN status.

Granting Romania nondiscriminatory tariff treatment would enhance the climate for business investment in Romania and generate greater opportunities for United States companies that export to that country. Also, a normal trading relationship with the United States would provide Romania with the economic stability that is vital to the continuation of its democratic reform process.

When the House voted on a resolution identical to House Joint Resolution 228 during the 102d Congress, questions arose on the floor as to Romania's human rights record and its progress toward full democratization. In the months since this vote in the fall of 1992, the Romanian Government has made tremendous strides forward in both these areas and under very trying economic circumstances.

In short, it is time we granted Romania normal tariff treatment. According to the State Department, Romania complies fully with the freedom-of-emigration requirements in title IV of the 1974 Trade Act.

Furthermore, Romania is a country that suffered for years under a crushing dictatorship. Since the 1989 revolution, this country has striven to reverse the psychological, political, and economic devastation the Ceausescu regime left as its legacy. The new leaders of Romania deserve any leg up that the United States can provide them in their long climb back to the community of democratic, free-market societies.

Mr. Speaker, granting Romania MFN is the right and just thing to do and I therefore urge my colleagues to support House Joint Resolution 228.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are once again considering legislation which would extend normalized tariff treatment, the so-called most-favored-nation principle, to the products of Romania. In passing House Joint Resolution 228 we are, in effect, approving the bilateral trade agreement between our two countries, as well as affirming that Romania has established certain procedures to assure freedom of emigration and other basic human rights.

I want to remind my colleagues that, under this bill, MFN for Romania would be conditioned on an annual review by the President and the Congress under procedures established in the Trade Act of 1974.

Mr. Speaker, this bill is far from an overall endorsement of the current government in Romania. Nor is it an affirmation that the process of reform in Romania is complete or adequate at this time.

The effect of this bill is to extend a helping hand to the people of Romania in the belief that expanding trade between entrepreneurs in our two countries will support the cause of democratic and market oriented reform there.

When we grant MFN to an emerging economy like Romania, we also expand opportunities for our own exporters. U.S. industries selling products such as machinery, animal feed, telecommunications equipment, cotton, and data processing devises are certain to benefit as a result of this legislation.

When this body considered a similar bill last September, the resolution was defeated due in large part to concerns about the Romanian national elections, which had not been completed at the time of the vote. Information from international observers indicates that generally fair, multiparty elections took place in Romania in the fall of 1992. The election resulted in a divided government which has largely espoused a commitment to democratic and free market reforms. We expect these reforms to continue.

Breaking with the past is difficult, and recent events in Russia along Romania's border have not improved the long-term outlook for political stability, economic reform, and a better life for the Romanian people. At this delicate time in the transformation of a society that is struggling to overcome years of economic stagnation under communism, it is important for the United States to pass this bill.

I urge a favorable vote on House Joint Resolution 228 which would grant MFN to the products of Romania, subject to annual review by the President and the Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GIBBONS], chairman of the Subcommittee on Trade of the Committee on Ways and Means.

Mr. GIBBONS. Mr. Speaker, Romania deserves the kind of tariff treatment that this legislation gives them. Romania is a country of about 25 million people. Its most recent ill fortune was to be ruled by a Russian puppet by the name of Nicolae Ceausescu, and it had a tortured history, a very tortured history.

It was occupied by Germany for years, liberated by the Russians. It suffered a bloodbath of more than 10,000 people killed during that liberation exercise, trying to establish political control there. It was a part of the Austrian-Hungarian Empire. It is entirely different than most of the Eastern European countries that surround it, and this kind of history, with these ethnic overtones, have caused it for a thousand years to have a terribly tortured history.

But Romania is a democracy. It is the last country in Eastern Europe to obtain this kind of normal trade relationship.

This will not be our last exposure to this issue. It will come again at this time next year when we have to consider an extension of most-favored-nation treatment again.

So, Mr. Speaker, I would urge my colleagues, based upon my experience, my visits there, and my study of the situation, to endorse this legislation overwhelmingly.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, for 4 years I have sponsored legislation to extend most-favored-nation status to the products of Romania. I was most pleased when President Clinton submitted this proposal in mid-July. Extending MFN to Romania can be seen as one part of his commitment to strengthening our trading relationships with former Eastern bloc countries and newly developing market economies. For many years Congress granted MFN to a Romania under the Communist dictatorship of Nicolae Ceausescu. Many of us remember the devastation wreaked on Romania under this brutal dictator's domination. Since Ceausescu's overthrow in 1988, Romania has existed without preferential treatment. However, many of us are all too aware that MFN is necessary to Romania's transition to a market economy. Currently, Romania is the only former Soviet bloc country to which MFN status has not been restored. Romania currently stands with countries such as Cuba and North Korea which are disallowed such special trade treatment for good reason. This kind of international stigma cannot continue.

It has been a long road for Romania since its bloody revolution. It is now struggling toward a democratic and free market economy. Our Nation has supported a program of assistance to Romania since that revolution and a new trade agreement with Romania was signed under the Bush administration on April 3, 1992.

Last year, the House of Representatives defeated a bill to extend MFN based on a list of serious congressional concerns that were highlighted during debate of this issue. Some of these concerns included the Romanian election process, human rights conditions, freedom of the press, and the establishment of an independent jury. As a result of this debate, MFN was delayed as the House insisted on more measurable progress by the Romanian Government and its people.

Now Romania has worked to make significant progress in constituting a democracy from its former Communist past. Free market reforms, a growing free press, greater religious and political tolerance, and freedom to travel; these all exist in Romania today. The creation of an independent jury also signals this country's commitment to a democratic government. Perhaps most significantly, Romania has conducted Presidential and parliamentary elections and international and American observers deemed them fair.

Others in Congress, led by Congressman BART GORDON, more recently expressed concern for the plight of children institutionalized and abandoned in Romania. The Romanian Government understood these concerns and the problems affecting their nation's children. Their Government has demonstrated its commitment by passing legislation to improve the conditions for institutionalized and abandoned children. President Iliescu signed into law an important new abandonment policy. In addition, the Romanians have pledged to continue to improve conditions in orphanages and institutions for children with special needs.

Other important developments have occurred. Just last week, Romania was admitted as a member of the Council of Europe. Importantly, Romania complies with the freedom of emigration requirements under the Jackson-Vanik amendment to the Trade Act of 1974.

While much has improved, we all recognize there is more to be done. Human rights violations, treatment of ethnic minorities and efforts toward a freer media must be continually addressed.

Economically, Romania faces many challenges. This country has been hindered by a lack of hard currency in its private sector. MFN will improve that by encouraging investment. It is also important to note that Romania, through extensive diplomatic efforts, has attempted to promote peace and stability in the Balkan region. Romania shares an extensive border with the former Yugoslavia. Its proximity to this war ridden region has greatly prohibited its trade traffic. Romania has adhered to U.N. sanctions against Serbia at a very high cost. Extension of MFN will help to sustain Romania's economic recovery.

In addition, extension of MFN will improve our ability to export to Romania. After all, MFN is not a one-way street. In fact, last year, the United States exported over $239 million in goods to the Romanian people. Leading exports to Romania and other Eastern European nations were automotive vehicles, aircraft, equipment and machinery, and mechanical appliances. The reduction of barriers and removal of restrictions will enhance our ability to trade with a technically developing nation. And in other terms, exports to Romania means jobs to Americans.

Financial and technical assistance are flowing into Romania easing its integration into a world economy. This integration is deliberate, and admittedly, it is not as fast as they or we would like. But this is the beginning of an important trading relationship.

The advantages of MFN will spur economic development of the country's private economy—and a flourishing free market can be a mightly force for political reform.

Mr. Speaker, I thank Chairman ROSTENKOWSKI and Chairman GIBBONS of the Trade Subcommittee for their hard work and I urge my colleagues to support House Joint Resolution 228.

□ 1240

Mr. THOMAS of California. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. WOLF], a Member who is very familiar with and has firsthand knowledge about the country of Romania.

Mr. WOLF. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, let me begin by thanking the gentleman from Florida [Mr. GIBBONS] for moving this bill and getting it out quickly. I appreciate that very much.

Mr. Speaker, the people of Romania clearly need our help. It continues to be a long, long road to democracy in Romania. As most Members realize, the people of Romania have suffered so much, particularly during the dark days of the 1980's under the Ceausescu administration. More people have died in the Romanian revolution, in the struggle from freedom, than in any other country in Eastern Europe.

Mr. Speaker, I, along with the gentleman from New Jersey [Mr. SMITH] and the gentleman from Ohio [Mr. HALL], led the effort to take away most-favored-nation status from Romania back in the dark days, during the time of Ceausescu. I want to be here to publicly acknowledge the progress that has been made by the Romanian Government and the Romanian people; the progress in human rights, the progress with regard to the treatment of orphans, the progress with regard to the ethnic minorities, and also with regard to the media. But I want to follow on what the gentlewoman from Connecticut [Mrs. KENNELLY] has said, and that is that there is more progress that should be made in the area of human rights, orphans, ethnic minorities, and the media.

This bill, and the difficult time Romania has had in reestablishing and being granted most-favored-nation status, should be an example and message to any other country that loses most-favored-nation status. Romania lost this back in 1987, and here we are in 1993, just granting it. I think the message should go out to any country, particularly China, that if they do not respect and do not do more in the area of human rights, should it lose most-favored-nation status, it could be years and years before it were to regain it.

Mr. Speaker, in closing, I also want to say that should there be any backsliding in the move toward democracy in Romania, and I do not expect that there will be any backsliding, but if progress does not continue, I, as I am sure many other Members would, would be the first one to come up next year to seek perhaps a revocation of MFN or something like that, if there were an egregious violation of human rights. But the Romanian people have suffered so much, that I think this is a tribute, perhaps more to the people than it is to the government. So this will be a tribute to the people, and many will know this. This will be big news back in Romania later on today and tomorrow.

Mr. Speaker, to these people who have struggled for human rights, those who have lost family members, to the many religious leaders who struggled against the Ceausescu administration, who struggled against communism, to all those people for all the years who have fought triumphantly, I think this is a tribute to them.

Mr. Speaker, I would urge my colleagues that if we have a vote on this, that it would be a unanimous vote. Hopefully, this will be a voice vote, but if not, I hope that it is a unanimous vote, so the message will go forth that the Congress respects and appreciates what the people of Romania have done.

Mr. Speaker, today I rise in support of House Joint Resolution 228 to extend most-favored-nation trading status to the nation of Romania.

The people of Romania need our help. It continues to be a long, hard road toward democracy and economic prosperity for Romania—longer and more difficult than that of most of the other former Communist nations of Eastern and Central Europe.

Let there be no mistake, there has been no velvet revolution in Romania.

For 45 years, the Romanian people struggled under totalitarian Communist rule. Nowhere in the former Warsaw Pact was the suppression of human rights more brutal than that administered under the iron fist of the Ceausescu regime. I first visited Romania more than 8 years ago. I saw the horrible conditions under which the people lived; the fear and desperation which hung over the entire nation. In short, their day-to-day existence was harsh beyond what most Americans can comprehend. But through it all, the people of Romania never lost hope. And today the future of their democratic reforms hinges on whether or not a free market economy succeeds and human rights are guaranteed.

It is not because Romania has achieved these goals, but because they have stayed the course, that I support restoring MFN to encourage further progress.

It is my hope that passage of this legislation will directly assist Romania in its transition to a market-based economy. But passage of MFN provides much more than just preferential trading status between the United States and Romania. Equally important, it sends a powerful message to the people of Romania that the United States Congress and the American people support the economic and political reforms which have been taking place during the last 3 years.

On the economic front, the Romanian Government has continued to pursue painful reforms toward a free market with support from the IMF and the World Bank. Romania has committed to privatization, selling state-owned companies and land. In August last year, an IMF mission to Romania declared that Romania had carried out all reforms mandated in their 12-month agreement. Romania has pursued an associate membership with the European Community and was the first European nation to initial a free-trade agreement with the European Free Trade Association.

As you know, Mr. Speaker, Romania long enjoyed MFN status until 1988, when the Congress finally stood firm against the brutal atrocities being committed by Nicolae Ceausescu and his henchmen. I'm pleased to say that I played an active role in ensuring that Ceausescu's Romania was cut off from MFN in 1988 because of its blatant disregard for human rights.

But today, Romania is a fledgling democracy struggling to survive. Despite a difficult economic crisis, hope is being restored as democratic reforms are implemented in Romania.

Mr. Speaker, the people of Romania continue to do their part in furthering democracy: 85 percent of the voters turned out for their parliamentary elections in May 1992; more than 70 percent voted in the September 1992 Presidential race. We must now do our part to ensure Romania stays on its present course.

Progress has clearly been made in human rights with limited free press, free elections, the involvement of nonprofit groups and dialog between the Government and ethnic minorities. But, even as these improvements support MFN renewal, the International Human Rights Law Group reports that we must continue to insist upon progress in treatment of minorities, oversight of the security apparatus—the SRI—and a fully independent media and judiciary in Romania. In addition, we must keep a concerned eye upon those from Ceausescu's Securitate who remain in leadership.

Many Members of Congress have shared my concern about Romanian orphans and the need for thoughtful legal reform to ensure the fair adoption of truly abandoned children. I am pleased to report that progress has been made in this area as well. After the estimated illegal adoption of 10,000 Romanian children immediately following the 1989 revolution, Romania passed an adoption law in 1991, stipulating that for 6 months the Romanian Government would seek to place orphaned or abandoned families with Romanian families. After that period, children not adopted by Romanians would be eligible for international adoption.

Following criticism that the adoption law was too restrictive, Romania passed an abandonment law mandating a 6-month period in which careful records are kept of family contact with orphaned children. If there is no contact with family within that window, the child becomes eligible for adoption within 3 months. Institutions that do not properly report abandonment are subject to heavy fines.

Finally, Mr. Speaker, let me say that I do not know what will happen if this legislation is passed and Congress restores MFN to Romania. I am hopeful that it will further Romanian reform efforts and that it will significantly boost our trade relationship, strengthening Romania's democracy. But I do know that continuing to deny MFN to Romania will be a blow to the democratic and free-market reforms under way there.

Mr. Speaker, I want to close by saying that, if democratic reforms slip, and progress in human rights is not continuing this time next year, I will be the first to introduce legislation to revoke MFN for Romania. At this time, I do believe it is important to encourage Romanians for the progress they have made.

Thus, I urge my colleagues to support this important legislation.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. LANTOS].

Mr. LANTOS. Mr. Speaker, I thank the distinguished chairman for yielding.

Mr. Speaker, last year when we considered most-favored-nation treatment for Romania, it was soundly defeated. Matters rarely are defeated when they are on the Suspension Calendar. But my colleagues responded to an analytical recitation of the outrageous human rights violations that permeated that regime.

It was a shock to the Government of Romania, which had been assured by our then administration that they would be getting most-favored-nation treatment. But it was a useful shock, because in some respects there has been improvement in the human rights situation in Romania, which, in all fairness, I think we need to recognize.

Romania has had an extremely difficult path from communism toward democracy and toward respect for human rights. Romania suffered the most repressive, vicious, totalitarian dictatorship of the countries of Central and Eastern Europe under Nicolae and Elena Ceausescu. The overthrow of the Ceausescu dictatorship was more bloody and violent than any of the other revolutions in the former Communist countries.

The treatment of ethnic minorities, particularly the large Hungarian minority, was an enormously serious problem for this regime. It persecuted that minority, it discriminated against that minority, as it discriminated against the gypsies.

Just 3 months after the overthrow of the Ceausescu regime in March 1990, elements of the security police were involved in a serious outbreak of violence in the town of Tirgu Mures, in which several individuals were killed and injured. The Government of Romania did not take its responsibility seriously under international treaties which assure full protection of ethnic minorities.

This time around, we are looking at a somewhat different picture. In view of improvements in human rights conditions, I shall not oppose most-favored-nation status for Romania for 1 year. I take this step reluctantly and only on a trial basis, and I shall be watching, Mr. Speaker, with great care, whether the pattern of governmentally supported antiethnic policies will finally come to an end.

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I will watch with great care whether the persecution of various religious groups will come to an end. I hope they will, and I hope Romania will have learned a lesson by our denial of most-favored-nation treatment last year that it must become a civilized member of the community of European nations. This means full respect for religious rights, ethnic rights, democratic rights of all citizens.

I also think, Mr. Speaker, it is important to recognize, as we are about to vote most-favored-nation treatment for Romania, that on the part of many Members of this body, this vote is a difficult and reluctant vote. It is not with a feeling of great confidence that this vote is cast, but in the hopeful expectation that there will be continued and sorely needed additional progress.

One reason, Mr. Speaker, several of us are prepared to vote for this, is because the United States will establish, before the end of this calendar year, a diplomatic office in the heart of the ethnic area in the city of Cluj. The American flag, the American Information Office, an office of the U.S. Embassy in Bucharest, will provide us with an opportunity to observe firsthand whether, in fact, human rights are respected, ethnic minorities are protected, and the opportunity to have a full cultural life for the Hungarian ethnic minority of over 2 million people is fully honored.

In that context, Mr. Speaker, I shall not oppose most-favored-nation treatment for Romania for 1 year on a trial basis.

Mr. THOMAS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. CRANE], the ranking Republican on the Subcommittee on Trade of the Committee on Ways and Means.

Mr. CRANE. Mr. Speaker, I thank the gentleman for yielding time to me.

First, I want to offer a commendation to our distinguished chairman of the Subcommittee on Trade, the gentleman from Florida [Mr. GIBBONS]. And I want to offer congratulations to our distinguished chairman, the gentleman from Illinois [Mr. ROSTENKOWSKI] for bringing this before us.

Second, I would like to pay tribute to our colleagues who just spoke, the gentleman from California [Mr. LANTOS] and the gentleman from Virginia [Mr. WOLF], both of whom were perhaps more involved in this question than any of the remaining colleagues on the floor.

The fact of the matter is, I was one of those who traditionally opposed MFN for Romania. And until those elections were resolved last year, I had the same reservations that the overwhelming majority of our colleagues had.

Mr. Ceausescu's track record was abominable, and there are still violations, as indicated, of human rights and religious persecution. But there has been dramatic enough progress, and progress agreed to by all of the dissenting parties within Romania, that I think this offers the United States an opportunity to follow a positive example of rewarding, by treating as civilized, those nations that have bad track records.

I would hope that this is an example, too, that might be harkened to in Bosnia, as they look at the turnaround in conditions that have happened in Romania as a result of acting like civilized people and looking to a better future for the people down there in Yugoslavia.

I would urge my colleagues to support the resolution. We can do it, as the gentleman from California [Mr. LANTOS] indicated, on a reserve basis. We will continue to monitor performance over there. But God willing, we will see it through and Romania will join the community of nations with the respect that the people of Romania have deserved.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. GORDON].

Mr. GORDON. Mr. Speaker, I thank the gentleman from Illinois [Mr. ROSTENKOWSKI], the chairman of the Committee, for yielding time to me, and I offer my congratulations to him, as well as to the subcommittee chairman, the gentleman from Florida [Mr. GIBBONS], for bringing this legislation to us.

I should also give congratulations to the gentleman from Virginia [Mr. WOLF] and other members of the committee that spent so much time. But let me give special commendation to the gentlewoman from Connecticut [Mrs. KENNELLY], who has taken this issue on as a very personal matter, as has been stated by a number of speakers before.

This Government and the people of Romania inherited a lot of problems, and those problems were conveyed through Members in this body. The gentlewoman from Connecticut [Mrs. KENNELLY] has had to work hard to address these issues. She has done an excellent job, and I want to give her my special commendation.

Mr. Speaker, I have taken a personal interest in one legacy of the former dictator Ceaucescu, a problem that has touched the hearts of many Americans. That is the plight of children sent to orphanages and institutions for the handicapped.

When the Romanian revolution came in 1989, there were more than 100,000 children abandoned in state-run institutions that often were little more than medieval prisons. In the last 2 years, these shocking conditions were brought to light through a variety of television news reports.

Many of us believed the new government was moving too slowly to end this legacy of Communism and save the children. Sixty-two Members of the House cosponsored a resolution that I introduced which told the Romanian government that these children do matter, and their condition will be an important consideration when the House looks at most-favored-nation status.

Today, I am pleased to report that we have gotten the Romanian Government's attention and it has responded with important steps toward change.

The Parliament has streamlined the Nation's adoption laws and the Romanians have pledged to continue working toward improvement of conditions in the orphanages.

And Romania has worked hard to build its democracy, improve human rights and meet its international responsibilities.

Nevertheless, as we do with other countries in which we have legitimate human rights concerns, I believe Congress should continue to monitor the situation to be sure that the Romanian Government is following up on its pledge to improve conditions in the institutions for children.

I have received commitments from the State Department and U.S. representatives of the Helsinki Commission to monitor the institutions.

I also plan to remain personally involved as an advocate for these children. If the Romanian Government backtracks, I will request reconsideration of MFN.

As a country left with severe damage from its years of Communist dictatorship, Romania has much to do to rebuild its economy and its society.

I believe at this time the best way to help Romania repair itself and to help the abandoned children is to approve the President's request for most-favored-nation status for Romania.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I want to particularly commend the gentleman from Illinois [Mr. ROSTENKOWSKI], the gentleman from Florida [Mr. GIBBONS], the gentlewoman from Connecticut [Mrs. KENNELLY], the gentleman from California [Mr. THOMAS] for this very positive legislation, and also join in the accolades for the gentleman from California [Mr. LANTOS], and the gentleman from Tennessee [Mr. GORDON] for the work that he has done on the orphan issue.

Mr. Speaker, I had a chance to visit, with the gentleman from Maryland [Mr. HOYER] years ago, the Romania of Ceausescu and, a year ago, with Chairman DECONCINI, the Romania of Iliescu. And the change is dramatic.

There is a move toward democratization, although not perfect. There are some market reforms instituted.

I think, as the gentleman from Tennessee [Mr. GORDON] mentioned, there has been progress on the orphan issue. The Romanians still need to clean up their act, when it relates to the Hungarian minorities. Many native Romanian gypsies are persecuted or not treated properly, but I think the reason we are passing this legislation is to demonstrate a reward for the progress that is being made, to show a vote of confidence that the United States has in the democratization and human rights improvements of Romania but also I think, as the gentleman from California [Mr. LANTOS] said, to keep a watchful eye on the progress of these reforms.

I think it is also important, Mr. Speaker, to recognize that here is a case where human rights pressure, democratization pressure has made a country move in a positive direction. Romania years ago probably was the worst human rights abuser of any nation, and now we have a proud nation moving toward democratization, toward market reforms and many other good initiatives.

I join with the chairman of this committee in asking for the support of this important bill. It is a step forward. It is a step in the right direction.

Mr. Speaker, today I would like to bring to your attention a country that has made progress toward democracy and market economics. Today we will vote to decide our trading relationship with Romania. House Joint Resolution 228 would extend most-favored-nation trading status to Romania. Romania's evolution is not complete. Extending MFN to Romania today will recognize the progress its made and make the Government of Romania prove its intentions. Supporting House Joint Resolution 228 will signal our recognition of Romania's changes thus far and maintain ours and their interest in further change.

Romania's trade status with the United States remains unresolved. Economic reform, democratization, human rights, and the massive number of orphans are issues which concern many. Although these problems are not entirely solved, MFN status will help alleviate these problems and keep Romania on a path toward democracy and liberalization.

Ion Iliescu's ascendancy in September of 1992 introduced a democratically elected leader to Romania's troubled political landscape. Democratic reform continues with the growth of political parties and an increasingly free and outspoken press. More needs to be done and the United States will be watching.

Economic reform continues under Iliescu. Land reform and privatization of state assets are among the biggest initiatives undertaken by the Government. Additionally, investment laws now allow greater foreign investment into Romania's growing market. MFN status will help United States exports and keep Romania's economy on a path to free markets.

Human rights continue to concern us and the Government of Romania has made efforts in addressing the problems with the Hungarian minority. The Government of Romania has addressed one of the most evident human rights issues; the orphans. Earlier this year the Government of Romania passed new legislation to improve the situation.

MFN status for Romania would strengthen its democracy, bolster its economy, and alleviate social tension. Romania professes a new direction for its country. I believe we should give Romania the benefit of the doubt. I urge my colleagues to vote for House Joint Resolution 228.

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Mr. THOMAS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I briefly thank the chairman of the full Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI], and the gentleman from Florida [Mr. GIBBONS], the chairman of the Subcommittee on Trade of the Committee on Ways and Means, and all of those who, I think, quite rightly cautioned us about moving in a rote fashion in removing most-favored-nation treatment for Romania last fall. I see nothing wrong at all with using those controls under our power as a carrot and stick to make sure that people comply minimally with rights that we feel comfortable with if we are going to engage in a most-favored-nation relationship.

Once again, I rise and ask my colleagues to support this resolution granting most-favored-nation condition to Romania, because in fact there have been changes; not that we say that they are completed, not that we even endorse most of what is being done. It is that we will continue with a vigilant eye to make sure on an annual basis that Romania continues to allow freedom to flourish in its country. To the extent that our trade agreements will benefit that, we will continue to monitor that.

Mr. Speaker, I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield our remaining time to the gentleman from Maryland [Mr. HOYER].

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Maryland [Mr. HOYER] is recognized for 3 minutes.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, since I last addressed the question of the restoration of most-favored-nation [MFN] status for Romania before this body last July, the Helsinki Commission has continued to monitor closely the situation in that country. We have given particular attention to a number of areas where historically, Romania's record has caused the greatest concern: Human rights, including the treatment of minorities and good faith on the part of the Government in addressing minority concerns; respect for the independence of the media, especially in the area of broadcasting, effective control of the internal security and intelligence forces by civilian authorities, conditions in institutions such as orphanages; and the development of a market economy. On net, I continue to believe sufficient progress has been made in these areas to warrant the restoration of MFN for Romania.

This progress has not been without its inadequacies. I am aware of, for example, difficulties that have recently emerged within the Government's newly established Consultative Council for National Minorities, with changes in the oversight of privatization, and with efforts to reform the security services. Nevertheless, MFN for Romania continues to be supported by a broad cross-section of Romanian society, including segments that are extremely critical of current Government practices. Clearly, these groups have concluded, as I have, that withholding MFN from Romania at this time will not foster the process of reform, and may hurt the very people in Romania we seek to help.

I do not believe that the setbacks seen to date signal an end to or reversal of the overall process of democratization in Romania. On the contrary, I expect that process to continue. Opportunities to ensure this goal are greater now than before, as Romania has significantly opened its door to scrutiny by the international community. Just last week, Romania was admitted to the Council of Europe. Although any one of the Council's current European members could have blocked Romania's admission, none did. Romania's membership now paves the way for its ratification of the European Convention on Human Rights and, more importantly, Romania's submission to the European Commission and Court of Human Rights.

On this side of the Atlantic, I have no doubt that careful attention to the practical application of Romania's commitments will also continue. The restoration of MFN is, of course, by no means irreversible. I am confident that the Helsinki Commission, along with many other interested Members of Congress, will undertake periodic comprehensive and rigorous examinations of developments in Bucharest. Our Commission has already begun a series of reports on the implementation of Helsinki human rights commitments in Eastern Europe and will include a report on Romania.

Mr. Speaker, I believe that everyone here today shares a common goal of advancing human rights and fundamental freedoms in all the countries of Eastern Europe undergoing the difficult transition from totalitarianism to democracy. But I do not believe that singling out Romania alone of all these countries will have that effect. I urge my colleagues to join the President in supporting the restoration of most-favored-trading status for Romania.

I believe it is the appropriate and timely thing to do, Mr. Speaker.

Mr. Speaker, as I said, we must and we will remain vigilant. This is one tool of many, and we see a great difficulty in the use of military tools in terms of sanctions in other areas where pressure can be brought so countries, large and small, comport with international norms, international agreement, and respect for human rights and liberty.

Mr. DICKS. Mr. Speaker, I rise in strong support of this legislation which supports President Clinton's proposal to extend most-favored-nation status to Romania.

Bringing the nations of the former Warsaw Pact into the family of democratic, market economy nations remains a top priority for our Nation and the entire European Community. To date most-favored-nation trade status has been extended to all these nations with the exception of Romania.

Last year the House voted not to extend MFN to Romania because of deep concerns with respect to that nation's commitment to democracy and its record on human rights. Since then, Romania has successfully completed internationally supervised free elections, and has committed itself to the painful process of converting to a market economy. Partially as a result of congressional concerns President Iliescu has signed into law an important abandonment policy and have pledged to continue to improve the conditions in orphanages and institutions for children with special needs. In light of this progress, the Council of Europe recently voted to add Romania as a member.

Further progress in Romania will depend on economic improvement. Extension of most-favored-nation status can help Romanians achieve this goal as well as provide important trade benefits for Americans, where we already export $239 million in goods and services. Therefore I urge my colleagues to support this resolution and help move Romania on the path toward full participation in an integrated world economy.

Mr. GILMAN. Mr. Speaker, as a member of the Committee on Foreign Affairs, I rise in support of House Joint Resolution 228, which would extend most-favored-nation, or MFN, tariff treatment to imports from Romania.

As a trade measure affecting our tariff revenues, House Joint Resolution 228 falls within the jurisdiction of the Ways and Means Committee. As in many other instances where MFN tariff treatment is considered for Communist or post-Communist economies, however, its extension to countries such as Romania is linked to a judgment by the Members of this Congress as to whether such countries are moving toward democracy and observance of human rights, as well as toward a market-based economy. It is therefore clearly a matter of some importance in our foreign policy toward those countries.

Mr. Speaker, putting it briefly, the Romanian Government has made progress in the last year or so to meet the concerns of Members such as myself in the areas of democratization, human rights, and economic reform. Democratic elections have been held, legislation to make easier the adoption of orphaned Romanian children by foreigners has been implemented, foreign investment is allowed and treated equitably, and movement toward a free press appears to be underway. The difficult measures to implement the transformation to a market-based economy have not yet been completely accomplished, but the Romanian Parliament and Government have begun that necessary process. Finally, Romania has shouldered a large share of the financial burden resulting from the international sanctions against Serbia, meant by the international community to eventually bring an end to the violence racking the region of the Balkans.

Mr. Speaker, having said all of this, I must state my expectation that we will in fact have continuing concerns above developments in Romania. The Government's treatment of ethnic minorities within Romania, in particular, will be a major concern for both the United States and the international community. We cannot make it clear enough that we fully expect that Romania and the other newly liberated countries of Eastern Europe, once having set foot on the road to democracy, human rights, and market-based economies, will depart from it. By extending MFN tariff treatment to Romanian products, however, we will be sending a clear message of support to the Romanian Government and its people as they make the journey down that road.

Accordingly, I urge my colleagues to join in passing this measure before us today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the joint resolution (H.J. Res. 228).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 228, the measure just concluded.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

RELATING TO THE ASIA PACIFIC ECONOMIC COOPERATION ORGANIZATION

Mr. ROSTENKOWSKI. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 113) relating to the Asia Pacific Economic Cooperation organization.

The Clerk read as follows:

H. CON. RES. 113

Whereas the Asia Pacific Economic Cooperation organization was formed in 1989 in order to strengthen regional ties among the economies of member countries of the organization by reducing barriers to trade and investment between such members;

Whereas the organization seeks to reduce such barriers through economic cooperation and the coordination of policy among such members;

Whereas the United States is a member of the organization;

Whereas trade between the United States and organization members Australia, Brunei Darussalam, Canada, the People's Republic of China, Hong Kong, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Taiwan, and Thailand accounts for more than half of all United States two-way trade;

Whereas the United States exported $218,000,000,000 of goods and services to members of the organization in 1992, an amount constituting 52 percent of the value of all United States exports in that year;

Whereas the volume of trade between the United States and the Asia Pacific region increased at an average annual rate of 9.1 percent between 1980 and the present;

Whereas that rate of increase exceeds the average annual rate of increase in trade during that period between the United States and any other region;

Whereas it is in the interest of the United States to expand trade between the United States and Asia Pacific countries in order to create more export-oriented jobs for Americans;

Whereas the United States, as a Pacific power with significant economic and security interests in the East Asia and Pacific regions, should be engaged actively in shaping institutional arrangements that advance freer trade and strengthen the multilateral trade system;

Whereas the annual ministerial meeting of the organization will be held in Seattle, Washington, on November 17 through November 19, 1993, and will be chaired and hosted by the United States;

Whereas chairing and hosting the ministerial meeting presents the United States with the opportunity to initiate a proactive agenda in order to achieve progress among members of the organization relating to economic competition, civil aviation, energy cooperation, use and exchange of technological data and products, intellectual property rights, human resources development, and the environment; and

Whereas a strong United States commitment to the organization can promote liberalization of trade among organization members, and can advance interests common to such members in a region undergoing rapid economic and political transformation: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress—

(1) to encourage United States leadership in the Asia Pacific Economic Cooperation organization; and

(2) that the President, the Secretary of State, and other representatives of the United States Government should take the opportunity presented by the scheduled chairing and hosting by the United States of the ministerial meeting of the organization in Seattle, Washington, on November 17 through November 19, 1993, to reaffirm the United States commitment to make Asia Pacific Economic Cooperation an effective regional economic organization that reduces formal and informal barriers to increased intra-regional trade through the harmonization of standards, trade, and investment policies.

SEC. 2. TRANSMITTAL OF RESOLUTION.

The Clerk of the House of Representatives shall transmit a copy of this resolution to the President and the Secretary of State.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 20 minutes, and the gentleman from California [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 113 expresses the sense-of-the-Congress to encourage U.S. leadership in the Asia Pacific Economic Cooperation, or APEC, Organization. This measure notes specifically that the United States is chairing the November meeting of APEC ministers in Seattle, WA.

APEC is a unique trade organization in that it includes both the United States and Canada; the three Chinas, that is, the People's Republic of China, Taiwan, and Hong Kong; Japan; Australia and New Zealand; South Korea; and the countries belonging to the Association of Southeast Asian Nations, or ASEAN. In other words, APEC is a group that links the North American trading powers with their Asian counterparts, including such major Asia/Pacific players as Japan and China.

While the Committee on Ways and Means has devoted much attention to the NAFTA this fall, I am pleased that we moved House Concurrent Resolution 113 to the House floor for action today.

The Asia/Pacific region is the fastest growing area in the world and accounts for 40 percent of total United States trade. Congressman JIM MCDERMOTT's resolution ensures that the Congress and the administration do not lose sight of the tremendous economic opportunities available to American businesses in Asia and the Pacific Basin.

Mr. Speaker, I therefore urge my colleagues to support House Concurrent Resolution 113.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 113 is a noncontroversial, sense of Congress resolution, as the chairman has indicated, and I wholeheartedly endorse it. The President and the U.S. Trade Representative have made a special commitment to elevate the role of the Asia Pacific Economic Cooperation group in expanding trade and reducing intra-regional trade barriers throughout the entire Pacific rim. As a Member of Congress from California, I would like the Members to realize that the Pacific rim extends to the west coast of California, and not just in Asia as well. Passing House Concurrent Resolution 113 will put the Congress on record in strong support of a goal that we share with our President.

House Concurrent Resolution 113 is being considered in anticipation, as the chairman indicated, of the annual APEC ministerial meeting, which is being hosted by the United States this year in Seattle in the middle of November. The resolution encourages the U.S. leadership in APEC and endorses the administration's commitment to make the group an effective negotiating forum.

Mr. Speaker, the Pacific rim contains the fastest growing economies in the world today. It is important we nurture even stronger ties than are currently present with these nations today. Since 1980, U.S. trade with the Pacific rim has increased by 165 percent. In 1992, total trade between the United States and Asia exceeded $300 billion. By comparison, total trade with Europe during this time was about $180 billion.

House Concurrent Resolution 113 helps us reaffirm our commitment to take a leadership role in international organizations committed to free trade. It will send a signal to United States firms that it is critical for them to take greater advantage of the exploding export opportunities in Pacific rim markets, and I hope it will turn our attention to the entire Pacific rim and to all the nations of the Pacific rim, including the country of Vietnam, if we can deal with the POW–MIA question.

Continued economic growth and resulting political stability within the Pacific Rim is of vital strategic and economic interest to the United States. Our future economic health demands our expanding trade relationships grow, even more so than currently, with Mexico and NAFTA, extending in the Western Hemisphere as well, but equally so with our expanding trade relationships with the dynamic economies of Asia.

Mr. Speaker, I urge my colleagues to vote yes on House Concurrent Resolution 113.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. MCDERMOTT].

Mr. MCDERMOTT. Mr. Speaker, first, I would like to thank the Chairman of the Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI], the chairman of the Subcommittee on Trade, the gentleman from Florida [Mr. GIBBONS], the chairman of the Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON], the chairman of the Subcommittee on Economic Policy, Trade and Environment Subcommittee, the gentleman from Connecticut [Mr. GEJDENSON], the gentlewoman from Washington [Ms. CANTWELL] and the respective committee staffs for allowing this resolution to be brought to the House floor in a timely manner.

House Concurrent Resolution 113 recognizes the innovative efforts of the Asia Pacific Economic Cooperation Organization, also known as APEC, to strengthen trade and investment ties between and among its members and to foster liberalization of their trade and investment programs. Established in 1989 in Canberra, Australia, APEC has moved from being a venue for dialogue to an organization that advances freer trade in a region undergoing rapid economic and political changes.

APEC provides an international forum for its 15 members to discuss trade liberalization and economic cooperation throughout the region. APEC's members are Australia, Brunei, Canada, the People's Republic of China, Hong Kong, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Taiwan, Thailand, and the United States. APEC nations are among the fastest growing economics in the world. The United States is the 1993 chair of APEC and host of its November ministerial meeting in Seattle, WA, from November 17 to 19.

This legislation confirms the importance of continued relations with the Asia-Pacific economies by recognizing APEC's success in facilitating U.S.-transpacific trade. President Clinton's visit to Japan in July 1993, illustrates the significant policy fluctuation taking place in the Asia-Pacific economic region. APEC can influence the future direction of regional trade and integration, and advance broader U.S. economic goals. Last year, U.S.-transpacific trade totaled $344 billion. That is a figure 300 percent larger than our trade with Latin America and 50 percent greater than U.S.-transatlantic trade. President Clinton further emphasized the importance of this region by agreeing to participate in both the APEC ministerial meetings and an APEC leaders meeting in Seattle immediately following.

Finally, the resolution supports and encourages U.S. leadership in APEC. As 1993 chair of APEC and host of the ministerial meeting in Seattle, WA, the administration has the opportunity to initiate an agenda that will achieve real progress on reducing trade barriers and promoting investment in a region where the United States has such significant economic and security interests.

I am extremely proud that Seattle was chosen by the U.S. Department of State for the APEC ministerial meetings on November 17–19. Seattle's location on the Pacific, the extensive reliance of Seattle and Washington State on international trade, especially with the Pacific region, the continuing progressive attitude of Seattle's leaders in international affairs and trade issues, and Seattle's modern infrastructure all contributed to Seattle's selection.

However, none of this would be possible without the great people of Seattle and, especially, Robert Kapp and his staff at the Washington Council on International Trade; the council has worked for more than 2 years to bring this event to Seattle. The Governor of Washington State, the mayor of Seattle, the King County executive, and the entire Washington State congressional delegation, working with key private sector groups encouraged Seattle's consideration and selection.

On June 16, 1993, a similar resolution passed the Senate. If the expanding Asia-Pacific economies are to take U.S. trade policy seriously, it is essential that Congress show its support for both the President and his evolving Asia-Pacific policy. A first step in the direction would be to voice congressional support for the President's official intermediaries at APEC as an effective economic organization that reduces formal and informal barriers to increased intraregional trade through the harmonization of standards, trade, and investment policies. Passage of this resolution will send a positive message to our trading partners and continue to build the appropriate momentum for the crucial November meetings.

□ 1310

Mr. THOMAS of California. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Iowa [Mr. LEACH], the ranking Republican on the Asia and Pacific Subcommittee of the Committee on Foreign Affairs.

Mr. LEACH. Mr. Speaker, I thank my distinguished colleague for yielding the time.

I will be brief. Let me commend the gentleman from Washington [Mr. McDERMOTT] for this thoughtful and appropriate resolution regarding U.S. partication in the Asia Pacific Economic Cooperation process, or APEC. I also wish to commend my colleagues—particularly Mr. ROSTENKOWSKI, Mr. GIBBONS, Mr. ACKERMAN, Mr. THOMAS, and Mr. CANTWELL—for their leadership on Asian issues.

Mr. Speaker, all Americans are becoming increasingly aware that the Asia-Pacific region is the world's largest consumer market and our biggest export market. Last year U.S. exports to Asia were worth more than $120 billion accounting for 2.3 million American jobs.

APEC was established in 1989 as an informal grouping of 12 Asia-Pacific economies formed to promote market oriented multilateral cooperation in the world's fastest growing economic region. In November 1991, APEC admitted the three Chinas—the People's Republic of China, Taiwan, and Hong Kong—bringing membership to 15. Today, this transpacific grouping which includes the U.S. represents almost half of the world's GNP.

The United States holds the APEC chair this year, and will host an important ministerial meeting and informal leaders summit later this year in Seattle. Although APEC is only in its infancy, it nevertheless represents the most promising vehicle for becoming a durable and effective framework for promoting market-oriented multilateralism in the Pacific rim. It deserves American respect and support. In this context, I urge adoption of this resolution.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington [Ms. CANTWELL].

Ms. CANTWELL. Mr. Speaker, I rise today in support of House Concurrent Resolution 113, which encourages U.S. leadership in the Asian Pacific Economic Cooperation Organization known as APEC.

I would first like to take this opportunity to thank Chairman ROSTENKOWSKI of the Ways and Means Committee, the chairman of the House Foreign Affairs Committee, Mr. HAMILTON, and the chairman of the Foreign Affairs Subcommittee on Economic Policy, Trade, and the Environment, Mr. GEDJENSON, for their leadership in expediting consideration of this resolution by the Foreign Affairs Committee.

It is with a sense of pride and deep awareness of the significance of APEC and what this organization means for the future of our country that I speak today. Pride, because the annual APEC ministerial meeting will be held in Seattle, WA. The United States will host and chair that meeting of 750 delegates from the 15 Pacific rim economies, which are members of the organization.

The choice of Seattle as the location for this year's ministerial meeting is entirely appropriate. Seattle is a major port participating in U.S. trade with the Asia-Pacific region, and Washington State is the most trade-reliant State in the Nation. The people, communities, and businesses of Seattle have long recognized the importance of these economic and political relationships. When the APEC delegates arrive in State, they will know that they arrive as partners in a vital economic undertaking.

The resolution before us today urges President Clinton, Secretary of State Warren Christopher, and other U.S. Government representatives to use the United States' hosting and chairing of the ministerial meeting in Seattle as an opportunity to reaffirm U.S. commitment to the goals and mission of APEC.

The purpose of the organization is to strengthen regional ties among the economies of member nations by reducing trade and investment barriers through economic cooperation and policy coordination.

President Clinton has also chosen to use the APEC conference to show our Pacific partners that the U.S. values their friendship. The President will be meeting with the heads of state during the APEC conference. I applaud the President's decision to use this opportunity to send a message of strong U.S. commitment to building and strengthening all of our relationships in this region of the world.

The United States has a vested interest in helping to make APEC an effective regional economic organization.

Trade between the United States and other APEC members accounts for more than half of all U.S. two-way trade. The U.S. exported $218 billion of goods and services to APEC members in 1992—an amount equal to 52 percent of the value of all U.S. exports last year.

Many nations in the Asia-Pacific region are undergoing rapid change—both politically and economically. The United States, as one country with economic and security interests throughout the region, should seize every opportunity to help shape policies that promote freer trade and greater political cooperation.

The resolution before us today was introduced by my colleague from Washington State, Congressman McDERMOTT. I commend Congressman McDERMOTT for his vision and his leadership in bringing this resolution to the floor and his work in making this conference a success, and I urge my colleagues to join us in supporting House Concurrent Resolution 113.

Mr. HAMILTON. Mr. Speaker, I rise in strong support of House Congressional Resolution 113 on the Asia Pacific Economic Cooperation [APEC]. There are good reasons for all Members of the House to support APEC's development and full U.S. involvement in it.

United States policy toward the Asia-Pacific region is rightly focused on three giants: Japan, China, and Korea. But a comprehensive and forward-looking U.S. policy toward the entire region is essential. In particular, the United States should fully support emerging regional cooperation on security and economic issues, such as APEC.

BACKGROUND

APEC was launched at a ministerial meeting in Australia in 1989. It now has 15 members: Australia, Brunei, Canada, China, Hong Kong, Indonesia, Japan, South Korea, Malaysia, New Zealand, Philippines, Singapore, Taiwan, Thailand, and the United States; APEC's principal aims are to:

Enable members to share information and perspectives on regional and global trade and investment issues;

Support a successful conclusion to the Uruguay Round of Trade Negotiations; and

Work toward the removal of impediments to trade within APEC and between APEC and the rest of the world;

These goals are in keeping with U.S. interests.

U.S. INTERESTS

APEC's 15 members represent a market of some 2 billion people, producing 50 percent of the world's economic output and 40 percent of the world's exports. Except for the EC and Mexico, all major United States trading partners are APEC members. Fifty percent of U.S. exports now go to APEC markets. That figure will undoubtedly rise as the people of that region become more affluent.

More than half of APEC's member economies are among the most successful in the world, maintaining for over 30 years growth rates higher than any other region. This strong performance shows no sign of waning. APEC nations will likely be the world's top economic performers in the 21st century.

APEC provides the United States an opportunity to be a full partner in the economic growth of the Asia-Pacific region. It is also a unique forum for regular consultation with some of America's most important trading partners. A similar forum is not shared, for example, between the United States and its leading European trading partners.

APEC'S ACHIEVEMENTS

In just 4 years, APEC has made good progress.

It has established itself as the primary vehicle for Asia-Pacific economic cooperation. The convening of a leaders' meeting in Seattle this fall is testimony to the importance most regional leaders attach to APEC.

It has focused on the key issue of trade liberalization, likely to be a centerpiece of the Seattle meetings;

It has developed a network among the region's economic policymakers, unheard of even 5 years ago.

It has developed cooperative projects in trade and investment, human resources development, energy, telecommunications, transportation, tourism, and fisheries.

CHALLENGES FOR APEC

Despite its progress so far, APEC's future effectiveness cannot be taken for granted. Several issues need to be addressed.

First, APEC needs to be nurtured and strengthened. Members must avoid a lowest common denominator approach. While remaining open to new members, APEC should avoid becoming an unwieldy talk shop. It should adopt strategies to show that it can produce benefits for all trading nations within and outside APEC.

Second, APEC should remain an outward-looking and trade creating organization, and avoid moving in the direction of a trade bloc. APEC should respond quickly to the outcome of the Uruguay round, which could conclude by mid-December 1993. APEC could help the Asia Pacific reap the full benefits of a good outcome from the round of devise appropriate strategies for trade liberalization in the unfortunate event of its failure.

Third, APEC should develop strong links with the region's private sector. Otherwise, it risks becoming irrelevant to its major purpose, which is to promote economic growth.

U.S. POLICY

As the current chair of APEC and host of the APEC meetings in Seattle in November, the Clinton administration has made a strong commitment to APEC. Such a commitment is welcome and should remain a key element in U.S. policy toward the Asia Pacific. In the months ahead, U.S. policy should focus on several priorities.

First, sound relations with Japan and China must underpin United States Asia-Pacific policy and involvement in APEC. The two Asian giants are immensely important and any conflicts they have with the United States will adversely affect APEC and the region.

Second, the United States should push for a successful outcome of the Uruguay round and support APEC's efforts to promote trade liberalization in the Asia Pacific.

Third, a strong commitment to Asia-Pacific security will complement U.S. economic strategy. A U.S. military presence in the region contributes to stability, economic growth, and new markets for U.S. exports.

Fourth, the United States should seek to strengthen APEC, while accepting that it may not develop as quickly as the United States might like. It would be counterproductive for the United States to try to push APEC too far too fast.

Fifth, the United States should work for Mexico's early into APEC. Membership in APEC would reinforce Mexico's efforts to reform its economy and open its markets to foreign commerce.

Sixth, the U.S. business sector should be closely involved in all APEC-related work. It should be included in U.S. delegations to APEC meetings, where it can help advance U.S. interests.

CONCLUSION

The world's center of gravity is shifting toward the Asia-Pacific region. East Asia, in particular, will likely be the world's engine of growth in the 21st century.

Asia-Pacific countries are working together as never before. The formation of an Asia-Pacific economic community is by no means a pipedream. Our national interests require us to be fully engaged in these important developments. APEC offers a unique opportunity for us to do that and to be full partners with other Asia-Pacific countries in the region's economic progress.

I urge adoption of this resolution.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GIBBONS], chairman of the subcommittee.

Mr. GIBBONS. Mr. Speaker, this particular resolution should be heartily endorsed by the Congress and the gentleman from Washington [Mr. MCDERMOTT] should be praised for his leadership in bringing this to our attention, and for the leadership of the State of Washington and the city of Seattle for hosting this event. The United States is the chairman and is the host for his meeting.

The people who gather there will represent more than half of the people on Earth. This Pacific area now has more international trade from the United States in and out than any other area on Earth or any other trading block that we deal with. This Pacific area is an important area because most of the developing nations, those who are ready to take off and fly in the new economics of the world, lie in the Pacific region.

□ 1320

Such large nations as the fifth largest on Earth, Indonesia, is there, just one of the many names of nations that we sometimes overlook in our debate and in our discussions.

So, the APEC meeting in Seattle is an important event. America should lead. Our best interest is in this meeting. We have a responsibility in this meeting.

The future jobs of Americans depends upon the success of this area and of this meeting.

So, Mr. Speaker, this resolution should be adopted unanimously.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. EDDIE BERNICE JOHNSON].

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, to the distinguished chairman of the Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI], and the other appropriate committee chairs and subcommittee chairs, I rise today in support of House Concurrent Resolution 113, reaffirming the commitment of the United States to making the Asian-Pacific Economic Cooperation an effective regional economic organization.

Next month in Seattle, WA, the United States will host the fifth ministerial meeting of the Asian-Pacific Economic Cooperation.

APEC is a forum of 15 member economies from the Asia-Pacific region, including Japan, 6 ASEAN nations, China, Hong Kong, Taiwan, the Republic of Korea, Australia, and Canada.

Formed in 1989, APEC was created to provide a vehicle for constructive dialog on regional trade questions and economic cooperation. The meeting set for November will be the first time this organization has met in the United States.

The Pacific rim continues to be the most dynamic economic force in the world and will continue to strongly influence the U.S. economy in the coming years.

In 1992, transpacific trade totaled $325 billion and currently 40 percent of U.S. trade and 2.3 million American jobs are linked to trade with Asia.

President Clinton, this past summer, shared with the leaders of Japan and Korea his vision for a new Pacific community.

There are many challenges before us in our economic relations with Asia.

APEC provides the opportunity to work through these issues.

To achieve this vision, we must engage actively and constructively in promoting economic opportunity and prosperity on both sides of the Pacific.

Mr. Speaker, I urge Members to support this resolution.

Mr. KIM. Mr. Speaker, I believe that the Asia Pacific Economic Cooperation Organization presents the United States with a great opportunity to expand trade between the United States and Pacific rim nations by reducing barriers to trade and increasing investment. I support House Concurrent Resolution 113 because it encourages U.S. leadership in this important regional trade organization and reaffirms our commitment to reducing the still significant barriers to trade and investment flows through Asia.

I urge the Clinton administration to recognize APEC as the cornerstone of our regional strategy in the Pacific rim and hope that the administration will use the upcoming APEC ministerial and heads of state meeting in November to encourage all APEC members, particularly Japan and China, to pursue domestic policies aimed at reducing their remaining barriers to imported goods and investment flows. As exports have been responsible for a significant portion of recent U.S. economic growth and the Pacific rim is one of the most important U.S. export markets, the key to continued American economic growth lies in securing a level playing field, free of trade barriers, on which the nations of both regions can compete, expand, and prosper.

Mr. GILMAN. Mr. Speaker, I rise in support of House Concurrent Resolution 113, which promotes the Asian Pacific Economic Cooperation Organization. This resolution encourages U.S. leadership in this important regional trade organization and reaffirms our commitment to reducing the still significant barriers to trade and investment flows throughout Asia.

Secretary of State Warren Christopher has described APEC as the cornerstone of our regional strategy in the Pacific rim.

I would hope that the administration would use the upcoming APEC ministerial and heads of state meeting in November in Seattle to encourage all APEC members, particularly Japan and China, to pursue domestic policies aimed at reducing their remaining barriers to imported goods and investment flows.

Mr. DICKS. Mr. Speaker, next month Secretary of State Christopher will chair the Asia Pacific Economic Cooperation Fifth Ministerial meeting in Seattle, WA. Our State is honored to be able to host this exceedingly important event which will be attended by the President and the heads of state of the 15 members of APEC.

APEC was established in 1989 in recognition of the growing economic interdependence of the Pacific region and the enormous potential for economic growth into the 21st century for the region. The significance of our relations with the Pacific rim nations is reflected by the fact that over 40 percent of U.S. trade is now with Asia, totaling $120 billion and accounting for 2.3 million American jobs. Over the last quarter century trade with this region has gone from one-third that with Latin America to more than three times our trade with our neighbors to the south, and almost 50 percent more than our trade with Western Europe.

APEC provides an important forum for the member nations to promote cooperation, resolve disputes in a nonconfrontational manner and assist in the President's vision of a New Pacific Community.

Among the specific items for the November 17–19 agenda are accelerated work on trade and investment by advancing a structure for trade and investment dialog and an agreed trade and investment framework, and steps to provide a greater role for the private sector in APEC.

This resolution provides the clear voice of the Congress in support of these efforts and other steps to strengthen APEC. By providing a united position from the U.S. Government the prospects for success in utilizing APEC as a leading means to promote mutual economic growth will be enhanced, and so I strongly commend this resolution to my colleagues.

Mr. KOPETSKI. Mr. Speaker, I am pleased to join the chairman of the Ways and Means Committee and my Pacific Northwest colleague JIM MCDERMOTT in strong support of House Concurrent Resolution 113.

This timely resolution encourages the United States to take a leadership role in the Asia Pacific Economic Cooperation or APEC organization. Founded in 1989, APEC includes the United States, Canada, New Zealand, Australia, Japan, China; including Taiwan, South Korea, Hong Kong, and the ASEAN nations. APEC's primary function is to foster trade and investment ties among member nations. Importantly, the United States as Chair of APEC for 1993 is hosting the ministerial meeting in Seattle next month.

This resolution and U.S. membership in APEC is about jobs and growth in the United States. My congressional district and my State, Oregon, are worthy examples of APEC's importance to this Nation. Virtually every sector of Oregon's economy is involved in international trade. Today, one in five Oregon jobs is trade dependent and we know international trade jobs pay on average 17 percent more than non-trade jobs. In the last 10 years, Oregon has experienced a 102 percent increase in exports and a 15 percent increase in the number of export related jobs. According to the Oregon Employment Division, over 90 percent of Oregon's new jobs created in the 1990's will be related to international trade.

At the Port of Portland, over 85 percent of the exports leaving Oregon are headed for the Pacific rim. In 1992, over 200 container ships sailed into and from the Port of Portland; virtually all sailing between the United States and our Pacific rim neighbors. Interestingly, Oregon maintains a trade surplus, including with Japan.

Boeing, another major Oregon employer, exports 60 percent of its product and predicts the Chinese aircraft market will total between $25 and $35 billion at the turn of the century. Other Oregon firms like CH2M Hill, Weyerhauser, Nike, Avia and Hewlett Packard are involved successfully in the Pacific rim. Oregon agricultural exports to the Pacific rim continue to increase; products including potatoes, apples, grass seed, processed vegetables, onions, and wheat.

Mr. Speaker, APEC also represents an important political opportunity for this Nation. APEC is the only international organization to which China, Taiwan, and Hong Kong all belong. APEC is an important forum for the United States to engage China. Making money together helps to maintain peace, build a better understanding between cultures, politics and problems. A comprehensive China policy must include active participation by the United States in APEC.

I urge support for House Concurrent Resolution 113 and I am encouraged by the proactive message this legislation sends to our partners in the Pacific rim.

Mr. ACKERMAN. Mr. Speaker, I rise today to express my strong support for this resolution and to commend the distinguished gentleman from the State of Washington [Mr. MCDERMOTT] for his efforts on this resolution and for bringing the Asia-Pacific Economic Cooperation [APEC] to the attention of the House.

Mr. Speaker, APEC is made up of 15 members: Australia, Brunei, Canada, China, Hong Kong, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Chinese Taipei (Taiwan), Thailand, and the United States. The APEC members constitute the United States' most important economic partners. During 1992, U.S. trade with the Pacific region totaled $344 billion. That figure is 50 percent greater than our trade with nations across the Atlantic. On an aggregate level, U.S. trade with APEC constituted 54 percent of U.S. trade with the world. While our trade with Europe and the former Soviet Union stood at 24 percent.

APEC has progressed rapidly since the late 1980's when a number of countries began to discuss the usefulness of a multilateral economic forum in which to discuss regional economic development and growth. In 1991, at the Seoul ministerial meeting, APEC members began to flesh out the organization's commitment to more open trade and increasing economic collaboration. That same meeting also produced an agreement which allowed the three Chinas to join, bringing APEC's membership to its present level of 15. The 1992 ministerial in Thailand led to the establishment of a small secretariat in Singapore to organize and coordinate the increasing work of the group and to institutionalize it.

An Eminent Persons Group, which met for the first time in March of this year, was established, consisting of a prominent nongovernmental economics expert from 11 of the member countries, in order to give APEC a vision of Asia-Pacific trade at the turn of the century and to try to identify issues and obstacles to enhanced regional economic cooperation. Results from these discussions will reported at this year's ministerial meeting in Seattle.

This year, with the United States as the Chair of APEC, it is altogether fitting that President Clinton should cite APEC as one of the building blocks of a new Pacific community. In order to emphasize to Americans the importance of the Asia-Pacific region to America's future, President Clinton has embraced the idea of a leaders meeting in Seattle to discuss what can be done to bring down trade barriers and create more economic opportunities for the entire region.

I believe that by approving this resolution we will add the voice of the Congress to that of the President in emphasizing that our economic future lies in the Asia-Pacific region. So I urge my colleagues to join me in supporting House Resolution 113 to recognize the contributions that APEC has made to liberalizing regional trade.

Mr. THOMAS of California. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 113.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on House Concurrent Resolution 113, the concurrent resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMEMORATING THE 60TH ANNIVERSARY OF THE UKRAINE FAMINE

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 140) expressing the sense of the Congress that the 60th anniversary of the Ukraine famine of 1932–33 should serve as a reminder of the brutality of Stalin's repressive policies toward the Ukrainian people as amended.

The Clerk read as follows:

H. CON. RES. 140

Whereas this year marks the 60th anniversary of the Ukraine famine of 1932–1933;

Whereas, within one year, an estimated 7 million to 10 million people starved to death in Ukraine because of forced collectivization and grain seizures from the rural population by the Government of the Soviet Union;

Whereas Public Law 99–180 established the Commission on the Ukraine Famine to conduct a study to expand the world's knowledge of the famine and to provide the American public with a better understanding of the former Soviet system by revealing the Soviet role in the Ukraine famine;

Whereas the Commission's report to Congress confirms that Communist dictator Joseph Stalin consciously employed the brutal policy of forced famine to repress the Ukrainian peasantry in order to suppress Ukrainian self-assertion;

Whereas, on February 7, 1990, the Central Committee of the Communist Party of Ukraine acknowledged that the Ukraine famine was artificially created by the policies of Stalin and his closest associates;

Whereas internationally accepted principles of human rights condemn the use of food as a political weapon;

Whereas the official observances of the Days of Sorrow and Remembrance of the Victims of the Imposed Famine were held for the first time this year on September 10 through 12 in Kiev, Ukraine; and

Whereas members of the Commission on the Ukraine Famine presented a copy of 4 volumes of their findings and conclusions, 10 volumes of archival material, and 200 audio cassettes of testimony from famine survivors to the Government of Ukraine following the official observances in Kiev: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) the victims of the Soviet-engineered Ukraine famine of 1932–1933 be solemnly remembered on its 60th anniversary;

(2) this anniversary underscores the hardship and inhumanity of life under the repressive regime of the Soviet Union;

(3) the Congress condemns the systematic disregard for human life, human rights, and human liberty that characterized the policies of the Government of the Soviet Union during the Ukraine famine of 1932–1933;

(4) the presentation of a copy of the findings and conclusions of the Commission on the Ukraine Famine to the Government of Ukraine, as well as the supplemental material, will assist in the dissemination of information about the Ukraine famine of 1932–1933, and thereby help to prevent similar future tragedies; and

(5) the manmade Ukraine famine is a graphic illustration of the unacceptable alternative to democracy and a free market economy, and therefore the United States should seek to help Ukraine and the other newly independent nations of the former Soviet Union as they transform their societies.

SEC. 2. TRANSMITTAL OF RESOLUTION.

The Clerk of the House of Representatives shall transmit a copy of this resolution to the President and the Secretary of State and request that the Secretary of State transmit a copy of the resolution to the Government of Ukraine.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. BERMAN] will be recognized for 20 minutes, and the gentleman from California [Mr. ROHRABACHER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution expresses the sense of the Congress that the 60th anniversary of the Ukraine famine of 1932–33 should serve as a reminder of the brutality of Stalin's repressive policies toward the Ukrainian people.

First, let me commend the original sponsor of this resolution, the gentleman from Michigan [Mr. LEVIN], for bringing this resolution to the attention of the House. I would also like to commend my friend from New York, the ranking minority member of the Committee on Foreign Affairs, who is an original cosponsor of House Concurrent Resolution 140.

This resolution is an appropriate expression by the Congress on the tragedy in Ukraine 60 years ago. At that time, because of the policies of forced collectivization and grain seizures followed by Joseph Stalin, an estimated 7 to 10 million people starved to death in the Ukraine, the breadbasket of the former Soviet Union. The policies that led to the famine were consciously implemented by Stalin as a means to suppress Ukrainian nationalism and self-expression.

Mr. Speaker, this resolution notes that for the first time since 1932, official observances of this horrible tragedy took place in Ukraine in September. At that time, materials collected by the Commission on the Ukraine Famine, which was created by Congress in 1985, were presented to the Government of the Ukraine in the hope that the dissemination of this material will help prevent any such tragedy from occurring again.

Mr. Speaker, I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. ROHRABACHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this resolution, which commemorates a tragedy of 60 years ago, the artificial famine in the Ukraine which took the lives of from 5 to 10 million people.

Mr. Speaker, I share the concern of the sponsor of this measure, the gentleman from Michigan [Mr. LEVIN] and the ranking member of the Foreign Affairs Committee, the gentleman from New York [Mr. GILMAN] to insure that this anniversary is duly observed.

Mr. Speaker, this is the 60th anniversary of an historic event. In 1932 and 1933, 7 to 10 million victims were killed through starvation by the Communist dictatorship in Moscow.

Public Law 99–180 established a commission to study this historic event. They have, as my colleague has just stated, given the report to the Ukrainian government and to the Congress as well.

On February 7, another historic event happened. For the first time, the Central Committee of the Communist Party in the Ukraine acknowledged the crime of the famine, the Great Sorrow.

This sense-of-the-Congress resolution should help us establish that this tragedy, this human and historic event, will be remembered.

At the time of this 60th anniversary, it is incumbent upon the decent and democratic peoples of the world to at the very least try to understand what happened and try to glean some insight, perhaps some lesson, from this monstrous attack on human decency and on the lives of 7 to 10 million human beings in the Ukraine 60 years ago.

It was a holocaust a decade before Hitler's holocaust against the Jews, yet there was little reaction in the West to the tragic events that were going on, the mammoth loss of life, the monstrous loss of life that was going on in Ukraine over a 2-year time period.

We have seen that denial at that time, and we also witnessed historically the decades of denial by the Communists in our country and in other countries in the Western democracies that this event ever happened at all.

One of those we should hold at fault, not just the Communist bosses in Moscow who perpetrated this monstrous crime, but also none other than, I might add, the chief Moscow correspondent for the New York Times at the time, Mr. Walter Duranty, who played it down. Here he was, an American citizen, supposedly there to inform the American people in the Western democracies of what was going on—of the wholesale genocide by starvation that was taking place—and instead this incredible crime was downplayed by this journalist, who then received, as a reward for his great journalism, the Pulitzer Prize, after denying the people of the world the right to know of the monstrous crime that was taking place, the crime that cost 5 to 10 million lives of innocent Ukrainians.

□ 1330

This journalist, yes, he received the Pulitzer Prize for the excellence of his work, and I believe it is time that the Pulitzer Prize committee insist that that prize be returned.

In our lifetime, Mr. Speaker, we have seen similar acts of silence on the part, not only of journalists, but of good, and decent, and democratic peoples in the Western democracies to things, the tragedies, that perhaps do not have 7 to 10 million people dying, but are equal tragedies; the holocaust in Cambodia, for example. We all knew what was taking place. Something was going on. Yet, during the holocaust in Cambodia, which took millions of lives of the Cambodian people, there was relative silence in the American press. There was relative silence here in the United States even as millions of people lost their lives. The great cultural revolution that swept through China, some people portrayed it as being a wonderful step forward, and now we know that hundreds of thousands of people were losing their lives to this vicious, ugly movement, Communist movement, on the mainland of China.

Mr. Speaker, this resolution calls for us to remember the horrors of the Ukraine of 60 years ago. Let us also remember the silence of 60 years ago on the part of the Western democracies and the denial over these decades by Communists and leftists in countries throughout the world who have refused to acknowledge this monstrous crime against humanity. And let us all, as we look back at this crime of 60 years ago, as this resolution suggests, vow to one another that we will not remain silent as people are sent to their death, whether it is in Communist China or whether it is in Fascist rightwing regimes that perhaps wave American flags when the American Ambassador arrives on the scene. But this resolution should strengthen our resolve as democratic peoples that we will stand for the values of decency and humankind that our forefathers thought that America was all about.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Michigan [Mr. LEVIN], the author of this resolution.

Mr. LEVIN. Mr. Speaker, I rise today to urge passage of House Concurrent Resolution 140, a resolution that recalls the brutality of Stalin's genocidal policies toward the Ukrainian people on the 60th anniversary of the Soviet-engineered Ukraine famine of 1932–33.

It is too little known that 60 years ago Communist dictator Joseph Stalin deliberately employed the ruthless policies of forced collectivization and grain seizures to suppress and politically neutralize the Ukrainian people. More than 7 million people were cruelly starved to death because of these repressive measures.

Just 1 month ago, the people of newly independent Ukraine officially commemorated this tragedy, as a nation, for the very first time. Thousands of Ukrainians gathered in Kiev, Ukraine, for 4 days of somber events marking the 60th anniversary of what historians have named the "harvest of sorrow." Elderly famine survivors traveled to Kiev and shared horrific first-hand accounts of suffering. They spoke of eating bark and weeds to survive, of the desolation of entire villages, and of Red Army soldiers going door-to-door among the peasantry, confiscating food and livestock. Survivors testified that the harvests in the early 1930's were good, and while innocents starved in the streets, Soviet soldiers guarded full storehouses of grain.

The official observances that were held in Kiev are significant because Stalin and his closest associates concealed the artificially created famine for decades. The mass starvation of millions graphically illustrates Ukraine's history of suffering under Soviet subjugation. Public recognition of the famine, including passage of House Concurrent Resolution 140, is vitally important to the new nation of Ukraine.

Ukrainian President Kravchuk declared September 12 a national day of mourning, and stressed that a free and democratic society will safeguard the Ukrainian people from future collective victimization. In the aftermath of the collapse of the Soviet Empire, the world is learning more and more about the harsh reality of life under a totalitarian regime. This resolution on the Ukraine famine serves as a reminder that the alternative to a democratic and free market society is unacceptable, and it presents Congress with an opportunity to reaffirm our commitment to helping Ukraine and the other former Soviet states as they proceed along the tumultuous path toward democracy and a free market economy.

House Concurrent Resolution 140 also supports action that will aid in disseminating information about the artificially created Ukraine famine. Following the official observances in Kiev, members of the Commission on the Ukraine Famine, which Congress established in 1984 to study and expand the world's knowledge of the famine, presented their findings to the Government of Ukraine. The Commission presented 4 volumes of its conclusions, 10 volumes of archival material, and 200 audio cassettes of testimony from famine survivors. I believe we must continue to educate the world of the atrocities committed by Stalin, and I urge my colleagues to approve House Concurrent Resolution 140.

Mr. GILMAN. Mr. Speaker, it has been my pleasure to work with Chairman LEE HAMILTON to bring this resolution, commemorating the 60th anniversary of the Ukrainian famine, to the floor today. After considering it last Thursday, October 7, the Committee on Foreign Affairs voted unanimously to report the legislation with a perfecting amendment I had proposed to update a portion of its text.

Mr. Speaker, I want to thank the gentleman from Michigan [Mr. LEVIN] for introducing this resolution. I also express my appreciation to him for inviting Members who share his concern to see that the 60th anniversary of the famine in Ukraine be duly commemorated and to join in sponsoring this legislation.

Mr. Speaker, for several years I served as a member of the Commission on the Ukraine Famine, which was established by this Congress to study the 1932–33 famine and the role that the Communist leadership of the former Soviet Union played in creating it. I have always considered it an honor and a privilege to have served on that body, which was so successful not only in documenting the truth about what happened in the Ukraine 60 years ago, but in educating the American public about the famine and its many, many victims.

Today, the great nation of Ukraine is no longer under the Soviet Communist yoke. It is free, and, with the help of its friends among the more developed nations of the world, it is working to build a future of democracy and prosperity. Still, while looking to the future, Ukraine cannot ignore its past or those millions of Ukrainians who lost their lives during the seven decades of soviet rule.

The Government of Ukraine therefore designated September 10 through 12 as the "Days of Sorrow and Remembrance of the Victims of the Imposed Famine," in honor of the many millions who were purposely starved to death by Joseph Stalin and his communist regime just 60 years ago.

Mr. Speaker, the resolution before us today, House Congressional Resolution 140, expresses the sense of this Congress that the millions of victims of the Ukraine famine should indeed be remembered at this time, 60 years after their deaths. It also notes that members of the Commission on the Ukraine Famine participated in the ceremonies held in Ukraine in September, presenting to the new Government their copies of the Commission's final report and archival materials.

Mr. Speaker, I believe this resolution is a timely commemoration of the 1932–33 famine in Ukraine and its victims. I again want to thank the gentleman from Michigan for his work to bring it before the House today, and I hope that all of my colleagues will join in ensuring its passage.

Mr. ROHRABACHER. Mr. Speaker, I have no further requests for time.

Mr. BERMAN. Mr. Speaker, I, too, have no further requests for time, and I yield back the balance of my time.

Mr. ROHRABACHER. I yield back the balance of my time, Mr. Speaker.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from California [Mr. BERMAN] that the House suspend the rules and agree to the concurrent resolution House Concurrent Resolution 140, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Concurrent Resolution 140, as amended, which was just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California.

There was no objection.

CATAWBA INDIAN TRIBE OF SOUTH CAROLINA LAND CLAIMS SETTLEMENT ACT OF 1993

Mr. RICHARDSON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 2399) to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the tribe, and for other purposes.

The Clerk read as follows:

Senate Amendments:

Page 11, lines 1 and 2, strike out [entitled] and insert: *eligible*

Page 11, line 5, strike out [entitled] and insert: *eligible*

Page 50, strike out all after line 23 over to and including line 8 on page 51 and insert:

(c) LAWS AND REGULATIONS OF THE UNITED STATES.—The provisions of any Federal law enacted after the date of enactment of this Act, for the benefit of Indians, Indian nations, tribes, or bands of Indians, which would affect or preempt the application of the laws of the State to lands owned by or held in trust for Indians, or Indian nations, tribes, or bands of Indians, as provided in this Act and the South Carolina State Implementing Act, shall not apply within the State of South Carolina, unless such provision of such subsequently enacted Federal law is specifically made applicable within the State of South Carolina.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico [Mr. RICHARDSON] will be recognized for 20 minutes, and the gentleman from Wyoming [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. RICHARDSON].

GENERAL LEAVE

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RICHARDSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2399 settles the Catawba Indian Tribe's land claims in the State of South Carolina and provides for the restoration of the tribe's federally recognized status.

The Catawba Tribe of Indians of South Carolina was one of the tribes terminated by statute during the 1950's. Most of the terminated tribes have been restored by statute. The Catawaba Tribe had the additional complication of a land claim involving 144,000 acres.

After years of negotiating, the tribe, the State and the landowners reached a settlement which is memorialized in H.R. 2399. The essence of the settlement is the tribe is restored to federally recognized status and the tribe's claim to the lands are extinguished.

Mr. Speaker, the Senate amended the bill which the House passed on September 27. There are only two amendments. One amendment clarifies that the health benefits which the Catawba are receiving under the bill and puts them on a par with other tribes across the land. The second provision deals with laws which are enacted subsequent to the act and was changed so that language similar to that in the Maine Indian Claims Settlement Act of 1980 is included. The language from the Maine Act has withstood the test of time.

The committee agrees with both of these changes and urges the House to pass this measure.

Some have been critical of the concessions made by the tribe in this matter, but it is a settlement which was negotiated over a period of years by parties who were well aware of the consequences.

Tribal sovereignty is something that the committee is committed to preserving, protecting, and defending. Part of self-governance is making hard choices as the tribe has done in this instance. They have compromised in an effort to obtain this settlement. This bill is not a model for future settlements and is not intended to be a precedent for other tribes. The bill reflects choices made by the Catawba and the State of South Carolina in a unique settlement of claims under a British treaty and the Non-Intercourse Act. The committee will respect the choices the tribe has made.

Mr. Speaker, I urge my colleagues to support this measure and support the Senate amendments.

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Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS of Wyoming. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New Mexico [Mr. RICHARDSON] has adequately explained the provisions of H.R. 2399, which settles what could have proved to be a costly and protracted lawsuit between the Catawba Nation and some 60,000 landholders in the State of South Carolina.

The other body amended H.R. 2399 after we passed it on September 27. As the chairman has explained, these amendments were technical in nature and do not effect the real substance of the legislation. I therefore do not oppose adopting the amendments as enacted by the other body. As I have done previously, Mr. Speaker, I urge my colleagues to support passage of H.R. 2399, as amended.

Mr. RICHARDSON. Mr. Speaker, the gentleman from South Carolina [Mr. SPRATT] has been instrumental in seeing that this bill is passed and has been responsive to his constituents, the Congress, his State, and the Indian tribe. This gentleman has worked tirelessly to make sure that the bill becomes reality before the October deadline.

I yield 4 minutes to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding this time to me, and I thank him for his support of this bill, and also I thank the gentleman from Wyoming [Mr. THOMAS] for his support.

Mr. Speaker, I should acknowledge before the House before I say anything that in a suit brought by the Catawba Indian Tribe I was a named defendant. I was named some 12 years ago, before I was elected a Member of Congress.

I have been advised by the Ethics Committee that I should not vote upon this bill, that even though I can speak upon it and speak to other Members about it, I should not cast my own vote on it, and I will not. I will abstain from voting when the voice vote or whatever vote that is sought or taken comes momentarily.

On behalf of some 100,000 constituents who are affected by this bill, let me say that they will indeed be grateful to see this bill pass. Both the Catawbas and other citizens in this area will be tremendously relieved to have this cloud lifted from them that has been cast by this claim for the past 15 to 16 years. The House has previously passed this bill, and I am pleased to see it brought forth again to be passed finally and enacted because it will bring justice to a claim that has been pending literally since 1840.

Mr. Speaker, I thank the chairman of the subcommittee very much for bringing this bill to the floor, and I thank the gentleman from Wyoming [Mr. THOMAS] also for his support.

Mr. RICHARDSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from New Mexico [Mr. RICHARDSON] that the House suspend the rules and concur in the Senate amendments to H.R. 2399.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

DESIGNATING PORTIONS OF THE MAURICE RIVER, NJ, AS COMPONENTS OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

Mr. VENTO. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 2650) to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers System, as amended.

The Clerk read as follows:

H.R. 2650

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the Maurice River and its tributaries, Menantico Creek, the Manumuskin River, and Muskee Creek, are eligible for inclusion into the National Wild and Scenic Rivers System, the segments and their classifications being as follows—

(A) the Maurice River, lower segment, from the United States Geological Survey Station at Shellpile to Route 670 Bridge at Mauricetown, approximately 7.0 miles, as a recreational river;

(B) the Maurice River, middle segment, from Route 670 Bridge at Mauricetown to 3.6 miles upstream (at drainage ditch just upstream of Fralinger Farm), approximately 3.8 miles as a scenic river;

(C) the Maurice River, middle segment, from the drainage ditch just upstream of Fralinger Farm to one-half mile upstream from the United States Geological Survey Station at Burcham Farm, approximately 3.1 miles, as a recreational river;

(D) the Maurice River, upper segment, from one-half mile upstream from the United States Geological Survey Station at Burcham Farm to the south side of the Millville sewage treatment plant, approximately 3.6 miles, as a scenic river;

(E) the Menantico Creek, lower segment, from its confluence with the Maurice River to the Route 55 Bridge, approximately 1.4 miles, as a recreational river;

(F) the Menantico Creek, upper segment, from the Route 55 Bridge to the base of the Impoundment at Menantico Lake, approximately 6.5 miles, as a scenic river;

(G) the Manumuskin River, lower segment, from its confluence with the Maurice River to 2.0 miles upstream, as a recreational river;

(H) the Manumuskin River, upper segment, from 2.0 miles upstream from its confluence with the Maurice river to headwaters near Route 557, approximately 12.3 miles, as a scenic river; and

(I) the Muskee Creek from its confluence to the Pennsylvania Reading Seashore Line Railroad bridge, approximately 2.7 miles, as a scenic river;

(2) a resource assessment of the Maurice River and its tributaries, Menantico Creek, the Manumuskin River, and the Muskee Creek shows that the area possesses numerous outstandingly remarkable natural, cultural, science, and recreational resources that are significant at the local, regional, and international levels, including rare plant and animal species and critical habitats for birds migrating to and from the north and south hemispheres; and

(3) a river management plan for the river system has been developed by the Cumberland County Department of Planning and Development and adopted by the Maurice River Township, Commercial Township, and the City of Millville that would meet the requirements of section 6(c) of the Wild and Scenic Rivers Act, the City of Vineland has adopted a master plan which calls for river planning and management and is in the process of adopting zoning ordinances to implement their plan, and Buena Vista Township in Atlantic County has adopted a land use plan consistent with the Pinelands Comprehensive Plan which is more restrictive than the Cumberland County local river management plan.

(b) PURPOSES.—The purposes of this Act are to—

(1) declare the importance and irreplaceable resource values of the Maurice River and its tributaries to water quality, human health, traditional economic activities, ecosystem integrity, biotic diversity, fish and wildlife, scenic open space and recreation and protect such values through designation of the segments as components of the National Wild and Scenic Rivers System; and

(2) recognize that the Maurice River System will continue to be threatened by major development and that land use regulations of the individual local political jurisdictions through which the river segments pass cannot alone provide for an adequate balance between conservation of the river's resources and commercial and industrial development; and

(3) recognize that segments of the Maurice River and its tributaries additional to those designated under this Act are eligible for potential designation at some point in the near future.

SEC. 2. DESIGNATION.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding the following new paragraphs at the end thereof:

"( ) THE MAURICE RIVER, MIDDLE SEGMENT.—From Route 670 Bridge at Mauricetown to 3.6 miles upstream (at drainage ditch just upstream of Fralinger Farm), approximately 3.8 miles to be administered by the Secretary of the Interior as a scenic river.

"( ) THE MAURICE RIVER, MIDDLE SEGMENT.—From the drainage ditch just upstream of Fralinger Farm to one-half mile upstream from the United States Geological Survey Station at Burcham Farm, approximately 3.1 miles, to be administered by the Secretary of the Interior as a recreational river.

"( ) THE MAURICE RIVER, UPPER SEGMENT.—From one-half mile upstream from the United States Geological Survey Station at Burcham Farm to the south side of the Millville sewage treatment plant, approximately 3.6 miles, to be administered by the Secretary of the Interior as a scenic river.

"( ) THE MENANTICO CREEK, LOWER SEGMENT.—From its confluence with the Maurice River to the Route 55 Bridge, approximately 1.4 miles, to be administered by the Secretary of the Interior as a recreational river.

"( ) THE MENANTICO CREEK, UPPER SEGMENT.—From the Route 55 Bridge to the base of the impoundment at Menantico Lake, approximately 6.5 miles, to be administered by the Secretary of the Interior as a scenic river.

"( ) MANUMUSKIN RIVER, LOWER SEGMENT.—From its confluence with the Maurice River to a point 2.0 miles upstream, to be administered by the Secretary of the Interior as a recreational river.

"( ) MANUMUSKIN RIVER, UPPER SEGMENT.—From a point 2.0 miles upstream from its confluence with the Maurice River to its headwaters near Route 557, approximately 12.3 miles, to be administered by the Secretary of the Interior as a scenic river.

"( ) MUSKEE CREEK, NEW JERSEY.—From its confluence with the Maurice River to the Pennsylvania Seashore Line Railroad Bridge, approximately 2.7 miles, to be administered by the Secretary of the Interior as a scenic river.".

SEC. 3. MANAGEMENT.

(a) DUTIES OF SECRETARY.—The Secretary of the Interior shall manage the river segments designated as components of the National Wild and Scenic Rivers System by this Act through cooperative agreements with the political jurisdictions within which such segments pass, pursuant to section 10(e) of the Wild and Scenic Rivers Act, and in consultation with such jurisdictions, except that publicly-owned lands within the boundaries of such segments shall continue to be managed by the agency having jurisdiction over such lands.

(b) AGREEMENTS.—(1) Cooperative agreements for management of the river segments referred to in subsection (a) shall provide for the long-term protection, preservation, and enhancement of such segments and shall be consistent with the comprehensive management plan for such segments to be prepared by the Secretary of the Interior pursuant to section 3(d) of the Wild and Scenic Rivers Act and with the local river management plans prepared by appropriate local political jurisdictions in conjunction with the Secretary of the Interior.

(2) The Secretary of the Interior, in consultation with appropriate representatives of local political jurisdictions and the State of New Jersey, shall review local river management plans described in paragraph (1) to assure that their proper implementation will protect the values for which the river segments described in section 2 were designated as components of the National Wild and Scenic Rivers System. If after such review the Secretary determines that such plans and their implementing local zoning ordinances meet the protection standards specified in section 6(c) of the Wild and Scenic Rivers Act, then such plans shall be deemed to constitute "local zoning ordinances" and each township and other incorporated local jurisdiction covered by such plans shall be

deemed to constitute a "village" for the purposes of section 6(c) (prohibiting the acquisition of lands by condemnation) of the Wild and Scenic Rivers Act.

(3) The Secretary of the Interior shall biennially review compliance with the local river management plans described in paragraph (1) and shall promptly report to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate any deviation from such which would result in any diminution of the values for which the river segment concerned was designated as a component of the National Wild and Scenic Rivers System.

(c) PLANNING ASSISTANCE.—The Secretary of the Interior may provide planning assistance to local political subdivisions of the State of New Jersey through which flow river segments that are designated as components of the National Wild and Scenic Rivers System, and may enter into memoranda of understanding or cooperative agreements with officials or agencies of the United States or the State of New Jersey to ensure that Federal and State programs that could affect such segments are carried out in a manner consistent with the Wild and Scenic Rivers Act and applicable river management plans.

(d) SEGMENT ADDITIONS.—The Secretary of the Interior is encouraged to continue to work with the local municipalities to negotiate agreement and support for designating those segments of the Maurice River and its tributaries which were found eligible for designation pursuant to Public Law 100-33 and were not designated pursuant to this Act (hereinafter referred to as "additional eligible segments"). For a period of 3 years after the date of enactment of this Act, the provisions of the Wild and Scenic Rivers Act applicable to segments included in section 5 of that Act shall apply to the additional eligible segments. The Secretary of the Interior is directed to report to the appropriate congressional committees within 3 years after the date of enactment of this Act on the status of discussions and negotiations with the local municipalities and on recommendations toward inclusion of additional river segments into the National Wild and Scenic Rivers System.

(e) APPROPRIATIONS.—For the purposes of the segment described by subsection (a), there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Utah [Mr. HANSEN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2650 is a bill introduced by the gentleman from New Jersey [Mr. HUGHES] who has been diligent in his efforts to protect the natural resources of that State.

The bill would designate as components of the National Wild and Scenic Rivers System eight segments of the Maurice River and its tributaries, in southern New Jersey, amounting to about 35.4 river miles, that have been studied and found both eligible and suitable for inclusion in the National Wild and Scenic Rivers System.

The lands through which these river segments flow function as critical migration-related habitat for shorebirds, songbirds, waterfowl, raptors, rails, and fish, and have been identified as being both nationally and hemispherically significant. They also afford opportunities for outdoor recreation by large numbers of people, and clearly merit recognition and protection.

The bill provides for management of the designated river segments through cooperative agreements with local governments, consistent with the Wild and Scenic Rivers Act, and for local control of land acquisition through appropriate local zoning ordinances, as provided in section 6(c) of the act.

The bill also authorizes planning assistance to local governments, encourages work toward similar designation of other studied river segments, and continues the applicability of the Wild and Scenic Rivers Act to those additional segments.

Mr. Speaker, the Natural Resources Committee approved this bill without amendments. It is a most worthwhile measure, which deserves the approval of the House.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as fully explained by Chairman VENTO, H.R. 2650 would designate 35 miles of the Maurice River as part of the Wild and Scenic Rivers System.

The area to be designated passes through five cities and townships and the Park Service has been very sensitive to these local governments and has gone to great lengths to gain their support. I commend the Park Service for including local opinions and their efforts to preserve resources that are truly supported by local entities.

Mr. Speaker, the one concern I do have is the potential impact this designation will have on the sand mining industry in and around the Maurice River corridor. This concern has come to my attention rather late and I am not attempting to sandbag the chairman but I believe this concern needs to be heard. I urge Mr. HUGHES to take these concerns seriously and find a way to both preserve these river resources and accommodate the sand minding industry. As is often the case, these resource consumers are concerned about preserving these important resources, but also believe that they can conduct certain businesses in a responsible way that does not destroy the river and its resources.

I simply urge Mr. HUGHES and the Park Service to continue to work with the local interests and to do their best to address all concerns along this river corridor.

Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. HUGHES] to speak on the measure he is advancing and championing today.

Mr. HUGHES. Mr. Speaker, I rise in support of H.R. 2650, legislation I introduced to designate some 35 miles of the Maurice River and its tributaries as components of the National Wild and Scenic Rivers System.

New Jersey is perhaps our country's most urbanized State, and I think that many in this body and in the public generally form their impressions of it from stopovers at Newark Airport or trips on the New Jersey Turnpike. Yet, Mr. Speaker, there are still many portions of our State that are unspoiled, with waters that can still be called "pristine." The Maurice River, its tributaries, and the surrounding land comprise one such area.

The Maurice River is one of New Jersey's most magnificent treasures. The river forms an integral part of the Pinelands and Delaware Bay ecosystems, provides fresh water to the region, and is rich in the unique history and culture of southern New Jersey. The region provides important habitat for a wide variety of animals, birds, and plants, and is well known for its fishing, boating, and recreational activities. There are also many sites of cultural and historical interest along the river corridor including a prehistoric native American settlement and several intact villages and towns.

In 1987, I, along with Senators BILL BRADLEY and FRANK LAUTENBERG, sponsored legislation authorizing the National Park Service to study the eligibility of these rivers and their tributaries for inclusion into the national system. Only the most select free-flowing rivers that have outstanding natural, cultural, or recreational values make up the Wild and Scenic System. I am pleased that after 5 years of study, the National Park Service found that all segments of the river were eligible for designation under the Wild and Scenic System.

Wild and scenic designation assures the long-term protection of unique natural resources through sound, locally implemented river management plans. Specifically, my bill requires that management of the designated segments will be at the local level by cooperative agreements between the Secretary of the Interior and local municipalities. These agreements will be consistent with local river management plans which are almost exclusively the product of local thinking, based on the input of local residents, businesses, and elected officials. Authority for implementation of the plan will lie solely at the local level.

This bill does not authorize any new land acquisition. Under the law, lands cannot be acquired by the Secretary of the Interior for wild and scenic areas within any incorporated municipality which has a valid zoning ordinance which conforms with the purposes of the legislation. As the river management plans have already been adopted by the local municipalities and, in some cases, incorporated into local zoning ordinances, and meet the goals of the Wild and Scenic Act, condemnation of property will be avoided. This facet of the overall plan was key to gaining local approval.

It is also critical to note that while this bill seeks to maintain and conserve important river resources, it simultaneously recognizes that the river is also the economy of the region. Thus it seeks to protect traditional economic activities such as oystering, crabbing, fishing, recreation, and tourism.

The local communities have shown their commitment to the preservation of this very special resource. Indeed, all five affected municipalities have passed resolutions in support of wild and scenic designation. These endorsements enable the designation of approximately 35 miles, encompassing almost the entire study site. Such strong support at the local level is unique and reflects many years of hard work from the grassroots level to the Federal Government.

Certainly, we would not be where we are today without the tireless efforts, enthusiasm and interest of several local officials and citizens. Jane Galetto and Don Fauerbach of Citizens United To Protect the Maurice River and Its Tributaries really began this process and it is a testament to their hard work and forward looking thinking that this bill is before you today. I would also like to pay tribute to Jennifer Lookabaugh, deputy director of the Cumberland County Board of Freeholders, and Steve Kehs, executive director of the county's department of planning and development, whose efforts to build local consensus and develop a management plan for the river contributes in large measure to the success we are realizing today. It is the tireless efforts of Jane, Don, Jennifer, Steve, and other local citizens and officials that has brought us this far.

I think it is also important to mention the fine efforts of the National Park Service, and in particular, Patty Weber of their regional office. They have really done an outstanding job in working with the affected communities to ensure a full understanding of the national system by all participants.

Finally, I would like to thank the chairman and ranking Republican of the Natural Resources Committee and the chairman and ranking member of the National Parks, Forests and Public Lands Subcommittee. I would especially like to praise the fine work of Chairman VENTO and his staff—particularly Stan Sloss. Chairman VENTO has known that this bill is one of my highest priorities and has worked hard to ensure that the House acted on it during this session. I thank him for his efforts.

Last year, Congress passed my legislation to preserve 129 miles of the Great Egg Harbor River as New Jersey's first wild and scenic river. In considering H.R. 2650 we have an opportunity to afford another unique resource—in our country's most developed State—the protection it deserves so that our children and their children can enjoy its beauty.

I am sure that if cities and suburbs across the country could go back 100 years, they would have done it differently. There is no question that they would have taken advantage of available planning and management tools to offer similar protection to their natural resources. While we cannot undo that which has already been done, we can act now to protect the Maurice River and preserve south Jersey's natural heritage. I am sure that if we pass this bill today, our actions will be looked upon in the years ahead by the citizens of New Jersey and the rest of the Nation as one of the more significant conservation actions that this body has accomplished.

I ask my colleagues to join me, the National Park Service, and the whole New Jersey delegation—all of whom have cosponsored H.R. 2650—in supporting protection for the Maurice River. I urge you to pass this legislation.

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Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from New Jersey [Mr. HUGHES] for his work and dedication on this. The gentleman has really been masterful in drawing together the disparate issues and elements in this and making it work. It is difficult in an urbanized State because there are so many conflicting interests, but the gentleman has done good service, along with the resources he outlined, and I appreciate his kind comments about our efforts on the committee and the members.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 2650, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MIDDLE EAST PEACE FACILITATION ACT OF 1993

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1487) entitled the "Middle East Peace Facilitation Act of 1993," as amended.

The Clerk read as follows:

S. 1487

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Middle East Peace Facilitation Act of 1993".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Palestine Liberation Organization has recognized the State of Israel's right to exist in peace and security; accepted United Nations Security Council resolutions 242 and 338; committed itself to the peace process and peaceful coexistence with Israel, free from violence and all other acts which endanger peace and stability; and assumed responsibility over all Palestine Liberation Organization elements and personnel in order to assure their compliance, prevent violations and discipline violators;

(2) Israel has recognized the Palestine Liberation Organization as the representative of the Palestinian people;

(3) Israel and the Palestine Liberation Organization signed a Declaration of Principles on Interim Self-Government Arrangements on September 13, 1993, at the White House;

(4) the United States has resumed a bilateral dialogue with the Palestine Liberation Organization; and

(5) in order to implement the Declaration of Principles on Interim Self-Government Arrangements and facilitate the Middle East peace process, the President has requested flexibility to suspend certain provisions of law pertaining to the Palestine Liberation Organization.

SEC. 3. AUTHORITY TO SUSPEND CERTAIN PROVISIONS.

(a) IN GENERAL.—Subject to subsection (b), the President may suspend any provision of law specified in subsection (d). Any such suspension shall cease to be effective on January 1, 1994, or such earlier date as the President may specify.

(b) CONDITIONS.—

(1) CONSULTATION.—Before exercising the authority provided in subsection (a), the President shall consult with the relevant congressional committees.

(2) PRESIDENTIAL CERTIFICATION.—The President may exercise the authority provided in subsection (a) only if the President certifies to the relevant congressional committees that—

(A) it is in the national interest of the United States to exercise such authority; and

(B) the Palestine Liberation Organization continues to abide by all the commitments described in paragraph (4).

(3) REQUIREMENT FOR CONTINUING PLO COMPLIANCE.—Any suspension under subsection (a) of a provision of law specified in subsection (d) shall cease to be effective if the President certifies to the relevant congressional committees that the Palestine Liberation Organization has not continued to abide by all the commitments described in paragraph (4).

(4) PLO COMMITMENTS DESCRIBED.—The commitments referred to in paragraphs (2) and (3) are the commitments made by the Palestine Liberation Organization—

(A) in its letter of September 9, 1993, to the Prime Minister of Israel;

(B) in its letter of September 9, 1993, to the Foreign Minister of Norway; and

(C) in, and resulting from the implementation of, the Declaration of Principle on Interim Self-Government Arrangements signed on September 13, 1993.

(c) EXPECTATION OF CONGRESS REGARDING ANY EXTENSION OF PRESIDENTIAL AUTHORITY.—The Congress expects that any extension of the authority provided to the President in subsection (a) will be conditional on the Palestine Liberation Organization—

(1) renouncing the Arab League boycott of Israel;

(2) urging the nations of the Arab League to end the Arab League boycott of Israel; and

(3) cooperating with efforts undertaken by the President of the United States to end the Arab League boycott of Israel

(d) PROVISIONS THAT MAY BE SUSPENDED.—The provisions that may be suspended under the authority of subsection (a) are the following:

(1) Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) as it applies with respect to the Palestine Liberation Organization or entities associated with it.

(2) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note) as it applies with respect to the Palestine Liberation Organization or entities associated with it.

(3) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 5202).

(4) Section 37 of the Bretton Woods Agreement Act (22 U.S.C. 286w) as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund. As used in this paragraph, the term "other official status" does not include membership in the International Monetary Fund.

(e) RELATION TO OTHER AUTHORITIES.—This section supersedes section 578 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103-87).

(f) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—As used in this section, the term "relevant congressional committees" means—

(1) the Committee on Foreign Affairs, the Committee on Banking, Finance and Urban Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. BERMAN] will be recognized for 20 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House will have a historic opportunity to facilitate what is a truly extraordinary and optimistic moment in history: the advance of peace in the Middle East. That handshake on the White House lawn marked the beginning of what we all hope will be a new era for the people of the Middle East. The Middle East Peace Facilitation Act of 1993 places the United States squarely where it should be—doing all that it can to continue and build on the momentum of the peace accords.

This legislation provides a limited, temporary, and conditional waiver of restrictions in United States law that would seriously impede the ability of Israel and the PLO to proceed with negotiating and implementing their landmark peace agreement. With this temporary waiver, until January 1, 1994, restrictions are lifted that would hinder the PLO from negotiating with the Israelis or would impede the ability of international organizations to provide concrete help to make this accord work.

This help, this financial assistance, is absolutely critical, because it is critically important that Palestinians begin to see concrete improvements in their economic well-being and quality of life. They must have a visible stake in the peace process if it is to succeed.

The granting of this waiver is conditional on the PLO abiding by the commitments Chairman Arafat made in writing prior to last month's White House signing ceremony.

Just to repeat those commitments: The commitment in the letter that the PLO recognizes the right of the State of Israel to exist in peace and security; that the PLO accepts U.N. Security Council Resolutions 242 and 338; that the PLO commits itself to the Middle East peace process and to a peaceful resolution of the conflict between the two sides; and declares that all outstanding issues relating to permanent status will be resolved through negotiations.

The Committee on Foreign Affairs approved an amendment to the Senate-passed bill that alerts the PLO of Congress' expectation that prior to any further waiver of this kind being approved, the PLO will actively work for an end to the Arab boycott of Israel.

I must point out, this is language which indicates that the next time a waiver is sought, and this waiver only goes until January 1, the next time a waiver is sought, we want to see PLO comments and statements directly related to calling for an end to the Arab boycott. Contrary to the letter put out to Members of this body by the National Association of Arab-Americans, it does not make this particular waiver conditional on that act.

The reason that we felt compelled to put language in this bill that dealt with the Arab boycott at all was a direct response to remarks made by a leading member of the PLO executive committee, Yasser Abid Rabbo, that Arab nations should not establish diplomatic relations or end the boycott with Israel until there is a "complete withdrawal from all the Arab territories and Jerusalem."

This kind of linkage strikes at the spirit of the accord and undermines the mutual confidence and trust so vital to making this agreement succeed.

☐ 1400

It is also counterproductive. A key component of the peace agreement is the development of joint Palestinian-Israeli economic cooperation. The Arab boycott prevents the emergence of the regional marketplace that will be vital to the viability of the manufacturing and industry at the core of peace and stability.

Many of us entertained the idea of making this particular waiver conditional on PLO actions along those lines but decided we wanted nothing to occur which would prevent the facilitation of the meetings and the delivery of assistance which has been agreed to by the various parties.

Israel has embarked on a journey that we all hope will lead to lasting peace and security. The United States must play a constructive and helpful role in doing whatever we can to help Israel and the Palestinians on their road towards stability and prosperity for all the peoples of the region. The Middle East Peace Facilitation Act of 1993 is an important first step and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is an unusual piece of legislation that we are considering today. Just a few months ago none of us would have believed that provisions benefiting the Palestine Liberation Organization would be pending before this House of Representatives.

Yet the events of the past few weeks have enabled us to, hopefully, see what the future can hold in the Middle East. Just yesterday the PLO's central council ratified the declaration of principles by a vote of 63 to 8 with 9 abstentions. If peace is on the horizon, then let us cooperate today to facilitate its arrival.

The Middle East Peace Facilitation Act was adopted by the Senate just a few weeks ago. I regret that this legislation, drafted in haste, has not been the subject of hearings before our House Foreign Affairs Committee, or any of its subcommittees. I have serious questions about the costs, the implications of these provisions, as well as the future administration proposals, but we have been requested by the administration to act swiftly.

Since the declaration of principles signed by the State of Israel and the Palestine Liberation Organization goes into effect tomorrow, the President wants to be able to sign this measure into law by Friday of this week.

Many of us have serious concerns and trepidations about what the future holds for peace in the Middle East. We acknowledge that PLO Chairman Arafat has committed his organization to Israel's recognition and its compliance with Security Council Resolutions 242 and 338, and that the PLO has included itself in the peace process and to peaceful coexistence with Israel. But the proof is in the doing, which is what this legislation calls for and monitors. It is another version of former President Ronald Reagan's trust-but-verify notion, albeit a weaker one.

This legislation does not require the Palestine Liberation Organization to revoke those parts of its charter which call for the destruction of Israel, though that would be hailed as an important step in this arduous process of negotiation.

The agreement itself is also silent about the continued Arab boycott of Israel, which is why this legislation, unlike the Senate version, contains an important boycott component. The legislation before us includes a provision that notes the expectation of Congress that any extension of Presidential authority is conditional upon a renunciation by the PLO of the Arab League boycott, its urging those nations who persist in their participation to cease doing so, and to cooperate with the President's efforts to have the boycott ended.

What this legislation does do is to permit the President to waive certain provisions of law pertaining to the PLO. One would allow the PLO to establish an office in Washington to facilitate its work. Other provisions pertain to U.S. contributions to international organizations.

Because this legislation contains certain continued compliance safeguards, and requires future waivers in order to remain in effect, I offer my support today. It is not unqualified, or wildly enthusiastic support, since I am deeply troubled by what may lie ahead. But an opportunity for peace in the region needs our endorsement. This legislation expires on January 1, 1994, in order to closely monitor future developments. The short date not only ensures that Congress will have the opportunity to monitor what takes place, but to enable the Congress to act accordingly with future waivers.

Accordingly, I urge my colleagues to support consideration of this measure, mindful that this is just one step in a long and difficult process for peace in the Middle East.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield 4 minutes and 30 seconds to the distinguished gentleman from New York [Mr. SCHUMER], a member of the Committee on Foreign Affairs.

Mr. SCHUMER. Mr. Speaker, I thank the gentleman and certainly appreciate his hard work on this legislation. However, I must reluctantly oppose it.

Mr. Speaker, I was there, as most of us were, at the time when the agreement was signed. It was truly a moving event. However, the road to peace has just begun and, in my mind, I have a great deal of doubts whether the PLO is either able or willing to carry out the peace that was signed just a few weeks ago.

Can they renounce and effectively renounce their long history of terrorism? Have we forgotten about Leon Klinghoffer and U.S. Ambassador Cleo Noel? We must remember them.

That does not mean that we should not go forward, but it must mean that we should be careful. And it strikes me as extremely anomalous that at the very same time that we are lifting the restrictions in preparation of sending aid to the PLO, we do not hear a peep about ending the economic boycott, not only of Israel but of any American firm that does business with Israel. Is it not strange?

Here this country is going to send aid to a group that was labeled terrorist but a few months ago and, at the same time, not hold their feet to the fire and say at the very least, "Show your good will and at least renounce the boycott and urge other Arab nations to do so."

Instead, we have a senior PLO official, Yasar Abed Rabbo, saying, "The boycott must remain in place until Israel settles claims to Jerusalem." And if that should occur and claims are settled amicably, what would be the next step after that and the next step after that?

President Clinton has been very forthright in asking the PLO to do certain things to renounce the terrorism that Hamas has done, to move to lift the boycott. He has been greeted with deafening silence. My fear is that is we do not speak up in this body, the PLO and others will feel that they can continue to talk peace to the West and act as if there is no peace within the Middle East itself.

Therefore, it was my view that this legislation should have had, instead of just an admonition, a conditionality: No aid until the PLO lifts or speaks about lifting the boycott and urges the other Arab nations to do the same.

That is not going to happen in this bill, although I must say I have a great deal of respect for the gentleman from California and the fact that there is a January 1 cutoff which gives us a chance, if we have not seen, we have heard from many, "Oh, watch in the next few months, you are going to see these things," if we do not, I hope that my colleagues will join me in introducing that conditionality.

No one expects peace to come overnight, but no one also expects all the give to be on Israel's side and none of the give, after the date of the signing, to be on the PLO's side.

Renouncing the boycott would be a simple first step to seeing whether, as the gentleman from New York [Mr. GILMAN] has said, whether the PLO's actions will continue to mirror the document.

Mr. Speaker, in my heart, as somebody who has a close and longstanding love of the State of Israel, second only, I suppose, to the love of my own country, I hope for peace. I pray for peace. But I think all of us must go into this with our eyes open.

The PLO has said one thing and done another in the Middle East time and time again.

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It is our job to make sure that their actions speak louder than their words.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to make a few comments. First, I think it is appropriate to put into the RECORD the specific provisions that this bill is waiving, and I want to say in the context of the comments of the gentleman from New York [Mr. SCHUMER] that I agree with his concern. As we hope for the future, it is impossible to forget about the past, but I do want to remind him and all my other colleagues, this bill is a temporary waiver and it is a conditional waiver. It is not a repeal, it is not a permanent waiver.

By January 1, 1994, assuming that this bill passes and is accepted by the other House and is signed by the President by January 1, 1994, new legislation will have to be in place to allow the provisions of this bill that are being temporary waived to continue to be waived.

This body was not insensitive to the anomaly of this peace process moving forward and still hearing comments about the Arab boycott, which are not only inconsistent, I think, with the ideals behind the declaration of principles and the mutual recognition statement, but which, once again, are a case of pulling away the prize. One can only recall that all the moderate Arab countries talked for year after year at the point where the Israelis would free settlements in the West Bank and Gaza, at that point the Arab boycott would be repealed. Prime Minister Rabin has cone just that, and still we have an Arab boycott, not just a primary boycott but an effort to leverage American companies not to do business with Israel.

However, for the record, the provisions that are being waived are section 307 of the Foreign Assistance Act, which reduces the U.S. share to international organizations and programs by a proportional amount of money for projects whose purpose is to provide benefits to the PLO or entities associated with it;

Section 114 of the Department of State Authorization Act for fiscal years 1984-85, which reduces the U.S. contributions to the United Nations or other international organizations and conferences by 25 percent of the money budgeted by the United Nations or the other international organizations for projects whose primary purpose is to provide benefits to the PLO or associated entities;

Section 1003 of the Foreign Relations Act for fiscal year 1988-89, which prohibited taking or receiving money from the PLO, thereby stopping them from renting office space, for example, in the United States;

Section 37 of the Bretton Woods Agreement, which stated U.S. policy that the PLO should not be given membership in the Fund or be given observer status or any other official status. It it is given such status, this would result in serious diminution of U.S. support.

The PLO, under this waiver, would be allowed to gain observer status, but not membership, in the IMF. Nothing in this bill authorizes the declaration of an embassy or any other official capacity associated with statehood by virtue of any of these waivers.

Mr. HAMILTON. Mr. Speaker, I rise in support of S. 1487, as amended.

Mr. Speaker, the White House handshake and agreement between Israeli Prime Minister Rabin and PLO Chairman Arafat on September 13, 1993, have transformed the Middle East.

The Israeli-PLO statement of principles and agreement on mutual recognition mark the beginning of a historic process of reconciliation between the Israelis and Palestinians. U.S. stakes in this process are enormous.

Success holds the promise of transforming the Middle East, from its historic state of conflict and economic deprivation to one of peace and prosperity.

In this new environment, old restrictions, and legislation from a previous era no longer apply.

The administration has asked Congress to waive, for a period of time, restrictions relating to the PLO. The legislation before us today is an administration request.

WHAT DOES THE LEGISLATION DO?

This legislation will provide the President with the flexibility he needs to respond to the new challenges presented by the Israeli-PLO agreement.

The administration would have the authority to suspend certain provisions of law until January 1, 1994. These include:

A provision of the Foreign Assistance Act which prohibits U.S. voluntary contributions to international organizations for projects of benefit to the PLO;

A provision of the State Department Authorization Act, fiscal years 1984 and 1985, which requires proportional withholding of U.S. assessed contributions to the United Nations for programs for the PLO;

A provision of the Foreign Relations Act, fiscal years 1988 and 1989, that prohibits the PLO from maintaining an office in the United States; and

A provision of the Bretton Woods Agreement Act stating that it is U.S. policy that the PLO not be given observer status or membership status in the IMF.

This legislation is intended to bring U.S. law up to date with the historic changes in the world. However, this legislation does not repeal any provisions of law. It provides the President only temporary authority—until January 1, 1994—to waive these provisions.

The Congress will have to revisit this issue in the next session, and that is appropriate. Both the administration and the Congress will want to weigh the PLO's conduct during that time.

I would also like to point out to my colleagues that this Presidential waiver authority is discretionary, not mandatory. The PLO is not off the hook. We want it to fulfill its commitments and promises of September 13, and we will watch closely.

If the President determines before January 1, 1994, that the PLO is no longer meeting the commitments it has made, the waiver authority will cease.

WHY THIS LEGISLATION MATTERS

The administration is seeking this legislation on an urgent basis to allow the United States to carry out its role as a sponsor and facilitator of the Middle East peace talks.

If we do not pass this legislation, we will severely complicate the continuation of the Washington-based talks between the Israeli and Palestinian negotiating teams on the many complicated details involved in implementation of the agreements signed last month.

There is a consensus that the success of the Israeli-PLO agreement will depend significantly on the early provision of financial assistance to the Palestinians and the PLO's ability to show Palestinians some concrete benefits of peace. Failure to pass this legislation would create an obstacle to U.S. participation in this effort.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, I urge passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from California [Mr. BERMAN] that the House suspend the rules and pass the Senate bill, S. 1487, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

COURT ARBITRATION AUTHORIZATION ACT OF 1993

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1102) to make permanent chapter 44 of title 28, United States Code, relating to arbitration, as amended.

The Clerk read as follows:

H.R. 1102

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Court Arbitration Authorization Act of 1993".

SEC. 2. REMOVAL OF REPEAL.

Section 906 of the Judicial Improvements and Access to Justice Act (28 U.S.C. 651 note), and the item relating to such section in the table of contents contained in section 3 of such Act, are repealed.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 905 of the Judicial Improvements and Access to Justice Act (28 U.S.C. 651 note) is amended—

(1) in the first sentence by striking "for the fiscal year" and all that follows through "4 fiscal years,"; and

(2) in the third sentence by striking ", except that" and all that follows through "this Act".

SEC. 4. ARBITRATION TO BE ORDERED IN ALL DISTRICT COURTS.

(a) AUTHORIZATION OF ARBITRATION.—Section 651(a) of title 28, United States Code, is amended to read as follows:

"(a) AUTHORITY.—Each United States district court shall authorize by local rule the use of arbitration in civil actions, including adversary proceedings in bankruptcy, in accordance with this chapter.".

(b) ACTIONS REFERRED TO ARBITRATION.—Section 652(a) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by striking "and section 901(c)" and all that follows through "651" and inserting "a district court"; and

(B) in subparagraph (B) by striking "$100,000" and inserting "$150,000"; and

(2) in paragraph (2) by striking "$100,000" and inserting "$150,000".

(c) CERTIFICATION OF ARBITRATORS.—Section 656(a) of title 28, United States Code, is amended by striking "listed in section 658".

(d) REMOVAL OF LIMITATION.—Section 658 of title 28, United States Code, and the item relating to such section in the table of sections at the beginning of chapter 44 of title 28, United States Code, are repealed.

SEC. 5. CONFORMING AMENDMENT.

Section 901 of the Judicial Improvements and Access to Justice Act (28 U.S.C. 652 note) is amended by striking subsection (c).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1102 permanently reauthorizes court-sponsored arbitration in the Federal courts. A successful pilot project for 20 Federal district courts was authorized in 1988 and will expire next month. I was pleased to learn of the success of the pilot programs and am pleased that we are considering legislation to continue and extend Federal court arbitration.

Under this legislation, Federal district courts are required to develop, by local rule, mandatory or voluntary arbitration programs. The dollar limit for actions to be referred to mandatory arbitration is raised from $100,000 to $150,000. The bill continues to provide that all persons subject to mandatory arbitration may request a full trial at the conclusion of the arbitration proceedings.

I congratulate Congressman BILL HUGHES, chairman of the Subcommittee on Intellectual Property and Judicial Administration, for working diligently to facilitate access to justice in an efficient yet fair manner. I also comment the ranking subcommittee member, CARLOS MOORHEAD, for his efforts on this bill.

Any alternative that provides litigants with an option which reduces expense or delay is worthy of our support. I urge my colleagues to support the continuation of this program.

Mr. Speaker, I reserve the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I rise in support of H.R. 1102, the Court Arbitration Authorization Act of 1993, which will require all Federal district courts to adopt local rules for arbitration, to be mandatory or voluntary in the discretion of the court.

In the last several years, the Subcommittee on Intellectual Property and Judicial Administration, as part of its courts jurisdiction, has devoted a significant amount of its time to looking at the use of arbitration in the Federal courts. In this regard, I would like to commend the chairman of the subcommittee, the gentleman from New Jersey [Mr. HUGHES], chairman of the Subcommittee on Intellectual Property and Judicial Administration of the Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS], the chairman of the Committee on the Judiciary, and the gentleman from New York [Mr. FISH], the ranking Republican member of the Committee on the Judiciary, for their leadership on this legislation.

Mr. Speaker, as the gentleman from Texas has indicated, the 10 mandatory and the 10 voluntary arbitration programs currently authorized are set to expire in November of this year.

The testimony at the subcommittee's recent hearing on arbitration strongly favored not only reauthorizing the existing programs, but authorizing all Federal courts to set up arbitration programs. Such an approach is consistent with the findings of the Federal Judicial Center's study of the 10 mandatory court-annexed arbitration programs in which they found that these programs are providing increased options to litigants in a fair manner, while reducing costs and time to disposition as well as court caseloads.

In addition, there is every indication that arbitration is far more cost-effective and indeed preferred by lawyers and litigants, for cases that do not involve large sums of money, especially when contrasted to the more costly option of taking these cases to trial for a final resolution. Mr. Speaker, H.R. 1102 is a good bill and I urge my colleagues' support for it.

Mr. Speaker, I reserve the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. HUGHES], the distinguished chairman of the Subcommittee on Intellectual Property and Judicial Administration of the Committee on the Judiciary.

Mr. HUGHES. Mr. Speaker, I rise in support of the Court Arbitration Authorization Act of 1993.

The existing authorization for pilot court annexed arbitration in the Federal system was enacted in 1988 and expires on November 19, 1993.

The 1988 legislation identified 10 pilot districts for mandatory pilot programs and directed the Judicial Conference to identify 10 other districts for voluntary programs. In this context, "mandatory" means that once a case has been identified for arbitration, the parties do not have the right to refuse to participate.

H.R. 1102, as introduced, would have removed the sunset in the legislation and authorize all Federal courts to adopt, in their discretion, local rules for arbitration to be either mandatory or voluntary.

Our review of the pilot programs revealed that the pilot projects in the mandatory courts were meeting their goals of:

First, providing options to litigants;

Second, reducing costs and time of litigation; and

Third, reducing the burdens on the courts.

We also determined that the mandatory programs were far more successful than the voluntary programs, and that the dollar limit for mandatory programs should be raised.

H.R. 1102 directs that all district courts provide by local rule arbitration programs of some form. It increases the maximum amount in controversy for mandatory referral to $150,000. The record of the pilot programs clearly establishes that mandatory programs have worked well, and voluntary programs have not. For this reason, the Committee on the Judiciary strongly recommends that all district courts select certain categories of cases for mandatory referral.

In doing so, I would say that the mandatory designation for these programs is misleading because there is a great flexibility in this mandatory process. First of all, arbitration can be used only for cases with potential money damages of under $150,000. Also, many cases are exempt from referral under the existing law, and local courts are allowed to choose those categories of cases which are most suitable for referral. Finally and most significantly, all cases are subject to trial de novo. Given this fact, mandatory arbitration might more accurately be called nonbinding arbitration.

Our Federal courts are experiencing tremendous backlogs in their civil dockets. These backlogs are adding not only delay, but expense. It behooves us to make this modest adjustment in the civil process and allow for arbitration options designed at the local level. In fact, with the difficulty of getting civil cases to trial due to the great increase in criminal dockets in the Federal court system, this bill might aptly be named the Access to Civil Justice Act.

I urge the Members' vote for the Court Arbitration Authorization Act of 1993.

□ 1420

I want to thank the chairman of the full committee and the ranking Republican, the gentleman from New York, Mr. FISH, as well as my colleague, the gentleman from California, Mr. CARLOS MOORHEAD, for their work on this most important legislation. This may be the only bill that will pass in this Congress that really provides increased access to the Federal courts. I urge my colleagues to pass it.

Mr. MOORHEAD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 1102, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PATENT AND TRADEMARK OFFICE AUTHORIZATION ACT OF 1993

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2632) to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1994, as amended.

The Clerk read as follows:

H.R. 2632

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Patent and Trademark Office Authorization Act of 1993".

SEC. 2. AUTHORIZATION OF AMOUNTS AVAILABLE TO THE PATENT AND TRADEMARK OFFICE.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Patent and Trademark Office for salaries and necessary expenses the sum of $103,000,000 for fiscal year 1994, to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund established under section 10101 of the Omnibus Budget Reconciliation Act of 1990 (35 U.S.C. note).

(b) FEES.—There are also authorized to be made available to the Patent and Trademark Office for fiscal year 1994, to the extent provided in advance in appropriation Acts, such sums as are equal to the amount collected during such fiscal year from fees under title 35, United States Code, and the Trademark Act of 1946 (15 U.S.C. 1051 and following).

SEC. 3. AMOUNTS AUTHORIZED TO BE CARRIED OVER.

Amounts appropriated or made available pursuant to this Act may remain available until expended.

SEC. 4. ADJUSTMENT OF TRADEMARK FEES.

Effective on the date of the enactment of this Act, the fee under section 31(a) of the Trademark Act of 1946 (15 U.S.C. 1113(a)) for filing an application for the registration of a trademark shall be $245. Any adjustment of such fee under the second sentence of such section may not be effective before October 1, 1994.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H.R. 2632 authorizes $103 million for the activities of the Patent and Trademark Office for fiscal year 1994. This money is generated by patent and trademark fees, and from amounts deposited in the Patent and Trademark Office fee surcharge fund created by the 1990 Budget Act. The legislation also provides an increase in the trademark application fee from $210 to $245.

This bill does not include the limitation on exchange agreements, which has been part of past reauthorization bills. We made this decision base don the PTO's assurance that it will not exercise its exchange authority in a manner which avoids Federal procurement policy or uses noncompetitive procedures. The experience of the current fiscal year and new leadership at the PTO generates has renewed hope that a policy of competition will prevail at that agency. The Judiciary Committee, as always, will use its oversight to monitor closely the use of exchange authority by the PTO.

I appreciate the work of Congressman BILL HUGHES, chairman of the Subcommittee on Intellectual Property and Judicial Administration, and Congressman CARLOS MOORHEAD, the ranking subcommittee member, for their cooperation in bringing this legislation forward. I urge the Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. FISH], the ranking minority member of the full committee.

Mr. FISH. Mr. Speaker, I thank my colleague for yielding me the time.

Mr. Speaker, I rise in support of the three bills being brought to the floor today by the Judiciary Committee. I would like to commend our chairman, the gentleman from Texas [Mr. BROOKS], for his prompt action on this legislation. I would also like to commend the chairman of the subcommittee, the gentleman from New Jersey [Mr. HUGHES], and the ranking member, the gentleman from California [Mr. MOORHEAD], for all of the work they have done in processing these bills. They should also be thanked for the leadership they have shown in bringing the Patent and Trademark Office into the 21st century. Twelve years ago that Office was not something to be proud of but today it ranks with the very best in the world and this is due, in no small part, to the hard work and oversight of the Intellectual Property and Judicial Administration Subcommittee.

One last point, Mr. Speaker, I continue to receive, as I am sure other Members do, letters from constituents complaining about how long it takes to receive a patent when filed in Japan. A Japanese inventor can file in the United States and receive his patent in 18 months or less. On the other hand, a United States inventory filing in Japan may wait as much as 7 years. I hope that this matter will be corrected, either through the harmonization meetings that are presently taking place or through the General Agreement on Tariffs and Trade [GATT].

In any case, Mr. Speaker, the legislation before us today is important and I urge a favorable vote.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. FISH. Certainly I yield to my friend and colleague, the gentleman from Texas.

Mr. BROOKS. Mr. Speaker, I understand that 47 percent of the patents issued by the United States are to Japanese patent holders. I wonder if the disparity between the period of time in which we consider granting those and the time that they take in Japan to grant such patents to our inventors might not be rectified, and if we might see if we could do something about that. Maybe we could have ours translated into Sanskrit or something before we consider them.

Mr. FISH. I certainly think the gentleman is right that the number of patents approved probably is due in part to the dispatch and the swiftness by which we authorize and process patents as compared to the processing in Japan. It is my understanding that the processing by the Japanese is quite different from ours, and that is why I think it is important that the harmonization meetings that are currently going on address this issue. And if they can do it, I think we should encourage them as much as possible, because the benefits obviously will accrue to U.S. inventors who want their patents processed.

Mr. BROOKS. If the gentleman will yield further, if they do not remedy that in the discussions, I think Congress ought to, and I will be delighted to work with the gentleman on that effort.

Mr. FISH. I thank the chairman.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. HUGHES], the chairman of the subcommittee.

Mr. HUGHES. Mr. Speaker, I rise in support of H.R. 2632, the Patent and Trademark Authorization Act of 1993. The purpose of H.R. 2632 is to authorize appropriations for the Patent and Trademark Office for fiscal year 1994 and to approve an increase in the trademark application fees beyond that permitted by present statutory authority.

The bill authorizes appropriations for the Patent and Trademark Office in the amount of $103,000,000 to be derived from the deposits in the Patent and Trademark Office fee surcharge fund established under section 10101 of the Omnibus Budget Reconciliation Act of 1990.

The Patent and Trademark Office is now fully funded by user fees and the bill authorizes the expenditure of all fees collected, subject to advance appropriations.

The bill also provides for an increase in the trademark application fees. The fees will increase from $210 to $245. For a number of years, the Patent and Trademark Office operated the Trademark Office at a surplus and has not needed to raise the trademark fees beyond the cost-of-living increase. The surplus has now been depleted. In addition, the accounting system of the Patent and Trademark Office has changed to charge the Trademark Office for more of the overhead expenses in line with actual use. The increase was worked out with interested groups including the International Trademark Association.

I urge adoption of this bill.

I want to thank again the chairman of the full committee for moving this expeditiously and the ranking Republican, the gentleman from New York [Mr. FISH], as well as my colleague and ranking Republican on the subcommittee, the gentleman from California [Mr. MOORHEAD], for his excellent work. It is a good bill, and I urge my colleagues to support it.

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2632, the Patent and Trademark Office authorization for fiscal year 1994. The Patent and Trademark Office performs a service that is vital to the industrial strength and the economic well-being of our country. As has been pointed out by the gentleman from New Jersey, this legislation provides for a modest increase over last year's budget and the increase in trademark fees has been worked out with the private sector.

I would like to commend the chairman of the subcommittee, Mr. HUGHES, for his continued leadership in this important area. I also would like to thank the chairman of the full committee, the gentleman from Texas [Mr. BROOKS], and the ranking member, the gentleman from New York [Mr. FISH], for their guidance and support of this legislation. Mr. Speaker, I am not aware of any opposition to this bill and urge a "yes" vote in favor of H.R. 2632.

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Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 2632, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COPYRIGHT ROYALTY TRIBUNAL REFORM ACT OF 1993

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2840) to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2840

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Copyright Royalty Tribunal Reform Act of 1993".

SEC. 2. COPYRIGHT ARBITRATION ROYALTY PANELS.

(a) ESTABLISHMENT AND PURPOSE.—Section 801 of title 17, United States Code, is amended as follows:

(1) The section designation and heading are amended to read as follows:

"§ 801. Copyright arbitration royalty panels: establishment and purpose";

(2) Subsection (a) is amended to read as follows:

"(a) ESTABLISHMENT.—The Librarian of Congress, upon the recommendation of the Register of Copyrights, is authorized to appoint and convene copyright arbitration royalty panels.";

(3) Subsection (b) is amended—

(A) by inserting "PURPOSES.—" after "(b)";

(B) in the matter preceding paragraph (1), by striking "Tribunal" and inserting "copyright arbitration royalty panels";

(C) in paragraph (2)—

(i) in subparagraph (A), by striking "Commission" and inserting "copyright arbitration royalty panels"; and

(ii) in subparagraph (B), by striking "Copyright Royalty Tribunal" and inserting "copyright arbitration royalty panels";

(D) in paragraph (3), by striking "In determining" and all that follows through the end of the paragraph; and

(E) in paragraph (4) by striking "to determine" and all that follows through "chapter 10" and inserting "and to determine the distribution of such payments."; and

(4) by amending subsection (c) to read as follows:

"(c) RULINGS.—The Librarian of Congress, upon the recommendation of the Register of Copyrights, may, before a copyright arbitration royalty panel is convened, make any necessary procedural or evidentiary rulings that would apply to the proceedings conducted by such panel.".

(b) MEMBERSHIP AND PROCEEDINGS.—Section 802 of title 17, United States Code, is amended to read as follows:

"§ 802. Membership and proceedings of copyright arbitration royalty panels

"(a) COMPOSITION OF COPYRIGHT ARBITRATION ROYALTY PANELS.—A copyright arbitration royalty panel shall consist of 3 arbitrators selected by the Librarian of Congress pursuant to subsection (b).

"(b) SELECTION OF ARBITRATION PANEL.—Not later than 10 days after publication of a notice initiating an arbitration proceeding under section 804, and in accordance with procedures specified by the Register of Copyrights, the Librarian of Congress shall, upon the recommendation of the Register of Copyrights, select 2 arbitrators from lists of arbitrators provided to the Librarian by parties participating in the arbitration and by professional arbitration associations or such similar organizations as the Librarian shall select. The 2 arbitrators so selected shall, within 10 days after their selection, choose a third arbitrator from the same lists, who shall serve as the chairperson of the arbitrators. If such 2 arbitrators fail to agree upon the selection of a third arbitrator, the Librarian of Congress shall promptly select the third arbitrator.

"(c) ARBITRATION PROCEEDINGS.—Copyright arbitration royalty panels shall conduct arbitration proceedings, in accordance with such procedures as they may adopt, for the purpose of making their determinations in carrying out the purposes set forth in section 801. The arbitration panels shall act on the basis of a fully documented written record, prior decisions of the Copyright Royalty Tribunal, prior copyright arbitration panel determinations, and rulings by the Librarian of Congress under section 801(c). Any copyright owner who claims to be entitled to royalties under section 111, 116, or 119, or any interested copyright party who claims to be entitled to royalties under section 1006, may submit relevant information and proposals to the arbitration panels in proceedings applicable to such copyright owner or interested copyright party, and any other person participating in arbitration proceedings may submit such relevant information and proposals to the arbitration panel conducting the proceedings. The parties to the proceedings shall bear the entire cost thereof in such manner and proportion as the arbitration panels shall direct.

"(d) REPORT TO THE LIBRARIAN OF CONGRESS.—Not later than 180 days after publication of the notice initiating an arbitration proceeding, the copyright arbitration royalty panel conducting the proceeding shall report to the Librarian of Congress its determination concerning the royalty fee or distribution of royalty fees, as the case may be. Such report shall be accompanied by the written record, and shall set forth the facts that the arbitration panel found relevant to its determination.

"(e) ACTION BY LIBRARIAN OF CONGRESS.—Within 60 days after receiving the report of a copyright arbitration royalty panel under subsection (d), the Librarian of Congress, upon the recommendation of the Register of Copyrights, shall adopt or reject the determination of the arbitration panel. The Librarian shall adopt the determination of the arbitration panel unless the Librarian finds that the determination is arbitrary. If the Librarian rejects the determination of the arbitration panel, the Librarian shall, before the end of that 60-day period, and after full examination of the record created in the arbitration proceeding, issue an order setting the royalty fee or distribution of fees, as the case may be. The Librarian shall cause to be published in the Federal Register the determination of the arbitration panel, and the decision of the Librarian (including an order issued under the preceding sentence). The Librarian shall also publicize such determination and decision in such other manner as the Librarian considers appropriate. The Librarian shall also make the report of the arbitration panel and the accompanying record available for public inspection and copying.

"(f) JUDICIAL REVIEW.—Any decision of the Librarian of Congress under subsection (e) with respect to a determination of an arbitration panel may be appealed, by any aggrieved party who would be bound by the determination, to the United States Court of Appeals for the District of Columbia Circuit, within 30 days after the publication of the decision in the Federal Register. If no appeal is brought within such 30-day period, the decision of the Librarian is final, and the royalty fee or determination with respect to the distribution of fees, as the case may be, shall take effect as set forth in the decision. The pendency of an appeal under this paragraph shall not relieve persons obligated to make royalty payments under sections 111, 115, 116, 118, 119, or 1003 who would be affected by the determination on appeal to deposit the statement of account and royalty fees specified in those sections. The court shall have jurisdiction to modify or vacate a decision of the Librarian only if it finds, on the basis of the record before the Librarian, that the Librarian acted in an arbitrary manner. If the court modifies the decision of the Librarian, the court shall have jurisdiction to enter its own determination with respect to the amount or distribution of royalty fees and costs, to order the repayment of any excess fees, and to order the payment of any underpaid fees, and the interest pertaining respectively thereto, in accordance with its final judgment. The court may further vacate the decision of the arbitration panel and remand the case for arbitration proceedings in accordance with subsection (c).

"(g) Administrative Matters.—

"(1) Deduction of costs from royalty fees.—The Librarian of Congress and the Register of Copyrights may, to the extent not otherwise provided under this title, deduct from royalty fees deposited or collected under this title the reasonable costs incurred by the Library of Congress and the Copyright Office under this chapter. Such deduction may be made before the fees are distributed to any copyright claimants.

"(2) Positions required for administration of compulsory licensing.—Section 307 of the Legislative Branch Appropriations Act, 1994, shall not apply to employee positions in the Library of Congress that are required to be filled in order to carry out section 111, 115, 116, 118, or 119 or chapter 10.".

(c) Adjustment of Compulsory License Rates.—Section 803 of title 17, United States Code, and the item relating to such section in the table of sections at the beginning of chapter 8 of such title, are repealed.

(d) Institution and Conclusion of Proceedings.—Section 804 of title 17, United States Code, is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a)(1) With respect to proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in sections 115 and 116, and with respect to proceedings under subparagraphs (A) and (D) of section 801(b)(2), during the calendar years specified in the schedule set forth in paragraphs (2), (3), and (4), any owner or user of a copyrighted work whose royalty rates are specified by this title, established by the Copyright Royalty Tribunal before the date of the enactment of the Copyright Royalty Tribunal Reform Act of 1993, or established by a copyright arbitration royalty panel after such date of enactment, may file a petition with the Librarian of Congress declaring that the petitioner requests an adjustment of the rate. The Librarian of Congress shall, upon the recommendation of the Register of Copyrights, make a determination as to whether the petitioner has such a significant interest in the royalty rate in which an adjustment is requested. If the Librarian determines that the petitioner has such a significant interest, the Librarian shall cause notice of this determination, with the reasons therefor, to be published in the Federal Register, together with the notice of commencement of proceedings under this chapter.

"(2) In proceedings under section 801(b)(2)(A) and (D), a petition described in paragraph (1) may be filed during 1995 and in each subsequent fifth calendar year.

"(3) In proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in section 115, a petition described in paragraph (1) may be filed in 1997 and in each subsequent tenth calendar year.

"(4)(A) In proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in section 116, a petition described in paragraph (1) may be filed at any time within 1 year after negotiated licenses authorized by section 116 are terminated or expire and are not replaced by subsequent agreements.

"(B) If a negotiated license authorized by section 116 is terminated or expires and is not replaced by another such license agreement which provides permission to use a quantity of musical works not substantially smaller than the quantity of such works performed on coin-operated phonorecord players during the 1-year period ending March 1, 1989, the Librarian of Congress shall, upon petition filed under paragraph (1) within 1 year after such termination or expiration, convene a copyright arbitration royalty panel. The arbitration panel shall promptly establish an interim royalty rate or rates for the public performance by means of a coin-operated phonorecord player of non-dramatic musical works embodied in phonorecords which had been subject to the terminated or expired negotiated license agreement. Such rate or rates shall be the same as the last such rate or rates and shall remain in force until the conclusion of proceedings by the arbitration panel, in accordance with section 802, to adjust the royalty rates applicable to such works, or until superseded by a new negotiated license agreement, as provided in section 116(b).".

(2) Subsection (b) is amended—

(A) by striking "subclause" and inserting "subparagraph";

(B) by striking "Tribunal" the first place it appears and inserting "Copyright Royalty Tribunal or the Librarian of Congress";

(C) by striking "Tribunal" the second and third places it appears and inserting "Librarian";

(D) by striking "Tribunal" the last place it appears and inserting "Copyright Royalty Tribunal or the Librarian of Congress"; and

(E) by striking "(a)(2), above" and inserting "subsection (a) of this section".

(3) Subsection (c) is amended by striking "Tribunal" and inserting "Librarian of Congress".

(4) Subsection (d) is amended—

(A) by striking "Chairman of the Tribunal" and inserting "Librarian of Congress"; and

(B) by striking "determination by the Tribunal" and inserting "a determination".

(5) Section 804 is further amended by striking subsection (e).

(e) Repeal.—Sections 805 through 810 of title 17, United States Code, and the items relating to such sections in the table of sections at the beginning of chapter 8 of such title, are repealed.

(f) Clerical Amendment.—The table of sections at the beginning of chapter 8 of title 17, United States Code, is amended by striking the items relating to sections 801 and 802 and inserting the following:

"801. Copyright arbitration royalty panels: establishment and purpose.

"802. Membership and proceedings of copyright arbitration royalty panels.".

SEC. 3. JUKEBOX LICENSES.

(a) Repeal of Compulsory License.—Section 116 of title 17, United States Code, and the item relating to section 116 in the table of sections at the beginning of chapter 1 of such title, are repealed.

(b) Negotiated Licenses.—(1) Section 116A of title 17, United States Code, is amended—

(A) by redesignating such section as section 116;

(B) by striking subsection (b) and redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(C) in subsection (b)(2) (as so redesignated) by striking "Copyright Royalty Tribunal" each place it appears and inserting "Librarian of Congress";

(D) in subsection (c) (as so redesignated)—

(i) in the subsection caption by striking "Royalty Tribunal" and inserting "Arbitration Royalty Panel";

(ii) by striking "subsection (c)" and inserting "subsection (b)"; and

(iii) by striking "the Copyright Royalty Tribunal" and inserting "a copyright arbitration royalty panel"; and

(E) by striking subsections (e), (f), and (g).

(2) The table of sections at the beginning of chapter 1 of title 17, United States Code, is amended by striking "116A" and inserting "116".

SEC. 4. PUBLIC BROADCASTING COMPULSORY LICENSE.

Section 118 of title 17, United States Code, is amended—

(1) in subsection (b)—

(A) by striking the first 2 sentences;

(B) in the third sentence by striking "works specified by this subsection" and inserting "published nondramatic musical works and published pictorial, graphic, and sculptural works";

(C) in paragraph (1)—

(i) in the first sentence by striking ", within one hundred and twenty days after publication of the notice specified in this subsection,"; and

(ii) by striking "Copyright Royalty Tribunal" each place it appears and inserting "Librarian of Congress";

(D) in paragraph (2) by striking "Tribunal" and inserting "Librarian of Congress";

(E) in paragraph (3)—

(i) by striking the first sentence and inserting the following: "In the absence of license agreements negotiated under paragraph (2), the Librarian of Congress shall, pursuant to chapter 8, convene a copyright arbitration royalty panel to determine and publish in the Federal Register a schedule of rates and terms which, subject to paragraph (2), shall be binding on all owners of copyright in works specified by this subsection and public broadcasting entities, regardless of whether such copyright owners have submitted proposals to the Librarian of Congress.";

(ii) in the second sentence—

(I) by striking "Copyright Royalty Tribunal" and inserting "copyright arbitration royalty panel"; and

(II) by striking "clause (2) of this subsection" and inserting "paragraph (2)"; and

(iii) in the last sentence by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(F) by striking paragraph (4);

(2) in subsection (c)—

(A) by striking "1982" and inserting "1997"; and

(B) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(3) in subsection (d)—

(A) by striking "to the transitional provisions of subsection (b)(4), and";

(B) by striking "the Copyright Royalty Tribunal" and inserting "a copyright arbitration royalty panel"; and

(C) in paragraphs (2) and (3) by striking "clause" each place it appears and inserting "paragraph"; and

(4) in subsection (g) by striking "clause" and inserting "paragraph".

SEC. 5. SECONDARY TRANSMISSIONS BY SUPERSTATIONS AND NETWORK STATIONS FOR PRIVATE VIEWING.

Section 119 of title 17, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1) by striking ", after consultation with the Copyright Royalty Tribunal," each place it appears;

(B) in paragraph (2) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(C) in paragraph (3) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(D) in paragraph (4)—

(i) by striking "Copyright Royalty Tribunal" each place it appears and inserting "Librarian of Congress";

(ii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress"; and

(iii) in subparagraph (B) by striking "conduct a proceeding" in the last sentence and inserting "convene a copyright arbitration royalty panel"; and

(2) in subsection (c)—

(A) in the subsection caption by striking "DETERMINATION" and inserting "ADJUSTMENT";

(B) in paragraph (2) by striking "Copyright Royalty Tribunal" each place it appears and inserting "Librarian of Congress";

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(II) by striking the last sentence and inserting the following: "Such arbitration proceeding shall be conducted under chapter 8.";

(ii) by striking subparagraphs (B) and (C);

(iii) in subparagraph (D)—

(I) by redesignating such subparagraph as subparagraph (B); and

(II) by striking "Arbitration Panel" and inserting "copyright arbitration royalty panel appointed under chapter 8";

(iv) by striking subparagraphs (E) and (F);

(v) by amending subparagraph (G) to read as follows:

"(C) PERIOD DURING WHICH DECISION OF ARBITRATION PANEL OR ORDER OF LIBRARIAN EFFECTIVE.—The obligation to pay the royalty fee established under a determination which—

"(i) is made by a copyright arbitration royalty panel in an arbitration proceeding under this paragraph and is adopted by the Librarian of Congress under section 802(e), or

"(ii) is established by the Librarian of Congress under section 802(e),

shall become effective as provided in section 802(f)."; and

(vi) in subparagraph (H)—

(I) by redesignating such subparagraph as subparagraph (D); and

(II) by striking "adopted or ordered under subparagraph (F)" and inserting "referred to in subparagraph (C)"; and

(D) by striking paragraph (4).

SEC. 6. CONFORMING AMENDMENTS.

(a) CABLE COMPULSORY LICENSE.—Section 111(d) of title 17, United States Code, is amended as follows:

(1) Paragraph (1) is amended by striking ", after consultation with the Copyright Royalty Tribunal (if and when the Tribunal has been constituted),".

(2) Paragraph (1)(A) is amended by striking ", after consultation with the Copyright Royalty Tribunal (if and when the Tribunal has been constituted),".

(3) Paragraph (2) is amended by striking the second and third sentences and by inserting the following: "All funds held by the Secretary of the Treasury shall be invested in interest-bearing United States securities for later distribution with interest by the Librarian of Congress in the event no controversy over distribution exists, or by a copyright arbitration royalty panel in the event a controversy over such distribution exists.".

(4) Paragraph (4)(A) is amended—

(A) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(B) by striking "Tribunal" and inserting "Librarian of Congress".

(5) Paragraph (4)(B) is amended to read as follows:

"(B) After the first day of August of each year, the Librarian of Congress shall, upon the recommendation of the Register of Copyrights, determine whether there exists a controversy concerning the distribution of royalty fees. If the Librarian determines that no such controversy exists, the Librarian shall, after deducting reasonable administrative costs under this section, distribute such fees to the copyright owners entitled to such fees, or to their designated agents. If the Librarian finds the existence of a controversy, the Librarian shall, pursuant to chapter 8 of this title, convene a copyright arbitration royalty panel to determine the distribution of royalty fees.".

(6) Paragraph (4)(C) is amended by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress".

(b) AUDIO HOME RECORDING ACT.—

(1) ROYALTY PAYMENTS.—Section 1004(a)(3) of title 17, United States Code, is amended—

(A) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(B) by striking "Tribunal" and inserting "Librarian of Congress".

(2) DEPOSIT OF ROYALTY PAYMENTS.—Section 1005 of title 17, United States Code, is amended by striking the last sentence.

(3) ENTITLEMENT TO ROYALTY PAYMENTS.—Section 1006(c) of title 17, United States Code, is amended by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress shall convene a copyright arbitration royalty panel which".

(4) PROCEDURES FOR DISTRIBUTING ROYALTY PAYMENTS.—Section 1007 of title 17, United States Code, is amended—

(A) in subsection (a)(1)—

(i) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(ii) by striking "Tribunal" and inserting "Librarian of Congress";

(B) in subsection (b)—

(i) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(ii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress"; and

(C) in subsection (c)—

(i) by striking the first sentence and inserting "If the Librarian of Congress finds the existence of a controversy, the Librarian shall, pursuant to chapter 8 of this title, convene a copyright arbitration royalty panel to determine the distribution of royalty payments.";

(ii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress"; and

(iii) in the last sentence by striking "its reasonable administrative costs" and inserting "the reasonable administrative costs incurred by the Librarian".

(5) ARBITRATION OF CERTAIN DISPUTES.—Section 1010 of title 17, United States Code, is amended—

(A) in subsection (b)—

(i) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(ii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress";

(B) in subsection (e)—

(i) in the subsection caption by striking "COPYRIGHT ROYALTY TRIBUNAL" and inserting "LIBRARIAN OF CONGRESS"; and

(ii) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(C) in subsection (f)—

(i) in the subsection caption by striking "COPYRIGHT ROYALTY TRIBUNAL" and inserting "LIBRARIAN OF CONGRESS";

(ii) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(iii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress"; and

(iv) in the third sentence by striking "its" and inserting "the Librarian's"; and

(D) in subsection (g)—

(i) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(ii) by striking "Tribunal's decision" and inserting "decision of the Librarian of Congress"; and

(iii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress".

SEC. 7. EFFECTIVE DATE AND TRANSITION PROVISIONS.

(a) IN GENERAL.—This Act and the amendments made by this Act shall take effect on January 1, 1994.

(b) EFFECTIVENESS OF EXISTING RATES AND DISTRIBUTIONS.—All royalty rates and all determinations with respect to the proportionate division of compulsory license fees among copyright claimants, whether made by the Copyright Royalty Tribunal, or by voluntary agreement, before the effective date set forth in subsection (a) shall remain in effect until modified by voluntary agreement or pursuant to the amendments made by this Act.

(c) TRANSFER OF APPROPRIATIONS.—All unexpended balances of appropriations made to the Copyright Royalty Tribunal, as of the effective date of this Act, are transferred on such effective date to the Copyright Office for use by the Copyright Office for the purposes for which such appropriations were made.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2840, the Copyright Royalty Tribunal Reform Act of 1993.

H.R. 2840 abolishes the existing permanent Copyright Royalty Tribunal—a tribunal which simply does not have the workload to justify the expenditure of $111,800 a year in salary to each of three commissioners, or the salaries of five support staff and a general counsel.

H.R. 2840 replaces the Copyright Royalty Tribunal with temporary copyright arbitration royalty panels. Those panels will be convened—as needed—by the Library of Congress and the Copyright Office. The bill also makes such conforming procedural changes to current law as are necessary for the purposes of the legislation.

I compliment the gentleman from New Jersey [Mr. HUGHES], who chairs the Judiciary Committee's Subcommittee on Intellectual Property and Judicial Administration, for his leadership on this bill. I also compliment the gentleman from California [Mr. MOORHEAD] for his fine work on the bill as ranking minority member of the subcommittee.

Mr. Speaker, H.R. 2840 is fiscally responsible legislation, and I urge the Members to cast their votes in support of it.

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the chairman of the full committee, the gentleman from Texas, has pointed out, this legislation would abolish the CRT and replace it with ad hoc arbitration panels appointed by the Librarian of Congress. Under this bill the claimants will bear the full costs of arbitration. Presently 85 percent of the CRT's $800,000-plus budget is born by the claimants leaving a total cost to the taxpayer of approximately $120,000 a year. Under this bill, all costs will be born by the claimants and there will be no cost whatsoever to the taxpayer.

Mr. Speaker, the effective date of this bill is January 1994. We do not intend to interfere in any way with the present proceeding that is in process at the CRT. We fully expect the work of the CRT will be fully completed by January 1994.

Mr. Speaker, I urge a favorable vote for this bill.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. HUGHES], the chairman of the subcommittee.

Mr. HUGHES. Mr. Speaker, I want to thank my distinguished colleague, the chairman of the full committee, the gentleman from Texas [Mr. BROOKS], for yielding this time to me, and I congratulate him and the ranking Republican for moving this bill forward today.

Mr. Speaker, I rise in support of H.R. 2840, a bill to abolish the Copyright Royalty Tribunal and assign its functions to ad hoc arbitration panels and the Library of Congress.

Vice President GORE has recently issued a report calling for reinventing government, including the elimination of unnecessary Government agencies. The Judiciary Committee, through the Subcommittee on Intellectual Property and Judicial Administration, which I chair, began even earlier, in February, to identify ways to improve our copyright system by reducing bureaucracy. Today, we consider the first of our Government-cutting agenda, H.R. 2840.

H.R. 2840 will abolish an underutilized agency in the legislative branch, the Copyright Royalty Tribunal. Although the CRT's work is important—setting rates and distributing copyright royalties generated under copyright compulsory licenses—evidence developed at the subcommittee's March hearings demonstrates that the CRT 's workload is episodic at best.

In 1992, for example, the CRT—an agency whose principal responsibility is to conduct public proceedings—did not hold a single day of hearings. Yet, the three CRT commissioners enjoyed a salary of over $111,000 a year.

We can do better and have. Experience under the section 119 satellite compulsory license shows that arbitration is an efficient way to handle these disputes. By also involving the Register of Copyrights and the Library of Congress, we get the benefit of their considerable front end experience in administering the compulsory licenses.

Mr. Speaker, I urge the passage of H.R. 2840.

Mr. Speaker, I want to congratulate my colleague, the gentleman from California, who as my partner, the ranking Republican, for his work on this and other bills; also to thank the staff, Hayden Gregory, the chief counsel of the committee, Ed O'Connell, Geraldine Dupont, Bill Patry, Tom Mooney, and Joe Wolfe, for their work on this and many other bills that are very important to the copyright patent laws of this country and to the areas of judicial responsibility that we undertake.

Mr. BROOKS. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I am a relatively new member of this particular subcommittee as chaired by the gentleman from New Jersey [Mr. HUGHES] and the ranking minority member, the gentleman from California [Mr. MOORHEAD].

Although I was lucky enough 20-odd years ago to be a member for a few years of the same subcommittee that has very, very challenging responsibilities, and I am delighted to find upon becoming a member that the subcommittee has an excellent staff. It is chaired by someone who is intellectually appropriate and skilled in these very important issues, issues that are terribly important to industry and business in California and elsewhere and, indeed, in the entire United States.

This is an example of a bill that the gentleman from New Jersey [Mr. HUGHES] brings forward today with the assistance of the gentleman from California [Mr. MOORHEAD] where we are saving a lot of money by doing away with a completely unnecessary and expensive bureaucracy that has not done a lick of work in a long time, and yet our responsibilities are still there. They have just been assigned to a different entity.

So this is the kind of work that this subcommittee does and, of course, the full Committee on the Judiciary does. I am pleased to be a member of both.

Really, Mr. Speaker, I am rather proud that we can point to this bill today as an example of the way the Judiciary Committee and the Congress acts.

Mr. MOORHEAD. Mr. Speaker, I yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 2840, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 2840, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

☐ 1440

RECESS

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to clause 12, rule I, the Chair declares the House in recess until 4 p.m.

Accordingly (at 2 o'clock and 40 minutes p.m.) the House stood in recess until 4 p.m.

☐ 1602

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MONTGOMERY) at 4 o'clock and 2 minutes p.m.

APPOINTMENT OF CONFEREES ON H.R. 2445, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1994

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. LIVINGSTON moves that the managers on the part of the House at the conference on the disagreeing vote of the two Houses on the bill H.R. 2445 be instructed to agree to the amount provided by the Senate for termination of the SP-100 Program within the overall amount for the energy supply, research and development activities provided in Senate amendment numbered 28.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Louisiana [Mr. LIVINGSTON].

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. BEVILL, FAZIO, CHAPMAN, PETERSON of Florida, and PASTOR, Mrs. MEEK, and Messrs. NATCHER, MYERS of Indiana, GALLO, ROGERS, and MCDADE.

There was no objection.

RECESS

The SPEAKER pro tempore. The House will stand in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 10 minutes p.m.) the House stood in recess subject to the call of the Chair.

□ 1850

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DELAURO) at 6 o'clock and 50 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3167, UNEMPLOYMENT COMPENSATION PROGRAM EXTENSION

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 103-287) on the resolution (H. Res. 273) providing for consideration of the bill (H.R. 3167) to extend the Emergency Unemployment Compensation Program, to establish a system of worker profiling, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1804, GOALS 2000: EDUCATE AMERICA ACT

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 103-288) on the resolution (H. Res. 274) providing for consideration of the bill (H.R. 1804) to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR SPECIAL ORDERS DURING 1994

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BONIOR] be permitted a 60-minute special order for every Monday, Tuesday, Wednesday, Thursday, and Friday of 1994, the 2d session of the 103d Congress.

The SPEAKER pro tempore (Ms. DELAURO). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

THE GUN SAFETY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina [Mr. DERRICK] is recognized for 60 minutes.

Mr. DERRICK. Madam Speaker, this summer, a magazine article stated that it took the murder of basketball star Michael Jordan's father—James Jordan—to put a face on the gun violence that is sweeping this Nation.

James Jordan was very much a part of his son's outstanding sports career. The Jordans were a family known and loved by many Americans. We could share in the painful grief that this public family experienced.

However, there are many other stories of such tragedies that confront families who are not as famous as the Jordans. These stories aren't read on the front pages of major newspapers across the country. But, they are the stories of families just as loving and caring who, too, suffer a tragic loss because a firearm was misused or was the cause of an accidental injury or death.

It is the faces of these children that I want to share with you this evening.

Each day in the United States, 40 children are killed or injured by guns. Gunshot wounds are a leading cause of death among children in the United States.

If we lived in Bosnia, Somalia, or even Belfast, we might make sense of these numbers. In those countries, children live right in the middle of civil war. The sad truth is American children are getting caught in gun crossfire right here in the United States—right in their own neighborhoods. Far too many children are placed in harm's way every day right here in the United States

I don't understand how as Americans we can accept what is happening to our children and take no responsibility to stop it. Where is our sense of urgency? How high must the numbers go before we take meaningful and effective action to end the violence and keep children from dying by guns? I don't believe we can afford to lose our next generation—they are this country's future.

Madam Speaker, I want to share with my colleagues two stories which illustrate how we are losing our children too soon and too young.

These are the stories from two mothers who each lost a 13-year-old son by a gun accident. I would like to thank both Mrs. Betsey Robinson of Beaufort, SC, and Mrs. Peggy Nunn of Columbia, SC, for allowing me to share their own personal words and their sons' faces with you.

[Picture not reproducible in the RECORD.]

Here is the face of Reynolds. His mother, Betsey Robinson, writes—

> It is Good Friday and the children are out of school. I am taking a bridge lesson next door. I hear a gunshot—get up and look out the door. No activity. The phone rings. My neighbor answers it, slams the receiver down and says, "Come on Betsey."
>
> We rush outside and I see my daughter running toward the yard where we are headed saying "Where is he?" Somehow I know the gunshot, the phone call, and my son are connected. We round the corner and there he is on the ground—unmoving and still—my son—who never stopped moving—bright red blood is trickling from his mouth and nose.
>
> His eyes are open. He is not breathing. I lift his shirt and see a tiny hole in his left chest. I start CPR. There is no response. I know I only have six minutes, but 16 eternal minutes later, fire trucks and ambulance arrive—too late. My little boy is dead.

Mrs. Robinson tells me that Reynolds was an energetic, happy, friendly, athletic, and loving member of the Robinson clan. He was their baby and everybody's kid in Beaufort, SC.

He was snatched away from them because a loaded gun was left accessible to another child. In Reynold's case, a 9-year-old boy who was left alone.

Mrs. Robinson says that her family had looked forward to years and years of Reynolds and the lively, contagious joy he brought to them. He was their future and he was taken away because someone didn't unload a gun.

Today, Mrs. Robinson channels her anger and grief into an organization called Citizens for a Safer South Carolina. Their goal is to educate the public—to educate adults—to the danger of leaving loaded guns within the reach of children. She is also working on the State level for the enactment of a gun responsibility law. As Mrs. Robinson points out, a child is more likely to get a gun from his or her own home than from any other source.

About one-half of all the homes in America contain one or more firearms. Keeping firearms in the home carries associated risks, especially when a child can get his or her own hands on it.

A study released last week in the New England Journal of Medicine emphasized this very point. This study on gun ownership and homicide concluded that keeping a gun at home nearly triples the chance that someone will be killed on the premises. This study seems to contradict the long-held view that we keep guns in the home for self-defense and protection.

Are we safer because of firearms? I don't think so. It is not just the gun owner who is at risk, but anyone who has access to the firearms in a home. It is especially disturbing when a young, curious child has access to a gun.

[Picture not reproducible in the RECORD.]

This is the face of William. His mother, Peggy Nunn, writes:

> I lost my 13-year-old son in an accident involving a handgun. He was asked to dog sit for my neighbor without my knowledge and was given a key to their house. Being the curious boy he was, William roamed through their house, and located a handgun that was not properly secured. It was not locked up and the ammunition was right there with it.
>
> William had the gun for about a month and most of his friends knew that he had it, but never said anything. I gather he and one or two of his close friends actually played with the gun on one occasion when they were spending the night together at one of his friend's house.
>
> William carried the gun to my mother's house and was house sitting one Friday morning, waiting for a carpenter to arrive with a load of wood. From what has been pieced together, William was probably startled by the noise of dropping wood landing on the front porch. The gun was wedged between his chest and his crossed knee and according to the police typically have hair-triggers.
>
> They felt William probably didn't even know there was a bullet left in the gun, but whatever movement he made at that moment was enough to cause the gun to go off. The bullet entered just below his bottom lip and into his brain, causing instant death. I know that none of us that found him 20 minutes later will ever forget that scene, nor will we ever stop missing our son.

This picture of William was taken on his 13th birthday, just 1 month before the accident. Mrs. Nunn says it symbolizes William's life very well—always on the brink of some new experience or discovery, testing the waters of life to the limit. William was a carefree spirit in love with life, friends, and family.

I am as saddened and grieved by these stories as these two mothers. I find myself asking the same question that they must ask themselves every day. What can we do to begin to reduce accidental, gun-related deaths, especially among our children?

I believe a beginning lies in the Gun Safety Act I have introduced today. Its premise is simple. It says we will treat firearms as a consumer product and give the Consumer Product Safety Commission the authority to regulate the risk of injury associated with guns. Two devices could be especially effective in preventing some gun accidents and as a result reduce the number of accidental deaths and injuries from firearms.

Under my bill, the Consumer Product Safety Commission would have the authority to require that future firearms be manufactured with these two mechanisms—a child-proof safety device and a loading indicator.

Firearms are lethal weapons, and it is foolish that we do not treat them as such. Firearms cause accidental deaths and injuries. A study by the General Accounting Office estimated that for every death caused by an accidental shooting, there are another 105 injuries caused by accidental discharges from firearms.

Many of these deaths and injuries could have been prevented if just two safety devices were added to firearms—the child-proof safety device and an indicator for telling if there are bullets in the gun.

In the 1970's and 1980's, we started treating automobile fatalities as a public health issue, and we have succeeded in turning the numbers around. We can and we must do the same thing with firearm fatalities.

The Gun Safety Act will provide a degree of protection to persons who use firearms, and it will begin to reduce the accidental deaths and injuries of children caused by guns.

We must begin now to look at firearms as a public safety issue—if not for us adults, then at the very least for our children.

Owning firearms carries with it certain responsibilities. And, our first responsibility should always be the welfare of our children. Until we have gun-proof children, we must ensure that we have child-proof guns.

□ 1900

U.S. FISH AND WILDLIFE SERVICE LAND GRABS IN GUAM MUST STOP

The SPEAKER pro tempore (Ms. DELAURO). Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 60 minutes.

Mr. UNDERWOOD. Madam Speaker, I am outraged that on October 1, 1993, the U.S. Fish and Wildlife Service acquired title to 370 acres of land at Ritidian, GU, for a wildlife refuge headquarters. This land grab by the bureaucrats at the Fish and Wildlife Service occurred in spite of strong objections by my office and the government of Guam to the Department of the Interior.

The people of Guam will not stand for this land grab by the Fish and Wildlife Service. It is tragic that over the past 50 years on Guam, the actions of the bureaucrats continue to add to the historical injustices of the land takings on our island that occurred after World War II. This land grab represents all that is wrong and all that is destructive of good intentions by the Federal Government. This land grab obscures the issues of whether or not a wildlife refuge is in Guam's interest, and makes the basic issue, not the protection of animals, but the blatant disregard for the land injustices that have occurred on Guam.

Mr. Speaker, the people of Guam want to send a clear message today to the bureaucrats at the Fish and Wildlife Service, and to any other Federal bureaucracy that has designs on our land—our message is no more land grabs. We will fight you today, we will fight you in Congress, we will fight you in the courts, and we will not let you take any more of our ancestral lands.

In order to appreciate the outrage that has erupted on Guam over the Fish and Wildlife land grab, you must understand that the 45,000 acres of land that the military owns on Guam was acquired by means that do not withstand the most basic tests of fairness and due process. You must remember that in the years immediately following World War II, Guam was under a naval military government. The bulk of the land condemnations occurred without the benefit of civilian courts, without the benefit of civilian lawyers to advise the Chamorro people, and without the benefit of even the most basic due process rights afforded to any other American community. Some of the tactics used by the military land condemnations reeked of intimidation and fraud, such as the imposition of land taxes by a naval government and then the subsequent confiscation of property by a naval tribunal for nonpayment of these taxes.

The injustices of the land takings defy reason. The people of Guam have not forgotten these injustices, and their perspective must be heard. The Cruz and San Nicholas families are typical of those who were told their lands were being leased, not sold. The Villagomez family lost 7 hectares and were compensated a mere $139.90. The Anderson family was too patriotic to object and lost two houses in the old city of Sumay. The Limtiaco family lost beachfront land for defense purposes; their land is now a USO recreational park. The Iriarte family lost a ranch that is now a Navy golf course. The Mendiola family was threatened with jail for objecting to the condemnations. The list of personal stories of injustices goes on and on.

Most Chamorros were willing to give the benefit of the doubt to the military in deep gratitude for the liberation of Guam from enemy occupation in World War II. But does such good will deserve to be reciprocated by losing one's ancestral homeland as the price for liberation? The tragic experience of the people of Guam in World War II did not end with the liberation by the American forces. For many families, the tragedy included losing their homes, their ranches, and the familial lands to the ever-growing military bases. To add insult to injury, the compensation for these land takings were not based on fair market value formulas; they were arbitrary and totally inadequate. The result of the condemnations was that the military literally acquired 45,000 acres for a steal—for $1.7 million. By shortchanging the people of Guam for the value of their land, the military also ensured that many Chamorro families would not only be landless, but also impoverished.

Misrepresentations were made by the military in the original land takings, including the often repeated promise to the landowners that the land would be returned to the people of Guam when the military did not need it anymore. Our people never forgot this promise, and now that the land may in fact not be needed by the military, we are holding the Federal Government to these promises.

This is the heart of the issue. The people of Guam will not tolerate a situation where military lands which are now excess due to the smaller requirements of a post-cold-war era are being turned over to other Federal bureaucracies. The historical land injustices cannot be corrected by exchanging one Federal land baron for another.

The Fish and Wildlife Service rationalizes its landgrab by saying that the Federal property laws allow them to acquire excess military lands before these lands are given to the government of Guam. Is this the precedent that the Federal Government wants to make on Guam? With over one-third of our island used for military bases, it is conceivable that the downscaling of the military will not result in the resolution of the historical land injustices, but instead will result in mega-landlords such as Fish and Wildlife Service and the National Park Service. To this, the people of Guam say "No."

I must also question the misrepresentations and the undue haste with which the Fish and Wildlife Service executed its land grab. I have often heard, even at the highest sources in the Department of the Interior, that the Governor of Guam supports the transfer of the land. I have personally seen Governor Ada's letters to the Department of the Interior on this issue. It is undeniably clear that the Governor has always opposed the transfer of the 370 acres at Ritidian for the purpose of the wildlife refuge. While the Governor has expressed support for the concept of a wildlife refuge on Guam as a alternative to a more restrictive critical habitat, there is absolutely no doubt from the record of correspondence that the Governor has never endorsed the Fish and Wildlife land grab. I must point out that the Governor's position makes sense to me—if there must be a wildlife refuge as the less restrictive option, there is no reason why the 370 acres of Ritidian must be titled to the Fish and Wildlife Service. As for as the protected species, when it comes to owning title to the Ritidian land, do you think the birds care whether the land belongs to the government of Guam or the Fish and Wildlife Service?

There are circumstances surrounding the Ritidian land transaction that are cause for concern. Why was the Fish and Wildlife Service involved in negotiations with private developers over a year ago and talking about land exchanges for the Ritidian land when they did not even have a title to the land at that time? Why was the Fish and Wildlife Service in such haste to initiate the transfer process just prior to the congressional hearing on the Guam Excess Lands Act on July 29, 1993? What misrepresentations were made within the Department of the Interior to assure the General Services Administration that the land transfer was supported by the Governor of Guam? Did the Federal Government comply with its own land transfer procedures, or were shortcuts used in order to ensure that the land was transferred before the people of Guam could be alerted to this travesty. What happened to the policy of the Department of Defense initiated by Secretary Cheney requiring that the government of Guam be consulted on military land transfers?

I visited the Ritidian site during my trip to Guam in September. I went there to try to find out if the land was already lost to the bureaucrats, and to try to assess what can be done to stop the transfer. The Fish and Wildlife Service had already taken up residence in their headquarters building. Later, at a Guam Legislature hearing for the Ritidian families, when it was announced that the title to the Ritidian land was already acquired by the Fish and Wildlife Service as of October 1, I saw firsthand the deep and bitter disappointment that this news brought.

The bottom line is this—this landgrab cannot be allowed to stand. It destroys the trust needed to resolve the land issues on Guam, and it defeats the efforts of those who are seeking to find fair comprehensive solutions to the land issues. The landgrab has been criticized by the government of Guam, the Ritidian families, and the people of Guam. Prominent media commentators on Guam have joined the chorus of protest in their editorials roundly criticizing the lack of understanding of the Fish and Wildlife Service of the historical injustices surrounding the land takings. In their haste to implement their wildlife refuge, the Fish and Wildlife Service has made a terrible mistake which must be undone. I intend to introduce legislation to reverse the land transfer at Ritidian and return the land to the people of Guam. I will not accept, nor will the people of Guam tolerate, that this is the way the bureaucracy intends to exploit the excess lands process. I will continue my efforts to bring about the Guam land conference so that a comprehensive solution to the Guam land issues can be forged. But I will not let these 370 acres slip through our hands and into the clutches of bureaucrats who fancy a breachfront headquarters for their empire. If the Fish and Wildlife Service has a valid claim on Guam land, let them come to the Guam land conference and make their case openly before the people of Guam. But I will not tolerate side deals on Guam's land to be made between Federal bureaucracies.

Madam Speaker, this issue has served to heighten the consciousness of the people of Guam to two realities. One, is that without the measure of self-government promised in the Guam Commonwealth Act that is before this Congress, that Federal agencies will continue to do whatever is in their bureaucratic self-interest without regard to the history of our people and the interests of our island. The second reality is that the land problems will not just go away, and that if anything, the pressures to find comprehensive solutions have become greater with the prospect that the survival of the indigenous Chamorro people of Guam is threatened and that the actions of the Federal Government and the government of Guam will have a very real impact on the ability of our people to thrive in our own ancestral homeland. Perhaps the irony is lost on the Fish and Wildlife Service, that their efforts to acquire the 370 acres of Ritidian, and to establish a 28,000-acre wildlife refuge threatens the survival of the Chamorro people. And while the Fish and Wildlife Service affords itself the luxury of 370 acres of land for its own convenience, and 25 acres per endangered bird on Guam, I have to wonder what is the allocation for an endangered people? And finally, I have to wonder, has the Federal Government lost all sense in its policy on Guam, or has the lack of a policy caused a vacuum so great that any bureaucracy can impose its own will on our people?

Madam Speaker, I urge the Federal Government to revise this land transfer and to return the Ritidian land to the people of Guam. I stand firmly with the people of Guam in opposing this landgrab, and will do everything possible as the Delegate from Guam to reverse this monumental mistake. I urge this Congress to view the Ritidian landgrab for exactly what it is—not for the protection of endangered species, but for the enhancement of a bureaucratic empire. This issue must be resolved, and the land must be returned.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BARTON of Texas) to revise and extend their remarks and include extraneous material:)

Mr. GOSS, for 5 minutes, today.

Mr. EWING, for 5 minutes, on October 18, 19, 20, 21, 25, 26, 27, and 28 and November 1, 2, 3, and 4.

Mr. DOOLITTLE, for 60 minutes, on October 14 and 19.

Mr. BEREUTER, for 5 minutes, on October 14.

(The following Members (at the request of Mrs. MEEK) to revise and extend their remarks and include extraneous material:)

Mr. DIXON, for 5 minutes, today.

Mr. FINGERHUT, for 20 minutes, today and on October 13.

Mr. UNDERWOOD, for 30 minutes, today.

Mr. CONYERS, for 15 minutes, today.

Mr. MENENDEZ, for 60 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BARTON of Texas) and to include extraneous matter:)

Mr. PORTER.
Mr. BAKER of California.
Mr. GILMAN.
Mrs. MORELLA.
Ms. ROS-LEHTINEN.

(The following Members (at the request of Mrs. MEEK) and to include extraneous matter:)

Mr. ENGEL.
Mr. MURTHA.
Mr. GORDON.
Mr. HAMILTON.
Mr. ACKERMAN.
Ms. SCHENK.
Mr. REED.

(The following Members (at the request of Mr. UNDERWOOD) and to include extraneous matter:)

Mr. REED.
Ms. SCHENK.
Mr. MICHEL.
Mr. GILMAN.
Mr. ACKERMAN in three instances.
Mr. HAMILTON.
Mr. WALSH.
Mr. DUNN.
Mr. LIPINSKI.
Mr. SCHIFF.
Ms. HARMAN.
Mr. FISH.
Mr. KLEIN in two instances.

ADJOURNMENT

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 22 minutes p.m.), the House adjourned until Wednesday, October 13, 1993, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

2003. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting his request for emergency supplemental appropriations of $65 million in budget authority for the Department of Health and Human Services to support public health and social services provided in response to the flooding along the Mississippi River and its tributaries, pursuant to Public Law 103–75, chapter IV (107 Stat. 746) (H. Doc. No. 103–147), was taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee on Natural Resources. H.R. 914. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the National Wild and Scenic Rivers System, and for other purposes; with amendments (Rept. 103–281). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Natural Resources. H.R. 2650. A bill to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers Systems; with an amendment (Rept. 103–282). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAMILTON: Committee on Foreign Affairs. S. 1487. An act entitled "Middle East Peace Facilitation Act of 1993"; with an amendment (Rept. 103–283, Pt. 1). Ordered to be printed.

Mr. BROOKS: Committee on the Judiciary. H.R. 1102. A bill to make permanent chapter 44 of title 28, United States Code, relating to arbitration; with an amendment (Rept. 103–284). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 2632. A bill to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1994; with an amendment (Rept. 103–285). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 2840. A bill to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes; with an amendment (Rept. 103–286). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONIOR: Committee on Rules. House Resolution 273. Resolution providing for consideration of the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes (Rept. 103–287). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 274. Resolution providing for the consideration of the bill (H.R. 1804) to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes (Rept. 103–288). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOUCHER (for himself and Mr. BROWN of California):

H.R. 3254. A bill to authorize appropriations for the National Science Foundation, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. BARTON of Texas:

H.R. 3255. A bill to repeal the Cable Television Consumer Protection and Competition Act of 1992; to the Committee on Energy and Commerce.

By Mr. PETE GEREN of Texas:

H.R. 3256. A bill to provide for the registration of persons convicted of sex offenses against children; to the Committee on the Judiciary.

By Ms. LOWEY:

H.R. 3257. A bill to provide for a study to determine the extent to which health professions schools provide adequate education to students on women's health conditions; to the Committee on Energy and Commerce.

H.R. 3258. A bill to assist States in establishing and increasing the utilization of boot camp prisons; to the Committee on the Judiciary.

By Ms. SHEPHERD (for herself and Mr. GLICKMAN):

H.R. 3259. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow multijurisdictional gang task forces the opportunity to continue to receive grant funds; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H.R. 3260. A bill to require the Comptroller General of the United States to conduct a study regarding the ability of Mexico to carry out its obligations under the North American Free-Trade Agreement and the NAFTA supplemental agreements; to the Committee on Ways and Means.

H.R. 3261. A bill to amend the Internal Revenue Code of 1986 to provide that Internal Revenue Service employees shall be personally liable for litigation costs resulting from arbitrary, capricious, or malicious acts, and for other purposes; to the Committee on Way and Means.

H.R. 3262. A bill to impose an additional duty on imported goods and to provide that amounts equal to the revenues delivered therefrom be available for the national health care purposes; jointly, to the Committee on Ways and Means and Energy and Commerce.

By Mr. DERRICK:

H.R. 3263. A bill to amend the Consumer Product Safety Act to authorize the Consumer Product Safety Commission to regulate the risk of injury associated with firearms; to the Committee on Energy and Commerce.

By Mr. STARK (for himself Mr. Ramstad, and Mr. Beilenson):

H.R. 3264. A bill to amend titles XVI and XIX of the Social Security Act to improve work incentives for people with disabilities; jointly, to the Committee on Ways and Means and Energy and Commerce.

By Mr. McHALE:

H.J. Res. 276. Joint resolution designating May 1, 1994, through May 7, 1994, as "National Walking Week"; to the Committee on Post Office and Civil Service.

By Ms. SCHENK:

H. Con. Res. 164. Concurrent resolution concerning the responsibility of the Federal Government for providing social services for undocumented aliens; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 323: Mr. Burton of Indiana and Mr. Schiff.

H.R. 439: Mr. Armey.

H.R. 562: Mr. Armey.

H.R. 796: Mr. Scott and Mr. Olver.

H.R. 921: Mr. Hochbrueckner and Mr. Foglietta.

H.R. 1025: Mr. Pastor and Mr. Farr.

H.R. 1031: Mr. Synar, Mr. Glickman, Mr. Frost, and Mr. Horn.

H.R. 1039: Mr. Bacchus of Florida and Mr. Frank of Massachusetts.

H.R. 1055: Mr. Sanders.

H.R. 1164: Mr. Fingerhut.

H.R. 1314: Mr. McCollum.

H.R. 1342: Mr. Bacchus of Florida and Mr. Frank of Massachusetts.

H.R. 1353: Mr. Torkildsen, Mr. Hunter, Mr. Smith of Texas, and Mr. Lipinski.

H.R. 1406: Mr. LaFalce.

H.R. 1420: Mr. McDermott, Mr. Peterson of Minnesota, and Mr. Nadler.

H.R. 1489: Mr. Wynn.

H.R. 1504: Mrs. Vucanovich.

H.R. 1538: Mr. Berman and Mr. Dellums.

H.R. 1552: Mr. Zeliff and Mr. Schiff.

H.R. 1725: Mr. Greenwood. Mr. Gene Green of Texas, Mr. Canady, and Mr. Portman.

H.R. 1749: Mr. Andrews of New Jersey.

H.R. 1785: Mr. Armey.

H.R. 2014: Mr. Sisisky, Mrs. Clayton, and Mr. Andrews of New Jersey.

H.R. 2095: Mr. Klink.

H.R. 2215: Mr. Armey.

H.R. 2276: Mr. Reynolds.

H.R. 2312: Mr. Poshard.

H.R. 2425: Mr. Armey.

H.R. 2457: Ms. Woolsey.

H.R. 2554: Mr. Torricelli, Ms. Molinari, Mr. Mollohan, Mr. Bereuter, Mr. Saxton, Mr. Sundquist, Mrs. Roukema, Mr. Pallone, Mr. Petri, Ms. Slaughter, and Ms. Pryce, of Ohio.

H.R. 2591: Mr. Frost, Mrs. Maloney, and Mr. Jefferson.

H.R. 2860: Mr. Hastert.

H.R. 2880: Mr. Armey.

H.R. 2884: Mr. Gejdenson, Mr. Filner, Mr. Edwards of California, and Mrs. Lloyd.

H.R. 2957: Mr. Gilchrest, Mr. Weldon, Mr. Hoekstra, and Mr. Armey.

H.R. 3005: Mr. Talent, Mr. Rogers, and Mr. Gallegly.

H.R. 3039: Mr. Burton of Indiana.

H.R. 3088: Mr. Schumer.

H.R. 3138: Mr. Barcia of Michigan, Mr. Bishop, and Ms. Furse.

H.R. 3212: Mr. Pombo, Mr. Solomon, Mrs. Roukema, Mr. Herger, Mr. Gallegly, Mr. Stump, and Mr. Lightfoot.

H.R. 3236: Mr. Frank of Massachusetts, Mr. Holden, Mr. Fingerhut, Mr. Walsh, and Mr. Dellums.

H.J. Res. 178: Mr. Dicks, Mr. Fields of Louisiana, Mr. Leach, Mr. Neal of North Carolina, Mr. Lehman, Mr. Reynolds, Mr. Klink, Mr. LaRocco, and Mr. Pallone.

H.J. Res. 191: Mr. Martinez.

H.J. Res. 212: Mr. Glickman, Mr. Studds, Mr. Skelton, Mr. Sundquist, and Mr. Clay.

H.J. Res. 218: Mr. Gilchrest, Mr. Shays, Mr. Bateman, Mr. Bachus of Alabama, Mr. Wise, Mr. Clyburn, Mr. Torres, Mr. Menendez, Mr. McCloskey, Mr. Sanders, and Mr. Payne of New Jersey.

H.J. Res. 246: Mr. Bateman, Mr. Boehlert, Mr. Doolittle, Mr. Engel, Mr. Evans, Mr. Gilman, Mr. Glickman, Mr. Gene Green of Texas, Mr. Kanjorski, Mr. Kildee, Mr. McCollum, Mr. Natcher, Mr. Neal of North Carolina, Mr. Quillen, Mr. Sharp, Mr. Skeen, Mr. Spence, Mr. Tauzin, and Mr. Towns.

H.J. Res. 257: Mr. Hutto, Mr. Moorhead, Mr. Martinez, Mr. Greenwood, Mr. Manton, Mr. Shays, Mr. Pete Geren of Texas, and Mr. Blute.

H.J. Res. 262: Mr. McCrery.

H.J. Res. 265: Ms. Slaughter, Mr. Dixon, Mr. Natcher, Mr. Horn, Mr. Greenwood, Mr. Miller of California, Mr. Pickett, Mr. McDermott, Mrs. Thurman, Mr. Engel, Mr. Price of North Carolina, Mr. Ballenger, Mr. Levy, Mr. Glickman, Mr. Frost, Mr. Petri, Mr. Cramer, Ms. McKinney, Ms. Brown of Florida, Ms. Byrne, Mr. Manton, Ms. Schenk, Mr. Pete Geren of Texas, Mr. Hutto, Ms. Kaptur, Mr. Barrett of Wisconsin, Mr. Skeen, and Mrs. Mink.

H. Con. Res. 147: Mr. Andrews of Maine.

H. Con. Res. 153: Mr. Kolbe and Mr. King.

H. Res. 38: Ms. Brown of Florida, Mr. Skaggs, and Mr. Edwards of California.

H. Res. 108: Mr. Bishop and Ms. Furse.

H. Res. 175: Mr. Skeen.

H. Res. 237: Mr. Andrews of New Jersey, Mr. Boehner, Mr. Doolittle, Mr. Gunderson, Mr. Herger, Mr. Rohrabacher, Mr. Royce, Mr. Schiff, and Mr. Skeen.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3210

By Mr. BROWN of California:

—Page 9, line 5, insert the words "including the metric system of measurement" after "education".

—Page 9, line 9, insert the words "including the metric system of measurement" after "science".

EXTENSIONS OF REMARKS

SAMUELSON'S VIEWS ON HEALTH CARE REFORM

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. PORTER. Mr. Speaker, as the national debate on health care proceeds, I would like to submit to my colleagues an editorial by Robert J. Samuelson concerning his views on the socialization of American medicine. Mr. Samuelson raises pertinent economic and political issues we will face as we decide the rules of the game for an improved health care system.

SOCIALIZED MEDICINE IN AMERICA

(By Robert J. Samuelson)

We have arrived at socialized medicine in America. I do not report this as either a good or bad event but simply as something that has happened with hardly anyone realizing it. This is the first result—and probably the most important—of the national health care debate launched last week by President Clinton. Our politics and economy will never again be the same.

By socialized medicine, I mean the general belief that health care is a unique sort of service that government must ultimately supervise. This belief is now widely shared by the public across the political spectrum. We have effectively decided to give government the job of running a seventh of the U.S. economy (the size of the health sector) and of mediating many of the hard moral issues (everything from mercy killing to the use of expensive life-saving technologies) that arise in medicine.

You can deduce all this from the reaction to Clinton's speech. The criticism of it has concentrated almost exclusively on details, albeit important ones. Can the plan really provide universal health insurance without increasing costs? Are the benefits in his package too generous—or not generous enough? But almost no one has questioned Clinton's central assertion that the government must guarantee health insurance to everyone.

We've silently resolved that who gets health care should not be settled mainly by the "market" (that is, how much money you have). Some level of health care is a "right," and only government can enforce rights. What we've agreed, as a society, is that government will write the rules for health care. We haven't yet agreed what the rules will be. The debate will focus less on basic goals than on methods, timetables and financing.

If you doubt this, contrast what's happening now with what happened in the mid-1960s when Congress created Medicare and Medicaid, the programs for the elderly and poor. Then, the American Medical Association opposed those programs on the ground that government was intruding too deeply into medicine. No more. The AMA has a reform plan; so does the conservative Heritage Foundation. Both accept the goal of universal insurance. Both assume that only government can compel it.

The socialization of U.S. health care has actually been underway for decades. Purely private medicine long ago vanished. About a quarter of us already have government insurance, mainly through Medicare (36 million) and Medicaid (33 million). People with employer-paid insurance have their health care subsidized by government, because those policies are exempt from income taxes. (In 1993 this subsidy is worth an estimated $43 billion.) These lavish subsidies have reflected the growing conviction that people shouldn't be denied needed health care.

Clinton has now taken us the last step. By proposing universal insurance—and daring anyone to challenge that as a worthy goal of public policy—he has forged a broad, though ill-defined, new consensus. He forced political protagonists of all philosophical stripes to declare themselves, either openly or by their silence, in favor of health care as a vague right.

The overwhelming public response to all this may be: Well, it's about time. In many ways, Clinton is merely bringing us to a point reached by most advanced societies. Still, the advent of socialized medicine ought to give us pause on two grounds.

First, its politics will be highly contentious. Every part of the health industry will seek to advance its interests through government. If family practitioners feel slighted, they'll try to improve their incomes and status through government rules. Those who feel threatened (specialists, drug companies) will try to prevent punitive measures. These struggles will be ferocious because the economic interests are immense. In 1991 health spending totaled $752 billion. The debates will also be confusing, because self-interested arguments will be presented as guaranteeing patients' rights and good medicine.

But the really messy aspects of health care politics will involve moral issues. When government mandates, permits, pays for—or bars—certain medical practices, it inevitably involves itself in intensely personal decisions where Americans' values and religious beliefs may differ dramatically. Government may have to grapple with mercy killing, living wills and the kinds of costly life-saving technologies that should (or shouldn't) be subsidized and paid for. Rationing, by any name, won't be easy. Politics simply isn't good at resolving deeply felt values questions, as the fight over abortion ought to have taught us.

Second, the economics of socialized medicine could be disastrous. Government excels at giving things away. It is inept at restricting or revoking its giveaways. One purpose of health reform, says Clinton, is to control runaway health costs. Fine rhetoric. But most of his public emphasis so far has been on new benefits, mainly universal health insurance. Even now, many experts doubt his assumption that these new benefits can largely be paid for with "savings" in other health programs.

It's not just Clinton. Most politicians are inclined to expand public benefits while disguising the costs. The combination of Expansive employer insurance mandates (requiring companies to provide coverage) and lax cost controls could actually speed the rise of health spending. Employer mandates make the costs less visible by putting them outside the federal budget. Given Americans' distrust of government, it might be easy to object to cost controls on the ground that government is being meddlesome and intrusive. The hard decisions involve either limiting benefits or finding effective ways to discipline health spending.

Socialized medicine does not mean that government will run every hospital or employ every doctor. Even in countries with national health insurance, the medical complex often remains in private hands. It does mean that most of the critical decisions about health care will ultimately be settled politically.

Our impeding debate is not simply a choice between Clinton's plan and the alternatives. It is really the start of something new in our politics and social history. Almost certainly, some plan will pass. Almost certainly, whatever passes will be modified, perhaps extensively, in the future, as we react to how it works. Our health care debates will be unending. Socialized medicine, for better or worse, will be what we make of it.

TRIBUTE TO CH2M HILL

HON. MICHAEL J. KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. KOPETSKI. Mr. Speaker, today I pay tribute to CH2M Hill and its employees; constituents I am proud to represent. Founded at Oregon State University in 1946, the firm of Cornell, Howland, Hayes and Merryfield now employs 4,000 people in more than 50 locations in the United States and abroad.

The October 1993 issue of Oregon Business magazine features an article about Oregon's most successful privately held companies. CH2M Hill ranks No. 3 in this survey. For the RECORD, I include a copy of the CH2M Hill profile and recommend it to all of my colleagues. I am sure, whether they recognize it or not, that each member of this body has experienced the fine work product that is CH2M Hill:

CH2M HILL

Contrary to popular perceptions, CH2M HILL Ltd.'s success does not come from "large" projects for "big" clients. The majority of its work consists of small projects for businesses and public agencies. More than 60% of its projects in 1992 and 1993 involved fees under $20,000.

While CH2M HILL is the number one environmental engineering firm in the nation, the key to its success is its ability to deliver diverse technical capabilities to meet client needs. With approximately 75% of its work coming from repeat clients, satisfied clients represent the cornerstone of the business.

For 47 years, CH2M HILL has provided Oregon clients with innovative services in air quality, hazardous and solid waste cleanup, energy, water, wastewater and transportation systems. This technical breadth provides clients with "one-stop shopping" for

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

numerous services. Currently, industrial clients are taking advantage of CH2M HILL's air quality expertise to proactively deal with upcoming permitting issues.

The CH2M HILL Ltd. family of companies includes the Oregon offices of CH2M HILL, Inc.; Industrial Design Corp. (IDC); and Operations Management International (OMI).

The companies undertake all project phases, including concept, design, construction and operation. Examples include CH2M HILL Inc.'s permitting and environmental work for a major new industrial facility to be sited and built in the Northwest; IDC's design and construction management services for high-tech firms; and OMI's contract operations for public- and private-sector water and wastewater treatment systems such as the Roseburg Urban Sanitary Authority.

"Our success also stems from our longstanding commitment to the Oregon community," explains Ray Topping, CH2M HILL's Oregon Regional Manager. "We educate children in the roles math and science play in the world, and we participate in civic programs that give something back to our community."

HONORING ED SHEEHAN

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. MURTHA. Mr. Speaker, I would like to take this opportunity to join the Greater Johnstown Inter-Service Club in recognizing a distinguished resident of the Johnstown, PA area, Mr. Ed Sheehan, Sr.

The Greater Johnstown Inter-Service Club Council will be awarding Ed its Annual Achievement Award this year because of his work as president and chief executive officer of Stardyne, Inc. The work that Stardyne has done in producing electro-optical equipment for our Nation's military has protected countless American lives, and the development of this technology has made our Armed Forces more effective in carrying out their missions.

Ed has been an important part of the development of electro-optical equipment, from his days in the Department of Defense night vision and electro-optics laboratories to his current position as head of one of the most advanced high-technology firms in the country. His work has been invaluable to our Armed Forces, and on behalf of the Armed Forces, we take this opportunity to salute him.

I'm proud to call Ed a friend, and I do not think the Greater Johnstown Inter-Service Club Council could make a finer choice than Ed Sheehan Sr., for its Annual Achievement Award. I would like to extend my sincere congratulations to Ed on this occasion, and I wish him many more years of success.

HONORING SISTERHOOD COMMUNITY CENTER OF ISRAEL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. ENGEL. Mr. Speaker, it is with great pleasure that I recognize the 60th anniversary of the sisterhood of the Community Center of Israel, located in the Bronx, NY.

For six decades, the Sisterhood has provided devoted service to its synagogue and community. Community Center of Israel is an integral part of the neighborhoods surrounding Pelham Parkway, and it has been a focal point of positive efforts to enhance the lives of all the people in the area. The Sisterhood has always been an essential part of those efforts.

On behalf of my constituents, I thank all those who have devoted their time and effort to the Sisterhood of the Community Center of Israel. I also congratulate them on their accomplishments and with them many more years of success.

DALE HOLLOW LAKE: 50 YEARS OF CONTRIBUTION

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. GORDON. Mr. Speaker, 50 years ago, Tennessee's beauty was greatly enhanced and its upper Cumberland region was enriched with a resource that dramatically changed the community. Fifty years ago, Dale Hollow Lake was completed.

Set between the Obey River and the Cumberland River, Dale Hollow Dam was begun by the U.S. Army Corps of Engineers in March 1942. The Corps completed the impoundment in June 1943. Since then the dam has saved an estimated $43 million in flood damage by taming the waters that repeatedly flooded the area in the early 1900's. This early success set a precedent for later Corps projects on the Cumberland River. Additionally, Dale Hollow has produced energy for homes and businesses throughout much of Tennessee and Kentucky.

The contributions of Dale Hollow Lake go far beyond electricity production and flood control. Even before Dale Hollow was providing electricity for the people of the upper Cumberland, water enthusiasts began flocking to the lake. Each of the next 50 years has seen increased numbers of visitors at a rate that attracted 3.6 million to the lake's 27,700 acres last year. The lake and its nearly 620 acres of poplar, cedar, and oak trees offer boating, camping, hiking, fishing, and a complete list of outdoor activities.

Even our Nation's most beloved symbol, the American bald eagle, feels the beauty and serenity of Dale Hollow. Brought there by the Tennessee Wildlife Resources Agency and the Corps of Engineers years ago, the majestic birds have flourished and thrived. Annually thousands of visitors travel to see the eagles, finding 91 in 1992.

Other wildlife also attract visitors. Largemouth bass, smallmouth bass, white bass, and spotted bass swim the waters of the lake and delight the skills of anglers. With the supervision of the Tennessee Wildlife Resources Agency, the lake also includes black crappie, white crappie, bluegill, walleye, catfish, and muskie. Kentucky's largest muskie was caught in Dale Hollow; it weighed 43 pounds. A smallmouth bass—all 11 pounds and 15 ounces of it—that was caught there stood as a world record for several years. Trout also inhabit the river as a product of the Dale Hollow National Hatchery, the largest producer of trout east of the Mississippi.

These recreational attractions, coupled with the warmth of the people who live near the lake, continue to invite visitors back to the lake. Last year alone $68.5 million was contributed to the economy by the people who took advantage of Dale Hollow. Innumerable jobs depend on the lake, and innumerable families depend on those jobs. The area is blessed with Dale Hollow's beauty, and Tennessee is blessed with the area's contribution to the economy.

These vital contributions will be celebrated on October 15, 1993, with a ceremony sponsored by the U.S. Army Corps of Engineers at Dale Hollow Dam. I invite my colleagues to join in that celebration and in continued praise for the people involved in the creation of the lake and those who maintain its beauty.

TOLEDO AREA PRIVATE INDUSTRY COUNCIL CELEBRATES 10 YEARS OF SERVICE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Ms. KAPTUR. Mr. Speaker, it is my special pleasure to congratulate the Toledo Area Private Industry Council on 10 years of exemplary service to the citizens of northwest Ohio.

Over the past decade, the dedicated staff and board of the Toledo Area Private Industry Council have delivered quality employment and training services to the citizens of our community. They have assisted 53,700 economically disadvantaged people with training and education; placed over 13,800 people in permanent jobs; provided 14,000 summer jobs for at-risk youth through their Summer Youth Employment and Training Program; and assisted more than 5,900 dislocated workers through job retraining and job placement programs. For the Toledo Area Private Industry Council, linking citizens to work has been a full-time mission.

Northwest Ohio's economy has been transformed over the past 10 years and the Toledo Area Private Industry Council has consistently led the fight to dignify life and work by developing employment opportunities and improving the quality of life for thousands of men and women in our community. We all benefit from their fine work and reputation and are grateful for their dedicated service. I know I join with all the residents of northwest Ohio in congratulating them on 10 years of excellence.

INTRODUCTION OF THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1993

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. BOUCHER. Mr. Speaker, I have introduced today the National Science Foundation

[NSF] Authorization Act of 1993. The bill provides funding authority for NSF for fiscal years 1994, 1995 and 1996, at the overall levels recommended by the Clinton administration for each year. The bill provides for substantial strengthening of the Foundation's research programs and addresses the serious deterioration of the research infrastructure. The priorities reflected in the bill will enable the NSF to work toward achieving important national technology goals.

The authorization levels in the bill, as indicated in the accompanying chart, will allow NSF to increase support for individual investigators and ensure that new research opportunities may be pursued which require interdisciplinary research teams. Sufficient growth is provided to allow NSF to participate fully in existing and planned interagency R&D initiatives of national importance, including global climate change research, high performance computing and networking, advanced materials and processing, biotechnology, and advanced manufacturing.

The bill continues the current authorization of $250 million per year for the Academic Research Facilities Modernization Program, while imposing the requirement that the first $150 million of funds appropriated to NSF in fiscal year 1995 and the first $200 million in fiscal year 1996 be provided for the facilities program. Although the 1988 NSF authorization statute that created the facilities program authorized $890 million over 5 years, appropriations have reached only $94 million. The funding floors placed in the bill for the facilities program are in response to this unacceptably slow growth.

The Subcommittee on Science has received testimony over several years on the serious deterioration of academic research facilities, and on the adverse effects this deterioration is having on the ability of universities to perform leading-edge research. The approach taken by the bill will reassert the importance of NSF's merit-based facilities program and fund it at a level that will genuinely begin to address this unmet need.

The bill also recognizes that the scale of the facilities shortfall—estimated at $10 billion—is too great to be met solely with the resources available to NSF. A provision is included to require the Office of Science and Technology Policy to develop a plan for a multi-agency facilities program to include estimates of funding, by agency, and the time frame necessary in order to relieve substantially the backlog of substandard facilities. The plan must also include the procedures and data collection steps necessary to measure progress in improving the condition of academic research facilities.

Much discussion is now underway concerning a more sharply defined mission for NSF and on the program priorities that should be pursued. In order to provide Congress with a clear statement of goals, the bill requires NSF to provide an annual report containing a 3-year plan highlighting expected areas of program emphasis, including research initiatives under development, and containing criteria and procedures for assessing progress toward the defined goals. A separate, related requirement in the bill calls for the development and annual updating of a 5-year plan for new construction of NSF national research facilities and upgrades to existing national facilities.

Finally, the bill includes provisions to strengthen NSF's efforts in international scientific cooperation. NSF is given authority: First, to make grants to nongovernmental organizations for debt-for-science exchanges; and second, to facilitate the establishment of binational and multinational endowed science foundations, such as the United States-Mexico binational endowment, and to participate in their operation and governance.

Mr. Speaker, the NSF authorization bill provides the resources and defines priorities which will allow the Foundation to meet its responsibilities to support basic research and education in science and engineering and to strengthen the Nation's research potential. A summary of all the provisions of the bill follows my statement.

NSF AUTHORIZATION ACT OF 1993—FISCAL YEAR 1994–96

[In millions of dollars]

NSF program activity	Appropriation fiscal year 1993	Request fiscal year 1994	Percent	Authorization fiscal year 1994	Percent	Authorization fiscal year 1995	Percent	Authorization fiscal year 1996	Percent
Research—Total	1,859.0	2,204.8	18.6	2,009.8	8.1	2,618.9	30.3	2,877.2	9.9
Biological Sci	271.3	311.9	15.0	285.0	5.0	362.0	27.0	389.2	7.5
CISE	215.2	296.0	37.5	261.8	21.7	386.9	48.2	448.0	15.8
Engineering	261.1	323.0	23.7	289.0	10.7	400.0	38.4	456.0	14.0
Geosciences	401.9	448.5	11.6	423.0	5.3	516.0	22.0	549.0	6.5
Math & Phys. Sci	619.9	718.4	15.9	653.0	5.3	826.0	26.5	892.0	8.0
Social, Behav. & Econ	89.5	106.9	19.4	98.0	9.5	128.0	30.6	142.5	11.3
Education	487.5	556.1	14.1	556.1	14.1	556.1		572.8	3.0
Inst/Facilities	50.0	55.0	10.0	250.0	400.0	250.0		250.0	
Polar Research Pgms	158.0	163.1	3.2	163.1	3.2	180.0	10.4	205.0	13.9
Antarctic Logistics	63.4	65.1	2.7	65.1	2.7	67.0	3.0	68.0	1.5
Salaries & Expenses	111.0	125.8	13.3	125.8	13.3	127.5	1.4	132.0	3.5
Critical Tech. Inst	NA	1.0		1.0		1.0		1.5	50.0
IG	3.7	4.1	10.8	4.1	10.8	4.2	2.4	4.3	2.4
NSF Relocation		5.2		5.2		5.2		5.2	
Total	2,733.6	3,180.2	16.3	3,180.2	16.3	3,809.9	19.8	4,116.0	8.0

SUMMARY OF THE NSF AUTHORIZATION ACT OF 1993

TITLE I. NATIONAL SCIENCE FOUNDATION AUTHORIZATIONS

The authorizations provided for the National Science Foundation (NSF) cover 3 years, FY 1994, FY 1995 and FY 1996; the accompanying chart shows the FY 1993 appropriations levels, the FY 1994 request levels, and the bill authorizations. The bill specifies that $150 million must be appropriated for the facilities program in FY 1995, and $200 million for the program in FY 1996, in order for any other funds to be authorized for NSF.

TITLE II. GENERAL PROVISIONS

Annual Report. The NSF Act of 1950 is amended by transforming the existing NSF annual report to Congress into a 3-year strategic plan to be updated annually.

National Research Facilities. The Director is required to prepare and submit annually to Congress a 5-year plan for new construction, repair, and upgrades to national research facilities. The bill prohibits obligation of funds appropriated for national facilities costing in excess of $50 million unless the funds have been explicitly authorized.

Eligibility for Research Facility Awards. The Academic Research Facilities Modernization Act of 1988 is amended to prohibit, after FY 1995, awards to any institution which, beginning with FY 1995, receives an appropriations earmark for facilities construction.

Eligibility for Participation in Informal Science Education Activities. All science museums, regardless of location, size of population served, or age of the institution, are designated as eligible to participate in NSF programs for support of informal science education.

Science and Engineering Equal Opportunities Act Amendments. Amendments are made to the Science and Engineering Equal Opportunities Act to authorize assistance to members of one or more underrepresented groups, to make explicit NSF's authority to support activities that encourage increased participation in science and engineering of persons with disabilities, to remove an apparent disparity in the authorities provided for women and minority programs, and to update provisions governing the membership and structure of the Committee on Equal Opportunity in Science and Engineering.

TITLE III. ACADEMIC RESEARCH FACILITIES MODERNIZATION

Facilities Modernization Plan. The Director of the Office of Science and Technology Policy (OSTP) is required to develop a plan for a multi-agency academic facilities modernization program, including funding levels by agency, specification of administrative procedures and guidelines to implement the plan, and data collection requirements to monitor progress in upgrading academic facilities. The plan must be submitted to Congress within 18 months of enactment of the bill.

Limitation on Obligation of Unauthorized Appropriations. Obligation of funds by NSF for academic facilities construction is prohibited unless the funds are awarded under the provisions of the Academic Research Facilities Modernization Act of 1988 or are explicitly authorized.

TITLE IV. INTERNATIONAL SCIENTIFIC COOPERATION

Debt-For-Science Exchanges. The Director is given authority to make grants for debt swaps for support of scientific research and education activities subject to defined conditions.

Participation in Binational and Multinational Endowed Science Foundations. The Director is given authority to facilitate the establishment of Binational and Multinational Endowed Science Foundations, such as the U.S.-Mexico Binational Endowment, and to participate in their operation and governance. The authority is contingent on the characteristics of a foundation meeting stated requirements.

Report on International Activities. The Director is required to prepare and submit to Congress within one year of enactment of the bill a strategic plan for all activities involving international scientific cooperation.

NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL FUND

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mrs. MORELLA. Mr. Speaker, I am pleased to be given this opportunity to salute the men and women who have served, and continue to serve, this Nation as police officers. Located in Judiciary Square, not far from the Capitol, there is a monument to these officers' dedication and commitment called the National Law Enforcement Officers Memorial.

This memorial was dedicated on October 15, 1991. Its purpose is to show the appreciation that we have for all of our Nation's police officers, especially those who have fallen in the line of duty. This memorial includes a "Pathway of Remembrance," where the names of 13,256 law enforcement officers, who have died protecting the peace, are engraved.

We must all recognize the sacrifice that these officers have made in the service of their country. Prior to the erection of this memorial, there were monuments to the soldiers who have fallen in all of our wars, but not to those who are waging the war against crime on our own soil.

In the State of Maryland, 204 police officers have died in the line of duty, from Officer Charles Gall of the Hagerstown Police Department, who died in October 1866, to Michael Filer, who fell in August 1993 while serving in the Montgomery County Police Department. These are just two of the thousands of names that are engraved on the "Pathway of Remembrance."

As a result of this memorial, we all have a place to pay our respects to the men and women who have fallen while in service to their respective communities as police officers.

BILL WAKEMAN—LAFAYETTE CITIZEN OF THE YEAR

HON. WILLIAM P. BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. BAKER of California. Mr. Speaker, I rise today in recognition of Bill Wakeman, the Lafayette Citizen of the Year for 1993.

Bill Wakeman was born and raised in Lafayette, and has served his community actively ever since.

Mr. Wakeman began serving Lafayette through the Boy Scouts of America as a cubmaster, scoutmaster, Dad's Club Committee chairman, and still serves as a merit badge counselor.

Bill and his wife, Bonnie, have been longtime members of the Parent Teachers Association [PTA] and have worked closely with the Lafayette Elementary PTA.

Bill Wakeman has been an active board member and now is serving his third year as president of the Lafayette Historical Society. Bill has led walking tours for grade school students as well as city officials and staff members.

Bill has been active in the Lafayette Improvement Association, serving as treasurer, vice president, and 4 years as its president. Bill Wakeman has been a frequent participant in Lafayette City Council and Traffic Commission meetings, showing his dedication to Lafayette by donating his time and input.

Mr. Bill Wakeman's record of tireless service to Lafayette speaks volumes about his commitment to his community of friends and neighbors. Residents, visitors, and businesses alike owe Bill Wakeman a debt of gratitude for his service to Lafayette.

Mr. Speaker, at this time I ask that my colleagues join me in saluting Mr. Bill Wakeman for his outstanding accomplishments and contributions to Lafayette and Contra Costa County.

TRIBUTE TO EDWARD KAHAN—TOWNWIDE FUND OF HUNTINGTON RECIPIENT 1993 CITIZEN OF THE YEAR

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to Edward Kahan who is being honored by the board of directors of the Townwide Fund of Huntington, NY, by naming him the 1993 Citizen of the Year.

Since his arrival in Huntington in 1986, Eddy has committed much of his energies to a variety of charitable causes, among them United Way, Cancer Care, United Jewish Appeal, and the Jewish Opportunity Institute, on whose executive board he serves.

Eddy's reputation and positive attitude have made him an integral part of the Prudential Securities' senior management team. His present position as senior vice president and regional director puts him in charge of 26 Prudential branches in the metropolitan area. Most who know Eddy describe him as warm and caring and want to work extra hard for him. Eddy on the other hand encourages his colleagues and his corporation to follow his example in the support and participation in local charitable activities.

Eddy is one of those rare individuals who has attained a perfect balance between his commitment to community, dedication to his profession, and devotion to his family, his wife Nancy, daughters Jodi and Jill, brothers Gerry and Marvin, and parents Evelyn and Bert.

Mr. Speaker, I ask my colleagues to join me in saluting Edward "Eddy" Kahan for his outstanding and selfless dedication and commitment. And to extend our best wishes and congratulations on being named 1993 Citizen of the Year.

TRIBUTE TO PATERSON, NJ, KENNEDY HIGH SCHOOL STUDENTS

HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. KLEIN. Mr. Speaker, I rise to pay tribute to a remarkable achievement by the administrators, teachers, and students of John F. Kennedy High School of Paterson, NJ. Their collaborative effort allowed the school district to receive a $50,000 grant to develop Leadbusters Project, a research program which will help stamp out lead in Paterson.

Jane Silverstein, the project coordinator; Catherine Whitaker, teacher; James Triner, teacher; and students Gisela Adorno, Elias Ahadi, Majiim Ahmed, Karen Ancheta, Jennifer Andresen, Peter Ashmeade, Leonor Ayala, Ximena Clavijo, Jose Cotto, Melissa Cruz, Herosiane Da Silva, Carlos Echavarria, Carola Fragosa, Sonia Garcia, Anna Maria Giordano, Victor Gonzalez, Murat Gurses, Laura Haddad, Joselito Huertas, Mohammed Hussain, Radee Jaber, Myeshia Jones, Darnell Joyner, Saidy Lopez, Tahesha Mack, Sheila Maisonet, Tatiana Meza, Silvia Quan, Randy Ruiz, Jessica Sanches, Rosalia Santafiore, Miroslava Tosic, Azim Uddin, Maribell Vargas, and Sonia Velasquez have all worked together to make this program a resounding success.

The Leadlbusters Project truly piques and maintains the interest of high school students in science. Students are utilizing research techniques learned through the program to test water and soil for lead pollution. The field of science is no longer viewed from the distance, but embraced with the understanding of its direct influence and impact upon the students' lives. Through active participation students learn to use sophisticated analytical equipment as well as proper laboratory techniques.

The project does not limit the capabilities of its students but attempts to encompass a spectrum of fields in order to interest as many students as possible. The program is being filmed by journalism classes adding the media to the overall program.

I heartily congratulate the administrators, teachers, and students of Kennedy High School on the success of the Leadbusters Project. Ingenuity, guidance, interest, and commitment to education have fueled this revolutionary program. I thank my colleagues for joining me in saluting this exemplary group of people.

UKRANIAN FAMINE

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. WALSH. Mr. Speaker, throughout their history, the Ukrainian people have known famine, imprisonment, tyranny, and genocide at the hands of others.

In 1933, Joseph Stalin engineered a famine in eastern Ukraine, resulting in the death of 7 million Ukrainian men, women, and children. That millions starved in a nation known as the "bread basket of Europe," is a tragedy history will not forget. But on this, the 60th anniversary of the forced famine, Ukraine is no longer a victim of the Soviet stranglehold.

Today Ukraine is basking in the sunlight of its new independence. Ukrainians have not suffocated under the weight of their nation's tragic past but have built upon that experience the foundation for a bright and prosperous future.

I have known firsthand the warmth and friendship of Ukrainian-Americans. Their desire to live as free people brought many of them to the Syracuse area and to other places throughout America. We share their joy that the blessings of freedom are now being felt by their family and friends still living in Ukraine.

TRIBUTE TO CHICAGO PARK DISTRICT EMPLOYEE PAUL VOLTZ

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate Chicago Park District employee Paul Voltz on the special occasion of his retirement.

Mr. Voltz came to the Chicago Park District in January 1962 and has worked in numerous positions. He served as physical instructor for Kosciuszko Park, playground supervisor of Hiawatha Park, park supervisor of Hiawatha Park, activities supervisor, area supervisor, host park supervisor, host park manager and director of host parks. He represents the highest standard of public service. He can truly be considered a friend of the people of the Chicago community and is to be commended on his retirement after 31 years of dedicated service.

Mr. Voltz is a recipient of the Hiawatha Park Youth Program Hubert Founders Award in Recognition of Long and Outstanding Service and the Hiawatha Youth Program Appreciation Award for Outstanding and Dedicated Service.

Mr. Voltz graduated from Lindblom Technical High School in June 1958. He attended Upper Iowa University in Fayette, IA, and Northern Illinois University in DeKalb, IL.

Mr. Voltz is the proud father of Paul, Nancy, Kathy, and David. He is the loving grandfather of Lauren and Jack.

Mr. Speaker, I am pleased to commend Mr. Voltz for his tremendous contributions to our community. I hope my colleagues will join me in saluting him for his many years of commitment and wishing him the best in the years to come.

TRIBUTE BY REPRESENTATIVE ACKERMAN IN HONOR OF LEE SUSSWEIN'S 70TH BIRTHDAY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to express my praise for Lee Susswein, on her 70th birthday celebration.

Lee is the daughter of a Russian emigrant, who fought in World War I in the United States armed services. She graduated from the University of Wisconsin, Madison, and went on to be a lieutenant for the U.S. Navy during World War II. She was one of the earliest group of patriotic and pioneering women who served in uniform.

After the war, Lee married Arthur Susswein in 1946. As a result of the marriage, Lee was discharged from the Armed Forces under the rules of the day.

While Arthur attended law school, she went to work as a vocational guidance counselor at the YMCA to assist returning veterans and she also sponsored the Tuberculosis Association helping TB patients, in Queens.

Through the years Lee Susswein continued to be involved with community. She was active at her family's synagogue, Temple Bethel, and she was both a member of the social action committee and was vice president of sisterhood. She was also an active member of the PTA.

In 1969, she began a 20-year career with the New York State Office of Vocational Rehabilitation. In 1983, the Long Island Rehabilitation Counselors Association honored her for her outstanding contribution to the field of rehabilitation and dedication to the mentally ill. Although Lee retired in 1987, she has still remained intimately involved in her community and her volunteer work.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me in wishing Lee Susswein a happy 70th birthday, and to congratulate her for many years of selfless dedication and aid to the community.

TRIBUTE TO ANGELO BERTELLI

HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. KLEIN. Mr. Speaker, I rise to pay tribute to a man of rare athletic prowess and achievement, Angelo Bertelli. Mr. Bertelli is the first of Notre Dame's seven Heisman trophy winners as well as a dedicated American veteran.

Angelo Bertelli is living proof that extraordinary talent perfectly matched with character can exist. although Mr. Bertelli is being recognized for his successful football career, he was also pursued for his hockey and baseball skills by the Boston Bruins and several big-league baseball teams. However, his dream of playing football at Notre Dame prevailed and carried him into the Heisman voters sights.

As a quarterback, Mr. Bertelli, led the Notre Dame team into victory by winning their first six games by an average of more than 38 points a game. His athletic prowess even impressed famed sportswriter Grantland Rice who compared Notre Dame's 1943 team with the Four Horsemen team of 1924. Rice wrote:

> It is my belief that Notre Dame's 1943 team, with Bertelli in action, could have beaten the 1924 team by two or three touchdowns and wrecked the Four Horsemen through a surplus of power, deception, and passing.

The sheer talent of the quarterback dazzled the Heisman voters so that the trophy was easily won based only on the six games he played in 1943 with 471 votes distancing himself and the runner-up.

Mr. Bertelli was unable to finish the season due to his concern for the safety of our country. Fulfilling his duty, he served in the Marines during world War II. "I was disappointed," he said, "but, remember, the Nation was at war. We had a lot of patriotic spirit. The loves of my life always had been Notre Dame, the Yankees, and the Marines. I got 'em all but the Yankees." While serving in the war he distinguished himself on Iwo Jima and Guam.

I wish Mr. Bertelli the very best on the 50th year anniversary of his Heisman Trophy. He is an outstanding Clifton resident and fine neighbor. His strong sense of duty married with his amazing athletic talent have inspired others and will continue to do so. I thank my colleagues for joining me in saluting Angelo Bertelli.

COMMENDING PLANNED PARENTHOOD LOS ANGELES

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Ms. HARMAN. Mr. Speaker, I rise today to commend Planned Parenthood Los Angeles. Since its establishment in 1965, this organization has shown extraordinary leadership in the vital effort to provide high-quality, low-cost reproductive health care services. In addition, the educational programs of Planned Parenthood are one of the most effective tools in the prevention of unintended teen pregnancy. Quite simply, they teach young people responsible decisionmaking about sexuality.

Just yesterday, October 11, 1993, Planned Parenthood Los Angeles opened an additional health care clinic in the Lawndale Medical Plaza in Lawndale, CA. This clinic will resolve the need for greater access to reproductive health care for the residents of the south bay area of Los Angeles County. Through this clinic, these dedicated people will provide essential services and education to women, men, and teens in Torrance, Lawndale, Redondo Beach, Manhattan Beach, Hermosa Beach, Inglewood, Carson, El Segundo, Gardena, Hawthorne, Palos Verdes Estates, Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates, Lomita, San Pedro, Compton, and nearby portions of Los Angeles.

The clinic will offer a wide range of reproductive health services including premarital blood testing, prenatal care, all forms of contraception, pregnancy testing and counseling, adoption referrals, breast and cervical cancer screening, and detection and treatment of sexually transmitted diseases. These services are critical for women and teens, and I welcome the facility to my district.

In closing, I would like to congratulate Deidre Mackey, South Bay Center manager, Candace Lee, director of clinical programs, and the entire staff of Planned Parenthood Los Angeles. I would also like to extend my congratulations and thanks to the officers and members of Planned Parenthood Los Angeles Board of Directors, including board president B. Boyd Hight, executive director Suellen B. Wood, and medical director Gerald S. Bernstein, M.D.

TRIBUTE TO THE MOUNT OLIVET BAPTIST CHURCH ON ITS 100TH ANNIVERSARY

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. FISH. Mr. Speaker, I rise today to congratulate and pay tribute to the Mount Olivet Baptist Church in Peekskill, NY, as its parishioners celebrate the church's 100th anniversary. The Mount Olivet Church serves the community far beyond its many religious activities. The congregation reaches out to help others through a tutoring program, a food distribution program, a senior day care program, a youth group, and even a scholarship committee.

Throughout my years as Peekskill's Representative in Congress, Mount Olivet has proven itself time and time again a guiding force to the entire Peekskill area. The man who leads the congregation is the Reverend Dr. Franklin Wiggins, whom I am proud to call a friend. He has served as Mount Olivet's pastor since June 1960. An accomplished man, Reverend Wiggins holds a doctorate of administration from Virginia College and Seminary, and an honorary doctorate of divinity from Shaw Divinity School. He has served in the areas of human rights, educational therapy, community action and renewal, ecumenical religious activities, and minority involvement, and entrepreneurial development.

I join the congregation in celebrating Mount Olivet's 100th anniversary, and commend Rev. Dr. Franklin Wiggins for his personal dedication and devotion to serving his congregation and community, and his many, many successes achieved throughout his service at the Mount Olivet Baptist Church.

FIFTIETH ANNIVERSARY OF THE 854TH ENGINEER BATTALION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. GILMAN. Mr. Speaker, the 854th Engineer Battalion of the Department of the Army is celebrating its 50th anniversary.

In our Hudson Valley region of New York State, the 854th provides community civil engineering support over an area which extends 120 miles on both side of the majestic Hudson River. The 854th has units in Bullville, NY, and Tappan, NY, both within my 20th Congressional District. Additional units are located in New Windsor, just outside my congressional district, as well as in Kingston and Poughkeepsie.

In 1943, the battalion began its distinguished history through the service and sacrifice of its members in the pacific theater of World War II. In the 50 ensuing years, this country has experienced numerous conflicts, the long twilight struggle against communism, and the adulation of the end of the cold war. Through it all, and continuing during today's unsettled world, the men and women of the 854th Engineer Battalion have stood ready to answer its country's call should the need arise.

The golden anniversary of the 854th Engineer Battalion will be celebrated at the battalion's annual dinner dance on November 13. This festive occasion, at the Stewart Airport Officer's Club in Newburgh, NY, will be one of many memories as well as promises for the future.

Mr. Speaker, I request that this brief history of the battalion—submitted to me by H. Robert Webb, Lt. Col., U.S. Army Reserve, the current commanding officer of the 854th—be inserted into the CONGRESSIONAL RECORD at this point, and I invite my colleagues to join in saluting this courageous battalion whose 50 years of service have been above and beyond the call of duty.

A HISTORY OF THE 854TH ENGINEER BATTALION

The 854th Engineer Battalion[1] was organized as an active duty unit of the US Army during World War II. Its decorated history began half a century ago at March Field, California, when on 1 January 1943 it was activated as the 854th Engineer Aviation Battalion. The unit was organized under the command of Major Herbert Brown with the mission to build runways in support of what was expected to be a long and arduous air and sea war against Japan. Eleven months after being activated the Battalion departed from San Francisco, arrived in Hawaii on 11 December 1943, and continued its training before deployment in the Pacific Theater.

In early 1944, the Battalion realized its military purpose when it deployed to the Marshall Islands. Within two weeks the Battalion built 500 feet of runway using the coral deposits found around the island. Within a month, heavy bomber squadrons were operating from Kwajalein. By then the Battalion had prepared over 76 acres of runway. The 854th continued work on the airfield, extending the runway constructing taxiways, a control tower, and various buildings for the base at Kwajalein before returning to Hawaii in October 1944.

Before October had passed the 854th re-deployed to the island of Guam in the Marianas. After helping Navy Seebees build a B-29 repair depot at Depot Field, the engineer unit began clearing jungle for constructing the massive North Field on the island's northern plateau. Working around the clock, they first built the 10,500 foot south runway for use by the B-29 Super Fortresses.This runway was used for raids on Tokyo and other targets in Japan. By the end of April 1945, the Battalion had completed the 8,500 foot north runway. These two runways today make up the island's Anderson Air Force Base. In June 1945, the 854th arrived on Okinawa, where it completed Futema Airfield and built a 6000-man POW camp and a 500-bed Army hospital.

For its efforts during World War II, the 854th was credited for participation in the Eastern Mandates, Western Pacific, and Ryukyus Campaigns. The Battalion's service was so important to the war effort in the Pacific that the unit was dubbed the "Spearheader Outfit" and awarded the Meritorious Unit Commendation. Despite its commendable performance during the war, the 854th Engineer Aviation Battalion was inactivated on 15 March 1946. The veterans of the Pacific campaign perpetuate their pride in their accomplishments through participation in the 854th Spearheader's Association.

The 854th Engineer Aviation Battalion was reorganized as a reserve unit on 4 March 1949 when it was reactivated as part of the Organized Reserve Corps with Headquarters in Brooklyn, New York. Two years later the Battalion was established in the New York Hudson Valley area when its Headquarters moved to Poughkeepsie, New York. In 1954 the unit underwent the first of many reorganizations. The Battalion was converted to "Maintenance" status, and subunits were established with B Company in Newburgh, C Company in Poughkeepsie, and the 15 members of A Company meeting at the Sheriff's office in Monticello. In October 1955, the 854th was reorganized to Reduced Strength, which mattered little since the companies averaged only 50 men. In 1957 the 854th was redesignated as a Heavy & Construction unit and then returned to full strength in mid 1959. Headquarters was moved to Kingston, NY, using an old Miron Lumber Company building on Route 9-W.

During the Berlin Crisis of 1964–67 the 854th and 969th Engineer Battalions were called to Fort Drum as part of the 411th Engineer Brigade. Eventually, the 969th Engineer Battalion was chosen to be activated for a full year at Fort Bragg, North Carolina, and the 854th stood down and returned home. The confrontation soon ended, but the successful mobilization caused the Reserves' integration into national war plans.

Throughout the 1960s and 70s, the 854th experienced many changes and improvements. Dietz US Army Reserve Center, named after a World War II Congressional Medal of Honor recipient, was constructed in Kingston, and the Battalion's Headquarters occupied it until moving to the Stewart Army Subpost in 1986. A fourth company, D Company, was formed in Kingston and took up residence in the new facilities as well. A Company was moved to a previously secret signal communications center in the rural community of

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[1] Special thanks to the researcher and original author of the Battalion's history, Chris Kreider. Also thanks to Messrs. Dick Green, Dick Gerken, the 854th Spearheaders Association, and the members of the 854th Engineer Battalion who provided information for this brief history.

Bullville, New York. The Battalion was redesignated in 1963 from Construction & Heavy to simply Construction and was reorganized in 1966 to new manpower and equipment levels. In 1967-68, under new designation as Selected Reserve Forces, the units were driven to be ready for deployment and gathered for 96 4-hour drills per year. By 1969 the Battalion frequently conducted engineer projects at scout camps around the Hudson Valley during drill periods and completed numerous projects during Annual Trainings held at Fort Drum.

The development of the Total Force concept in the 1980s, which heavily relied upon the Reserve Components, resulted in further improvements in equipment and training opportunities for the 854th. The Battalion participated in highly successful support and construction missions such as a rotation at the National Training Center in California, large scale exercises and training evaluations at Fort Pickett, Virginia and Fort Drum, intensive individual training in the Netherlands, and most recently, engineer projects at Forts Clayton and Davis, Panama Canal Zone. Back home, the Battalion continued to provide community civil engineering support over an area that extends 120 miles on both sides of the Hudson River, with units in Bullville, Kingston, New Windsor, Poughkeepsie, and Tappan. The culmination of the improved training and readiness of the unit was its preparation and participation in Operations Desert Shield and Desert Storm. Although the unit was not activated, over 60 members were called to active duty and served in the Persian Gulf conflict. Many served in Saudi Arabia with the 411th Engineer Brigade.

After 50 years of distinguished service, in time of war and peace, the 854th Engineer Battalion, with over 700 officers, NCOs, and soldiers, continues to serve with pride. The unit is dedicated to training for the protection of the nation, while providing BEYOND MEASURE service to our community and neighbors.

COMMANDERS OF THE 854TH ENGINEER BATTALION (C)(H) U.S. ARMY RESERVE

LTC Charles Kennedy.
MAJ Thomas Flynn.
LTC Carl Hedman (1957).
MAJ Peter Sowa.
MAJ Bronislaw Huidora (1968).
MAJ Joseph Paes (1974).
MAJ Willet (1977).
LTC Donald Frazier (1977-1979).
LTC William Mercurio (1979-1982).
LTC Anthony Kropp (1982-1985).
LTC Alfred Rossi (1986-1989).
LTC Bruce Quinn (1989-1992).
LTC H. Robert Webb (1992-19).

TRIBUTE TO ALLEN COWETT, EAGLE SCOUT

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Allen Cowett of Troop 28, Providence and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 merit badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. These young men have distinguished themselves in accordance with these criteria.

For his Eagle Scout project, Allen did extensive restoration work for the Jewish Home for the Aged in Providence. Allen made repairs to different parts of the building, such as patching woodwork, painting, and various other minor structural changes.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Allen Cowett. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 80 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Allen Cowett will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

THE COMMON GOOD

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. MICHEL. Mr. Speaker, on Sunday, October 3, 1992, Joseph Cardinal Bernardin of Chicago delivered the homily for the Red Mass, celebrated on the Sunday prior to the first Monday in October, which traditionally marks the opening of the Supreme Court's new term. Cardinal Bernardin's topic, "Promoting the Common Good Through the Practice of Virtues," deals with the relationship between private virtues and the public good, a topic which, in my view, usually does not get the kind of serious attention it deserves in public policy debates. I commend the cardinal's views to all our colleagues.

At this time I wish to insert in the RECORD the text of the homily, "Promoting the Common Good Through the Practice of Virtues," by Joseph Cardinal Bernardin:

PROMOTING THE COMMON GOOD THROUGH THE PRACTICE OF VIRTUES

(By Joseph Cardinal Bernardin)

My dear brothers and sisters in the Lord:

I am grateful to Cardinal Hickey for the invitation to be the homilist for this year's Red Mass, sponsored by the John Carroll Society. This Mass on the Sunday prior to the first Monday in October, which traditionally marks the opening of the Supreme Court's new term, is an appropriate occasion for us to gather in prayer. We ask God's guidance and wisdom for the President, the Supreme Court, the Congress, the Judiciary, the Diplomatic Corps, and all who serve our nation.

The scriptural readings we have just heard give us the image of a vineyard. As described by the prophet Isaiah, this vineyard was very valuable property which symbolized the wealth of the land. However, his parable suggests that this wealth had not produced a just society. The threat that the vineyard would be turned into a ruin was fulfilled quite literally after the Assyrian invasions during the eighth century B.C.[1]

Isaiah used the song of the vineyard to establish why judgment was appropriate for God's people, and to show that their

The Gospel of St. Matthew continues Isaiah's image of the vineyard. The interpretation of this gospel parable is made clear to us by its connection to Isaiah's song of the vineyard: God is the owner of the vineyard; the vineyard is the community; the vinedressers are the religious and political leaders who have been entrusted with the care of the community; the servants who were sent to the vineyard were the prophets, but they all met the same bad fate. The son is Jesus Christ. The owner expects that at least his son (Jesus) will be received with respect. In fact, he receives even worse treatment, to the point of being killed. His murder is the rejection of the gospel message by the vinedressers, the leaders.[3]

The threat that the vineyard would be taken away and given over to others, who live in accord with the dictates of justice, is a cogent reminder for us who exercise leadership positions in our religious and political communities. If we do not act as responsible stewards and servants of the communities in our care, our leadership will be taken away and given to those who will act responsibly and in accord with the demands of justice. (Those of you who face the prospect of a reelection campaign know all too well the reality of that challenge!)

As we look out across the nation, the vineyard in our care, we see a valuable community of people with a wealth of talents and resources. But it is threatened with destruction and ruin by the forces of violence and narrow self-interest. Perhaps now as never before, people in many of the communities of our nation live in fear of crime. Perhaps now as never before, human life cries out for dignity and respect at every stage and in all circumstances—from conception to natural death. Perhaps now as never before, our failings as individual citizens threaten the common good of the vineyard in our care, the vineyard of our nation.

May I suggest a way to address this threat, a way which will entail no new government programs, no new laws, and best of all, no new expenditures of funds! That is because the means I suggest are not political, legal, or financial, but *spiritual*. My suggestion is that, as a nation, we embark on a concerted effort to promote the common good through the practice of virtues. Although not requiring any new government programs, new laws, or new expenditures of funds, the promotion of the common good in this way *does* call for a change of focus, a change of emphasis, a change of direction, a change of attitudes, and, most of all, a change of heart.

When considering the common good, it is far too easy to fall into the trap of seeing the common good as somehow opposed to individual rights and freedoms. This is a false dichotomy since individual concerns are inherently contained in any consideration of the

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Footnotes at end of article.

common good. The common good is not concerned with the good of *not* respected. On the other hand, the individual is harmed when narrow self-interests and the pursuit of purely private gain are pursued without reference to the needs and interests of the community as a whole.

As described by the Second Vatican Council in the *Pastoral Constitution on the Church in the Modern World*, "The common good * * * is the sum total of all conditions which allow people, either as groups or as individuals, to reach their fulfillment more fully and more easily."[4] Thus, there is a dynamic relationship between the individual and the rest of society in promoting the common good. This relationship is reflected in the law of the Catholic Church, which says that "in exercising their rights, individuals and social groups are bound by the moral law to have regard for the rights of others, their own duties to others and the common good."[5]

While the United States Constitution has no similar provision, the common good *does* have a special place in our nation's understanding of its laws and system of justice. The Constitutional Convention of 1787 voted unanimously against adding a Bill of Rights to the Constitution, considering it unnecessary. It was not that the delegates were against such rights; they simply considered the matter already covered inherently in the Constitution and its parameters for the governance of the nation.[6] As Alexander Hamilton said, an enumeration of rights "would sound much better in a treatise of ethics than in a constitution of government."[7]

As we all know, proponents for a specific listing of protected rights, led by Thomas Jefferson, prevailed within two years of the Constitution's ratification and amended the document to include the first ten amendments as the Bill of Rights. This listing has made us keenly aware of the individual rights which we enjoy in this country. May I suggest that, even though not mentioned specifically in the Constitution, the common good is a fundamental principle which serves as a basic pillar of our nation's understanding of its laws as system of justice.

Just as respect for individual rights is inherent in promoting the common good, so also, when individuals conduct their lives in accord with the virtues, the common good is promoted. Perhaps this is more easily seen by considering the opposite. When individuals fail to live their lives virtuously, that is, when their conduct is marked by a life of sin and vice, then society as a whole, and thus the common good, is harmed.

Let me give you an example. Some time ago, a philosophy professor wrote an article criticizing the way ethics is taught in U.S. higher education. She charged that social policy questions were being overemphasized with little or no attention being paid to private morality. A colleague of hers objected to the article and alleged that "You are not going to have moral people until you have moral institutions." Promoting "bourgeois virtues" instead of awakening the social conscience of students was a waste of time, she said. This colleague changed her mind, however, when she discovered that more than half of her students had cheated on a social justice final exam![8] In other words, it is a question of both personal morality and social justice. One without the other will not work.

Although it may be impossible to provide a list of virtues upon which everyone would agree, the ethics of virtue has certain common features which primarily involve a focus on individual character: Actions are important because they show a person's values and commitments. It is a person's good character that produces practical moral decisions "based on beliefs, experience, and sensitivity, more than on rules and principles."[9]

The new "Catechism of the Catholic Church," reflecting our Catholic tradition, defines virtue as "a habitual and firm disposition to do good. It permits a person not only to do good deeds, but also to give the best of himself or herself."[10] We distinguish virtues as being human and theological.

Human virtues are attitudes, dispositions, and understandings by which we regulate our actions, control our passions, and guide our conduct in accord with reason and faith.[11] Four virtues are called cardinal, not because they apply only to Cardinals (!), but because, coming from the Latin word, cardo, which means "hinge," all other virtues depend on these: prudence, justice, fortitude, and temperance.

Prudence is the virtue which disposes practical reason to discern in every circumstance our true well-being and to choose the correct means to achieve it. St. Thomas Aquinas, following Aristotle, described prudence as the "right rule of action."[12] It is prudence which directly guides the judgments of conscience.[13]

Justice is the moral virtue which consists in the constant and firm willingness to give to God and neighbor that which is due. Justice disposes one to respect the rights of all and to establish in human relations that harmony which promotes the common good and fairness respecting all persons.[14]

Fortitude is the moral virtue which secures strength and constancy in the search for well-being when faced with difficulties. The virtue of fortitude is able to conquer fear, even fear of death, so that a person is willing to sacrifice his or her own life in order to defend a just cause.[15]

Temperance is the virtue which moderates the attraction of pleasures and provides a balance in the use of created things. Through temperance, persons are able to exercise control over the instincts and appetites of the senses and maintain their desires within appropriate limits.[16]

The human virtues are rooted in the theological virtues of faith, hope, and love. They are called theological virtues because their reference point is God himself, leading human beings to a participation in God's divine nature.[17]

Faith is the theological virtue by which we believe in God and all that he has said and revealed, and which the Church proposes, because God is the essence of Truth.[18]

Hope is the theological virtue by which we aspire to the kingdom of heaven and to the happiness of eternal life, placing our confidence in the promises of Christ and in the assistance of the grace of the Holy Spirit rather than in our powers and abilities.[19]

Charity or *love* is the theological virtue by which we love God above all else and our neighbor as ourselves.[20] Loving one another, the disciples imitated the love of Jesus.[21] For this reason, Jesus said: "As the Father has loved me, so I have loved you; live on in my love" (John 15:12).

Charity is greater than all the other virtues.[22] The exercise of all the virtues is animated and inspired by charity.[23] As St. Paul wrote, "There are in the end three things that last: faith, hope, and love, and the greatest of these is love" (1 Cor. 13:13).

Although I am speaking to you as a pastor in the context of A Catholic celebration of the Eucharist, my message of promoting the common good through the practice of virtue is by no means limited only to Catholics. Indeed, we have the example of none other than St. Paul, who relied on the ethical teaching of the Stoics and not on any uniquely Christian doctrine when he wrote the words we heard in today's second reading from his Letter to the Philippians: "Your thoughts should be wholly directed to all that is true, all that deserves respect, all that is honest, pure, admirable, decent, virtuous, or worth of praise. Live accordingly to what you have learned and accepted, what you have heard me say and seen me do. Then will the peace of God be with you" (Phil. 4:8–9).

Just as St. Paul did not assert that there was anything distinctively Christian about this exhortation, neither do I contend that my call for promoting the common good through the practice of virtues is uniquely Catholic or even Christian. Nor is there really anything novel about the concepts of the common good and the virtues. However, we should not necessarily expect this message to have great popular appeal. As Mark Twain said, "Virtue has never been as respectable as money."[24] Nevertheless, I believe that this message has great timeliness and necessity for us at this point in our history.

This timeliness and necessity were recognized recently by three organizations representing some 100 million American Christians and Jews. A joint statement issued a few months ago by the United States Catholic Conference, the National Council of Churches, and the Synagogue Council of America said: "The common good is an old idea with a new urgency. It is an imperative to put the welfare of the whole ahead of our own narrow interests. It is an imperative which we fervently hope will guide our people and leaders at this new moment. It is an imperative for a national embrace of responsibility and sacrifice, of compassion and caring as building blocks for meaningful lives and for a health society. We believe we can and must do better."[25]

I, too, believe that we can and must do better, and I echo the call of our nation's religious leaders that our "faith communities must continue to strengthen our ongoing efforts to engage our constituencies in study, dialogue and action in pursuit of the common good. Let then the leaders of our nation pursue this call and pursue its direction with urgency and creativity."[26]

May God who has begun a good work in you bring it to fulfillment.

FOOTNOTES

[1] John J. Collins, "Isaiah" in *The Collegeville Biblical Commentary* (Collegeville, Minnesota: The Liturgical Press, 1989), p. 419.

[2] R.E. Clements, *Isaiah 1–39*, New Century Bible (Grand Rapids: Wm. B. Eerdmans, 1980), p. 57.

[3] Cf. Daniel J. Harrington, *The Gospel of Matthew*, Sacra Pagina (Collegeville, Minnesota: The Liturgical Press, 1991), pp. 301–305.

[4] Vatican Council II, Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, 26.

[5] Vatican Council II, Declaration on Religious Liberty, *Dignitatis Humanae*, 7; see also canon 223 of the Revised Code of Canon Law (1983).

[6] Catherine Drinker Bowen, *Miracle at Philadelphia: The Story of the Constitution Convention—May to September 1787* (Boston: Little, Brown & Co., 1966), pp. 245–247.

[7] Alexander Hamilton, James Madison and John Jay [Publius, pseud.], *The Federalist Papers: A Collection of Essays Written in Support of the Constitution of the United States*, ed. Roy P. Fairfield (1788; reprint, Baltimore: The Johns Hopkins University Press, 1981), no. 84, p. 262.

[8] Christina Hoff Sommers, "Teaching the Virtues: a blueprint for moral education," *Chicago Tribune Magazine*, September 12, 1993, p. 14.

[9] William C. Spohn, S.J., "The Return of Virtue Ethics," *Theological Studies*, 53 (March, 1992), p. 61.

[10] *Catechisme de l'Eglise Catholique*, unofficial translation (Paris: Mame-Libraire Editrice Vaticane, 1992), p. 381, Art. 7, par. 1803.

[11] *Ibid.*, par. 1804.

[12] *S.Th.* 2-2, 47, 2.

[13] *Catechisme*, par. 1806.

[14] *Ibid.*, par. 1807.

[15] *Ibid.*, par. 1808.

[16] *Ibid.*, par. 1809.

[17] *Ibid.*, par. 1812.

[18] *Ibid.*, par. 1814.

[19] *Ibid.*, par. 1817.

[20] *Ibid.*, par. 1822.

[21] *Ibid.*, par. 1823.

[22] *Ibid.*, par. 1826.

[23] *Ibid.*, par. 1827.

[24] Quoted in Charles E. Bouchard, O.P., "Make Virtue Your Habit," *The Catholic Digest* (March, 1993), p. 110.

[25] "The Common Good: Old Idea, New Urgency," *Origins* 23 (June 24, 1993), p. 83.

[26] *Ibid.*, p. 85.

TRIBUTE TO JOHN W.B. HADLEY—RECIPIENT OF THE KATHERINE HADLEY HUMANITARIAN AWARD

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to John W.B. Hadley who is being honored by the board of directors of the Townwide Fund of Huntington, NY, as a recipient of the Katherine Hadley Humanitarian Award.

Founded in 1961 as the Huntington United Fund by a small group of private citizens, the Townwide Fund of Huntington has raised over $7,000,000, which has been distributed to member agencies, all of which provide vital human and health services to the Huntington community.

The fund depends on a volunteer board and the generosity of the residents of Huntington for support of its fundraising efforts.

Each year, a quota and admissions committee meets with member agencies to review programs and plans to assure our donors that the money contributed to the fund is returned to the community in the form of services.

John W.B. Hadley is well known for the many community causes he supports. His tireless efforts and important gift for the expansion of the Heckscher Museum was an inspiration to others in their efforts for this project to become a reality. John's involvement with the Cold Spring Harbor Laboratory, the Nature Conservancy, and together with his wife Robin, Planned Parenthood of Suffolk County, the Whaling Museum Society, the Huntington Choral Society and the Townwide Fund further exemplifies his strong commitment to the community. The fund salutes John W.B. Hadley with the Katherine Hadley Humanitarian Award for his extraordinary efforts in making Huntington, NY a better place to live and work.

The Katherine Hadley Humanitarian Award is named after the late Katherine Hadley, whose generous bequest to the Townwide Fund, a decade ago, has allowed the Fund to grow and prosper. The awards committee is very pleased that Mrs. Hadley's son John has been chosen as the inaugural recipient of this award.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in congratulating John W. Hadley for receiving the Katherine Hadley Humanitarian Award, and let us commend them for their years of selfless dedication to the community.

TO HONOR AN ESTEEMED AND ACCOMPLISHED MAN

HON. LYNN SCHENK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Ms. SCHENK. Mr. Speaker, today I rise to pay tribute to a constituent and a friend on his 60th birthday, Dr. Irwin M. Jacobs.

It is my personal privilege to recognize Dr. Jacobs for his wonderful contributions to the San Diego business community and the greater San Diego community.

Dr. Jacobs received a bachelors of science degree in electrical engineering in 1956 from Cornell University and the masters in science and doctor of science degrees in electrical engineering from the Massachusetts Institute of Technology in 1957 and 1959, respectively.

He is an outstanding and remarkable man who is the founder and chairman and CEO of Qualcomm, Inc., located in my district in San Diego. Started in 1985, Dr. Jacobs has led Qualcomm through a period of rapid growth to over 1000 employees and international activities in mobile satellite communications and digital wireless telephony.

Previously he was the co-founder, president, CEO and chairman of Linkabit Corp., guiding the company from fledgling status with a few part-time employees to a national company with over 1,400 employees in several cities nationwide.

He has been an academician, holding professorial posts at MIT and University of California, San Diego, and continues to hold prestigious ties to the academic community.

Dr. Jacobs and his wife, Joan have also contributed greatly to the San Diego community as generous benefactors of the arts, Jewish groups and organizations, as well as the scientific community and other causes. Dr. Jacobs serves on the boards of the San Diego Symphony Orchestra, UCSD Green Foundation for Earth Sciences, MIT Enterprise Forum, Jewish Community Center of San Diego and in an advisory capacity to the San Diego Repertory Theatre.

Dr. Jacobs and his wife do not participate in these activities and contribute to these causes for their own personal aggrandizement, but do so because they genuinely believe in the values and the good work done by the groups and organizations.

The Jacobs' seek no return on their contributions other than the continued success of these organizations and their programs for all of San Diego to learn from and enjoy. They view these contributions as an ongoing investment in the community which they love.

On a more personal level, for all of his power in the business world and his contributions to the community, Dr. Jacobs is a modest and decent man. All that he accomplishes is done in an unassuming manner. He is truly one of the most special men I have had the privilege to know.

I am so honored that I have the personal privilege to recognize Dr. Jacobs on this special occasion. I am honored to have him as one of my constituents and pleased to call him my friend. I wish the entire country could wish Dr. Irwin Mark Jacobs, a wonderfully happy 60th birthday.

SENATE—*Wednesday, October 13, 1993*

The Senate met at 9:30 a.m. and was called to order by the Honorable BYRON L. DORGAN, a Senator from the State of North Dakota.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Eternal God, Lord of history, Ruler of the nations, the Bible is very precise. "For there is no power but of God: the powers that be are ordained of God." (Romans 13:1) Help this truth to sink into the minds of leaders and people alike—that no one holds office except by Your ordination, and all who do rule are, therefore, accountable to You. Inasmuch as You use means to accomplish Your sovereign purpose, grant that those who seek office will conform to Your standards and values. Grant that truth rather than expediency will be the order of the day and that the Nation, as a whole and in all its parts, will take seriously Your sovereign reign in history and beyond.

Gracious Father in Heaven, circumstances are such that we need a visitation of God upon our Nation. We need spiritual awakening. We need to be convicted of our limited secular outlook and made aware of transcendent reality which gives meaning to history. Quicken us in our spirits that our actions may be transformed.

In His name, who is the Lord of life. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 13, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BYRON L. DORGAN, a Senator from the State of North Dakota, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. DORGAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Chair recognizes the majority leader.

SCHEDULE

Mr. MITCHELL. Mr. President, pursuant to a prior order, which is printed at page 2 of the Calendar, the Senate will now proceed to consideration of the Department of Defense appropriations bill. The time between now and 11:30 a.m. will be for opening statements and debate only.

At 11:30, the Senate will return to consideration of the nomination of Walter Dellinger to be an Assistant Attorney General for 1 hour of debate. From 12:30 p.m. until 2:15 p.m. today, the Senate will be in recess to accommodate the respective party conferences. At 2:15 p.m., the Senate will vote on the Dellinger nomination.

Following that vote, at 2:35 p.m. today, the Senate will return to legislative session and resume consideration of the Department of Defense appropriations bill.

Mr. President, I anticipate that there will be a number of amendments to that bill and, therefore, Senators should expect lengthy sessions today and tomorrow and during the day on Friday, as we attempt to make good progress on this bill. I know the managers have been patient in their effort to get to this bill. It had been my hope we could have started on it earlier, but for a number of reasons, we were unable to do so.

It is imperative that we complete action on this important bill as soon as possible. And, therefore, I repeat, Senators should be prepared for rollcall votes at any time today, following the resumption of the bill at 2:35 p.m. There will be a vote at 2:15 on the Dellinger nomination, and there should be lengthy sessions today, tomorrow, and during the day on Friday, if necessary.

Mr. President, I thank my colleagues. I now yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REGISTRATION OF MASS MAILINGS

The filing date for 1993 third quarter mass mailings is October 25, 1993. If a Senate office did no mass mailings during this period, Senators should please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records Office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records Office on (202) 224–0322.

RESERVATION OF LEADERSHIP TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of H.R. 3116, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 3166) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Appropriations, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1994, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; **[$21,571,207,000]** *$21,212,285,000.*

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; [$18,633,383,000] *$18,156,982,000*.

Military Personnel, Marine Corps

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; [$5,763,117,000] *$5,755,272,000*.

Military Personnel, Air Force

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; [$15,916,937,000] *$15,662,809,000*.

Reserve Personnel, Army

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265, 3021, and 3038 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; [$2,143,272,000] *$2,138,416,000*.

Reserve Personnel, Navy

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 265 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; [$1,565,838,000] *$1,550,989,000*.

Reserve Personnel, Marine Corps

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 265 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; [$350,490,000] *$311,661,000*.

Reserve Personnel, Air Force

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 265, 8021, and 8038 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; [$783,158,000] *$778,919,000*.

National Guard Personnel, Army

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 265, 3021, or 3496 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; [$3,334,183,000] *$3,332,556,000*.

National Guard Personnel, Air Force

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 265, 8021, or 8496 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; [$1,215,935,000] *$1,230,471,000*.

TITLE II

OPERATION AND MAINTENANCE

Operation and Maintenance, Army

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $14,437,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; [$15,221,091,000] *$15,706,229,000* and, in addition, [$880,200,000, to be derived by transfer from the Defense Business Operations Fund and] $150,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided*, That $450,000 shall be made available only for the 1994 Memorial Day Celebration and $450,000 shall be made available only for the 1994 Capitol Fourth Project: *Provided further, That of the funds appropriated in this paragraph, not less than $6,500,000 shall be made available only for the Army Environmental Policy Institute, of which $2,000,000 shall be made available only for a study on the effects of depleted uranium on the environment.*

Operation and Maintenance, Navy

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $4,667,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; [$18,097,782,000] *$19,845,083,000* and, in [addition $1,092,700,000, to be derived by transfer from the Defense Business Operations Fund and] addition, $150,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund[*Provided*, That $350,000 shall be available only to connect residences located in the vicinity of the Naval Air Warfare Center, Warminster, to the Warminster municipal water supply system].

Operation and Maintenance, Marine Corps

[(INCLUDING TRANSFER OF FUNDS)]

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; [$1,773,889,000 and, in addition, $121,000,000, to be derived by transfer from the Defense Business Operations Fund] *$1,834,495,000*.

Operation and Maintenance, Air Force

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $8,787,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; [$18,305,447,000] *$19,107,389,000* and, in addition, [$941,400,000, to be derived by transfer from the Defense Business Operations Fund and] $200,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund[: *Provided*, That $15,500,000 shall only be used to operate, maintain and enhance the Tactical Interim CAMS and REMIS Reporting System (TICARRS-92): *Provided further*, That TICARRS-92 be reestablished, with direct maintenance data input, as the supporting system for at least one wing each of F-15, F-16, and F-117A aircraft by no later than February 1, 1994: *Provided further*, That TICARRS-92 be reestablished, with direct maintenance data input, as the supporting system for all F-15, F-16, and F-117A aircraft by no later than April 1, 1994: *Provided further*, That none of the funds appropriated or otherwise made available under this Act shall be used to operate, maintain or otherwise support an automated maintenance management system for F-15, F-16, and F-117A aircraft other than TICARRS-92 after April 1, 1994: *Provided further*, That of the funds appropriated under this heading, not more than $9,538,000 shall be available only for a grant to the Women in Military Service For America Memorial

Foundation, Inc., to be used solely to perform the repair, restoration, and preservation of the main gate structures, center plaza, and Homicycle of the Arlington National Cemetery. These funds shall be made available solely for project costs and none of the funds are for remuneration of any entity or individual associated with fund raising for the project: *Provided further*, That of the funds appropriated under this heading, $5,000,000 shall be made available only for continued environmental restoration of the former Olmsted Air Force Base, Pennsylvania].

Operation and Maintenance, Defense-Wide

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; [$9,487,133,000] *$9,452,165,000*, of which not to exceed $25,000,000 may be available for the CINC initiative fund account; and of which not to exceed $19,422,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes[: *Provided*, That of the funds appropriated by this paragraph, $996,001,000 shall be made available only for the Special Operations Command: *Provided further*, That, of the funds appropriated in this paragraph $10,000,000 shall be available for activities to support the clearing of landmines for humanitarian purposes: *Provided further*, That of the funds appropriated in this paragraph, $427,705,000 shall not be obligated or expended until authorized by law]: *Provided, That of the funds appropriated under this heading, $58,000,000 shall be made available only for aiding school districts in accordance with authority granted under sections 3(a) through 3(e) of Public Law 81–874: Provided further, That of the funds appropriated in this paragraph, not less than $50,000,000 shall be made available only for the Legacy Resource Management Program, of which not less than $200,000 shall be made available for the Legacy Resource Management Program fellowships: Provided further, That of the funds appropriated under this heading, $10,000,000 shall be made available only for the repair and maintenance of federally owned education facilities located on military installations.*

Operation and Maintenance, Army Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; [$1,115,095,000: *Provided*, That of the funds appropriated in this paragraph, $19,505,000 shall not be obligated or expended until authorized by law] *$1,057,740,000*.

Operation and Maintenance, Navy Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; [$807,200,000] *$761,137,000*]: *Provided*, That operational control of the Naval Reserve Personnel Center, including its functions and responsibilities, shall be under the command and control of the Commander, Naval Reserve Command: *Provided further*, That of the funds appropriated in this paragraph, $31,400,000 shall not be obligated or expended until authorized by law].

Operation and Maintenance, Marine Corps Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; [$86,855,000: *Provided*, That of the funds appropriated in this paragraph, $11,805,000 shall not be obligated or expended until authorized by law] *$75,125,000*.

Operation and Maintenance, Air Force Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; [$1,370,222,000: *Provided*, That of the funds appropriated in this paragraph, $15,644,000 shall not be obligated or expended until authorized by law] *$1,333,470,000*.

Operation and Maintenance, Army National Guard

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); [$2,272,018,000] *$2,216,944,000*[: *Provided*, That of the funds appropriated in this paragraph, $10,000,000 shall be available only for a National Guard Outreach Program in the Los Angeles School District: *Provided further*, That of the funds appropriated in this paragraph, $48,763,000 shall not be obligated or expended until authorized by law]: *Provided, That of the funds appropriated under this heading, $3,000,000 shall be made available only for the MEDRETES program.*

Operation and Maintenance, Air National Guard

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; [$2,695,233,000] *$2,686,299,000*[: *Provided*, That of the funds appropriated under this paragraph, $3,000,000 shall be made available only for the operation of Air National Guard C–130H operational support aircraft of the 159th Air National Guard Fighter Group and the 169th Air National Guard Fighter Group: *Provided further*, That of the funds appropriated in this paragraph, $30,000,000 shall not be obligated or expended until authorized by law].

National Board for the Promotion of Rifle Practice, Army

For the necessary expenses and personnel services (other than pay and non-travel-related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the national matches) in accordance with law, for operation and maintenance of rifle ranges; the instruction of citizens in marksmanship; the promotion of rifle practice; the conduct of the national matches; the sale of ammunition under the authority of title 10, United States Code, sections 4308 and 4311; the travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions; and the payment to competitors at national matches under section 4312 of title 10, United States Code, of subsistence and travel allowances under section 4313 of title 10, United States Code; not to exceed $2,483,000.

Court of Military Appeals, Defense

For salaries and expenses necessary for the United States Court of Military Appeals; [$5,855,000] *$6,055,000*, of which not to exceed $2,500 can be used for official representation purposes[: *Provided*, That of the funds appropriated in this paragraph, $245,000 shall not be obligated or expended until authorized by law].

Environmental Restoration, Defense

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense; [$1,716,800,000] *$2,207,800,000*, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, [research and development associated with hazardous wastes and] removal of unsafe buildings and debris of the Department of Defense, or for similar purposes (including programs and operations at sites formerly used by the Department of Defense), transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense as the Secretary may designate, to be merged with and to be available for the same purposes and for the same time period as the appropriations of funds to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That of the funds provided under this heading, not less than $200,000,000 shall be available only for the expedited cleanup of environmentally contaminated sites and only in accordance with a comprehensive plan submitted to Congress by the Secretary of Defense.

[SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE

[(INCLUDING TRANSFER OF FUNDS)

[For expenses of logistical support (including security planning and services) and personnel services provided by the Department of Defense for the World University Games, the 1996 Games of the XXVI Olympiad, and the World Cup USA Organizing Committee, (other than pay and nontravel related allowances of members of the Armed Forces of the United States, except for members of the Reserve components thereof called or ordered to active duty to provide support for such international sporting competitions), as authorized by law, provided by any component of the Department of Defense to such sporting competitions, $6,000,000, of which not less than $2,000,000 shall be available only for the 1996 Games of the XXVI Olympiad, to remain available until expended: *Provided*, That unobligated balances of funds appropriated in the Department of Defense Appropriations Act, 1992 (Public Law 102-172) under the headings "World University Games" and "Summer Olympics" and unobligated balances of the funds appropriated in the Department of Defense Appropriations Act, 1993, (Public Law 102-396) under the headings "World University Games" and "Summer Olympics" and "World Cup USA 1994" in title II of that Act shall, notwithstanding section 8003 of Public Law 102-172 and section 9003 of Public Law 102-396, upon the enactment of this Act, be transferred to this appropriation, to be merged with and to be available for the same purposes, and for the same time period, as this appropriation: *Provided further*, That the funds so transferred from such Acts under the headings "Summer Olympics" shall be available only for expenses for, or incurred in anticipation of, the support provided, or to be provided, to the 1996 Games of the XXVI Olympiad: *Provided further*, That funds appropriated in this paragraph shall not be obligated or expended until authorized by law.]

SUMMER OLYMPICS

For logistical support and personnel services (other than pay and nontravel related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the 1996 Games of the XXVI Olympiad to be held in Atlanta, Georgia) provided by any component of the Department of Defense to the 1996 Games of the XXVI Olympiad; $2,000,000.

WORLD CUP USA 1994

For logistical support and personnel services (other than pay and nontravel related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the World Cup USA 1994 Organizing Committee) provided by any component of the Department of Defense to the World Cup USA 1994 Organizing Committee; $12,000,000.

HUMANITARIAN ASSISTANCE

For transportation for humanitarian relief for the people of Afghanistan, *the Kurdish population and other minorities of northern Iraq*, and *the people of* sub-Saharan Africa, acquisition and shipment of transportation assets to assist in the distribution of such relief, and for transportation and distribution of humanitarian relief supplies, and excess non-lethal property; [$15,000,000] *$48,000,000*, to remain available for obligation until September 30, 1995[: *Provided*, That of the funds appropriated in this paragraph, $15,000,000 shall not be obligated or expended until authorized by law]*: Provided, That of the funds appropriated under this heading, $30,000,000 shall be made available only for Kurdish relief activities, of which $15,000,000 shall be made available for a 1993–1994 winterization relief program: Provided further, That of the funds appropriated under this heading, $10,000,000 shall be made available for activities to support clearing of land mines for humanitarian purposes.*

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for providing incentives for demilitarization; for establishing programs to prevent the proliferation of weapons, weapons components, and weapons-related technology and expertise; for expansion of military-to-military contacts; for supporting the conversion of military technologies and capabilities into civilian activities; and for retraining military personnel of the former Soviet Union; $400,000,000, to remain available until expended: *Provided, That of the funds appropriated under this heading, $10,000,000 shall be made available only for the continuing study, assessment, and identification of nuclear waste disposal by the former Soviet Union in the Arctic region: Provided further, That the transfer authority provided in section 9110(a) of the Department of Defense Appropriations Act, 1993, shall continue to be in effect during fiscal year 1994: Provided further, That any transfer made under the foregoing proviso in this paragraph shall be subject to the limitations and the reporting requirements stipulated in section 8006 of this Act.*

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interest therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; [$1,726,164,000] *$1,125,303,000*, to remain available for obligation until September 30, 1996[: *Provided*, That of the funds appropriated in this paragraph, $219,627,000 shall not be obligated or expended until authorized by law].

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; [$1,126,110,000] *$934,123,000*, to remain available for obligation until September 30, 1996[: *Provided*, That of the funds appropriated in this paragraph, $41,795,000 shall not be obligated or expended until authorized by law].

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; [$892,709,000] *$805,074,000*, to remain available for obligation until September 30, 1996[: *Provided*, That of the funds appropriated in this paragraph, $15,712,000 shall not be obligated or expended until authorized by law].

PROCUREMENT OF AMMUNITION, ARMY

[(INCLUDING TRANSFER OF FUNDS)]

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; [$620,787,000] *$610,174,000*, [and, in addition, $100,000,000, to be derived by transfer from the Conventional Ammunition Working Capital Fund of the Department of Defense,] to remain available for obligation until September 30, 1996.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and nontracked combat vehicles; the purchase of not to exceed 16 passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; [$2,904,933,000] *$2,784,474,000*, to remain available for obligation until September 30, 1996.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; [$5,664,216,000] *$5,665,615,000*, to remain available for obligation until September 30, 1996.

Weapons Procurement, Navy

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, other ordnance and ammunition, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; [$2,808,986,000] *$2,972,906,000*, to remain available for obligation until September 30, 1996[: *Provided*, That of the funds appropriated in this paragraph, $44,162,000 shall not be obligated or expended until authorized by law].

Shipbuilding and Conversion, Navy

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier replacement program, $3,403,600,000: Provided, That these funds shall not be oligated or expended until authorized by law;

Refueling overhauls, $31,127,000;

DDG–51 destroyer program, [$2,642,772,000] *$2,610,972,000*;

LHD–1 amphibious assault ship program, $893,848,000, *of which $50,000,000 may be available for advance procurement on the LHD–7 amphibious assault ship*;

[Mine warfare command and control ship, $124,175,000;]

Oceanographic ship program, [$110,049,000: *Provided*, That pursuant to 10 U.S.C. section 2304(c)(5), the last vessel of the T-AGS 60 oceanographic research ship program may be procured as an option to the contract for the construction of the lead ship of the class: *Provided further*, That none of the funds provided in this Act or any other Act may be obligated for T-AGS multibeam sonar systems prior to review by the Committees on Appropriations of a Navy plan detailing compliance with the recommendations of the Comptroller General of the United States set forth in his decision of August 19, 1993 (Case B–253129)] *$62,482,000*;

For craft, outfitting, post delivery, [production design support,] *and* first destination transportation, [and cost growth, $595,131,000] *$330,104,000*;

In all: [$5,397,102,000] *$7,332,133,000*, to remain available for obligation until September 30, 1998: *Provided*, That additional obligations may be incurred after September 30, 1998, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards[: *Provided further*, That of the funds appropriated in this paragraph, $1,236,914,000 shall not be obligated or expended until authorized by law].

Other Procurement, Navy

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 609 passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; [$2,980,815,000] *$2,794,718,000*, to remain available for obligation until September 30, 1996[: *Provided*, That of the funds herein provided for the Computer Acquisition Productivity Program, not less than $20,000,000 shall be available, obligated, and expended only for automatic data processing investment equipment and peripheral equipment and related software for Defense Accounting Office and Naval Computer and Telecommunications Station, New Orleans, the Enlisted Personnel Management Center, and the Naval Reserve Personnel Center: *Provided further*, That all Naval and Marine Corps active and reserve personnel central design activities and personnel accounting programs shall be managed and coordinated at the Enlisted Personnel Management Center and the Naval Reserve Personnel Center: *Provided further*, That the Secretary of Defense shall provide a report on establishing a full service finance and accounting operation for joint reserve functions at the Defense Accounting Office, New Orleans and the Naval Reserve Forces Command: *Provided further*, That the operations and functions of the Reserve Financial Management System shall remain colocated with the Commander, Naval Reserve Force: *Provided further*, That of the funds appropriated in this paragraph, $119,335,000 shall not be obligated or expended until authorized by law].

Procurement, Marine Corps

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of not to exceed 96 passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired and construction prosecuted thereon prior to approval of title; [$527,754,000] *$441,056,000*, to remain available for obligation until September 30, 1996[: *Provided*, That of the funds appropriated in this paragraph, $56,733,000 shall not be obligated or expended until authorized by law].

Aircraft Procurement, Air Force

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; [$6,887,201,000] *$4,017,475,000*, to remain available for obligation until September 30, 1996[: *Provided*, That of the funds appropriated in this paragraph, not less than $20,000,000 shall be available only for the C–130J aircraft].

Missile Procurement, Air Force

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; [$3,845,354,000] *$4,127,514,000*, to remain available for obligation until September 30, 1996[: *Provided*, That of the funds appropriated in this paragraph, $224,483,000 shall not be obligated or expended until authorized by law].

Other Procurement, Air Force

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 2 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $180,000 per vehicle; the purchase of not to exceed 710 passenger motor vehicles of which 695 shall be for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; [$7,336,918,000] *$7,527,084,000*, to remain available for obligation until September 30, 1996.

National Guard and Reserve Equipment

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces; [$1,178,100,000] *$785,000,000*, to remain available for obligation until September 30, 1996[:

Provided, That of the funds appropriated in this paragraph, $184,825,000 shall not be obligated or expended until authorized by law].

Procurement, Defense-Wide

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 1 vehicle required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $180,000 per vehicle; and the purchase of not to exceed 438 passenger motor vehicles, of which 420 shall be for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; [$1,557,344,000] *$1,602,726,000*, to remain available for obligation until September 30, 1996[: *Provided*, That the funds available under this heading for the High Performance Computer Modernization plan may be used only for: (1) the execution of existing contract upgrade options of installed stable supercomputer facilities that have not kept technically current; or (2) the acquisition in open, competitive procurements of architecturally stable, fully user-operational, compatible supercomputers possessing essentially stable system software, which have been successfully demonstrated using statistically valid samples of the current workload of the laboratories in question without substantive reprogramming or program conversion].

[Defense Production Act Purchases

[For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061); $200,000,000, to remain available until expended: *Provided*, That none of these funds shall be obligated for any project unless a Presidential determination has been made in accordance with the Defense Production Act: *Provided further*, That the Department of Defense shall notify the Committees on Appropriations of the House of Representatives and the Senate sixty days prior to the release of funds for any project not previously approved by Congress.]

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Research, Development, Test and Evaluation, Army

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; [$5,560,082,000] *$5,275,385,000*, to remain available for obligation until September 30, 1995: *Provided*, That $2,000,000 shall be made available only for the Center for Prostate Disease Research at the Walter Reed Army Institute of Research: *Provided further*, That $5,000,000 shall be made available only for the Center of Excellence in Breast Cancer Research and Training at the National Naval Medical Center, in Bethesda, Maryland[: *Provided further*, That not less than $1,000,000 of the funds appropriated in this paragraph shall be made available only to a joint research partnership involving an educational institution, not now engaged in a large volume of basic research, and a biomedical research institute, including a working arrangement with Canadian and German scientists, for the development and testing of a new insulin derivative for the treatment of diabetes and hypoglycemia in the dependents of active duty military members: *Provided further*, That $1,000,000 of the funds appropriated in this paragraph shall be available for a lyme disease program: *Provided further*, That of the funds appropriated in this paragraph, $142,941,000 shall not be obligated or expended until authorized by law]*: Provided further, That of the funds appropriated under this heading, $15,000,000 may be made available for an upgrade of the Los Alamos Meson Physics Facility/Los Alamos Neutron Scattering Center upon the determination by the Secretary of Defense and the Secretary of Energy that the project will make a significant contribution to enhancing the capabilities of United States armed forces.*

Research, Development, Test and Evaluation, Navy

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; [$8,604,777,000] *$7,925,369,000*, to remain available for obligation until September 30, 1995[: *Provided*, That for continued research and development programs at the National Center for Physical Acoustics, centering on ocean acoustics as it applies to advanced antisubmarine warfare acoustics issues with focus on ocean bottom acoustics, seismic coupling, sea-surface and bottom scattering, oceanic ambient noise, underwater sound propagation, bubble related ambient noise, acoustically active surfaces, machinery noise, propagation physics, solid state acoustics, electrorheological fluids, transducer development, ultrasonic sensors, and other such projects as may be agreed upon, $1,000,000 shall be made available, as a grant, to the Mississippi Resource Development Corporation, of which not to exceed $250,000 of such sum may be used to provide such special equipment as may be required for particular projects: *Provided further*, That none of the funds appropriated in this paragraph may be obligated or expended to develop or purchase equipment for an Aegis destroyer variant (commonly known as "Flight IIA") whose initial operating capability is budgeted to be achieved prior to the initial operating capability of the Ship Self-Defense program, nor to develop sensor, processor, or display capabilities which duplicate in any way those being developed in the Ship Self-Defense program: *Provided further*, That funds appropriated in this paragraph for Aegis Combat System Engineering tactical display simplification may be obligated only to develop equipment on an interim basis which is planned to be installed in Aegis ships prior to the date that the first production unit of the Advanced Display System is planned to be accepted by the Government: *Provided further*, That funds appropriated in this paragraph for Aegis Combat System Engineering tactical display simplification may not be obligated on contracts which include production options for ship installations planned beyond the date that the first production unit of the Advanced Display System is planned to be accepted by the Government: *Provided further*, That funds appropriated in this paragraph for development of E–2C aircraft upgrades may not be obligated until the Under Secretary of Defense for Acquisition submits a plan to the Committees on Appropriations and Armed Services of each House of Congress for development and deployment of a fully participating cooperative engagement capability on E–2 aircraft to be fielded concurrent with and no later than major computer upgrades for the aircraft: *Provided further*, That funds appropriated in this paragraph for development of the L–X ship may not be obligated unless the baseline design of the ship includes cooperative engagement capability and sufficient own-ship self-defense capability against advanced sea-skimming antiship cruise missiles in the baseline design to achieve an estimated probability of survival from attack by such missiles at a level no less than any other Navy ship: *Provided further*, That after January 1, 1994, funds appropriated in this paragraph for the Naval Research Laboratory may not be obligated unless the Navy's Manufacturing Technology Program Office has responsibilities and position equivalent to the Science and Technology Directorates at the Office of Naval Research and is fully staffed to meet those responsibilities].

Research, Development, Test and Evaluation, Air Force

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; [$12,608,995,000] *$11,847,970,000*, to remain available for obligation until September 30, 1995[: *Provided*, That not less than $21,000,000 of the funds appropriated in this paragraph shall be made available only for the Joint Seismic Program and Global Seismic Network administered by the Incorporated Research Institutions for Seismology: *Provided further*, That not less than $60,000,000 of the funds appropriated in this paragraph shall be made available only for the National Center for Manufacturing Sciences (NCMS)]*: Provided, That not less than $74,000,000 of the funds appropriated in this paragraph shall be made available only for development of the Global Positioning System (GPS) Aided Relative Synthetic Aperture Radar Targeting/GPS-Aided Munitions (GATS/GAM) capability for the B–2 Advanced Technology Bomber: Provided further, That of the funds appropriated in this paragraph, not less than $15,000,000 of the funds in the Advanced Weapons program element shall be made available only to continue the establishment and operation of an image information processing center supporting the Air Force Maui Space Surveillance Site (MSSS): Provided further, That of the funds appropriated in this paragraph, $2,000,000 shall be made available only for development and testing of down-sized test equipment for the F–15.*

Research, Development, Test and Evaluation, Defense-Wide

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; [$9,376,918,000] *$8,296,588,000*, to remain available for obligation until September 30, 1995[: *Provided*, That not less than $97,000,000 of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile: *Provided further*, That the Ballistic Missile Defense Organization (BMDO) shall continue its current strategy of flight testing, ground testing, simulations, and other

Government analyses of the Patriot Multimode Missile and the Extended Range Interceptor for selection of the best technology in terms of cost, schedule, risk, and performance to meet PAC–3 missile requirements for theater missile defense and that the Director, BMDO, will determine when there is adequate information to proceed to selection for engineering and manufacturing development: *Provided further*, That none of the funds in this paragraph may be used to operate more than one external affairs office in the Washington, D.C. area for ballistic missile defense programs: *Provided further*, That not less than $15,000,000 of the funds appropriated in this paragraph shall be made available as a grant awarded through competitive procedures to a State supported historically black college or university with a demonstrated expertise in physics and materials science, a doubled enrollment over the past seven years, and a leading enrollment of National Achievement Scholars over the last several years, for construction to expand facilities for basic sciences and engineering associated with research, development, and other programs of major importance to the Department of Defense: *Provided further*, That not less than 25 percent of the funds appropriated in this paragraph for the High Performance Computing initiative may be obligated only for research designed to develop improved performance from high performance computing systems and technology utilizing parallel vector processing architecture: *Provided further*, That not less than $20,000,000 of the funds appropriated in this paragraph shall be available only for an Experimental Program to Stimulate Competitive Research (EPSCOR) in the Department of Defense which shall include all States eligible as of the date of enactment of this Act for the National Science Foundation Experimental Program to Stimulate Competitive Research: *Provided further*, That none of the funds appropriated in this paragraph for research, development, demonstration, or commercialization of electric vehicles and the related infrastructure; fuel cell research; natural gas research; or coal research, authorized to be conducted by the Secretary of Energy under statutes administered by such Secretary shall be obligated by the Secretary of Defense except in accordance with the applicable provisions of the Energy Policy Act of 1992 and other relevant statutes and pursuant to an agreement, made available to the applicable legislative and appropriation Committees of Congress, between the Secretary of Defense and the Secretary of Energy that provides for coordination of all such activities with the relevant programs at the Department of Energy administered under such Acts: *Provided further*, That of the funds appropriated under this heading, not less than $52,000,000 shall be made available only for the Computer-aided Acquisition and Logistics Support (CALS) Shared Resource Center (CSRC) program. Of that amount, not less than $30,000,000 shall be made available only for the continued operation of the original CSRC by the current nonprofit institution or its successor in interest, as the Department's tri-service CALS standards and technologies development, deployment, training, and education hub for the CSRC program; the continued operation of the CSRC Regional Satellite (CRS); and the establishment and continued operation of additional CRSs to be operated by educational or other nonprofit institutions. In addition, $20,000,000 shall be made available only for the continued operation of the six original CRSs: *Provided further*, That none of the funds in this Act can be expended to pay the salaries or expenses of the Department's CSRC Program Management Office unless such office is located within the Office of the Secretary of Defense: *Provided further*, That nothing shall prohibit use of the CSRC or CRSs by industry, associations, other Department of Defense services and agencies, and other government agencies for efforts to be separately negotiated and funded: *Provided further*, That $2,300,000 shall be made available only for cell adhesion molecule research]*: Provided, That of the funds appropriated in this paragraph, not less than $5,000,000 of the funds in the High Performance Computing Modernization program element shall be made available only to upgrade the supercomputing capability and capacity of the Maui High Performance Computing Center.*

Developmental Test and Evaluation, Defense

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; **[**$232,592,000**]** *$228,047,000*, to remain available for obligation until September 30, 1995.

Operational Test and Evaluation, Defense

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; $12,650,000, to remain available for obligation until September 30, 1995.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

Defense Business Operations Fund

For the Defense Business Operations Fund; **[**$1,091,100,000**]** *$1,161,095,000***[**: *Provided*, That none of the funds available in the Defense Business Operations Fund shall be used for any hardware procurement, new development, or expansion of the Defense Business Management System; except that funds may be used to continue minimal maintenance efforts of the Defense Business Management System for the Defense Logistics Agency to continue daily operations**]**.

National Defense [Sealift] *Strategic Lift* Fund

[(INCLUDING TRANSFER OF FUNDS)**]**

For National Defense **[**Sealift**]** *Strategic Lift* Fund programs, projects, and activities, **[**$490,800,000**]** *$2,669,100,000*, to remain available until expended**[**: *Provided*, That up to $200,000,000 shall be available for transfer to the Secretary of Transportation for costs (as defined in section 502 of the Federal Credit Reform Act of 1990) of loan guarantee commitments under title XII of the Merchant Marine Act, 1936, as amended by H.R. 2401, the National Defense Authorization Act for Fiscal Year 1994: *Provided further*, That any facilities financed by the foregoing loan guarantee commitments must make use of new technologies and processes which have been demonstrated by Department of Defense organizations prior to construction of facilities: *Provided further*, That all loan guarantees or loan guarantee commitments made by the Secretary of Transportation shall occur only after consultation with the Secretary of Defense: *Provided further*, That notwithstanding any other provision of law, the Secretary of Transportation shall give priority to providing loan guarantees to businesses located in enterprise zones and investing private funds in developing integrated design and manufacturing facilities technologies: *Provided further*, That notwithstanding any other provision of law, all loan guarantees or loan guarantee commitments for ship construction shall be made without regard to gross ton weight**]**.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

Defense Health Program

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; **[**$9,644,447,000**]** *$9,576,209,000*, of which **[**$9,368,185,000**]** *$9,303,447,000* shall be for Operation and maintenance, of which **[**$276,262,000**]** *$272,762,000*, to remain available for obligation until September 30, 1996, shall be for Procurement: *Provided*, That the Department shall competitively contract during fiscal year 1994 for mail service pharmacy for at least two multi-state regions in addition to the ongoing solicitations for Florida, South Carolina, Georgia, Delaware, New Jersey, Pennsylvania, and Hawaii, as well as each base closure area not supported by an at-risk managed care plan; that such services shall be procured independent of any other Department managed care contracts; that one multi-state region shall include the State of Kentucky**[**: *Provided further*, That of the funds appropriated in this Act, such funds as necessary shall be used for the continuation of the cooperative program model being established at Madigan Medical Center for severely behavior disordered students: *Provided further*, That of the funds appropriated in this paragraph, $265,000,000 shall not be obligated or expended until authorized by law**]**: *Provided further, That of the funds appropriated under this heading, not less than $1,410,000 shall be made available only for annual incentive pay bonuses for certified nurse anesthetists: Provided further, That of the funds appropriated under this heading, not less than $3,000,000 shall be made available only for nursing research programs: Provided further, That of the funds appropriated under this heading, $1,500,000 shall be made available for the National Museum of Health and Medicine.*

Chemical Agents and Munitions Destruction, Defense

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986, (50 U.S.C. 1521) and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, **[**$397,561,000**]** *$395,847,000*, of which **[**$292,061,000**]** *$278,361,000* shall be for Operation and maintenance, **[**$74,800,000**]** *$65,886,000, shall be for Procurement*, to remain available until September 30, 1996, **[**shall be for Procurement,**]** and **[**$30,700,000**]** *$51,600,000, shall be for Research, development, test and evaluation*, to remain available until September 30, 1995**[**, shall be for Research, development, test and evaluation: *Provided*, That of the funds appropriated in this paragraph, $30,700,000 shall not be obligated or expended until authorized by law**]**.

Drug Interdiction and Counter-Drug Activities, Defense

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; **[**$757,785,000**]** *$1,080,656,000: Provided*, That the funds appropriated by this paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act**[**: *Provided further*, That of the funds appropriated in this paragraph, not less than $5,900,000 shall be available only for the Gulf States Counter-Narcotics Initiative**]**.

Office of the Inspector General

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; **[**$169,801,000**]** *$127,601,000*, of which **[**$169,001,000**]** *$126,801,000* shall be for Operation and maintenance, of which not to exceed $400,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on his certificate of necessity for confidential military purposes; and of which $800,000, to remain available until September 30, 1996, shall be for Procurement.

TITLE VII

RELATED AGENCIES

[NATIONAL FOREIGN INTELLIGENCE PROGRAM]

Central Intelligence Agency Retirement and Disability System Fund

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; $182,300,000.

National Security Education Trust Fund

[(RESCISSION)

[Of the funds made available in Public Law 103–50 for the National Security Education Act under the heading "National Security Education Trust Fund", $10,000,000 is hereby rescinded.

[Of the funds made available in Public Law 102–172 for the National Security Education Trust Fund, $140,000,000 and interest earned and accrued thereon is hereby rescinded.]

For the purposes of Title VIII of Public Law 102–183, $24,000,000 to be derived from the National Security Education Trust Fund, to remain available until expended.

Community Management Staff

For necessary expenses of the Community Management Staff; **[**$114,688,000**]** *$115,788,000*.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey*.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps, or the National Board for the Promotion of Rifle Practice, Army.

SEC. 8005. Section 9005 of the Department of Defense Appropriations Act, 1993 (Public Law 102–396) is amended by striking out "contained in this Act" and inserting "or any other funds available to the Department of Defense" in lieu thereof.

[SEC. 8005A. Title IV of the Department of Defense Appropriations Act, 1993 (Public Law 102–396; 106 Stat. 1890) is amended in the 9th proviso under the heading "Research, Development, Test and Evaluation, Army" by striking "six months" and inserting "18 months".]

(TRANSFER OF FUNDS)

SEC. 8006. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed **[**$2,000,000,000**]** *$1,500,000,000* of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act.

(TRANSFER OF FUNDS)

SEC. 8007. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds and the "Foreign Currency Fluctuations, Defense" and "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8008. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the Committees on Appropriations and Armed Services of the Senate and House of Representatives.

SEC. 8010. None of the funds contained in this Act available for the Civilian Health and Medical Program of the Uniformed Services shall be available for payments to physicians and other authorized individual health care providers in excess of the amounts allowed in fiscal year 1993 for similar services, except that: (a) for services for which the Secretary of Defense determines an increase is justified by economic circumstances, the allowable amounts may be increased in accordance with appropriate economic index data similar to that used pursuant to title XVIII of the Social Security Act; and (b) for services the Secretary determines are overpriced based on allowable payments under title XVIII of the Social Security Act, the allowable amounts shall be reduced by not more than 15 percent (except that the reduction may be waived if the Secretary determines that it would impair adequate access to health care services for beneficiaries). The Secretary shall solicit public comment prior to promulgating regulations to implement this section. Such regulations shall include a limitation, similar to that used under title XVIII of the Social Security Act, on the extent to which a provider may bill a beneficiary an actual charge in excess of the allowable amount.

SEC. 8011. None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of

$20,000,000 in any one year, unless the Committees on Appropriations and Armed Services of the Senate and House of Representatives have been notified at least thirty days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the Committees on Appropriations and Armed Services of the House of Representatives and the Senate: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

[SEC. 8012. (a) None of the funds appropriated by this Act shall be available to convert a position in support of the Army Reserve, Air Force Reserve, Army National Guard, and Air National Guard occupied by, or programmed to be occupied by, a (civilian) military technician to a position to be held by a person in an active duty status or active Guard or Reserve status if that conversion would reduce the total number of positions occupied by, or programmed to be occupied by, (civilian) military technicians of the component concerned, below 69,061: *Provided*, That none of the funds appropriated by this Act shall be available to support more than 46,111 positions in support of the Army Reserve, Army National Guard, or Air National Guard occupied by, or programmed to be occupied by, persons in an active Guard or Reserve status: *Provided further*, That none of the funds appropriated by this Act may be used to include (civilian) military technicians in computing civilian personnel ceilings, including statutory or administratively imposed ceilings, on activities in support of the Army Reserve, Air Force Reserve, Army National Guard, or Air National Guard.

[(b) None of the funds appropriated by this Act shall be used to include (civilian) military technicians in any administratively imposed freeze on civilian positions.]

SEC. 8012. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8013. Notwithstanding any other provision of law, governments of Indian tribes shall be treated as State and local governments for the purposes of disposition of real property recommended for closure in the report of the Defense Secretary's Commission on Base Realignments and Closures, December 1988, the report to the President from the Defense Base Closure and Realignment Commission, July 1991, and Public Law 100–526.

[SEC. 8014. (a) The provisions of section 115(a)(4) of title 10, United States Code, shall not apply with respect to fiscal year 1994 or with respect to the appropriation of funds for that year.

[(b) During fiscal year 1994, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

[(c) The fiscal year 1995 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1995 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 1995.]

SEC. 8014. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the fifty United States, its territories, and the District of Columbia, 131,250 civilian workyears: Provided, That workyears shall be applied as defined in the Federal Personnel Manual: Provided further, That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8015. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8016. None of the funds appropriated by this Act shall be obligated for the pay of any individual who is initially employed after the date of enactment of this Act as a technician in the administration and training of the Army Reserve and the maintenance and repair of supplies issued to the Army Reserve unless such individual is also a military member of the Army Reserve troop program unit that he or she is employed to support. Those technicians employed by the Army Reserve in areas other than Army Reserve troop program units need only be members of the Selected Reserve.

SEC. 8017. None of the funds available to the Department of Defense may be used for the floating storage of petroleum or petroleum products except in vessels of or belonging to the United States.

SEC. 8018. Notwithstanding any other provision of law, the Secretaries of the Army and Air Force may authorize the retention in an active status until age sixty of any officer who would otherwise be removed from an active status and who is employed as a National Guard or Reserve technician in a position in which active status in a reserve component of the Army or Air Force is required as a condition of that employment.

SEC. 8019. Notwithstanding any other provision of law, proceeds from the investment of the Fisher House Investment Trust Fund will be used to support the operation and maintenance of Fisher Houses associated with Army medical treatment facilities.

SEC. 8020. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 1415(c) of title 38, United States Code, for any member of the armed services who, on or after the date of enactment of this Act—

(1) enlists in the armed services for a period of active duty of less than three years; or

(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code,

nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: *Provided*, That, in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: *Provided further*, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this subsection applies only to active components of the Army.

SEC. 8021. Funds appropriated in this Act shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods, except that no part of the charges may be paid unless the officer agrees to remain a member of the Ready Reserve for at least four years after completion of such training or education.

SEC. 8022. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That this section shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 percent Native American ownership.

[SEC. 8023. None of the funds appropriated or made available by this Act may be obligated for acquisition of major automated information systems which have not successfully completed oversight reviews required by Defense Department regulations: *Provided*, That the automated information systems oversight review board will be independent of any other Department review function and chaired by the Assistant Secretary of Defense (Command, Control, Communications and Intelligence): *Provided further*, That except for those programs to modernize and develop migration and standard automated information systems that have been certified by the Department's senior information resource management (IRM) official as being fully compliant with the Department's information management initiative as defined in Defense Department Directive 8000.1, no funds may be expended for modernization or development of any automated information system (AIS) by the military departments, services, defense agencies, Joint Staff or Military Commands in excess of $1,000,000 unless the senior official of the Office of the Secretary of Defense with primary responsibility for the functions being supported or to be supported certifies to the Assistant Secretary of Defense for Command, Control, Communications and Intelligence that the functional requirement(s) is valid and that the system modernization or development has no unnecessary duplication of other available or planned AISs: *Provided further*, That the Department shall develop the capability for open systems integration of commercial-off-the-shelf (COTS) applications within the Composite Health Care System (CHCS): *Provided further*, That the Department shall limit deployment of the Defense Blood Standard System (DBSS) to donor and processing centers, and shall procure, install, and integrate by April 1, 1994, at two or more CHCS sites an open system compliant COTS hospital-based blood bank/transfusion application, with security access by application function and developed in the same application language as CHCS: *Provided further*, That the Department shall procure and install at all CHCS alpha and beta sites by April 1, 1994, an open system integrated anatomic pathology COTS application with security access by application function and developed with the same software application language as CHCS: *Provided further*, That notwithstanding any other provision of law, the one time investment cost, including the procurement or lease of new or reutilized automatic data processing investment equipment, peripheral equipment and related software, for the July 16, 1993 DOD Data Center Consolidation Plan shall not exceed $309,000,000.]

SEC. 8023. None of the funds appropriated or made available by this Act may be obligated for acquisition of major automated information systems which have not successfully completed oversight reviews required by Defense Department regulations: Provided, That none of the funds appropriated or made available by this Act may be obligated on Composite Health Care System acquisition contracts if such contracts would cause the total life cycle cost estimate of $1,600,000,000 expressed in fiscal year 1986 constant dollars to be exceeded.

SEC. 8024. Notwithstanding any other provision of law, the Secretary of the Navy may use funds appropriated to charter ships to be used as auxiliary minesweepers providing that the owner agrees that these ships may be activated as Navy Reserve ships with Navy Reserve crews used in training exercises conducted in accordance with law and policies governing Naval Reserve forces: *Provided*, That none of the funds appropriated or made available in this Act may be used to inactivate, disestablish, or discontinue the Navy's Craft of Opportunity Program.

[SEC. 8025. Notwithstanding any other provision of law, the Department shall competitively award contracts in fiscal year 1994 for at least four new region-wide, at-risk, fixed price managed care support contracts consistent with the following requirements: (1) each contract or acquisition shall reflect the major features of the CHAMPUS Reform Initiative and include provision for the commanders of major military medical centers to participate as the regional lead agents; (2) each such contract or acquisition shall include a triple option benefit; (3) one similar contract or acquisition shall cover the State of Florida (which may include Department of Veterans Affairs' medical facilities with the concurrence of the Secretary of Veterans Affairs); (4) one similar contract shall cover the States of Washington and Oregon; (5) each other such contract or acquisition shall include at least one complete State; (6) the managed care support contracts for California and Hawaii, Florida, Washington and Oregon shall not be counted for purposes of the required four new contracts of acquisitions; and (7) the Department shall modify a currently operating CHAMPUS service contract to include an at-risk managed health care provision, to provide services not later than 90 days after enactment of this Act, in the area of Homestead Air Force Base, to include the Homestead and South Miami Hospitals as institutional providers, with a benefit structure substantially identical to that established in fiscal year 1993 for the Carswell, Bergstrom and England Air Force Bases (including a retail pharmacy network available to Medicare-eligible beneficiaries), said provision to remain effective as an interim measure until implementation of the competitive at-risk contract for Florida as required by this section: *Provided further*, That none of the funds appropriated, or otherwise made available to the Department of Defense, by this or any other Act of Congress, shall be used to implement or administer any changes to the operating CHAMPUS Reform Initiative-like contracts unless the scope of benefits and program management structure are consistent with the basic CHAMPUS Reform Initiative design in operation on January 1, 1993: *Provided further*, That any law or regulation of a State or local government relating to health insurance, prepaid health plans, or other health care delivery, administration, and financing methods shall be preempted and shall not apply to any contract entered into pursuant to chapter 55 of title 10, United States Code: *Provided further*, That any requirements for the certification of cost effectiveness, access and quality of any managed health care programs will be construed to require that the certification compare on a national basis the program to be certified with the standard CHAMPUS program as determined by the application of sound actuarial principles: *Provided further*, That the Department shall competitively award at least two contracts in fiscal year 1994 for stand-alone, at-risk managed mental health services in high utilization, high-cost areas, consistent with the management and service delivery features in operation in the Contracted Provider Arrangement (CPA) Tidewater Demonstration.]

SEC. 8025. None of the funds appropriated by this Act may be used to establish new region-wide, at-risk, fixed price managed care contracts possessing features similar to those of the CHAMPUS Reform Initiative until such time as the Secretary of Defense submits to the Congress a plan to implement a nation-wide managed health care program for the military health services system: Provided, That the program shall include, but not be limited to: (1) a uniform, stabilized benefit structure characterized by a triple option health benefit feature; (2) a regionally-based health care management system; (3) cost minimization incentives including "gatekeeping" and annual enrollment procedures, capitation budgeting, and at-risk provider contracts; and (4) full and open competition for all managed care support contracts: Provided further, That the implementation of the nation-wide managed care military health services system shall be completed by September 30, 1996.

SEC. 8026. Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability: *Provided*, That none of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the Armed Services and Appropriations Committees of Congress that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8027. For the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 1994, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P–1 and R–1 budget justification documents as subsequently modified by Congressional action: *Provided*, That the following exception to the above definition shall apply:

For the Military Personnel and the Operation and Maintenance accounts, the term "program, project, and activity" is defined as the appropriations accounts contained in the Department of Defense Appropriations Act: *Provided further*, That at the time the President submits his budget for fiscal year 1995, the Department of Defense shall transmit to the Committees on Appropriations and the Committees on Armed Services of the Senate and the House of Representatives a budget justification document to be known as the "O–1" which shall identify, at the budget activity, activity group, and sub-activity group level, the amounts requested by the President to be appropriated to the Department of Defense for operation and maintenance in any budget request, or amended budget request, for fiscal year 1995.

[SEC. 8028. Of the funds appropriated to the Army, $217,600,000 shall be available only for the Reserve Component Automation System (RCAS): *Provided*, That none of these funds can be expended—

[(1) except as approved by the Chief of the National Guard Bureau;

[(2) unless RCAS resource management functions are performed by the National Guard Bureau;

[(3) to pay the salary of an RCAS program manager who has not been selected and approved by the Chief of the National Guard Bureau and chartered by the Chief of the National Guard Bureau and the Secretary of the Army;

[(4) unless the Program Manager (PM) charter makes the PM accountable to the Chief of the National Guard Bureau and fully defines his authority, responsibility, reporting channels and organizational structure;

[(5) to pay the salaries of individuals assigned to the RCAS program management office unless such organization is comprised of personnel chosen jointly by the Chiefs of the National Guard Bureau and the Army Reserve;

[(6) to pay contracted costs for the acquisition of RCAS unless RCAS is an integrated system consisting of software, hardware, and communications equipment and unless such contract continues to preclude the use of Government furnished equipment, operating systems, and executive and applications software; and

[(7) unless RCAS performs its own classified information processing: *Provided further*, That notwithstanding any other provision of law, none of the funds appropriated shall be available for procurement of computers for the Army Reserve Component which are used to network or expand the capabilities of existing or future information systems or duplicate functions to be provided under the RCAS contract unless the procurement meets the following criteria: (A) only RCAS automated data processing (ADP) equipment may be procured and only in the numbers and types allocated by the RCAS program to each site; (B) the requesting organizational element has no computer for stand-alone office automation usage; (C) replacement equipment will not exceed the minimum required to maintain the reliability of existing capabilities; (D) replacements will be justified solely on the cost and feasibility of repairs and maintenance of present ADP equipment as compared to the cost of replacement; and (E) the procurement is recommended by both the Chief of the respective Reserve Component and the Chief of the National Guard Bureau, and approved by the Functional Proponent in the Department of Defense.]

SEC. 8028. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for development or procurement of any automated Computer Aided Logistics system unless specific approval for such system is provided in writing to the Committees on Appropriations and Armed Services of the House and Senate by the Deputy Under Secretary of Defense (Logistics) at least 30 days prior to any contract solicitation.

[SEC. 8029. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.]

SEC. 8029. Notwithstanding any other provision of law, none of the funds appropriated in this Act may be used to purchase, install, replace, or otherwise repair any lock on a safe or security container which protects information critical to national security or any other classified materials and which has not been certified as passing the security lock specifications contained in regulation FF–L–2740 dated October 12, 1989, and has not passed all testing criteria and procedures established through February 28, 1992.

[(TRANSFER OF FUNDS)

[SEC. 8030. Notwithstanding any other provision of law, the Department of Defense may transfer prior year, unobligated balances and funds appropriated in this Act to the operation and maintenance appropriations for the purpose of providing military technician and Department of Defense medical personnel pay and medical programs (including CHAMPUS) the same exemption from sequestration set forth in the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508) as that granted the other military personnel accounts: *Provided*, That any transfer made pursuant to any use of the authority provided by this provision shall be limited so that the amounts reprogrammed to the operation and maintenance appropriations do not exceed the amounts sequestered under the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508): *Provided further*, That the authority to make transfers pursuant to this section is in addition to the authority to make transfers under other provisions of this Act: *Provided further*, That the Secretary of Defense may proceed with such transfer after notifying the Appropriations Committees of the House of Representatives and the Senate twenty calendar days in session before any such transfer of funds under this provision.]

SEC. 8030. None of the funds available to the Department of the Navy may be used to enter into any contract for the overhaul, repair, or maintenance of any naval vessel homeported on the West Coast of the United States which includes charges for interport differential as an evaluation factor for award.

SEC. 8031. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8032. All new Department of Defense procurements shall separately identify software costs in the work breakdown structure defined by MIL–STD–881 in those instances where software is considered to be a major category of cost.

SEC. 8033. During the current fiscal year and thereafter, of the funds appropriated, reimbursable expenses incurred by the Department of Defense on behalf of the Soviet Union or its successor entities in monitoring United States implementation of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range or Shorter-Range Missiles ("INF Treaty"), concluded December 8, 1987, may be treated as orders received and obligation authority for the applicable appropriation, account, or fund increased accordingly. Likewise, any reimbursements received for such costs may be credited to the same appropriation, account, or fund to which the expenses were charged: *Provided*, That reimbursements which are not received within one hundred and eighty days after submission of an appropriate request for payment shall be subject to interest at the current rate established pursuant to section 2(b)(1)(B) of the Export-Import Bank Act of 1945 (59 Stat. 526). Interest shall begin to accrue on the one hundred and eighty-first day following submission of an appropriate request for payment: *Provided further*, That funds appropriated in this Act may be used to reimburse United States military personnel for reasonable costs of subsistence, at rates to be determined by the Secretary of Defense, incurred while accompanying Soviet Inspection Team members or inspection team members of the successor entities of the Soviet Union engaged in activities related to the INF Treaty: *Provided further*, That this provision includes only the in-country period (referred to in the INF Treaty) and is effective whether such duty is performed at, near, or away from an individual's permanent duty station.

SEC. 8034. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

[SEC. 8035. None of the funds available in this Act to the Department of Defense or Navy shall be obligated or expended for (or to implement) automatic data processing, data processing center, central design activity, DMRD 918, defense information infrastructure, military or civilian personnel and finance and accounting function consolidation plans, consolidations, and disestablishment or realignment plans that impact, in terms of reductions in force or transfers in military and civilian personnel, end strength, billets, functions, or missions, the Enlisted Personnel Management Center, the Naval Computer and Telecommunications Station and Defense Accounting Office, New Orleans, and the Naval Reserve Personnel Center and related missions, functions, and commands until sixty legislative days after the Secretary of Defense submits to the House and Senate Committees on Appropriations a report, including complete review comments and a certification, by both the Secretary of Defense and the Comptroller General, justifying and certifying that such plans and actions: (1) do not consolidate, plan to consolidate, disestablish or realign Department of Defense or Service data processing functions or centers, central design activities, finance and accounting or military and civilian personnel functions and activities, or claim savings from such function and activity consolidations and disestablishment, realignment, or consolidation plans, that are in more than one defense management report plan or decision or any other Department of Defense or Service consolidation, disestablishment, or realignment plan; (2) utilize criteria primarily weighted to evaluate, measure, and compare how data processing centers, central design activities, financing and accounting and military and civilian personnel functions and activities are ranked in terms of operational readiness, customer satisfaction, and the most cost effective and least expensive from a business performance, and regional operations cost standpoint; (3) will provide equal or better service for DOD customers; (4) will not adversely impact the quality of life and benefits of the individual service person, dependents, and civilian personnel; and (5) will not adversely impact the mission and readiness of the Navy and Naval Reserves: *Provided*, That none of the provisions in this section shall, in any way, affect the implementation of the Defense Base Closure and Realignment Commission recommendations.]

SEC. 8035. Such sums as may be necessary for fiscal year 1994 pay raises for programs funded by this Act shall be derived from funds within the amounts appropriated in this Act.

SEC. 8036. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by Executive Agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: *Provided*, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: *Provided further*, That the Department of Defense's budget submission for fiscal year 1995 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: *Provided further*, That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: *Provided further*, That each such Executive Agreement with a NATO member host nation shall be reported to the Committees on Appropriations and Armed Services of the House of Representatives and the Senate thirty days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8037. All obligations incurred in anticipation of the appropriations and authority provided in this Act are hereby ratified and confirmed if otherwise in accordance with the provisions of this Act.

SEC. 8038. None of the funds available to the Department of Defense in this Act shall be used to demilitarize or dispose of more than 310,784 unserviceable M1 Garand rifles and M1 Carbines.

SEC. 8039. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8040. None of the funds appropriated by this Act may be used by the Department of Defense to assign a supervisor's title or grade when the number of people he or she supervises is considered as a basis for this determination: *Provided*, That savings that result from this provision are represented as such in future budget proposals.

SEC. 8041. Of the funds appropriated by this Act, no more than $18,500,000 shall be available for the mental health care demonstration project at Fort Bragg, North Carolina: *Provided*, That adjustments may be made for normal and reasonable price and program growth.

SEC. 8042. None of the funds appropriated by this Act may be used to pay health care providers under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) for services determined under the CHAMPUS Peer Review Organization (PRO) Program to be not medically or psychologically necessary. The Secretary of Defense may by regulation adopt any quality and utilization review requirements and procedures in effect for the Peer Review Organization Program under title XVIII of the Social Security Act (Medicare) that the Secretary determines necessary, and may adapt the Medicare requirements and procedures to the circumstances of the CHAMPUS PRO Program as the Secretary determines appropriate.

SEC. 8043. None of the funds appropriated by this Act shall be available for payments under the Department of Defense contract with the Louisiana State University Medical Center involving the use of cats for Brain Missile Wound Research, and the Department of Defense shall not make payments under such contract from funds obligated prior to the date of the enactment of this Act, except as necessary for costs incurred by the contractor prior to the enactment of this Act, and until thirty legislative days after the final General Accounting Office report on the aforesaid contract is submitted for review to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That funds necessary for the care of animals covered by this contract are allowed.

SEC. 8044. None of the funds provided in this Act or any other Act shall be available to conduct bone trauma research at [the Letterman Army Institute of Research] *any Army Research Laboratory* until the Secretary of the Army certifies that the synthetic compound to be used in the experiments is of such a type that its use will result in a significant medical finding, the research has military application, the research will be conducted in accordance with the standards set by an animal care and use committee, and the research does not duplicate research already conducted by a manufacturer or any other research organization.

SEC. 8045. The Secretary of Defense shall include in any base closure and realignment plan submitted to Congress after the date of enactment of this Act, a complete review for the five-year period beginning on October 1, 1993, which shall include expected force structure and levels for such period, expected installation requirements for such period, a budget plan for such period, the cost savings expected to be realized through realignments and closures of military installations during such period, an economics model to identify the critical local economic sectors affected by proposed closures and realignments of military installations and an assessment of the economic impact in each area in which a military installation is to be realigned or closed.

[SEC. 8046. No more than $50,000 of the funds appropriated or made available in this Act shall be used for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and Senate that such a relocation is required in the best interest of the Government: *Provided further*, That no funds appropriated or made available in this Act shall be used for the relocation into the National Capital Region of the Air Force Office of Medical Support located at Brooks Air Force Base.]

SEC. 8046. Notwithstanding any other provision of law, each contract awarded by the Department of Defense in fiscal year 1994 for construction or service performed in whole or in part in a State which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: Provided, That the Secretary of Defense may waive the requirements of this section in the interest of national security.

SEC. 8047. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5 or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the armed forces, as described in section 261 of title 10, or the National Guard, as described in section 101 of title 32;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under section 331, 332, 333, 3500, or 8500 of title 10, or other provision of law, as applicable, or

(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave: *Provided*, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5.

SEC. 8048. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of twenty-four months after initiation of such study with respect to a single function activity or forty-eight months after initiation of such study for a multi-function activity.

SEC. 8049. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8050. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8051. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the military or civilian medical and medical support personnel end strength as of September 30, 1993, as defined by section 711(c) of Public Law 101-510: *Provided*, That none of the funds appropriated in this Act may be used to reduce the military or civilian medical and medical support personnel end strength at a base undergoing a partial closure or realignment, where more than one joint command is located, below the September 30, 1991 level.

SEC. 8052. Of the funds made available in this Act, not less than [$11,679,000] *$10,596,000* shall be available for the Civil Air Patrol, of which [$4,642,000] *$4,471,000* shall be available for Operation and Maintenance.

SEC. 8053. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 815th Weather Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8054. During the current fiscal year, withdrawal credits may be made by the Defense Business Operations Fund to the credit of current applicable appropriations of an activity of the Department of Defense in connection with the acquisition by that activity of supplies that are repairable components which are repairable at a repair depot and that are capitalized into the Defense Business Operations Fund as the result of management changes concerning depot level repairable assets charged to an activity of the Department of Defense which is a customer of the Defense Business Operations Fund that became effective on April 1, 1992.

SEC. 8055. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase "qualified nonprofit agency for the blind or other severely handicapped" means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46-48).

[SEC. 8056. During the current fiscal year and thereafter, there is established, under the direction and control of the Attorney General, the National Drug Intelligence Center, whose mission it shall be to coordinate and consolidate drug intelligence from all national security and law enforcement agencies, and produce information regarding the structure, membership, finances, communications, and activities of drug trafficking organizations: *Provided*, That funding for the operation of the National Drug Intelligence Center, including personnel costs associated therewith, shall be provided from the funds appropriated to the Department of Defense.]

SEC. 8056. Notwithstanding any other provision of law, in addition to the funds made available elsewhere in this Act to the Department of the Navy, $60,000,000 to remain available until expended, shall be made available only for obligations incurred in the conveyance, clean-up, and restoration of Kaho'olawe Island.

SEC. 8057. During the current fiscal year and thereafter, the Navy may provide notice to exercise options under the LEASAT program for the next fiscal year, in accordance with the terms of the Aide Memoire, dated January 5, 1981, as amended by the Aide Memoire dated April 30, 1986, and as implemented in the LEASAT contract.

SEC. 8058. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

[SEC. 8059. None of the funds in this Act shall be obligated for the procurement of Multibeam Sonar Mapping Systems, and supporting software, not engineered and manufactured in the United States: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.]

SEC. 8059. Of the funds made available by this Act in title III, Procurement, $8,000,000, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544. These payments shall be available only to contractors which have submitted subcontracting plans pursuant to 15 U.S.C. 637(d)(4)(B), and according to regulations which shall be promulgated by the Secretary of Defense within 90 days of the passage of this Act.

SEC. 8060. During the current fiscal year and thereafter, notwithstanding any other provision of law, the Department of Defense is hereby authorized to develop and procure the LANDSAT 7 vehicle.

SEC. 8061. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8062. Of the funds appropriated by this Act for the Defense Health Program, notwithstanding any other provision of law, the amount payable for services provided under this section shall not be less than the amount calculated under the coordination of benefits reimbursement formula utilized when CHAMPUS is a secondary payor to medical insurance programs other than Medicare, and [such appropriations as necessary,] *$20,000,000*, shall be available (notwithstanding the last sentence of section 1086(c) of title 10, United States Code) to continue Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) benefits, until age 65, under such section for a former member of a uniformed service who is entitled to retired or retainer pay or equivalent pay, or a dependent of such a member, or any other beneficiary described by section 1086(c) of title 10, United States Code, who becomes eligible for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) solely on the grounds of physical disability, or end stage renal disease: *Provided*, That expenses under this section shall only be covered to the extent that such expenses are not covered under parts A and B of title XVIII of the Social Security Act and are otherwise covered under CHAMPUS: *Provided further*, That no reimbursement shall be made for services provided prior to October 1, 1991.

SEC. 8063. During the current fiscal year, the Secretary of Defense may accept burdensharing contributions in the form of money from Japan, the Republic of Korea, and the State of Kuwait for the costs of local national employees, supplies, and services of the Department of Defense to be credited to applicable Department of Defense operation and maintenance appropriations available for the salaries and benefits of national employees of Japan, the Republic of Korea, and the State of Kuwait, supplies, and services to be merged with and to be available for the same purposes and time period as those appropriations to which credited: *Provided*, That not later than 30 days after the end of each quarter of the fiscal year, the Secretary of Defense shall submit to the Congress a report of contributions accepted by the Secretary under this provision during the preceding quarter.

SEC. 8064. (a) Funds appropriated in this Act to finance activities of Department of Defense (DOD) Federally Funded Research and Development Centers (FFRDCs) may not be obligated or expended for an FFRDC if a member of its Board of Directors or Trustees simultaneously serves on the Board of Directors or Trustees of a profit-making company under contract to the Department of Defense unless the FFRDC has a DOD approved conflict of interest policy for its members.

(b) None of the funds appropriated in this Act are available to establish a new FFRDC, either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(c) Notwithstanding any other provision of law, of the amounts available to the Department

of Defense during fiscal year 1994, not more than $1,352,650,000 may be obligated for financing activities of federally funded research and development centers.

(d) The total amount appropriated for research, development, test and evaluation by this Act is hereby reduced by $200,000,000 to reflect the obligation limitation contained in subsection (c).

[SEC. 8065. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act.

[SEC. 8066. Notwithstanding any other provision of law, no more than 15 percent of the funds available to the Department of Defense for sealift may be used to acquire, directly or indirectly, through charter or purchase, ships constructed in foreign shipyards: *Provided*, That ships acquired as provided above shall be necessary to satisfy the shortfalls identified in the Mobility Requirements Study: *Provided further*, That any work required to convert foreign built ships acquired as provided above to United States Coast Guard and American Bureau of Shipping standards, or conversion to a more useful military configuration, must be accomplished in United States domestic shipyards: *Provided further*, That none of the funds shall be used to purchase the following major components: bridge or machinery control systems, or interior communications equipment, auxiliary equipment, including pumps for all shipboard services, propulsion system components (that is, engines, reduction gears, and propellers), shipboard cranes, and spreaders for shipboard cranes for sealift ships unless the systems or equipment, and their components, are manufactured in the United States: *Provided further*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.]

SEC. 8065. None of the funds available to the Department of Defense during the current fiscal year may be obligated or expended to develop for aircraft or helicopter weapons systems an airborne instrumentation system for flight test data acquisition, or to develop or implement modifications to an existing airborne instrumentation system, other than the Common Airborne Instrumentation System under development in the Central Test and Evaluation Investment Development program element funded in the "Developmental Test and Evaluation, Defense" appropriations account.

SEC. 8066. None of the unobligated balances available in the National Defense Stockpile Transaction Fund during the current fiscal year may be obligated or expended to finance any grant or contract to conduct research, development, test and evaluation activities for the development or production of advanced materials, unless amounts for such purposes are specifically appropriated in a subsequent appropriations Act.

SEC. 8067. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services, the Committees on Appropriations, and the subcommittees on Defense of the Committee on Appropriations, of the Senate and the House of Representatives.

SEC. 8068. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8069. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1994. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

[SEC. 8070. (a) Of the funds made available in this Act in title II, Operation and Maintenance, Army, $5,000,000 shall be available only to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.

[(b) Notwithstanding any other provision of law, in the event that the purchaser of the Sale Parcel exercises its option to withdraw from all or a portion of the sale, as provided in the Agreement and Modification, dated September 25, 1990, between the Department of Defense, the General Services Administration, and the purchaser, as amended, the purchaser's deposit of $4,500,000 shall be returned by the General Services Administration and funds eligible for reimbursement under the Agreement and Modification, as amended, shall come from the funds made available to the Department of Defense by this Act.

[(c) Notwithstanding any other provision of law, in the event that the purchaser purchases only a portion of the Sale Parcel and exercises its option to withdraw from the sale as to the rest of the Sale Parcel, the portion of the Sale Parcel that is not purchased (other than Landfill 26 and an appropriate buffer area around it), together with any of the land referred to in section 9099(e) of Public Law 102-396 that is not purchased by the purchaser, shall be sold to the City of Novato, in the State of California, for the sum of One Dollar as a public benefit transfer for school, classroom or other educational use, for use as a public park or recreation area or for further conveyance as provided herein, subject to the following restrictions: (1) if the City sells any portion of such land to any third party within ten years after the transfer to the City, which sale may be made without the foregoing use restrictions, any proceeds received by the City in connection with such sale, minus the demonstrated reasonable costs of conducting the sale and of any improvements made by the City to the land following its acquisition of the land (but only to the extent such improvements increase the value of the portion sold), shall be immediately turned over to the Army in reimbursement of the withdrawal payment made by the Army to the contract purchaser and the costs of cleaning up the Landfill and (2) until one year following completion of the cleanup of contaminated soil in the landfill and completion of the groundwater treatment facilities, the sale must be at a per-acre price for the portion sold that is at least equal to the per-acre contract price paid by the purchaser for the portion of the Sale Parcel purchased under the Agreement and Modification, as amended, and thereafter must be at a price at least equal to the fair market value of the portion sold. The foregoing restrictions shall not apply to a transfer to another public or quasi-public agency for public uses of the kind described above. The deed to the City shall contain a clause providing that, if any of the proceeds referred to in clause (1) are not delivered to the Army within 30 days after sale, or any portion of the land not sold as provided herein is used for other than educational, park or recreational uses, title to the applicable portion of such land shall revert to the United States Government at the election of the General Services Administration. The Army shall agree to deliver into the applicable closing escrow an acknowledgement of receipt of any proceeds described in clause (1) above and a release of the reverter right as to the affected land, effective upon such receipt.

[(d) Notwithstanding any other provision of law, the Air Force shall be reimbursed for expenditures in excess of $15,000,000 in connection with the total clean-up of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of any portion of the Sale Parcel purchased by the contract purchaser under the Agreement and Modification, as amended.]

SEC. 8070. Notwithstanding any other provision of law, any statutorily-required analysis of the impact on the defense technology and industrial base of terminations and significant reductions of major research and development programs and procurement programs of the Department of Defense shall address only those actions recommended by the Defense Department in its annual budget request and amendments thereto, supplemental requests, or proposed rescissions.

SEC. 8071. Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to $2,500, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm: *Provided*, That the amount of an indebtedness previously paid by a member or former member and cancelled under this section shall be refunded to the member.

SEC. 8072. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

SEC. 8073. During the current fiscal year, voluntary separation incentives payable under 10 U.S.C. 1175 may be paid in such amounts as are necessary from the assets of the Voluntary Separation Incentive Fund established by section 1175(h)(1).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8074. Amounts deposited during fiscal years 1993 and 1994 to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

[SEC. 8075. In order to maintain an electric furnace capacity in the United States, preference for the purchase of chromite ore and manganese ore authorized for disposal from the National Defense Stockpile shall be given to domestic producers of high carbon ferrochromium and high carbon ferromanganese—

[(A) whose primary output during the three preceding years has been ferrochromium or ferromanganese; and

[(B) who guarantee to use the chromite and manganese ore for domestic purposes.]

SEC. 8075. None of the funds in this or any other Act shall be available for the preparation of studies on—

(a) the feasibility of removal and transportation of unitary chemical weapons from the eight chemical storage sites within the continental United States: Provided, That this prohibition shall not apply to non-stockpile material in the United States or to studies needed for environmental analysis required by the National Environmental Policy Act; and

(b) the potential future uses of the nine chemical disposal facilities other than for the destruction of stockpile chemical munitions and as limited by section 1412(c)(2), Public Law 99–145: Provided, That this prohibition does not apply to future use studies for the CAMDS facility at Tooele, Utah.

SEC. 8076. During the current fiscal year, none of the funds available to the Department of Defense may be used to procure or acquire (1) defensive handguns or defensive handgun ammunition unless such handguns or handgun ammunition are the M9 9mm Department of Defense standard handgun or ammunition for such handguns, or (2) offensive handguns and ammunition except for the Special Operations Forces.

SEC. 8077. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: *Provided*, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: *Provided further*, That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8078. For fiscal year 1994, the total amount appropriated to fund the Uniformed Services Treatment Facilities program, operated pursuant to section 911 of Public Law 97–99 (42 U.S.C. 248c), is limited to $291,000,000, of which not more than $265,000,000 may be provided by the funds appropriated by this Act.

SEC. 8079. None of the funds available in this Act may be used to support in any manner, including travel or other related expenses, the "Tailhook Association": *Provided*, That investigations by the Secretary of the Navy or consultation with the Tailhook Association are not prohibited by this provision.

SEC. 8080. During the current fiscal year and thereafter, from funds available to the Department of Defense, the Director of the Air National Guard shall operate a Command, Control, Communications and Intelligence planning office manned by three full-time Air Guard officers in the rank of O–6, O–5, and O–4: *Provided*, That these officers shall be in addition to the strengths authorized in section 524 of title 10, United States Code.

SEC. 8081. None of the funds appropriated in this Act or made available to the Department of Defense and deposited into the Pentagon Reservation Maintenance Revolving Fund may be used for the purpose of constructing a Pentagon Maintenance [Facility,] *Facility or* a Logistics Support Extension[, or any other building not an integral part of the present Pentagon building].

SEC. 8082. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense Agencies.

[SEC. 8083. None of the funds available to the Department of Defense may be obligated or expended for construction of Ground Wave Emergency Network (GWEN) sites in Fiscal Year 1994.]

SEC. 8083. Notwithstanding any other provision of law, the Naval shipyards of the United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act.

SEC. 8084. The $15,000,000 made available in section 9088 of the Department of Defense Appropriations Act, 1993 (Public Law 102–396) for payment of claims to United States military and civilian personnel for damages incurred as a result of the volcanic eruption of Mount Pinatubo in the Philippines, shall remain available for obligation until September 30, 1994, notwithstanding section 9003 of that Act: *Provided further, That $5,000,000 of the funds made available by this section shall be available until September 30, 1995 for expenses associated with the construction and modification of facilities to support the relocation of military training programs from installations in the Philippines to sites in the United States.*

(TRANSFER OF FUNDS)

SEC. 8085. In addition to any other transfer authority contained in this Act, $100,000,000 appropriated in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations contained in this Act which are available for the payment of civilian voluntary separation incentives, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred.

SEC. 8086. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991, (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8087. During the current fiscal year, annual payments granted under the provisions of section 4416 of the National Defense Authorization Act for fiscal year 1993 (Public Law 102–428; 106 Stat. 2714) shall be made from appropriations in this Act which are available for the pay of reserve component personnel.

[SEC. 8088. None of the funds appropriated by this Act may be used to relocate the 116th Fighter Wing of the Air National Guard from Dobbins Air Reserve Base to Robins Air Force Base, or to convert that wing from F–15A aircraft to B–1B aircraft.]

SEC. 8088. None of the funds available to the Department of Defense for establishing a Naval East Coast Electronics Engineering Center may be obligated or expended for the establishment of such Headquarters at any location other than Charleston, South Carolina: Provided, That no such funds may be obligated or expended for the establishment or operation of subordinate detachments at St. Inigoes, Maryland, and Portsmouth, Virginia, with manning levels or broader functions than that specifically stated in the 1993 Report to the President of the Defense Base Closure and Realignment Commission.

[SEC. 8089. (a) IN GENERAL.—Subject to subsection (b), the Secretary of the Army may release, discharge, waive, and quitclaim all right, title, and interest which the United States may have by virtue of the quitclaim deed dated June 18, 1956, in and to approximately 6.89 acres of real property, with improvements thereon, in Harris County, Texas.

[(b) CONDITION.—The Secretary may carry out subsection (a) only after obtaining satisfactory assurances that the State of Texas shall obtain, in exchange for the real property referred to in subsection (a), a tract of real property—

[(1) which is at least equal in value to the real property referred to in subsection (a), and

[(2) which shall be, on the date on which the State obtains it, subject to the same restrictions and covenants with respect to the Federal Government as are applicable on the date of the enactment of this Act to the real property referred to in subsection (a).

[(c) LEGAL DESCRIPTION OF REAL PROPERTY.—The exact acreage and legal description of the real property referred to in subsection (a) shall be based upon surveys that are satisfactory to the Secretary.]

SEC. 8089. (a) Notwithstanding any other provision of law, funds appropriated under this Act for the Department of Defense shall be made available for the Overseas Workload Program: Provided, That a firm of any member nation of the North Atlantic Treaty Organization (NATO) or of any major non-NATO ally or countries in the European Theater, shall be eligible to bid on any contract for the maintenance, repair, or overhaul of equipment of the Department of Defense to be awarded under competitive procedures as part of the program of the Department of Defense known as the Overseas Workload Program.

(b) A contract awarded during fiscal year 1994, or thereafter, to a firm described in subsection (a) may be performed in the theater in which the equipment is normally located or in the country in which the firm is located.

(c) For purposes only of this section, Israel shall be considered in the European Theater in every respect, with its firms fully eligible for nonrestrictive, nondiscriminatory contract competition under the Overseas Workload Program.

(d) No funds appropriated for the Overseas Workload Program for fiscal year 1994 or thereafter shall be used for contracts awarded in fiscal year 1994 or thereafter which have not been opened for competition in a manner consistent with this provision.

[SEC. 8090. None of the funds appropriated by this Act shall be used to procure aircraft fuel cells unless the fuel cells are produced or manufactured in the United States by a domestic-owned and domestic-operated entity: *Provided*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.]

SEC. 8090. None of the funds available to the Department of the Air Force shall be available to establish or support any organic depot maintenance support activity for the B–2 bomber.

[SEC. 8091. (a) Notwithstanding any other provision of law, not less than $750,000 of the funds appropriated under the heading "Operation and Maintenance, Army" in title II of this Act shall be made available until expended to conduct a demonstration program involving the Army Senior Reserve Officers' Training Corps battalion at Indiana University-Northwest and Army Junior Reserve Officers' Training Corps units near the University. The purpose of the program shall be to encourage minority students in secondary educational institutions to continue their education.

[(b) Under the program, Senior Reserve Officers' Corps cadets may serve as mentors and tutors for students in Junior Reserve Officers' Corps units. Cadets and students may participate in combined activities, including summer camps, field training, and other traditional military activities.

[(c) Senior Reserve Officers' Corps cadets who serve as mentors and tutors may be paid a stipend.

[(d) After a cadet has satisfactorily served in the program, under criteria established by the Secretary of the Army and for a period of time determined by the Secretary, the cadet may be provided financial assistance tuition, books, laboratory fees, and similar educational expenses if the cadet continues to serve satisfactorily in the program.]

SEC. 8091. (a) Any college, university, or other institution which has been determined by the Defense Contract Audit Agency to have overbilled the Federal Government for indirect costs which are unreasonable, unallowable, or unallocable under Office of Management and Budget Circulars A–21 and A–133 may not receive from the Department of Defense, during fiscal year 1994, any grant or contract, or combination of grants or contracts, which totals the amount overbilled to the Department of Defense.

(b) The restriction in subsection (a) shall not apply if, within six months after an official determination of overbilling—

(1) the institution in question either repays in full to the United States Treasury the amount overbilled to the Federal Government, plus interest, or

(2) the Under Secretary of Defense for Acquisition certifies in writing to Congress that the institution is no longer liable for such restitution, or that the dispute has become the subject of formal judicial review.

(c) The restriction in subsection (a) shall only apply to any college, university, or other institution which has been determined by the Defense Contract Audit Agency to have overbilled the Federal Government by an amount which equals or exceeds $15,000,000.

SEC. 8092. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than [$50,000] *$25,000*.

SEC. 8093. None of the funds appropriated by this Act shall be available for direct [or indirect] support of the joint Department of Defense/Department of Energy Safeguard C contingent nuclear testing program.

[SEC. 8094. In connection with procurements of petroleum products made by the Department of Defense with appropriated funds, the Secretary shall consider all qualified bids from any eligible country under the Caribbean Basin Economic Recovery Act which is hereby deemed a designated country pursuant to 19 U.S.C. 2511(b).]

SEC. 8094. Of the funds appropriated to the Department of Defense for Operation and Maintenance, Defense-Wide, not less than $8,000,000 shall be made available until expended to the Administration for Native Americans within 90 days of enactment of this Act only for the mitigation of environmental impacts, including the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8095. During the current fiscal year, appropriations available for the pay and allowances of active duty members of the Armed Forces shall be available to pay the retired pay which is payable pursuant to section 4403 of Public Law 102–484 (10 U.S.C. 1293 note) under the terms and conditions provided in section 4403.

[SEC. 8096. None of the funds appropriated in this Act may be used to pay the salaries of more than two Senior Executive Service positions within the Office of the Assistant Secretary of the Army for Civil Works: *Provided*, That the individuals in these positions may not be compensated at a rate higher than level three of the Senior Executive Service.]

SEC. 8096. None of the funds available to the Department of Defense shall be used for the training or utilization of psychologists in the prescription of drugs, except pursuant to the findings and recommendations of the Army Surgeon General's Blue Ribbon Panel as specified in its February and August 1990 meeting minutes.

[SEC. 8097. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Business Operations Fund shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Defense Business Operations Fund if such an item would not have been chargeable to the Defense Business Operations Fund during fiscal year 1993 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

[(b) The fiscal year 1995 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1995 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 1995 procurement appropriation and not in the supply management business area or any other area or category of the Defense Business Operations Fund.]

SEC. 8097. During the current fiscal year, obligations against the stock funds of the Department of Defense may not be incurred in excess of 70 percent of sales from such stock funds during the current fiscal year: Provided, That in determining the amount of obligations against, and sales from the stock funds, obligations and sales for fuel, subsistence, commissary items, retail operations, the cost of operations, and repair of spare parts shall be excluded: Provided further, That upon a determination by the Secretary of Defense that such action is critical to the national security of the United States, the Secretary may waive the provisions of this section: Provided further, That if the provisions of this section are waived, the Secretary shall immediately notify the Congress of the waiver and the reasons for such a waiver.

[SEC. 8098. (a) The prohibition in section 133(a)(2) of the National Defense Authorization Act for fiscal years 1990 and 1991 (Public Law 101–189; 103 Stat. 1383) does not apply to the obligation of funds in amounts not to exceed $216,000,000 for the procurement of not more than 36 OH–58D Scout aircraft from funds appropriated in title III of this Act.

[(b) The prohibition in section 132(a)(2) of the National Defense Authorization Act for 1990 and 1991 (Public Law 101–189; 103 Stat. 1383) does not apply to the obligation of funds in amounts not to exceed $368,430,000 for the procurement of not more than 24 AH–64 aircraft from funds appropriated in title III of this Act.]

SEC. 8098. None of the funds provided in this Act shall be available for use by a Military Department to modify an aircraft, weapon, ship or other item of equipment, that the Military Department concerned plans to retire or otherwise dispose of within five years after completion of the modification: Provided, That this prohibition shall not apply to safety modifications:

Provided further, That this prohibition may be waived by the Secretary of a Military Department if the Secretary determines it is in the best national security interest of the country to provide such waiver and so notifies the congressional defense committees in writing.

[SEC. 8099. (a) FINDINGS.—The Congress finds that—

[(1) the United States Government has not made adequate efforts to seek the payment of compensation by the government of Peru for the death and injuries to United States military personnel resulting from the attack by aircraft of the military forces of Peru on April 24, 1992, against a United States Air Force C-130 aircraft operating off the coast of Peru; and

[(2) in failing to make such efforts adequately, the United States Government has failed in its obligation to support the servicemen and their families involved in the incident and generally to support members of the Armed Forces carrying out missions on behalf of the United States.

[(b) SEMIANNUAL REPORT.—The Secretary of Defense shall submit a report to Congress on December 1 and June 1 of each year on the efforts made by the Government of the United States during the preceding six-month period to seek the payment of fair and equitable compensation by the Government of Peru (1) to the survivors of Master Sergeant Joseph Beard, Jr., United States Air Force, who was killed in the attack described in subsection (a), and (2) to the other crew members who were wounded in the attack and survived.

[(c) TERMINATION OF REPORT REQUIREMENT.—The requirement in subsection (b) shall terminate upon certification by the Secretary of Defense to Congress that the Government of Peru has paid fair and equitable compensation as described in subsection (b).]

SEC. 8099. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages, wine and cigarettes with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages, wine and cigarettes are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages, wine and cigarettes shall apply to all alcoholic beverages and cigarettes only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, and cigarettes, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8100. Notwithstanding any other provision of law or regulation, the Department of Defense is directed to use available off the shelf, nondevelopmental items in filling small craft and small boat requirements when at all possible.

SEC. 8101. No part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

[SEC. 8102. None of the funds appropriated by this Act shall be available for payment of the compensation of personnel assigned to or serving in the National Foreign Intelligence Program in excess of 96 percent of such personnel actually assigned to or serving in the National Foreign Intelligence Program on September 30, 1992: *Provided*, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to Senior Intelligence Service positions shall be equal to or exceed the percentage of reductions to non-Senior Intelligence Service positions: *Provided further*, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to positions in the National Capital Region shall be equal to or exceed the percentage of reductions to positions outside of the National Capital Region.]

SEC. 8102. (a) Of the amounts available to the Department of Defense for fiscal year 1994, not less than $10,000,000 shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department.

(b) Fellowships awarded pursuant to subsection (a) above shall not be restricted on the basis of the geographical locations in the United States of the institutions at which the recipients are pursuing the aforementioned advanced degrees.

(c) Not less than 50 per centum of the funds necessary to carry out this section shall be derived from the amounts available for the University Research Initiatives Program in "Research, Development, Test and Evaluation, Defense-Wide", and the balance necessary shall be derived from amounts available for Defense Research Sciences under title IV of this Act.

SEC. 8103. None of the funds provided by this Act may be used to pay the salaries of any person or persons who authorize the transfer of obligated and deobligated appropriations into the Reserve for Contingencies of the Central Intelligence Agency.

SEC. 8104. During the current fiscal year [and thereafter,] funds appropriated for construction projects of the Central Intelligence Agency, which are transferred to another Agency for execution, shall remain available until expended.

SEC. 8105. During the current fiscal year [and thereafter,] monetary limitations on the purchase price of a passenger motor vehicle shall not apply to vehicles purchased for intelligence activities conducted pursuant to Executive Order 12333 or successor orders.

SEC. 8106. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1995.

(TRANSFER OF FUNDS)

SEC. 8107. During the current fiscal year [and thereafter,] no funds may be made available through transfer, reprogramming, or other means between the Central Intelligence Agency and the Department of Defense for any intelligence or special activity different from that previously justified to the Congress unless the Director of Central Intelligence or the Secretary of Defense has notified the House and Senate Appropriations Committees of the intent to make such funds available for such activity.

SEC. 8108. The classified annex prepared by the Committee on Appropriations to accompany the report on the Department of Defense Appropriations Act, 1994 is hereby incorporated into this Act: *Provided*, That the amounts specified in the classified Annex are not in addition to amounts appropriated by other provisions of this Act: *Provided further*, That the President shall provide for appropriate distribution of the classified Annex, or of appropriate portions of the classified Annex, within the executive branch of the Government.

[SEC. 8109. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems at the Unified and Specified Commands.

[SEC. 8110. After March 1, 1994, none of the funds appropriated by this Act shall be available for any National Foreign Intelligence Program: *Provided*, That this provision shall not apply for any National Foreign Intelligence Program for which budget exhibits were submitted to the House Committee on Appropriations which justifies in detail all funds requested for "base", "ongoing", and "new" programs for fiscal year 1995.

[SEC. 8111. None of the funds appropriated by this Act shall be available for the planning, programming or actual movement of any component or function of the Defense Mapping Agency Aerospace Center annex from the St. Louis, Missouri, area.

[(INCLUDING TRANSFER OF FUNDS)

[SEC. 8112. In addition to amounts appropriated or otherwise made available by this Act, $21,700,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard for a 2.2 percent pay increase for uniformed members.

[SEC. 8113. None of the funds appropriated or made available in this Act shall be obligated or expended for the performance of depot-level maintenance by the Department of Defense unless such activities are conducted in accordance with section 2466(a) of title 10, United States Code, as amended by Public Law 102-484.

[SEC. 8114. Notwithstanding any other provision of law, and in accordance with section 2905 of the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, the Department of Defense shall proceed with implementation of the 1993 Defense Base Closure and Realignment Commission recommendation concerning the consolidation of tactical missile maintenance at Letterkenny Army Depot.

[SEC. 8115. Notwithstanding any other provision of law, the Secretary of the Navy shall obligate the funds appropriated for fiscal years 1992 and 1993 for the USH-42 Mission Recorder program for the A-6 aircraft.

[SEC. 8116. In addition to amounts appropriated elsewhere in this Act, $200,000 shall be available only for settlement of claims and interest thereon, associated with contract numbered N62474-86-C-0253 for construction of a multipurpose range complex at the Marine Corps Air Ground Combat Center in Twentynine Palms, California: *Provided*, That such settlement shall be made pursuant to the recommendation of August 19, 1993, of the Comptroller General of the United States (case B-230871.3).

[SEC. 8117. Not withstanding any other provision of law, none of the funds appropriated for fiscal year 1993 and fiscal year 1994 for the DDG-51 destroyer program shall be obligated or expended for procurement of the ring laser gyroscope inertial navigation system under a sole source contract.

[SEC. 8118. The Secretary of the Navy shall carry out the establishment of the Mine Warfare Center of Excellence at the naval station at Ingleside, Texas (including the establishment of all subordinate units and the relocation of Navy mine warfare forces), in accordance with the schedule of the Navy for the establishment of such center and without regard to any alteration in that schedule that would otherwise be required pursuant to any other provision of law enacted during the first session of the 103d Congress that applies specifically to the construction and operation of that center or to the relocation of Navy mine warfare forces to Ingleside, Texas.

[SEC. 8119. (a) The amount expended during fiscal year 1994 from funds appropriated by this Act or any prior Department of Defense Appropriations Act shall not exceed $255,795,000,000.

[(b) The Secretary of Defense and the Director of Central Intelligence shall take such steps as necessary to ensure compliance with the requirement in subsection (a).

[(c) The provisions of the Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.) shall not apply with respect to funds appropriated by this Act or any prior Department of Defense Appropriations Act to the extent necessary to enable the Secretary of Defense to comply with subsection (a).

[(d) Any payment required to be made by the Department of Defense to a business concern that, but for this subsection, would be required to be made during September, 1994 may be made during the period beginning on October 1, 1994, and ending on the date that is 30 days after the date on which the payment would otherwise be required to be made. In determining the amount of any interest penalty under section 3902 of title 31, United States Code, for failure to make any such payment, any period for which the Secretary of Defense, under the preceding sentence, deferred the required payment date shall not be taken into account.

[(e)(1) The Secretary of Defense shall, on each of the dates specified in paragraph (2), submit to the Committees on Appropriations and the Committees on Armed Services of the Senate and House of Representatives a report on the implementation of this section. Each such report shall include—

[(A) an analysis of cumulative obligations and cumulative expenditures from accounts subject to the limitation in subsection (a) during the period beginning on October 1, 1993, and ending on the last day of the month preceding the month in which the report is to be submitted, including a comparison of such obligations and expenditures with the relevant estimates of outlays made by the Office of Management and Budget and the Congressional Budget Office; and

[(B) a description of the specific actions taken by the Secretary to ensure that the Department of Defense meets the requirements of subsection (a).

[(2) The reports required by paragraph (1) shall be submitted not later than the following dates in 1994: January 15, April 15, July 15, September 15, and October 15.]

SEC. 8109. None of the funds appropriated by this Act shall be used to begin closing a military treatment facility unless the Secretary of Defense notifies the Committees on Appropriations of the House of Representatives and the Senate ninety days prior to such action.

SEC. 8110. None of the funds made available by this Act shall be available for any Military Department of the United States to conduct bombing training, gunnery training, or similar munitions delivery training on the parcel of land known as Kaho'olawe Island, Hawaii.

SEC. 8111. The Secretary of Defense is authorized to provide optional summer school programs in addition to the programs otherwise authorized by the Defense Dependents Education Act of 1978 (Public Law 95-561), and to charge a fee for participation in such optional education programs. Optional summer school program fees shall be made available for use by the Secretary to defray the costs of summer school operations.

SEC. 8112. Unobligated balances of the funds appropriated in Public Law 102-172 and Public Law 102-396 under the headings "World University Games", "Summer Olympics" and "World Cup USA 1994" in title II of those Acts shall, notwithstanding any other section of those Acts, remain available for obligation until September 30, 1995.

SEC. 8113. Notwithstanding any other provision of law, reimbursements received from the North Atlantic Treaty Organization for the E-3 Airborne Warning and Control System (AWACS) Radar System Improvement Program (RSIP) attributable to development work for fiscal years 1987 through 1992 shall be available to the Air Force until September 30, 1994, for meeting that service's financial commitments for the AWACS RSIP.

SEC. 8114. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions to the Johnston Atoll for the purpose of storing or demilitarizing such munitions.

(b) The prohibition in subsection (a) shall not apply to any obsolete World War II chemical munition of the United States found in the World War II Pacific Theater of Operations.

(c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8115. None of the funds available to the Department of Defense may be used to support the relocation of P-3 aircraft squadrons or other aircraft or units from the Naval Air Station at Barbers Point, Hawaii unless such relocation was specifically stated in the 1993 Report to the President of the Defense Base Closure and Realignment Commission.

SEC. 8116. (a) No funds available to the Air Force during fiscal year 1994 may be obligated or expended for any research, development, test, or evaluation activities to upgrade the current capabilities of the B-1B bomber unless the Secretary of Defense certifies to the Congressional defense committees that the entire B-1B upgrade program is militarily-required, affordable, and fully funded in the Future Years Defense Program for fiscal years 1995–2000.

(b) Of the funds appropriated for the Department of Defense for fiscal year 1993 under the heading "Research, Development, Test and Evaluation, Air Force" in Title IV of Public Law 102-396, the following amount is hereby rescinded: $31,000,000.

SEC. 8117. The Secretary of Defense is authorized to use, for foreign military sales otherwise authorized under Chapter 39, title 22 United States Code or for transfer to United States Army, Army National Guard, or Army Reserves, articles and services procured for the implementation of the Italian air defense agreements: Provided, That the term "Italian air defense agreements" has the meaning given such term in Section 1050 of Public Law 102-190, (105 Stat. 1469): Provided further, That section 1050 of Public Law 102-190 (105 Stat. 1469) is repealed.

SEC. 8118. None of the funds appropriated or otherwise made available by this or any other Act may be made available for the Department of Defense to develop, acquire, by purchase or otherwise, any 52 caliber-variant of the M109 155mm self-propelled howitzer.

SEC. 8119. Notwithstanding any other provision of law, funds and credits received from the contractor under contract warranties for the failure of the first ultra high frequency follow-on satellite shall no longer be available for a replacement ultra high frequency satellite but shall be made available to finance a replacement extremely high frequency satellite and its launch.

(TRANSFER OF FUNDS)

SEC. 8120. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: *Provided*, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: *Provided further*, That the amounts shall be transferred between the following appropriations in the amounts specified:

From:

[Under the heading, "Shipbuilding and Conversion, Navy, 1990/1994":

[AOE combat support ship program, $3,459,000;]

Under the heading, "Research, Development, Test and Evaluation, Navy, 1993/1994", $3,459,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1986/1990":

MHC coastal mine hunter program, $3,459,000;

From:

[Under the heading, "Shipbuilding and Conversion, Navy, 1990/1994":

[AOE combat support ship program, $46,000;

[Oceanographic ship program, $538,000;

[For craft, outfitting, post delivery, and ship special support equipment, $994,000;

[Under the heading, "Shipbuilding and Conversion, Navy, 1991/1995":

[For craft, outfitting, and post delivery, $3,806,000;

[Under the heading, "Aircraft Procurement, Navy, 1992/1994", $28,710,000;

[Under the heading, "Shipbuilding and Conversion, Navy, 1992/1996":

[DDG–51 destroyer program, $41,800,000;

[For craft, outfitting, and post delivery, $1,560,000;

[Under the heading, "Weapons Procurement, Navy, 1992/1994",] $36,000,000;

Under the heading, "Aircraft Procurement, Navy, 1993/1995", $3,400,000;

Under the heading, "National Guard and Reserve Equipment, 1993/1995", $21,208,000;

Under the heading, "Research, Development, Test and Evaluation, Navy, 1993/1994", $88,846,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1988/1992":

SSN–688 attack submarine program, $26,596,000;

CVN nuclear aircraft carrier program, $83,600,000;

LHD–1 amphibious assault ship program, $3,258,000;

From:

Under the heading, "Aircraft Procurement, Navy, 1992/1994", [$28,890,000] *$57,600,000;*

[Under the heading, "Aircraft Procurement, Navy, 1993/1995", $3,400,000;

[Under the heading, "Shipbuilding and Conversion, Navy, 1993/1997";

[Refueling overhauls, $909,000;

[DDG–51 destroyer programs, $14,400,000;

[MHC coastal mine hunter program, $9,343,000;

[For craft, outfitting and post delivery, $27,250,000;

[Under the heading, "Weapons Procurement, Navy, 1993/1995", $76,164,000;]

Under the heading, "Weapons Procurement, Navy, 1992/1994", $36,000,000;

Under the heading, "Other Procurement, Navy, 1993/1995", $66,756,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy 1989/1993":

TRIDENT ballistic missile submarine program, $11,655,000;

SSN-688 attack submarine program, $26,972,000;

SSN-21 attack submarine program, $40,800,000;

DDG-51 destroyer program, $71,500,000;

MHC coastal mine hunter program, $9,429,000;

From:

[Under the heading, "Other Procurement, Navy, 1993/1995", $68,361,000;

[Under the heading, "Research, Development, Test and Evaluation, Navy, 1993/1995", $45,000,000;]

Under the heading, "Shipbuilding and Conversion, Navy, 1990/1994":

AOE combat support ship program, $3,505,000;

Oceanographic ship program, $538,000;

Craft, outfitting, post delivery, and ship special support equipment, $994,000;

Under the heading, "Weapons Procurement, Navy, 1993/1995", $49,868,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy 1990/1994":

TRIDENT ballistic missile submarine program, $7,241,000;

DDG-51 destroyer program, $40,100,000;

MCM mine countermeasures program, $7,564,000;

[T-AGOS surveillance ship program $58,456,000;]

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1991/1995":

For craft, outfitting, and post delivery, $45,865,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1992/1996":

DDG-51 destroyer program, $41,800,000;

For craft, outfitting, post delivery, and DBOF transfer, $6,260,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1993/1997":

DDG-51 destroyer program, $14,400,000;

MHC coastal mine hunter program, $9,343,000;

For craft, outfitting, post delivery, and first destination transportation, and inflation adjustments, $45,177,000;

Under the heading, "Weapons Procurement, Navy, 1993/1995", [$24,015,000] *$100,382,000*;

Under the heading, "Other procurement, Navy, 1993/1995", [$102,439,000] *$6,044,000*;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1991/1995":

SSN-21 attack submarine program, [$70,654,000] *$237,971,000*;

DDG-51 destroyer program, $31,300,000[;].

[Under the heading, "Shipbuilding and Conversion, Navy, 1993/1997":

[LSD cargo variant ship program, $24,500,000.

[SEC. 8121. None of the funds in this Act are available for any board, committee, or panel which develops, sets, defines, or recommends National Foreign Intelligence Program requirements: *Provided*, That this provision shall not apply to any such board, committee, or panel for which a majority of the members are not career intelligence or cryptologic professionals.

[SEC. 8122. The Departments of Defense and Air Force are directed to obligate, no later than thirty days after enactment of this Act, the $55,500,000 appropriated for research and development in Public Law 102-396 only for the continuance of the Space Nuclear Thermal Propulsion Program.]

SEC. 8121. Notwithstanding any other provision of law, funds appropriated in this Act for the upgrade, purchase, or modernization of supercomputing capability and capacity under the High Performance Computing Modernization program shall only be available for contracts, contract modifications, or contract options which are awarded without regard to the architecture or design of the supercomputer system.

SEC. 8122. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986 and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8123. The Secretary of Defense and the Director of Central Intelligence shall deliver, in conjunction with the fiscal year 1995 budget request, a report providing the following information about all research and development projects involving the implementation, monitoring, or verification of current and projected international arms control agreements: (a) annual and total budgets, goals, schedules, and priorities; (b) relationships among related projects being funded by the Department of Defense, the National Foreign Intelligence Program, and other departments and agencies of the Federal Government; and (c) comments by the Arms Control and Disarmament Agency about the relevance of each project to the arms control priorities of the United States.

[SEC. 8124. Notwithstanding any other provision of law, none of the funds appropriated in this or any other Act shall be used for the purchase of a totally enclosed lifeboat survival system, which consists of the lifeboat and associated davits and winches, if less than 75 percent of the entire system's components are manufactured in the United States, and if less than 75 percent of the labor in the manufacture and assembly of the entire system is performed in the United States.

[SEC. 8125. None of the funds appropriated by this Act may be used (1) to transfer to the United Nations a facility in the continental United States for use as a United Nations peacekleeping facility, or (2) for the renovation of such a facility in preparation for such a transfer.]

SEC. 8124. During the current fiscal year, funds received from the sale of tanks and infantry fighting vehicles under section 21 of the Arms Export Control Act (22 U.S.C. 2761) shall be available for the upgrading of tanks, infantry fighting vehicles or armored personnel carriers in the manner and to the extent specified by subsections 21(j)(1) and (2) of that Act (22 U.S.C. 2761(j)(1) and (2)).

SEC. 8125. Amounts appropriated in this Act which are available for the Small Business Innovation Research Program and the Small Business Technology Transfer Pilot Program portions of the extramural research and development budget of the Department of Defense shall be the amounts specifically identified for those programs in the supporting documentation accompanying the Budget submitted for the Department of Defense, notwithstanding sections 9(f)(1) and (n)(1) of the Small Business Act (15 U.S.C. 638(f)(1) and (n)(1)).

[COMPLIANCE WITH BUY AMERICAN ACT

[SEC. 8126. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

[SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

[SEC. 8127. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

[(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of Defense shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

[PROHIBITION OF CONTRACTS

[SEC. 8128. If it has been finally determined by a court or Federal agency that any person intentionally affixed a fraudulent label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that was not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

[RECIPROCITY

[SEC. 8129. (a) GENERAL RULE.—Except as provided in subsection (b), no contract or subcontract may be made with funds authorized under this Act to a company organized under the laws of a foreign country unless the Secretary finds that such country affords comparable opportunities to companies organized under laws of the United States.

[(b) EXCEPTION.—(1) The Secretary may waive the rule stated under subsection (a) if the products or services required are not reasonably available from companies organized under the laws of the United States. Any such waiver shall be reported to the Congress.

[(2) Subsection (a) shall not apply to the extent that to do so would violate the General Agreement of Tariffs and Trade or with any other international agreement to which the United States is a party.]

SEC. 8126. None of the funds appropriated by this or any other Act with respect to any fiscal year for the Navy may be used to carry out an electromagnetic pulse program in the Chesapeake Bay area in connection with the Electromagnetic Pulse Radiation Environment Simulator for Ships (EMPRESS II) program unless or until the Secretary of Defense certifies to the Congress that conduct of the EMPRESS II program is essential to the national security of the United States and to achieving requisite military capability for United States naval vessels, and that the economic, environmental, and social costs to the United States of conducting the EMPRESS II program in the Chesapeake Bay area are far less than the economic, environmental, and social costs caused by conducting the EMPRESS II program elsewhere.

SEC. 8127. Military personnel who separate from a military department under the Voluntary Separation Initiative (VSI) or the Special Separation Bonus (SSB), and who are eligible for service continuation bonuses such as the reenlistment bonus or aviation continuation pay during the same year in which they separate, *will receive separation payments reduced by an amount equal to the amount of the continuation bonus received by the member in the year in which the member separates: Provided, That any future continuation bonus payments to which the member would otherwise be entitled are rescinded: Provided further, That civilian employees of the Department of Defense are prohibited from receiving voluntary separation payments if such employees are rehired by another agency of the Federal Government within one hundred and eighty days of separating from the Department of Defense.*

SEC. 8128. Under the heading "Research, Development, Test and Evaluation, Army" in the Department of Defense Appropriations Act, 1993 (Public Law 102–396), delete the final proviso and insert in lieu thereof:

": Provided further, That of the funds appropriated in this paragraph, $4,000,000 shall be used only for a grant to the Assistive Technology Center at the National Rehabilitation Hospital for laboratory and other efforts associated with research and development and other programs of major importance to the Department of Defense".

SEC. 8129. None of the funds appropriated in this Act may be used to pay for the costs of personnel, operations, procurement of supplies or other items in support of the Marshall Center.

SEC. 8130. None of the funds appropriated or otherwise made available by this Act may be used for a defense technology reinvestment project that is not selected pursuant to the applicable competitive selection and other procedures set forth in chapter 148 of title 10, United States Code.

SEC. 8131. The appropriations made under the headings "Operation and Maintenance, Navy" and "Operation and Maintenance, Air Force" under chapter III of title XI of the Dire Emergency Supplemental Appropriations Act, 1992, including disaster assistance to meet the present emergencies arising from the consequences of Hurricane Andrew, Typhoon Omar, Hurricane Iniki and other natural disasters, and additional assistance to distressed communities (Public Law 102–368) are each amended by inserting ", the August 8, 1993 earthquake in Guam" immediately after "Typhoon Omar" and by striking out "September 30, 1993" and inserting "September 30, 1994" in lieu thereof.

SEC. 8132. The appropriation, "Emergency Response Fund, Defense" made under the heading "Emergency Response Fund" by the Department of Defense Appropriations Act, 1990 (Public Law 101–165) is amended by inserting the following immediately after the third sentence: "In addition to the foregoing, upon a determination by the Secretary of Defense that such action is necessary, the Fund may be used, in addition to other funds available to the Department of Defense for such purposes, for expenses of the Department of Defense which are incurred in supplying supplies or services furnished in response to natural or manmade disasters.".

SEC. 8133. Of the funds appropriated or otherwise made available by this Act not more than $155,000,000 shall be available for payment of the operating costs of NATO Headquarters.

SEC. 8134. None of the funds appropriated by this Act shall be available for a contract for studies, analyses, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines:

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8135. Not later than January 1, 1994, the Secretary of the Navy shall transfer, without reimbursement, to the Secretary of State a tract of land consisting of approximately 10 acres, together with improvements thereon, which comprise that portion of the Naval Base, Charleston, South Carolina, bounded by Bainbridge Avenue, Holland Street, and Dyess Avenue and known as buildings 646, 646A, 647, 643, 645, and 649, excluding building 644, and all walkways and parking areas associated with such buildings: Provided, That the real property transferred pursuant to this section shall be used by the Secretary of State in support of diplomatic and consular operations: Provided further, That the exact acreage and legal description of the property to be transferred under this section shall be determined by a survey approved by the Secretary of the Navy.

SEC. 8136. Notwithstanding any other provision of law, the Secretary of Defense shall pay a death gratuity to each Servicemen's Group Life Insurance (SGLI) beneficiary of each deceased member of the uniformed services who died after October 28, 1992 and before December 1, 1992, and whose death was a death in the performance of duty: Provided, That the amount of the death gratuity payable to each beneficiary under this section shall be equal to the SGLI paid or payable to such beneficiary under Subchapter III of chapter 19 of title 38, United States Code, by reason of the death of such member: Provided further, That no death gratuity shall be paid under this section where the deceased member of the uniformed services affirmatively elected, in writing, to decline to apply for increased SGLI coverage under paragraph (e) of section 1922A of title 38, United States Code: Provided further, That in the case of a deceased member of the uniformed services who, prior to death, affirmatively elected, in writing, to apply for an increase in SGLI coverage in an amount less than $100,000 under paragraph (e) of section 1922A of title 38, U.S.C., the death gratuity paid under this section shall be equal to the amount of the increase so elected: Provided further, That a death gratuity shall be payable under this section to a SGLI beneficiary upon receipt of a written application therefor by the Secretary of Defense not later than September 30, 1994: Provided further, That, in addition to amounts appropriated elsewhere in this Act, $5,300,000 is appropriated and shall be available only for the settlement of death gratuity claims under this section.

(TRANSFER OF FUNDS)

SEC. 8137. During the current fiscal year and thereafter, sales of stockpiled material in the National Defense Stockpile Transaction Fund in the Defense Business Operations Fund may be made in amounts not to exceed $500,000,000 in each fiscal year: Provided, That receipts from such sales as well as available fund balances may be transferred to any appropriation available to the Department of Defense to be merged with and to be available for the same purposes and same time period as the appropriation to which transferred, or may be deposited to the miscellaneous receipts of the Treasury: Provided further, That the Secretary of Defense may impose a moratorium on the acquisition of new material for the National Defense Stockpile for the purpose of reducing existing excess material in the Stockpile.

SEC. 8138. The Assistant Secretary of Defense for Health Affairs shall, during the current fiscal year, initiate a managed health care program for eligible beneficiaries in the area of Homestead Air Force Base: Provided, That this program shall provide benefits and services substantially identical to those established to serve beneficiary populations in areas where military medical facilities have been terminated, to include retail pharmacy networks available to Medicare-eligible beneficiaries: Provided further, That the Assistant Secretary of Defense for Health Affairs shall present a plan to implement this program to the House and Senate Committees on Appropriations not later than January 15, 1994.

(RESCISSIONS)

SEC. 8139. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

"Aircraft Procurement, Army, 1993/1994", $42,700,000;

"Wheeled and Tracked Combat Vehicles, Army, 1993/1995", $4,700,000;

"Procurement of Ammunition, Army, 1992/1994", $30,181,000;

"Procurement of Ammunition, Army, 1993/1995", $32,580,000;

"Weapons Procurement, Navy, 1992/1994", $15,000,000;

"Weapons Procurement, Navy, 1993/1995", $47,500,000;

"Other Procurement, Navy, 1993/1995", $26,600,000;

"Procurement, Marine Corps, 1992/1994", $10,285,000;

"Procurement, Marine Corps, 1993/1995", $6,508,000;

"Missile Procurement, Air Force, 1993/1995", $57,600,000;

"Other Procurement, Air Force, 1993/1995", $63,206,000;

"Other Procurement, Air Force, 1992/1994", $17,276,000;

"Research, Development, Test and Evaluation, Navy, 1993/1994", $13,100,000.

SEC. 8140. In addition to amounts appropriated elsewhere in this Act, $25,000,000 is appropriated for the subsidy of loan guarantees to carry out the program established under section 1052 of S. 1298 as it passed the Senate on September 14, 1993: Provided, That such section is enacted into law.

SEC. 8141. The Under Secretary of Defense for Acquisition shall develop a detailed plan and schedule to implement the transition of the Defense Nuclear Agency and the integration of its militarily essential functions into the military services and Advanced Research Projects Agency: Provided, That none of the funds made available by this Act shall be available to implement changes in current DNA operations until 30 days after the plan and schedule have been approved by the Under Secretary of Defense for Acquisition and submitted to the Congressional defense committees for review: Provided further, That the Under Secretary of Defense for Acquisition shall submit the aforementioned transition plan and schedule not later than February 1, 1994.

This Act may be cited as the "Department of Defense Appropriations Act, 1994".

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from Hawaii.

Mr. INOUYE. I thank the Chair.

Mr. President, on behalf of the Committee on Appropriations, I am pleased to present to the Senate the committee's recommendations for fiscal year

1994 funding of the programs and activities of our Government in support of our Nation's defense and security.

The bill before the Senate provides $239 billion in budget authority and $255.3 billion in outlays for fiscal year 1994 defense spending. These amounts are very, very close to the budget authority and outlay allocations of the Subcommittee on Defense Appropriations.

It was not easy to get to these levels.

In the first place, our subcommittee once again fell victim to the vagaries of budget scorekeeping. A difference between the Office of Management and the Budget [OMB] and the Congressional Budget Office [CBO] on the scoring of outlays—together with the budget allocation process and the decision to charge the Defense Subcommittee for the fiscal year 1994 outlays for the Russian aids package—meant that the subcommittee had $3.3 billion less in outlays than assumed in the President's budget.

The resultant budget authority and outlay mismatch made it quite difficult for the managers of this legislation to shape a bill which both meets our essential national security requirements and the objective of fiscal restraint. Nonetheless, we have done so, and I am proud of the product of our efforts. We are confident that the Senate will support this measure.

No one will find everything that they wanted in this bill, but all will find that we have made a determined effort to maintain readiness, preserve the defense industrial base, and invest in the future. Above all, we have protected the welfare and the warfighting ability of the men and women who serve us in the uniformed services.

Mr. President, this has been a very difficult year for the Defense Appropriations Subcommittee. The amount of funding in the bill, $239 billion, is $13 billion below the amounts appropriated last year.

This bears repeating.

From fiscal year 1990 to fiscal year 1991, we made a modest reduction of $1.6 billon—a bit more of a reduction, if you consider inflation. Then from fiscal year 1991 to fiscal year 1992, we cut $14 billion; from fiscal year 1992 to fiscal year 1993, we cut $17 billion; and from fiscal year 1993 to fiscal year 1994, we will cut $13 billion.

This is a tough business. We have taken more than $100 billion out of the defense bill over the 5-year period fiscal year 1990 to fiscal year 1994. We have told men and women who have served with honor, who have committed their lives to a military career, that they are no longer needed.

We have cut back, scaled down, stopped—the production of so many programs that the defense industrial base is imperiled. We have closed bases and installations and written the final chapter in the history of too many communities. There is no excess, no fat yet to be trimmed.

Mr. President, any further reductions in funding will, without question, bring reductions in the size and capability of our Armed Forces—there is no way around that central proposition. Indeed, we are now on the edge of breaking the force, or destroying a proud military which has protected our freedoms for many, many years.

We are now on the edge of breaking an industrial capacity which has produced the equipment and materiel which protected our soldiers, sailors, and airmen. Cut it further and we will pay dearly to rebuilt it, when, once again, America responds to the call of global responsibility and national self-interest.

Mr. President, Senator STEVENS and I and the other members of the Appropriations Committee have been doing this work—this tough business of reducing defense expenditures by billions of dollars each year. We have not been able to respond to each and every wish of each and every Senator. Many valuable and useful undertakings have not been funded. We regret that.

But, we say to our colleagues, we have produced a bill which is sound and which meets the essential requirements of our national security—both economic and military. The funding we recommend will equip the force and keep it ready—but, it is a smaller force, stretched thinly along the line of defense. We should be under no illusions about that.

Despite the budget authority and outlay mismatch I referred to earlier, we have stayed within the agreed levels and the funding recommended is under our budget allocation. The bill, as scored by CBO, is within $250,000 of the allowance for outlays. It is very close.

Mr. President, this bill does a lot for America. At a time of uncertainty, when the threat of a massed Soviet attack into the heartland of Europe is gone, but the smoke plumes rising from the Russian Parliament building remind us of the continuing dangers, we make appropriate adjustments in our defense spending. At a time when it is no longer possible to pursue the illusion that all threats have, in fact, been removed, we fund the basic elements of our national strength and we preserve the vitality of our Nations' Armed Forces.

And, as we look to a future when, I fear, America will again turn inward and further reduce spending for military programs, we finance investments in the research and development and, indeed, procurement of systems to preserve our strength, even though our Navy now has fewer ships, our Air Force now has fewer planes, and our Army now has fewer divisions.

Mr. President, 5 years ago, when I became chairman of the Subcommittee on Defense Appropriations, I pledged that we would not leave America unprotected. We would not repeat the mistakes of the past. We would not cut the sinews and muscle of our Armed Forces and leave them on some future battlefield ill-trained, ill-equipped, and unprepared. Today, Mr. President, I must tell you, we can cut no more.

Mr. President, I will now review each title of the bill.

TITLE I: MILITARY PERSONNEL

The bill before the Senate adds funding to the President's request for military personnel. The recommendation fully funds active duty personnel end strength at the authorized level—providing an increase of 2,900 in Marine Corps end strength. The recommendation also provides funding for a 2.2-percent increase in military pay. The total of the funding recommended in the military personnel accounts is $70,130,360,000.

For the Guard and Reserve, we support the so-called handshake agreement between the Army and the Army National Guard. We support the President's recommended end strength and provide a minor increase in the Air National Guard. For the Guard and Reserve we provide $47,975,000 to fully fund the transition assistance program for full-time Guard and Reserve Personnel.

TITLE II: OPERATION AND MAINTENANCE

For the operation and maintenance title the committee recommends $77.3 billion, about $52 million below the House. Various pricing and fact of life adjustments have enabled us to take $1.5 billion out of the budget request. We have put this money to good use.

The committee has supported the force structure and strategy of the bottom up review of the Defense Department. Programs which are key to readiness, such as unit training, are fully supported. We increase funds for recruiting by $16 million in an effort to ensure that personnel standards are kept at high levels.

In fact, Mr. President, we have enhanced readiness by providing an increase of $208 million for the repair and maintenance of equipment—known as depot maintenance; we have provided $23 million to improve and upgrade shipyard repair facilities, $51 million for strategic mobility, $300 million for Air Force aircraft parts, and $229 million for the Army Retro-Eur Program which brings equipment and materiel back from Europe. By adding funds to these programs, we have taken care to fill the major budgetary shortfalls identified by the uniformed services. This year readiness will not be affected by shortfalls in O&M funding.

Under the O&M title, the committee has also provided funds to really begin the environmental clean-up of our Nation's defense installations—for that purpose, we provide $2.2 billion and call upon the Department to focus its efforts on actual clean up efforts—not for studies and research, but for turning the earth and cleaning up the mess left behind by a century of neglect.

In addition, I would point out that we have provided $2.1 billion to fund the Department's efforts to bring our bases into compliance with environmental laws—making operations safe and protecting the environment. We call upon the Secretary of Defense to bring the Department's environmental efforts under one umbrella organization, in order to successfully safeguard our natural resources. The Defense Department can become the model for responsible Government in the field of environmental concerns.

TITLE III: PROCUREMENT

The bill which the committee recommends makes a prudent investment in the military hardware and related equipment necessary to preserve a strong Defense Establishment.

NAVY

For the Navy, we provide $2.6 billion for three DDG–51 Aegis destroyers, as requested and as authorized; also, $850 million to complete the purchase of one LHD, amphibious assault ship, for the Marines; and $290 million for sealift programs.

In an action which may generate some debate, we recommend the appropriation of $3.4 billion to complete funding of the CVN–76, nuclear aircraft carrier. It is important to note that, in fiscal year 1993, the Congress provided $830 million for advance procurement of long-lead items for the construction of this carrier. In fact, the fiscal year 1994 budget assumes funds would be provided in fiscal year 1995 to complete purchase of the CVN–76. However, because of the mismatch of budget authority and outlays, which I noted earlier, we believe we should fund the procurement now.

A not insignificant consideration is that, if we buy the carrier this year, we will save over $200 million in costs. The bill states that these funds shall not be obligated or expended until authorized by law.

We address the problems of Navy Air by funding procurement of 36 F/A–18 C/D aircraft, as well as 12 T–45 Navy trainers. We also provide substantial amounts in R&D funding for an advanced E/F version of the F/A–18. I will say more about that in a moment.

An important element in the preservation of the effectiveness of Navy Air is the recommendation to appropriate $175 million for F–14 modifications.

ARMY

For the Army, the committee recommends the procurement of 10 Apache helicopters at a cost of $177 million; and we recommend $230 million for the procurement of 60 additional UH–60 Blackhawk utility helicopters. We do not fund AHIP helicopters, because none were requested or authorized.

AIR FORCE

For the Air Force, in accordance with the budget request, the committee provides $2.5 billion for procurement of six C–17 aircraft and advance procurement for eight more in fiscal year 1995. In accordance with actions taken by the Senate on the Defense authorization bill, funds are transferred to the National Defense Strategic Lift Fund. We support this airplane. The committee report discusses the committee's expectations that the C–17 will receive support from the Department of Defense.

The committee also recommends the appropriation of $477 million to purchase two J-Stars aircraft, one more than requested. The second airplane is authorized, and considerable unit cost savings are realized, if we procure two instead of one in fiscal year 1994.

The recommendations would provide $575 million to support the procurement of support equipment for the B–2 bomber. B–2 spare parts are reduced due to an accounting change, with report language recommending that these funds be moved to O&M.

Because the Senate passed authorization bill terminated the F–16 fighter program, we do not provide funding for F–16 procurement

TITLE IV: RESEARCH AND DEVELOPMENT

In the research and development accounts, the committee provides funding for investment in the future of America's Armed Forces. We are not unaware that Defense budgets may decline in the future. Accordingly, we have been careful to avoid initiation of R&D programs which are unaffordable in the future. Nonetheless, we do provide ample resources to those R&D programs which have been identified as required investments.

NAVY

For example, the committee provides $1.4 billion, the budget request, for F–18 E/F development. This aircraft will provide the solution to the Navy's midterm problems in the area of attack aircraft. As you know, the termination of the A–12 and A/FX programs left a large hole in the Navy's plans for a follow-on to the aging A–6 aircraft. The F–18 E/F will fill that gap. We have taken $51 million for F–18 tactical reconnaissance upgrades, because the principal Air Force-Navy program to develop a new tactical reconnaissance capability has been terminated and the Navy needs to sort out where it is going on these programs.

Before moving on, I should also note that, as part of the solution to the Navy's attack aircraft problem, we have provided $36 million for work on the development of air-to-ground capabilities for the F–14.

The recommendations also cut $399.2 million from the now terminated A/FX program.

For the V–22, Osprey program, the committee provides $10 million, a decrease of $72.3 million. Supporters of the V–22 should not be alarmed; we support the V–22. Our recommendation mirrors the Senate authorization and is a reflection of the fact that $1.5 billion in prior year funds continue to be available to support this program.

One of the larger cuts to Navy R&D is a reduction of $150 million in the growth of Navy RDT&E grants, subsidies, and contributions. As the budget shrinks, it is just not possible to justify such growth.

In an effort to reduce program risks, we have reduced $49 million from the program to develop a new mission computer for the E–2C carrier-based early warning aircraft. Instead, we have allocated $30 million of these funds to begin a capabilities demonstration at the Pacific missile range facility.

The committee provides $16.8 million, to develop the upgraded AIM–9X Variant of the Navy's sidewinder air-to-air missile. The committee also calls upon the Secretary of Defense to examine cost savings which might be derived from a joint United States-Kingdom development effort on the AIM–9X Variant.

ARMY

Under Army R&D, the committee's largest recommendation is for the $367 million sought to fully fund the development of the Army's No. 1 priority R&D effort—the development of the Comanche light armed scout helicopter.

We also recommend full funding of the $278 million sought for the Apache Longbow heavy attack helicopter.

Finally, we have fully funded the $148 million request for the armored systems modernization program, most of which is allocated to the advanced field artillery system [AFAS].

AIR FORCE

The R&D programs in the Air Force are numerous—and costly. Nonetheless, the committee supports them because we believe air superiority and the importance of strategic and tactical bombing was unquestionably demonstrated in the gulf war. Communications, intelligence, and control of air over the battlefield are vital to the success of our Armed Forces.

For the F–22 advanced tactical fighter, the committee recommends the appropriation of $1.925 billion, which is a reduction of $326 million from the requested amount. We do so to hold F–22 R&D to the fiscal year 1993 level and to allow development to proceed at a more measured pace. F–22 air-to-ground development is approved, but our report language will state our concerns about program structure.

Following on the investments America has made in prior years, the committee recommends the appropriation of $839 million for B–2 development. This includes $74 million to begin development of precision-guided GPS-aided targeting/munition [GATS/GAM] modifications. Because we feel so strongly about the conventional capabilities of the B–2, we have earmarked these funds in bill language. In a complementary action, we recommend a decrease of $94 million, denying funds to develop B-1B upgrades. These proposed upgrades had 56 percent cost growth, $1.4 billion, in less than 1 year and would now cost $3.9 billion.

In the arena of early warning systems, the committee has funded the top priority of the Commander in Chief of the U.S. Space Command. On a trip to space command headquarters in Colorado Springs, we learned that General Horner held the FEWS, or follow-on early warning system as his highest priority in early warning attack assessment. The committee recommends the appropriations of $215 million, the budget request.

We have also provided $52 million, a decrease of $15 million, for continued R&D on another early warning system which is now in deployment, the defense satellite program—or DSP—satellite; and, our recommendation includes a decrease of $253 million, to stop development of Brilliant Eyes.

Finally, we follow the lead of the Senate Armed Services Committee in deleting $43 million which, in effect, would terminate the national aerospace plane.

DEFENSEWIDE R&D

Mr. President, it is under Defense agencies that we find the largest of the R&D programs, the strategic defense initiative, as you know, the recently passed Defense authorization bill restructures this program and provides increased emphasis on a ground-based system. Consequently, we recommend the appropriation of $2.81 billion for ballistic missile defense—formerly SDI—an amount which is $952 million below the request, but the same amount as recently passed the Senate.

It will be of interest that we recommend the appropriation of $474 million, an increase of $150 million to the budget for Defense conversion R&D. This is $131 million below the authorization, but we had to comply with outlay ceilings which do not affect the authorizing committees. In addition, I would point out that $490 million in unobligated fiscal year 1993 balances remain available to support conversion programs.

To save money in the coming fiscal year and more importantly, in the future, the committee has not provided funding for the Defense Nuclear Agency [DNA]. We find $281 million in functions which had been, normally, under the DNA, but actually carried out by the services. Out recommendations call for a transition of functions and a phasing out of the DNA as a separate agency of Government.

Finally, under the defensewide accounts, our recommendations would provide $185 million to develop massively parallel supercomputers and software under the Advanced Research Projects Agency [ARPA] high performance computing program and $123 million, the requested and Senate-authorized amount, to buy high performance supercomputers.

Mr. President, some of the committee's recommendations affect funding across all of the R&D accounts. For example, the committee provides $200 million for manufacturing technology programs under the purview of the military services and the Office of the Secretary of Defense.

In another instance, following the authorized levels, we cut $200 million from the accounts for the federally financed research and development centers, leaving $1.35 billion for these institutions. This is exactly the amount authorized by the Senate.

CONCLUSION

Mr. President, those are the principal recommendations which the committee has put before the Senate for fiscal year 1994 funding of Defense appropriations.

As in the past, the committee has prepared a classified annex to the bill and a classified report detailing the recommendations for the intelligence and special access programs. These papers are available for review in the secure facilities in room S-407 in the Capitol or, at the convenience of Senators, in the committee's secure facilities.

Mr. President, preparation of the Defense appropriations bill is an undertaking of some substance. As chairman of the Defense Appropriations Subcommittee, I could not have put this bill before the subcommittee, the full committee, and the Senate without the full cooperation and assistance of my friend, Senator TED STEVENS, for whom I have great affection and respect. I am grateful to him and to his staff for their participation in the preparation of this bipartisan legislation.

Mr. President, that concludes my remarks. I invite Members to examine the bill and to bring to our attention at an early hour any amendments which they think might be required.

With that, I yield to the vice chairman of this subcommittee, Senator TED STEVENS.

The PRESIDING OFFICER (Mrs. BOXER). The Senator from Alaska.

Mr. STEVENS. Madam President, I am sure the Senate is aware that the Senator from Hawaii and I now have served together in this subcommittee well over 20 years. As I remarked in the committee meeting, I cannot remember a disagreement in that period of time. He is generous once again with his comments. The relationship that we have on this bill truly proves that defense is a bipartisan subject before this body, and I tell the Senate that this is the best bill that we could prepare under the circumstances.

Senator INOUYE has provided a very thorough and precise summary of the bill. It is not my purpose to repeat his presentation. As chairman of the Defense Subcommittee, however, Senator INOUYE has made a point that I want to reinforce. Our bill exactly meets the 602(b) allocation that was provided to our subcommittee for outlays under the Budget Act for fiscal year 1994. That means that this committee has not been able to fund many of the requests—and there have been a great many of them—that were included in the House-passed version of the bill or that were brought to us by Members of the Senate.

Let me point out to the Senate that the House bill itself is $1.77 billion over their allocation for defense outlays. The House-passed appropriations bill is $2.3 billion in excess of the allocation that is available to this subcommittee for presentation to the Senate. I think the Senate has to keep this in mind.

Once again, the point that I am making is only the Senate Defense Appropriations Subcommittee is bound by the Budget Act on outlays. The House has passed two versions of this bill, one an authorization and one an appropriation, which far exceeds the limitations set by the Budget Act on the Appropriations Committee in the Senate.

This bill does not fully fund the bill that the Senate passed, as sponsored by the Armed Services Committee, the defense authorization bill. According to the estimates of the Congressional Budget Office, the authorization bill that the Senate approved exceeded the outlays available to the Defense Appropriations Subcommittee by about $3 billion.

That is not unusual, really, and I mean no criticism to our colleagues in the House or Senate Armed Services Committees. But I do want the Senate to keep in mind that the Budget Reform Act's buck stops right here. This is the first action of the Congress that is bound by the outlay ceilings.

Now some people confuse the concept of what is authorized to be spent and the actual limitation on outlays of dollars that may be spent under the Budget Act.

I, personally, believe that the funding levels for defense this year are too low. The downward path we are on is far too steep to provide for our Nation's defense in the future. But we are bound by what the Congress has already enacted in terms of budget limitations, particularly in terms of outlay limitations.

Our subcommittee has worked hard to present this bill to the Senate that, in our judgment, provides the best balance of the President's budget and the Senate-passed authorization bill, while living within the spending ceilings established by the Budget Act according to the allocations we received.

The chairman of our subcommittee, Senator INOUYE, and this Senator have one overriding priority in presenting this bill to the Senate. We want to protect the accounts that support the training, the readiness and the quality of life of our military personnel.

We have listened closely to the Chiefs of Staff and the regional commanders in chief as they came to our subcommittee and briefed us on their priorities. We believe we have accommodated the key programs of those commanders.

We have tried to work very closely with the Secretary of Defense, Secretary Aspin, to incorporate the results of his bottom-up review where appropriate.

One tough recommendation in this bill, that may or may not be controversial, which remains to be seen, is our recommendation that we reduce the current end strength of Army personnel in Europe. Our bill proposes a reduction of 15,000 additional troops from the current level, reducing the Army in Europe to 60,000 personnel. Our bill, however, does fully fund the cost to return those troops to the continental United States where they would be redeployed.

This is necessary because of the continued failure of our allies in Europe to make a more genuine contribution to our common defense. There is no other recommendation we can make. I compare the problem in Europe to the success of our Pacific command leadership, which has achieved significant burdensharing agreements with Japan, Korea, and Singapore. Those decisions stand in stark contrast to the failure of our allies in Europe to enter into similar burdensharing agreements.

Further, our bill recommends $200 million to pay the costs to return the equipment that has been left in Europe by the units that already have returned to the United States. That is an expense that must be met.

I have reluctantly supported the merger of aircraft and sealift funds that was adopted by the Armed Services Committee and approved by the Senate. I remain an advocate for the continued production of the C–17. In this period of rapid deployment, we absolutely have to have a modern wide bodied aircraft available for our forces, but I am troubled by the continued failure of vital tests and by the problems of performance and contract costs.

As many of the Senate will remember, I served as chairman of this subcommittee for 6 years, and during that period, as chairman, as the current chairman does, I supported the C–17 and fought very hard to preserve its funding at a time when it was under even greater attack than it is now. But the aircraft should have been delivered a long time ago, and I say to my friends in the Air Force that they are going to find a dwindling number of supporters in Congress for the C–17 unless this program is back on track fast.

I join the chairman, Senator INOUYE, in recommending to the Senate that full funding for the CVN–76 be provided. That program is not in the President's budget for 1994 but there is $800 million that was both authorized and appropriated in fiscal year 1993 to support advanced procurement for the CVN–76.

The Navy has now estimated that we can save $200 million in taxpayers' money by acting in 1994 to approve full funding of the carrier. And the bottom-up review conducted by Secretary Aspin endorses a carrier force that assumes procurement of this vessel, the CVN–76. It is my hope that the Senate will agree with us on this recommendation.

Our bill also funds the Ballistic Missile Defense Program at the level authorized by the Senate authorization bill. I previously expressed my concern to the chairman over the proposal in this bill to terminate the Brilliant Eyes and Brilliant Pebbles research efforts. I think continued R&D in SDI is still wanted in view of the world situation.

Full funding has been provided in our bill for the follow-on early warning satellite, or FEWS. This system, highlighted by General Horner as his top priority when he was before the committee, will be invaluable to provide the critical theater missile defense capability that we have also funded in this bill.

Before we complete work on this bill there is going to be considerable debate over the presence of U.S. military forces in Somalia, as there should be. This Senator noted during the full committee markup of our bill, however, that no funds are specifically included in this bill to support U.S. operations in Somalia. Those funds are taken from the general operation and maintenance funds available to the Department of Defense. Consistent with the Senate-passed defense authorization bill, none of the funds requested for the Global Cooperative Initiative funds have been included in the bill.

The Congress in my judgment should exercise restraint in considering intrusion into the prerogatives of the President, as he exercises his powers in his role as Commander in Chief of the military. I intend to listen closely to the debate on the subject of Somalia.

I have just been in conversation with the distinguished Chairman of the Appropriations Committee, our President pro tempore. He is going to offer his amendment on the Somalian issue, and I hope to support his proposal.

I still have reservations, however, about the authority of the President to act beyond the date limit in Senator BYRD's amendment in the event there is some unforeseen calamity that occurs in that area while the Senate is out of session. I am sure that matter will be addressed by my good friend from West Virginia.

The Senate hotly debated at great length the National Defense Authorization Act for 1994, the Senate authorization bill. As managers of this bill, we believe we have complied with the principal policy positions adopted by the Senate in its votes on the authorization bill. I urge the Senate not to replay those debates. We have followed the basic policy decisions made by the Senate during consideration of the authorization bill. I see no reason for us to, once again, repeat those debates and have similar votes here. I have no reason to expect a change in the Senate policy as expressed on the authorization bill.

Let me point out the continuing resolution we have adopted expires on October 21. The Senate should complete action on this bill that we present today by tomorrow evening to allow us to proceed to conference with the House in time to meet the October 21 deadline. That appears now to be a pious hope, in view of the amendments that we already know will be presented. But I want the Senate to know that a delay beyond tomorrow evening in passing this bill will in all likelihood require a second continuing resolution because I do not see any way that we could get the bill out of conference in order to meet the October 21 deadline if we are not allowed to prepare the bill for conference over this coming weekend.

Let me thank, as Senator INOUYE did, our staff, Richard Collins, who has assisted Senator INOUYE, and Steve Cortese, who assists me, in our work on this bill. We have a very small staff on this subcommittee and we deal with precisely the same subjects dealt with by the Armed Services Committee people. In addition to that we have to deal with the limitations established by the Budget Reform Act.

I come back where I started. The limits imposed upon Congress under the Budget Reform Act only come into absolute enforcement as the Senate considers the defense appropriations bill. We must find some way to recognize that over $3 billion that was authorized to be spent for 1994 by the authorization bill action cannot be funded by this bill. So, Members who have additions, who want to spend more money, are going to have to tell us where they would cut from this bill. It is not a pleasant situation to be in, but I do believe we must and have complied with the Budget Act. I respect my good friend for the manner in which he has been able to do that.

Our temperaments differ because my friend from Hawaii makes his decisions quietly, and with little temper. Mine often gets displayed. But perhaps the Senate needs this balance. I appreciate the comments, again, of my good friend from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

PRIVILEGE OF THE FLOOR

Mr. INOUYE. Madam President, I ask unanimous consent that staff members

Karen Miller, Denise Baken, Paul Joula, Nancy Lescavage, and John Young, be granted the privilege of the floor during consideration of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, before yielding the floor for further debate I would like to note in my presentation of the prepared remarks all of the numbers were cold, and they represented dollars. But I believe as we proceed on this debate we should keep in mind that, whereas Americans are generally proud to be designated the super military power of the world, that super military power is made up of about one-half of 1 percent of the people of the United States.

Two years ago 2,100,000 American men and women were in uniform. It is now, 1,600,000. In 2 years we will have less than 1,400,000 men and women in uniform. These are the men and women who are willing to stand in harm's way for the rest of us. Although all of us profess patriotism and love of country—and I do not doubt the sincerity of that—very few parents would be willing to send their sons and daughters to stand in harm's way. At this time, to cut down any further, to deprive these men and women—not of pay and other perquisites, but the equipment and supplies that will protect them in the event they should stand in harm's way—would be criminal on our part.

So I would like to point out just a few, a handful of our citizens are protecting the rest of us. There is also another human aspect to this debate that we have not touched upon. It is not easy to convince men and women to serve in uniform. There are many other temptations—higher pay, a better life. Every man or woman would want to send their kids to college and how can you do it with a sergeant's pay? You cannot do it. That is why we have this small, piddling 2.2 percent pay raise.

To give you a little essence of the difficulties we are having in recruiting, a year ago, less than 1 percent of the recruits—those who come to our recruiting stations and volunteer—less than 1 percent were in category 4.

Madam President, there are five intelligence categories that we designate our men and women: category 1 would be the genius; category 2, a college graduate, or the equivalent; category 3, a high school graduate, or equivalent; category 4 would be some man or woman with reading and writing comprehension, the capability of a fifth or sixth grader; and category 5, we would not touch.

There are, admittedly, certain positions in the military that could utilize category 4's, so we have recruited less than 1 percent of category 4's.

At this moment, in order to fill the slots that are necessary to maintain our position as a super military power, we are now recruiting over 4 percent category 4's, and it continues to rise because not too many college grads volunteer; not too many category 5's volunteer.

We also have an ongoing survey to test the propensity of young men and women who consider the military for a career. Up until a year ago, it was very high, but now as we are in the drawdown, when the publicity goes out that we are cutting down the military, we are not giving them a pay raise, as though we have forgotten them, that our military is out of business, that propensity has dropped 40 percent. When it used to be steady, it is now 40 percent less. High school students are not considering the military as a career.

Yes, we all want to be proud of our men and women in uniform. Let us show our pride by at least voting for this measure. Thank you very much.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, at the outset, I congratulate the distinguished chairman of the Defense Appropriations Subcommittee, Senator INOUYE, and the ranking Republican, Senator STEVENS, the distinguished Senator from Alaska, for again an extraordinary job on putting together a very complex bill.

I serve on the Defense Appropriations Subcommittee and have seen the complexity of the issues as we have worked through the hearing process and the complexity of the markup. It is a very difficult matter to carry out the important defense functions for the United States in an era where the funding on the Department of Defense appropriations bill is being reduced.

With respect to force projection, we have many complex issues to consider and it is obvious that a defense bill for fiscal year 1994 will have to be constructed very, very differently from the defense appropriations bills in prior years when we had a defense budget which approximated $300 billion.

Madam President, while we are in a period for debate only on the pending bill, I would like to utilize some of this time to discuss a number of amendments which I intend to offer when it is in order to offer them. When we consider some of the complicated amendments later in the bill, based on our experience, there will be very, very little time for some of the other amendments. Therefore, I think it is appropriate to use the time now, since I am the only Member on the floor in addition to the chairman and ranking member, to discuss some of these amendments.

I had intended to propose an amendment to strike the funding for the nuclear aircraft carrier and in the alternative, and perhaps in addition thereto, to file an amendment which would have fenced the funding for the nuclear carrier until there is a certification by the Secretary of Defense that the nuclear carrier provided the most cost-effective means to maintain a 12 carrier fleet. But after a discussion with the distinguished chairman and the distinguished ranking member, I decided instead, really at the suggestion of my distinguished colleague, Senator INOUYE, to file an amendment which would call for a study by the Comptroller General, that is GAO, on the cost-effectiveness of the utilization of nuclear-powered aircraft carriers and nuclear-powered submarines contrasted with the cost of conventional carriers and conventional submarines.

I have been very deeply involved in this subject for the full 12½ years of my tenure in the Senate, as the issue of the Service Life Extension Program [SLEP], for conventional carriers performed at the Philadelphia Navy Yard has been one of the items at the top of my agenda.

In the course of those studies, it has become apparent to me that the costs for the nuclear carriers are much, much higher than the cost for the conventional carriers. There is some dispute as to what it would cost now to build new nuclear aircraft carriers, with the figures ranging from $4.5 to $6 billion per hull, or even more, and again some dispute as to the service life of a nuclear carrier with the range being in the 30- to 45-year category, for most of what I have seen.

With respect to the Service Life Extension Program for a conventional carrier, while there is some dispute as to the specific figures, I understand the figure of $800 million to SLEP a conventional carrier which will serve for 15 to 20 years to be accurate.

With the nuclear carriers costing about six times as much as a SLEP and lasting slightly longer than a reconditioned conventional carrier the cost implications seem clear.

It seems to me, Madam President, that the time has come to have a very precise determination as to what these costs are and what the longevity is, both with respect to costs and tenure of operation and also with respect to the cost of waste disposal and how forward home porting is going to be accomplished.

We do not ask GAO to deal with a study of forward home porting, but we do ask GAO to take up the question of the disposition of nuclear fuel and other nuclear material, including nuclear waste, from the existing nuclear-powered fleet of ships, including surface ships and submarines. This has been a very contentious subject with Governors of some States refusing to allow the nuclear waste to come into their States. It is very costly and, as I understand the process, we do not yet have a comprehensive answer to this question.

So, Madam President, it seems to me the Congress will be in a much better position to deal with a comparison on the cost-effectiveness of nuclear versus conventional, both as to submarines and as to aircraft carriers once an authoritative study is made and we know precisely what the life-cycle costs and service life of these ships will be. We will also have more specific information on what will happen with respect to nuclear waste from nuclear-powered ships.

The other issue that I alluded to briefly, Madam President, relates to forward basing.

By the year 2003, according to current projections, there may be only one conventional carrier, in addition to the training carrier, in our inventory, and even that may be questionable. Japan will not permit home porting of a nuclear carrier, and there is a real question as to whether we can have home porting of a nuclear carrier in the Mediterranean or in other parts of the world.

As we look toward forward home porting—that is the term used to describe having a carrier in a forward position like the Pacific in Japan or like the Mediterranean—if we are precluded from having home porting of nuclear carriers, then that is a very inhibiting factor on our ability to maintain a presence in regions we now consider to be important to our national security.

We know from experience, sometimes bitter experience, that 6 months is about the maximum we can have a carrier away from home because of the difficulties of serving on an aircraft carrier. These are very, very important questions which need to be answered.

The Navy has demonstrated its commitment for many years on wanting a nuclear-powered Navy, and it has been somewhat of a mystery to me why we are putting all of our eggs in that particular basket considering the cost and problems with nuclear carriers.

When we take a look, Madam President, at the costs of the nuclear ships, they are really astounding even in the context of very high costs in the Department of Defense. By the end of this fiscal year, if we fund the new carrier, the Federal Government, that is, the Navy, Department of Defense, and the Department of Energy, will have appropriated over $21.4 billion over the last 5 years for Navy nuclear shipbuilding. This expenditure will have resulted in the purchase of three submarines and one nuclear carrier and the overhaul of one existing nuclear carrier.

That is a very high price to pay for that amount of defense equipment.

The House has already struck the earmark for the nuclear carrier in their deliberations on the Defense appropriations bill, and it remains to be seen what will happen in the Senate. This may be a matter for conference and is likely to be a contentious issue. But however the issue is resolved as to the nuclear carrier in this year's Defense appropriations bill, I do believe it is very important to have this study by the General Accounting Office. And when amendments are in order, I will submit that amendment.

Madam President, I ask unanimous consent that the form of the amendment which I intend to submit be included in the RECORD at the close of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. Madam President, a second amendment which I propose to submit will be a sense-of-the-Congress amendment which will permit public shipyards identified for closure to bid on maintenance work which can be completed prior to that closure date.

This amendment will make sure that no military installation slated for closure will be precluded from bidding competitively on work which will be completed prior to that closure date.

This amendment is completely consistent with the Base Closure and Realignment Act and in no way interferes with an orderly closure of military installations.

The available facilities around the country—some from California, Madam President, your home State; some from Pennsylvania, my home State—are in a position to undertake very important work for the Department of Defense and the Navy at very competitive prices. It is a question of who can do the best work at the lowest competitive price.

In moving forward on this amendment, I wish to be sure there will not be a prejudice in the Department of Defense to exclude those installations which are slated for closing where the work can be completed prior to the closure date.

With respect to the Philadelphia Navy Yard, that matter is still very much in contention as to whether it will be closed as recommended by the 1991 Base Closure Commission. The base was ordered closed under the proceedings of the Base Closure Act. Yet, this recommendation was made in a context where very important information was withheld from the public and from Members of Congress, such as reports and letters from ranking Navy admirals, Admiral Claman and Admiral Hekman, that the Philadelphia Navy Yard should be kept open, albeit downsized.

The failure of the Department of the Navy to candidly make that information available because it contradicted their case for closure of the Philadelphia Navy Yard led to the initiation of a lawsuit which was joined in by many Members of the Senate and the House in a case captioned Arlen Specter versus Secretary of the Navy Lawrence Garrett. On this case there have been two decisions by the Court of Appeals for the Third Circuit holding that it is an appropriate matter for judicial review in the context of allegations of facts, specific facts, that the provisions of the Base Closure Act were not complied with.

The U.S. District Court for the Eastern District of Pennsylvania concluded that it was not a matter for judicial review once there had been a decision by the Commission, the President, and the Congress. The Court of Appeals for the Third Circuit, however, reviewed the matter and held that it was a matter for judicial review.

Their decision was then subjected to a further round of scrutiny in light of a case called Commonwealth of Massachusetts versus Secretary of Commerce Franklin. Again, in a complex issue on appealability of administrative orders, the Court of Appeals for the Third Circuit again said that this was a matter for judicial review.

The issue is now pending on certiorari before the Supreme Court. I believe it is highly likely, however, that the issue of the Navy procedures under the Base Closure Act will eventually find their way into a Federal court where the conclusions of the Base Closing Commission will be overturned because of the fundamental failure of the Navy to disclose very important material facts and documents from admirals that the Philadelphia Navy Yard should have been kept open.

Whether those opinions would have carried the day is an unresolved question, but certainly that evidence should have been available to Members of the House and Members of the Senate. It should also have been available to the Base Closure Commission in their decision.

It may well be that in the long run the Philadelphia Navy Yard should remain open as matters unfold and as defense needs change, and as we see the tremendous costs of nuclear carriers, the difficulties of disposal of nuclear waste, and the cost effectiveness of service life extension programs, where the Philadelphia Navy Yard is uniquely qualified to carry on that service.

Whatever may be the outcome on that issue, I do believe it is very important, as this amendment expresses, that yards now designated for closure be permitted to bid on Department of Defense work.

I ask unanimous consent, Madam President, that the text of that amendment be included in my statement at the conclusion of my oral presentation.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. SPECTER. Madam President, a third amendment which I intend to offer relates to a sense-of-the-Congress resolution allowing defense facilities to bid on public work after they are, in fact, closed.

The issue of what will happen on conversion is a very important one, both as to the future use of defense industrial facilities in terms of infrastructure and also in terms of the impact on the tremendous number of people who will lose their jobs. The economies where bases are to be closed will also be severely impacted.

Perhaps no two States have been hit quite as hard as your State, Madam President, California, and my State, Pennsylvania, on base closures.

In Pennsylvania, we have been working for some time on ways to restructure facilities such as the Philadelphia Navy Yard so that they can convert to available commercial operation after the date for closure. The arrangements have been given considerable thought. Ideally, there will be a private entity created that will attract private investment and compete for private work. However, I believe there should also be an opportunity to bid on public work if that facility, although not a part of the Government submits competitive bids which make sense for the Navy to accept.

Here again we wish to deal with the Department of the Navy in as direct a manner as we can to avoid the prejudice which might follow from excluding some yards from being able to undertake such work in the event they are the most cost-effective yards.

We have made efforts to have meetings with the Department of the Navy on the specifics of these proposals. I think it all may be worked out as a matter of agreement. But there was a long period before there was a Secretary of the Navy, and the Secretary of the Navy has been very heavily occupied with other matters since he has been confirmed. The Secretary of Defense has been extremely heavily occupied since his confirmation date on January 20. It is my hope that we will have an opportunity to sit down with the Navy officials and to work this matter out. In any event, I think it is an appropriate matter for the sense of the Congress that even installations which are closed may be able to bid competitively. Again, they have to show they can do it the best at the lowest cost.

I ask unanimous consent that at the conclusion of my remarks the text of that amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. SPECTER. Madam President, the fourth amendment which I intend to offer relates to a study to be performed on the proposed military operation area in central Pennsylvania, which the Air National Guard would like to use to perform low-level combat training.

The Antler military operation area in Pennsylvania would convert 50,000 acres of Pennsylvania State parks and forests into a jet fighter training area 300 to 5,000 feet above ground level. The Pennsylvania Department of Environmental Resources has expressed to me serious complaints about the sonic impact jets would have on the environment.

The amendment which will be submitted calls for an assessment of the training operations to include the effects of noise generated by such operations on the environment of such areas, on the health and safety of persons living in and around such areas, and on the impact of the economy in such areas.

It seems to me that we ought to have an idea of what that impact would be before this is authorized. I recognize the need for the training of the F-16 jet fighters. This is a matter where every State and every region has to undertake a certain amount of inconvenience and its share of difficulties. But in light of the very serious complaints which have been leveled, I think it appropriate that there be a study as to what the specific impact will be before a final decision is made by the Department of Defense, or ultimately by the Congress.

Those are the matters which I intend at this moment to submit to the distinguished managers of the bill when the time is right for consideration of amendments.

EXHIBIT 1

SEC. . (a)(1) The Comptroller General shall carry out a study of the cost-effectiveness to the Navy of the utilization of nuclear-powered aircraft carriers and nuclear-powered submarines.

(2) The study shall include—

(A) a comparison of the life-cycle cost of nuclear-powered aircraft carriers and nuclear-powered submarines with the life-cycle cost of conventionally powered aircraft carriers and conventionally-powered submarines, as the case may be;

(B) a comparison of the cost of procuring nuclear-powered aircraft carriers with the cost of carrying out the service-life extension or complex overhaul of existing conventionally-powered aircraft carriers;

(C) a detailed description of all programs of the Department of Defense and of the Department of Energy relating to nuclear propulsion systems for naval ships (including surface ships and submarines) that utilize such systems; and

(D) a detailed estimate of the costs associated with processing or otherwise disposing of nuclear fuel and other nuclear material (including nuclear waste) from the existing nuclear-powered fleet of ships (including surface ships and submarines) of the Navy.

(3) In determining the life-cycle costs associated with nuclear-powered aircraft carriers and nuclear-powered submarines for the purposes of the study under this subsection, the Comptroller General shall take into account the cost of processing or otherwise disposing of nuclear fuel and other nuclear material (including nuclear waste) removed from such aircraft carriers and submarines.

(b) The Comptroller General shall submit to the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives a report on a study carried out under subsection (a) not later than 6 months after the date of the enactment of this Act.

EXHIBIT 2

At the end of the title of general provisions, insert the following:

SEC. . (a) It is the sense of Congress that—

(1) the Secretary of Defense should not prohibit any military installation described in subsection (b) from bidding on or performing Department of Defense contracts for overhaul services or for depot-level maintenance of material for the Armed Forces that are awarded using competitive procedures;

(2) performance of such a contract by such a military installation should not affect the schedule for closure of the installation;

(3) such a contract should not be entered into for the performance of work at such an installation if the time necessary for performance of the contract extends beyond the date established for closure of the installation or if the performance of the contract at the installation would otherwise affect the schedule for closure of the installation; and

(4) such a contract awarded to a military installation should be terminated for default if the contract is not completed on or before the completion date provided in the contract.

(b) A military installation referred to in subsection (a) is a military installation that (1) has been approved for closure subject to the provisions of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), (2) is in the process of implementing a conversion or reuse strategy for the installation to take effect upon closure, and (3) has received some funds from the Department of Defense for the purpose of implementing the conversion or reuse strategy.

EXHIBIT 3

At the end of the title of general provisions, insert the following:

SEC. . It is the sense of Congress that operators of industrial facilities at military installations closed after the date of the enactment of this Act should be permitted to qualify as offerors for (1) proposed Department of Defense contracts for overhaul services for the Armed Forces, and (2) proposed Department of Defense contracts for depot-level maintenance of material for the Armed Services.

Mr. SPECTER. I thank the Chair. I yield the floor.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, I ask unanimous consent that the committee amendments with the following exceptions—on page 8, beginning on line 12; on page 22, beginning on line 7; on page 53, beginning on line 13; on page 42, beginning on line 4, through page 45, line 9; on page 122, line 22, through page 124, line 2; and the amendment appearing on page 154, beginning on line 7, through page 154, line 22—be agreed to en bloc; that no points of order shall be considered to have been waived if that request be agreed to; and that the amendments be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to en bloc, except the following: On page 8, beginning on line 12; on page 22, beginning on line 7; on page 53, beginning on line 13; on page 42, beginning on line 4, through page 45, line 9; on page 122, line 22, through page 124, line 2; and the amendment appearing on page 154, beginning on line 7, through page 154, line 22.

Mr. INOUYE. I thank you, Madam President.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CAMPBELL). Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask unanimous consent I may be permitted to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RUSSIA

Mr. SPECTER. Mr. President, a group of Senators returned late last night from a trip to the North Atlantic Assembly in Copenhagen, a distinguished group which included the Presiding Officer. While in that part of the world, Senator BENNETT, the distinguished Senator from Utah, and I had an occasion to make a brief trip to Moscow and to observe the Russian White House, which has been the scene of struggle and national and international controversy, and we talked with a number of people who were on the scene.

I thought it might be worthwhile to share with our colleagues, and others, some of what we observed and some of what we heard there while those events are fresh in my mind. I thought I would utilize this opportunity while we are in a quorum call on the pending legislation, with only the managers on the floor, to make these comments. The floor is likely to be very, very busy in the course of the next 3 days as we move into the consideration of the substance of the bill.

We saw the Russian White House, saw the upper floors charred and burned, saw the location of the tanks, missiles, and had an opportunity to meet with two members of the former People's Deputies, the Parliament which has since been dissolved: Father Gleb Yakunin, and Mr. Lev Pordoravio. We talked in addition with Dr. Sergey Oznobichtchev, Director of the Center for Strategic Stability, and also with Chief Judge Valery Dmitriyevich Zorkin, who was the chairman of the Supreme Court of the Russian federation dealing with constitutional matters.

Chief Judge Zorkin had a very interesting message, as we would contrast the functioning of the Russian judiciary with the United States judiciary, because his court was either suspended or eliminated—depending upon whom you talk to. We had reports that Judge Zorkin had resigned as the chief judge, or perhaps more accurately chairman of that court, as he is referred to in Russia. But when we talked to Judge Zorkin he made the point that the court was no longer in existence, as far as practicality was concerned, and that he no longer was either the chairman, or chief judge, or member of the court because the court no longer existed.

Judge Zorkin's background was as a professor of legal and political theory. He had been elected to the Russian parliament and was chairman of the constitutional law committee. He then took over as chairman, or chief judge of the constitutional court. That court was suspended or eliminated by the executive action of President Boris Yeltsin.

Judge Zorkin made the fundamental point that there would only be real stability in the Russian federation when there was political agreement and a peaceful solution to the differences of opinion in Russia. Judge Zorkin expressed his opinion that the firing by President Yeltsin's forces on the Parliament was uncalled for and there could have been a peaceful resolution of the dispute. Judge Zorkin had participated in an attempt to resolve the controversy by having simultaneous elections of the President and the Parliament in December of this year. Judge Zorkin expressed the view that at one time it appeared that President Yeltsin might have agreed to that, although it was in some doubt. Ultimately that was not agreed to and the Parliament was dissolved with parliamentary elections scheduled for December of this year, and elections scheduled for the President in June 1994.

The concern that Judge Zorkin expressed was the tradition of Russia for authoritarian and totalitarian governments. Certainly by U.S. standards it is unheard of to have a constitution violated and to have a sitting court suspended or eliminated by Executive decree.

The other side of the picture was presented by two members of the former parliament, Father Yakunin, and Representative Pordoravio. These men expressed the view that it was indispensable that forceful action be taken. Otherwise regressive forces would have taken over and that there would have been a return to communism and totalitarianism.

The battle between President Yeltsin on one side, and Vice President Alexander Rutskoi and Speaker of the Parliament Ruslan Khasbulatof on the other side, left matters in some state of confusion although the prevailing view expressed by most of the observers was that the best opportunities for democracy in the long run, and a market economy and stability in Russia, would in fact lie with President Boris Yeltsin.

From what we were able to learn during our brief visit to Bosnia I would not be in a position to make any comment about Yeltsin's actions. I can say that when Judge Zorkin was asked the blunt question about whether the Communists would have taken over had President Yeltsin been deposed, he denied that. When asked a direct question as to whether there was an objection to the return—to moving to a market economy, Judge Zorkin again denied that. He said it was really a matter of timing.

On the scene, it was very impressive to hear a recount of what happened where a large mob, estimated at 20,000, sided with Vice President Rutskoi, who urged them to take the television station. There was a race for the television station, according to what we heard, and the forces of President Yeltsin arrived 5 minutes ahead of the forces of Vice President Rutskoi. The television station was maintained in the hands of President Yeltsin. There was speculation that, had the television station been taken over by Vice President Rutskoi and it had been made to appear that the insurgents had won, that many in the outlying regions would have sided with Vice President Rutskoi.

All of that is, obviously, speculative. But witnessing the Russian White House, the Parliament, the basis for democracy under that kind of attack and that kind of fire—standing at this moment in a parliamentary house of the United States Senate—makes a person wonder.

The key test is likely to arise when the election for President takes place next June and whether that election will, in fact, be held, and whether the results will be abided by President Yeltsin if he should not emerge victorious.

Based on our standards and our experience in the United States it is not easy for us to judge events in Russia. They obviously have a very different tradition from the United States. They are not in the position to readily put into effect a market economy, or to move to democracy based on their background and the factors which are at hand there.

But the long-range possibility for the success of democracy in Russia will obviously depend upon their following some norm or some guideline—a constitution, or relying upon the courts to make adjudications where there are differences between their Parliament and their President. This happens with great frequency in the United States and other democracies and we have learned to abide by the rule of the courts.

When talking to Russia's parliamentarians, such as Father Gleb, about the suspension of the constitutional court, Father Gleb Yakunin said, "The court had to be suspended, terminated, because they were handing down unfair decisions." If we were to eliminate our courts when there was a conclusion of unfair decisions we might not have any courts in the United States at all. In the context where the United States is advancing some $2.5 billion in foreign aid under the bill which we passed last week, $1.8 billion of that going to the Soviet Union, we obviously are major financiers in what has been undertaken.

I have just another comment or two, Mr. President, before yielding the floor. On our conversations with the Director of the Center for Strategic Stability, it is apparent that the United States is going to have to participate very extensively in the destruction of the nuclear warheads, pursuant to the agreements which have already been reached between the United States and former U.S.S.R. We have appropriated some $800 million for that purpose, $400 million last year and $400 million this year.

It appears, that these warheads and the numerous warheads in the Ukraine will be subject to disposal, but this is something which is going to have to be very, very carefully monitored by the United States.

In NATO itself, there was very lively debate on a resolution which was passed to encourage other entities to come into the North Atlantic Assembly. It is unprecedented to see associate members of the North Atlantic Assembly, such as Albania, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, the Czech Republic, Ukraine, Bulgaria, Slovakia, and Russia itself taking part.

The origin of NATO and the North Atlantic Assembly, in large measure, was to defend against Eastern Europe, Soviet Union, and the Warsaw Pact. Now that the threat has been eliminated, to see these nations come in as associate members is very new indeed. It may be a sign that NATO and the North Atlantic Assembly are looking more toward economic matters than to defense matters. When we talked to the Director of the Center for Strategic Stability, however, he made the point that the Russians were very concerned about Poland and other former Eastern bloc countries being a member of NATO. The concern then is what will happen with respect to Russia being isolated?

There is a similar concern on the other side of the coin. Some of the North Atlantic Assembly NATO members are concerned about what will happen to the Alliance with Eastern bloc countries becoming members. Under the doctrine of NATO an attack on one is an attack on all and NATO is obligated to defend its member states under such circumstances. All of those issues, obviously, remain to be worked out.

En route back to the United States, Mr. President, we made a brief 1-day stop in Ireland. I had a very interesting discussion with Prime Minister Albert Reynolds, of Ireland. One issue is worth a brief note. It relates to the question about an international criminal court and whether the Prime Minister thought that such a court might have been useful in a case where a man named O'Rourke was subject to deportation proceedings from the United States to Britain. There was a real concern raised by many of us that it was a political trial.

I became very deeply involved in that matter several years ago when Mr. O'Rourke was married to a Pennsylvania woman. The thought which I expressed and asked the opinion of the Prime Minister was whether it might be easier to have extradition to an international criminal court. Such a court has been suggested as a method of dealing with international drug control and international terrorism. Prime Minister Reynolds made the point that when extradition requests have been received from Ireland to Northern Ireland, there has been substantial concern that, even though supported by affidavit, there is really not sufficient evidence to try the individual in the country which demands the extradition.

While we did not get into the details in our very brief conversation, this could be an added reason for an international criminal court where there would be a dispassionate body available to review the evidence to make sure that there was adequate evidence for extradition. The extradition, in this case, would come from a country to an entity, a court, the international criminal court, which would not be in any way the instrumentality of the country demanding extradition. This would assure a fair and just trial on principles and adequate evidence to warrant extradition.

I offer that brief dialog on the issue of the international criminal court which has been before this body on a number of occasions, and is related to the issue of the War Crimes Tribunal, now before the United Nations.

I see the time is nearing where consideration of the bill this morning is about to expire, so I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia [Mr. BYRD] is recognized.

Mr. BYRD. What is the previous order of the Senate?

The PRESIDING OFFICER. The previous order is that at 11:30, the Senate will go into executive session to resume consideration of the nomination of Walter Dellinger, to be an Assistant Attorney General.

Mr. BYRD. Mr. President, I ask unanimous consent to proceed for not to exceed 10 minutes on the bill before going into executive session.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator is recognized for 10 minutes.

Mr. BYRD. Mr. President, I intend to offer an amendment to the pending measure later today, an amendment which outlines a proposed policy to govern our operations in Somalia to specifically set the parameters of the missions of our forces there and to establish a clear conclusion for a United States involvement.

Before explaining the details of the amendment that I intend to offer, I would preface my explanation by saying that I believe that the President has moved very positively on this matter over the last few days. He is today providing the Senate with a report on his proposed policy in Somalia.

Under the provisions of the amendment that calls for such a report, the outside date for the submission of the report was October 15, which would be this coming Friday. On last Friday, I called the President and urged that the report be sent up as early as possible prior to the outside date of October 15, and I suggested that if the President might do so, that the report be sent up on Monday of this week, even though the Congress would not be in session, that being a holiday.

The President indicated that he thought he could do that, but he would have to call me back, and that if he could not get the report up on Monday of this week, he would call me back later that afternoon, last Friday.

Late that afternoon—as a matter of fact, it was a good bit into the evening—the President called me back and said that he had pulled people off other assignments to work on the report; that he would not be able to get the full report up on Monday of this week because he wanted it to be accurate and he wanted it to be thorough, but that he would be able to get an outline of the report up on Monday and that he would be able to advance the date for a full report from this coming Friday to this coming Wednesday, which is today.

The President fulfilled his commitment. His outline reached my office on Monday of this week, and a full report is expected to be here momentarily. So I want to thank the President for that kind of cooperation.

So he will be providing the Senate a report on his proposed policy in Somalia, and this will accommodate the action on this Defense appropriations bill. My amendment is based on a careful review of the President's recommendations that he included in the outline which reached my office on Monday, the day before yesterday.

I have this morning telephoned the President and informed him in a general way of the amendment and of its contents.

In addition, I have taken into account the recommendations of our military leaders as to the safest and most prudent way to handle the situation and to draw down our forces according to the most prudent schedule.

My amendment puts the Senate on record approving the two key missions proposed by the President, that is, first, the protection of United States forces in Somalia; and second, the securing of the free flow of humanitarian supplies and lines of communications through the use of United States logistical and combat forces. My amendment does not endorse any extended nation building or national reconciliation effort in Somalia, which is a function that the United Nations has taken on but has never been approved by this body. So the protection and humanitarian functions of our forces would be approved by this body.

In order to accomplish these functions in the most expeditious timeframe, the amendment provides for funding through the first of February, February 1 of next year. So I have taken into consideration the concerns as expressed by my good friend from Alaska, Mr. STEVENS, who is fearful that come January 1, with the Congress not in session, that there might be an emerging situation that would make it difficult to withdraw, certainly without casualties.

So I have made the date February 1; so that the administration would have to plan a drawing down of our forces in an orderly manner to end U.S. involvement of both logistical and combat forces by February 1, 1994. Congress will be back in session, Congress will have had time to consider any requests by the President for additional time, and Congress will conduct its hearings and debate the matter and authorize further time if further time appears to be justified.

If the President needs additional time, however, we will be in session at that time, and the amendment that I propose specifically indicates that the February 1 date may be extended if so requested by the President and authorized by the Congress. Thus, Congress could vote to extend the date beyond February 1 if circumstances warranted. This may well be the case if, for example, any Americans are being detained or held hostage at that time—certainly none of us would want us to leave Somalia with any American behind.

I would expect that it could all be wrapped up by that date, and the President has indicated that he intends to be out of Somalia well in advance of the end of March. In addition, this gives the military ample time to conduct an orderly phaseout, reduce the possibilities of U.S. casualties that might occur over a more extended time period—of 2 additional months—and it provides time for the administration to secure replacement forces for our combat units and replacement contractor personnel for our logistical forces.

Furthermore, Mr. President, the amendment provides explicitly that United States combat forces in Somalia shall be under the exclusive command and control of United States commanders and not the commanders of any other nation flying the U.N. flag.

Lastly, the amendment includes sense-of-the-Senate language that the United States and the United Nations should make all appropriate efforts, both military and diplomatic, to ensure the immediate and safe return of all hostages.

Mr. President, the President of the United States is our Commander in Chief, and I do not believe that we should attempt to micromanage military operations here in the Congress, and my amendment does not attempt in any way to micromanage the operations of our military forces in the field.

We do have, nevertheless, a very clear constitutional responsibility to address the broad policy issue of when we raise and support armies, and when we provide and maintain navies to go into battle.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. Mr. President, I ask unanimous consent to proceed for 2 more minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD. And we have a heavy responsibility to our citizens when we authorize the dispatch of their sons and daughters to defend our Nation and defend our Nation's interests in foreign lands. The Congress on its part has the responsibility to answer concerns of our constituents and be accountable for those policies that it approves and that it funds. I am hopeful that the amendment strikes the proper balance in this regard.

Mr. President, as I say, I called the President and I told him that it is not my idea to attempt to usurp his role as Commander in Chief; I wanted to be helpful, but I also wanted to proceed in such a way as to secure a consensus in the Congress representing a consensus of the American people as we continue to deal with this very difficult and dangerous situation.

I do not want to attempt to micromanage any of the matters that come within his role as Commander in Chief. I just intended to be helpful in getting out of Somalia and in a reasonable amount of time in an effort to avoid more deaths and cut the costs of the operation.

The President thanked me. He said he appreciated the change in the date. And he would like to see a copy of the amendment, and that amendment will be provided to him.

Mr. President, I yield the floor.

Mr. STEVENS. Mr. President, will the Senator yield just for a moment?

Mr. BYRD. Yes, I will be happy to yield.

Mr. STEVENS. If the Senator is willing to have cosponsors of the amendment, I will be happy to be added as a cosponsor, with the change from January 1 to February 1.

Mr. BYRD. I will be happy to add the Senator's name as a cosponsor at the introduction of the amendment.

EXECUTIVE SESSION

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The PRESIDING OFFICER. Under the previous order, the hour of 11:30 having arrived, the Senate will resume consideration of Walter Dellinger to be Assistant Attorney General, which the clerk will report.

The bill clerk read the nomination of Walter Dellinger, of North Carolina, to be an Assistant Attorney General.

The Senate resumed the consideration of the nomination.

The PRESIDING OFFICER. Who yields time?

Mr. FAIRCLOTH addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

The Chair would tell the Senator that the time is controlled 30 minutes on either side. The senior Senator from North Carolina would control the time on his side of the aisle.

Who yields time?

Mr. FAIRCLOTH. Mr. President, this morning we end the debate on the nomination of Professor Dellinger to be Assistant Attorney General. A good many Senators have commented—

The PRESIDING OFFICER. If the Senator from North Carolina will withhold for just a moment, does the senior Senator yield time?

Mr. HELMS. Of course, yes, as much time as he may require.

The PRESIDING OFFICER. The Senator from North Carolina, [Mr. FAIRCLOTH] may proceed.

Mr. FAIRCLOTH. Mr. President, a good many Senators have commented that the time debating the Dellinger nomination would have been better spent discussing the Clinton administration's badly flawed policy in Somalia. I agree.

But the Dellinger nomination was brought to the floor not by me or by Senator HELMS. It was brought to the floor by the Democratic leadership specifically to avoid talking about Somalia and the tragic loss of life suffered there by our troops as they are forced to do the bidding of the President and the United Nations.

All along, I have said that I would support an up-or-down vote on Dellinger, just as soon as the leadership agreed to bring Somalia to the floor. That agreement has been made, so today we finally get back to talking about the subject that has been gripping the Nation.

Mr. President, as we conclude the debate over Walter Dellinger, I wish to talk about the kind of America we live in. I wish to talk about the public policies that have made that America a reality. I wish to talk about why Walter Dellinger's America is not the kind of place where most Americans want to live.

Mr. President, much has been made during the debate over Walter Dellinger about the fact he is a Democrat and that Senator HELMS and I are Republicans. It has been more than inferred that we are both, as individual Senators, opposing Walter Dellinger because he is a different party. That is flat wrong.

I do not know if many Senators are aware of the fact that I was a registered Democrat for 44 years and did not formally switch my registration until 1991.

I served in the administration of three Democratic Governors of North Carolina as a cabinet secretary. In fact, I was commerce secretary for 7 years under Jim Hunt's cabinet. For those who do not know, Governor Hunt was Senator HELMS' opponent in his 1984 reelection campaign and is the current Governor of North Carolina.

I believe that Senator HELMS and Governor Hunt recently traveled to New York together to recruit industry for North Carolina. Senator HELMS has a track record of putting past political differences behind him and working with the people of whatever party to do what is best for the people of North Carolina and the Nation as a whole.

Now, let me make it clear that I have voted in committee and in this Chamber to confirm the vast majority of Mr. Clinton's nominees. Some are more qualified than others. By and large, I think the President should get the people he wants but within reason.

Let me make it clear that I have supported the Clinton nominees for high office from North Carolina, although all are Democrats. For instance, Graham Allison of Charlotte, NC, was nominated to be Assistant Secretary of Defense. I enthusiastically supported him. I also had the pleasure of supporting North Carolina's Erskine Bowles to head the Small Business Administration. Not only did I support Mr. Bowles, I joined Senator HELMS in introducing him at his Senate confirmation hearing.

I am glad the President appointed someone like Erskine Bowles, someone who has met a payroll and created jobs in the private sector, to a prominent position in his administration. Unfortunately, the President has appointed far more bureaucrats and academics than people with real-world experience.

Democrats like Erskine Bowles, even though we politically disagree on a wide range of issues, bring a commonsense wisdom to their position. And, as we know, Mr. President, common sense is an uncommon thing in Washington.

In Washington, there are many fine orators. Some of them are here in the Senate; many of them are not. Some, like the President, can even be mesmerizing in their delivery. But by and large, they excel at one thing: Glibness; the triumph of style over substance; the victory of appearance over reality; to seem rather than to be. Glibness, Mr. President, is a very lowly gift.

I have spent the last 45 years of my life in the private sector as a businessman and farmer. In all of that time, I had never met anyone who made a career out of glibness until I arrived in Washington this past January. The American people do not need to be mesmerized. They need to face cold, hard reality.

It has also been stated that my opposition to the nomination of Professor Dellinger is based on personal animosity. The story is that because I—as an individual—do not have my blue slip honored, I was opposing Walter Dellinger out of spite. That is dead wrong.

Mr. President, last Thursday Walter Dellinger was the first nominee in the tenure of the Clinton administration to fail to win a cloture vote. He lost, not because my sensibilities were offended, but because other Senators recognized a number of disturbing facts.

The intentional disregard of Senate custom and the Senate's constitutional duty to advise and consent by the Clinton administration and its political allies, appears to be unprecedented.

The Justice Department appointment on August 11 of Professor Dellinger as Acting Assistant Attorney General was not done after confirmation by the elected representatives of the people. It was done after an unelected and unaccountable bureaucrat at the Justice Department declared, "We were tired of waiting on the Senate, so we just went ahead and appointed him." Now that is an entrenched bureaucrat's statement.

When the Founding Fathers of our country wrote the advice and consent clause to the Constitution, it was done exactly to prevent what the Clinton administration has done. That is not a minor matter or one of personal animosity. It is instead a grave foreshadowing of the view of the Constitution that will come out of the Office of Legal Counsel if Walter Dellinger is confirmed.

Mr. President, it is also a grave commentary on America today. It is a grave foreshadowing of Walter Dellinger's America, and his view of America and what it should be.

This morning is a time for truth, a time for substance to triumph over style.

And the truth is that by almost every rational and objective measure, we are a nation in decline.

Our economy is stagnant. We have placed more burdens on the people who work, and save, and invest than ever before. Taxes have been raised, and then raised again. Yet there is not a single Senator in this body today who won't privately tell you that Government spending is out of control, and that there is no end in sight.

We have more crime—and more violent criminals—than ever before. We have more children born out of wedlock than ever before. We have generation after generation who have known no life other than government welfare and food stamps, and known no businessmen other than crack and cocaine dealers.

Mr. President, those are the signs of a nation in decline.

Pretending that things are not this way will not make them better, it simply means that we will continue to blindly speed toward our day of reckoning, and it is coming.

The irony is that when this Nation's Founders formed our Government, they could foresee the pitfalls down the road. So they wrote a Constitution that, if it had been strictly followed, would have prevented this country from starting down the road to where we are today.

But the Constitution that was written by our Founders is today interpreted to mean all kinds of things that they did not intend to put in the Constitution and are not in it.

For example, the Constitution outlaws cruel and unusual punishment. But that has been reinterpreted by liberal constitutional scholars to mean that convicted felons have a right to air-conditioning, cable TV, and to health care that is better than most law-abiding citizens have or can afford.

Mr. President, the Constitution was written by people.

It is being interpreted by people.

Therefore, which people we place in positions of power makes a big difference.

The declining America we live in is in large part due to people who have chosen to turn the Constitution into an elastic document that they can shape and mold to allow the kind of big Government programs they love, and to outlaw any standards of personal behavior that would infringe on the kind of deviant behavior that they are so quick to defend.

The question before us today is will we halt our national decline or will we let it go on. Or will we confirm the nomination of a man who has enunciated views of the Constitution that, taken to their logical conclusion, will continue to lead us down the last few steps toward an economic catastrophe and social upheaval?

Supporters of Professor Dellinger cite the fact that people like themselves, his supporters, cite the fact that he is a "recognized constitutional scholar," recognized by other liberals, and that in the Office of Legal Counsel he would "merely be telling the President what he thought the courts would rule to be constitutional." Therefore, they are saying, we should not even be talking about his personal views of the Constitution.

Anybody that has been around a few weeks knows he is dead wrong. Of course, we should be talking about Mr. Dellinger's view of the Constitution. As I have already noted, it is because our Constitution has been interpreted by the likes of the Walter Dellinger that our standards of restraint have slipped to the point that they have today.

Walter Dellinger would be far more than a lawyer in the Justice Department, rendering opinions about what is and is not legal:

In fact, every supposedly nonideological constitutional opinion that Walter Dellinger has offered would allow more Government, more spending, and require less personal responsibility on the part of the people of this Nation. The Office of Legal Counsel, under the legally dubious control of Mr. Dellinger, is already trying to ease off of drug kingpins.

The constitutional view of Walter Dellinger is hostile to values of the overwhelming majority of Americans. He has testified against the balanced budget amendment, against the voluntary school prayer amendment, and against the constitutional amendment to ban flag burning. He defended Michael Dukakis' veto of the Pledge of Allegiance bill, and opposed the Madison amendment which limits Congress' ability to raise its own pay.

In Walter Dellinger's America, your child can burn the American flag, but his schoolteacher cannot lead a pledge of allegiance to it. That is the kind of America he sees and wants. In Walter Dellinger's America, Congress cannot be compelled to balance a budget, but the people cannot do anything to keep Congress from raising its own pay. Walter Dellinger's America is not a place where most Americans want to live.

What is more, Professor Dellinger has not merely issued his constitutional edicts from some academic ivory tower. He has aggressively pursued the destruction of Republican judicial nominees that hold opposing views.

Although he has tried to obscure the fact, Walter Dellinger has for years headed up teams of hit squads that were assembled to destroy Republican and conservative nominees for high office. Professor Dellinger earned his way into the inner circle of his party's leftwing not by remotely issuing academic papers, but by hauling water and doing its dirty work for the inner circle of liberals.

Walter Dellinger's role in defaming Robert Bork is well known. What is less well known is the zeal with which he did it.

Senator MALCOLM WALLOP perhaps said it best when he rose on the Senate floor to oppose the nomination of Professor Dellinger. I quote:

> * * * this very same Walter Dellinger, because he differed with the views of Robert Bork, saw fit to savage one of the great legal intellects of our time. Because he differed with his views, this same Walter Dellinger took it upon himself to attack, not only the character and integrity, but also the scholastic ability of Judge Bork. Now we are being asked to take that all in stride and allow Dellinger to become the Assistant Attorney General of the United States and to set our differences with his views aside.

Mr. President, Senator WALLOP is exactly right. The temperament of this man Walter Dellinger—the man who has built a career on destroying the character of fine jurists—is not the temperament of the person who should be screening every judicial nominee in America.

Yet, the same leftwing clique that installed Walter Dellinger as head of its hit squads to sabotage Republican Supreme Court nominees now wants to install him in the position that will pick and screen every judicial nominee.

This mission is so important to them that they went ahead and put him in office, even though they knew they were trampling on the Constitution, even though they knew his nomination was highly controversial and was being contested.

Apparently, "advise and consent" does not mean much in Walter Dellinger's America. Mr. President, Walter Dellinger has a history of distorting the Constitution to meet his own strange, leftwing view of the world. He also has a history of using his legal mind not to bring people together, but to destroy the characters of nominees for high office.

Mr. President, we can do better than this. If America is to have a chance of turning around, we have to do better than that. For that reason, I urge my colleagues to join me in opposing the nomination of Walter Dellinger of North Carolina to be Assistant Attorney General of the United States.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER (Mr. SHELBY). The Senator from Illinois is recognized.

Mr. SIMON. Mr. President, I yield myself such time as I may consume.

Let me say, in response to my friend from North Carolina—and I do not suggest that he is doing this out of partisan purposes, as the Senator indicates some may have suggested. I have worked with his colleague, the senior Senator from North Carolina, long enough to know that he acts out of conviction. If it is a Republican nominee and he thinks it is the wrong nominee, he opposes that person. And if it is a Democratic nominee, he opposes that person if he believes it is wrong. So I assume that the junior Senator is acting from the same motivation.

But I differ with my friends from North Carolina. What should we be looking for in the Office of Legal Counsel? No. 1, that the person be a legal scholar. I have heard Professor Dellinger testify half a dozen times through the Judiciary Committee. I do not remember anybody suggested that he is not a legal scholar.

No. 2, he should have integrity. Certainly, my impression is that he has that.

No. 3, he should have courage. I think he has shown that.

No. 4, he should have balance. My assumption is that he has that.

I differ with him on some things. He testified against the balanced budget amendment. I think we desperately need that. I think Thomas Jefferson was right when he advised the Nation back in the 1780's. He was not in the United States when the Constitution was written. But when he came back, he said, "If I could add one amendment to the Constitution, it would be to prohibit the Federal Government from borrowing money." One generation should not be able to obligate the next. I differ with Walter Dellinger on that. But he has shown a willingness to stand up on some things that do take courage. That is what I want in the Office of Legal Counsel.

I am old enough to remember—and my friends from North Carolina will forgive me if I say they are both old enough to remember—when we took the Japanese-Americans, some 120,000, away from the west coast back in 1942. It was, at that point, a very popular thing to do. But it completely violated the constitutional rights of those American citizens. We had very, very few people who stood up. I happened to live in the State of Oregon at the time—something I do not stress in Illinois. I grew up in Oregon. My father was a Lutheran minister, and I remember him standing up and saying, "It is wrong to do this to American citizens."

I think Walter Dellinger is of that stripe. Let us talk about the one Senator FAIRCLOTH mentioned—his opposition to a constitutional amendment that would say you cannot burn the flag; that it is not protected by free speech. We have in this great country—and I happened to have differed with the Supreme Court decision on this—240 million people, and we had, I think, two people who burned the flag. It is repulsive; it is abhorrent. We are disgusted when we see it. But when two people out of 240 million people do this, do we amend the Constitution?

That is the question that Walter Dellinger faced, and he came out and said, "No, we should not amend the Constitution." I think he was right on that.

School prayer. That is a tough one. There is no question where public opinion is on this issue of school prayer. But I think we should not be asking our schools to do what we ought to be doing in our homes and in our churches and synagogues.

When you say we should have school prayer, whose school prayer? I happen to be a Lutheran, as I indicated in my background. My wife is Roman Catholic. We have a Lutheran prayer, a Catholic prayer, and Jewish prayer. We now have more Moslems in this country than Presbyterians. Do we have a Moslem prayer or Buddhist prayer? I think we get on very thin ice.

The Senator from North Carolina mentioned the Bork hearings. I was there for the Bork hearings. I heard Professor Dellinger testify. I may be incorrect, but I do not recall Professor Dellinger ever questioning the integrity of Judge Bork. He differed from his views, as I did. I voted against Judge Bork. I think I cast the right vote. But he has been willing to stand up on things, and that is what we want.

My impression certainly is that he is a reflective, thoughtful person, that his is not just kind of a knee-jerk response to whatever the problem may be. I think we are going to get in the Office of Legal Counsel someone who is going to do a good job, and I believe the votes are there to approve him. I hope before this President's term is out, and if he serves in the Office of Legal Counsel, that my friends from North Carolina will agree that the Nation has been well served by Walter Dellinger.

I think it would be a mistake, Mr. President, to turn down this nomination. I believe he deserves to be approved by the Senate, and I hope we will approve his nomination.

Let me just add that he has been willing to take controversial stands. That is true of just about everyone in the U.S. Senate. The fact that someone is willing to enter into controversy should not be held against that person.

So I think we should ask the basic questions: Is he a legal scholar? The answer is clearly yes. Does he have integrity? In my opinion, he does. Has he shown courage? Unquestionably, he has. Does he have the balance you should have for that office? My impression is that he does and that this body should approve the President's nomination.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be deducted from each side equally. The Senator from Illinois has 22 minutes left. The Senator from North Carolina has 11 minutes 47 seconds left.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I will appreciate the Chair's notifying me when I have spoken for 7 minutes.

First, let me thank my friend from Illinois, Mr. SIMON. He and I are neighbors in the Dirksen Building, and I often run into his visiting constituents. I am sure he runs into mine. He is well regarded by the people of Illinois, and justifiably so.

Senator SIMON has paid me a compliment this morning, which I genuinely appreciate, and he knows I do. I feel the same way about him.

The able Senator from Illinois and I do not agree on a lot of things, but I have never once doubted his sincerity. So we have sort of a mutual admiration society going on, and I am glad to pay my respects to my friend from Illinois.

Having said that, Mr. President, I wish that Judge Robert Bork could be here this morning. I do not know whether he would enjoy being here or not, but I do know that he was personally offended by some of Mr. Dellinger's activities, about which Mr. Dellinger has been somewhat less than candid.

I have given the nominee, in writing, countless opportunities to 'fess up to his being a rather vicious political operative. But he double talks. It is like Winston Churchill said: "Some people stumble over the truth occasionally, but they straighten themselves up and walk away as if nothing happened."

That is what Mr. Dellinger did during the Bork nomination. For the benefit of those who may be watching on C–SPAN 2, perhaps the television cameras can get a close-up of this chart. It says:

> "Who is telling the whole story?" Walter Dellinger, Acting Assistant Attorney General, or Mark Gitenstein, who is former chief counsel of the Senate Judiciary Committee.
>
> Dellinger's response to Senator Helms on the "full extent" of his "participation" in the confirmation proceedings for Judge Robert Bork.

This is in a letter to Senator HELMS. Professor Dellinger said:

> I briefed the Chairman of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause and on the nominee's writings, and I reviewed a report and analysis of those writings. My principal participation was as a witness at the hearings.

Mr. President, I must say with all due respect to Mr. Dellinger, that anybody who believes that is all he did regarding the Bork nomination ought to see me after today's Senate session. I want to talk to them about their buying some swampland in eastern North Carolina.

You see, Mr. President, the former chief counsel to the Senate Judiciary Committee, in his book, describing Walter Dellinger's participation in the confirmation proceedings of Judge Robert Bork indicates that Dellinger's role was much greater than the nominee now portrays. I will read from the chart: "Dellinger was a 'member of the advisory committee' of distinguished lawyers and academics who would advise" (BIDEN, the Senator from Delaware) "on the Bork nomination."

That is on page 60 of Mr. Gitenstein's book, which also relates:

> Dellinger assisted effort to recruit law school deans and professors to oppose Bork.
>
> Dellinger reviewed and endorsed the so-called "Biden report" to help build opposition to Bork.
>
> Dellinger conducted anti-Bork TV and radio interviews.

And bear in mind the nominee now says, "My principal participation was as a witness."

> Dellinger participated in anti-Bork strategy sessions.
>
> Dellinger was part of a team that prepared Biden—meaning the distinguished Senator from Delaware—for Bork hearings.
>
> Dellinger helped organize panels of anti-Bork witnesses.
>
> Dellinger advised Biden on a wider range of issues than he admits. He briefed Biden on "unenumerated rights"—

On page 210—

> Justice Powell's role in "frustrating the Reagan agenda on the social issues," on Bork's attitude on Roe v. Wade.

Mr. President, I ask unanimous consent that this chart be printed in the RECORD at this point.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

WHO IS TELLING THE WHOLE STORY?

Walter Dellinger, "Acting" Assistant Attorney General.

Dellinger's response to Senator Helms on the "full extent" of his "participation in the confirmation proceedings for Judge Robert Bork" (letter to Senator Jesse Helms, July 14, 1993):

"I briefed the Chairman of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause and on the nominee's writings, and I reviewed a report and analysis of those writings. My principal participation was as a witness at the hearings" (Emphasis added.)

Or

Mark Gitenstein, Former Chief Counsel, Senate Judiciary Committee.

Gitenstein's description (in his book) of Walter Dellinger's participation in the confirmation proceedings of Judge Robert Bork (Matters of Principle, Simon and Schuster, 1992):

Dellinger was "a member of the Advisory Committee" "of distinguished lawyers and academics who would advise" Biden on the Bork nomination (page 60).

Dellinger assisted effort to recruit law school deans and professors to oppose Bork (pages 160–161).

Dellinger reviewed and endorsed the so-called "Biden Report" to help build opposition to Bork (page 195).

Dellinger conducted anti-Bork TV and radio interviews. As part of orchestrated effort to disseminate the "Biden Report" (page 195).

Dellinger participated in anti-Bork strategy sessions (pages 61 and 317).

Dellinger was part of team that prepared Biden for Bork hearings (pages 209–210).

Dellinger helped organize panels of anti-Bork witnesses (page 188).

Dellinger advised Biden on a wider range of issues than he admits. Briefed Biden on "unenumerated rights" (page 210), Justice Powell's role in "frustrating the Reagan agenda on the social issues," (pages 24–25), on "Bork's attitude toward Roe v. Wade" (pages 24–25), on the Senate's role in confirmation process (page 25).

Mr. HELMS. Mr. President, all I expected of Mr. Dellinger was that he be candid in his responses. I know he was a political hatchet man. I hoped he might indicate how sharp his hatchet was. In any case, just about everybody in North Carolina apparently knew that before I did.

I had to confess in the debate the other day that I had never heard of Walter Dellinger. Yet I have been told that he did a job on me in one or two of my Senate campaigns. But, you know, Mr. President, when you win you do not remember things like that. He did not have any effect that I know of. In any case, I am still in the Senate.

The media—including, I am sorry to say, the Associated Press—and I am sure this is inadvertent—the Associated Press made it appear that Senator FAIRCLOTH and I were consuming the Senate's time last week on a nomination when the Senate ought to be considering Somalia. I have news for anybody who bought that line. LAUCH FAIRCLOTH and I wanted the Senate to act last week on the Somalia question. That is a matter of record.

Senator ROBERT C. BYRD, the distinguished President pro tempore of the Senate—and a native of North Carolina—has been insisting—and I have been supporting him as has Senator FAIRCLOTH—Senator BYRD has been insisting that the United States Armed Forces be withdrawn immediately from Somalia because, you see, Senator BYRD has a problem—he believes in the Constitution of the United States; he believes that only the Congress can declare war, not the President of the United States. A lot of American people feel the same way.

Senator FAIRCLOTH and I felt last week that the Senate should be considering Senator BYRD's amendment as a part of the defense appropriations bill. But there was a conflict, do you not see, Mr. President, between two powerhouses on the Democrat side, the Senate majority leader—the distinguished Senator from Maine [Mr. MITCHELL]—and Senator BYRD, the President pro tempore of the Senate.

The PRESIDING OFFICER. The Senator from North Carolina asked me to inform him. He has spoken for 7 minutes. He has 4 minutes left.

Mr. HELMS. Fine. Stop me after 2 more minutes, please. Again. I thank the Chair.

So, not being able to push Senator BYRD around—and I have never seen anybody push ROBERT C. BYRD around, and I hope I never will—what happened? The distinguished majority leader, exercising his rights, pulled down the defense appropriations bill and called up the only thing he could find to occupy the Senate's time. And that was the Dellinger nomination.

I wish the majority leader had not done that. I wish the Senate had stayed here last week and settled the Somalia question because American soldiers are dying there and more and more are being sent there to be in harm's way. The Senate of the United States is obliged to speak out on that question. We had a duty to do so last week.

In any case, Mr. President, I thought about all of this over the weekend. I recalled the day that I stood there in the well of this Chamber to hold up my hand and take the oath of office:

> I, Jesse Helms, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, and that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.

Mr. President, I took that seriously. And Senator ROBERT C. BYRD has taken it seriously every time that he has taken that oath as well. That is the reason I have supported him all along in his position on the Somalia question. The Senate ought to have acted long before now on it.

Mr. President, all officers of our Government take an oath to "support and defend the Constitution"—even the young soldiers who have been sent by their government to Somalia, where they ought not be be, and where they have been asked to perform a mission which neither they, nor we, understand. This Senate should act to bring them home as soon as possible.

Now, some Senators have said, "we must allow the President to select his own people for the Cabinet and other positions," or "I may disagree with the nominee, but I recognize the President has a right * * *." Bosh. Not according to article II, section 2, clause 2 of the Constitution which we are all sworn to "support and defend" and which invests in this Senate the solemn responsibility of sitting in judgment upon the President's appointees.

Mr. President, this is the clause which I read into the RECORD last week. It is the very clause—and decades of senatorial tradition—which will be at stake when Senators come to vote on the Dellinger later today.

Senators have already heard how the administration and this nominee thumbed their noses at this provision of the Constitution. They have heard how, when unable to secure confirmation for Mr. Dellinger before the August recess, the administration went ahead and put him on the job any way—and Mr. Dellinger was a part of this scheme.

When asked by an aide to Senator FAIRCLOTH why the Department undertook this high-handed action, a Justice Department official replied:

> We were tired of waiting for the Senate to confirm him, so we just went ahead and appointed him.

So much, Mr. President, for article 2, section 2 of the United States Constitution.

Mr. President, I hope Senators heard the remarks made during the debate last Thursday by the Senator from Wyoming [Mr. WALLOP].

Senator WALLOP noted how the Senator from California in her remarks in support of Mr. Dellinger claimed that because one differed with his views, that was no reason to oppose his nomination.

But, as Senator WALLOP pointed out:

> This very same Walter Dellinger, because he differed with the views of Robert Bork, saw fit to orchestrate the savaging of one of the great legal intellects of our time. Because he differed with [Bork's] views, this same Walter Dellinger took it upon himself to attack not only the character and integrity, but also the scholastic ability of Judge Bork.
>
> Now we are being asked to take that all in stride and allow Dellinger to become the Assistant Attorney General of the United States and to set our differences with his views aside.

So, Mr. President, as MALCOLM WALLOP noted, we have a double standard. Everything Bob Bork ever said or wrote was fair game. But, if it is Mr. Dellinger, his views and writings are off limits.

I don't blame supporters of Walter Dellinger for saying his philosophy doesn't matter. If I were them, I wouldn't want to discuss it either.

Senators have already gotten a taste of Dellinger's views. As the Washington Post reported on September 23, the Justice Department's Office of Legal Counsel—of which Mr. Dellinger is Acting head—has already reversed a Bush administration policy calling for the death penalty for drug kingpins. And he hasn't even been confirmed yet.

But there is more, Mr. President, Walter Dellinger:

Testified against the balanced budget amendment.

He testified against President Reagan's voluntary school prayer amendment.

He testified against constitutional amendment outlawing flag burning.

He defended Governor Dukakis' veto of Pledge of Allegiance bill.

He supports abortion on demand sees no problem with teenagers getting abortions without their parents even knowing about it, and says that those who want abortions but who can't pay for them have a right to the taxpayer's money.

And he even opposes the Madison amendment limiting ability of Congress to raise its own pay.

No wonder, Mr. President, those who destroyed the career of Robert Bork because of his philosophy now want us to ignore Mr. Dellinger's philosophy.

What is so remarkable about all of this, Mr. President, is that after having helped orchestrate the vicious character assassination of Bob Bork, Walter Dellinger now won't admit it. In my letter to him of June 30, I asked Mr. Dellinger to describe the full extent of his participation in the confirmation proceedings for Judge Robert Bork.

Earlier I shared with Senators a chart which compares Mr. Dellinger's response to that question with the recollection of the chief counsel of the Judiciary Committee at this time, as published in his book, "Matters of Principle." Mr. President, I ask unanimous consent that a compilation of the relevant excerpts from Mr. Gitenstein's book further documenting how far from the mark Walter Dellinger's answer was from what Gitenstein says occurred be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1).

Mr. HELMS. Mr. President, Walter Dellinger's role in the Bork proceedings is not all he refuses to be forthcoming about. In my two letters to Walter Dellinger, I included 43 inquiries. Some of these inquiries included one question, others included several questions. All told, there were 73 questions.

During our debate last week, we heard the chairman say that the committee reviewed Mr. Dellinger's responses to the questions posed by the Senator from North Carolina, and that he was satisfied that all questions were answered.

Now, in my letter of June 30, question 9, I asked the nominee: "Did you lend your name to any fundraising appeals or advertisements opposing the confirmation of Judge Bork or Judge Thomas?"

Can any Senator tell me whether Mr. Dellinger lent his name to any fundraising appeals opposing Judge Bork? No Senator can because Mr. Dellinger never answered the question.

In his first response, Mr. Dellinger stated that he did not lend his name to any advertisements opposing Bork or Thomas. But he never answered the question as to advertisements.

So, I followed up and asked him specifically if he lent his name to any fundraising appeals opposing Justice Thomas or Judge Bork? This time, he responded that he never lent his name to any fundraising appeals opposing Justice Thomas. But he never answered the question as to Judge Bork.

So, you see, Mr. President, we have all of this dancing around—and no answer to the question. Is this the kind of person we want serving as one of the most important lawyers in our Government?

Now, Mr. President, lets see how Mr. Dellinger did on the rest of the 73 questions.

I have prepared another chart which shows the results. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Has Walter Dellinger been up front with the Senate?—Here's the Scorecard

Number of questions asked by Senator Helms—(letters of 6/30 and 7/29/93)	73
Total number of deficient answers—Questions to which Walter Dellinger gave no answer, a non-responsive answer, a non-conclusive answer or an answer contradicted by published sources	39
Number of questions which Dellinger did not respond to at all	14
Number of questions to which Dellinger did not answer the question asked	6
Number of questions to which Dellinger gave a non-conclusive response (i.e. "I have no recollection" or "To my knowledge")	6
Number of questions to which Dellinger gave a response contradicted by published sources	13
Contradicts Gitenstein book	11
Contradicts news reports	2

SOME OF THE QUESTIONS THAT REMAIN

Regarding his role in the Bork nomination, Dellinger said, in part, "My principal participation was as a witness at the Hearings." (letter to Sen. Helms, 7/14/93).

However, the Chief Counsel of the Judiciary Committee at the time asserts Dellinger's role was much more extensive—that he served on Biden's advisory board of academics, assisted in the recruitment of law school deans and professors, helped arrange anti-Bork witnesses for the Judiciary Committee hearings, etc. (Matters of Principle, by Mark Gitenstein, Simon & Schuster 1992)

Dellinger did not respond to a question regarding whether he lent his "name to any fund-raising appeals" opposing the confirmation of Judge Bork or Justice Thomas. When asked for further clarification, he responded only as to the Thomas nomination. We still don't know his role regarding fund-raising solicitations regarding the Bork nomination.

Mr. HELMS. Mr. President, I ask unanimous consent that a point-by-point analysis of Mr. Dellinger's responses to the questions posed to him be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2).

Mr. HELMS. Mr. President, so there you have it. And to sum up the situation here:

First, the administration has trampled upon the advice and consent clause by installing Mr. Dellinger as Acting Assistant Attorney General when their efforts to get him confirmed before the August recess failed.

Second, the nominee has demonstrated a flagrant disregard for the constitutional role of the Senate manifested in the manner in which he answered—and in many cases did not answer—the questions posed as part of the confirmation process, and

Third, there has been a wholesale neglect of traditional senatorial courtesy as embodied in the blue slip policy which has governed this institution for decades—at least until now.

Mr. President, as I have said before, we are at the Rubicon. We are being tested. This administration and this nominee have thumbed their noses at us—and want to see if they can get away with it.

That is why the Senate was unable to close off debate last week, and it is why we heard the ranking Republican on the Judiciary Committee, the Senator from Utah [Mr. HATCH], and the former chairman of the Judiciary Committee, the Senator from South Carolina [Mr. THURMOND]—both come to the floor last Thursday to oppose this nomination and to decry the wholesale assault on the Senate's responsibilities under the advice and consent clause.

Now, it may not be popular with the major media to stand in front of the Dellinger freight train. I see that even the New York Times has ran an editorial against me on this. But I did not get elected to please newspaper editors nor to be popular with the inside the beltway crowd.

Earlier I recalled the oath of office which we all must take upon assuming our place in this body. The oath to support and defend this Constitution of the United States—which is what the people of North Carolina sent me here to do, which I have sworn on four occasions to do, and which I will continue to do—even when it gets under the skins of the editors of the Raleigh News and Observer, the Washington Post, and the New York Times.

But if standing in front of the Dellinger freight train is not popular with the big city editors, I have a hunch it is popular with the people who count—and will be more popular as more and more people learn about who Walter Dellinger is, what he stands for, and how he has thumbed his nose at their elected representatives here in the Senate.

Here are just some of the many letters I started receiving in the mail yesterday from individuals who watched our debate last week on C-SPAN.

I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

PUEBLO, CO,
October 7, 1993.

DEAR SENATOR HELMS: For the past two days I have had the privilege to watch and listen to you on C-Span during my lunch hour. The arrogance of the majority Democrats has never been more apparent than since the election of the President. I pray that God gives you the strength to filibuster the Senate, if necessary, to show them that your arguments on the privilege of the Senate to "advise and consent" are not only your protection, the privilege belongs to us too. I need not remind you that the Constitution says that this is a republic, not a democracy. The protection of the minority is the main feature of a republic and not of a democracy.

Walter Dellinger is just one more of the arrogant majority, who having worked his nasty way to defeat Judge Bork, needed Joe Biden's help to get his nomination greased through.

Yours truly,

DOYLE T. JOHNS, Jr.

PALM BAY, FL,
October 8, 1993.

SENATOR HELMS: Yesterday I heard your speech from the floor of the Senate regarding the appointment by the Justice Department of the Learned Professor of Constitutional Law Mr. Dellinger and I was shocked to say the least.

Thank you very much for bringing to the floor of the Senate this unlawful act by the Head of the Department of Justice or if she was not involved why not? I thank God daily for the fact that there are still in Washington, DC, honest and caring elected officials who believe in the Constitution and what it stands for!

Thank you again, for your stand against the people in Washington, DC, who would ignore what it states in the Constitution because they don't like to wait.

MARGARET A. KNOX.

MATTHEWS, NC,
September 27, 1993.

DEAR SENATOR HELMS: I am so thankful to hear that you are trying your best to see to it that Walter Dellinger is not confirmed by the Senate as Assistant Attorney General for the Office of Legal Counsel. So many of us concerned people here in Charlotte, his hometown, agree with you: America does not need Walter Dellinger as the President's top legal counsel.

I have followed Dellinger's clever manipulation of existing laws to further the extreme liberals' agenda while he has been an ACLU-type law professor at Duke University. For example, he has, with evident passion and relish, unwaveringly supported "abortion on demand" and tax-payer funded abortions—in other words, any abortion laws that recognize no rights whatsoever for innocent unborn babies.

But while wearing his cloak of civil-libertarianism, Walter Dellinger certainly very much wants flag-burners and opponents of voluntary school prayer to have their own way. And in further encouragement of an atmosphere of irresponsibility in America, Walter Dellinger is against Congress having to balance the budget of the Federal Government or even being able to limit its own pay.

Senator Helms, what an example he is to put up before the young people of my city, my state, and my country! How in heaven's name can we continue to teach our children the honorable truths of valuing innocent human life, patriotism and love of God and country and personal economic responsibility, when an extreme liberal such as Walter Dellinger will be in what The Charlotte Observer calls "one of the nation's premier legal jobs."

Just as you do, I believe that America cannot afford to have Walter Dellinger in the powerful position of overseeing the selection of Federal judges who are appointed for life.

Thank you again for your courageousness in this battle. God bless you.

Sincerely,

JUDITH P. COLLINS.

MONROE, LA,
October 7, 1993.

DEAR SENATOR HELMS: I saw you on C-SPAN II speaking on Senate's efforts to confirm Walter Dellinger as Assistant Attorney General.

I applaud your position and support your efforts completely. I have written my State's Senators and asked them to vote against the confirmation, although I noted that they both voted for cloture.

YVONNE HIGHTOWER.

WESTLAND, MI,
October 7, 1993.

DEAR SENATOR HELMS: I am encouraged to see you strong in defense of the Constitution and fair play today as you sparred with Sen. Biden about the Dellinger problem.

I'm sorry, but I get so tired of them making new rules as they go, e.g., Iran-Contra, Ron Brown, Rostenkowski, etc.

Keep it up!

Thanks,

BOB PIXLER.

Mr. HELMS. So you see, Mr. President, the American people are watching us. They can see that what we have with this nomination is an example of exactly what our Founding Fathers envisioned—and feared: The tyranny of the majority in a democratic system.

They care about the role created by the Founding Fathers for the Senate whereby the rights of the minority may be protected and a check imposed on the powers of the President—even if we do not.

They do not want to see the Dellinger nomination railroaded through the Senate—they just want us to do the jobs bestowed upon us by the Founding Fathers. And we should, by voting against this nomination.

Mr. President, as I emphasized when this nomination was first brought before the Senate last week, at its core, the controversy surrounding this nomination is about whether Senators will permit to be permanently undermined two of the principles upon which the Senate is based; specifically, First, the advice and consent power of the Senate regarding Presidential appointments; and second, the protection of the rights of the minority, even a minority of one Senator.

As a consequence, throughout this debate, there has been very little discussion of Walter Dellinger's philosophy. And as I have said, this vote is not about Mr. Dellinger's philosophy. But, inasmuch as he has been nominated by President Clinton to a position from which he can influence nearly every major legal decision of this Government, Mr. Dellinger's philosophy should be a matter of record.

Mr. President, my distinguished colleague from North Carolina, Mr. FAIRCLOTH, summed up Mr. Dellinger's philosophy in a statement issued on May 7. So Senators may have the benefit of the remainder of Senator FAIRCLOTH's statement, I ask unanimous consent that the full text of his statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR LAUCH FAIRCLOTH, MAY 7, 1993

When I asked the people of North Carolina for their votes, I promised to fight for a balanced budget and the common sense ideals the majority of North Carolinians believe in. I oppose the nomination of Walter Dellinger to the powerful office of legal counsel in the Justice Department because his view of the Constitution is on the liberal extreme compared to what most North Carolinians want.

Mr. Dellinger has argued against a balanced budget amendment—something 71 percent of the people want according to the recent Gordon S. Black Corporation poll done for Ross Perot. We're a country with a Congress spending us a billion dollars deeper into debt every working day. But Mr. Dellinger is against the balanced budget amendment—the only thing that can possibly restrain Congress—and even called Senator DeConcini's Balanced Budget Constitutional Amendment "sleazy." (Washington Post 8/1/85)

Mr. Dellinger is part of the Washington establishment as much as anyone—an academic adviser to the congressional leadership that has put this country on the fast track to the poorhouse. He even complained about James Madison's amendment to the Constitution when it was ratified last year which says congressmen can't raise their pay before an election gives the people an opportunity to speak on the issue. (Star Tribune, 5/19/92)

Mr. Dellinger is extreme on many other constitutional issues. He thinks the Constitution outlaws voluntary school prayer but the majority of North Carolinians don't think so. (News & Observer 5/2/93) Mr. Dellinger thinks the Constitution allows flag burning but the majority of North Carolinians don't. (News & Observer, 5/2/93) His colleagues at Duke even say he will be working to help President Clinton force the military to accept homosexuals into the ranks—even though the Joint Chiefs have opposed this policy and 74 percent of the troops don't want this and 63 percent of the people of North Carolina don't want this. (Durham Morning Herald, 2/3/93)

I came to Washington to change things. In the Justice Department, the Office of Legal Counsel is responsible for the appointment of federal judges to the bench. Mr. Dellinger is going to be a force for the same liberal status quo that prevails in Congress—more spending, more liberal theories that say school prayer is wrong, and flag burning is okay. I am going to do everything I can to derail this nomination. People in the Justice Department ought to interpret the law, not try to make it fit their ideology.

Mr. HELMS. Mr. President, Thomas C. Goolsby is a bright young attorney whose columns on legal issues facing our State are printed in numerous North Carolina newspapers. His column "Dellinger: Public Enemy Number One" succinctly summarizes Mr. Dellinger's philosophy.

Mr. President, I ask unanimous consent that Thom Goolsby's column be printed at this point in the RECORD, along with an editorial from today's Washington Times, and a reprint of Senator WALLOP's statement of October 7 as reprinted in today's Washington Times.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DELLINGER: PUBLIC ENEMY NUMBER ONE

RALEIGH, September 27.—Much to the chagrin of liberals and Clintonites everywhere, North Carolina's Senators have weighted-in strongly opposed to Duke Law Professor Walter Dellinger's appointment as Assistant Attorney General for Legal Counsel at the U.S. Department of Justice. The Washington establishment, however, is in full support of Dellinger's nomination for this top legal post. Even against his own rules, Senate Judiciary Chairman Joe Biden allowed Dellinger's nomination to go forward after Helms and Faircloth, the Senators from the nominee's home state, came out against the Professor's appointment.

Why would our state's two senators be against Mr. Dellinger? It's because they are afraid of him with the power he will wield in one of our nation's premier legal jobs. As Legal Counsel at the Department of Justice, Dellinger will function as a key advisor to both Attorney General Janet Reno and the President. He will give legal advice on the constitutionality of federal laws and regulations and will oversee the lifetime appointments of federal judges. Additionally, as Assistant Attorney General for Legal Counsel, Dellinger will be on the fast-track for nomination to the U.S. Supreme Court.

Faircloth and Helms have presented a united front against Dellinger because they consider him too "liberal" for North Carolina. Although he has tried to play his cards "close at hand," the Professor has skewered numerous conservative "sacred cows." He defended Governor Dukakis' veto of the Pledge of Allegiance bill and opposed constitutional amendments limiting Congress's ability to raise its own pay and outlawing flag burning. He has taken stands against the Balanced Budget and Voluntary Prayer in Schools amendments and is in support of taxpayer financing for abortions.

Faircloth's and Helms' actions may all be for naught, since Dellinger was unanimously approved for appointment by the Senate Judiciary Committee. However, his approval by the entire Senate is not yet a "done-deal." What is most disconcerting about this entire affair is the "flak and ire" our two senators have drawn for opposing the nomination of an individual with whom they have great philosophical differences.

These facts are even more pronounced when Dellinger's role in defeating Judge Bork's nomination to the U.S. Supreme Court is considered. Dellinger played a key role as a member of the aboard advising Judiciary Chairman Biden on how to defeat Bork's nomination.

Turnabout is apparently not fair play in the hallowed halls of Congress. Our Senators' attempts to defeat a nominee, whom they consider out of touch with the "folks back home," is considered "unjust." Even though Dellinger stands against many of the things the average North Carolinian stands for and he is poised to be appointed to one of the most powerful legal jobs in the nation, Helms and Faircloth are called "petty" and "out of touch."

In actuality, the opposite is true. Our Senators are showing that they do not suffer from "Beltway-itis." That's the disease that many Washington and Raleigh politicians get when they have been inside their respective Beltways too long and have forgotten that you are supposed to "dance with the one that brung you"—i.e., don't forget about the little people at home who sent you to the Capitol.

There is still a great deal to be said for politicians who fight the good fight, stay the course and keep the faith.—THOMAS C. GOOLSBY.

NOTE.—Thom Goolsby is the Editor of Carolina Syndicated Columns and the Managing Partner of the Currin Law Firm of Raleigh and Wilmington.

[From the Washington Times, Oct. 13, 1993]

THE BORKING OF WALTER DELLINGER

This afternoon the Senate will vote on the nomination of Walter Dellinger to be assistant attorney general for the office of legal counsel. The left-wing law professor from Duke University faces opposition—Sens. Jesse Helms and Lauch Faircloth have been trying to sink Mr. Dellinger—but he should be approved rather easily, nonetheless.

Mr. Helms and Mr. Faircloth had mounted a filibuster against Mr. Dellinger with success. Last Friday's move to end the filibuster came up several votes short of the supermajority needed. (Mr. Dellinger had enough votes for the simple majority, however, that he will need to be approved.) But the senators agreed to end their stalling tactic so the president's Somalia policy could be debated. That set the Dellinger vote for today.

Democrats have been complaining that Dellinger is being Borked—that is, opposed not because he lacks the skills and experience to do the job for which he is nominated, but because Republicans disagree with his views. The Democrats are right, and the Republicans should exult in agreeing that the Borking of Mr. Dellinger is what they have in mind.

Mr. Dellinger is a candidate for Borking at the very least because his views are hyperliberal. The lawyer has been the legal mind behind some of the Democrats' least popular forays. It is time, for example, to trot out Mr. Dellinger's apologies for flag burners.

The real reason to Bork Mr. Dellinger is that he deserves it. Mr. Dellinger, after all, was the inventor of Borking, having advised Sen. Joseph Biden in the trashing of Supreme Court nominee Robert Bork, having organized opposition to Mr. Bork, and himself having testified against Mr. Bork.

The political views of nominees obviously matter to Mr. Dellinger, and so he should be judged accordingly. Conservative opponents to the nominee may not win, but they are right to challenge him.

[From the Washington Times, Oct. 13, 1993]

A FEW WORDS ON THE DELLINGER CASE

(The following remarks on the nomination of Walter Dellinger for assistant attorney general were made by Sen. Malcolm Wallop on the floor of the Senate on Oct. 7:)

Mr. President, on the subject of the nomination at hand, we find once again the peculiar irony of politics in America. The senator from California, in remarks about the nominee, said that because one differed with his views, was no reason to oppose his nomination. Yet this very same Walter Dellinger, because he differed with the views of Robert Bork, saw fit to orchestrate the savaging of one of the great legal intellects of our time.

Because he differed with his views, this same Walter Dellinger took it upon himself to attack not only the character and integrity but also the scholastic ability of Judge Bork. Now we are being asked to take that all in stride and allow Dellinger to become the assistant attorney general of the United States and to set our differences with his views aside.

Mr. President, this is a harvest this man is reaping from a crop that he sowed. For the life of me, I cannot understand what it is about America's left wing that all righteousness is theirs and all conflict is somebody else's—it is redneck, it is reactionary, it is un-American, it is uncalled for. The left can savage whomsoever it pleases for whatever purpose it pleases because its views are sacrosanct. The views of the left are sympathetic and caring. The views of the right are rejected out of hand. . . .

The Biblical expression of "as you sow, so shall you reap," apparently does not apply to the left, only to the right. It was after all, was it not, Robert Bork's writings that Mr. Dellinger orchestrated the fight against. The Senator from California said that any time somebody has written so much and taught in so many places, they are bound to have expressed some views that arouse controversy. And so they should, and so they may. That is not in itself a reason to reject him, unless you happen to be Walter Dellinger and the victim is Robert Bork. If you happen to be Walter Dellinger and have written some things with which other people find controversy, that is to be understood, because after all, he was teaching.

Judge Bork had been teaching. The double standard is unacceptable.

Mr. HELMS. Mr. President, as I have noted previously, Americans may have already gotten a taste of Mr. Dellinger's philosophy. The Washington Post reported on September 23 that the Justice Department's Office of Legal Counsel—of which Mr. Dellinger is Acting head—reversed a Bush administration policy calling for the death penalty for drug kingpins.

This Bush administration policy is supported, according to the Post, overwhelmingly by both Houses of Congress. But, Mr. Dellinger has already put our Government on the side opposing death penalty for drug kingpins—and he has not yet been confirmed.

Mr. President, I ask unanimous consent that the Washington Post article of September 23, 1993, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 23, 1993]

DEATH PENALTY FOR DRUG "KINGPINS" DROPPED FROM CRIME BILL

(By Michael Isikoff)

At the request of Attorney General Janet Reno, congressional Democrats have dropped controversial provisions from a broad anticrime bill that would impose the death penalty on drug "kingpins" and add stiff mandatory minimum sentences for drug and gun offenses.

Reflecting popular sentiment to crack down on drugs and gun violence, those measures had been overwhelmingly approved by both chambers in the past and were included in a House-Senate conference report that failed in the waning days of the last Congress.

But the Justice Department's Office of Legal Counsel, reversing a position taken under the Bush administration, challenged the constitutionality of the drug kingpin measure. The office cited a 1977 Supreme Court decision. *Coker v. Georgia*, that struck down the death penalty for the crime of rape when no murder had occurred.

Among the most hotly debated of all death penalty proposals, the drug kingpin measure would have permitted the head of a large-scale drug organization to be executed merely for drug trafficking activities even without proof the individual caused any deaths.

"The department was concerned that imposing the death penalty in cases where no life has been taken was inconsistent with Supreme Court decisions," said department spokesman Carl Stern.

Stern said the department's new position was purely a result of "legal analysis" and did not reflect Reno's oft-stated personal opposition to capital punishment. The department did not object to about 50 other death penalty provisions in the bill.

But congressional aides said the department's request appeared to be part of a last-minute attempt by Reno to influence the shape of an administration-backed crime bill that has been put together largely without her input.

New versions of the measure are slated to be introduced today by House Judiciary Committee Chairman Jack Brooks (D-Tex.) and Senate Judiciary Committee Chairman Joseph R. Biden Jr. (D-Del.)

The Justice Department also asked—and Brooks and Biden agreed—to drop about a dozen provisions that would impose new mandatory minimum sentences, mostly for repeat offenders and those who use guns in the commission of a drug or violent offense.

Congressional aides described the department's request as limited while Reno completes a broader study on the effects of mandatory minimum sentences now on the books.

But Rep. Bill McCollum (R-Fla.), a sponsor of the drug kingpin proposal, described the department's requests as part of a larger administration "retreat" in the drug war. "I don't have any idea why the Justice Department would take this kind of liberal position," he said.

Challenging the department's reasoning on drug kingpins, he said: "If you sell enough drugs, you're going to kill not only one person, but many of them."

"There is plenty of constitutional" basis for imposing the death penalty in those circumstances, he said.

Mr. HELMS. Mr. President, my associates have prepared a compilation of quotes and other information which further documents Mr. Dellinger's philosophy, and I ask that this compilation be printed at this point in the RECORD, along with a copy of the freedom of information request sent to Attorney General Reno on October 5, 1993, and this chart which summarizes the issues involved with this nomination.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WALTER DELLINGER

I. HOSTILE TO TRADITIONAL VALUES

Testified against the Balanced Budget Amendment (Hse. Jud. Cmtte. 7/11/90, Sen. Budget Cmtte 6/4/92).

Testified against Reagan's Voluntary School Prayer Amendment (Sen. Jud. Cmtte 4/29/83).

Testified against Const. Amendment outlawing Flag Burning (Sen. Jud. Cmtte 9/13/89, 6/21/90).

Defended Gov. Dukakis' veto of Pledge of Allegiance (New York Times 6/21/88).

Against Madison Amendment limiting ability of Congress to raise its own pay. (Star Tribune 5/8/92).

II. PREMIER ATTORNEY AND TOP LEGAL GUN FOR ABORTION "RIGHTS" MOVEMENT IN AMERICA

Co-Chaired NARAL's National Commission on America Without Roe. The Commission published the radical, pro-abortion document Facing a Future Without Choice: A Report on Reproductive Liberty in America (1992).

Drafted President Clinton's Executive Order lifting the ban on research of fetal tissue derived from elective abortions. (Letter to Senator Jesse Helms, July 14, 1993.)

Drafted President Clinton's Executive Order permitting abortion counseling in taxpayer-funded health clinics. (Letter to Senator Jesse Helms, July 14, 1993.)

Key player in effort to derail nomination of Judge Robert Bork to be Justice of the Supreme Court. Reviewed and endorsed so-called "Biden Report" which led to Bork's downfall.

III. SUPPORTS ABORTION ON DEMAND

Calls prohibitions on abortion "a totalitarian intervention into a woman's life." (Testimony before House Judiciary Subcmte., October 2, 1990.)

Testified in the Senate and in the House in favor of the "Freedom of Choice Act" (which prohibits all restrictions on abortion up to the time of birth). (House Judiciary Subcmte. hearing of Oct. 2, 1990, and Senate Labor and Human Resources Cmte. hearing of May 13, 1992) also calls this "abortion on demand" legislation "necessary and urgent." (Letter to Senator George Mitchell, Feb. 6, 1992.)

Declared that there is a "judicially declared 14th Amendment right (for women) to be free of government interference" in choosing whether to terminate a pregnancy. (Letter to Senator George Mitchell, Feb. 6, 1992.)

IV. DERIDES RESTRICTIONS ON ABORTION—EVEN PARENTAL CONSENT

Claims any restrictions on abortion—such as waiting periods and parental consent—are "coercive laws." ("Should We Compromise on Abortion?" The American Prospect, Summer, 1990.)

Says parental consent requirements are "a form of state-sponsored child abuse." ("Should We Compromise on Abortion?" The American Prospect, Summer, 1990.)

Opposes Pennsylvania law which (1) precludes most abortions in public hospitals, (2) provides for a 24 hour waiting period, and (3) requires that married women inform their husbands before having an abortion ("Should We Compromise on Abortion?" The American Prospect, Summer, 1990.)

Calls laws that prohibit abortions after 12 or 18 weeks (3rd or 4th month)" a strange and cruel response to the issue of late abortions." ("Should We Compromise on Abortion?" The American Prospect, Summer, 1990.)

Opposes laws that prohibit use of abortion "as a means of birth control." ("Should We Compromise on Abortion?" The American Prospect, Summer, 1990.)

Says that "[t]hose who are concerned about the morality of abortions late in pregnancy ought to support policies that facilitate abortion at the earliest possible stage." ("Day in Court." The New Republic, May 8, 1989.)

V. DE-HUMANIZES THE UNBORN

Believes that while the Helms "Human Life Bill" interferes with a woman's right to choose, the abortion-on-demand "Freedom of Choice" bill "does not impinge on the rights of any person." (Letter to Senator George Mitchell, Feb. 6, 1992.)

Claims that "stripping women of basic reproductive rights will have a significantly adverse impact on the nation's economic well-being." (Letter to Senator George Mitchell, Feb. 6, 1992.)

Rationalizes abortion by suggesting that "Early abortion is arguably a very natural phenomenon." ("Day in Court." The New Republic, May 8, 1989).

VI. BLAMES PRO-LIFERS FOR LATE TERM ABORTIONS

Places responsibility for the "unnecessarily high percentage of late abortions now being performed" on "those who march under the pro-life banner." ("Should We Compromise on Abortion?" The American Prospect, Summer, 1990.)

Claims that Reagan and Bush policies protecting the unborn "tend to legitimize the activities of private vigilantes delegitimizing the basic right of women." (Testimony before Senate Labor and Human Resources Cmte., May 13, 1992.)

VII. CRITICAL OF DOCTORS FOR NOT EMBRACING ABORTION.

Served as Co-Chair of NARAL's "National Commission on America Without Roe" (1992), which: 1. criticizes the American Medical Association for not wholeheartedly endorsing abortion, and 2. states that "[p]hysicians specializing in obstetrics and gynecology should be encouraged to provide abortion services." ("Facing a Future Without Choice," 1992, pg. 34.)

Complains that none of North Dakota's 1200 physicians will perform abortions; Decries the fact that 82 out of 87 counties in Minnesota "have no readily available abortion provider;" Complains that women in Western Missouri have to drive 250 miles across the state, or cross into Kansas to find a doctor willing to perform a second trimester abortion. ("Should We Compromise on Abortion?" *The American Prospect*, Summer, 1990.)

Refers to the policy prohibiting abortion counseling in taxpayer-funded health clinics as requiring doctors to engage in "actionable malpractice." ("Conservatives Play Doctor." *The New Yrok Times*, May 25, 1991.)

IX. WANTS MIDDLE CLASS AMERICAN TAXPAYERS TO PAY FOR ABORTIONS

"We must ensure that women are not denied safe abortions because they cannot afford the procedure." (Chapter Heading in "Facing A Future Without Choice," NARAL's Commission on America Without *Roe*, of which Dellinger was co-chair.)

"A fundamental premise of the national reproductive rights agenda must be that affordable health care is a right, not a privilege, and that access to the full range of reproductive health services is essential for every American." ("Facing a Future Without Choice," NARAL's Commission on America Without *Roe*, of which Dellinger was co-chair.)

"The pro-choice community must begin working now to ensure that any national health care program that ultimately is adopted provides family planning, abortion, and other reproductive health care services."

("Facing a Future Without Choice," NARAL's Commission on America Without *Roe*, of which Dellinger was co-chair.)

MEMORANDUM

To: Senator Helms.
From: Staff.
Re: Background on Walter Dellinger.

I. PERSONAL BACKGROUND

Walter Dellinger is a native of Charlotte, NC. He attended UNC-Chapel Hill ('63) and Yale Law School ('66). He clerked for Supreme Court Justice, Hugo Black '65-'66. Taught law at University of Mississippi Law School '66-'68 and began teaching law at Duke in 1969.

His heros are Hugo Black, Martin Luther King, and Michael Jordan. Invited and hosted Robert Bork to speak at Duke in 1978. Nine years later, helped mastermind the killing of his nomination to be Justice of the Supreme Court. In early 1980's, he helped organize law students in sabotage of Nixon Library on Duke campus.

II. PUBLISHED WRITINGS

Dellinger became involved vocally and actively in the early 80's by writing several Law Review pieces on a variety of topics beginning in 1983 with "The legitimacy of constitutional change: rethinking the amendment process" in the Harvard Law Review.

In 1987, he spoke at symposium discussing, "The Constitution in Perspective: Pledging Faith in the Civil Religion, or Would you sign the Constitution? Again in 1987: "The Constitution and "The Curse of Heaven," 1989, Dellinger wrote a review, "Colloquy; Webster v. Reproductive Health Services: Abortion and the Supreme Court: The retreat from Roe v. Wade."

III. ISSUES AND VIEWS

Dellinger has written or spoken against the Balanced Budget Amendment, against voluntary silent school prayer (Yale Law Journal July 1986), against Flag Burning amendment (Testimony before Constitutional Subcommittee of the House Judiciary Committee), against the Madison Amendment regarding Congressional pay, against the pledge of allegiance, in classrooms and is extreme pro-abortion rights.

He has written numerous articles on abortion, and drafted Clinton's executive orders overturning the bans on abortion counseling and fetal tissue research.

IV. SUPREME COURT NOMINATIONS

He became actively involved in counseling and advising Biden and the Judiciary Committee in 1987 Bork Hearings. He testified against Bork. Also, wrote and advised Judiciary Committee on the Souter and Thomas nominations. After Marshall resigned, Dellinger called upon Bush to consider "culturally relevant" factors other than a nominee's legal qualifications (USA TODAY 7/1/91). He then came out against Thomas, saying he was to conservative and too young.

V. THE SENATE'S ROLE IN ADVICE AND CONSENT

Dellinger has written or said that the Senate should play an advice role in "Advice and Consent," Judicial nominees should be moderates, and with Judicial, as opposed to Cabinet nominations, ideology should be considered by the Senate.

He blames conservatives for the politicization of judicial nominations, says the confirmation process will work only if the President nominates people who are moderates.

VI. IRAN CONTRA AFFAIR

Dellinger was a big defender of Lawrence Walsh. He called the Iran-Contra case, "an embezzlement case." He said it may have been illegal for Reagan to pardon North, because Reagan condoned his activities. He even said that a pardon could be impeachable.

VII. NOMINATED FOR POWERFUL POSITION

Dellinger is being nominated for Assistant Attorney General for the Office of Legal Counsel, a position from which he will (1) help select federal judges, (2) put his stamp (in the form of "legal advice" on all Executive orders, proclamations, and all constitutional and legislative issues.

VIII. HE BELIEVES A NOMINEE'S IDEOLOGY SHOULD BE A FACTOR IN CONSIDERATION OF JUDICIAL NOMINATIONS.

Walter Dellinger has written, or said that (1) the Senate should play more of an advice role in "Advice and Consent," (2) Judicial nominees should be moderates, and (3) with Judicial, as opposed to Cabinet nominations, ideology should be considered by the Senate.

Washington Post, September 9, 1986, "Judicial Reticence Frustrates Senators" Dellinger said, "In the past, the Senate was willing to be much more candid about the role of the philosophy rejecting nominees," and more recently, he said, opponents have felt compelled "to comb the record for possible ethical violations." "It would make sense for the Senate to openly acknowledge that just as the president may consider the philosophy of judges, so may the Senate."

IX. DELLINGER ON THE ISSUES:

(1) Against the Balanced Budget Amendment—Washington Post, July 16, 1990, "A Balanced Budget Amendment?"—Dellinger said, "the amendment could be read as giving the president a back-door, line-item veto over the budget." Dellinger said, "the president would be able to reduce expenditures in an enacted budget from Congress to the president as well as to the judiciary."

(2) Against Voluntary Silent Prayer—Yale Law Journal, July 1986, "The Sound of Silence: An Epistle on Prayer and the Constitution" in a letter addressed to members of the United States Senate, Dellinger said, "I write to urge you to reject this and similar amendments as they come before you in the future. This particular proposal is, at one and the same time, both trivial and dangerous. In terms of its ostensible objective—to permit a silent time to be set aside during which pupils may choose to engage in silent prayer—it is simple unnecessary.

(3) Against the Madison Amendment on Pay—Star Tribune, May 8, 1992, "It takes 203 years, but pay amendment finally gets ratified" Dellinger agreed with Tom Foley, saying "Two hundred and two years is not a close call, . . . sometimes in the past two centuries this became a dead letter."

(4) Against Pledge of Allegiance in Classrooms—The New York Times, June 21, 1988, "Pledge Allegiance to the Law" by Walter Dellinger.

(5) Against Constitutional Amendment outlawing Flag Burning—Washington Post, July 19, 1989, "Amendment on Flag Introduced, . . ." Dellinger testified at a House subcommittee hearing warning that a constitutional amendment could harm the Bill of Rights. He said, "this is a dangerous precedent, and such an amendment would be the ultimate victory for flag burners, making this country 'look' just a little silly and a little less brave and a little less free."

The National Law Journal, November 13, 1989, "The Debate is Rekindled; Flag Burning" Dellinger says that the federal law throws a blanket ban on flag burning, and it will withstand constitutional challenge. But the court may sever a provision making it a crime to "physically defile" the flag. Even the majority would have trouble swallowing a provision of the statute that uses the word defile, which seems to remove any fig leaf of neutrality."

(6) Wants quotas on the court—USA Today, July 1, 1991, "Scholars: Balance enhances rulings" Dellinger said, "he sees ample historical precedent for considering, 'culturally relevant' factors other than the nominee's legal qualifications. Dellinger says religion is an important factor, "Nobody paid much attention to the fact that Anthony Kennedy was the third Catholic on the court." Race is an issue today, Dellinger says, "As long as race is a subject of great cleavage, there is something to be said for taking that into account. It will be a happy day when race is no longer culturally relevant . . . but we're not there yet." (When the nomination of Judge Thomas was subsequently announced by President Bush, Dellinger opposed him anyway)

U.S. SENATE,
Washington, DC, October 5, 1993.

Hon. JANET RENO,
Attorney General of the United States, Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL RENO: In accordance with the provisions of the Freedom of Information Act, 5 U.S.C. Sec. 552 et seq. (FOIA), we hereby request any and all documentation concerning the appointment of Walter Dellinger to the position of Acting Assistant Attorney General, Office of Legal Counsel, on or about August 11, 1993.

This FOIA request should be construed broadly, to include, but not be limited to, any and all documents prepared by the Department of Justice which contain the formal approval for the change of Mr. Dellinger's status to that of Acting Assistant Attorney General; the legal basis and justification for such change in Mr. Dellinger's status prior to his confirmation by the United States Senate; any and all documentation as to the length of Mr. Dellinger's appointment as Acting Assistant Attorney General prior to his Senate confirmation; any analysis or analyses of the departmental, or other, precedent(s) for such an appointment prior to Senate confirmation, whether such precedent originates from within the Department of Justice or from any other Federal agency or department; any documents) which directed you to take the action of appointing Mr. Dellinger as Acting Assistant Attorney General prior to his Senate confirmation; and, any communication, whether from an executive branch or a legislative branch source, which urged, directed, or otherwise supported said appointment of Mr. Dellinger prior to his Senate confirmation.

In view of the need for a thorough review of all documentation relating to the aforementioned appointment of Mr. Dellinger prior to his consideration for confirmation by the full Senate, we urge you to expedite the response to this request.

Sincerely,

Jesse Helms, Lauch Faircloth, Larry E. Craig, Alan Simpson, Bob Dole, Trent Lott, Paul Coverdell, Pete Domenici, Richard G. Lugar, Judd Gregg, Strom Thurmond, Thad Cochran, Don Nickles, Phil Gramm, John McCain, Ted Stevens, Hank Brown, Larry Pressler, Danial Coats, Kit Bond, Slade Gorton, Frank H. Murkowski, Robert F. Bennett, John H. Chafee, Bob Smith, Malcolm Wallop, Al D'Amato.

Nomination of Walter Dellinger To Be Assistant Attorney General for the Office of Legal Counsel

I. THUMBS NOSE AT SENATE

Dellinger appointed "Acting" Assistant Attorney General on August 11, 1993—an unprecedented action for a controversial nominee still pending confirmation.

While in the past, some officials were appointed "Acting" to fill a vacancy before being nominated for the position, this is the first time an individual has been appointed "Acting" after being nominated, and with his controversial nomination still pending before the Senate.

When asked by Senator Faircloth's staff why Dellinger was placed in the position before the Senate has confirmed him, a Justice Department official replied "we were tired of waiting for the Senate to confirm Mr. Dellinger, so we went ahead and appointed him."

Justice Department refuses to provide Senator Faircloth with any details regarding the appointment of Dellinger to be "Acting" Assistant Attorney General. Justice even refuses to provide copies of the appointment papers.

II. WON'T ANSWER SENATOR'S QUESTIONS

Dellinger gave delinquent responses to more than half of the questions posed to him by Senator Helms. (73 questions asked in letters of 6/30 and 7/29/93, for 39 of these questions, Dellinger gave no answer, a non-responsive answer, a non-conclusive answer, or an answer contradicted by published sources.)

Regarding his role in the Bork nomination, Dellinger said, in part, "My principal participation was as a witness at the Hearing." (Letter to Sen. Helms, 7/14/93.)

However, the Chief Counsel of the Judiciary Committee at the time asserts Dellinger's role was much more extensive—that he served on Biden's board of academics, assisted in the recruitment of law school deans and professors, helped arrange anti-Bork witnesses for the Judiciary Committee hearings, etc. (Matters or Principle, by Mark Gitenstein, Simon & Schuster 1992.)

Dellinger did not respond to a question regarding whether he lent his "name to any fund-raising appeals" opposing the confirmation of Judge Bork or Justice Thomas. When asked for further clarification, he responded only as to the Thomas nomination. We still don't know his role regarding fund-raising solicitations regarding the Bork nomination.

III. BLUE SLIPS IGNORED

Senator Biden (June 6, 1989 letter to President Bush) indicated that unless the Administration has consulted in good faith with both home state Senators prior to submitting nomination, a negative blue slip from either Senator will prevent the nominee from being considered.

Judiciary Chairman Biden sent "blue slips" to Helms and Faircloth. Both were returned in the negative.

Despite this, the Judiciary Committee proceeded with this nomination—Helms and Faircloth were not given even the courtesy of notice of the Committee's hearing.

Legal Analysis

On August 11, 1993, Walter Dellinger was appointed without notification as Acting Assistant Attorney General, Office of Legal Counsel, by Attorney General Janet Reno. The Justice Department made no public announcement about this appointment, for understandable reasons, since Mr. Dellinger was still awaiting Senate confirmation.

When asked to state the reason for the Attorney General's action, Department of Justice spokesperson Nancy Scott-Finan explained: "We were tired of waiting for the Senate to confirm Mr. Dellinger, so we went ahead and appointed him."

Attorney General Reno's action in appointing Mr. Dellinger to this position prior to his confirmation may be more than unprecedented. It may also fall short of being unconstitutional by only the slimmest of legal technicalities.

According to the United States Constitution, Article II, Section 2, Clause 2, the Senate is required to provide its advice and consent for certain presidential appointments, among them senior Justice Department positions such as Assistant Attorney General. This clearly was meant by the Framers of the Constitution as a check on the otherwise unrestrained political power of the President to appoint important executive officials. Traditionally, Executive Branch deference to this crucial Legislative Branch function has been complete, if grudging. Rarely, however, has the Senate's role been intentionally ignored. This appears to have happened in the case of Walter Dellinger.

The statutory provision which governs the appointment of senior executive officials to "acting" capacity when the most senior executive position in particular office becomes vacant (such as commonly occurs in a change of administrations) is the Vacancy Act (28 U.S.C. Secs. 3345–49). Under the provisions of the Vacancy Act, an official may be appointed to serve as the head of an office, such as DOJ's Office of Legal Counsel, in two ways, neither of which was followed in the appointment of Walter Dellinger.

The first manner under the Vacancies Act under which Mr. Dellinger could have been appointed is if he had been serving as the "first assistant" of the Office of Legal Counsel when a vacancy occurred as to the head of the Office (e.g., the position of Assistant Attorney General, Office of Legal Counsel) (see 5 U.S.C. Sec. 3345).

This was not the case with Walter Dellinger. Mr. Dellinger was serving the Department of Justice, prior to his August 11th appointment, as a consultant, which means he was technically not even an employee of the Department, but rather an independent contractor. He therefore does not fit into this first manner of valid appointment under the Vacancies Act.

The second manner in which Mr. Dellinger could have validly been appointed to the position of Acting Assistant Attorney General is if he had been appointed to this position by virtue of a presidential detail (5 U.S.C. Sec. 3347). This type of appointment, however, presupposes that the detailee is either "the head of another Executive department or military department or another officer of an Executive department or military department, whose appointment is vested in the President, by and with the advice and consent of the Senate." Once again, this is not applicable to Mr. Dellinger, since he was not an employee of any department, but rather was an independent contractor. In addition, he certainly has never been an Executive department employee who has previously undergone Senate confirmation, as is contemplated by the statute.

The Department of Justice has refused to furnish copies of Mr. Dellinger's appointment papers of August 11, 1993. We have therefore been forced to request them under the provisions of the Freedom of Information Act (see attachment). It is impossible therefore to determine whether, for instance, Mr. Dellinger was appointed as a special employee of some kind, and then placed into the acting position. Even if this were the case, however, it is still highly unclear how this appointment could have been valid.

The Department of Justice states that Mr. Dellinger was appointed under the provisions of 28 U.S.C. secs. 509 and 510. These are the standard, broad delegations of statutory authority to the Attorney General which are common boilerplate language, and which have never been used, nor were they intended, as a means by which the President and Attorney General could circumvent the constitutional duty and role of the Senate to advise and consent.

It is clear that the Administration's stated attitude that "we were tired of waiting for the Senate, so we went ahead and appointed him" is an intolerable encroachment and disregard for the clearly established, and constitutionally mandated, role of the Senate in the confirmation of senior Executive Branch officials. We hope you will join us in opposing this egregious breach of Senate prerogative and resist the confirmation of Walter Dellinger. Let's send a signal to the Administration that we will not tolerate such abuses in the future.

Mr. HELMS. Mr. President, time and again during the Senate's debate on the Dellinger nomination last week, the Senator from Delaware said the Senator from North Carolina believes that one Senator should have the right to kill a nomination.

I have said nothing to justify such a conclusion. I did point out, however, that there were 86 nominees who came before the Judiciary Committee during the last Congress, most of whom never had a hearing, and all of whom were never confirmed.

So, Mr. President, I hope at some point, there will be some public explanation as to why each of these nominations were never confirmed. To facilitate this, I ask unanimous consent that the list of the 86 nominees be printed in the Record at the conclusion of my remarks.

There being no objection, the list was ordered to be printed in the Record, as follows:

THE 86 JUDICIAL NOMINEES THAT WERE LEFT UNCONFIRMED IN THE 102D CONGRESS

Nominee	Position	Referred	Hearing date	Months waited
ALABAMA:				
Robert D. Hunter	Judge—Northern Alabama	Apr. 2, 1992	None	7
ARKANSAS:				
Charles A. Banks	Judge—Eastern Arkansas	Apr. 1, 1992	None	7

THE 86 JUDICIAL NOMINEES THAT WERE LEFT UNCONFIRMED IN THE 102D CONGRESS—Continued

Nominee	Position	Referred	Hearing date	Months waited
CALIFORNIA:				
Percy Anderson	Judge—Central California	Mar. 20, 1992	None	8
Carlos Bea	Judge—Northern California	Nov. 20, 1991	None	12
John F. Walter	Judge—Central California	Mar. 20, 1992	None	8
James A. McIntyre	Judge—Southern California	June 2, 1992	None	5
Charles M. House	Director, Office for Victims of Crime	Jan. 4, 1991	None	21
John A. Mendez	U.S. Attorney—Northern California	June 26, 1992	None	5
John W. Gillis	Member—U.S. Sentencing Commission	Sept. 25, 1992	None	2
James H. Grossman	Chairman—Foreign Claims Settlement	Nov. 15, 1991	None	12
		Sept. 9, 1992	None	2
DISTRICT OF COLUMBIA:				
Maurice T. Turner, Jr	Director, Bureau of Justice Assistance	Aug. 1, 1991	None	3
GEORGIA:				
R. Edgar Campbell	Judge—Middle Georgia	July 27, 1992	None	4
James B. Franklin	Judge—Southern Georgia	Nov. 26, 1991	None	12
C. Christopher Hagy	Judge—Northern Georgia	June 3, 1992	None	5
Jay D. Gardner	U.S. Attorney—Southern Georgia	Mar. 31, 1992	None	8
FLORIDA:				
Federico A. Moreno	Judge—11th Circuit	Mar. 10, 1992	None	8
Kenneth L. Ryskamp	Judge—11th Circuit	Jan. 8, 1991	Mar. 19, 1991	22
William P. Dimitrouleas	Judge—Southern Florida	Oct. 2, 1992	None	1
Thomas E. Sholts	Judge—Southern Florida	July 26, 1991	None	16
Charles A. Felton	U.S. Marshal—Middle Florida	Aug. 4, 1992	None	3
Dexter W. Lehtinen	U.S. Attorney—Southern Florida	Mar. 21, 1991	None	20
Roberto Martinez	U.S. Attorney—Southern Florida	May 19, 1992	None	6
ILLINOIS:				
Vicki Ann O'Meara	Assistant Attorney General	Mar. 13, 1992	None	8
IOWA:				
Charles W. Larson	U.S. Attorney—Northern Iowa	Mar. 31, 1992	None	8
Blaine B. Goff	U.S. Marshal—Southern Iowa	Sept. 21, 1992	None	2
KENTUCKY:				
Scott J. Poe	U.S. Marshal—Eastern Kentucky	Mar. 31, 1992	None	8
LOUISIANA:				
Robert W. Kostelka	Judge—Western Louisiana	Aug. 7, 1992	None	3
Debra Russell Bowland	Director, Office for Victims of Crime	Nov. 15, 1991	None	12
MAINE:				
C. Wesley Phinney, Jr	U.S. Marshal—District of Maine	Aug. 1, 1991	None	15
MARYLAND:				
John G. Roberts, Jr	Judge—D.C. Circuit	Jan. 27, 1992	None	10
Katherine J. Armentrout	Judge—District of Maryland	June 23, 1992	None	5
William D. Quarles	Judge—District of Maryland	June 2, 1992	None	5
MASSACHUSETTS:				
George A. O'Toole, Jr	Judge—District of Massachusetts	Sept. 24, 1992	None	2
Walter B. Prince	Judge—District of Massachusetts	Sept. 17, 1992	None	2
MICHIGAN:				
John A. Smietanka	Judge—6th Circuit	Jan. 27, 1992	None	10
Henry W. Saad	Judge—Eastern Michigan	Oct. 2, 1992	None	1
William Lucas	Director—Community Relations Services	Sept. 25, 1992	None	2
MISSOURI:				
Lawrence O. Davis	Judge—Eastern Missouri	Mar. 20, 1992	None	8
Richard E. Dorr	Judge—Western Missouri	Sept. 9, 1992	None	2
Louis J. Leonatti	Judge—Eastern Missouri	June 3, 1992	None	5
Gene E. Voigts	Judge—Western Missouri	Mar. 24, 1992	None	8
NEBRASKA				
James S. Mitchell	Judge—District of Nebraska	Apr. 7, 1992	None	7
NEVADA:				
Larry R. Hicks	Judge—District of Nevada	July 2, 1992	None	4
NEW YORK:				
Richard Conway Casey	Judge—Southern New York	July 2, 1992	None	4
Michael Kavanagh	Judge—Northern New York	July 25, 1991	None	16
Manuel H. Quintana	Judge—Southern New York	Mar. 27, 1992	None	8
Paul L. Schechtman	Judge—Southern New York	Mar. 20, 1992	None	8
Joanna Seybert	Judge—Eastern New York	July 27, 1992	None	4
Andrew P. O'Rourke	Judge—Southern New York	Nov. 12, 1991	None	12
David G. Trager	Judge—Eastern New York	Nov. 27, 1991	None	12
NORTH CAROLINA:				
Terrence W. Boyle	Judge—4th Circuit	Oct. 22, 1991	None	13
OHIO:				
Douglas J. Drushal	Judge—Northern Ohio	June 3, 1992	None	5
James W. Jackson	Judge—Northern Ohio	Jan. 27, 1992	None	10
James J. McMonagle	Judge—Northern Ohio	June 23, 1992	None	5
Donna M. Owens	Director, Bureau of Justice Assistance	Jan. 11, 1991 w/d 2/26/91	None	22
OKLAHOMA:				
Francis A. Keating, II	Judge—10th Circuit	Nov. 14, 1991	July 22, 1992	8
James H. Payne	Judge—N, E, & W Oklahoma	Sept. 17, 1992	None	2
Tony Michael Graham	Judge—Northern Oklahoma	Nov. 14, 1991	None	12
Joe L. Heaton	U.S. Attorney—Western Oklahoma	Sept. 17, 1992	None	2
Brian C. Griffin	Chairman—Administrative Conference	Aug. 12, 1992	None	3
PENNSYLVANIA:				
Franklin S. Van Antwerpen	Judge—3rd Circuit	Sept. 11, 1991	None	14
Jay C. Waldman	Judge—3rd Circuit	July 26, 1991	None	16
James R. McGregor	Judge—Western Pennsylvania	Jan. 8, 1991 w/d 8/2/91	None	22
John J. McKenna	U.S. Marshal—Eastern Pennsylvania	Oct. 8, 1992	None	1
Bruce D. Goodman	Commissioner—Copyright Royalty Tribunal	Mar. 31, 1992	None	8
RHODE ISLAND:				
Kenneth R. Mancuso	U.S. Marshal—District of Rhode Island	June 4, 1992	None	5
SOUTH DAKOTA:				
Kevin V. Schieffer	U.S. Attorney—District of South Dakota	Oct. 24, 1991	None	13
Roger L. Wollman	Member—U.S. Sentencing Commission	Mar. 4, 1992	None	8
TENNESSEE:				
Justin P. Wilson	Judge—6th Circuit	Mar. 20, 1992	None	8
		Sept. 9, 1992	None	2
TEXAS:				
Sidney A. Fitzwater	Judge—5th Circuit	Jan. 27, 1992	None	10
Kenneth R. Carr	Judge—Western Texas	Jan. 27, 1992	None	10
Leonard E. Davis	Judge—Eastern Texas	June 3, 1992	None	5
Andrew S. Hanen	Judge—Southern Texas	Mar. 20, 1992	None	8
Russell T. Lloyd	Judge—Southern Texas	Mar. 20, 1992	None	8
Terral R. Smith	Judge—Western Texas	Jan. 27, 1992	None	10
J. Keith Gary	U.S. Marshal—Eastern Texas	Aug. 4, 1992	None	3
VIRGINIA:				
Lillian R. BeVier	Judge—4th Circuit	Oct. 22, 1991	None	13
Maureen E. Mahoney	Judge—Eastern Virginia	Apr. 2, 1992	None	7
Gerald Paul Regier	Adm, Juvenile Justice & Delinq. Prevention	Aug. 4, 1992	None	3
Edward J. Damich	Chairman—Copyright Royalty Tribunal	Mar. 13, 1992	None	8
		Sept. 9, 1992	None	2

THE 86 JUDICIAL NOMINEES THAT WERE LEFT UNCONFIRMED IN THE 102D CONGRESS—Continued

Nominee	Position	Referred	Hearing date	Months waited
VIRGIN ISLANDS:				
Raymond L. Finch	Judge—District Virginia Islands	June 19, 1992	None	5
WASHINGTON:				
Ronald B. Leighton	Judge—Western Washington	Apr. 30, 1992	None	7
WEST VIRGINIA:				
Charles F. Little	U.S. Marshal—Northern West Virginia	Sept. 21, 1992	None	2

Mr. HELMS. Mr. President, on June 30, I submitted a series of questions to President Clinton's nominee for Assistant Attorney General, Walter Dellinger of North Carolina. In Mr. Dellinger's response of July 14, he indicated that in January, he submitted $911 to the IRS for Social Security taxes which he says "may or may not have been owed."

I am not certain nonpayment of Social Security taxes on domestic help should have prevented Ms. Zoe Baird or Judge Kimba Wood from serving as Attorney General. But what is good for the goose, is good for the gander, and the standard should be the same for all nominees regardless of gender.

So that Senators may be able to determine if the standard is applicable in this case, I assume that prior to reporting Mr. Dellinger's nomination, the Judiciary Committee looked very closely into Mr. Dellinger's situation. If that is indeed the case, I hope the committee will, at some point, place in the RECORD the responses to the following questions:

First, during the period of nonpayment, 1988–92, did Mr. Dellinger submit Social Security payments related to the employment of any domestic or other help in his employ, and if so, how much and for which period(s)?

Second, when did the individual for whom Mr. Dellinger made the $911 payment start working for Mr. Dellinger?

Third, Mr. Dellinger indicated in his response to my question No. 13 that prior to 1988, he paid Social Security taxes for the individual in question. Why did he stop making payment in 1988, and did he receive legal counsel prior to halting payment?

Fourth, on what day did Mr. Dellinger submit the $911 payment?

Fifth, on the day Mr. Dellinger submitted payment, did he hold any paid or voluntary position with the Federal Government?

Sixth, was Mr. Dellinger aware of Ms. Baird's situation when he submitted payment?

Seventh, in his response to me, Mr. Dellinger indicated that he has "not considered her an employee for FICA purposes." Did the committee check with the IRS to see if he indeed was liable for the Social Security payments? What determination has the IRS made as to Mr. Dellinger's tax liability?

Eighth, if Mr. Dellinger was indeed liable for the $911 he submitted to the IRS, what distinguishes his situation from that of Ms. Baird and Judge Wood?

Ninth, did the Judiciary Committee seek copies of correspondence Ms. Zoe Baird or Judge Kimba Wood may have had with their respective attorneys or with the IRS regarding their tax liabilities?

Tenth, did Mr. Dellinger have any correspondence with counsel or with the IRS regarding his possible liability for nonpayment of Social Security taxes for domestic employees, and if so, has the committee sought, and obtained, any copies of such correspondence—including any correspondence accompanying the $911 check he submitted to the IRS in January?

Eleventh, did Mr. Dellinger incur any unpaid liability to the State of North Carolina on behalf of this employee?

EXHIBIT 1

According to Mark Gitenstein, Former Chief Counsel, Senate Judiciary Committee, describing Walter Dellinger's participation in the confirmation proceedings of Judge Robert Bork: (Matters of Principle, Simon and Schuster, 1992):

P. 24—Conference call was set up by Biden with Phillip Kurland, conservative constitutional scholar at the University of Chicago, Dellinger, Washington lawyer Ken Bass, and Floyd Abrams, the top litigator in the country. Biden wanted "to be brought up to speed quickly on Powell and Bork."

During this conference call Dellinger and Bass explained the particular role Powell had played in frustrating the Reagan Administration's agenda on the social issues. Dellinger and Abrams went on to talk about Bork's attitude toward Roe v. Wade and the constitutional right to privacy.

Biden and Dellinger engaged in a lengthy discussion of the role of the Senate in the confirmation process (p. 25). Biden kept pressing Dellinger about precedents in history in which the Senate had attempted to advise the President on nominees before they were sent to the Senate.

P. 45—"As Biden and his advisers struggled with how the Senate ought to respond to Reagan's nomination of Bork, Dellinger and Kurland had kept reminding us of how the Senate had reacted to similar initiatives."

P. 60—"Bork had asked for a private meeting with the chairman, and it was scheduled for 10:00 A.M. Immediately thereafter (meeting w/Bork) Biden would meet with an advisory committee of distinguished lawyers and academics who would advise him on the nomination: Ken Bass, a former Hugo Black law clerk; Washington Superlawyer Clark Clifford; Professor Walter Dellinger of Duke Law School; and Philip Kurland of the University of Chicago."

P. 61—"In a short meeting, and the only time the two men were ever in small private group—two men whose actions and reactions in the coming weeks would have untold impact on each other. Biden rushed from his hideaway back to the conference room, where the meeting with Clifford, Kurland, Dellinger, and Bass was already underway. It was an intense and productive meeting, in which Biden described a speaking schedule he intended to undertake. First, within two weeks he would deliver a lengthy speech on the Senate floor making the case that, in circumstances like the Bork nomination, it was appropriate for the Senate to consider the nominee's judicial philosophy."

P. 160—"Taylor and Seidman decided to attempt two initial forays into the academic community on the Bork nomination. First, they would approach law deans as they had in the case of Manion, and simultaneously they would approach constitutional law professors. One of the greatest assets they had was the opposition of three of the most prominent constitutional law professors in the country, all Biden advisers: conservative Philip Kurland, and liberals Laurence Tribe and Walter Dellinger."

P. 161—"It took a lot of work, but the second week in September, thirty-two deans had signed a letter in opposition to Bork—not as many as had opposed Manion, but an impressive turnout. By late August, Seidman had negotiated the text of the letter acceptable to Kurland, Tribe, and Dellinger, and began to circulate it."

P. 188—"Biden had a list of prominent Americans he was also constantly speaking to during August. Not just prospective witnesses. * * * In some cases he was attempting to recruit them as witnesses or asking them to approach a prospective witness, or simply requesting a statement. Biden was also personally involved, with Schroeder's and Dellinger's assistance, in arranging six panels of academics who were expert on particular aspects of Bork's jurisprudence or who could address basic anti-Bork arguments."

P. 194—"Schroeder and Peck were putting the finishing touches on the response piece. It was becoming as long and as detailed as a court brief. It would be released as a report of two consultants to the chairman, Peck and Schroeder. However, we also wanted the imprimatur of our outside experts. Kurland refused. He felt that a lengthy and hard-hitting editorial he had written for the Chicago Tribune was all he wanted to do for a while. Walter Dellinger of Duke and Floyd for Abrams were easy to accommodate. Clifford and Tribe were more difficult. Tribe would not consider going on the piece unless Clifford did. Clifford's problem was not the substance. He was satisfied that Peck and Schroeder knew what they were doing, and he was reassured by Abrams and Dellinger's willingness to sign the piece."

P. 195—"The report would be issued as a report of the "consultants" (Peck and Schroeder) that had been "reviewed" at Biden's request by Abrams, Clifford, Dellinger, and Tribe who "wholeheartedly the substance of the views expressed."

P. 195—"The response piece provoked a reaction that even Biden and his staff had not anticipated.* * * since neither Biden, Peck, or Schroeder were to do any on the record interviews * * * The plan was to avoid complicating the fairness issue by having Biden, or anyone speaking for him to the press, put as much emphasis as possible on the document and to direct reporters to Tribe, Abrams, Dellinger, and Clifford. Tribe and Dellinger did a number of television and radio interviews."

P. 209—"The team that was to meet with Biden on those two weekends was much more diverse than Bork's. It had share of substantive experts: Schroeder, Peck, Tribe, Dellinger, Bass, Caddell, Rasky, Donilon, and Gitenstein."

P. 209—"The plan for the first day was for Biden to approve the opening statement and then move the lines of questions in a sort of reverse murder board, with two people playing Bork. First, Ken Bass, would play Bork as he was portrayed in the White House briefing book. Then Dellinger was to play Bork as he really was without any pretense at moderation or recantation, being much more combative."

P. 209—"There was rich irony in Ken Bass and Walter Dellinger playing the Bork role in the mock hearings. Both had clerked for Hugo Black, the Supreme Court Justice who best expressed the jurisprudence that Robert Bork espoused, a jurisprudence premised on the notion that substantive due process in whatever form was dangerous."

P. 210—"Dellinger also was unconvinced by Black and Bork arguments about the dangers of unenumerated rights argument. Indeed, as a Southerner, he was steeped in the natural rights arguments that Martin Luther King, and Abraham Lincoln before him, has made on behalf of civil rights and abolition. He spoke often of that tradition with Biden during those hours of preparation before the hearings."

P. 227—"Neither Sanford nor Fowler took a position on the nomination, but they clearly indicated that Biden's approach to the nomination was correct. Sanford agreed soon thereafter to host a briefing by Duke Law Professor Walter Dellinger for other Southern Democrats on the implications of Bork's jurisprudence."

EXHIBIT 2

ANALYSIS: LETTER OF SENATOR JESSE HELMS OF JUNE 30, 1993; RESPONSE OF WALTER DELLINGER OF JULY 14, 1993

Helms Question #1: (1) The news media reported that you drafted President Clinton's executive orders lifting various restrictions on abortion. Are these reports accurate?

Dellinger response: Yes.

Analysis: Responded to question asked.

Helms Question #2: (2) Did you help draft President Clinton's Executive Order overturning the ban on homosexuals in the military, or (3) otherwise take any part in the President's decision to issue such an order?

Dellinger response: I was not involved in the President's decision to instruct the Secretary of Defense to review current policy concerning homosexuals in the military. As far as I know, that review has not been completed and no order has been issued. Before joining the Justice Department, as Associate White House Counsel I worked with the Department of Justice in efforts to avoid any judicial decisions that had been agreed to by the President and relevant Senate leaders on February 3, 1993. I coordinated that effort with the Senate staff with principal responsibility for armed services matters.

Analysis: Contradicts news reports.

A February 3, 1993 Durham Morning Herald article reported that Dellinger did indeed assist the President in his efforts to lift the ban on homosexuals in the military.

Helms Question #3: (4) What are your views concerning the ban on homosexuals in the military?

Dellinger response: I will adhere to any policy adopted by the President and the Congress. My own personal view is that the fact of sexual orientation or status should not preclude military service except in circumstances in which military effectiveness, morale or unit cohesion would be adversely affected.

Analysis: Responded to question asked.

Helms Question #4: (5) Does the Constitution of the United States give Congress the specific and full power to make rules for the government and (6) regulation of the land and naval forces?

Dellinger response: Yes. See U.S. Const., Article I, Section 8, Clause 14.

Analysis: Responded to questions asked.

Helms Question #5: (7) On what legal authority do you believe a President, without specific authorization from Congress, may lift the ban on homosexuals serving in the military?

Dellinger response: As Chief Executive and Commander in Chief, the President, and by his authority the Secretary of Defense and military commanders, have broad authority to regulate military service. (Such executive authority is, for example, the legal basis for the existing ban.) Congress may, of course, override executive orders by valid orders by valid legislation.

Analysis: Responded to question asked.

Helms Question #6: Please furnish an account of the full extent of your participation in the confirmation proceedings for Supreme Court nominees: (8) Chief Justice Rehnquist, (9) Judge Robert Bork, and (10) Justice Clarence Thomas?

Dellinger response: A. The Confirmation of Chief Justice Rehnquist. I briefed the Democratic Members of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause of the Constitution.

B. The Confirmation of Judge Bork. I briefed the Chairman of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause and on the nominee's writings, and I reviewed a report and analysis of those writings. My principal participation was as a witness at the Hearings.

C. The Confirmation of Justice Thomas. I participated in one briefing of the Chairman of the Judiciary Committee on natural law. I was not otherwise involved.

Analysis: Answered 2 of 3 questions.

(Response to question #9 contradicts Gitenstein book.)

According to Mark Gitenstein, Former Chief Counsel, Senate Judiciary Committee Describing Walter Dellinger's Participation in the confirmation proceedings of Judge Robert Bork: (Matters of Principle, Simon and Schuster, 1992):

Dellinger served on Biden Advisory Committee "of distinguished lawyers and academics" (page 60).

Dellinger assisted in effort to recruit anti-Bork law school deans and professors (pages 160–161).

Dellinger reviewed and endorsed the so-called "Biden Report" (page 195).

Dellinger tasked to conduct anti-Bork TV interviews. Conducted television and radio interviews as part of the plan for disseminating the "Biden Report" (page 195).

Dellinger participated in anti-Bork strategy meetings (pages 61 and 317).

Dellinger helped prepare Biden for Bork hearings (pages 209–210).

Dellinger helped arrange panels of anti-Bork witnesses (page 188).

Dellinger gave extensive legal advice to chairman. Briefed Biden on "unenumerated rights" (page 210), Justice Powell's role in "frustrating the Reagan agenda on the social issues," (pages 24–25), on "Bork's attitude toward Roe v. Wade (pages 24–25), on the Senate's role in confirmation process. (Page 25).

Helms Question 7: (11) During any of these proceedings, did you receive compensation in any form from any person or entity?

(12) If so, please list all such compensation, the entities and/or persons providing the compensation and the terms of such compensation.

Dellinger response: No.

Analysis: Answered questions.

Helms Question 8: (13) During any of these proceedings, did other employees and/or students of Duke University assist you and/or the Judiciary Committee; (14) If so, what person and/or entity, if any, paid for their services?

Dellinger response: I do not recall using any student research assistance in these matters. Although I have no specific recollection of using any other university employees, I would assume that I used the normal secretarial assistance provided by Duke University for the professional activities of law school faculty members.

Analysis: Response contradicts Gitenstein.

According to the Gitenstein book, Duke Professor Christopher Schroeder also assisted the Judiciary Committee.

Helms Question 9: (15) Did you lend your name to any fund-raising appeals or advertisements opposing the confirmation of Judge Bork or Justice Thomas?

(16) If so, please furnish copies of those advertisements.

Dellinger response: I do not recall using my name in any such advertisements.

Analysis: Responded with a non-conclusive answer.

Dellinger did not answer the whole questions, ignoring completely the question regarding fund-raising appeals.

Helms Question #10: (17) Please list all Senators to whom you provided advice and/or assistance during confirmation proceedings of Chief Justice Rehnquist, Justice Thomas and Judge Bork.

Dellinger response: My best recollection would be: Senator Sanford, Senator Mitchell, Senator Biden, Senator Kennedy, Senator DeConcini, Senator Simon, Senator Leahy, and Senator Heflin.

Analysis: Responded with a non-conclusive answer.

Dellinger can't recall definitively which Senators he advised?

Helms Question #11: (18) Will you provide copies of all memoranda provided by you to members of the Judiciary Committee concerning the nominations of Chief Justice Rehnquist, Justice Thomas and Judge Bork?

Dellinger response: A memorandum I wrote for Senator Biden concerning the original understanding of the Advice and Consent Clause was published in the Congressional Record for September 11, 1986. A copy is attached for your convenience. I do not understand the question to include confidential legal analysis provided to a Senator that was not intended for public distribution.

Analysis: Responded to question asked, but still won't provide all documents requested.

Helms Question #12: (19) Have you ever failed timely Social Security payments related to the employment of domestic help, or (20) for any other individual for whom the law requires such payments be made, and (21) if any payments were late, please indicate the date on which such payments were made, and (22) the period by such periods.

Dellinger response: In January I submitted $911 to IRS for FICA taxes for 1988–1992 that may or may not have been owed.

Analysis: Did not answer the questions asked.

The only question to which Dellinger gave a direct answer for #22. Questions 19 through 21 remain unanswered.

Helms Question #13: (23) If you failed to make timely Social Security payments, please describe any distinction between your conduct in this respect and that of Ms. Zoe Baird and Judge Kimba Wood.

Dellinger response: I do not have sufficient information to presume to comment on any other taxpayer. My own record is as follows. Since 1969 we have had a series of four persons work in our house, generally part time. I made sure that each one was signed up with social security, and I regularly paid both the employers' and employees' share of social security taxes.

The $911 payment I made in January was for the account of an elderly person who worked for my family for years (and for whom I regularly made timely social security payments). In recent years I have not considered her an employee for FICA purposes. (The money I give her ($25 or $30 a week) is not dependent upon her providing any services and is basically intended to supplement her retirement income.) Nonetheless, just to be conservative, I made the $911 payment and included with it $269 for interest and a late fee of $233.

Analysis: Did not answer full question asked.

Helms Question #14: (24) If you indeed failed to make timely Social Security payments, who advised you—and (25) when were you advised—of the need to make such payments?

Dellinger response: I have never been advised of the need to make such payments.

Analysis: Nonconclusive answer.

Dellinger still does not address question as to whether he failed to make timely Social Security payments. In addition, he said he paid four people's Social Security tax since 1969, so why did he all of sudden pay $911 in January of 1993 ("just to be conservative") How many people pay money to the government to be "conservative." Dellinger said no one advised him of having to make a payment (On January 12, 1993, Ms. Zoe Baird's failure to make timely social security payments surfaced, was Dellinger's payment on January 24, 1993 in response to this?)

Helms Question #15: (26) Newspapers have reported that, in addition to the salary you were paid last year by Duke University, you received in excess of $100,000 for "outside consulting services." Please identify all entities and the amounts they paid you for "consulting services" for the years 1990 to present.

Dellinger response: My readily available records go back to 1985 and show the following amounts I have received for outside consulting services as well as the entities and amounts paid. I have also included the matters for which I was compensated.

1985: None.

1986: None.

1987: None.

1988: None.

1989: None.

1990: $14,000. Source: The Virginia Hospital Association for my Supreme Court brief and oral argument in Wilder v. Virginia Hospital Association.

1991: $43,425. Source: Owens-Illinois, Inc. I briefed and argued cases (and provided strategic analysis) opposing the imposition of punitive damages on a corporate defendant in a mass tort case.

1992: $2,400. Source: Georgia-Pacific, Inc. I reviewed a brief opposing punitive damages filed by Covington & Burling on behalf of Georgia-Pacific.

$2,000. Source: The Smith, Anderson law firm of Raleigh, NC. I reviewed a brief filed by the Smith, Anderson firm on behalf of the North Carolina Board of Medical Examiners.

$15,900. Source: Ameritech, Inc. I prepared a memorandum for a regional Bell operating company on whether Congress could preclude such companies from providing information services.

$141,000. Source: Owens-Illinois, Inc. I briefed and argued cases (and provided strategic analysis) opposing the imposition of punitive damages on a corporate defendant in a mass tort case.

Analysis: Responded to question asked.

Helms Question # 16: (26) Do any of the entities listed in # 15 have matters currently pending before an agency of the United States government? If so, (27) please identify those entities and the agency or agencies before which such matters are pending.

Dellinger response: I would expect that each of these corporations probably has some matter or matters pending before one or more agencies of the federal government. Since I am no longer involved with any of these corporations, I am not aware of what those matters might be.

Analysis: Responded to question asked.

Helms Question # 17: At the Justice Department, (28) will you recuse yourself from any issue or matter in which any entity listed in # 15 has an interest?

Dellinger response: I will consult with the Designated Ethics Officer of my agency in any case in which my participation would constitute a conflict of interest or the appearance of such a conflict and I will recuse myself from any such matter.

Analysis: Responded to question asked.

ANALYSIS: LETTER OF SENATOR JESSE HELMS OF JULY 29, 1993; RESPONSE OF WALTER DELLINGER OF AUGUST 2, 1993

Helms Question 1: Assuming that you have read, or are aware of, the book Matters of Principle, by Mark Gitenstein, who was Chief Counsel of the Senate Judiciary Committee during its consideration of the Bork nomination, I presume that you have noted on page 60, Mr. Gitenstein describes "an advisory committee of distinguished lawyers and academics who would advise [Judiciary Chairman Biden] on the nomination: Ken Bass . . . Washington superlawyer (sic) Clark Clifford . . . Prof. Walter Dellinger . . . and Prof. Philip Kurland . . . ."

(29) Were you in fact, part of this "advisory committee," and, if so, 30) on how many occasions did you participate in meetings of all or part of this "advisory committee?"

Dellinger response: "I did meet with a group informally called "advisors" on three or four occasions; my role was to discuss the nominee's writings, which cover, among other matters, unenumerated rights."

Analysis: Contradicts Gitenstein book.

In July 14 response, Dellinger said he "briefed the Chairman . . . In August 2 response, Dellinger says he "met with a group informally called "advisors" on three or four occasions. Gitenstein says Dellinger was PART of the advisory committee, Dellinger says just met with the group.

Helms Question 2: On pages 160–161 of his book, Mr. Gitenstein details your role in the effort—coordinated by Ricki Seidman of People for the American Way and William Taylor of the Leadership Conference on Civil Rights—to recruit law school deans and constitutional law professors to oppose the Bork nomination.

Gitenstein suggests that in this effort, "one of the greatest assets [Seidman and Taylor] had" was the opposition by you and two other professors, all three of whom Gitenstein refers to as "Biden advisors." The book also relates that prior to circulating an anti-Bork letter among the nation's law professors, Seidman "negotiated the text of a letter acceptable to" you and the two other "advisors."

(30)(a.) Is Mr. Gitenstein's account of your role in recruiting of law school deans and professors to oppose Bork accurate?

Dellinger response: Did not answer this question.

Analysis: Did not respond to question at all.

(31)(b.) Did you assist in recruiting deans and professors in any other manner than is cited in Mr. Gitenstein's book? If so, how?

Dellinger response: "I do not specifically recall having recruited law school deans and professors to sign a letter concerning the nomination, though I may have signed the letter circulating a draft or signed the letter itself."

Analysis: Contradicts Gitenstein book.

Dellinger never responded as to the accuracy of Gitenstein's analysis of Dellingers' role in the recruiting of law school deans and professors. He says he did not recruit individuals to sign the letter. That was not the question, nor what Gitenstein reports, which is that the text of the letter was "negotiated" with Dellinger.

Helms Question 3: On page 188 of his book, Mr. Gitenstein reports that "Biden also was personally involved, with Schroeder's and Dellinger's assistance, in arranging six panels of academics who were expert on particular aspects of Bork's jurisprudence or who could address anti-Bork arguments."

(32) Did you in fact assist in arranging panels of witnesses? If so, (33) please provide the list of individuals who comprised these panels.

Dellinger response: "I was not responsible for selecting or scheduling panels of witnesses, though Senator Biden's staff did informally consult me about my opinion of a few witnesses."

Did not respond to second part of question regarding the individuals who comprised the panels.

Analysis: Did not answer full question asked.

The question was not whether he was responsible for selecting or scheduling panels of witnesses, rather whether Gitenstein's report that he assisted in arranging the panels was accurate. We still do not know if he, as Gitenstein asserts, assisted in arranging the six panels, nor who was on the panels.

Helms Question 4: According to Mr. Gitenstein (page 209), you were part of the "team" which helped prepare Chairman Biden for the Bork hearings during the two weekends prior to the Judiciary Committee hearings. Also, according to an October 12, 1987 report in Legal Times, you "prepped the chairman for his big test."

(34) Did you participate in these and/or other efforts to prepare Chairman Biden for the hearings? If so, (35) please describe the extent of your participation.

Dellinger response: Did not answer question.

Analysis: Did not answer question at all.

Dellinger does not respond as to whether he was, as Gitenstein asserts, part of this team which briefed the Chairman during the two weekends prior to the Judiciary Committee hearings.

Helms Question 5: Mr. Gitenstein also reports (pages 209–210) that you "played" Bork in "a sort of reverse murder board" during which the Chairman could try out his lines of questions. (36) Did you play Judge Bork in rehearsal(s) staged for the Chairman?

Dellinger response: "I did not play Judge Bork in practice sessions."

Analysis: Contradicts Gitenstein book.

As noted before, contradiction of statements. Someone is not telling the truth.

Helms Question 6: On pages 194–195, Mr. Gitenstein documents the production of, and dissemination of, the so-called "Biden Report." (37) Is this the report you say you "reviewed" in response to question No. 6?

Response: "I did not write any part of the 'Biden Report' or 'Biden Book'; I did, as noted, review the report."

Analysis: Responded to question asked.

Dellinger actually answered this one just as Gitenstein said in his book.

Helms Question 7: Gitenstein writes (page 195) that you (as well as others) were described to the public as having "supported wholeheartedly the substance of the views expressed [in the report]."

(38) Is Mr. Gitenstein's account in this regard accurate? If so, (39) were you aware, prior to its publication, that you would be so associated with this report?

Response: No response.

Analysis: Did not respond to question at all.

Dellinger again avoided responding to the question that was asked.

Helms question 8: Mr. Gitenstein also reports (page 195) that "[t]he plan [for disseminating the Biden Report] was to avoid complicating the fairness issue by having Biden, or anyone speaking for him to the press . . . direct reporters to Tribe, Abrams, Dellinger and Clifford. Tribe and Dellinger did a number of television and radio interviews."

(40) Did you, pursuant to this "plan," grant television and radio interviews regarding the "Biden Report?"

Response: "I have never functioned as a press spokesman for anyone." Did not respond as to whether he granted television and radio interviews pursuant to this plan.

Analysis: Contradicts Gitenstein book.

Dellinger did not answer the question that was asked. He said he simply was not a "spokesperson," but did he do a "number of interviews" as Gitenstein reported in his book?

Helms Question 9: The August 12, 1991, edition of the Chicago Daily Law Bulletin reported your participation in a debate sponsored by the National Association of Women Lawyers, and stated that "Dellinger wrote the so-called 'Biden Book' that contributed to the downfall of nominee Robert Bork."

(41) Did you write all—or any part—of the "Biden Book" or "Biden Report"?

Response: "I did not write any part of the 'Biden Report' or 'Biden Book'";

Analysis: Contradicts news reports.

Again, someone is not telling the truth.

Helms Question 10: As noted above, in response to my inquiry about the "full extent" of your participation in the confirmation proceedings for Judge Bork, you replied "I briefed the Chairman . . . on the original understanding of the Advice and Consent Clause and on the nominee's writings . . ."

However, on page 210 of his book, Mr. Gitenstein suggests that during "those hours of preparation before the hearings," you also briefed the Chairman on the "unenumerated rights" argument of Constitutional law. (42) Is this report accurate, and (43) are there any other issues on which you briefed the Chairman but which you failed to mention in your July 14 response?

Response: "I stated with respect to the nomination of Judge Bork that I briefed the Chairman of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause and on the nominee's writings. My principal participation was as a witness at the Hearings. I believe this remains a fair statement of my activities."

Analysis: Contradicts Gitenstein book.

Again, Dellinger said his "principal participation was as witness" but as previously noted Gitenstein documents a whole series of activities on his part unrelated to his being a witness.

Helms Question 11: On pages 24–25, Gitenstein recounts a conference call he contends was set up for Chairman Biden with you and other attorneys so that the Chairman could "be brought up to speed quickly on Powell and Bork," that during the conference call you "explained the particular role Powell had played in frustrating the Reagan Administration's agenda on the social issues," and that you "got into a long discussion of Bork's attitude toward Roe v. Wade and the constitutional right to privacy."

(44) Did Mr. Gitenstein accurately characterize these portions of the conference call? (45) In your opinion, what were the specific issues on which Powell frustrated the Reagan Administration's agenda, and (46) how did he accomplish this?

Response: "In a conference call shortly after Justice Powell's resignation, I discussed the nominee's writings in the context of the cases in which Powell had cast a dispositive vote."

Analysis: Did not answer full question.

Did not answer the question concerning his opinion to Justice Powell's resignation, ignoring any reference to Gitenstein's book. Also, his answer to question regarding his role in the Bork proceedings does not include his briefing Biden on Justice Powell's role in frustrating the Reagan Administration agenda.

Helms Question 12: According to Mr. Gitenstein (page 25), the Chairman and you "engaged in a lengthy discussion of the role of the Senate in the confirmation process." On page 317, the author credits you with "the idea after the Powell resignation, for Biden to seek consultations with [the Administration."

(47) What do you see as the Senate's role in the confirmation process, and (48) what are the Administration's obligations to participate in consultations with the Senate, including precedents?

Response: "My views on the Senate's advice and consent function are fully set out in the published writings I have furnished to the Committee and they have not changed."

Analysis: Responded to question asked.

Helms Question 13: On page 45 of his book, Mr. Gitenstein writes, "[A]s Biden and his advisors struggled with how the Senate ought to respond to Reagan's nomination of Bork, Dellinger and Kurland kept reminding us of how the Senate had reacted to similar initiatives by Jackson and Roosevelt."

(49) In your opinion, what were the "similar initiatives" by Jackson and Roosevelt," and (50) how did the Senate respond to these initiatives?

Response: "I have no recollection of making any comments about initiatives by Presidents Jackson of Roosevelt."

Analysis: Contradicts Gitenstein book.

Helms Question 14: At the meeting referred to on pages 60 and 61, Mr. Gitenstein says it was decided that "within two weeks [the Chairman] would deliver a lengthy speech on the Senate floor making the case that, in circumstances like the Bork nomination, it was appropriate for the Senate to consider the nominee's judicial philosophy."

(51) When is it appropriate, in your opinion, for the Senate to consider a nominee's judicial philosophy? (52) Has your view on this changed at all since the time you advised the Chairman on the Bork nomination?

Response: (See response to question 12).

Analysis: Responded to question asked.

Helms Question 15: In your response to question #6, you suggest, that aside from your testimony before the committee, your role was merely in the nature of support staff. (53) Did you ever write a letter to the Chairman or any other member of the Judiciary Committee opposing the Bork nomination? If so, (54) please provide copies of all such correspondence.

Response: Did not answer question.

Analysis: Did not respond to question at all.

We still don't know if he ever wrote the Chairman or other members of the Committee.

Helms Question 16: In question #10 I asked you to "[p]lease list all Senators to whom you provided advice and or assistance during the confirmation proceedings of (Rehnquist, Thomas and Bork)." You reply that "[m]y best recollection would be : Senator Sanford, Senator Mitchell, Senator Biden, Senator Kennedy, Senator DeConcini, Senator Simon, Senator Leahy, and Senator Heflin."

(55) Did you draft, review or offer counsel on all or any part of Senator Kennedy's "Robert Bork's America" floor statement?

Response: "I did not draft, review or offer comments on any statement by Senator Kennedy."

Analysis: Responded to question asked.

Helms Question 17: On page 276, Mr. Gitenstein writes "the fate of the Bork nomination rested with Southern Democrats, especially five freshmen Democrats elected the year before (Graham, Breaux, Shelby, Fowler and Sanford) . . . the focus of all our efforts was to be on what it would take to get these new Southern freshmen (sic) to consider opposition to the nomination."

Gitenstein goes on to recount (page 277) that "Sanford agreed soon thereafter to host a briefing by Duke Law professor Walter Dellinger for other Southern Democrats on the implications of Bork's jurisprudence." (56) Did you indeed participate in such a briefing of Senators; and if so, (57) which Senators where present?

Response: "Although Senator Terry Sanford may have planned to host a briefing for other Senators, no such briefing was ever held to my knowledge."

Analysis: Contradicts Gitenstein book.

Again, someone is not telling the whole story.

Helms Question 18: In question #8, I asked you if "[d]uring any of the [Rehnquist, Bork or Thomas] proceedings did other employees and/or students of Duke University assist you and/or the Judiciary Committee—to which you respond, "I do not recall using any student research assistance in these matters . . . I have no specific recollection of using any other university employees . . ." An item in the September 28, 1987, Legal Times, correcting an article of September 21, reported that "Prof. Christopher Schroeder of the Duke University School of Law" played "a key role in Biden's questioning of witnesses."

(58) What other employees and/or students of Duke University assisted the Judiciary Committee during the Bork hearings?

Response: "To my knowledge, Christopher Schroeder is the only other Duke University staff member, employee or student who assisted the Judiciary Committee."

Analysis: Responded with a non-conclusive answer.

Helms Question 19: In question #9, I asked if you lent "your name to any fund-raising appeals or advertisements opposing the confirmation of Judge Bork of Justice Thomas," to which you replied," I do not recall using my name in any such advertisements."

(59) Did you lend your name to any fund-raising appeals opposing the confirmation of Judge Bork of Justice Thomas?

Response: "I have no recollection of lending my name to any fund raising advertisement or appeal concerning the nomination of Judge Thomas."

Analysis: Did not answer full question.

Once again, Dellinger did not answer the question completely. No response as to whether he lent name to fundraising appeals concerning the nomination of Judge Bork, only saying he did not lend his name for fundraising appeals opposing Thomas. What about Bork? This was the second time this question was asked and the second time he did not respond.

Helms Question 20: In question #11 I inquired as to your willingness to provide copies of all memoranda that you provided to members of the Judiciary Committee concerning the nominations of Chief Justice Rehnquist, Justice Thomas and Judge Bork. You replied, in part that, "I do not understand the question to include confidential legal analysis provided to a Senator that was not intended for public distribution."

(60) Will you make copies of such memoranda available to Senators and staff with security clearances on the same basis on which the Bush Administration made available to Democratic Senators confidential memoranda drafted by its nominees?

Response: "Your letter includes one request for documents that raises difficult issues. You asked me to provide 'copies of all memoranda provided by you to members of the Judiciary Committee concerning the nominations of Chief Justice Rehnquist, Justice Thomas, and Judge Bork.' I responded by submitting one memorandum that had been made public, but noting that I did not understand your question to include confidential legal analysis provided to a Senator that was not intended for public distribution. I have assumed that a legal memorandum written at the request of a Senator and intended by the Senator as private advice should be considered confidential. Any decision to share such a memorandum with others should be made by the Senator at whose request the memorandum was written."

Analysis: Responded to question asked.

But the Committee should have compelled him to provide copies of requested documents, as the Committee had required of Bush Administration nominees.

Helms Question 21: On September 23, 1987, you testified before the Senate Judiciary Committee regarding the Bork nomination. At that time, by your own admission, you were providing, on a pro-bono basis, "advice" and "counsel" to "the Chairman and the Democratic Members of the [Judiciary] committee on this nomination."

(61)(a) Prior to giving your testimony, or at the beginning of your testimony, did you make any public disclosure to the listening audience that you were an unpaid advisor to the Democrats on the Committee?

(62)(b) Is it true that your role as an unpaid advisor to the Committee Democrats was not revealed to the audience until Senator Simpson proceeded with a line of questioning which uncovered your bias?

(63)(c) Do you think it was proper for you to fail to disclose your status with the Committee prior to delivering your testimony?

Response: (a, b, and c) "I would note that many (if not most) of those who testified either in favor of or in opposition to the nomination had also given their advice or opinions either to members of the Committee or to the nominee. That did not and does not seem inappropriate to me. Since the fact that I had advised Senator Biden had been prepared statement to the Committee. My views on the Senate's advice and consent function are fully set out in the published writings I have furnished to the Committee and they have not changed. (See my review in the New Republic, December 16, 1985 and Dellinger and Morris, "Advice and Consent to Supreme Court Nominations" Encyclopedia of the American Constitution, 1991 Supplement)."

Analysis: Responded to question asked.

Helms Question 22: In response to my question #2 regarding your role in President Clinton's efforts to overturn the ban on homosexuals in the military, you indicate that you "worked with the Department of Justice in efforts to avoid any judicial decisions that would disrupt or pre-empt the interim process."

(64) Will you list and describe all such efforts by the Department of Justice "to avoid judicial decisions," and (65) provide a description of your role in each of these "efforts"?

Response: "My work in the White House counsel's office on the issue of homosexuals in the military consisted of my consulting with the Justice Department about the possibility of seeking stays of judicial proceedings while the political process agreed to by the President, Senator Sam Nunn and the rest of the Congressional leadership was going forward, and keeping the Senate Armed Services Committee fully informed of the status of those cases."

Analysis: Responded to question asked.

Helms Question 23: Responding to question #3, you state that your "own personal view [regarding the ban on homosexuals in the military] is that the fact of sexual orientation or status should not preclude military service except in circumstances in which military effectiveness, morale or unit cohesion would be adversely affected." (66) What do you consider the "circumstances in which military effectiveness, morale or unit cohesion would be adversely affected" by permitting homosexuals in the military?

Response: "I have not formed an opinion on the question of the circumstances in which military effectiveness, morale or unit cohesion would be adversely affected by homosexuals in the military."

Analysis: Responded to question asked.

Helms Question 24: Regarding the $911 payment you made to the IRS in January of this year covering FICA taxes for a domestic employee for the period 1988–1992, (67) on what exact day did you submit the $911 payment, (68) did you on that date hold any paid or voluntary position with the Federal government, and (69) were you aware on that date of Ms. Baird's non-payment of Social Security taxes?

Response: "The $911 payment I made to the IRS was made on January 24, 1993. I did not at the time hold any position with the government."

Analysis: Did not answer full question.

No response as to whether he was aware of Ms. Baird's non-payment of FICA taxes at the time. Ms. Baird's case of not paying FICA taxes arose in the press on January 12, 1993.

Helms Question 25: (70) Prior to submitting the $911 payment to the IRS, did you seek a determination from the IRS or from counsel as to your tax liability in this regard, and (71) since the time you submitted payment, has the IRS made any determination as to your tax liability?

Response: "The IRS has not made any determination that this payment was due, and it may not have been due."

Analysis: Responded to question asked.

Helms Question 26: (72) Did you have any correspondence with the IRS regarding your situation, and if so, (73) will you provide copies of this correspondence—including any correspondence accompanying your $911 payment?

Response: There was no correspondence: I simply sent in the payment.

Analysis: Responded to question asked.

U.S. SENATE,
Washington, DC, June 30, 1993.

Mr. WALTER DELLINGER,
Assistant Attorney General-Designate, Office of Legal Counsel, Department of Justice, Washington, DC.

DEAR PROFESSOR DELLINGER: Since I was not given notice of the Senate Judiciary Committee hearing on your nomination, I need your written responses to a number of questions related to the job of Legal Counsel in the Justice Department, a position which has been described as "adviser to the President on Constitutional questions." Therefore, it will be helpful if you will respond to the following questions before the Senate proceeds further with your nomination:

1. The news media reported that you drafted President Clinton's executive orders lifting various restrictions on abortion. Are these reports accurate?

2. Did you help draft President Clinton's Executive Order overturning the ban on homosexuals in the military, or otherwise take any part in the President's decision to issue such an order?

3. What are your views concerning the ban on homosexuals serving in the military?

4. Does the Constitution of the United States give Congress the specific and full power to make rules for the government and regulation of the land and naval forces?

5. On what legal authority do you believe a President, without specific authorization from Congress, may lift the ban on homosexuals serving in the military?

6. Please furnish an account of the full extent of your participation in the confirmation proceedings for Supreme Court nominees Chief Justice Rehnquist, Judge Robert Bork and Justice Clarence Thomas.

7. During any of these proceedings, did you receive compensation in any form from any person or entity? If so, please list all such compensation, the entities and/or persons providing the compensation and the terms of such compensation.

8. During any of these proceedings, did other employees and/or students of Duke University assist you and/or the Judiciary Committee; if so, what person and/or entity, if any, paid for their services?

9. Did you lend your name to any fund-raising appeals or advertisements opposing

the confirmation of Judge Bork or Justice Thomas? If so, please furnish copies of those advertisements.

10. Please list all Senators to whom you provided advice and/or assistance during confirmation proceedings of Chief Justice Rehnquist, Justice Thomas and Judge Bork.

11. Will you provide copies of all memorandum provided by you to members of the Judiciary Committee concerning the nominations of Chief Justice Rehnquist, Justice Thomas and Judge Bork?

12. Have you ever failed to make timely Social Security payments related to the employment of domestic help, or for any other individual for whom the law requires such payments be made, and if any payments were late, please indicate the date on which such payments were made, and the period covered by such payments.

13. If you failed to make timely Social Security payments, please describe any distinction between your conduct in this respect and that of Ms. Zoe Baird and Judge Kimba Wood.

14. If you indeed failed to make timely Social Security payments, who advised you—and when were you advised—of the need to make such payments?

15. Newspapers have reported that, in addition to the salary you were paid last year by Duke University, you received in excess of $100,000 for "outside consulting services." Please identify all entities and the amounts they paid you for "consulting services" for the years 1990 to the present.

16. Do any of the entities listed in #15 have matters currently pending before an agency of the United States government? If so, please identify those entities and the agency or agencies before which such matters are pending.

17. At the Justice Department, will you recuse yourself from any issue or matter in which any entity listed in #15 has an interest?

Sincerely,

JESSE HELMS.

DEPARTMENT OF JUSTICE,
OFFICE OF LEGAL COUNSEL,
Washington, DC, July 14, 1993.

Hon. JESSE HELMS,
U.S. Senate,
Washington, DC.

DEAR SENATOR HELMS: I am pleased to respond to the questions you submitted to me. If I can provide any further information please do not hesitate to contact me at 514–2041. I would be pleased to meet with you at any time to discuss any concerns you may have and to discuss my plans, if confirmed by the Senate, for the Office of Legal Counsel.

Sincerely,

WALTER DELLINGER.

RESPONSES TO QUESTIONS FROM SENATOR JESSE HELMS

1. The news media reported that you drafted President Clinton's executive orders lifting various restrictions on abortion. Are these reports accurate?

Yes.

2. Did you help draft President Clinton's Executive Order overturning the ban on homosexuals in the military, or otherwise take any part in the President's decision to issue such an order?

I was not involved in the President's decision to instruct the Secretary of Defense to review current policy concerning homosexuals in the military. As far as I know, that review has not been completed and no order has been issued. Before joining the Justice Department, as Associate White House Counsel I worked with the Department of Justice in efforts to avoid any judicial decisions that would disrupt or pre-empt the interim process that had been agreed to by the President and relevant Senate leaders on February 3, 1993. I coordinated that effort with the Senate staff with principal responsibility for armed services matters.

3. What are your views concerning the ban on homosexuals serving in the military?

I will adhere to any policy adopted by the President and the Congress. My own personal view is that the fact of sexual orientation or status should not preclude military service except in circumstances in which military effectiveness, morale or unit cohesion would be adversely affected.

4. Does the Constitution of the United States give Congress the specific and full power to make rules for the government and regulation of the land and naval forces?

Yes. See U.S. Const., Article I, Section 8, Clause 14.

5. On what legal authority do you believe a President, without specific authorization from Congress, may lift the ban on homosexuals serving in the military?

As Chief Executive and Commander in Chief, the President, and by his authority the Secretary of Defense and military commanders, have broad authority to regulate military service. (Such executive authority is, for example, the legal basis for the existing ban.) Congress may, of course, override executive orders by valid legislation.

6. Please furnish an account of the full extent of your participation in the confirmation proceedings for Supreme Court nominees Chief Justice Rehnquist, Judge Robert Bork and Justice Clarence Thomas.

A. The Confirmation of Chief Justice Rehnquist. I briefed the Democratic Members of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause of the Constitution.

B. The Confirmation of Judge Bork. I briefed the Chairman of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause and on the nominee's writings, and I reviewed a report and analysis of those writings. My principal participation was as a witness at the Hearings.

C. The Confirmation of Justice Thomas. I participated in one briefing of the Chairman of the Senate Judiciary Committee on natural law. I was not otherwise involved.

7. During any of these proceedings, did you receive compensation in any form from any person or entity.

No.

If so, please list all such compensation, the entities and/or persons providing the compensation and the terms of such compensation.

N/A.

8. During any of these proceedings, did other employees and/or students of Duke University assist you and/or the Senate Judiciary Committee; if so, what person and/or entity, if any, paid for their services?

I do not recall using any student research assistance in these matters. Although I have no specific recollection of using any other university employees, I would assume that I used the normal secretarial assistance provided by Duke University for the professional activities of law school faculty members.

9. Did you lend your name to any fundraising appeals or advertisements opposing the conformation of Judge Bork or Justice Thomas? If so, please furnish copies of those advertisements.

I do not recall using my name in any such advertisements.

10. Please list all Senators to whom you provided advice and/or assistance during confirmation proceedings of Chief Justice Rehnquist, Justice Thomas and Judge Bork.

My best recollection would be: Senator Sanford, Senator Mitchell, Senator Biden, Senator Kennedy, Senator DeConcini, Senator Simon, Senator Leahy, and Senator Heflin.

11. Will you provide copies of all memoranda provided by you to members of the Judiciary Committee concerning the nominations of Chief Justice Rehnquist, Justice Thomas and Judge Bork?

A memorandum I wrote for Senator Biden concerning the original understanding of the Advice and Consent Clause was published in the Congressional Record for September 11, 1986. A copy is attached for your convenience. I do not understand the question to include confidential legal analysis provided to a Senator that was not intended for public distribution.

12. Have you ever failed to make timely Social Security payments related to the employment of domestic help, or for any other individual for whom the law requires such payments be made, and if any payments were late, please indicate the date on which such payments were made, and the period by such payments.

In January I submitted $911 to IRS for FICA taxes for 1988–92 that may or may not have been owed.

13. If you failed to make timely Social Security payments, please describe any distinction between your conduct in this respect and that of Ms. Zoe Baird and Judge Kimba Wood.

I do not have sufficient information to presume to comment on any other taxpayer. My own record is as follows: Since 1969 we have had a series of four persons work in our house, generally part time. I made sure that each one was signed up with social security, and I regularly paid both the employers' and employees' share of social security taxes.

The $911 payment I made in January was for the account of an elderly person who worked for my family for years (and for whom I regularly made timely social security payments). In recent years I have not considered her an employee for FICA purposes. The money I give her ($25 or $30 a week) is not dependent upon her providing any services and is basically intended to supplement her retirement income. Nonetheless, just to be conservative, I made the $911 payment and included with it $269 for interest and a late fee of $233.

14. If you indeed failed to make timely Social Security payments, who advised you—and when were you advised—of the need to make such payments?

I have never been advised of the need to make such payments.

15. Newspapers have reported that, in addition to the salary you were paid last year by Duke University, you received in excess of $100,000 for "outside consulting services." Please identify all entities and the amounts they paid you for "consulting services" for the years 1990 to present.

My readily available records go back to 1985 and show the following amounts I have received for outside consulting services as well as the entities and amounts paid. I have also included the matters for which I was compensated—

1985: None; 1986: None; 1987: None; 1988: None; 1989: None.

1990: $14,000. Source: The Virginia Hospital Association for my Supreme Court brief and oral argument in *Wilder v. Virginia Hospital Association*.

1991: $43,425. Source: Owens-Illinois, Inc. I briefed and argued cases (and provided strategic analysis) opposing the imposition of punitive damages on a corporate defendant in a mass tort case.

1992: $2400. Source: Georgia-Pacific, Inc. I reviewed a brief opposing punitive damages filed by Covington & Burling on behalf of Georgia-Pacific.

$2,000. Source: The Smith, Anderson law firm of Raleigh, NC. I reviewed a brief filed by the Smith, Anderson firm on behalf of the North Carolina Board of Medical Examiners.

$15,900. Source: Ameritech, Inc. I prepared a memorandum for a regional Bell operating company on whether Congress could preclude such companies from providing information services.

$141,060. Source: Owens-Illinois, Inc. I briefed and argued cases (and provided strategic analysis) opposing the imposition of punitive damages on a corporate defendant in a mass tort case.

16. Do any of the entities listed in #15 have matters currently pending before an agency of the United States Government? If so, please identify those entities and the agency or agencies before which such matters are pending.

I would expect that each of these corporations probably has some matter or matters pending before one or more agencies of the Federal Government. Since I am no longer involved with any of these corporations, I am not aware of what those matters might be.

17. At the Justice Department, will you recuse yourself from any issue or matter in which any entity listed in #15 has an interest?

I will consult with the Designated Ethics Officer of my agency in any case in which my participation would constitute a conflict of interest or the appearance of such a conflict and I will recuse myself from any such matter.

[From the CONGRESSIONAL RECORD—Senate, Sept. 11, 1986]

NOMINATION OF WILLIAM H. REHNQUIST TO BE CHIEF JUSTICE OF THE UNITED STATES

Mr. BIDEN. Again, I will ask unanimous consent that at this point in the RECORD I can insert a longer explanation than the one I am about to give about how in fact the Constitutional Convention arrived at the conclusion that the President would be able to nominate.

I ask unanimous consent that be done.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHOOSING JUDGES: THE FRAMER'S INTENT

(By Prof. Walter Dellinger, Duke University School of Law)

President Reagan and Attorney General Meese, echoing a doctrine enunciated by President Nixon, have boldly suggested that the Senate is obliged to consent to the appointment of any judicial nominee who is not shown to be corrupt or professionally unqualified. They suggest that the President and the Attorney General may take a judicial prospect's philosophy into account, but that the Senate may not. Others contest this view and argue that the Senate, when it decides whether to consent to a nomination, is obligated to take into account the same range of considerations open to the President, and make its own independent determination of whether confirmation of a particular nominee is in the best interest of the country.

Hardly anyone has bothered to refer to the original understanding of the framers of the Constitution. This is a significant oversight, because the debates over the drafting of the Constitution tell us a great deal about the proper role of the Senate in the judicial selection process. Although it is difficult to discern the original understanding of a constitutional provision, the records of the Constitutional Convention speak to this particular question with unusual clarity. Both the text of the Appointments Clause of the Constitution and the debates over its adoption strongly suggest that the Senate was expected to play an active and independent role in determining who should sit on the nation's judiciary.

The Constitutional Convention met in Philadelphia from late May until mid-September of the fateful summer of 1787. Throughout its deliberations, the Convention contemplated that the national legislature, in some form or other, would play a very substantial role in the selection of federal judges. On May 29, 1787, the Convention began its work on the Constitution by taking up the Virginia Plan introduced by Governor Randolph. It provided "that a National Judiciary be established . . . to be chosen by the National Legislature." The executive was, under this plan, to have no role at all in the selection of judges.

When this provision came before the Convention on June 5, several members expressed concern that the whole legislature might be too numerous a body to select judges. James Wilson's alternative suggestion that the President be given power to choose judges found almost no support, however. Rutledge of South Carolina stated that he "was by no means disposed to grant so great a power to any single person." James Madison agreed that the legislature was too large a body, but stated that "he was not satisfied with referring the appointment to the Executive." He was "rather inclined to give it to the Senatorial branch" of the legislature, a group "sufficiently stable and independent" to provide "deliberate judgments."

One week later, on June 13, Madison rendered his inclination into a formal motion that the power of appointing judges be given exclusively to the Senate, rather than to the legislature as a whole. This motion was adopted "nem. con."—without any objection. On June 19, the Convention formally adopted, as its working draft, the Virginia Plan which thus provided that a "national Judiciary" be established, the "Judges of which to be appointed by the second Branch of the National Legislature."

July was spent reviewing every position of the draft. On the 18th, the Convention reconsidered and reaffirmed its earlier decision to grant the Senate the exclusive power of appointing Judges. James Wilson again moved "that the judges be appointed by the Executive." His motion was defeated, six states to two, after delegates offered "solid reasons against leaving the appointment to the Executive" as Bedford of Delaware put it. Luther Martin of Maryland, stating that he "was strenuous for an appointment by the 2nd branch," argued that "being taken from all the States, [the Senate] would be best informed of character and most capable of making a fit choice." Sherman of Connecticut concurred, "adding that the Judges ought to be diffused, which would be more likely to be attended to by the 2d branch [the Senate], than by the Executive." A compromise proposal suggested by Ghorum of Massachusetts to provide for appointment by the executive "by and with the advice and consent" of the Senate failed on a tie vote, apparently without much discussion.

The issue was considered once again on July 21, and Convention once again reaffirmed exclusive Senate appointment of judges, and rejected executive appointment, this time by a vote of six states to three, after a debate in which George Mason attacked the idea of executive appointment as a "dangerous precedent. It might even give him an influence over the Judiciary department itself." As rephrased by the Committee on Detail, the provision in the draft constitution read, "The Senate of the U.S. shall have power to . . . appoint . . . judges of the Supreme Court." Thus the matter stood until the closing days of the Convention.

On September 4, less than two weeks before the Convention's work was done, a Committee of Five reported out several provisions on matters that had been postponed, including sections dealing with how the President should be chosen and how various officers should be appointed. The Committee's draft provided for the first time that the President should have any role at all in the selection of judges: "The President shall nominate and by and with the advice and consent of the Senate shall appoint judges of the Supreme Court." Giving the President the power to nominate judges was not seen as ousting the Senate from a central role: Governeur Morris of Pennsylvania paraphrased the new provision as one giving to the Senate the power "to appoint Judges nominated to them by the President." With little discussion, and without dissent, the Convention adopted this reworked provision giving the President the power, with the advice of the Senate, to nominate judges, and the power, with the consent of the Senate, to appoint. The Convention having repeatedly and decisively rejected the idea that the President should have the exclusive power to select judges could not possibly have intended to reduce the Senate to a ministerial role.

President Nixon, in the course of his unsuccessful 1970 effort to persuade the Senate to confirm G. Harrold Carswell, asserted the doctrine that the President is "the one person entrusted by the Constitution with the power of appointment" and that his will should not be "frustrated by those who wish to substitute their own philosophy or subjective judgment. This erroneous notion has now been echoed by President Reagan's assertion that the President has the "right" to "choose Federal judges who share his judicial philosophy" and that the Senate is somehow bound to confirm these choices "so long as they are qualified by character and competence." These statements are simply inconsistent with both the text and the original intent of the Appointments Clause. The reasons given by delegates to the Constitutional Convention for making the selection of judges a joint decision of the President and the Senate are as cogent today as they were in 1787. The framers objected to giving the power of appointment to a "single individual" and understood that the goal of having a diverse judiciary would be advanced by having the Senate, which contains members from every state, play a substantial role in determining who should sit on the bench.

U.S. SENATE,
Washington, DC, July 29, 1993.

Mr. WALTER DELLINGER,
Assistant Attorney General Designate, Office of Legal Counsel, Department of Justice, Washington, DC.

DEAR PROFESSOR DELLINGER. Your July 14 response to my letter of June 30 appears to disclose some lapses of memory on your part.

As you recall, I requested, in question #6 of my letter, that you "furnish an account of the full extent of your participation in the confirmation proceedings for Supreme Court nominees Chief Justice Rehnquist, Judge Robert Bork and Justice Clarence Thomas."

Regarding Judge Bork, you reply: "The Confirmation of Judge Bork. I briefed the Chairman of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause and on the nominee's writings, and I reviewed a report and analysis of those writings. *My principal participation was as a witness at the Hearings.* (emphasis mine)

However, according to credible published accounts of the confirmation proceedings of Judge Bork, your role was in fact much more extensive, and that, among other activities, you:

Assisted in the recruitment of law school deans and professors to oppose the Bork nomination;

Helped arrange six panels of anti-Bork witnesses for the Judiciary Committee hearings;

Role-played Judge Bork in reverse-murder board session(s) during which the Chairman honed his lines of questioning for the hearings;

On occasion, functioned as a press spokesman on behalf of the anti-Bork effort; and

Served on an advisory board of academics who advised the Chairman throughout the confirmation proceedings.

So that Senators may have an accurate and complete picture of, again, the full extent of your involvement in the confirmation proceedings of Judge Robert Bork, and so as to clarify your position on a number of issues, some of which were raised during the Bork confirmation proceedings, it is essential that we have your responses to the following questions.

1. Assuming that you have read, or are aware of, the book "Matters of Principle," by Mark Gitenstein, who was Chief Counsel of the Senate Judiciary Committee during its consideration of the Bork nomination, I presume that you have noted on page 60, Mr. Gitenstein describes "an advisory committee of distinguished lawyers and academics who would advise [Judiciary Chairman Biden] on the nomination: Ken Bass, Washington superlawyer (sic) Clark Clifford, Prof. Walter Dellinger, and Prof. Philip Kurland."

Were you in fact, part of this "advisory committee," and, if so, on how many occasions did you participate in meetings of all or part of this "advisory committee?"

2. On pages 160–161 of his book, Mr. Gitenstein details your role in the effort—coordinated by Ricki Seidman of People for the American Way and William Taylor of the Leadership Conference on Civil Rights—to recruit law school deans and constitutional law professors to oppose the Bork nomination.

Gitenstein suggests that in this effort, "one of the greatest assets [Seidman and Taylor] had" was the opposition by you and two other professors, all three of whom Gitenstein refers to as "Biden advisors." The book also relates that prior to circulating an anti-Bork letter among the nation's law professors, Seidman "negotiated the text of a letter acceptable to" you and the two other "advisors."

(a) Is Mr. Gitenstein's account of your role in recruiting of law school deans and professors to oppose Bork accurate?

(b) Did you assist in recruiting deans and professors in any other manner than is cited in Mr. Gitenstein's book? If so, how?

3. On page 188 of his book, Mr. Gitenstein reports that "Biden also was personally involved, with Schroeder's and Dellinger's assistance, in arranging six panels of academics who were expert on particular aspects of Bork's jurisprudence or who could address anti-Bork arguments."

Did you in fact assist in arranging panels of witnesses? If so, please provide the list of individuals who comprised these panels.

4. According to Mr. Gitenstein (page 209), you were part of the "team" which helped prepare Chairman Biden for the Bork hearings during the two weekends prior to the Judiciary Committee hearings. Also, according to an October 12, 1987 report in Legal Times, you "prepped the chairman for his big test."

Did you participate in these and/or other efforts to prepare Chairman Biden for the hearings? If so, please describe the extent of your participation.

5. Mr. Gitenstein also reports (pages 209–210) that you "played" Bork in "a sort of reverse murder board" during which the Chairman could try out his lines of questions. Did you play Judge Bork in rehearsal(s) staged for the Chairman?

6. On pages 194–195, Mr. Gitenstein documents the production of, and dissemination of, the so-called "Biden Report." Is this the report you say you "reviewed" in response to question #6?

7. Gitenstein writes (page 195) that you (as well as others) were described to the public as having "supported wholeheartedly the substance of the views expressed [in the report]."

Is Mr. Gitenstein's account in this regard accurate? If so, were you aware, prior to its publication, that you would be so associated with this report?

8. Mr. Gitenstein also reports (page 195) that "[t]the plan [for disseminating the Biden Report] was to avoid complicating the fairness issue by having Biden, or anyone speaking for him to the press . . . direct reporters to Tribe, Abrams, Dellinger and Clifford. Tribe and Dellinger did a number of television and radio interviews."

Did you, pursuant to this "plan," grant television and radio interviews regarding the "Biden Report?"

9. The August 12, 1991, edition of the Chicago Daily Law Bulletin reported your participation in a debate sponsored by the National Association of Women Lawyers, and stated that "Dellinger wrote the so-called 'Biden Book' that contributed to the downfall of nominee Robert Bork."

Did you write all—or any part—of the "Biden Book" or "Biden Report"?

10. As noted above, in response to my inquiry about the "full extent" of your participation in the confirmation proceedings for Judge Bork, you replied "I briefed the Chairman . . . on the original understanding of the Advice and Consent Clause and on the nominee's writings . . . ."

However, on page 210 of his book, Mr. Gitenstein suggests that during "those hours of preparation before the hearings," you also briefed the Chairman on the "unenumerated rights" argument of Constitutional law. Is this report accurate, and are there any other issues on which you briefed the Chairman but which you failed to mention in your July 14 response?

11. On pages 24–25, Gitenstein recounts a conference call he contends was set up for Chairman Biden with you and other attorneys so that the Chairman could "be brought up to speed quickly on Powell and Bork," that during the conference call you "explained the particular role Powell had played in frustrating the Reagan Administration's agenda on the social issues," and that you "got into a long discussion of Bork's attitude toward Roe v. Wade and the constitutional right to privacy."

Did Mr. Gitenstein accurately characterize these portions of the conference call? In your opinion, what were the specific issues on which Powell frustrated the Reagan Administration's agenda, and how did he accomplish this?

12. According to Mr. Gitenstein (page 25), the Chairman and you "engaged in a lengthy discussion of the role of the Senate in the confirmation process." On page 317, the author credits you with "the idea after the Powell resignation, for Biden to seek consultations with [the Administration]."

What do you see as the Senate's role in the confirmation process, and what are the Administration's obligations to participate in consultations with the Senate, including precedents?

13. On page 45 of his book, Mr. Gitenstein writes, "[A]s Biden and his advisors struggled with how the Senate ought to respond to Reagan's nomination of Bork, Dellinger and Kurland kept reminding us of how the Senate had reacted to similar initiatives by Jackson and Roosevelt."

In your opinion, what were the "similar initiatives" by Jackson and Roosevelt, and how did the Senate respond to these initiatives?

14. At the meeting referred to on pages 60 and 61, Mr. Gitenstein says it was decided that "within two weeks [the Chairman] would deliver a lengthy speech on the Senate floor making the case that, in circumstances like the Bork nomination, it was appropriate for the Senate to consider the nominee's judicial philosophy."

When is it appropriate, in your opinion, for the Senate to consider a nominee's judicial philosophy. Has your view on this changed at all since the time you advised the Chairman on the Bork nomination?

15. In your response to question #6, you suggest, that aside from your testimony before the committee, your role was merely in the nature of support staff. Did you ever write a letter to the Chairman or any other member of the Judiciary Committee opposing the Bork nomination? If so, please provide copies of all such correspondence.

16. In question #10 I asked you to "[p]lease list all Senators to whom you provided advice and or assistance during the confirmation proceedings of (Rehnquist, Thomas and Bork)." You reply that "[m]y best recollection would be: Senator Sanford, Senator Mitchell, Senator Biden, Senator Kennedy, Senator DeConcini, Senator Simon, Senator Leahy, and Senator Heflin."

Did you draft, review or offer counsel on all or any part of Senator Kennedy's "Robert Bork's America" floor statement?

17. On page 276, Mr. Gitenstein writes "the fate of the Bork nomination rested with Southern Democrats, especially five freshmen Democrats elected the year before (Graham, Breaux, Shelby, Fowler and Sanford) . . . the focus of all our efforts was to be on what it would take to get these new Southern freshman (sic) to consider opposition to the nomination.

Gitenstein goes on to recount (page 277) that "Sanford agreed soon thereafter to host a briefing by Duke Law professor Walter Dellinger for other Southern Democrats on the implications of Bork's jurisprudence." Did you indeed participate in such a briefing of Senators; and if so, which Senators where present?

18. In question #8, I asked you if "[d]uring any of the [Rehnquist, Bork or Thomas] proceedings did other employees and/or students of Duke University assist you and/or the Judiciary Committee"—to which you respond, "I do not recall using any student research assistance in these matters . . . I have no specific recollection of using any other university employees. . . ." An item in the September 28, 1987, Legal Times, correcting an article of September 21, reported that "Prof. Christopher Schroeder of the Duke University School of Law" played "a key role in Biden's questioning of witnesses."

What other employees and/or students of Duke University assisted the Judiciary Committee during the Bork hearings?

19. In question #9, I asked if you lent "your name to any fund-raising appeals or advertisements opposing the confirmation of Judge Bork or Justice Thomas," to which you replied, "I do not recall using my name in any such advertisements."

Did you lend your name to any fund-raising appeals opposing the confirmation of Judge Bork or Justice Thomas?

20. In question #11 I inquired as to your willingness to provide copies of all memoranda that you provided to members of the Judiciary Committee concerning the nominations of Chief Justice Rehnquist, Justice Thomas and Judge Bork. You replied, in part that, "I do not understand the question to include confidential legal analysis provided to a Senator that was not intended for public distribution."

Will you make copies of such memoranda available to Senators and staff with security clearances on the same basis on which the Bush Administration made available to Democratic Senators confidential memoranda drafted by its nominees?

21. On September 23, 1987, you testified before the Senate Judiciary Committee regarding the Bork nomination. At that time, by your own admission, you were providing, on a pro-bono basis, "advice" and "counsel" to "the Chairman and the Democratic Members of the [Judiciary] committee on this nomination."

(a) Prior to giving your testimony, or at the beginning of your testimony, did you make any public disclosure to the listening audience that you were an unpaid advisor to the Democrats on the committee?

(b) Is it true that your role as an unpaid advisor to the committee Democrats was not revealed to the audience until Senator Simpson proceeded with a line of questioning which uncovered your bias?

(c) Do you think it was proper for you to fail to disclose your status with the Committee prior to delivering your testimony?

22. In response to my question #2 regarding your role in President Clinton's efforts to overturn the ban on homosexuals in the military, you indicate that you "worked with the Department of Justice in efforts to avoid any judicial decisions that would disrupt or pre-empt the interim process."

Will you list and describe all such efforts by the Department of Justice "to avoid judicial decisions," and provide a description of your role in each of these "efforts"?

23. Responding to question #3, you state that your "own personal view [regarding the ban on homosexuals in the military] is that the fact of sexual orientation or status should not preclude military service except in circumstances in which military effectiveness, morale or unit cohesion would be adversely affected." What do you consider the "circumstances in which military effectiveness, morale or unit cohesion would be adversely affected" by permitting homosexuals in the military?

24. Regarding the $911 payment you made to the IRS in January of this year covering FICA taxes for a domestic employee for the period 1988–1992, on what exact day did you submit the $911 payment, did you on that date hold any paid or voluntary position with the Federal government, and were you aware on that date of Mr. Baird's non-payment of Social Security taxes?

25. Prior to submitting the $911 payment to the IRS, did you seek a determination from the IRS or from counsel as to your tax liability in this regard, and since the time you submitted payment, has the IRS made any determination as to your tax liability?

26. Did you have any correspondence with the IRS regarding your situation, and if so, will you provide copies of this correspondence—including any correspondence accompanying your $911 payment?

Thank you for your cooperation. I will appreciate complete and timely responses to these inquiries.

Sincerely,

JESSE HELMS.

AUGUST 2, 1993.

Hon. JESSE HELMS,
U.S. Senate,
Washington, DC.

DEAR SENATOR HELMS: I received your letter of July 29, 1993 shortly before 5:00 p.m. on Friday, July 30, 1993. In my July 14, 1993 response to your earlier letter of June 30, I answered all of your questions fully to the best of my recollection.

In your letter of June 30, you asked about my participation in the confirmation processes for Chief Justice Rehnquist, Judge Bork and Justice Thomas. I stated with respect to the nomination of Judge Bork that "I briefed the Chairman of the Senate Judiciary Committee on the original understanding of the Advice and Consent Clause and on the nominee's writings. My principal participation was as a witness at the Hearings." I believe this remains a fair statement of my activities. In your letter of July 29, you ask a number of specific questions concerning my discussions with the Chairman. Those discussions fall within the scope of my earlier answer. I did meet with a group informally called "advisors" on three or four occasions; my role was to discuss the nominee's writings, which cover, among other matters, unenumerated rights. In a conference call shortly after Justice Powell's resignation, I discussed the nominee's writings in the context of the cases in which Powell had cast a dispositive vote. To my knowledge, Christopher Schroeder is the only other Duke University staff member, employee or student who assisted the Judiciary Committee. I have no recollection of lending my name to any fund raising advertisement or appeal concerning the nomination of Judge Thomas.

Other questions in your latest letter are based on inaccurate premises. I did not play Judge Bork in practice sessions. I did not draft, review or offer comments on any statement by Senator Kennedy. Although Senator Terry Sanford may have planned to host a briefing for other Senators, no such briefing was ever held to my knowledge. I do not specifically recall having recruited law school deans and professors to sign a letter concerning the nomination, though I may have signed the letter circulating a draft or signed the letter itself. I was not responsible for selecting or scheduling panels of witnesses, though Senator Biden's staff did informally consult me about my opinion of a few proposed witnesses. I did not write any part of the "Biden Report" or "Biden Book;" I did, as I noted, review the report. I never functioned as a press spokesman for anyone. I have no recollection of making any comments about initiatives by Presidents Jackson or Roosevelt.

With respect to other matters that you raise in your latest letter, I would note that many (if not most) of those who testified either in favor of or in opposition to the nomination had also given their advice or opinions either to members of the Committee or to the nominee. That did not and does not seem inappropriate to me. Since the fact that I had advised Senator Biden had been widely reported, it did not occur to me to mention it in my prepared statement to the Committee. My views on the Senate's advice and consent function are fully set out in the published writings I have furnished to the Committee and they have not changed. [See my review in The New Republic, December 16, 1985 and Dellinger & Morris, "Advice and Consent to Supreme Court Nominations" Encyclopedia of the American Constitution, 1991 Supplement]. The $911 payment I made to the IRS was made on January 24, 1993. There was no correspondence: I simply sent in the payment. The IRS has not made any determination that this payment was due, and it may not have been due. I did not at the time hold any position with the government.

My work in the White House counsel's office on the issue of homosexuals in the military consisted of my consulting with the Justice Department about the possibility of seeking stays of judicial proceedings while the political process agreed to by the President, Senator Nunn and the rest of the Congressional leadership was going forward, and keeping the Senate Armed Services Committee fully informed of the status of those cases. I have not formed an opinion on the question of the circumstances in which military effectiveness, morale or unit cohesion would be adversely affected by homosexuals in the military.

Your letter includes one request for documents that raises difficult issues. You asked me to provide "copies of all memoranda provided by you to members of the Judiciary Committee concerning the nominations of Chief Justice Rehnquist, Justice Thomas and Judge Bork." I responded by submitting one memorandum that had been made public, but noting that I did not understand your question to include confidential legal analysis provided to a Senator that was not intended for public distribution. I have assumed that a legal memorandum written at the request of a Senator and intended by the Senator as private advice should be considered confidential. Any decision to share such a memorandum with others should be made by the Senator at whose request the memorandum was written. As I noted in response to your first letter, my best recollection is that I have advised Senators Mitchell, Biden, Kennedy, DeConcini, Simon, Leahy, and Heflin, and former Senator Sanford. Any request for memoranda should be directed to those Senators.

Senator Helms, as I have noted before, I would be pleased to meet with you at any time. I believe that we have only met once (when North Carolina's 1993 NCAA Championship basketball team was invited to the White House a few months ago). I would be very happy to sit down and discuss with you any concerns you might have about my nomination. Your office may reach me at 514-2041 or at any time through the Justice Command Center, 514-5000.

Sincerely,

WALTER DELLINGER.

Mr. SIMON. Mr. President, I would advise people on my side who wish to speak on this, they should get over here as quickly as they can.

If no one seeks the floor, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. Mr. President, I ask unanimous consent that I be permitted to suggest the absence of a quorum with the time being charged to neither side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HELMS. I thank the Chair and thank the Senator from Illinois.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Republican leader.

Mr. DOLE. Mr. President, last week, I voted against invoking cloture on the nomination of Walter Dellinger to be the Assistant Attorney General for the Office of Legal Counsel. Later today, I will vote against the Dellinger nomination.

Most of my colleagues on this side of the aisle do not question Professor Dellinger's legal or intellectual abilities, which are considerable. Nor do I question his integrity, though my colleagues from North Carolina, Senator HELMS and Senator FAIRCLOTH, sincerely believe that the professor has not been candid about his role in the well-orchestrated effort to defeat the nomination of Robert Bork.

My concerns, Mr. President, are not with Professor Dellinger himself, but rather with the way his nomination has been handled, or more accurately, mishandled.

THE BLUE SLIP POLICY

My first concern involves the so-called blue slip policy. My distinguished colleague from Delaware, Senator BIDEN, outlined this policy for the Judiciary Committee in a letter to President Bush on June 6, 1989. By the terms of Senator BIDEN's own letter, this policy appears to apply to all nominations—not just judicial nominations, not just Republican nominees, but all nominations, including nominations for posts within the Justice Department, such as the Office of Legal Counsel position.

As Senator BIDEN said in his letter to President Bush: "I am writing today to apprise you of the blue slip policy I recently announced, which will be followed by the Judiciary Committee for all"—I repeat, all—"nominations from this point forward."

Under the Biden policy, the return of a negative blue slip will be a significant factor to be weighed by the committee in its evaluation of a judicial nominee, but it is not conclusive.

According to the policy, what will kill a nomination after the return of a negative blue slip is the failure of the administration to "consult with both home State Senators prior to submitting the nomination to the Senate. if such good faith consultation has not taken place, the Judiciary Committee will treat the return of a negative blue slip by a home State Senator as dispositive and the nominee will not be considered."

Mr. President, these are not my words. These are the words of the chairman of the Judiciary Committee, Senator BIDEN.

Now, I know that my colleague from Delaware claims a narrow reading of his own blue slip policy, arguing that it applies only to judicial nominees, but if that is the case, why were the blue slips sent to the two Senators from North Carolina in the first place? For fun? For their reading value?

Both Senators HELMS and FAIRCLOTH returned negative blue slips on the Dellinger nomination and Senator BIDEN, under his own policy, had every right to continue moving forward with the nomination despite the negative slips.

But more importantly, the administration failed to consult with either Senator HELMS or Senator FAIRCLOTH before submitting the Dellinger nomination to the Senate. In fact, neither Senator was personally consulted prior to the confirmation hearing.

Under Senator BIDEN's own policy, at least as I read it, this failure to consult both home State Senators should end consideration of the Dellinger nomination. Case closed.

Mr. President, I have been in this town long enough to know that the double standard, like the Cherry Blossom Festival, is a venerable Washington tradition. But this is one double standard we should not let slide by.

If the Biden blue slip policy was good enough for the Bush administration, it should be good enough for the Clinton administration as well.

ADVICE AND CONSENT

Mr. President, my second concern involves the appointment of Professor Dellinger as an Acting Assistant Attorney General when his nomination was still pending before the Senate. In the past, individuals have been appointed to acting positions within the Federal Government, but these appointments have almost always occurred before the nominations were transmitted to the Senate or after consultation with those Senators who had previously expressed an interest in the nomination.

To my knowledge, this is the first time that someone like Professor Dellinger has been appointed to an acting position, even though his nomination is controversial within the Senate, and after the administration had failed to secure his confirmation prior to the August recess.

In fact, when explaining Professor Dellinger's appointment to an acting position, a Justice Department spokesperson smugly said:

> We were tired of waiting for the Senate, so we went ahead and appointed him.

Well, maybe they are tired waiting for the Senate. We may be tired waiting for them one of these days.

Mr. President, apparently the Justice Department has forgotten about the advice and consent clause of the Constitution. Article II, section 2 requires the Senate to provide its advice and consent to certain Presidential appointments, including nominations for top Justice Department jobs. The advice and consent power serves as an important check on the unrestrained power of the President to appoint important executive branch officials. The Senate should jealously guard this power and not give it up without a fight.

If a controversial Republican nominee like Bill Lucas had been appointed Acting Assistant Attorney General for Civil Rights while his nomination was still pending in the Senate, or if John Tower had been appointed Acting Secretary of Defense, there would have been howls of outrage from my colleagues on the other side of the aisle and probably from this side of the aisle, too.

The advice and consent power is that important. It is not a Republican power or a Democrat power, it is a constitutional power vested in the Senate and it is in the Senate's interest to ensure that no administration, Republican or Democrat, can do a constitutional end-run with impunity.

LEARN SOME LESSONS

Mr. President, I have no doubt that Professor Dellinger will be confirmed and when he becomes an Assistant Attorney General—officially—I wish him the very best.

But, after the smoke has cleared, I hope we can draw some important lessons from this little episode.

The advice and consent clause of the Constitution is not something that can be simply brushed aside by an impatient administration. And, even today in 1993, there is much to be said for that old-fashioned notion called senatorial courtesy.

Mr. President, I ask unanimous consent that Senator BIDEN's letter to President Bush, dated June 6, 1989, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 6, 1989.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: As you know, Senate procedure provides for the sending of a "blue slip" to each Senator in the state in which a person has been nominated to be a federal judge. There have been occasions, albeit quite infrequent, when home state Senators have returned a "negative" blue slip to express their opposition to the nomination. I am writing today to apprise you of the blue slip policy I recently announced, which will be followed by the Judiciary Committee for all nominations from this point forward.

By way of brief background, the practice of the Judiciary Committee with respect to a negative blue slip has varied historically. For many years—under both Democratic and Republican chairmanships—the return of a negative blue slip meant that the nomination simply would not be considered. That policy was modified under Senator Kennedy's chairmanship, so that the return of a negative blue slip would not preclude consideration of the nomination. A hearing and vote would be held, although the return of a negative blue slip would be given substantial weight.

At the Judiciary Committee's business meeting on May 18, I articulated the blue slip policy that the committee will follow under my chairmanship. The return of a negative blue slip will be a significant factor to be weighed by the committee in its evaluation of a judicial nominee, but it will not preclude consideration of that nominee unless the Administration has not consulted with both home state Senators prior to submitting the nomination to the Senate. If such good faith consultation has not taken place, the Judiciary Committee will treat the return of a negative blue slip by a home state Senator as dispositive and the nominee will not be considered. In cases in which there are no home state Senators, such as Puerto Rico, the sitting governor should be consulted.

I have long emphasized the need for consultation, which, in my view, is part of the "advice" component of the Senate's advice and consent responsibility under the Constitution. I believe that the nominations process will function more effectively if consultation is taken seriously.

I look forward to continuing to work with you in the judicial nominations process.

Sincerely,

JOSEPH R. BIDEN, Jr.,
Chairman.

Mr. DOLE. I yield the floor.

ON THE NOMINATION OF WALTER DELLINGER

Mrs. BOXER. Mr. President, I rise in strong support of the confirmation of Walter Dellinger to the position of Assistant Attorney General for the Office of Legal Counsel.

Mr. Dellinger is truly a giant in the legal profession. After graduating from Yale Law School, where he was editor of the Yale Law Journal, he went on to clerk for Supreme Court Justice Hugo L. Black—a high honor. Since then, he has enjoyed a distinguished career as teacher, author, Supreme Court advocate, and constitutional scholar.

With his background and expertise, Walter Dellinger is more than qualified for the job he has been nominated for. It is fitting that one of our Nation's foremost thinkers on constitutional issues head the Office of Legal Counsel where he will be responsible for advising the President on a wide range of legal issues involving the separation of power between the branches of the Federal Government.

However, I am especially proud to vote for Walter Dellinger's appointment because of his work on behalf of the pro-choice community. For many years, Walter Dellinger has donated his time, energy, and scholarship to advising pro-choice and women's organizations on constitutional and statutory issues.

Walter Dellinger served as counsel of record for Republican and Democratic Members of the House and Senate who filed "friend of the court" briefs in the U.S. Supreme Court in support of challenges to restrictive State abortion laws. In those briefs, which I signed, Mr. Dellinger urged the Court to reaffirm Roe versus Wade and uphold a woman's right to choose. Specifically, in the 1992 case of Planned Parenthood of Southeastern Pennsylvania versus Casey, Mr. Dellinger argued that on the basis of precedent and concerns for institutional legitimacy, the Court should not overrule the Roe decision. His reasoning was largely adopted by Justices O'Connor, Kennedy, and Souter in their joint opinion on the case.

Walter Dellinger testified before both the House and Senate Judiciary Committees concerning the constitutionality of the Freedom of Choice Act. As a supporter of this legislation, I know that his knowledge and drafting skills have been critical to the bill's advancement.

In 1992, Walter Dellinger served as cochair of the national Commission on America Without Roe which looked at what would happen to women and families should this decision be overturned or a woman's right to choose be severely curtailed. The Commission issued a report upholding reproductive freedom and calling for governmental policies that reduce the need for abortion by protecting the full range of reproductive choices, including the prevention of unintended pregnancy, the promotion of healthy childbearing, and the choice of adoption. Clearly, these recommendations are in full accord with President Clinton's own position in support of making abortion "safe, legal, and rare."

Mr. President, I highly recommend that the U.S. Senate vote to confirm Walter Dellinger. I am confident that with his experience, knowledge, and commitment to working for the public good, that he will make an excellent Assistant Attorney General for the Office of Legal Counsel.

Mr. BRADLEY. Mr. President, I rise today to support the nomination of Walter Dellinger for the position of Assistant Attorney General for the Office of the Legal Counsel at the Justice Department. His impressive record suggests that he will serve this country with distinction. A graduate of Yale Law School and former law clerk of Supreme Court Justice Hugo L. Black, Dellinger has taught law at Duke University Law School for 24 years.

Dellinger's prolific writings truly cement his position as one of the foremost legal scholars of our time. He has published numerous articles in several legal journals, including the Harvard Law Review and the Yale Law Journal, and has written on a variety of constitutional issues for the New York Times, the London Times, and the Washington Post. As a result, he has become highly sought after as a lecturer on constitutional issues. He has lectured in countries as diverse as Belgium and Brazil. He has addressed several prestigious legal organizations nationally as well, including the American Bar Association and the Judicial Conferences of several circuits of the U.S. Court of Appeals.

Walter Dellinger is deeply committed to public service. One area in which he has been particularly active is the effort to protect women's reproductive rights. Recently, his work on behalf of women's reproductive rights took the shape of an amici brief for 29 Senators and 118 U.S. Representatives in Planned Parenthood of Southern Pennsylvania versus Casey. Dellinger's brief encouraged the court to reaffirm the holding in Roe versus Wade of a woman's right to choose, based on the legal doctrine of stare decisis. He argued that to rule against Roe versus Wade would "shake confidence in government institutions and undermine faith in the rule of law", as well as "profoundly disturb the settled expectations of millions of women." The Supreme Court adopted much of Mr. Dellinger's rationale as it declined to overrule Roe versus Wade in its entirety.

The Judiciary Committee has already unanimously voted in favor of the nomination of Mr. Dellinger, with Senators from both sides voicing their support. Like them, I too have been impressed by Dellinger's extensive experience and commitment to the law. I enthusiastically support the nominee and urge my colleagues to do the same.

Mr. DURENBERGER. Mr. President, I rise to address the Senate's role in the appointment of Walter E. Dellinger of the Justice Department's Office of Legal Counsel, and the role of the Senate in approving Presidential nominations.

Along with most of my Republican colleagues, I opposed cloture last week. I cast that vote because, like my colleagues from North Carolina, I wanted to put the White House on notice that I take the role of the Senate in executive appointments very seriously. And I do not consider the results of the last election to be a license to the Democratic Party to ignore the concerns of Republican Members of the Senate.

I am not advocating a litmus test on any particular issue for appointees, and I am certainly not acting out a fit of pique. I want to remind the Senate that in spite of strongly held personal disagreements with several of the President's nominees, I have supported them in the Senate confirmation process. However, in every case the nominee got my consent only after I had a chance to advise.

This is a particular concern for the position of Justice Department Legal Counsel. The person in that job handles, among other things, the selection of judges and other law enforcement appointees. Advising and consenting to these appointments are among the most important things we do in the Senate. So the nomination of Mr. Dellinger is a perfect opportunity for Republicans in the Senate to make a point about their role in the appointment process.

In my view, the nomination process has gone fairly well, allowing for the start-up problems of any new administration. But there has been one noticeable and serious failure—which leads me to the cloture vote last week. In the experience of this Senator, appointments of district judges and U.S. attorneys have been poorly handled. The administration had best take the signal from the Dellinger vote last week that Republican Senators cannot be ignored in these critical appointments.

As with my colleagues from North Carolina, I am particularly concerned about the appointment of nominees from my home State. I know that Federal district court judges and U.S. attorneys wield a great deal of power.

I am exceedingly proud of the Federal bench in Minnesota and of the U.S. attorneys who have served while I have been a Senator. In 1979, under the last Democratic administration, I worked closely with then-Vice President Walter Mondale toward President Carter's appointment of Diana Murphy, a Democrat, and Bob Renner, a Republican, to the Federal bench. Both have served with distinction.

My experience this year has been different. I learned about the appointees to the U.S. District Court from Minnesota by reading about it in the newspaper more than 6 months ago. I read in the newspaper this summer who the next U.S. attorney for Minnesota would be.

I have yet to hear from one of the judicial candidates and from the U.S. attorney candidate. The other judicial candidate came to my office after I warned the White House, in August, that I would not consent to the appointment of a Federal judge who had not demonstrated to my satisfaction the competence and character that the job requires.

This afternoon, I will support the nomination of Walter Dellinger, because I am satisfied that he has the competence and the character to serve. But this nomination should serve as a warning to the White House that Senators need to be consulted in these critical appointments. I trust the message has been received.

The PRESIDING OFFICER. All time of the opponents of the nomination has expired. The proponent of the nomination has 21 minutes remaining. Who yields time?

Mr. SIMON. Mr. President, I suggest the absence of a quorum. I would yield back the remainder of the time, but the chairman of the committee, I understand, is on his way over here to speak on this.

The PRESIDING OFFICER. The clerk proceeded to call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, we are in the final few minutes of wrapping up the debate on the nomination of Walter Dellinger to be Assistant Attorney General for the Office of Legal Counsel. Many of us in this body have had the pleasure of working with Professor Dellinger over the last dozen years or so, and we have found him well qualified and living up to his reputation as one of the leading constitutional scholars in this country.

As I said last week, the Assistant Attorney General for the Office of Legal Counsel has been described as the Attorney General's lawyer. Both President Clinton and Attorney General Reno will be well served by Walter Dellinger's intellect, his scholarship, and his commitment to the law. But Walter Dellinger also brings a practical perspective to law. He grew up in a family of quite modest means in Charlotte, NC. He attended the University of North Carolina on a scholarship. He went to Yale Law School and then served as a law clerk to the then Supreme Court Justice Hugo Black.

Since 1969, Professor Dellinger has been a member of the faculty of Duke University Law School, one of the great law schools in this country. Over the years, he has written articles on constitutional issues and has appeared before appellate courts and the U.S. Supreme Court.

Even those who do not agree with Walter's views acknowledge that he is qualified for the position for which he has now been nominated. Charles Cooper, head of the Office of Legal Counsel during the Reagan administration, has said of Professor Dellinger, "He is a splendid appointment for a Democratic President." Ted Olson, who also ran the office during the Reagan administration, says that Dellinger is "well qualified by experience, intelligence, and background to be President Clinton's Assistant Attorney General for the Office of Legal Counsel."

My colleagues from North Carolina raised some procedural concerns about the nomination. Given our limited time here today, I see no reason to repeat our conversation of last week. However, I would like to emphasize that neither the Judiciary Committee nor the Justice Department made any effort to abrogate the Senate's rights and/or the rights of the senior Senator from North Carolina regarding this nomination. By no possible standard was Professor Dellinger's nomination pushed through this body. Quite to the contrary. Professor Dellinger was nominated by President Clinton on April 29, 1993, and we are voting on his nomination 5 months later.

The question before us today is whether this body believes that Walter Dellinger is qualified to serve as the head of the Office of Legal Counsel. There is no question in my mind that he is. In fact, I know of no one who argues that Walter Dellinger is not superbly qualified to serve the President and the Attorney General in this particular position.

Throughout his career, Walter Dellinger has excelled at the study and the practice of law. He has immersed himself in some of the great constitutional questions of our day. As a consequence, he has generated some concern and opposition for the positions he has taken. In every instance, though, Professor Dellinger has demonstrated wisdom, extraordinary judgment, and profound scholarship. I am proud to support his nomination, and I encourage my colleagues to do the same.

Mr. President, without using the remaining 3 or 4 or 5 minutes that is remaining on the time, I understand that time has been yielded back by the opponents of the nomination, and I now yield back the remainder of the time under the control of the majority.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The majority whip.

Mr. FORD. I ask unanimous consent that I might proceed for 3 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FORD. I thank the Chair.

FUNDRAISING LETTER

Mr. FORD. Mr. President, I know that several Members have already addressed this issue, but I just felt the need to speak my mind and to add my words to the outrage already expressed on both sides of the aisle, over the fundraising letter written by the College Republican National Committee.

I also want to call for a bit of self-examination about who taught our young people that attacking someone of such unquestionable honor and patriotism is acceptable as part of the day-to-day business of politics.

As Senator DOLE said, "this goes beyond the pale." The attacks in this mailing are nothing more than cheap words used to smear someone's good name and to inflame the passions of people. All this, not because the writer believes in anything, but just to make a buck.

Most of you in this Chamber know that I am an advocate of bringing more people into the political process. And I saw my motor-voter legislation as a way to specifically encourage young people to get involved.

But what have we taught our young people, when their notion of public service is to viciously attack the patriotism of Senator BOB KERREY—the recipient of the highest award for valor in this country?

Perhaps we should point this young writer to the words of a member of his own party, Richard Nixon, who once said that, "A politician knows that words are his weapons * * * but that his word is his bond."

Clearly the young writer of this junk mail, knows much about the former, but little about the latter.

It is true our Government is based on the notion that when we disagree, we should vigorously defend our position with the intention that better public policy emerges. This is an integral and important part of the ethic of public service. And I believe it was in this spirit that Senator KERREY took to the Senate floor and explained his vote in support of President Clinton's budget.

But just as deeply imbedded in our national ethic of public service is the notion that patriotism is loyalty to friends, families, and communities. Senator KERREY's life experience embodies both of these notions—a commitment to the ideal of free speech and to the ethic of loyalty to one's countrymen in times of peace as well as adversity.

Mr. President, the young man who wrote this despicable letter has apologized in a manner of speaking. Senators on both sides of the aisle have condemned his absurd and unworthy attack.

And I would certainly hope we have seen the last of this offensive type of attack. But if not, whether the culprit is a Democrat or a Republican, we must act quickly in a bipartisan fashion to condemn their actions and protect the integrity of our system.

Perhaps now is the time for reflection—the time for us, as Senators, as public servants, and as role models, to question how our hands might have unknowingly helped pen this letter. To question how we can teach our young people that political involvement demands disagreement, argument, and dissention, but equally important, it demands we work in a bipartisan fashion to uphold the principles of integrity and decency that are fundamental to the success of the democratic process.

We have obviously taught them well about verbal weapons; now what about decency?

I thank the Chair.

RECESS UNTIL 2:15 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:50 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. FEINGOLD].

NOMINATION OF WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL

The Senate continued with the consideration of the nomination.

The PRESIDING OFFICER. The question is on the confirmation of the nomination of Walter Dellinger to be an Assistant Attorney General.

The yeas and nays have been ordered. The clerk will call the roll.

Mr. FORD. I announce that the Senator from North Dakota [Mr. CONRAD] is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 65, nays 34, as follows:

[Rollcall Vote No. 308 Ex.]

YEAS—65

Akaka
Baucus
Biden
Bingaman
Boren
Boxer
Bradley
Breaux
Bryan
Bumpers
Byrd
Campbell
Chafee
Cohen
Danforth
Daschle
DeConcini
Dodd
Dorgan
Durenberger
Exon
Feingold
Feinstein
Ford
Glenn
Graham
Harkin
Hatfield
Heflin
Hollings
Inouye
Jeffords
Johnston
Kassebaum
Kennedy
Kerrey
Kerry
Kohl
Lautenberg
Leahy
Levin
Lieberman
Mack
Mathews
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murray
Nunn
Packwood
Pell
Pryor
Reid
Riegle
Robb
Rockefeller
Sarbanes
Sasser
Shelby
Simon
Specter
Wellstone
Wofford

NAYS—34

Bennett
Bond
Brown
Burns
Coats
Cochran
Coverdell
Craig
D'Amato
Dole
Domenici
Faircloth
Gorton
Gramm
Grassley
Gregg
Hatch
Helms
Hutchison
Kempthorne
Lott
Lugar
McCain
McConnell
Murkowski
Nickles
Pressler
Roth
Simpson
Smith
Stevens
Thurmond
Wallop
Warner

NOT VOTING—1

Conrad

So the nomination was confirmed.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. MITCHELL. Mr. President, I have been asked, in behalf of the Republican leader, to announce that there will be a meeting of Republican Senators in the Republican leader's office, S-230, immediately. And I now, Mr. President, suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WELLSTONE). Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. FORD. Mr. President, I now ask unanimous consent the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 4:22 p.m., recessed until 8:05 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. MATHEWS].

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. MITCHELL. Mr. President and Members of the Senate, Senator DOLE and I are now prepared to report to the

Senate on the status of discussions that have been occurring throughout the day with respect to the defense appropriations bill and specifically with respect to proposed amendments on the subject of Somalia.

Last week, Senator BYRD announced his intention to offer an amendment relating to Somalia, and thereafter following discussions between myself, Senator DOLE, the President, and others, I announced our intention to prepare an alternative amendment with respect to Somalia. Both of those proposals proceeded, and Senator BYRD has made a number of statements up to and including today on the subject. Senator DOLE and I and several others have made statements on how we are proceeding with respect to an amendment on the same subject.

I have met with Senator DOLE, Senator PELL, Senator NUNN, Senator THURMOND, and Senator WARNER, and we made good progress in attempting to reach an agreement on an amendment with respect to Somalia that would be largely supportive of the policy announced by the President last week.

When the Senate resumed consideration of the defense appropriations bill this afternoon, I attempted to obtain unanimous consent to a procedure which would have permitted the Senate to take up other matters while discussions continued with respect to the subject of Somalia—indeed, an agreement very much like that which we have now just obtained. However, I could not obtain consent for that because objection was made by one or more Senators. Therefore, there was no way to proceed so long as we were still discussing the Somalia situation, which I believe to have been most unfortunate because we have now been in session on this matter for nearly 6 hours without being able to resolve other matters. But, as I said, I could not until just now gain the necessary consent of all Senators to that procedure.

During the afternoon, Senator DOLE and I met with Senator BYRD and other Senators, and our staffs have been in constant communication with and including other Senators and administration officials. I believe we have made very good progress in reconciling the two different approaches that are being considered, and it is my hope that we will have what I optimistically will consider to be, although not unanimous, a consensus resolution of the matter tomorrow that will be largely supportive of the policy announced by the President last week.

As all Senators will recall, the President had announced his intention to withdraw all American forces from Somalia by March 31, 1994, or sooner if possible. It has been, of course, the date that has been the principal difference in the discussions that have occurred, the alternative suggestion having been that the withdrawal should be at a sooner time.

So, Mr. President and Members of the Senate, the discussions are continuing at this time. It is apparent that no final resolution will be possible this evening although I am hopeful that there will be one in the morning and that we can take up this matter and dispose of it tomorrow. As I said, I hope and expect that it will be in a form that has the approval of the majority of the Senate and is largely supportive of the policy announced last week by the President.

I want to thank all of those who have been concerned with and involved in this process. I especially want to thank my friend and colleague, Senator DOLE, who has been extremely helpful in attempting to reach an agreement on this matter in a situation in which there is clearly not unanimity in the Senate and on which Members of both parties have a wide variety of different views.

With that, Mr. President, I would like now to yield to Senator DOLE for such additional comments as he may wish to make.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, I thank the majority leader. I think he has covered it quite well.

I will just explain for those who may want to know why we say no amendments on the subject of Somalia that is inserted here so we can move on with the bill.

As the majority leader pointed out, this is a very important piece of legislation. It is our last appropriations bill, and we would like to complete action on it, hopefully, this week.

I know the managers, Senators STEVENS and INOUYE, and I know the chairman of the Appropriations Committee would like very much to complete action on the appropriations bill; in fact, all the appropriations bills.

I think it is fair to say and the majority leader has stated that there are strong views on this particular subject. Most of it revolves around the date. It is my view we should not have a date. I think that is a view of probably the majority on this side that we should not have a date at all, to be "just soon as practicable" that American forces would be brought home.

That was discussed extensively in our meeting, in the Republican conference, this afternoon. But at the same time, I think there is a willingness on the part of most of my colleagues to try to resolve differences and to get this matter resolved as quickly as we can and move on to other areas of the bill.

So I thank the majority leader. I want to thank particularly Senator THURMOND and Senator WARNER, who spent a great deal of time in meetings today, and also my colleague, Senator STEVENS, on the Appropriations Committee.

I hope, based on what the majority leader has said, that perhaps by early afternoon there will be some resolution, and we will be prepared, if there is some agreement, to debate whatever the agreed-to amendment will be. I hope at that time it will be supported by a broad majority on both sides of the aisle. It seems to me in this case, as I have said, we are already there. We have been there for some time. The President now has a plan. It is an American plan. He has narrowed the mission. It is solely humanitarian.

I think we ought to give the President the flexibility he feels he needs based on the information that he has on a daily basis, very sensitive information sometimes. But I think that would be the result of our deliberations and our vote in the Senate.

So I thank the majority leader. We are prepared to work with him until we resolve this matter.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. I do want to say that I expect there to be a full and vigorous debate on this subject tomorrow. It is very important. I think Senators ought to have the opportunity to express themselves. And I am confident that Senators will do so. In the meantime, as we are proceeding to either reach agreement or reach a point where there cannot be agreement on a resolution, it is my hope that we can make good progress on the rest of the bill. The managers of the bill, the distinguished Senators from Hawaii and Alaska, have been very diligent in wanting to proceed with this bill. It is a very important measure.

I hope that those Senators who have amendments will be in touch with the managers to talk about getting their amendments up and getting them disposed of. I know the managers have been ready to go for some time.

On this subject, I say what I have said for a week on every day and in response to every time I have been asked the question, I think the Senate will debate it. I think the Senate will vote. And I think that the result will be largely one supportive of the policy set forth by the President last week.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I would like to at this time ask that there be a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S.

Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," bear in mind that it was, and is, the constitutional duty of Congress to control Federal spending. Congress has failed miserably in that task for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at $4,401,394,660,183.90 as of the close of business yesterday, Tuesday, October 12. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is $17,135.45.

RELIEF OF TANIA GIL COMPTON

RELIEF OF LETEANE MONATSI

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed en bloc to the immediate consideration of Calendar Nos. 216 and 217; that the committee substitute amendments be agreed to en bloc; the bills be read three times, passed and the motions to reconsider be laid upon the table en bloc; further, that the consideration of these items appear individually in the RECORD; and that any comments relative to these calendar items appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bills (S. 537 and S. 760) were deemed read three times and passed as follows:

RELIEF OF TANIA GIL COMPTON

A bill (S. 537) for the relief of Tania Gil Compton, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

S. 537

SECTION 1. IMMEDIATE RELATIVE STATUS FOR TANIA GIL COMPTON.

(a) In General.—Subject to subsection (b), Tania Gil Compton shall be classified as a child within the meaning of section 101(b)(1)(F) of the Immigration and Nationality Act for the purposes of the approval of an immediate relative visa petition filed by her adoptive parent, and the filing of an application for an immigrant visa or adjustment of status, under that Act.

(b) Adjustment of Status.—If Tania Gil Compton enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully, and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of enactment of this Act, except that paragraph (2) of section 245(c) of that Act shall not apply.

(c) Deadline for Application and Payment of Fees.—Subsections (a) and (b) shall apply only if the petition and the application for issuance of an immigrant visa or the application for adjustment of status are filed with appropriate fees within 90 days after the date of enactment of this Act.

(d) Reduction of Immigrant Visa Number.—Upon the granting of an immigrant visa or permanent residence to Tania Gil Compton, the Secretary of State shall instruct the proper officer to reduce by one number, for the current or next following fiscal year, the total number of immigrant visas available under section 201(c)(1)(A) of the Immigration and Nationality Act, in accordance with clause (ii) of that section.

(e) Denial of Preferential Immigration Treatment for Certain Relatives.—No natural parent, brother, or sister, if any, of Tania Gil Compton shall, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

RELIEF OF LETEANE MONATSI

A bill (S. 760) for the relief of Leteane Monatsi, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

S. 760

SECTION 1. IMMEDIATE RELATIVE STATUS FOR LETEANE MONATSI.

(a) In General.—Subject to subsection (b), Leteane Monatsi shall be classified as a child within the meaning of section 101(b)(1)(E) of the Immigration and Nationality Act for the purposes of the approval of an immediate relative visa petition filed by his adoptive parent, and the filing of an application for an immigrant visa or adjustment of status, under that Act.

(b) Adjustment of Status.—If Leteane Monatsi enters the United States before the filing deadline specified in subsection (c), he shall be considered to have entered and remained lawfully, and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of enactment of this Act, except that paragraph (2) of section 245(c) of that Act shall not apply.

(c) Deadline for Application and Payment of Fees.—Subsections (a) and (b) shall apply only if the petition and the application for issuance of an immigrant visa or the application for adjustment of status are filed with appropriate fees within 60 days after the date of enactment of this Act.

(d) Reduction of Immigrant Visa Number.—Upon the granting of an immigrant visa or permanent residence to Leteane Monatsi, the Secretary of State shall instruct the proper officer to reduce by one number, for the current or next following fiscal year, the total number of immigrant visas available under section 201(c)(1)(A) of the Immigration and Nationality Act, in accordance with clause (ii) of that section.

(e) Denial of Preferential Immigration Treatment for Certain Relatives.—No natural parent, brother, or sister, if any, of Leteane Monatsi shall, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Edwin R. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE INTERNATIONAL SECURITY ASSISTANCE PROGRAMS—MESSAGE FROM THE PRESIDENT—PM 52

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; referred jointly, pursuant to the order of April 11, 1986, to the Committee on the Budget and to the Committee on Appropriations:

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report eight deferrals of budget authority, totaling $1.2 billion.

These deferrals affect International Security Assistance programs as well as programs of the Agency for International Development and the Departments of Agriculture, Defense, Health and Human Services, and State. The details of these deferrals are contained in the attached report.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 13, 1993.*

REPORT ON THE UNITED STATES POLICY IN SOMALIA—MESSAGE FROM THE PRESIDENT—PM 53

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

In response to the request made by the House and Senate for certain information on our military operations in Somalia, I am pleased to forward the attached report.

In transmitting this report, I want to reiterate the points that I made on October 6 and to the American people in remarks on October 7. We went to Somalia on a humanitarian mission. We saved approximately a million lives that were at risk of starvation brought on by civil war that had degenerated into anarchy. We acted after 350,000 already had died.

Ours was a gesture of a great nation, carried out by thousands of American citizens, both military and civilian. We did not then, nor do we now plan to stay in that country. The United Nations agreed to assume our military mission and take on the additional political and rehabilitation activities required so that the famine and anarchy do not resume when the international presence departs.

For our part, we agreed with the United Nations to participate militarily with a much smaller U.S. force for a period of time, to help the United Nations create a secure environment in which it could ensure the free flow of humanitarian relief. At the request of the United Nations and the United States, approximately 30 nations deployed over 20,000 troops as we reduced our military presence.

With the recent tragic casualties to American forces in Somalia, the American people want to know why we are there, what we are doing, why we cannot come home immediately, and when we *will* come home. Although the report answers those questions in detail, I want to repeat concisely my answers:

—We went to Somalia because without us a million people would have died. We, uniquely, were in a position to save them, and other nations were ready to share the burden after our initial action.

—What the United States is doing there is providing, for a limited period of time, logistics support and security so that the humanitarian and political efforts of the United Nations, relief organizations, and others can have a reasonable chance of success. The United Nations, in turn, has a longer term political, security, and relief mission designed to minimize the likelihood that famine and anarchy will return when the United Nations leaves. The U.S. military mission is not now nor was it ever one of "nation building."

—We cannot leave immediately because the United Nations has not had an adequate chance to replace us, nor have the Somalis had a reasonable opportunity to end their strife. We want other nations to assume more of the burden of international peace. To have them do so, they must think that they can rely on our commitments when we make them. Moreover, having been brutally attacked, were American forces to leave now we would send a message to terrorists and other potential adversaries around the world that they can change our policies by killing our people. It would be open season on Americans.

—We will, however, leave no later than March 31, 1994, except for a few hundred support troops. That amount of time will permit the Somali people to make progress toward political reconciliation and allow the United States to fulfill our obligations properly, including the return of any Americans being detained. We went there for the right reasons and we will finish the job in the right way.

While U.S. forces are there, they will be fully protected with appropriate American military capability.

Any Americans detained will be the subject of the most complete and thorough efforts of which this Government is capable, with the unrelenting goal of returning them home and returning them to health.

I want to thank all those who have expressed their support for this approach during the last week. At difficult times such as these, when we face international challenges, bipartisan unity among our two branches of government is vital.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 13, 1993.*

MESSAGE FROM THE HOUSE

At 12:10 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 2399) to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the tribe, and for other purposes.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. BEVILL, Mr. FAZIO, Mr. CHAPMAN, Mr. PETERSON of Florida, Mr. PASTOR, Mrs. MEEK, Mr. NATCHER, Mr. MYERS of Indiana, Mr. GALLO, Mr. ROGERS, and Mr. MCDADE be the managers of the conference on the part of the House.

At 3:04 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H.R. 2446 making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 3, 12, 30, and 33; and that the House recedes from its disagreement to the amendments of the Senate numbered 1, 4, 6, 7, 9, 11, 13, 17, 20, 23, 24, 25, 26, 27, 28, 29, 38, 40, and 42, and agrees thereto, each with an amendment, in which it requests the concurrence of the Senate.

At 6:13 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announces that the House has passed the following bills and joint resolution in which it requests the concurrence of the Senate:

H.R. 1102. An act to make permanent chapter 44 of title 28, United States Code, relating to arbitration;

H.R. 2650. An act to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers Systems;

H.R. 2840. An act to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes; and

H.J. Res. 228. Joint resolution to approve the extension of nondiscriminatory treatment with respect to the products of Romania.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1487. An act entitled "Middle East Peace Facilitation Act of 1993."

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 113. Relating to the Asian Pacific Economic Cooperation Organization.

H. Con. Res. 140. Expressing the sense of the Congress that the 60th anniversary of the Ukraine famine of 1932–1933 should serve as a reminder of the brutality of Stalin's repressive policies toward the Ukrainian people.

MEASURES REFERRED

The following bills and joint resolution were read the first and second times by unanimous consent, and referred as indicated:

H.R. 1102. An act to make permanent chapter 44 of title 28, United States Code, relating to arbitration; to the Committee on the Judiciary.

H.R. 2650. An act to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers Systems; to the Committee on Energy and Natural Resources.

H.J. Res. 228. Joint resolution to approve the extension of nondiscriminatory treatment with respect to the products of Romania; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following measures were received, and placed on the calendar:

H. Con. Res. 113. Relating to the Asia Pacific Economic Cooperation organization.

H. Con. Res. 140. Expressing the sense of the Congress that the 60th anniversary of the Ukraine famine of 1932–1933 should serve as a reminder of the brutality of Stalin's repressive policies toward the Ukrainian people.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1628. A communication from the Secretary of Energy, transmitting, pursuant to law, a report of the assessment of the Naval Petroleum and Oil Shale Reserves in Colorado, Utah, and Wyoming; to the Committee on Armed Services.

EC–1629. A communication from the Interim Chief Executive Officer of the Resolution Trust Corporation, transmitting, pursuant to law, the report on professional conduct investigations; to the Committee on Banking, Housing, and Urban Affairs.

EC–1630. A communication from the Assistant Attorney General (Legislative Affairs), Department of Justice, transmitting a draft of proposed legislation relative to the Federal Bureau of Investigation New York Field Division Demonstration Project; to the Committee on Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

Donald Richard Wurtz, of California, to be Chief Financial Officer, Department of Education, vice William Dean Hansen, resigned.

Eli J. Segal, of Massachusetts, to be Chief Executive Officer for National and Community Service. (New position.)

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constitute committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. INOUYE (for himself, Mr. HATFIELD, Mr. LEVIN, and Mr. D'AMATO):

S. 1539. A bill to require the Secretary of the Treasury to mint coins in commemoration of Franklin Delano Roosevelt on the occasion of the 50th anniversary of the death of President Roosevelt; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DORGAN (for himself and Mr. CONRAD):

S. 1540. A bill to amend title 49, United States Code, relating to tax discrimination against rail transportation property; to the Committee on Commerce, Science, and Transportation.

By Mr. COVERDELL:

S. 1541. A bill to provide that a nongovernmental person may use a private express carriage of certain letters and packets without being penalized by the Postal Service, and for other purposes; to the Committee on Governmental Affairs.

By Mr. ROCKEFELLER (for himself, Mr. MURKOWSKI, Mr. DECONCINI, Mr. MITCHELL, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, Mr. CAMPBELL, Mr. THURMOND, Mr. SIMPSON, Mr. SPECTER, Mr. JEFFORDS, Mrs. MURRAY, Mr. CHAFEE, Ms. MIKULSKI, Mr. SHELBY, Mr. BRYAN, Mr. SIMON, Mr. SARBANES, Mr. PELL, Mr. WARNER, Mr. COCHRAN, Mr. DORGAN, Mr. MOYNIHAN, Mr. CONRAD, Mr. BURNS, Mr. CRAIG, Mr. WELLSTONE, Mr. METZENBAUM, Mr. GLENN, Mr. COHEN, Mr. BOND, Mr. MCCAIN, Mr. REID, Mr. BINGAMAN, Mr. BOREN, Mr. HOLLINGS, Mr. KERRY, Mr. LAUTENBERG, Mr. KOHL, Mr. SASSER, Mr. LIEBERMAN, Mr. LEVIN, Mr. WOFFORD, Mr. KENNEDY, Mr. BAUCUS, Mr. DODD, Mr. PRYOR, Mr. RIEGLE, Mr. HEFLIN, Mr. JOHNSTON, Mr. INOUYE, Mr. NUNN, Mr. ROBB, Mr. HATCH, Mr. DURENBERGER, and Mr. MACK):

S.J. Res. 142. A joint resolution designating the week beginning November 7, 1993, as "National Women Veterans Recognition Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INOUYE (for himself, Mr. HATFIELD, Mr. LEVIN, and Mr. D'AMATO):

S. 1539. A bill to require the Secretary of the Treasury to mint coins in commemoration of Franklin Delano Roosevelt on the occasion of the 50th anniversary of the death of President Roosevelt; to the Committee on Banking, Housing, and Urban Affairs.

FRANKLIN DELANO ROOSEVELT COMMEMORATIVE COIN ACT

Mr. INOUYE. Mr. President, today, I rise to introduce the Franklin Delano Roosevelt Commemorative Coin Act. I am joined by Senator HATFIELD, cochair of the memorial, and Senators LEVIN and D'AMATO, FDR Memorial Commissioners.

The Franklin Delano Roosevelt Commemorative Coin Act authorizes the Secretary of the Treasury to mint 500,000 silver dollar coins bearing the likeness of our great leader, President Franklin Delano Roosevelt, in the year 1995, which marks the 50th anniversary of his death.

The American people are deeply indebted to Franklin Delano Roosevelt for his leadership in America's struggle for peace, well-being, and the assurance of human dignity. Personally, I will never forget the pride I felt in looking to President Roosevelt as my Commander in Chief as he led us in the worldwide struggle for freedom during World War II.

All Americans enjoy more secure lives and a higher standard of living because of this great President. The Civilian Conservation Corps helped restore America's forests and land; the National Rural Electric Cooperative gave farmers a decent life; the Federal Highway Program developed a nation system upon which the automobile and the trucking industries depend; the Works Progress Administration built schools and hospitals throughout the country and every American who receives Social Security owes a debt of gratitude to President Roosevelt.

The proceeds from the sale of the FDR Commemorative Coin will be used to finance the construction of the FDR memorial being built on the tidal basin here in Washington, DC. In 1992, the Congress mandated the FDR Memorial Commission to raise $10 million in private funds to supplement the Federal appropriations for the memorial. This coin will do more than honor one of our greatest Americans; it will also help ensure that an extraordinary era of our Nation's history will live on as a legacy for future generations.

I want to assure my colleagues that this bill will not place any burden on the American taxpayer. The profits generated by the sale of this coin will cover all costs incurred by the Department of the Treasury.

Representatives FISH, DARDEN, HINCHEY, and MOLINARI, who also serve as FDR Memorial Commissioners, are introducing a companion bill in the U.S. House of Representatives.

I urge my colleagues to support this important legislation which will honor one of America's greatest Presidents. It will also help to establish a magnificent and historic national memorial in our Nation's Capital.

Mr. President, I ask unanimous consent that my statement and the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1539

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "1995 Franklin Delano Roosevelt Commemorative Coin Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the people of the United States feel a deep debt of gratitude to Franklin Delano Roosevelt for his leadership in America's struggle for peace, well-being, and human dignity;

(2) the year 1995 marks the 50th anniversary of the death of President Franklin Delano Roosevelt, who died April 12, 1945, in Warm Springs, Georgia;

(3) Franklin Delano Roosevelt served his country as the 32d President from 1932 until his death in 1945. He is the only United States President elected to four terms in office;

(4) Franklin Delano Roosevelt served the State of New York as Governor from 1928 through 1932;

(5) Franklin Delano Roosevelt served his country as the United States Assistant Secretary of the Navy from 1913 through 1920;

(6) Franklin Delano Roosevelt piloted the American people through the economic chaos of the Great Depression;

(7) Franklin Delano Roosevelt, as our commander in chief, led the American people through the turmoil of World War II;

(8) Franklin Delano Roosevelt established Social Security, thus providing all Americans with a more abundant and secure life;

(9) Franklin Delano Roosevelt was the author of "The Four Freedoms: Freedom of Speech, Freedom of Worship, Freedom from Want, and Freedom from Fear";

(10) Franklin Delano Roosevelt was the founder of the National Foundation for Infantile Paralysis, parent organization of the March of Dimes; and

(11) Franklin Delano Roosevelt was the chief architect of the United Nations.

SEC. 3. COIN SPECIFICATIONS.

(a) One Dollar Silver Coins.—

(1) Issuance.—The Secretary shall issue not more than 500,000 one dollar coins which shall weigh 26.73 grams, have a diameter of 1.500 inches, and shall contain 90 percent silver and 10 percent copper.

(2) Design.—The design of the dollar coins shall bear a likeness of Franklin Delano Roosevelt. On each such coin there shall be a designation of the value of the coin, an inscription of the year "1995", and inscriptions of the terms "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(3) Alterations.—Additions or alterations to the design of the coin shall be made only after consultation with, and approval by, the Franklin Delano Roosevelt Memorial Commission.

(b) Legal Tender.—The coins issued under this Act shall be legal tender as provided in section 5103 of title 31, United States Code.

(c) Numismatic Items.—The coins issued under this Act shall be numismatic items for purposes of section 5134 of title 31, United States Code.

SEC. 4. SOURCES OF BULLION.

The Secretary shall obtain silver for the coins minted under this Act from stockpiles established under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.).

SEC. 5. SELECTION OF DESIGN.

The design for each coin authorized by this Act shall be selected by the Secretary after consultation with the Franklin Delano Roosevelt Memorial Commission.

SEC. 6. SALE OF COINS.

(a) Sale Price.—Notwithstanding any provision of law, the coins issued under this Act shall be sold by the Secretary at a price equal to the face value, plus the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) Prepaid Orders at a Discount.—The Secretary shall accept prepaid orders for the coins prior to the issuance of such coins. Sales under this subsection shall be at a reasonable discount to reflect the benefit of prepayment.

(c) Surcharge Required.—All sales shall include a surcharge of $10 per coin.

SEC. 7. ISSUANCE OF THE COINS.

(a) Period of Issuance.—The coins authorized under this Act shall be available for issues not later than January 1, 1995, but shall be issued only during the 1-year period beginning on such date.

(b) Proof and Uncirculated Coins.—The coins authorized under this Act shall be issued in uncirculated and proof qualities. Not more than 1 facility of the Bureau of the Mint may be used to strike any particular combination of denomination and quality.

SEC. 8. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) In General.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services required to carry out this Act.

(b) Equal Employment Opportunity.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

SEC. 9. DISTRIBUTION OF SURCHARGES.

The surcharges received by the Secretary from the sale of the coins issued under this Act shall be promptly paid by the Secretary in the following manner:

(1) An amount equal to 50 percent of the total surcharges shall be paid to the National Park Foundation Restricted Account for the Franklin Delano Roosevelt Memorial.

(2) An amount equal to 50 percent of the total surcharges shall be paid by the National Park Service Restricted Construction Account for the Franklin Delano Roosevelt Memorial.

SEC. 10. AUDITS.

The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the account referred to in section 9 as may be related to the expenditure of amounts paid under such section.

SEC. 11. FINANCIAL ASSURANCES.

(a) No Net Cost to the Government.—The Secretary shall take such actions as may be necessary to ensure that the minting and issuance of the coins referred to in section 3 shall not result in any net cost to the Federal Government.

(b) Payment for Issuance of Coins.—No coin shall be issued under this Act unless the Secretary has received—

(1) full payment for such coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

Mr. HATFIELD. Mr. President, I am pleased to join my colleagues Senators Inouye, Levin, and D'Amato in introducing the Franklin Delano Roosevelt Commemorative Coin Act of 1995. The year 1995 will mark the 50th anniversary of the death of our longest serving President, Franklin Delano Roosevelt, and provides an opportunity for us to pay tribute to this great American.

As Walter Lippmann once said, "The final test of a leader is that he leaves behind in other men the conviction and the will to carry on." Franklin Delano Roosevelt was just such a leader in the eyes of Republicans and Democrats alike. His commanding presence inspired this Nation, called for self-sacrifice, calmed our fears, and gave us hope for a brighter tomorrow during some of the bleakest moments in our history.

In 1955, Congress established the Franklin Delano Roosevelt Memorial Commission to oversee the planning, design, and construction of a national memorial honoring President Roosevelt and his era. I currently serve as cochair of the FDR Memorial Commission with my friend Senator Inouye. This coin will help us complete a memorial long past due for one of our great American leaders. It will raise a substantial amount of the $10 million in private contributions mandated by the Congress for this project. In addition, all costs to the U.S. Mint will be covered in the sale price of the coin, so this bill will have no cost to the American taxpayer.

This commemorative coin will serve the dual purpose of honoring a great American President during the 50th anniversary of his death, while raising private funds for a unique national memorial to be built in West Potomac Park near the tidal basin. Construction has already started on what promises to be an impressive design utilizing water, natural landscaping, bronze sculptures, and quotations carved in granite walls.

As Winston Churchill said upon hearing of the death of FDR, "One day the world, and history, will know what it owes to your President." Please join me and the other FDR Memorial Commissioners in supporting the effort to honor this great man and make this memorial a reality.

By Mr. DORGAN (for himself and Mr. Conrad):

S. 1540. A bill to amend title 49, United States Code, relating to tax discrimination against rail transportation property; to the Committee on Commerce, Science, and Transportation.

PROPERTY TAX FAIRNESS ACT OF 1993

Mr. DORGAN. Mr. President, in 1976, Congress passed legislation to provide a variety of subsidies for the railroads. This law, known as the Railroad Revitalization and Regulatory Reform Act of 1976 [4–R Act], included a provision which prohibited discrimination against railroads in property tax rates and assessment ratios. It also allowed railroads the special privilege of bypassing State administrative and court review procedures and directly petition Federal courts to lower their property taxes.

Although the 4–R Act provisions were designed to help a struggling railroad industry at the time, the act has imposed a serious burden on States by undercutting the State's ability to tax rail carriers and other interstate utility and transportation industries. The provision of the 4–R Act which allows railroads to bypass State administrative and court procedures to settle tax disputes with the State is inappropriate and has thrown tax disputes into Federal courts when they should be dealt with through State courts and administrative procedures.

This situation is unfair to the States and local communities, Mr. President, and equity needs to be granted to the State and local governments. That is why my colleague Senator Conrad and I are introducing legislation today that is designed to restore equity to the States in resolving property tax disputes with railroads. This legislation retains the concept that railroads should not be subjected to unfair taxation. However, the 4–R Act has gone too far in granting a privileged status to railroads and providing them with the option of bypassing regular tax dispute procedures. The current situation has unfairly impaired the ability of States to enforce fair taxation policy. We need to change that.

The original intent of the 4-R Act was to eliminate discrimination in rates and assessments of railroad property. Instead of eliminating discrimination, the 4-R Act gave preferential tax treatment to railroads by: First, allowing automatic Federal court jurisdiction over property tax disputes; and second, granting injunctive relief while cases are pending. Both of these aspects are problematic. First, property taxation has historically been a State and local government matter. The Federal courts are not experienced at handling property tax cases. The 4-R Act has singled out railroads to pursue disputes in Federal courts; an option not available to farmers, homeowners, or commercial property owners. I believe that we should treat railroads like other taxpayers.

In addition, the 4-R Act gives railroads a unique privilege of attaining injunctive relief while they challenge their tax disputes with States. The effect is that millions of dollars in property tax revenues that school districts and local governments desperately need are held up in litigation. I find this provision under the 4-R Act very troublesome. By allowing this situation to continue, we are expecting our State and local governments to endure an unfair burden while they await court judgment.

State and local governments are already pressured by runaway expenses related to Medicaid, crime, and prison overcrowding. Yet money that should be used for education is instead going to the railroads and their lawyers. Granting preferential tax treatment along these lines only increases the pressure on local governments to cut back on education and other vital services. If the provisions of the 4-R Act are further extended to cover other State industries, the annual loss to State and local governments could reach $1.4 billion.

The legislation that I am introducing today would accomplish the following:

First, clarifies that the assessment of true market value as applied to railroad property would be the actual fair market value as determined by State officials;

Second, restores exclusive original jurisdiction to the administrative and judicial agencies of the States; and

Third, repeals the provision in the 4-R Act which provide railroads with injunctive relief.

Mr. President, this legislation is simple and it is fair. All this bill would do is to restore an equitable process under which tax disputes between railroads and States could be resolved. This bill will not undo the prohibition against discriminatory tax treatment of railroads. The intent of the 4-R Act remains intact under this legislation. All that would be changed is the process under which disputes are resolved, that is to require railroads to pursue challenges through the same procedures others are required to follow when challenging State taxation policy.

I urge my colleagues to support this legislation and I ask unanimous consent that the entire text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Property Tax Fairness Act of 1993".

SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

(a) DEFINTIION.—Section 11503 of title 49, United States Code, is amended by adding at the end of the following:

"(5) 'true market value' as applied to rail transportation property means the actual fair market value of rail transportation property as has been determined by the assessing officials of a State, a subdivision of a State, or an authority acting for a State or subdivision of a State, as such determination may have been modified upon State court review thereof, if any, before application of any assessment percentage or ratio.".

(b) REPEAL.—Section 11503(b)(4) of title 49, United States Code, is repealed.

(c) AMENDMENT.—Section 11503(c) of title 49, United States Code, is amended to read as follows:

"(c) Exclusive original jurisdiction to determine the existence of any violation of subsection (b) will rest with the administrative and judicial agencies of the States which have been established under State law to hear protests or claims for refunds. In any proceeding brought to prevent a violation of subsection (b), State law governs the burden of proof in determining assessed value and true market value. If the ratio of the assessed value of other commercial and industrial property in the assessment jurisdiction to the true market value of all other commercial and industrial property cannot be determined through the random sampling method known as a sales assessment ratio study (to be carried out under statistical principles applicable to such a study) to the satisfaction of any court determining whether there is a violation of subsection (b) of this section, the following shall be found to constitute a violation of this section:

"(1) an assessment of the rail transportation property at a value that has a higher ratio to the true market value of the rail transportation property than the assessed value of all other property subject to a property tax levy in the assessment jurisdiction has to the true market value of all other commercial and industrial property; and

"(2) the collection of an ad valorem property tax on the rail transportation property at a tax rate that exceeds the tax ratio rate applicable to taxable property in the taxing district.".

Mr. CONRAD. Mr. President, I rise today to cosponsor legislation my friend and colleague, Senator BYRON L. DORGAN, is introducing to clarify the intent of the tax provisions of the Railroad Revitalization and Regulatory Reform Act of 1976, known as the 4-R Act. As you know, I introduced similar legislation in 1991 and fully support this legislative effort.

The original intent of the 4-R Act was to prohibit discrimination of State taxation in rates and assessments of railroad property by amending section 306 of the Interstate Commerce Act. The unintended consequences of the 4-R Act, however, have seriously impeded the ability of State and local governments to collect and disperse rail carrier taxes.

As a former North Dakota State tax commissioner, I have a long-standing interest in this matter, Mr. President. While I agree that railroads should not face discrimination in the assessment of property tax, the Federal interpretation of the 4-R Act has simply gone too far. It grants railroads relief not available to other types of taxpayers.

The 4-R Act allows railroads to petition the Federal courts directly over property tax disputes—bypassing state administrative and court review. It grants injunctive relief to railroads while cases are pending—a privilege not available to homeowners, farmers, or commercial property owners. This ties up millions of dollars in property tax revenues that school districts and local governments need. Additionally, the 4-R Act gives automatic Federal court jurisdiction over other types of State taxation issues.

In granting these special privileges to railroads, the 4-R Act deprives States of millions of dollars in property taxes. North Dakota alone has lost several million tax dollars because of litigation with the railroads serving our State.

The Property Tax Fairness Act of 1993 attempts to remedy this inequity. It restores fairness to the antidiscrimination provisions of the property tax division of the 4-R Act by clarifying that rates and assessment ratios, not valuations, are the focus of 4-R restrictions. It assures that Federal courts review State actions, not replace them. It ends the railroads' ability to seek Federal injunctions while cases are pending.

This proposal makes sense. It ensures that railroads pursue the same course available to any other taxpayers when making claims of discriminatory taxation.

I commend Senator DORGAN for introducing this legislation and encourage my colleagues to join us in advocating these changes.

By Mr. COVERDELL:

S. 1541. A bill to provide that a nongovernmental person may use a private express carriage of certain letters and packets without being penalized by the Postal Service, and for other purposes; to the Committee on Governmental Affairs.

THE POSTAL FAIRNESS ACT

• Mr. COVERDELL. Mr. President, today I rise to introduce legislation that would block the U.S. Postal Service from second-guessing or fining private businesses for using private couriers instead of using its express mail. The goal of this legislation is simple: to stop Government intrusion in express mail service.

Specifically, the legislation states that a nongovernmental person may use a private express for the private carriage of certain letters and packets without being penalized by the Postal Service.

The Atlanta Constitution and New York Daily News reported on September 22, 1993, that for the past 3 years, the U.S. Postal Service has audited corporations and fined them as much as $500,000 in back postage fees for shipping nonurgent mail through couriers such as United Parcel Service [UPS] and Federal Express.

The Atlanta-based firm Equifax is one company audited and now being charged fines for the amount of back postage the U.S. Postal Service would have collected if the business materials had been sent by first-class mail.

Under current Federal law, private couriers can be used to ship only urgent mail, which the Government defines as correspondence requiring an immediate response.

Anyone, whether it is a large corporation, a small business, or an individual who chooses to use an express mail service, should not have to fear that their choice will be second-guessed or audited by a Big Brother U.S. Postal Service. This form of intrusion is a reprehensible action on the part of the Federal Government—a government that is supposed to be designed to promote private sector growth, not regulate it to death.•

By Mr. ROCKEFELLER (for himself, Mr. MURKOWSKI, Mr. DECONCINI, Mr. MITCHELL, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, Mr. CAMPBELL, Mr. THURMOND, Mr. SIMPSON, Mr. SPECTER, Mr. JEFFORDS, Mrs. MURRAY, Mr. CHAFEE, Ms. MIKULSKI, Mr. SHELBY, Mr. BRYAN, Mr. SIMON, Mr. SARBANES, Mr. PELL, Mr. WARNER, Mr. COCHRAN, Mr. DORGAN, Mr. MOYNIHAN, Mr. CONRAD, Mr. BURNS, Mr. CRAIG, Mr. WELLSTONE, Mr. METZENBAUM, Mr. GLENN, Mr. COHEN, Mr. BOND, Mr. MCCAIN, Mr. REID, Mr. BINGAMAN, Mr. BOREN, Mr. HOLLINGS, Mr. KERRY, Mr. LAUTENBERG, Mr. KOHL, Mr. SASSER, Mr. LIEBERMAN, Mr. LEVIN, Mr. WOFFORD, Mr. KENNEDY, Mr. BAUCUS, Mr. DODD, Mr. PRYOR, Mr. RIEGLE, Mr. HEFLIN, Mr. JOHNSTON, Mr. INOUYE, Mr. NUNN, Mr. ROBB, Mr. HATCH, Mr. DURENBERGER, and Mr. MACK):

S.J. Res. 142. A joint resolution designating the week beginning November 7, 1993, as "National Women Veterans Recognition Week;" to the Committee on the Judiciary.

NATIONAL WOMEN VETERANS RECOGNITION WEEK

• Mr. ROCKEFELLER. Mr. President, as chairman of the Committee on Veterans' Affairs, today I am introducing a joint resolution to recognize the week beginning November 7, 1993, as "National Women Veterans Recognition Week." I am enormously pleased that a bipartisan group of 55 of my Senate colleagues, including every member of the Committee on Veterans' Affairs, have joined me as original cosponsors on this resolution.

Women veterans have contributed greatly to the security of the United States through dedicated service in the Armed Forces, and it is vital that we uphold their honor and offer them the thanks they so richly deserve. This year marks the 50th anniversary of the Women Marines Reserve and the establishment of the Women's Army Corps as an integral component of the U.S. Army. Over the years, women have been afforded a wider range of responsibilities, and each time they have risen to the challenge with strength and fortitude.

This year, the significance of setting aside a week to honor women veterans is even greater because it coincides with the dedication of the Vietnam Women's Memorial on November 11. The memorial, a lifelike bronze casting of three military women and a wounded soldier, is a moving tribute to the compassion, courage, and dedication of women who gave selflessly under difficult and dangerous conditions. Long overdue, like the Wall, it will surely touch the hearts of all who view it.

While recent events—such as the first-rate performance of the large number of women who served in Desert Shield/Desert Storm—have made the American public take notice of women veterans, more has to be done to highlight their achievements. By designating a week to honor 1.2 million women who have served in the Armed Forces, we will increase the public's knowledge of their accomplishments and make the women themselves more aware of the many benefits and services available to them because of their service.

The Department of Veterans Affairs has made considerable progress in recent years in meeting the needs of women veterans, but difficulties for women still exist. One problem that needs to be addressed is that many women veterans do not apply for VA benefits to which they are entitled, such as health care, education, employment assistance, and home loan guarantees, because they do not know that they have the right to do so. By heightening women veterans' awareness of their rights to VA benefits, this resolution will not only help individual women veterans, but will also encourage VA to respond more effectively to their collective needs.

In the aftermath of the conflict in the Persian Gulf, the Committee on Veterans' Affairs heard disturbing testimony from women veterans who were sexually assaulted while on active duty. Also, the Tailhook Association scandal last year underscored the inexcusable mistreatment some military women have endured. Our women veterans deserve better. National Women Veterans Recognition Week would demonstrate the Nation's full support and appreciation for their service.

This resolution has been adopted by the Senate in each of the last 9 years. I ask for the support of every Senator to enact it a tenth time.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 142

Whereas there are more than 1,200,000 women veterans in the United States representing 4.6 percent of the total veteran population;

Whereas the number of women serving in the United States Armed Forces and the number of women veterans continue to increase;

Whereas women veterans have contributed greatly to the security of the United States through honorable military service, often involving great hardship and danger;

Whereas the special needs of women veterans, especially in the area of health care, have often been overlooked or inadequately addressed by the Federal Government;

Whereas the lack of attention to the special needs of women veterans has discouraged or prevented many women veterans from taking full advantage of the benefits and services to which they are entitled; and

Whereas designating a week to recognize women veterans will help both to promote important gains made by women veterans and to focus attention on the special needs of women veterans: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning November 7, 1993, is designated as "National Women Veterans Recognition Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that week with appropriate ceremonies and activities.•

ADDITIONAL COSPONSORS

S. 11

At the request of Mr. BIDEN, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 11, a bill to combat violence and crimes against women on the streets and in homes.

S. 46

At the request of Mr. THURMOND, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 46, a bill to provide that a justice or judge convicted of a felony shall be suspended from office without pay.

S. 266

At the request of Mr. BINGAMAN, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 266, a bill to provide for elementary and secondary school library media resources, technology enhancement, training, and improvement.

S. 411

At the request of Mr. D'AMATO, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 411, a bill to freeze domestic discretionary spending for fiscal years 1994 and 1995 at fiscal year 1993 levels.

S. 440

At the request of Mr. GORTON, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 440, a bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to control the diversion of certain chemicals used in the illicit production of controlled substances, to provide greater flexibility in the regulatory controls placed on the legitimate commerce in those chemicals, and for other purposes.

S. 687

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 687, a bill to regulate interstate commerce by providing for a uniform product liability law, and for other purposes.

S. 798

At the request of Mr. BRYAN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 798, a bill to amend the Federal Fire Prevention and Control Act of 1974 to establish a program of grants to States for arson research, prevention, and control, and for other purposes.

S. 802

At the request of Mr. LAUTENBERG, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 802, a bill to require the President to seek to obtain host nation payment of most or all of the overseas basing costs for forces of the Armed Forces of the United States in such nation, to limit the use of funds for paying overseas basing costs for U.S. forces, and for other purposes.

S. 867

At the request of Mr. COHEN, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 867, a bill to amend title XI of the Social Security Act to extend the penalties for fraud and abuse assessed against providers under the medicare program and State health care programs to providers under all health care plans, and for other purposes.

S. 996

At the request of Mr. DOLE, his name was withdrawn as a cosponsor of S. 996, a bill to require that educational organizations that offer educational programs to minors for a fee disclose certain information.

S. 1118

At the request of Mr. HATFIELD, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1118, a bill to establish an additional national education goal relating to parental participation in both the formal and informal education of their children, and for other purposes.

S. 1128

At the request of Mr. AKAKA, the names of the Senator from Vermont [Mr. JEFFORDS] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 1128, a bill to amend title 38, United States Code, to permit the burial in cemeteries of the National Cemetery System of certain deceased reservists.

S. 1224

At the request of Mr. METZENBAUM, the names of the Senator from Indiana [Mr. COATS], the Senator from Illinois [Mr. SIMON], the Senator from Hawaii [Mr. INOUYE], and the Senator from Kansas [Mrs. KASSEBAUM] were added as cosponsors of S. 1224, a bill to prohibit an agency, or entity, that receives Federal assistance and is involved in adoption or foster care programs from delaying or denying the placement of a child based on the race, color, or national origin of the child or adoptive or foster parent or parents involved, and for other purposes.

S. 1275

At the request of Mr. RIEGLE, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1275, a bill to facilitate the establishment of community development financial institutions.

S. 1356

At the request of Mr. DOLE, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 1356, a bill to restore order, deter crime, and make our neighborhoods and communities safer and more secure places in which to live and work.

S. 1432

At the request of Mr. HOLLINGS, the names of the Senator from Maine [Mr. COHEN] and the Senator from New York [Mr. D'AMATO] were added as cosponsors of S. 1432, a bill to amend the Merchant Marine Act, 1936, to establish a National Commission to Ensure a Strong and Competitive United States Maritime Industry.

S. 1437

At the request of Mr. LAUTENBERG, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 1437, a bill to amend section 1562 of title 38, United States Code, to increase the rate of pension for persons on the Medal of Honor roll.

S. 1443

At the request of Mr. EXON, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 1443, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on luxury passenger vehicles.

S. 1450

At the request of Mrs. FEINSTEIN, the names of the Senator from Idaho [Mr. CRAIG], the Senator from Iowa [Mr. GRASSLEY], and the Senator from Oregon [Mr. HATFIELD] were added as cosponsors of S. 1450, a bill respecting the relationship between the workers' compensation benefits and the benefits available under the Migrant and Seasonal Agricultural Worker Protection Act.

S. 1495

At the request of Mr. INOUYE, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of S. 1495, a bill to repeal the reduction in the deductible portion of expenses for business meals and entertainment.

S. 1522

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1522, a bill to direct the United States Sentencing Commission to promulgate guidelines or amend existing guidelines to provide sentencing enhancements of not less than 3 offense levels for hate crimes.

S. 1524

At the request of Mrs. HUTCHISON, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 1524, a bill to repeal the retroactive application of the income, estate, and gift tax rates made by the Budget Reconciliation Act and reduce administrative expenses for agencies by $3,000,000,000 for each of the fiscal years 1994, 1995, and 1996.

S. 1535

At the request of Mr. GLENN, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 1535, a bill to amend title 5, United States Code, to eliminate narrow restrictions on employee training, to provide a temporary voluntary separation incentive, and for other purposes.

SENATE JOINT RESOLUTION 41

At the request of Mr. SIMON, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of Senate Joint Resolution 41, a joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget.

SENATE JOINT RESOLUTION 55

At the request of Mr. HATCH, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of Senate Joint Resolution 55, a joint resolution to designate the periods commencing on November 28, 1993, and ending on December 4, 1993, and commencing on November 27, 1994, and ending on December 3, 1994, as "National Home Care Week".

SENATE JOINT RESOLUTION 75

At the request of Mr. ROTH, the names of the Senator from New Mexico [Mr. DOMENICI], the Senator from Idaho

[Mr. KEMPTHORNE], and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of Senate Joint Resolution 75, a joint resolution designating January 2, 1994, through January 8, 1994, as "National Law Enforcement Training Week".

SENATE JOINT RESOLUTION 83

At the request of Mr. DECONCINI, the names of the Senator from Alaska [Mr. MURKOWSKI], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of Senate Joint Resolution 83, a joint resolution designating the week beginning February 6, 1994, as "Lincoln Legacy Week".

SENATE JOINT RESOLUTION 90

At the request of Mr. ROBB, the names of the Senator from Louisiana [Mr. BREAUX], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of Senate Joint Resolution 90, a joint resolution to recognize the achievements of radio amateurs, and to establish support for such amateurs as national policy.

SENATE JOINT RESOLUTION 122

At the request of Mr. LAUTENBERG, the names of the Senator from Maine [Mr. COHEN], the Senator from Idaho [Mr. CRAIG], the Senator from Oklahoma [Mr. NICKLES], the Senator from North Carolina [Mr. HELMS], the Senator from Virginia [Mr. WARNER], the Senator from Wisconsin [Mr. KOHL], and the Senator from Massachusetts [Mr. KENNEDY] were added as cosponsors of Senate Joint Resolution 122, a joint resolution designating December 1993 as "National Drunk and Drugged Driving Prevention Month."

SENATE JOINT RESOLUTION 134

At the request of Mr. BIDEN, the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Utah [Mr. HATCH], the Senator from Minnesota [Mr. WELLSTONE], the Senator from Maryland [Mr. SARBANES], the Senator from Washington [Mrs. MURRAY], the Senator from Idaho [Mr. CRAIG], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Connecticut [Mr. DODD], the Senator from Indiana [Mr. COATS], and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of Senate Joint Resolution 134, a joint resolution to designate October 19, 1993, as "National Mammography Day."

SENATE JOINT RESOLUTION 135

At the request of Mr. SIMON, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from South Dakota [Mr. DASCHLE], the Senator from Washington [Mrs. MURRAY], the Senator from Arkansas [Mr. PRYOR], the Senator from Tennessee [Mr. SASSER], the Senator from Louisiana [Mr. BREAUX], the Senator from Alabama [Mr. SHELBY], and the Senator from Nebraska [Mr. KERREY] were added as cosponsors of Senate Joint Resolution 135, a joint resolution designating the week beginning October 25, 1993, as "World Population Awareness Day."

SENATE JOINT RESOLUTION 136

At the request of Mr. SIMON, the names of the Senator from Idaho [Mr. CRAIG] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Joint Resolution 136, a joint resolution to designate the month of July 1994 as "Lewis and Clark Month."

SENATE JOINT RESOLUTION 139

At the request of Mr. GRAHAM, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from Colorado [Mr. BROWN], the Senator from Missouri [Mr. BOND], the Senator from Oklahoma [Mr. BOREN], the Senator from New Jersey [Mr. BRADLEY], the Senator from Louisiana [Mr. BREAUX], the Senator from Arkansas [Mr. BUMPERS], the Senator from Colorado [Mr. CAMPBELL], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Mississippi [Mr. COCHRAN], the Senator from Georgia [Mr. COVERDELL], the Senator from Idaho [Mr. CRAIG], the Senator from New York [Mr. D'AMATO], the Senator from South Dakota [Mr. DASCHLE], the Senator from Arizona [Mr. DECONCINI], the Senator from Connecticut [Mr. DODD], the Senator from Kansas [Mr. DOLE], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Nebraska [Mr. EXON], the Senator from California [Mrs. FEINSTEIN], the Senator from Kentucky [Mr. FORD], the Senator from Ohio [Mr. GLENN], the Senator from Washington [Mr. GORTON], the Senator from Iowa [Mr. GRASSLEY], the Senator from Utah [Mr. HATCH], the Senator from Alabama [Mr. HEFLIN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Vermont [Mr. JEFFORDS], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Nebraska [Mr. KERREY], the Senator from Michigan [Mr. LEVIN], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Arizona [Mr. MCCAIN], the Senator from Ohio [Mr. METZENBAUM], the Senator from Maine [Mr. MITCHELL], the Senator from New York [Mr. MOYNIHAN], the Senator from Washington [Mrs. MURRAY], the Senator from Oklahoma [Mr. NICKLES], the Senator from Georgia [Mr. NUNN], the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. PRYOR], the Senator from Nevada [Mr. REID], the Senator from Tennessee [Mr. SASSER], the Senator from Illinois [Mr. SIMON], the Senator from Wyoming [Mr. SIMPSON], the Senator from South Carolina [Mr. THURMOND], the Senator from Virginia [Mr. WARNER], and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of Senate Joint Resolution 139, a joint resolution to designate the third Sunday in November of 1993 as "National Children's Day."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the names of the Senator from Utah [Mr. HATCH], the Senator from Idaho [Mr. CRAIG], the Senator from Maine [Mr. COHEN], the Senator from New York [Mr. MOYNIHAN], the Senator from Virginia [Mr. WARNER], the Senator from Maine [Mr. MITCHELL], the Senator from Kansas [Mr. DOLE], the Senator from Alabama [Mr. HEFLIN], the Senator from Hawaii [Mr. INOUYE], the Senator from New York [Mr. D'AMATO], the Senator from South Carolina [Mr. HOLLINGS], the Senator from South Carolina [Mr. THURMOND], the Senator from Maryland [Ms. MIKULSKI], the Senator from Pennsylvania [Mr. WOFFORD], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Maryland [Mr. SARBANES], the Senator from Alaska [Mr. STEVENS], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE JOINT RESOLUTION 141

At the request of Mr. SARBANES, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Maryland [Ms. MIKULSKI], the Senator from Delaware [Mr. BIDEN], and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Joint Resolution 141, a joint resolution designating October 29, 1993, as "National Firefighters Day."

SENATE RESOLUTION 128

At the request of Mr. LAUTENBERG, the names of the Senator from Connecticut [Mr. LIEBERMAN], and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of Senate Resolution 128, a resolution expressing the sense of the Senate regarding the protection to be accorded United States copyright-based industries under agreements entered into pursuant to the Uruguay Round of trade negotiations.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

HELMS AMENDMENT NO. 1026

(Ordered to lie on the table.)

Mr. HELMS submitted an amendment intended to be proposed by him to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes, as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. (a) FINDINGS.—The Congress finds that—

(1) the United States Government has not made adequate efforts to seek the payment

of compensation by the government of Peru for the death and injuries to United States military personnel resulting from the attack by aircraft of the military forces of Peru on April 24, 1992, against a United States Air Force C-130 aircraft operating off the coast of Peru; and

(2) in failing to make such efforts adequately, the United States Government has failed in its obligation to support the servicemen and their families involved in the incident and generally to support members of the Armed Forces carrying out missions on behalf of the United States.

(b) SEMIANNUAL REPORT.—The Secretary of Defense shall submit a report to Congress on December 1 and June 1 of each year on the efforts made by the Government of the United States during the preceding six-month period to seek the payment of fair and equitable compensation by the Government of Peru (1) to the survivors of Master Sergeant Joseph Beard, Jr., United States Air Force, who was killed in the attack described in subsection (a), and (2) to the other crew members who were wounded in the attack and survived.

(c) TERMINATION OF REPORT REQUIREMENT.—The requirement in subsection (b) shall terminate upon certification by the Secretary of Defense to Congress that the Government of Peru has paid fair and equitable compensation as described in subsection (b).

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small Business Committee will hold a full committee hearing on the President's nomination of Cassandra Pulley to be the Deputy Administrator of the Small Business Administration. The hearing will occur on Tuesday, October 19, 1993, at 10:30 a.m. in room 428A of the Russell Senate Office Building. For further information, please call Patricia Forbes, counsel to the Small Business Committee at 224-5175.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce that the Committee on Energy and Natural Resources will hold a hearing on nuclear safety assistance to Russia and Eastern Europe.

The purpose of the hearing is to receive testimony on U.S. efforts to help nations operating Soviet-built nuclear powerplants to reduce the risk of a serious nuclear accident. The hearing will look at the role of the Gore-Chernomyrdin Joint Commission on Energy and Space in the field of nuclear safety assistance, bilateral nuclear safety assistance being provided by the United States to Russia and the nations of Eastern Europe, and multilateral nuclear safety assistance programs in which the United States plays a role.

The hearing will take place on Tuesday, November 2, 1993, at 9:30 in room SD-366 of the Dirksen Senate Office Building, First and C Streets NE., Washington, DC.

Those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

For further information, please contact Sam Fowler of the committee staff at 202-224-7569

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Wednesday, October 13, 1993, at 9 a.m., in closed session, to receive an intelligence community briefing on Somalia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to hear testimony on the subject of health care programs in other countries.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee for authority to meet for a hearing on Wednesday, October 13 at 10 a.m. on the nomination hearing of Joseph Swerdzewski, to be General Counsel, Federal Labor Relations Authority.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the "North American Free-Trade Act: Effects on Workers," during the session of the Senate on Wednesday, October 13, 1993, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet on October 13, 1993, at 9:30 a.m., for an executive session to consider the nominations of Eli Segal to be Chief Executive Officer of the Corporation for National and Community Service; and Donald Wurtz to be Chief Financial Officer at the Department of Education.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. MITCHELL. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing on the role of the Department of Veterans Affairs under President Clinton's proposed national health care reform plan at 10 a.m. on Wednesday, October 13, 1993. The hearing will be held in room 106 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

HONORING DR. CONSTANCE CLAYTON

• Mr. WOFFORD. Mr. President, I rise today to salute Dr. Constance Clayton on the occasion of a testimonial dinner given in her honor by the Afro-American Historical and Cultural Museum.

For more than three decades, Dr. Clayton has played a vital role in enhancing the Philadelphia School District. From her early days as a young teacher with the school system and later as the project director for its African Studies program and former tenure as school superintendent, Dr. Clayton's unyielding commitment to ensuring that all children have a place in our society is an inspiration to us all.

Educated at Temple University and the University of Pennsylvania, she has received countless numbers of honors and awards throughout her distinguished career. Her pioneering spirit and commitment to excellence will continue to have a profound affect upon our children for many years to follow.

Again, I would like to offer my congratulations and best wishes to Dr. Clayton, her family and all those associated with this affair.•

TRIBUTE TO MRS. VIRGINIA GORDEN

• Mr. BOND. Mr. President, I rise today to urge my colleagues in the U.S. Senate to join me in paying tribute to Mrs. Virginia Gorden of Columbia, MO.

Mrs. Gorden was recently awarded the Golden Apple Award by the Missouri Food Services Association for her work at the Blue Ridge Elementary School in Columbia. Each year, the Missouri Food Services Association awards this honor to the school food worker who has done the most to improve student nutritional awareness.

Mrs. Gorden is the kitchen manager at the Blue Ridge Elementary School in Columbia. She starts her day at 4:30 a.m., arriving at the school by 6 a.m., so that she can have breakfast ready for the students at 8. Mrs. Gorden is quoted as saying, "if they don't get a good breakfast, you find the kids can be awful restless."

Blue Ridge serves 350 to 400 meals per day, plus breakfasts to nearly 100 students, many of whom qualify for federally subsidized breakfast and lunch programs. For some of these children, the meals they receive at school may be all the food they get in a day's time. Gorden greets each child as they come into the cafeteria—with a smile and offering encouragement—giving mental nutrition as well as nutritional food to get the day off to a good start.

Mr. President, Mrs. Gorden's commitment to teaching students about the value of good nutrition, plus her commitment to the well-being of the children and her kitchen staff, make her a valuable asset to the Blue Ridge School District. I congratulate her on the receipt of this honor from the Missouri Food Services Association, and I commend her on her commitment to our future, our children.•

TRIBUTE TO THE PEDDIE SCHOOL OF HIGHTSTOWN, NJ

• Mr. BRADLEY. Mr. President, I rise today to commend the Peddle School, an outstanding secondary school in Hightstown, NJ.

As parents, our focus is on making the magic of learning a continuous part of life so that our children will be successful and find fulfillment in both their professional and private lives. As legislators, we recognize that a maximum investment in education is a sound investment in our Nation's future.

In these important dual roles, the success of the Peddie School as a model for secondary education warrants our attention and our praise. Founded in 1864, this coeducational, nonsectarian school is one of the most respected prep schools in the country today. Its academics are superior, and its school population sets a high standard, emphasizing diversity and scholarship. Always keeping pace with the dramatic leaps education has taken in the past century, the Peddie School has expanded its campus and its educational and living facilities and attracted talented teachers to motivate its students. It has established an environment that encourages learning by providing tools that excite the intellect and imagination of its students. And, of utmost importance today, the school is committed to providing a superior education to all qualified students, reaching out to deserving, disadvantaged students.

On October 20, the Peddie School will honor one of its distinguished alumni, Walter Annenberg. Beginning with his first gift on his graduation day in 1927 and continuing with his most recent generous endowment, Walter Annenberg's close involvement with his alma mater is impressive. As Mr. Finn Caspersen, chairman of the board of trustees of the Peddie School, has proudly noted, this unprecedented contribution will anchor all facets of a Peddie education: a dedicated faculty, innovative programs, state-of-the-art facilities and a diverse student body. The Peddie School's recognition of Walter Annenberg's lasting support of quality secondary education is richly deserved.

I am very proud of the Peddie School's role as a leader in education in our country.•

WEST VIRGINIA HOUSING DEVELOPMENT FUND

• Mr. ROCKEFELLER. Mr. President, today, I rise to commend the West Virginia Housing Development Fund for its innovative work in exploring new ways to provide the American dream—homeownership—to West Virginia families who struggle to survive on low incomes but have the same dream of providing a good home for their children.

The West Virginia Housing Development Fund has created the Low-Income Assisted Mortgage Program, nicknamed LAMP. Under this creative program, the fund teams up with local lenders and community based organizations to raise money to build homes for very low-income families. Since the program started in 1990, 35 families with incomes between $6,000 and $19,000 have taken their first step to becoming the proud owners of their own home.

The LAMP program is unique because it links resources. Traditionally, nonprofit developers offer low-interest mortgage loans directly to qualifying families and until now, they could not tap into the vast resources of the real estate lending community. Under the LAMP program, the Fund has created a trust and an alliance with local financial institutions to develop a secondary mortgage market for the nonprofit agency's loans at low interest rates. The Fund makes a contribution to the trust for each loan to cover the equity not purchased by the lender. The nonprofit can build a $50,000 house for about $30,000 and then sell the loan to the trust. By using this secondary market, the nonprofit gets $24,000 from the trust that can be reinvested in additional homes. A local Habitat for Humanity Chapter reports that the LAMP trust has helped free resources for an additional 12 homes.

Under the LAMP program, the fund also services the loans to give local lenders more confidence in the program. Participation in the LAMP program allows local lenders to fulfill their obligations in the Federal Community Reinvestment Act.

As many groups are talking about reinventing government, the West Virginia Housing Development Fund is doing just that at the community and succeeding. The LAMP program has won national recognition as one of 10 programs to win the 1993 Innovations in State and Local Government Award by the Ford Foundation and the John F. Kennedy School of Government.

The LAMP program is an extraordinary example of how government can and should work as a catalyst at the community level. It is an admirable program that is making a real difference for West Virginia communities and families.

As Governor of West Virginia, and as Senator, I have been proud to work closely with Joe Hatfield, executive director of the West Virginia Housing Development Fund, and the excellent team of professionals at this agency on numerous initiatives to provide affordable housing, community development and hope to West Virginia. Everyone in our State is proud of their dedication and commitment that is recognized by this award.•

MISSOURI RIVER MANAGEMENT AND THE CORPS OF ENGINEERS

• Mr. CONRAD. Mr. President, I want to talk briefly about the Army Corps of Engineers' management of the Missouri River. As my colleagues know, the Army Corps of Engineers operates six mainstem dams on the upper Missouri River, regulating the flow to provide flood control and other benefits to the region. The corps is in the process of revising its Missouri River operating plan, commonly referred to as the master manual.

I want to express my concern over language included in the House Energy and Water Appropriations Report which attempted to prevent the corps from moving forward with the master manual review. The review is long overdue and will update the operating plan to take into account today's priorities and needs along the river. The current plan, based on 40-year-old assumptions, forces the upstream States to pay the price for benefits realized primarily by downstream States. The House report language tries to prevent this from changing. Such an action is not fair, it is not prudent, and it is not based on fact.

Some historical perspective on this situation is appropriate. The Flood Control Act of 1944 authorized the Pick-Sloan Missouri River System. Pick-Sloan included large dams in North Dakota, South Dakota, and Montana. In North Dakota, these dams flooded some of the best land in our State—550,000 acres to be exact. This is approximately the size of Rhode Island. We accepted the dams and gave up this land with the hope that we would receive benefits to make up for the loss.

While the upper basin States gave up a great deal of land for the dam construction, the lower basin States were not asked to sacrifice at all. In fact, they are the main benefactors of the project because of the flood control they receive. The mainstem dams have helped tame the Missouri River, controlling its flooding in Nebraska, in Kansas, in Iowa, and in Missouri. The lower basin States also receive power production, water supply, recreation, irrigation, and navigation benefits provided by the project.

The fact of the matter is, Mr. President, we in the upper basin sacrificed so that others might benefit. Now, as I said, we accepted the Pick-Sloan plan with the hope that we would receive benefits to make up for the loss. We didn't want all of the benefits. We just wanted our fair share. Under the Army Corps of Engineers' present operating plan for the system, we are not getting that.

The operating plan gives a disproportionate share of the project benefits to the lower basin States. During the terrible drought that hit the Midwest during the late 1980's, the crops drained huge amounts of water from the upper basin reservoirs to support downstream barge traffic. Lake Sakakawea fell over 25 feet. Fort Peck Reservoir fell over 28 feet. The result was a nose-dive in the recreation industry that had grown up around the lakes. Marinas and resorts went out of business. Boat ramps were left high and dry. In many places, the reservoir retreated miles from the normal shoreline. This was, according to the corps, the proper procedure under its operating plan.

The problem is, the corps' operating plan is out of date. Way out of date. When the Pick-Sloan project was first developed, the corps estimated annual commercial barge traffic on the Missouri would be 12 million tons. Commercial traffic has never come near that amount, peaking at 3.3 million in 1977 and dropping to barely above 2 million in the late 1980's. Thus, the corps is trying to support a volume of barge traffic that doesn't exist, and the upper basin States are paying the cost.

Recreation, on the other hand, was barely considered by the corps in 1944. Today, though, it generates between $60 and $70 million in annual economic revenues at the reservoirs, compared to only $10 to $20 million in annual barge revenues. In other words, the recreation industry is worth about four times as much as the navigation industry on the Missouri River. It clearly makes no sense to devastate a large recreation industry to support a much smaller navigation industry. Yet, that is what the corps did in 1988, 1989 and 1990.

Mr. President, this needs to change. The corps must recognize the economic value of the recreation industry. The logic of our case is clear. It is compelling. The General Accounting Office, in a 1991 study, agreed with it. That study, which has been sharply criticized by the downstream States, was reviewed repeatedly, and its conclusions still stand.

The corps agrees with our case, too. Just 2 days ago, at a hearing in Montana, the corps agreed that recreation has a greater economic value than Missouri River navigation and must be given equal consideration in determining water operating plans. The corps has promised to address the current inequity in its master manual review.

I find it ironic that we continue to battle over this issue after all of the flooding in the Midwest this summer. For 6 years, the lower basin States pushed for heavy water releases during a drought in order to support barge traffic; they got the water. Suddenly, this summer, they wanted the flood waters stemmed and all water releases shut off. They got that wish as well. It is too much to ask that our interests be considered equally with those of the lower basin? The answer is "No." We deserve our fair share.

Mr. President, the downstream States have been defeated on the substance of this issue. They cannot deny the economic benefits of recreation around the reservoirs. They cannot inflate navigation numbers. Instead, they have tried to influence the outcome with political muscle. In February, they wrote to President Clinton, asking that he hold up the master manual review and convene a special task force. Since all affected groups have been involved in the master manual review process from the start, there is little need for a special task force. This effort was simply another delaying tactic, and the President wisely chose to allow the review to continue.

This summer, downstream interests added House report language that attempted to prevent any change to the master manual that would reduce water releases. Such a move would not only be unfair to upstream States, but it would deny important environmental benefits that can be gained by altering the corps' operating plan. The Senate wisely kept this language out of its report.

Mr. President, the House report language must not be included in the final conference report. It is unfair and unwise.

All we want is a fair shake. No backroom political deals. No outdated economic assumptions. No logrolling. Just the facts. The master manual review needs to be completed in an impartial and timely fashion. It has already been delayed significantly, and downstream interests have been trying to alter its conclusions. We need fairness. We need to let the corps finish this job.•

IT IS TIME TO REVISE THE MISSOURI RIVER MASTER MANUAL

• Mr. DASCHLE. Mr. President, historically, upstream and downstream Missouri River States have argued with the Corps of Engineers over proper management of the river. My concern, as a representative of an upstream State, is to ensure that the corps takes seriously changing conditions along the river and makes decisions that reflect the real world impact of those changes in its management of reservoir releases.

To understand that concern, it is important to recognize that upstream States, such as South Dakota, have accepted the burden of flood control on the river and sacrificed prime land to the construction of dams to prevent downstream flooding. We have acknowledged our responsibility to our downstream neighbors. Now we ask them, and the corps, to acknowledge their responsibility to us.

Over the years, recreational use of the river has come to play a prominent role in the upstream States' economies, while the corps continues to give recreation lower priority than competing downstream uses. Times and economic conditions have changed. Corps policy has not.

In 1992, the General Accounting Office [GAO] found that the corps has been managing the river based on "assumptions about the amount of water needed for navigation and irrigation made in 1944 that are no longer valid * * * the plan does not reflect the current economic conditions in the Missouri River Basin." This finding provides context for the revision of the master manual.

Currently, the Corps of Engineers is rewriting the Missouri River Master Water Control Manual, based on a desire to maximize national economic and environmental benefits from the river. No one knows how this process will turn out, or whether upstream or downstream States will lose or gain. It was my hope, however, that Congress would allow the corps to develop the new manual using objective analysis of the economic and environmental issues associated with management of the river, free of political pressure from either the upstream or downstream States.

That hope went by the board this summer when the House Appropriations Committee included report language stating that:

> The Committee will not support efforts [by the Corps] to (1) change the Master Manual, or (2) implement a revised version of the Manual, if either of these actions results in limitations that threaten the very integrity of the Missouri and Mississippi Rivers. * * * The House Committee defines these limitations as any burden greater than that currently placed on the downstream states in the following areas: (1) flood control, (2) navigation, (3) power generation, or (4) water supply (particularly during periods of drought).

The House Appropriations Committee went even further by "call[ing] on the corps to follow the legislative priorities and regulatory guidelines expressed in its current master manual until a new management plan is approved by Congress."

However, according to the GAO report, "no appropriate basis [exists] for the corps' view that unless it obtains congressional approval to change existing operating priorities, it must continue to give recreation a lower operating priority than other authorized uses."

It is disappointing that the downstream users in Congress continually try to hamstring the Corps of Engineers and prevent them from performing their job. The economic conditions of the region have changed over the years. New priorities have been developed. The corps is now attempting to address these changes by revising the master manual "to maximize national economic and environmental benefits from the river." Let's allow the professionals to do their job.

Mr. President, significant economic changes have occurred along the Missouri River in the last decades. The downstream users need to recognize this and stop trying to legislate gridlock on this issue in an appropriations bill.

It is time to accept change and deal with it responsibly and objectively—by allowing the corps to perform its analysis and write a new master manual that in fact does maximize national environmental and economic benefits from the river.●

ORDERS FOR THURSDAY, OCTOBER 14, 1993

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Thursday, October 14; that following the prayer, the Journal of proceedings be approved to date; the time for the two leaders be reserved for their use later in the day; the Senate resume consideration then of H.R. 3116, the defense appropriations bill, and Senator BUMPERS be recognized at that time to offer an amendment on the subject of the D-5 missile; that no amendments or motions on the subject of Somalia or the basing or command of United States troops overseas be in order unless they have been cleared by the majority leader after consultation with the Republican leader.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess pursuant to the previous order until 9:30 a.m. on Thursday, October 14.

There being no objection, the Senate, at 8:18 p.m., recessed until tomorrow, Thursday, October 14, 1993, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 13, 1993:

DEPARTMENT OF JUSTICE

KENDALL BRINDLEY COFFEY, OF FLORIDA, TO BE U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF 4 YEARS VICE LEON B. KELLNER, RESIGNED.

FRANCES CUTHBERT HULIN, OF ILLINOIS, TO BE U.S. ATTORNEY FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF 4 YEARS VICE J. WILLIAM ROBERTS, RESIGNED.

NORA MARGARET MANELLA, OF CALIFORNIA, TO BE U.S. ATTORNEY FOR THE CENTRAL DISTRICT OF CALIFORNIA FOR THE TERM OF 4 YEARS VICE LOURDES G. BAIRD, RESIGNED.

SHERRY SCHEEL MATTEUCCI, OF MONTANA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF MONTANA FOR THE TERM OF 4 YEARS VICE DORIS SWORDS POPPLER, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. JAMES E. CHAMBERS [redacted] U.S. AIR FORCE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTIONS 593, 8351, AND 8374, TITLE 10, UNITED STATES CODE:

To be major general

BRIG. GEN. DONALD W. SHEPPERD [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTIONS 593, 8218, 8351, AND 8374, TITLE 10, UNITED STATES CODE:

BRIG. GEN. ALAN T. REID, [redacted], AIR NATIONAL GUARD OF THE UNITED STATES.
BRIG. GEN. GLEN W. VAN DYKE [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
BRIG. GEN. JOHN M. WALLACE [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.

To be brigadier general

COL. TIMOTHY J. GRIFFITH, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. IRENE TROWELL-HARRIS [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. WILLIAM A. HENDERSON [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. KENNETH U. JORDAN [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. DAVID L. LADD, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. DANIEL F. LOPEZ [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. THEODORE F. MALLORY, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. RONALD E. MCGLOTHLIN [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. RONALD J. RIACH [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. DAVID M. RODRIGUES [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. GUY S. TALLENT [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. LARRY R. WARREN [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. GALE O. WESTBURG [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.

IN THE NAVY

THE FOLLOWING NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be Vice Admiral

VICE ADM. JERRY O. TUTTLE, U.S. NAVY, [redacted].

CONFIRMATION

Executive nomination confirmed by the Senate October 13, 1993:

DEPARTMENT OF JUSTICE

WALTER DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL.

HOUSE OF REPRESENTATIVES—*Wednesday, October 13, 1993*

The House met at 10 a.m.

The Chaplain, Rev. James D. Ford, offered the following prayer:

As we view our communities and too many areas of our world, we see the pain of conflicts and the anger of people who are too eager for confrontation. Yet, O gracious God, we also see those people who use their abilities and gifts to strive for tolerance and who work for peace. For those who seek to heal the wounds of society, for those who give of their time and resources, for those who contribute with support and a caring spirit, for all those who seek the common good, for those who give blessing with their thoughts and prayers, we offer this word of thanksgiving and praise. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey [Mr. SAXTON] come forward and lead the House in the Pledge of Allegiance.

Mr. SAXTON led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 832. An act to designate the plaza to be constructed on the Federal Triangle property in Washington, DC, as the "Woodrow Wilson Plaza";

S. 1507. An act to make technical amendments to the Higher Education Amendments of 1992 and the Higher Education Act of 1965, and for other purposes; and

S. 1534. An act to amend title 38, United States Code, to repeal a requirement that the Under Secretary for Health in the Department of Veterans Affairs be a doctor of medicine.

The message also announced that pursuant to Public Law 101-194, the Chair, on behalf of the President pro tempore, appoints Shepard Lee of Maine to the Citizens' Commission on Public Service and Compensation, vice Walter B. Gerken of California.

END THE MISADVENTURE IN SOMALIA

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, in keeping with the adage that a picture is worth a thousand words, let me display for the benefit of my colleagues in the House and in the other body who will vote, I hope, this week on resolutions dealing with how long we should remain in Somalia, pictures taken from this week's Time and Newsweek magazines which show the disgraceful, deplorable, and indecent way our United States troops were treated in Somalia earlier this month.

I hope my colleagues can see this picture. If they have a chance to look at this picture in this issue and also this picture which shows our soldier being dragged through the streets of Mogadishu.

Mr. Speaker, for many months many of my colleagues and I have been saying we should not have been in Somalia beyond last May when the humanitarian phase of our deployment ended successfully.

We say again and I say again today, let us get out of Somalia long before next March, which is when the President wants to bring us out. We have no business there. Our troops today are pinned down to their compound and not patrolling the streets of Mogadishu.

That adventure has turned into a misadventure. It should end immediately.

SLIDING DOWN A DANGEROUS SLOPE

(Mr. SAXTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SAXTON. Mr. Speaker, recently I talked to the parents of a young man wounded in Somalia. What made a difficult task even more difficult is that I could not even explain why we were involved there.

As I was on the phone trying to explain United States policy in the "new world order," the President was making plans to send our troops into Rwanda and Haiti.

Mr. Speaker, we are now sliding down a very dangerous slope of arbitrating internal conflicts.

As this map illustrates with red marks, there are many dangerous places in the world where U.S. troops could be sent, keeping in line with this very dangerous foreign policy of minding other people's business.

Jeanne Kirkpatrick eloquently details the shortcomings of this deficient policy in an editorial I will submit for the RECORD.

Mr. Speaker, we must lead the "new world order" with coherent, understandable policy—policy that Americans can understand, accept, and support.

TAXPAYERS AND THE IRS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the Constitution says you are innocent until proven guilty, or at least that is what we learned in our Government classes; but the truth is, when it comes to the Internal Revenue Service, the Constitution has been reworked, reworded, changed, manipulated by a bunch of bureaucrats.

In fact, if you are accused of wrongdoing, under the IRS law you are guilty, Mr. Speaker, and must prove yourself innocent.

Unbelievable. We are going to reinvent Government? We are going to straighten out America? We are going to take our Government back?

Unbelievable. My bill today says that when the IRS points its finger, makes an accusation that a taxpayer is guilty of fraud or wrongdoing, fine; but they have the burden of proof, not the taxpayer.

I am asking Congress to support me. I am asking you to cosponsor this bill. I will say this, now that the words have become public on these formerly secret petitions, if in 30 days no one deals with this, because they have never dealt with it here, there will be a petition here. I am going to ask you to sign it.

CONTINUE OUR TRANSMISSIONS TO CUBA

(Mr. DIAZ-BALART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DIAZ-BALART. Mr. Speaker, emboldened by Somalia, the coup regime in Haiti has prevented our military and police trainers from peacefully entering that country engulfed in tragedy.

I think the President is right in seeking to reimpose the United Nations Security Council embargo against the Haitian regime.

Now, a few miles away from Haiti, the Cuban dictatorship continues to try to prevent our television and radio signals from entering that country to provide news and information to the Cuban people.

Now, there is an entire chorus in the media and a few even in this body who not only are not calling for the same sanctions against Cuba, they are not calling for an international embargo against Castro, no. They are calling for us to throw in the towel, cave in to Castro and unilaterally to kill the transmissions to the Cuban people.

That is another blatant example of the double standard that is applied against the remaining Communist dictatorship in this hemisphere.

Mr. Speaker, it is time to seek an international embargo against Castro like we are seeking against the Haitian dictatorship, and at the very least it is time to stay the course and to continue our transmissions to Cuba.

HUMAN DIGNITY MUST BE OUR GUIDE

(Mr. BARLOW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARLOW. Mr. Speaker, our Christian teachings instruct us that every human being has dignity. Our dignity is the binding unifying force in our relationships—our families, our friendships, our businesses, our governments. I believe we are very rightly taught to respect an individual's human dignity. There are times when an individual or individuals may behave in a fashion that is not dignified. In addressing these individuals let us move from the premise that we can enforce dignified behavior to the very Christian religious premise that individuals be encouraged to consider, to reflect upon, to contemplate their personal dignity, and to cherish the vision of the strength that flows and will flow in their families, in their communities, in their businesses, and in their governments as their personal dignity is strengthened.

As we embrace this very religious principle in all our thoughts and actions, we as a nation will improve our work in situations of stress with other people in the world, in our communities, and organizations and in our personal relationships. The basis for human progress is human dignity. If we are to progress we must respect human dignity.

CRIME IN AMERICA

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, in the near future we will be debating yet another anticrime bill here in this Chamber. I hope that this Congress will enact a tough bill into law. We came close last year—this year, let's get the job done.

We need to, Mr. Speaker, because violent crime is a booming business across our Nation today—up 500 percent since 1960. That is 5-0-0 percent. Not 5, not 50, but 500 percent—and that is a disgrace.

Every year, some 5 million people are victims of violent crime—a murder every 24 minutes, a rape every 6 minutes, a robbery every 55 seconds, an assault every 33 seconds. Yet, on average, violent offenders serve only 5½ years for murder, 3 years for rape, 2¼ years for robbery, and 1.28 years for assault. That is a disagrace as well.

Mr. Speaker, this Congress, let us pass a tough anticrime bill—and let us get it enacted into law.

Let us do something for the thousands of Americans living in fear across our Nation. Let us get the job done.

□ 1010

THE SUNSHINE FOR LOBBYISTS' ACT OF 1993

(Mr. MINGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MINGE. Mr. Speaker, I rise in support today of H.R. 2834, the Sunshine for Lobbyists' Act of 1993. This legislation is a companion bill to S. 349, introduced by Senator PAUL WELLSTONE and was passed in May of this year. I encourage my colleagues to join me as cosponsors of this bill.

The American people are tired of politics as usual, you know it, and I know it. They sent 110 freshmen to Washington to change the system, to shake it up, to get rid of the old ways. H.R. 2834 is lobbying disclosure legislation that reforms current congressional practices. If we pass this legislation, gifts to Members and their staff with a value of $20 or more, will be public record. An August New York Times editorial praised freshmen Representatives, the gentlewoman from Utah [Ms. SHEPHERD] and the gentleman from Ohio [Mr. FINGERHUT] for their leadership in this area.

Let us show the American people that they have been heard and pass this legislation before we recess for the year.

BIPARTISAN HEALTH CARE REFORM: HEALTH CARE INFORMATION MODERNIZATION AND SECURITY

(Mr. HOBSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOBSON. Mr. Speaker, nearly everyone engaged in the health care debate agrees that we must eliminate administrative waste and the costly burden of paperwork in our health care system, which consumes 10 cents of every dollar we pay for insurance and medical bills.

Relieving that burden is possible through an electronic health care data network. Recently, the gentleman from Ohio [Mr. SAWYER] and I introduced H.R. 3137, the Health Care Information Modernization and Security Act.

In addition to simplifying paperwork, our bill creates the information infrastructure critical for comprehensive reform:

It provides consumers with the data they need to compare insurance plans and health services.

It creates the tools that researchers, doctors and hospitals need to reduce unnecessary and costly medical procedures.

And it provides the information needed to expose fraud in the health care system.

I am pleased to work with the gentleman from Ohio [Mr. SAWYER] on this bipartisan project. He has shown great leadership on electronic data issues as the chairman of the Subcommittee on the Census.

He agrees that now is the time to modernize our health care system, and we invite our colleagues to join us in this effort.

BIPARTISAN HEALTH CARE REFORM

(Mr. SAWYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAWYER. Mr. Speaker, the gentleman from Ohio, Mr. DAVE HOBSON, just made a strong case for why we need to reduce the paperwork burden in our health care system.

To do that, we need an information network that contains timely, accurate, and uniform data. Our bill would do just that.

It would create medical information standards that would apply across the country. With consistent data available, doctors and hospitals would be speaking the same language—using the same vocabulary—and in the same terms of measurement. And Americans would know that their medical records are up-to-date and accurate and confidential.

A good information system means that Americans won't have to fill out piles of forms each time they visit a new doctor or go to the hospital. And doctors won't have to spend valuable time filling out papers, when they could be treating patients.

Easy access to health records that contain accurate and uniform information. That is what Americans want in a new health care system. That is what they deserve.

CLINTON'S HEALTH PLAN

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, we need real health care reform. However, we must protect the rights of families to choose their health care coverage, and if a member of the family gets sick, families must have the freedom to choose their doctors, hospitals, and methods of treatment. When politicians tell us that only the Government is smart enough to solve our health care problems, average Americans should remember that this is the same Government which cannot balance a budget or manage the huge bureaucracy which already exists.

The Clinton health plan will create 59 new Federal programs or bureaucracies, expand 20 others, and impose 79 brand new Federal mandates. Thousands of new Government bureaucrats will be hired at the expense of billions of taxpayers' dollars.

An editorial from a newspaper in my district simply and succinctly sums up Clinton's plan as "* * * big brother and bigger bureaucracy * * *" and, if this plan passes, Americans are going to get huge doses of both.

CUT SUPER SPENDING, CUT THE SUPER COLLIDER

(Mr. KREIDLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KREIDLER. Mr. Speaker, in June we voted overwhelmingly to kill the superconducting super collider. But now, the Senate has brought it back to life.

This shows how hard it is to cut Federal spending. Everyone says, "cut spending." But some just cannot say "no."

There are contractors in my district who could benefit from this project. But there are a lot more taxpayers in my district who would have to pay for it.

The test for Federal funding these days has to be strict: The need must be urgent, the results must be demonstrable, and the cost must be reasonable.

The SSC flunks that test. There are cost overruns and sloppy accounting, and the price tag has doubled—to $12 billion.

That is why I will vote against the energy and water appropriation conference report if it contains funding for the SSC, and I urge my colleagues to do the same.

We have to draw the line somewhere. Let us draw it here. Let us vote "no" on the energy and water conference report.

PEACE IN THE MIDDLE EAST

(Mr. LEVY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVY. Mr. Speaker, the declaration of principles, which was signed last month at the White House, goes into effect today. While we all cheered the pact as a blueprint for peace in the Middle East, we must hold our celebration until issues such as Hamas, the militant Palestinian wing; and the continuing Arab boycott of Israel, are fully addressed.

We must work to insure that Hamas does not use the Gaza Strip or Jericho as launching pads for terrorism. And we must continue to press the Arab world to end the economic boycott of Israel, truly an issue that has become lost in the revelry surrounding the peace plan.

As Israel takes risks for peace, the United States-Israeli relationship becomes more important than ever. We must, as Israeli Foreign Minister Peres recently said, remain the real bridge builder of peace in the Middle East. To do anything less abdicates our responsibility to peace initiatives throughout the world.

AIDS TOLL HITS RURAL AMERICA

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise today because I do not want a milestone to go unnoticed. September was a milestone month for Sonoma County, CA. A terrible, sad, and tragic milestone.

Mr. Speaker, last month, Sonoma County public health officials recorded the 1,000th patient to contract AIDS. Sonoma County will be the first-ever rural area in America to be eligible for title 1 funding—disaster relief that has previously been reserved for the AIDS-ravaged urban areas.

One thousand people in Sonoma County alone, Mr. Speaker. How many more individuals must contract AIDS before this Nation forges a comprehensive agenda to fight this dreaded disease?

Mr. Speaker, we must have education, research, and prevention plans, and we must fully fund them. America simply cannot afford to wait any longer.

HEARINGS BUT NO SIGHTINGS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, two Americans just received the Nobel Prize for medicine for discovering the basis of DNA makeup. DNA is impossible to see, so you can imagine how hard it is to find and why you deserve a Nobel Prize for finding it.

This medical discovery clearly qualifies them to undertake another in the impossible-to-see category: the Clinton health care plan.

Weeks ago the President made a speech on this floor about the plan. Congress has even had hearings, but as yet there have been no sightings.

It is no wonder a recent Washington Post poll found an astounding 79 percent of all Americans do not think the President has a complete plan, while only 17 percent think he does. And 30 percent say they know nothing at all about the plan.

Maybe if the medical Nobel Prize winners can find the Clinton health care plan, they will call on the two American Nobel Prize winners in economics to tell us how much it will cost.

□ 1020

NAFTA: THE BETTER CHOICE

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKAGGS. Mr. Speaker, some folks out there in the debate on NAFTA are saying "Not this NAFTA." The implication is, let us get a better NAFTA. But I am afraid the reality is it is this NAFTA, or none at all. We simply should not kid ourselves about the likelihood of getting back to the negotiating table. The Mexican and Canadian Governments simply are not in the position to pull it off. So the choice before us really is between the status quo, which is clearly unacceptable, or positive change for all three countries, especially Mexico.

If Congress defeats NAFTA, the toxic discharges along our border are not going to go away; enforcement of Mexican labor laws is not going to get better; loss of American jobs will not turn around; and we will not be able to do very much about it.

But if NAFTA and its accompanying side agreements are approved, including major new provisions for worker retraining and border cleanup, we will have some important new tools to leverage real reform and to improve the job situation here at home.

NAFTA is not perfect, but it is a lot better than the drift of the status quo. The choice is simple: We can tread water and hope things will get better, or we can seize this opportunity and pass NAFTA.

PRESIDENT CLINTON NEEDS A NEW PLAN FOR SOMALIA

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, President Clinton has been roundly criticized for not having a coherent plan in Somalia.

His plan of the day, introduced in a meeting with a number of congressional leaders last week, was summarily rejected.

A congressional briefing, led by Secretaries Aspin and Christopher, left Members shaking their heads.

Mr. Speaker, if the President is interested in some advice, I have some for him: Secure American military personnel in Somalia. And bring our troops home. Now.

Our troops went to Somalia to provide humanitarian assistance—to see to it that the hungry were fed. We have accomplished that mission.

Now, it is time to bring our men and women home.

SUPERCONDUCTING SUPER COLLIDER CAN WAIT

(Mr. STRICKLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRICKLAND. Mr. Speaker, by a vote of 280 to 150, the House of Representatives overwhelmingly supported the elimination of funding for the superconducting super collider. Despite this Chamber's clear assertion to have these funds removed, all nine House conferees named to the Energy and Water Appropriations conference committee are supporters of the SSC program.

The conferees should remember why funds for the SSC were eliminated, and they should acquiesce to the vast majority of this Chamber by ensuring that the SSC funds are not included in the conference bill.

The original price tag for this taxpayer funded project was $4.4 billion. The latest estimate, after severe cost overruns, is over $11 billion. I hope that some day our Nation will be able to afford a project of this magnitude. However, as a question of Federal spending priorities, most of us believe that the SSC can wait.

Mr. Speaker, we need to focus on eliminating our deficit, educating our children, developing our infrastructure, and creating high-wage, full-time jobs for all Americans. I urge the conferees to help make this possible, by adhering to the mandate voted on by the House of Representatives. Let us eliminate funding for the superconducting super collider.

THE CLINTON HEALTH CARE PLAN: "SIMPLICITY" DEFINED

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, the Clinton administration still has no health care bill, but a 239-page draft claims the bill will reduce paperwork and regulation and consumers will experience a streamlined and simpler system.

As with the budget earlier this year, there is a disparity between what the administration claims and what it does. A close look at the draft reveals that the plan would create 59 new Federal programs or bureaucracies, expand 20 others, impose 79 new Federal mandates, and make major changes in the Tax Code.

The Clinton plan is a bureaucratic nightmare. The Federal Government will mandate, regulate, legislate, promulgate, and, yes, suffocate the U.S. health care industry.

All these agencies and programs will govern every aspect of your family's health care. From the President, to the 9-member National Health Board, to the 50 State governments, to regional health alliances, to accountable-to-the-Government health plans, to insurers, to doctors, to hospitals, and, finally, to you.

The Clinton plan is trickle-down health care.

PUERTO RICO STATEHOOD BY 1996

(Mr. ROMERO-BARCELÓ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, next month, on November 14, my constituents on the island of Puerto Rico will have the opportunity to begin the process that will put an end to a territorial status that has kept us as disenfranchised American citizens and prevented us from achieving political and economic equality with our fellow citizens in the 50 States of the Union.

We have waited a long time for this moment. Puerto Rico has been a U.S. colony longer than any other previous American territory, but until now we have not sought a mandate for statehood. When we get that mandate on November 14, we will have met all the requirements for statehood that each of the other territories had to meet in order to be admitted as States.

I am confident that the people of Puerto Rico are now ready to take the initiative, and deliver a historic mandate for statehood. It will then be time for us in Congress to define the terms of admission, and pass an enabling act for Puerto Rico's admission as a State.

Mr. Speaker, I will seek your support and the support of my colleagues to get an admission act passed into law by 1996.

ALLEGATIONS CONCERNING SECRETARY OF COMMERCE

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, Secretary of Commerce Ron Brown has been accused of taking a $700,000 bribe and possibly having gotten the commitment for hundreds of millions of dollars more from the Government of Vietnam in exchange for using his influence to remove the embargo against that country and lower the trade barriers that we have been putting on them.

Mr. Speaker, the Secretary has come before our committees in Congress and said that this is a total falsehood. He said he had nothing to do with negotiations to normalize relations with Vietnam.

Well, Mr. Speaker, I found out last night that there was a National Security Council meeting in June, and that I believe there is a real possibility that the Secretary may have misled the Congress, been involved in a falsehood, and may have done the things that he has been alleged to do.

Tonight in a special order at the conclusion of business, I will be going into details of that National Security Council meeting and bringing the country up to date, and I hope my colleagues will pay attention. This is very, very serious. There is a big cloud hanging over the Clinton administration. It needs to be removed. We are going to take the first step tonight.

SOMALIAN INTERNATIONAL OUTRAGE NOT A QUESTION OF POLITICS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, like all Americans, I grieve with the families of the American soldiers killed in Somalia. The images of mistreatment of our peacekeepers, participating in a humanitarian mission, stir my anger and the anger of every American. Last week I joined the call to set a date for an American withdrawal. I was pleased that the President did set a date certain in his address to the Nation.

Mr. Speaker, it is now vital that we resist the temptation to make this international outrage a question of politics. The President has committed to us a withdrawal from Somalia.

The need to protect our soldiers now on the ground as well as the significant success we have had in saving millions of people from starvation justify the course of action the President has ordered.

Were we to follow a more hasty course of action, American peacekeepers, soldiers, and relief workers across the world would be viewed as targets of opportunity by outlaw regimes.

Our primary concern must be the safety of our troops. But we must also not lose sight of the potential backslide to starvation that a quick reaction poses.

The President's plan is a measured, considered course of action that does both.

□ 1030

FOREIGN POLICY ON-THE-JOB TRAINING

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, the President was apparently stung very deeply by the criticism during the campaign that he knew little about foreign affairs. Now he seems to be trying desperately to prove that he is a world leader.

The only problem is that we cannot afford this very expensive on-the-job training. We have already spent over $3 billion in U.N. missions that our people did not want.

The President wanted to commit us in a big way militarily in Bosnia. But the overwhelming majority of the American people were against it, because their common sense told them such a mission would be an utter failure.

Now the President is sending thousands of additional troops into Somalia and Haiti. There is no threat to our national security in either of those countries.

We should not continue to let a wasteful and corrupt United Nations commit us to all sorts of expensive adventures around the world. We have neither the financial resources nor the manpower to solve every world problem.

We simply cannot afford to continue to spend additional billions so that our President can prove that he knows something about foreign policy.

LOST MANUFACTURING JOBS

(Mr. SANDERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, recent newspaper articles tell us what every American in his guts knows to be true, that we are continuing to lose our decent-paying manufacturing jobs, the jobs that pay $10, $15, $20 an hour, and are replacing them with low-wage, part-time, temporary, service industry jobs for 5 bucks an hour.

It is happening in my State. It is happening all over the country.

An AP report indicates that the manufacturing sector in the United States has lost 260,000 jobs since February, and we are now down to the lowest level since 1965.

Let us be very clear. If this trend continues, if the GE's, the GM's, the Digital's, the AT&T's continue to downsize, continue to move for cheap labor to Mexico, Singapore, Thailand, that in 20 years the United States will become a Third World economy with a vast majority of our workers earning subsistence wages.

It is clear that we not only have to defeat NAFTA to stop this trend but we need an entirely new economic policy which reindustrializes America, which rebuilds our manufacturing base, and which stops the hemorrhaging of decent-paying jobs.

We need immediately a real jobs program which rebuilds our infrastructure, builds affordable housing. To start that process, I intend to fight for that.

COMMERCE SECRETARY RON BROWN

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, I might add, if the Socialist policies of my colleague who preceded me are followed, we are going to need a much bigger jobs program, because there will be a lot more people unemployed.

Mr. Speaker, it is a pleasure for me to join my colleague, the gentleman from Indiana [Mr. BURTON], in providing the American people a corruption update, which we will hear later on this evening.

Recently, Secretary of Commerce Brown testified before my subcommittee of the Committee on Foreign Affairs, and he denied the allegations that he negotiated a $700,000 bribe to ease the embargo on Communist Vietnam.

He also testified that he did not participate in any way in the administration's decision to lift the embargo on Vietnam or to ease the embargo on Vietnam, which was a major economic decision.

The question I have to ask is: Why did he not participate, as Secretary of Commerce, on this incredibly important economic decision?

Listen, either he is clean and he should have participated in that decision on lifting the embargo, or he is dirty, and he should not be the Secretary of Commerce.

This deserves an investigation. We are not going to let it fade from memory like we did the White House Travelgate scandal.

Let us keep this before the attention of the American people, have the questions answered, and have a legitimate investigation.

A NEW DRUG MENACE IN NORTHERN MICHIGAN

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, I want to highlight to my colleagues a column by Anderson and Binstein in last Sunday's Washington Post regarding a new drug menace that is running rampant in northern Michigan. The drug is methcathinone, nicknamed "cat." Its effects are devastating.

Cat is easy to make. Cat produces a high more powerful than cocaine, and its ingredients—battery acid, drain cleaner, epsom salts, and ephedrine—are for the most part legal.

The drug is spreading rapidly from Michigan's upper peninsula, across this Nation. Cat laboratories have been seized as far away as Indianapolis and Seattle. Each "cat" lab seizure has a tie back to northern Michigan. While this drug is still regional, if not stopped it promises to plague this Nation.

The key to stopping the spread of this powerful drug is to place controls on the amount of ephedrine—sold as diet pills and as pep pills—which can be obtained over the counter, and through the mail. I have introduced legislation, H.R. 3216, which would tighten controls on ephedrine. These new controls are strongly supported by the Drug Enforcement Agency and law enforcement officials in Michigan.

I urge my colleagues to cosponsor this important legislation so we can stop "cat" before it becomes a national drug epidemic.

WHAT HAPPENED IN SOMALIA AND WHY

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, for the time being, American troops in Somalia are not being ambushed. Still risking their lives to feed a country, our troops in Mogadishu remain wary—constantly aware that a sniper may find a clear shot, that a mortar round may suddenly descend, or that a rocket-propelled grenade may be fired their way.

However, on October 3, 17 of our sons died and 77 were wounded in a furious firefight that found our troops outmanned and outgunned. When the bodies of these fallen soldiers were brought back to America—to Dover, DE, there was no ceremony, and our President was not there. As a Vietnam-era veteran, it reminds me of transgressions our Nation pledged not to repeat from Vietnam.

Amid all this, I read about Defense Secretary Aspin denying requests from our field commanders in Somalia for more and better equipment. I see feverish diplomatic efforts under way to placate the leader of those Somalis who killed and wounded our soldiers and who continue to hold injured helicopter pilot Michael Durant as a prisoner. Meanwhile, like millions of other Americans, I watch the chaos in Haiti as we begin another dangerous, ill-conceived mission that is not vital to our national security.

Mr. Speaker, what has happened in Somalia? The families of the dead and wounded—and the American people—deserve straight answers. I urge the Armed Services and the Foreign Affairs Committees to immediately begin formal hearings to get at the root of this tragedy. We should not wait 5 more months while more American lives are lost.

WILL WE BECOME AN ISLAND?

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I came this morning to speak about health care, but I find, after listening, that something is much more urgent.

We have heard about the bridging, bridges by sending money to Israel, working on peace around the world, talking about isolationism, protectionism, NAFTA and health care reform.

Yet, I have heard speeches about cutting off our research, ignoring that we need to continue to learn, ignoring that we need to create jobs and that we must look out for the welfare of our children and the future of this Nation.

I have heard Members saying, cut, cut, cut, cut, cut all of the research, cut the state-of-the-art research, cut the super collider.

Yes, we can cut the super collider. Yes, we will save millions today. But what will we do to our tomorrow?

We will shut off breakthroughs in health care. We will shut off opportunities to create jobs. We will shut off this Nation from the rest of the world. And while we talk about being global, we will be isolated here on an island. And we will be so protectionist, when we do vote down NAFTA, that we will not have relationships with any other nation in the world.

We will simply be here as an island.

MORE THOUGHTS ON FOREIGN POLICY

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, almost 25 years ago, in a place called Woodstock, a singer named Country Joe McDonald sang a song:

> Come on all you big strong men. Uncle Sam needs your help again. Got himself in a terrible jam, way down yonder in Vietnam. So put down your books, pick up your gun, we are going to have a whole lot of fun.

The song epitomized the divisiveness and the bitterness surrounding that unpopular war, and the theme of it was that we got ourselves in a terrible jam because of inept foreign policy.

Indeed, even the chorus said, "One, two, three, what are we fighting for?"

Mr. Speaker, these words revisit us today. In my district, 1,200 young men and women had gone to Somalia.

□ 1040

I support them 100 percent, but what I do not support is the net foreign policy. We need to know what are we doing in Somalia; why are we involved in their civil war; when will we be home?

The President, Mr. Aspin, and Mr. Christopher need to answer these questions and they need to do it now. Otherwise, Country Joe's words still haunt us: "What are we fighting for?"

CONGRESSIONAL ROLE IN A NEW WAR ON POVERTY

(Ms. WATERS asked and was given permission to address the House for 1 minute.)

Ms. WATERS. Mr. Speaker, I rise to discuss poverty in America. According to last week's census data, poverty is on the rise for the third straight year.

More people live in poverty than at any time since 1970—38.6 million Americans are poor—14.5 percent of the population. That number has risen 5.4 million since 1989.

People are not poor because they are lazy—40.3 percent of all poor adults worked at some time last year—9.2 percent of those worked full-time.

Poverty among children is 21.6 percent. Over 14.5 million children are condemned to poverty in the richest country in the world. This is a national disgrace.

In minority communities, the problem is dramatic. Nearly 30 percent of Latinos and one-third of all African-Americans live in poverty.

A weak recovery, persistent unemployment, and low wages continue to impede our progress.

We in this Congress must lead. We need an urban agenda and a rural renaissance. We need a new war on poverty. We cannot sit by while our children are condemned to a life without opportunity. It is time to end the hopelessness.

CONGRESS SHOULD TAKE ITS MEDICINE AND CLEAN UP ITS ACT

(Mr. ISTOOK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISTOOK. Mr. Speaker, when Members of Congress talk about health care, perhaps we need to focus on a body that is racked with illness, but no one seems to be interested in working on the cure. The body is Congress. The illness is scandal and impropriety.

The questions raised by the House post office scandal continue to attack this body, but few are willing to take the medicine of truth or responsibility. Perhaps we cannot see the illness, but it is here.

Mistrust is like a virus. It grows among the public body until it can overwhelm us. The only cure is for Congress to take its medicine and clean up its act. The cure is House Resolution 238, calling upon our Committee on Standards of Official Conduct to actively investigate the House post office scandal.

We must face this head-on, Mr. Speaker. Allegations of embezzlement by Members of Congress, embezzlement from the taxpayer, left unresolved, will rock and cripple this institution. The shot may hurt, but the disease is far worse. Congress heal thyself.

CALLING FOR STRONG ACTION IN HAITI

(Mrs. MEEK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK. Mr. Speaker, the way our diplomatic corps was treated in Haiti is a disrespect to our country. The organized thugs and murderers in the Haitian police and military are ruling the country through violence, threats, and killings.

Observer after observer from the United States, the United Nations, the Organization of American States, and in short, everyone who goes to Haiti and sees firsthand what is happening there, say the Governor's Island Accords are meaningless to the lawless little dictators who are calling the shots in Haiti.

Mr. President, let us face it, words are not working. President Aristide cannot continue to run his government out of Washington, DC. Let us impose a complete embargo against Haiti that will not hurt the poorest of the people, but will hurt the rich who have made this country fall to its knees.

Mr. Speaker, Haiti is only 800 miles off our coast. It has a major impact on the fragile developing democracies in the Caribbean. There are large Haitian-American communities here in the United States, in my district, and there is a possibility of a new influx of Haitians to come to our shores.

We must straighten out the mess in Haiti. We cannot continue to have the small dictators ruin this country.

CONGRESS MUST DO SOME IN-HOUSE CLEANING

(Mr. BUYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUYER. Mr. Speaker, what I would like to address is the issue of the Congress and how it must do some in-house cleaning. First I came here and thought I would need a broom. Then I thought perhaps I needed a shovel. Now I think we need a backhoe.

Mr. Speaker, the Federal investigation of the House post office scandal continues to unearth questions about how the House has operated for years. First we learned that employees of the House post office were dealing drugs and selling cash. Next came the allegations linking several Congressmen to illegal cash-for-stamp deals with the House post office. Sentencing for the former House Postmaster for that charge is imminent. Now we learn of "special arrangements" for payroll counselors on the Hill, apparently through the House Finance Office.

Congress loses credibility by standing back and looking the other way, as if pretending will make it all disappear. It will not disappear. We must do in-house cleaning. I support House Resolution 238, to force the Committee on Standards of Official Conduct to investigate the House post office scandal, because Congress should clean up its own house.

ADVISING THE ADMINISTRATION TO DEVELOP A CLEAR FOREIGN POLICY

(Mr. TORRICELLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORRICELLI. Mr. Speaker, America is a friend of freedom everywhere, but a guarantor of only its own. It has been nearly two centuries since John Adams established that basic dictum of American foreign policy.

Generations have come and gone. They have interpreted it to send America to defend Europe and defeat Japan, but confusion now and division with regard to American forces in Somalia and Haiti reminds us that now, approaching the millennium, this Nation is essentially without a guiding principle, a basic foundation for American foreign policy.

It is time for this administration, for the post-cold-war period, to find what our interests might be, where they might take us, and what essential principles will guide the United States before we take the lives of our citizens or use the good name of our country to defend or defeat those abroad.

URGING ADOPTION OF HOUSE RESOLUTION 238

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, it was unconscionable that the House of Representatives operated its House bank and its House post office in a manner completely inconsistent with good business practices. The gentleman from Oklahoma [Mr. ISTOOK] has pending before the House a resolution that directs a full investigation by the Committee on Standards of Official Conduct of the House post office. Now that the former House Postmaster has pleaded guilty to conspiracy and embezzlement charges, and now that six other employees of the House post office and one former congressional aide have pleaded guilty to charges related to conduct in the post office, it is vital that we adopt the Istook resolution.

Lastly, yesterday's Washington Times mentioned files missing in the House probe which may relate to ghost employees. This item as well should be incorporated into the investigation. I urge support of the Istook resolution.

□ 1050

SIMPLICITY DEFINED

(Mr. BAKER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER of California. Mr. Speaker, here it is. Simplicity defined. The new Clinton health care bureaucracy in a nutshell.

This diagram shows you how the system is supposed to flow.

If it all looks a little confusing, don't worry. It will get worse if the Democrat administration ever releases their Government health system scheme.

If this is what the President means by simplicity, I shudder to think what he means by cost savings, security, responsibility, and choice.

No doubt, by cost savings he means mandatory payroll taxes on all business to pay for the plan. By security, he means increasing the security of the Government over the individual and his/her current health plan.

By responsibility the President wants to make the Government responsible for every person's health care. And by choice, well, you can choose to do it the Government's way, or you can choose to go to jail.

Mr. Speaker, we have seen the President promise before, and now with this chart we know that when the President says something, we have to look for the deeper meaning.

SOMALIA

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, with regard to the situation in Somalia, I share the outrage of the American people over the violence directed at members of the United States Military. Clearly, our troops must conclude their mission and come home as soon as possible. Before American troops are sent abroad, clear goals must be defined. The President has now done that. It is time for us to now rally around President Clinton's Somalia policy. Foreign policy should be bipartisan.

First, we must secure the release of the American hostage, Chief Warrant Officer Michael Durant. Second, the President is trying to get the various Somalia factions together using the carrot and the stick approach with General Aideed. If he is intransigent, we must punish Aideed and the thugs who want to plunge Somalia back into chaos. Third, we must make sure we have the resources needed to carry out an orderly withdrawal from Somalia, which I believe can be done by the March 31 deadline, or sooner. We do not want to see any more unnecessary casualties resulting from a shortage of resources. Fourth, the President is right to try to get the surrounding African nations to engage in nation building in Somalia, as we withdraw our troops. We must not allow our resolve to be deterred by thugs attacking our troops because we have soldiers stationed around the world, and it would become open season on Americans everywhere if we allow that.

TRIBUTE TO THE GREEN BAY PACKERS, CELEBRATING 75 YEARS AS NFL FRANCHISE

(Mr. ROTH asked and was given permission to address the House for 1 minute.)

Mr. ROTH. Mr. Speaker, let this Congress pay tribute to the most accomplished and successful franchise in the history of the National Football League: the Green Bay Packers.

On Sunday, our Packers added another milestone to their already proud tradition of accomplishment—the cherished green and gold won their 500th victory.

This milestone came at a fitting time. The Packers are celebrating their 75th year as an NFL franchise and they have planned an entire season's worth of festivities to commemorate this important achievement.

From Curly Lambeau to the Vince Lombardi era to the new Packer heroes of today coached by Mike Holmgren, the Packers have set a winning tradition. They have claimed a league-high 11 championships, including two Super Bowl wins.

This is a great accomplishment for Green Bay, truly a city of champions. The people of northeast Wisconsin who have cheered for and supported this franchise through thick and thin they are the real heroes in this football success story.

Without the support and dedication of Wisconsinites, the Green Bay Packers could not have accomplished their milestone.

LET US PUT THE SUNSHINE ON LOBBYING IN WASHINGTON

(Mr. DEUTSCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTSCH. Mr. Speaker, the 1992 elections were about change—fundamental change in the way our Government operates. One of the most important changes we can make is to enact H.R. 2834, the Sunshine for Lobbyists Act of 1993, and thereby open up the lobbying process to the voters and taxpayers of our Nation.

As we all know, when Congress is in session, Washington is awash in catered receptions, lunches, and dinners for Members of Congress and their staffs which are paid for by lobbyists or by clients of lobbyists.

I think that the average voter would be shocked to learn that the Federal Regulation of Lobbying Act of 1946 does not require that any of this wining and dining be disclosed. That is why it is essential that we enact H.R. 2834 so that: Any gift to a Member or staffer worth more than $20 must be disclosed; any collection of under $20 gifts which aggregate to more than $50 from a single source must be disclosed; and, lobbyists will have to file semi-annual public reports with the Attorney General detailing expenses for receptions, special events honoring Members, privately financed retreats, gifts to Members and staffs, local or long distance transportation, and political fundraising activities.

Until these disclosures are required, the public will be deprived of essential information about efforts by special interests to influence the governmental process. As Justice Louis Brandeis once said: "Sunshine is the best disinfectant." So let's pass H.R. 2834 and put the sunshine on lobbying in Washington.

YOU REAP WHAT YOU SOW

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, the events unfolding in Haiti bear out the ancient truth that you reap what you sow. The Clinton administration is reaping in Haiti and Somalia what it sowed by eschewing experienced advice and by failing to utilize appropriate intelligence mechanisms that have been previously available. President Clinton and his advisers did not do their homework well. The Clinton administration needs to understand that the solution to Haiti lies with the Haitians in Haiti. It should not involve sending U.S. troops, especially inadequately armed troops, into the middle of a brutal ongoing civil war. A claim is made that we must not break an agreement that was made at Governors Island. That agreement, I would point out, was contingent on a stable climate in Haiti which by design does not exist and never did.

At least this time the lesson comes home not in loss of life, but so far only in loss of face. I hope this time the President will face up to this reality of what is working in Haiti, workable solutions others have presented. Meanwhile the Secretary of State's scare tactics and public statements about waves of new immigration threatening the United States unless we send troops belittles all Americans and ignores the successful efforts to contain illegally immigration problems in the Florida Straits.

DEMOCRACY IN HAITI

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute.)

Ms. BROWN of Florida. Mr. Speaker, I rise today to express my personal outrage over the recent events in Haiti. Killers and gangsters have blocked the way for democracy in Haiti by reneging on the Governor's Island accord signed by constitutionally elected President Aristide who was elected by 70 percent of the Haitian people and overthrown by a violent coup.

The United States must make it very clear that the latest violence will not be tolerated. We hold the coup leaders, General Cedras and Police Chief Francois, responsible for the safety of the people of Haiti. The killings, beatings, kidnappings, and intimidation must stop immediately. The United States must not cave into the demands of people who have no regard for right or wrong, much less promoting democracy in Haiti. The coup leaders must step down by October 15 as required by the U.N. accord. This plan has been worked on for 2 years by the international community to provide a peaceful solution to this crisis.

If Americans are the champions of democracy, we must begin at home. I believe that Haiti, which is in our back yard and just across the water from my home State of Florida, is where we must stand firm for democracy. If we don't have a United States interest in Haiti, where is our interest—in oil rich countries far away? President Aristide has fulfilled every requirement of the U.N. agreement and he must be returned this month. President Aristide's return must not be blocked by a group of killers—less than 50 people—trying to bluff the United States and the world community by flexing their muscles before they give up power.

SPENDING WELFARE DOLLARS FOR THEIR INTENDED PURPOSE

(Mr. FRANKS of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRANKS of Connecticut. Mr. Speaker, welfare payments are taxpayers' dollars.

Mr. Speaker, we have the right to know that every dollar is spent for the purpose intended. The mere thought that some people would be cashing welfare checks and spending some of those dollars on the purchase of illegal drugs cannot be deemed acceptable.

Mr. Speaker, taking the currency out of the hands of welfare recipients and replacing it with a more accountable automated debit system would greatly reduce the prospect of taxpayer dollars going to drug dealers. Illegal drug transactions and the related crime activities need dollars to sustain themselves. By using modern technology, a savings and a more efficient system can be realized, while leaving out the cash-driven drug dealers.

Let us make sure that those drug dollars are not coming from you, the taxpayer.

□ 1100

NAFTA: WE MUST GET HEALED FIRST BEFORE WE DOCTOR THE REST OF THE WORLD

(Mr. APPLEGATE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. APPLEGATE. Mr. Speaker, the jobless rate is 6.7 percent. Worst of all, manufacturing jobs are down, the lowest since the mid-1960's. More people are working, making minimum wage or low wages, unable to be able to house, clothe, and feed their families.

Now we are going to consider the North American Free Trade Agreement which would make it easier for companies in the United States to move south of the border, to build the Mexican economy. Well, what about the economy of America? What about the economy of middle America? What about the economy of States like Ohio? What about the economy of towns like Steubenville, Zanesville, Martins Ferry, and Woodsfield and Yorksville and Dover? And I could go on. They have lost industries, which have gone out of the country. We must get healed first before we start doctoring the rest of the world. Think about it.

SOMALIA, HAITI: MR. SPEAKER, IT IS TIME TO COME HOME

(Mr. DORNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, Haiti, Somalia, Karabak, Oszetzia: the names keep rolling across our tongues as we discuss what we should do about our Peace Corps with Uzis. But the price in blood to some American families is absolutely heartbreaking.

Mr. Speaker, this is from the Washington Times, last Friday: "Twenty-nine Americans dead in Somalia, only four of them under the successful operation of Restore Hope." And there are five names that are not on this page because last week they were listed as missing. I knew they were not.

One name I still cannot give to you, although his sacred remains, sacred to his family, were dumped at a U.N. building, treated in this horrible manner in Somalia. But four of them I can talk about: Tommy Field, age 25, from Lisbon, ME; Gary Gordon, age 33, from Lincoln, ME; Randall Shughart, age 35, from Monrovia, CA; and Raymond A. Frank, age 45, from Nevada, OH. Two of them are senior sergeant Rangers who rappelled down to save the men at the Durant crash site. They were all taken alive, all tortured, beaten to death, and their bodies desecrated in the streets of Somalia.

Mr. Speaker, it is time to come home.

FUNDING UNEMPLOYMENT COMPENSATION

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, later today we may be voting on unemployment compensation extension. Aside from the issue itself, where we may be divided, the funding mechanism for the proposed bill is chaotic at this juncture and quixotic at its best.

When the Committee on Rules met last week to consider it, everyone knew that what they had before them could not be enacted, putting more burden on the States, some kind of Rube Goldberg mechanism for funding the unemployment compensation. I proposed, and will propose again in the Rules battle, that we ought to take the funding for unemployment compensation out of the new spending that is already in the new tax bill that has been passed by the Congress. Some $28 billion of new spending has already been authorized by the Congress in the Clinton administration tax bill. We ought to take first monies out of that $28 billion to fund the unemployment compensation of today. In that manner, it will be funded and the taxpayers of our country, who have been treated to this new tax bill, new spending bill, will get something for their money.

I will propose and ask for your support during the Rules battle.

THE LESSON OF RUSSIA: NO MORE DEFENSE CUTS

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, the White House has burned—and the only good news associated with that statement is that our White House is not the one that burned.

Unfortunately, for the people of Russia, their White House—their parliament—was in flames.

It is a tragedy that is continuing to unfold as Russians vainly try to hold on to their democracy.

In 1917, the Bolsheviks co-opted another revolution. Most people forget that the Russians—led by the Mensheviks—toppled the czar in March of 1917 and established a democracy. In October of that year, the Communists seized control.

Now, in another October, 76 years later, Bolshevik hardliners tried again to steal the fruits of a democratic revolution.

And, throughout the former Soviet Union, the governments of the new republics are being forced to fight both ethnic violence and the assault of disenfranchised government bureaucrats.

The United States cannot assume that all of these violent outbreaks will be won by the forces of democracy. We must be prepared for any eventuality. Several republics have nuclear weapons, and fundamentalist Islamic regimes are interested in those weapons.

Before the United States totally demobilizes, we must evaluate the way the world will be—and not the way we wish it would be.

HOUSE BANK SCANDAL DESERVES MORE ATTENTION

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, we have heard a number of people come to the floor today and call for reforms of various kinds in the way this Congress or lobbyists do business. I think one of the things we ought to begin to focus on is where we have problems right now that deserve to be corrected.

The gentleman from Oklahoma [Mr. ISTOOK] has been attempting to focus this House on problems that continue to flow from the House bank scandal of some months ago. And I think the gentleman from Oklahoma deserves to be heard far more than what Congress has allowed so far.

The reason for this is because we were told throughout the evolving House bank scandal that there may have been a mess there but at least there was no criminal activity. Most recently now we have found out that felonies were committed in the course of the conduct of the House bank. The gentleman from Oklahoma wants us to investigate this matter further. He wants the Committee on Standards of Official Conduct to look into it further and he wants this House to be aware of what really took place in the House bank.

He deserves credit for continuing to focus on this issue. I hope at some point that the House leadership and the House itself will help the gentleman from Oklahoma get to the bottom of what is a mess that the American people have every reason to be concerned about.

CONFERENCE REPORT ON H.R. 2446, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1994

Mr. HEFNER. Mr. Speaker, I call up the conference report on the bill (H.R. 2446) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. TUCKER). Pursuant to the rule, the conference report is considered as having been read. (For conference report and statement, see proceedings of the House of October 7, 1993, at page H7627.)

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. HEFNER] will be recognized for 30 minutes, and the gentlewoman from Nevada [Mrs. VUCANOVICH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. HEFNER].

GENERAL LEAVE

Mr. HEFNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report and the amendments in disagreement on the bill H.R. 2446, and that I may include extraneous and tabular material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HEFNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the conference report we present to the House today for military construction, family housing and base closure contains agreements on about 350 line items. The conference agreement recommends a total appropriation of $10.1 billion. The recommendation is $729 million under the President's request and $209 million under the House passed level. It is over the 1993 appropriated level, but one should review that with caution. The reason I say that is because, last year, we were forced under a veto threat to reduce military construction by over 40 percent with the understanding that, in 1994, we would return to a more appropriate level. When you compare our recommendation with the fiscal year 1992 level, you will find that we are under the 1992 level for military construction and family housing by $421 million. However, base closure funding, in contrast to military construction, has increased by $1.9 billion when compared to the 1992 level.

I should also note that the base closure recommendation in this conference report is $2.8 billion which represents 27 percent of the Military Construction bill. Shown below are the conference agreements compared with the 1992 and 1993 funding levels.

MILITARY CONSTRUCTION CONFERENCE AGREEMENT—COMPARISONS WITH FISCAL YEAR 1992 AND 1993 FUNDING LEVELS

(Dollars in millions)

	Fiscal year 1992	Fiscal year 1993	Conference agreement fiscal year 1994	Conference comparison with	
				Fiscal year 1992	Fiscal year 1993
Military construction	$3,934	$2,361	$3,741	−$193	+$1,380
NATO	225	60	140	−85	+80
Family housing	3,645	3,941	3,501	−144	−440
Base closure	759	2,034	2,683	+1,924	+649
Total	8,563	8,396	10,065	+1,502	+1,669

QUALITY OF LIFE

The conference report before you provides for quality of life of our military. Our service men and women need to have better living and working conditions. For example, we still have troops living in antiquated World War II barracks. For that reason, we are supporting a major Department initiative to upgrade and replace antiquated barracks. This bill also includes funds to repair and replace housing that is substandard and dangerous to the health of families because of the presence of asbestos and lead based paint.

INVESTMENT PROGRAM

Members should realize that the military construction bill is an investment bill that has significant payback in economic terms and provides for offsets and payback in other parts of the Defense budget.

BILL FEATURES

Let me just go over some of the special features of the conference report.

The conference report provides about $500 million for new barracks and modernization of existing barracks.

It provides about $300 million for environmental compliance type projects.

It provides $562 million for environmental cleanup at base closure sites which is essential to expediting cleanup and disposal of property to local interests.

It provides about $100 million for child development centers.

It reduces the President's request for NATO funding by $100 million.

It provides $50 million as an ongoing effort to reduce energy costs that has significant payback.

The conferees have agreed to consider reprogramming of any authorized project not funded including projects such as a modified record fire range at Camp Gruber, OK.

Mr. Chairman, these are just some of the items in this bill.

AUTHORIZATION

Regarding authorization, let me say that we have had an excellent relationship with the Armed Services Committee over the years in coordinating and reflecting their priorities. This year is no exception.

ACKNOWLEDGMENT

Before I conclude my remarks, I want to express my appreciation to all the members of the subcommittee, and especially our ranking minority member, the gentlelady from Nevada, Mrs. VUCANOVICH. It is a pleasure to work with the gentlelady. This is why we are presenting, to you, a bipartisan conference report and a good agreement given the budget constraints that we have to work with. I also want to thank Chairman NATCHER for this leadership in helping bring this conference report to the floor.

Again, Mr. Speaker, let me reiterate why this is a responsible agreement. The conference agreement is:

(1) Under the President's request by $729 million.

(2) Under the House passed level by $209 million.

(3) Under the 1992 level for Military Construction and Family Housing by $421 million.

(4) Provides for $2.7 billion in base closure funding for all three rounds of base closure.

☐ 1110

It is a good agreement, considering that we had to resolve over 350 items in disagreement, and I ask the House to support this conference report.

I would be remiss if I did not thank the staff for their excellent work on both sides, the minority and the majority, for the great staff work that they did in helping us bring this conference report to fruition.

Mr. Speaker, I will insert at this point in the RECORD a comparative statement of budget authority contained in the bill, as well as a detailed table of rescissions and general reductions.

FY 1994 MILITARY CONSTRUCTION APPRIOPRIATIONS BILL (H.R. 2446)

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Military construction, Army	425,270,000	776,842,000	837,644,000	723,505,000	906,676,000	+481,406,000
Rescission				-13,900,000	-13,900,000	-13,900,000
Total, Military construction, Army (net)	425,270,000	776,642,000	837,644,000	709,605,000	892,776,000	+467,506,000
Military construction, Navy	371,887,000	655,123,000	575,971,000	580,033,000	681,373,000	+309,486,000
Rescission				-68,952,000	-122,627,000	-122,627,000
Total, Military construction, Navy (net)	371,887,000	655,123,000	575,971,000	511,081,000	558,746,000	+186,859,000
Military construction, Air Force	717,280,000	906,378,000	913,297,000	963,726,000	1,021,567,000	+304,287,000
Rescission				-16,710,000	-30,095,000	-30,095,000
Total, Military construction, Air Force (net)	717,280,000	906,378,000	913,297,000	947,016,000	991,472,000	+274,192,000
Military construction, Defense-wide	262,116,000	1,077,718,000	618,770,000	524,165,000	562,008,000	+299,892,000
Rescission				-15,500,000	-15,500,000	-15,500,000
Total, Military construction, Defense agencies (net)	262,116,000	1,077,718,000	618,770,000	508,665,000	546,508,000	+284,392,000
Total, Active components	1,776,553,000	3,415,861,000	2,945,682,000	2,676,367,000	2,989,502,000	+1,212,949,000
Military construction, Army National Guard	209,639,000	50,865,000	203,980,000	291,250,000	302,719,000	+93,080,000
Military construction, Air National Guard	287,559,000	142,353,000	161,761,000	254,923,000	247,491,000	-40,068,000
Military construction, Army Reserve	42,150,000	82,233,000	87,825,000	124,794,000	102,040,000	+59,890,000
Military construction, Naval Reserve	15,400,000	20,591,000	28,647,000	25,013,000	25,029,000	+9,629,000
Military construction, Air Force Reserve	29,900,000	55,727,000	66,136,000	68,427,000	74,486,000	+44,586,000
Total, Reserve components	584,648,000	351,769,000	548,349,000	764,407,000	751,765,000	+167,117,000
Total, Military construction	2,361,201,000	3,767,630,000	3,494,031,000	3,440,774,000	3,741,267,000	+1,380,066,000
Appropriations	(2,361,201,000)	(3,767,630,000)	(3,494,031,000)	(3,555,836,000)	(3,923,389,000)	(+1,562,188,000)
Rescissions				(-115,062,000)	(-182,122,000)	(-182,122,000)
North Atlantic Treaty Organization Infrastructure	60,000,000	240,000,000	140,000,000		140,000,000	+80,000,000
Outside the United States - Special account				300,000,000		
Family housing, Army:						
Appropriation	1,523,819,000	1,343,886,000	1,286,707,000	1,353,986,000	1,298,486,000	-225,333,000
Portion applied to debt reduction	-127,000	-412,000	-412,000	-412,000	-412,000	-285,000
Total	1,523,692,000	1,343,474,000	1,286,295,000	1,353,574,000	1,298,074,000	-225,618,000
Family housing, Navy and Marine Corps	1,044,025,000	1,208,824,000	1,149,721,000	1,189,793,000	1,142,263,000	+98,238,000
Rescission				-25,018,000	-40,371,000	-40,371,000
Total, Family housing, Navy (net)	1,044,025,000	1,208,824,000	1,149,721,000	1,164,775,000	1,101,892,000	+57,867,000
Family housing, Air Force	1,211,727,000	1,027,147,000	998,044,000	1,048,947,000	977,947,000	-233,780,000
Rescission				-55,102,000	-55,102,000	-55,102,000
Total, Family housing, Air Force (net)	1,211,727,000	1,027,147,000	998,044,000	993,845,000	922,845,000	-288,882,000
Family housing, Defense-wide	28,400,000	27,496,000	25,870,000	27,496,000	26,496,000	-1,904,000
Homeowners Assistance Fund, Defense	266,000,000	151,400,000	151,400,000	151,400,000	151,400,000	-114,600,000
Rescission	-133,000,000					+133,000,000
Total, Family housing	3,940,844,000	3,758,341,000	3,611,330,000	3,691,090,000	3,500,707,000	-440,137,000
Appropriations	(4,073,971,000)	(3,758,753,000)	(3,611,742,000)	(3,771,622,000)	(3,596,592,000)	(-477,379,000)
Rescissions				(-80,120,000)	(-95,473,000)	(-95,473,000)
Applied to debt reduction	(-127,000)	(-412,000)	(-412,000)	(-412,000)	(-412,000)	(-285,000)
Base realignment and closure accounts:						
Part I	415,700,000	27,870,000	27,870,000	12,830,000	12,830,000	-402,870,000
Part II	1,618,600,000	1,800,500,000	1,800,500,000	1,526,310,000	1,526,310,000	-92,290,000
Part III		1,200,000,000	1,200,000,000	1,197,000,000	1,144,000,000	+1,144,000,000
Total, Base realignment and closure accounts	2,034,300,000	3,028,370,000	3,028,370,000	2,736,140,000	2,683,140,000	+648,840,000
Reduction of Appropriation				-414,527,000		
Grand total:						
New budget (obligational) authority	8,396,345,000	10,794,341,000	10,273,731,000	9,753,477,000	10,065,114,000	+1,668,769,000
Appropriations	(8,529,472,000)	(10,794,753,000)	(10,274,143,000)	(9,949,071,000)	(10,343,121,000)	(+1,813,649,000)
Applied to debt reduction	(-127,000)	(-412,000)	(-412,000)	(-412,000)	(-412,000)	(-285,000)
Rescissions				(-195,182,000)	(-277,595,000)	(-277,595,000)

MILITARY CONSTRUCTION RESCISSIONS AND GENERAL REDUCTIONS FISCAL YEAR 1994 CONFERENCE AGREEMENT

Service, fiscal year, and location/project	Amount
ARMY	
Fiscal year 1992 rescission, Public Law 102–136:	
New York: Seneca Army Depot: Fire station	$1,150
Virginia: Vint Hill Farms Station: Barracks with dining facility	1,700
Virginia: Vint Hill Farms Station: General purpose warehouse	1,850
Total	4,700
Fiscal year 1993 rescission, Public Law 102–380:	
Utah: Tooele Army Depot: Hazardous material storage facility	9,200
Army subtotal:	13,900
NAVY	
Fiscal year 1990 rescission, Public Law 101–148:	
New York: Staten Island NS: Child care center	2,987
New York: Staten Island NS: Land acquisition	1,675
South Carolina: Charleston NB: Access roads	3,000
Total: No longer required due to BRC III	7,662
Fiscal year 1991 rescission, Public Law 101–519:	
Alaska: Amchitka FSSC: Electronic Installation	5,656
California: Point Mugu PMTC: Security improvements	2,070
Florida: Key West NAS: EOD mobile unit facility	3,010
Virginia: Oceana NAS: Weapons systems trainer building addition	3,670
Total: No longer required due to force structure or mission change	14,406
Fiscal year 1992 rescission, Public Law 102–136:	
California: Vallejo Mare Island NSY: Computer operations center	9,000
South Carolina: Charleston FMWTC: Fire fighting trainer facility	14,620
Subtotal: No longer required due to BRC III	23,620
Alaska: Adak NSGA: Classic wizard facility addition	3,600
Alaska: Adak NSGA: Bachelor enlisted quarters	9,100
California: Concord NWC: Missile test cell	1,250
District of Columbia: Washington NAVDIST: Hazardous waste storage facility	2,050
Florida: Orlando NTC: Barracks	7,980
Georgia: Kings Bay NSB: Trident training complex addition	9,200
Maryland: Annapolis NRTF: Antenna modifications	2,400
Virginia: Norfolk NS: Fire alarm system improvements	340
Washington: Whidbey Island NAS: Flight area control and surveillance facility	3,349
Subtotal: No longer required due to force structure or mission change	39,269
Fiscal year 1992 subtotal	62,889
Fiscal year 1993 rescission, Public Law 102–380:	
California: Mare Island NSY: Hazardous material storage facility	8,000
California: Miramar NAS: Fixed point aircraft utility support system	9,700
Florida: Cecil Field NAS: Jet engine test cell	5,850
Tennessee: Memphis NAS: Fire fighting training mock-up	3,300
Tennessee: Memphis NAS: Aircraft fire and rescue training facility	9,060
Tennessee: Memphis NAS: Fire and crash rescue station	1,750
Total: No longer required due to BRC III	37,660
Navy subtotal:	122,627
AIR FORCE	
Fiscal year 1990 rescission, Public Law 101–148:	
Florida: Homestead AFB: Add to transient dormitory	1,950
Florida: Homestead AFB: Alter dormitories	5,395
Ohio: Newark AFB: Child care center	970
Total	8,315
Fiscal year 1991 rescission, Public Law 101–519:	
Florida: Homestead AFB: Alter dormitories	5,500
California: March AFB: Troop subsistence warehouse	1,050
Total	6,550
Fiscal year 1992 rescission, Public Law 102–136:	
Florida: Homestead AFB: Alter dormitories	4,900
New York: Plattsburgh AFB: Jet fuel storage	880
New York: Plattsburgh AFB: Electrical distribution system	7,200
Total	12,980
Fiscal year 1993 rescission, Public Law 102–380:	
California: March AFB: Underground fuel storage tanks	2,250
Air Force subtotal:	30,095
DEFENSE-WIDE	
Fiscal year 1992 rescission, Public Law 102–136:	
Florida: Homestead AFB: Hospital (phase I)	10,000
Ohio: Dayton Defense Electronics Supply Center: Fire and security station	2,000
Texas: Dallas NAS: Medical/dental clinic replacement	3,500
Total	15,500
AIR NATIONAL GUARD	
General reduction:	
Fiscal year 1990: Texas: Dallas NAS: Add/alter dining/medical training facility	540
Fiscal year 1993: Illinois: O'Hare IAP: Repair aircraft ramp	5,200
Total	5,740
NAVY RESERVE	
General reduction:	
Fiscal year 1990: California: Bakersfield NMCRC: Land acquisition	1,000
Fiscal year 1991: Texas: Dallas NAS: Ground support equipment shop	1,640
Fiscal year 1993: Illinois: Glenview NAS: Fuel farm modifications	6,500
Total	9,140
AIR FORCE RESERVE	
General reduction:	
Fiscal year 1991: Illinois: O'Hare IAP: Security police operations facility	1,080
Fiscal year 1993: Illinois: O'Hare IAP: Aerospace ground equipment shop/storage	1,700
Total	2,780
FAMILY HOUSING, NAVY	
Fiscal year 1990 rescission, Public Law 101–148: California: El Toro MCAS (200 units)	14,100
Fiscal year 1991 rescission, Public Law 101–519: California: Long Beach NS (300 units)	25,018
Fiscal year 1993 rescission, Public Law 102–380: California: El Toro MCAS: Improve 67 units	1,253
FH,N subtotal	40,371
FAMILY HOUSING, AIR FORCE	
Fiscal year 1992 rescission, Public Law 102–136: Florida: Homestead AFB: Improve 90 units	6,400
Fiscal year 1993 rescission, Public Law 102–380:	
Michigan: K.I. Sawyer AFB: Improve 134 units	10,351
California: March AFB: Replace 320 units	38,351
Total	48,702
FH,AF subtotal	55,102
FH subtotal	95,473
Grand total:	
Rescissions	277,595
General reductions	17,660
Total	295,255

Mrs. VUCANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am delighted today to bring to the floor, along with my chairman and friend the gentleman from North Carolina [Mr. HEFNER], the conference report making appropriations for military construction for fiscal year 1994.

I would like to thank the chairman and the members of the subcommittee for their hard work. In addition, I want to commend the staff for their hours of toil and trouble.

I support this conference report. Although the measure is not all things to all Members, I believe we have arrived at an equitable compromise.

Mr. HEFNER has outlined the highlights of the bill so I won't be repetitive. I would simply point out again that the bill totals $10.1 billion for fiscal year 1994, is under the President's request by $729 million, is $209 million less than appropriated by the House, and is below the subcommittee's 602(b) allocation.

While the bill shows a significant increase over fiscal year 1993 funding, this is due to base closure expenses—which account for 30 percent of the bill—and making up for a DOD-initiated construction pause in fiscal year 1993.

The military construction bill constitutes about 3 percent of DOD's total budget. The majority of the other 97 percent is provided through the annual Defense authorization and appropriations bills. I believe it is important to note that our subcommittee has worked closely with the Armed Services Committee in order to move the bill forward.

Military construction is an investment program that has significant payback in economic terms, in better living and working conditions, and in environmental restoration.

This bill helps meet that goal. I hope that my colleagues will support this conference report.

Mr. Speaker, before reserving the balance of my time, I would like to engage in a colloquy with the chairman regarding a project not funded in the military construction appropriations conference report.

The conferees decided not to fund the Air National Guard project at Pease Air Force Base for the upgrade of the Kc-135 hydrant refueling system. Is it correct that this action was based on questions about the scope of the project?

Mr. HEFNER. Mr. Speaker, if the gentlewoman will yield, that is correct.

Mrs. VUCANOVICH. If the scope questions are resolved, would the committee reconsider this project—either for funding under base realignment and closure, or as a new start reprogramming, or as an item in the fiscal year 1995 budget?

Mr. HEFNER. Mr. Speaker, if the gentlewoman will yield, when the scope has been resolved and when the cost has been re-estimated, we would certainly reconsider the project.

Mrs. VUCANOVICH. Mr. Speaker, I thank the subcommittee chairman.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Speaker I would like to thank the efforts of subcommittee chairman HEFNER, my special friend BARBARA VUCANOVICH, ranking minority member, and the Military Construction Committee staff on both sides of the aisle.

I ask the Members to support the military construction conference report.

The committee worked hard to fund the administration's requests. However, the downsizing of the military and other domestic needs have forced a cut in this year's funding.

This cut in funding concerns me. MilCon has been referred to as the quality of life appropriation for the services. As such, I feel it needs a higher priority than it received this year.

All of us remember the state of our military in 1980, when many of our troops needed food stamps to feed their families. That is unacceptable.

We ask our Armed Forces to stand in harm's way to protect us and our homes. We must ensure that our troops are housed and properly supplied. This year's conference report does the best we can within the fiscal constraints the 602(b) allocations permit.

The committee reviewed administration and Member requests. The committee balanced the equities of each proposal while all the time focusing on one central mandate—quality of life.

The numbers drive this bill. However, there are some important measures for the quality of life of the troops.

For instance, the committee funded a day care center for the children of the troops serving at Edgewood aresenal.

The Army slated this project to be completed with minor construction funds. However, there is a statutory limit of $1.5 million for those items. The Edgewood day care center's projected cost is $1.4 million. If the bids come in for over $1.5 million—minor construction funds cannot be used.

As a result, the day care center might not be built—even though one is desperately needed.

Currently, the child care center is housed in a World War II era stable. I would like to quote DOD's own description:

> Buildings "consist of three separate WWII wood buildings contaminated with friable asbestos and lead paint. The buildings have structural problems. . . . Facilities are presently required to use bottled water for drinking due to the condition of the pipes. The present capacity of 125 does not meet the current need of 363 children."

This need has existed for years, and the Army has not been able to budget for an adequate child care center.

The executive branch cannot know the needs in every congressional district. That is why we are here.

We are not rubber stamps. That is why my constituents have sent me here. It is my duty to raise this and other issues that affect the soldiers who are stationed in my district and my military personnel stationed elsewhere.

I urge support of the conference report.

Mr. HEFNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Guam [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I would like to enter into a colloquy regarding Senate report language dealing with closure of Naval Air Station Agana. As you know, the President and the Congress have approved the Base Realignment and Closure Commission recommendation to close Naval Air Station Agana. However, the Senate report language requires the local communities in Guam to submit a local financing plan to the Secretary of the Navy for his consideration and approval. Would the gentleman agree that this Senate report language runs counter to existing base closure law and does not have the force of law to override existing statute.

Mr. HEFNER. Mr. Speaker, if the gentleman will yield, the gentleman is correct in that the report language runs counter to existing law. As the gentleman knows, I have written a letter to the Secretary of the Navy, on behalf of the gentleman from Guam, in articulating our position.

I can assure the gentleman that we will go to whatever length it takes to see that this is obeyed.

Mr. UNDERWOOD. Mr. Speaker, I thank the gentleman for his support and his patience and understanding.

Mrs. VUCANOVICH. Mr. Speaker, I yield such time as he may consume for the gentleman from Alabama [Mr. CALLAHAN].

Mr. CALLAHAN. Mr. Speaker, the chairman has said it all. It is the best agreement that we can get under the circumstances. I urge a favorable vote on this issue.

Mr. Speaker, I join with my colleagues in support of the fiscal year 1994 military construction appropriations conference report. I want to congratulate the gentleman from North Carolina, Mr. HEFNER, the gentlewoman from Nevada, Mrs. VUCANOVICH, the gentleman from Tennessee, Mr. SASSER, and the gentleman from Washington, Mr. GORTON, and the professional and associate staff for putting together a military construction bill that is $729 million less than President Clinton's $10.8 billion request. I, for one, am proud of all the men and women who serve their country, and believe their responsibility and dedication deserves the best we can offer them. I urge a favorable vote.

Mrs. VUCANOVICH. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I thank the gentlewoman for yielding this time to me.

Mr. Speaker, I support the fiscal year 1994 military construction appropriations conference report. The bill contains much needed funding for Marine Corps Base Camp Pendleton, which is in my district.

Earlier this year, southern California was hit with torrential floods. The floods caused millions of dollars in damage including severe damage to Camp Pendleton. I visited Pendleton shortly after most of the floods receded. I was surprised at the extent of damage I saw.

Bridges and major portions of the roadway literally disappeared. Water wells were completely washed away. Helicopters, which at one point were submerged under 15 feet of water, were still buried in mud up to their cockpit. Cars and trucks were overturned and small office buildings and trailers were swept a quarter of a mile away.

Funds included in this conference report will go a long way toward repairing a portion of the damage done to the base.

I would like to thank Chairman HEFNER and Congresswoman VUCANOVICH for their help to fund these sorely needed repairs.

Mr. CASTLE. Mr. Speaker, I rise in support of the conference report on H.R. 2446, the military construction appropriations bill for fiscal year 1994.

In particular, I want to thank Chairman BILL HEFNER, the ranking minority member BARBARA VUCANOVICH and the members of the subcommittee for their attention to the housing needs of enlisted personnel in our Armed Forces.

As my colleagues with military bases in their districts know, base housing for enlisted personnel is one area of the Defense budget where indiscriminate cuts can undermine the quality of life and morale of the youngest members of the military services.

At Dover Air Force Base in Delaware, most of the dormitories date from the 1950's. They are not in good repair and must be replaced. Despite the draw-down in the Armed Forces, Dover Air Force Base will continue to be a key part of the air mobility command. I want to thank Chairman HEFNER and members of the committee for restoring full funding for a dormitory project at Dover. While it is a relatively small sum of $4.4 million, failure to provide these funds would have resulted in the loss of rooms for at least 50 enlisted personnel and additional costs to complete the new dormitory at a later date.

As a result of the committee's action, 175 young men and women at Dover Air Force Base will have quality living space.

Again, I thank Chairman HEFNER, Mrs. VUCANOVICH and the subcommittee staff for their consideration of the well-being and morale of the most junior members of the Air Force. I urge passage of the conference report.

Mr. FAWELL. Mr. Speaker, in the twinkling of an eye the House will approve the conference report accompanying H.R. 2446, the Military Construction Appropriations Act for fiscal year 1994.

On the surface, the conference committee's recommendations appear to be fiscally responsible, for they provide $10,065,114,000 of new (obligational) budget authority, which is $729,277,000 below the Administration's request of $10,794,341,000, and $208,617,000 below the House-approved level of $10,273,731,000.

Unfortunately, the devil is in the details, and a detailed examination of the conference report paints another picture. First, the conference committee's recommendations total $311,637,000, or nearly 3.2 percent above the Senate-approved level of $9,753,477,000. Second, and even more objectionable, is the fact that the conference committee's recommendations include 22 unauthorized earmarks totaling $66,022,000 in 7 Military Construction appropriations accounts: one totaling

$1,450,000 in the "Military Construction, Army" account; 4 totaling $6,550,000 in the "Military Construction, Navy" account; 3 totaling $7,050,000 in the "Military Construction, Air Force" account; 8 totaling $13,272,000 in the "Military Construction, Army National Guard" account; 4 totaling $26,250,000 in the "Military Construction, Air National Guard" account; one totaling $8,700,000 in the "Military Construction, Naval Reserve" account; and one totaling $2,750,000 in the " Military Construction, Air Force Reserve" account. Five of these earmarks totaling $10,958,000 also had not been appropriated by either the House or Senate during their consideration of H.R. 2446.

The conference committee recommended the largest add-on to the Army National Guard account. The conference committee's recommended level of $302,719,000 is an increase of $251,854,000, or more than 495 percent, above the administration request of $50,865,000. This recommendation is also $73,268,000, or nearly 32 percent, above the House Armed Services Committee's recommendation of $229,023,000, and $25,668,000, or nearly 9.3 percent above the Senate Armed Services Committee's recommendation of $277,541,000. As noted above, the conference committee recommended 8 unauthorized earmarks in this account totaling $13,272,000 including three earmarks totaling $2,458,000 for three armories in Tennessee which had received no prior appropriations.

I decline to oppose this conference report on the House floor today because the rules of the House precluded a meaningful challenge. I do plan to work with our colleagues on the Senate side to address this serious issue.

A list of these unauthorized earmarks follows:

Military Construction, Army: 1 Line Item Totaling $1,450,000.

1. Edgewood Arsenal (Maryland): $1,450,000 for Child Development Center. Not authorized by House or Senate; appropriated by House only.

Military Construction, Navy: 5 Line Items Totaling $11,550,000.

1. Camp Pendelton Marine Corps Base (California): $750,000 for Emergency Off-Base Water Supply Main. Not authorized by House or Senate; appropriated by House only.

2. Camp Pendelton Marine Corps Base (California): $1,000,000 for Flood Protection-Sewage Treatment Plant. Not authorized by House or Senate; appropriated by House only.

3. Camp Pendelton Marine Corps Base (California): $1,800,000 for Relocate Water Wells. Not authorized by House or Senate; appropriated by House only.

4. Camp Pendelton Marine Corps Base (California): $3,000,000 for Replace Drainage Structures. Not authorized by House or Senate; appropriated by House only.

Military Construction, Air Force: 3 Line Items Totaling $7,050,000.

1. Tydall Air Force Base (Florida): $3,200,000 for Add to Base Supplies and Equipment Warehouse. Not authorized by House or Senate; appropriated by House only.

2. Tydall Air Force Base (Florida): $2,400,000 for Security Police Operations. Not authorized by House or Senate; appropriated by House only.

3. Fort George Meade (Maryland): $1,450,000 for Add to Operations Facility. Not authorized by House or Senate; appropriated by House only.

Military Construction, Army National Guard: 8 Line Items Totaling $13,272,000.

1. Fort Irwin (California): $1,265,000 for Maintenance Pad Covers. Not authorized by House or Senate; appropriated by House only.

2. Molokai (Hawaii): $1,050,000 for Armory. Not authorized by House or Senate; appropriated by Senate only.

3. Oahu (Hawaii): $4,300,000 for Armory. Not authorized by House or Senate; appropriated by Senate only.

4. Poplar Bluff (Missouri): $2,842,000 for Armory and Organizational Maintenance Shop. Not authorized by House or Senate; appropriated by Senate only.

5. Camden (Tennessee): $714,000 for Armory Addition. Not authorized by House or Senate; not appropriated by House or Senate.

6. Milan (Tennessee): $1,357,000 for Armory. Not authorized by House or Senate; $1,352,000 appropriated by House only.

7. Tiptonville (Tennessee): $1,157,000 for Armory. Not authorized by House or Senate; not appropriated by House or Senate.

8. Waverly (Tennessee): $587,000 for Armory Addition. Not authorized by House or Senate; not appropriated by House or Senate.

Military Construction, Air National Guard: 4 Line Items Totaling $26,250,000.

1. Robins Air Force Base (Georgia): $5,750,000 for Support and Hydrant System. Not authorized by House or Senate; not appropriated by House or Senate.

2. NAS Barking Sands (Hawaii): $8,500,000 for Forward Air Control Point Facility. Not authorized by House or Senate; appropriated by Senate only.

3. Hickman Air Force Base, Hawaii: $9,700,000 for Consolidated Support Facility. Not authorized by House or Senate; appropriated by Senate only.

4. Capital Map (Springfield, Illinois): $2,300,000 for Upgrade Runway.

Military Construction, Naval Reserve: 1 Line Item Totaling $8,700,000.

1. Naval Support Activity, New Orleans (Louisiana): $8,700,000 for Marine Corps Reserve Force Headquarters. Not authorized by House or Senate; appropriated by House only.

Military Construction, Air Force Reserve: 1 Line Item Totaling $2,750,000.

1. Homestead Air Force Base (Florida): $2,750,000 for Medical Training Facility. Not authorized by House or Senate; not appropriated by House or Senate.

Mr. BEREUTER. Mr. Speaker, this Member would like to express his sincere gratitude to the chairman of the Military Construction Subcommittee, the distinguished gentleman from North Carolina [Mr. HEFNER], and the distinguished ranking member, the gentleman from New Mexico [Mr. SKEEN], for supporting important and much-needed modernization for the Nebraska Air National Guard in the fiscal year 1994 Military Construction Appropriations Conference Report. The Nebraska Air Guard is in the midst of a transition from RF–4C reconnaissance aircraft to KC–135R tankers. The Nebraska Air Guard has enthusiastically embraced this new mission, and the conversion is well underway. However, a number of infrastructure alterations are necessary to support the conversion.

Of particular concern is the old maintenance hangar and repair facility. The hangar in question is almost 40 years old and is showing its age. Moreover, it is filled with old asbestos insulation, which carries with it obvious health risks. While it may have been adequate to maintain small fighter-type aircraft such as the RF–4C, it is completely unsuitable for the much larger KC–135R tankers. Construction of the new maintenance hangar is absolutely essential if the Air Guard is to support its new mission.

Mr. Speaker, this Member is particularly appreciative of the fact that the Military Construction Subcommittee was able to find the funds required to support the hangar renovation, and that these funds were retained in conference. In doing so, they have made an important, positive contribution to the readiness of our Air National Guard.

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Mr. VUCANOVICH. Mr. Speaker, I yield back the balance of my time.

Mr. HEFNER. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

Mr. HEFNER. Mr. Speaker, I ask unanimous consent that the motions as printed in the joint statement of managers be considered as read when offered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER pro tempore. Pursuant to the previous order of the House, the motions printed in the joint statement are considered as read.

The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 1: Page 2, line 9, strike out "$837,644,000" and insert "$723,505,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$906,676,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 3: Page 2, line 17, after "therefor" insert ": *Provided further*, That of the funds appropriated for "Military Construction, Army" under Public Law 102–136, $4,700,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Army" under Public Law 102–380, $9,200,000 is hereby rescinded".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 3, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 4: Page 2, line 25, strike out "$575,971,000" and insert "$580,033,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 4, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$681,373,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 6: Page 3, line 7, after "therefor" insert ": *Provided further*, That of the funds appropriated for "Military Construction, Navy" under Public Law 101–148, $7,662,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Navy" under Public Law 102–136, $23,630,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Navy" under Public Law 102–380, $37,660,000 is hereby rescinded".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for "Military Construction, Navy" under Public Law 101–148, $7,662,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Navy" under Public Law 101–519, $14,406,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Navy" under Public Law 102–136, $62,899,000 is hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Navy" under Public Law 102–380, $37,660,000 is hereby rescinded".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 7: Page 3, line 12, strike out "$913,297,000" and insert "$963,726,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 7, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$1,021,567,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 9: Page 3, line 20, after "therefor" insert ": *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 102–136, $14,480,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 102–380, $2,230,000 is hereby rescinded".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 9, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 101–148, $8,315,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 101–519, $6,550,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 102–136, $12,980,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 102–380, $2,250,000 is hereby rescinded".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 11: Page 4, line 12, strike out "$42,405,000" and insert "$37,405,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 11, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$44,405,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 12: Page 4, line 17, after "therefor" insert ": *Provided further*, That of the funds appropriated for "Military Construction, Defense Agencies" under Public Law 102–136, $15,500,000 is hereby rescinded".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 13: Page 4, line 24, strike out "$203,980,000" and insert "*291,250,000*".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 13, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$302,719,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 17: Page 6, line 6, strike out "$66,136,000" and insert "*$68,427,000*".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 17, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$74,486,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 20: Page 7, line 1, strike out "$218,785,000" and insert "$228,385,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 20, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$228,885,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 23: Page 7, line 11, strike out "$367,769,000" and insert "$354,738,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 23, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$370,208,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 24: Page 7, line 13, strike out "$781,952,000" and insert $835,055,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$772,055,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 25: Page 7, line 14, strike out "$1,149,721,000" and insert $1,189,793,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 25, and concur therein with an amendment, as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$1,142,263,000.".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 26: Page 7, line 14, after "$1,149,721,000" insert ": *Provided*, That of the funds appropriated for "Family Housing, Navy and Marine Corps" under Public Law 101–148, $25,018,000 is hereby rescinded".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 26, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for "Family Housing, Navy and Marine Corps" under Public Law 101–148, $14,100,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Family Housing, Navy and Marine Corps" under Public Law 101–519, $28,018,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Family Housing, Navy and Marine Corps" under Public Law 102–380, $1,253,000 is hereby rescinded".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 27: Page 7, line 22, strike out "$192,197,000" and insert "$195,035,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$187,035,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 28: Page 7, line 24, strike out "$805,847,000" and insert $853,912,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 28, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$790,912,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 29: Page 7, line 24, strike out "$998,044,000" and insert "$1,048,947,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$977,947,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 30: Page 7, line 24, after "$998,044,000" insert ": *Provided*, That of the funds appropriated for "Family Housing, Air Force" under Public Law 102–136, $6,400,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Family Housing, Air Force" under Public Law 102–380, $48,702,000 is hereby rescinded".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 30, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 33: Page 8, line 15, after "$151,400,000" insert", to remain available until expended".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 33, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 38: Page 9, line 19, strike out "$1,200,000,000" and insert "$1,197,000,000".

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 38, and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "$1,144,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 40: Page 16, strike out lines 6 to 25.

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 40, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert:

SEC. 122. (a) Notwithstanding any other provision of law, the Secretary of the Army shall transfer, no later than September 30, 1994, without reimbursement or transfer of funds, to the Architect of the Capitol, a portion of the real property, including improvements thereon, consiting of not more than 100 acres located at Fort George G. Meade in Anne Arundel County, Maryland, as determined under subsection (c).

(b) The Architect of the Capitol shall, upon completion of the survey performed pursuant to subsection (c) and the transfer effected pursuant to subsection (a), utilize the transferred property to provide facilities to accommodate the varied long term storage and service needs of the Library of Congress and other Legislative Branch agencies.

(c) The exact acreage and legal description of the property to be transferred under this section shall be determined by a survey satisfactory to the Architect of the Capitol and the Secretary of the Army, and in consultation with officials of Anne Arundel County, Maryland.

(d) Any real property and improvements thereon transferred pursuant to this section shall be under the jurisdiction of the Architect of the Capitol, subject to the rules and regulations providing for the use of such property as may be approved by the House Office Building Commission and the Senate Committee on Rules and Administration: *Provided*, That any existing improvements made available by the Architect to the Librarian of Congress, under the direction of the Joint Committee on the Library, or hereafter erected upon such real property pursuant to law for the purposes of providing for the long term storage and service needs of the Library of Congress shall be subject to the provisions of sections 136, 141 and 167 to 167j of Title 2, United States Code.

(e) Portions of the real property and any improvements thereon transferred pursuant to this section that are not determined to be immediately required for storage or service needs by the Architect are authorized to be leased temporarily to the Secretary of the Army: *Provided*, That nominal lease payments made by the Secretary of the Army shall be credited to the appropriation "Architect of the Capital, Library Buildings and Grounds, Structural and Mechanical Care, No Year".

(f) There are authorized to be appropriated to the Architect of the Capitol such sums as may be necessary to carry out the provisions of this section.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 42: Page 17, strike out lines 6 to 9.

MOTION OFFERED BY MR. HEFNER

Mr. HEFNER. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. HEFNER moves that the House recede from its disagreement to the amendment of the Senate numbered 42, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert:

SEC. 124. None of the funds appropriated in this Act or any other Act may be used for the purposes of establishing any criminal detention or rehabilitation facility or program at Fort George Meade, Maryland.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. HEFNER].

The motion was agreed to.

A motion to reconsider the votes by which the various motions were agreed to was laid on the table.

AVIATION INFRASTRUCTURE INVESTMENT ACT OF 1993

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). Pursuant to House Resolution 269 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2739.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2739) to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes, with Mr. HEFNER, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, October 7, 1993, the amendment offered by the gentleman from Virginia [Mr. MORAN] had been disposed of and title II was open for amendment at any point.

Pursuant to the order of the Committee of Thursday, October 7, 1993, debate on the remainder of the bill and any amendments thereto will be limited to 1 hour and 15 minutes, 1 hour allocated to the amendment, if offered, by the gentleman from Virginia [Mr. WOLF], and 15 minutes for any remaining debate or amendments.

Are there further amendments to title II?

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent that title III of the bill be open for amendment and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will designate title III.

The text of title III is as follows:

TITLE III

Title III—Federal Aviation Administration Research, Engineering, and Development Authorization Act of 1993".

SEC. 2. AVIATION RESEARCH AUTHORIZATION OF APPROPRIATIONS.

Section 506(b)(2) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2205(b)(2)) is amended by striking subparagraph (A) and all that follows through the end of the paragraph and inserting the following:

"(A) for fiscal year 1994—

"(i) $13,498,000 solely for management and analysis projects and activities;

"(ii) $76,939,000 solely for capacity and air traffic management technology projects and activities;

"(iii) $35,675,000 solely for communications, navigation, and surveillance projects and activities;

"(iv) $1,908,000 solely for weather projects and activities;

"(v) $7,509,000 solely for airport technology projects and activities;

"(vi) $40,175,000 solely for aircraft safety technology projects and activities;

"(vii) $35,430,000 solely for system security technology projects and activities;

"(viii) $27,756,000 solely for human factors and aviation medicine projects and activities;

"(ix) $5,385,000 for environment and energy projects and activities; and

"(x) $5,725,000 for innovative/cooperative research projects and activities, of which $1,000,000 shall be available for the establishment of a new Aviation Center of Excellence;

"(B) for fiscal year 1995—

"(i) $14,847,000 solely for management and analysis projects and activities;

"(ii) $84,000,000 solely for capacity and air traffic management technology projects and activities;

"(iii) $39,242,000 solely for communications, navigation, and surveillance projects and activities;

"(iv) $2,098,000 solely for weather projects and activities;

"(v) $8,260,000 solely for airport technology projects and activities;

"(vi) $44,192,000 solely for aircraft safety technology projects and activities;

"(vii) $39,523,000 solely for system security technology projects and activities;

"(viii) $31,716,000 solely for human factors and aviation medicine projects and activities;

"(ix) $5,923,000 for environment and energy projects and activities; and

"(x) $5,199,000 for innovative/cooperative research projects and activities; and

"(C) for fiscal year 1996—

"(i) $16,332,000 solely for management and analysis projects and activities;

"(ii) $92,402,000 solely for capacity and air traffic management technology projects and activities;

"(iii) $43,167,000 solely for communications, navigation, and surveillance projects and activities;

"(iv) $2,307,000 solely for weather projects and activities;

"(v) $9,086,000 solely for airport technology projects and activities;

"(vi) $48,611,000 solely for aircraft safety technology projects and activities;

"(vii) $43,475,000 solely for system security technology projects and activities;

"(viii) $34,887,000 solely for human factors and aviation medicine projects and activities;

"(ix) $6,515,000 environment and energy projects and activities; and

"(x) $5,718,000 for innovative/cooperative research projects and activities.

Not less than 15 percent of the amount appropriated pursuant to this paragraph shall be for long-term research projects, and not less than 3 percent of the amount appropriated under this paragraph shall be available to the Administrator for making grants under section 312(g) of the Federal Aviation Act of 1958.".

SEC. 3. JOINT AVIATION RESEARCH AND DEVELOPMENT PROGRAM.

(a) ESTABLISHMENT.—The Administrator and the heads of other appropriate Federal agencies shall jointly establish a program to conduct research on aviation technologies that enhance United States competitiveness. The program shall include—

(1) next-generation satellite communications, including global positioning satellites;

(2) advances airport and airplane security;

(3) environmentally compatible technologies, including technologies that limit or reduce noise and air pollution;

(4) advanced aviation safety programs; and

(5) technologies and procedures to enhance and improve airport and airway capacity.

(b) PROCEDURES FOR CONTRACTS AND GRANTS.—The Administrator and the heads of the other appropriate Federal agencies shall administer contracts and grants entered into under the program established under subsection (a) in accordance with procedures developed jointly by the Administrator and the heads of the other appropriate Federal agencies. The procedures should include an integrated acquisition policy for contract and grant requirements and for technical data rights that are not an impediment to joint programs among the Federal Aviation Administration, the other Federal agencies involved, and industry.

(c) PROGRAM ELEMENTS.—The program established under subsection (a) shall include—

(1) selected programs that jointly enhance public and private aviation technology development;

(2) an opportunity for private contractors to be involved in such technology research and development; and

(3) the transfer of Government-developed technologies to the private sector to promote economic strength and competitiveness.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of amounts authorized to be appropriated for fiscal years 1994, 1995, and 1996 under section 506(b)(2) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2205(b)(2)), as amended by section 2 of this Act, there are authorized to be appropriated for fiscal years 1994, 1995, and 1996, respectively, such sums as may be necessary to carry out this section.

SEC. 4. AIRCRAFT CABIN AIR QUALITY RESEARCH PROGRAM.

(a) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration (in this Act referred to as the "Administrator") and the heads of other appropriate Federal agencies shall establish a research program to determine—

(1) what, if any, aircraft cabin air conditions, including pressure altitude systems, on flights within the United States are harmful to the health of airline passengers and crew, as indicated by physical symptoms such as headaches, nausea, fatigue, and lightheadedness; and

(2) the risk of airline passengers and crew contracting infectious diseases during flight.

(b) CONTRACT WITH INDEPENDENT RESEARCH ORGANIZATION.—In carrying out the research program established under subsection (a), the Administrator and the heads of the other appropriate Federal agencies shall contract with an independent research organization to carry out any studies necessary to meet the goals of the program set forth in subsection (c).

(c) GOALS.—The goals of the research program established under subsection (a) shall be—

(1) to determine what, if any, cabin air conditions currently exist on domestic aircraft used for flights within the United States that could be harmful to the health of airline passengers and crew, as indicated by physical symptoms such as headaches, nausea, fatigue, and lightheadedness, and including the risk of infection by bacteria and viruses;

(2) to determine to what extent, changes in, cabin air pressure, temperature, rate of cabin air circulation, the quantity of fresh air per occupant, and humidity on current domestic aircraft would reduce or eliminate the risk of illness or discomfort to airline passengers and crew; and

(3) to establish a long-term research program to examine potential health problems to airline passengers and crew that may arise in an airplane passengers and crew that may arise in an airplane cabin on a flight within the United States because of cabin air quality as a result of the conditions and changes described in paragraphs (1) and (2).

(d) PARTICIPATION.—In carrying out the research program established under subsection (a), the Administrator shall encourage participation in the program by representatives of aircraft manufacturers, air carriers, aviation employee organizations, airline passengers, and academia.

(e) REPORT.—(1) Within six months after the date of enactment of this Act, the Administrator shall submit to the Congress a plan for implementation of the research program established under subsection (a).

(2) The Administrator shall annually submit to the Congress a report on the progress made during the year for which the report is submitted toward meeting the goals set forth in subsection (c).

(f) AUTHORIZATION OF APPROPRIATIONS.—Of amounts authorized to be appropriated for fiscal years 1994, 1995, and 1996 under section 506(b)(2) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2205(b)(2)), as amended by section 2 of this Act, there are authorized to be appropriated for fiscal years 1994, 1995, and 1996, respectively, such sums as may be necessary to carry out this section.

SEC. 5. LIMITATION ON APPROPRIATIONS.

Nothwithstanding any other provision of this Act, no funds are authorized to be appropriated for any fiscal year after fiscal year 1996 for carrying out the programs for which funds are authorized by this Act, or by the amendments made by this Act.

SEC. 6. USE OF DOMESTIC PRODUCTS.

(a) PROHIBITION AGAINST FRAUDULENT USE OF "MADE IN AMERICA" LABELS.—(1) A person shall not intentionally affix a label bearing the inscription of "Made in America", or any inscription with that meaning, to any product sold in or shipped to the United States, if that product is not a domestic product.

(2) A person who violates paragraph (1) shall not be eligible for any contract for a procurement carried out with amounts authorized under this Act, including any subcontract under such a contract pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations, or any successor procedures thereto.

(b) COMPLIANCE WITH BUY AMERICAN ACT.—(1) Except as provided in paragraph (2), the head of each office within the Federal Aviation Administration that conducts procurements shall ensure that such procurements are conducted in compliance with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a through 10c, popularly known as the "Buy American Act").

(2) This subsection shall apply only to procurements made for which—

(A) amounts are authorized by this Act to be made available; and

(B) solicitations for bids are issued after the date of the enactment of this Act.

(3) The Secretary, before January 1, 1995, shall report to the Congress on procurements covered under this subsection of products that are not domestic products.

(c) DEFINITIONS.—For the purposes of this section, the term "domestic product" means a product—

(1) that is manufactured or produced in the United States; and

(2) at least 50 percent of the cost of the articles, materials, or supplies of which are mined, produced, or manufactured in the United States.

SEC. 7. PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that any recipient of a grant under this Act, or under any amendment made by this Act, should purchase, when available and cost-effective, American made equipment and products when expending grant monies.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In allocating grants under this Act, or under any amendment made by this Act, the Secretary shall provide to each recipient a notice describing the statement made in subsection (a) by the Congress.

AMENDMENT OFFERED BY MR. KLEIN

Mr. KLEIN. Mr. Chairman, I offer an amendment, and I ask unanimous consent that it be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The text of the amendment is as follows:

Amendment offered by Mr. KLEIN: Strike out section 301 and insert in lieu thereof the following:

SEC. 301. AVIATION RESEARCH AUTHORIZATION OF APPROPRIATIONS.

Section 506(b)(2) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2205(b)(2)) is amended by striking subparagraph (A) and all that follows through the end of the paragraph and inserting the following:

"(A) for fiscal year 1994—

"(i) $11,297,000 solely for management and analysis projects and activities;

"(ii) $76,939,000 solely for capacity and air traffic management technology projects and activities;

"(iii) $35,675,000 solely for communications, navigation, and surveillance projects and activities;

"(iv) $1,908,000 solely for weather projects and activities;

"(v) $7,509,000 solely for airport technology projects and activities;

"(vi) $40,175,000 solely for aircraft safety technology projects and activities;

"(vii) $35,430,000 solely for system security technology projects and activities;

"(viii) $27,756,000 solely for human factors and aviation medicine projects and activities;

"(ix) $7,586,000 for environment and energy projects and activities; and

"(x) $5,725,000 for innovative/cooperative research projects and activities, of which $1,000,000 shall be available for the establishment of a new Aviation Center of Excellence;

"(B) for fiscal year 1995—

"(i) $12,646,000 solely for management and analysis projects and activities;

"(ii) $84,000,000 solely for capacity and air traffic management technology projects and activities;

"(iii) $39,242,000 solely for communications, navigation, and surveillance projects and activities;

"(iv) $2,098,000 solely for weather projects and activities;

"(v) $8,260,000 solely for airport technology projects and activities;

"(vi) $44,192,000 solely for aircraft safety technology projects and activities;

"(vii) $39,523,000 solely for system security technology projects and activities;

"(viii) $31,716,000 solely for human factors and aviation medicine projects and activities;

"(ix) $8,124,000 for environment and energy projects and activities; and

"(x) $5,199,000 for innovative/cooperative research projects and activities; and

"(C) for fiscal year 1996—

"(i) $14,131,000 solely for management and analysis projects and activities;

"(ii) $92,402,000 solely for capacity and air traffic management technology projects and activities;

"(iii) $43,167,000 solely for communications, navigation, and surveillance projects and activities;

"(iv) $2,307,000 solely for weather projects and activities;

"(v) $9,086,000 solely for airport technology projects and activities;

"(vi) $48,611,000 solely for aircraft safety technology projects and activities;

"(vii) $43,475,000 solely for system security technology projects and activities;

"(viii) $34,887,000 solely for human factors and aviation medicine projects and activities;

"(ix) $8,716,000 for environment and energy projects and activities; and

"(x) $5,718,000 for innovative/cooperative research projects and activities.

"Not less than 15 percent of the amount appropriated pursuant to this paragraph shall be for long-term research projects, and not less than 3 percent of the amount appropriated under this paragraph shall be available to the Administrator for making grants under section 312(g) of the Federal Aviation Act of 1958.".

Mr. KLEIN. Mr. Chairman, today I offer an amendment to H.R. 2739 that will improve both the competitiveness of our domestic aircraft industry and the quality of life for the millions of Americans who live near airports. My amendment will transfer money from FAA's administrative functions to aircraft noise reduction research. This money is not going to a new program, but one that has been reviewed extensively by Congress and has received consistent support.

Aircraft noise is a problem that is twofold. As anyone who lives near an airport will tell you, it is not a pleasant situation. Many families are disrupted by the constant roar overhead of planes taking off and landing. Any action that can be taken to minimize this intrusion is welcome news to those New Jerseyites, such as Doug Hill of Montclair and Jerry Baron of South Orange, who know the flight paths around Newark Airport all too well.

Noise reduction is also of major concern to industry, as it is vital that our planes are made quieter in order to conform to international noise standards. If current trends continue, American-made planes will soon be unable to land in European airports. Fully funded noise reduction research has been endorsed by both AOPA and GAMA.

Two years ago, in 1991, the Aircraft Noise Abatement Working Group of the FAA Research and Development Advisory Group urged the development of a nationwide policy to develop improved engine and airframe noise reduction technology. They recommended three areas for research:

First, jet engine core noise analysis.

Second, antinoise analysis.

Third, high-lift technology.

Acting on this information, and at the urging of the aircraft industry and those who live in the vicinity of any major airport, Congress approved substantive research efforts in this area. In Public Law 102–581, the House directed FAA to conduct research to minimize the noise of both new and existing aircraft. Unfortunately, the fiscal year 1994 administration request of $4,361,000 represents an 8-percent reduction from fiscal year 1993 appropriations.

This amendment reprograms roughly $2.2 million, the amount that FAA management was increased in fiscal year 1994 for the R&D management and systems analysis accounts, to the environment and energy projects and activities accounts. Simply, we are putting money that Congress asked for back into noise reduction R&D by taking from administrative increases. This done not only for this year, but for fiscal years 1995 and 1996.

I urge my colleagues to adopt this amendment which is both bipartisan and revenue neutral.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, although this matter is within the jurisdiction of the Committee on Space, Science, and Technology, we have reviewed the amendment and discussed it with the gentleman from New Jersey [Mr. KLEIN] and with the chairman of the full committee, and are fully in support of the reprogramming in order to get more funding into studies and research on noise abatement. It is a sound amendment, it will focus the funds appropriately, and, for our part, we support the amendment.

Mr. KLEIN. Mr. Chairman, I thank the gentleman from Minnesota [Mr. OBERSTAR] for his support.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Jersey [Mr. KLEIN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WOLF

Mr. WOLF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WOLF: Pages 16 through 22, strike section 207 of the bill.
>
> Redesignate subsequent sections of title II of the bill accordingly.

The CHAIRMAN pro tempore. Pursuant to the order of the Committee of Thursday, October 7, 1993, the gentleman from Virginia [Mr. WOLF] will be recognized for 30 minutes, and the gentleman from Minnesota [Mr. OBERSTAR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, there is a provision in H.R. 2739 which represents an assault on the 1986 legislation which transferred control of Washington National and Washington Dulles International airports from the FAA to a local airports authority. I am referring to the provision mandating collective bargaining for employees at these two airports, and I am offering an amendment to delete this section from the bill.

It is important to emphasize that this is not a vote on whether or not you support collective bargaining. In the bill report's bipartisan additional views, the committee members state:

> Our objection is not to the NLRA and its collective bargaining provisions. In many cases, collective bargaining is desirable and appropriate. The issue is not whether one supports collective bargaining, but whether is should be imposed on public airports by the Federal Government.

Mr. Chairman, I agree. A bipartisan group on the committee also went on to say:

> The imposition of the NLRA and its collective bargaining provisions in this case is unprecedented. While other airports may have adopted collective bargaining provisions on their own initiative, none have been required to do so by the Federal Government. Indeed, we are not aware of any case where the NLRA has been imposed on any agency of a state government or one of its subdivisions.

Mr. Chairman, it closes by stating:

> Doing so here would seem to override the longstanding definition of covered employees in section 22 of the act, which specifically excludes the States.

Mr. Chairman, what the issue is here is that this position represents a dictated approach by the Congress in to these two State and locally operated airports concerning how to bargain with their employees. The Federal Government does not tell a single other airport in the country how to do this. Why Dulles and why National? Many airports do collectively bargain with their employees for wages, but this has been adopted by the local officials who run those airports, and not imposed by Congress.

Mr. Chairman, citing this unprecedented Federal intrusion into State and local matters, the Airports Council International, which represents all airports, passed a resolution this morning in opposition to this measure. Let me just read to Members what the resolution said this morning.

□ 1140

They said:

> Whereas, the U.S. House of Representatives is considering a measure that would impose labor provisions on certain non-Federal airports; and, whereas, labor policy at airports is determined by the law of the State and local entities that operate the airports and the measure in the U.S. House of Representatives being considered is without precedent.

Basically, what they said, the resolution that we are dealing with today is without precedent. It has never been done before.

Then they go on:

> Now therefore be it resolved that the Airports Council International-North America opposes the imposition of labor provisions by the Federal Government on airports operated by States or local entities.

Any Member of this body who has an airport in his or her congressional district should be on guard, because the next step would be that they could then apply this legislation and language in airports in Buffalo, Toledo, Akron, Tupelo, Wake Forest, any area of the country.

It is important to point out, Mr. Chairman, that the Metropolitan Washington Airports Authority does have a labor code which includes an impartial arbitration board selected by labor organization representatives and Airports Authority officials. Neither the board of directors nor the general manager of the Metropolitan Washington Airports Authority has received notice from authority employees that they are dissatisfied with the labor code.

I would like to say, however, that if the Fire Fighters Association, and that is who we are dealing with basically here, which is advocating this provision, has a grievance, I for one would be glad to sit down with them to work it out. But it is inappropriate, again, for the Congress, with a heavy hand, to come in and dictate to these airports in a way that would not be done any other place.

Congress stated, in section 6009 of the 1986 transfer legislation, that these two Washington area airports would be treated like any other airport nationwide, not subject to a Federal law simply because the Federal Government once controlled them. The collective bargaining mandate included in H.R. 2739, therefore, abrogates the transfer legislation. And it is important to remember that these provisions impose restrictions that did not even govern airport employees before the transfer, when they worked for the Federal Aviation Administration.

The Metropolitan Washington Area Airports Authority is a political subdivision created by the Commonwealth of Virginia and the District of Columbia. These collective bargaining provisions also represent a unilateral change in the National Labor Relations Act, which specifically excludes State employees.

I may say, Mr. Chairman, this is being done without a single hearing on the part of the Committee on Education and Labor. Here we are, dramatically changing labor law, dramatically. Yet, the Committee on Education and Labor never held one hearing.

In the additional views it is stated:

> We are not aware of any case where the NLRA has been imposed on any agency of a State government or one of its subdivisions.

Carrying out this law, we could then say that it might be imposed to all of the transit agencies around the country or all the State and local governments.

This congressional micromanagement also amounts to one more unfunded mandate. Now, if I had a dollar for every speech that was given by Members on both sides about unfunded mandates, I would have quite a bit of money. Yet, here we have an unfunded mandate coming which will drive up costs at these two local regional airports.

These higher costs will be borne by the airline industry, which has lost more than $10 billion in the last 3 years. Ultimately, the costs will fall on the shoulders of the travelers not only from this region, not only from Virginia, but also from around the country.

I would urge the support of every Member for this amendment, which would prevent an unprecedented intrusion by the Federal Government into this matter.

In closing, I will say that this is not, Mr. Chairman, an issue with regard to collective bargaining. This is an issue with regard to States' rights. This is an issue with regard to whether the heavy-handed Congress can come in and mandate these things.

As we said earlier, the Airports Council International just today, in looking at this, was so offended by it that they passed a resolution saying that they oppose the imposition of the labor provisions by the Federal Government on airports operated by State or local entities; that is, National and Dulles Airports.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. HEFNER). The gentleman from Virginia [Mr. WOLF] has used 9 minutes of his time.

Mr. OBERSTAR. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. CLAY], chairman of the Committee on Post Office and Civil Service.

Mr. CLAY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Virginia [Mr. WOLF]. Prior to 1986, employees at Dulles and National Airports were Federal employees and subject to the statutory protection afforded such workers.

In 1986, the Congress acted to transfer responsibility for Dulles and National to the Metropolitan Washington Airports Authority. The Washington Airports Authority is an administrative body appointed by officials of the District of Columbia and the State of Virginia. It exercises sole and unilateral authority over the determination of wages for employees of the two airports.

Private sector employees have a right to bargain wages directly with their employer. Public sector workers can directly lobby the institutions that establish their wages, their State legislatures, and local municipal councils. The employees of the Metropolitan Washington Airports Authority have the misfortune of being neither fish nor fowl and effectively have no ability to exercise any voice in the determination of their wages.

Our colleague, the gentleman from Virginia [Mr. WOLF], contends that no real problem exists. If these workers desire to have a voice in the determination of their wages, all they must do is lobby the legislature of two different jurisdictions in hopes that a third independent entity just might take a hint. We, in this body, are all professional legislators and can readily understand just how hollow a right that is.

The gentleman from Virginia [Mr. WOLF] also argues that we have never imposed such authority on any other airport. No other airport authority that I am aware of was created by the Federal Government. Finally, and most importantly, the gentleman neglects the fact that it is Federal law that has left these workers without any effective voice in the determination of their wages. Having created this anomaly, it is certainly within the purview of the Congress to correct it.

The solution imposed by the legislation before us is neither unprecedented nor unworkable. This legislation does not afford these employees the right to strike. It simply affords them the ability to exercise a voice in the determination of their wages. Every American deserves that right. I urge the defeat of the Wolf amendment.

Mr. WOLF. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Chairman, I rise in strong support of this amendment.

I would say to my good friend who just spoke that this authority is no different than many other authorities across the United States. Perhaps the best example is the Port Authority of New York and New Jersey, which has multiple jurisdictions. And while this authority, indeed, is composed of both Washington, DC, and the State of Virginia, this is not unusual. All across America, we find multiple jurisdictions. Therefore, there is no difference between this authority, and it should not be treated any differently.

In fact, no other airport in America has the heavy hand of the Federal Government dictating to it what its labor policy should be. This is not an issue of collective bargaining. Rather, it is an issue of whether the Federal Government is going to say that these airports must be treated differently than every other airport in America.

□ 1150

The Airport Authority is a State agency, formed by a compact between the District of Columbia and Virginia, and should be treated like any other State agency. Indeed, if there are changes in the labor requirements necessary, then it is up to the commonwealth of Virginia and to the District of Columbia to make those changes. There is no reason why the employees in the Washington area should be treated differently from employees in other congressional districts across the United States.

The firefighters who are pushing for this change have actually done quite well under the current labor code. since the airports were transferred from Federal to local control in 1987, firefighters' salaries have increased from $20,000 to $33,000, and the weekly duty hours have decreased from 72 to 56 hours.

Amendments to the Metropolitan Washington Airports Act, especially ones that are dealing with collective bargaining, are beyond the scope of the legislation that is before us today and should not be included in this bill.

It is important to emphasize that the Washington Airport Authority opposes this provision, and as my distinguished colleague, the gentleman from Virginia [Mr. WOLF], has just said this morning, the Airports Council International, which represents all of the airports across America, has also come out in opposition to the language which is included in the bill.

For those reasons, and particularly for the very important reason that no other airport in America is treated this way, with the heavy hand of the Federal Government dictating to it, for all of these reasons I strongly urge support of the amendment offered by the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Virginia [Mr. WOLF]. This is the one area in this bill where there is a disagreement between the majority and the minority. I think in all other respects we are totally in agreement that this is a fine piece of legislation.

We do disagree in this area, because of what has been stated before. That is, what we are going to be imposing on the two airports is a condition that we do not impose on any other airport in the United States. It has to be stressed again and again that this is not an issue having to do with collective bargaining. It is an issue having to do with whether airports have the right to control their own destiny, whether they have the right to determine what kind of labor arrangements they are going to have.

Section 207 in this bill stipulating that employees of Washington National and Dulles Airports shall be covered by the NLRA and its collective-bargaining provisions establishes, therefore, I think a dangerous new precedent that should not be included in this legislation. It is Congress taking onto itself to dictate to a non-Federal and it has to be stressed this is a non-Federal, regional airport authority, how it shall conduct its relationship with labor.

The Metropolitan Washington Airport Authority is a State agency formed by a compact between Virginia and the District of Columbia. National and Dulles Airports do sit on land, and we admit that, that is owned by the Federal Government and leased to the Authority. That is the sole basis for even suggesting this legislation. There is no further association. The land may be owned by the Federal Government, but it is leased to the Authority formed by Virginia and the District of Columbia.

The Metropolitan Washington Airports Act of 1986, when this council was established, in conveying the airports from the Federal Government to the new authority, was very explicit in its desire to grant the airport the same autonomy generally enjoyed by other regionally owned airports around the country. Again, we would be making an exception in this case, treating these two airports differently than we treat all other airports in the country.

I want to point the attention of the Members to section 6009(b) of the Metropolitan Washington Airports Act, which states, in part, "The Metropolitan Washington airports and the Airports Authority shall not be subject to the requirements of any law solely by reason of the retention by the United States of fee simple title to such airports * * *."

Mr. Chairman, I would submit that section 207 of the bill therefore violates this provision of the law.

If we begin to intrude upon the affairs of this particular regional authority, where do we draw the line? Next time we may well be mandating similar changes for airports in your district, in my district. The provision, I think, is setting an extremely dangerous precedent, Mr. Chairman, and I would urge all Members to oppose it, and vote for this amendment.

Mr. WOLF. Mr. Chairman, this is Pennsylvania's day. Two of three Members from Pennsylvania have spoken, and all three have great ties to Penn State, where I went to school, so this is a Penn State effort.

Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. Goodling].

Mr. GOODLING. Mr. Chairman, I should start by saying I would imagine our committee should have jurisdiction over this issue, and should have had hearings and debate and discussion, et cetera. We have had none.

Mr. Chairman, I rise in support of the Wolf amendment to H.R. 2739, the Aviation Infrastructure Investment Act of 1993. As the gentleman from Virginia explained, this amendment would strike from the bill a provision which would extend coverage of the National Labor Relations Act [NLRA] to employees of the Metropolitan Washington Airports Authority, with certain exceptions including a prohibition on the right to strike. Extending the NLRA to public sector employment would override the longstanding definition of covered employer contained in section 2(2) of the act which explicitly excludes the United States, as well as the States and any political subdivision thereof.

Proponents of the provision have explained that it is necessary to correct an inequity that may have resulted with respect to the employees of National and Dulles Airports when responsibility for the airports was transferred from the Federal Government to the airports authority. However, the collective-bargaining rights that would be extended to such employees under the National Labor Relations Act are far more extensive than those they enjoyed as Federal employees. It is my understanding that airport employees were not permitted to collectively bargain over wages and economic issues as Federal employees, although they would be so permitted under this legislation.

Whatever you believe about the merits of extending the National Labor Relations Act in this manner, it certainly could have a profound impact on labor-management relations in public sector employment. The analogy to the extension of the NLRA to employees of the United States Postal Service is not appropriate as it is federally subsidized corporation, something the Metropolitan Washington Airports Authority expressly is not. I support the Wolf amendment because I feel that such a major change in the scope of the National Labor Relations Act, no matter that such a change was accomplished indirectly, warrants more careful consideration.

Mr. Chairman, for the Record, I include a letter I sent to the chairman of the Committee on Education and Labor on this subject:

Committee on Education
and Labor,
Washington, DC, July 28, 1993.

Hon. James L. Oberstar,
Chairman, Subcommittee on Aviation, Rayburn House Office Building, Washington, DC

Dear Jim: I would like to bring to your attention two labor provisions in the draft FAA airport program reauthorization bill which, I understand, is to be marked up tomorrow by the Subcommittee on Aviation. As these provisions constitute significant, questionable changes in the scope of the National Labor Relations Act and the Davis-Bacon Act which have not been considered by the Education and Labor Committee, I urge that you move to have the provisions deleted from the legislation.

One provision would expressly extend the National Labor Relations Act, for the time, to certain state employees. While the Act is not directly amended, the draft legislation reaches the same result by simply stating that the Act shall apply to "labor-management relations between the Airports Authority an labor organization representing bargaining units at the Metropolitan Washington Airports," overriding the longstanding definition of covered employers at section 2(2) of the Act which specifically excludes the states. While I realize that proponents of this change believe that Authority employees should be extended the same rights as those afforded private sector employees, a change in existing law which extends the reach of the National Labor Relations Act to the public, state sector—effectively displacing state law—is one that needs careful examination. While here limited to one group of state employees, the effect of such a precedent is potentially enormous.

I am also deeply concerned with the provision requiring the payment of prevailing wages as determined by the Secretary of Labor under the Davis-Bacon Act to laborers and mechanics working on any construction projects at Washington Metropolitan airports. What is particularly disturbing is the attempt to apply the wage protections of the Davis-Bacon Act to any and all construction laborers and mechanics at the airports, regardless of whether or not the project involves federal funds. This extension is contrary to the Act's basic precept that it is federally funded construction that triggers Davis-Bacon coverage.

The Davis-Bacon Act has been shown to reduce jobs and increase unemployment, with an especially harmful effect on minorities, women, and the very group it was intended to help—small, local contractors. Such expansion of the Act can serve only to inflate construction costs and to add to the numerous administrative problems already associated with the law.

Thank you for your consideration of this matter. Should you have any questions, please call me (225-5836) or have a member of your staff call Randy Johnson (225-7101).

Sincerely,

Bill Goodling,
Ranking Republican.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the previous speaker referred on behalf of the Committee on Education and Labor to the jurisdictional issue. I just want to report to the Committee a letter that the Committee on Public Works and Transportation received from the gentleman from Michigan, William D. Ford, chairman of the Committee on Education and Labor, on August 9, in which he writes:

Dear Mr. Chairman: On August 5, 1993, the Committee on Public Works and Transportation marked up H.R. 2739, the Aviation Infrastructure Investment Act of 1993. This bill contains a provision which falls within the rule X jurisdiction of the Committee on Education and Labor.

Then it goes on specifically to define the language in our bill, and concluded:

Our staff have reviewed the language in question and have determined that the proposed provision extending collective bargaining rights needs no revision. Accordingly, we see no need to seek a sequential referral of the legislation. Our agreement to forgo consideration of the legislation should not be construed as a waiver of this Committee's jurisdiction as established by House Rule X.

I would appreciate it if you would include a copy of this letter in the Committee's report accompanying the bill.

With kind regards, Sincerely, William D. Ford, Chairman.

Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. Horn].

Mr. HORN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I serve on the Subcommittee on Aviation of the Committee on Public Works and Transportation, and I respectfully disagree with some of my colleagues on this issue. This is a rather unique situation. It is not a precedent for Federal law generally, but here are two airports in which the Federal Government has more involvement than with, really, any other airport in the United States.

☐ 1200

And we get down to the simple issue of fairness, particularly should a Federal airport be in a right-to-work State, of whether the employees within that airport complex have a right to negotiate on working conditions and wages. There is no right to strike. The Federal interest for the free flow of interstate commerce and transportation is thoroughly protected.

This is simply giving them the opportunity to negotiate, as exists at most other airports in the United States. Therefore, I would oppose the amendment of my good friend from Virginia, whose expertise on the Civil War I greatly admire. But in this case, I think we need a different standard than we have now in the law.

Mr. OBERSTAR. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, in 1986 the Committee on Public Works and Transportation, at the request of the administration at that time, and the States affected by the proposed legislation to modify the way in which National Airport and Dulles Airport were operated, reported legislation to transfer National and Dulles Airports from the authority of the Federal Government specifically the Federal Aviation Administration that administered those two airports, to a newly created regional airport authority which would operate those airports in lieu of the Federal Government through the Federal Aviation Administration. And the objective at the time was to free those two airports from the annual appropriation process and provide latitude for the two airports to proceed through the bonding process, as the U.S Postal Service did, more expeditiously in enhancing capacity at both airports, improving the terminal capability, and doing all of the other things that are necessary to make airports operate efficiently and with a dedicated revenue stream, and the ability to count upon the money being available when needed for airport projects.

In adopting that legislation, or transfer legislation as it was called at the time, Congress provided that employees at the airport would continue to have the same rights that they had as Federal employees, to wit: the right to bargain collectively on matters other than wages with a prohibition on strikes. In the aftermath of enactment of that legislation, as it turned out, the employees of the authority were prohibited from doing what they have done previously; that is, to come and lobby Congress for improvements in wages and benefits. Bereft of that right, they continued to muddle along with the authority, and have felt that that arrangement is not satisfactory.

In fact, we have found in the course of our inquiry into this matter that the employees are in a worse position than they were prior to the creation of the authority, and that certainly the time has come to correct that inequity. The legislation is very clearly intended to give National Airport and Dulles Airport employees the same rights as they had as Federal employees. They ought to be able to lobby the Congress. They ought to be able to negotiate with the authority, as do employees at 35 of the top 45 airports in this country. At those airports employees have the right to bargain collectively over wages. Most, if not all of those airport authorities are administered by elected governments, and where the collective bargaining process does not work well, they can go to their State legislatures, as Federal employees could go to the Congress, and say, "We insist upon, or we plead with you for, equity." And the Congress could respond, and similarly the State legislatures could respond.

But now they have no State legislature to appeal to. Granted, the authority could give them authority to bargain collectively. It has not done so.

This chairman thinks very strongly that there ought to be collective bargaining available for these public employees. They should not be second-class citizens. They should not be in a different position than employees of other airport authorities who can go to their State legislatures, who can lobby for improvements in their working conditions and in their wages, or attempt to succeed in improving their economic condition. But they cannot do that here at this authority.

This legislation does not give them the right to strike. It does not enhance their position over what it was previously. It puts them in the same position they would have been had this transfer not taken place.

This legislation will not affect air service. There are not going to be strikes. And conversely, there will not be lockouts. The authority cannot do that either.

If a dispute cannot be resolved in the collective bargaining process, there is a provision in here for mandatory arbitration, fair, reasonable, decent, the same conditions that exist for employees of the U.S. Postal Service. If it is good enough for 650,000 U.S. Postal Service employees, it ought to be good enough for the handful of employees at National and Dulles Airports.

This is worker equity. It is not as much as I would like to provide. I would like to go much further. But I think that our commitment was only at the time of creating the authority to put employees in the same position under the authority as they would have been had the Federal Government continued to operate those airports through the Federal Aviation Administration.

I urge support of the provision in the bill which is simply worker equity, the right to bargain collectively with your employer for conditions of work and wages and benefits. And I urge defeat of the ill-considered Wolf amendment.

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume and I rise in support of the amendment that the gentleman just called ill-considered.

Mr. Chairman, before I close let me just comment on a number of the statements that have been made.

First, this is an involvement in this airport in a way that the act that passed in 1986 said was not to take place. In fact, I see the former Speaker of the House, Mr. Wright, on the floor, and he was very instrumental in that legislation at that time, and these airports were to be treated totally like any other airport.

Second, I would like to correct a statement by the distinguished chairman of the Committee on Public Works and Transportation. Under the law before the airports were transferred, the employees were Federal employees and did not have the right to bargain collectively. And they have actually gained greater rights to bargain collectively under the airport authority than they had when they were Federal employees.

Third, take BWI. BWI has the right to collective bargaining and the employees at the Washington airports, both National and Dulles, have better benefits. Their pay is up and the hours are down. Also, 60 percent of the employees in the Metropolitan Washington Airport Authority have never worked for the airport authority. They have never worked for the FAA. The other 40 percent had the choice of transferring in 1986, and this provision imposes rights that they did not have under the FAA.

Also, my good friend from California, Mr. HORN, who I have the greatest respect for, talked about all of the airports have this right. The Atlanta Hartsfield does not have the right, Dallas/Fort Worth does not have the right, Houston International does not have the right, Lambert St. Louis does not have the right, and in Baltimore/Washington International Airport, and you can go on and on.

One other thing, the members of the airport authority sent a letter to the Members of Congress where they said:

> As the House considers H.R. 2739, the Aviation Infrastructure Investment Act, I urge all Members of Congress to support the amendment offered by Congressman Wolf to strike the NLRA provision.
>
> If the Wolf amendment does not pass, the Congress will take the unprecedented action of applying the National Labor Relations Act to a State agency, the Metropolitan Washington Airports Authority.

☐ 1210

I would also say there is no record of the employees going or petitioning the District of Columbia or petitioning the State of Virginia for any right to collective bargaining.

They go on to say:

> The Airports Authority is an interstate compact agency created by the Commonwealth of Virginia and the District of Columbia to operate Washington National and Washington Dulles International Airport. As an interstate compact, its legal status is

> that of a State agency. The Airports Authority is not a Federal agency, and its labor policy is not the responsibility of the Congress.

Now, for those who are listening, this is like coming in and mandating something to a local airport in your congressional district. It is not their responsibility.

Now, if the Congress gets involved in this, then there is no telling where Congress will go.

They go on to say:

> As a non-Federal public agency, the Airports Authority's labor policy should be determined by the jurisdictions that created it: Virginia and the District of Columbia. Regardless of labor policy for public employees in their home States, Members should not support the committee bill, which sets a precedent for Federal intervention. The NRA does not apply to any State and local agencies; it should not be extended to the Airports Authority. Your support for the Wolf amendment is a vote against Federal intrusion into State and local Government matters.

Also, as I said earlier, the Airports Council International today is looking at this onerous provision in this bill and passed a resolution where they said:

> Whereas the United States House of Representatives is considering a measure that would impose labor provisions on certain non-Federal airports, and whereas labor policy at airports is determined by the law of the State and local entities that operate the airports and the measure in the U.S. House of Representatives is considered without precedent, the ACCI opposes the imposition of labor provisions by the Federal Government on airports operated by State and local entities.

In closing, this is not a collective bargaining issue.

My dad was a policeman in the city of Philadelphia, was one of the people involved in the beginning of the Fraternal Order of Police. I understand and would be sympathetic if this were a collective bargaining issue; it is not a collective bargaining issue.

This is purely an issue of the heavy hand of the Congress dictating to the State of Virginia and the District of Columbia how it will operate. I have also said earlier, if the fire fighters have a particular grievance, my door is open to them. I would be glad to meet with them to see what could be done. But in the process, we do not want to go back to the days in the past, when many Members were not here, where the Congress considered that they would own and operate these airports. I think you have to take your hat off to the people who operate the airports authority in a bipartisan manner. They have done an excellent job in operating both National and Dulles Airports. We do not want to come back to the time when the Congress micromanages these airports.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. I thank the gentleman for yielding to me.

Mr. Chairman, the gentleman mentioned his Philadelphia roots. I just wanted to point out that both Philadelphia and Pittsburgh International Airports have collective bargaining for their employees.

Mr. WOLF. That is correct, and that is the very point that I said.

Reclaiming my time, the chairman is exactly right. I say if locally they made the decision in the City of Brotherly Love, in the great Commonwealth of Pennsylvania, where I was raised and graduated from Penn State and love very deeply, they made that decision and I honor that. I think it is appropriate there. What I am saying is the Congress in this case should not come in and mandate something for the Commonwealth of Virginia or for the District of Columbia. I think it is a position of local control.

When we had this great battle on these airports, for new Members, this was a disgrace the way the airports were operated. They were falling down, there was no allocation for their operation. In 1981 Dulles had 2.1 million passengers. It was ridiculed, considered to be a white elephant, if you will, a joke. Now it has 11½, almost 12 million passengers. There is a consistent, organized policy. The airports authority, under the leadership of Jim Wilding and Ron Linton, whom I will tell my colleagues were selected by the Governor of Virginia, a Democrat, the Governor of Maryland, who is a Democrat, and the mayor of the District of Columbia, who is a Democrat. They have selected the people who are running these airports. They selected the airports authority.

I will say and stipulate that they have done a good job. So this, I think, is a question of home rule, allowing these localities to make the decisions.

So I strongly urge again, it is not a collective bargaining issue and it ought not to be made into one. It is an issue of whether or not the localities and the airports authority that was given this authority have the ability to operate them. I may say again to the fire fighters, "Come by and see me, and we will be glad to deal and try to help them on the issue. But let us not upset this very important precedent here." These airports have been operated well.

Mr. Chairman, I yield back the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. WOLF].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WOLF. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 259, not voting 12.

[Roll No. 490]

AYES—167

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
Deal
DeLay
Doolittle
Dornan
Dreier
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Gallegly
Gallo
Gilchrest
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Houghton
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
McCollum
McCrery
McHugh
McInnis
McMillan
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pickett
Pombo
Porter
Portman
Pryce (OH)
Quillen
Ramstad
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Royce
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Valentine
Vucanovich
Walker
Walsh
Wolf
Young (FL)
Zeliff
Zimmer

NOES—259

Abercrombie
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Boehlert
Bonior
Borski
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
de Lugo (VI)
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Gordon

Green
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Huffington
Hughes
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murphy
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickle
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Rangel
Ravenel
Reed
Reynolds
Richardson
Roemer
Romero-Barcelo (PR)
Rose
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thompson
Thornton
Thurman
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)

NOT VOTING—12

Ackerman
Boucher
Dickey
Eshoo
Faleomavaega (AS)
Horn
Hutto
McDade
McKeon
Michel
Murtha
Torres

☐ 1255

Messrs. DERRICK, BLACKWELL, KLECZKA, LAUGHLIN, ROSE, WELDON, and RAVENEL changed their vote from "aye" to "no."

Mr. PAXON changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. OBERSTAR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I observe there are no further amendments that the committee is aware of. Does the gentleman from Pennsylvania know of any amendments on his side?

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, I also have no amendments that we are aware of on this side.

Mr. OBERSTAR. Mr. Chairman, I would simply close by summarizing that this bill authorizes $28 billion for the programs of the Federal Aviation Administration over the next 3 years, provides stability of funding, a dedicated revenue stream, continuity of the programs of the FAA, focused on safety, improving the operations and efficiency of the air traffic control system of our airports in this country to accommodate what is anticipated to be a 60-percent increase in aviation traffic over the balance of this decade.

I urge support of the bill.

Mrs. MORELLA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, aircraft noise is a serious problem. It is an invisible pollutant that causes stress, hearing loss, and impaired health. The residents of my district, and the districts of many of my colleagues, have experienced the harm of adverse effects resulting from aircraft noise firsthand, as they have had to endure constant, daily, and nightly overflights of their homes and their neighborhoods.

In testimony before the Science Committee's Technology, Environment, and Aviation Subcommittee, we have heard from witnesses supporting the need for greater technological efforts to reduce aircraft noise.

To address this concern, in the Aviation Safety and Capacity Interim Amendments Act of 1992—Public Law 102-581—the House directed the Federal Aviation Administration to conduct more research on aircraft noise abatement for existing aircraft, and for new aircraft.

Yet, the President's budget for fiscal year 1994 requested only $4.361 million for research and development in efforts such as airport noise abatement. This figure represents an 8-percent reduction below the fiscal year 1993 appropriation level.

Mr. Chairman, clearly, this funding level does not reflect the will of this House. The amendment, which I am offering with my colleague from New Jersey, seeks to rectify this problem.

To achieve the goal of increased aircraft noise abatement research and development, this amendment seeks to reprogram $2.201 million of the account for environment and energy projects. By doing so, we would allow for increased aircraft noise abatement research.

To offset this increase, the activities and projects budget account for management and analysis would be reduced by the same $2.201 million. Despite this reprogramming, the management account would still receive an increase of 9.7 percent to $11.297 million for fiscal year 1994.

Consequently, this reprogramming of funds would not result in a need for any additional new spending. This amendment would also have the same reprogramming effect for fiscal years 1995 and 1996.

Mr. Chairman, the airline industry supports adding more research for aircraft noise. Not only will quieter aircraft meet standards within the United States and provide our constituents with quieter airspace, it will also make our aircraft more competitive in international markets.

I urge all my colleagues to support the Klein/Morella amendment—for our constituents discomforted by aircraft noise and for our international competitiveness.

☐ 1300

The CHAIRMAN pro tempore (Mr. SHARP). There being no further amendments to title II or title III, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY

SEC. 401. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 (relating to expenditures from Airport and Airway Trust Fund) is amended—

(1) by striking "October 1, 1995" and inserting "October 1, 1996", and

(2) by striking "(as such Acts were in effect on the date of the enactment of the Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992)" and inserting "or the Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992, or the Aviation Infrastructure Investment Act of 1993 (as such Acts are in effect on the date of the enactment of the Aviation Infrastructure Investment Act of 1993)".

Mr. RAHALL. Mr. Chairman, I rise in strong support of H.R. 2739, the Aviation Infrastructure Investment Act.

This bill, briefly defined, authorizes a continuation of funding for the development of our Nation's aviation system. With respect to our Nation's declining investment in its infrastructure overall, aviation has suffered along with the rest.

Yet we know from the report by the President's Commission which studied the airline industry and general aviation needs as well, that improvement in the capacity of our airports and air traffic control system is essential to reducing costly flight delays and to enabling the system to handle the increased demands which will be placed upon it as the economy recovers and expands. The FAA expects airline passenger enplanements to increase by 60 percent in the next 10 years.

The recent financial problems of the industry has not lessened the need for development of our aviation infrastructure—for indeed it is the inadequacies of our airports and air traffic control system which are partially responsible for airline losses, since the inadequacies have created unnecessary added expenses for the airlines. If airports are not permitted to grow along with the estimated increase in air traffic, then we will have exacerbated the problem—draining the airlines, the consumers, and the entire economy.

There is much to praise in the aviation infrastructure investment bill, and I know that the debate today will bring out all the improvements and modestly increased funding recommendations for airports improvement and certainly the enhancement of air traffic control features.

Being from a small, rural State, I wanted to focus on the protection of small community airline passengers.

This bill provides that in establishing levels of basic essential air service and selecting a carrier to provide the service, the Secretary shall not give consideration to whether the slots at a high density airport are available for providing such service. If basic essential air service is to be provided to and from a high density airport, the Secretary shall ensure that a sufficient number of slots are available to allow such service to be provided. If necessary the Secretary must take action to transfer such slots or otherwise make them available. If a carrier providing essential air services to a small community terminates such service, they may not retain EAS slots at high density airports; we have closed that loophole in current law.

Essential air service funding was eliminated in the House version of fiscal year 1994 transportation appropriations, but it is my expectation that these funds will be at least partially restored by the Senate. I hope and expect that House conferees will recede to the Senate funding level for EAS in fiscal year 1994; these funds are vital to small community airports in my district.

The bill, overall, increases funding for aviation, but does so modestly and in keeping with budgetary constraints. It authorizes the release of $6.5 billion through fiscal year 1996 from the airport and airway trust fund for AIP grants, which finance airport capacity development, safety and security, and noise abatement. In fiscal year 1994, that would amount to $2.1 billion, for AIP, and $2.2 billion in fiscal years 1995 and 1996. The bill's fiscal year 1994 authorization is $300 million more than appropriated in fiscal year 1993.

I am pleased with the bill, and I commend our very able subcommittee chairman, JIM OBERSTAR, for his excellent guidance of this bill through subcommittee and the full Public Works and Transportation Committee, and for bringing it to the floor in a timely manner. Thanks and appreciation go also to chairman of the full committee, NORM MINETA, and to the ranking Republicans, BUD SHUSTER and BILL CLINGER.

Having recently rejoined the Aviation Subcommittee, I am pleased to be a part of today's debate on aviation infrastructure needs, for I have an intense understanding of the importance of airport improvement and enhancement of services necessary to keep West Virginia in the mainstream of economic recovery and economic development opportunities.

I strongly urge my colleagues to support the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, no further amendment is in order.

The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MAZZOLI] having assumed the chair, Mr. SHARP, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 2739) to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes, pursuant to House Resolution 269, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. LINDER. Mr. Speaker, I demand a separate vote on the so-called Lightfoot amendment, as amended.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: At the end of title II of the bill add the following:

SEC. 212. CHILD RESTRAINT SYSTEMS ON COMMERCIAL AIRCRAFT.

(a) IN GENERAL.—Section 601 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1421) is amended by adding at the end the following new subsection:

"(g) CHILD RESTRAINT SYSTEMS.—Not later than 90 days after the date of the enactment of this subsection, the Secretary shall issue regulations requiring an air carrier to provide a child safety restraint system approved by the Secretary on any aircraft operated by such air carrier in providing interstate air transportation, intrastate transportation, or overseas air transportation. Such regulations shall establish age or weight limits for children who may use such systems.".

(b) CONFORMING AMENDMENT.—The table of contents contained in the first section of such Act is amended by inserting at the end of the matter relating to section 601 the following new item:

"(g) Child restraint systems.".

Mr. LINDER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINDER. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 5(b)(2) of rule XV, the Chair may reduce to not less than 5 minutes the time for any recorded vote that may be ordered on the amendment reported from the Committee of the Whole.

The vote was taken by electronic device, and there were—yeas 375, nays 49, not voting 9, as follows:

[Roll No. 491]

YEAS—375

Abercrombie
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Byrne
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Crane
Cunningham
Danner
Darden
de la Garza
Deal
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Dreier
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hastings
Hayes
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hyde
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kleczka
Klein
Klink
Klug
Kolbe
Kopetski
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Nadler

Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—49

Allard
Armey
Baker (LA)
Ballenger
Bartlett
Bliley
Boehner
Bonilla
Burton
Callahan
Coble
Condit
Cox
Crapo
DeFazio
DeLay
Doolittle
Dornan
Dunn
Goodling
Hancock
Hefley
Hoekstra
Hunter
Inglis
Kanjorski
Kingston
Knollenberg
Kreidler
Lightfoot
Linder
Mica
Michel
Myers
Nussle
Parker
Penny
Pombo
Ramstad
Roberts
Rohrabacher
Royce
Sarpalius
Smith (MI)
Stenholm
Stump
Taylor (NC)
Upton
Walker

NOT VOTING—9

Ackerman
Boucher
Dickey
Gephardt
Hutto
Matsui
McDade
Murtha
Torres

☐ 1327

Mr. KANJORSKI and Mr. BOEHNER changed their vote from "yea" to "nay"

Mr. HUTCHINSON and Mr. BEREUTER changed their vote from "nay" to yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DICKEY. Mr. Speaker, because of a malfunction of my beeper I was unable to be here to record my votes on the amendment offered by the gentleman from Virginia [Mr. WOLF], rollcall No. 490, and on the separate vote in the House on the so-called Lightfoot amendment, rollcall No. 491.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 384, nays 42, not voting 7, as follows:

[Roll No. 492]

YEAS—384

Abercrombie
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonior
Borski
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Dreier
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Gordon
Goss
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hastings
Hayes
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NAYS—42

Allard
Ballenger
Bentley
Bonilla
Burton
Carr
Coble
Combest
Crapo
Doolittle
Dornan
Duncan
Fawell
Goodlatte
Goodling
Grams
Hancock
Hefley
Hunter
Johnson, Sam
Knollenberg
McInnis
Mica
Paxon
Petri
Pombo
Porter
Quillen
Roberts
Roth
Royce
Schaefer
Sensenbrenner
Smith (MI)
Smith (OR)
Solomon
Stump
Sundquist
Walker
Wolf
Zeliff
Zimmer

NOT VOTING—7

Ackerman
Boucher
Hutto
Lewis (GA)
McDade
Murtha
Rangel

☐ 1344

Mr. SMITH of Michigan changed his vote from "yea" to "nay."

Mr. CUNNINGHAM changed his vote from "nay" to "yea." So the bill was passed.

The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

SUNDRY DEFERRALS OF BUDGET AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed.

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report eight deferrals of budget authority, totaling $1.2 billion.

These deferrals affect International Security Assistance programs as well as programs of the Agency for International Development and the Departments of Agriculture, Defense, Health and Human Services, and State. The details of these deferrals are contained in the attached report.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 13, 1993.*

GOALS 2000: EDUCATE AMERICA ACT

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 274 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 274

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1804) to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed eighty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 3210. The amendment in the nature of a substitute shall be considered as read. No amendment to the amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 2 of this resolution. Except as specified in section 2, each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except that pro forma amendments for the purpose of debate may be offered by the chairman or ranking minority member of the Committee on Education and Labor), and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time for the chairman of the Committee on Education and Labor or a designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution or germane modifications thereof. Amendments en bloc shall be considered as read except that modifications shall be reported. Amendments en bloc shall be debatable for twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments en bloc are waived. The original proponent of an amendment included in amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

□ 1350

The SPEAKER pro tempore (Mr. MAZZOLI). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 274 provides for consideration of H.R. 1804, the President's Goals 2000: Educate America Act. The rule provides for 1 hour and 20 minutes of general debate, equally divided and controlled by the chairman and ranking minority member of the Education and Labor Committee.

The rule makes in order as original text an amendment in the nature of a substitute consisting of the text of H.R. 3210. The substitute shall be considered as read. The rule makes in order only those amendments printed in the report to accompany the rule and amendments en bloc described in section 2 of the rule. The amendments shall be considered in the order and manner specified in the report, with debate time also specified in the report equally divided and controlled by the proponent and an opponent.

The report specifies that the amendments are to be considered as read and are not subject to a demand for a division of the question in the House or the Committee of the Whole. In addition, the amendments are not subject to amendment, except that the chairman and the ranking minority member of the Education and Labor Committee may offer pro forma amendments for the purpose of debate.

Further, section 2 of the rule provides that the chairman of the Education and Labor Committee or a designee may offer at any time amendments en bloc consisting of the text of the amendments printed in the report, or germane modifications thereof. The chairman's amendments en bloc will be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. The amendments en block will be considered as read except that the modifications will be reported.

The amendments en bloc are not subject to amendment nor to a demand for a division of the question. All points of order are waived against the amendments en bloc. The original proponents of the amendments included in the chairman's en bloc may insert statements in the RECORD at the appropriate place. Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, today's world is much different than it was 50 years ago. Advances in technology have changed the entire nature of our work force. No longer is it enough to equip our children with basic skills. We must also provide our children with the skills to compete in today's global economy. H.R. 1804 seeks to accomplish this goal through the improvement of education for all children.

H.R. 1804 is a means for the Federal Government to give a major boost to school reform in the United States. The legislation would implement the President's education reform proposals called Goals 2000: Educate America Act.

Under the bill $393 million in grants would be awarded to the States as an incentive to improve their elementary and secondary schools. Each State could apply for these funds through the development of State plans which set standards for education. The bill would require States to establish standards of content—or what children should know in English, math or other subjects at certain points in their education. Local school districts would also be eligible for subgrants from the State to develop and implement comprehensive reform at the local school district level as well.

The bill further establishes a National Education Goals Panel charged with building a national consensus for education improvement and reporting on the Nation's progress in meeting the national education goals. Never before has our Nation had standards for what students should know. These standards will enable America to set voluntary goals for which all students can strive.

The bill also establishes a National Education Standards and Improvement Council. This Council would develop criteria for certifying voluntary national content, student performance, and opportunity-to-learn standards, as well as standards developed and voluntarily submitted by the States. These national standards would become available for use by States as guides or models in developing or modifying their academic standards.

The bill further establishes a 28-member National Skill Standards Board intended to serve as a catalyst in stimulating the development of a voluntary system of skill standards. The Board will encourage and facilitate the establishment of voluntary business-labor-education partnerships to develop skill standards systems. The bill further provides that the skill standards meet or exceed the highest standards used in other countries.

Mr. Speaker, H.R. 1804 is a departure from the way the Federal Government has previously dealt with education. Not only does the bill call for voluntary national standards, but it calls for the relaxing of regulations and emphasizes academic achievement instead. The bill supports creativity to develop new and innovative approaches to educating our Nation's children.

Further H.R. 1804 stresses improvement for all children. Unlike existing Federal programs which target special groups of children, this legislation seeks broad-based improvement of education for all children.

Mr. Speaker, for our Nation to remain a world leader, we must rise to the challenge and prepare our children for what lies ahead. Only through changes in our present education system can we hope to compete in tomorrow's fast-paced and competitive global economy. H.R. 1804 is a step toward preparing for that future.

Mr. Speaker, House Resolution 274 is a fair rule that will expedite consideration of the President's education reform bill. I urge my colleagues to support the rule and the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from South Carolina [Mr. DERRICK] has ably explained the provisions of the rule. But I rise in strong opposition to the rule. I do not think this is the type of bill, in its present form, that we should pass. Bringing the Federal Government into our schoolrooms really is not what we need in America today. We must watch this legislation closely, because that is where it is headed.

Mr. Speaker, there is no one who can question my support of education. I remember years ago in the Committee on Rules there was a measure, which had been lying without any support for a number of months to create a Cabinet-level position for the Department of Education. It was JIM QUILLEN's vote that sent the measure to the floor. Our late friend, Congressman Mo Udall, attested to that fact in a letter back to my district, that had it not been for my vote, the measure would never have reached the floor.

But I believe that we must watch our course closely today and see that the Federal Government does not get too far into our classrooms in the private and public school systems of this Nation. I think this bill leads to that end.

Mr. Speaker, we know that education is so important in America today. We have children starting now in kindergarten, going all the way up the ladder into high school, and then into college or the university. Some pass with great flying colors. They get high degrees, but they are not taught the realities of life and what it takes to exist in an ever-changing world.

When I graduated from high school, no one ever dreamed that we would have men in space. No one ever dreamed of the progress that has been made.

□ 1400

And no one now will know the progress that might be made in the next 50 years. So the classroom education is most important. We have good schools, and we have bad schools. But there is one thing that we have got to watch.

This Nation of ours and the people of this Nation look to the Federal Government for the cures of all evils. But the classrooms in our public school system and in the private sector must retain their stability without governmental control.

I urge my colleagues in this body to vote down this rule, not only for that reason but because there were amendments not made in order. The chairman of the Rules Committee said that Members who wished to offer amendments to this bill were required to submit those amendments to the Rules Committee prior to its hearing on this bill. Only 15 amendments were submitted and 10 have been made in order. Motions were offered to make this an open rule and also to make other amendments in order. All motions were defeated in the Rules Committee on party line votes.

We must be forever watchful to ensure that the Federal Government does not end up dictating what is to be taught in our schools.

I urge the defeat of this rule.

ROLLCALL VOTES IN THE RULES COMMITTEE ON MOTIONS TO RULE ON H.R. 1804, GOALS 2000: EDUCATE AMERICA ACT, TUESDAY, OCTOBER 12, 1993

1. Open Rule—This substitute rule provides for one-hour of general debate on the bill, Goals 2000: Educate America Act, followed by an open amendment process under the five-minute rule. It also makes in order an amendment in the nature of a substitute consisting of the text of the bill H.R. 3210 as an original bill for the purpose of amendment.

Failed: 4–5. Yeas: Solomon; Quillen; Dreier; Goss. Nays: Derrick, Beilenson, Frost, Gordon, Slaughter. Not voting: Moakley, Bonior, Hall, Wheat.

2. Dornan (CA) #8—Prohibits federally-funded schools from promoting, condoning, or encouraging either directly or indirectly, homosexuality, bisexuality, or transsexuality.

Failed: 4–5. Yeas: Solomon; Quillen; Dreier; Goss. Nays: Derrick, Beilenson, Frost, Gordon, Slaughter. Not Voting: Moakley, Bonior, Hall, Wheat.

3. Hutchinson (AR) #11—Requires written parental consent for the involvement of students in psychological testing or school-based clinics, and protects the privacy rights of students regarding their academic and personal school records.

Failed: 4–6. Yeas: Solomon; Quillen; Dreier, Goss. Nays; Derrick, Beilenson, Frost, Bonior, Gordon, Slaughter. Not Voting, Moakley, Hall, Wheat.

4. Adoption of Rule—Adopted 6–4. Yeas: Derrick, Beilenson, Frost, Bonior, Gordon, Slaughter. Nays: Solomon, Quillen, Dreier, Goss. Not Voting: Moakley, Hall, Wheat.

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.—Continued

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	38	10	26	28	74

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Oct. 13, 1993.

OPEN VERSUS RESTRICTIVE RULES: 103d Cong.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (d–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1(not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1-D not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0 (May 24, 1993).
H. Res. 173 May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (May 20, 1993)
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176.. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 218, July 20, 1993	O	H.R. 2530: BLM authorization, fiscal year 1994–95	NA	NA	
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)		A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National Defense authorization			PQ: 237–169. A: 234–169. (Sept. 13, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D–67; R–24)	A: 241–182. (Sept. 28, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D–3; R–9)	1 (D–1; R–0)	A: 213–191–1. (Sept. 14, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D–7; R–7; I–1)	10 (D–7; R–3)	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

Mr. Speaker, I reserve the balance of my time.

Mr. DERRICK. Mr. Speaker, may I just say that I agree with the gentleman from Tennessee, that we accepted the good Republican amendments. That we did. There were 15 amendments that were submitted; 10 of those amendments were made in order. Two of them we considered duplicative, and three were not made in order.

Mr. Speaker, for the purpose of debate only, I yield 4 minutes to the distinguished chairman of the subcommittee, the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Speaker, I rise in support of the rule.

This rule is carefully constructed to bring before the Members a broad range of issues concerning H.R. 1804, Goals 2000: The Educate America Act.

Goals 2000: The Educate America Act is the first effort that seeks to use limited Federal funds as an incentive for public schools to undertake system reform to benefit all children.

Goals 2000 accomplishes its objectives through several steps.

At the national level, it authorizes a process for overseeing the development of voluntary national education standards which describe what students should know and be able to do.

Voluntary national opportunity-to-learn standards which describe the factors which must be in place in order for a student to have a reasonable chance to learn the material in the content standards would also be developed.

At the State and local level, the bill authorizes grants to assist State and local school districts in carrying out their own reform activities.

In addition, the bill authorizes grants to State and local education agencies to help them develop and evaluate new forms of assessments tied to State content standards.

Ten of the fifteen amendments filed with the Rules Committee are made in order by this rule.

Of the remainder, four raise issues that are either addressed by or similar to amendments that are made in order.

The single amendment that is not made in order would have violated the long-term principle of non-Federal interference in the decisions of local boards of education.

The rule, however, does provide adequate time for debate so Members can be heard on matters of importance to them.

Goals 2000 is the first step in a two-part process to provide Federal support for State and local school reform activities.

I urge the adoption of the rule so that we can proceed to consider this important issue.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I will be offering for discussion an amendment on the Goals 2000 bill. My amendment would prohibit funding under title III of the bill for any local educational agency that serves over 250,000 students. In effect, the amendment would exclude the Nation's very largest school districts from receiving any portion of the $393 million authorized for State and local reform grants under this legislation.

Obviously, the purpose of this amendment would be to encourage large, bureaucratic school districts to dissolve into smaller, more manageable, and more readily accountable school districts.

As early as 1984, Secretary of Education Terrence Bell told Congress that parent involvement and individual school autonomy are critical factors in determining the success of students and schools.

School districts which serve hundreds of thousands of students simply cannot permit or encourage parental involvement and school autonomy in the way that smaller districts can. In large school districts, the sheer magnitude of bureaucracy can frustrate parent influence and dramatically inhibit individual school autonomy which is necessary to successfully promote student achievement.

Mr. Speaker, there is not a Member in this body, including those who represent congressional districts within these monolithic school districts, who does not agree with that, even if they will not say so publicly.

In our Nation's largest districts, school boards often serve as political fiefdoms that jealously guard jurisdiction and dispense political patronage rather than promoting educational success and facilitating student achievement.

Only by providing parents a real voice in the management of their children's schools can these districts begin to improve educational achievement.

Dramatic structural reforms are needed to improve student performance in this country. But before we grant more funding for extremely large school systems that are structurally incapable of improving parental involvement and school autonomy, we ought to insist they make reasonable structural reforms that are prerequisites to improved student achievement.

My amendment addresses one impediment to reform at a very small number of school districts. Of the 15,350 public school districts in our country, 4 have student enrollments of over 250,000. Yet these four school districts by themselves educate 5 percent—1 of every 20—of all students nationwide. They tend to be symbolic of the failures of an educational system too heavily overburdened with bureaucracy and entrenched interests.

The amendment would simply encourage these school districts to subdivide into smaller districts of more manageable size to be eligible to receive funding under title III of the act.

Obviously, the funding in this measure is not sufficient to move these districts to reforms that have not yet been accomplished locally or through their State governments. Obviously, also, the school reauthorization legislation scheduled for next year, which contains almost all Federal educational programs, is a more appropriate and timely venue to raise this issue. I assume the Rules Committee will be willing to allow a similar amendment when that legislation is made in order.

I thank the Rules Committee for making my amendment in order on this legislation.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I think most Members realize that last year on the International Achievement Test, the American 13-year-olds shaped up at the bottom of the ladder. In fact, in math they were operating at a 55 percentile level on the International Test, whereby Taiwan, for example, and Korea were operating at a 37 percentile.

We are down at the bottom at math and science. 13 out of 15 in math, 14 out of 15 in science. And I do not think we are really taking issue as we should around here.

Second of all, we have an awful lot of young people that are not getting a decent education for a whole lot of reasons other than just education. I am proud to support the bill. I am proud to support this rule, and I am glad to see that my amendment was incorporated in, because there is money in the bill and, hopefully, those individuals will buy American-made products.

I want to speak about one issue briefly. Private school/public school. Most Americans say, look, I pay my taxes for public schools. Why can I not get a little bit of a break for private school?

I think Congress better quit hanging behind the closet on this. The truth of the matter is, the day that Congress allows the finance opportunity for individuals who send their kids to private schools that will open the door to a two-track education system. It will kill public schools.

□ 1410

I would disagree with any measure in any education bill, no matter how good it sounds, I think it is disastrous for our country. It will have haves and have nots where we do not need them.

If we are going to have people that are employable, people who can get a job, people who can help America grow, we are going to have to have quality education. We are sure as hell not going to have people have an option not to vote for a tax levy if they are getting all they want for that private school. I think that is an issue that must be dealt with here.

I commend the chairman for his outstanding work, and I appreciate the time to speak on the rule.

Mr. QUILLEN. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I hope my colleagues will pay particular attention to what I am about to read. This is a true story from a teacher:

"Teddy's letter came today, and now that I've read it, I will place it in my cedar chest with the other things that are important in my life.

"I wanted you to be the first to know." I smiled as I read the words he had written and my heart swelled with a pride that I had no right to feel. I have not seen Teddy Stallard since he was a student in my 5th grade class, 15 years ago. It was early in my career, and I had only been teaching for two years. . . . Teachers (although everyone knows differently) are not supposed to have favorites in a class, but most especially are they not to show dislike for a child, any child . . . but Teddy was most assuredly one I disliked.

"He was dirty. Not just occasionally, but all the time. His hair hung low over his ears, and he actually had to hold it out of his eyes as he wrote his papers in class. (And this was before it was fashionable to do so!) Too, he had a peculiar odor about him which I open never identify . . .

"By the end of the first week I knew he was hopelessly behind the others. Not only was he behind; he was just plain slow! I began to withdraw from him immediately.

"Ashamed as I am to admit it, I took perverse pleasure in using my red pen; and each time I came to Teddy's papers, the cross marks (and they were many) were always a little larger and a little redder than necessary.

"He knew I didn't like him, but he didn't know why. Nor did I know—then or now—why I felt such an intense dislike for him. All I know is that he was a little boy no one cared about, and I made no effort in his behalf.

"As the Christmas holidays approached, I knew that Teddy would never catch up in time to be promoted to the sixth grade level. He would be a repeater. To justify myself, I went to his cumulative folder from time to time. He had very low grades for the first four years, but not grade failure. How he had made it, I didn't know. I closed my mind to the personal remarks.

"First grade: Teddy shows promise by work and attitude, but has poor home situation. Second grade: Teddy could do better. Mother terminally ill. He receives little help at home. Third grade: Teddy is a pleasant boy. Helpful, but too serious. Slow learner. Mother passed away end of the year. Fourth grade: Very slow, but well behaved. Father shows no interest.

"Well, they passed him four times, but he will certainly repeat fifth grade! Do him good! I said to myself. And then, the last day before the holiday arrived. Our little tree on the reading table sported paper and popcorn chains. Many gifts were heaped underneath, waiting for the big moment . . .

"His gift wasn't the last one I picked up; in fact it was in the middle of the pile. Its wrapping was a brown paper bag, and he had colored Christmas trees and red bells all over it. It was stuck together with masking tape.

"'For Miss Thompson—From Teddy' it read. As I removed the last bit of masking tape, two items fell to my desk: a gaudy rhinestone bracelet with several stones missing and a bottle of dime-store cologne—half empty.

"I could hear the snickers and whispers, and I wasn't sure I could look at Teddy. 'Isn't it lovely?' I asked, placing the bracelet on my wrist, 'Teddy, would you help me fasten it?' He smiled shyly as he fixed the clasp, and I held up my wrist for all of them to admire. There were a few oohs and ahhs, but as I dabbed the cologne behind my ears, all the little girls lined up for a dab behind their ears.

"I continued to open the gifts until I reached the bottom of the pile. We ate our refreshments, and the bell rang. The children filed out with shouts of 'See you next year!' and 'Merry Christmas!' but Teddy waited at his desk. When they had all left, he walked toward me, clutching his gift and book to his chest.

"'You smell just like Mom,' he said softly. 'Her bracelet looks real pretty on you, too. I'm glad you liked it.'

"He left quickly. I locked the door, sat down at my desk, and wept, resolving to make up to Teddy what I had deliberately deprived him of—a teacher who cared.

"I stayed every afternoon with Teddy from the end of the Christmas holidays until the last day of school. Sometimes we worked together. Sometimes he worked alone while I drew up lesson plans or graded papers. Slowly but surely he caught up with the rest of the class. Gradually there was a definite upward curve in his grades.

"He did not have to repeat the fifth grade. In fact, his final averages were among the highest in the class, and although I knew he would be moving out of the state when school was out, I was not worried for him. Teddy had reached a level that would stand him in good stead the following year, no matter where he went. He had enjoyed a measure of success, and as we were taught in our teacher training course, "Success builds success."

"I did not hear from Teddy until seven years later, when his first letter appeared in my mailbox.

DEAR MISS THOMPSON: I just wanted you to be the first to know. I will be graduating second in my class next month.

Very truly yours,

TEDDY STALLARD.

"I sent him a card of congratulations and a small package, a pen and pencil gift set. I wondered what he would do after graduation.

"Four years later, Teddy's second letter came.

"DEAR MISS THOMPSON: I wanted you to be the first to know. I was just informed that I'll be graduating first in my class. The university has not been easy, but I like it.

Very truly yours,

TEDDY STALLARD.

"I sent him a good pair of sterling silver monogrammed cuff links and a card, so proud of him I could burst!

"And now today—Teddy's third letter:

DEAR MISS THOMPSON: I wanted you to be the first to know. As of today, I am Theodore J. Stallard, M.D. How about that!!?? I'm going to be married in July, the 27th, to be exact. I wanted to ask if you could come and sit where Mom would sit if she were here. I'll have no family as Dad died last year.

Very truly yours,

TEDDY STALLARD.

"I'm not sure what kind of gift one sends to a doctor on completion of medical school and state boards. Maybe I'll just wait and take a wedding gift, but my note can't wait.

"DEAR TED: Congratulations! You made it, and you did it yourself! In spite of those like me and not because of us, this day has come for you. God bless you. I'll be at that wedding with bells on!"

ELIZABETH SILANCE BALLARD.

Mr. Speaker, the reason I read this article, and it is a true story, is because many times we discount kids and we put them in slots and they never achieve what their potential is because we put them in slots. The teacher did not put this boy in the slot, and because of that he became a very outstanding doctor.

Mr. Speaker, what we need is well-trained, well-paid, dedicated teachers. That is what Government should push for, not Federal control. That will help, not hurt.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DERRICK. Mr. Speaker, for purposes of debate only I yield 1 minute to the gentleman from New Jersey [Mr. PAYNE].

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to take this opportunity to express my support of this rule. Goals 2000 is a very complicated bill, with some of the amendments being duplicative. When necessary, we attempted to combine them. This has allowed for various additions to be considered in the bill.

The Rules Committee did an excellent job to accommodate the views and opinions of most, and I think we need to show our full support of the ruling.

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1420

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to House Resolution 274 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1804.

The Chair designates the gentlewoman from Florida [Mrs. CLAYTON] as Chairman of the Committee of the Whole, and requests the gentleman from South Carolina [Mr. DERRICK] to assume the chair temporarily.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1804) to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes, with Mr. DERRICK (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Michigan [Mr. KILDEE] will be recognized for 40 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 40 minutes.

The Chair recognizes the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 1804, the Goals 2000: Educate America Act.

Goals 2000 represents a major departure from the way that the Federal Government has assisted education in the past.

It is the first effort that seeks to use limited Federal funds as an incentive for public school districts to undertake systemic reform.

Historically, most education reform efforts have dealt with a single part of the system, such as improving testing, or have focused on special populations.

In contrast, Goals 2000 emphasizes systemwide reform because sustained improvements will not occur without coordinated changes in all parts of the education system.

As the National Governor's Association pointed out in their report "From Rhetoric to Action: State Progress in Restructuring Education":

> In the long run, even the most successful innovations will not influence the vast majority of schools and districts unless there has been a simultaneous transformation of the larger system.

Goals 2000 accomplishes its objectives through several steps.

First, it authorizes a process for building a national consensus for education improvement and for overseeing the development of voluntary national education content and student performance standards which describe what all students should know and be able to do; and I emphasize that these are voluntary standards.

It also calls for development of voluntary national opportunity-to-learn standards which describe the factors which must be in place in order for a student to have a reasonable chance of learning the material in the content standards.

We really, in a sense, want to know in some instances: Is it the student who is failing or perhaps is it the school that is failing?

These voluntary national standards would be available as guides that States may use in developing their own high standards for student achievement.

Second, the bill authorizes formula grants to States to assist State and local school districts in carrying out their own reform activities.

These State and local grants differ from most education grant programs currently on the books by focusing on achieving results with the expectation that rules and regulations will be relaxed. This is an area that the gentleman from Pennsylvania [Mr. GOODLING] pioneered many years ago, and has convinced the majority of the committee that this is the right way to go. And I believe it will be helpful to State and local school districts.

The grants to States and local school districts will support a number of reform related activities including the development of State content, student performance, and opportunity-to-learn standards and new forms of assessment to measure student progress toward meeting the State-established standards.

States that wish to have the high quality of their new standards and assessments formally acknowledged may submit them to the National Education Standards and Improvement Council for certification.

I want to emphasize, Mr. Chairman, that certification of State standards and assessments is totally voluntary.

States choosing to participate in Goals 2000 do not have to have their standards or assessments ceritfied.

In addition, participation in Goals 2000 is not a prerequisite for receipt of funds under any other Federal education act.

Goals 2000 is built on the idea that limited Federal dollars can be used to leverage change at the State and local level.

Equally important is the bill's premise that States and local schools must have maximum flexibility in determining how school reform should be carried out.

Goals 2000 contains a number of provisions to ensure that States and localities have broad flexibility in designing and implementing school improvement plans that best meet the needs of their students and communities.

While each improvement must address certain factors, the manner in which they are addressed is completely at the discretion of those developing the plan.

In a further acknowledgement of the importance of the local control and ownership if reform is to be sustained over time, Goals 2000 promotes broad public participation in the development and implementation of State and local improvement plans, including educators, parents, business, and other community representatives.

Additionally, a majority of the funds are driven to the local school districts and schools to support bottom-up reform that will complement State reform activities.

The substitute under consideration today also includes amendments of importance to the administration that are minor and clarifying in nature.

They include:

Clarifying that no State is required to have standards or assessments certified or to participate in title III of Goals 2000 as a condition of receiving Federal funding under any other Federal education act; and

Ensuring the bipartisan nature of the national education goals panel by clarifying that the secretary is to serve as a nonvoting ex officio member of the goals panel if not appointed directly by the President.

Mr. Chairman, goals 2000 is a moderate step to help States and local school districts help themselves by putting in place a general framework of Federal support to promote broad-based education reform to help all children.

The second step in the reform strategy—the reauthorization of the Elementary and Secondary Education Act and its related programs—is currently underway in the Subcommittee on Elementary, Secondary, and Vocational Education.

Mr. Chairman, this reauthorization will give an added support to reform since the Federal Government now funds programs in nearly every school district in the country through these laws. That basic Elementary and Secondary Education Act has been in place since 1965. And all during that time we have carefully nurtured and carefully cared for the premise that education is primarily a local function, a State responsibility and a Federal concern. And we maintain that balance, local control and State control.

H.R. 1804 is similar in concept to legislation approved by this body twice in the last Congress, and I urge its passage.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. WISE). The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. BARCA of Wisconsin assumed the chair).

The Chair will receive a message.

FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

GOALS 2000: EDUCATION AMERICA ACT

The Committee resumed its sitting.

The CHAIRMAN pro tempore (Mr. WISE). The Chair recognizes the gentleman from Pennsylvania [Mr. GOODLING].

□ 1430

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I hope that everyone who may be listening to this discussion listens carefully because I am afraid an awful lot of people are talking about a bill that is not before us today. As most people know, when H.R. 1804 left committee, there was no Republican support for the bill. Almost all the problems that we found with the bill as it left the committee, I am happy to say, have been worked out between both sides of the aisle and the administration.

So I think it is important that I talk first about what is not in the bill.

What is not in the bill: No. 1, race norming is not in the bill. There were those who were concerned that some of the language in the original bill as it passed committee might have something to do with that issue. I would refer them to page 123 of the bill as it is before you. And the bill before you says, "consistent with Federal civil rights laws," nothing else.

The second area with which I had great concern was that perhaps we might be sending out unfunded mandates like we have never sent them before. We have sent an awful lot. Special education is a good example. I was concerned that we may be sending billions of dollars of unfunded mandates in Goals 2000 out to State and local governments and taking State and local government control from them.

So that was another reason why we did not find the bill acceptable when it left committee.

The amendment which I will offer, which I understand is accepted by both sides, says, "Nothing in H.R. 1804 can be interpreted to give the Federal Government control over State and local activities with regard to curriculum, instruction, and"—and this is an addition to current law—"allocation of State and local resources." This should put to rest the concern that we are going to dictate from the Federal level that somewhere, some way, the local and State Governments will find money for our dictates.

That has been eliminated from the bill with my amendment.

The next issue that I hear people talking about is family planning and reproductive health services. I want to read the language that is in the committee report so that we make it perfectly clear that that is not the intention of this legislation: "The committee wishes to emphasize that the language authorizing the coordination of health and social services with education is not"—and a repeat—"not intended to support projects or activities which provide family planning or reproductive health services."

Again I hope people will understand we are dealing with an entirely different piece of legislation than what was reported out of committee.

The next area that is discussed that is no longer in this legislation—and never was—deals with the whole idea of privacy and the whole idea of parental consent on testing.

You have to understand that there is a law called GEPA, and in GEPA the Buckley amendment handles the privacy issue and Buckley, as amended by Hatch, handles the parental consent in relation to psychological testing.

So we have satisfied, in my estimation, anybody's concern dealing with that issue.

Those are four areas that are no longer a part of the legislation, and I want my colleagues to understand that this is a different bill that is before us today. And those areas—race norming, unfunded mandates, Federal takeover of State and local control, family planning/reproductive health services, privacy, parental consent on testing—all have been taken care of adequately in the legislation.

Now let me talk a few minutes about what is in the bill.

The chairman has done a good job of that, so I will go over it very quickly. In title I we talk about the national education goals, and we put them into cement. This is something that has been going on for many years now, ever since the Charlottesville meeting between President Bush and the Governors. Six goals were set up. I do not think there is anyone in the United States who does not agree with those six goals.

My hope would be, when we are finished with the legislation, conference committee and so on, any additional goals will not be additional goals but will become a part of the six goals.

I say this simply because we now have the public concentrating on six goals and they all agree that they are the six goals we must reach. Let us keep it that way and feed into those six goals some concerns that other Members might have.

In title II, we have the National Education Goals Panel and the National Education Standards and Assessment Council, again all voluntary. I have been a part of the goals panel, along with Congressman KILDEE, since its inception. Everything is voluntary.

What we are trying to do is to say that if a school district, or if a State, wants to adopt goals that have been prepared by experts in the field, by parents, by educators, et cetera, they can do that. But they do not have to.

What we are trying to say is that if you as a parent want to know what it is a youngster should know in mathematics by the time they have completed third grade, we can tell you what they should know. We can also tell you whether they know it or not.

Another concern we had, as the bill was being passed out of committee, was that it might be moving toward a top-down rather than a bottom-up approach. That concern has been addressed. It is strictly a bottom-up effort now.

So we have taken care of that.

In title III we authorize grants that go out to the States and local governments. They do not have to accept them, do not have to apply for them. In fact, as I said, if my amendment is not accepted, I do not think that anybody would apply for funds. But, hopefully, that will change because those in most need should apply for some of those grants in order to improve their local districts.

Keep in mind that this improvement movement did not start here in Washington. The improvement movement has started with parents dealing with school boards dealing with State legislators, and those improvements are taking off all over the country.

So those grants are available.

I am not going to discuss title IV because I am sure Mr. GUNDERSON will. Title IV was added when the new Secretary of Labor came onboard. We can argue whether this bill is or is not the proper vehicle. At any rate, I think Congressman GUNDERSON is now satisfied that title IV is written in such a manner that it is not perfect by a long shot, but can be used as the base on which to build when we go to conference with the Senate.

So I will let him discuss that.

Mr. Chairman, I reserve the balance of my time.

Mr. KILDEE. Mr. Chairman, I yield myself such time as I may consume.

First of all, I want to thank the gentleman from Pennsylvania [Mr. GOODLING] for his patience, his persistence, his expertise on this bill. There is no question that this bill is a better bill because of those virtues of Mr. GOODLING in insisting on certain things in the bill and convincing us that that would improve the bill.

As a matter of fact, I might add that in my 17 years that I have been in the Congress, all the successful education legislation, all of that which was introduced that has been passed into law, really has enjoyed strong bipartisan support. I think we can go back and record that very, very well.

When we came out here on the floor and did not have strong bipartisan support, somewhere along the line those bills generally died. Mr. GOODLING certainly has a great deal of input into this bill, and I certainly appreciate that, and I think the House should commend him for that.

At this point, Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Chairman, I rise in support of H.R. 3210, the Goals 2000: Educate America Act and to commend my full committee chairman, the gentleman from Michigan [Mr. FORD], and subcommittee chairman, the gentleman from Michigan [Mr. KILDEE] for their work in moving this proposal to the floor.

This legislation represents a long overdue commitment by the Federal Government to work in a responsive partnership with every person involved in the enterprise of educating children in this country.

For decades, education reform efforts, serious and well intentioned though they were, have not produced the results that we know are needed today. Our Nation's business community has been sounding alarms for years. International comparisons have put the achievement levels of American students in stark, global relief and I sometimes think they'll need a new wing at the Library of Congress to house all the studies on the condition of American education.

What has been missing is a comprehensive approach, involving all schools, all teachers, and all students. By endorsing this systemic approach to education reform we are stating clearly our belief that all children can meet high expectations and develop the knowledge, skills, and habits of mind that we once expected of only our top students. That is what this legislation offers—a strong framework, upon which real student achievement can be built.

The most important feature of the bill is its endorsement of voluntary national content standards in the core subjects. You will hear arguments today that this will lead to the adoption of a de facto national curriculum. This is simply false. These standards are strictly voluntary and will provide States and local communities models that they can adopt or adapt to meet their own educational needs as they define them. In others words, these voluntary national content standards do not in any way thwart local diversity or decisionmaking. The adoption of standards, will provide schools with an organizing tool, to target their finances, enrich their curriculum and improve their teacher training. For students the standards are a set of clear objectives for what they need to know, and be able to do.

I'd like to make another thing clear to my colleagues. With or without this legislation, the movement toward content standards will move forward. A growing number of schools have already adopted the comprehensive and innovative math curriculum which was designed over a 10-year period by the National Council of Teachers of Mathematics [NCTM]. The new math standards have been enthusiastically embraced by teachers thirsty for ways to make the language of math exciting and relevant to their students.

This legislation can help do for science, history, English, and geography what the math teachers have been able to do for math. What we will be doing today is accelerating the process. We cannot afford to do less.

Mr. Chairman, I urge my colleagues to vote for this legislation. With the passage of this legislation we are setting a framework that will enable us to refashion the entire federally supported K-12 delivery system to improve teaching and learning in all schools for all students.

□ 1440

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. BALLENGER].

Mr. BALLENGER. Mr. Chairman, this House is preparing to vote on a bill that will authorize $420 million, in fiscal year 1994 alone, for the business-as-usual agenda that has systematically eroded the quality of American education. Goals 2000 is a misnomer. This bill does very little to set goals for American education, and even less to make those goals achievable for States.

In reality, this bill creates new and more cumbersome layers of bureaucracy while simultaneously placing unfunded mandate on the States. The opportunity-to-learn standards require that States provide a successful learning environment for students, with no concern about the content of what they are being taught. If States fail to meet the standards, even for lack of funds, they will be penalized. I hope this has been taken care of.

Simply throwing more money at the problem is not the answer to our education woes. America spends more on education than any other country, yet American students have one of the lowest achievement ratings. Instead of spending the money on new and increased bureaucracy, we should be voting to allow for real school reform. Mr. Chairman, later in this debate we will have the opportunity to vote on the Armey substitute, of which I am a cosponsor. I would ask that my colleagues listen closely to the debate on that substitute which shuns the business-as-usual approach to education. Instead of throwing more money at the problem, it cuts to the chase of true reform.

Mr. Chairman, I urge my colleagues to reject this bill and instead, vote in favor of true education reform contained in the Armey amendment.

Mr. KILDEE. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. McCURDY].

Mr. McCURDY. Mr. Chairman, I thank the gentleman from Michigan [Mr. KILDEE] for yielding this time to me.

Mr. Chairman, I want to commend the gentleman from Michigan [Mr. KILDEE] and the gentleman from Pennsylvania [Mr. GOODLING] for their efforts and strong work on this bill.

I rise in support of the Goals 2000 legislation which is before us today. I am pleased that I am able to do so, because at different times during this process I was not sure that I was going to be able to offer support, but I believe the bill we have today is different than the bill that emerged from committee and is one that is closer to the one that was originally presented by President Clinton and Secretary Riley, both of whom had worked on this legislation in establishing these goals when they were respective Governors of their States.

This is a bipartisan bill. It is supported by Democrats and Republicans.

I would say to my colleagues most Americans today do not believe what happens here is relevant to the concerns that they have in their communities, especially as it relates to schools, because in reality most decisions regarding education are made at the local level; however, this goal, the goal established in this legislation I believe does affect education in the future and in a very positive way.

Mr. Chairman, this is a balanced bill. For the first time in educational history, the Federal Government will work with States to establish academic standards. Although they are voluntary, it is important that we finally have a national standard for elementary and high school pupils. There will be Federal grants to incentivize and spur systemic State education reform and upgrade teachers' training.

I believe that is to the betterment of education and I believe it should be supported.

I want to thank the committee, and I hope they will maintain their support throughout the conference, for an amendment that I offered which has been included in the en bloc package.

Most of us who are parents know that beyond having quality teachers, the most important ingredient in the education of our children is parental involvement. I believe we need to encourage parental involvement and participation in promoting the social, emotional, and academic growth of our children.

I introduced an amendment that is supported by the National PTA which establishes as one of the national goals the improved participation and involvement of parents in education.

The objectives of this goal are very straightforward. The States would work to develop partnerships to establish programs for increasing involvement of parents in the home, including parents of children who are disadvantaged, bilingual and disabled. In addition, every school would actively engage parents and families in a partnership which supports the academic work of children at home and shared educational decisionmaking at school.

Finally, all this is a contract, because we need individual parental responsibility for it to work. Every home should be responsible for creating an environment of respect for education and providing the physical and emotional support needed for learning.

Mr. Chairman, too much of the requirement of socializing and educating children has been placed upon the schools. In the final analysis, it is our requirement, it is our responsibility as parents to provide an environment which promotes their education and their improvement.

As I stated earlier, many people wonder why the Federal Government should be involved. Quite frankly, education today is a global issue. If we want to compete in a global economy, we need the finest educated and skilled workers in America and in the world.

Finally, Mr. Chairman, Ms. Pat Henry, immediate past president of the National Parent-Teacher Association and my constituent from Lawton, OK, has worked tirelessly during her administration to raise awareness nationwide of the need for greater parental and family participation in education. This amendment is also supported by numerous advocacy groups for public education such as the NAACP, the National Council of Jewish Women, the American Association of School Administrators, Parents for Public Schools, and the National Coalition of Title I/Chapter I Parents.

I want to thank Ms. Henry and all those who have worked so hard to improve this bill. I urge my colleagues to support final passage.

Mr. KILDEE. Madam Chairman, I would like to especially thank the gentleman from Oklahoma [Mr. McCURDY] for his involvement in this legislation. While not a member of the Committee on Education and Labor, he has worked very closely with us and we certainly appreciate his deep concern for education and his input on this bill.

□ 1450

Mr. GOODLING. Madam Chairman, I yield such time as he may consume to the distinguished gentleman from Wisconsin [Mr. GUNDERSON] who has also worked long and hard to bring a bipartisan effort on this piece of legislation.

Mr. GUNDERSON. Madam Chairman, I ask unanimous consent to read from a printed document.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin.

There was no objection.

Mr. GUNDERSON. Madam Chairman, let me say a special thanks to our leadership on both sides, and, I think, a special thanks to Secretary Riley and his staff. It is a minor miracle, my colleagues, that we are here at all with this legislation. This has not been an easy process.

It was actually 4 years ago this month, in October 1989, that then-President Bush got together with then-Governor Clinton and the other Governors of this Nation to put together and establish the educational goals to lead this country into the kind of preparation for a competitive global economy that we would see in the 21st century. This legislation is absolutely essential to enable States and local educational agencies, better known as school districts, to implement those Educational 2000 goals.

Madam Chairman, it is incumbent upon us in this body to understand, while we are committed, and I am deeply committed, to local control of education, that we recognize that the buzz word of the 1990's and the 21st century is mobility. It is mobility in the work force, and, because of that, mobility of families, and, because of that, mobility of students. Whereas we do not want a Federal education system, we do want, I think, some attempt at voluntary guidelines from State to State, from local school to local school, to allow them as we move our families and our children from one district to another, to have some sense of security and knowledge that they are going to be at a similar level of educational opportunities in that new school district. That is what H.R. 3210 before us is all about.

It is important to understand, Madam Chairman, that this is not a bill that spends a lot of money on education. Frankly, the new money in education has been something we have done over the last few years. Frankly, we have had a 55-percent increase in chapter 1. We have had a 40-percent increase in special education, a 133-percent increase in math and science, and a 127-percent increase in Head Start since 1989. This bill only provides an authorization that we can set up the structure to move beyond that and work in this area of development of the voluntary, and I emphasize voluntary, national consent student performance and, included not, some opportunity-to-learn standards.

As the gentleman from Pennsylvania [Mr. GOODLING] indicated in his opening statement, the opportunity-to-learn standards were a very crucial and controversial element of the bill during consideration in committee, and I want to say to my Republican colleagues, and I want to say to my moderate and conservative Democrat colleagues, this is not the bill that was approved by the Committee on Education and Labor on a very partisan vote. This is not that bill today. It is important to understand that because, if it were, I know the gentleman from Pennsylvania [Mr. GOODLING], and I and many others from the committee on the Republican side would be down here opposing that bill, unfortunately perhaps, but we would be opposing that bill because of our concerns of a federally regulated education system that we were trying to prevent.

In my ongoing discussions with the Department of Education and the Secretary in this regard, Madam Chairman, I want to read to Members and inset into the RECORD a letter, and I want to read paragraph 3 of a letter I received from the Secretary earlier today referring to this section 306(k)(2) which is the opportunity-to-learn standards. Secretary Riley says:

> In other words, The State would be accountable for putting into place a set of actions that are reasonably designed to lead schools and districts to meet the content and opportunity-to-learn standards. It would not, however, compel school districts or schools to meet the standards, nor hold States accountable for the ultimate success of school districts or schools in this regard.

That, I believe, is the necessary language, along with the Goodling amendment, to ensure that, while we encourage, we do not mandate and we do not condition all other Federal education programs on a continuing mandate in this area.

Now, Madam Chairman, let me quickly shift to title IV of this legislation because while it is not directly related to Goals 2000 and education reform, it is just as important. It is as important because it deals with the development of national occupational skills standards in this country, which both parties recognize is absolutely essential if we are going to have any kind of school-to-work transition or other work force preparation programs for that 75 percent of our young people who never graduate from college. During the committee's consideration of title IV, I must tell my colleagues, we made many positive changes and put together provisions which I generally support very, very much. I think it is well constructed.

I think it is important, however, to understand that the development of such a system of skill standards will be worthless unless we are able to develop a system that is well constructed, voluntary, and industry led. We were able to better define the role of the National Board in the development and subsequent endorsement of the standards. We made clear that the actual development of the standards is going to be undertaken voluntarily by partnerships of business, employees, and educators developing those skills standards for each particular occupation on occupational cluster where possible from the bottom up. And, as I said before, we clarified that this is a voluntary process.

The one weakness that remains in the bill, that will not be corrected today, is the concern that there still is not a clear leadership role for business and industry in the development of standards, but I understand and hope that negotiations with the Senate will address this concern. That is why we are not offering an amendment dealing with the issue of business leadership today.

There will, however, be an amendment offered by the gentleman from Michigan [Mr. KILDEE] that I will support that deals with the development of skill standards for occupations with existing apprenticeship standards. During committee consideration of the Goals 2000 bill, there were no less than 258 trades and occupations covered by apprenticeship programs that were exempted from the development of these standards. Very frankly, we cannot have a national voluntary skill standards system that is consistent in this country and still exempt 258 occupations. I am delighted that we have worked out an amendment that will allow for standards to be developed for all occupations and occupational clusters, with the assurance that the standards meet or exceed the highest standards in this country and in the world.

I would simply like to conclude my remarks by encouraging my colleagues on both sides of the aisle to simply recognize and remember what I said earlier. I have in front of me a basic summary of the bill that is before us. There are seven major changes, and I say major changes, that have been made to this bill since it came out of the House Committee on Education and Labor. I think those changes are in the best tradition of bipartisan governing. I think those changes are essential to making this bill the kind of foundation for improvement of education at the State and local level that we want, and, as a result of those changes, I encourage my colleagues on both sides of the aisle to vote for this bill when we come to final passage.

Mr. KILDEE. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I want to thank the gentleman from Wisconsin [Mr. GUNDERSON]. I know he was very pained when a bill emerged from committee that he could not in good faith support, but that did not deter him from working very hard with myself and with Secretary Riley on perfecting the bill, and he certainly has added a great deal of those things that he felt very strongly about and has made this a better bill. Madam Chairman, I thank him very much for his work.

Madam Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Madam Chairman, I rise in support of Goals 2000, Education America Act, because after more than a decade of debate on education reform, Goals 2000 will provide a national framework to support education reform for States and local school districts. Madam Chairman, while our children are growing up in a world that is profoundly changed from the one their parents knew, our education and social institutions have been unable to meet the changing and challenging needs of children, their parents, and their teachers. Goals 2000 assists schools to develop challenging curriculum and provides the incentive to find ways to make sure that all students can learn at the highest level.

Madam Chairman, I am particularly proud that Goals 2000 includes plans for coordinated services as a way to ensure that all children come to school ready to learn. As we look for the best ways to educate a child, we must be thinking of the whole child. This means not only having high education goals and well-trained teachers, but also necessary and appropriate services so that students can learn.

Madam Chairman, Goals 2000 brings together educators, parents, and communities to give all of our students the opportunity to learn the fundamental skills and knowledge they need to be productive and responsible adults.

A vote for Goals 2000 is an important investment in America's future. It's about time Madam Chairman.

□ 1500

Mr. GOODLING. Madam Chairman, I yield 3 minutes to the gentleman from Delaware [Mr. CASTLE], the newest member of our committee, and a former Governor of Delaware.

Mr. CASTLE. Madam Chairman, I rise in support of the legislation Goals 2000. I would, as the newest member, a very new member, as a matter of fact, for about 10 days now, of the Committee on Education and Labor, would also like to add my congratulations to the gentleman from Michigan [Mr. KILDEE] and the gentleman from Pennsylvania [Mr. GOODLING] for the extraordinary job which they have done on what was perceived to be a contentious piece of legislation. But by listening to one another and other Members, they apparently have put together legislation which hopefully will be broadly supported by all Members in this Chamber.

Madam Chairman, in 1989 I was involved in setting the original goals, with the other Governors and President Bush, in Charlottesville, VA, an exercise that I would trade with none other I have ever had in public life.

We put together a Delaware 2000 program in the State of Delaware mirroring what was done in those goals. We hired Dr. Pat Forgione to be our superintendent in Delaware. He had been head of the education goals panel for a year when we hired him. And I have had the opportunity to visit every single school in the State of Delaware during the time that I was Governor of the State.

From this I have learned simple lessons that other people probably have known for some time. Obviously one is, that I have heard on this floor already today, is that education is and should be a bottom-up process. It starts with the families and the informal aspects of education. It goes into the local schools at the elementary level, and up through the schools, to the local school districts, to the States, and finally to the Federal Government, which indeed does have a role.

But the Federal Government role, although it should not be, in my view, the major role in education, can be a very important role, because it does have a national impact. I believe the role of the Federal Government should be to set voluntary goals and measure progress towards achieving these goals. However, we must give the States and the local school districts the flexibility and creativity to take some risks in setting learning standards and developing innovative programs to meet these standards.

As Delaware's school superintendent said so concisely, if schools are fearful of audits, you will get mediocrity.

This bill sets goals, provides some means to help achieve them, and allows the local schools to construct programs to make it happen.

Madam Chairman, this is as it should be, and I encourage support for the bill.

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentleman from Texas [Mr. GENE GREEN].

Mr. GENE GREEN of Texas. Madam Chairman, I rise today in support of H.R. 1804, Goals 2000: the Educate America Act. By passing this legislation we will finally put in place a national education strategy with clearly defined goals and funds for true education reform.

This bill will set the stage for the reauthorization of the Elementary and Secondary Education Act next year which will mean that the bottom-up reforms contained within this bill will help revolutionize the way the Federal Government provides for the education of our Nation's children.

The members of the House Education and Labor Committee have worked closely with the Department of Education to address concerns that have been raised about this bill. Contrary to what you may have heard, no State will have to comply with a laundry list of requirements in order to participate in this program.

Any of you who have ever felt frustrated with our ability to inspire education reform have an opportunity here today to move us in the right direction by voting for this bill. This bill will inspire true reform because it is designed to reach the classroom level. Every time a teacher tries a new approach to reach a student, that is true education reform. This bill will allow teachers and schools to have the freedom to try new approaches without drowning in paperwork.

Madam Chairman, I have an excellent example in my own district. Travis Elementary School in the Houston Independent School District has parents seeking admission for their children. The teachers have the freedom currently to be able to try different methods to educate these elementary schoolchildren, and it is working. It is working today in Houston, and will work today all across the country, if we just let the teachers teach.

Goals 2000 is by no means business as usual. The goals in this bill are amitious and it will be an extreme challenge to meet them. However, we have come to realize that all students can achieve high standards if they are provided the means to do so. This bill is a good first step in providing those means and I urge my fellow Members to support passage of H.R. 1804.

Mr. GOODLING. Madam Chairman, I reserve the balance of my time.

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Madam Chairman, I too rise in support of Goals 2000, the Educate America Act. Before I do that, I want to make sure I acknowledge the efforts of my chairman, the gentleman from Michigan [Mr. KILDEE], and also the chairman of the full committee, the gentleman from Michigan [Mr. FORD], for their great efforts to make sure that this is a bipartisan effort to make sure that Congress and the administration are doing their job to educate America's children.

Madam Chairman, this week, the House of Representatives will have the opportunity to take an important step toward revitalizing America's schools and challenging all children—including the poor, disadvantaged, and limited-English proficient—to succeed in education.

For too long, many of our public schools have taught our most at-risk students only the bare minimum. This focus on basic skills has driven classroom curriculum to the lowest common denominator. Archaic multiple choice tests have branded children as failures instead of serving as appropriate tools to measure success. Teachers have given up fighting the bureaucratic redtape. School violence, dropout, and illiteracy statistics grow at an alarming rate.

How do we battle this disturbing trend in our young people? What can we do to assure that America will remain competitive beyond the year 2000? How do we turn this lost generation around? We can solve these problems by giving our children the opportunity to meet the challenging high educational standards we know their young, inquisitive minds can achieve. We must demand high standards from all our children, but especially the poor, disadvantaged, and limited-English proficient.

H.R. 1804, the Goals 2000, Educate America Act, will make reform of the education system a national priority.

Through providing States the tools they need to advance their own school reform initiatives, we will bring focus back to the fragmented and categoricalized American public education system.

By encouraging States to voluntarily adopt challenging curriculum and high standards, all children will be given the chance to move beyond basic skills to higher order learning—from addition and subtraction to calculus and physics.

Through encouraging schools to meet the challenge of providing the tools—the opportunity to learn—that all children need to succeed, Goals 2000 will give America's children a chance to measure up to tough performance standards.

No longer will children be held to lower standards just because they come from diverse backgrounds, have complicated problems or need a little extra help. This national school reform initiative will give every child a chance. Whether they are native American children in a Bureau of Indian Affairs school in the rural areas of Arizona or inner-city youth in a chapter 1 program in Los Angeles, Goals 2000 leaves no one behind; it treats no one separately and all are equal.

A vote in favor of H.R. 1804, the Goals 2000, Educate America Act, will show that we in Congress believe school reform should be a national priority. It will show that you too believe that all children can and will succeed if given a chance to meet the challenge.

Madam Chairman, I urge all Members to consider this bill not as something that will tax our local schools, but as something that we are doing to voluntarily help the local governments do the best job they can in educating our children. I urge an aye vote on this measure.

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. Madam Chairman, I also add my congratulations to that of the gentleman from California [Mr. BECERRA] and others who have congratulated the gentleman from Michigan [Mr. KILDEE] on his fine work on the bill, and also the full committee chairman, the gentleman from Michigan [Mr. FORD].

Madam Chairman, as a cosponsor of this legislation, I rise in strong support of the Goals 2000, Educate America Act.

This legislation will help make the United States competitive in the global economy of today and into the 21st century. Goals 2000 will encourage and support States and local communities to reinvent our education system so that all American students can achieve internationally competitive standards.

The bill establishes national education goals for the United States to achieve by the year 2000. These goals will be the first step toward increased economic competitiveness.

All our children starting school will be ready to learn. Our high schools will graduate at least 90 percent of their students, and those students will have command of the basic subjects.

Teachers will be well trained and have continued development opportunities. In math and science American students will be first in the world.

Every adult will be literate and able to compete. Finally, our schools will be safe, disciplined and drug-free.

The bill establishes a national education goals panel to monitor progress toward the goals and review and approve voluntary national content and student performance standards. It establishes a National Education Standards and Improvement Council to help develop and certify voluntary national standards as well as the same standards submitted by states.

The Educate America Act provides for grants to State and local education agencies to develop new assessment systems, State improvement plans, and the implementation of school reforms.

In addition, the bill provides for a National Skills Standards Board to serve as a catalyst for developing a national system of voluntary occupational standards and certification. The skills standards section of Goals 2000 will provide a benchmark for workers and give them the portable skills and credentials that are critical in our economy.

Finally, the committee has worked out amendments to modify the impact of the bill's opportunity to learn standards in response to the concerns expressed by the States.

The amendments clarify that no State would be required to have any standards or assessments certified or to participate in the bill's school reform program in order to receive funding under any other education program.

I have received a letter from Pennsylvania Secretary of Education Donald Carroll, which says that these changes address his concerns.

Madam Chairman, this legislation, when combined with the School-to-Work Transition Act that the committee is currently working on, will help make the United States economically competitive into the next century. I urge my colleagues to support it.

☐ 1510

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Madam Chairman, Marian Wright Edelman, in her new book, said that "It takes an entire village to educate a child."

Madam Chairman, our Nation's education bills have been neglected for far too long and our Nation's children are now faced with past due notices. We have left many of our children far too ill-equipped to pay these long overdue obligations.

Many of our schools still use the same methods and lessons that I was taught nearly 20 years ago. And those schools that have developed challenging and innovative programs to teach students the subjects and knowledge they need to know in order to excel in our increasingly global and high-technology world have done so with little encouragement, or assistance, from the Federal Government.

This bill changes all of that.

With Goals 2000 we have a real opportunity to dramatically reform our schools by establishing high academic and occupational standards, and providing support to States and communities to help them reach these standards.

Education reform is not a new endeavor for States. Many States are well on their way to formulating State education improvement programs. What's new is that the Federal Government is going to provide the support staff to assist States to make sure their reform endeavors succeed.

Under H.R. 1804, voluntary national standards would be developed and made available to States to be used as models in developing or modifying their academic standards. The bill also provides Federal funds in the way of grants to States to assist them develop and implement the improvement plans many of them are undertaking right now.

Recognizing the unique successes that local reform initiatives have shown, a portion of these Federal funds would be directed to local school districts to encourage local participation in the school reform efforts.

Most importantly, Goals 2000 emphasizes teacher training and encourages—through Federal grant programs—ongoing professional development to better enable our educators to teach challenging, and certainly ever-changing, curriculum, and to meet the new professional development goal that was added to the bill during committee consideration.

Contrary to what you will hear on the floor today, this bill makes a positive difference to our Nation's children. To oppose this bill is to assert that State and localities can go it alone when they wish to improve education. When I visit schools where clean walls and complete textbooks are hard to come by, there is no question that the Federal Government must do better if States and localities are to succeed in teaching our children the know-how to pay off the debt we have left them.

Mr. KILDEE. Madam Chairman, I yield 2 minutes and 30 seconds to the gentlewoman from Arizona [Ms. ENGLISH].

Ms. ENGLISH of Arizona. Madam Chairman, I thank the gentleman for yielding time to me and for his leadership on the issue of school reform. I rise today to let my colleagues know that I support Goals 2000 because the result will be high standards and opportunity for all children.

Today, we have the opportunity to take an important step toward revitalizing America's schools and challenging all children—including the poor, disadvantaged, and limited-English proficient—to succeed in education.

For too long, many of our public schools have taught our most at-risk students only the bare minimum. This focus on basic skills has driven classroom curriculum to the lowest common denominator. School violence, dropout, and illiteracy statistics grow at an alarming rate.

How do we battle this disturbing trend in our young people? What can we do to assure that America will remain competitive beyond the year 2000?

How do we turn this lost generation around?

We can solve all these problems by giving our children the opportunity to meet the challenging high educational standards we know their young, inquisitive minds can achieve.

We must demand high standards from all our children, but especially the poor, disadvantaged and limited-English proficient. H.R. 1804, the Goals 2000, Educate America Act, will make reform of the education system a national priority.

Through providing States the tools they need to advance their own school reform initiatives, we will bring focus back to the fragmented and categoricalized American public education system.

By encouraging States to voluntarily adopt challenging curriculum and high standards, all children will be given the chance to move beyond basic skills to higher order learning—from addition and subtraction to calculus and physics.

Through encouraging schools to meet the challenge of providing the tools—the opportunity to learn—that all children need to succeed, Goals 2000 will give America's children a chance to measure up to tough performance standards.

No longer will children be held to lower standards just because they come from diverse backgrounds, have complicated problems or need a little extra help.

This national school reform initiative will give every child a chance.

Whether they are native American children in a Bureau of Indian Affairs school in the rural areas of Arizona or innercity youth in a chapter 1 program in Los Angeles, Goals 2000 leaves no one behind; it treats no one separately and all are equal.

A vote in favor of the H.R. 1804, the Goals 2000, Educate America Act, will show that you too believe a school reform should be a national priority. It will show that you too believe that all children can and will succeed if given a chance to meet the challenge.

I urge my colleagues to vote "yes" on H.R. 1804.

Mr. GOODLING. Madam Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Madam Chairman, I am pleased with one thing that evidently is going to be done in this bill. It is the amendment of the gentleman from Pennsylvania [Mr. GOODLING] on the mandates.

I think that is extremely important, because this bill has the potential of creating a nightmare of mandated, unfunded kind of requirements on local districts.

I still worry about this, because of our experience when we put a similar kind of amendment in the national service bill. And it went out of the House of Representatives with an agreement with the other side that we would have that in the bill. Yet, when it came time for the conference committee, that was immediately stripped out without any regard to the will of the House and without any defense of it before the Senate.

It seems to me that when Members go as our conferees, they have a responsibility. If they have a sense of integrity about their responsibility, they need to go and fight for the will of the House, even if we have to give up and compromise on some of these things. So watch that as we go to conference committee.

But I think it is very important, because I think many school districts will not participate in this bill, in this Education 2000. I am afraid that what is going to happen is that we are going to say, they did not participate, but we know best and so no longer is it going to be voluntary. It is going to be mandatory. Now we are going to make them do it.

So I think that concept of no unfunded mandated requirements stay in there.

I am disappointed in the way choice has been handled in this bill. In the original Education 2000, choice was a very prominent part of that whole bill. As I understand it, this bill has some elements of choice within the public school sector. But no private or parochial choice, that they were not saying that part of reform should be to let the American people, the American parent decide where is best for their child to go to school, as Bill and Hillary Clinton did. Wealthy parents have the opportunity of making those kinds of choices, but poor and middle class parents, most of the time, do not. Yet, we have buckled under to the NEA, I believe, in this bill and said, "If you don't like that idea, we simply won't push that as public policy."

One of the arguments is, that is public money. Nonsense. There is no such thing as public money. That is people's money that we are taking from them, and we ought to give them a choice of how that is spent.

Then we talk about reform. I truly hope that this is a reform bill. I have some question about it, however, as to how much reform is actually here. It appears to me that we set up a Federal bureaucracy to establish goals and targets and guidance and help for the public school districts to set these standards. And it seems to me what we are saying to our local school districts and to our States is that, yes, "You don't know how to do it and we are from the Federal Government, and we are here to help you."

Once again, we know what is best.

□ 1520

Again, we are not going to mandate it, but we are going to suggest it. Once again, we may decide we need to mandate it. I think we need to be very careful about that.

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Madam Chairman, I thank the gentleman for yielding time to me.

Madam Chairman, I rise today in support of H.R. 1804, the Goals 2000, Educate America Act. This bill codifies the national education goals and takes the first step toward making them a reality. These goals are vitally important to our children's future, and our Nation's future.

Last winter I held 20 town meetings to discuss the goals, and education reform as a whole. I asked participants at my town meetings to rank the importance of each goal. Goal No. 7, to rid every school of violence and drugs and provide a disciplined environment for learning, was ranked highest even in rural parts of my district.

It was sad to hear such strong concerns about violence and easy access to drugs in schools throughout my district. North Adams—developing a program for violence prevention. Holyoke—with a system of ID cards to keep drug dealers and other unwanted visitors out of the schools. Fitchburg—incorporating violence prevention in its curriculum. But a safer school environment will let us focus on learning and teaching and improved curricula, and creative thinking.

These education goals set benchmarks. But we must recognize that it will be an empty exercise unless we commit dollars along with our creativity and determination. I urge passage of this bill as the first step in giving our students the high-caliber schools they deserve.

Mr. KILDEE. Madam Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. FORD], chairman of the Committee on Education and Labor.

Mr. FORD of Michigan. Madam Chairman, I rise in support of H.R. 1804, the Goals 2000: Educate America Act of 1993.

President Clinton, Secretary of Education Riley, and Secretary of Labor Reich have proposed this legislation, which would make the Federal Government a partner in reforming education and help develop occupational skill standards.

Goals 2000 builds on the work of the last few years to develop voluntary national academic standards, and it encourages the development of voluntary national opportunity-to-learn standards. These standards will be models for the States and local school districts, but will not in any way be imposed on them.

Under H.R. 1804, the Federal Government would provide States and school districts with funds to assist them in establishing their own high academic and performance standards that all children should achieve. In addition, States would establish their own opportunity-to-learn standards, outlining what factors need to be present in a school to enable students to achieve the State's academic standards. States also would develop assessments of student progress toward achieving the State standards. States may use the model national standards or develop their own.

Most of the $427 million authorization provided by the bill would be allotted to States and school districts to carry out these activities. Over the life of the bill, nearly all of the funds would have to be used to improve individual schools.

The Secretary of Education would be authorized to waive Federal statutory and regulatory requirements that States and school districts identify as impeding reform. In exchange for this increased flexibility, States and school districts must demonstrate improved student achievement.

H.R. 1804 would codify the six national education goals, establish the national education goals panel, and create a new National Education Standards and Improvement Council to certify State standards and assessments.

In the labor arena, Goals 2000 would create a National Skill Standards Board to bring together representatives of business, labor, education, and other stakeholders to stimulate the development and adoption of voluntary national skill standards. Those standards could be used by industry, employers, labor organizations, and workers to increase productivity, economic growth, and American economic competitiveness.

President Clinton and Secretary Riley believe that this legislation bill is necessary to establish the framework for the reauthorization of our other education laws. Our work on the reauthorization of the Elementary and Secondary Education Act of 1965 is well under way in the Committee on Education and Labor. Passage of this legislation will help us make programs such as chapter 1 even more successful.

I urge my colleagues to join me in supporting the Goals 2000: Educate America Act of 1993.

Madam Chairman, I yield to the gentleman from Pennsylvania [Mr. GOODLING] for the purposes of a colloquy.

Mr. GOODLING. Madam Chairman, I thank the gentleman for yielding to me.

Madam Chairman, I wonder if I could get the gentleman to respond to a concern that I have on page 50 in the Education and Labor Committee report language, which appears to place certain unequivocal mandates on the board concerning evaluations of assessments or assessment systems. It seems to be a bit of a straitjacket.

I would ask the gentleman, could we agree that this language allows the Board to exercise discretion in determining how and on what basis assessment procedures or systems should be evaluated? I am talking about the last sentence on page 50.

Mr. FORD of Michigan. Madam Chairman, I would answer the gentleman yes. Of course, that discretion would have to be exercised, however, in a manner consistent with Federal civil rights laws, as the bill provides elsewhere.

Mr. GOODLING. Madam Chairman, I thank the gentlemen for his understanding.

Madam Chairman, I would inquire how much time we have remaining.

The CHAIRMAN (Mrs. CLAYTON). The gentleman from Pennsylvania [Mr. GOODLING] has 18 minutes remaining. The gentleman has not used all his time. The Chair would advise the gentleman that he does not have to use it.

Mr. GOODLING. I am well aware of that, Madam Chairman.

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Madam Chairman, I rise today in support of H.R. 1804, the Goals 2000: Educate America Act, and urge my colleagues to support this important legislation and oppose any weakening amendment.

Madam Chairman, I want to, at the outset, commend the chairman of our subcommittee, the gentleman from Michigan [Mr. KILDEE], and also Education Secretary Riley, for working so closely with our Committee on Education and Labor in crafting this very important piece of legislation.

Madam Chairman, according to a GAO report which was released on May 4, 1993, many of our schools have made little progress in education reform over the past decade. Twenty years of data from the National Assessment of Educational Progress have shown that our present education performance is low and not improving very much. As a former teacher and guidance counselor in the New York City public school system, and the father of two, and soon to be three, children, I have seen first hand how our Nation is failing to meet the needs of our children. Erratic leadership efforts, diminishing financial resources, inadequate coordination efforts, and insufficient information sources have resulted in sporadic and somewhat isolated educational improvements. It is time to take a comprehensive approach, which is what this legislation does. We can no longer continue business as usual.

H.R. 1804 is a comprehensive plan to provide a national framework for educational reform. The legislation is designed to promote research, consensus building, and systemic changes which are needed to ensure equitable educational opportunities and high levels of achievement for all American students. H.R. 1804 will encourage locally-based reform efforts and increase flexibility, while holding States and localities accountable for their actions.

Certainly, high standards for all children, professional development, parental and community involvement, and expanded flexibility based on increased accountability are appropriate and necessary reform components upon which to build. Therefore, I encourage my colleagues to support the Goals 2000: Educate America Act.

Mr. GOODLING. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I take this time, hoping there may be some others that may be watching back in their offices at this particular time that may not have heard me indicate what is not in this bill. I think it is extremely important, for members to have this information because this is a totally different bill than when it left committee, and when it left committee it had no Republican support.

Madam Chairman, what is not in this bill: race-norming is not in the bill. I would suggest that my colleagues look at page 123 of House Resolution 3210 to see that for themselves what is in the present legislation, not what may have come from committee. In the form of House Resolution 1804.

With my amendment, and I guess at this point, Madam Chairman, I might ask a question of the gentleman from Ohio [Mr. KILDEE].

Since the gentleman just heard the gentleman from Colorado [Mr. HEFLIN] say he saw this trick played before where we accepted something here and then went to conference with the idea that it was not going to remain in, in conference. I guess my question to the gentleman would be, will the gentleman and the chairman support me in the conference committee when it comes to my amendment in relationship to this legislation?

□ 1530

Mr. FORD of Michigan. Madam Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Madam Chairman, the gentleman has been to many conferences with me over the last 20 years, and he knows the way I operate in conference better than anybody else. And I have never been shy about protecting the House position on anything. Our track record indicates the last time we made a cumulative score that we get seven rescissions from the Senate for every one that we give. That is no guarantee that this will not be the one, but at a ratio of 7 to 1 by which we sustain the House position on these, and particularly when it is a member of our committee that presents the amendment, I can assure the gentleman that I will do everything I can to uphold the gentleman's position, should it be adopted here today.

Mr. GOODLING. I thank the chairman for that assurance.

Mr. KILDEE. Madam Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Michigan.

Mr. KILDEE. Madam Chairman, if I may add to that, I also would join not only in defending it procedurally, but defending it philosophically.

Mr. GOODLING. I thank the subcommittee chairman also.

Again, race norming is not part of this bill. Page 123 will tell Members that. Unfunded mandates and Federal takeover in State and local school systems will not happen as a result of this legislation with my amendment. Family planning and reproductive health services are not a part of this legislation. There is report language which spells this out. The Buckley amendment in the General Education Provisions Act [GEPA] with the Hatch amendment to the Buckley amendment in GEPA protect the privacy of student records and also protects parental consent in relationship to psychological testing, et cetera.

Again I just want to remind my colleagues that even though we were united in opposition to the bill that left committee, many of us now support the bill as it has been dramatically improved since that time. I want to say that I give an A to Chairman FORD and an A to Chairman KILDEE for helping to make this a bipartisan bill. I give an A-plus to Secretary Riley for his efforts, and an A-plus to the staffs on both sides. I am always fearful that I will forget one name, so I will not name them all. All those who are now beaming are those to whom I am referring.

Between the time this bill left committee and came to the floor of the House, it became a truly great effort of cooperation and togetherness and bipartisanship.

Madam Chairman, I yield back the balance of my time.

Mr. KILDEE. Madam Chairman, this has truly been a bipartisan bill. It has not been a short road; it has been a long road, but a very productive road. And I think between the gentleman from Pennsylvania [Mr. GOODLING] and myself, we have described what is in the bill and what is not in the bill.

Mr. FAZIO. Madam Chairman, I rise in strong support of H.R. 1804, Goals 2000: Educate America Act, the bill that will make the difference in the future of American education. With its emphasis on results and flexibility, instead of processes and procedures, H.R. 1804 represents a major change in our approach towards educating our children.

This bill gives us the framework we need for the educational reform that is so long overdue in this country. It takes the seven National Education Goals for the year 2000 that the President and Governors agreed to back in 1990, expands upon them, and establishes them in law. These goals include having every child start school ready to learn; increasing our high school graduation rate to at least 90 percent; ensuring that all of our children leave grades 4, 8, and 12 with demonstrated competency in challenging subjects, such as mathematics, science, and foreign languages; ensuring that teachers have access to the programs they need for their continued professional development; making our students the first in the world in mathematics and science; and making every one of our schools drug- and violence-free.

H.R. 1804 also sets national education standards for the knowledge and skills that students should have—what they should actually be able to do—in order to demonstrate their proficiency, and for evaluating the resources that our educational system needs in order to guarantee that all of our students have the opportunity to learn what they need to.

H.R. 1804 additionally provides States and local school districts with grants so that they can restructure and improve their systems to better educate their students. And, to be sure that school districts get their fair share of the resources that are available, during the first year that this bill is law, if funding permits, 75 percent of any State's allotment must go to its school districts. In succeeding years, at least 90 percent of a State's funding under H.R 1804 must flow to its districts.

So that States and local governments do not get bogged down in redtape, they may apply for waivers from Federal laws and regulations. And, lastly, H.R. 1804 involves one of the most important elements in a child's education—his or her parents—by funding grants that support training and providing information to parents and others in order to promote more effective working relationships between educators and parents in meeting the educational needs of their children.

America's economic health depends on our ability to adequately educate our children, and we have always relied on our public education system to prepare them for the future. If we are to continue to place that kind of trust in the system—as we should—we cannot shirk our responsibility to support it with the resources that it takes to do the job. H.R. 1804 is the first step we need to take if we are to change the face of the American education system. I therefore urge my colleagues on both sides of the aisle to support giving our educational system the stimulus it needs for the changes that must be made if we are to improve the quality of education for all American students.

Ms. NORTON. Madam Chairman, I am pleased to rise in support of H.R. 1804. I had the privilege of serving as a member of the blue ribbon commission that first focused on the important idea embodied in this bill: that the majority of workers and students who are not college-bound are, by and large, those on whom our productivity rises and falls.

The National Skills Standards Board included in H.R. 1804 is a crucial addition because it insures that structural inequalities, including those that flow from factors such as race and sex, do not sabotage the plan. By the year 2000, 29 percent of all new workers will be people of color and 66 percent of them will be women. It would be counterproductive to adopt skills standards that thoughtlessly and unfairly treat workers who traditionally have been victims of employment discrimination and the much larger number who bring various disadvantages with them when they come to school.

We must not avoid the demonstrable need to move to national standards to ensure that workers are equipped with the cognitive skills necessary to compete today in a work place that encompasses the entire world. The Goals 2000 approach comes late, but hopefully not too late to do what the many piecemeal attempts have failed to do—set national standards and then take the necessary step to help ensure that children and workers reach them, regardless of their background and without discrimination.

Ms. PELOSI. Madam Chairman, I rise today in support of H.R. 1804, the Goals 2000: Educate America Act. I commend President Clinton for developing this visionary education measure. I also commend Chairman FORD and Chairman KILDEE for their work in advancing H.R. 1804 through Congress.

I support H.R. 1804 because it makes school reform a national priority. H.R. 1804 authorizes funds for States and local school districts to create or continue systemic education reforms. The purposes of Goals 2000 are clear—to fundamentally improve teaching and learning in our public schools. H.R. 1804 would codify the National Education Goals which were adopted 4 years ago by the country's Governors. It would increase our expectations of students and teachers alike. Goals 2000 would establish high standards for students, equip teachers with new training opportunities, and make schools safe and drug free.

A significant feature of Goals 2000 is that it recognizes the need for and the benefit of a bottom-up approach to reform. National education reform of this magnitude must include the experiences, the input, and the participation of parents, localities, and States. Many school districts and States have already begun to reform their education systems. Goals 2000 makes the Federal Government a partner with parents, communities, and individual schools in that effort.

The objectives of H.R. 1804 are ambitious and important: By the year 2000, the high school graduation rate should increase to at least 90 percent, American students should be the first in the world in science and math, and every American adult should enjoy functional literacy. I agree with the administration that we must set these goals and we must back up these goals with the support necessary to realize them. These objectives are achievable with the cooperation of communities, businesses, and governments at the local, State, and national levels. I am pleased to serve on the Labor-Health and Human Services-Education Subcommittee of the Appropriations Committee which will fund these important initiatives.

Madam Chairman, I urge my colleagues to join me today in support of H.R. 1804 and in support of improving the education of our Nation's children.

Mr. BARRETT of Wisconsin. Madam Chairman, in preparing for the debate on education reform, I wanted to hear from the people on the front lines of education. In August, I sent out a questionnaire to teachers and other educational professionals in my district. I received 760 responses to the questionnaire which asked about both the Goals 2000 legislation and the Elementary and Secondary Education Act.

The results of the questionnaire will be helpful to Members of Congress as we consider the future of education in this country. I would like to submit the results into the CONGRESSIONAL RECORD and quickly share some of the highlights with my colleagues.

The overriding theme of the responses was that education professionals are committed to education reform. They clearly want to be part of the solution, not part of the problem. It is obvious to me that the people involved in education in the Milwaukee area care deeply about children and the future of American education.

Regarding the Goals 2000 legislation, 80 percent of those surveyed believe the Federal Government should adopt national education goals.

Sixty-two percent agreed with the premise behind the Goals 2000 legislation that by developing more challenging expectations, we will see an overall increase in student achievement.

Sixty-eight percent said they would be willing or very willing to promote and support Goals 2000 and related programs. Less than 1 percent said they were opposed or strongly opposed to promoting and supporting the programs.

Many respondents stressed the need for greater parental involvement in education and expressed their hope that more people would support, value, and respect teachers.

The results of my education questionnaire show that we have a real opportunity to work with education professionals to enact education reforms. I hope that my colleagues will be listening to the concerns of educators so that we can create the best educational system in the world.

Mr. CRANE. Madam Chairman, I rise in opposition to H.R. 1804, the Goals 2000: Educate America Act. While there is need for improvement of the education system in America, I deeply resent yet another attempt by the Federal Government to dictate to parents and local school boards the methods for that reform. Despite the thoughts of the so-called experts residing within the beltway, I maintain that no one is better qualified to decide how best to educate a child than a parent. The proponents of Goals 2000 emphasize debunked arguments which mandate spending as a panacea for both poor test performance among students as well as for all other education woes. I submit that before true education reform takes place, parents, not politicians must provide the impetus for that reform.

As introduced, H.R. 1804 will not allow parents to make the key decisions which affect their children's education. Standards by which children will be measured are determined at the national level and while compliance with these standards is voluntary, compliance is mandatory to open the spigot, allowing the flood of Federal funds to flow to the local districts. Furthermore, although this legislation does allow for a diluted form of school choice, the program expressly prohibits Federal funds to be used for private, home, and Christian schools.

In practice, Goals 2000 has the potential to become a vehicle by which liberals will impose their enlightened wisdom upon impressionable youth. Out of this wisdom comes inept programs such as outcome-based education where children are forced into the indoctrination of politically correct ideas and where the students' beliefs and behavior are considered superior to their knowledge of facts. In addition, while school boards are indispensable at the local level, a national school board, as called for in H.R. 1804, adds nothing but another layer of bureaucracy to the already overburdened American school system.

Madam Chairman, our constituents sent us to Washington to protect their interests. Unless we allow the parents to make the critical decisions in education reform, we are violating that trust. We do not need more Federal involvement in education. We need local/parental control and school choice if we are to improve the education our children receive. For this reason, I urge my colleagues to vote against H.R. 1804.

Mr. BONILLA. Madam Chairman, I am a father of two children, one in the second grade and another about to begin school, so I am deeply concerned about this bill. I strongly support the Armey substitute because it gives choice to parents, not a National School Board in Washington. As contained in H.R. 1804, the National School Board will have 20 members, all hand-picked by the very education establishment that is failing our children.

The Armey substitute would place decision-making at the State and local level. The Armey substitute builds on 4 years' worth of bipartisan teamwork between the National Governors Association developing a plan that focuses on student achievement, not Federal intrusion at the State level.

This bill, unlike the Armey substitute, imposes more Washington-driven redtape, requirements, rules, and regulations on our States, communities, and classrooms. This bill guarantees that those who have a say in education reform will be the bureaucrats in Washington, not the parents and teachers in the cities and towns of America. It opts for top-down reform from Washington, not bottom-up reforms led by parents and tailored to local needs.

The Armey substitute allows localities to define "choice" for themselves. They can include nonpublic schools in their programs if they want, but they are not required to do so. This substitute will give parents more choice of schools for their children.

I believe my wife and I know what is best for our two children and America's parents know what is best for theirs. Goals 2000 mistakenly assumes that Federal school bureaucrats know better how to educate my children.

I don't want to leave Alicia and Austin's future in bureaucrats' hands. I urge my colleagues to vote in favor of the Armey substitute.

Mr. BEREUTER. Madam Chairman, this Member rises in fundamental opposition to H.R. 1804.

Because article X of the U.S. Constitution gives primary responsibility for education to the States, which may be delegated to their political subdivisions, this Member will always be at least skeptical about any enlargement of the Federal role in public elementary and secondary education and opposed to Federal mandates for the public schools of our Nation—except to, first, assure equal access to educational opportunities under the U.S. Constitution or, second, in a limited number of circumstances where involvement by the Federal Government is viewed by a broad consensus in the American public as necessary to stimulate action by States and school districts to meet, on rare occasions, a limited number of extraordinarily important educational objectives.

While there is value in having identified national education goals, it does not follow that they must be federally mandated goals with oversight for implementation coming from the Federal Government. Continuation of efforts to stimulate programs to develop educational goals and reform efforts by States and local school boards is, in this Member's opinion, the proper way to proceed.

Therefore, Madam Chairman, this Member is for fundamental principles opposed to this legislation.

Mr. VENTO. Madam Chairman, I rise today in support of the Goals 2000: Educate America Act. The establishment of important national goals for our education system is long overdue.

The Goals 2000 bill emphasizes results. It is a proven lesson of history that without a clear objective in mind it is impossible to determine a course of action. The national education goals provide the necessary objectives, which have not been in focus with past reform efforts.

This legislation, without restricting the flexibility of the States or local governments, provides important guidelines to use in building a stronger foundation for our education system.

Madam Chairman, if the needs we must address seem greater today, it is because they clearly are more significant. In terms of having to reach out to meet people where they are, not where some assume students will be, our task of providing a quality education for every American has indeed grown. Anyone who has experienced our current system and circumstance firsthand can testify to the fact that it is no longer possible to approach education from a single monolithic perspective, without alternatives, and still maintain a reasonable expectation that education and schooling will reach every student.

I am not among those cynics who believe the sky has fallen upon our public schools and that they are today beyond repair. Yet, I readily admit there are problems too numerous to mention here that have had a detrimental impact upon the quality of education our children receive. Many of these problems are certainly not new and many of them are probably not even unique to our country.

Nevertheless, it is vitally important we confront the status quo and work to challenge and ensure that our children, all of our children, have access to the best education possible. The Goals 2000: Educate America Act represents a strong first step in this effort.

As for my colleagues, those critics of this bill, who favor vouchers as the panacea for all the ills confronting our education system, I must warn you that you have placed your faith not in school choice—but a HOBSON'S choice.

It sure sounds good to say that providing vouchers for low- and middle-income families will guarantee them a "real choice." But the truth is that there is no requirement that private schools must accept any student who applies for entry, regardless of race, religion, gender, or ability. Moreover, the vouchers families would receive will only be worth a portion of the cost of tuition at most private schools. Yet, this is what constitutes choice in the mind of many of my colleagues. Some choice.

I think it is clear to anyone who takes a close look that the "school choice" proposal we are presented with today will not deliver the alternatives to families that its proponents suggest and doesn't begin to address the challenges facing education today and tomorrow.

Madam Chair, I urge my colleagues to support the Goals 2000: Educate America Act. It is a good start down a long road.

Mr. KYL. Madam Chairman, I rise in opposition to the Goals 2000: Educate America Act being considered on the floor today because efforts to truly reform our Nation's schools on the local and State level will essentially be gutted as a result of this legislation.

H.R. 3210, the substitute text of H.R. 1804, will effectively rule out the most innovative approaches to education improvement, while encouraging more regulation from Washington. Instead of providing some assistance to States, school districts, and yes, parents who are trying to change the status quo in education, Goals 2000 will instead penalize those very institutions by denying them Federal funding if they do not ensure that "opportunity to learn" standards, to be established by yet another Washington, DC, Federal board, are adopted.

Before a State is eligible to receive Federal funding through this bill, the State must develop "opportunity-to-learn" standards. But the bill does not provide the funds necessary to even begin to meet the requirements of the standards. What that leaves America's school administrators, teachers, and parents is another unfunded mandate imposed by the Federal Government.

This unfunded mandate is a good example of how some believe States look to the Federal Government to show them how to improve education. This simply is not true. My parents were teachers; my sister is a teacher; and from their experiences and mine, I believe part of the answer to education reform is this: Give schools the opportunity to experience an approach emphasizing bottom-up reform and waivers from all the additional redtape that the proponents of Goals 2000 will place on our Nation's schools—among other requirements, President Clinton's Goals 2000 education bill will devise curriculum standards, assessment standards, job skills standards, "opportunity-to-learn" standards, and others.

My support for education reform is straightforward. Representatives ARMEY, BALLENGER, BOEHNER, and HOEKSTRA have authored a plan to authorize $400 million for a 5-year program of Federal matching grants for States devising reform efforts. Money will go to State and local education efforts; in the first year, 75 percent of the funds must go to local communities and 90 percent must go to local communities in years 2–5—one-half of 1 percent, aside from other Federal assistance programs, must go to native American education. In addition, no more than 4 percent of the money under this plan can go toward administrative costs.

State plans must be drawn up by a reform panel chaired by the Governor of the State, consisting of parents, community leaders, business leaders, and educators. Under this plan, the Secretary of Education can permit any waiver necessary to ensure innovation and creativity within the school system.

The education program I support is tightly focused and targets funds to four promising approaches to education reform: School choice—either public or public/private and at local option—merit schools, model schools—allows students to attend a school which may be across town but offers a particular curriculum; model schools have been highly successful—and site-based management. Under the plan, 25 percent of the funds must go to school choice.

The Parent and Student Empowerment Act will also establish the six education goals as our Nation's 50 Governors envisioned them 3 years ago. The six goals: By the year 2000, all children in America will start school ready to learn; by the year 2000, the high school graduation rate will increase to at least 90 percent; American students will have demonstrated competency in English, math, science, history, and geography; by the year 2000, United States students will be first in mathematics and achievement; by the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in the global economy; by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.

The Clinton administration's education bill under consideration today will add a seventh education goal. I do not believe that our national education goals should be changed at this time. Without discussion of the merits of a new goal, changing them arbitrarily sends a signal that the fundamental goals of education can change with the wind. No one will take the goals seriously.

The Parent and Student Empowerment Act is important for another reason. It emphasizes the role of parents, who, after all, are the greatest catalyst for change in our education system. The Parent and Student Empowerment Act supports parental choice in education, which will make it possible for families to no longer be relegated to ineffective schools simply because of the location of their homes. It also gives parents the right to say "no" to programs they deem as detrimental to their child's education. The Clinton education bill does not allow for public/private school choice or for parents to "opt" their children out of programs they feel are harmful.

Madam Chairman, our education system is in need of just as much repair today as our health care system. In fact, education costs are rising just as fast as health care costs. But, at least with health care most people agree that, as a nation, we receive the best care in the world. We can not say that about the current state of American education and yet, the Goals 2000 bill under consideration today is about more money for more bureaucracy, more money for more of the same.

It is time to take a stand on the state of education in our Nation, one of the most important issues facing us today. In our increasingly competitive, technologically advanced world, Americans must strive for dramatic and effective changes in our education system. I cannot support the Clinton education bill, knowing it will not begin to achieve these changes. The Parent and Student Empowerment Act, on the other hand, will empower parents and teachers to continue to work toward grassroots, community-based reforms where the needs and strengths of particular communities can be addressed and, therefore, important changes in our Nation's schools and to our education system.

Mr. ORTON. Madam Chairman, today I will be voting in favor of the Goals 2000 legislation. This bill provides additional education funding to enable States to develop and implement basic educational standards and goals.

Parents, teachers, principals and State school officials have consistently requested one thing from the Federal Government—the elimination of burdensome Federal requirements that consistently inhibit State and local efforts to improve their education systems. They argue that Federal regulations require teachers to teach low level, inferior skills instead of problem-solving and analysis. Outdated tests focus on rudimentary methods and ignore new programs, technology and techniques. I believe that parents, teachers and school districts should have the freedom to improve the quality of education without the constant threat of losing essential Federal funding.

Goals 2000 aims to alleviate these burdensome requirements by allowing States, school districts and individual schools to waive Federal regulations. At the same time, it encourages them to implement their own systemwide reforms by providing grants to assist States and school districts with these efforts. States, not the Federal Government, will join with parents, teachers and others to formulate plans, set goals for achievement and provide for assessment of progress toward these goals.

The bill, originally set forth by the National Governors Association and adopted by President Bush, is not a Federal effort to take over the education system. Instead, it aims to enact the National Education Goals shared by President Bush and President Clinton, into law while responding to legitimate local concerns. This legislation includes a safeguard to ensure that States are not forced to participate. It is a voluntary program that States may utilize to assist their own reform efforts if they so choose.

However, while I will be voting for this bill, I also want to make it clear that this is not a perfect bill. For example, I believe that the funding formula proposed in the bill does not treat all States equitably. The use of a State per-pupil expenditure does not take into account a State's ability to raise money, the percentage of the State's budget spent on education or the number of children per household. Students from Utah consistently score among the top on national tests, and the State spends over half of its annual budget on education. Unfortunately, since its per-pupil expenditure is low, Utah will probably receive a lower funding level than it deserves, relative to local effort.

I am also aware of the possibility that the creation of more panels and boards may lead to an unnecessary expansion of Federal bureaucracy, instead of cutting it back. However, these panels will also provide a means to arrive at an educated, well thought out consenssus among many groups and individuals. this form will probably be the most effective way to arrive at decisions that we can all support.

Finally, I would like to address some of the concerns raised by the opponents of this bill. I have heard many of my colleagues mention that this bill is the first step on a slippery slope to Federal control over education. Let me clearly state that I do not favor, nor will I ever vote for a national education system. I sincerely believe that education is best managed in the hands of the people who are closest to the issue—the parents, teachers, and administrators who work in the communities daily. The Federal Government should not enforce standards or design curriculum for education at any level.

Quite simply, this bill does not increase Federal control over education. Instead, it identifies general standards and provides information that States may use to develop their own plans. It simply provides another resource for educators and State administrators. It is consistent with my policy of voting for fewer Federal mandates on States and for less Federal Government involvement in education.

Opponents of the bill have also argued that we should replace this bill with a so-called program of school choice. I believe that choice is an essential component of any functional school system. For this reason, I support magnet and charter school programs that allow parents to choose better or more specialized schools for their children. Allowing flexibility to chose among different schools in the school district should force schools to compete, and should result in a better, more responsive school system.

However, I do not support the more radical version of school choice, which is nothing more than the use taxpayer monies to support private institutions. In an age of scarce Federal resources, we cannot afford the luxury of taking funds from the public school system to subsidize wealthy, private schools, which reserve the right to exclude any student on any grounds, including religion, race, or socioeconomic status. Families can and do make the private school choice today and should continue to do so.

In conclusion, Goals 2000 is about setting goals for the future and moving toward accomplishment of these goals. It promotes a sound basic education in math, English, science, and other core subjects that our children need to be better citizens and to earn a decent living. These are goals that I think we can all support. No one can deny that our education system needs to be improved. I urge my colleagues to support this legislation so that our schools may move toward higher levels of achievement and our students may once again have the opportunity to be the best.

Mr. GOODLING. Madam Chairman, we have a very important piece of legislation before the House today. I hope that all the Members and their staff will listen to the debate we are about to engage in on the Goals 2000 education bill.

This is not a technical amendments bill. This is not a reauthorization bill. This legislation is breaking new ground with regard to the Federal role in education and, if enacted into law, would be the first Federal effort to improve all schools for all children. In this regard, I think it is critically important to allow the broadest degree of discussion, debate, and amendments.

I have been a part of the debate on the Federal role in school reform from the outset. The original school reform bill was a Hawkins-Goodling bill in the 101st Congress. In addition, I sit on the National Education Goals Panel with Mr. KILDEE as representatives of the House Members. I also had a major role in shaping the Kildee-Goodling school reform legislation considered in the 102d Congress.

The bill being considered today is the product of a 5-year process to determine how the Federal Government can assist State and local school reform efforts without doing damage to the excellent progress being made across the country. As you can imagine, it is not easy for the Congress to get involved in something as new and dynamic as the school reform movement without dictating what exactly we think everyone should or should not do.

Generally, the bill before you today is a good one. It incorporates many of the ideas that President Bush and Lamar Alexander talked about under the title of "America 2000".

It authorizes the National Education Goals Panel to inform the Nation about our progress toward the six national education goals—which, by the way, we are never going to reach at the current pace.

It creates a process whereby national organizations of teachers and other educators can create descriptions of what all American students should know in the core curriculum areas—voluntary national content standards.

A grant program is authorized that would give States limited Federal funds to carry out the activities associated with school reform efforts. At least 75 percent of these funds would go to the school level to provide the wherewithall to make the systemic changes necessary to increase student learning.

From the start, writing effective legislation in this area has been a balancing act. By its very nature, the school reform movement is a grassroots, bottom-up effort that began with, and has been driven by, States and schools across the country. The lack of Federal involvement up to this point has probably been a good thing.

The danger of Federal assistance in this area has always been that Congress' form of help would be an example of what States were trying to get away from—uniform, top-down, regulation driven, one-size-fits-all solutions.

For the most part, the bill sent to us by the administration avoided this pit fall. Perhaps because both President Clinton and Secretary Riley had experience as Governors actually implementing school reform, the introduced bill was outcome oriented, and generally non-prescriptive.

However, as the bill moved through the committee, amendments were added that made the bill unacceptable to the President, Secretary Riley, the Governors, the business organizations that originally supported the bill, and, most importantly, the educators who are trying to implement these difficult changes. I was pleased to hear that the substitute bill, H.R. 3210, removes most of those objectionable amendments.

There remains some contradictory provisions in the bill relating to how prescriptive the Federal Government will be in requiring States to enforce their standards. Some of us, including Mr. CONDIT and myself, feel that this lack of clarity in the bill could be interpreted to be a mandate on States to meet standards required by the Act, even though Federal funds will never come close to covering it.

I believe that ours is really a clarifying amendment in that the committee report clearly states that there was no intention to create such an unfunded mandate on States. The President in a letter to me on H.R. 1804 stated that it was not his intention to influence State fiscal priorities with this legislation. The Governors and chief State school officers support the intentions of this amendment.

Further, there has been some concerns raised about the effects of this bill on State and local control of curriculum and instructional practice. Our amendment clarifies the intent of Congress in this regard as well.

It is very important that this amendment be adopted and made part of H.R. 1804. Only with its adoption will many of us who share these concerns vote in support of the legislation.

With regard to title IV of H.R. 3210, establishing a National Board for the development of industry-recognized skill standards, I continue to have specific concerns over the lack of a leadership role provided in the legislation for business and industry. Due to the realization that U.S. competitiveness is increasingly dependent on the skills of the American workforce—broad-based support has arisen for development of a national system of occupational skill standards in the United States. While I support the development of such a system, I am convinced that our success is dependent on making this an industry-led effort—otherwise the standards will not be used.

During committee consideration of the Goals 2000 legislation, we offered amendments to address these concerns. Unfortunately our efforts failed, but our resolve has not. While our concerns persist, we will not offer any amendments to title IV today dealing with the issue of industry leadership, based on knowledge that a compromise is being developed in the Senate that will address these concerns. We understand that the Senate compromise will make changes in the composition of the National Board, as well as require that the board's chairperson come from the business community for the first 2-year terms. It is our hope to work toward this compromise as we go to conference with the Senate on the Goals 2000 legislation.

Even with these reservations, I do recognize the fact that we have come a long way in addressing concerns originally identified in title IV of H.R. 1804, as introduced—resulting in a much better piece of legislation.

Finally, I wish to note that while I am pleased that most of the very contentious civil rights issues raised by earlier drafts of title IV have been resolved, I do have concern over certain language in the committee report, the last sentence on page 50, which appears to require rigid adherence to the uniform guidelines on employee selection procedures and the standards of the American Psychological Association. This very well may not be a correct reading, but, if it is, I believe this will create problems for many reasons. I believe the board should be allowed broad discretion in this area.

In closing, Madam Chairman, I am prepared to support this legislation with the adoption of the amendments I have just described. It will be my goal in the conference to move the final bill in the direction of allowing States the greatest discretion in determining their own vision of school reform.

Mrs. COLLINS of Illinois. Madam Chairman, I rise in opposition to the amendment to H.R. 1804 being offered by my colleague from Illinois. This amendment would prevent any school district with more than 250,000 students from receiving any State grant funds for school reform. As a result, four of the most beleaguered school districts in the country, Chicago, New York City, Los Angeles and Miami, would all be denied any of the important grant funds in H.R. 1804.

Not only is this amendment insensitive and mean-spirited but it would be genuinely detrimental to many of my constituents who attend Chicago public schools. The problems of the Chicago public schools are well known and daunting. After a frustrating delay, the Chicago public schools have again had to start out their school year facing enormous obstacles and insufficient funds to meet the needs of its students. Because more than 80 percent of Chicago public school students are eligible for the lunch program, the school system is plagued by problems of poverty. Not only are funds desperately needed to recruit and retain teachers, increase school safety and anti-crime efforts, reduce class sizes, and meet the needs of the thousands of students who are not English proficient but funding is also needed to rebuild or renovate the hundreds of Chicago school facilities that are in shameful states of disrepair. In fact, 15-percent of Chicago's public schools were built before the turn of the century and more than half were built before World War II.

Despite these extraordinary obstacles, Chicago has been a leader in school reform efforts. In 1989, the central school board was virtually eliminated, empowering teachers, parents, and principals to manage individual schools. The Consortium on Chicago School Research estimates that from 36 to 45 percent of the newly self-governing elementary schools have taken on systemic restructuring. Such schools are considered more than twice as likely to exhibit student-centered learning practices which is critical to improving our students' education and meeting the goals included in Goals 2000.

To target Chicago, or any other city, and prevent its schools from continuing their reform efforts with the assistance of State grant funds simply because of its size is blatantly unfair and unjustified. On behalf of the millions of students who would suffer from this amendment, I urge my colleagues to join me and oppose it.

Mr. ROSTENKOWSKI. Madam Chairman, I rise today in strong support of H.R. 1804, the Goals 2000: Educate America Act.

Providing our children with a quality education is one of the most important responsibilities we have as a Nation. America's future economic welfare depends on having a well-trained, well-educated labor force capable of maintaining and advancing the competitive position which the U.S. currently enjoys.

Goals 2000 brings together our local, State and Federal Government, with parents, educators, community groups, and business and labor leaders to improve our education and training system. Governors around the country have worked with the administration to develop this legislation.

Giving States and school districts the flexibility they need to make vital reforms is crucial. H.R. 1804 will waive rules and regulations that currently impede such reform. Teacher training will be improved and schools will have the textbooks and instructional materials needed in order for them to reach the agreed upon goals.

The bill will develop voluntary national performance standards which will give students and teachers a better understanding of what should be learned before a student is allowed to graduate. It is a tragic fact that too many students leave school without having a basic knowledge of reading, math, science and other subjects vital in today's complex society.

The United States will lose its competitive edge if our children fail to master the changing workplace technologies that their European and Japanese counterparts are mastering. It is unfortunate that today American businesses are forced to spend millions of dollars in training workers who come into the workforce unable to perform even rudimentary tasks.

The Goals 2000 legislation before us today will play a major role in alleviating this problem. Demonstration programs—such as the Chicago Yes! Program—have been extremely successful in targeting high school students in Chicago and providing vocational, academic, and support services to at-risk students. Working with business, the school provides exposure and pre-apprenticeship training in different local industries. Business and industry provide the equipment, on-site training and school to work transition assistance. Programs like this have proven cost-effective to business and invaluable to students. The voluntary national workplace skill standards, which will be developed under this legislation, will continue efforts such as Chicago Yes! by providing industry with a well-trained workforce that meets their needs and ensuring that high school graduates have the skills necessary to find the quality employment needed to support a family.

Madam Chairman, I urge my colleagues to support Goals 2000. By giving full support to our educational system, we are making a strong commitment to the future of our children and our Nation.

Mr. REED. Madam Chairman, I rise in support of H.R. 1804, and to correct some of the misstatements and misperceptions surrounding an amendment I added to the bill at full committee. Some of these comments have distorted the intent of the amendment and created a red herring totally out of proportion to the actual scope of the amendment.

The provision I added attempts to inject a measure of accountability into education reform efforts. It is a truth in reform provision.

This provision asks States, if they choose to apply for Federal planning grants under title III of Goals 2000, to describe in their application what they will do when a school or school system fails to meet the standards.

It is the only part of the bill that looks beyond standard setting. Active reform requires promulgating standards, making assessments, and then taking deliberate steps to raise performance to meet the standards. I do not believe it is unreasonable to ask States to plan for the final part of the equation: What will you do to meet the standards?

Much attention has been paid to standard setting. This amendment directs a modest amount of attention to meeting the standards.

The provision does not restrict a State's flexibility in any way. A State can plan to adopt a variety of procedures in order to meet the standards, and the procedures chosen will vary from State to State. The committee report cites a broad range of possible alternatives: Sending evaluation teams into the schools, improving parental involvement, providing increased training and professional development for staff, or other actions designed to improve schools and achieve compliance with appropriate standards. States have the flexibility to adopt different approaches in different situations. For example, a State may want to take aggressive action if a school system cannot meet both content standards and opportunity to learn standards, while adopting a different approach in school systems where content standards are met.

The standards themselves are chosen by the State itself and subject to the State's own timelines for achievement. The provision applies to both content standards and opportunity to learn standards, it does not emphasize one standard over another.

Some have charged that this provision is an unfunded mandate. It is not. It is a planning requirement. States choose to apply for the various grants authorized under H.R. 1804. This provision applies only if a State chooses to apply for a planning grant. If a State chooses not to apply for a planning grant, then there is no obligation for that State to do anything. The State can still apply for other grants under H.R. 1804, can still adopt and certify standards, and can still continue receiving other Federal education funds.

We should not sit idly by during this reform debate and watch Federal resources go into another paper drill which will enrich educational consultants and only coincidentally help students because we do not face the tough question of what actions must be taken to ensure that standards are met.

To do any less than this is to say that Federal money for change means nothing.

Mr. HUGHES. Madam Chairman, I rise in strong support of H.R. 1804, Goals 2000: Educate America Act, and I urge my colleagues to support this legislation.

One of the important principles on which our country was founded—that all Americans are entitled to a free public education—has served as the great leveler between the well-to-do, and the less fortunate in our society. We all know stories of great Americans of humble origins who were aided in achieving their goals, and in turn making great contributions to our society, as a result of the educational opportunities our Nation provides. And there are millions of Americans, perhaps not infamous, who have been able to vastly improve their standard of living because our society cares enough to make the sacrifice that is needed to educate our young people.

However today, the great American dream is threatened by a public school system that is not functioning well. Many of our schools are not providing our young people with the knowledge, skills, and tools necessary to achieve their individual goals; and as a result, our entire Nation is suffering.

We have all read numerous studies reporting poor student performance in basic subjects and graduates entering the job market unequipped with the skills necessary in today's workforce. How can we expect today's graduates to carry on the tradition of American innovation in the global marketplace and lead this great Nation into the next century when the failures of our education system are so evident? Is there any issue as important to the future security of our country as the quality of education we provide our children?

We must make a commitment now to improving our Nation's education system. All American children deserve access to a quality education and the ability to pursue their dreams and goals. We can afford to wait no longer.

The legislation we consider today will promote positive reforms in school systems across the country and facilitate the achievement of our national education goals. These important objectives are accomplished by writing into law the seven national education goals, encouraging States to meet them by the year 2000, and providing long overdue funding to our local school districts for the development of innovative educational strategies.

School districts can apply for these funds by describing how the funds would be used to further the educational reform efforts in their individual communities. Because educational needs vary from community to community, this legislation explicitly recognizes diversity and the need for local autonomy in reform efforts. Those who are in a position to know best how to enhance the educational process—school teachers, principals, superintendents, and parents—will be the architects of this new effort.

H.R. 1804 does not contain any Federal mandates. State participation in this program is voluntary, and does not affect a State's entitlement under any other federally funded program. Passage of this measure will allow the Federal Government to encourage and stimulate reform efforts in communities. As new programs and strategies are developed at the local level to achieve voluntary student performance standards, the Federal Government can then assume a more appropriate role as a clearinghouse for information. Innovative ideas that have been successfully implemented can be shared with other school districts around the country.

H.R. 1804, Goals 2000: Educate America Act, is a good bill and I urge my colleagues to support it.

Mr. CLEMENT. Madam Chairman, I rise in support of this critical legislation. Many of my colleagues in the House know of my commitment to education reform efforts that ensure every child in America will have access to a high quality education. Because of this, it is with great pleasure that I stand before you today to endorse the Goals 2000—Educate America project.

Madam Chairman, it was only a short time ago that arts curriculums in our Nation's schools were considered extracurricular activities. Fortunately, however, due to the vision of Education Secretary Richard Riley, a new philosophy has emerged from the administration and is encompassed in the Goals 2000 Program.

The voluntary standards set forth in this program assures that every child, in every school district, in every State across America, will have the opportunity to develop their minds through exposure to music and the other arts. In Tennessee alone, education reform initiatives will lead to a hiring of over 200 music, art, and physical education teachers in Tennessee for the current school year and will eventually lower the teacher/student ratio from the current level of 1 to 1,175 to 1 to 525 when the reform package is fully implemented.

Congress should pass this plan and dedicate itself to the continued effort to see that these voluntary national standards are implemented in all of the 16,000 school districts across our Nation. Goals 2000 encourages us to be equal partners in the education reform effort and prove once and for all that we want to invest in our children's education.

Madam Chairman, Goals 2000 is a welcome change in philosophy and I am pleased that the current administration has chosen to acknowledge the critical importance of the arts in education reform. It is my feeling that passing this bill will allow 1993 to be hailed as the commencement of a new cultural renaissance in education for this Nation and I urge my colleagues to support its passage.

Mrs. KENNELLY. Madam Chairman, I rise today in strong support for Goals 2000: Educate America Act. I commend Chairman FORD and Subcommittee Chair KILDEE for their work on this legislation and their collaboration with the administration.

I supported the national education goals agreed upon by former President Bush and the Nation's Governors, including then-Governor Clinton of Arkansas back in 1990. The House of Representatives passed similar legislation last year which was later subject to a filibuster in the other body.

This new bill represents a departure from traditional Federal assistance to State and local education reform. This bill will serve as a catalyst to systemic reform. Rather than targeting specific programs, this bill allows for coordinated reform in all parts of the education system. Rather than targeting special groups of children, this bill seeks broad based improvement for all children.

Additionally, this legislation emphasizes three vital elements of reform: flexibility, creativity, and results. Our schools have been lacking these for far too long. This bill's focus on academic results demonstrates a national commitment to our children's development. To that end, this legislation encourages increased parental involvement in educational improvement. Traditionally the Federal Government has served to provide funding for programs carried out at State and local levels. I firmly believe in the right of parents and local communities to exercise responsibility for their children's education. This bill does not take that responsibility away. I think it has become all too clear that our Nation's education system is in need of reform and new direction. It is time this country examine its future and it is within our education system that our future lies. It is time for us to decide how our children should be prepared, what skills they will need, and how to accomplish that learning. We must teach our children well; we must invigorate their learning process; we must encourage them to pursue learning at all levels. And importantly we must provide them with the necessary knowledge and skills to enter the work force as competent and productive workers.

I believe these goals are well within our grasp. This Nation cannot accept the academic decline of its children. The time has come to welcome the challenges set forth in these goals. I urge my colleagues to support Goals 2000.

Ms. MOLINARI. Madam Chairman, few, if any issues are more important to the future of the country than the quality of our schools. In the past years, the subject of education reform has received a great deal of attention. Under the last administration, and again with the new administration education reform is the hot topic of debate. And no wonder. Student achievement is too low. According to the National Assessment of Educational Progress, fewer than one out of every five pupils in grades 4, 8, and 12 can demonstrate competency in mathematics. Scores on Scholastic Achievement Test [SAT] have fallen significantly over the last 20 years. The decline in the number of high-scoring students on the SAT-verbal exam is especially serious.

The shortcomings of American students in comparison with those from other countries have been widely documented. The bottom line is clear. We need to improve all schools so that all students will have access to quality education. This will take time and a great deal of effort. It will require hard work by the Federal, State, and local governments, as well as by the business and community groups.

The Federal Government has an essential role to play in helping to improve America's schools. Our goal must be to encourage as many schools as possible to take the steps needed to achieve reform. The leadership to do so—the ideas, the plans, and the commitment—must be supplied by the local schools. They are the ones who know what it will take to succeed. True education reform must be developed by teachers who work in the schools, by parents whose children attend the schools, and by the community served by the schools.

For these reasons, I am an original cosponsor to the ranking minority member's bill, The Educational Excellence for All Students Act. This bill assists in the development of voluntary world class standards and assessments to help our students meet the National Education Goals. It funnels Federal money to the States and local school districts to help foster real education reform. And, it provides the flexibility school districts need to develop creative education programs. All concepts I strongly support to help foster real education reform.

The education reform bill before us today does incorporate many of these concepts, and I support those sections. However, I have some reservations surrounding the opportunity to learn standards, but I do believe that the time to act is now. This issue is too important to get bogged down in partisan politics. We need to work together and come up with realistic solutions for our students.

Mr. MANZULLO. Mr. Chairman, today this House debates education reform. We have a stark choice between the status quo and change. Nationally, we have low student achievement scores yet this country is spending records amount of money on education. Our children need the assurance that they will receive a good sound education and that they will be able to compete in an international work force.

The Department of Education has stated that approximately $450 billion was spent, in 1991—the latest year for which statistics are available—for public and private education, K through post-graduate. Ninety-four percent of all education funding in this Nation comes from State, local, and private sources. The Federal Government contributes only 6 percent to education programs. I have always strongly believed that parents and the local school boards know what is best for their children. I want to keep the Federal role in education to an absolute minimum.

But that's not what we have before us today. The bill up for consideration, as amended by the Democrat-led Education and Labor Committee, is more of the status quo. Goals 2000 creates more bureaucracy by establishing three separate panels to develop national standards. Each school district would have to measure up to these standards if it wishes to receive any Federal assistance. These standards could dictate everything from classroom size to curriculum.

Goals 2000 would also cost $420 million for the first year alone and impose more regulations on schools. Money and more regulations are not the answer. True educational reform will not come from the bureaucrats in Washington, but from people in the grass roots level becoming involved in PTA's, local school boards, and other local organizations.

That's why I support the reform amendment offered by my good friend and colleague from Texas, Mr. ARMEY. The Armey amendment, while not perfect, is the best choice of all the options up for consideration.

I support the Armey amendment because it endorses educational reform from the bottom up and requires parental involvement. Contrary to the Goals 2000 legislation, the Armey amendment does not create three Federal boards to come up with national standards. The Armey amendment empowers local communities to enact their own reforms.

It will accomplish this by using $400 million in this bill for one or more of the four most promising reform approaches. These include school choice plans, to be flexibly designed by local communities; model schools that try to break the mold by implementing new and unique plans; merit awards that monetarily reward schools that, as a whole, show academic improvement; and enactment of decentralized management plans, to cut down on top-heavy school administrations.

Another positive feature of the Armey amendment is that it will allow parents to exclude their children from programs and tests that they think are detrimental to their children's education and health. There have been numerous reports of students receiving psychological testing without their parent's permission. The Goals 2000 legislation has no such parental opt-out right in the bill.

The Armey amendment also protects the parent's right to determine who can view their children's school records, with exception for legitimate education purposes. Once again, the Goals 2000 legislation does not have a similar provision.

Furthermore, this amendment would bar the use of these Federal funds for school-based clinics, which is permitted in the Goals 2000 bill for the purpose of coordinating health and social services. Some of these clinics administer birth control devices without parental knowledge or consent, and Americans simply do not want their taxpayers' dollars being used for these purposes.

However, the Armey amendment is not perfect, and I still have reservations about it. First, the amendment proposes to spend nearly the same amount as contained in Goals 2000. However, Armey sunsets, or automatically ends the program after 4 years, as opposed to the Goals 2000 bill which has no end to it.

I also have serious concerns about requiring that 25 percent of funds received by local communities be used for school choice programs. Even though the Armey amendment leaves the definition of choice up to the local communities, which many include or exclude non-public schools as they see fit, this can still be perceived by school districts as a mandate from Washington. It could also be interpreted by some as a limitation of parental and local school board jurisdictional powers.

Mr. Chairman, parents don't want more governmental involvement. They want to work within their communities to develop goals of their own. They want to reward their children excelling in the classroom, not by an incentive of Federal dollars molding their children to Washington's answer to education reform, but by their own initiative. It is important for everyone—both liberal and conservative—to remember that local solutions to educational reform are best. They are closest to the problems and they know, much better than Washington, the solutions to them.

Mr. CLINGER. Mr. Speaker, I rise in reluctant opposition to the amendment offered by Congressman ARMEY to the Goals 2000: Educate America Act.

In early September, I was dismayed to read a front page story in the Washington Post reporting that almost half of all American adults do not possess the basic literacy and arithmetic skills to hold a decent job. The Department of Education's "Adult Literacy in America" study confirmed the beliefs of many business and academic leaders who have warned that the deteriorating quality of our school systems is having a drastic, long-term effect on the international competitiveness of the American work force.

As the world becomes more technologically advanced and everyday life becomes more sophisticated, it has become increasingly difficult to support a family and make a decent living with a manual labor job. In modern society, businesses need workers with solid reading, writing, and arithmetic skills who can identify and solve problems.

The fact of the matter is our elementary and secondary education system is in dire straits and failing to adequately prepare many of our youth to become productive members of the American work force in an increasingly competitive global economy. Excessive bureaucracy, violence in the schoolyard, no discipline in the classroom, and declining parental involvement have allowed too many of our children to graduate from high school unable to read. We must reform the system if the United States is to maintain its position as the world's premier economic power.

During my tenure in Congress, I have considered countless approaches and solutions to fixing our declining educational system. However, when weighing the merits of these proposals, I have always sought an approach that preserves local control over education.

To earn my support, a reform proposal must be flexible, facilitate grassroots reform, and encourage local innovation and experimentation. It must maximize local decisionmaking of parents, teachers, and local school boards, not augment the power of Government bureaucratic in Washington, DC. It must also recognize that parents and teachers are best able to forge personal relationships with the students, while Government bureaucrats merely view our children as statistics. All in all, Federal mandates handcuff local educators when we should instead be empowering those who best know how to motivate and educate our young ones.

Congressman ARMEY's pending amendment is very similar to the one he offered last year to the ill-fated Neighborhood Schools Improvement Act. Both amendments earmarked 25 percent of the funds allocated to local school districts under the act for school choice programs. Although school choice proposals may vary in content, most versions aim to involve parents in their child's education and reform educational bureaucracies by allowing parents to choose among schools. Most programs differ only by the scope of shools from which to choose—intradistrict, interdistrict, public, or private schools.

Although I have some doubts that school choice programs are workable in rural areas where schools are separated by such great distances and where there is rarely a viable alternative to the public school system, I do remain philosophically supportive of the concept. Generally, I believe school choice programs can improve the quality of our schools by fostering competition among schools. For this reason, I supported the Armey substitute amendment last year when it was defeated during consideration of the Neighborhood Schools Improvement Act.

However, this year I closely examined the revised Armey substitute amendment and recognized a fundamental conflict between my advocacy for local control of education and my support for the Armey amendment. The text of the Armey amendment reads, "Not less than 25 percent of the amounts made available to local education agencies under this title shall be used for choice programs." As anyone can plainly see, this language is rather rigid and provides for very little local decision making. What happens if only a few families participate in a school choice program and the local educators determine that the remaining funds could be used to buy new books, patch a leaky ceiling, or deal with other pressing matters? Whether one supports school choice policies or not, one has to admit that the Armey amendment is a Federal mandate, devoid of flexibility and local discretion.

As a Republican who is wary of Federal Government intrusion in local education and who strongly supports a local, decentralized educational system, I would be guilty of hypocrisy if I voted for the Armey amendment. Although I remain philosophically supportive of school choice, I cannot in good faith support another Federal mandate that ties the hands of parents and local educators.

Mr. KILDEE. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of the bill H.R. 3210 is considered as an original bill for the purpose of amendment and is considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1804

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Goals 2000: Educate America Act".

SEC. 2. PURPOSE.

The purpose of this Act is to provide a framework for meeting the National Education Goals established by title I of this Act by—

(1) promoting coherent, nationwide, systemic education reform;

(2) improving the quality of learning and teaching in the classroom and in the workplace;

(3) defining appropriate and coherent Federal, State, and local roles and responsibilities for education reform and lifelong learning;

(4) establishing valid, reliable, and fair mechanisms for—

(A) building a broad national consensus on American education reform;

(B) assisting in the development and certification of high-quality, internationally competitive content and student performance standards;

(C) assisting in the development and certification of opportunity-to-learn standards; and

(D) assisting in the development and certification of high-quality assessment measures that reflect the internationally competitive content and student performance standards;

(5) supporting new initiatives at the Federal, State, local, and school levels to provide equal educational opportunity for all students to meet high standards and to succeed in the world of employment and civic participation;

(6) providing a framework for the reauthorization of all Federal education programs by—

(A) creating a vision of excellence and equity that will guide all Federal education and related programs;

(B) providing for the establishment of high-quality, internationally competitive content and student performance standards that all students will be expected to achieve;

(C) providing for the establishment of high quality, internationally competitive opportunity-to-learn standards that all States, local educational agencies, and schools should achieve;

(D) encouraging and enabling all State educational agencies and local educational agencies to develop comprehensive improvement plans that will provide a coherent framework for the implementation of reauthorized Federal education and related programs in an integrated fashion that effectively educates all children enabling them to participate fully as workers, parents, and citizens; and

(E) providing resources to help individual schools, including those serving students with high needs, develop and implement comprehensive improvement plans;

(7) stimulating the development and adoption of a voluntary national system of skill standards and certification to serve as a cornerstone of the national strategy to enhance workforce skills; and

(8) assisting every elementary and secondary school that receives funds under this Act to actively involve parents and families in supporting the academic work of their children at home and in providing parents with skills to advocate for their children at school.

TITLE I—NATIONAL EDUCATION GOALS

SEC. 101. PURPOSE.

The purpose of this title is to establish national education goals.

SEC. 102. NATIONAL EDUCATION GOALS.

The Congress declares that the National Education Goals are the following:

(1) SCHOOL READINESS.—(A) By the year 2000, all children in America will start school ready to learn.

(B) The objectives for this goal are that—

(i) all children will have access to high-quality and developmentally appropriate preschool programs that help prepare children for school;

(ii) every parent in America will be a child's first teacher and devote time each day to helping his or her preschool child learn, and parents will have access to the training and support they need; and

(iii) all children will receive the nutrition and health care needed to arrive at school with healthy minds and bodies, and to maintain the mental alertness necessary to be prepared to learn, and the number of low-birthweight babies will be significantly reduced through enhanced prenatal health systems.

(2) SCHOOL COMPLETION.—(A) By the year 2000, the high school graduation rate will increase to at least 90 percent.

(B) The objectives for this goal are that—

(i) the Nation must dramatically reduce its dropout rate, and 75 percent of those students who do drop out will successfully complete a high school degree or its equivalent; and

(ii) the gap in high school graduation rates between American students from minority backgrounds and their non-minority counterparts will be eliminated.

(3) STUDENT ACHIEVEMENT AND CITIZENSHIP.—(A) By the year 2000, all students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, civics and government, arts, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

(B) The objectives for this goal are that—

(i) the academic performance of all students at the elementary and secondary level will increase significantly in every quartile, and the distribution of minority students in each level will more closely reflect the student population as a whole;

(ii) the percentage of all students who demonstrate the ability to reason, solve problems, apply knowledge, and write and communicate effectively will increase substantially;

(iii) all students will be involved in activities that promote and demonstrate good citizenship, community service, and personal responsibility;

(iv) the percentage of all students who are competent in more than one language will substantially increase; and

(v) all students will be knowledgeable about the diverse cultural heritage of this Nation and about the world community.

(4) TEACHER EDUCATION AND PROFESSIONAL DEVELOPMENT.—(A) By the year 2000, the Nation's teaching force will have access to programs for the continued improvement of their professional skills and the opportunity to acquire the knowledge and skills needed to instruct and prepare all American students for the next century.

(B) The objectives of this goal are that—

(i) every State will establish opportunity-to-learn standards and create an integrated strategy to attract, recruit, prepare, retrain, and support the continued professional development of teachers, administrators, and other educators, so that there is a highly talented workforce of professional educators to teach challenging standards;

(ii) subgrants for preservice teacher education and professional development activity will be made to local educational agencies, institutions of higher education, private nonprofit organizations, or consortia of such organizations, to support continuing, sustained, professional development activities for all educators; and

(iii) partnerships shall be established, whenever possible, between local educational agencies, institutions of higher education, local labor, business, and professional associations to provide and support programs for the professional development of educators, particularly in the area of emerging new technologies in education.

(5) MATHEMATICS AND SCIENCE.—(A) By the year 2000, United States students will be first in the world in mathematics and science achievement.

(B) The objectives for this goal are that—

(i) math and science education will be strengthened throughout the system, especially in the early grades;

(ii) the number of teachers with a substantive background in mathematics and science will increase by 50 percent; and

(iii) the number of United States undergraduate and graduate students, especially women and minorities, who complete degrees in mathematics, science, and engineering will increase significantly.

(6) ADULT LITERACY AND LIFELONG LEARNING.—(A) By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

(B) The objectives for this goal are that—

(i) every major American business will be involved in strengthening the connection between education and work;

(ii) all workers will have the opportunity to acquire the knowledge and skills, from basic to highly technical, needed to adapt to emerging new technologies, work methods, and markets through public and private educational, vocational, technical, workplace, or other programs;

(iii) the number of quality programs, including those at libraries, that are designed to serve more effectively the needs of the growing number of part-time and midcareer students will increase substantially;

(iv) the proportion of those qualified students, especially minorities, who enter college, who complete at least two years, and who complete their degree programs will increase substantially;

(v) the proportion of college graduates who demonstrate an advanced ability to think critically, communicate effectively, and solve problems will increase substantially; and

(vi) schools, in implementing comprehensive parent involvement programs, will offer more adult literacy, parent training and lifelong learning opportunities to improve the ties between home and school, and enhance parents' work and home lives.

(7) SAFE, DISCIPLINED, AND DRUG-FREE SCHOOLS.—(A) By the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.

(B) The objectives for this goal are that—

(i) every school will implement a firm and fair policy on use, possession, and distribution of drugs and alcohol;

(ii) parents, businesses, and community organizations will work together to ensure the rights of students to study in a safe and secure environment that is free of drugs and crime;

(iii) every school district will develop a comprehensive K-12 drug and alcohol prevention education program. Drug and alcohol curricula should be taught as an integral part of health education. In addition, community-based teams should be organized to provide all students and teachers with needed support; and

(iv) every school district will develop and implement a policy to ensure that all schools are free of weapons and violence.

TITLE II—NATIONAL EDUCATION REFORM, LEADERSHIP, STANDARDS, AND ASSESSMENTS

PART A—NATIONAL EDUCATION GOALS PANEL

SEC. 201. PURPOSE.

It is the purpose of this part to establish a bipartisan mechanism for—

(1) building a national consensus for education improvement;

(2) reporting on progress toward achieving the National Education Goals; and

(3) reviewing the voluntary national content and student performance standards and opportunity-to-learn standards certified by the National Education Standards and Improvement Council, as well as the criteria for their certification, and the criteria for the certification of State assessments by the National Education Standards and Improvement Council with the option of disapproving such standards and criteria not later than 60 days after receipt from such Council.

SEC. 202. NATIONAL EDUCATION GOALS PANEL.

(a) ESTABLISHMENT.—There is established in the executive branch a National Education Goals Panel (referred to in this Act as the "Goals Panel") to advise the President, the Secretary, and the Congress.

(b) COMPOSITION.—The Goals Panel shall be composed of eighteen members (referred to in this part as "members"), including—

(1) two members appointed by the President;

(2) eight members who are Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party of the President, appointed by the Chairperson and Vice Chairperson of the National Governors' Association, with each appointing representatives of his or her respective political party, in consultation with each other;

(3) four Members of Congress appointed as follows—

(A) one member appointed by the majority leader of the Senate from among the Members of the Senate;

(B) one member appointed by the minority leader of the Senate from among the Members of the Senate;

(C) one member appointed by the majority leader of the House of Representatives from among the Members of the House of Representatives; and

(D) one member appointed by the minority leader of the House of Representatives from among the Members of the House of Representatives; and

(4) four members of State legislatures appointed by the President of the National Conference of State Legislatures, of whom not more than two may be of the same political party as the President of the United States.

(c) SPECIAL APPOINTMENT RULES.—(1) The members appointed pursuant to subsection (b)(2) shall be appointed as follows:

(A) If the Chairperson of the National Governors' Association is from the same political party as the President, the Chairperson shall appoint three individuals and the Vice Chairperson shall appoint five individuals.

(B) If the Chairperson of the National Governors' Association is from the opposite political party as the President, the Chairperson shall appoint five individuals and the Vice Chairperson shall appoint three individuals.

(2) If the National Governors' Association has appointed a panel that meets the requirements of subsections (b) and (c), except for the requirements of subsection (b)(4), prior to the date of enactment of this title, then the members serving on such panel shall be deemed to be in compliance with subsections (b) and (c) and shall not be required to be reappointed pursuant to such subsections.

(3) To the extent feasible, the membership of the Goals Panel shall be geographically representative and reflect the racial, ethnic, and gender diversity of the United States.

(d) TERMS.—The terms of service of members shall be as follows—

(1) Members appointed under subsection (b)(1) shall serve at the pleasure of the President.

(2) Members appointed under subsection (b)(2) shall serve a two-year term, except that the initial appointments under such paragraph shall be made to ensure staggered terms with one-half of such members' terms concluding every two years.

(3) Members appointed under subsection (b)(3) and (4) shall serve a term of two years.

(e) DATE OF APPOINTMENT.—The initial members shall be appointed not later than sixty days after the date of enactment of this Act.

(f) INITIATION.—The Goals Panel may begin to carry out its duties under this part when ten members of the Goals Panel have been appointed.

(g) VACANCIES.—A vacancy on the Goals Panel shall not affect the powers of the Goals Panel, but shall be filled in the same manner as the original appointment.

(h) TRAVEL.—Each member may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(i) CHAIRPERSON.—From among the members, the President shall appoint the Chairperson who shall serve a one-year term and shall alternate between political parties.

(j) CONFLICT OF INTEREST.—A member of the Goals Panel who is an elected official of a State which has developed content, student performance, or opportunity-to-learn standards may not participate in Goals Panel consideration of such standards.

(k) EX OFFICIO MEMBER.—If the President has not appointed the Secretary of Education as 1 of the 2 members he appoints pursuant to subsection (b)(1), then the Secretary shall serve as a nonvoting ex officio member of the Goals Panel.

SEC. 203. DUTIES.

(a) DUTIES.—The Goals Panel shall—

(1) report to the President, the Secretary, and the Congress regarding the progress the Nation and the States are making toward achieving the National Education Goals established under title I of this Act, including issuing an annual report;

(2) report on State opportunity-to-learn standards and the progress of States in meeting such standards;

(3) review, after taking into consideration the public comments received pursuant to section 216, with the option of disapproving by a two-thirds majority vote of the full membership not later than 60 days after receipt of the—

(A) criteria developed by the National Education Standards and Improvement Council for the certification of content and student performance standards, assessments, and opportunity-to-learn standards; and

(B) voluntary national content and student performance standards and opportunity-to-learn standards certified by the National Education Standards and Improvement Council;

(4) report on promising or effective actions being taken at the national, State, and local levels, in the public and private sectors, to achieve the National Education Goals; and

(5) help build a nationwide, bipartisan consensus for the reforms necessary to achieve the National Education Goals.

(b) REPORT.—(1) The Goals Panel shall annually prepare and submit to the President, the Secretary, the appropriate committees of Congress, and the Governor of each State a report that shall—

(A) report on the progress of the United States toward achieving the National Education Goals;

(B) identify actions that should be taken by Federal, State, and local governments to enhance progress toward achieving the National Education Goals and State opportunity-to-learn standards; and

(C) report on State opportunity-to-learn standards and the progress of States in meeting such standards.

(2) Reports shall be presented in a form, and include data, that is understandable to parents and the general public.

SEC. 204. POWERS OF THE GOALS PANEL.

(a) HEARINGS.—(1) The Goals Panel shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Goals Panel considers appropriate.

(2) In carrying out this part, the Goals Panel shall conduct hearings to receive reports, views, and analyses of a broad spectrum of experts and the public on the establishment of voluntary national content and student performance standards, assessments, and opportunity-to-learn standards.

(b) INFORMATION.—The Goals Panel may secure directly from any department or agency of the United States information necessary to enable the Goals Panel to carry out this part. Upon request of the Chairperson of the Goals Panel, the head of a department or agency shall furnish such information to the Goals Panel to the extent permitted by law.

(c) POSTAL SERVICES.—The Goals Panel may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(d) USE OF FACILITIES.—The Goals Panel may, with consent, use the research, equipment, services, and facilities of any agency or instrumentality of the United States, or of any State or political subdivision thereof.

(e) ADMINISTRATIVE ARRANGEMENTS AND SUPPORT.—(1) The Secretary shall provide to the Goals Panel, on a reimbursable basis, such administrative support services as the Goals Panel may request.

(2) The Secretary shall, to the extent appropriate, and on a reimbursable basis, make contracts and other arrangements that are requested by the Goals Panel to help it compile and analyze data or carry out other functions necessary to the performance of such responsibilities.

SEC. 205. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Goals Panel shall meet on a regular basis, as necessary, at the call of the Chairperson of the Goals Panel or a majority of its members.

(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

(c) VOTING.—No individual may vote, or exercise any of the powers of a member, by proxy.

(d) PUBLIC ACCESS.—The Goals Panel shall ensure public access to its proceedings (other than proceedings, or portions of proceedings, relating to internal personnel and management matters) and make available to the public, at reasonable cost, transcripts of such proceedings.

SEC. 206. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairperson of the Goals Panel shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) APPOINTMENT AND PAY OF EMPLOYEES.—(1)(A) The Director may appoint not more than four additional employees to serve as staff to the Goals Panel without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(B) The employees appointed under paragraph (1)(A) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but shall not be paid a rate that exceeds the maximum rate of basic pay payable for GS–15 of the General Schedule.

(2) The Director may appoint additional employees to serve as staff to the Goals Panel consistent with title 5, United States Code.

(c) EXPERTS AND CONSULTANTS.—The Goals Panel may procure temporary and intermittent services of experts and consultants under section 3109(b) of title 5, United States Code.

(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Goals Panel, the head of any department or agency of the United States may detail any of the personnel of such agency to the Goals Panel to assist the Goals Panel in its duties under this part.

SEC. 207. EARLY CHILDHOOD ASSESSMENT.

(a) GENERAL.—(1) The Goals Panel shall support the work of its Resource and Technical Planning Groups on School Readiness (referred to in this section as the Groups) to improve the methods of assessing the readiness of children for school that would lead to alternatives to currently used norm-referenced early childhood assessments.

(2) The Groups shall—

(A) create clear guidelines regarding the nature, functions, and uses of early childhood assessments, including a model of school readiness that addresses a broad range of early childhood developmental needs;

(B) monitor and evaluate early childhood assessments, including the ability of existing assessments to provide valid information on the readiness of children for school; and

(C) monitor and report on the long-term collection of data on the status of young children to improve policy and practice, including the need for new sources of data necessary to assess the broad range of early childhood developmental needs.

(b) ADVICE.—The Groups shall advise and assist the Congress, the Secretary, the Goals Panel, and others regarding how to improve the assessment of young children and how such assessments can improve services to children.

(c) REPORT.—The Goals Panel shall provide reports on the work of the Groups to the Congress, the Secretary, and the public.

PART B—NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL

SEC. 211. PURPOSE.

The purpose of this part is to establish a mechanism to—

(1) certify and regularly review voluntary national content and student performance standards that define what all students should know and be able to do;

(2) certify content and student performance standards submitted by States on a voluntary basis, if such standards are of equal or higher quality to the voluntary national content and student performance standards certified by the National Education Standards and Improvement Council;

(3) certify and regularly review voluntary national opportunity-to-learn standards that describe the conditions of teaching and learning necessary for all students to have a fair opportunity to achieve the knowledge and skills described in the voluntary national content and student performance standards certified by the National Education Standards and Improvement Council;

(4) certify opportunity-to-learn standards submitted by States on a voluntary basis, if such standards are of equal or higher quality as compared with the voluntary national opportunity-to-learn standards; and

(5) certify assessment systems submitted by States on a voluntary basis, if such systems are aligned with State content standards certified by the National Education Standards and Improvement Council and if such systems are valid, reliable, and consistent with relevant, nationally recognized, professional and technical standards for assessment when used for their intended purposes.

SEC. 212. NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL.

(a) ESTABLISHMENT.—There is established in the executive branch a National Education Standards and Improvement Council (referred to in this title as the "Council").

(b) COMPOSITION.—The Council shall be composed of twenty members (referred in this part as "members") who shall be appointed as follows:

(1) 8 members (2 from each of subparagraphs (A) through (D) of subsection (c)(1)) shall be appointed by the President;

(2) 4 members (1 from each of subparagraphs (A) through (D) of subsection (c)(1)) shall be appointed by the Speaker of the House of Representatives, in consultation with the majority and minority leaders of House;

(3) 4 members (1 from each of subparagraphs (A) through (D) of subsection (c)(1)) shall be appointed by the majority leader of the Senate, in consultation with the minority leader of the Senate; and

(4) 4 members (1 from each of subparagraphs (A) through (D) of subsection (c)(1)) shall be appointed by the National Education Goals Panel.

(c) QUALIFICATIONS.—(1) The members of the Council shall include—

(A) 5 professional educators, including elementary and secondary classroom teachers, preschool educators and other school-based professionals, local district or State administrators, related service personnel, and other educators;

(B) 5 representatives of business and industry, organized labor, and postsecondary educational institutions, including at least 1 representative of postsecondary educational institutions, at least 1 representative of organized labor, and at least 1 representative of business who is also a member of the National Skill Standards Board;

(C) 5 representatives of the public, including representatives of advocacy, civil rights and disability groups, parents, civic leaders, and local and State education policymakers (including State, local, or tribal school boards); and

(D) 5 education experts, including experts in measurement and assessment, curriculum, school finance and equity, and school reform.

(2) To the extent feasible, the membership of the Council shall be geographically representative of the United States and reflect the diversity of the United States with regard to race, ethnicity, gender, and disability characteristics.

(3) One-third of the Council shall consist of individuals with expertise in the educational needs of children who are from low-income families, minority backgrounds, have limited-English proficiency, or have disabilities.

(d) TERMS.—(1) Members shall be appointed for 3-year terms, with no member serving more than 2 consecutive terms.

(2) The Council shall establish by lot initial terms for individuals of one, two, or three years in order to establish a rotation in which one-third of the members are selected each year.

(e) DATE OF APPOINTMENT.—The initial members shall be appointed not later than 120 days after the date of enactment of this Act.

(f) INITIATION.—The Council shall begin to carry out the duties of the Council under this part when all 20 members have been appointed.

(g) RETENTION.—In order to retain an appointment to the Council, a member must attend at least two-thirds of the scheduled meetings of the Council in any given year.

(h) VACANCY.—A vacancy on the Council shall not affect the powers of the Council, but shall be filled in the same manner as the original appointment.

(i) COMPENSATION.—Members of the Council who are not regular full-time employees of the United States may, while attending meetings or hearings of the Council, be provided compensation at a rate fixed by the Secretary, but not exceeding the maximum rate of basic pay payable for GS-15 of the General Schedule.

(j) CONFLICT OF INTEREST.—(1) A member of the Council may not concurrently serve as a member of the Goals Panel.

(2) Section 208 of title 18 of the United States Code shall apply to members of the Council except that, for the purposes of making written determinations under subsection (b)(1), the Government official responsible for the appointment of any member of the Council is deemed to be the Director of the Office of Government Ethics.

(3) A member of the Council who resides in a State which has developed standards and assessments may not participate in Council consideration of such standards and assessments.

(k) TRAVEL.—Each member of the Council may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(l) OFFICERS.—The members of the Council shall select officers from among its members. The officers of the Council shall serve for one-year terms.

SEC. 213. DUTIES.

(a) VOLUNTARY NATIONAL CONTENT STANDARDS.—(1) The Council shall—

(A) identify areas in which voluntary national content standards need to be developed;

(B) certify voluntary national content and student performance standards using the criteria developed under paragraph (2)(A)(i), that define what all students should know and be able to do;

(C) forward such voluntary national content and student performance standards to the Goals Panel for review, except that the Goals Panel shall have the option of disapproving such standards by a two-thirds majority vote of the full membership not later than 60 days after receipt of such standards; and

(D) develop a process for regularly reviewing any national voluntary content, student performance, and opportunity-to-learn standards that have been certified.

(2)(A) The Council shall—

(i) identify and develop criteria to be used for certifying the voluntary national content and student performance standards; and

(ii) before applying such criteria, forward them to the Goals Panel for review, except that the Goals Panel shall have the option of disapproving such criteria by a two-thirds majority vote of the full membership not later than 60 days after receipt of such criteria.

(B) The criteria developed by the Council shall address—

(i) the extent to which the proposed standards are internationally competitive and comparable to the best in the world;

(ii) the extent to which the proposed content and student performance standards reflect the best available knowledge about how all students learn and about how the content area can be most effectively taught;

(iii) the extent to which the proposed content and student performance standards have been developed through an open and public process that provides for input and involvement of all relevant parties, including teachers, related services personnel, and other professional educators, employers and postsecondary education institutions, curriculum and subject matter specialists, parents, advocacy groups, and the public; and

(iv) other factors that the Council deems appropriate.

(C) In developing the criteria, the Council shall work with entities that are developing, or have already developed, content and student performance standards, and any other entities that the Council deems appropriate, to identify appropriate certification criteria.

(b) VOLUNTARY STATE CONTENT STANDARDS.—The Council may certify content and student performance standards presented on a voluntary basis by States, using the criteria developed under subsection (a)(2)(A)(i), if such standards are of equal or higher quality to the voluntary national content and student performance standards certified by the Council.

(c) VOLUNTARY NATIONAL OPPORTUNITY-TO-LEARN STANDARDS.—(1) The Council shall certify exemplary, voluntary national opportunity-to-learn standards that will establish a basis for providing all students a fair opportunity to achieve the knowledge and skills set out in the voluntary national content standards certified by the Council.

(2) The voluntary national opportunity-to-learn standards certified by the Council shall address—

(A) the quality and availability of curricula, instructional materials, and technologies, including distance learning, to all students;

(B) the capability of teachers to provide high-quality instruction to meet diverse learning needs in each content area to all students;

(C) the extent to which teachers, principals, and administrators have ready and continuing access to professional development, including the best knowledge about teaching, learning, and school improvement;

(D) the extent to which curriculum, instructional practices, and assessments are aligned to content standards;

(E) the extent to which school facilities provide a safe and secure environment for learning and instruction and have the requisite libraries, laboratories, and other resources necessary to provide an opportunity to learn;

(F) the extent to which schools utilize policies, curricula, and instructional practices which ensure nondiscrimination on the basis of gender; and

(G) other factors that the Council deems appropriate to ensure the students receive a fair opportunity to achieve the knowledge and skills described in the voluntary content and student performance standards certified by the Council.

(3) In carrying out this subsection, the Council shall—

(A) identify what countries with rigorous content standards do to—

(i) provide their children with opportunities to learn;

(ii) prepare their teachers; and

(iii) provide continuing professional development opportunities for their teachers; and

(B) develop criteria to be used for certifying the voluntary national and State opportunity-to-learn standards and, before applying such criteria, forward them to the Goals Panel for review, except that the Goals Panel shall have the option of disapproving such standards by a two-thirds majority vote of the full membership not later than 60 days after receipt of such criteria.

(4) The Council shall assist in the development of the voluntary national opportunity-to-learn standards developed by the consortium under section 219 by—

(A) making recommendations to the Secretary regarding priorities and selection criteria for the award made under section 219; and

(B) coordinating with the consortium receiving an award under section 219 to ensure that the opportunity-to-learn standards the consortium develops are appropriate for the needs of all students, are of high quality, and are consistent with the criteria developed by the Council for the certification of such standards.

(5) The Council shall forward the voluntary national opportunity-to-learn standards it certifies to the Goals Panel for review, except that the Goals Panel shall have the option of disapproving such standards by a two-thirds majority vote of the full membership not later than 60 days after receipt of such standards.

(d) VOLUNTARY STATE OPPORTUNITY-TO-LEARN STANDARDS.—The Council may certify opportunity-to-learn standards submitted voluntarily by a State, using the criteria developed under subsection (c)(3)(B), if such standards are of equal or higher quality as compared to the voluntary national opportunity-to-learn standards.

(e) GENERAL PROVISION REGARDING VOLUNTARY NATIONAL STANDARDS.—The Council may certify voluntary national content, student performance, and opportunity-to-learn standards if such standards are sufficiently general to be used by any State without restricting State and local control of curriculum and prerogatives regarding instructional methods to be employed.

(f) ASSESSMENTS.—(1)(A) The Council may certify an assessment system that is submitted voluntarily by a State, using the criteria developed under paragraph (2)(A), if such system is aligned with the State's content standards certified by the Council.

(B) Assessment systems shall be certified by the Council for the purposes of—

(i) informing students, parents, teachers, and related services personnel about the progress of all students toward the standards;

(ii) improving classroom instruction and improving the learning outcomes for all students;

(iii) exemplifying for students, parents, and teachers the kinds and levels of achievement that should be expected of all students, including the identification of student performance standards;

(iv) measuring and motivating individual students, schools, districts, States, and the Nation to improve educational performance; and

(v) assisting education policymakers in making decisions about education programs.

(C) The Council shall certify an assessment system only if—

(i) the State has established or adopted opportunity-to-learn standards;

(ii) such system will not be used to make decisions regarding graduation, grade promotion, or retention of students for a period of five years from the date of enactment of this Act; and

(iii) the State has submitted—

(I) a description of the purposes for which the assessment system has been designed;

(II) the methodologies and process used to develop, select, validate, and use such assessment systems;

(III) a copy of the test instrument and, as appropriate, other measures that will make up the system; and

(IV) evidence that the test or tests which are part of the assessment system are valid, reliable measures of their intended purposes, are aligned with the State content standards, are capable of assessing the progress of all students toward learning the material in the State content standards, and are consistent with relevant nationally recognized professional and technical standards.

(D) The Council shall, at the request of a State prior to developing an assessment system for a proposed use, review and provide guidance to such State on a proposed package of measures, including tests that would be included in such a system.

(2)(A) The Council shall develop and, no sooner than three years or later than four years after the enactment of this Act, begin utilizing criteria for the certification of assessment systems for the purposes indicated in paragraph (1)(B). Before using such criteria, the Council shall forward the criteria to the Goals Panel for review, except that the Goals Panel shall have the option of disapproving such criteria by a two-thirds majority vote of the full membership not later than 60 days after receipt of such criteria.

(B) The certification criteria developed by the Council shall address the extent to which the assessment system—

(i) is aligned with State content standards certified by the Council; and

(ii) is to be used for a purpose for which it is valid, reliable, free of discrimination, and is consistent with relevant, nationally recognized professional and technical standards for assessment.

(C) In determining appropriate certification criteria, the Council shall—

(i) consider standards and criteria being developed by other national organizations, research on assessment, and emerging new State and local assessments;

(ii) recommend needed research;

(iii) encourage the development and field testing of assessment systems; and

(iv) provide a public forum for discussing, debating, and building consensus for the criteria to be used for the certification of assessment systems.

(D) Prior to determining the certification criteria, the Council shall seek public comment regarding the proposed criteria.

(E) The Council shall certify an assessment system only if such system includes all students.

(g) PERFORMANCE OF DUTIES.—In carrying out its responsibilities under this title, the Council shall—

(1) provide for a process of broad public input as part of the process of developing criteria for standards and assessments;

(2) work with Federal and non-Federal agencies and organizations which are conducting research, studies, or demonstration projects to determine internationally competitive standards and assessments, and may establish subject matter and other panels to advise it on particular content, student performance, and opportunity-to-learn standards and on assessments;

(3) shall establish cooperative arrangements with the National Skill Standards Board to promote the coordination of the development of content and student performance standards under this title with the development of skill standards under title IV of this Act;

(4) recommend studies to the Secretary that are necessary to carry out the Council's responsibilities;

(5) inform the public about what constitutes high quality, internationally competitive, content, student performance, and opportunity-to-learn standards, and assessment systems;

(6) on a regular basis, review and update criteria for certifying content, student performance, and opportunity-to-learn standards, and assessment systems; and

(7) periodically recertify, as appropriate, the voluntary national content and student performance standards, and the voluntary national opportunity-to-learn standards and the assessments that it certifies under this section.

(h) UNCONDITIONED STATE PARTICIPATION.—No State shall be required to obtain certification of standards or assessments developed under subsection (b), (d), or (f) of this section or to participate in programs under title III of this Act, as a condition of participating in any Federal education program under this or any other Act.

SEC. 214. ANNUAL REPORTS.

Not later than one year after the date the Council concludes its first meeting, and in each succeeding year, the Council shall prepare and submit a report to the President, the Secretary, the appropriate committees of Congress, the Governor of each State, and the Goals Panel regarding its work.

SEC. 215. POWERS OF THE COUNCIL.

(a) HEARINGS.—(1) The Council shall, for the purpose of carrying out its responsibilities, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Council considers appropriate.

(2) In carrying out this part, the Council shall conduct public hearings in different geographic areas of the United States, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public on the establishment of voluntary national content, student performance, and opportunity-to-learn standards, and assessment systems.

(b) INFORMATION.—The Council may secure directly from any department or agency of the United States information necessary to enable the Council to carry out this part. Upon request of the Chairperson of the Council, the head of a department or agency shall furnish such information to the Council to the extent permitted by law.

(c) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(d) USE OF FACILITIES.—The Council may, with their consent, use the research, equipment, services, and facilities of any agency or instrumentality of the United States, or of any State or political subdivision thereof.

(e) ADMINISTRATIVE ARRANGEMENTS AND SUPPORT.—(1) The Secretary shall provide to the Council, on a reimbursable basis, such administrative support services as the Council may request.

(2) The Secretary shall, to the extent appropriate, and on a reimbursable basis, make contracts and other arrangements that are requested by the Council to help it compile and analyze data or carry out other functions necessary to the performance of its responsibilities.

SEC. 216. PUBLICATION FOR PUBLIC COMMENT.

(a) TRANSMITTAL.—For the purpose of obtaining public comment through publication in the Federal Register, the Council shall transmit to the Secretary—

(1) proposed criteria for certifying national and State content and performance standards;

(2) proposed criteria for certifying national and State opportunity-to-learn standards;

(3) proposed criteria for certifying State assessment systems; and

(4) proposed national content, performance, and opportunity-to-learn standards.

(b) PUBLICATION.—The Secretary shall publish such proposed procedures, standards, and criteria in the Federal Register.

SEC. 217. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Council shall meet on a regular basis, as necessary, at the call of the Chairperson of the Council, or a majority of its members.

(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

(c) VOTING.—The Council shall take all action of the Council by a majority vote of the total membership of the Council, ensuring the right of the minority to issue written views. No individual may vote or exercise any of the powers of a member by proxy.

(d) PUBLIC ACCESS.—The Council shall ensure public access to its proceedings (other than proceedings, or portions of proceedings, relating to internal personnel and management matters) and make available to the public, at reasonable cost, transcripts of such proceedings.

SEC. 218. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairperson of the Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) APPOINTMENT AND PAY OF EMPLOYEES.—(1)(A) The Director may appoint not more than four additional employees to serve as staff to the Council without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(B) The employees appointed under subparagraph (A) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but shall not be paid a rate that exceeds the maximum rate of basic pay payable for GS–15 of the General Schedule.

(2) The Director may appoint additional employees to serve as staff of the Council consistent with title 5, United States Code.

(c) EXPERTS AND CONSULTANTS.—The Council may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Council, the head of any department or agency of the United States may detail any of the personnel of such department or agency to the Council to assist the Council in its duties under this part.

SEC. 219. OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.

(a) OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.—(1) The Secretary is authorized to make a grant, on a competitive basis, to a consortium of individuals and organizations to develop voluntary national opportunity-to-learn standards consistent with the provisions of section 213(c).

(2) To the extent possible, such consortium shall include the participation of—

(A) State-level policymakers, such as Governors, State legislators, chief State school officers, and State school board members;

(B) local policymakers and administrators, such as local school board members, superintendents, and principals;

(C) teachers (especially teachers involved in the development of content standards);

(D) parents and individuals with experience in promoting parental involvement in education;

(E) representatives of business;

(F) experts in vocational-technical education;

(G) representatives of regional accrediting associations;

(H) individuals with expertise in school finance and equity, the education of at-risk students, and the preparation and training of teachers and school administrators;

(I) curriculum and school reform experts;

(J) student and civil rights advocacy groups;

(K) representatives of higher education; and

(L) secondary school students.

(3) In developing voluntary national opportunity-to-learn standards, such consortium shall—

(A) draw upon current research about student achievement and the necessary conditions for effective teaching and learning; and

(B) provide for the development of several consecutive drafts of standards which incorporate the comments and recommendations of educators and other knowledgeable individuals across the Nation.

(4) One-third of the consortium shall consist of individuals with expertise in the educational needs and assessment of children who are from low-income families, minority backgrounds, have limited-English proficiency, or have disabilities.

(5) The membership of the consortium shall be geographically representative and reflect the racial, ethnic, and gender diversity of the United States.

(b) APPLICATIONS.—(1) Any consortium that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

(2) In awarding such grant, the Secretary shall give priority to applications from consortia which involve individuals and organizations with the greatest diversity of perspectives and points of view.

(3) In establishing additional priorities and selection criteria for such grant, the Secretary shall give serious consideration to the recommendations made by the Council pursuant to section 213(c)(4)(A).

(c) REPORT.—After the development of the voluntary national opportunity-to-learn standards, the consortium funded under this section shall submit a report to the Secretary which discusses the background, important issues, and rationale regarding such standards.

SEC. 220. ASSESSMENT DEVELOPMENT AND EVALUATION GRANTS.

(a) GENERAL.—(1) The Secretary is authorized to make grants to States and local educational agencies or consortia of such agencies to help defray the cost of developing, field testing, and evaluating assessment systems, to be used for some or all of the purposes indicated in section 213(f)(1)(B), that are aligned to State content standards certified by the Council.

(2) The Secretary shall reserve a portion of the funds authorized under section 231(d) for grants to State educational agencies and local educational agencies for purposes of developing such assessments in languages other than English.

(b) APPLICATIONS.—A State, local educational agency, or consortium of such agencies that desires to receive a grant under subsection (a)(1) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

(c) REQUIREMENTS.—(1) A recipient of a grant under this section shall—

(A) examine the validity and reliability of an assessment system for the particular purposes for which such assessment system was developed;

(B) ensure that an assessment system is consistent with relevant, nationally recognized professional and technical standards for assessments; and

(C) devote special attention to how an assessment system, treats all students, especially with regard to the race, gender, ethnicity, disability, and language proficiency.

(2) An assessment system developed and evaluated with funds under this section may not be used for decisions about individual students relating to program placement, promotion, or retention, graduation, or employment for a period of five years from the date of enactment of this Act.

SEC. 221. EVALUATION.

(a) GRANT.—From funds reserved under section 304(a)(2), the Secretary annually shall make a grant, in an amount not to exceed $500,000, to the Commission on Behavioral and Social Sciences and Education of the National Academy of Sciences or to the National Academy of Education to—

(1) evaluate—

(A) the technical quality of the work performed by the Goals Panel and the Council;

(B) the process the Council uses to develop criteria for certification of standards and assessments;

(C) the process the Council uses to certify voluntary national standards as well as standards and assessments voluntarily submitted by States; and

(D) the process the Goals Panel uses to approve certification criteria and voluntary national standards;

(2) periodically provide to the Goals Panel and the Council, as appropriate, information from the evaluation under paragraph (1); and

(3) report on the activities authorized under sections 219 and 220.

(b) REPORT.—The grant recipient shall periodically report to the Congress, the Secretary, and the public regarding findings and shall make a final report not later than January 1, 1998.

PART C—AUTHORIZATION OF APPROPRIATIONS

SEC. 231. AUTHORIZATION OF APPROPRIATIONS.

(a) NATIONAL EDUCATION GOALS PANEL.—There are authorized to be appropriated $3,000,000 for fiscal year 1994 and such sums as may be necessary for each of the four succeeding fiscal years to carry out part A of this title.

(b) NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL.—There are authorized to be appropriated $3,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998 to carry out part B of this title.

(c) OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.—There are authorized to be appropriated $3,000,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995 to carry out the Opportunity-to-Learn Development Grant Program established under section 219 of this title.

(d) ASSESSMENT DEVELOPMENT AND EVALUATION GRANTS.—There are authorized to be appropriated $5,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998 to carry out the Assessment Development and Evaluation Grants Program established under section 220 of this title.

TITLE III—STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT

SEC. 301. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) all students can learn and achieve high standards and must realize their potential if the United States is to prosper;

(2) the reforms in education of the last 15 years have achieved some good results, but these efforts often have been limited to a few schools or to a single part of the educational system;

(3) leadership must come both from teachers, related services personnel, principals, and parents in individual schools and from policymakers at the local, State, tribal, and national levels, in order for lasting improvements in student performance to occur;

(4) simultaneous top-down and bottom-up education reform is necessary to spur creative and innovative approaches by individual schools to help all students achieve internationally competitive standards;

(5) strategies must be developed by communities and States to support the revitalization of all local public schools by fundamentally changing the entire system of public education through comprehensive, coherent, and coordinated improvement in order to increase student learning;

(6) parents, teachers, and other local educators, and business, community, and tribal leaders must be involved in developing systemwide improvement strategies that reflect the needs of their individual communities;

(7) State and local education improvement efforts must incorporate strategies for providing all students and families with coordinated access to appropriate social services, health care, nutrition, and child care to remove preventable barriers to learning and enhance school readiness for all students;

(8) States and local educational agencies, working together, must immediately set about developing and implementing such systemwide improvement strategies if the Nation is to educate all children to meet their full potential and achieve the National Education Goals listed in title I of this Act;

(9) State and local systemic improvement strategies must provide all students with effective mechanisms and appropriate paths to the workforce as well as to higher education;

(10) business should be encouraged to enter into partnerships with schools, provide information and guidance to schools on the needs of area business for properly educated graduates in general and on the need for particular workplace skills, that the schools may provide necessary material and support, and continue the lifelong learning process throughout the employment years of an individual, and schools should provide information to business regarding how the business community can assist schools in meeting the goals of this Act;

(11) institutions of higher education should be encouraged to enter into partnerships with schools to provide information and guidance to schools on the skills and knowledge graduates need in order to enter and successfully complete postsecondary education, and schools should provide information and guidance to institutions of higher education on the skills, knowledge, and preservice training teachers need, and the types of professional development educators need in order to meet the goals of this Act;

(12) the appropriate and innovative use of technology, including distance learning, can be very effective in helping to bring all students the opportunity to learn and meet high standards; and

(13) Federal funds should be targeted to support local and State initiatives, and to leverage State and local resources for designing and implementing system-wide improvement plans.

SEC. 302. PURPOSE.

The purpose of this title is to improve the quality of education for all students by improving student learning through a long-term, broad-based effort to promote coherent and coordinated improvements in the system of education throughout the Nation at the local and State levels. This title provides new authorities and funding for the Nation's school systems without replacing or reducing funding for existing Federal education programs. It is the intention of the Congress that no State or local educational agency will reduce its funding for education or for education reform on account of receiving any funds under this title.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this title, there are authorized to be appropriated $393,000,000 for the fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

SEC. 304. ALLOTMENT OF FUNDS.

(a) RESERVATIONS OF FUNDS.—From funds appropriated under section 303, the Secretary—

(1) shall reserve a total of one percent to provide assistance, in amounts determined by the Secretary—

(A) to the outlying areas; and

(B) to the Secretary of the Interior to benefit Indian students in schools operated or funded by the Bureau of Indian Affairs (referred to in this Act as the "Bureau"); and

(2) may reserve a total of up to 6 percent for—

(A) national leadership activities under section 313;

(B) the costs of peer review of State improvement plans and applications under this title; and

(C) evaluation activities under section 221.

(b) STATE ALLOTMENTS.—The Secretary shall allot the remaining amount appropriated under section 303 for each fiscal year to the States (which for the purposes of this subsection does not include the outlying areas) as follows:

(1) 50 percent of such remaining amount shall be allocated in accordance with the relative amounts such State received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year.

(2) 50 percent of such remaining amount shall be allocated in accordance with the relative amounts each such State received under part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year.

(c) REALLOTMENTS.—If the Secretary determines that any amount of a State's allotment for any fiscal year under subsection (b) will not be needed for such fiscal year by the State, the Secretary shall reallot such amount to other States that need additional funds, in such manner as the Secretary determines is appropriate.

SEC. 305. STATE APPLICATIONS.

(a) GENERAL.—(1) If a State desires to receive a grant under this title, the State educational agency shall submit an application to the Secretary at such time and in such manner as the Secretary may determine.

(2) In addition to the information described in subsections (b) and (c), each such application shall include—

(A) an assurance that the State educational agency will cooperate with the Secretary in carrying out the Secretary's responsibilities under section 312, and will comply with reasonable requests of the Secretary for data related to the State's progress in developing and implementing its State improvement plan under this title;

(B) an assurance that State law provides adequate authority to carry out each component of the State's improvement plan developed, or to be developed under section 306, or that such authority will be sought;

(C) an assurance that the standards developed for student achievement are not less rigorous than student achievement standards used prior to the date of enactment of this Act;

(D) an assurance that the State will provide for broad public participation in the planning process; and

(E) such other assurances and information as the Secretary may require.

(b) FIRST YEAR.—A State's application for the first year of assistance under this title shall—

(1) describe the process by which the State will develop a school improvement plan that meets the requirements of section 306; and

(2) describe how the State educational agency will use funds received under this title for such year, including how the State educational agency will make subgrants to local educational agencies and for teacher training.

(c) SUBSEQUENT YEARS.—A State's second application under this title shall—

(1) cover the second through fifth years of its participation;

(2) include a copy of the State's improvement plan that meets the requirements of section 306 or, if the State plan is not complete, a statement of the steps it will take to complete the plan and a schedule for doing so; and

(3) include an explanation of how the State will use funds received under this title, including how it will make subgrants to local educational agencies and for teacher training under section 309(b)(1).

SEC. 306. STATE IMPROVEMENT PLANS.

(a) BASIC SCOPE OF PLAN.—Any State educational agency that wishes to receive a grant under this title after its first year of participation shall develop and implement a plan for the fundamental restructuring and improvement of elementary and secondary education in the State. This plan must address—

(1) in accordance with subsection (c), the establishment or adoption of challenging content and student performance standards for all students and the use of curricula, instructional practices, assessments, technology, parental involvement programs, and professional preparation and development approaches appropriate to help all students reach such standards;

(2) in accordance with subsection (d), the establishment or adoption of opportunity-to-learn standards that will define the conditions of teaching and learning that provide all students the opportunity to meet the challenging content and student performance standards;

(3) in accordance with subsection (e), needed changes in the governance and management of the education system in order to effectively focus schools on, and assist them in, preparing all students to meet the challenging State standards;

(4) in accordance with subsection (f), comprehensive strategies to involve communities, including parents, businesses, libraries, institutions of higher education, employment and training agencies, health and human service agencies, advocacy groups, cultural institutions, and other public and private agencies that provide social services, health care, child care, early childhood education, and nutrition to students, in helping all students meet the challenging State standards;

(5) in accordance with subsection (g), strategies for ensuring that all local educational agencies and schools within the State are involved in developing and implementing needed improvements within a specified period of time;

(6) in accordance with subsection (h), strategies for ensuring that comprehensive, systemic reform is promoted from the bottom up in communities, local educational agencies, and schools; and

(7) the needs of the children, ages 5 through 18, who are out of school and the extent to which such children can be brought back into the education system and meet the standards set forth in this Act.

(b) PLAN DEVELOPMENT.—(1) A State improvement plan under this title must be developed by a broad-based panel (referred to in this title as the "panel") in cooperation with the State educational agency and the Governor. The panel shall include—

(A) the Governor and the chief State school officer, or their designees;

(B) the chairman of the State board of education and the chairmen of the appropriate authorizing committees of the State legislature, or their designees;

(C) teachers, principals, and administrators who have successfully improved student performance and deans of colleges of education;

(D) representatives of teacher organizations, parents, institutions of higher education, business and labor leaders, community-based organizations, Indian tribes, local boards of education, State and local officials responsible for health, social services, and other related services, and others, as appropriate;

(E) representatives from rural and urban local educational agencies in the State; and

(F) experts in educational measurement and assessment.

(2) The Governor and the chief State school officer shall each appoint half the members of the State panel. The full panel shall establish the procedures regarding the operation of the panel, including the designation of the panel chairperson.

(3) To the extent feasible, the membership of the panel shall be geographically representative of the State and reflect the diversity of the population of the State with regard to race, ethnicity, gender, and disability characteristics.

(4) One-third of the panel members shall be individuals with expertise in the educational needs and assessments of children who are from low-income families, minority group backgrounds, have limited-English proficiency, or have disabilities.

(5) The panel shall consult the Governor, the chief State school officer, the State board of education, and relevant committees of the State legislature in developing the plan.

(6) The panel shall be responsible for conducting a statewide, grassroots outreach process, including conducting public hearings, to involve educators, related services personnel, parents, secondary school students, local officials, private nonprofit elementary and secondary schools, community and business leaders, Indian tribes, citizens, children's advocates, and others with a stake in the success of students and their education system, and who are representative of the diversity of the State and its student population, in the development of the State plan and in a continuing dialog regarding the need for and nature of challenging standards for all students and local and State responsibilities for helping all students achieve them.

(7) The panel shall develop a continuing process for interacting with local educational agencies and individual schools engaged in systemic reform, especially including local educational agencies and schools which receive subgrants under section 309 of this Act, to ensure that the development and implementation of the State plan reflects their needs and experiences.

(8) The panel shall develop a State plan, provide opportunity for public comment, and submit the State plan to the State educational agency for approval.

(9) The State educational agency shall submit the original State improvement plan developed by the panel and the State improvement plan if modified by such agency, together with an explanation of any changes made by such agency to the plan developed by the panel, to the Secretary for approval.

(10) If any portion of the State plan addresses matters that, under State or other applicable law, are not under the authority of the State educational agency, the State educational agency shall obtain the approval of, or changes to, such portion, with an explanation from the Governor or other official responsible for that portion before submitting the plan to the Secretary.

(11) After approval of the State plan by the Secretary, the panel, in close consultation with teachers, principals, administrators, school boards, advocacy groups, advocates of children with disabilities and parents in local educational agencies and schools receiving funds under this title, shall monitor the implementation and effectiveness of the State plan to determine if revisions are appropriate, and shall periodically report its findings to the public.

(c) TEACHING, LEARNING, STANDARDS, AND ASSESSMENTS.—Each State plan shall establish strategies and a timetable for improving teaching and learning, including—

(1) a process for developing or adopting challenging content and student performance standards for all students which includes coordinating the standards developed pursuant to section 115 of the Carl D. Perkins Vocational and Applied Technology Education Act of 1990;

(2) a process for providing assistance and support to local educational agencies and schools to give them the capacity and responsibility to provide all students the opportunity to increase education achievement and meet challenging State content and student performance standards;

(3) assessing the effectiveness and equity of the school finance program of the State to identify disparities in the resources available to each local educational agency and school in such State and how such disparities affect the ability of the State educational agency and local educational agencies to develop and implement plans under this title;

(4) a process for developing, adopting, or recommending instructional materials, including gender equitable and multicultural materials, and technology to support and assist local educational agencies and schools to provide all students the opportunity to meet the challenging State content and student performance standards;

(5) a process for developing and implementing a valid and nondiscriminatory assessment system or set of locally-based assessment systems which are consistent with relevant, nationally recognized, professional and technical standards for assessment, and are capable of providing coherent information about student attainments relative to the State content standards;

(6) a process for monitoring the implementation of such system or systems and the impact on improved instruction for all students;

(7) a process for improving the State's system of teacher and school administrator preparation, licensure, and continuing professional development so that all teachers, related services personnel, and administrators develop the subject matter and pedagogical expertise needed to prepare all students to meet the challenging standards under paragraph (1);

(8) a process for providing appropriate and effective professional development, including the use of technology, distance learning, and gender-equitable methods, necessary for teachers, school administrators, and others to help all students meet the challenging standards under paragraph (1); and

(9) a process to ensure widespread participation of classroom teachers in developing the portions of the plan described in this subsection.

(d) OPPORTUNITY-TO-LEARN STANDARDS.—Each State plan shall establish a strategy and timetable for—

(1) adopting or establishing opportunity-to-learn standards that are consistent with the challenging content and student performance standards that have been adopted or established;

(2) ensuring that every school in the State is making demonstrable progress toward meeting the State's opportunity-to-learn standards;

(3) ensuring that the State's opportunity-to-learn standards address the need of all students;

(4) providing for periodic assessments of the extent to which opportunity-to-learn standards are being met throughout the State; and

(5) periodically reporting to the public on the extent of the State's improvement in achieving such standards and providing all students with a fair opportunity to achieve the knowledge and skill levels that meet the State's content and student performance standards.

(e) GOVERNANCE AND MANAGEMENT.—Each State plan shall establish strategies for improved governance and management of its education system, such as—

(1) aligning responsibility, authority, and accountability throughout the education system, so that decisions regarding content and student performance standards are coordinated and decisions regarding the means for achieving such standards are made closest to the learners;

(2) creating an integrated and coherent approach to attracting, recruiting, preparing and licensing, appraising, rewarding, retaining, and supporting the continued professional development of teachers (including vocational teachers), administrators, and other educators, including bilingual educators and special education providers, so that there is a highly talented workforce of professional educators capable of preparing all students to reach challenging standards, with special attention to the recruitment, training, and retention of qualified minorities into the education profession within the State to ensure that the profession reflects the racial and ethnic diversity of the student population;

(3) providing incentives for high performance, such as—

(A) working with employers and institutions of higher education to devise strategies to reward student achievement;

(B) incentives for classroom teachers, principals, and other professional educators to participate in professional development activities; and

(C) school-based incentives for schools and local educational agencies to improve student performance;

(4) increasing the proportion of State and local funds allocated to direct instructional purposes; and

(5) increasing flexibility for local educational agencies and schools by, for example—

(A) waiving State regulations and other requirements that impede educational improvement;

(B) focusing accountability on educational outcomes rather than monitoring compliance with input requirements; and

(C) fostering conditions that allow teachers, principals, and parents in the school community to be creative in helping all students meet challenging standards.

(f) PARENTAL AND COMMUNITY SUPPORT AND INVOLVEMENT.—Each State plan shall describe strategies for how the State will involve parents and other community members in planning, designing, and implementing its plan, including such strategies as—

(1) educating the public about the need for higher standards, systemic improvement, and awareness of diverse learning needs;

(2) involving parents, communities, and advocacy groups in the standard-setting and improvement process;

(3) linking the family and school in supporting students to meet the challenging student content and performance standards established;

(4) reporting, on an ongoing basis, to parents, educators, and the public on the progress in implementing the plan and improving student performance;

(5) focusing public and private community resources and public school resources on prevention and early intervention to address the needs of all students by—

(A) identifying and removing unnecessary regulations and obstacles to coordination;

(B) improving communication and information exchange; and

(C) providing appropriate training to agency personnel; and

(6) increasing the access of all students to social services, health care, nutrition, related services, and child care services, and locating such services in schools, cooperating service agencies, community-based centers, or other convenient sites designed to provide "one-stop shopping" for parents and students.

(g) MAKING THE IMPROVEMENTS SYSTEMWIDE.—To help provide all students throughout the State the opportunity to meet challenging State standards, each State plan shall describe strategies such as—

(1) ensuring that the improvement efforts expand from the initial local educational agencies, schools, and educators involved to all local educational agencies, schools, and educators in the State education system through such approaches as teacher and administrator professional development, technical assistance, whole school projects, intensive summer training, and networking of teachers and other educators, consortia of schools, and local educational agencies undertaking similar improvements;

(2) developing partnerships among preschools, elementary and secondary schools, institutions of higher education, cultural institutions, health and social service providers, and employers to improve teaching and learning at all levels of the education system for all students and to foster collaboration and continuous improvement;

(3) strategies to provide for the close coordination of standards development and improvement efforts among institutions of higher education and secondary, and elementary schools;

(4) conducting parental involvement activities and outreach programs aimed at parents whose language is a language other than English, individuals with disabilities, and other special populations, including American Indians, Alaskan Natives, and Native Hawaiians, to involve all segments of the community in the development of the State plan;

(5) developing partnerships with Indian tribes and schools funded by the Bureau, where appropriate, to improve consistency and compatibility in curriculum among public and such schools funded by the Bureau at all grade levels;

(6) allocating all available local, State, and Federal resources to achieve system-wide improvement;

(7) providing for the development of objective criteria and measures against which the success of local plans will be evaluated;

(8) providing for the availability of curricular materials, learning technologies, including distance learning, and professional development in a manner ensuring equal access by all local educational agencies in the State;

(9) taking steps to ensure that all local educational agencies, schools, and educators in the State benefit from successful programs and practices supported by funds made available to local educational agencies and schools under this title; and

(10) providing assistance to students, teachers, schools, and local educational agencies that are identified through the assessment system developed under subsection (c)(5) as needing such assistance.

(h) PROMOTING BOTTOM-UP REFORM.—Each State plan shall include strategies for ensuring that comprehensive, systemic reform is promoted from the bottom up in communities, local educational agencies, and schools, as well as guided by coordination and facilitation from State leaders, including strategies such as—

(1) ensuring that the State plan is responsive to the needs and experiences of local educational agencies, schools, teachers, the community, and parents;

(2) establishing mechanisms for continuous input from local schools, communities, advocacy groups, institutions of higher education, and local educational agencies into, and feedback on, the implementation of the State plan;

(3) providing discretionary resources that enable teachers and schools to purchase needed professional development and other forms of assistance consistent with their improvement plan from high-quality providers of their choice;

(4) establishing collaborative networks of teachers centered on content standards and assessments for the purpose of improving teaching and learning;

(5) providing flexibility to individual schools and local educational agencies to enable them to adapt and integrate State content standards into courses of study appropriate for individual schools and communities;

(6) facilitating the provision of waivers from State rules and regulations that impede the ability of local educational agencies or schools to carry out local education improvement plans; and

(7) facilitating communication among educators within and between local educational agencies for the purpose of sharing innovative and effective practices, including, through the use of telecommunications, distance learning, site visits, and other means.

(i) COORDINATION WITH SCHOOL-TO-WORK PROGRAMS.—If a State has received Federal assistance for the purpose of planing for, expanding, or establishing a school-to-work program, then a State shall include in the State plan a description of how such school-to-work program will be incorporated into the school reform efforts of the State. In particular, the State plan shall include a description of how secondary schools will be modified in order to provide career guidance, the integration of academic and vocational education, and work-based learning, if such programs are proposed in the State's school-to-work plan.

(j) BENCHMARKS AND TIMELINES.—Each State plan shall include specific benchmarks of improved student performance and of progress in implementing the improvement plan, and timelines against which the progress of the State in carrying out its plan, including the elements described in subsections (c) through (h), can be measured.

(k) COORDINATING STRATEGIES.—Each State plan shall include strategies for coordinating the integration of academic and vocational instruction pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act.

(l) PROGRAM IMPROVEMENT AND ACCOUNTABILITY.—Each State shall describe—

(1) how the State will monitor progress towards implementing the State and local plans; and

(2) procedures the State will use to ensure schools and school districts meet State opportunity-to-learn and content standards within the established time lines.

(m) PEER REVIEW AND SECRETARIAL APPROVAL.—(1) The Secretary shall review each State improvement plan prepared under this section, and each application submitted under section 305, with the assistance and advice of State and local education policymakers, educators, classroom teachers, related services personnel, experts on educational innovation and improvement, parents, advocates for children with disabilities, representatives of other advocacy groups, and other appropriate individuals. The peer review process shall be performed by individuals representative of the diversity of the United States with regard to geography, race, ethnicity, gender, and disability. The review of each State plan shall include at least one site visit to each State.

(2) The Secretary shall approve a State's plan when the Secretary determines, after considering the peer reviewers' comment, that it—

(A) reflects a widespread commitment within the State;

(B) holds reasonable promise of enabling all students to achieve at the high levels called for by this Act;

(C) meets the requirements of subsections (a) through (k); and

(D) allows local schools, local educational agencies and communities the flexibility to implement local improvement plans in a manner which reflects local needs and requirements in order to promote a 'bottom up' system of school reform.

(3) The Secretary shall not decline to approve a State's plan, or any State application submitted under section 305, before offering the State—

(A) an opportunity to revise its plan or application; and

(B) a hearing.

(n) REGULAR REVIEW.—Each State plan shall include a process for regularly reviewing and updating any State content, student performance, and opportunity-to-learn standards and assessment systems.

(o) AMENDMENTS TO PLAN.—(1) Each State shall periodically review its plan and revise it, as appropriate, in accordance with the process described in subsection (b).

(2) The Secretary shall review major amendments to a State's plan through the same process, described in subsection (j), used to review the original plan.

(p) PREEXISTING STATE PLANS AND PANELS.—(1) If a State has developed a comprehensive and systemic improvement plan to help all students meet challenging standards, or any component of such a plan, that otherwise meets the requirements of this section, the Secretary may approve such plan or component notwithstanding that it was not developed in accordance with subsection (b), if the Secretary determines that such approval would further the purposes of State systemic education improvement.

(2) If, before the enactment of this Act, a State has made substantial progress in developing a plan that otherwise meets, or is likely to meet, the requirements of this section, but was developed by a panel that does not meet the requirements of paragraphs (1), (2), and (3) of subsection (b), the Secretary may, at the request of the Governor and the State educational agency, treat such panel as meeting the requirements of this title if the Secretary determines that there has been statewide involvement of educators, parents, students, advocacy groups, other interested members of the public in the development of the plan.

SEC. 307. SECRETARY'S REVIEW OF APPLICATIONS; PAYMENTS.

(a) FIRST YEAR.—The Secretary shall approve the initial year application of a State educational agency under section 305(b) if the Secretary determines that—

(1) such application meets the requirements of this title; and

(2) there is a substantial likelihood that the renewal application of the State will be able to develop and implement an education improvement plan that complies with section 306.

(b) SECOND THROUGH FIFTH YEARS.—The Secretary shall approve a renewal application of a State educational agency under section 305(c) for the second through fifth years only if—

(1)(A) the Secretary has approved the State's improvement plan under section 306(1); or

(B) the Secretary determines that the State has made substantial progress in developing such plan; and

(2) such application meets the other requirements of this title.

(c) PAYMENTS.—For any fiscal year for which a State has an approved application under this title, the Secretary shall make a grant to the State educational agency in the amount determined under section 304(b).

SEC. 308. STATE USE OF FUNDS.

(a) FIRST YEAR.—In the first year for which a State educational agency receives a grant under this title, the State—

(1) shall use at least 75 percent of such funds to make subgrants, in accordance with section 309(a), to local educational agencies for the development or implementation of local improvement plans and to make subgrants, in accordance with section 309(b), to improve educator preservice programs and for professional development activities consistent with the State plan, if the amount allocated to States under section 304(b) for such year is at least $50,000,000. The State may use such funds for such subgrants if such amount is less than $50,000,000; and

(2) shall use the remainder of such funds to develop, revise, expand, or implement an education improvement plan described in section 306.

(b) SUCCEEDING YEARS.—A State that receives assistance under this title for any year after the first year of participation shall—

(1) use at least 90 percent of such assistance in each succeeding year to make subgrants—

(A) to local educational agencies, in accordance with section 309(a), for the implementation of the State improvement plan and of local improvement plans; and

(B) in accordance with section 309(b), to improve educator preservice programs and for professional development activities that are consistent with the State improvement plan; and

(2) use the remainder of such assistance for State activities designed to implement its improvement plan, such as—

(A) supporting the development or adoption of State content and student performance standards, State opportunity-to-learn standards, and assessments linked to the standards, including through consortia of States, and in conjunction with the National Education Standards and Improvement Council established under part B of title II of this Act;

(B) supporting the implementation of high-performance management and organizational strategies, such as site-based management, shared decisionmaking, or quality management principles, to promote effective implementation of such plan;

(C) supporting the development and implementation, at the local educational agency and school building level, of improved human resource development systems for recruiting, selecting, mentoring, supporting, evaluating, and rewarding educators;

(D) providing special attention to the needs of minority, limited-English proficient, disabled, and female students, including instructional programs and activities that encourage such students in elementary and secondary schools to aspire to enter post secondary education or training;

(E) supporting the development, at the State or local level, of performance-based accountability and incentive systems for schools;

(F) outreach related to education improvement to parents, Indian tribal officials, classroom teachers, related services personnel, and other educators, and the public;

(G) providing technical assistance and other services to increase the capacity of local educational agencies and schools to develop and implement local systemic improvement plans, implement new assessments, and develop curricula consistent with the content and student performance standards of the State;

(H) promoting public magnet schools, public "charter schools", and other mechanisms for increasing choice among public schools; and

(I) collecting and analyzing data.

(c) LIMIT ON ADMINISTRATIVE COSTS.—In each year, a State may use not more than four percent of its annual allotment under this title, or $100,000, whichever is greater, for administrative expenses, not including the activities of the panel established under section 306(b)(1).

SEC. 309. SUBGRANTS FOR LOCAL REFORM AND PROFESSIONAL DEVELOPMENT.

(a) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—(1)(A) Each State educational agency shall make subgrants to local educational agencies (or consortia of such agencies) consistent with subsections (a)(1) and (b)(1)(A) of section 308 through a competitive process.

(B) In making such subgrants, the State educational agency shall award not less than 1 subgrant in each fiscal year to an urban local educational agency and not less than 1 subgrant in each fiscal year to a rural local educational agency, except that this provision shall not apply to the District of Columbia. Rural local educational agencies may include or be represented as a fiscal agent by an education service agency.

(C) Each subgrant shall be for a project of sufficient duration and of sufficient size, scope, and quality to carry out the purpose of this title effectively.

(2) A local educational agency wishing to receive a subgrant under this title for the purpose of developing a comprehensive local plan shall submit an application to the State educational agency. Such application shall contain assurances that the local educational agency intends to develop a plan that meets the requirements of this section.

(3) Each local educational agency wishing to receive a subgrant for the purpose of implementing a plan under this subsection shall submit a local plan to the State educational agency which—

(A) is developed by a broad-based panel that—

(i) is appointed by the local educational agency and is representative of the diversity of students and community with regard to race, language, ethnicity, gender, disability, and socioeconomic characteristics and includes teachers, parents, advocacy groups, school administrators, business representatives, and others, as appropriate; and

(ii) shall, following the selection of its members, establish the procedures regarding the operation of the panel, including the designation of the chairperson;

(B) includes a comprehensive local plan for districtwide education improvement, directed at enabling all students to meet the challenging content and student performance standards of the State, including specific goals and benchmarks, consistent with the State improvement plan (either approved or under development) and includes a strategy for—

(i) implementing opportunity-to-learn standards;

(ii) improving teaching and learning;

(iii) improving governance and management;

(iv) generating and strengthening parental and community involvement; and

(v) expanding improvements throughout the local educational agency;

(C) promotes the flexibility of local schools in developing plans which address the particular needs of their school and community and are consistent with the local plan;

(D) describes a process of broad-based community participation in the development, implementation, and evaluation of the local plan;

(E) describes how the local educational agency will encourage and assist schools to develop comprehensive school improvement plans that focus on helping all students reach challenging content and student performance standards and that address relevant elements of the improvement plan of the local educational agency identified in subparagraph (B);

(F) describes how the local educational agency will implement specific programs aimed at ensuring improvements in school readiness and the ability of students to learn effectively at all grade levels by identifying the most pressing needs facing students and their families with regard to social services, health care, nutrition, and child care, and by entering into partnerships with public and private agencies to increase the access of students and families to coordinated services in a school setting or at a nearby site;

(G) describes how the subgrant will be used by the local educational agency, and the procedures to be used to make funds available to schools in accordance with paragraph (6)(A);

(H) identifies, with an explanation, any State or Federal requirements that the local educational agency believes impede educational improvement and that such local educational agency requests be waived in accordance with section 311 (such requests shall promptly be transmitted to the Secretary by the State educational agency); and

(I) contains such other information as the State educational agency may reasonably require.

(4) A local educational agency which has approved a local plan shall submit such plan to the State for approval together with a description of modifications to such plan and any comments from the local panel regarding such plan.

(5) The panel appointed under paragraph (3)(A) shall, after approval by the State educational agency of the application of the local educational agency, monitor the implementation and effectiveness of the local improvement plan in close consultation with teachers, related services personnel, principals, administrators, community members, and parents from schools receiving funds under this title, to determine if revisions to the local plan should be recommended to the local educational agency. The panel shall make public its findings.

(6)(A) A local educational agency that receives a subgrant under this subsection shall—

(i) in the first year, use not more than 25 percent of subgrant funds to develop a local improvement plan or to implement any local educational activities approved by the State educational agency which are reasonably related to carrying out the State or local improvement plans, and not less than 75 percent of such funds to support individual school improvement initiatives directly related to providing all students in the school the opportunity to meet challenging State content and student performance standards; and

(ii) in subsequent years, use subgrant funds for any activities approved by the State educational agency which are reasonably related to carrying out the State or local improvement plans, except that at least 85 percent of such funds shall be made available to individual schools to develop and implement comprehensive school improvement plans which are tailored to meet the needs of their particular student populations and are designed to help all students meet challenging State content standards.

(B) At least 50 percent of the funds made available by a local educational agency to individual schools under this section in any fiscal year shall be made available to schools with a special need for such assistance, as indicated by a high number or percentage of students from low-income families, low student achievement, or other similar criteria developed by the local educational agency.

(C) A local educational agency may not use more than five percent of its annual allotment under this Act for administrative expenses.

(7) The State educational agency shall give priority in awarding a subgrant to—

(A) a consortium of local educational agencies; or

(B) a local educational agency that makes assurances that funds will be used to assist a consortium of schools that has developed a plan for school improvement.

(b) SUBGRANTS FOR PRESERVICE TEACHER EDUCATION AND PROFESSIONAL DEVELOPMENT ACTIVITIES.—(1)(A) Each State educational agency shall make subgrants to consortia of local educational agencies, institutions of higher education, private nonprofit organizations, or combinations thereof, consistent with subsections (a)(1) and (b)(1) of section 308 through a competitive, peer-reviewed process to—

(i) improve preservice teacher education programs consistent with the State plan, including how to work effectively with parents and the community; and

(ii) support continuing, sustained professional development activities for educators which will increase student learning and are consistent with the State plan.

(B)(i) In order to apply for a subgrant described in subparagraph (A)(i), a consortium must include at least one local educational agency and at least one institution of higher education.

(ii) In order to apply for a subgrant described in subparagraph (A)(ii), a consortium must include at least one local educational agency.

(2) A consortium that wishes to receive a subgrant under this subsection shall submit an application to the State educational agency which—

(A) describes how the applicant will use the subgrant to improve teacher preservice and school administrator education programs or to implement educator professional development activities consistent with the State plan;

(B) identifies the criteria to be used by the applicant to judge improvements in preservice education or the effects of professional development activities consistent with the State plan; and

(C) contains any other information that the State educational agency determines is appropriate.

(3) A recipient of a subgrant under this subsection shall use the subgrant funds for activities supporting—

(A) the improvement of preservice teacher education and school administrator programs so that such programs equip educators with the subject matter and pedagogical expertise necessary for preparing all students to meet challenging standards; or

(B) the development and implementation of new and improved forms of continuing and sustained professional development opportunities for teachers, principals, and other educators at the school or district level that equip educators with such expertise, and with other knowledge and skills necessary for leading and participating in continuous education improvement.

(4) A recipient may use the subgrant funds under this subsection for costs related to release time for teachers to participate in professional development activities.

(5) Professional development shall include related services personnel as appropriate.

(6) In awarding subgrants under this subsection, the State educational agency shall give priority to local educational agencies that form partnerships with collegiate educators to establish professional development school sites.

(c) SPECIAL AWARD RULE.—(1) Each State educational agency shall award at least 50 percent of subgrant funds under subsection (a) in each fiscal year to local educational agencies that have a greater percentage or number of disadvantaged children than the statewide average percentage or number for all local educational agencies in the State.

(2) The State educational agency may waive the requirement of paragraph (1) if such State does not receive a sufficient number of applications to comply with such requirement.

SEC. 310. AVAILABILITY OF INFORMATION AND TRAINING.

(a) INFORMATION AND TRAINING.—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

(1) a State educational agency or local educational agency which uses funds under this title to develop goals, content standards, curricular materials, and assessments shall, upon request, make information related to such goals, standards, materials, and assessments available to private schools; and

(2) a State educational agency or local educational agency which uses funds under this title for teacher and administrator training shall provide in its plan for the training of teachers and administrators in private schools located in the geographical area served by such agency.

(b) WAIVER.—If, by reason of any provision of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this title, or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and shall arrange for the provision of training consistent with State goals and content standards for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with section 1017 of the Elementary and Secondary Education Act of 1965.

SEC. 311. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

(a) GENERAL.—(1) Except as provided in subsection (c), the Secretary may waive any requirement of any statute listed in subsection (b) or of the regulations issued under such statute for a State educational agency, local educational agency, or school that requests such a waiver—

(A) if, and only to the extent that, the Secretary determines that such requirement impedes the ability of the State, or of a local educational agency or school in the State, to carry out the State or local education improvement plan;

(B) if the State educational agency has waived, or agrees to waive, similar requirements of State law; and

(C) if, in the case of a Statewide waiver, the State educational agency—

(i) provides all local educational agencies and parent organizations in the State with notice and an opportunity to comment on the proposal of the State educational agency to seek a waiver; and

(ii) submits the comments of such agencies to the Secretary.

(2) To request a waiver, a State educational agency, local educational agency, or school that receives funds under this Act or a local educational agency that does not receive funds under this Act but is undertaking school reform efforts that meet the objectives of the State plan, shall submit an application to the Secretary that includes—

(A) the identification of statutory or regulatory requirements that are requested to be waived and the goals that the State local educational agency or school intends to achieve;

(B) a description of the action that the State has undertaken to remove State statutory or regulatory barriers identified in the applications of local educational agencies;

(C) a description of the goals of the waiver and the expected programmatic outcomes if the request is granted;

(D) the numbers and types of students to be impacted by such waiver;

(E) a timetable for implementing a waiver; and

(F) the process the State will use to monitor, on a biannual basis, the progress in implementing a waiver.

(3) The Secretary shall act promptly on a waiver request and state in writing the reasons for granting or denying such request. If a waiver is granted, the Secretary must also include the expected outcome of granting such waiver.

(4) The Secretary's decision shall be—

(A) published in the Federal Register; and

(B) disseminated by the State educational agency to interested parties, including educators, parents, students, advocacy and civil rights organizations, other interested parties, and the public.

(5) Each such waiver shall be for a period not to exceed three years. The Secretary may extend such period if the Secretary determines that the waiver has been effective in enabling the State or affected local educational agencies to carry out reform plans.

(b) INCLUDED PROGRAMS.—The statutes subject to the waiver authority of this section are as follows:

(1) Chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

(2) Part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965.

(3) The Dwight D. Eisenhower Mathematics and Science Education Act (part A of title II of the Elementary and Secondary Education Act of 1965).

(4) The Emergency Immigrant Education Act of 1984 (part D of title IV of the Elementary and Secondary Education Act of 1965).

(5) The Drug-Free Schools and Communities Act of 1986 (title V of the Elementary and Secondary Education Act of 1965).

(6) The Carl D. Perkins Vocational and Applied Technology Education Act.

(c) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs listed in subsection (b) relating to—

(1) maintenance of effort;

(2) comparability of services;

(3) the equitable participation of students and professional staff in private schools;

(4) parental participation and involvement; or

(5) the distribution of funds to State or to local educational agencies.

(d) TERMINATION OF WAIVERS.—The Secretary shall periodically review the performance of any State, local educational agency, or school for which the Secretary has granted a waiver and shall terminate the waiver if the performance of the State, the local educational agency, or the school in the area affected by the waiver has been inadequate to justify a continuation of the waiver.

SEC. 312. PROGRESS REPORTS.

(a) STATE REPORTS TO THE SECRETARY.—Each State educational agency that receives funds under this title shall annually report to the Secretary regarding—

(1) progress in meeting State goals and plans;

(2) proposed State activities for the succeeding year; and

(3) in summary form, the progress of local educational agencies in meeting local goals and plans and increasing student learning.

(b) SECRETARY'S REPORTS TO CONGRESS.—By April 30, 1996, and every two years thereafter, the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate describing the activities and outcomes of grants under—

(1) section 220 of this Act, including—

(A) a description of the purpose, uses, and technical merit of assessments evaluated with funds under such section; and

(B) an analysis of the impact of such assessments on the performance of all students, particularly students of different racial, gender, ethnic, language groups, or individuals with disabilities; and

(2) this title, including a description of the effect of waivers granted under section 311.

SEC. 313. NATIONAL LEADERSHIP.

(a) ACTIVITIES AUTHORIZED.—From funds reserved each year under section 304(a)(2)(A), the Secretary shall, through the Office of Educational Research and Improvement in accordance with the provisions of sections 405 and 406 of the General Education Provisions Act, directly or through grants or contracts—

(1) provide technical assistance to States and local educational agencies developing or implementing school improvement plans, in a manner that ensures that each such State has access to such assistance;

(2) gather data on, conduct research on, and evaluate systemic education improvement, including the programs authorized by this title;

(3) disseminate research findings and other information on systemic education improvement and how it affects student learning;

(4) provide grants to tribal divisions of education for coordination efforts between school reform plans developed for schools funded by the Bureau of Indian Affairs and public schools described in section 306(g)(5), including tribal activities in support of plans; and

(5) support national demonstration projects that unite local and State educational agencies, institutions of higher education, government, business, and labor in collaborative arrangements in order to make educational improvements systemwide.

(b) RESERVATION OF FUNDS.—(1) The Secretary shall use at least 50 percent of the funds reserved each year under section 304(a)(2)(A) to make grants, consistent with the provisions of section 309(a) that the Secretary finds appropriate, and provide technical and other assistance to urban and rural local educational agencies with large numbers or concentrations of students who are economically disadvantaged or who have limited English proficiency, to assist such agencies in developing and implementing local school improvement plans.

(2) The Secretary shall use not less than $1,000,000 of the funds reserved the first year under section 304(a)(2)(A) to survey coordinated services programs that have been found to be successful in helping students and families and improving student outcomes, and shall disseminate information about such programs to schools that plan to develop coordinated services programs.

SEC. 314. ASSISTANCE TO THE OUTLYING AREAS AND TO THE SECRETARY OF THE INTERIOR.

(a) OUTLYING AREAS.—(1) Funds reserved for outlying areas under section 304(a)(1)(A) shall be distributed among such areas by the Secretary according to relative need.

(2) The provisions of Public Law 95-134, permitting the consolidation of grants to the insular areas, shall not apply to funds received by such areas under this title.

(b) SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—The funds reserved to the Secretary of the Interior under section 304 shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such assurances and terms as the Secretary determines shall best achieve the provisions of this section and this Act. The agreement shall, at a minimum, contain assurances that—

(A) a panel, as set forth in paragraph (4) of this subsection, shall be established;

(B) a reform and improvement plan, designed to increase student learning and assist students in meeting the National Education Goals, meeting the requirements pertaining to State improvement plans required in section 306 and providing for the fundamental restructuring and improvement of elementary and secondary education in schools funded by the Bureau, shall be developed by such panel; and

(C) the provisions and activities required under State improvement plans, including the requirements for timetables for opportunity-to-learn standards, shall be carried out in the same time frames and under the same conditions stipulated for the States in sections 305 and 306, provided that for these purposes, the term 'local educational agencies' shall be interpreted to mean 'schools funded by the Bureau'.

(2) VOLUNTARY SUBMISSION.—The provisions applicable to the States in section 213 of this Act shall apply to the Bureau plan with regard to voluntary submission of standards and assessment systems to the National Education Standards and Improvement Council for review and certification.

(3) PLAN SPECIFICS.—The reform and improvement plan shall include, in addition to the requirements referenced above, specific provisions for—

(A) opportunity to learn standards pertaining to residential programs and transportation costs associated with programs located on or near reservations or serving students in off-reservation residential boarding schools;

(B) review and incorporation of the National Education Goals and the voluntary national content, student performance, and opportunity-to-learn standards developed under part B of title II of this Act, provided that such review shall include the issues of cultural and language differences; and

(C) provision for coordination of the efforts of the Bureau with the efforts for school improvement of the States and local educational agencies in which the schools funded by the Bureau are located, to include, but not be limited to, the development of the partnerships outlined in section 306(g)(5) of the Act.

(4) PANEL.—To carry out the provisions of this section, and to develop the plan for system-wide reform and improvement required under the agreement required under paragraph (1), the Secretary of the Interior shall establish a panel coordinated by the Assistant Secretary of the Interior for Indian Affairs. Such panel shall consist of—

(A) the Director of the Office of Indian Education Programs of the Bureau of Indian Affairs and two heads of other divisions of such Bureau as the Assistant Secretary shall designate;

(B) a designee of the Secretary of Education; and

(C) a representative nominated by each of the following:

(i) The organization representing the majority of teachers and professional personnel in schools operated by the Bureau.

(ii) The organization representing the majority of nonteaching personnel in schools operated by the Bureau, if not the same organization as in clause (i).

(iii) School administrators of schools operated by the Bureau.

(iv) Education line officers located in Bureau area or agency offices serving schools funded by the Bureau.

(v) The organization representing the majority of contract or grant schools funded by the Bureau not serving students on the Navajo reservation.

(vi) The organization representing the majority of contract or grant schools funded by the Bureau serving students on the Navajo reservation.

(vii) The organization representing the school boards required by statute for schools operated by the Bureau not serving students on the Navajo reservation.

(viii) The organization representing the school boards required by statute for schools funded by the Bureau serving students on the Navajo reservation.

Including the additional members required by paragraph (5), a majority of the members of such panel shall be from the entities designated under subparagraph (C).

(5) ADDITIONAL MEMBERS.—In addition, the members of the panel stipulated above shall designate for full membership four additional members—

(A) one of whom shall be a representative of a national organization which represents primarily national Indian education concerns; and

(B) three of whom shall be chairpersons (or their designees) of Indian tribes with schools funded by the Bureau on their reservations (other than those specifically represented by organizations referred to in paragraph (4)), provided that preference for no less than two of these members shall be given to Indian tribes with a significant number of schools funded by the Bureau on their reservations, or with a significant percentage of their children enrolled in schools funded by the Bureau.

(c) BIA COST ANALYSIS.—

(1) IN GENERAL.—(A) The Secretary of the Interior shall reserve from the first allotment made to the Department of the Interior pursuant to section 304 an amount not to exceed $500,000 to provide, through the National Academy of Sciences, for an analysis of the costs associated with meeting the academic and home-living/residential standards of the Bureau of Indian Affairs for each school funded by such Bureau. The purpose of such analysis shall be to provide the Bureau and the Panel with baseline data regarding the current state of operations funded by the Bureau and to provide a framework for addressing the implementation of opportunity-to-learn standards.

(B) The results of such analysis shall be reported, in aggregate and school specific form, to the chairpersons and ranking minority members of the Committees on Education and Labor and Appropriations of the House of Representatives and the Select Committee on Indian Affairs and the Committee on Appropriations of the Senate, and to the Secretary of the Interior, the Secretary of Education (who shall transmit the report to the proper entities under this Act), and the Assistant Secretary of the Interior for Indian Affairs, not later than 6 months after the date of enactment of this Act.

(2) CONTENT.—Such analysis shall evaluate the costs of providing a program in each school for the next succeeding academic year and shall be based on—

(A) the standards either published in the Federal Register as having effect in schools operated by the Bureau on the date of enactment of this Act or the standards incorporated into each grant or contract in effect on such date with a tribally controlled school funded under section 1128 of Public Law 95–561 (as amended);

(B) the best projections of student counts and demographics, as provided by the Bureau and as independently reviewed by the Academy; and

(C) the pay and benefit schedules and other personnel requirements for each school operated by the Bureau, as existing on the date of enactment.

(d) SECRETARY OF DEFENSE.—The Secretary shall consult with the Secretary of Defense to ensure that, to the extent practicable, the purposes of this title are applied to the Department of Defense schools.

TITLE IV—NATIONAL SKILL STANDARDS BOARD

SEC. 401. PURPOSE.

It is the purpose of this title to establish a National Board to serve as a catalyst in stimulating the development and adoption of a voluntary national system of skill standards and certification that will serve as a cornerstone of the national strategy to enhance workforce skills, and that can be used, consistent with Federal civil rights laws—

(1) by the Nation, to ensure the development of a high skills, high quality, high performance workforce, including the most skilled front-line workforce in the world, and that will result in increased productivity, economic growth and American economic competitiveness;

(2) by industries, as a vehicle for informing training providers and prospective employees of skills necessary for employment;

(3) by employers, to assist in evaluating the skill levels of prospective employees and to assist in the training of current employees;

(4) by labor organizations, to enhance the employment security of workers by providing portable credentials and skills;

(5) by workers, to obtain certifications of their skills to protect against dislocation, to pursue career advancement, and to enhance their ability to reenter the workforce;

(6) by students and entry level workers, to determine the skill levels and competencies needed to be obtained in order to compete effectively for high wage jobs;

(7) by training providers and educators, to determine appropriate training services to offer;

(8) by Government, to evaluate whether publicly-funded training assists participants to meet skill standards where they exist and thereby protect the integrity of public expenditures;

(9) to facilitate the transition to high performance work organizations;

(10) to increase opportunities for minorities and women, including removing barriers to the entry of women in non-traditional employment; and

(11) to facilitate linkages between other components of the workforce investment strategy, including school-to-work transition, secondary and postsecondary vocational-technical education, and job training programs.

SEC. 402. ESTABLISHMENT OF NATIONAL BOARD.

(a) IN GENERAL.—There is established a National Skill Standards Board (in this title referred to as the "National Board").

(b) COMPOSITION.—

(1) IN GENERAL.—The National Board shall be composed of 28 members, appointed in accordance with paragraph (3), of whom—

(A) one member shall be the Secretary of Labor;

(B) one member shall be the Secretary of Education;

(C) one member shall be the Secretary of Commerce;

(D) one member shall be the Chairperson of the National Education Standards and Improvement Council established pursuant to section 212(a);

(E) eight members shall be representatives of small and large business and industry selected from among individuals recommended by recognized national business organizations and trade associations;

(F) eight members shall be representatives of organized labor selected from among individuals recommended by recognized national labor federations; and

(G) eight members shall be representatives from the following groups, with at least one member from each group:

(i) Educational institutions.

(ii) Community-based organizations.

(iii) State and local governments.

(iv) Nongovernmental organizations with a demonstrated history of successfully protecting the rights of racial, ethnic and religious minorities, women, persons with disabilities or older persons.

(2) DIVERSITY REQUIREMENTS.—The members described in subparagraph (G) of paragraph (1) shall have expertise in the area of education and training. The members described in subparagraphs (E), (F), and (G) of paragraph (1) shall—

(A) in the aggregate, represent a broad cross-section of occupations and industries; and

(B) to the extent feasible, be geographically representative of the United States and reflect the racial, ethnic and gender diversity of the United States.

(3) APPOINTMENT.—The membership of the National Board shall be appointed as follows:

(A) Twelve members (four from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be appointed by the President.

(B) Six members (two from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be appointed by the Speaker of the House of Representatives, of whom three members (one from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be selected from recommendations made by the Majority Leader of the House of Representatives and three members (one from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be selected from recommendations made by the Minority Leader of the House of Representatives.

(C) Six members (two from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be appointed by the President pro tempore of the Senate, of whom three members (one from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be selected from recommendations made by the Majority Leader of the Senate and three members (one from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)) shall be selected from recommendations made by the Minority Leader of the Senate.

(4) TERM.—Each member of the National Board appointed under subparagraphs (E), (F), and (G) of paragraph (1) shall be appointed for a term of 4 years, except that of the initial members of the Board appointed under such paragraph—

(A) twelve members shall be appointed for a term of 3 years (four from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)), of whom—

(i) two from each class shall be appointed in accordance with paragraph (3)(A);

(ii) one from each such class shall be appointed in accordance with paragraph (3)(B); and

(iii) 1 from each such class shall be appointed in accordance with paragraph (3)(C); and

(B) twelve members shall be appointed for a term of 4 years (four from each class of members described in subparagraphs (E), (F), and (G) of paragraph (1)), of whom—

(i) two from each such class shall be appointed in accordance with paragraph (3)(A);

(ii) one from each such class shall be appointed in accordance with paragraph (3)(B); and

(iii) one from each such class shall be appointed in accordance with paragraph (3)(C).

(c) CHAIRPERSON AND VICE CHAIRPERSONS.—

(1) CHAIRPERSON.—The National Board shall biennially elect a Chairperson from among the members of the National Board by a majority vote of such members.

(2) VICE CHAIRPERSONS.—The National Board shall annually elect 3 Vice Chairpersons (each representing a different class of the classes of members described in subparagraphs (E), (F), and (G) of subsection (b)(1)) from among its members appointed under subsection (b)(3) by a majority vote of such members, each of whom shall serve for a term of 1 year.

(d) COMPENSATION AND EXPENSES.—

(1) COMPENSATION.—Members of the National Board who are not regular full-time employees or officers of the Federal Government shall serve without compensation.

(2) EXPENSES.—The members of the National Board shall receive travel expenses, including per diem in lieu of subsistence, in

accordance with subchapter I of chapter 57, title 5, United States Code, while away from their homes or regular places of business in the performance of services for the National Board.

(e) EXECUTIVE DIRECTOR AND STAFF.—The Chairperson of the National Board shall appoint an Executive Director, who shall be compensated at a rate determined by the National Board that shall not exceed the rate of pay for level V of the Executive Schedule under section 5316 of title 5, United States Code, and who shall appoint such staff as is necessary in accordance with title 5, United States Code. Such staff shall include at least one individual with expertise in measurement and assessment.

(f) AGENCY SUPPORT.—

(1) USE OF FACILITIES.—The National Board may use the research, equipment, services and facilities of any agency or instrumentality of the United States with the consent of such agency or instrumentality.

(2) STAFF OF FEDERAL AGENCIES.—Upon the request of the National Board, the head of any department or agency of the United States may detail to the National Board, on a reimbursable basis, any of the personnel of such department or agency to assist the National Board in carrying out this title.

(g) CONFLICT OF INTEREST.—An individual who has served as a member of the National Board may not have any financial interest in an assessment and certification system developed or endorsed under this title for a period of three years after the termination of service of such individual from the National Board.

SEC. 403. FUNCTIONS OF THE NATIONAL BOARD.

(a) IDENTIFICATION OF OCCUPATIONAL CLUSTERS.—

(1) IN GENERAL.—Subject to paragraph (2), the National Board, after extensive public review and comment and study of the national labor market, shall identify broad clusters of major occupations that involve one or more than one industry in the United States.

(2) PROCEDURES FOR IDENTIFICATION.—Prior to identifying broad clusters of major occupations under paragraph (1), the National Board shall—

(A) develop procedures for the identification of such clusters;

(B) publish such procedures in the Federal Register; and

(C) allow for extensive public review of and comment on such procedures.

(b) VOLUNTARY PARTNERSHIPS TO DEVELOP STANDARDS.—

(1) IN GENERAL.—For each of the occupational clusters identified pursuant to subsection (a), the National Board shall encourage and facilitate the establishment of voluntary partnerships to develop a skill standards system in accordance with subsection (d).

(2) REPRESENTATIVES.—Such voluntary partnerships shall include the full and balanced participation of—

(A) representatives of business and industry who have expertise in the area of workforce skill requirements, including representatives of large and small employers, recommended by national business organizations and trade associations representing employers in the occupation or industry for which a standard is being developed, and representatives of trade associations that have received demonstration grants from the Department of Labor or the Department of Education to establish skill standards prior to the enactment of this title;

(B) employee representatives who have expertise in the area of workforce skill requirements and who shall be—

(i) individuals recommended by recognized national labor organizations representing employees in the occupation or industry for which a standard is being developed; and

(ii) such other individuals who are nonmanagerial employees with significant experience and tenure in such occupation or industry as are appropriate given the nature and structure of employment in the occupation or industry;

(C) representatives of—

(i) educational institutions;

(ii) community-based organizations;

(iii) State and local agencies with administrative control or direction over education, vocational-technical education, or employment and training;

(iv) other policy development organizations with expertise in the area of workforce skill requirements; and

(v) non-governmental organizations with a demonstrated history of successfully protecting the rights of racial, ethnic, and religious minorities, women, individuals with disabilities, and older persons; and

(D) individuals with expertise in measurement and assessment, including relevant experience in designing unbiased assessments and performance-based assessments.

(3) EXPERTS.—The partnerships described in paragraph (1) may also include such other individuals who are independent, qualified experts in their fields.

(c) RESEARCH, DISSEMINATION, AND COORDINATION.—In order to support the development of a skill standards system in accordance with subsection (d), the National Board shall—

(1) conduct workforce research relating to skill standards (including research relating to how to use skill standards in compliance with civil rights laws) and make such research available to the public, including the partnerships described in subsection (b);

(2) identify and maintain a catalog of skill standards used by other countries and by States and leading firms and industries in the United States;

(3) serve as a clearinghouse to facilitate the sharing of information on the development of skill standards and other relevant information among representatives of occupations and industries identified pursuant to subsection (a), the voluntary partnerships recognized pursuant to subsection (b), and among education and training providers through such mechanisms as the Capacity Building and Information and Dissemination Network established under section 453(b) of the Job Training Partnership Act;

(4) develop a common nomenclature relating to skill standards;

(5) encourage the development and adoption of curricula and training materials for attaining the skill standards developed pursuant to subsection (d) that include structured work experiences and related study programs leading to progressive levels of professional and technical certification and postsecondary education;

(6) provide appropriate technical assistance; and

(7) facilitate coordination among voluntary partnerships that meet the requirements of subsection (b) to promote the development of a coherent national system of voluntary skill standards.

(d) ENDORSEMENT OF SKILL STANDARDS SYSTEMS.—

(1) DEVELOPMENT OF ENDORSEMENT CRITERIA.—

(A) IN GENERAL.—The National Board, after extensive public consultation, shall develop objective criteria for endorsing skills standards systems relating to the occupational clusters identified pursuant to subsection (a). Such criteria shall, at a minimum, include the components of a skill standards system described in subparagraph (B). The endorsement criteria shall be published in the Federal Register, and updated as appropriate.

(B) COMPONENTS OF SYSTEM.—The components of a skill standards systems shall include the following:

(i) Voluntary skill standards, which at a minimum—

(I) meet or exceed, to the extent practicable, the highest standards used in other countries and the highest international standards;

(II) take into account content and performance standards certified pursuant to title II;

(III) take into account the requirements of high performance work organizations;

(IV) are in a form that allows for regular updating to take into account advances in technology or other developments within the occupational cluster;

(V) are formulated in such a manner that promotes the portability of credentials and facilitates worker mobility within an occupational cluster or industry and among industries; and

(VI) are not discriminatory with respect to race, color, gender, age, religion, ethnicity, disability, or national origin, consistent with Federal civil rights laws.

(ii) A voluntary assessment system and certification of the attainment of skill standards developed pursuant to subparagraph (A), which at a minimum—

(I) takes into account, to the extent practicable, methods of assessment and certification used in other countries;

(II) utilizes a variety of evaluation techniques, including, where appropriate, oral and written evaluations, portfolio assessments and performance tests; and

(III) includes methods for establishing that the assessment and certification system is not discriminatory with respect to race, color, gender, age, religion, ethnicity, disability, or national origin, consistent with Federal civil rights laws.

(iii) A system to promote the use of and to disseminate information relating to skill standards, and assessment and certification systems developed pursuant to this paragraph (including dissemination of information relating to civil rights laws relevant to the use of such standards and systems) to entities such as institutions of postsecondary education offering professional and technical education, labor organizations, trade associations, employers providing formalized training and other organizations likely to benefit from such systems.

(iv) A system to evaluate the implementation of the skill standards, and assessment and certification systems developed pursuant to this paragraph, and the effectiveness of the information disseminated pursuant to subparagraph (C) for informing the users of such standards and systems of the requirements of relevant civil rights laws.

(v) A system to periodically revise and update the skill standards, and assessment and certification systems developed pursuant to this paragraph, which will take into account changes in standards in other countries.

(2) ENDORSEMENT.—The National Board, after extensive public review and comment, shall endorse those skill standards systems relating to the occupational clusters identified pursuant to subsection (a) that—

(A) meet the objective endorsement criteria that are developed pursuant to paragraph (1); and

(B) are submitted by partnerships that meet the representation requirements of subsection (b)(2).

(e) LIMITATIONS.—

(1) IN GENERAL.—(A) Except as provided in subparagraph (B), the National Board shall not carry out the requirements of subsection (b) or (d) with respect to an occupation or trade within an industry for which national apprenticeship standards—

(i) have been jointly developed by labor and management representatives,

(ii) are registered pursuant to the National Apprenticeship Act,

(iii) are being actively used on a national basis for training workers in such occupation or trade,

(iv) are in a form that allows for regular updating to take into account advances in technology, the highest standards used in other countries, and the highest international standards, and

(v) are not discriminatory with respect to race, color, gender, age, religion, ethnicity, disability, or national origin, consistent with Federal civil rights laws,

unless labor and management representatives of such occupation or trade within such industry and representatives of registered apprenticeship programs for such occupation or trade within such industry jointly request the assistance of the National Board.

(B) Notwithstanding the provisions of subparagraph (A), the National Board may carry out the requirements of subsections (b) and (d) with respect to any occupational cluster if the skill standards system to be developed or endorsed for such occupational cluster is not designed specifically for the particular occupation or trade within the particular industry for which apprenticeship standards meeting the requirements of subparagraph (A) are applicable.

(2) RELATIONSHIP WITH ANTIDISCRIMINATION LAWS.—

(A) IN GENERAL.—Nothing in this title shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, ethnicity, national origin, gender, age, or disability.

(B) EVIDENCE.—The endorsement or absence of an endorsement by the Board of a skill standard or assessment and certification system under subsection (d) shall not be used in any action or proceeding to establish that the skill standard or assessment and certification system conforms or does not conform to the requirements of civil rights laws.

(f) COORDINATION WITH EDUCATION STANDARDS.—The National Board shall establish cooperative arrangements with the National Education Standards and Improvement Council to promote the coordination of the development of skill standards under this title with the development of content and performance standards under title II.

(g) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—From funds appropriated pursuant to section 406(a), the Secretary of Labor may award grants (including grants to the voluntary partnerships in accordance with paragraph (2)) and enter into contracts and cooperative arrangements that are requested by the National Board for the purposes of carrying out this title.

(2) GRANT PROGRAMS FOR VOLUNTARY PARTNERSHIPS.—

(A) ELIGIBILITY AND APPLICATION.—Voluntary partnerships that meet the requirements of subsection (b) shall be eligible to apply for a grant under this subsection. Each such voluntary partnership desiring a grant shall submit an application to the National Board at such time, in such manner, and accompanied by such information as the National Board may reasonably require.

(B) REVIEW AND RECOMMENDATION.—The National Board shall review each application submitted pursuant to subparagraph (A) in accordance with the objective criteria published pursuant to subparagraph (C) and shall forward each such application to the Secretary of Labor accompanied by a recommendation for the approval or disapproval of each such application by the Secretary.

(C) CRITERIA FOR REVIEW.—Prior to each fiscal year, the National Board shall publish objective criteria to be used by the Board in reviewing applications under subparagraph (B).

(3) LIMITATION ON THE USE OF FUNDS.—

(A) IN GENERAL.—Not more than 20 percent of the funds appropriated under section 406(a) for each fiscal year shall be used by the National Board for the costs of administration.

(B) COSTS OF ADMINISTRATION DEFINED.—For purposes of this paragraph, the term "costs of administration" means costs relating to staff, supplies, equipment, space, travel and per diem, costs of conducting meetings and conferences, and other related costs.

SEC. 404. DEADLINES.

Not later than December 31, 1996, the National Board shall—

(1) identify occupational clusters pursuant to section 403(a) representing a substantial portion of the workforce; and

(2) promote the development of an initial set of skill standards in accordance with section 403(d) for such clusters.

SEC. 405. REPORTS.

The National Board shall submit to the President and the Congress in each fiscal year a report on the activities conducted under this title, including the extent to which skill standards have been adopted by employers, training providers, and other entities and the effectiveness of such standards in accomplishing the purposes described in section 401.

SEC. 406. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $15,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998 to carry out this title.

(b) AVAILABILITY.—Amounts appropriated pursuant to subsection (a) shall remain available until expended.

SEC. 407. DEFINITIONS.

For purposes of this title, the following definitions apply:

(1) COMMUNITY-BASED ORGANIZATIONS.—The term "community-based organizations" means such organizations as defined in section 4(5) of the Job Training Partnership Act.

(2) EDUCATIONAL INSTITUTION.—The term "educational institution" means a high school, a vocational school, and an institution of higher education.

(3) SKILL STANDARD.—The term "skill standard" means the level of knowledge and competence required to successfully perform work-related functions within an occupational cluster.

TITLE V—MISCELLANEOUS

SEC. 501. DEFINITIONS.

As used in this Act—

(1) the terms "all students" and "all children" mean students or children from a broad range of backgrounds and circumstances, including disadvantaged students, students with diverse racial, ethnic, and cultural backgrounds, American Indians, Alaska Natives, Native Hawaiians, students with disabilities, students with limited-English proficiency, migrant children, school-aged children who have dropped out, migrant children, and academically talented students;

(2) the term "assessment system" means measures of student performance which include at least 1 test, and may include other measures of student performance, for a specific purpose and use which are intended to evaluate the progress of all students in the State toward learning the material in State content standards in 1 or more subject areas;

(3) the terms "community", "public", and "advocacy group" are to be interpreted to include representatives of organizations advocating for the education of American Indian, Alaska Native, and Native Hawaiian children and Indian tribes;

(4) the term "content standards" means broad descriptions of the knowledge and skills students should acquire in a particular subject area;

(5) the term "Governor" means the chief executive of the State;

(6) the terms "local educational agency" and "State educational agency" have the meaning given those terms in section 1471 of the Elementary and Secondary Education Act of 1965;

(7) the term "opportunity-to-learn standards" means the criteria for, and the basis of, assessing the sufficiency or quality of the resources, practices, and conditions necessary at each level of the education system (schools, local educational agencies, and States) to provide all students with an opportunity to learn the material in national or State content standards.

(8) the term "outlying areas" means Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau);

(9) the term "performance standards" means concrete examples and explicit definitions of what students have to know and be able to do to demonstrate that they are proficient in the skills and knowledge framed by content standards;

(10) the term "related services" has the same meaning given such term under section 602(17) of the Individuals with Disabilities Education Act;

(11) the term "school" means a school that is under the authority of the State educational agency and a local educational agency or, for the purpose of carrying out section 314(b), a school that is operated or funded by the Bureau of Indian Affairs;

(12) the term "Secretary", except where used in title IV, means the Secretary of Education; and

(13) except as otherwise provided, the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

SEC. 502. LIMITATIONS.

(a) ASSESSMENTS.—No funds provided under titles II or III of this Act shall be used to undertake assessments that will be used to make decisions regarding the graduation, grade promotion, or retention of students for five years after the date of enactment of this Act.

(b) PUBLIC SCHOOL.—Nothing in this Act shall be construed to authorize the use of funds under title III (except as provided in section 310) to directly or indirectly benefit any school other than a public school.

SEC. 503. ASSESSMENT OF EDUCATIONAL PROGRESS ACTIVITIES.

Section 421(h) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2421(h)) is amended—

(1) by inserting "(1)" after "(h)"; and

(2) by inserting at the end the following:

"(2)(A) Notwithstanding any provision of section 406 of the General Education Provisions Act, the Commissioner of Education Statistics may authorize a State educational agency or a consortium of such agencies to use items and data from the National Assessment of Educational Progress for the purpose of evaluating a course of study related to vocational education, if the Commissioner has determined, in writing, that such use will not—

"(i) result in the identification of characteristics or performance of individual students or schools;

"(ii) result in the ranking or comparing of schools or local educational agencies;

"(iii) be used to evaluate the performance of teachers, principals, or other local educators for the purpose of dispensing rewards or punishments; or

"(iv) corrupt or harm the use and value of data collected for the National Assessment of Educational Progress.

"(B) Not later than 60 days after making an authorization under subsection (a), the Commissioner shall submit to the Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate, a report which contains—

"(i) a copy of the request for such authorization;

"(ii) a copy of the written determination under subsection (a); and

"(iii) a description of the details and duration of such authorization.

"(C) The Commissioner may not grant more than one such authorization in any fiscal year and shall ensure that the authorized use of items or data from the National Assessment is evaluated for technical merit and for its affect on the National Assessment of Educational Progress. The results of such evaluations shall be promptly reported to the committees specified in subparagraph (B).".

TITLE VI—PARENTAL INFORMATION AND RESOURCE CENTERS

SEC. 601. PARENTAL INFORMATION AND RESOURCE CENTERS.

(a) AUTHORIZATION.—The Secretary of Education is authorized to make grants each year to private, nonprofit organizations for the purpose of providing training and information to parents of children enrolled in participating schools and to individuals who work with such parents to encourage a more effective working relationship with professionals in meeting the educational needs of children enrolled in participating schools.

(b) GRANTS.—Such grants shall—

(1) be designed to meet the unique training and information needs of parents of children enrolled in participating schools, particularly parents who are severely disadvantaged educationally or economically;

(2) be distributed geographically to the greatest extent possible throughout all the States and give priority to grants which serve areas with high concentrations of low-income families;

(3) be targeted to parents of children enrolled in participating schools in rural, suburban, and urban areas;

(4) serve parents of low-income and minority children enrolled in participating schools, including limited-English-proficient children; and

(5) be funded at a sufficient size, scope, and quality to ensure that the program is adequate to serve the parents in the area.

SEC. 602. ELIGIBILITY.

(a) REPRESENTATION.—To receive a grant under section 601, a private, nonprofit organization shall meet the following requirements:

(1) Be governed by a board of directors in which the membership includes, or be an organization that represents the interests of, parents and establish a special governing committee in which the membership includes—

(A) a majority of parents of children enrolled in participating schools; and

(B) representation of education professionals with expertise in improving services for disadvantaged children.

(2) Provide that the parent and professional membership of the board or special governing committee is broadly representative of minority, low-income, and other individuals and groups that have an interest in compensatory education and family literacy.

(3) Demonstrate the capacity and expertise to conduct effective training and information activities for which a grant may be made.

(4) Network with clearinghouses, other organizations and agencies, and with other established national, State, and local parent groups representing the full range of parents of children enrolled in participating schools, especially parents of low-income and minority children.

(b) REQUIREMENTS.—The Board of Directors or special governing committee of an organization receiving a grant under this title shall meet at least once each calendar quarter to review the parent training and information activities for which the grant is made.

(c) GRANT RENEWAL.—Whenever an organization requests the renewal of a grant under section 601 for a fiscal year, the Board of Directors or the special governing committee shall submit to the Secretary a written review of the parent training and information program conducted by such organization during the preceding fiscal year.

SEC. 603. USES OF FUNDS.

Grants received under this title may be used—

(1) for parent training and information programs that assist parents to—

(A) better understand their children's educational needs;

(B) provide follow up support for their children's educational achievement;

(C) communicate more effectively with teachers, counselors, administrators, and other professional educators and support staff;

(D) participate in the design and provision of assistance to students who are not making adequate progress;

(E) obtain information about the range of options, programs, services, and resources available at the national, State, and local levels to assist children enrolled in participating schools and their parents;

(F) seek technical assistance regarding compliance with the requirements of this Act and of other Federal programs relevant to achieving the goals of this Act;

(G) participate in State and local decision-making; and

(H) train other parents;

(2) to include State or local educational personnel where such participation would further an objective of the program assisted by the grant; and

(3) to establish a parent training and information center to carry out the activities in paragraphs (1) and (2) and to represent parent interests at the State level, including participation in the design of the public outreach process described in section 306(b)(6), submitting recommendations concerning State standards and plans, and commenting on proposed waivers under this Act.

SEC. 604. TECHNICAL ASSISTANCE.

The Secretary shall provide technical assistance, by grant or contract, for the establishment, development, and coordination of parent training and information programs and centers.

SEC. 605. EXPERIMENTAL CENTERS.

After the establishment in each State of a parent training and information center, the Secretary shall provide for the establishment of 5 additional experimental centers, 3 to be located in urban areas and 2 in rural areas where there are large concentrations of poverty.

SEC. 606. REPORTS.

Not later than June 30, 1995, and not later than June 30 each succeeding year, the Secretary shall obtain data concerning programs and centers assisted under this title, including—

(1) the number of parents, including the number of minority and limited-English-proficient parents, who receive information and training;

(2) the types and modes of information or training provided; and

(3) the strategies used to reach and serve parents of minority and limited-English-proficient children and parents with limited literacy skills.

SEC. 607. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $5,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998.

The CHAIRMAN. No amendment to the amendment in the nature of a substitute is in order except those amendments printed in House Report 103-288 and amendments en bloc described in section 2 of House Resolution 274.

Except as specified in section 2 of House Resolution 274, each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall not be subject to amendment, except that pro forma amendments for the purpose of debate may be offered by the chairman or ranking minority member of the Committee on Education and Labor, and shall not be subject to a demand for a division of the question.

Debate time on each amendment will be equally divided and controlled by the proponent and an opponent of the amendment.

It shall be in order at any time for the chairman of the Committee on Education and Labor, or a designee to offer amendments en bloc consisting of amendments printed in House Report 103-288 or germane modifications thereof. Amendments en bloc shall be considered as read, except that modifications shall be reported.

Amendments en bloc shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, shall not be subject to amendment and shall not be subject to a demand for a division of the question.

The original proponent of an amendment included in amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

The Chair will announce the number of the amendment made in order by the rule and the name of its sponsor in order to give notice to the Committee of the Whole as to the order of recognition.

PARLIAMENTARY INQUIRY

Mr. WALKER. I have a parliamentary inquiry, Madam Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. WALKER. Madam Chairman, it is my understanding that if amendments are offered en bloc before final passage of that vote, we would not be permitted to divide the question, is that correct?

The CHAIRMAN. The gentleman is correct.

Mr. WALKER. Madam Chairman, would that also hold true once we get to the full House, that if the amendment en bloc is adopted, when we get to the full House and once there are separate votes on amendments, would that also have to occur on the en bloc amendment, or would they be subject to division at that point?

The CHAIRMAN. The en bloc amendment itself would be subject to a vote, but would not be divisible.

Mr. WALKER. In the full House they would not be divisible?

The CHAIRMAN. The gentleman is correct.

Mr. WALKER. I thank the Chair.

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 103-288.

AMENDMENT OFFERED BY MR. GOODLING

Mr. GOODLING. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GOODLING: Page 75, after line 21, insert the following (and redesignate the subsequent subsections accordingly):

(m) PROHIBITION ON FEDERAL MANDATES, DIRECTION, AND CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State and local resources.

The CHAIRMAN. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, as I indicated in my remarks during general debate, there were some contradictory provisions in the bill relating to how prescriptive the Federal Government will be in requiring States to enforce their standards. Some of us, including Mr. CONDIT and myself, feel that this lack of clarity in the bill could be interpreted to be a mandate on States to meet standards required by the act, even though Federal funds will never come close to covering it.

I believe that ours is really a clarifying amendment in that the committee report clearly states that there was no intention to create such an unfunded mandate on States. The President in a letter to me on H.R. 1804 stated that it was not his intention to influence State fiscal priorities with this legislation. The Governors and chief State school officers support the intentions of this amendment.

Further, there have been some concerns raised about the effects of this bill on State and local control of curriculum and instructional practice. Our amendment clarifies the intent of Congress in this regard as well.

Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. HEFLEY].

Mr. HEFLEY. Madam Chairman, several of us from both sides of the aisle over the last few months had been working diligently to try to address a concern that has been a growing concern I think of many of us in this Congress, and certainly across the country, and that concern is that unfunded mandates by Congress must end. The Federal Government, if they cannot pony up the bucks, should not expect the States to do it.

On nothing do we get more complaints from our local legislators, our county commissioners, and our school board members than these unfunded mandates. That is a concept that we should be including in every single piece of legislation which produces a program which could potentially have mandates in it down the line, and every one of those pieces of legislation should have an amendment like this in it. And this bill, as I said in general debate, really does have the potential if someone down the line decides that the States are not going along with our great idea here, it has the potential for producing a nightmare of mandates.

So I rise in strong support of this amendment. I think the bill is made much better by the presence of this amendment as a part of it.

Mr. GOODLING. Madam Chairman, I yield the remainder of my time to the gentleman from California [Mr. CONDIT], the cosponsor of the amendment.

Mr. CONDIT. Madam Chairman, I rise in strong support of the amendment that I am offering with my colleague, Congressman BILL GOODLING.

As many in this body know, there are few issues that I feel more strongly about than unfunded Federal mandates. I believe that it is wrong for us on the Federal level to pass legislation but shift the costs of implementation and compliance to our State and local governments. In order to locate a bipartisan solution to this enormous problem, I have founded the congressional caucus on unfunded mandates. Over 70 Members of the House are currently members of the caucus.

Before explaining why I believe that our amendment is important and needs to be included in the bill, I would like to thank a number of people who have been involved in this effort. First, I would like to thank BILL GOODLING for his cooperation and guidance on this issue. Second, Secretary Riley, Chairman FORD and subcommittee Chairman KILDEE have been extremely patient and gracious to me. They have kept me abreast of developments with this legislation, and they have assured me that H.R. 1804 is not intended to become another unfunded Federal mandate.

I got involved in H.R. 1804, Goals 2000: Educate America Act, because I felt that the legislation had the potential to become an enormous unfunded mandate upon our States. I came to this conclusion because of an amendment that was added to the Goals 2000 bill in the Education and Labor Committee. This amendment would require States to ensure that all schools meet opportunity to learn standards required by the bill. It should be noted that the bill does not provide the States with funds necessary to even begin to satisfy this requirement.

After carefully analyzing the bill, I came to the conclusion that States had three options at their disposal when confronting this requirement: First, they could take the requirement seriously and end up with a multimillion-dollar unfunded Federal mandate; second, they could lower their standards so that all schools can meet them; or third, they could just simply refuse to participate in the program. This was not the original intent of the administration and it turns the whole spirit of the legislation on its head.

For these reasons, I, along with Congressman GOODLING, am offering an amendment that clarifies that nothing in this legislation will mandate how a State or local education agency should organize itself or spend its own money. This amendment is important and needs to be incorporated into the bill. By adding this language, we are trying to preserve the fundamental principle of the school reform movement—that education decisions should be made by those closest to the classroom.

Before proceeding, I want to acknowledge those who have told me that this bill is not an unfunded mandate. Those individuals have based their arguments on two points. Thus, the bill is not a mandate. While true that States can avoid the requirement by not applying for the program, I believe that we should encourage States to pursue education reform, instead of relying upon them to not participate. Second, they cited the committee report on H.R. 1804, which emphasizes that the bill is not intended to impose a Federal mandate. While I am pleased that this message appears in the committee report, having the language in the report is not good enough—this language needs to be in the bill. And, the Condit-Goodling amendment does just this.

In closing, Madam Chairman, our amendment is not a controversial amendment. It merely clarifies what the committee and the bill's sponsors have been saying all along—that this legislation is not an unfunded Federal mandate. The President supports our approach, the Governors support our approach and the Department of Education supports our approach. Therefore, I would urge all of my colleagues to support the Condit-Goodling amendment to H.R. 1804.

□ 1540

Mr. KILDEE. Madam Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Michigan, the chairman of the subcommittee.

Mr. KILDEE. I thank the gentleman for yielding.

Madam Chairman, we accept the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING] and appreciate his offering it.

Mr. GOODLING. I thank the chairman.

Madam Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. GILLMOR].

Mr. GILLMOR. Madam Chairman, I rise in support of the Goodling/Condit amendment.

Madam Chairman, I rise in strong support of the Goodling-Condit amendment to the Goals 2000: Educate America Act. This amendment will eliminate the unfunded Federal mandate portion of the Reed amendment dealing with opportunity to learn standards. As it stands now, the Reed amendment would require States to list corrective actions to be taken against schools that do not meet the opportunity to learn standards.

These standards are a fatally flawed policy initiative because they seek to standardize curricula and equalize education funding through a national standards board. This to me is not reform, but yet another example of the Federal Government's attitude that it knows what's best for schools in every State and locality across the country.

Even more disturbing than the policy flaws in these standards, is the fact that Congress would provide no funding to help States comply. Once again Congress is attempting to set forth high-minded policy goals and leaving the States to pay the bill.

It is about time that Congress started taking responsibility for its own policy actions. Unfunded Federal mandates are putting an ever increasing strain on State budgets. Mandates have become yet another mechanism for Congress to shirk its responsibility for the budget deficit. As Congress has come under increasing pressure to cut Federal spending, there has been a subsequent rise in the number of unfunded mandates. Congress still wants to push its policy agenda only now it wants the States to pay for it.

Unfortunately States are responsible for those duties that are most important to the American people. Law enforcement and firefighting are just a few State-funded services that are being cut because Federal mandates force States to spend money in other areas.

While we all realize the importance of education reform, States and localities are much better equipped to set education funding priorities than the Federal Government. Real reform would give States and localities the flexibility to respond to their own diverse education needs. Take some responsibility and do not set standards unless you intend to pay for them. Support the Goodling-Condit amendment.

Mr. GOODLING. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. Does any Member rise in opposition to the amendment?

If not, the Chair will put the question on the amendment.

Mr. FORD of Michigan. Madam Chairman, it was my understanding that setting the time on the amendments put the control of the time on that side in the gentleman from Pennsylvania [Mr. GOODLING] and on this side in me. Is that correct? The chairman just asked if there was anybody around who would like to come over and get into the fight on our side. We would rather pick the people.

The CHAIRMAN. Under the rule, 5 minutes was allotted for the proponent and 5 minutes for an opponent.

Mr. FORD of Michigan. I thought the rule read that——

The CHAIRMAN. If the gentleman wishes, a Member who is in support of the amendment may claim the time reserved for opposition, if there is no objection.

Mr. FORD of Michigan. I am not asking unanimous consent to do anything. I am asking for a clarification of the rule. Do we have a hybrid situation here? Do we have 5 minutes of controlled debate on each side?

This is governed by the rule for this bill, not the House rules.

The CHAIRMAN. The rule with respect to time is that it be equally divided between proponent and opponent.

Mr. FORD of Michigan. Well, Madam Chairman, I would claim the time and yield it back. We do not have anything more to say about this.

The CHAIRMAN. The Chair will put the question on the amendment.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING].

The question was taken, and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 420, noes 0, not voting 18, as follows:

[Roll No. 493]

AYES—420

Abercrombie
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
DeLay
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Faleomavaega (AS)
Farr
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery

McCurdy
McDermott
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meehan
Menendez
Meyers
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—18

Ackerman
Brown (CA)
Conyers
Dellums
Fawell
Hall (OH)
McDade
McKinney
Meek
Mfume
Murtha
Neal (NC)
Owens
Payne (NJ)
Rangel
Skaggs
Washington
Waters

☐ 1606

Mrs. SCHROEDER changed her vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MFUME. Mr. Speaker, on rollcall No. 493, I ask that I be recorded as having voted "aye," if I were present. I was unavoidably detained at the White House during that time and missed that vote. Had I been here, I would have been in support of it.

EN BLOC AMENDMENTS OFFERED BY MR. KILDEE

Mr. KILDEE. Madam Chairman, pursuant to section 2 of the rule and as designee of the gentleman from Michigan [Mr. FORD], I offer amendments en bloc.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

En bloc amendments offered by Mr. KILDEE:

Amendment offered by Mr. KILDEE: Page 122, after line 2, insert the following:

(II) meet or exceed the highest applicable standards used in the United States, including apprenticeship standards registered under the National Apprenticeship Act;

Page 122, line 3, strike "(II)" and insert "(III)".

Page 122, line 6, strike "(III)" and insert "(IV)".

Page 122, line 9, strike "(IV)" and insert "(V)".

Page 122, line 14, strike "(V)" and insert "(VI)".

Page 122, line 20, strike "(VI)" and insert "(VII)".

Page 125, strike line 12 and all that follows through line 25 on page 126.

Page 127, strike lines 1 and 2 and insert the following:

(e) RELATIONSHIP WITH ANTIDISCRIMINATION LAWS.—

Page 127, line 3, strike "(A)" and insert "(1)" and move the provisions of the paragraph two ems to the left.

Page 127, line 8, strike "(B)" and insert "(2)" and move the provisions of the paragraph two ems to the left.

Amendment offered by Mr. MCCURDY:

Page 11, after line 25, insert the following:

(8) SCHOOL AND HOME PARTNERSHIP.—(A) By the year 2000, every school and home will engage in partnerships that will increase parental involvement and participation in promoting the social, emotional, and academic growth of children.

(B) The objectives for this Goal are that—

(1) every State will develop policies to assist local schools and local educational agencies to establish programs for increasing partnerships that respond to the varying needs of parents and the home, including parents of children who are disadvantaged, bilingual, or disabled;

(2) every school will actively engage parents and families in a partnership which supports the academic work of children at home and shared educational decision making at school;

(3) every home will be responsible for creating an environment of respect for education and providing the physical and emotional support needed for learning; and

(4) parents and families will help to ensure that schools are adequately supported and will hold schools and teachers to high standards of accountability.

Amendment offered by Mr. TRAFICANT:

Page 135, after line 25, insert the following:

SEC. 504. COMPLIANCE WITH BUY AMERICAN ACT.

No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1993 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 505. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 506. PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

Amendment offered by Mr. WHEAT: Page 136, line 2, strike "RESOURCE CENTERS" and insert "RESOURCES".

Page 136, line 7, strike "private,".

Page 136, line 9, before "enrolled" insert ", aged birth to 5 years, and children".

Page 136, beginning on line 12, before "enrolled" insert ", aged birth to 5 years, and children".

Page 136, 16, before "enrolled" insert ", aged birth to 5 years, and children".

Page 136, line 23, before "enrolled" insert ", aged birth to 5 years, and children".

Page 137, line 2 before "enrolled" insert ", aged birth to 5 years, and children".

Page 137, line 3, strike "and" after the semicolon.

Page 137, line 6, strike the period and insert "; and".

Page 137, after line 6, insert the following:

(6) include funds to establish, expand, and operate Teachers as Parents programs.

Page 137, line 9, strike "private,".

Page 137, line 14, strike "governing" and insert "advisory".

Page 137, line 16, strike "A majority of parents of children" and insert "parents of children, aged birth to 5 years, and children"

Page 137, line 22, strike "governing" and insert "advisory".

Page 138, line 9, before "enrolled" insert ", aged birth to 5 years and children".

Page 138, line 19 strike "governing" and insert "advisory".

Page 139, line 16, strike "children enrolled in participating schools" and insert "parents of children, aged birth to 5 years, and children enrolled in participating schools".

Amendment offered by Mr. WATT: Page 139, line 23, strike "and".

Page 139, line 24, insert "and" after the semicolon.

Page 139, after line 24, insert the following:

(I) plan, implement, and fund activities that coordinate the education of their children with other Federal programs that serve such children or their families;

Amendment offered by Mr. BROWN of California: Page 9, line 5, insert ", including the metric system of measurement," after "education".

Page 9, line 9, insert ", including the metric system of measurement," after "science".

The CHAIRMAN. Pursuant to the rule, the gentleman from Michigan [Mr. KILDEE] will be recognized for 10 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, this bloc includes:

A Kildee-Gunderson amendment which clarifies certain provisions in title IV of the bill to ensure that the skill standards developed under Goals 2000 are the highest in the world;

A McCurdy amendment which amends title I of the bill to add a new national education goal relating to increased parental participation;

A Traficant amendment which requires that funds under this bill must be expended consistent with the Buy American Act;

A Wheat amendment which expands the eligibility of title VI grants to ensure the inclusion of parents as teachers programs;

A Watt amendment which authorizes title VI funds to be used for planning and implementation of activities to coordinate title VI services with those under other Federal programs; and

A Brown amendment which includes metric measurement in the objectives under national education goal No. 5, relating to mathematics and science.

I want to take a moment to briefly describe the Kildee-Gunderson amendment to title IV of Goals 2000.

This amendment clarifies that, in those instances where there are existing skill standards that apply to an occupation or industry, any new standards proposed under title IV must meet or exceed the existing standards.

This ensures that the skill standards developed under this act are the highest in the world.

I urge the adoption of these amendments en bloc.

Madam Chairman, I reserve the balance of my time.

□ 1610

Mr. GOODLING. Madam Chairman. I yield myself such time as I may consume.

Madam Chairman, I would indicate that I have reviewed the amendments and have no problems with them. I hope we will, as I said before in conference, not get beyond six goals; that somehow or another we can wind them all in so we keep everybody concentrating on the six goals they have been thinking about for the last 4 years, or however many years it has been.

Madam Chairman, I have no problems with the amendments.

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. WATT].

Mr. WATT. Madam Chairman, the Watt part of this amendment is not controversial and, as the chairman indicated, it is supported by the Education Committee. I thank the chairman and the committee for their support.

My amendment would allow the parental information and resource grants authorized in title VI to be used for activities that assist parents in coordinating the education of their children with other, existing Federal programs that already serve them.

H.R. 3210 acknowledges an important fact: Educating our children involves more than just reading, writing and arithmetic. Education entails making sure our children are properly fed, so they can concentrate in class; making sure they are properly immunized, so they won't get sick and miss valuable school time; and ensuring they are safe from violence in and around their schools. My amendment will allow parental information and resource grants to be used for programs that help parents—and by extension, the Federal Government—better coordinate their children's education with existing Federal programs in areas like health, nutrition, and crime prevention.

In Congress and in my district, I repeatedly hear the same refrain: Federal programs could be more effective if they were aimed at addressing the overall needs of the people they serve. This amendment will permit private nonprofit organizations to encourage Federal agencies to work together to address overall needs in this fashion.

This is sound policy and a common sense approach to government. To truly guarantee American children the opportunity to be educated and to achieve the goals set out in this bill, we should make it easier for children to benefit from the many Government programs which affect their education and their life.

I thank the chairman and urge adoption of this amendment.

Mr. GOODLING. Madam Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Madam Chairman, I want to not only join with the gentleman from Michigan [Mr. KILDEE] in talking about a particular part of this amendment, but I want to commend the gentleman for his work in bringing this amendment up as a part of the en bloc amendments. I am obviously referring to that section which deals with title IV, because this is very, very important.

Madam Chairman, as I mentioned in my opening remarks, we were about to create a situation, where we were going to create voluntary national skill standards, but we were going to exempt literally 250 occupations from those skill standards. That just was not going to work.

A number of us raised those concerns. And I have to tell you, I think we ought to give some credit here to organized labor for coming forward and saying they wanted to work this out, because they are the ones that, after hearing the debate in committee, came forward and said they wanted to see if we could work out some kind of a compromise. We have done that. Where on the one hand we have eliminated any exemption for the 250-some occupations covered by apprenticeship programs, on the other hand we have required that the skill standards endorsed by the National Board now must meet or exceed the highest applicable standards used in the United States or in any other country, including standards used in existing apprenticeship programs.

Should we not do just that? Is that not our intent? Because if the purpose of the skill standards is to provide voluntary guidelines for school-to-work transition and other workforce preparation programs in every State, you have to have guidelines that are of the highest possible standards, so when States develop their programs, they are going to be able to empower that young person with skills that are portable skills from one State to another State.

So I endorse the amendment. I commend the gentleman from Michigan [Mr. KILDEE] and all who have been a part of this, especially the Department of Labor, which worked in bringing organized labor, the gentleman from Michigan [Mr. KILDEE], myself, and others together to agree on this. I think we have arrived at a good consensus and we ought to go with it.

Mr. KILDEE. Madam Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Madam Chairman, I thank the gentleman for yielding time. I want to thank the gentleman from Michigan [Mr. KILDEE], our chairman, and the ranking member, the gentleman from Pennsylvania [Mr. GOODLING], for their leadership on this issue in bringing this matter to the floor.

Madam Chairman, I rise both in support of the en bloc amendments and also in support of the bill because I believe it is a key step in the right direction for Federal education policy.

This bill does four things I think are crucial: First, it sets real goals for American education to meet by the year 2000, and it puts them in a results-oriented framework. Also, for the first time at the Federal level, this bill helps fund systemic State education reform to further those goals.

In addition, that State-by-State process encourages coordination of health and social services with education, an incredibly important link in this day and age.

Finally, and perhaps most importantly, H.R. 1804 allows the Secretary to waive requirements of various Federal laws, including chapter 1, that could impede State and local school reforms.

By giving States and school districts greater flexibility, H.R. 1804 is setting the stage for what I believe should be the future of Federal education aid. When the House considers the Elementary and Secondary Education Act later in this Congress, many of us who are not on the Committee on Education and Labor are looking forward to working with Chairmen FORD and KILDEE and the gentleman from Pennsylvania [Mr. GOODLING] as well as with the administration, on a bill that will be built around far-reaching flexibility and results-oriented accountability.

I believe that a waiver program doesn't go far enough; nothing short of a fundamental restructuring of our Federal education aid programs will do what needs to be done at this point. And we will have a chance to make those urgently needed changes when we consider ESEA.

Madam Chairman, I again want to congratulate the gentleman from Michigan [Mr. KILDEE], the gentleman from Michigan [Mr. FORD], the ranking member, the gentleman from Pennsylvania [Mr. GOODLING], and all of those members of the committee on bringing this legislation to the floor. This is important policy for America's future. I am pleased to support this bill.

☐ 1620

Mr. GOODLING. Madam Chairman, first of all, let me say that I am pleased with the manner in which the gentleman from Missouri [Mr. WHEAT] worked this in to this particular legislation and want to work with him when we reauthorize the ESEA and many of the Even Start Programs throughout the country. Perhaps a third of them use PAT so I am very familiar with it.

Madam Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. CALLAHAN].

Mr. CALLAHAN. Madam Chairman, I thank the gentleman for yielding time to me. While I have some reservations about some sections of this bill I would like to express my support for the gentleman from Missouri's amendment. He and I have worked on this issue for some time and I commend his efforts today. I completely agree with this statements that a child's education begins long before that child enters school. Parents provide a learning arena that is critical to the child's educational development. This amendment expands the area of coverage to include those who serve the parents of infants and preschoolers. I cannot think of a better way to enhance a child's education than through increasing parental involvement.

The parents as teachers program is very successful in Alabama and in my home district as well. This program, that begins with prenatal education before the child is born and continues to the age three, features extra benefits that can undoubtedly assist the child in its learning processes. Also, the program is specialized as to the particular family's needs, and let me specify—it is strictly voluntary. This program has helped families all over the Nation, from big cities to small towns. As stated, studies have proven the validity and success of the program.

Children that participate in this program read better, write better, and score higher on aptitude tests. And this not only benefits the student, but the parent as well. They tend to get involved with the child's school after the program they participated in is finished. Madam Chairman, I am pro-family—this program is pro-family. Please know of my support for the parents as teachers program as it seeks to provide these important educational services to families all over the Nation.

Mr. GOODLING. Madam Chairman, I yield back the balance of my time.

Mr. KILDEE. Madam Chairman, I yield 1 minute to the gentlewoman from Arkansas [Ms. LAMBERT].

Ms. LAMBERT. Madam Chairman, no one will do better until we all do better. And the answer to most of the questions facing our society is usually one word: education. For that reason, I am a strong proponent of our public school system. As a product of the public schools and the public education system from rural Arkansas in the midst of desegregation, I am well aware of the benefits of getting parents and communities involved in our schools. In Helena, AR, where I was raised, there was a potentially volatile situation during the desegregation that was ordered, but because parents like mine got involved in all aspects of school activities, my peers and I enjoyed a well-rounded childhood education.

One generation later, my cousin in Jackson, MS, along with several others, is the original cofounder of a group called Parents for Public Schools that has recently gone national. They are a group of parents that has gathered together and recognized the benefits the entire community can receive from parents involved in the public school system. They literally have become recruiters or salesman for the public schools. For example, when potential students visit their campuses, these parents provide thorough tours, showing the schools' academic strengths, extracurricular activities, and sports programs.

Therefore, I am pleased to rise in support of an amendment sponsored by my esteemed colleague, the gentleman from Oklahoma [Mr. MCCURDY]. I share the belief of the gentleman from Oklahoma [Mr. MCCURDY] that establishing a school/home partnership is the key to our children's success, not only in school but in their entire life.

I strongly encourage my colleagues to vote in favor of the en bloc amendments to add the goal of parental involvement to the list of Goals 2000.

Mr. KILDEE. Madam Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. WHEAT]

Mr. WHEAT. Madam Chairman, I would like to first commend Chairman KILDEE and Chairman FORD for their hard work and their demonstrated commitment to improving our Nation's schools.

All of us owe these gentlemen a debt of gratitude for their leadership in crafting legislation to help respond to the concerns and the challenges facing American children and American families today.

The Goals 2000 initiative is an important effort to provide a national framework and guidance for educational reform. I want to thank the chairmen for accepting my amendment as part of the committee's en bloc and I would like to take this opportunity to explain to my colleagues what my amendment seeks to accomplish.

Madam Chairman, goal No. 1 of the National Educational Goals states: "By the year 2000, all children in America will start school ready to learn."

While the education of our school-age children is obviously of critical importance, this goal—goal No. 1—recognizes that a child's education begins long before they enter school.

It recognizes that, as infants and toddlers, children learn primarily from their first and most influential teachers—their parents.

Title VI of today's bill addresses the importance of parental information and involvement in a child's education. My amendment would expand the coverage of the programs under this title to include those which serve the parents of infants and preschoolers.

Expanding parental involvement for children of the youngest age stands out as one of the most important investments that we can make in a child's long-term education and development.

I know because my State of Missouri developed what is, in my view, the country's most important model for parental involvement in a young child's development.

The Parents as Teachers Program began in my State of Missouri slightly over a decade ago. Since then it has spread to 42 States and 1,000 communities across the Nation. It enjoys bipartisan support in both Chambers of Congress.

The Parents as Teachers Program begins with prenatal information before a child is born and continues until that child reaches the age of three. It features individualized home visits by trained and certified child specialists, health screenings for children, and group visits among parents where they share their experiences and offer solutions to any difficulties they may be encountering.

The program is specialized, individualized, and uniquely designed with a family's particular needs in mind. Contrary to some claims, this program is strictly voluntary.

Parents as Teachers has improved communication and nurtured the bonds between parents and children, parents and teachers, and among parents themselves.

It has helped parents and children in big cities and small towns around the Nation to learn together and to stay together. It has helped families move up the ladder of opportunity to achieve the most for themselves and society as a whole.

Study after study validates the success of the program. Children enrolled in Parents as Teachers have consistently been shown to read better, understand more, listen more attentively, and score higher on intellectual aptitude tests.

Equally important, the parents who choose to participate in PAT have been more involved in their children's schooling well after the end of the program. In fact, PAT promotes home-school partnerships which can have lasting benefits for children.

Madam Chairman, I appreciate your recognition that Parents as Teachers deserves a place at the table in our national discussion about ways to ready our children for school.

This is a pro-family initiative, and I look forward to continuing to work with the committee to look for further opportunities to ensure that Parents as Teachers receives Federal support as it seeks to broaden the important services it provides to countless families and communities.

Mr. BROWN of California. Madam Chairman, I rise in support of the en bloc amendment and to explain my amendment which is incorporated in it.

My amendment is primarily clarifying in nature. It brings Goals 2000 into conformity with section 5164 of Public Law 100–418, which states that it is the declared policy of the United States to designate the metric system of measurement as the preferred system of weights and measures for U.S. trade and commerce, and to seek out ways to increase understanding of the metric system of measurement through educational information and guidance and in Government publications.

One of the administration's Goals 2000 states that "By the year 2000, United States students will be first in the world in mathematics and science achievement." This will not happen unless U.S. students are literate in metric since the SI metric system of measurement has been and will continue to be the worldwide measurement system on which science and advanced mathematics is based.

Furthermore, over the past quarter century, the SI metric system of measurement has also become the predominant system of measurement outside the United States for engineering and business. The United States is the last of the world's trading partners to begin the conversion of its economy to metric and has put itself in a competitive disadvantage in some markets.

With each passing year, more of the world's commerce is measured in metric. In the near future, we expect some of our trading partners to start banning the importation of products with nonstandard—that is nonmetric—measurements. Those who cannot understand metric will then, by definition, be noncompetitive both in science and technology and therefore less employable.

Therefore, if U.S. students are to be first in the world in mathematics and science education, they must be able to work in the same measurement language as the rest of the world; metric education must be included in any comprehensive national math and science educational improvement plan. My amendment addresses that need by including in the objectives for this goal that math and science education, including the metric system of measurement, will be strengthened throughout the system, especially in the early grades. And that the number of teachers with a substantive background in mathematics and science, including the metric system of measurement, will increase by 50 percent.

This is a simple clarification, but one that must occur if we are to reach our math and science goal. I urge my colleagues to support it.

Mr. KILDEE. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from Michigan [Mr. KILDEE].

The amendments en bloc were agreed to.

□ 1630

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 103–288.

AMENDMENT OFFERED BY MR. PAYNE OF NEW JERSEY

Mr. PAYNE of New Jersey. Madam Chairman, I offer an amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Payne of New Jersey:

Page 7, after line 10, insert the following:

"(iv) all students will have access to physical education and health education to ensure they are healthy and fit;".

Page 7, line 11, strike "(iv)" and insert "(v)".

Page 7, line 14, strike "(v)" and insert "(vi)".

The CHAIRMAN. Pursuant to the rule, the gentleman from New Jersey [Mr. PAYNE] will be recognized for 5 minutes, and a Member opposed to the amendment will be recognized for 5 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. PAYNE].

Mr. PAYNE of New Jersey. Madam Chairman, I appreciate this opportunity to speak on behalf of this amendment offered by myself and my colleague, Mr. MACHTLEY from Rhode Island.

A complete education must address the whole child. Health education and physical education provide basic skills and knowledge that support all other learning and total well-being. Moreover, a school setting is the only place where all children have the opportunity to learn these essential skills and knowledge.

Just last week on Child Health Day, the American Health Foundation gave children and adolescents in the United States a C− for their overall health. Among the many problems cited for poor health were lack of daily physical activity. Only 42 percent of children in grades 9–12 participate in daily school physical education programs. About one-fourth of U.S. children are overweight.

As the health care debate continues in Congress, we need to keep a few things in mind:

Poor health practices ultimately contribute to the spiraling medical costs in our country. Approximately $300 billion annually is spent on various diseases that involve among other things, diet and lack of exercise.

If we are going to have a vision for the 21st century, we must include physical education as one of our objectives in Goals 2000 and use this as a model for which we can strive toward. Let me reiterate that our amendment does not add to the goals—it simply adds fair objectives. Lack of physical activity has been established as a significant risk factor for serious disease. Active lifestyle patterns must be established early.

The current physical activity patterns of children are inadequate to protect against the onset of obesity. Our schools should encourage programs that contribute to developing patterns of physical activity that support health-related fitness. A healthy lifestyle is a prerequisite for all learning and a foundation for responsible citizenship, community service, and personal responsibility.

Mr. GOODLING. Madam Chairman, I ask unanimous consent to take the time that was not taken by anyone in opposition to the amendment.

The CHAIRMAN. Does any Member rise in opposition to the amendment?

Without objection, the gentleman from Pennsylvania [Mr. GOODLING] may proceed for 5 minutes.

There was no objection.

Mr. GOODLING. Madam Chairman, I yield such time as he may consume to the gentleman from Rhode Island.

Mr. MACHTLEY. Madam Chairman, I thank the gentleman for yielding to me.

Madam Chairman, I rise to join my colleague, the gentleman from New Jersey [Mr. PAYNE], in what I think is a very important issue. As this Nation begins its health debate trying to determine how we are going to deliver health care, we must recognize that health care is a life process. Our amendment simply tries to add physical education and health education as objectives under goal 3 of this act, the goals of student achievement and citizenship.

As a father and as a husband of a nurse who is a school nurse, I am painfully aware of the process in which our school departments and our States in this country begin to eliminate positions which really are going to help the overall health of our Nation.

If we have learned one thing from the debate on health care, it should be that each of us needs to take personal responsibility for our own health. We need to understand that there is a relationship between what we eat and our future health.

We understand that health care delivery in this Nation, approximately 70 percent of which is delivered from situation- or self-induced behavior, can be avoided if we begin to teach fundamental aspects of health in school. Our youth, the future, the future consumers of our resources in health care, need to have this training as part of their educational goals.

Because factors like poverty, injury, violence, and substance abuse are depriving many of our youth of a productive future, we need to make sure we are establishing goals early in their educational lives.

Fifteen percent of adolescents have no health insurance. The results of these statistics cost us enormous amounts of dollars. Adolescents who live in poverty miss 1½ times more school than children who have adequate resources at home. Today injury and violence account for three out of every four adolescent deaths. We can change the course of health in this Nation by making sure that we have health and physical education as an important objective. People who are overweight often as adults try and develop a new life pattern, and it is often too painful and impossible for them to achieve. Part of the problem is they never learned early in youth, when muscles and bodies are willing and more able to develop healthy and athletic practices, how to take care of themselves.

In 1990 a CDC national survey reported that 36 percent of our high school students use tobacco. As we are trying to develop a health care plan, it is important that we develop healthful student programs in school, to help them develop programs away from alcohol and away from tobacco. In addition to tobacco, we find that 37 percent of students today have five or more drinks on one occasion in any given week. These numbers are overwhelming and speak to the need to have health and physical education as an important objective of the Education 2000 Goals.

Madam Chairman, our population is in fact sedentary. As indicated by my colleague, the gentleman from New Jersey, we have rated ourselves a C- when it comes to physical activity. As adults, we do not exercise enough. Few of us will be Michael Jordan on the basketball field, or few of us will be able to win a World Series pennant, so we can all learn basic educational exercises which can help us to remain productive adults.

If we do not teach these in school, I am afraid they will never be taught in our society. In the current climate of health care, let us make sure that we emphasize at an early age education and health in our schools. It is absolutely essential that this be an objective for our students, be an objective for our schools, and be an objective for our future generations.

One of the chief healthy people 2000 objectives is to increase to at least 75 percent the proportion of the Nation's elementary and secondary schools that provide quality school health education. Let us make sure this is part of our goal in education as well as health.

Mr. GOODLING. Madam Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. KILDEE], the chairman of the Subcommittee on Elementary, Secondary, and Vocational Education of the Committee on Education and Labor.

Mr. KILDEE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, we have looked over the amendment. We think it is a good amendment, and we support it.

Mr. GOODLING. Madam Chairman, I yield myself such time as I may consume. Madam Chairman, this side has looked at the amendment as well. We have no objections, and we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. PAYNE].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider the amendment No. 9 printed in House Report 103-288.

AMENDMENT OFFERED BY MR. PORTER

Mr. PORTER. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PORTER:

Page 107, after line 20, insert the following:

SEC. 315. PROHIBITION ON FUNDS.

None of the funds provided under this title may be used to fund programs established by local educational agencies that serve more than 250,000 students.

The CHAIRMAN. Pursuant to the rule, the gentleman from Illinois [Mr. PORTER] will be recognized for 10 minutes, and a Member opposed to the amendment will be recognized for 10 minutes.

Mr. KILDEE. Madam Chairman, I am opposed to the amendment.

The CHAIRMAN. The gentleman from Michigan [Mr. KILDEE] will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Madam Chairman, this amendment would prohibit funding under title III of the bill for any local educational agency that serves over 250,000 students. In effect, the amendment would exclude the Nation's largest school districts from receiving any portion of the $393 million authorized for State and local reform grants under this legislation.

The purpose of the amendment is to encourage these extremely large school districts to dissolve into smaller, more manageable, and more accountable school districts.

Madam Chairman, I have served on the Appropriations Subcommittee on Labor, Health and Human Services for the last 13 years. During that period, the country has undergone a revolution in the way it understands and evaluates education systems.

As early as 1984, Secretary of Education Terrence Bell told my subcommittee that parent involvement and individual school autonomy are critical factors in determining the success of students and schools. None of the succeeding Secretaries of Education—William Bennett, Lauro Cavazos, Ted Sanders, Lamar Alexander, or Richard Riley—has questioned the importance of these factors in educational success.

School districts which serve hundreds of thousands of students simply cannot permit or encourage parental involvement and school autonomy in the way that smaller districts can.

In large school districts, the sheer magnitude of bureaucracy frustrates parent influence and dramatically inhibits individual school autonomy which is necessary to successfully adapt to local circumstances to promote student achievement.

In our Nation's largest districts, school boards often serve as political fiefdoms that jealously guard jurisdiction and dispense political patronage rather than promoting educational success and facilitate student achievement.

Madam Chairman, Secretary Bennett often referred to the Chicago school system as the "Chicago blob"—a bureaucracy so unwieldy that it routinely inhibited reforms that could have improved educational achievement.

I believe that large school districts should be broken up or decentralized to encourage greater school autonomy, parental involvement, and local influence over elementary and secondary education. Only by providing parents a real voice in the management of their children's schools can these districts begin to improve educational achievement.

Madam Chairman, funding is not the greatest issue facing our Nation's schools. In 1991, this country spent $425 billion on education—7.5 percent of GDP as compared to 5 percent for defense and 12 percent for health care. The percentage of GDP dedicated to education in the United States is average among members of the OECD. In fact, the United States spends a greater percentage of GDP on education than Japan, Germany, or Great Britain. Further, according to the Department of Education, the percentage of public funds dedicated to education in the United States is very high among OECD nations, and per pupil expenditures are exceeded only by Luxembourg, Sweden, and Switzerland. Governments at all levels have dramatically increased education funding over the last decade including increases in education funding of 50 percent in constant dollars over the last decade.

I believe that dramatic structural reforms are needed to improve student performance in this country. Before we pump more funding into extremely large school systems that are structurally incapable of permitting meaningful parental involvement and school autonomy, we ought to encourage them to make reasonable structural reforms that are prerequisites to improved student achievement.

My amendment addresses one such structural impediment at a very small number of school districts. Of the 15,350 public school districts in our country, only 4 have student enrollments of over 250,000. Yet these four school districts by themselves educate 5 percent of all students nationwide. My amendment would encourage these school districts—New York, Chicago, Los Angeles, and Dade County, Florida—to subdivide into districts of more manageable size before they would be eligible to receive funding under title III of the act. While funding could continue to be drawn from existing sources and divided among the new, smaller districts accordingly, management decisions could be moved downward to the level of the new school districts.

Madam Chairman, I understand that Chicago and New York have undertaken efforts to decentralize their management structures and to place more emphasis on school-based management. Unfortunately, both have encountered legal challenges and internal setbacks that place the success of these efforts in question.

Nevertheless, should these systems succeed, they will have achieved in spite of their great size and political nature, not because of it.

Madam Chairman, I understand that my amendment has caught many Members by surprise. While this bill deals simply with the new Goals 2000 school reform program, my concerns are more general—I believe we should not provide any Federal education funding to any school district which is structurally incapable of providing the reforms that are necessary to improve student achievement.

As I said earlier during debate on the rule, obviously, the funding in this measure is not sufficient to move these districts to reforms that have not yet been accomplished locally or through their State governments. In addition, the school reauthorization legislation scheduled for next year, which contains almost all Federal educational programs is a more appropriate and timely venue to raise this issue. I hope that the Committee on Rules will be willing to allow a similar amendment when that legislation is made in order.

I therefore will ask unanimous consent to withdraw my amendment with the understanding that I will continue to work with the chairman and the ranking member on the committee to ensure that the elementary and secondary education reauthorization reflects those concerns I have enumerated today.

□ 1640

Madam Chairman, I reserve the balance of my time.

Mr. KILDEE. Madam Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. FORD], chairman of the full committee.

Mr. FORD of Michigan. Madam Chairman, I want to compliment the gentleman from Illinois [Mr. PORTER]. He has worked with us on this, as he has on other issues in the past, and I sympathize with the objective he seeks to accomplish.

Unfortunately, the amendment he has before us is not likely to even be a first step in that direction. I just wanted to take this time, and I expect the gentleman is going to withdraw the amendment, to make the record clear that we asked the Library of Congress to research the numbers for us and tell us which school districts would be blocked out of this program if the amendment were adopted. They are New York City, Chicago, IL, Los Angeles, CA, Dade County, FL, the State of Hawaii, which is a single unified school district statewide, and the Republic of Puerto Rico, which is in a similar position. And while we sympathize with the gentleman, we are very appreciative that he is going to withdraw the amendment at this time.

Mr. PORTER. Madam Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Madam Chairman, I, too, appreciate the gentleman bringing this to our attention. As an educator, I fought consolidation although I was told over and over again that this would mean better science, better math, and better everything. I kept saying it would mean bigger football teams, bigger basketball teams, bigger bands, bigger courses, bigger transportation bills and less participation by families, and that is what happened.

Mr. PORTER. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, in reply to the gentleman from Michigan, I might say that we have drawn the amendment with an understanding that it did not apply to the State of Hawaii or the Commonwealth of Puerto Rico, and we would not intend that educational systems that are statewide or commonwealth-wide in the case of Puerto Rico would be affected by this. The intention is to aim at those very large, monolithic systems in major cities or larger metropolitan areas that really ought to be broken up into smaller districts so that you can get greater parental involvement and greater school autonomy.

Madam Chairman, I ask unanimous consent that the amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The amendment is considered withdrawn.

It is now in order to consider amendment No. 10 printed in House Report 103-288.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ARMEY

Mr. ARMEY. Madam Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. ARMEY:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Parent and Student Empowerment Act".

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) parents must have a greater stake in their children's schools if American education is to improve;

(2) the reforms in education prompted by the 1983 "Nation at Risk" report have achieved good results in some places, but have failed to reverse a 30-year nationwide decline in student academic achievement scores;

(3) reform should come from the bottom up, from parents, teachers, and business and community leaders, and not down from Federal or State governments;

(4) the Federal Government should give States and local communities maximum flexibility to achieve national education goals; and

(5) reform should emphasize results, not more spending.

TITLE I—NATIONAL EDUCATION GOALS

SEC. 101. PURPOSE.

It is the purpose of this title to recognize six national education goals.

SEC. 102. INTERPRETATION.

Nothing in this title shall be construed to authorize or encourage Federal control over, involvement in, or regulation of public, private, religious, or home schools, or any curricular framework, instructional material, examination, or assessment system during the 5-year authorization of this Act or at any future time.

SEC. 103. NATIONAL EDUCATION GOALS.

The Congress declares that the national education goals are the following:

(1) SCHOOL READINESS.—(A) By the year 2000, all children in America will start school ready to learn.

(B) The objectives for this goal are that—

(i) all disadvantaged and disabled children will have access to high-quality and developmentally appropriate preschool programs that help prepare children for school;

(ii) every parent in America will be a child's first teacher and devote time each day to helping his or her preschool child learn, and parents will have access to the training and support they need; and

(iii) children will receive the nutrition and health care needed to arrive at school with healthy minds and bodies, and the number of low-birthweight babies will be significantly reduced through enhanced prenatal health systems.

(2) SCHOOL COMPLETION.—(A) By the year 2000, the high school graduation rate will increase to at least 90 percent.

(B) The objectives for this goal are that—

(i) the Nation must dramatically reduce its dropout rate, and 75 percent of students who do drop out will successfully complete a high school degree or its equivalent; and

(ii) the gap in high school graduation rates between American students from minority backgrounds and their non-minority counterparts will be eliminated.

(3) STUDENT ACHIEVEMENT AND CITIZENSHIP.—(A) By the year 2000, American students will leave grades 4, 8, and 12 having demonstrated competency in challenging subject matter including English, mathematics, science, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

(B) The objectives for this goal are that—

(i) the academic performance of elementary and secondary students will increase significantly in every quartile, and the distribution of minority students in each level will more closely reflect the student population as a whole;

(ii) the percentage of students who demonstrate the ability to reason, solve problems, apply knowledge, and write and communicate effectively will increase substantially;

(iii) all students will be involved in activities that promote and demonstrate good citizenship, community service, and personal responsibility;

(iv) the percentage of students who are competent in more than one language will substantially increase; and

(v) all students will be knowledgeable about the diverse cultural heritage of this Nation and about the world community.

(4) MATHEMATICS AND SCIENCE.—(A) By the year 2000, United States students will be first in the world in mathematics and science achievement.

(B) The objectives for this goal are that—

(i) math and science education will be strengthened throughout the system, especially in the early grades;

(ii) the number of teachers with a substantive background in mathematics and science will increase by 50 percent; and

(iii) the number of United States undergraduate and graduate students, especially women and minorities, who complete degrees in mathematics, science, and engineering will increase significantly.

(5) ADULT LITERACY AND LIFELONG LEARNING.—(A) By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

(B) The objectives for this goal are that—

(i) every major American business will be involved in strengthening the connection between education and work;

(ii) all workers will have the opportunity to acquire the knowledge and skills, from basic to highly technical, needed to adapt to emerging new technologies, work methods, and markets through public and private educational, vocational, technical, workplace, or other programs;

(iii) the number of quality programs, including those at libraries, that are designed to serve more effectively the needs of the growing number of part-time and midcareer students will increase substantially;

(iv) the proportion of those qualified students, especially minorities, who enter college, who complete at least two years, and who complete their degree programs will increase substantially; and

(v) the proportion of college graduates who demonstrate an advanced ability to think critically, communicate effectively, and solve problems will increase substantially.

(6) SAFE, DISCIPLINED, AND DRUG-FREE SCHOOLS.—(A) By the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.

(B) The objectives for this goal are that—

(i) every school will implement a firm and fair policy on use, possession, and distribution of drugs and alcohol;

(ii) parents, businesses, and community organizations will work together to ensure that the schools are a safe haven for all children; and

(iii) every school district will develop a comprehensive K-12 drug and alcohol prevention education program. Drug and alcohol curriculum should be taught as an integral part of health education. In addition, community-based teams should be organized to provide students and teachers with needed support.

TITLE II—SCHOOL REFORM AND PARENT EMPOWERMENT

SEC. 201. PURPOSE.

The purpose of this title is to raise the quality of education for all American students by spurring a 5-year effort to promote dramatic and effective changes in the system of elementary and secondary education throughout the Nation.

SEC. 202. PROGRAM AUTHORIZED.

The Secretary is authorized, in accordance with the provisions of this title, to make grants to State educational agencies to enable States and local educational agencies to reform and improve the quality of education. Such grants shall be used to develop and implement innovative educational reform plans.

SEC. 203. APPLICATION.

(a) IN GENERAL.—If a State desires to receive assistance under this title, the State educational agency shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require. Such application shall cover a 5-year period.

(b) CONSIDERATION OF APPLICATIONS.—Each such application shall—

(1) contain satisfactory evidence that the State educational agency has or will have authority, by legislation if necessary, to implement the State reform plan required under section 204;

(2) provide an assurance that the State has a strategy for ensuring broad participation in the planning process, including parents, students, teachers, business leaders, and other community leaders;

(3) provide an assurance that the State will notify the public through print and electronic media and all local educational agencies through actual notice—

(A) that the State has made application for funds under this title;

(B) of the purposes for which the funds will be used; and

(C) that the State is developing a reform plan under section 204;

(4) provide an assurance that all students shall have equal access to the curricular frameworks and instructional materials developed as part of the State reform plan;

(5) describe actions taken and resources identified or committed to meet the requirements of this title;

(6) provide an assurance that the applicant shall prepare and submit to the Secretary annual evaluations of and reports concerning the State reform plan; and

(7) provide an assurance that the State shall carry out the provisions of section 204.

(c) APPROVAL.—The Secretary shall approve an application and any amendment to the application if the application or the amendment to such application meets the requirements of this section and is of sufficient quality to effect substantial reform of elementary and secondary education in the State. The Secretary shall not finally disapprove an application or amendment, except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

SEC. 204. DEVELOPMENT AND APPROVAL OF STATE PLAN.

(a) ESTABLISHMENT OF STATE REFORM PANEL.—Each State educational agency assisted under this title shall establish a temporary ad hoc panel to develop a statewide reform plan. Such panel shall consist of—

(1) a chairman, who shall be the chief executive of the State (or designee);

(2) the presiding officer and the minority leader of each house of the State legislature (or designees);

(3) the chief State school officer;

(4) the head of the office that coordinates higher education programs in the State or, if there is no such office, the head of the office designated under section 2008 of the Dwight D. Eisenhower Mathematics and Science Education Act (20 U.S.C. 2988) (or designee); and

(5) individuals selected by the chief executive of the State, including representatives from the following groups and organizations:

(A) Parents.

(B) Teachers.

(C) Principals.

(D) Local school boards.

(E) Small businesses.

(F) Large businesses.

(b) ADDITIONAL MEMBERS.—(1) The first meeting of the State reform panel shall be convened by the chief executive of the State. At such meeting, the panel members designated or selected under subsection (a) may select additional panel members.

(2) The membership of the panel shall not exceed 25 in number.

(3) The chief executive of the State shall serve as the chairman of the panel and determine a meeting schedule.

(c) DEVELOPMENT OF STATE PLAN.—The State reform panel shall develop a State reform plan that—

(1) stresses that all students are to demonstrate substantial improvement in academic achievement and cognitive skills;

(2) emphasizes quantifiable measures of the improvement of students' cognitive skills

rather than prescribing how State and local educational agencies should achieve such improvements;

(3) describes strategies for how the State will encourage parents and the public to support and become involved in implementing the State and local reform plans;

(4) establishes State goals to maximize academic achievement by each student;

(5) establishes academically rigorous curricular frameworks;

(6) provides for the development of instructional materials based upon the curricular frameworks;

(7) provides for the development of valid, reliable, and procedurally fair assessment systems based upon the curricular frameworks that are capable of accurately measuring the basic cognitive skills and knowledge required to meet the State's education goals;

(8) establishes a process for reviewing Federal, State, and local laws and regulations and for recommending changes in such laws and regulations to further state-wide reform;

(9) provides a process for selecting local educational agencies to receive subgrants under section 206;

(10) provides for the development of objective criteria and measures against which the success of local reform plans can be evaluated; and

(11) provides for the evaluation of the effectiveness of the State reform plan in helping low-achieving students to improve their performance, using academic achievement and such other measures as attendance, grade retention, and dropout rates.

(e) Public Comment Period.—Following the development of the State reform plan, the State reform panel shall seek public comment by—

(1) publishing the plan with a comment period of at least 60 days, and

(2) notifying the public through electronic and print media and conducting regional hearings.

After providing the public with an opportunity to comment on the plan, the panel shall consider the public's comments and make appropriate changes.

(f) Approval of State Plan.—(1) The State reform plan shall be submitted to the State for review by the State educational agency, which may make recommendations to the panel for changes to such plan. The State educational agency shall then implement the plan after such agency has submitted the plan to, and received approval of the plan by, the Secretary.

(2) The Secretary shall approve a State reform plan if the plan meets the requirements of this section.

(3) The Secretary shall not finally disapprove a plan or an amendment to such plan, except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

(g) Review of State Plan.—The State reform panel and the State educational agency shall review on a continuing basis the implementation of the State reform plan for the period during which the State receives Federal funding under this title. The results of such review shall be prepared in writing by the State reform panel and be included by the State in its annual report to the Secretary under section 213(a).

SEC. 205. STATE USES OF FUNDS.

(a) Uses of Funds.—Funds allotted by the Secretary under paragraphs (a) and (b) of section 211 and State and private funds contributed to make up the total cost of a State reform plan under section 211(c) shall be used by a State with an approved application for the following purposes:

(1) To develop and implement the State reform plan (with not more than 10 percent of the Federal funds shall be used for this purpose).

(2) To support the activities of the State reform panel (including the travel expenses of the members of such panel).

(3) To make subgrants to local educational agencies as provided in section 206.

(4) To provide technical assistance (including dissemination of information) to local educational agencies to assist in developing and carrying out local reform plans.

(5) To undertake evaluation, reporting, and data collection.

(b) Subgrants to Local Educational Agencies.—In the first year that a State receives a Federal allotment under this title, from not less than 75 percent of the total cost of a State's reform plan, the State educational agency shall make subgrants to local educational agencies for the purpose of developing and implementing local reform plans as provided in section 206. In the second and succeeding years, from not less than 90 percent of the total cost of a State's reform plan, the State educational agency shall make subgrants to local educational agencies to fulfill the purposes of this Act.

SEC. 206. DEVELOPMENT AND APPROVAL OF LOCAL PLANS.

(a) In General.—As described in the State reform plan, and based upon the recommendations of the State reform panel established under section 204, the State shall make subgrants to local educational agencies based upon local reform plans consistent with the State reform plan and developed by temporary ad hoc local reform panels.

(b) Establishment of Local Reform Panel.—Each local educational agency assisted under this title shall establish a temporary ad hoc local reform panel to develop a district-wide reform plan consistent with the State reform plan. Such panel shall consist of—

(1) a chairman, who shall be the highest-ranking elected chief executive in the local jurisdiction most closely approximating the boundaries of the school district (or designee), and who is not also a member of any other local educational reform panel;

(2) the chief district-wide school officer; and

(3) individuals selected by the chairman of the local reform panel, including representatives from the following groups and organizations:

(A) Parents.

(B) Teachers.

(C) The local school board.

(D) Small businesses.

(E) Large businesses.

(c) Additional Members.—(1) The panel members designated or selected in subsection (b) may select additional panel members from community organizations.

(2) The membership of the panel shall not exceed 11 in number.

(3) The chairman of the panel shall determine a meeting schedule.

(d) Approval of Local Reform Plan.—The local educational agency shall implement the local reform plan after the local reform panel has submitted its plan to the Secretary and received written confirmation from the Secretary that its plan is consistent with the State reform plan.

SEC. 207. LOCAL USES OF FUNDS.

A local educational agency which receives a subgrant under this title shall use the funds for the purpose of district-wide reform, consistent with the State and local reform plans. Authorized activities shall include one or more of the following:

(1) Model schools, including charter schools, which reflect the best available knowledge regarding teaching and learning, which use the highest quality instructional materials and technologies, and which are designed to meet State and local education goals as well as the particular needs of their students and communities.

(2) Merit school systems which reward schools with students who, as a group, demonstrate improved performance on curriculum-related outcome measures that assess only basic cognitive skills.

(3) Choice programs which permit parents to select the school their children will attend.

(4) Decentralized management which permits maximum decision making at the individual school level, involves parents, and emphasizes alternative certification.

SEC. 208. PROHIBITED USES OF FUNDS.

No State educational agency, local educational agency, or school that receives funds under this Act shall—

(1) adopt outcome measures that assess affective skills; or

(2) engage in programs that coordinate access to health care or other social services.

SEC. 209. PARENTAL CONSENT.

(a) Psychological Testing.—No funds under this title shall be made available to any State educational agency, local educational agency, or school in which psychiatric or psychological examination, testing, or treatment, or any project that involves surveying, analyzing, or evaluating the personal values, attitudes, beliefs, or sexual behavior of the student, take place, without the prior, written consent of the student (if the student is an adult or an emancipated minor), or in the case of an unemancipated minor, without the prior, written consent of a parent or guardian who has been first informed of the purpose of such examination, test, treatment, or information sought to be obtained.

(b) Privacy.—No funds under this title shall be made available to any State educational agency, local educational agency, or school that lacks a written policy to protect the right of parents (or student, if the student is an adult or an emancipated minor) to—

(1) inspect or review at any time any and all official records directly related to such student, including all written or electronically recorded material that is incorporated into the student's cumulative record folder, identifying data, academic work completed, grades, standardized achievement test scores, attendance data, scores on standardized intelligence, aptitude, or psychological tests, interest inventory results, health data, medical records, family background information, teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns; and

(2) forbid the release of such student's official records, without the parents' (or student's, if the student is an adult or an emancipated minor) prior written consent, to anyone other than—

(A) school officials within the student's school or local educational agency who have a legitimate educational interest;

(B) officials of other schools or school systems in which the student intends to enroll, upon condition that the student's parents (or the student, if the student is an adult or an emancipated minor) be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge and correct the content of the record; or

(C) in connection with a student's application for, or receipt of, financial aid.

(c) OPT-OUT RIGHT.—No funds under this title shall be made available to any State educational agency, local educational agency, or school that lacks a written policy to protect the right of parents (or student, if the student is an adult or emancipated minor) to withdraw the student from participation in any activity carried out as part of the State or local reform plan when the parents (or student, if the student is an adult or an emancipated minor) consider such activity to be detrimental to the student's education.

(d) GRACE PERIOD.—Any State educational agency, local educational agency, or school that receives funds under this title shall have a grace period not to exceed 6 months from the date that such funds are first made available to write the parental consent policies required under subsections (b) and (c).

SEC. 210. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

(a) IN GENERAL.—To fulfill the purposes of this Act, the Secretary may waive any requirement of any Federal statute listed in subsection (g) or of the regulations issued under such statute for a State educational agency, local educational agency, or school that requests such a waiver.

(b) PROMPTNESS OF RESPONSE TO WAIVER REQUEST.—The Secretary shall act on any such waiver request not later than 180 days after receipt or the waiver shall be considered granted.

(c) WAIVER PERIOD.—Each such waiver shall be for a period not to exceed 3 years. The Secretary may extend such period if the Secretary determines that the waiver has been effective in enabling the State or local educational agency to fulfill the purposes of this Act.

(d) WAIVER REVIEW.—The Secretary shall periodically review the performance of any State educational agency, local educational agency, or school for which the Secretary has granted a waiver and shall terminate the waiver if the Secretary determines that such performance has been inadequate to justify the waiver's continuation.

(e) EXCEPTION.—Nothing in this section shall be construed to authorize the waiver of section 438 or 439 of the General Education Provisions Act.

(f) SPECIAL PROVISION.—Nothing in this section shall be construed to authorize the waiver of any provision of this Act.

(g) PROGRAMS SUBJECT TO WAIVER.—The statutes subject to the waiver authority of this section are as follows:

(1) Chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

(2) Part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965.

(3) The Dwight D. Eisenhower Mathematics and Science Education Act (part A of title II of the Elementary and Secondary Education Act of 1965).

(4) The Emergency Immigrant Education Act of 1984 (part D of title IV of the Elementary and Secondary Education Act of 1965).

(5) The Drug-Free Schools and Communities Act of 1986 (title V of the Elementary and Secondary Education Act of 1965).

(6) The Carl D. Perkins Vocational and Applied Technology Education Act.

(h) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs listed in subsection (g) relating to—

(1) maintenance of effort;

(2) comparability of services;

(3) the equitable participation of students and professional staff in private schools;

(4) parental participation and involvement; or

(5) the distribution of funds to State or to local educational agencies.

SEC. 211. ALLOTMENT OF FUNDS.

(a) TO THE SECRETARY OF THE INTERIOR.—From funds appropriated under section 218, the Secretary shall allot to the Secretary of the Interior for each fiscal year an amount equal to ½ of 1 percent of the funds appropriated, not to exceed $600,000 in any fiscal year, to benefit Indian students enrolled in schools funded by the Department of the Interior for Indian students. The provisions of subsection (c) of this section shall not apply to payments made under this paragraph.

(b) TO THE STATES.—From the remaining amount appropriated under section 218, the Secretary shall make annual grants to States with approved applications.

(c) MATCHING REQUIREMENT.—(1) Of the total cost of a State reform plan, during the following years for which a State receives funds under this title, the Federal share under this title may not exceed—

(A) 100 percent the first year;

(B) 85 percent the second year;

(C) 60 percent the third year;

(D) 45 percent the fourth year; and

(E) 33 percent the fifth and any succeeding year.

(2) The non-Federal share under this title shall be paid by the State from State funds and may include contributions from private sources.

(3) The non-Federal share under this title may be in cash or in kind fairly evaluated.

(4) The matching requirements of this subsection shall not apply to the Virgin Islands, the Commonwealth of Puerto Rico, or Pacific outlying areas.

(d) ADMINISTRATIVE COSTS.—From its annual Federal allotment, a State may reserve for administration (not to include the activities of the State reform panel) an amount not to exceed 4 percent or $250,000, whichever is greater.

(e) SPECIAL PROVISION.—Not less than 25 percent of the amounts made available to local educational agencies under this title shall be used for choice programs.

SEC. 212. AVAILABILITY OF INFORMATION TO NONPUBLIC SCHOOLS.

Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools, a State educational agency or local educational agency that uses funds under this title to develop curricular frameworks, instructional materials, examinations, or assessment systems shall, upon request, make information related to such frameworks, materials, examinations, or assessment systems available to private schools and private school accrediting organizations.

SEC. 213. ANNUAL PROGRESS REPORTS; TECHNICAL ASSISTANCE.

(a) ANNUAL REPORT.—A State which receives funds under this title shall annually report to the Secretary—

(1) regarding such State's progress in meeting its State reform goals and plan;

(2) describing proposed activities for the succeeding year; and

(3) describing Federal regulations which may impede reform activities under this title as described in local reform plans approved by the Secretary.

(b) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance, either directly by grant or by contract, to the States to assist them in complying with the requirements of this section. The Secretary may reserve up to ½ of 1 percent of the appropriations for this title to carry out this section.

SEC. 214. EVALUATION AND DISSEMINATION.

(a) EVALUATION.—The Secretary shall evaluate a representative sample of State and local reform efforts over the course of the 5-year authorization in order to assess the effectiveness of such plans and activities in improving the education performance of all students. The Secretary may reserve up to ½ of 1 percent of the appropriations for this title to carry out this section.

(b) DISSEMINATION.—The Secretary shall, annually and upon request, disseminate to the States information on reform approaches and materials developed under this title or through related efforts.

SEC. 215. REPORT TO CONGRESS.

The Secretary shall submit annually to the Members of the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report that contains—

(1) a description of the progress that States receiving funds under this title have made in developing and implementing their plans; and

(2) information from State and local reports regarding requirements in Federal law or regulation which have been identified by State or local educational agencies or State or local reform panels as impeding the purposes of this Act.

SEC. 216. GENERAL PROVISIONS.

Nothing in this title shall—

(1) be construed to exempt a State or local educational agency that receives funds under this title from the requirements of section 438 or 439 of the General Education Provisions Act;

(2) be construed to authorize any department, agency, officer, or employee of the Federal Government to—

(A) exercise any control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system; or

(B) prescribe the use of a particular examination or standards; or

(3) be construed to authorize or encourage Federal control over, involvement in, or regulation of private, religious, or home schools during the 5-year authorization of this Act or at any future time.

SEC. 217. DEFINITIONS.

For purposes of this title:

(1) The term "affective skills" means, but is not limited to meaning, the emotions, opinions, values, attitudes, beliefs, or sexual behavior of a student.

(2) The term "assessment system" means a system for measuring the cognitive skills and academic achievement of students that is based upon a set of curricular frameworks.

(3) The term "cognitive skills" means abilities to perform discrete academic tasks that demonstrate understanding of such basic subjects as reading, writing, mathematics, science, history, and geography, and that may be readily assessed, measured, and compared in objective and numerically quantifiable terms, but does not mean affective skills.

(4) The term "community organizations" means, but is not limited to meaning, fraternal or religious organizations, but does not mean organizations created for the purpose of, or having as their primary effect, the influencing of education or education policy.

(5) The term "curricular framework" means a specific, detailed description, in a particular subject matter area, of the knowledge and cognitive skills children should acquire at each grade level.

(6) The term "legitimate educational interest" means an interest in a student's cognitive skills and academic progress, but does not mean an interest in a student's affective skills, psychology, family, or other nonacademic matter.

(7) The term "Pacific outlying area" means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the compact of Free Association is ratified).

(8) The term "private school" means nonpublic or religious education.

(9) The term "school" means public, private, or religious education.

(10) The term "Secretary" means the Secretary of Education.

(11) The term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(12) The terms "State educational agency" and "local educational agency" have the meaning given such terms in section 1471 of the Elementary and Secondary Education Act of 1965.

SEC. 218. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this title, there are authorized to be appropriated $400,000,000 for each of the fiscal years 1994 through 1998.

The CHAIRMAN. Pursuant to the rule, the gentleman from Texas [Mr. ARMEY] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. ARMEY].

PARLIAMENTARY INQUIRY

Mr. ARMEY. Madam Chairman, I have a parliamentary inquiry. Has no one requested the time in opposition?

The CHAIRMAN. Does any Member rise to claim the time in opposition to the amendment?

Mr. KILDEE. Madam Chairman, I ask for the time in opposition to the amendment offered by the gentleman from Texas.

The CHAIRMAN. The gentleman from Michigan [Mr. KILDEE] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Madam Chairman, I rise today to offer a genuine school reform bill. I rise to offer America's families a true choice in education.

Along with my colleagues Mr. BALLENGER, Mr. BOEHNER, and Mr. HOEKSTRA, I have worked to draft a true education reform bill that empowers parents, not bureaucracies. We call our amendment the Parent and Student Empowerment Act because we believe the solution to our Nation's educational ills is more, not less, parental control of what goes on in the classroom.

Former Education Secretaries William Bennett and Lamar Alexander strongly support our amendment. So do such concerned organizations as Citizens for Educational Excellence, Citizens for Educational Freedom, Empower America, Christian Coalition, the American Legislative Exchange Council, Christian Action Network, the Family Research Council, the American Association of Christian Schools, Eagle Forum, Concerned Women for America, Association of Christian Schools International, and the Traditional Values Coalition. We represent a broad coalition of parents across America.

Madam Chairman, I will insert letters of endorsement from these organizations immediately following my remarks.

Let me just add a personal note here. I am not offering this amendment today for DICK ARMEY. I am not offering it for the Republican Party or for the people of Texas or even for parents. I am offering this amendment for the children of our country.

This amendment is for Guadalupe and Vanessa Gutierrez, two young sisters attending Coronodo-Escobar Elementary School in San Antonio. These little girls' public school district is failing so badly that their family has reluctantly filed suit to ask that they be allowed to reclaim their own tax dollars to use at a private school of their choosing. Like all parents, the Gutierrez family takes its sacred obligation as parents seriously.

This amendment is for 11-year-old Joe Reyes, whose public school is so violent and so poorly managed that his parents have been forced to seek alternatives. Luckily, Joe's parents have been able to acquire assistance from the CEO Foundation in San Antonio, a private group that gives low-income families true educational choice. Joe writes: "My friend got stabbed in the fourth period so I am thankful I have a C.E.O. scholarship and can go to my new school."

This amendment is for the 57 percent of Hispanic-Americans and the 88 percent of African-Americans who support letting parents choose their children's education.

Madam Chairman, rich people already have school choice. They can afford it. It is the poor who are trapped in failing schools. Yet the opponents of school choice are so scared of letting parents choose, they would rather keep children trapped than loosen the grip of the education bureaucracy on our schools.

Well, these scare tactics are falling flat. In those communities where school choice is already permitted—from the public school choice programs of East Harlem and Milwaukee to the privately funded choice programs in Indianapolis and San Antonio—the public schools are doing just fine. And low-income parents are delighted.

As with the growing tide of freedom around the globe, this movement is unstoppable. California is about to vote on a historic school-choice ballot initiative. Michigan is about to give every parent a voucher to let parents choose among public schools.

And right now, citizen groups are forming to provide privately funded school-choice vouchers in Austin, Atlanta, Little Rock, Denver, Dallas, Houston, Phoenix, Orlando, Miami, Boston, Albany, and yes, Washington, DC.

Monopoly public schooling is the Berlin Wall of education. It's going to fall. That is inevitable. The only question is which side are we going to be on—on the side of government, or on the side of freedom?

Let me clarify one important point. The Armey substitute does not mandate private school choice. It permits private school choice, at local community option. We believe local communities should be left free to craft their own school reform plans and to decide what is best suited to their particular circumstances.

We oppose a national curriculum devised by what amounts to a national school board, as contained in the Goals 2000 bill.

We want to shift the focus from how much money school districts spend to what is best for children.

And with all due respect to my distinguished colleague from Pennsylvania, Mr. GOODLING, Goals 2000 is a top-down, bureaucratic solution that relies on spending more money. It pours more money into all the same old bureaucracies and the same old programs that have failed to reverse a 30-year decline in national academic achievement scores.

Madam Chairman, more money is not the answer. We spent 33 percent more in 1990 than in 1980, after inflation, and yet scores are still falling.

School-based clinics are not the answer. They do not work, and they do not educate.

Putting welfare offices in the schools is not the answer.

Mandating politically correct gender-equitable and multicultural instructional materials is not the answer.

Meddling in the home by teachers—the so-called parents-as-teachers concept, which should really be called teachers as parents—is not the answer.

Race-norming of tests is not the answer—and yes, Mr. Chairman, despite the other side's assertions to the contrary, Goals 2000 contains the seeds of race-norming.

Nor will we do any good by embracing educational fads like outcome-based education that focus on changing values and beliefs rather than on instilling basic academic knowledge.

Madam Chairman, if you agree that Guadalupe and Vanessa Gutierrez should not have to go to court to get a decent education, if you agree that little Joe Reyes should not fear for his life in school—then vote for change.

Vote for true reform.

Vote for parental choice and local control.

Vote for the Parent and Student Empowerment Act.

[Letters follow]:

AMERICAN LEGISLATIVE
EXCHANGE COUNCIL,
Washington, DC, July 16, 1993.

U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN: We are at a point in American history which is presenting us with the challenge of giving today's young people the opportunity to rise above the problems and the inequities which have manifested themselves in the streets of our cities. The violence that we have witnessed represents a loud cry for equality and opportunity from those individuals so eager to have a chance to pursue the dreams taken for granted by so many Americans. School choice gives young people this chance to obtain a quality education, to achieve the American Dream, and to excel in areas which were previously unattainable due to the poor quality of their designated schools.

We at ALEC are dedicated to the fight to empower all Americans; to give each and every individual the opportunity to pursue the American Dream. The American Legislative Exchange Council is the nation's largest bipartisan, individual membership organization of state legislators. ALEC has approximately 2,500 state legislators as members, nearly one-third who hold leadership positions in their legislatures.

We are delighted to learn that lawmakers have the opportunity to vote for an amendment, the Armey amendment, that is pro-active educational reform. We strongly urge you to support the Armey amendment, which provides for school choice and abandons the status quo of increased spending and bureaucratic control.

Why is school choice so important? School choice will bring competitive incentives to the public school system, ensure educational equity for students from all income levels, provide a means to directly involve parents in the educational process, and expand individual liberty. Most important perhaps, Americans deserve choice in education as much as they deserve and enjoy choice in their decisions about where to live and work, where to shop, and for whom to vote.

You have the power to make school choice and real educational reform a reality. We stand with you on this vital issue and strongly urge you to give the Armey amendment your enthusiastic support.

Sincerely,

SAMUEL A. BRUNELLI,
Executive Director.

CITIZENS FOR
EDUCATIONAL FREEDOM,
Arlington, VA, July 19, 1993

DEAR MEMBER OF CONGRESS: On behalf of nonpublic school parents and friends, National Citizens for Educational Freedom urges you to vote against the HR 1804, President Clinton's "Goals 2000 School-Reform" Bill. Instead, CEF recommends that you support the Armey Amendment which promotes full school choice and the empowerment of both parents and students.

Parents will take greater responsibility for their children's education.

Students will be in those schools where their individual needs will be met more effectively.

Public, private, and parochial schools will be challenged to improve their delivery systems.

Consumers will have a greater stake in their success because they have chosen their schools.

The corporate community will benefit from a more competent work force.

Strong new partnerships will develop as parents, schools, and businesses exert a concerted effort to improve education.

This country will take its place among international leaders, creating a model for others to emulate.

Please give all students a chance to learn in an environment which is safe, educationally stimulating and disciplined; where students, teachers, and parents are respected; where all take responsibility for learning.

Thank you for your consideration.

Regards,

JAMES J. CONDIT,
President, National CEF.

CHRISTIAN ACTION NETWORK,
Forest, VA, July 19, 1993.

DEAR MEMBER OF CONGRESS: There are many pieces of legislation this Congress which will adversely impact the future of the American family. Few will be felt more than HR 1804, the "Goals 2000: Educate America Act." The Christian Action Network opposes this legislation.

The last thing that American education needs is more centralization. Many education bureaucrats and social elites are attempting to refashion how this nation views education. Today, we are told, requires a citizenry educated and trained for the marketplace of tomorrow, and that a centralized system of school boards, curricula, and testing among other things is essential to fine tune our great economic machine.

Such a visionary assessment, neatly packaged in HR 1804, is nothing more than new world order nonsense. The paramount tradition of education in America is to educate for liberty. Liberty is the singular national interest in education. No clearer contrary evidence of this exists than the positive correlation between the growth of public education and the growth of the federal government. The more our educational system has become enslaved by those who would think for the rest of us, so too do we as a nation become enslaved.

A modest attempt to correct some of the wrongs perpetrated against American education is Congressman Dick Armey's substitute to HR 1804, the "Parent and Student Empowerment Act." The key to giving kids an excellent education is in protecting parents in their right and responsibility to provide the kind of education they deem correct. HR 1804 takes control from the hands of parents. The Armey substitute puts control back in parental hands.

John Gatto, New York State Teacher of the Year for 1991, eloquently argues in his book "Dumbing Us Down": "Whatever an education is, it should make you a unique individual, not a conformist; it should furnish you with an original spirit with which to tackle the big challenges; it should allow you to find values which will be your road map through life; it should make you spiritually rich, a person who lives whatever you are doing, wherever you are, whomever you are with; it should teach you what is important, how to live and how to die."

Does this description sound like anything resembling a project of the federal government? If not, then what makes us think that HR 1804 will be helpful? The Christian Action Network urges your opposition to HR 1804 and your support of the Armey substitute.

Sincerely,

PAUL T. MERO,
Legislative Director.

AMERICAN ASSOCIATION OF
CHRISTIAN SCHOOLS,
Independence, MO, July 21, 1993.

DEAR MEMBER OF CONGRESS: The American Association of Christian Schools firmly believes that the education, discipline, and medical and physical care of all children are the God-given responsibility of parents and not of any government, agency, or social group. With this in mind, we strongly support Representative Dick Armey's "Parent and Student Empowerment Act" as an alternative to H.R. 1804. Your vote in support of Armey's amendment would be a strong vote establishing parental rights and control over their children's educational destiny. Currently, public education offers little hope for parents and their children.

The Parent and Student Empowerment Act recognizes the parents' right to determine who can view their children's school records (a basic right to privacy). It also reinforces parents' inalienable right to opt out of programs they consider detrimental to their children's education. This act also requires schools to acquire prior written parental consent before children are subjected to sex surveys and psychological testing. These are important objectives which Goals 2000 will not deliver to parents.

Additionally, the Armey substitute will prohibit the use of funds for outcome-based education or school-based clinics. This act does not increase the federal beaucracy or spending. It also allows for local communities to determine effective means for school reform. Lastly, it provides for school choice, a concept which a broad majority of the Supreme Court embraced in the recent "Zobrest" decision.

Furthermore, we believe that top-down reform, as offered in "Goals 2000," is nothing more than the federal government bearing down its foot upon the weakened body of parents and local community leaders. In this manner reform is slow and hard to come by. Conversely, the Parent and Student Empowerment Act gives accountability, authority, power, and responsibility to parents and local community leaders to reform the process and educate their children effectively. This is real reform, from the bottom-up, with measurable results, less increased spending. In conclusion, the Armey substitute will more effectively accomplish what Goals 2000 would like to achieve with the pitfalls and snares which will hinder it (H.R. 1804).

We strongly urge you to vote for the Armey Amendment known as the "Parent and Student Empowerment Act."

Sincerely,

MARTIN I. HOYT, II.

EAGLE FORUM,
Alton, IL, July 21, 1993.

DEAR REPRESENTATIVE: President Clinton's "Education Reform" bill, H.R. 1804, "Goals 2000: Educate America Act" is making its way through Congress. It is a business-as-usual bill that increases Federal education bureaucracy and imposes more Federal mandates on states. The bill also contains provisions designed to impede legitimate reform, such as "opportunity to learn standards" (a school-funding equalization scheme) and "national workforce skills standards" as well as federal grants to "coordinate health, education, and social service delivery", which can be used to distribute contraceptives in schools. For these, and many other reasons, this bill offer little hope for any real change.

The components of "Goals 2000" are as follows: Title I establishes seven (not the original six) National Education Goals to be met by the year 2000. These goals broaden the scope of education to cover almost everyone from prenatal babies and preschool children to parents and adults in the labor force.

The goals are: One, all children in America will start school ready to learn. It specifies that children will have access to "high-quality" pre-school programs, parents will have access to training and support, and children will have the health care and nutrition they need; two, the high school graduation rate will increase to at least 90 percent, with assurances that the graduation rates between minority and non-minority students be the same; three, all students will leave grades 4, 8, and 12 having demonstrated sufficient competency over subject matter including foreign languages and art, history and geography and involvement in community service and knowledge about the "diverse cultural heritage"; four, access to continued education program for teachers. This receives major emphasis in the bill and relies on a national school board to implement these delivery standards; five, United States students will be first in the world in mathematics and science achievement with special emphasis added to increase the number of women and minorities with a background in math; six, every adult American will be literate and will posses the knowledge and skills necessary to compete in a global economy and exercise the rights of citizenship; and seven, every school in American will be free of drugs and violence and will offer a disciplined environment.

These goals are to be implemented by three new layers of bureaucracy with money provided for grants to states that follow the guidelines set out for them.

Title II establishes two of the three new layers of bureaucracy, the National Education Goals Panel, and a new National Education Standards and Improvement Council. It authorizes an "opportunity-to-learn" development grant, assessment development and evaluation grants, and an evaluation of work of the Goals Panel and the Council.

I am very concerned about the National Education Standards and Improvement Council (NESIC) which will act as a national school board that develops certification criteria, certify voluntary national content, student performance, opportunity-to-learn standards, and certify assessment systems submitted by the states if they meet the criteria.

Most of the money in Goals 2000 goes to grants to states and local education agencies for "school reform." Money is made available for grants to states for developing, field testing, and evaluation of systems of assessment. Their idea of reform is clearly demonstrated with the requirements for grantees to give special attention to how an assessment treats all students, especially with regard to the race, gender, ethnicity, disability, and language proficiency. Many parents see this as a method for states to use more money for outcome based education (OBE). Parents oppose OBE because it teaches and tests attitudes and outcomes rather than cognitive skills.

Title III authorizes grants to the states to support reform plans that support national activities including: (1) development or adoption of content, student performance, and opportunity to learn standards, (2) improvement and coordination of staff development, curriculum, and state assessment system, (3) coordination of health and social services. However, Committee Report language emphasizes that the use of federal funds is not restricted to the academic area. Critics point out that the majority of the money will be used for teachers and educational bureaucrats rather than students.

Title IV sets up the third layer of bureaucracy, a National Standards Board to stimulate the development of a national system of skill standards used in industry hiring. A purpose of this board is to "assist in evaluating the skill levels of prospective employees * * * to increase the opportunities for minorities and women, including removing barriers to the entry of women in non-traditional employment and to be used by labor organizations, to enhance the employment security of workers by providing portable credentials and skills * * *"

Dissenters from the Committee report express concerns over serious civil rights issues. They point out that if the process produces minimally demanding, ineffective standards, employers will likely use different standards. This may in turn give plaintiffs room for attack on the differences, contending that employers must justify any deviation from a broad-approved standard.

Title VI authorizes money for grants to organizations to provide information and training for parents to encourage better working relationships between parents and schools. Conservatives fear this will be used to set up "parents as teachers" programs that will interfere with family relations.

H.R. 1804 sets out radical change which can hardly be called reform. It incorporates the education establishment in all aspects of life from conception until after one enters the work force. It paves the way for a national school board, national curriculum, national testing, funding of school-based clinics, outcome-based education, the so-called Robin Hood plan which could force states to equalize funding between school districts, and a national "parents as teachers" type program. It creates three new bureaucracies to set up national standards by using the "carrot and stick" approach of tying funding to adoption of standards. It explicitly rejects school choice and relies heavily on the education establishment and federal government.

We encourage you to vote against Clinton's "Goals 2000" and instead support Congressman Dick Armey's "Parent and Student Empowerment Act" which offers real education reform with an emphasis on local control. It incorporates the goals for education that were originally agreed to by state governors and includes the following provisions: Emphasizes bottom-up reform and measurable results, not increased spending; emphasizes school choice; recognizes parents' inalienable right to opt out of programs they consider detrimental to their children's education; requires schools to acquire informed, prior, written parental consent before subjecting children to intrusive psychological testing or sex surveys; recognizes parents' right to determine who can view their children's school records; and prohibits use of funds for school-based clinics and "outcome based education."

"Parent and Student Empowerment Act" offers a legitimate plan for reform in education by emphasizing measurable results, not simply increased spending. Because of the incredible importance of education reform and the merit of this bill, I encourage you to support the "Parent and Student Empowerment Act" as a substitute to Clinton's "Goals 2000" bill.

Faithfully,

PHYLLIS SCHLAFLY.

CONCERNED WOMEN FOR AMERICA,
Washington, DC, July 22, 1993.

DEAR MEMBER OF CONGRESS: Concerned Women for America (CWA) has been tirelessly seeking reform for our nation's educational system; however, we cannot support the direction of H.R. 1804, "Goals 2000: Educate America Act." CWA is also troubled by the general direction of the national education goals.

H.R. 1804 offers no flexibility, no choice, and no accountability. As the bill is written, it provides funding to those institutions which have held a vested interest in preventing genuine reform. H.R. 1804 sets into motion a dangerous trend towards national standards, national curriculum and a national school board. Although the word "voluntary" is repeatedly used throughout the bill, a national curriculum is right around the corner if this so-called "reform" bill is passed.

However, a vote for the Armey Substitute, "The Parent and Student Empowerment Act," would allow local educational agencies to embark on genuine reform. The Armey Substitute would limit the list of activities eligible for funding to those showing real reform. The Substitute would prohibit the use of funds for sex clinics and the controversial "outcome based education." Most importantly, the Armey Substitute reinforces parental authority in the educational development of their own children. It allows parents to retain the right to remove their children from participating in objectionable exercises, enhances parents' rights to protect their children from intrusive psychological testing and sex surveys, and ensures parents have the exclusive right to decide who can view their children's school records. CWA agrees with Congressman Armey that the role of the parent is vital to educational reform.

A vote for the Armey Substitute is a vote for real reform and will enhance parental involvement in education. CWA will be informing our members about the outcome of this important vote.

Sincerely,

BEVERLY LAHAYE,
President.

ASSOCIATION OF CHRISTIAN
SCHOOLS INTERNATIONAL,
Washington, DC, July 26, 1993.

Hon. RICHARD K. ARMEY,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN ARMEY: The Association of Christian Schools International (ACSI) is the largest association of evangelical Christian schools in the nation with over 3,000 member schools, including 115 member colleges.

Why does President Clinton send his daughter to a religious school?

Why do 22% of the National Education Association teachers send their children to private and religious schools [Forbes, 6/7/93]?

Why do the ACSI students average 12 months ahead of the public school norms on the Stanford Achievement test [The Psychological Corporation]?

Why? Because the educational bureaucracy is not doing its job and it is heavily invested in failed methods, reaffirmed in Goals 2000. American parents and tax payers deserve relief from the augmentation of institutionalized failure, so painfully evident in the schools and reflected in the nostrums of the educational bureaucracy found in H.R. 1804. Citizens long to see competition, spurred by success-linked reforms, such as model schools, merit schools, decentralized management and educational choice. The Armey amendment emphasizing such better approaches can begin to restrain the flow of money down the drain.

Among the misdirections in Goals 2000 are the provisions for a new national school board called the "National Educational Standards and Improvement Council," and the redirection of the private National Education Goals Panel toward a federal bureaucracy. The Armey bill avoids these mistakes. ACSI urges that federal subsidies be directed toward the encouragement of true reform; a reform process under the oversight of local elected officials who can be held accountable, like the Armey approach.

Will you vote for the Parent and Student Empowerment Act, the Armey substitute?

Respectfully yours,

JOHN C. HOLMES, Ed.D.

CHRISTIAN COALITION,
Washington, DC, October 4, 1993.

DEAR MEMBER OF CONGRESS: The House will soon consider legislation, H.R. 1804, supported by the Administration that purportedly promotes educational reform. However, this measure fails the true test of genuine educational reform.

Rather than reform, this measure offers more funding for bureaucratic control over education. Instead of returning power to communities and parents, the bill creates new agencies that will only encourage bureaucracy.

We urge you to reject the Administration's bogus "education reform" bill, H.R. 1804, and support the substitute that will be offered by Congressman Dick Armey, "The Parent and Student Empowerment Act."

Key components of "The Parent and Student Empowerment Act" include:

Reform activities such as school choice, merit schools, and model schools;

Parental rights safeguards from psychological testing, sex surveys, etc.; and provides

Parents an "opt out" right as well as the exclusive right to determine who examines their children's school records.

Genuine education reform is long overdue. We urge you to reject H.R. 1804 and support the Armey substitute. The Christian Coalition will include the vote on the Armey substitute in its Congressional Scorecard which is distributed annually to five million people throughout the United States. Thank you for your attention to this matter.

Sincerely,

MARSHALL WITTMANN,
Director, Legislative Affairs.
HEIDI SCANLON,
Director, Governmental Affairs.

EMPOWER AMERICA,
Washington, DC, October 5, 1993.
U.S. House of Representatives,
Washington, DC.

DEAR MEMBER OF CONGRESS: I am writing in strong support of Representative Dick Armey's "Parent and Student Empowerment Act" as an alternative to H.R. 1804.

Representative Armey's proposal is a genuine education reform bill; it favors accountability provisions, decentralization, parental consent and parental choice for public, private or religious schools. The "Parent and Student Empowerment Act" will shift money and power away from the special interests and give power back to the American people. These are precisely the kind of measures I supported when I was President Reagan's Secretary of Education.

H.R. 1804, on the other hand, is typical of the kind of legislation endorsed by the education establishment: no reform, no accountability, no real standards and large increases in spending.

The education establishment—and in particular, the National Education Association—has done tremendous damage to American education. Their "remedies" have not worked. Under their stewardship education is not getting better; it is only getting a lot more expensive.

It's time to change all that. Representative Armey's proposal is one important way to do that and to improve American education.

I urge you to vote for the Armey amendment.

Sincerely,

WILLIAM J. BENNETT,
Co-Director.

FAMILY RESEARCH COUNCIL,
Washington, DC, October 5, 1993.

DEAR MEMBER OF CONGRESS: Congressman Dick Armey intends to offer a substitute to the Clinton administration's school reform plan. The Armey plan is designed to empower the family, whereas Goals 2000 does little more than create a whole new set of bureaucracies.

Mr. Armey's measure contains many of the reforms that are urgently needed to help American schools meet the challenges of the Twenty-first Century. He recognizes that real change in education must come from empowering parents and students to achieve excellence.

I am especially pleased to commend to you the parental consent provisions of the Armey substitute. This reform will recognize the right of parents to exempt their children from psychological and psychiatric testing and from projects which violate family privacy. It will be a strong re-affirmation of the Supreme Court's ringing declaration in *Pierce* v. *Society of Sisters* that "the child is not the mere creature of the state."

I am also pleased to endorse the specific requirements of the Armey substitute that federal funding of education reform efforts must include parental choice. So long as the federal government attempts to impose unrealistic and untried experiments on local communities, we will see resistance at the grassroots level. But genuine reform—the kind championed by Rep. Polly Williams in Milwaukee, by Mary Cummins in New York and by the parents and business leaders of California's ABC—Yes on 174 Coalition—will create a ground swell of popular sentiment for excellence in education.

Mr. Armey is to be congratulated for his leadership and his dedication to the parents and students of America. I hope you will vote for the Armey substitute.

Sincerely yours,

GARY L. BAUER,
President.

TRADITIONAL VALUES COALITION,
Washington, DC, October 5, 1993.

STOP THE EDUCATION BUREAUCRACY FEEDING FRENZY AT THE PUBLIC TROUGH; SUPPORT THE ARMEY SUBSTITUTE

DEAR MEMBER OF CONGRESS: This week the House will consider H.R. 1804, "Goals 2000: Educate America Act." The President's initiative "Goals 2000" fails to address our nation's education ills. Instead, it pours more money into failing school bureaucracies without fundamental reforms.

Congressman Dick Armey plans to offer a substitute which is imperative to putting our educational system back on the road to recovery. "The Parent and Student Empowerment Act" offered by Mr. Armey will:

Explicitly allow for private, parochial, and public school choice and earmark 25% of program funds for school choice;

Give Governors the ultimate authority over state panels and the federal grant money;

Grant parents the exclusive right to govern access to their children's academic records and protect their children from intrusive psychological tests and sex surveys;

Limit the list of authorized activities to school choice, site-based management, model schools, and merit testing on which the $400 million federal grant can be spent.

It will soon be up to you to decide whether the children of this great nation will receive the quality of education necessary to compete in the 21st century. True educational reform must include choice. If President Clinton's daughter can go to the school of his choice, why should not every American parent have the same option?

Traditional Values Coalition (TVC) and its 25,000 member churches support genuine educational reform not increased spending and a new bureaucracy. To that end, we urge you to oppose H.R. 1804 and support the Armey substitute. TVC considers this a key pro-family vote and will report your vote to our member churches in your district.

Sincerely,

REV. LOUIS P. SHELDON,
Chairman.

Mr. ARMEY. Madam Chairman, I yield myself 5 minutes, and I thank my colleague from Michigan, Mr. KILDEE, who I know must certainly rise reluctantly to oppose this amendment.

□ 1650

Madam Chairman, I reserve the balance of my time.

Mr. KILDEE. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in opposition to the amendment by the gentleman from Texas [Mr. ARMEY]. Madam Chairman, this amendment purports to support systemwide education reform. However, a number of its provisions will make this very, very, very difficult. My friend, the gentleman from Texas [Mr. ARMEY], says that reform should come from the bottom up, not from the Federal or State government, and yet in the section on local uses of funds it is the Federal Government telling local communities that they must pick from only four types of reform activities. H.R. 1804 envisions that there will be many types of reform emerging from the wisdom that lies out there in the States and local school districts.

Second, the Armey amendment prohibits local school districts from using funds to support the coordination of health and social services with education.

Madam Chairman, I taught school for 10 years, and I have taken this long sabbatical in politics. But I do know that the amendment ignores the fact that the children must be ready to learn each and every school day. A child comes into the front door of that school carrying with himself or herself educational needs, educational problems and, very often, other problems, medical, dental, emotional problems, social problems. We have to address those problems in some meaningful way because it is the same child coming into that door. This coordination of services is something that would be worked out by local people on the local level as they wish to do it and if they wish to do it. It is a means, however, to provide those services to that child. I can recall many a young person coming into the school where I taught, where I had to be both teacher, social worker, doctor. I was glad to do that, but this is a tremendous burden to put on those who are trained to be teachers.

In some schools in this country you find a massive number of students who suffer from those problems, and we would permit the coordination of services in this bill so we could address that need.

We are doing that in my hometown of Flint, MI, and it is really reaching children who otherwise might not be reached by that medical service, by that social service, by that mental health service. It does work there.

I think we should let people decide whether they want to use that in their local school district where that may be needed.

Third, Madam Chairman, the Armey amendment places the State reform panel under the exclusive leadership of the Governors. Now, you know, education in this country is, as I mentioned before, a local function, a State responsibility, and a Federal concern. It varies from State to State who has prime responsibility as the chief education officer of that State. In some States it is the Governor. That tends to be more the case in the Southern States. But very often, as in my State, for example, the superintendent of schools is the chief school officer in that State which has still strong local control.

So I do not think we should impose a Federal pattern upon the States. I believe very much in State's rights, as I am sure the gentleman from Texas does.

Fourth, Madam Chairman, the Armey amendment contains provisions relating to psychological testing and privacy of student records; these provisions, as noble as they are unnecessary. These important provisions which he seeks to put in this bill have been addressed in the law since 1974, when the Congress adopted the Buckley-Hatch amendments. He is trying to provide a remedy already covered by the Buckley-Hatch amendments in 1974.

For all these reasons I urge the defeat of the amendment.

You know, just as an aside, about a year ago during the consideration of the Neighborhood Schools Improvement bill, the gentleman from Texas offered a similar amendment. While I know this is a new Congress and we have had an intervening election, I wish to call to mind that at that time last year the Armey substitute was defeated by a vote of 328 to 80.

I reserve the balance of my time.

Mr. ARMEY. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. HOEKSTRA], a cosponsor of the amendment.

Mr. HOEKSTRA. I thank the gentleman from Texas for yielding this time to me.

Madam Chairman, I rise today in support of the Armey substitute to Goals 2000. In an American civilization that has developed from personal strength, a strong free enterprise system, and a truly entrepreneurial and inventive spirit, the Armey substitute takes us back to our roots. It takes us back to what made the United States the envy of the rest of the world.

The Armey substitute provides funding for reform efforts which will allow parents to choose which school their children will attend. This is what we need today; the opportunity for more parents to become involved in the process. By providing them with choices and options, we are empowering them at the very beginning of the process. We must trust parents to make these decisions. Government bureaucrats do not know what is best for our children.

The Armey substitute also provides for incorporating into education elements of our free enterprise system. It allows and encourages the development of alternative educational models and delivery systems. It will encourage, lest we forget the term, competition. Schools are currently given a lump sum to educate each child. It makes no difference whether the child is getting his or her money's worth. A child may graduate from a school system unable to read, and yet the school will continue to be paid for the substandard services they are providing. In the business world such a system would be ludicrous. And yet when it comes to providing for our children, we are content to accept low standards and the poor delivery of services as inevitable. By providing choices to parents, we will encourage healthy competition which will reward the schools that are providing the best educational opportunities for our children.

As we incorporate choice and competition, we should also be opening a third avenue of educational growth; innovation and inventiveness. In an educational system that is graduating students who cannot read their diplomas, the answer is not the development of more bureaucratic standards. It requires the unleashing of the creative potential of our teachers, local school boards, and other business enterprises, to attack the issue of learning. Does Goals 2000 allow for small, innovative businesses to become involved in the process of learning? Does it encourage innovation and creativity? It does not look like it to me.

We have two choices before us today: We can put more bureaucratic programs into place by adopting Goals 2000, or we can open new avenues of learning by fostering experimentation and results-oriented programs. We can accomplish this by allowing parents to have a voice in the process, by introducing elements of our entrepreneurial system into education, and by fostering the spirit of innovation and invention. We need to establish new paradigms for learning, not prop up the old ones that are failing. Our students demand the best that our country can offer. That will be achieved by building on what made this country great, not by building on those structures that are weakening it from the inside. Let us build on those principles that made America unique and strong. The paternalistic, bureaucratic state is failing our children. It is time to open it up and really make a difference in education. I, therefore, urge you to support the Armey substitute.

□ 1700

Once, just once, let us look to parents for the solution to our Nation's problems, not another government bureaucracy.

Mr. KILDEE. Madam Chairman, I yield 30 seconds to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Madam Chairman, I thank the gentleman for yielding this time to me.

I want to compliment the gentleman from Texas [Mr. ARMEY]. His legislation is very well put together. As a matter of fact, if he left page 30 off, it would be an acceptable amendment.

I do want to appeal to the parents who are out there who send their children to private and parochial schools. Please do not allow the Congress of the United States to do you a favor. I will guarantee you, I do not care how you write it, the minute you get the Federal Government involved, the Federal Government is going to determine what you do in your schools. Then you are going to have no purpose for being. Your purpose will be taken away from you.

Do not provide the Federal Government with an opportunity to get involved in determining who comes to your school, who you must keep in your school, or anything else. Stay the way you are at the present time.

Mr. ARMEY. Madam Chairman, I yield myself 15 seconds to take the advice of my good friend, the gentleman from Pennsylvania, and suggest that maybe we ought to do away with the Department of Education and heed his good advice, and I thank the gentleman for the recommendation.

Madam Chairman, I yield 2 minutes to my good friend and colleague, the distinguished gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Madam Chairman, I thank the gentleman for yielding this time to me.

Madam Chairman, talking to teachers, I find a high level of frustration over a conflict that seems to be a common thread in the fabric of teaching. The teacher knows his or her students on a personal level and from this vantage point, they also know what turns their individual students on to wanting to learn; to what motivates them. Federal, State or even the local education bureaucracies do not have this ability because there is no interpersonal activity present, or possible.

Teachers tell me it is not more money they need to give their students the best chance to learn, their cry is, "give me more flexibility in the classroom" to work with my students to bring them up to their highest level of achievement. Students are not statistics nor do they fit neatly into specific categories. Every student has a personality, and no one but the teacher knows what motivates that personality to achieve.

This reality states the case for the Armey substitute. A new Washington-based council or a board as established in Goals 2000 to move reform along takes the focus and resources away from where we really need to begin meaningful reform. We need to listen to the teachers. We need to listen to the local school boards. We need to listen to the parents.

Parents want reform and choice. President Clinton and his wife should be congratulated for their decision to send their daughter to a private school. The District of Columbia school system is a shambles, and they were faced with no alternative. My only hope is that their choice will underscore the dilemma facing low income, inner city parents around the country and serve as a catalyst for adoption of school choice plans. The Armey substitute provides for the implementation of school choice plans—the same choice that the First Family was able to exercise on behalf of their daughter. Goals 2000 is silent on this option for parents. The Armey substitute offers a positive response to the need for bottom-up reforms. No new layers of bureaucracy to contend with, the Armey substitute goes straight to where we need to start the reform movement. The emphasis is on local needs.

Listen to local school boards.

Listen to the parents.

Listen to the teachers.

Support the Armey amendment.

Mr. KILDEE. Madam Chairman, I yield 5 minutes to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Madam Chairman, I rise in opposition to the substitute amendment. This substitute is a makeshift, jerry-built, oversimplified substitute for a carefully crafted proposal which is the product of a long process of deliberation by a cross section of people involved in education, not just at the top.

It is true that Governors were involved very much, also teachers and students have been involved in the long deliberations that have produced Goals 2000. Goals 2000 is a very cautious approach. It does not go far enough in my opinion, but it is very deliberative, very cautious. It begins to set a framework for the improvement of education in America, a modern framework, not a framework or a set of proposals based on commonsense reasoning, based on wanting to turn back the clock and ignore scientific progress.

In many endeavors, in many areas we have applied scientific principles, we have proceeded by using the Federal Government to do the things which nobody else could do. Research and development, for example, advancing the front line enhancement for every endeavor has been led by the Federal Government, starting with agriculture.

You know, we are the best fed Nation in the world. Our farmers, our agricultural system produces food at the cheapest possible cost. There is no nation anywhere close to us. That is because a long, long time ago we decided to have some top-down involvement with the farmers from the bottom up. The farmers meet us halfway in terms of experimentation that came out of the universities, was transferred to experimental stations and county agents, that the farmers had access to the very best resource that was being done, and as a result of the combination of their practical good sense with the best that science could offer, we are now the best fed Nation in the world, and on it goes.

With defense, we did not leave defense up to a few soldiers tinkering around somewhere about how to make war. That is what the Poles did. In World War II, the Poles said that a good army has to have a cavalry. Cavalry means guys riding on beautiful horses. So they sent cavalry on horses out to meet Hitler's tanks, and you know what happened to the cavalry when they met Hitler's tanks.

We are going to try to create a world-class educational system which can be competitive economically and can provide leadership for the whole world, as well as, most important, keep our own Nation moving, not just economically, but in an area of social education which allows the society to function properly.

In a number of areas, we are failing. If we are failing, why not turn to a centralized approach where we can gain enough critical mass? Why not have the States have some access to a research and development setup? Why not have access to a set of standards that are set for the Nation that does give flexibility and allow them to experiment, so that from one State to another they are trying to do pretty much the same thing, but they can always improve upon it and exchange information? Why not have an assessment system which is a first-class assessment system, because only the Federal Government has the money to develop that kind of system. It has the critical mass to do that.

Every industrialized nation, except this one, has some central direction for education. Some of them overdo it. I am not saying we should replicate what Japan does or what Great Britain does or what Germany does.

□ 1710

But we go to the other extreme. We have this romantic notion that only having local school boards in control of education is the best way to go. No, it is not. We are falling rapidly behind. Our students are not performing well in international competitions, and they are not meeting the standards of industry in our own Nation.

So, we should understand that there is a necessity to take the advice of all the Governors, Republican and Democrat, who came up with this idea that we should start by setting goals, we should then set standards, we should set assessment ways, ways to assess what is being done to meet those standards. That was the great debate among the Governors, and they came up with this plan, and in the committee, the Committee on Education and Labor, we added another standard which is very important. It has already been discussed here to some degree. But I want to just reiterate the opportunities-to-learn standards were added in the Committee on Education and Labor after great debate.

Opportunities-to-learn standards mean that in addition to telling us what the proper content is, what our children need in order to be educated in a way which is consistent with the needs of the modern world, and in addition to telling us how to test and assess whether they are learning those things, gives us some guidance, and direction and support in providing the delivery system, a way for them to teach the youngsters and enable them to get what is necessary, to get the kind of teaching and whatever else is necessary.

So, the combination of the standards, the goals, then the standards, and the assessments, and then the opportunity-to-learn standards, which is simply to say, if you want a youngster to learn in science, you have got to provide him with a laboratory which will allow him to make experiments. If you want a youngster to learn, you have got to provide an adequate library that doesn't have books which are 30 or 40 years old. If you want your youngsters to learn, you have to have teachers who are trained. You can't have teachers as we have in New York City in the

Latino and black areas. All the junior high school teachers are teaching science and math, didn't major in science and math in college.

So, we need some help from a central source. We need some help from the Federal Government. As my colleagues know, if we raise the percentage of the Federal involvement of each school district to 25 percent, if we were 25 percent involved in setting standards and doing anything else, even providing funds, there is still the other 75 percent of local control. As my colleagues know, local control is not threatened at all, and this substitute is trying to throw back the clock, and we cannot, as a modern nation, afford to go back to the old school system with no Federal support and no approach that is relevant to the modern era.

Mr. ARMEY. Madam Chairman, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON] to speak on behalf of the freedom and autonomy of the people of New York.

Mr. SOLOMON. Madam Chairman, I hope you will be as lenient with me as you were with the previous speaker, and let me say to my good friend, the gentleman from New York [Mr. OWENS], since I'm from New York, too, the United States already spends more on education per student than any other country in the world.

In specific I will tell the gentleman that in our State of New York we spend $8,500 per pupil, the second highest percentage per pupil in the entire Nation, and yet the State only ranks 22d in the quality of education received. Clearly more money and more bureaucracy does not mean more quality education.

Madam Chairman, the Armey substitute enacts true reform in a variety of ways. First of all, it explicitly allows for private, parochial and public school choice programs all at the local communities' discretion. Let me say to my colleagues, that's what is needed.

The Armey substitute grants the parents, not the government bureaucrats, the exclusive rights to govern access to the children's academic records. As a father of five and the grandfather of two, Madam Chairman, that means everything to me.

Lastly, this substitute sticks to the original five subjects that the gentleman and I grew up on. It established under George Bush's bill to be mastered by the year 2000: math, English, science, history, and geography. That is what we are here for, Madam Chairman.

As my colleagues know, the 18th century statesman, Edmund Burke, once said that bad laws are the worst form of tyranny. Goals 2000 is a bad law, and it should be defeated on this floor today.

In contrast, the Armey substitute is pro-family, it is pro-student, it is pro-reform.

Madam Chairman, today we have the opportunity to choose between grassroots reform and government control. We are sick of it. Let us give the American family the resources to rebuild the backbone of this Nation.

Support the Armey substitute. It is good for our families, it is good for our Nation, and, most of all, it is good for our children.

Mr. KILDEE. Madam Chairman, I yield 30 seconds to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Madam Chairman, the gentleman from New York State must know that in some school districts in New York State they spend $17,000 per pupil and some element of the school has recently shown that New York City, they are spending $3,000 per pupil. So, as my colleagues know, if they want to know why we are doing so badly in this country, that kind of disparity is part of the reason.

Mr. KILDEE. Madam Chairman, I yield 3 minutes to the gentleman from Rhode Island [Mr. REED].

Mr. REED. Madam Chairman, I rise in opposition to the Armey substitute bill.

Ironically, Madam Chairman, this bill restricts the range of choice which a State will have in this reform effort. It restricts it to four elements: Merit schools, model schools, school choice programs, and decentralized management, and it also mandates that 25 percent of the resources be devoted to school choice, and indeed that is really the core of the Armey substitute, school choice.

Public school choice is no novelty at all. Most systems have magnet schools. Most systems have choice programs. What is here though is an attempt, I think, to insert a strong private school choice program in the United States, and we could dress it up with all kinds of economic jargon, but ultimately what I think it means is the further segmentation of our society, first by income as we subsidize the affluent to leave public school systems, and then by sectarian belief, as we encourage a wide range of specific views to coalesce around schools. Ultimately, if this pass moves forward inexorably, it will lead to a separate and decidedly unequal society where those which are disadvantaged, who lack the mobility, who lack the opportunity to access private schools are left behind, and the affluent and those with the chance through proximity, or other reasons, to have private education go off. This separate, but unequal society is something that we should not countenance in this Congress.

Public education is an important aspect of our history. It was, in fact, one of the reasons why this country was the melting pot for thousands, and thousands, and thousands of immigrants who came here. It was the element that brought us together, not tore us apart as this proposal, I fear, will do.

Public schools are rightly criticized. They do not work as well as we want. They do not work given the great demands that international competition places on schools today. But the stark reality is that for all too many communities in this country they are the only social institutions that work at all. They are the only place that 5 days a week a child can find some shelter from very mean streets, and, rather than abandoning those schools, we must reform them. That is what Goals 2000 proposes to do, and that is what we must do.

Private education is an important aspect of our country, and those parents who send their children for private education want more for their kids. But I do not believe they want anything less for their country and for the other children in this society. I do not believe that they want to see public schools slowly inexorably extinguished. I do not think they want to see our system of public education abandoned.

Madam Chairman, we must, I think, stand up strongly and ask for reform of public education, not abandon it.

Mr. ARMEY. Madam Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Madam Chairman, I rise in support of Congressman ARMEY's Parent and Student Empowerment Act.

While a great number of issues have been raised with regard to the negative impact H.R. 1804 will have on local efforts to reform our system of education, I would like to focus on two issues that really concern me.

The first is the fact that when Bill Clinton was campaigning for the Presidency, he made it very clear that he supports public school choice, as the majority of American parents do. However, now that he is President, he has buckled under pressure from the National Education Association and the Democrats in Congress who hypocritically argue that allowing parents to choose where their children go to school will harm children. As a result, there are no provisions for school choice, public or otherwise, in this bill.

How can allowing families to exercise their right to select an education which best suits their needs and lifestyle harm children? It seems to me that the NEA is more concerned with the very real possibility that school choice will infringe on its power base by giving parents a greater say in their children's education, rather than being concerned about our children's welfare.

The Armey amendment explicitly lists school choice programs—entirely designed by local communities to fit into their individual reform efforts—as an allowable activity and establishes a minimum earmark of 25 percent of funding for such programs. This is not, as critics have claimed, a subsidy for private and parochial schools. It is an empowerment of parents—in particular low-income parents who do not have the funds, and therefore the option, to choose where their children go to school like wealthy families do.

The second issue I would like to focus on is the ever-growing education bureaucracy. According to the American Legislative Exchange Council's recently released "Report Card on American Education," while the number of teachers has increased 17 percent, the number of nonteaching staff—bureaucrats—has grown 40 percent, more than twice as fast.

This is outrageous. Children do not need endless numbers of counselors, administrators, and advisers—they need teachers, books, and up-to-date materials. H.R. 1804, instead of streamlining the bureaucracy, creates three new panels—a National Education Goals Panel, a National Education Standards and Improvement Council, and a National Skills Standards Board. These will cost taxpayers $21 million in fiscal year 1994 and such sums thereafter, and will come up with reams upon reams of standards and recommendations to impose from above on local schools. Whatever happened to the much-vaunted reinventing Government plan?

The Armey amendment, on the other hand, establishes no new bureaucracies. It maintains the current private board established by President Bush and the Nation's Governors, rather than creating a Federal National Education Goals Panel—paid for by taxpayers—to chart the Nation's progress toward meeting the six educational goals.

The focus of educational reform must be on the child in the classroom, not on bureaucrats. I urge a "yes" vote on the Armey amendment, the Parent and Student Empowerment Act, and a "no" vote on H.R. 1804, the Bureaucrat and Status Quo Enhancement Act.

Mr. ARMEY. Madam Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. BOEHNER], a distinguished member of the committee and a cosponsor of the amendment.

Mr. BOEHNER. Madam Chairman, today, we stand at a crossroads. One road is the status quo which has brought us a public education system ranking near the bottom in every category, providing our kids with an environment filled with more bullets and condoms than books, and allowing education bureaucrats to spend more and more money while getting less and less accomplished.

The other road is one that offers a change. A change which gives the power of choice to parents to select the best schools for their children. A change which trusts families and local communities to make America's education system better.

This Nation was conceived as a free and democratic society. Yet, the Government tells parents where they must send their child to school. It does not matter whether that school is failing, whether that school is unsafe or whether that school is falling down, their child still has to go there, simply because the Government says so.

The only group that can escape this Government dictate are those who are fortunate enough to have the financial means to send their child to the school of their choice. I think it's time we change this inequity and give all parents these same rights—the same rights enjoyed by parents such as Bill and Hillary Clinton—the right to pick their child's school.

I have heard all of the arguments against school choice and quite frankly, I do not buy them. This debate is about one issue—who can best determine what is right for their child—is it the parent or is it the Government?

In a country with our tradition and our constitution, I am amazed that there are so many national government leaders who think the answer to this question is the Government—that they and not the parents of America know what is best for this Nation's children.

Madam Chairman, I submit that these leaders are at odds with the American people. The truth is that school choice will become reality whether the education establishment and their proxies in this body want it or not. The American people are going to take back their schools. It may not be today, it may not be tomorrow, but it will be someday soon.

Why do I have this optimism? I have this optimism because the school choice movement is sweeping this Nation. Polls are showing that 70 percent of all Americans support school choice, including 86 percent of all blacks, 84 percent of all Hispanics, and 78 percent of parents with children in school.

And earlier this year, Jersey City, NJ, broke a 75-year tradition and elected a Republican as their mayor. Bret Schundler was elected by an overwhelming two-to-one margin in a city where 60 percent of its residents do not even speak English in the home. And what was the issue that drove these minority and immigrant parents to place their trust in a white, former Wall Street investment banker? It was school choice.

It is in part because of this widespread grassroots movement that we are offering this substitute. We call this amendment the Parent and Student Empowerment Act, because we realize education reform cannot happen without parental involvement, and parents cannot be truly involved unless they are empowered to choose their child's school.

I realize there is always risk in change. But when it comes to this Nation's education system, there is more risk in sticking with the status quo. This is why I encourage my colleagues to vote for this amendment. So, instead of empowering the education establishment, we empower families, parents, and local communities to decide what is best for their children.

□ 1720

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Madam Chairman, I thank the gentleman for yielding.

I rise, Madam Chairman, in vehement opposition to the Armey substitute to this bill, which attempts to answer the frustrations and the agonies of people all across the country.

What our bill does is attempt to try to elaborate to these school systems and to parents that the Federal Government is concerned about the achievement and the performance of their children in the classroom. We do not want to support an idea that says the only solution for the parents and for the children is to get out of these schools because they have lost any opportunity of improvement.

The committee bill is an assertion to the country and to the parents that there is a way to perfect and to improve and to allow our children to achieve in the school systems and in the classrooms that they currently occupy.

Madam Chairman, what value is it to offer some of our children the opportunity to flee out of these schools if we make no provision for the improvement of the schools where the children are retained and have no opportunity to leave? It seems to me that is a cruel and backward kind of approach to public education.

Our responsibility as a Federal legislative body is to give some hope and direction, not to narrow down the options of what our reform is going to enable these local school systems to do; narrow it into four categories, narrow the opportunities of expenditure, narrow the opportunities for initiative and reform.

It is our duty to say to the school systems across this country, here is a license to experiment, to initiate new ideas, to do the things that are important in your areas, and not to have Federal mandates. The very people who offer this substitute have argued day-in and day-out against Federal Government mandates, and yet here they are today with a substitute that does exactly that.

Madam Chairman, I hope the Congress will reject the Armey substitute.

Madam Chairman, I rise to day in strong opposition to the Armey substitute to the Goals 2000: Educate America Act. Much of the debate today has centered on the issue of federal mandates and local control. Opponents to Goals 2000 argue that the committee bill limits local control of our education system, when in fact it is the Armey substitute which places mandates and restrictions on Goals 2000 funds.

The Armey substitute limits local control by limiting school reform options under this bill to only four activities—merit schools, model schools, school choice programs, and site-based management. Furthermore the Armey substitute mandates that 25 percent of the funds received at the local level be used for school choice programs.

The Armey substitute deprives local school districts and communities the flexibility to decide for themselves what type of reforms would best address their needs. And it requires school districts to embrace the failed notion of school choice as school reform.

The idea of school choice as a mandatory education reform is a dangerous illusion that diverts public attention away from the real measures needed to improve quality and equity in the public education system.

The illusion is a no-cost, no-benefit, so-called reform which sacrifices our children who truly need the benefits of substantive education reform in our public school system.

Choice forces schools to accept the very best students who can help boost high-test scores and graduation rates, while students in the abandoned urban and rural schools are left to languish as the quality of education continues to deteriorate because of neglect, a decreasing student population, and the loss of Federal funding.

Parents do not want to send their children across town to attend a quality school, they want schools in their own neighborhoods to achieve that same quality. School choice will only serve as another obstacle to achieving this goal.

Furthermore, there is no evidence that school choice programs result in overall educational achievement or improvement of the education system.

According to a 1992 Carnegie Foundation study less than 2 percent of the parents in the 13 States which have choice programs participate in the program.

The study also found that statewide choice programs tend to widen the gap between rich and poor districts; they are expensive; and that at best, their educational impact is ambiguous. None of the 13 States with some type of school choice program has demonstrated significant gains that can be attributed to the new option of school choice.

The problem with our education system is not that parents do not have a choice, the problem is that inequities in our education system continue to exist—that the education a student receives in the disadvantaged areas is not equivalent to the education available in our affluent suburbs. School choice does nothing to solve the glaring inequities that plague our Nation's public schools; it will only exacerbate it.

I urge my colleague to reject this failed notion of school choice as school reform. Reject the Armey substitute and let our local school districts implement the school reform options necessary to address their own specific needs.

Vote "no" on mandated school choice and "yes" for real education reform.

Mr. ARMEY. Madam Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. BALLENGER], a member of the committee, a cosponsor of the bill, and a gentleman that understands that 46 percent of American schoolteachers send their children to private schools.

Mr. BALLENGER. Madam Chairman, I have joined Mr. ARMEY, Mr. BOEHNER, and Mr. HOEKSTRA in offering this amendment because I believe the time has come to apply the principles of economic competition, proven successful in the business world, to education. Competition in schools would take the form of school choice. Building on the best school and forcing the worst to compete or no longer exist. Why keep failure alive? Only our Federal Government keeps failed programs alive.

This amendment allows school choice as one of the reform activities. We all know that wealthy Americans can send their children to the best schools available. The poor do not have that opportunity. They are often locked into the worst and weakest schools, in spite of the fact that parents long for the ability to choose which school their children will attend. I am a supporter of choice in education, because I believe parents should have more options for educating their children. The implementation of school choice for private, parochial, and public schools would ensure the participation of parents and establish an important structure of accountability for those receiving Federal funds. I believe strongly that empowering parents with the ability to choose the school their children will attend, would make our public schools among the finest in the world.

Instead of creating new layers of bureaucracy as Goals 2000 does, and increasing the power of the existing establishment namely the NEA, this substitute establishes a State reform panel to devise the State reform plan, and a local reform panel to devise the local reform plan. Who can better decide. It relies on the knowledge and experience of those people who confront the State and local education problems first hand to devise workable solutions. Instead of giving the power to reform to a nameless, faceless bureaucracy, this substitute places the responsibility for the quality of education with local elected officials, teachers, and parents.

Madam Chairman, it is high time that we learn from our past mistakes and diminish the role of an ineffective bureaucracy. It is time to allow the people who work in the local educational system to solve their own, unique problems and devise ways to meet their needs.

I urge my colleagues to support this truly innovative, and long overdue amendment.

Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentleman from Texas [Mr. GENE GREEN].

Mr. GENE GREEN of Texas. Madam Chairman, I thank the gentleman for yielding time to me.

Madam Chairman, I rise today in opposition to the Armey substitute, because I have exercised my right to a choice. I have two children who attend public schools. One of them graduated and actually tested out of some college courses because I, as the parent, exercised the right to that choice and they attended public schools. I think if we adopted this amendment, we would also go back to the time when we used slates and quills and ink instead of books and computers.

The idea behind Goals 2000 is based on the concept that our Nation's public schools need a coherent strategy and clearly defined goals in order to implement school reform plans. Goals 2000 is designed to free school districts from excessive paperwork and redtape which will in turn free resources to be used for classroom instruction and encourage educational quality.

Mr. ARMEY's substitute would shift a portion of the funds for this bill to private schools. The bill we have before us is designed to reform our public school system and the funds contained within this bill are only a portion of what we need to accomplish this goal. Mr. ARMEY's substitute would redirect funds intended for public schools to privately run schools.

Mr. ARMEY is a consistent advocate for free markets and by offering this amendment he would have us believe that these markets can produce a better education system. He points to the successes of private schools but he fails to tell us that private schools can select which students they educate.

If a private school determines that a student is undesirable it simply dismisses that student. Public schools must provide equal access. They cannot deny access on the basis of race, sex, religion, or financial status. Because private schools have the advantage of selection, they have less discipline problems, smaller classes, and more involved parents. Mr. ARMEY would have us believe that this system can be duplicated only if we provide public funds to private schools.

The end result of this substitute would be the erosion of much needed public funds for education. Private schools today are doing their jobs just fine as, Mr. ARMEY points out, and do not need public funds to continue. I urge my colleagues to vote against this amendment and in favor of reforming our public school system.

□ 1730

Mr. ARMEY. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. Mr. Chairman, as a career teacher and father of 10, I rise in wholehearted support of the Armey substitute which puts the emphasis on bottom-up reform and measurable results, not on increased spending.

This substitute strengthens local and parental control of education. This substitute permits State and local governments to design and implement their own programs without Federal control. This substitute codifies the 6 national education goals agreed to by the 50 Governors in 1989.

This substitute prohibits use of funds for any outcome measure that includes effective skills such as values and beliefs. This is the right prescription for our schools, and it is precisely what the vast majority of our parents want.

It is said that the two biggest lies in America are "the check is in the mail," and "I am from the government and I am here to help you."

When the Federal Department of Education says they are going to control more and improve a child's education, do not believe it. Support the Armey substitute.

Mr. KILDEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, the Armey substitute to Goals 2000 eliminates coordinated services as part of education reform; which is a mistake. States and schools must be given an opportunity to address the whole child.

Of course, if we want world-class schools we must have top-notch teachers, teaching a high-level curriculum. But there is one other thing we must have—students who are ready to learn. Children who are hungry, who are abused, who are sick, who are spending their mornings, before school, and their afternoons, after school, alone and often times frightened cannot learn from even the most enthusiastic and qualified teacher. And, Mr. Chairman, teachers who are spending most of their time in the classroom, trying to take care of the problems their students bring to school cannot teach, even with the best curriculum.

Goals 2000 encourages schools to coordinate with already existing community health and social service programs to address the needs of the whole child. Coordinated services allows for schools to be schools, teachers to teach, and, most important, students to learn.

I urge my colleagues to vote "no" on the Armey substitute.

Mr. ARMEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Connecticut [Mr. FRANKS].

Mr. FRANKS of Connecticut. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, do we try to improve a system in need of help via old-fashioned competition, or do we allow much of the same to continue? We need school choice.

For those who fear a two-tier educational system, I ask them simply, what do we have today?

We have public schools and private schools. Some say we have the haves and the have-nots. However, I am not going to say that private schools are better than public schools, because such a generalization would be wrong.

I do say, however, that the spirit of competition should prevail. It has helped to make our colleges and universities some of the best in the world. Why can it not be used on the grade and secondary school levels?

The competition between public and private schools must be made as far as possible. For example, public schools have to admit all students, and private schools can be selective. But that mechanical problem, logistics and other problems could be addressed as long as we agree to the basic principle that all parents and children should be able to exercise their right of school choice.

The irony concerning this measure is that those individuals who rationalize their personal right of school choice will not support school choice for others. In other words, "It's good for me but not for you." Why?

I can only surmise that they like our current direction. After all, their children may live in an affluent area where they are satisfied with their neighborhood schools, or they may have the money to send their children to a private school. Or they may reside at 1600 Pennsylvania Avenue.

But what about the poor or middle-class youngster whose parents would yearn for the same educational excellence for their children. Can they have the same right, or should I say privilege?

I say to my colleagues in the Black Caucus and the Hispanic Caucus that polls have reported that 86 percent of African-Americans and 84 percent of Hispanic-Americans support school choice.

I challenge and encourage my colleagues to represent their views on this measure.

Mr. KILDEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Chairman, I rise today in strong support of Goals 2000 and to urge my colleagues to vote "no" on the Armey substitute, the so-called Parent and Student Empowerment Act. The proponents of this amendment seem to believe they are promoting education reform efforts. In reality, these reform efforts are but a rehash of old ideas that haven't worked, and won't work.

Specifically, this substitute would mandate the use of Federal funding for school choice programs. That's educational reform? By diverting tax dollars from our already underfunded public schools to private schools, we further hamper the choices of students who need our help most. Private schools have the choice of accepting or rejecting students. This could leave our public schools disportionately populated by students having educational or behavioral problems, or those coming from dysfunctional families. These students would then be forced to attend schools receiving even lower levels of funding. That isn't my idea of school reform.

Federal funding of private schools also threatens to weaken the constitutional separation of church and state. We all know the Government has no control over the content of the curriculum in private school courses. But who is to say that private schools will not want to use public money to promote their own agenda and their own values? The hypocrisy is that opponents of Goals 2000 claim that legislation would teach values in our public schools, but they seem to want to teach values in our private schools while using public money.

In short, there is nothing in this amendment that promotes true, comprehensive school reform. Vote "no" on the Armey substitute.

Mr. ARMEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Minnesota [Mr. GRAMS].

□ 1740

Mr. GRAMS. Mr. Chairman, I rise in support of the Armey amendment.

Today, we have a clear choice: We can support a bill which does the same old thing of removing control further and further from parents and putting it more and more into the hands of government, or we can support the Armey amendment, which truly begins to reform our education system by putting control back into the hands of parents through school choice.

We can choose to continue dumping our children into a pool of common denominator cultural elitism, or we can begin to bring real diversity and excellence to our education system.

And finally, we can choose between perpetuating the current trend toward political correctness in education, through more government controls and mandates or we can begin to give parents the real choice of educating their children in a way that develops the strong character traits and values they see best.

Mr. Chairman, as a parent and grandparent, I believe strongly that no government body, agency, or board can ever know more or care more about our kids than their parents do. It is that simple, and it is that important.

I urge my colleagues to support the Armey amendment. It is the first step in doing things right for kids.

Mr. KILDEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA]

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, in an effort to address the increasing social, developmental, and educational problems affecting our Nation's youth, I am joining with my colleagues, Congresswoman LYNN WOOLSEY and Congresswoman NITA LOWEY, in expressing my support for coordinated school services, which are not included in the Armey substitute.

One out of five children entering school last year were living at the poverty level. At least half a million of these incoming children were born to teenage mothers. Many were exposed to drugs and the HIV virus, adding to the already attendant risk affecting the physical and intellectual development of these children. Child and alcohol abuse, fragmentation of the family, and violence also contribute to the unprecedented challenges that face our schoolchildren.

It is essential that schools in conjunction with social service agencies help to combat these problems. We must recognize that in order to assist children to succeed in an academic climate, we must meet the needs of the whole child.

In my Montgomery County, MD, school district, integrated services are already in place. These coordinated services bring together teachers, social workers, health care givers, and other professionals to address the needs of at-risk students. Emphasizing prevention and early intervention through integrated services, professionals from the schools and social service agencies have been able to break the cycle of poverty and abuse that leads to academic failure. I am proud to say that the Montgomery County school system ranks fifth in the Nation, and their success with integrated services should be duplicated nationwide. Providing coordinated services will help the classroom teacher, reduce the dropout rate, and raise the standards of educational excellence necessary to meet the challenges of the 21st century.

Mr. KILDEE. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Chairman, I, too, rise to oppose the so-called Armey amendment, because although it is filled with language that talks about giving local government control over its schools and getting rid of Federal mandates, while it does that, it talks, toward the very back of the legislation, tucked away, about requiring, not letting local governments decide, not letting the school districts decide, but requiring that 25 percent of all the moneys be spent on school choice programs. That, to me, is not choice, that is mandated choice. That is coming down from the Federal Government.

Worse than that, if we take a closer look, there is another provision that says not only do we mandate that there be choice, but we also require taxpayer dollars to be used to provide these private schools, these choice schools, with the information that we develop through the public schools; in essence, welfare for these private schools to take advantage of the work done through the public sector.

Mr. Chairman, with regard to Los Angeles, I just want to respond to one of my colleagues who said that Los Angeles' mayor was elected on school choice on the voucher issue. Not true at all. If we take a closer look, we will find that all the requirements under school choice would destroy our public schools and not require any choice for parents, but for the schools themselves.

Mr. ARMEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from South Carolina [Mr. INGLIS].

Mr. INGLIS of South Carolina. Mr. Chairman, I rise in strong support of the Armey substitute as an opportunity for exciting innovation in education. If we want to look at what we can choose between, we can either choose this exciting innovation of educational choice, or we can keep on with the same old-same old.

The same old-same old in South Carolina has rendered very poor results. In 1972 we spent $799 per pupil in South Carolina. In 1982, that was increased to $2,200 per pupil. In 1992, it was increased to $4,600 per pupil. Meanwhile, our average SAT scores declined. In fact, in 1992 we had the lowest SAT scores in the country. In fact, we were 51. I assume the District of Columbia beat us out.

That means that the same old-same old approach did not yield good results. The opportunity is now to provide parents with a stake in the education of their children by allowing them the right to choose the school their children should attend.

The CHAIRMAN pro tempore. (Mr. HASTINGS). The gentleman from Michigan [Mr. KILDEE] has 3½ minutes remaining, and the gentleman from Texas [Mr. ARMEY] has 7½ minutes remaining.

Mr. ARMEY. Mr. Chairman, I am happy to yield 1 minute to my friend, the gentleman from California [Mr. COX].

Mr. COX. Mr. Chairman, I thank the gentleman from Texas for yielding time to me.

Mr. Chairman, I am from California, where the teachers' unions are spending about $14 million to defeat a school choice initiative. The Armey substitute would earmark 25 percent of the Federal funds to local governments, to local communities, for school choice. That could just be public school choice, or it could be private school choice as well. It is a very modest reform proposal. Yet, the teachers' unions and their reflexive supporters here in the Congress are opposing it.

In California, our fourth graders just tied with students in Mississippi for the lowest reading scores in the country. Yet we are spending more in California now than ever before on public education. We have doubled spending every 20 years since 1945.

Mr. Chairman, we have more nonteachers than teachers, we are so bureaucratized in the system. The fact is, it does not work. The teachers' unions do not care. They are supporting the status quo. What Forbes magazine calls the NEA's Brezhnev doctrine, socialism in the form of a Government monopoly, can never be rolled back.

I urge my colleagues to vote for the students and parents and for choice, the Armey initiative, not for the teachers unions.

Mr. ARMEY. Mr. Chairman, I yield 3 minutes to the minority whip, the distinguished gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Chairman, I thank the gentleman from Texas for yielding time to me.

Mr. Speaker, I rise to speak strongly in support of the Armey substitute. A decade ago we had the report called "A Nation at Risk." "A Nation at Risk" warned us we were not educating our children, that we were not keeping up with the Japanese and the Germans and others, and that, in particular, in the inner cities we were cheating the poorest children in America.

Then the Chicago Tribune wrote a devastating six-part series. They assigned a team of reporters to actually go into the schools and spend an entire year studying one school. What they reported about the tenure policy, about the unionized work rules, about the regulations was so horrifying that from that point on I concluded that only by having some options for real change would we have a chance.

Inner-city schools today are cheating the poor children of America. They are perpetuating the poverty. They are trapping the poor. They particularly trap black and Hispanic children in poverty. Yet what is done about it? We have more reports, more regulations.

It was so bad in Jersey City that the State government had to take the schools away from the local school board because they were using the money that should go to children to pay for political patronage.

It is a disaster in our inner cities. It is so bad in Washington, DC, that the two best-paid families in public housing both refuse to send their children to public schools. The two best-paid families in public housing both send their children to private schools. They make a choice. But then, they support a monopoly of poverty, of failure, of illiteracy, and of ignorance for the poorest children in America who are largely black and Hispanic.

The Armey amendment, and I went back and double-checked, it does not require school choice. What it does is create the option for the local community to decide that parents are better than bureaucrats, that students are more important than teachers' unions, that learning is more important than regulation if the local community wants to voluntarily make that decision.

What we are faced with is very simple. Bret Schundler, the mayor of Jersey City, a great reform leader, said flatly they spend $9,000 per child through the politicians absorbed by patronage, and they cheat the children of Jersey City. He wants to show the parents of Jersey City they have a choice.

□ 1750

Polly Williams, former welfare mother and State legislator, Jesse Jackson's State campaign coordinator in Wisconsin, says flatly they are cheated in Wisconsin by the teachers union and the bureaucracies. She simply wants the parents, black parents to have a chance to choose.

And all we are saying is can you not find it in your heart to say yes. If a local community on its own, voluntarily wants to choose, let them try the experiment. Is it not worthwhile in this degradation, and destruction, this illiteracy and ignorance to give these children a little bit of a chance? Do they not deserve some of the chance that the President and Vice President have taken?

I urge Members to vote "yes" on the Armey substitute.

Mr. KILDEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I think it is important today that we stop placating the forces of disinformation and in fact real school reform and defeat the Armey amendment. I rise in support of H.R. 1804 and in opposition to the Armey substitute because for the first time in our Nation's history this bill gives the Federal Government a leading role in education policy.

The opponents of H.R. 1804 are offering an alternative that would take America backward. It sounds good. You hear a lot of talk about change. But what we really have to do is enact legislation that will bring change to all of our children, not just a few of our children, but to all of our children. We cannot leave segments of our population behind by failing to ensure that they arrive in school ready to learn.

In addition to establishing voluntary skill and opportunity to learn standards, as are in this bill, the coordination of services, making sure that kids are ready to learn when they get to school, such as substance abuse prevention, child abuse services, juvenile delinquency prevention, immunization, health education, to name a few, are critical to ensuring that our investments in education are not undermined.

By coordinating these services we can truly fill the gaps that are going unmet and eliminate duplication, thereby saving taxpayer dollars.

Oh, yes, the proponents of the Armey substitute will trot out the same old arguments against coordinated services. They say that linking schools with important social services will somehow force schools to offer services that undermine traditional values. Nothing could be further from the truth. Nothing in this bill is mandatory.

The goal of coordination is to enable local schools to concentrate on the business of teaching by ensuring that students are able to focus on academics. The aim is to avoid duplication of services provided in the community.

I hope we all support this bill, which will bring about real change in our educational system.

Mr. ARMEY. Mr. Chairman, may I inquire, am I correct in understanding that the committee and the majority have the right to close debate?

The CHAIRMAN pro tempore (Mr. HASTINGS). The gentleman is correct.

Mr. ARMEY. And the minority is not to be given that privilege?

The CHAIRMAN. The gentleman is correct.

Mr. ARMEY. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, let me stress that my amendment does not contain vouchers. It does not dictate what form school choice is to take. Local communities have total control under my bill to decide what form choice will take, should they elect a choice option.

Vouchers are only one of many forms of choice, including tax credits, charter schools, magnet schools, et cetera.

Mr. Chairman, let me make it clear, I promise Members that I would never do anything that would harm the children in private religious schools or public schools. Mr. Chairman, I represent the children with this measure.

This is what the question boils down to: Who represents the children?

Mr. Chairman, Al Shanker, president of the American Federation of Teachers, one of the two largest Washington-based unions that oppose this bill, does not represent the children. Mr. Shanker says, "When schoolchildren start paying dues, that's when I'll start representing the interests of schoolchildren." So much for hypocrisy, Mr. Chairman.

The kids matter. The kids count. That is why we have schools, not for union goons in Washington, DC, to get fat off of.

What are we doing here, Mr. Chairman? How ironic are the arguments that are presented in defense of the monopoly control of our schools by their lackeys here in Congress.

We had the gentlewoman from Hawaii say that she worries about the kids left in the public schools. If some parents exercise the school choice to go to private schools, the other children will be left in the rotten, no good, ill-served, monopoly-controlled public schools. But she misses the point. The first, best beneficiary of school choice and the competition it brings is the children in the public schools. School choice is not about competition between public schools and private schools. It is first about public schools and public school choice rewards excellence, and in those particular terms differentiates between dedicated teachers and those who are not, rewards dedicated, effective efforts in the best interests of children, and punishes that which is not.

We had the gentleman from Texas [Mr. GREEN] who says because he could afford to choose, and he chose to leave his children in the public schools of suburban Houston, the poor folks in downtown Houston who do not have a right to choose should not have a choice, not even to send their kids to the suburban schools of Houston. They should keep their kids under the control of the National Education Association and the monopoly interests that do not care about the kids.

This is a simple matter, very simple matter. Do you care about union monopoly control over the lives and the future of the children of America more than you care about the rights of parents to do what is best for their children and the ability of children to really, in fact, learn their ABC's instead of how to put a condom on a banana? Give me a break.

Mr. KILDEE. Mr. Chairman, I yield myself my remaining time.

Mr. Chairman, just to clarify one thing so that we have the record straight, the gentleman from Georgia [Mr. GINGRICH] announced in his talk that there was no requirement that any money be used for choice. Whatever your position may be on choice, let us have the record straight. On page 25, lines 11 through 13, it says: "Not less than 25 percent of the amounts made available to local education agencies under this title shall be used for choice programs," not less than 25 percent. So whatever your opinion may be, I would suggest Members go back and read the bill.

Let me just say this: The Armey amendment does not call for the high educational standards as proposed both by President Bush and President Clinton. Those standards in this bill were agreed upon both by the last two Presidents. And the Armey amendment does not call for the development of high job skill standards as proposed by both President Bush and President Clinton. And the Armey substitute forbids any coordination of health and special services with school programs, even if a school district wishes to do so.

What we have before us in H.R. 1804 is really a bipartisan bill, the result of many, many years of negotiations and of work and of compromise. I emphasize that, work and compromise, and some sweat and some argument. And I think we have a bill here that meets the test that will address the needs of education in this country as far as the Federal concern for education is concerned.

The CHAIRMAN pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Texas [Mr. ARMEY].

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KILDEE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 130, noes 300, not voting 8, as follows:

[Roll No. 494]

AYES—130

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Bartlett
Barton
Bateman
Bliley
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fields (TX)
Fowler
Franks (CT)
Gallegly
Gingrich
Goodlatte
Goss
Grams
Greenwood
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Herger
Hoekstra
Hoke
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Knollenberg
Kolbe
Kyl
Lazio
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCollum
McCrery
McInnis
McKeon
McMillan
Mica
Michel
Miller (FL)
Moorhead
Nussle
Oxley
Packard
Paxon
Pombo
Portman
Pryce (OH)
Quillen
Quinn
Ravenel
Ridge
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Royce
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (NC)
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOES—300

Abercrombie
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Bonior
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Faleomavaega (AS)
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Houghton
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)

NOT VOTING—8

Ackerman
Borski
McDade
Murtha
Neal (NC)
Romero-Barcelo (PR)
Skelton
Underwood (GU)

☐ 1820

Messrs. KOPETSKI, McCLOSKEY, VENTO, PORTER, YOUNG of Alaska, and DARDEN changed their vote from "aye" to "no."

Messrs. LEWIS of California, FIELDS of Texas, and HALL of Texas changed their vote from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore. (Mr. DURBIN) having assumed the chair, Mrs. CLAYTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1804) to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications, and for the other purposes, pursuant to House Resolution 274, reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. LINDER. Mr. Speaker, I demand a separate vote on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING].

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 75, after line 21, insert the following (and redesignate the subsequent subsections accordingly):

(m) PROHIBITION ON FEDERAL MANDATES, DIRECTION, AND CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State and local resources.

Mr. LINDER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LINDER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 424, noes 0, not voting 9, as follows:

[Roll No. 495]

AYES—424

Abercrombie
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson

Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—0

NOT VOTING—9

Ackerman
Borski
Ford (TN)
McDade
Murtha
Neal (NC)
Reynolds
Skelton
Weldon

□ 1840

Mr. DEFAZIO changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DURBIN). The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GOODLING. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 307, noes 118, not voting 8, as follows:

[Roll No. 496]

AYES—307

Abercrombie
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Bonior
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Buyer
Byrne
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Smith (MI)
Snowe
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NOES—118

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bereuter
Bliley
Boehner
Bonilla
Bunning
Burton
Callahan
Calvert
Camp
Canady
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Dickey
Doolittle
Dornan
Dreier
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fingerhut
Fowler
Franks (NJ)
Gallegly
Gekas
Gingrich
Goodlatte
Goss
Grams
Greenwood
Hancock
Hansen
Hastert
Hefley
Herger
Hoekstra
Hoke
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
Kasich
Kim
King
Kingston
Knollenberg
Kolbe
Kyl
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
Mica
Michel
Moorhead
Oxley
Packard
Paxon
Penny
Pombo
Porter
Portman
Pryce (OH)
Ridge
Roberts
Rohrabacher
Roth
Roukema
Royce
Santorum
Schaefer
Sensenbrenner
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stump
Talent
Taylor (NC)
Thomas (WY)
Vucanovich
Walker
Wolf
Zeliff
Zimmer

NOT VOTING—8

Ackerman
Borski
Manton
McDade
Murtha
Neal (NC)
Skelton
Weldon

□ 1858

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read:

A bill to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1804, GOALS 2000: EDUCATE AMERICA ACT

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1804, the Clerk be authorized to make corrections to section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the action of the House in amending H.R. 1804.

The SPEAKER pro tempore (Mr. MANN). Is there objection to the request of the gentleman from Michigan?

There was no objection.

GENERAL LEAVE

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on H.R. 1804, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2491, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103–289) on the resolution (H. Res. 275) waiving points of order against the conference report to accompany the bill (H.R. 2491) Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1900

NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate Joint Resolution (S.J. Res. 21) to designate the week beginning September 19, 1993, as "National Historically Black Colleges and Universities Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore (Mr. MANN). Is there objection to the request of the gentleman from Maryland?

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not object, but would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 21

Whereas there are 104 historically black colleges and universities in the United States;

Whereas such colleges and universities provide the quality education so essential to full participation in a complex, highly technological society;

Whereas black colleges and universities have a rich heritage and have played a prominent role in American history;

Whereas such institutions have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of the historically black colleges and universities are deserving of national recognition: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning September 19, 1993, is designated as "National Historically Black Colleges and Universities Week" and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States and interested groups to observe each such week with appropriate ceremonies, activities and programs, thereby demonstrating support for historically black colleges and universities in the United States.

AMENDMENT OFFERED BY MR. WYNN

Mr. WYNN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WYNN: Page 2, line 3, strike "September 19, 1993" and insert "September 18, 1994".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Maryland [Mr. WYNN].

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. WYNN

Mr. WYNN. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. WYNN: Amend the title so as to read: "Joint Resolution designating the week beginning September 18, 1994, as 'National Historically Black Colleges and Universities Week'.".

The title amendment was agreed to.

A motion to reconsider was laid on the table.

NATIONAL DOWN SYNDROME AWARENESS MONTH

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 92) to designate the month of October 1993 as "National Down Syndrome Awareness Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not object but would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 92

Whereas advancements in education, research, and public awareness are continuing to improve the quality of life for people with Down syndrome;

Whereas approximately 5,000 children are born with Down syndrome annually in the United States;

Whereas as ignorance, prejudices, myths, and stereotypes regarding Down syndrome can be overcome only through increased awareness and education;

Whereas through the efforts of concerned physicians, teachers, parent groups, and the National Down Syndrome Society, programs are being established to educate the parents of individuals with Down syndrome, to include people with Down syndrome in all school programs, to provide vocational training for individuals with Down syndrome in preparation for entering the work force, and to prepare young adults with Down syndrome for independent living in the community;

Whereas the television medium has greatly augmented such efforts by casting actors with Down syndrome and by offering programming that demonstrates to hundreds of thousands of viewers in a positive and educational manner the everyday, personal, and family effects of living with Down syndrome;

Whereas advancements in research are improving health care and offering a brighter outlook for individuals born with Down syndrome; and

Whereas the many people with Down syndrome who attend regular schools, play on Little League teams, work in corporations and businesses both large and small, and volunteer in the community demonstrate daily the success that people with Down syndrome are able to achieve: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of October 1993 is designated as "National Down Syndrome Awareness Month." The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe this month with the appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL MAMMOGRAPHY DAY

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 265) to designate October 19, 1993, as "National Mammography Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. GILMAN. Mr. Speaker, reserving the right to object, and I do not object, I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 265

Whereas, according to the American Cancer Society, one hundred eighty-two thousand women will be diagnosed with breast cancer in 1993, and forty-six thousand women will die from this disease;

Whereas, in the decade of the 1990's, it is estimated that about two million women will be diagnosed with breast cancer, resulting in nearly five hundred thousand deaths;

Whereas the risk of breast cancer increases with age, with a woman at age seventy having twice as much of a chance of developing the disease than a woman at age fifty;

Whereas 80 percent of women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at an accredited facility, can provide a safe and quick diagnosis;

Whereas experts agree that mammography is the best method of early detection of breast cancer, and early detection is the key to saving lives; and

Whereas mammograms can reveal the presence of small cancers up to two years before regular clinical breast examinations or breast self-examinations (BSE), saving as many as a third more lives: Now, therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 19, 1993, be designated as "National Mammography Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate programs and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WORLD FOOD DAY

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 218) designating October 16, 1993, and October 16, 1994, each as World Food Day, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not object, but should simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, as the chief cosponsor, I rise in support of House Joint Resolution 218 and thank my colleague, the chairman of the Post Office and Civil Service Committee, Mr. CLAY, and the gentleman from Maryland, Mr. WYNN, for bringing this important resolution to the floor today.

For 13 years, World Food Day has played an important role throughout the world in bringing attention to the critical problem of hunger and malnutrition. In our Nation the National Committee for World Food Day, under the leadership of Patricia Young, has utilized this day to hold seminars and conferences in schools and churches to educate the American people about the hunger problem and ways to resolve it. As a result, millions of people have been educated, galvanizing political awareness to focus on the issue.

This year, the difficulties facing the people of Somalia, Bosnia, and the Sudan are a constant reminder to policy makers of the enormous impact that an image of a hungry child or a starving prisoner can have on national resources and debate. Accordingly, Mr. Speaker, we must continue to make certain that the goal of alleviating suffering plays a leading role in our domestic and our foreign policy. World Food Day helps us to further that end.

Accordingly, I thank my colleagues for their cosponsorship of this measure and I urge your vote for House Joint Resolution 218.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 218

Whereas hunger and malnutrition remain daily facts of life for hundreds of millions of people in the world;

Whereas the children of the world suffer the most serious effects of hunger and malnutrition, with millions of children dying each year from hunger-related illness and disease, and many others suffering permanent physical or mental impairment because of vitamin or protein deficiencies;

Whereas the United States has a long tradition of demonstrating humanitarian concern for the hungry and malnourished people of the world;

Whereas there is growing concern in the United States and in other countries for environmental protection and the dangers posed to future food supply from misuse and overuse of land and water, loss of biological diversity and erosion of genetic resources on a global scale;

Whereas the world community increasingly calls upon the United States to resolve food problems stemming from local conflicts and civil unrest—such as in Somalia and the former Yugoslavia—calling for the use of peacekeeping forces as well as the provision of emergency food supplies;

Whereas the United States plays a major role in the development and implementation of interregional food and agricultural trade standards and practices, and recognizes the positive role that food trade can play in enhancing human nutrition and in the alleviation of hunger;

Whereas although progress has been made in reducing the incidence of hunger and malnutrition in the United States, certain groups, notably Native Americans, migrant workers, the elderly, the homeless, and children, remain vulnerable to malnutrition and related diseases;

Whereas our Government is now preparing a National Plan of Action for nutrition wellbeing in accordance with the commitment made at the recent International Conference on Nutrition;

Whereas the conservation of natural resources, the preservation of biological diversity and strong public and private programs of agricultural research are required for the United States to remain the largest surplus food producer in the world and to continue to aid the hungry and malnourished people of the world;

Whereas the United States is and must remain the world leader in the development of biotechnology aimed at enhancing the improved production, safety and quality of the world food supply;

Whereas the Congress of the United States is aware of and strongly supports plans and preparations for the International Conference on Plant Genetic Resources planned for 1995;

Whereas participation by private voluntary organizations and businesses, working with national governments and the international community, is essential in the search for ways to increase food production in developing countries and improve food distribution to hungry and malnourished people;

Whereas the member nations of the Food and Agriculture Organization of the United Nations unanimously designated October 16 of each year as World Food Day because of the need to increase public awareness of world hunger problems;

Whereas past observances of World Food Day have been supported by proclamations by the Congress, the President, the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States, and by programs of the Department of Agriculture, other Federal departments and agencies, and the governments and peoples of more than 150 other nations;

Whereas 450 private voluntary organizations and thousands of community leaders are participating in the planning of World Food Day observances in 1993, and a growing number of these organizations and leaders are using this day as a focal point for year-round programs; and

Whereas the people of the United States can express their concern for the plight of the hungry and malnourished people throughout the world by study and action and by fasting and donating food and money: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 16, 1993, and October 16, 1994, are each designated as "World Food Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe World Food Day with appropriate ceremonies and activities, including worship services, fasting, education endeavors, and the establishment of year-around food and health programs and policies.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WYNN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on Senate Joint Resolution 21, Senate Joint Resolution 92, House Joint Resolution 265, and House Joint Resolution 218, the several joint resolutions just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

REPORT ON MILITARY OPERATIONS IN SOMALIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

In response to the request made by the House and Senate for certain information on our military operations in Somalia, I am pleased to forward the attached report.

In transmitting this report, I want to reiterate the points that I made on October 6 and to the American people in remarks on October 7. We went to Somalia on a humanitarian mission. We saved approximately a million lives that were at risk of starvation brought on by civil war that had degenerated into anarchy. We acted after 350,000 already had died.

Ours was a gesture of a great nation, carried out by thousands of American citizens, both military and civilian. We did not then, nor do we now plan to stay in that country. The United Nations agreed to assume our military mission and take on the additional political and rehabilitation activities required so that the famine and anarchy do not resume when the international presence departs.

For our part, we agreed with the United Nations to participate militarily with a much smaller U.S. force for a period of time, to help the United Nations create a secure environment in which it could ensure the free flow of humanitarian relief. At the request of the United Nations and the United States, approximately 30 nations deployed over 20,000 troops as we reduced our military presence.

With the recent tragic casualties to American forces in Somalia, the American people want to know why we are there, what we are doing, why we cannot come home immediately, and when we will come home. Although the report answers those questions in detail, I want to repeat concisely my answers:

—We went to Somalia because without us a million people would have died. We, uniquely, were in a position to save them, and other nations were ready to share the burden after our initial action.

—What the United States is doing there is providing, for a limited period of time, logistics support and security so that the humanitarian and political efforts of the United Nations, relief organizations, and others can have a reasonable chance of success. The United Nations, in turn, has a longer term political, security, and relief mission designed to minimize the likelihood that famine and anarchy will return when the United Nations leaves. The U.S. military mission is not now nor was it ever one of "nation building."

—We cannot leave immediately because the United Nations has not had an adequate chance to replace us, nor have the Somalis had a reasonable opportunity to end their strife. We want other nations to assume more of the burden of international peace. To have them do so, they must think that they can rely on our commitments when we make them. Moreover, having been brutally attacked, were American forces to leave now we would send a message to terrorists and other potential adversaries around the world that they can change our policies by killing our people. It would be open season on Americans.

—We will, however, leave no later than March 31, 1994, except for a few hundred support troops. That amount of time will permit the Somali people to make progress toward political reconciliation and allow the United States to fulfill our obligations properly, including the return of any Americans being detained. We went there for the right reasons and we will finish the job in the right way.

While U.S. forces are there, they will be fully protected with appropriate American military capability.

Any Americans detained will be the subject of the most complete and thorough efforts of which this Government is capable, with the unrelenting goal of returning them home and returning them to health.

I want to thank all those who have expressed their support for this approach during the last week. At difficult times such as these, when we face international challenges, bipartisan unity among our two branches of government is vital.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 13, 1993.*

THE PHILLIP AND SALA BURTON ACADEMIC HIGH SCHOOL IN SAN FRANCISCO: AN EDUCATIONAL SUCCESS STORY

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, it is with great pride that I bring good news to the attention of our colleagues in the wonderful success story of Phillip and Sala Burton Academic High School in San Francisco. At this inner-city school, named for two giants of the Congress, students are treated with respect. They are expected to succeed and they do, academically and otherwise.

Mr. Speaker, minority students make up an overwhelming number of the students at Phillip and Sala Burton High School. Of those students, 97 percent of them go on to college or university. Members who have served with Representatives Phillip and Sala Burton know that they were deeply committed to promoting education and helping inner-city youth in San Francisco as well as in the rest of the country. They know that Phillip and Sala would be proud of the school that bears their names, and which is so strongly supported by their brother assemblyman, John Burton.

Mr. Speaker, I am submitting for the RECORD an article from the San Francisco Examiner called "Burton Students Make the Grade," which details the many achievements of the students at the high school. In their achievements, Phillip and Sala Burton live.

BURTON STUDENTS MAKE THE GRADE

(By Dexter Waugh)

It's small. It's very tough. But it's safe. And it sends more graduates to college than any other high school in San Francisco.

That's why the 1,300 students who filed through the doors Wednesday for the first day of classes at Phillip and Sala Burton Academic High School say they appreciate the education they're getting there.

It's "easier to work" at Burton "because there's no violence here," said Paul Robertson, a 15-year-old sophomore who hopes to attend Howard University in Washington, D.C., and become a video engineer. "Everything comes together."

The students at Burton will undergo a much more rigorous four years of study than many of the rest of the San Francisco school district's 64,000 students. And, if past behavior is any gauge, they'll go to college at a greater rate than students from any other school in The City.

The school, located off Silver Avenue in the Bayview District, was set up by a 1982 federal consent decree to provide an academic high school for students in the underserved southeastern part of The City.

Since it opened in the fall of 1984, Burton has consistently led the district in the number of African American seniors who go on to college, said Burton Principal Fredna Howell.

That's because it has more African American students than San Francisco's other two academic, college-preparatory high schools, Lowell and Wallenberg.

Minority students make up the overwhelming majority of Burton students. About 20 percent are African American; of those, about 90 percent go on to college. Overall, about 97 percent of Burton's seniors go on to colleges or universities.

Districtwide, nearly 14 percent of San Francisco students dropped out in 1992, the last year for which figures were available. Of the students who graduate, some 78 percent go on to college, according to district statistics.

At Burton, a bulletin board features scores of pictures of seniors who've been accepted at colleges. Many of the African American students have gone on to historically black colleges in the South; other popular destinations are UCLA, UC-Berkeley, UC-Davis and San Francisco State.

"A lot of kids want to go away but not too far from home, and a lot don't want to leave California," Howell said.

Two African American seniors from last June's graduating class are going to Stanford—one of them on a $12,000 scholarship.

"You come here expecting to go to collage, that's a given," said Howell who is entering her 10th year as Burton's only principal.

At Burton, which uses a lottery system for admissions, students face four years of courses designed to prepare them for college. California requires students to have 220 credits to graduate from high school—Burton requires its students to have 280.

That includes four years of math, four years of science, four years of english, four years of history and three years of a foreign language. Burton has five computer labs, and computer science is also required.

"They and their families opt to come here; they're not assigned here," Howell said. "It's what we do after they get here. We expect they will succeed, so we treat them to that end.

"We try to install in them that college is their answer, and getting this education is the only way up and out to where they want to go.

. . . We offer them a very challenging and rigorous curriculum in a very nurturing and supportive environment."

Students strolling into the building before 8 a.m. Wednesday were full of praise for the teachers and administrators at Burton.

Senor Lloyd Harris, 17, likes Burton because of "the many opportunities to learn that I never got in other schools." He plans to go to S.F. State next year with the goal of becoming a teacher.

The school "has a lot more requirements than other schools, but we can appreciate it more," said Joseph John Dorantes, a 16-year-old senior who wants to go into business management.

"It's a challenge," added freshman Greg Patton, 14, who hopes to become an electrical engineer.

According to MaryAnne Valles, the school's counseling coordinator, Burton has a "small-school feel to it. Kids get a sense of being known to the adults in the building."

Valles and the four other counselors work closely and regularly with student and their parents, helping then select the courses they need.

"Everybody sees one another on a regular basis," Valles said. "More than that, people take the time to know each other. Faces are recognized, names are known."

But it is the students' motivation that leads to success, Valles said. a"They want to go to college," she said. "They want to have a situation that is optimal for getting them there. What happens at other schools, sometimes they get lost, and maybe they don't take all the right requirements.

"That can be a scary thing for parents and (for) a student who many not know what's required as a ninth-or 10th grader. Here, there's a sense that their needs are being taken care of."

□ 1910

REPUBLICANS PLAN MAJOR REFORMS OF CAMPAIGN FINANCING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. EWING] is recognized for 5 minutes.

Mr. EWING. Mr. Speaker, one of the messages which came through loud and clear in the 1992 elections was Americans people were tired of politics as usual.

A major issue raised last year by Ross Perot and other was that Congress must reform the way congressional campaigns are financed.

The American people feel that their elected representatives are too heavily influenced by special interests rather than by their constituents.

Well, nearly a year has passed since the election and the House has not voted on any legislation to reform the campaign finance system.

While the Democrats bicker among themselves over such issues as whether the taxpayers should start picking up the tab for campaigns—also known as welfare for politicians—we Republicans have a plan which will make major reforms in the system without taxpayer financing.

The major proposals in the Republican leader's task force on campaign finance plan include: First, elimination of political action committees [PAC's] or, if that is unconstitutional, limit PAC donations to $1,000. This is a major reduction in PAC influence and will make candidates more dependent on small individual donations.

Second, require that a majority of a candidate's funds come from individuals within his or her own district. This is a commonsense proposal which will reduce the influence of special interests.

Third, ban soft money donations from national party organizations, a loophole in the current system which allows candidates to get around financing limits.

Fourth, ban bundling of contributions by PAC's and lobbyists, which allows groups to evade contribution limits by asking their members to make checks out directly to candidates. The checks are bundled and given to the candidate in one group.

Fifth, various other proposals to reduce the advantages of incumbents in raising money and of wealthy individuals who can spend personal money.

Sixth, most importantly, Mr. Speaker, Republicans want campaign finance reform to take effect before the 1994 elections, unlike the major Democratic proposals who would delay it until 1996. That is real standup attitude on reform, which the American people want, and they want them now.

It is time for the Democrats in control of Congress to get the message the voters sent last fall, they are tired of politics as usual.

A year is too long to wait before Congress even begins debating campaign finance reform.

Mr. Speaker, I challenge the Democratic leadership to either move quickly to bring forward their package of legislation to reform the way campaigns for Congress are financed, or take up the better Republican legislation. Quit playing politics with this issue and get on with the debate of this issue of campaign finance reform.

MEXICO: THE POWERS THAT BE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, this evening I want to enter into the RECORD an article that was in the September 1993 issue of "U.S.-Latin Trade," and it concerns the people that the U.S. Government is dealing with as we proceed on this proposed North American Free-Trade Agreement. And I hesitate to use the word "free," but that is the title that was put on it by the Bush administration last year.

What is interesting about this article is that it talks about some of the individuals and companies which stand to benefit in Mexico, or have already benefited, and those that will benefit more under a system in which the very wealthy of Mexico control the political party down there that has ruled the country since the early part of this century and will continue to control the rules of trade in operation there.

What is really interesting is to see what has happened with the structure of wealth in Mexico. People tell us that NAFTA will benefit everyone. I do not buy that in the least.

We know over 2,100 United States companies have already moved to Mexico, largely to the northern part of Mexico, since the mid-1980's; over 700,000 of our jobs directly out of America's industrial and agricultural heartland have moved south of our border seeking cheap wages. Who has really benefited? This article is excellent. It states, and the title reads, "Mexico: The Powers That Be." It say, "Mexico now has more billionaires than any country in the world other than the United States, Japan, and Germany," and that their wealth has grown during the term of the Salinas administration.

It goes on to talk about who is really benefiting here.

Twenty-seven men gathered last winter down in Mexico City, men whose riches had compounded since President Carlos Salinas of Mexico took the oath of office in 1988. It talks about a meeting held in a private home on February 23 where these men and those who have the title of rulers of Mexico gathered and essentially were asked to kick into a campaign fund to support the ruling party to the tune of $25 million each and to use that money then to try to lobby this Congress and the people of this country to think this proposed NAFTA agreement is a good deal for all people.

It goes on to say that the close relationship between these big-business representatives and the ruling party has governed Mexico since 1929. Nothing in NAFTA is going to change that.

It talks about how the elite had ruled Mexico for all of this century, and it says that under President Salinas the cozy friendship between the ruling party and these people has gotten closer. Then it goes on to name the individuals. It says that in 1990, a year and a half after he took office, there were 2 billionaires in Mexico; by last year there were 7 billionaires.

Now, according to Forbes magazine July issue, there are 13, at least 8 of whom broke bread with the Mexican president last February.

In the world billionaire sweepstakes, that puts Mexico, a developing nation, in fourth place; quite an accomplishment in less than half a decade, well ahead of nations like France, Switzerland, Hong Kong. I am sure there are even more people who are superrich in Mexico, except they do not have to report their incomes in the same way that we do.

Who are these people, the people who will benefit the most from this agreement? They are people such as Emilio Azcarraga Milmo, who has a lock on the Mexican television industry, and holds a commanding 90 percent of the viewing audience. That is pretty good, 90 percent. Even our NFL games command only about 14 percent of the viewing audience.

What is his job? To tell the bright side of everything which, of course, the PRI Party likes most of all. This company has not bought interest in the United States in various holdings that this article summarizes. What is really interesting, and I want to tell this story because the way this company runs is that its director does not like any dissent. And in fact, the company owns the Mexican soccer team. Hugo Sanchez, perhaps the greatest Mexican soccer player ever, found out exactly how the system works. The state-controlled television monopoly down there controls the Federation of Soccer Players through its ownership of 4 of 24 first-division teams and the 120,000-seat Azteca Stadium, home of Mexico's national team.

Sanchez plays for the Televisa-owned team. But back in June, the soccer superstar was reportedly behind a threatened strike by national team members.

☐ 1920

Players said they would boycott the prestigious America's Cup Tournament in Equcador unless the league granted some form of free association and agency. The threat caused consternation in soccer circles and in television stations and it is no surprise that when Mr. Sanchez came home, somehow his contract was pulled. That is how Mexico does business with its own people. That is how it is going to do business with us.

As a Representative of a city that for years has been called the glass center of the world, Toledo OH, it troubles me a great deal that one of these billionaire families owns the monopoly company, Vitro Glass, where they pay their workers one-seventh what ours are paid. It is not right that our companies have to compete with that kind of monopoly power in Mexico. Let's defeat this NAFTA and strike a blow for the people of our continent who aren't billionaires.

Mr. Speaker, I submit the entire article for the RECORD.

[From U.S./Latin Trade, September 1993]

MEXICO: THE POWERS THAT BE

(By Lawrence Kootnikoff)

The 27 men gathered in the dining room of the private home in Polanco, a posh, tree-lined neighborhood of Mexico City, came from old money and new, men who had risen to riches since Carlos Salinas de Gortari became president in 1988. At the head of the table was Salinas himself, whose free-market reforms had allowed those fortunes to be made, or at least increased.

But on this night of February 23, the president's ruling Institutional Revolutionary Party, or PRI, had gathered these men to ask for something in return: a donation of US$25 million each to party coffers, to insure that those policies of reduced government control, fiscal discipline, low inflation and open borders could continue.

The businessmen reportedly agreed.

But when news of the private dinner leaked, criticism poured in. Opposition parties were angry at the PRI for using the president's office to build a partisan $675 million war chest, while progovernment businessmen were upset at the undignified spectacle of the president of Mexico going cap-in-hand to the wealthy for money.

In the face of the outcry the PRI was forced to cancel its plans. But the close relationship between big business and ruling political party, which has governed this country since 1929, was anything but canceled.

MEXICO, INCORPORATED

Mexico's tightly-knit monied elite has been financing the PRI for years. The difficult period of the 1970s and early 1980s, when the party adopted anti-business policies and pseudo-leftist rhetoric that contributed to the economic crash of 1982, was an aberration.

Now, under President Salinas, that cozy friendship is back on track. The 38-member Mexican Businessmen's Council—also known as "Mexico Inc."—meets with the president once a month to advise him on economic policy. And it seems Salinas has been following their advice.

The proof is in the numbers. In 1990, a year and a half after he took office, there were two billionaires in Mexico. That was just as Salinas' overhaul of the economy was beginning to take effect, taming inflation, selling off hundreds of inefficient state companies and generating a budget surplus. The privatizations set off a boom on the Mexican Stock Exchange, lining the pockets of the new owners, brokers and speculators. People with money started to make more money: corporate profits averaged 15% in 1992 alone.

Last year there were seven billionaires. Now, according to Forbes magazine, there are 13, at least eight of whom broke bread with the Mexican president last February. In the world billionaire sweepstakes, that puts Third-World Mexico in fourth place, after the United States (108), Germany (46) and Japan (35), but well ahead of France, Switzerland and Hong Kong, with nine each.

Actually there are probably more super-rich in Mexico, but not much information is public. Private citizens are only obliged to reveal their incomes to government tax officials. Now you can meet them, (the ones we know about) and it won't cost you $25 million.

THE TIGER OF TELEVISION

When Emilio Azcarraga Milmo was asked to kick in at the dinner, Latin America's wealthiest man offered to do more. "I've made so much money in these past few years that I will undertake to contribute more than that," the Mexican investigative magazine Proceso quotes him as saying.

With an estimated fortune of $5.1 billion (up from $2.8 billion a year ago), Azcarraga can afford to be generous, though "generosity" is not the quality that springs to mind when describing the 62-year-old man known as "El Tigre."

This predatory billionaire (ranked 19th in the world) owns 75% of Grupo Televisa, the world's largest Spanish-language broadcaster. The company (1992 sales of $1.3 billion) has a hammer lock on Mexican television, with some 90% of the viewing audience.

In the tightly controlled world of Mexican media, Azcarraga, a strong PRI supporter, doesn't have to be told by the government to emphasize the bright side of Mexican life. News programs give doting coverage to President Salinas and broadcast long-winded speeches of government officials, virtually ignoring opposition parties and government critics.

The Tiger's reach is growing. Last year Televisa bought Miami-based America Publishing Group Inc. for $130 million, becoming the largest publisher of Spanish-language magazines in the world. The company also has a $200 million half-share in Connecticut-based Pan American Satellite Corp., the only privately owned satellite network in the world, and an interest in U.S.-based Spanish-language broadcaster Univision Holdings Inc.

Televisa has been criticized for poor quality programming and sloppy news coverage and Azcarraga has earned a reputation for arrogance and vindictiveness. "Televisa makes crappy programs for screwed up people," he told a press conference earlier this year. Azcarraga has also made enemies by demanding "exclusivity contracts," preventing advertisers from advertising with, or performers from appearing on, competing networks. Performers who defy the ban are blacklisted.

Azcarraga is a man who doesn't like to be crossed, as Hugo Sánchez, perhaps the greatest Mexican soccer player ever, found out. Televisa controls the Mexican Soccer Federation, through its ownership of four of 20 first-division teams and the 120,000-seat Azteca Stadium, home to the national team. Sánchez, 35, plays for the Televisa-owned team, America.

But back in June, the soccer superstar was reportedly behind a threatened strike by national team members. Players said they would boycott the prestigious American Cup tournament in Ecuador unless the league granted players some form of free-agency. The threat caused consternation in soccer circles and at Televisa, which planned to televise cup matches.

The players eventually relented, and Sánchez led the underrated Mexicans in a surprising run to the cup final, where they lost to Argentina. But after the team returned home to a hero's welcome, Sánchez was dropped from the national squad and his contract with America cancelled. Press reports said the order to rescind Sánchez' contract came straight from "El Tigre."

MEXICO'S OTHER GIANT

Another dinner guest who has directly benefitted from Salinas' reforms was the boss of Mexico's recently privatized telephone monopoly, a man with a fortune estimated at $3.7 billion.

The 53-year-old son of Lebanese immigrants, Carlos Slim Helu led the investors' group that paid $1.75 billion for Telefonos de México, or Telmex, in December 1990. Through his holding company, Grupo Carso, Slim owns 10% of the company.

But Telmex is just the jewel in Slim's crown. Slim and Grupo Carso also own mining companies Industrias Nacobre and Mineria Frisco, tire-maker Euzkadi, cigarette-maker Cigatam, auto parts-manufacturer Grupo Condumex, restaurant-department store chain Sanborn's and the Mexican franchise for Denny's Restaurants.

Business is good: last year Slim's fortune was $2.1 billion. This year Forbes estimated his fortune at $3.7 billion, ranking him 35th among the world's super-rich.

FAMILY VALUES: THE GARZA SADAS

The Monterrey-based Garza-Sada clan controls Mexico's oldest and biggest industrial complex, with interests in steel, glass, petrochemicals, food, soft drinks, beer, banking and insurance. Considered by many to be interrelated families, the clan's combined wealth tips in at $3 billion—$2 billion for the Garza-Sada and Garza-Laguera branch, and $1 billion for the Sadas.

In contrast to the Bolsa-created wealth of some newcomers, this fortune is old money, dating back to a brewery founded in 1890 in the northern city of Monterrey. VISA and FEMSA, which today control more than half of the Mexican beer market and own the world's largest Coca-Cola franchise, are run by Eugenio Garza Laguera, 70, also president of recently privatized Bancomer, Mexico's second-largest bank.

Plastics and petrochemical maker Cydsa is run by Andres M. Sada. Cousin and presidential dinner guest Bernardo Garza Sada, 63, runs steel and chemical giant Alfa. Across town at Vitro, North America's second-largest glass maker, another cousin and guest, Adrian Sada Gonzalez, 49, is president. Sada Gonzalez also led the investors' group that brought Banca Sefin, the country's third-largest bank, run by the family before the 1982 nationalizations. In 1989 Vitro bought troubled Anchor Glass, and joined forces with Corning in a deal worth $300 million.

CEMENTING WEALTH

Marcelo Zambrano, 69, and his nephew Lorenzo, 49, run Cemex, the world's fourth largest cement producer and another Monterrey-based concern. They moved Cemex into fourth place last year by spending $1.8 billion for two Spanish cement makers. Estimated wealth: $2 billion.

RETAILERS FOR THE MASSES

The Gonzalez Nova family runs Comercial Mexicana, Mexico's third largest retail chain. Three sons of the founder—Carlos, 75, Jaime 61, and Guillermo, 60—have built a fortune estimated at $1.5 billion. The company runs Price Club Mexico through a joint venture with San Diego-based Price Co.'s Club unit.

MEGA GROCER

Dinner guest Angel Losada Gómez opened the first Gigante department store in 1962. The chain now runs 182 stores. The 85-year-old Spanish native was also one of the investors that bought Telmex in 1990. Losada's son, Angel Losada Moreno, 38, is on the phone company's board. Gigante also operates Radio Shacks in Mexico through a joint venture with Tandy Corp. Losada is worth some $1.3 billion.

DEPARTMENT STORE KING

Jeronimo Arango, 67, is boss of Cifra, which he founded in 1958. Cifra operates 225 outlets of seven subsidiaries, including department stores Suburbia, retail chain Aurrera. Club Aurrera (a joint venture with Wal-Mart, based on Sam's Club stores), Superama supermarkets, Almacenes Aurrera, Bodegas Aurrera, and restaurant chain Vips. Cifra had 1992 sales of $3.7 billion. Arango, who was also the president's dinner guest, has a fortune of $1.1 billion.

OLD PESOS

Alberto Bailleres is no fast-talking hustler who got rich gambling on the Bolsa. He got his money honestly: he inherited it from his father. Raul Bailleres was at one time considered the country's richest man, with interests in mining and cattle in central and northern Mexico. Alberto, who came to dinner, owns Mexico City-based department stores Palacio de Hierro and 50% of mining company Industrias Penoles. He also has money in ranching, insurance and banking, and is worth about $1.1 billion.

BREAD FROM BREAD

The Servitje Sendra brothers made their dough from bread: Grupo Industrial Bimbo controls 95% of the commercial bread market, though many Mexicans continue to buy from corner bakeries. Bimbo also has a joint venture with Sara Lee to distribute American frozen food in Mexico. Brothers Lorenzo, 74, and Roberto, 65, started Bimbo in 1945. They are now worth an estimated $1.1 billion.

SMOKING

Through his holding company Grupo Pulsar, Alfonso Romo Garza owns 75% of Empresas La Moderna, Mexico's largest cigarette maker. Pulsar also owns Vector Stock Brokerage firm, several restaurant chains, and grows fruits and vegetables for export to U.S. markets. Another Monterrey native, Romo Garza, 42, is married to Eugenio Garza Lagüera's niece. He is worth more than $1 billion.

BEER MAGNATE

Pablo Aramburuzabala Ocaranza is the son of one of the founders of Cervecería Modelo, the privately held brewery that makes Corona beer. Last March, Anheuser-Busch paid $477 million for 18% of Modelo. He is worth more than $1 billion.

COLA WARRIORS

The Molina Family, led by Enrique Molina, runs Grupo Embotelladora México S.A. de C.V., or Gemex, the world's largest independent Pepsi bottler. Last year Gemex sold 190 million cases of pop from eight plants. Enrique Molina got his start at 24 in Acapulco, when he bought the soft-drink company he was working for. He is president of the 40-company Consorcio Industrial Escorpión, and has also benefited from Salinas' privatizations. He bought four government sugar mills and produces 10% of Mexican sugar, and all he needs for his drinks. The consortium also owns hotels and other property.

THE SITUATION IN HAITI

The SPEAKER pro tempore (Mr. MANN). Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, I am here tonight to talk a little bit more about the situation in Haiti.

I notice that the administration spokespersons are hard-pressed trying to put as much distance as possible between the loss of face in Haiti and the loss of life in Somalia that has taken place tragically in our foreign affairs in the past week; but there is a common denominator that is out there. It is one we have all got to understand and we have got to address. It is an area of very legitimate congressional oversight. That is, we do not send American military personnel into situations where they are unprotected, where they cannot protect themselves or expect to have reasonable protection from harmful situations, putting them in a position where they have to take casualties that are unnecessary. Putting them in a position where they become targets is intolerable, unacceptable and obviously a very wrong-headed policy that needs immediate correction.

Listening to the spokespersons from the administration trying to defend what is going on in terms of our national security purposes that needs military personnel, about the only thing I have heard so far is to hear the Secretary of State say and some of our leading Members of Congress on the Hill in defense of the administration policy that we will somehow have an invasion coming at us from Haiti, hordes of immigrants landing on the shores of America if we do not keep troops, armed or unarmed, in Haiti.

I suggest that is a very misleading picture. I think it belittles the American sense of compassion, and I think it ill-reflects what actually is going on.

I would point out that our Coast Guard has done a magnificent job of providing a cordon to contain the problem of illegal immigration.

On that subject, I am delighted to yield to my colleague, the gentleman from Florida [Mr. SHAW] who happens to live in a district where I believe most of the people coming from Haiti one way or the other have found their way.

Mr. Speaker, I yield to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding to me at this point in his remarks.

I would like to associate myself with the remarks of my friend, the gentleman from Florida. He is right on point and he speaks with a great deal of authority, in his former life having done government work down in Haiti.

I think being a Representative from the area that stretches from Juno Beach on the north, which is north of Palm Beach, stretches down through Fort Lauderdale and south to the southern part of Miami Beach, my area would be the primary point of entry for these illegal aliens or refugees coming into the United States.

I think this is why it is so important that we strengthen the blockade around Haiti; but there are more important things that I think we also must do.

We must look to returning democracy to Haiti. I think we can do this by training Haitians outside of Haiti.

We also must put a naval blockade actually around Haiti so that we can enforce the sanctions that the President is seeking to be reinstated.

We must also continue the freeze of Haitian assets and stop the elite Haitians from getting visas to go into other countries. This is vitally important. We have got to put the hurt on them, because they seem to have absolutely no regard for the poor in Haiti.

Then I think we need to develop an economic plan once democracy is restored in Haiti to encourage American investment in Haiti.

I think the embarrassment of the earlier part of this week, we can get over that. We have to act affirmatively and authoritatively and we must not allow ourselves to be absolutely ridiculed and dictated to by a small Third World country, such as Haiti.

Mr. Speaker, I will include a letter that I have written to the President detailing my position as I have outlined it here tonight, as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 1993.

Hon. BILL CLINTON,
The White House, Washington, DC.

DEAR MR. PRESIDENT: The embarrassing spectacle of American and Canadian troops being prevented from landing in Port-au-Prince earlier this week must not be allowed to recur or go unanswered. Our policy with regard to the restoration of democracy in Haiti needs to be immediately and authoritatively changed.

The Governor's Island Agreement leading to the October 30 deadline for the restoration of President Aristide has clearly been breached by the Haitian military and political elite. The prospects for democracy in Haiti in any reasonable time frame after October 30 appear grim. As my Congressional district has been, and will continue to be, the primary point of entry for Haitian refugees, I and the people I represent have an urgent interest in a skillful and firm resolution of this problem.

I want to stress that the United States' primary national interest with regard to Haiti remains the protection of lives and property here in the U.S. That is why I believe it is critical that the U.S. Navy/Coast Guard cordon designed to return Haitian refugees for in-country processing be maintained and strengthened immediately. It is logical to expect that recent events will incite renewed flight from Haiti, which must not be permitted to overwhelm our repatriation capability.

Beyond this immediate aim, however, the United States has a long-term interest in helping establish the conditions needed for democracy to grow in Haiti. We will never solve the ongoing immigration crisis without the restoration of democracy in Haiti. Hinging Haiti's democratic future solely on the good faith of military dictators and the success of a porous U.N. economic embargo, however, is not the answer. That is why I believe you and your foreign policy advisers should consider taking the following steps to restore democracy in Haiti:

(1) Recruit and train a professional military force composed of Haitians who will establish, by force if necessary, the conditions necessary for the return of democratic rule in Haiti. Such a force could receive U.S. military training offshore at the U.S. Guantanamo Bay Naval Base or another suitable site. We should consult with the U.N., but we should not be deterred if other members do not share our resolve to see democracy swiftly restored in Haiti.

(2) If the U.N. economic embargo of Haiti is restored, ensure its effectiveness through a naval blockade. This will convince the Haitian military and people of the resolve of the U.S. and our allies to bring this episode to a close.

(3) Maintain and expand where practical the worldwide freeze on assets and travel visas for members of Haiti's elite.

(4) Formulate a realistic plan for developing Haiti's economy once order is restored. Possible changes include:

(A) Extending favorable GSP treatment for goods produced in Haiti;

(B) Amending the Caribbean Basin Initiative as it applies to Haiti to promote development;

(C) Providing a limited wage credit for U.S. firms employing Haitian residents;

(D) Making Haiti eligible for the IRC Section "936 Funds," which are currently used to benefit other countries in the Caribbean and Latin America.

I stand ready to support your efforts towards restoring democracy and economic hope in Haiti. It is critical that the United States take positive action to achieve that goal. This action must indicate the United States' resolve to assist in bringing the ongoing tragedy in Haiti to a swift and positive conclusion. Haiti is the poorest country in our hemisphere, and the United States should not be perceived as permitting our legitimate national interests to be dictated by a band of brigands intent on subverting democratic change.

Mr. President, democracy cannot be imposed, it must be earned. The overwhelming majority of Haitians have demonstrated their commitment to democracy. I have no doubt that many would be willing to take up arms in defense of democracy in their homeland. It should be our policy to assist them in making the restoration of democracy a reality.

Sincerely,

E. CLAY SHAW, Jr.,
Member of Congress.

Mr. GOSS. Mr. Speaker, I thank the gentleman and I congratulate him for his positive approach.

Mr. Speaker, I would like to close this point by saying that Senator BOB GRAHAM from Florida has been in Haiti, along with Congressman ALCEE HASTINGS, and in a conversation that Senator GRAHAM had reportedly with General Raoul Cedras, Cedras said that it is not the armed forces' role in Haiti to protect the American troops that are lightly armed or unarmed.

But I am interested to point out also that the same General Cedras said that he would resign, but only if the peacekeepers that come in leave the M-16's at home.

In other words, what he is saying is American troops can come to Haiti only if they are unarmed, but he cannot guarantee that he can protect them while they are in Haiti.

Now, what kind of nonsense is that to base our foreign policy on?

SAVINGS IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho [Mr. LAROCCO] is recognized for 5 minutes.

Mr. LAROCCO. Mr. Speaker, today I am going to try to make economics interesting—even compelling—by weaving together highlights from several recently published books on the subject of savings.

What happens when a country doesn't save enough and consumes over 97 percent of its output? Think of saving in the most human terms; of how one generation takes care of the next. As a father, I am not proud of the unacceptable consequences of the low rate of saving in the United States. For the first time in American history my daughter's and son's generation cannot look forward as a birthright to a standard of living higher than the standard of living our parents' generation passed on to us.

In "Reviving the American Dream," Alice Rivlin writes:

> The "American Dream" may sound vague and grandiose, but it means something concrete and important to many Americans. It means an economy in which people who work hard can get ahead and each new generation lives better than the last one.

Here is the reality, a rude awakening from the American dream. In his book, "The Vanishing Nest Egg: Reflections on Saving in America," B. Douglas Bernheim writes:

> When a society fails to save, its members must ultimately pay the price for collective profligacy. For a time, a strong demand for consumer goods may buoy the economy, but robust economic performance simply masks the symptoms of a serious malady. Sooner or later, stagnation must displace prosperity as performance deteriorates.
>
> Most individuals are not currently saving enough to provide themselves with adequate financial security. In addition, low rates of saving depress investment, thereby depriving the economy of new plant and equipment that are necessary for continued growth and prosperity.

The budget deficit, the trade deficit, exchange rates, the low dollar are not acts of God. They are of our own making, the consequence of our national saving rate. Here is the interaction between undersaving by individuals and businesses, dissaving by government and some of our economic ills.

In "Saving and Investment in a Global Economy," Barry P. Bosworth of the Brookings Institution writes:

> * * * the root of the U.S. balance of payments problem lies in the sharp decline in the Nation's rate of saving during the 1980s, which in turn can be attributed to a fall in private saving and a substantial increase in the federal government's budget deficit. The shortfall of national saving in relation to investment demands, combined with a monetary policy aimed at suppressing inflation, increased the competition for funds in financial markets and sent interest rates climbing. Foreign investors, attracted by the high returns moved their funds into the United States. The increased foreign demand for dollars, required to invest in American markets, in turn drove up the value of the dollar and thus the price of American products in global markets. The result was a substitution of foreign for domestically produced goods—that is to say, exports declined and imports increased. As Americans began to spend more on imports than they earned from exports, the net supply of dollars to foreigners rose until it came into balance with the higher level of demand for dollars by foreign investors. Thus, the increased flow of foreign financial capital into the United States was matched by an equal deficit in the trade account. In that sense the United States financed a surge of consumption spending by borrowing from abroad or in later years by selling assets to foreigners.

So we've become a Nation of consumers. Fine. If we pay for consumption out of genuine earnings and not be eating the seed corn. Peter G. Peterson put it this way in "On Borrowed Time":

> Behind the pleasurable observation that real U.S. consumption per worker has risen by $3,800 between 1979 and 1986—and this is the real cause of much of the 1980s optimism—lies the unpleasant reality that only $1,500 of this extra annual consumption has been paid for by growth in what each of us produces; the other $2,300 has been funded by cuts in domestic investment and a widening river of foreign debt. It is impossible to continue consuming indefinitely in this manner. The longer we remain on our current economic course, the bleaker the prospects for posterity will become.
>
> (We cannot) go on starving domestic investment to finance our consumption. Soon we must stop and replenish the factories, bridges, and schools we have forgone or else forever relegate ourselves (and our children) to slower growth in our standard of living. . . .
>
> It is therefore all but inevitable that our level of consumption must slow its climb, or even fall, while our level of production catches up. But of course the speed with which it can catch up depends in turn on how much we can invest, which depends on how much we can save.

Mr. Speaker, saving is simply unspent income. Through the saving-banking-borrowing-lending process we Americans need to channel more unspent income into productive investment. Everyone has their own definition of productive investment. Mine is input that adds to output—tools, factories, machines that make machines, technological innovation, education, job training, infrastructure that in the words of economist Robert Heilbroner "yields a positive payback over many years to come." Therein lies the essence of capitalism. As Heilbroner, in "21st Century Capitalism," describes it:

> Capital is wealth those value does not inhere in its physical characteristics but in its use to create a larger amount of capital. Typically, this use takes place as money is converted into commodities such as raw materials, the raw materials converted into finished goods and services, and the finished goods sold on the market—not to make a profit and retire to a life of ease, but to buy more raw materials and start the process over again.

So, if you like capital, you've got to love saving which is the source of all capital and the beginning of this wonderful process of self renewal. In a nutshell, saving equals investment equals productivity growth equals higher standard of living. The economist William J. Baumol puts it beautifully in "Productivity and American Leadership":

> . . . (Productivity growth) provides the resources, and smooths the political process, for the activities undertaken to improve the status of society generally. Education, environmental protection, widespread public health care, income redistribution programs, and a variety of other activities that will readily occur to the reader are most easily financed out of the yields of productivity growth. This is particularly so because, in an economy whose productivity is growing, an increase in outlays on such social services can be paid for entirely out of the annual increment in national output that productivity contributes, hence entailing no offsetting reduction in disposable incomes and expenditures.

And, Alice Rivlin in "Reviving The American Dream":

> . . . almost everyone who writes and speaks about revitalization of the American economy comes up with the same list of policy imperatives: increase public and private investment, especially in technology, skills, and infrastructure; get rid of the federal deficit; and reform the health payment system to cover more people and slow cost growth. The big question is not what needs to (be) done, but why so little is happening and how to get more action.

Discovering the root causes of the decline of the American saving rate, and addressing those causes, may hold the key to setting the American economy back on sound footing.

□ 1930

WE CAN'T GO EVERYWHERE

The SPEAKER pro tempore (Mr. MANN). Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, before the six cameras paid for by the taxpayers start to pan an empty Chamber which is not completely empty—I see four of my colleagues out there—keep in mind there are dozens of colleagues watching on television as they wrap up today's business in their offices, and there are a million people, low estimate, on C-SPAN watching these proceedings.

I did a 1-minute this morning, Mr. Speaker, and held up a page from the Washington Times, and on it there were the photographs of about a third of the first 28 American soldiers, 1 civilian—State Department—killed in Somalia. That figure is now up to 34, if we include nonbattle deaths of young men who would not have been over there if we were not trying to feed people. Of those 34, Mr. Speaker, 2 were killed while George Bush was President, 1 on December 23 and 1 on January 12. All the rest have been killed, or died in accidents since Mr. Clinton had his inauguration. We totally turned over the charter with Clinton himself on the White House lawn saying, "Mission accomplished, success. People fed. Three hundred fifty thousand lives saved."

Why we put our men in harm's way under the United Nations with a strange chain of command after we had worked out in this Chamber and the Senate under Goldwater-Nickles, two World War II veterans, Barry Goldwater of Arizona, now a retired U.S. Senator, and Nickles who lost one of his legs in the Herken Forest in Germany walking out of a mine field to save a wounded colleague, one of our great Members from Talladega, AL—those two men, with majority overwhelming votes in both Houses tightened up the chain of command so that the field commander said: "Give me armor, give me helicopters, give me snipers, give me more fire support, give me fast landing craft, anything to accomplish a mission."

Tight, quick chain of command was approved.

What broke down there?

Mr. Speaker, one of my colleagues used this map in a 1-minute this morning, and, assuming that half the million people watching and listening, Mr. Speaker, are different, here is a map, and I found a couple of hot spots that are not on there. Here are areas where every red dot is on our planet where the United Nations wants to send people and where people are dying today or can start dying at a moment's notice, like North Korea; the Philippines; Indonesia with Timor, still human rights violations; Cambodia; Burma where my colleague, the gentleman from California [Mr. ROHRABACHER] here on the floor, has been many times; India, whether it is Kashmir or the Tamil Tigers in the south; Kyrgyzstan; Abkazia, a section on the Black Sea; and it goes on, and on, and on—1, 2, 3, 4, 5, 6, 7, 8, 9, 10 hot spots in Africa, Northern Ireland, up in Tablisi, in Moldava, of course Bosnia, and that is not to mention what can happen in Albania, the Kosovo province of Serbia. We have Americans now, several hundred in Macedonia.

Over there, Shining Path slaughtering people in Peru, spills over to Ecuador, unbelievable drug wars with Escobar-type mass serial killers still loose; Nicaraguans killing one another, starting up again, Violeta Chamorro hanging on by her fingernails because she left the Communist thugs in place controlling the treasury, the interior, and the armed forces; Humberto Ortega's brother with the million and a half dollars—I mean Danny Ortega's brother, Humberto, still with a million and a half in a Swiss bank. And then, of course, Haiti, which is unbelievable. Cuba can explode at any minute. What is going to happen if the people rise up there and overthrow Castro or God takes him out with a lightning bolt? Are we going to send Americans down there?

Mr. Speaker, the long and short of all of this is: The new world order is the new disorderly world.

We cannot go everywhere. The luckiest thing that ever happened to Mr. Clinton was that the U.S.S. *Harlan County* followed by the U.S.S. *Fairfax County*, which is where I live when I am back there, those two ships going back to Guantanamo have saved us dozens of Americans being wounded or killed on that western half of the island of Hispaniola, the nation called Haiti.

I am going to put in the RECORD tonight the names of the remaining five missing in action. Well, I cannot put in one name because his remains are in the air as we speak. He will be landing in 2 hours at Dover, be taken to the mortuary, and his sacred remains will be identified by his mother. His mother already identified him alive on color TV. She saw her big, tall, six-foot-three, handsome son being torn apart by a crowd.

I will put the names of the other four men, Mr. Speaker, in the RECORD:

Field (25), Gordon (33), Shughart (35), Frank (45), and these two should get the Medal of Honor. They rappelled down on to that second crash site and gave their lives for their fellow man.

ARE WE SERIOUS ABOUT CUTTING SPENDING?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. SLATTERY] is recognized for 5 minutes.

Mr. SLATTERY. Mr. Speaker, I want to use the 5 minutes I have this evening to bring my colleagues up to date on the status of our efforts to terminate further funding for the superconducting super collider.

As my colleagues may recall, earlier this year the House voted 280 to 150 to terminate further funding for the super collider and provided for an orderly wrapdown of that project, and I would point out that nearly two-thirds of the Members of this body on both sides of the political aisle voted for the Slattery-Boehlert amendment to terminate further funding. Nearly two-thirds, Mr. Speaker.

We have an opportunity in the next few weeks to demonstrate to the American public that we are serious about cutting spending. This is the largest single cut in any of the Committee on Appropriations' bills that have come before this House this year that was adopted. So, we are talking about the single largest cut in any appropriation bill, and the House will have an opportunity in the next few days to say, "Yes, we were serious about terminating funding for the super collider," or we will find ourselves in sort of a parliamentary quagmire and may lose the opportunity to terminate funding for the super collider.

Mr. Speaker, it is my hope and my firm belief that at least 218 Members out of the 280 that voted earlier this year to terminate funding will stick to that commitment, and the procedure might be a little tricky, and we may have to defeat the previous question on a motion to recommit in order to get a direct vote on the super collider issue.

□ 1940

If that fails, then we will have to defeat the conference committee report, send it back to conference, and make it very clear that we are not going to support a conference committee report with funding for the super collider in it.

Now, we are circulating a letter, and more than 120 of our colleagues have already signed this letter indicating they intend to do everything they possibly can, including vote against the conference committee report if it contains funding for the super collider.

I would point out that the tide is clearly on our side. Last year only 232 Members of this body voted to terminate funding. This year fully 48 more Members of the body joined us in our effort to terminate funding for the super collider. In the Senate last year there were 32 votes against funding. This year there were 42 votes. So the tide in the Senate is on our side.

It makes absolutely no sense for us to proceed with funding for a project when nearly two-thirds of the Members of the House on both sides of the political aisle have gone on record saying they do not support this project, and when 42 Members of the other body are clearly saying this year that they do not support further funding either.

It is time that we follow through on our decision earlier this year and terminate this project.

Mr. Speaker, I would just point out that this again is the single biggest cut in any appropriation bill that we have adopted this year. I do not see how this body or this institution can go home this year and tell the taxpayers of this country that we are serious about cutting spending when we walk away from this opportunity to save the taxpayers at least $10 billion.

Some people might be thinking, well, $10 billion is not that much money. But we have broken this down on a state-by-state basis so that taxpayers across this country understand exactly how much of their money is going to be going to this project. Let me just share with you some of these numbers.

California's share of this $11 billion projected price, and that is going up, by the way. It has gone up at least another billion dollars, and some people say $2 billion. But to just be very conservative, we will assume a total of $11 billion as the price for this project. The California share is about $1.449 billion. Almost $1½ billion of this project will be paid for by California taxpayers. Florida taxpayers will pay $575 million; Georgia taxpayers, $254 million; Illinois taxpayers, $572 million; taxpayers from Kansas, our share is $103 million for the super collider project; Massachusetts taxpayers will be asked to contribute $312 million to build the super collider; Michigan $405 million; Missouri, $202 million; New York, $940 million of taxpayer money will go to fund the super collider.

Mr. Speaker, again, I am disappointed that in the conference committee we do not have any representation from the 280 Members that voted to terminate funding. No one on the conference is representing the majority position expressed by more than two-thirds on either side of the political aisle. That is the reason we need to change the rules of this House, to prevent that sort of thing from happening again in the future.

DEMOCRATS QUIET ON DELAY IN EXTENDING JOBLESS BENEFITS

The SPEAKER pro tempore. (Mr. MANN). Under a previous order of the House, the gentleman from Pennsylvania [Mr. SANTORUM] is recognized for 5 minutes.

Mr. SANTORUM. Mr. Speaker, I rise tonight to speak of the hypocrisy going on in this House chamber with respect to the extension of benefits for unemployed families in this country. This is the fifth time benefits have been proposed to be extended for families who have exhausted their 26 weeks of State benefits and are still not able to find employment. The first three times we extended those benefits, we paid for those benefits. Under the Bush administration, the Congress came forward with bills eventually that paid for those programs. All three times there was debate on the Democratic side of the aisle that chastized Republicans for their indifference to the plight of the unemployed in holding up unemployment extensions with demands of having them paid for.

Well, the Democrats got their way when Bill Clinton was elected President, and in the first attempt to extend unemployment benefits in this session of Congress with the new administration, they in fact passed benefits without a funding mechanism, citing, all four times, I might add, the urgency of passing benefits, that we cannot allow people who are looking for us to help them through this difficult time, to not fail them.

Mr. Speaker, in fact I will quote from Members from last February when we extended benefits. "The reason we are moving ahead quickly," Mr. MATSUI of California said, "is because in 10 days, on March 6, 1993, extended benefits, the EUB program, will expire."

Mr. REYNOLDS said, "There are Americans out here expecting us to act. We are beyond the gridlock that we faced for so long in this body, and these Americans are expecting us to act."

Mr. PAYNE of Virginia said, "Less than 2 weeks from today, nearly 1.8 million jobless Americans risk losing their shield against financial disaster, unless we act quickly on the legislation before us."

Mrs. KENNELLY from Connecticut said:

> Those of us in Connecticut know far too well that these benefits can mean the difference between keeping a home or losing a home; between making a car payment and defaulting; between economic survival and economic devastation. I commend the President for his effort to move quickly to address the problem of continued high unemployment. These unemployed individuals cannot afford to wait. Quite literally, when the benefits run out, time runs out.

Mr. Speaker, time has run out on the unemployed in America under this administration and under this Congress. On October 2, extended benefits expired. Two weeks ago extended benefits expired. There was a bill ready to be voted on on the floor of the House 2 days before the expiration of those benefits, and the bill was pulled by the Democratic leadership. Why was it pulled by the Democratic leadership? It was pulled by the Democratic leadership because there was a funding provision, a provision to pay for the extension of benefits that was objected to by several members of the Hispanic caucus.

What was the funding mechanism that was objected to, to provide extended benefits for working Americans who had paid taxes into the unemployment compensation fund? It was a provision to cut welfare benefits from aliens. Welfare benefits from aliens: $320 million out of the almost $8 billion a year we pay to aliens in this country in welfare benefits. We suggested that that would be a good place to find money to help pay for unemployed American citizens who had been paying unemployment compensation taxes all of their lives.

They pulled the bill. They scheduled it for a vote the following week, and, guess what? They pulled the bill again.

For 2 weeks these American families that were talked about in February, in many cases the next-door neighbors of some of these families they were talking about in February, on February 24, that we had to so urgently act on their behalf, have now here no one on that side of the aisle. No one. In 2 weeks, no one has come to this floor to express concern about these people that they were railing against those of us who wanted to pay for the proposal last time, wanted to delay a single day, and still have a timely measure. Nobody is here.

Why are they not here? Because it is special interest politics that wins out over you, the American public, every time. It is the coalition that keeps their people in power that wins out over working Americans every time.

This has nothing to do with fiscal responsibility. It has everything to do with special interest politics and the people that get hurt. And this is a classic example, where the people that get hurt are the working Americans in this country who will not get unemployment benefits. In fact, the proposal now that was supposed to be voted on today, that is now put off until tomorrow, is to strike the funding for immigration and reduce the benefits from a 4-month extension to a 3-month extension. This is hypocrisy in the highest order.

WHITEWASH AT THE WHITE HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ROHRABACHER] is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, 2 weeks ago I stood in this Chamber and asked President Clinton to appoint a special prosecutor to investigate some serious allegations that Commerce Secretary Ron Brown may have been offered a bribe in exchange for lifting the trade embargo, or at least easing the trade embargo, against the Socialist Republic of Vietnam.

Since that time, Secretary Brown has refused to answer questions about the allegations. Attorney General Janet Reno says that she will not appoint a special prosecutor, citing the appearance of a conflict of interest for her even to appoint a special prosecutor, which, of course, is absolute baloney.

President Clinton has declined to appoint a special prosecutor, although he clearly has the authority to do so.

What we have here is a whitewash, a whitewash from the White House. These are serious allegations against the Secretary of Commerce. They deserve a serious investigation.

□ 1950

Our Secretary of Commerce may have been offered $700,000 in exchange for lifting the trade embargo against Vietnam. And guess what the Clinton administration has been doing. Lifting the trade embargo against Vietnam. What a coincidence.

I recently met with Mr. Binh, who has made these charges of the bribe attempt. And his argument seemed very convincing. But it is ever more convincing to me.

I personally handed a list of political prisoners to the head of the Communist government of Vietnam. I put it in his hand, 500 political prisoners, and told him I would fight lifting the embargo until at least these 500 people were released as a sign of good faith and a belief in some sort of liberalization and human rights progress.

I put that same list directly into the hands of President Clinton. At the very least, when we started easing the embargo, this administration could, at the very least, have said, "We want those political prisoners released."

People have been arrested because they are trying to preach the gospel. People are trying to start a newspaper or a discussion group, political prisoners languishing away, but yet we ignored them while just precipitously lifting the embargo or easing the embargo on Vietnam.

There are demands that should have been made for information about POW's in Vietnam. Again, those demands were not made.

Could it possibly be that there is another motive at work? We need to know the answer. Why did Mr. Brown's press secretary, for example, mislead the media when he said that Mr. Brown had never met with Mr. Hao, the man who was accused of offering him the bribe?

Now we know he has had at least three meetings. What involvement did Secretary Brown have in the administration's decision to ease the trade embargo against the Communist government of Vietnam?

In my Subcommittee on Foreign Affairs, Mr. Brown testified that he did not participate at all in the decision of lifting the trade embargo. In fact, he never spoke to another administration official. He never even spoke to the members of his own Department, the Department of Commerce, about lifting the trade embargo.

The question we have to ask is, Why did he not? If he is the Secretary of Commerce, he should be deeply involved with that issue, deeply involved with an issue of commerce and lifting the embargo against Vietnam.

If he was not involved with that, why was he not? Could it be that if he accepted some money from someone, he should not be the Secretary of Commerce? If he did not accept money from someone, he should be deeply involved in that discussion of a very important economic issue.

We need these questions answered. Did money change hands? Why was the bank account set up in the Indosuez Banque in Singapore? Why was even a foreign account even discussed at a meeting with Ron Brown and this representative of the Vietnamese Government?

Did Secretary Brown have a discussion with Mr. Hao, who is representing the Vietnamese Government? Did that violate the Trading with the Enemies Act, because Vietnam, I might add, is still listed as an enemy country of the United States?

So people at home will understand, the Trading with the Enemies Act, which was passed during World War I, prohibits a U.S. citizen from doing business with certain countries. The current list of prohibited countries includes North Korea, Cambodia, and Vietnam. The law specifically prohibits "having any form of business or commercial communication or intercourse with an individual, partnership or government representative" of one of these countries. Only those people who have a license granted them by the President of the United States may engage in such activity.

Today I wrote the U.S. attorney in Florida asking him to investigate whether or not it is possible that our Secretary of Commerce violated the Trading with the Enemies Act.

Mr. Speaker, I include for the RECORD a copy of that letter.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
October 13, 1993.

Mr. KENDALL COFFEY,
U.S. Attorney for the Southern District of Florida, Miami, FL

DEAR MR. COFFEY: I am writing to you concerning allegations made against the Secretary Commerce, Ron Brown. I understand that your office is in the process of investigating these allegations that Secretary Brown may have accepted a bribe from a Vietnamese national or the Government of the Socialist Republic of Vietnam.

According to press accounts of Mr. Binh's allegations, it appears that Secretary Brown may also have violated the Trading With the Enemy Act of 1917 (50 USC App. 1). As you no doubt know, 31 CFR Section 500.201 includes Vietnam on the schedule of nations covered by the Trading With the Enemy Act.

I point all of this out in order that your office may conduct a thorough investigation of all possible violations of federal law by Secretary Brown, and I look forward to hearing from you concerning the disposition of this particular allegation. Please feel free to contact me if I can be of further assistance.

Sincerely,

DANA ROHRABACHER,
Member of Congress.

We need a thorough investigation of all of these charges. We need answers to these questions.

COMMERCE SECRETARY RON BROWN

The SPEAKER pro tempore (Mr. MANN). Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I would like to elaborate. The reason I am taking the 1-hour special order, and I will not use all of that, for those at the desk, probably take about 20, 25 minutes, the reason I am taking the longer special order is so that I can go into some indepth analysis of the issue that was just raised by my colleague, the gentleman from California [Mr. ROHRABACHER].

In order to do that, I need to set the stage by telling the story of a man named Mr. Binh Ly.

Mr. Ly came to us in the Congress, those of us in the Congress who are with the Republican Study Committee, a few weeks ago. And he told us a very interesting story.

He told us that some time ago he met with this Mr. Hao in Florida. And Mr. Hao, who is also a Vietnamese-American and who had been an official in Vietnam back during the Vietnamese war, said that he wanted to work with Mr. Ly to set up an economic development plan for Vietnam and to try to get the embargo against Vietnam lifted so that the Vietnamese country would then start taking steps toward economic development and move out of the Dark Ages created by the Vietnam war.

Now, they decided that they were going to set up an organization called the Vietnamese Development Corp., and, if you will, come up with something like a prospectus.

Mr. Hao said that he had connections with a fellow named Ron Brown, who is the former head of the Democratic National Committee and very close to the President-elect, Mr. Clinton. And so they worked out a prospectus, if you will, or a plan for the normalization of relations with Vietnam. And that plan was sent to Mr. Brown.

The connection between Mr. Brown and Mr. Hao was a fellow named Marc Ashton in Florida, at least is what I understand.

They sent this plan to Mr. Brown. Mr. Brown read the plan last December, and he allegedly chartered an

$8,000 personal private jet and flew down to Florida to meet with Mr. Hao.

Mr. Hao met with him, and then he, after the meeting, he told Mr. Binh Ly, the gentleman who was working with him on this project, that Mr. Brown thought it had a lot of merit. And he thought they should proceed, and he showed him Mr. Brown's business card.

Mr. Hao then suggested that Mr. Ly and two other Vietnamese-Americans go to Ho Chi Minh City, formerly Saigon, and then up to Hanoi to meet with government leaders in Vietnam to try to sell the program.

Now, Mr. Hao had a lot of connections in Vietnam. He had been a high government official in South Vietnam and had connections with the now current Communist government.

They flew to Ho Chi Minh City. They were there for a short time. They got a telephone call. They met with the Mayor of Ho Chi Minh City. They met with other Communist government officials, and then they got a call from the Prime Minister of Vietnam in Hanoi.

He invited them to come up, at Government expense, at the Communist government expense, to meet with him.

And they flew to Hanoi. They met with the Prime Minister of Vietnam. And after they had this general meeting, the Prime Minister had a private meeting for about a half an hour with Mr. Hao. Mr. Hao came back after the private meeting and told Mr. Binh Ly that the deal had been set and Mr. Brown was in.

Now, he said that Mr. Binh Ly had to work with him to draft a letter to be signed by the Prime Minister which would then, in turn, be given to Mr. Brown to let him know, let Mr. Brown know that the Vietnamese Government was on board and wanted to work with him to normalize relations and remove the embargo against Vietnam.

So Mr. Ly worked with Mr. Hao, and they drafted a letter. The letter was then sent to the Prime Minister of Vietnam. He signed the letter. It was given back to Mr. Hao, and Mr. Hao then told Binh Ly to contact a fellow named Marc Ashton in Florida to tell him that the deal was on track. Everything looked good and to set up a meeting with Mr. Brown in Washington, DC.

Mr. Binh Ly then dialed the number to fax the letter to Mr. Marc Ashton. Mr. Ashton picked up the phone and said that he would accept the fax. He put the phone down. The fax went through, and then after that, a short time later, all the parties then returned to the United States through different routes.

Mr. Ly went through Taiwan, because he had some relatives or friends he wanted to meet with. And Mr. Hao came back through a more direct route.

When Mr. Ly got back to the United States, Mr. Hao had already been to Washington, DC. And he told him that he had met with Mr. Brown and that Brown had eight requirements that had to be met in order for them to consummate a business deal.

One of those requirements, according to Mr. Hao, was that $700,000 be deposited in an offshore bank for Mr. Brown in order to be, in essence, good faith money for the deal.

□ 2000

Also, Mr. Brown enumerated six or seven other items in the letter that were necessary to consummate the deal. One of those items, according to Mr. Ly, was that Mr. Brown would have exclusive contractual rights to American businesses that went over there from the Vietnamese side. In other words, he was going to get a cut out of the 100 or 150 American businesses that he would take into Vietnam, and he would be, in essence, the beneficiary of any profit made by the Vietnamese Government, or at least a percentage of that.

In addition, Mr. Ly indicated there was going to be huge oil-drilling exploration taking place, and that Vietnam had the third-largest oil reserves in the world, at least he was led to believe that, and that Mr. Brown was going to get royalties off of all of the oil that was sold by the Vietnamese Government to the United States, and other entities.

When Mr. Ly found out about this, he said "I don't want any part of this." He started indicating this was not part of the deal, that he thought this was going to be an honorable business arrangement. Mr. Hao said to him, "You are a young man. Do not worry about this. Let older, cooler heads prevail. Things will work out, and you will probably get a great position with the Vietnamese Government, maybe in charge of the Vietnamese oil corporation."

So Mr. Ly did not say any more about it at that time, but he was very concerned. Mr. Hao indicated that he was going to take Mr. Brown's letter and go back to Vietnam to try to solidify the agreement with the Vietnamese Government, but because Mr. Ly had objected to the possible dishonest things that were going to be done, he did not want to take Binh Ly with him, so Mr. Hao then goes back to Vietnam. He takes the letter with him, and when he comes back he indicates that the deal is done.

He lays on the table in front of Binh Ly something Binh Ly never looked at in detail, but Mr. Hao said it was a bank account that had been opened by the executive vice president of Banque Indosuez in Bangladesh; that this executive in Bangladesh had opened a bank account in Singapore with the Banque Indosuez in Singapore, so that the Vietnamese Government could deposit $700,000 in there for Mr. Brown, and $300,000 for the purpose of opening up the Vietnamese Development Corp. in Washington, DC, an office there.

Mr. Ly really was concerned about this. Incidentally, I might add, during the time that Mr. Hao went to Vietnam, Mr. Ly took his wife and he went to Louisiana, where he met with two people in whom he had great confidence, and he told them the story and said he was very concerned about the corruption factor, and he thought he ought to get out of that, and these gentlemen agreed with him. One was kind of like his father. He said, "You ought to get out of that, because it is corrupt and a lot of people could go to jail."

He suggested to Mr. Ly that when he goes back, he might listen one more time to Mr. Hao, but then extricate himself from this as quickly as possible. When Mr. Hao came back from that meeting, of course, his phone has been ringing off the wall, Mr. Ly, his phone had been ringing off the wall from Mr. Hao. Mr. Hao then told him of the agreement with the Vietnamese Government and the opening of the bank account in Singapore.

This really scared Mr. Ly and Mr. Ly said, you know, he wanted out. Mr. Hao kept imposing upon him his will, saying, "No, you don't want to get out. You don't want to get out." Mr. Ly indicated he was going to get out. He gave him a letter of resignation. He said he was getting out.

Then Mr. Hao said to Mr. Ly, through an intermediary, that he had better keep his mouth shut. Mr. Ly became very concerned and he went to the Miami Herald. The Miami Herald printed the story. The next day the FBI called Mr. Ly and said to Mr. Ly, "We would like to talk to you." They met with him and they asked if he would take a lie detector test, going into all these details I just enumerated.

He took the lie detector test, which lasted 6 hours, and he passed it with flying colors. After he passed it with flying colors, the FBI said they wanted to work with him, and they gave him a beeper. They worked with him trying to tap telephone conversations between him and Mr. Hao. By this time Mr. Hao was not having any part of this. He was very concerned.

During this period of time, just before the FBI investigation took place, after the Miami Herald had just come out, Mr. Hao contacted Mr. Ly through his brother-in-law, through Mr. Ly's brother-in-law, and said that he had better keep his mouth shut, because the Vietnamese Government would be very concerned about it and might take action. It was an indirect threat to him. Mr. Ly was very, very concerned about this.

Then, finally, after the Miami article came out, Mr. Hao called Ly through his brother-in-law and said, "You have to meet with him tomorrow," so Mr. Ly did meet with him. He said he was out, he didn't want anything to do with it. Mr. Hao said to him, "How much money do you want? How much money do you want?" Mr. Ly says, "You don't understand. I'm out. I don't want anything else to do with it." Mr. Hao kept on and on and on insisting that he take money. Mr. Ly finally got up and left.

To make a long story short, the FBI investigation continued until about the middle of April. During the middle of April they came to him and they said that they wanted the beeper back, because there had been budget cuts. This beeper cost $10 to $15 a month, and Mr. Ly could not figure out why they were calling off the investigation.

One of the reasons could be, and we are not casting any allegations on individuals in the administration, but it could be because Janet Reno, the Attorney General, had been confirmed just 5 weeks before. I am sure she was aware of the investigation.

In any event, the investigation was curtailed at that point. We did not hear any more about it for 3 or 4 months. Then stories started to break in a number of different publications about this investigation. The word started leaking out.

To give the Members one thing that is a big question in my mind, and I am not accusing anybody at Justice of wrongdoing, but these are very coincidental things.

On Friday, July 16, a newspaper called the Spotlight was contacted by the FBI about three articles that they had printed indicating that Mr. Sessions, the FBI Director, had taken personal involvement and control over the investigation against Mr. Brown and Mr. Hao back in the early part of the year, and because of these three newspaper articles the FBI came and they wanted copies of the articles. They got these articles on July 16.

This may be just a coincidence, but on July 17, the next morning, Janet Reno and a gentleman who is an Associate Attorney General, Mr. Webster Hubbell, called the FBI Director into his office. The FBI Director had other problems, of course. We know about those. They were in the paper.

However, I don't know if it is a coincidence or not that these revelations took place on the 16th about Mr. Sessions being involved in the investigation of Mr. Brown and Mr. Hao, and on the 17th, the very next morning, the Attorney General and her Associate Attorney General, Mr. Webster Hubbell, who incidentally was a former law partner of Mr. Clinton's down in Arkansas, told Mr. Sessions he had until the following Monday to resign, or else he would be fired.

Mr. Sessions thought that the FBI should be separate from the executive branch, and he would not retire because of this pressure, so on the Monday morning following, on July 19, he got a call from the President of the United States who said. "You are fired." Then a few minutes later the President called back and told the Director his dismissal was effective immediately, and then they had FBI agents come into Mr. Sessions' office, as I understand it, and in a gentle way they helped him, escorted him out of the building. This was the former FBI Director.

Those questions created by these actions need to be answered. Was the Justice Department playing politics in this sort of thing? Were they trying to get this thing cooled down before it went out of control?

In any event, the media started beating on this issue. Then about 5 weeks after a story came out by ABC News and another major news publication in this country, Ms. Reno and the Attorney General's office and the U.S. district attorney for the southern part of Florida empaneled a grand jury to investigate these allegations. This was in September. Bear in mind that they called off the dogs in April, and here we are 5, 6 months later, 5 months later, that they are finally empaneling a grand jury to investigate it.

Mr. Brown said he never met with Mr. Hao. He said this through a person who was a spokesman at the Commerce Department. Then after he said that, Mr. Brown, the attorney for the Secretary of Commerce admitted that Brown not only had met with Mr. Hao once, but three times, and the third time was when they had dinner here in Washington, and then he took him over to the Commerce Department with two other people to talk about something, we don't know what.

Mr. Brown's spokespeople say these were personal visits, and they had nothing to do with business. He denied he even knew Mr. Hao. He denied he had ever even met with Mr. Hao, and now his attorney tells us he met with him not once but three times, and Mr. Hao is the man who allegedly gave him $700,000 that was in a Singapore bank.

Then we found out that the bank account not only was opened, but the FBI has indicated that they now know that moneys were transferred from the Government of Vietnam through electronic transfers to a bank in Singapore. Could that be a coincidence? Maybe, but we are stretching it pretty far right now.

Finally Mr. Brown then came before a committee on which I served, the Committee on Foreign Affairs, about a week ago. This is the thing that I think is a new revelation, that my colleagues ought to pay particular attention to.

At the committee meeting the gentleman from California, DANA ROHRABACHER, the gentleman who preceded me in the special order, he asked Mr. Brown a couple of questions. Mr. Brown said:

> I am not going to answer any questions today bearing on the grand jury investigation in Miami. All I am here to talk about today are trade issues.

When it came my turn to ask Mr. Brown questions, I asked him questions relating to trade, and I would like to read into the RECORD the questions that I asked.

□ 2010

Here is the first question. I said:

> I would like to ask a question that is relative to this hearing. Can you tell us, Mr. Brown, about any involvement that you or your staff may have had in relation to trade negotiations or the possibility of trade negotiations with the Republic of Vietnam?

And Secretary Brown said:

> I had no involvement with those, Congressman.

He made a categorical denial that he has been involved in any way with negotiations or discussions regarding normalization of relations with Vietnam.

Then I went on and said:

> Trade promotion with Vietnam, the possibility of further trade and lifting of the sanctions against Vietnam is very important, and it is trade related.

And if somebody in his administration did participate in the decisionmaking or the negotiations, my question is: Did Mr. Brown involve himself with his employees in this discussion. I tightened the question a little bit further. And he said:

> I answered that in the negative, Congressman. But I'll also say that we're not going to have internal discussions about internal policy formation.

Now, yesterday a fellow who is close to the National Security Council came to see me because he thought this issue needed to be clarified and illuminated. And he told me that on June 14 a notice of principals meeting was sent to the various secretaries of the various branches of government, this is the top-level secretaries, saying that at 2 o'clock in the afternoon on June 16, in the White House Situation Room, that they would be discussing the Vietnam operations paper.

Now, the Vietnam operations paper was a compilation of the results of a deputies' meeting. Let me explain to my colleagues that there are three levels of National Security Council meetings. One is the principal level. That is the top dogs in every government agency, the Secretary of Commerce, the Secretary of Labor, the Secretary of the Treasury, and so forth. Then they have below that one rung the deputies' level, or the assistant chief deputies, or the people that are right next to the heads of various departments. And then they have below that what is called the experts level.

So this meeting that was being called on June 16 was as a result of a previous meeting held at the deputy level at which they discussed Vietnam options. The options paper, as I said, was a compilation of the results of that deputies' meeting, the second level. Brown, Secretary Brown, would have had to have at least been briefed on the results of the deputy meeting, plus prior to the deputy meeting he would have had to approve the Commerce Department's position. I mean, can you imagine the head of a department not knowing about something as important as normalizing relations with an arch-enemy, Vietnam, when 2,200 POW/MIA's had not been accounted for. Obviously he would have had to know this.

But Brown said to me in the hearing he had no discussions, no contact with anybody about normalizing relations with Vietnam, or removing that trade embargo. So either Mr. Brown was not doing his job or he lied to the Congress of the United States, which I believe is a felony. In either event, he should not be in that office, because something as important, as Mr. ROHRABACHER said, as normalizing relations with Vietnam and removing that trade embargo, when we have 2,200 POW/MIA's unaccounted for is something that the Commerce Department should be totally aware of, and especially the head of it. And if he did know about it, he lied to Congress.

Now let me tell Members what went on at that meeting, because this is very important. There were three options discussed.

The first option was to approve international financial institutions initiatives. This is at the White House in the Situation Room, evidently, where they met. Approve international financial institutions' initiatives and delay a decision on lifting the embargo to September.

Now what we mean by approving international financial institutions' initiatives is the World Bank and IMF loans, Japan and France and others who had obligations owed to them by the Government of Vietnam, relaxing those obligations so that Vietnam could get World Bank and IMF loans, and thus open up the door for trade. So the first thing was to approve these international financial institution initiatives and delay a decision on lifting the embargo until September.

This approach did not pass muster. There were several that thought it might be a good idea, but they went to what called option 1–A. This is what option 1–A was, option 1–A was to allow international financial initiatives, but to ease the embargo, to start the ratcheting down of the embargo, so we could start normalizing relations with Vietnam. The majority of those at the National Security Council approved that, but not the Department of Commerce.

The Department of Commerce supported option No. 2. Here is what option No. 2 was: lift the block on international financial institutions and to totally, completely lift the embargo on Vietnam. And do you know who pushed this the hardest? The Department of Commerce. Mr. Brown said he didn't know anything about it, he said he never discussed it with anybody in his department, and yet at this deputies' meeting his department was pushing harder, almost totally by itself, than anybody else to completely remove that embargo with Vietnam.

Now why would he do that? Some people say well, it is because of trade. Well let us think about that. He said he did not know Hao, never heard from Mr. Hao. Then he admitted through an attorney that he met him not once, but three times. Mr. Hao had allegedly given him $700,000 and put it into a bank account from the Vietnamese Government in Singapore.

Mr. Brown said that he had never had any communication with the Vietnamese Government, and then in a cursory statement later on he said "Yes, I believe I did read the letter from some government official over there." It was the Prime Minister of Vietnam. So he has been caught in two or three falsehoods already.

Now he says he had no discussions whatsoever with anybody on his staff, and yet his head deputy, or their designee was at this meeting leading the charge for removing the embargo against Vietnam. Somebody is lying. Either he is inept, or he lied to Congress, and we need to get to the bottom of this.

I have written a letter to the President of the United States, a second letter now. In that second letter I wrote to him, I asked for complete material from the NSC meeting of June 16, which we do not have yet. That would be the principal level. And I would like to have further information on this meeting, and who was the point man at this meeting for the Department of Commerce to try to force through the removal of the embargo against Vietnam. We need to know the man's name from the Department of Commerce. We need to know if he talked to Ron Brown, and if he did talk to Ron Brown how extensive was the conversation. I believe it was probably very extensive. Otherwise, he would not have taken such a strong initiative at this meeting. And if that is the case, then Mr. Brown probably should be taken to task, and maybe even removed from his office.

But we will delay that for a later date, because we are getting more information all of the time. Yesterday or day before Mr. CLINGER, the ranking Republican on the Government Operations Committee, sent a letter to the President of the United States at the White House, asking for a number of pieces of information that will help give us the picture that we need to come to a conclusion on this issue. We need to have phone bills, we need to have logs of phone calls coming in and out of the Department of Commerce. Did they come from Mr. Hao? Did Mr. Brown take them? Did Mr. Brown call Mr. Hao? These are all records that are over there, and we need to pursue this to a complete conclusion, because there is a cloud hanging over the Clinton administration.

Now why do I say that? This government has said for years that we would never normalize relations with Vietnam until we had a full accounting of the 2,200 POW/MIA's. We do not have that accounting. We are not anywhere near it. And yet the Clinton administration in July and in September took two giant steps toward normalization of relations with Vietnam.

The first step in July allowed the World Bank and IMF loans to go into that country. Then in September it allowed American businesses where agreements have been reached with the Vietnamese government for industry to go over there, for American businesses to go in and bid where those IMF and World Bank loans have been approved. And so this administration has taken two giant steps toward normalizing relations with Vietnam, even though we do not have the POW/MIA issue anywhere near resolved.

Why did they do that? Why did the administration take two steps toward normalizing relations? Could it be because Mr. Brown used his influence? Could it be that he got $700,000, plus the promise of maybe hundreds of millions of dollars, or royalties or other fees from the government of Vietnam? I suggest that these questions have to be answered. Otherwise the Clinton administration is in jeopardy. This could be another Watergate or worse. It could be another Irangate or worse. And we need to get to the bottom of it. The American people need to have confidence in the administration, in the White House and in this government, and we need full disclosure.

Now, if we do not get answers from the President, and from Mr. Brown in the not-too-distant future, I will file a resolution of inquiry with the Congress. It will be referred to Mr. CLINGER's committee, and we will try to force the issue. But we hope there will be voluntary compliance with our request, Mr. CLINGER's and mine, and others, so that we can get to the bottom of this.

□ 2020

It stinks to high heaven.

Mr. Speaker, I would like to read you something that is very humorous to me. In the magazine Newsweek this week, Mr. Brown's attorney told Newsweek that the existence of a bank account in Singapore—and he has no knowledge of it—does not implicate his client. He said that there are any number of reasons why the Vietnamese would open an account in Singapore wholly unrelated to Ron Brown. Give me a break. We knew it was in a Swiss bank in Singapore, we knew that the executive vice president of the Indo Swiss in Bangladesh opened an account. Mr. Howe said that the money was going to be deposited in this bank. Now we have a wire transfer from Vietnam to a bank in Singapore and his attorney says it could be wholly unrelated to Ron Brown. Well, maybe, but it is a big, big coincidence, do you think? I think it is a big coincidence. We need to have answers.

Mr. Speaker, I submit to you that Mr. Brown ought to be forthright, Mr. Clinton ought to be forthright, our President, we ought to get to the bottom of this as quickly as possible. Otherwise, as I said before, I believe very strongly that this administration is going to be in jeopardy. The longer it goes on, the worse it is going to get. We need to get to the bottom of it quickly.

THE NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore (Mr. MANN). Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, I am joined this evening by my distinguished colleagues from the Democratic side of the aisle and perhaps maybe even a Republican or two who believes in the same cause we are advocating, will join us this evening. But, Mr. Speaker, I am here with MARCY KAPTUR, the gentlewoman from Ohio, the gentleman from Ohio, SHERROD BROWN, the gentleman from Michigan, Mr. STUPAK, and we expect a few others, to talk about the North American Free-Trade Agreement.

Mr. Speaker, there is a deep, dark secret hidden within the North American Free-Trade Agreement. NAFTA supporters will not talk about it, they will not even mention it; they act like it does not exist, but it is there and it is not going to go away, it is not going to fly out the window, it is not going to disappear in a wisp.

Mr. Speaker, I am talking about the costs of NAFTA. I do not mean the economic costs, because we know NAFTA will send half a million jobs to Mexico; I am not talking about the social costs, because we know NAFTA will drive down our standard of living; I am not talking about the human costs, because we know NAFTA will uproot the lives and livelihoods of our friends and our neighbors. I am talking about the actual costs, the dollars-and-cents costs, the monetary costs hidden deep within NAFTA.

I just cannot get anybody from the other side to come forward and even talk about it.

The big question is this, and it is a $50 billion question. Even conservative estimates of the costs of implementing NAFTA say it will cost the United States anywhere between $40 and $50 billion. That is understandable when you consider that we are going to lose anywhere from $2.5 to $3 billion in tariff revenues over 5 years. Estimates of cleaning up the environmental cesspool that has been created at the border have run as high as $21 billion over 10 years. The Secretary of Commerce has estimated it will cost between $15 and $20 billion to rebuild roads and bridges and sewer systems along the border.

The State of Texas alone guesstimates it will cost $10 billion from the Federal Government to pay for NAFTA's implementation.

Other border States—New Mexico, Arizona, and California—are just completing their wish lists now.

These requests are above and beyond the $5 billion-plus the administration estimates will be necessary to retrain workers whose jobs will leave for Mexico. That is the administration's guess on what retraining will cost because we will be losing jobs to Mexico.

That is not even counting the increase in unemployment benefits expected, or the increase in agriculture price supports that NAFTA will force, or the cost of extra customs inspectors to stop drugs from coming into the border.

And that is not even mentioning the loss of revenue and the dislocation costs we experience already when 500,000 Americans lose their jobs if this deal goes through, as 500,000 Americans have lost their jobs to Mexico over the last decade.

When all is said and done, NAFTA could be a new $40 billion Government program.

Just look at the European example.

By European example, I am talking about the European Community's 40-year struggle to integrate the poorer economies of Spain, Portugal, and Greece into the EC, even though the economies of those countries were a lot closer than ours and Mexico's.

The dispartiy is 3 to 1 or 2 to 1 at the most between the richest and the poorest, whereas ours between the United States and Mexico is somewhere between 7 to 1 and 10 to 1.

And even though the wage scales between those countries were a lot closer than ours and Mexico's, and even though the basic legal and political systems between those countries were a lot closer than ours and Mexico's, and even though the standards of living between those countries were a lot closer than ours and Mexico's, the Europeans recognized that there would be tremendous dislocation and adjustment costs to integration, and they built them into the system.

Since 1989, they have spent $100 billion on adjustment programs to integrate their economies that were vastly more similar than ours and Mexico's.

And in the years ahead, they will spend even more.

Yet we are trying to rush this agreement through to satisfy the former President of the United States, and now this President of Mexico, we are trying to rush through in 3 months what has taken the EC 40 years and over $100 billion to do. Who will pay for the costs in this country that will result from NAFTA, costs to retool our factories, to retrain our workers, to rebuild our infrastructure, to clean up the environmental mess along the border? That is the $50 billion question. Nobody on the other side seems willing to talk about it. There is a defeaning silence.

Mr. Speaker, in the past 6 months we could not come up with $16 billion to pass the jobs bill to create jobs right here in America. We had to struggle to make real cuts and we had to make real sacrifices to reduce the deficit by half a billion dollars. In the past few days we have not been able to find $1 billion to extend unemployment benefits to 1 million Americans who have been out of work for a long time. And yet we are being asked to buy a $50 billion bill of goods that somehow, some way we are going to be able to pay for down the line.

Well, I was born at night, but I was not born last night. And if you think that we are going to implement NAFTA without spending a dime, I have a bridge I would like to sell you over the Rio Grande.

NAFTA proponents are asking us to stake America's future and our standard of living on conjecture, on theories, and on articles of faith.

On the one hand they are asking American workers to jeopardize their jobs, the jobs they have got now, to opt for two in the bush. And on the other they are saying to Congress, "Trust us, pass NAFTA, and we'll find a way to pay for it."

Well, there is an old saying about this kind of thing: "Fool me once, shame on you; fool me twice, shame on me."

I do not think the American people are going to be fooled again. They are already on the fact that NAFTA is a bad deal for America and will make jobs our No. 1 export. They are not going to fall for more promises.

Mr. Speaker, I raise this issue because I have the revolting feeling that we are going to be asked to raise taxes in order to pay for NAFTA. We are going to be asked to raise our taxes in order to send our jobs to Mexico. And if you think that sounds outrageous, I would like to direct your attention to an article from last Friday's New York Times:

The headline reads: "Traveler Fees May Rise to Pay for Trade Accord."

According to the story, the administration is planning a sharp increase in customs, immigration, and agricultural fees in order to pay for the tariff revenue loss from NAFTA.

That means that every time you fly out of the country and come back, you are going to pay a higher tax.

It says that they will likely propose a 100-percent increase in these fees, that is, taxes.

It also says that the administration has also been looking at the imposition of border-crossing fees on trains, trucks, and individuals who cross the border. That means every time one of our trucks went over the border and came back, it would have to pay a border tax.

And that is just the beginning.

□ 2030

According to the story, U.S. Trade Representative Mickey Kantor said that "there are a number of different alternatives"—I want people to focus in on this—under consideration. He says: "Higher customs fees are only one of them. We've looked at 15 or 20 different alternatives."

And when an aide was asked to cite what areas they were looking at as alternatives—this is what he said in the paper, maybe he did not say it, but it is in the paper, the New York Times, I believe it was, he said, "Medicare, disability, and Social Security."

Mr. Speaker, are they really considering taking money from Social Security in order to pay for NAFTA?

Are they really thinking about taking money from Medicare in order to pay for this treaty?

Are they really considering ways to use money from disability payments to come up with the money for NAFTA?

Well, if they are, they better think again. We're not touching Social Security or Medicare to pay for this fatally flawed treaty.

What are we going to read about next?

Are laid-off auto workers in Michigan going to have their taxes raised to clean up environmental waste coming from Mexican factories that took their jobs?

Are garment workers in North Carolina going to have their taxes go up to pay for new bridges carrying products from Mexico that used to be made in North Carolina?

Are laid-off furniture workers in California going to have their tax bill go up to rebuild the roads that carried the trucks that took their jobs and their factories to Tijuana?

Are workers in the Northeast and the Midwest who lose jobs going to be asked to pay extra taxes out of their unemployment checks to help with economic development in border States that have taken their jobs?

Where does it end, Mr. Speaker?

Well, I say it has got to end here.

The buck has got to stop here.

We have go to defeat this treaty here.

There is no question who will pay the costs of NAFTA?

The American people will pay the costs.

In lost jobs.

In a lower standard of living.

In higher taxes.

In uprooted families.

In decimated communities.

And in years spent wondering how we will put the lives of our families and our neighbors back together after NAFTA. Those are important questions we have to ask.

We can not afford these social costs.

We can not afford these human costs.

We can not afford these economic costs.

This charade has gone on long enough.

We have got to say no to this NAFTA Treaty.

I am going to yield to the gentleman from Ohio [Mr. BROWN], to the gentlewoman from Ohio [Ms. KAPTUR], to the gentleman from Michigan [Mr. STUPAK], and to the gentleman from Pennsylvania [Mr. KLINK], who I see is here also; but before I do, for those who have not seen it, I want to share with them again this chart, because I think from an economic standpoint it makes the case very well.

This is a chart that has been made up of an ad that has been running in publications in U.S. trade magazines all over this country. It is a Mexican Government ad. It basically says to a beleaguered looking American businessman, scratching his neck, wondering how to make things meet, and he says:

> I can't find good loyal workers for a dollar an hour within a thousand miles of here.

The ad goes on to say:

> Yes, you can, in Yucatan.

The ad also says to come down to Yucatan where the wages and benefits are a dollar an hour. You can save up to $15,000 a year per worker and you and your plant managers can live well and you can be more productive.

This is what is going to happen if this treaty goes through. We will see an exodus of American jobs. We have already lost half-a-million to Mexico.

Why would they stay? If they did not have to worry about environmental laws being enforced, they did not have to worry about worker safety laws, if they did not have to worry about enforcing child labor laws, if they did not have to worry about cleaning up the environment, if they can get away with paying slave wages to children and oftentimes young women of a dollar an hour, exploiting their work, saving $15,000 a year per worker, why would they stay?

Mr. Speaker, I am happy to yield to my friend, the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Michigan [Mr. BONIOR] for yielding to me.

For this entire year, those of us particularly who are first termers, like the gentleman from Michigan [Mr. STUPAK] and the gentleman from Pennsylvania [Mr. KLINK] and others who have been with us on many of these special orders in the evenings, have been struggling all year trying to figure out how to cut spending. I think we have begun that journey and we have made some major cuts.

We have also at the same time found it difficult to find ways to pay for things that are absolutely necessary, like unemployment compensation, like the flood victims in the Midwest from the floods this summer.

We are now saying let us come up, the NAFTA proponents are now saying we have got this new $50 billion program.

The problem is they are not admitting to it. They are playing word games about the cost. They are hoping that the issue of the cost of NAFTA will simply go away.

We saw on the floor of the House earlier this evening our colleague, the gentleman from Kansas [Mr. SLATTERY] talking about cutting the super collider, something we need to do. We need to make these major cuts. We cannot go to people who are working on a project like the super collider and say, "We want to cut you, but we have got this nice new program that is $50 billion, the NAFTA Program, and we simply can't do it."

As Carl Sagan might say, it is billions and billions and billions of dollars.

It is an issue that has been with us where Commerce Secretary Ron Brown back in July said it would cost $15 to $20 billion. Now they are admitting it is going to cost more than that. Now we are estimating it is going to cost between $40 and $50 billion. By the time all the estimates come in, the Governor of Texas puts her request in, the Governor of California puts his in, the Governors of New Mexico and Arizona put their requests in, the worker retraining money which nobody can estimate because nobody can agree. Everybody agrees it costs jobs. Nobody knows how many jobs it is going to cost. When those dollars are calculated in, with the lost $3 to $5 billion in tariffs, we lose those moneys, where are we going to come up with the money?

The law in this country now says under the budget resolution, you either come up with $50 billion in taxes to do it or you come up with $50 billion in cuts, or you have a combination of $50 billion in taxes or cuts. You can call it revenue enhancement. You can call it cutting waste if you do the cuts. Any way you do it, it is going to hurt people.

You cannot expect people in Toledo, OH, or people in Macomb County, MI, or the Upper Peninsula of Michigan, or western Pennsylvania, or my district in Medina or Lorain, or Chardon, OH, you cannot expect people to pay more in taxes or to see their programs, like Social Security, cut to fund a program that is going to cost our region and cost this country. It simply is not fair. It is something that we cannot in good conscience do.

It is one more of the many reasons that the gentleman from Michigan [Mr. BONIOR] has laid out to oppose NAFTA. It is icing on the cake. It is just one more reason that anybody who cares about the budget deficit, who cares about getting this country back on track, who cares about giving service to people in this country, providing the kinds of services with Medicare and Medicaid and Social Security and environmental laws and all the things that we care about deeply, we simply cannot put that aside to fund a bankrupt program, a morally bankrupt program like NAFTA.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his comments. I think he is right on in terms of the ideas that have been suggested by the administration.

I mean, to come up with what they are advocating now, or at least floating in the papers, $2½ to $3 billion in additional taxes to pay for this and, of course, it will pay for just a very small part of it. We are talking about a $50 billion program. It will pay a very small part of that $50 billion, certainly less than 10 percent of it.

They are talking about an airline tax. We know the airline industry is beleaguered right now. They are on the ropes. They cannot afford this additional tax.

It seems to me that this has not been well-thought out. We still do not know how they want to deal with all the other questions of worker retraining, which even they admit will be hefty and handsome.

So I thank my colleague for his contribution.

Mr. Speaker, I yield to the gentlewoman from Toledo, OH [Ms. KAPTUR] who has been so very eloquent and dogged on this issue.

Ms. KAPTUR. Mr. Speaker, I want to thank the gentleman from Michigan [Mr. BONIOR] and also thank the people of Michigan for electing him to serve here as someone who has been such a consistent leader on this issue, with all his other responsibilities that he has been elected inside this Chamber to handle, and we are most grateful for the gentleman's intrepidness, and it is a pleasure to join with our colleagues who were sworn in back in January this year, the gentleman from Michigan [Mr. STUPAK], and my colleague, the gentleman from Ohio [Mr. BROWN], who has been such a leader among the new members, and the gentleman from Pennsylvania [Mr. KLINK].

I always like to say to the American people they should have heart, because elections do make a difference. We have over 110 new Members of this House. I believe we do have the votes to defeat this current NAFTA Treaty, but only if the American people keep helping us.

Mr. BONIOR. On that point, Mr. Speaker, just very briefly, and then I will yield back to my colleague, this new class of Members of which the gentleman from Ohio [Mr. BROWN], the gentleman from Michigan [Mr. STUPAK], and the gentleman from Pennsylvania [Mr. KLINK] are Members, we have 67 new Democratic Members. I believe people understand that they are the freshest group of people who came out of the country.

□ 2040

They represent a point of view that I think is fresh and new, and I think we are going to get 57–58 out of the 67 Members voting against NAFTA because they sense, and they understand, the frustration that the American worker has had, and they understand basically that this is a bad deal.

Mr. BROWN of Ohio. Mr. Speaker, if the gentleman would yield for one moment, it is a good point that 80 or 90 percent of the freshman Democrats are opposed to NAFTA, and a big reason for that is almost every one of us—I know that BART, in spite of the fact that there is no plane directly between here and there, goes home every weekend, and I know RON does, and I do, and almost all the freshmen go home every weekend, and we are listening to people, and we are finding out the more people hear about NAFTA the less they like it. I think the freshmen are probably, and I know that many senior Members obviously, are real in touch with their districts, too, but I think the freshmen are probably hearing the most and are back home the most, and they really do hear about the opposition to NAFTA and that there is nothing good being said about it among the people. The only people that are out of step are the big newspapers, the trendy economists of the east and west coasts——

Mr. BONIOR. People whose jobs are not at stake——

Mr. BROWN of Ohio. People whose jobs are not at stake, yes.

Mr. BONIOR. It is an interesting thing that we heard this morning when he had Jorge Castenada, and Adolpho Aguillar and Carlos Arreras, who are learned scholars from Mexico, came up here to talk to us about it, and they mentioned to us at our meeting that even the Mexican workers are figuring this out now. At one point a year ago 64 percent of the people polled in Mexico City, where they do the polling—they do not do it outside Mexico City where I suspect the numbers would even be more favorable to our position—but 64 percent were in favor of this a while back. The latest poll that was taken recently took only 32 percent because they have figured out this was done by the elites on both sides of the border in the country. There is nothing in there for the Mexican worker.

As my colleagues know, the Mexican worker's wages have gone down 32 percent since 1980. They are lower, 32-percent lower than they were in 1979 and 1980. They know this is not a good deal for them. It does not guarantee them the economic wherewithal to provide a living for their families.

Mr. STUPAK. Mr. Speaker, will the gentleman yield on that point?

Mr. BONIOR. I will, and then I will get back to my colleague from Ohio.

Mr. STUPAK. I know we have been jumping around here a little bit tonight, but I think it should be noted that this week, as we came back again from our weekly trip, as many of our freshmen do, go back to our districts, the gentlewoman from Pennsylvania [Ms. MARGOLIES-MEZVINSKY] has come out and publicly is going to now be against NAFTA, and I think it is worthwhile noting that as the time draws closer to this vote on NAFTA, which we now believe is going to be—I believe, Mr. Leader, you said about——

Mr. BONIOR. The 17th of November, or something like that.

Mr. STUPAK. November 17 or 18—time is drawing short. We need the people back home and our constituents to continue, not only to write to us for those of us who are against NAFTA—we are definitely against it—but those who maybe are undecided, those who may even be for NAFTA. It is going to be popular support that wins this battle, and that is why we are here every week, to keep the support up, to defeat this NAFTA, but we need their help, and we need our listeners to help us by contacting other Members who may remain uncertain, or might have lost their way and would consider voting for this poor agreement.

Mr. BONIOR. The gentleman from Michigan [Mr. STUPAK] is absolutely correct, and I thank him for mentioning that.

I yield to my good friend, the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for that.

I earlier this evening talked a little bit about who is going to benefit and who this is going to cost, and I say to the gentleman, "I am glad, Mr. Leader, that you brought up the cost from our taxpayers." Who knows? Forty billion? Fifty billion in lost revenues and other costs associated with this agreement?

But I entered into the RECORD a little earlier this evening who is benefiting already from a lot of the business interests in Mexico, and in the 1993 September issue of U.S. Latin Trade it is clear that since the time that the current President has been in office in Mexico, Mexico now has more billionaires than any country in the world, but for the United States, Germany, and Japan, and most of them having been created over the last 6 years.

Mr. Speaker, this is why we need the American people to stick with us on this. The amount of money they are contributing to protect their own special interests is phenomenal.

Mr. BONIOR. How much is coming into the United States? I mean I have seen figures that say somewhere in the neighborhood of $30 billion. Maybe the gentlewoman from Ohio would enlighten us on that.

Ms. KAPTUR. Well, what is interesting is this article indicates that these people were asked each to contribute $25 million to the ruling party's coffers down there in Mexico back in February, and, in order to kind of cement their control which they have increased over the last several years——

Mr. BONIOR. I think, to put that in perspective, people ought to understand that there are about 36 families in Mexico that own 54 percent of the wealth. I mean these are families that own the banks, that own the television stations, that own all the natural resources in the country. So, they are capable of putting up $25 million.

Ms. KAPTUR. Tremendous money, and in a city like mine, of Toledo, OH, we have been known for years as the glass center of the world, and yet our workers are being asked to compete against a company called Vitro Glass in Mexico, which is one of these major companies which we were just talking about, a contributor to the PRI, essentially a monopoly and the second largest glass maker in the world which pays its workers one-seventh of what we pay ours in the Toledo area, and I do not really think it is fair that our people should have to compete with an international monopoly on our own soil.

Mr. KLINK. Mr. Speaker, would the gentlewoman yield on that?

Ms. KAPTUR. I am happy to yield to the gentleman.

Mr. KLINK. On one of the points, I think, that the gentlewoman may have heard about, Vitro S.A., this huge glass plant, and the gentlewoman is absolutely speaking the truth—right now in flat glass products, and we are talking about windshields for cars, the glass units that are put into skyscrapers, those sorts of things, they do about three-tenths of 1 percent of the business that is done in the United States. It is estimated that after NAFTA went into effect that they would, within a 2-year period, have 13 percent of our business, displacing 6,000 U.S. workers that currently make flat glass products, and in preparation for the NAFTA agreement, and they are hoping, of course, that it is approved, they have already bought warehouse space in Laredo, TX, and are ready to flood the market, and, as my colleagues know, we have companies in the Pittsburgh area like PPG that compete in this, and they would like to be able to sell the windshield glass to the auto plants that have already decided to leave this country and move down to Mexico.

But the gentlewoman is right. They will not be able to compete because there is no reciprocity under this NAFTA. The glass that is made by Vitro S.A. in Mexico and is shipped here will have no tariff, yet we have a 10-year-long prolonged tariff on the same glass products being made in the United States, and it is being shipped to Mexico to go back to those factories.

So, what we are saying about the NAFTA for one moment, let us forget about the wage differential. There is no reciprocity. It is not a fair trade agreement, and we will ship that industry, and the gentlewoman is right, the glass industry, appliance industry, home appliance industry is another one where there is no reciprocity, and in the small appliances the estimation is that we lose 10,000 jobs in that same 10-year period.

Ms. KAPTUR. If I may reclaim just for a second, I think what is interesting at the same time is that these kind of individuals really are ripping off their public and ours. We, our taxpayers, are being asked to fund this NAFTA through hidden mechanisms within our own Government.

I sit on the Appropriations Subcommittee that this year again was asked for hundreds and millions of dollars to pay for environmental cleanup, and the money is hidden in all these different accounts across our Government, and it has been for a number of years where our taxpayers are literally having their dollars diverted to try to build installations south of our border, as well as taking care of sewage, for example, in the San Diego area that is coming from Mexico. We are not charging the companies that are creating the mess in the first place, which is where the burden should be placed. Cost and benefits should somehow cross at some point, but our taxpayers are being asked to fund this out of general revenues, and I am so glad the gentleman brought this up because the costs are absolutely phenomenal, and there is not a fair method of paying for the damage that is already being done.

On just one other point, I also want to mention on the dislocated workers, people in our country that have already lost their jobs to Mexico. Many of them are still on the unemployment lines, many of them on the welfare rolls, many of them working part-time jobs where they are earning a third of what they earned before. Today our Federal Government only takes care of about 5 percent of workers in our country that have lost their jobs. These dislocated workers' funds and retraining funds are completely underfunded, and I do not see any proposal coming from the administration——

Mr. BONIOR. Nothing.

Ms. KAPTUR. To take care of people who are already in the unemployment lines.

Mr. BONIOR. And, as everybody here understands, and I am going to yield to the gentleman from Michigan [Mr. STUPAK], and then my friend, the gentleman from Ohio [Mr. FINGERHUT], and then the gentleman from Vermont [Mr. SANDERS]—as everybody understands that is here, everybody has a friend here, or a neighbor, or maybe someone in our own families who has lost a good job who we know is working for 50 percent of what they used to make. They may have a job for $13–$14 an hour. They are working for $5 and $6 an hour now.

□ 2050

These are people with families, who have had their lives devastated. And here we go again with a $50 billion program, with nothing to fund it, and an agreement which even the proponents of the agreement admit will cause dislocation of jobs.

Mr. KLINK. If the gentleman will yield for one moment, you talk about the cost of NAFTA, and I think the gentle lady from Ohio is absolutely correct, that this money is hidden throughout, and the American taxpayer will be asked to pay.

But the gentleman from Michigan brings up a wonderful point. I am quoting Prof. Ed Lemur of the University of California, a very big advocate of free trade. And he concludes his research:

> One effect of NAFTA will be the average wage loss of $1,000 for every worker in the lower 70 percent of our work force. So people will lose that $1,000 out of their own pocket. It is not just your tax dollars that are going to be lost, it is going to be less education, less benefits to the people of our country, less defense dollars, less things for infrastructure. But they are going to reach in your pocket and take $1,000, and that money is going to go down to Mexico because of the fact that these companies know they can hold wages down by threatening to move their companies down there. We have seen it happen in the past.

Ms. KAPTUR. If the gentleman will yield just on that point, the first workers in our country to feel that pinch will be women and minorities, because they are on the bottom rung of the ladder of economic opportunity. And they are largely ignored in this debate. And I thank the gentleman for bringing it up.

Mr. BONIOR. Just the other side of that coin, it is not just going to be lower wage jobs we are talking about here. As all of my colleagues know from reading Harley Shakin, professor at the University of California-San Diego, his books on this issue and papers on this issue, it will be high-technology jobs.

I will give you a quick example. Hughes Aircraft in California moved down to Mexico, to Tijuana. They paid 17 bucks an hour to workers. This is highly refined, skilled work, electronic work. Seventeen dollars an hour on very difficult work.

They moved down to Mexico. They have very productive workers down there who are willing to work for $6 a day—a day—as opposed to $17 an hour.

So people who think they are protected because they have got good-paying jobs and high-skilled jobs ought to think twice, because what we are seeing at automobile plants, airplane plants, Hughes Aircraft, and other facilities that are moving down to Mexico, is that they are taking very high-skilled jobs and good-paying jobs as well.

I yield to my friend from Michigan.

Mr. STUPAK. Thank you again, Mr. BONIOR, for once again organizing another special order on NAFTA.

You are commenting on the $40 to $50 billion it is estimated it is going to cost us to implement NAFTA, and yet we could not pass a $16 billion stimulus project for our own country. Yet we are willing to spend $40 to $50 billion to stimulate the Mexican economy. And yet your chart there, where it says yes, you can, in Yucatan. In the fine print there it says for every worker, you will save $15,000.

Is Mexico and the Yucatan going to give us back $15,000 for every worker who loses their job so we can pay this $40 to $50 billion we are willing to spend to stimulate their economy? I think not.

But instead of making them reimburse us for the lost revenue to our country, the administration is proposing all kinds of taxes. We will lose $2.4 to $2.5 billion just in lost tariffs. So how are we going to make it up?

There is only two ways we can do it under the 1990 budget enforcement agreement. Either raise taxes, or cut programs that you mentioned, like Medicare, Social Security, and make the Americans suffer even more.

So the administration said, so that does not happen, we will put almost double the fee on airline tickets for custom fees, immigration fees, agricultural fees. We will double it. That will bring us in about $500 million a year.

When we double these fees on airline tickets, we count on this industry to bring tourism and travelers to our country. But will that money go for increased infrastructure, roads, bridges?

How about tourism and trade? None of it. It is all going to go to pay for this flawed agreement. Plus the administration wants another $225 million a year to start cleaning up the border, the environmental problems.

We have at least four agreements on the books right now with Mexico to clean up that border. None of it has been enforced, so now we are going to count on this magical, mystical NAFTA agreement to clean it up and cost us another $225 million per year for something we did not contribute to?

Extra money for more customs officials, because you have got to have more customs officials to make sure the agreement is being lived up to. What is the cost of that? The administration has not told us.

Plus they want money to retrain American workers who lost their jobs. The claim, no job loss. But then why is the administration willing to put out the carrot at the end of the stick saying we will give money to retrain your workers who lost their jobs?

We cannot pass a stimulus package here, but we will give you money for more training for jobs that do not exist.

Remember when we passed the Omnibus Budget Reconciliation Act, and we had to raise the price of gas in this country by 4.3 cents to try to take care of our deficit. Yet we are going to give them another $50 billion to increase our deficit to stimulate the Mexican economy? We are asking the American people to come up with $50 billion, and roll out the red carpet, so our jobs go south, and someone earns $15,000 for every American job we lose that goes to Mexico.

So we have increased costs of unemployment benefits. We have increased public assistance programs. And they want to throw in job creation programs, because we voted away our American jobs and we voted $50 billion-plus-plus-plus for this agreement.

I say it is no more. We voted today. You saw Mr. SLATTERY up here, saying no more superconducting super collider. We said no more on the space station. We are arguing over unemployment extension benefits right now because we have high unemployment in this country. The superconducting super collider is probably a good program. So is the space station. But we do not have the money to do it. We do not have the money to take care of American projects that would put Americans to work, but yet we want $50 billion-plus-plus-plus for this agreement, to help the Mexican economy, to further pollute our country, to further give away our jobs, and to further suppress human and political rights under the Salinas regime in Mexico. And to accomplish all of this, to do all of these great things, it is only going to cost us another $50 billion-plus-plus.

We do not have $50 billion. We do not have NAFTA. I urge the listeners and our colleagues to vote no, whether it is November 17 or November 18. We must stop this madness. We have a financial mess. We have a deficit of $300 billion. That is not even counting our debt of $4.3 trillion. Yet we want to add at least $50 billion more.

Mr. Leader, Mr. Majority Leader, I appreciate your help and leadership here, and we will continue to work on this, because we cannot allow this to happen to our country, not only for our jobs, our environment, the economic disruption it will cause to our country, but continue the further repression of human and workers' rights south of the border.

Mr. BONIOR. I thank my colleague for his comments. I think they are right on the money. He hit it perfectly clear. Our priorities are out of order.

I think if I could just elaborate a little bit on what you said in terms of the costs here, now, the administration would point out in response to your argument that well, of course, we will be investing this money and we will create a larger middle class in Mexico and they will be able to purchase American products.

But the fact of the matter is that Mexico is a low wage society. They keep their wages low. They do not have free labor unions to help bargain up wages for their workers. They do not tie workers' wages to productivity.

Wages for Mexican workers have stayed low since 1979. They are 32 percent lower now than what they were then. They are going in the wrong direction, while productivity is increasing.

So, without that basic component you will not be able to increase the standard of living of Mexicans, and they will not be able to purchase American products and thereby have American jobs. And that is the basic flaw in the argument of the administration, that anybody who has looked at what they can purchase in Mexico, you know, they have 80 million people there, but only about 9 million of them have the capacity, out of the 80 million, to purchase consumer goods.

The rest of them, 58 cents an hour is the minimum wage down there, for heaven's sakes, and a good paying job is $2 an hour. People work all day for, as I have mentioned, in some of these production plants like Hughes Aircraft and the Hermosillo plant that makes Fords, for wages all day, what they might earn in the United States for an hour.

So I thank my colleague for his contribution. The cost of this is absolutely horrendous, $50 billion, and we are obviously moving in the wrong direction.

☐ 2100

Mr. Speaker, I yield to my friend, the gentleman from Ohio [Mr. FINGERHUT].

Mr. FINGERHUT. Mr. Speaker, I thank the gentleman for yielding to me.

I just simply wanted to come out on the floor tonight, because I have sat in my office and at home and watched as you have week-after-week led this effort on the special order time to discuss this treaty, to try and educate the American public. I wanted you to know personally how much we respect and I respect the efforts that you have done to lead this fight and, as well, to those who have joined you every week to my friends from Ohio, the gentleman from Ohio [Mr. BROWN] and the gentlewoman from Ohio [Ms KAPTUR], the gentleman from Michigan [Mr. STUPAK] and the gentleman from Pennsylvania [Mr.

KLINK] and the gentleman from Vermont [Mr. SANDERS] and others who have been out with you week-after-week.

What I realize now is that the fire is really starting to turn up, because I have read the articles about how the President is making individual calls to Members and how the businesses in our districts are being told to lobby us.

I read a very disturbing report that particularly the retail businesses in my district were being encouraged to tell their workers and to pass out literature to their customers to say call their Congressman to support NAFTA, because they are arguing that it would be better for consumers when, in fact, we know for a fact not only will it not be better for consumers, because the prices are not going to go down, they are not going to get any economic benefit from it, but their very jobs are at stake.

But we see that this is the lobbying effort that is out against it. I thought you might need some fresh bodies out here on the floor as we focus on this subject of dislocated workers and the amount of money that our Government is proposing to spend on the subject.

Not only is it, as you have pointed out, an admission that there is going to be dislocated workers as a result of this treaty. But in all of my conversations with my constituents on NAFTA, every single one, there is no greater insult that you can deliver to a worker in this country from a representative of their government than to say to them, "Yes, you will lose your job, but we will provide you with some unspecified program to retrain you for a future job."

Their answer is loud and clear. It is, "Don't take my job in the first place. I like the job I have. I want to keep my job. You are not representing me, if you are sending my job to Mexico and then promising me some future program to retrain me."

Mr. BONIOR. It is the theoreticians. It is the economists. It is the pundits. It is the columnists that are saying this. It is very easy for them, but Robert Novak is not going to lose his job. Lee Iococca is going to keep cashing in his stock options. These people are not affected by what goes on.

Mr. FINGERHUT. It is the ultimate slap in the face, particularly to workers in the part of the country that you represent and that I represent and others represent who have taken lick after lick from their government over the years. And they expected that this Government and this administration and this Congress was going stand up for them. It is the ultimate slap in the face to say that the answer to all of their concerns is a retraining or relocation program.

I thank you for your efforts. You can count on my help to keep this fresh blood going.

Mr. BONIOR. I thank you for your contribution and appreciate your support.

I yield to my friend, the gentleman from Vermont [Mr. SANDERS], who is a strong opponent of this treaty.

Mr. SANDERS. Mr. Speaker, I thank the gentleman very much. I want to congratulate him for his outstanding leadership on this effort.

What I would like to do is briefly put this discussion of NAFTA in a broader context and then say a few words about a trip that I and 5 other members of the Government Operations Committee recently took to Mexico last week.

The context of what we are talking about now is the deindustrialization of the United States of America.

The Associated Press had an article the other day which reported that since February of this year, we have lost 260,000 manufacturing jobs. We are now down to 17.6 million manufacturing workers, the lowest since 1965.

What is going on in this country is that the General Electrics, the General Motors, the Digitals, the AT&Ts are downsizing. They are moving to Mexico. They are moving to the Pacific rim. And by the hundreds of thousands, they are throwing our working people out on the streets, disrupting communities that were thriving and going to countries in order to pay the workers there starvation wages.

Let us be very frank about what is going on here. If this trend continues, and we continue to lose our decent-paying manufacturing jobs, the jobs that you were talking about that pay $10, $15, $20 an hour, that allow a worker a little bit of dignity, if we lose those jobs and replace them with the new type of jobs, the $5 and $6 an hour jobs, which are temporary, part-time jobs, in 20 years, if we continue that trend, this country will have a Third World economy.

That is the overview of what is going on. It is not an accident that every multinational corporation in America thinks NAFTA is a great idea, that they are putting millions of dollars into this campaign to convince this institution to support them.

It is not an accident, because they understand that if NAFTA is passed, their profits go up and, at the same time, for American working people, we descend into a Third World economy.

Mr. BROWN of Ohio. It is not just the issue of jobs leaving, going to Mexico. The other issue is how Americans, large American corporations can use the threat of going to Mexico. NAFTA is the hammer over their heads to say, "Well, if you don't do this dollar give back in these negotiations, if you are not willing to give up some health care, some retirements, if you don't do that, we are going to go to Mexico."

There are enough companies that have already gone, that workers take that, take that threat very, very seriously.

Mr. BONIOR. You do not even have to say it. All you have to do is take this chart and hang it on the bulletin board at work. I think the workers get the message very quickly.

Mr. BROWN of Ohio. One other thing, he talked about the money that the U.S.A. NAFTA is spending.

Last week I brought one of the brochures that a lobbyist had dropped off in my office that was pro-NAFTA. This is their new publication. They made it look like a coupon book with all the jobs they say it is going to make for each State.

You can cut out your State and put it on the refrigerator, cash it in or something. It is multicolored, much nicer than any political brochure that any of us have had.

It is typical of the pro-NAFTA people. They are spending so much money, $30 million from the Mexican Government, tens of millions from large American corporations, as the gentleman from Vermont [Mr. SANDERS] said so well, who are going to benefit from NAFTA, to do this kind of garbage to convince Members of Congress. And never in history has a foreign government tried to spend that kind of money to lobby elected officials in another government. And never, really, has there been this kind of lobbying effort from our own corporations.

Mr. SANDERS. The interesting question is, I think we can recognize, with all due respect to our colleagues, that the U.S. Congress is not one of the most courageous institutions in history.

I fear very much, and the American people have to make this judgment, as to whether the Members of the House and the Senate are capable of standing up to the tremendous onslaught of corporate America. I would say that the result is still in doubt. I am not sure that we can.

In the next month, you are going to see what tens of millions of dollars are going to do. You are going to see what the corporate media is going to do.

The fundamental question will be, does this institution have the guts to understand who sent us here. Are we going to represent the ordinary working people of this country, or do we bow down to corporate America and do they win another victory?

If I might, I would like to say a very few words——

Mr. BONIOR. We would like to hear about your trip.

Mr. SANDERS. About a trip that I and five other members of the Government Operations Committee just took last week to Mexico.

Let me be brief in highlighting some of the vivid impressions that I recall right now from that trip.

We went to Matamoros, which is below Brownsville, TX. There was this lovely state-of-the-art General Motors plant that manufactures and assembles car radios. It was a state-of-the-art factory.

Workers there were making $1.80 an hour. And right across the street from that plant we saw where the workers were living.

Where they were living were in shacks without running water, without electricity.

I must tell you, I say this deeply, I was embarrassed, as an American citizen, to see an American corporation like General Motors treat its people in that way, forcing them to live without running water and without electricity. Then we had another meeting, and we met with women. I think the gentlewoman from Ohio [Ms. KAPTUR] made the point, most of the people working in these factories in Mexico are women, 80 percent who were working in this GM factory.

Why do you choose women? The feeling is that they are more exploitable. They are going to fight back a little bit less.

In any case, we met a woman in a meeting who was working for the Zenith Corp. She made a dollar an hour. And in describing her life, she broke down. She cried, talking about what it is like to keep a family in existence on a dollar an hour.

Then we went to Brownsville, TX, and we met with a Dr. Carmen Roca, a very courageous physician in that area. She described the birth defects that are taking place in that area. And she pointed out that today we still do not know where all of the toxic waste being produced in Matamoros is going.

Theoretically, what the law says is they are supposed to take their toxic waste, take it to the United States, discharge it is a nice and safe and environmentally sound way.

□ 2110

Nobody believes they are doing it. They are discharging it in ways nobody knows where it is going, but the fear is that birth defects are rising in Brownsville, TX.

I want to say one last point. We went to Chihuahua, Mexico, and we met there, I, myself, spoke with two separate groups of about 250 farm workers. There is an illusion that only Americans and Canadians are concerned about this NAFTA agreement. Not so.

In Chihuahua, Mexico, we met with small farmers. They are scared to death that as a result of Salinas' agricultural policies plus NAFTA, they are going to be forced off the land that they have farmed with dignity, with pride, that their parents and grandparents have farmed. They are going to be forced off the land. They are going to move north to the maquiladoras, and they are probably going to illegally immigrate to the United States.

The last point that I wanted to make is it is not just Americans and Canadians who have concerns. Millions of people in Mexico share that concern.

Mr. BONIOR. Mr. Speaker, I thank my colleague. Before my colleague came here, I mentioned a recent poll that was done in Mexico on this agreement. At one point 64 percent of the Mexican people supported this agreement. It is now down, in the latest poll, to 32 percent, because they understand instinctively that the workers are getting a bad deal, American workers as well as Mexican workers.

I just have 10 minutes left, Mr. Speaker, and I want to make sure all my colleagues get a chance to speak. I yield to the gentleman from Pennsylvania [Mr. KLINK], who has been waiting, if he wishes time, and then to my good friend, the gentlewoman from Maryland [Mrs. BENTLEY].

Mr. KLINK. Mr. Speaker, I just want to add my voice to those, I would say to the gentleman from Michigan [Mr. BONIOR], who thank him for his leadership in this. He has been really stalwart in this effort, has held us together, and shown us great leadership in what I consider to be probably the most important issue that this Congress will take up.

I just wanted to mention tonight, we were talking about the cost. My Governor Casey, who, of course, is Robert Casey, from Pennsylvania, who has been recovering from hearttransplant surgery, and the acting Governor, Mark Singel, as well as our labor secretary, Tom Foley, have come out strongly opposed to NAFTA. We are one of the few States where the chief executive is in opposition.

I just want to mention some of these things. I take this, actually, from Tom Foley's comments that he made in testimony against NAFTA. We are talking about the cost, and the gentleman from Vermont [Mr. SANDERS] was absolutely correct, and others have alluded to it, where there is a cost to the workers where that threat is held over their heads, but we also have a threat to our environmental and our labor laws. Tom Foley pointed that out, I thought.

He is saying that "United States and Canadian firms already are arguing that they cannot compete with Mexican factories that do not meet the same standards. Thus, they will either move their operations or lobby the United States and Canada to harmonize or lower the standards to keep jobs here." We are talking about labor standards, we are talking about environmental standards.

In the State of Pennsylvania Tom Foley is estimating that we have already lost about 2,000 jobs just in the last couple of years. There was a Volkswagen plant near me that now makes those cars down just outside of Mexico City. The Volkswagen plant was one of the prides of the State of Pennsylvania when we attracted that factory. At one time we employed 5,000 people. It is now closed.

Sony Corp., oddly enough, has taken that over, but those jobs, all 5,000 of them, have gone to Mexico.

The State of Pennsylvania is estimating the cost to us of this NAFTA will be 349,500 jobs, and like the gentleman's State of Michigan, the State of Pennsylvania has paid dearly in the past decade and a half. I just want to, again, go to the back part of the report and quote Tom Foley again.

In closing, he says, "Let me repeat why NAFTA in its current form should not be supported. First," he says, "there is no clear evidence that Mexican wages will rise substantially and in turn stimulate the U.S. economy by creating more jobs, particularly high-skilled, high-wage jobs."

Second, Tom Foley says, "The side agreements are inherently flawed, will not result in equal enforcement, and in fact, may be used to invalidate existing U.S. laws."

He concludes by saying, "We cannot afford to take the chance that NAFTA will send us backwards to the disastrous days for manufacturing in the State of Pennsylvania, particularly the 1980's. We, workers, families, communities, cannot afford the NAFTA."

Mr. BONIOR. Mr. Foley has what position in the State of Pennsylvania?

Mr. KLINK. He is the secretary of labor in the State of Pennsylvania. He is speaking on behalf of the Governor, and the Acting Governor. The State of Pennsylvania is firmly opposed to this NAFTA.

Mr. BONIOR. I thank my colleague. It should be noted also that the opposition likes to say that they have 42 Governors in support of NAFTA, but anytime an election comes around, you cannot find any of them in support of NAFTA. If in fact you look at the elections that are occurring in New Jersey, in Virginia, and in some of the other mayoral races, you will find overwhelmingly candidates are opposed to it, because they instinctively know it means jobs lost.

I yield to my good friend and stalwart on the other side of the aisle, someone who has been concerned about workers and workers' rights in the State of Maryland and in this country for many years, the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Speaker, I thank the gentleman from Michigan [Mr. BONIOR] very much, not only for yielding to me, but particularly for taking this time, for making the presentation tonight. I was in my office and I thought, "I can't let this opportunity bypass without coming over and saying it is a bipartisan effort."

Mr. BONIOR. It is.

Mrs. BENTLEY. It is not just a one-party effort. There are people on this side of the aisle who very definitely also oppose it.

Mr. BONIOR. The gentlewoman is absolutely right. I believe we will have a good number of Republicans as well as independents, and the gentleman from Vermont [Mr. SANDERS] joining us in defeating this.

Mrs. BENTLEY. I am just going to touch on some points that have already been talked about tonight, if the gentleman will continue to yield, but I want to reinforce them.

The gentleman from Pennsylvania [Mr. KLINK] mentioned the Volkswagen plant that moved down to Mexico from this area. That is a perfect example of the type of industries that are going across the border, and more of them will go. These are the jobs that pay the most.

We are not going to find the plants that pay the minimum wage, or $5, or $6, those kinds of companies, as apt to move across the border that rapidly as we will those that are paying $9, $10, $12, and $15 an hour. Those are the good-paying jobs, the better-paying jobs we are losing in this country, one of the reasons why so many Americans are finding it necessary to hold two jobs just to hold their families together, if they can find them, if they can find them.

Another point, the gentleman from Vermont was talking about the woman who got $1 an hour. She was well paid. Some of the people that the gentlewoman from Ohio [Ms. KAPTUR] and I saw down there when we were down there, it was 58 cents an hour, or 60 cents an hour. I can tell the Members that those women were very tearful, too. One of them, as the gentlewoman from Ohio has said here on the floor a couple of times, said, "I work for hunger." She worked for an American company, Zenith.

I would say to the gentleman, like him, we were embarrassed. We were very embarrassed. What the gentleman saw was in a colonia, no electricity, no water, nine people living in a 10 by 10 room, which is what we saw. The outdoor toilet was a central outdoor toilet for the community, with all of the effluent running into a stream that was then later used for agriculture. Yes; the gentleman is right. Also there was a central kitchen for the whole area. This is what these people are living under, and these conditions are just absolutely horrifying.

One of the important points, I would say to the gentleman from Michigan, that I want to make tonight is that in the United States today there was a chart that the Journal of Commerce had this week in the publication, and it showed the percentage of the gross national product of the principal industrial countries of what was manufacturing exports from that country.

As I recall, and I am sorry, I do not have it here tonight, and I will present it tomorrow on the floor again, but Germany, as I recall it, was No. 1. They exported 30 percent. Thirty percent of their gross national product was manufacturing exports. The United States was 5½ percent of our gross national product is manufacturing exports. We are getting narrower and narrower, as more and more of our plants are moving out of this country, and more and more of our good jobs are being lost.

This is something that we need to analyze very carefully, what is going to be left here. This, again, is one of the reasons, and people fail to tie these things together, that our economy has not made the comeback.

Why? Because the good jobs are not out there. The manufacturing is lost in this country. That is what we have to provide. We have to provide it to the urban areas, so our unskilled and semiskilled people have somewhere to go, as they used to have when there were good-paying jobs out there and they could go down to a manufacturing plant and they could work in the summers and go to school. They could earn enough in the summer and go to school and improve themselves.

Those are not there anymore. This is one of the reasons why our people lose out.

Mr. BONIOR. One of the things the Germans do so well is they have this apprenticeship program that I know the gentlewoman knows about, and we have talked about it. They train their young people from a relatively early age. They do not trap them necessarily to the point where they cannot get out of it if they want to pursue a professional career, but they train them for these high wage jobs, good skilled jobs. That is why they are so far ahead of us in terms of manufacturing.

□ 2120

They work at it. They pay the price to make sure their workers and their students are trained. That costs money.

What we want to do in this proposal is use that money to retrain our workers who have been thrown out of work. For what?

Mrs. BENTLEY. Yes, for what? That is the big question. We do not have anything for them to go to.

I cannot tell you how many people from 40 on up in age, 40 and older who have come to me, who are skilled people, who have been retrained and they say, "I can't find a job," because the only thing left out there are the hamburger joints.

Mr. BONIOR. That is correct.

Ms. KAPTUR. If the gentleman will yield, I just want to acknowledge Congresswoman BENTLEY's absolute integrity and leadership on this issue of jobs in America. And though she and I are of different political parties, we are both members of the U.S. Patriot Party.

Mrs. BENTLEY. Yes, we are. That is our party.

Ms. KAPTUR. I want to thank her for her work over the years in shipbuilding, and maritime, and manufacturing, and for her knowledge in this area. You make a contribution not just to the people of your district, but to our Nation, and we thank you.

Mrs. BENTLEY. I want to thank the gentlewoman from Ohio for those very kind remarks, and to just add on what a pleasure it is to work with her on all of these issues, because we do think exactly alike, and we are both willing to fight it.

Mr. BONIOR. I thank my colleagues for coming and joining in with me this evening. And we will be doing this on a regular basis, I invite them back. We need to educate the American people, and we need the American people to write and call in, and make their views known as we approach this vote.

STATEHOOD FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 60 minutes.

Ms. NORTON. Mr. Speaker, it was not much of a sacrifice to wait the hour to hear that extraordinary presentation regarding the NAFTA. It is a subject about which our country needs hours and hours of education and explanation.

Mr. Speaker, I rise to offer remarks this evening on another subject about which our country, for the most part, is even less well educated. I rise to try to explain myself, and to explain the views and the votes of the people I represent for statehood for the District of Columbia.

But Mr. Speaker, I sincerely believe that most of my colleagues, and most of the American people are simply unaware of the details of the indignities that the 600,000 residents of the District of Columbia experience, and that if they understood and knew these details they could not and would not condone them.

Mr. Speaker, I am called a Delegate. There are four others like me. We are officially called also Congresswoman and Congressman. My other colleagues who come from States also are officially called Congressmen and Congresswomen. But they are called Representatives as well, because we do not represent States. Under the Constitution we are not called Representatives. But Mr. Speaker, the fact is that I do represent more people than most Members of Congress. Mr. Speaker, the fact is that I do represent people who pay more taxes than those represented by most Members of Congress. The residents of the District of Columbia, Mr. Speaker, are the third per capita in taxes paid to the Federal Treasury. And Mr. Speaker, I do represent people who have fought in greater numbers, in larger numbers than most of my colleagues. That is who I represent. That is who this Delegate from the District of Columbia represents.

Allow me to try to put a face on our plea for statehood. Mr. Speaker, I do not claim the privileges of a State. The House has been generous in affording me what privileges it can under the Constitution, including a vote in the Committee of the Whole, and the vote in the committee, the right to speak on the floor, the right to introduce legislation. I appreciate that this body has gone as far as it can, short of statehood, to recognize the fact that there are people who live right under the noses of this House and the Senate, who live not as second-class citizens. There are plenty of those scattered around America. But they are people who live as no other Americans live, people who do not have control, do not have autonomy, do not have democracy, but can be overruled in each and every law they pass by the Members of this body who represent nobody in the District of Columbia.

I do not claim the privileges of a State. I am appreciative for the privileges granted me by this House.

But I do, Mr. Speaker, want to become a State. I do represent people who want to become a State.

I want to tell those who hear me, Mr. Speaker, that I am talking about my Washington and not your Washington. Your Washington, the Washington of America, is not the place I wish to become a State. The Washington of America is a great and beautiful Federal enclave which contains, yes, this House and the Senate, and the Capitol, and the monuments, and the Government buildings, the great national enclave.

I have introduced H.R. 51 to denote the fact that we would become the 51th State of the United States of America. And in my bill I name the great Federal enclave, would you believe, Washington, DC, because I want to leave Washington, DC, as it is for my country. But the fact is that the 20 million people, foreigners and Americans who come to Washington every single year do not come to the place I wish to become the 51st State. They do not come to Ward 8 across the Anacostia, Mr. Speaker. They do not come to Ward 3 in Upper Northwest, Mr. Speaker. They do not even come as far out in Capitol Hill as I live. They come to Washington, DC, which shall be left as it is for them, the great Federal city.

It is my Washington, it is the Washington of neighborhoods, it is the Washington that has no relationship whatsoever to the Federal presence today that I am asking this body to make the 51st State.

Mr. Speaker, one of my colleagues, one of my very good friends and colleagues wrote a letter to my hometown newspaper, the Washington Post, recently, chiding those in the District whom he says cling to the idea that the District can become the State of New Columbia while maintaining a unique relationship with the Federal Government. I am here to disabuse any who believe of that notion. We seek statehood in order to become fully equal. We ask for no personal privileges, and we have thought this out. My bill I think reflects this. We seek to become a State like every other State. We understand fully that while each State is unique, each and every State in its relationship to the Union must be equal.

□ 2130

No special burdens, no special privileges. To the extent that you can call the Federal payment we receive now a privilege, where we are paid for the burdens that are put upon us as a capital city, to the extent that you call that a privilege, we would turn it back and ask to be treated with respect to Federal funds like every other State. I will elaborate upon that in a moment.

The basic principle that commands our transformation was stated as well as it has been in the first editorial of the Washington Post ever to support statehood. It was written January 13, 1993. For all these years, the Washington Post really wondered whether it should be for statehood, has been a strong supporter of home rule. It has never said it was against statehood. It has simply never written an editorial for statehood.

Finally, this year it did so.

I quote a sentence from the editorial:

> Denying District residents the right to send people to Congress who can vote on taxes or decide questions of war and peace while at the same time expecting them to shoulder the burdens of citizenship, including the obligation to pay taxes and to fight and die for their country, is wrong; forcing local officials to perform their duties under today's restrictive conditions is not better.

Today's restrictive conditions mean that it is a charade to represent to the American people that Washington, DC, has a Mayor and a city council. We do. They have considerable authority. But they work always with the notion that the Congress can take back anything they do, despite the hypocrisy of passing something called the Home Rule Act, which Congress itself can violate at will. Sounds more like the old Soviet Union to me and it feels a lot like it if you happen to be an American who lives in your own capital city and especially if, like me, you happen to be a fourth-generation American, a fourth-generation Washingtonian who lives in this city and whose great-grandfather came to this city in order to escape slavery in Virginia. He did not find full democracy here when he came. I expect that he thought that 100 years later his grandchildren and great-grandchildren would have found it, and we have not.

How dare we ask for statehood? "Surely there are qualifications for statehood, Delegate NORTON," or Congresswoman NORTON, whichever you prefer. "Do you qualify for statehood?"

Let me speak to qualifications: number of people, too small for statehood? Approximately 600,000. If we are too small for statehood, then so is Alaska, so is Vermont, so is Wyoming, because they are smaller than we.

Taxes: The territories generally in our country, indeed always, have never paid taxes until they become part of the United States of America. With the territories of Puerto Rico, Guam, American Samoa, and the Virgin Islands, no taxes to the Federal Treasury this very day. They are after all not full States, and since our country was founded on the notion that you do not pay taxes without representation, we have kept that basic compact with those four territories; not with us. We have paid taxes from day one when we were created by the Founders.

Higher taxes per capita than 48 of the 50 States; $1 billion in taxes to the Federal Treasury. Yet in the Senate of the United States there is nobody who can raise her voice for the District of Columbia.

Our budget, three-quarters of it raised in the District of Columbia, comes to this House as if they had anything to do with it, and then goes to the Senate. At least there is somebody here that can speak for us because at least this House has recognized the insult of having any Americans who have no one to speak for them in the national body. But in that House, the other body, our budget and our lives pass before 100 Senators to do with as they will and nobody to speak up and say, Here me," first, because there is no such thing as a delegate to the Senate.

Whoever heard of a city becoming a State? Surely your economy will not meet the demands of statehood.

Not true. Business services higher than 30 States, legal services higher than 41 States. Hotels and lodging higher than 27 States; finance, insurance, real estate higher than 14 States, 21 million tourists per year.

We think we can make it. We have read history. Most States come in as a rag-tag band of loosely knit subplaces within the territories, trying their best to put on a good face, totally unorganized, undeveloped. We look a lot more like a State than most States did when they became States.

Citizen obligations? Watch out. Not only met but exceeded. Service in all American wars, including fifth per capita in the Persian Gulf, fourth per capita in causalities during the Vietnam war. We have paid our dues, and then some, Mr. Speaker, and then some.

What has our country paid to us?

Constitutional qualifications? All met. There has been a majority vote of the residents, we have the requisite population and the resources, and we have a commitment to a republican form of Government and to democracy. It is all the Constitution looks to.

How will the Federal interests be protected if we are surrounded by this place called New Columbia? Not to worry, Mr. Speaker.

In the first place, the Federal Government has shown itself quite capable of defending itself against forces mightier than the population of the District of Columbia. But in fact only the neighborhoods would become a part of New Columbia. The seat of Government would remain the large Federal expanse, including all the Federal buildings and national monuments, all of this in compliance with Article I, section 8, clause 17 of the Constitution, which has nothing to say about how small the capital city will be but only that it not be larger than 10 miles square.

Our country has already made it smaller once. We were larger. We included parts across the river in Alexandria, but the State of Virginia came to this place and demanded its land back because the Congress was about to abolish slavery in the District of Columbia.

If this is a body that can make the capital city smaller in order to preserve slavery, then this must become a body that can make the capital city even smaller to create a democracy in the neighborhoods of the District of Columbia. It takes nothing, it takes nothing from our country or from our colleagues; it takes everything from us to leave us as we are.

One hundred fifteen nations grant representation in their national legislature to their capital city. One nation, one nation and only one nation, Mr. Speaker, denies representation, full and equal representation to the residents of their capital city, and that one and only one nation is my Nation, my country, the United States of America.

□ 2140

Mr. Speaker, we seek no special relationship to our country. We seek the relationship that our country has given to every other American.

Precisely to make the point that we seek only equality and nothing special, I amended the original statehood bill when I was elected to Congress in ways that make that perfectly clear.

We receive a Federal payment now. It does not recompense us for the burdens of being the Capital City, but it has been important. I have included in my statehood bill a section abolishing the Federal payment. What it does do is say the District shall have available any payment in lieu of taxes for which it may qualify and for which thousands of jurisdictions in the United States qualify. I do not know what that policy will be, but generally in the United States if there are Federal impacts, there has been some payment in lieu of taxes for that. We do not want to admit the District of Columbia as the New Columbia without according it what is available to every other State, a payment in lieu of taxes that meets certain qualifications. That is all that we would expect.

If the District of Columbia gets to the point where it must precisely have the kind of Federal payment it has had, then it must give up statehood. It must understand that. I will tell you that it does understand that.

If it figures that at the bottom line this State is not viable, despite the figures I have given you, then it would be foolish for it to exchange political rights for economic bankruptcy. That is not what I believe will happen. If it were to happen, if there were any signs that it were to happen, then I would myself withdraw the bill. I will not be remembered, if at all, as the delegate who presided over a transformation that brought on bankruptcy for the District of Columbia.

If we know that the District of Columbia, like New York, Atlanta, and L.A. and many other large and many small places is having an economic crisis at the moment, it has not recovered from the recession, whole States have not recovered from the recession, either.

In the 1980's when the country was flush and doing well, the District did very well. The District went for 5 years with no increase in the Federal payment. It has a high-income population on the one hand, and like every large city it has low-income residents, too; nevertheless, it raised its own taxes 50 percent over a period of 5 years. It does not need or want to do that again; but I think it does show certain strengths.

When the economy is good, then New York State does well, or to take a State that is perhaps really feeling it now, when the economy does well, California does well. California is nearly bankrupt now because the economy is not doing well and because there have been other problems, structural problems in California, but nobody says California should not be a State because there are economic problems that arise from time to time. The District tends to do just as well as the rest of the country when the economy is doing well, and like every other State when it is not doing well, we ought to expect that its economy does not do well, and it must take measures to account for that.

I also amended my bill in order to allay a fear that some may have had, even in the District of Columbia, and that is that if you made the District a State, then perhaps some would want to build high buildings and blot out the wonderful vistas that L'Enfant left in his plan; not if I can help it.

First of all, half of us would drop off the statehood bandwagon if we thought that would happen. Congress would not have to worry about that. We are proud of our vistas, as we are of nothing else that adorn this city; but I have amended the bill just to make sure.

We had a legal dilemma, and I worked with some of the best lawyers on this dilemma. The dilemma was that the Federal Government cannot admit a State while conditioning its admission. So we could not in fact say we admit the State of New Columbia, but by the way, you cannot build high buildings, as the Federal Government does say now. There is a statute to that effect passed in 1910.

There turns out to be a way to do it, however, and that is to allow the Federal Government to do what it has constitutional power to do and does all the time, and that is to engage in a taking by eminent domain, in this case of the air rights above New Columbia, something it can do, something we would welcome, because it would guarantee that the air rights above New Columbia, which by the way have no market value under the law, would belong to the people of the United States, to the Federal Government. That would mean it did not belong to the District of Columbia at all, so we could not possibly build high buildings and blot out the White House or the Monument.

I think that I have taken actions that demonstrate in my bill itself that I seek no special relationship between the State of New Columbia and the Federal Government. On the contrary, I take action which makes a special preferred relationship impossible.

Does this sound like a city that needs or wants a special relationship, Mr. Speaker? The District raises most of its own $3.8 billion budget, and as with most States, it does so through income property and sales taxes, in that order, looking only at locally raised revenues, discounting all Federal funds, every bit of it.

The District raised more revenues than 11 States in the fiscal year 1989–90, the last year for which I have figures. We raised in the District alone from District taxpayers more money than—listen for your State—more money than Delaware, Idaho, Maine, Montana, Nevada, New Hampshire, North Carolina, Rhode Island, South Dakota, Vermont, and Wyoming.

They are States, Mr. Speaker. If they can take care of themselves, raising less money from their taxpayers than we do, surely no case can be made that we are not a viable State.

Mr. Speaker, the present home rule that we enjoy is patently insufficient and defraudinate. It gives the impression that if you elect a mayor or city council to govern yourself, like everybody else you like to put out principles that we say we must have.

Let me quote from an editorial from the New York Times of November 25, 1991, on home rule and how it operates in the District of Columbia. The editorial says in part:

> The Home Rule Act left the Federal Government's dictatorial powers intact. Congress can overturn any law the District

Council passes. A powerful Senator can throw some cash to friends by attaching amendments to the city's budget bill and one meddlesome Congressman can by himself trigger hearings on any law by simply raising an objection to it.

□ 2150

That is from an editorial in the New York Times entitled, "The D.C. Plantation, Freedom Soon?"

When I rise on the floor, when Members come forward with their own ideas for laws for the District of Columbia, which they then proceed to vote upon, or to vote down our laws, when I rise and say, "But there is a Home Rule Act, and you said that you were giving this power to our own Mayor and City Council," invariably somebody rises to say, "But we included a little section that said, 'But if we want to, we can violate it.'"

I kid you not, Mr. Speaker. That is how it goes, and of course constitutionally, plenary power; the government of the District of Columbia remains in the Congress of the United States until it becomes a State. But how can we pass a law giving democratic powers to the District of Columbia and then say, "However, we reserve the right to violate it anytime we please," Mr. Speaker?

Is that fraud or is that not fraud? It is a fraud on the people of the District of Columbia, I can tell my colleagues that.

"How does this work?" you say. "Congresswoman Norton, how can it be? Give me examples. I don't even understand this notion," you say.

Mr. Speaker, I have just signed letters to those who will be conferees on the District of Columbia appropriation. Understand that the District of Columbia appropriation is mostly funds raised in the District of Columbia, but that budget, nevertheless, comes here to be passed on by Members of Congress who had nothing to do, not a thing to do, with raising one cent of it. It is as if I went into Toledo, OH, or Atlanta, GA, and tried to tell those taxpayers that I wanted them to spend the money this way rather than that way, and they wanted me out of town in their order.

We do not want to throw the Congress out of town. We just want statehood for the neighborhoods of the District of Columbia.

I have just signed a letter to the conferees who sit on our budget asking them to allow the regulatory processes of the District of Columbia, now under way, to decide whether there should be a cogenerator in a neighborhood of the District of Columbia. The reason I wrote that, and I have had to write several letters, and thus far I am grateful that both the Senate and the House have heeded my plea and understood this as a home rule issue, but there is a neighborhood where a university wants to put a cogenerator plant, and they have problems with the cogenerator plant.

I say to my colleagues, "Go home and talk to your mayors. They have these problems every day. If you are a Member of Congress, you don't even know much about it. You don't want to be drawn into those problems. You do like I do. You say, 'Wait a minute. That's for the mayor and the city council. You sent me here to deal with health care and Somalia.'"

But there has been an attempt to get the Senate involved in this issue. The Senate has declined, although the Senate did write in its report of the bill that it wants the District to proceed forthwith to settle the question. So, it did raise its voice. I am grateful it did no more than raise its voice and did not direct the District one way or the other on the cogenerator issue, as it might have.

I say to my colleagues, "You can imagine how you would feel if a local issue of this kind made its way to the Congress of the Untied States. You would be the first to tell them to get out of your local business."

Mr. Speaker, we have heard people on this floor this very evening speak about the kind of business this Congress is in.

We are in the Somalia and the Bosnia business.

We are in the Haiti business.

We are in the NAFTA business.

We are in the health care business.

We are in the stimulus package business.

We are in the authorization business.

We are in the appropriations business.

We are in national business; we are not in local business. Under our Constitution, under our Declaration of Independence, under each and every principle that created this country, there are local affairs and there are national affairs, and, when Congress tries to get in local affairs, it finds a great barrier, that barrier of democratic traditions that are 200 years old, and those barriers are respected for every jurisdiction in the United States except the District of Columbia, even in the four territories.

Mr. Speaker, nobody tells Puerto Rico what to do, nobody tells Puerto Rico to send its laws here before they become law, even though Puerto Rico is a territory. Puerto Rico does whatever it wants to do and passes whatever law it feels like. And so does the Virgin Islands, and so does American Samoa, and we would have it no other way. Why would we have it this way for 600,000 people who live in the District of Columbia? We cannot have it this way much longer.

Mr. Speaker, I went around the House today speaking to Members as we count votes on our appropriation because there is a reproductive freedom issue that is raised by District law, does not have anything to do with our appropriation. There is no money in our appropriation for reproductive issues, nothing. Moreover, the District is like every other jurisdiction in the United States. It could not use Medicaid money for abortions because there is an amendment, the Hyde amendment, that keeps that from happening.

Even though three-quarters of the money in our budget comes from local taxpayers, in the minds of some Members there is the notion we ought to superimpose reproductive freedom, inhibitory language, in our appropriation. We do not do that for anybody else in the United States of America.

I say to my colleagues, "This isn't your money. This is our money. It shouldn't be over here in the first place."

To its credit the House and the Senate let this issue be. When our appropriation came through the first time, and I hope and pray that when the conference report comes before this House that the Members of the House would treat me as I would treat them, that the Members of this House will say, "Their will be done."

We have our set of local values and traditions, and I will insist upon them where I live. Where my colleagues live, Mr. Speaker, it is for them to decide, and what traditions they should have.

The unfairness has loomed large because, not only does the Congress interfere in the District of Columbia as it does in no other jurisdiction in the United States, we incur, and have incurred, substantial liability in the most unfair fashion. For example, when the Congress granted home rule for the District of Columbia, it said, "Fine, take this, it's all yours. Free at last."

First of all, it turned out we were not free at last. We were free as long as they wanted us to be free. We could operate as a democracy until they decided that they did not want any democracy for purposes of any particular action or bill, and, in addition to all of that, the Federal Government handed us a Cadillac pension plan that it had enacted for employees of the District Government before home rule when it was Congress who ran the District of Columbia. We got home rule only in 1973, 20 years ago. It enacted this Cadillac pension plan and then handed us this pension plan steeped with $2 billion in unfunded pension liability. "So, now you pay for it."

Now, on top of all of the difficulties that jurisdictions like the District are encountering, Mr. Speaker, we encountered this burden placed upon us by the Federal Government 20 years ago which is now ticking like a bomb in the midst of recession from which we have not begun to recover, posing a real and present danger to the economy of the District of Columbia.

□ 2200

Thank you very much, Uncle Sam, for giving us our freedom and giving us a whole big debt you incurred to go along with it. I suppose it would be hard to disagree with the Village Voice, who wrote in a recent editorial:

> That the District of Columbia has not become New Columbia, our 51st State, is a national disgrace. Denied the meager autonomy of electing its own mayor and city council until 1974, the District still must have its budget approved by both Congress and the President. And even rearranging garbage pickups can be a matter for Capitol Hill debate.

We need to face these facts, Mr. Speaker, as I come forward and ask for a vote on the House floor this year for the first time in American history. It is time for this House to face this issue, even as the country is beginning to face it. It has become, interestingly, the most important priority this year for the Leadership Conference on Civil Rights, which has taken it as its number one project. That is interesting because the Leadership Conference on Civil Rights usually engages in actions that help us get legislation like the Civil Rights Act of 1991, like bills that otherwise restore or improve upon equality, bills that aid disadvantaged people, sometimes monetarily. Two hundred organizations, including unions, churches, synagogues, there is virtually no progressive group in the United States that is not a member of the Leadership Conference on Civil Rights, revered and feared in this institution.

The Leadership Conference has gone all across this country, spoken to Members here and in their districts, in preparation for a vote this year on statehood for the District of Columbia. Moved by the prospect of that vote, the Senate of the United States will hold its first hearing ever on statehood for the District of Columbia. For them that is a giant step forward.

The bill in the House has gotten out of committee twice before. It will be out of committee again this year. The House has been receptive, often, to our concerns.

It almost broke my heart today, at least momentarily, when I went up to a good Member that I admire and respect, and I said I was looking to make sure we had the votes on the D.C. appropriation. In effect, the House is voting mostly on our money, and I wondered if he was going to vote with me.

He said, "If you want me, Eleanor, I am going to try to help you and vote with you." But he did say to me, "You know, I generally vote against the D.C. appropriation." He said, "It is an easy vote."

It broke my heart, because he is a good colleague and he could not have understood what he was saying, especially since he said it to me and he is such a good friend of mine. "It is an easy vote. I vote against the appropriation."

You know, it is not his district, so I guess he gets some points for voting against appropriations. That will not go into the budget. But because these issues have not been made clear to him, Mr. Speaker, he does not understand that he is voting against men, women, and children who raise their own money and who get a Federal payment only to pay them in part for the services they render and the burdens they bear from being the Capital City. He does not understand it, and I can understand why.

Mr. Speaker, I have very little criticism. Why should a Member from another State, with all we have to do in this House, spend time thinking about a city not in his jurisdiction? It makes no sense.

We can hardly get through each day. I never feel that I have leisure time. Why should I be thinking about Syracuse, NY, or San Francisco, CA? That is for the Member from that district to think about. So he has not immersed himself in the details of our status or our needs, and there is no reason for him to. I do not want to extract that time and effort from him and away from his constituents.

Yet, on this floor, every year there is debate at length about the details of governance of the District of Columbia. It happens on this floor because, one, we do not respect the Home Rule Act that we ourselves passed 20 years ago, and, two, we are not a state. One or the other of those things has to happen to get the Congress off the District's back.

The Congress, quiet as it has been kept, has not been mean to the District of Columbia. That is not true. For the most part the Congress treats the District of Columbia with a great deal of benign neglect. It does not want to be bothered with the District of Columbia.

The Congress at time has been extraordinarily generous to the District of Columbia. In 1991 it increased the Federal payment 40 percent, in part to make up for 5 years of no increases. That very same year it passed a Federal payment formula.

This is not a Congress which sets its sights against the District as the District, but it is a Congress which has not faced the elementary facts of the lack of democracy in the District. And for that, there is shame. For that there must be shame.

You cannot trot to the far corners of the Earth, making your way to Somalia, now to Haiti, tentatively to Bosnia, to South Africa, and the Soviet Union, preaching democracy, as if you invented it, which you did, without reinventing it here where you live in this House and in the Senate. And we will not let you rest, we will not let you rest until you face it. We are not going to go away. We are not going to shut up. We are not going to stop telling the truth. And the truth is this country practices democracy in every State of the Union and in every territory, and insists upon it in every corner of the Earth, but does not practice it here in the Capital City, in our own country.

That is the truth. And nobody can rise, nobody can rise, to contradict that statement. We must make it no longer the truth. We must take this burden off your back and you must get off of our back. We must become the state of New Columbia.

We come to you as the last resort. We have tried everything else. We tried to get voting representation, full voting representation, somewhat beyond what I enjoy in this House, and beyond anything we have ever enjoyed in the Senate.

In the 1970's, when a constitutional amendment went around the country that would have given voting rights to the District of Columbia, we got 16 states out of 38, Mr. Speaker, 16 states out of 38. Had we gotten all 38, we would have had an anomaly that would have embarrassed this House and the Senate, because we then would have had full voting rights in the House and the Senate and still would have had the House and Senate voting on local appropriations of the City Council of the District and voting whether it wanted to disapprove this or that law of the District. That is an embarrassment, or should be, Mr. Speaker. It is an anomaly we cannot live with any longer.

□ 2210

Voting rights would have been half a loaf and, besides, it is a loaf that you turn down. I say to my country, turn down.

Retrocession to the State of Maryland has been offered as an alternative. Mr. Speaker, I submit that that would be harder than getting Statehood for the District of Columbia. Neither jurisdiction desires it. Anyone familiar with Maryland politics must have grave doubt that Maryland would vote for the admission of the second largest city, given the way it treats its only large city, Baltimore.

After 200 years, the District, after all, has acquired a distinctive culture and demography. You are not likely to get the residents of the District of Columbia disclaiming that identity built up over decades and generations. We are what we are.

This country has never said to any State, go and become a part of some other State. You have got to take us on our merits, our own merits.

We are and should be treated the equivalent of other States.

Finally, Mr. Speaker, there are some in my city, including some officials, who feel that the situation has, in the House and the Senate, has been so unresponsive that they have been driven to other actions. They are not actions that I have myself advocated, but they are actions that I entirely respect.

There are people who, in order to draw attention to the undemocratic practices fostered on the District of Columbia, have gone to the streets and submitted themselves to civil disobedience.

They include the Mayor of the city, Sharon Pratt Kelly. They include several council members, Councilman Kevin Chavous, who heads the Statehood Committee of the District of Columbia; Councilman Frank Smith, who was arrested on his 50th birthday.

That was a poignant one for me to see, because I first met Frank Smith as a member of the Student Nonviolent Coordinating Committee in 1963, when I went down and there was only SNCC in the delta, and only seven or eight of us. And Frank Smith was one of them. And here Frank was being arrested, not in the delta, as a youngster, but in Washington as a council member and also for the denial of democracy.

When people are driven to those lengths, I think people ought to sit up and take notice. They have done it, I think, with dignity. They come into the street. They inform the Capitol Police ahead of time that they are going to be arrested. They do exactly what we did when I sat in as a student, willing to take the consequences in order to make clear that we are not going to take it anymore.

That is what they are doing. That is what I thought was appropriate, when I was arrested as a student. That is what I thought was appropriate, when I was arrested in the South Africa demonstrations in 1984.

I never thought that I would see residents of my own hometown sitting in in the same way that as a youngster we did in the old confederacy, but there you have it.

It is not my purpose or intention to be arrested. I have access to this floor. I alone, in the District of Columbia, have access to this floor and have the right to come to this Chamber to express the anguish of the District of Columbia directly to my colleagues. And I will use that authority and that privilege to make my point.

I will use the vehicles provided by this body, including the opportunity I shall ask for a vote up or down on whether the Members of this body stand for or against the patently undemocratic practices, not created, not created by this body but surely fostered and condoned by this body every day that you allow it to remain in existence.

Mr. Speaker, I am proud to be an American, and I am equally proud to be a Washingtonian. I was proud to be an American, even when as a student I felt I had to engage in civil disobedience because of segregation here in the Capital and in other States of the Union.

I am proud of the capacity of our country to change.

I believe our country will change the status of the District of Columbia as well.

Mr. Speaker, I ask each and every one of my colleagues to consider how you and your constituents would feel if you had to submit to congressional control. I ask you whether you believe you could take it even for a minute. If you believe that that is unfair, one way to express it is to vote for statehood for the District of Columbia. That is what I will be asking that I be granted, the right to have that vote.

Another way to express it, pending that time, is to respect the Home Rule Act passed and enacted by this body 20 years ago. Under that act, the Congress recognized that it was wrong to continue to govern the District of Columbia from this Chamber. Occasionally, indeed in each and every Congress, there are opportunities to do just that. And those opportunities have, in fact, been taken by some of my colleagues.

As one of you, I ask you this evening to abstain from those opportunities. At the very least, abstain from voting against our appropriation. Abstain from voting to overrule laws passed democratically by our Council and our Mayor. Abstain from attaching your laws to our appropriation. You are not elected to govern in the District of Columbia.

Do that and, finally, as you think about it, 200 years of inequality in a democracy, I ask you also to consider doing what I am sure you would ask me to do if you were in my place. And that is, to vote to make the neighborhoods of the District of Columbia the 51st State of the United States of America.

SOMALIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. FINGERHUT] is recognized for 20 minutes.

Mr. FINGERHUT. Mr. Speaker, I appreciate that it is a late hour and that we have not only you but diligent employees who have to stay as long as we stay in session, so I will attempt to be as brief as I possibly can.

I have asked for this time tonight because, as a Member of Congress, as a member of the Foreign Affairs Committee and as the Representative of many people, including one who I had the chance to meet last week, who have served in the military of this country and, particularly, served in our mission in Somalia, I am deeply concerned about the direction not only of our Nation's policy in Somalia but also about the broader implications of our foreign policy decisions with respect to the use of military force.

☐ 2220

Mr. Speaker, the events in Somalia are moving very quickly. Indeed, it may be that something has occurred today that I am not even aware of, as I stand here on this floor. We tend to react in this body on a day-to-day basis, to react to the news, reacting to the pictures on television instead of acting with coherence and with a plan.

All too often, Mr. Speaker, I feel, particularly as a new Member of this body, that that is how we react to so many issues that we have to consider. We react on a day-to-day basis. We do not react with thoughtfulness or with an overall plan.

Frankly, all too often, in addition, we react by throwing barbs at each side, blaming one side or the other for the current events.

It is my hope in the next few moments to think aloud a bit, together with my constituents, about what we face, not only in Somalia but perhaps in Haiti and Bosnia, and in the crises that we cannot yet see in which we will be asked to send our troops.

Mr. Speaker, this weekend during my time in the district I had a chance to welcome Army Lieutenant John Willoughby back to the 19th Congressional District of Ohio from a 4-month tour in Somalia. Mr. Speaker, John Willoughby is what every American thinks of when they think of their troops. He is a fine soldier, a fine human being, a patriot, intelligent, hard-working. He represents the best of America today and the best of the future of our country. He was part of a construction and engineering unit that went to Somalia to build roads, but instead, found themselves dodging bullets.

According to Lieutenant Willoughby, his units, in typical gallows humor, summed up the danger this way: "When you are up to your neck in alligators, it is hard to remember that you came to drain the swamp." The joke had larger meaning for me.

My talk with John Willoughby helped me think about not only our role in Somalia, but also our increasing use of our troops throughout the world, and finally, our priorities as a nation. There has been a lot of talk on this floor and in the media about the mission to Somalia. I agree, and will vote with those who believe that our mission is over, that we have accomplished the humanitarian goals we set out to accomplish, and that, other than securing our troops and coming home as quickly as possible, we have no further responsibility.

Lieutenant Willoughby confirms what I have come to believe, and that is that this could be accomplished by the end of this year at the latest, and perhaps even sooner. He told me even more disturbing things. He talked about the low morale of the troops in Somalia. He talked about soldiers who have dedicated themselves to the military and their country, who were in firefights in Desert Storm, who have made great sacrifices for their country, that are so discouraged by our efforts in Somalia that they talk of leaving the service altogether.

He talked about their pride in accomplishing the initial mission. He talked about the famine and the suffering that we did alleviate, but also how, since the beginning of May, when the mission was turned over to the United Nations, how we have failed to grasp the declining situation on the ground in Somalia; how we have failed to understand that the first mission was finished, and that we had no clear idea of why we were still there.

Indeed, I think sometimes even this body and the country believed that when we removed our contingent of troops, our 20,000, 30,000 troops who were in Somalia, that we believed the mission was over and did not pay adequate attention to the 4,000 troops we left to continue the U.N. peacekeeping mission, that we left under the control of the United Nations.

Certainly as a new member of the Committee on Foreign Affairs, I put myself in the category of one who did not fully understand the implications of the decision that we had made on that day, and who thinks that perhaps the vote to continue the authorization of troops in Somalia for up to 1 year was the wrong vote to cast, and believes that a fuller debate on this issue today is perhaps a bit late, but certainly something that we must undertake if we are to appropriately understand our role today and in the future.

Lieutenant Willoughby had the same reaction that I did to the administration's announcement last week. Why is it that a March 31 date is now the appropriate date for withdrawal? What is it that we believe we can accomplish between now and March 31 that we have not already accomplished? What confidence will it give to the rest of the world that they would not otherwise already lack if we say that we are not being driven out by the recent events in Somalia, but whether we succeed or not by March 31, we will leave anyway? Setting a date 6 months hence simply makes no sense to me, and I believe it makes no sense to our troops on the ground in Somalia today.

Since our experience, our national trauma in Vietnam, we have agreed, I believe, on two military principles: First, that we must have a clear mission that the Nation is behind; and second, that we must use not only the necessary force but the overwhelming force to accomplish that mission.

It is clear, I believe, to everyone in this Congress and everyone in this country that we are violating both of those principles in Somalia now. So, despite the fact that the news today looks more promising than the news did a week ago, I still believe that the correct decision is to leave, to leave as soon as we can secure our troops, to declare that what we have accomplished is something that a nation can be proud of, but that what we have to accomplish in the future is not worth the expenditure of our financial resources and our most precious resources, our young people.

I have joined with my colleague, the gentleman from Ohio [Mr. BROWN], who in July introduced a resolution calling on the President to withdraw our troops. As a cosponsor of that resolution I applaud Mr. BROWN's efforts. I believe that over the course of the next few weeks, we will be called upon to debate this issue. I hope that we will stand fast in the understanding that it is time to bring our troops home.

I really believe, however, that this is an occasion not just to think about Somalia but to look beyond the events in Somalia to what our proper role in the world is and when we should use our troops, because whether it is Somalia, Bosnia, Haiti, or some other country in crisis, we have to know what the standards are that will guide us when countries ask for our help, when the United Nations asks for our help, or when, simply, our humanitarian instincts ask for our help.

The first principle, I believe, is that we must recognize that the United States will always be called upon to have an aggressive foreign policy, to steer other countries to democracy, to protect our national interests around the world. We cannot pursue an isolationist policy without severe damage to our position in the new world order.

The United States is the last superpower. It is the country that all eyes turn to in times of trouble. We cannot and should not pretend that we live on an island. However, calling for an aggressive foreign policy that promotes democracy around the world is not the same thing, is not the same thing, as saying that we should order our troops into every situation where we would like to promote democracy or promote stability around the world.

We have a remarkable arsenal as a country to effect change in the world. We have all of our diplomatic efforts, and they should never be underestimated. We have the power of aid that we are able to give and that we do give to countries around the world. We have the power of trade, the ability to open or to close the American market, which is the greatest consumer market in the world.

Yes, we even have the ability to help assist in training other people's troops, in arming other people's troops, in helping other people provide for the ability to fight if there is fighting that they must do.

□ 2230

The military forces of the United States, however, particularly the use of our ground troops, should be our last resort, to be used only when our national interests are severely threatened and all other options have been completely exhausted.

But recently it seems, Mr. Speaker, that military force has not been that last option, but rather has become Option No. 1, the first arrow that we pull from the quiver. It seems that our first response to any troubles in foreign countries has become send in the Marines.

Perhaps this is a form of national hubris that has come over us after our great military success in Desert Storm. Certainly other countries have learned that when they fight a war and they win overwhelmingly that the temptation is to believe that any place we send any troops that we will be automatically successful. But when we lead with our troops instead of remembering why the success was there in Desert Storm, the well-defined mission, the overwhelming force, when we lead with our troops we put our people on the front line, we lead with our chin when we would be better off working behind the scenes and avoiding putting American lives at risk. This tendency to lead with our chin, to lead with our troops is particularly evident in Bosnia. We have called for months on the United Nations to lift the arms embargo so that we can at least allow those who come under attack to fight back. Some of us, myself included, have said we would support air strikes to try and even the military advantage there.

But not having taken either of these steps, we are nevertheless seriously talking about sending in 20,000 troops on the ground to try and keep a peace which we all know cannot be kept.

It also seems that we have moved much too soon to use our troops in Haiti. The lessons have been learned quickly, quite fortunately, and the administration has moved to pull the troops back. But we sent 600 troops in to train. Why could we not train the Haitian forces on our bases in the United States if we felt that was necessary to do? Why could we not provide for sophisticated armaments if that was necessary? Certainly we have already taken a step back and called for economic embargoes. If we believe today that has a chance to work, why did we not believe that it had a chance to work before we were willing to put 600 troops in harm's way?

Again, the tendency that seems to have developed, to believe that putting American troops into a situation is an automatic solution to a problem instead of the very last resort, is a very, very dangerous trend, and something that I believe requires us to take a step back and to think about it at great length.

Finally, Mr. Speaker, I think that this rash of peacekeeping efforts, interventions around the world, however you wish to describe them, calls into even more fundamental question what our national priorities are.

Mr. Speaker, we serve in a Congress that is grappling with many difficult domestic issues. No issue is more difficult than the question of setting our national fiscal policy. We all know the situation we find ourselves in with respect to the deficit, and with respect to the national debt. We have great wars on this floor as we try and figure out a national consensus for balancing our Federal budget, for reducing our expenditures, for paying down the national debt so that we no longer continue this practice of adding to the debt every year and leaving the problem for our children to solve.

Wherever you are in this debate, whatever your side of the aisle that you have been on, it is clearly a question that concerns us. What it has done, I believe, is it has made each decision we have taken with respect to Federal spending, it has made each decision more focused, it has made each decision more closely a choice among competing national priorities. Something as simple as $2.5 million in the military budget that went to the civilian marksmanship program became a subject of great debate on this floor several weeks ago because we understand that every single penny is a prioritization decision and that we must answer not only to our constituents today, but also to future generations.

We will wage a great battle on this floor in the next few weeks, in the next few days over the superconducting super collider. We rejected a rule on one entire appropriations bill, the VA-HUD bill because of a small item, the ASRM Program that this House wanted to kill and the other body is determined to try and continue funding for. These are the kinds of difficult choices we have made.

Yet, somehow, even as we have our fiscal choices so clearly framed for us, we do not understand that our choices with respect to the deployment of troops are also fiscal choices. They are also priority choices that we must make.

So, Mr. Speaker, in conclusion, I ask that not only when we ask our questions about Somalia we not only talk about Somalia in the next few weeks, but we put Somalia in the broader context of how it is we wish to use our troops and try and develop a policy, one that this Member is only beginning to develop in his own mind, about how we would deploy our troops, and what their application would be in Bosnia, and Haiti, and all of the other situations that we know are going to come up. But even more fundamentally, take a step even further back from that and recognize that the dollar that we spend on the 600 troops that went to Haiti yesterday is the dollar that we would spend on a domestic program, whether it is Head Start, or education, or any of the other programs that people would like to fund in this House, health care, Medicare for seniors, pharmaceutical coverage. It is the same dollar that we would like to reduce the deficit by and retire our debt so that we do not add the debt onto our children, and leave that legacy for our children. These are in fact the priority choices that we are facing.

Mr. Speaker, there are no easy answers. But I came here to the well of the House today to ask that we begin to ask these questions, ask them in a thoughtful way, ask them in a way that does not throw bombs across this political aisle here that too often divides us, ask the questions in a way that makes the public proud of the debate that we will have on these questions, ask them in a way that puts the safety of our troops first, ask in a way that protects the dignity of the American Government and American choices, ask in a way that keeps America as a leader in promoting democracy around the world, but also asks in a way that understands the realistic choices of the fiscal policies that we have to make in this country.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. EWING) to revise and extend their remarks and include extraneous material:)

Mr. GOSS, for 5 minutes, today.

Mr. DORNAN, for 5 minutes, today.

Mr. DOOLITTLE, for 60 minutes each day, on today, October 14, 15, 18, 19, 20, and 21.

Mr. SANTORUM, for 5 minutes, today.

Mr. GILLMOR, for 30 minutes each day, on October 14, 18, 19, 20, and 21.

Mr. HORN, for 60 minutes each day, on October 14, 20, 21, 27, and November 2 and 18.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ROHRABACHER, for 5 minutes, today.

(The following Members (at the request for Mr. FINGERHUT) to revise and extend their remarks and include extraneous material:)

Mr. LAROCCO, for 5 minutes, today.

Mr. SLATTERY, for 5 minutes, today.

Mr. GEPHARDT, for 5 minutes, on October 14.

Mr. UNDERWOOD, for 30 minutes, today.

Mr. MCCLOSKEY, for 30 minutes, on October 14.

Mr. CONYERS, for 60 minutes, today.

Mr. MEEHAN, for 60 minutes, today.

Ms. NORTON, for 60 minutes, on October 14.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. EWING) and to include extraneous matter:)

Mr. DUNCAN.
Mr. HOBSON in two instances.
Mr. ROTH.
Mr. YOUNG of Alaska.
Ms. SNOWE in two instances.
Mr. GALLEGLY in two instances.
Mr. MANZULLO.
Mr. SPENCE.
Mr. DORNAN.
Mr. SOLOMON in three instances.
Mr. QUINN.
Mr. TAYLOR of North Carolina.
Mr. HYDE.
Mr. SAXTON.
Mr. GILCHREST.
Mr. SMITH of New Jersey.

(The following Members (at the request of Mr. FINGERHUT) and to include extraneous matter:)

Mr. REED.
Mr. SABO.
Mr. MONTGOMERY.
Mr. HOYER.
Mr. JACOBS.
Mr. CLAY.
Mr. RAHALL.
Mr. HAMILTON.
Mr. KREIDLER.
Mr. PARKER.
Mr. HOCHBRUECKNER.
Mr. FRANK of Massachusetts.
Mr. NEAL of Massachusetts.
Mr. TRAFICANT.
Mr. VENTO.
Mr. SANDERS.
Mr. PICKLE in three instances.
Ms. HARMAN.
Mr. BARRETT of Wisconsin.
Mr. TAUZIN.
Mr. KOPETSKI.
Mr. PICKLE.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 832. An act to designate the plaza to be constructed on the Federal Triangle property in Washington, DC, as the "Woodrow Wilson Plaza"; jointly, to the Committees on Natural Resources and Public Works and Transportation.

ADJOURNMENT

Mr. FINGERHUT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 37 minutes p.m.) the House adjourned until tomorrow, Thursday, October 14, 1993, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports of foreign currencies and U.S. dollars utilized for official foreign travel authorized by the Speaker of the U.S. House of Representatives during the first, second and third quarters of 1993, pursuant to Public Law 95–384, as well as reports of foreign currencies and U.S. dollars utilized for official foreign travel by various miscellaneous groups of the House, are as follows:

AMENDMENT TO THE CONSOLIDATED SPEAKER REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MEXICO, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 22 AND MAR. 23, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Richard A. Gephardt 93	3/22/	3/23/	Mexico		80.33		657.00				737.33
Stewart A. Elmendorf 93	3/22/	3/23/	Mexico		80.33		657.00				737.33
Michael R. Wessel 93	3/22/	3/23/	Mexico		80.33		657.00				737.33
Committee total					240.99		1,971.00				2,211.99

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RICHARD A. GEPHARDT, Oct. 4, 1993.

AMENDMENT TO THE CONSOLIDATED SPEAKER REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. CANDACE JONES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 22 AND MAY 30, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Candace Jones	5/22	5/30	Africa		796.86						796.86
Committee total					796.86						796.86

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CANDACE JONES, Sept. 30, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO AUSTRIA, HUNGARY, SLOVAKIA, ALBANIA, AND BELGIUM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 2 AND JULY 11, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Martin Frost	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
Hon. David Price	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
Hon. David Skaggs	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
Hon. James Bilbray	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/9	Belgium				(3)				
Commercial transportation							1667.55				1667.55
Hon. Gerald Solomon	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
Hon. Doug Bereuter	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
Hon. Michael Bilirakis	7/3	7/4	Austria	5,106.25	430.00						430.00
	7/4	7/6	Hungary	30,363	430.00						430.00
	7/6	7/7	Slovakia		208.00						208.00
	7/7	7/9	Alabania		362.00						362.00
	7/9	7/11	Belgium	22,927	656.00						656.00
Kristi Walseth	7/3	7/4	Austria	5,106.25	430.00						430.00
	7/4	7/6	Hungary	30,363	430.00						430.00
	7/6	7/7	Slovakia		208.00						208.00
	7/7	7/9	Alabania		362.00						362.00
	7/9	7/11	Belgium	22,927	656.00						656.00
Delane McHone	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
James Doran	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO AUSTRIA, HUNGARY, SLOVAKIA, ALBANIA, AND BELGIUM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 2 AND JULY 11, 1993—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
Cathy Brickman	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
William Freeman	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
Ken Kodama	7/3	7/4	Austria	5,106.25	430.00		(3)				430.00
	7/4	7/6	Hungary	30,363	430.00		(3)				430.00
	7/6	7/7	Slovakia		208.00		(3)				208.00
	7/7	7/9	Albania		362.00		(3)				362.00
	7/9	7/11	Belgium	22,927	656.00		(3)				656.00
Committee total					26,462.00		1,667.55				28,129.55

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Military transportation.

MARTIN FROST, Aug. 17, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO HAITI, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 9 AND JULY 11, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Tony P. Hall	7/9	7/11	Haiti		249.00		632.45				881.45
Martin S. Rendon	7/9	7/11	Haiti		249.00		632.45				881.45
John H. Morrill	7/9	7/11	Haiti		249.00		632.45				881.45
Committee total					747.00		1,897.35				2,644.35

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

TONY P. HALL, Sept. 21, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO LATVIA, GERMANY, LITHUANIA, AUSTRIA, BELGIUM, BULGARIA, AND THE NETHERLANDS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 27 AND AUG. 6, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Kristi Walseth	7/28	7/30	Latvia		1,200.00						1,200.00
	7/30	8/1	Germany								
	8/1	8/2	Lithuania								
	8/2	8/3	Austria								
Commercial transportation							3,701.05				3,701.05
Anita Bedelis	7/28	7/30	Latvia		600.00						600.00
	7/30	7/31	Germany								
Commercial transportation							3,364.55				3,364.55
Cathy Brickman	7/27	7/30	Latvia		1,700.00						1,700.00
	7/30	8/1	Germany								
	8/1	8/5	Lithuania								
	8/5	8/6	Denmark								
Commercial transportation							3,701.05				3,701.05
William Freeman	7/27	7/30	Latvia		1,700.00						1,700.00
	7/30	8/1	Germany								
	8/1	8/5	Lithuania								
	8/5	8/6	Denmark								
Commercial transportation							3,701.05				3,701.05
Henry Collins	7/27	7/28	Belgium		1,050.00						1,050.00
	7/28	7/30	Bulgaria								
	7/30	8/1	Netherlands								
Commercial transportation							3,508.45				3,508.45
Committee total					6,250.00		17,976.15				24,226.15

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KRISTI E. WALSETH, Aug. 26, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO JAPAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 28 AND SEPT. 3, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
John Edward Porter	8/28	9/3	Japan						89.03		89.03
Jolene Unsoeld	8/28	9/1	Japan						89.03		89.03
Mike Synar	8/28	9/1	Japan						89.03		89.03
Bill Richardson	8/28	9/1	Japan						89.03		89.03
Vicki Elkin	8/28	9/3	Japan						89.03		89.03

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO JAPAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 28 AND SEPT. 3, 1993—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Jim Hoff	8/28	9/3	Japan						89.03		89.03
Committee totals									543.18		543.18

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended

JOHN E. PORTER.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY, ARMENIA, AND RUSSIA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 28 AND SEPT. 4, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Pete Peterson	8/28	8/29	Germany		375.76		[3] 3,047.01				3,422.77
	8/29	8/30	Armenia		204.00		(4)				204.00
	8/30	9/4	Russia		1,582.00		(4)				1,582.00
Suzanne F. Farmer	8/28	8/29	Germany		375.76		[3] 1,477.00				1,852.76
	8/29	8/30	Armenia		204.00		(4)				204.00
	8/30	9/4	Russia		1,582.00		(4)				1,582.00
Shannon L. Smith	8/28	8/29	Germany		375.76		[3] 3,047.05				3,422.81
	8/29	8/30	Armenia		204.00		(4)				204.00
	8/30	9/4	Russia		1,582.00		(4)				1,582.00
Committee total					6,485.28		7,571.06				14,056.34

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Commercial transportation.
[4] Military transportation.

PETE PETERSON, Sept. 21, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ROMANIA AND POLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 11 AND SEPT. 18, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Kristi Walseth	9/12	9/18	Romania		1,500.00						1,500.00
Commercial transportation							3,526.65				3,526.65
William Brown	9/12	9/16	Romania		1,400.00						1,400.00
	9/16	9/18	Poland								
Commercial transportation							3,536.65				3,536.65
Cathy Brickman	9/12	9/16	Romania		1,000.00						1,000.00
Commercial transportation							3,526.65				3,526.65
William Freeman	9/12	9/16	Romania		1,000.00						1,000.00
Commercial transportation							3,526.65				3,526.65
Henry Collins	9/12	9/16	Romania		1,000.00						1,000.00
Commercial transportation							3,526.65				3,526.65
Committee total					59,000.00		17,643.25				23,543.25

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KRISTI E. WALSETH, Oct 1, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. STEFAN LEE RUSNAK, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 10 AND AUG. 21, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Stefan Lee Rusnak	8/10	8/12	Hong Kong	5,102.10	658.00						658.00
	8/12	8/15	Vietnam		771.00		90.93		15.53		877.46
	8/15	8/19	China	4,523.12	788.00						788.00
	8/19	8/21	Japan	79,700	786.00						786.00
Committee total					3,003.00		90.93		15.53		3,109.46

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

STEFAN LEE RUSNAK, Sept. 22, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. HENRY BONILLA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 29 AND AUG. 30, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
HON. Henry Bonilla	8/29	8/30	Mexico	506.50	163.00					506.50	163.00
Committee total					163.00						163.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HENRY BONILLA, Aug. 31, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. MARGARET SULLIVAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 27 AND SEPT. 15, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Margaret Sullivan	8/27	8/29	Ireland		514.00						514.00
Margaret Sullivan	8/29	8/30	Germany		358.00						358.00
Margaret Sullivan	8/30	9/1	Italy		436.00						436.00
Margaret Sullivan	9/1	9/1	Germany		0.00						0.00
Margaret Sullivan	9/1	9/2	Czech Republic		280.00						280.00
Margaret Sullivan	9/2	9/5	United Kingdom		786.00						786.00
Excess per diem[3]					−210.00						−210.00
Committee total					2,164.00						2,164.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Excess per diem of $140.00 received in Germany and $70 in Czech Republic; $210.00 returned to the United States Treasury via the Speaker's office on Sept. 14, 1993.

MARGARET SULLIVAN, Sept. 27, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO 89TH INTERPARLIAMENTARY CONFERENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 8 AND APR. 17, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Barbara Rose Collins	4/10	4/16	India		1,140.00		[3]7,407.45				8,547.45
Hon. Eni Faleomavaega	4/10	4/15	India		950.00		[4]3,441.15				4,391.15
Michele Manatt	4/8	4/17	India		1,330.00		[5]1,820.85				3,150.85
Elizabeth Bergere	4/8	4/17	India		1,330.00		[5]1,820.85				3,150.85
Delegation expenses:											
Control room									1,063.72		1,063.72
Embassy personnel (American and FSN) and office supplies for control room.									400.88		400.88
Committee total					4,750.00		14,490.30		1,464.60		20,704.90

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Commercial—Washington/New Delhi/Detroit.
[4] Commercial—Taiwan/New Delhi/Washington.
[5] Commercial—Washington/New Delhi/Washington.

ENI FALEOMAVAEGA, June 5, 1993.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE PARLIAMENTARY ASSEMBLY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 6 AND JULY 9, 1993

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Benjamin I. Cardin		7/5	United States				(3)				
	7/6	7/9	Finland		528.00		42.00				570.00
Mr. David M. Evans		7/5	United States				(3)				
	7/6	7/9	Finland		528.00		42.00				570.00
Ms. Mary Sue Hafner		7/5	United States				(3)				
	7/6	7/9	Finland		528.00		42.00				570.00
Hon. Steny H. Hoyer		7/5	United States				(3)				
	7/6	7/9	Finland		528.00						528.00
Mr. Jesse L. Jacobs		7/5	United States				(3)				
	7/6	7/9	Finland		528.00		42.00				570.00
Hon. Frank McCloskey		7/5	United States				(3)				
	7/6	7/9	Finland		528.00						528.00
Mr. Ronald J. McNamara		7/5	United States				(3)				
	7/6	7/9	Finland		528.00						528.00
Hon. James P. Moran		7/5	United States				(3)				
	7/6	7/9	Finland		528.00						a528.00
Ms. Victoria A. Showalter		7/3	United States				[3]1,494.60				1,494.60

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE PARLIAMENTARY ASSEMBLY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 6 AND JULY 9, 1993—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	7/4	7/9	Finland		880.00						880.00
Hon. Louise McIntosh Slaughter		7/5	United States				(3)				
	7/6	7/9	Finland		528.00		[3]42.00				570.00
Mr. Martin Sletzinger		7/5	United States				(3)				
	7/6	7/9	Finland		528.00						528.00
Ms. Beth West		7/5	United States				(3)				
	7/6	7/9	Finland		528.00						528.00
Mr. Samuel G. Wise	7/4	7/9	Finland		880.00		(3)				880.00
Delegation expenses	7/6	7/9	Finland						4,899.00		4,899.00
Delegation expenses	7/8	7/8	Estonia						468.88		468.88
Committee total					7,568.00		1,704.60		5,367.88		14,640.48

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. cL.rency is used, enter amount expended.
[3] U.S. military transportation.

STENY H. HOYER, Aug. 2, 1993.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2004. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–117, "Metropolitan Police Housing Assistance Program and Community Safety Temporary Act of 1993," pursuant to D.C. Code, section 1–233(c)(1); to the Committee on the District of Columbia.

2005. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–119, "Financial Accountability and Management Act of 1993," pursuant to D.C. Code, section 1–233(c)(1); to the Committee on the District of Columbia.

2006. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–120, "Omnibus Spending Reduction Act of 1993," pursuant to D.C. Code, section 1–233(c)(1); to the Committee on the District of Columbia.

2007. A letter from the Secretary of Education, transmitting notice of relief of regulatory provisions under the Student Assistance General Provisions, Federal Perkins Loan, Federal Work-Study, Federal Supplemental Educational Opportunity Grant, Federal Family Education Loan, and Federal Pell Grant Programs, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

2008. A letter from the Deputy Inspector General, Department of Defense, transmitting the fiscal year 1992 Superfund financial transactions, report of audit by the U.S. Army Audit Agency, pursuant to section 111(g) of the Superfund Amendments and Reauthorization Act of 1986; to the Committee on Energy and Commerce.

2009. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Army's proposed lease of defense articles to Israel (Transmittal No. 01–94), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

2010. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Canada (transmittal No. DTC–36–93), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

2011. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Theodore E. Russell, of Virginia, to be Ambassador to the Slovak Republic, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2012. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

2013. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 93–44: Loan Guarantees to Israel Program, pursuant to section 226(d) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2014. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1998 resulting from passage of H.R. 20, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–582); to the Committee on Government Operations.

2015. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1998 resulting from passage of H.R. 873 and S. 184, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–582); to the Committee on Government Operations.

2016. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of discretionary new budget authority and outlays for the current year (if any) and the budget year provided by H.R. 2295, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–578); to the Committee on Government Operations.

2017. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting a report on proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2018. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting a report on proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2019. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting a report on proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2020. A letter from the Assistant Secretary—Indian Affairs, Department of the Interior, transmitting a proposed plan for the use of the Walker River Paiute Tribe judgment funds in Docket 87–A (Grazing and Fiscal Claims), before the U.S. Court of Federal Claims, pursuant to 25 U.S.C. 1402(a), 1404; to the Committee on Natural Resources.

2021. A letter from the Administrator, Environmental Protection Agency, transmitting the 1990–91 report on the Clean Lakes Demonstration Program, pursuant to 33 U.S.C. 1324; to the Committee on Public Works and Transportation.

2022. A communication from the President of the United States, transmitting a report entitled "Strengthening America's Shipyards: A Plan to Compete in the International Market," pursuant to Public Law 102–484, section 1031(b)(3) (106 Stat. 2489); jointly, to the Committees on Armed Services and Merchant Marine and Fisheries.

2023. A letter from the Secretary of Health and Human Services, transmitting a report on the national estimates on the number of boarder babies, the cost of their care, and the number of abandoned infants, pursuant to 42 U.S.C. 670 note; jointly, to the Committees on Education and Labor and Energy and Commerce.

2024. A letter from the Secretary of Transportation, transmitting a report on aircraft deicing study, pursuant to 49 U.S.C. app. 2226a note; jointly, to the Committees on Science, Space, and Technology and Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SLAUGHTER: Committee on Rules. House Resolution 275. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2491) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103–289). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JACOBS (for himself and Mr. BUNNING):

H.R. 3265. A bill to amend title 28, United States Code, and the Social Security Act with respect to the establishment and jurisdiction of a United States Court of Appeals for the Social Security Circuit; to the Committee on the Judiciary.

By Mr. ANDREWS of New Jersey (for himself and Mr. ZELIFF):

H.R. 3266. A bill to provide for automatic downward adjustments in the discretionary spending limits for fiscal year 1994 set forth in the Congressional Budget Act of 1974 equal to the amount of rescissions contained in this act; jointly, to the Committees on Government Operations and Appropriations

By Mr. BLACKWELL:

H.R. 3267. A bill to make supplemental appropriations for fiscal year 1994 to provide for a full employment economy and for other purposes; jointly, to the Committees on Appropriations and Education and Labor.

By Mr. COMBEST (for himself, Mr. OBERSTAR, Mr. EMERSON, and Mr. SARPALIUS):

H.R. 3268. A bill to amend title 18, United States Code, to reform the laws relating to Federal firearms licenses and licensees; to the Committee on the Judiciary.

By Mr. EVANS:

H.R. 3269. A bill to amend title 38, United States Code, to make improvements in the procedures used by the Department of Veterans Affairs in adjudicating claims for veterans benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FISH (for himself, Mr. HINCHEY, Mr. DARDEN and Ms. MOLINARI):

H.R. 3270. A bill to require the Secretary of the Treasury to mint coins in commemoration of Franklin Delano Roosevelt on the occasion of the 50th anniversary of the death of President Roosevelt; to the Committee on Banking, Finance and Urban Affairs.

By Mr. GALLEGLY:

H.R. 3271. A bill to amend title 18, United States Code, to provide penalties for willfully harming law enforcement animals; to the Committee on the Judiciary.

By Mr. JOHNSTON of Florida (for himself, Mr. SWIFT, Mr. DICKS, and Mr. HASTERT):

H.R. 3272. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to establish a national clearinghouse to assist in background checks of law enforcement applicants; to the Committee on the Judiciary.

By Mr. KREIDLER:

H.R. 3273. A bill to amend title 10, United States Code, to revise the requirements for eligibility under chapter 67 of that title for receipt of retired pay for nonregular service in the Armed Forces; to the Committee on Armed Services.

By Mr. PARKER:

H.R. 3274. A bill to require the Secretary of the Army to carry out such activities as are necessary to stabilize the bluffs along the Mississippi River in the vicinity of Natchez, MS, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. PORTMAN:

H.R. 3275. A bill to amend the Federal Election Campaign Act of 1971 to ban activities of political action committees in Federal elections; to the Committee on House Administration.

By Mr. RAHALL (for himself, Mr. Mineta, Mr. Shuster, and Mr. Petri):

H.R. 3276. A bill to make technical corrections to title 23, United States Code, the Federal Transit Act, and the Intermodal Surface Transportation Efficiency Act of 1991, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. RANGEL:

H.R. 3277. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses; to the Committee on the Judiciary.

By Mr. SABO:

H.R. 3278. A bill to increase the minimum wage and to deny employers a deduction for payments of excessive compensation; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. VALENTINE (for himself, Mr. Price of North Carolina, and Mr. Lancaster):

H.R. 3279. A bill to suspend temporarily the duty on ranitidine hydrochloride (bulk and dosage forms); to the Committee on Ways and Means.

H.R. 3280. A bill to suspend temporarily the duties on salmeterol xinafoate (bulk and dosage forms); to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Ms. BYRNE introduced a bill (H.R. 3281) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel *Too Much Fun*; which was referred to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 51: Mr. Abercrombie, Mr. Andrews of Maine, Mr. Bishop, Mr. Blackwell, Mr. Bonior, Ms. Brown of Florida, Mr. Clay, Mrs. Clayton, Mr. Clyburn, Miss Collins of Michigan, Mrs. Collins of Illinois, Mr. Conyers, Mr. Dellums, Mr. de Lugo, Mr. Dixon, Mr. Edwards of California, Ms. Eshoo, Mr. Evans, Mr. Faleomavaega, Mr. Fazio, Mr. Fields of Louisiana, Mr. Flake, Mr. Foglietta, Mr. Ford of Tennessee, Mr. Frank of Massachusetts, Mr. Gephardt, Mr. Gonzalez, Mr. Gutierrez, Mr. Hamburg, Mr. Hastings, Ms. Harman, Mr. Hilliard, Mr. Hinchey, Ms. Eddie Bernice Johnson of Texas, Mr. Jefferson, Mr. Kennedy, Mrs. Kennelly, Mr. LaFalce, Mr. Lewis of Georgia, Ms. Lowey, Mr. Markey, Mr. McDermott, Ms. McKinney, Mrs. Meek, Mr. Mfume, Mr. Mineta, Mrs. Mink, Mr. Nadler, Mr. Owens, Mr. Pastor, Mr. Payne of New Jersey, Ms. Pelosi, Mr. Rangel, Mr. Reynolds, Mr. Romero-Barcelo, Ms. Roybal-Allard, Mr. Rush, Mr. Sanders, Ms. Schenk, Mrs. Schroeder, Mr. Scott, Mr. Serrano, Ms. Slaughter, Mr. Stark, Mr. Stokes, Mr. Studds, Mr. Thompson, Mr. Torres, Mr. Towns, Mr. Traficant, Mr. Tucker, Mr. Underwood, Mrs. Unsoeld, Ms. Vélazquez, Mr. Vento, Mr. Washington, Ms. Waters, Mr. Watt, Mr. Wheat, Ms. Woolsey, and Mr. Wynn.

H.R. 93: Mr. Klug, Mr. Frost, Mrs. Meyers of Kansas, Mr. Bliley, and Mr. Armey.

H.R. 144: Mr. Rogers.

H.R. 302: Mr. Rahall and Mr. Sanders.

H.R. 417: Mrs. Fowler, Mr. Richardson, Mr. Oxley, Mr. Santorum, Mr. Blute, and Mr. Gekas.

H.R. 522: Mr. Bilbray.

H.R. 636: Mr. Baker of Louisiana.

H.R. 642: Mr. McCrery.

H.R. 649: Mr. Dellums.

H.R. 688: Mr. Camp and Mr. Santorum.

H.R. 786: Mr. Hutto and Mr. Frank of Massachusetts.

H.R. 830: Mr. Underwood, Mr. Johnson of South Dakota, Mr. Minge, Mr. Bliley, Mr. McCollum, Mr. Mica, Mr. Archer, Mr. Miller of Florida, Mrs. Johnson of Connecticut, Mr. Levy, and Mr. Kanjorski.

H.R. 911: Mr. Thomas of Wyoming.

H.R. 916: Mr. Romero-Barcelo.

H.R. 979: Mr. Bilbray, Mr. Coppersmith, and Mr. Coble.

H.R. 1017: Mr. Herger.

H.R. 1046: Mr. Wilson, Mr. Bonior, and Mr. Sanders.

H.R. 1076: Mr. Coble.

H.R. 1260: Ms. Byrne.

H.R. 1276: Mr. Combest.

H.R. 1293: Mr. Gallegly.

H.R. 1552: Mr. Bateman and Mr. Petri.

H.R. 1559: Mrs. Lowey.

H.R. 1682: Mr. Minge.

H.R. 1697: Mr. Santorum.

H.R. 1796: Mr. Quillen, Mr. Bacchus of Florida, Mr. Wynn, Mr. Neal of Massachusetts, and Mr. Price of North Carolina.

H.R. 1800: Mr. Shays.

H.R. 1897: Ms. DeLauro, Mr. Gonzalez, Mr. Sangmeister, Mr. Diaz-Balart, Mr. Petri, Mr. Manton, and Ms. Norton.

H.R. 1910: Mr. Mica, Mr. Bonilla, Mr. Dicks, Mr. Hansen, Mr. Manzullo, Mr. Pombo, Mr. Knollenberg, Mr. Clement, and Mr. Hobson.

H.R. 2012: Mr. Glickman, Mr. Burton of Indiana, Mr. Bilirakis, Mr. Shaw, Mr. Kasich, Mr. Crapo, Mr. Walsh, Mr. Gunderson, and Mr. Torkildsen.

H.R. 2019: Mr. Sanders and Mr. Edwards of California.

H.R. 2112: Mr. Hastings, Mr. Frank of Massachusetts, Mrs. Morella, Mr. Barrett of Wisconsin, and Mr. DeFazio.

H.R. 2121: Mr. Neal of North Carolina, Mr. Solomon, Mr. Royce, Mr. Wheat, Mr. Rohrabacher, Mr. Kanjorski, Mr. Combest, Mr. Torkildsen, Mr. Greenwood, Mr. Towns, Mr. Andrews of New Jersey, and Mr. Gordon.

H.R. 2153: Mr. Ravenel, Mr. Matsui, Ms. Furse, Mr. Dixon, Mr. Traficant, Mr. Darden, Mr. Fish, Mr. Clay, Mr. Evans, Mr. Barlow, Mr. Houghton, Mr. Gutierrez, Mr. Sanders, Mr. Payne of New Jersey, and Mr. Andrews of New Jersey.

H.R. 2241: Mr. Romero-Barcelo.

H.R. 2396: Ms. Kaptur, Mr. Pete Geren of Texas, Mrs. Lloyd, Mr. Hobson, Mr. Frost, Mr. Lipinski, Mr. Quinn, and Mr. Rogers.

H.R. 2443: Mrs. Roukema, Mr. Calvert, Mr. Rohrabacher, Mr. Hall of Texas, Ms. Furse, Mr. Ridge, Mr. Fingerhut, Mr. DeFazio, Mr. Royce, Ms. Pelosi, Mr. Lewis of California, Mr. Sangmeister, Mr. Fields of Louisiana, Mr. Emerson, Mr. Klink, Mr. Chapman, Ms. Waters, Mr. Stenholm, Mr. Andrews of Maine, Mr. Gutierrez, Mr. Reed, and Mr. Filner.

H.R. 2467: Mrs. Bentley, Mr. Buyer, Mr. Calvert, Ms. Danner, Mr. Deal, Mr. Glickman, Mr. Hochbrueckner, Mr. Johnston of Florida, Mr. Moakley, Mr. Montgomery, Mr. Oberstar, Mr. Peterson of Florida, Mr. Stokes, Mr. Torkildsen, Mr. Wynn, and Mr. Young of Alaska.

H.R. 2547: Mrs. Mink, Mr. Gene Green of Texas, Mr. Torres, and Mr. Kopetski.

H.R. 2580: Mr. Gutierrez, Mr. Dellums, Ms. Shepherd, Mr. Shays, Mr. Hamburg, Mr. Nadler, Mrs. Lowey, and Mr. Wynn.

H.R. 2600: Mr. Frank of Massachusetts, Mr. Johnson of South Dakota, Mr. Hinchey, Ms. Furse, and Mr. Underwood.

H.R. 2602: Mr. Brewster.

H.R. 2605: Mr. Fish.

H.R. 2641: Mr. Gejdenson, Mr. Schumer, and Mr. Orton.

H.R. 2707: Mr. Gilchrest, Mr. McDade, Ms. Eddie Bernice Johnson of Texas, and Mr. Conyers.

H.R. 2727: Ms. DeLauro, Mr. Gutierrez, Mr. Dixon, Mr. Vento, Ms. Pelosi, and Ms. Eshoo.

H.R. 2787: Mr. Synar and Mr. Stark.

H.R. 2831: Mr. Underwood.

H.R. 2872: Mr. Miller of Florida, Mr. Levy, Mr. Bereuter, and Mr. Rohrabacher.

H.R. 2873: Mr. Filner, Mr. Stark, Mr. Gordon, Mr. Bilirakis, Mr. Lewis of Florida, and Mr. Clinger.

H.R. 2874: Mr. Young of Alaska.

H.R. 2884: Mr. Hughes and Mr. Stark.

H.R. 2912: Mr. Deutsch.

H.R. 2918: Mr. Blute.

H.R. 2937: Mr. Greenwood, Mr. Packard, and Mr. Armey.

H.R. 2939: Mr. McDermott and Mr. Towns.

H.R. 2941: Mr. Wheat.

H.R. 2975: Mr. Bartlett of Maryland, Mr. Pete Geren of Texas, Mr. Frost, Ms. Byrne, and Mr. Torkildsen.

H.R. 2988: Mr. Clay and Mr. Deutsch.

H.R. 3021: Mr. Valentine.

H.R. 3030: Mr. McCandless, Mr. Goss, Mr. Zeliff, and Mr. Blute.

H.R. 3039: Mr. Fields of Texas, Mr. Coleman, and Mr. Pete Geren of Texas.

H.R. 3059: Mr. Petri, Mr. Foglietta, Mr. Hoekstra, Mr. Walsh, and Mr. Machtley.

H.R. 3065: Mr. Santorum, Mr. Lewis of Florida, and Mr. Talent.

H.R. 3080: Mr. Quillen and Mr. King.

H.R. 3087: Mr. Sensenbrenner.

H.R. 3098: Mrs. Schroeder, Mr. Stark, Mr. Deutsch, Ms. Margolies-Mezvinsky, Mr. Beilenson, Mr. Gibbons, Mrs. Meek, and Mr. Johnston of Flordia.

H.R. 3109: Mr. Gene Green of Texas and Mr. Kanjorski.

H.R. 3131: Mr. Derrick.

H.R. 3135: Mr. Armey.

H.R. 3145: Mr. Bilbray, Mr. Pete Geren of Texas, and Mr. Bereuter.

H.R. 3173: Mr. Stump.

H.R. 3203: Mr. Parker, Mr. Borski, Mr. Walsh, Mr. Inslee, Mr. Scott, Mr. Gibbons, Mr. Oberstar, Mrs. Kennelly, Mr. Kennedy, Mr. Frank of Massachusetts, Mr. Moakley, Mr. Meehan, Mr. Reed, and Mrs. Vucanovich.

H.R. 3207: Mrs. Morella.

H.J. Res. 38: Mr. Franks of Connecticut, Mr. Stearns, and Mr. Goodling.

H.J. Res. 165: Mr. ROYCE, Ms. FURSE, Mr. BLUTE, Mr. BATEMAN, and Mr. JOHNSON of Georgia.

H.J. Res. 178: Mr. GEJDENSON, Mr. FARR, and Mr. MFUME.

H.J. Res. 191: Mr. PALLONE.

H.J. Res. 197: Mr. HOYER, Mr. SAWYER, Ms. MCKINNEY, Mr. TORRICELLI, Mr. APPLEGATE, Mr. GEKAS, Mr. UNDERWOOD, Mr. MARTINEZ, Mr. BLILEY, Mr. MANTON, Mr. POSHARD, Mr. PRICE of North Carolina, Mr. MCNULTY, Mr. QUILLEN, Mr. SPENCE, Mr. TRAFICANT, Mr. TAUZIN, Mr. SLATTERY, Mr. LANTOS, Mr. RAVENEL, Mr. MURPHY, Mr. KANJORSKI, Mr. BILIRAKIS, Mrs. MORELLA, Mr. THOMAS of Wyoming, Mr. SABO, Mr. BORSKI, Mr. SAXTON, and Mr. EMERSON.

H.J. Res. 205: Mr. SHARP, Mr. LAZIO, Mr. BOUCHER, Mr. YATES, Mr. PACKARD, Mr. TALENT, Mr. MCNULTY, Mr. HOAGLAND, Mr. ACKERMAN, Mr. MOAKLEY, Mr. CRANE, Mr. LIPINSKI, Mrs. JOHNSON of Connecticut, Mr. FALEOMAVAEGA, Mr. ROTH, Mrs. LLOYD, Mr. KOPETSKI, Mr. BAKER of California, Mr. CARR, Mrs. FOWLER, Mr. LAROCCO, Mr. FIELDS of Louisiana, Mr. DEFAZIO, Mrs. ROUKEMA, Mr. MILLER of Florida, Mr. CAMP, Mr. BILBRAY, Mr. INHOFE, Mr. BACHUS of Alabama, Mr. SISISKY, Mr. KLUG, Mr. STEARNS, Mr. OBEY, Mr. JACOBS, Mr. THOMPSON, Mr. BARRETT of Wisconsin, and Mr. OWENS.

H.J. Res. 206: Mr. BURTON of Indiana.

H.J. Res. 209: Mr. FRANK of Massachusetts, Mr. MONTGOMERY, Mr. HUGHES, Mr. KLUG, Mrs. BENTLEY, and Ms. MARGOLIES-MEZVINSKY.

H.J. Res. 212: Mr. ROSE, Mr. BILBRAY, Mr. LANTOS, Mr. RAHALL, and Mr. CALVERT.

H.J. Res. 218: Mr. EVANS, Mr. FOGLIETTA, Mr. GOODLING, Mr. OXLEY, Mr. ZIMMER, Mr. REGULA, Ms. SNOWE, Mr. GEKAS, Mr. SAXTON, Mr. FALEOMAVAEGA, Mr. BILBRAY, Mr. MICHEL, Mr. PACKARD, Mr. HERGER, Mr. LIGHTFOOT, Mr. YOUNG of Alaska, Mr. SOLOMON, Mr. BARTON of Texas, Mr. OLVER, Mr. DELLUMS, Mr. ABERCROMBIE, Mr. CONYERS, Mr. COSTELLO, Mr. FAWELL, Mr. GREENWOOD, Mr. LANTOS, Mr. ANDREWS of New Jersey, Mr. BALLENGER, Mr. BEILENSON, Mr. BERMAN, Mr. BORSKI, Mr. BREWSTER, Ms. BYRNE, Mr. CALLAHAN, Mr. CAMP, Miss COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. DARDEN, Mr. DELAY, Mr. DIXON, Mr. DUNCAN, Mr. ENGEL, Mr. FRANK of Massachusetts, Mr. GEJDENSON, Mr. HUNTER, Ms. KAPTUR, Mr. KASICH, Mr. KREIDLER, Mr. LEACH, Mr. MCHUGH, Mr. NADLER, Mr. OBERSTAR, Mr. PICKLE, Mr. RAMSTAD, Mr. ROGERS, Mr. RUSH, Mr. STOKES, Mr. UNDERWOOD, Mr. VALENTINE, Mr. WAXMAN, Mr. YATES, Mr. KLEIN, Mr. GUNDERSON, and Mrs. THURMAN.

H.J. Res. 237: Mr. LIPINSKI and Mr. TORKILDSEN.

H.J. Res. 242: Mr. UPTON, Mr. ROSE, Mr. SABO, Mr. VALENTINE, Mr. SKEEN, Mr. ZIMMER, Mr. ANDREWS of New Jersey, Ms. BYRNE, Mr. LEVIN, Mr. SCHUMER, Mr. MOAKLEY, Mr. LEACH, Mr. PALLONE, and Mr. BONIOR.

H.J. Res. 265: Mr. ANDREWS of Maine, Mr. BREWSTER, Mr. BATEMAN, Mr. BARTON of Texas, Mr. BUNNING, Mr. BROWDER, Mr. BROWN of California, Mr. BORSKI, Mr. BEILENSON, Mr. CRANE, Mr. COBLE, Mr. CAMP, Mr. CLINGER, Ms. CANTWELL, Mr. CALLAHAN, Mr. CONYERS, Mr. CONDIT, Miss COLLINS of Michigan, Mr. DARDEN, Mr. DEAL, Mr. DURBIN, Mr. DUNCAN, Mr. DOOLITTLE, Ms. DELAURO, Mr. DOOLEY, Mr. EWING, Mr. ENGLISH of Arizona, Mr. EMERSON, Mr. FORD of Tennessee, Ms. FURSE, Mr. FOGLIETTA, Mr. GILLMOR, Mr. GOODLING, Mr. GALLO, Mr. GONZALEZ, Mr. HUGHES, Mr. HASTERT, Mr. HOBSON, Mr. HANSEN, Mr. HOAGLAND, Mr. HAMILTON, Mr. HALL of Ohio, Mr. HERGER, Mr. KENNEDY, Mr. KOLBE, Mr. KLINK, Mr. KLEIN, Mrs. KENNELLY, Mr. LIGHTFOOT, Mr. LEWIS of California, Mr. LAROCCO, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. MOAKLEY, Mr. MYERS of Indiana, Mr. MCCOLLUM, Mr. MANZULLO, Mrs. MORELLA, Mr. MCCLOSKEY, Ms. MARGOLIES-MEZVINSKY, Mr. MCHALE, Mr. MURPHY, Mr. MONTGOMERY, Mr. OXLEY, Mr. OBERSTAR, Mr. POMBO, Ms. PRYCE of Ohio, Mr. PAYNE of Virginia Ms. PELOSI, Mr. RICHARDSON, Mrs. ROUKEMA, Ms. ROYBAL-ALLARD, Mr. RAVENEL, Mr. RAMSTAD, Mr. ROBERTS, Mr. ROWLAND, Mr. SCOTT, Mr. STOKES, Mr. SPENCE, Mr. SPRATT, Mr. SUNDQUIST, Ms. SNOWE, Mr. STEARNS, Mr. SABO, Mr. STARK, Mrs. SCHROEDER, Mr. SERRANO, Mr. SMITH of New Jersey, Mr. STUMP, Mr. SLATTERY, Mr. THOMAS of California, Mr. THOMAS of Wyoming, Mr. TRAFICANT, Mr. TAYLOR of Mississippi, Mr. UNDERWOOD, Mr. VENTO, Mrs. VUCANOVICH, Mr. WHEAT, Mr. LAUGHLIN, Mr. COLEMAN, Mr. JOHNSON of Georgia, Mr. TORKILDSEN, Mr. WOLF, Mr. WHITTEN, Mr. YOUNG of Florida, Ms. VELAZQUEZ, Mr. ZIMMER, Mr. ROTH, Mr. SISISKY, Mr. MINETA, Mr. HEFLEY, Mr. QUILLEN, Mr. COOPER, Mr. CLEMENT, Mr. BEVILL, Mr. DELLUMS, Mr. EDWARDS of California, Ms. ESHOO, Mr. FAZIO, Mr. HASTINGS, Ms. HARMAN, Mrs. MEYERS of Kansas, Mr. MOORHEAD, Mr. ROEMER, Mr. THORNTON, Mr. EVANS, Mr. COSTELLO, Mr. SANGMEISTER, Mr. POSHARD, Mr. ORTIZ, Mr. TORRICELLI, Mr. ROGERS, Mr. SMITH of Iowa, Mr. GRANDY, Mr. WATT, Mr. PICKLE, Mr. SYNAR, Mr. HOYER, Mr. CARDIN, Mr. BLACKWELL, Mr. ABERCROMBIE, Mr. GEPHARDT, Mr. BISHOP, Mr. HYDE, Mr. BURTON of Indiana, Mr. MACHTLEY, Mr. FORD of Michigan, Mr. MOLLOHAN, Mrs. UNSOELD, Mr. CHAPMAN, Mr. SKELTON, Mr. SHARP, Mr. HUNTER, Mr. LIVINGSTON, Mr. SHUSTER, Mr. FISH, Mr. MCNULTY, Mr. BOUCHER, Mr. LEWIS of Florida, Mrs. CLAYTON, Ms. WOOLSEY, Mrs. COLLINS of Illinois, Mr. OLVER, Mr. BARTLETT of Maryland, Mr. BACCHUS of Florida, Mr. FINGERHUT, Mr. ROHRABACHER, Mr. BARCA of Wisconsin, Mr. FIELDS of Louisiana, Mr. FRANK of Massachusetts, Mr. PARKER, Mr. SWETT, Mr. COYNE, Mr. DELAY, Mr. HAYES, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. VOLKMER.

H. Con. Res. 20: Mr. BILBRAY.

H. Con. Res. 141: Mr. HERGER, Mr. ZELIFF, and Mr. TORKILDSEN.

H. Con. Res. 147: Mr. SANDERS.

H. Con. Res. 163: Mr. BAKER of Louisiana, Mr. SAM JOHNSON, and Mr. SANTORUM.

H. Res. 33: Mr. MCDERMOTT and Mr. SANDERS.

H. Res. 38: Mr. SERRANO and Mr. STARK.

H. Res. 156: Mr. BILIRAKIS, Mr. FIELDS of Texas, Mr. FRANKS of Connecticut, Mr. ZELIFF, and Mr. ALLARD.

H. Res. 225: Mr. GOODLATTE, Mr. PETERSON of Florida, and Mr. CANADY,

H. Res. 234: Mr. RAMSTAD, Mrs. LLOYD, Mr. BUNNING, Mr. SMITH of Iowa, Mr. EMERSON, Mr. FIELDS of Texas, Mr. WAXMAN, Mr. KLEIN, Mr. LAUGHLIN, Mr. LINDER, Mr. ROMERO-BARCELÓ, Mr. YATES, and Mr. MAZZOLI.

EXTENSIONS OF REMARKS

COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION AGENDA ON TRANSPORTATION LEGISLATION

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. RAHALL. Mr. Speaker, on behalf of the leadership of the Committee on Public Works and Transportation and in my capacity as chairman of the Subcommittee on Surface Transportation, I would like to take this opportunity to advise my colleagues and the public of two major legislative initiatives of the committee with regard to highway and transit legislation: first, introduction today of an ISTEA technical corrections bill, and second, action early next year on designation of the National Highway System. In making this announcement, I particularly want to address questions from some of my colleagues as to whether there will be highway and transit authorizing legislation more frequently than every 6 years. The answer to that question is most definitely yes.

The last major highway and transit legislation, the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA], did provide the basic authorization for 6-year period. However, we never intended for Congress to completely walk away from these major programs for 6 years. We recognized that, particularly in legislation of this sweep and complexity, some adjustments would undoubtedly need to be made after an initial period of experience. We therefore provided specifically in ISTEA that Congress had to revisit these programs approximately midway through the term of ISTEA, in part to adopt the National Highway System [NHS], and in part to make any other needed adjustments to the programs to reflect changed needs, early experience, and the simple fact that we are now nearly 2 years along the learning curve of ISTEA.

Let me make it clear that we consider ISTEA to be basically successful legislation, and we do not intend to alter the ISTEA blueprint in any fundamental way. Praised by both President Bush and Governor Clinton during the 1992 Presidential campaign, it was one of the most widely applauded acts of the last Congress. However, it is simply not realistic to hold that 2 years of experience could not reveal a single improvement to the original.

Most importantly, however, we must adopt the NHS. By way of background, as the construction of the interstate system draws to completion, the Congress in ISTEA recognized the need to clearly define which highways were of sufficient national interest to receive Federal resources in the future. The interstate system was clearly of such significance, but so too were some larger groups of noninterstate principal arterial highways. Under ISTEA, the NHS is to be that universe of highways of sufficient national interest to merit the investment of Federal resources. It is to include the interstate system, plus those arterial highways which are essential to interstate travel and international commerce.

By December 18, 1993, the Secretary of Transportation, after consultation with the States and the metropolitan planning organizations [MPO's] is to recommend to Congress which highways meet that test and should be included in the NHS. Under ISTEA, the Congress has until September 30, 1995, to adopt an NHS in authorizing legislation. Until Congress adopts that authorizing legislation, no NHS is actually designated. If Congress fails to act in the time provided, the States would face a cutoff of all NHS and interstate maintenance funds.

In short, the authorizing legislation designating the NHS is must-pass legislation. Many of us involved in these programs believe that we cannot let the legislation designating the NHS go down to the deadline—the disruption to the program and the uncertainty for the States and localities would create unacceptable inefficiencies and turmoil.

I am therefore pleased to make two announcements with regard to the timing of NHS legislation. First, the Secretary of Transportation informs us that the Department will have its recommended NHS to the Congress on schedule. And second, pursuant to consultations with Chairman MINETA, Mr. SHUSTER, and Mr. PETRI, it is our intent that our committee will report to the House the NHS legislation early in 1994, and we will seek enactment as quickly therefore as possible.

As I have already indicated, that legislation will not only designate the NHS, it will also be the vehicle for consideration of any adjustments to ISTEA which are needed due to changed needs or to our experience to date with ISTEA.

Some of my colleagues have asked in particular about specific projects which either were or were not authorized in ISTEA, sometimes with regard to their receiving additional funding, sometimes with regard to some of those authorizations being rescinded, and sometimes with regard to authorization of new projects. Let me make it clear that we will consider all of the above as part of our consideration of the NHS legislation.

Let me make it particularly clear that we will take up the question of rescissions as part of this bill. Specific projects were authorized in ISTEA and in earlier highway legislation, and those projects were typically authorized funds which remained available until expended. This reflected the fact that these projects were often complex, multiyear projects, subject to extensive planning processes and the approvals of many different State and local governments. While it has been clear that many of these projects required this longer period of time to reach completion, the passage of time has also made it clear that a few of the authorized projects no longer enjoy the consensus of State and local governments necessary to achieve completion. These project authorizations should now be rescinded, and it is the committee's intent, after careful review, to do so as part of the NHS legislation. It is also important to note that not all projects with unobligated balances are not headed toward completion—some have simply been through particularly lengthy planning and approval processes but are still moving forward and are likely to be completed. But there are some projects which are, for a variety of reasons, not going to be completed, and those should be identified and rescinded.

It should also be clear to my colleagues that under ISTEA we intend State and local planning and prioritizing processes to be the determining factors in the selection of which projects are constructed. Under ISTEA, as under previous legislation, most of the funding has been distributed in this manner. The State and local planning processes strengthened by ISTEA have as their primary mission the task of identifying and prioritizing transportation projects to receive federal-aid highway and transit funding, and in general we believe that this State and local government planning process is the method by which projects should be prioritized and funded. However, we have long recognized, that no single process can be infallible, and that in certain instances it is possible that important transportation projects may not be included in the statewide and metropolitan plans due to unpredictable increases in the level and location of population, employment, and economic growth; sudden and catastrophic deterioration of existing roadways and facilities; fiscal constraints faced by transportation officials; or other factors. Unfortunately, due to these various possibilities, certain badly needed transportation projects sometimes go unfunded. In such cases, we have often legislated an authorization for that specific project.

It is clear to many of us, however, that our method of authorizing these specific projects could be improved and therefore must be improved. We need better information about the projects proposed for specific authorization; we need a clear opportunity for input by the relevant State and local governments and by the executive branch; and we need a regularized process which is open to all, including open committee markups, and provides full accountability.

In pursuit of these goals, I am today announcing how we will handle the consideration of increased authorizations for authorized projects and new authorizations for new projects as part of the NHS legislation.

First, in the case of highway projects for which project-specific statutory authorization (new or increased) is sought, and in the case of section 3 new-start transit projects for which project-specific statutory authorization (new or increased) is sought, Members must submit a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

request and specific information about the project to the committee by January 7, 1994. I emphasize that, as in the past, most highway projects and most transit projects will be funded through the operation of the basic highway and transit programs and not through any project-specific authorization. And that will continue to be the case. Our new process applies only to those projects for which project-specific authorization is sought in statute. Furthermore, it does not apply to projects which are already authorized and for which no change in the authorization is sought.

Second, the specific information which must be submitted by January 7 with each project requested must include responses for the following inquiries:

1. Identify the State or other qualified recipient responsible for carrying out the project.

2. Describe the design, scope and objectives of the project, including the phase or phases proposed for funding.

3. Is the project eligible for the use of Federal-aid fund?

4. What is the total project cost and source of funds?

5. Will there be private sector funding for a portion of the project and, if so, how much private sector financing is being made available for the project?

6. Will the completion costs for the project exceed the amounts requested for the project?

7. Has early work, such as preliminary engineering and environmental analysis been done on the project?

8. What is the proposed schedule and status of work on the project?

9. Is the project included in the metropolitan and/or State transportation improvement plan(s), and if so, scheduled for funding?

10. Is the project considered by State and/or regional transportation officials as critical to their needs?

11. Why have State and/or regional transportation officials not given this project sufficient priority to obtain funding through the normal ISTEA funding process?

12. Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns?

13. How will the project objectives be attained?

14. Describe the economic, energy efficiency, environmental, congestion mitigation and safety effects associated with completion of the project.

15. Will the project require an additional investment in other infrastructure projects? If so, how will these projects be funded?

16. In lieu of the proposed project, what other transportation strategies have been considered by State and local transportation officials?

17. Is the authorization requested an increase to a previously authorized amount for this project, or would this be the first authorization for this project? Has this project previously received Federal fundings, commitments regarding future Federal funding (such as an LOI or Full Funding Agreement), or appropriations?

18. If Highway Trust Fund revenues are not made available for the project, would you support general fund revenues for it?

With regard to question 18 in particular, I should note that very little trust fund money is likely to be available for authorization for highway projects during the life of ISTEA and its present revenue title. Most highway project-specific authorizations are therefore likely to be general fund authorizations. Those who are considering making project requests should fully consider whether they believe this type of funding is suitable for their project.

Third, as I have already indicated, the committee will want relevant State and local governments to have the opportunity to comment on the projects requested. Any State or MPO within those boundaries any part of the project is located will be considered for this purpose a relevant State or local government. Members requesting project-specific authorizations may contact these governments and seek their comment for inclusion with the request. However, if such comment is not included with the request, the committee intends to contact the relevant State and local governments and extend to them the opportunity to comment. Furthermore, the committee plans to extend to the U.S. Department of Transportation the opportunity to comment on any requested project.

Finally with regard to the NHS legislation, Mr. Speaker, I would emphasize that our deliberations will be open and fair to all, that our recommendations with respect to the NHS designation and any adjustments to ISTEA, including rescissions and added project-specific authorizations, must be acted on by the full House and then ultimately enacted into law, and that we fully appreciate that our recommendations must be well-suited to passing that series of tests. We expect to meet that challenge.

Mr. Speaker, our highway and transit agenda includes not only the NHS legislation just discussed, but also much more limited technical corrections bill. Last year this House approved legislation, H.R. 5753, to amend ISTEA and related provisions of law, largely for the purpose of making technical and conforming amendments. However, the 102d Congress adjourned without taking final action on this bill, because the Senate was reluctant to take it up. The Senate's reluctance had largely to do with their view that too many nontechnical matters had been added to the bill.

There are a number of technical corrections and minor policy clarifications which need to be enacted, and the sooner the better. There is also a large amount of law revision work that needs to be done to these statutes and is now ready to be done.

The statutes will work better, and the programs will work better, with these changes. And we would be better off taking care of these minor and noncontroversial items quickly, before getting to work on the larger matters at issue in the NHS legislation. However, very few are going to consider this technical corrections bill must-pass legislation, in contrast to the NHS bill which clearly is must-pass legislation. Technical corrections, as we saw in the last Congress, is simply unable to serve as the vehicle for larger issues.

Therefore, I and my colleagues Chairman MINETA, Mr. SHUSTER, and Mr. PETRI are today introducing a slimmed-down technical corrections bill. It contains only technical corrections, minor policy clarifications, and recommendations of the Law Revision Counsel. It contains no major policy changes, no new projects, and no new budget authority at all. And we intend to keep it that way, for the simple reason that to do otherwise would likely make consideration of this bill a waste of everyone's time.

Our intent is to move this technical corrections bill quickly through the committee and to the House floor, so that we can focus our attention and energies on the NHS legislation and on the significant issues which will be considered as part of that legislation.

Mr. Speaker, the Committee on Public Works and Transportation remains committed to the idea that sound investment in our Nation's transportation infrastructure is one of the essential investments we must make in our Nation's economy and in the productivity and international competitiveness of our private companies. It is our hope that by informing our colleagues of our planned course of action, all will be better able to understand what we are doing, to participate in our efforts, and to support these essential programs.

CELEBRATING NATIONAL BUSINESS WOMEN'S WEEK

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Ms. SNOWE. Mr. Speaker, I would like to bring to my colleagues' attention an upcoming commemoration important to all Americans. It is our opportunity to honor working women: National Business Women's Week, October 18 through October 22.

In 1993, women-owned businesses in the United States number 4.1 million. These businesses employ over 3 million people with a total payroll of $11.2 billion. According to the Committee on Small Business in the House of Representatives, women will own 50 percent of all businesses by the year 2000, irrevocably changing the culture and climate of enterprises in America. Furthermore, women will account for 15 million—or 62 percent—of the 26 million net increase in the U.S. civilian labor force between 1990 and 2005. We are proud of our participation in, and contribution to, the American work force.

However, even as we celebrate progress, there are still examples of hardship and inequity. Thirty years after the passage of the Equal Pay Act, women continue to make at least 30 cents on the dollar less than men. Perhaps most telling is the wage gap within occupations. Female nurses are paid 10 percent less than their male counterparts. Female elementary school teachers make 14 percent less than male elementary school teachers. Female managers earn 344 percent less than male managers. Clearly, gender discrimination continues to sacrifice the livelihood of women in the American work force, and this is entirely unacceptable.

The National Federation of Business and Professional Women is playing a vocal and constructive role in this observance of women in the work force. As an advocate for working women and their families for 75 years, BPW expects to release two important documents during National Business Women's Week about the status of America's working women.

First, the BPW Foundation will release a document titled "75 Facts on the Status of Working Women" as a resource to legislators, the media, and to the American public about the progress we, as a society, have made toward the full participation of women in the work force. Second, the BPW will release "Modest Reform With A Major Impact."

The congressional caucus for women's issues—of which I am the Republican cochair—has also been tenacious in our fight to eradicate gender discrimination in the workplace and promote equity for women in the workplace. I have helped to introduce such legislation as the Pay Equity Act and the Economic Equity Act to help promote women's representation in every area of the American work force, and we will continue these and other efforts to level the playing field for women.

These reforms will reflect steps we can all take toward meeting the goals of "full participation, equity, and economic self-sufficiency for women." This is the mission statement of BPW—one which I challenge Congress and corporate America to adhere to.

SALUTE TO JANE BOECKMANN

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. GALLEGLY. Mr. Speaker, I am pleased to rise today to honor one of the most exceptional women I've ever met, Mrs. Jane Boeckmann, who this week will receive the coveted Free Enterprise Award from the San Fernando Valley Business and Professional Association.

This marks the 30th time that this award has been presented, and there could be no better choice for this landmark occasion.

As I remarked nearly 3 years ago, when she was honored by the Valley Industry and Commerce Association, Jane Boeckmann is one of the most dynamic people I have ever met. In her many roles as businesswoman, civic leader, philanthropist, humanitarian, wife, and mother, she has touched the lives of thousands of people in California's San Fernando Valley and beyond. Just a quick review of her accomplishments verifies that.

In the business world, Jane is the president of World of Communications, Inc., a growing publishing firm, as well as the hands-on editor and publisher of the firm's flagship publication, Valley Magazine. She also has been the executive producer of a number of documentary movies, most recently, "A Step Apart," which aired nationally in 1992.

But as impressive as her business credentials—and commitment to the free enterprise system—are, her civic accomplishments are even more spectacular.

She is cofounder and vice chairman of the Cultural Foundation, cofounder and member of the San Fernando Valley Cultural Society, and a member of the L.A. County Music and Performing Arts Commission. She serves on the boards of such groups and organizations as the 51st Agricultural Association, the L.A. County Museum of Natural History, the March of Dimes, the San Fernando Valley Arts Council, World Opportunities International, and Excellence in Media. And the list goes on.

For her involvement, Jane has been honored numerous times. She is still the only woman to have received the Fernando Award for civic accomplishment, and even has a prize named in her honor, the Jane Boeckmann Humanitarian Award, given annually by the Cultural Foundation to individuals who must exemplify her dedication, leadership, and commitment.

Mr. Speaker, I ask my colleagues to join me in honoring Jane Boeckmann for her outstanding work on behalf of her community and the free enterprise system.

SOCIAL SECURITY COURT OF APPEALS LEGISLATION INTRODUCED

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. JACOBS. Mr. Speaker, today Representative BUNNING and I are introducing legislation to establish a Social Security Court of Appeals to adjudicate Social Security appeals from Federal district court. A staff summary of the legislation follows:

The past decade has witnessed increasing regional variation in the standards of eligibility used by the Social Security Administration [SSA] to evaluate applications for disability benefits. A significant cause of this variation is the Federal courts' increasing role in reviewing SSA decisions and interpreting agency regulations. Court intervention has been, and continues to be, vitally important in protecting the rights of claimants. However, the regional nature of court jurisdiction has also served to fragment Social Security disability standards along geographic lines. If unaddressed, this fragmentation could erode the national character of the Social Security disability program and institutionalize disparities in treatment of similarly situated claimants.

To address this problem, this legislation would establish a single, national Social Security Court of Appeals. This court would be modeled after the court of appeals for the Federal circuit, whose jurisdiction includes appeals for patent and trademark law, international trade, and the Court of Claims. The new court would replace the 12 Federal circuit courts of appeal in adjudicating Social Security and Supplemental Security Income [SSI] benefit appeals from Federal district courts. The court would consist of five judges with lifetime appointments. It would render appeal decisions in panels of three judges, as is the case at present with Federal circuit courts of appeal. The new court would be located in Washington, DC, and would have authority to travel as it deemed necessary. As the single body to adjudicate Social Security and SSI appeals from Federal district courts, this Court would be positioned to articulate a consistent body of case law and to eliminate regional discrepancies in SSA policy.

Claimants' right to appeal SSA decisions to Federal district courts would be unaffected by this legislation. Moreover, decisions of the Social Security Court of Appeals would be appealable to the U.S. Supreme Court, just as Social Security decisions by the circuit courts of appeal are under current law.

RAYMOND ROEBUCK RETIRES

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. PICKLE. Mr. Speaker, Mr. Raymond Roebuck, long-time manager of the food bar in the Democratic Cloakroom retired recently after an incredible career spanning some of the most exciting years in the life of this honorable Congress.

This news fills us with a mixture of pride and joy over this amazing man's record of service and sorrow over his departure. For some 25 years or more, Raymond Roebuck has day in and day out rendered unselfish service to the Members of Congress, tending to their needs, listening to their conversations, taken some good natured ribbing and dished out a bit of his own.

More than almost anyone, Raymond Roebuck knows what's going on in this body. He is not just a friend, but a fixture. He has always been a good listener and a great manager, always pleasant under the most trying of circumstances.

Raymond Roebuck was above all else a good friend. We will all miss him greatly. No longer will the first thing Members feel obliged to do is to say hello to Raymond and inquire about his health and his family. An era has passed.

Mr. Speaker, I am proud at this moment to salute Mr. Raymond Roebuck, a good friend and great servant to the Congress of the United States of America.

FROM SWEEPER TO CEO, FINCH, PRUYN'S RICHARD J. CAROTA IS PIMA'S EXECUTIVE OF THE YEAR

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. SOLOMON. Mr. Speaker, not long ago I had the pleasure of touring the Finch, Pruyn and Co. plant in my hometown of Glens Falls, NY.

I was impressed by many things at this major paper manufacturing plant, but most of all by Richard J. Carota, chairman of the board, and a personal friend of mine. I'm not the only one impressed by Dick Carota, Mr. Speaker. The Paper Industry Management Association [PIMA] has named him its 1993 Executive of the Year, an award given for excellence in management and outstanding contributions to the industry.

What makes Dick Carota special is the fact that he worked his way up from the bottom.

There isn't a function or job at the plant that Dick Carota doesn't understand or appreciate, because he has done them all.

He began as a sweeper, making $1.35 an hour in 1956. But he steadily worked his way up the ranks, acquiring more and more responsibility. He spent 8 years in the customer service department. In 1970, he became plant manager. He was elected to the board of directors, named vice president in 1980, and president in 1982. In 1983, Dick Carota became CEO of the company whose floors he once swept.

An industry magazine quoted him as saying, "Since I came up through the ranks, it's easy to understand the importance of the people in the mill and the value of everyone working together."

That, Mr. Speaker, is the story behind Dick Carota's management success. He listens to everyone, talks to everyone, respects everyone, sets high standards, and gets everyone working as a team. That, and an aggressive capital expenditure program, has allowed Finch, Pruyn to outpace its larger competitors.

Mr. Speaker, Dick Carota's is an all-American success story. Who knows how many young men and women are working at menial, low-paying jobs which are really stepping stones to jobs of increasing responsibility on the way to the upper levels of management. To such young men and women, Dick Carota is a shining inspiration, and I am proud to know him.

I would ask everyone to join me in offering the congratulations of this House to Richard J. "Dick" Carota, PIMA Executive of the Year, and an outstanding American.

TRIBUTE TO THE 1993 TRIUMPH OF THE HUMAN SPIRIT AWARD RECIPIENTS

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. TRAFICANT. Mr. Speaker, I rise in honor of the recipients of the 1993 Triumph of the Human Spirit Awards. The awards are presented annually by the Hillside Rehabilitation Hospital in my 17th Congressional District of Ohio.

Mr. Speaker, the Hillside Rehabilitation Hospital performs the wonderful task of helping those who have developed disabilities to return to the community as independent as possible. In addition, they are staunch advocates of the disabled. The good people at the hospital have seen first hand what the disabled can do when given a fair chance, so their efforts to remove both attitudinal and architectural barriers are inspired by their experiences.

To honor these efforts, and to trumpet the extraordinary achievements of the disabled, the Triumph of the Human Spirit Awards are presented to those individuals who have demonstrated great courage in recovery from accident, illness, or injury, and to those who have helped them. The following recipients will be honored at the Fourth Annual Triumph of the Human Spirit Banquet on Saturday, October 16, 1993:

Mary Ellen Saare, Outstanding Disabled Individual: Physical Rehabilitation. Despite losing and later regaining her sight, losing both legs, and undergoing transplantation of both pancreases and one kidney, Mrs. Saare's motto remains "The greatest destructive force in the world today is self-pity." Mrs. Saare's bout with diabetes has taken its toll, but Mrs. Saare's optimism runs so deep that she shares it with others. She is an accomplished author and motivational speaker. Her book, "Feet First," is in its second printing.

Harry McCormick, M.D., Outstanding Disabled Individual: Chemical Dependency. Dr. McCormick's 25-year struggle with severe alcohol and drug addiction tore at his medical, professional, and personal life. As he drifted from one treatment program to another, his plight seemed hopeless. In 1982, however, he completed a treatment program in Atlanta and began to work with addicts in a men's mission project. A year later, he completed a medical fellowship in Addictionology and, in 1986, received certification as an Addictionologist. He has since dedicated his career to helping those who suffer from alcohol and drug abuse. He has also reunited with his wife and remains an active member of both Alcoholics Anonymous and his church.

Robert C. Foster, Community Service: Professional. Mr. Foster may serve as the executive director of Children's Rehabilitation Center, but his willingness to spend countless hours helping others exhibits an unmatched dedication to those who need his wisdom and caring hand. He is involved in the numerous groups that lend support to parents of the disabled, and spends many of his Saturdays at fundraising events and work projects. The center's recently built playground, crafted by volunteers, stands as a monument to his tireless efforts.

Anne Crogan, Community Service: Volunteer. For 23 years, Mrs. Crogan has volunteered at Leonard Kurtz School for Special Children and has delivered Meals on Wheels to the disadvantaged for the past 25. Her work as a teacher's helper every Wednesday during the school year has been invaluable to the school and its children. But despite her generous gift of time to others, she has found time for her husband, seven children and many friends. Every Monday, for example, the energetic 78-year-old bakes homemade bread and delivers it to her loved ones.

Mr. Speaker, I join the citizens of my district in saluting these fine individuals. Their commitment to the disabled in our community is a necessary and commendable effort. May God bless them as they continue to improve both themselves and the lives of others.

NATIVE SON RISES TO THE TOP CROWN OF THE KINGS

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. NEAL of Massachusetts. Mr. Speaker, on October 26, 1993 the 21st NBA Hall of Fame Game will be played in my hometown of Springfield, MA. This game signifies the beginning of the new basketball season. The Hall of Fame Game is not just another basketball game it is an event to be remembered. The Hall of Fame Game is even more special this year because it features a native from my district, Garry St. Jean, head coach of the Sacramento Kings.

Coach St. Jean grew up in Chicopee, MA and attended the local high school where he excelled in both basketball and soccer. After receiving his bachelor's degree in physical education from Springfield College, St. Jean went on to coach at Chicopee High School and led them to have a 122–85 record over 8 years. In 1980 St. Jean became a college scout for the Milwaukee Bucks and from there on his professional career blossomed. St. Jean moved himself up the ranks by eventually becoming the assistant head coach and assistant player personnel director for the Bucks. In 1988 St. Jean joined the New Jersey Nets as an assistant coach and in the following year joined the Golden State Warriors as their assistant coach.

St. Jean soon began to make a name for himself as an NBA assistant coach and impressed many fellow colleagues with his basketball savvy and loyalty to the sport. On May 22, 1992 Garry St. Jean achieved his life long ambition and became the head coach for the Sacramento Kings.

The people of Chicopee, MA are very proud of Garry St. Jean and all that he has accomplished. His dedication to the sport of basketball is one that should be looked at with admiration. On behalf of the district and the city of Chicopee I wish Garry St. Jean continued success and the best of luck with the Kings in the upcoming Hall of Fame Game.

COMMANDER IN CHIEF

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. SAXTON. Mr. Speaker, I gave a 1-minute speech about President Clinton's foreign policy. A policy that has the potential to involve our troops in every hot spot in the world.

I submit for the RECORD an editorial written by Jeane Kirkpatrick, one of America's leading experts in foreign policy:

COMMANDER-IN-CHIEF

(By Jeane Kirkpatrick)

WASHINGTON.—On the same day that American dead were being counted in Mogadishu and a battered American captive was displayed on Somali television, the United States voted in the U.N. Security Council to deploy a "peacekeeping" force to Rwanda, a small, underdeveloped, landlocked country in the heart of Africa.

Their task: to oversee a cease-fire in a country where war is endemic, to establish demilitarized zones, ensure compliance with the cease-fire, "contribute to the security of the city of Kigaki . . ." etc. etc. etc. This authorizing resolution for a Rwanda force of 2,500 to 4,000 troops meets virtually none of the conditions laid down in President Clinton's speech before the U.N. General Assembly September 27. Its purpose and its cost are unclear (and probably unattainable). The resources to implement it are not available.

The Congress has not authorized U.S. participation. There is no real end in sight.

The resolution does not reflect sober judgments about U.S. national interests or world needs. Instead it was the consequence of U.N.-style log-rolling: The U.S. agreed to support the French initiative on Rwanda in return for France's support for the U.S. initiative sending 1,600 "peacekeepers" to Haiti.

Neither the Haiti or the Rwanda resolutions nor the earlier ones creating U.N. missions for Liberia and the republic of Georgia conform to traditional U.N.-peacekeeping practices or to Mr. Clinton's criteria. All involve internal conflicts. None constitutes a threat to international peace and security. None features a clear purpose or realistic estimate of cost. And none, it goes without saying, meets the traditional requirement that U.S. troops be sent into harm's way only when a vital national interest is at stake.

Unless dramatic changes are made, implementation of these missions will suffer from the same confusion and incompetence of command, lack of unity, lack of coordination and insufficient force and the same casualties as in Somalia.

The highly professional U.S. volunteer forces did not sign on for such service.

President Clinton simply must stop giving Boutros Boutros-Ghali's agenda and his own multilateralist goals priority over his obligations as commander-in-chief of U.S. military forces. And Congress must help him to understand this duty.

Also, in today's speech I showed a map of some of the hot spots in the world. The list of hot spots came from a report by Peter Wellensteen and Karin Axel titled "Armed Conflict at the end of the Cold War," pages 331 to 346. In these areas at least 1,000 people have died in the course of a conflict. All of these conflicts have been internal with the exception of the Pakistan-India conflict.

The following is a list of the hot spots indicated on that map.

In Central and South America there are: Colombia, Guatemala and Peru.

In Europe there are: Azerbaijan, Bosnia-Hercegovina and Northern Ireland.

In the Middle East there are: Iran, Iraq, Israel and Turkey.

In Africa there are: Angola, Chad, Liberia, Mozambique, Rwanda, Somalia, South Africa and the Sudan.

In Asia there are: Afghanistan, Bangladesh, Cambodia, India, India-Pakistan, Indonesia, Myanmar—formerly Burma—the Philippines, Sri Lanka and Tajikistan.

In addition to these countries, I have identified a few more areas where there is a high potential for trouble. These areas are as follows: The Korean Peninsula, Cuba, Haiti, Russia, the Republic of Georgia and Kuwait.

A SIMPLE EXPLANATION OF NAFTA

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. MANZULLO. Mr. Speaker, most people have only heard the most dire predictions about the North American Free-Trade Agreement [NAFTA]. It is a very long and tedious document, about 7 inches thick. But essentially, NAFTA can be described in one phrase—reducing governmental economic barriers to a free flow of trade throughout North America.

A Simple Definition of NAFTA: Goods manufactured in the United States and exported to Mexico have an average 10-percent tariff charged by Mexican authorities. Goods manufactured in Mexico and exported to the United States have an average 4-percent tariff charged by United States authorities. Over a period of 10 to 15 years, the tariffs on both sides of the border will be reduced to zero. Essentially NAFTA is an agreement to reduce to zero tariffs charged by the United States, Canada, and Mexico for goods and services made in each country and exported to the other.

The United States-Canadian tariffs have mostly been reduced to zero because of the previously negotiated free-trade agreement between these two countries. NAFTA builds up the success of that 1988 agreement.

NAFTA is not: Defeating NAFTA will not stop the option of American factories moving to Mexico. Adopting NAFTA will not accelerate the relocation of factories from the United States to Mexico. NAFTA is simply about reducing trade barriers among the United States, Canada, and Mexico. NAFTA will neither stop nor encourage factories from moving across the border to Mexico. American companies are already free to relocate to Mexico. In fact, defeating NAFTA may have the opposite unintended effect—forcing American companies to build more factories in Mexico in order to sell to the growing market in Mexico.

Passing NAFTA may encourage some American firms to close up shop in Mexico to take advantage of the highly productive American work force. In some cases this has already happened in anticipation of NAFTA's passage. General Motors moved 1,000 jobs from Mexico to Lansing, MI and, closer to home, Eclipse, Inc. relocated all manufacturing operations in Mexico back to Rockford.

II. THE PRESENT STATE OF MEXICAN-UNITED STATES-CANADIAN TRADE LAWS

In 1988, the United States and Canada began to implement, a 10-year process of mutual reductions in tariffs and nontariff barriers NTB—import regulations such as licenses. NAFTA seeks to build on this framework by extending it to Mexico.

The current state of Mexican trade laws is very restrictive. Mexico has one of the highest tariff duty rates in the world at an average of 10 percent because Mexico had historically a very protectionist trade policy. In fact, it wasn't until 1986 that Mexico joined the world trading system, otherwise known as the General Agreement on Tariffs and Trade [GATT], which mandates uniformity of tariff rates in the free world.

Additionally, anyone exporting to Mexico faces heavy custom user fees—border fees for inspection, et cetera—and onerous import licensing requirements. In certain sectors of its economy, Mexico deliberately sets arbitrary quotas in order to protect its domestic industries.

For example, there are very high duties on corn and wheat. There is a prohibition on importing color television picture tubes of 14 inches or larger. Mexico makes it virtually impossible for foreign investment in its telecommunications industry—for example, telephones and television—and its financial services sector—for example, banking and insurance.

The Mexican Auto Decree impedes our ability to sell fully assembled United States cars to Mexico because Mexico presently requires that every United States auto exported to Mexico must have at least 36 percent of the content of that auto made in Mexico. This means United States manufacturers, in order to sell to Mexico, have to ship partially assembled autos to Mexico—and pay a tariff on that—and build a factory in Mexico to finish assembly with the required percentage of Mexican parts.

In addition, American car manufacturers have to export back to the United States a percentage of these autos to satisfy Mexico's further balanced trade requirement that for every $100 worth of assembled cars and parts that United States exports to Mexico, the United States must buy back $175 worth of Mexican cars—that is, American cars made in Mexico.

Over the past 60 or more years, these laws have perversely created economic incentives for American companies to build factories in Mexico in order to sell there. Historically, Mexico has been very isolationist and nationalistic. In fact, since its revolution in 1917, Mexico has owned many of the important industries in its country to form a socialist-type economy. Up until 1987, Mexico's economy differed little from the former East bloc countries. The President of Mexico has brought dramatic free market economic change to his country, and NAFTA is a culmination of those reforms.

III. HOW THE PRESENT LAWS WILL BE CHANGED

NAFTA will open the borders to a free flow of goods among United States, Canada, and Mexico. The main goal of NAFTA is to reduce all tariffs to zero on all sides.

Tariff barriers: The proposed NAFTA covers some 9,000 goods presently exchanged between United States and Mexico. The tariffs for these 9,000 goods will be reduced to zero over a period of 15 years. Half will be reduced to zero immediately, two-thirds of the balance will be reduced to zero in 5 years and the balance over 15 years. The more sensitive a good is on the international market—for example, glassware—the longer it takes to phase out the tariff on it. That is why some items will take as long as 15 years to have a zero tariff. It also explains why the agreement itself is so large because most of NAFTA deals with tariff reduction schedules on almost every item anyone could think of trading across borders.

Non-Tariff Barriers [NTB]: Fees charged at borders to collecting customs duties will be eliminated by June 30, 1999. NAFTA would eliminate most import license requirements. It would also eliminate arbitrary content requirements and trade quotas such as presently exist in the auto, electronics, and textile sectors.

Rule of Origin: Nonparties to NAFTA such as Japan or the European Community will not be able to benefit from its provisions of freer trade. The whole purpose of NAFTA is to make it cheaper for Mexico, Canada, and the

United States to purchase from each other as opposed to one of the countries purchasing from Asia or Europe. NAFTA encourages trade among the three neighboring countries because it assumes cheaper transportation costs, thus working to everyone's benefit.

In fact, NAFTA can also be summarized as special trading privileges for American workers because they will be given preferential treatment over other countries not party to NAFTA. For example, if a Mexican construction company had a choice between a similarly priced United States Caterpillar tractor with no tariff or a Japanese Komatsu tractor with a 20-percent tariff, the Mexican firm will choose the cheaper model—the Caterpillar. If NAFTA is defeated, there will be no difference in price and they may choose the Komatsu tractor.

How then do we define what is a United States, Canadian or Mexican manufactured product in order to earn the NAFTA origin label? NAFTA has strict standards to determine this. Depending upon the specific product, a raw material shipped to the United States from an Asian or European country has to be transformed so that most its final value is from North America.

An example is an automobile manufactured in the United States that has a Japanese radio. After 8 years, NAFTA will allow only those vehicles that have 62.5 percent or more of its content made in North American to benefit from the lower tariffs under NAFTA. Since at least 62.5 percent of the total value of the auto is made in North America, it earns the NAFTA origin label. But if Japan wishes to export an Acura Integra, which is assembled in Japan, duty free to the United States through Mexico, it would fact an import tariff because 62.5 percent of the car was not made in North America.

A. MANUFACTURING

Because NAFTA will eliminate trade barriers and contain strong rules of origin, United States manufacturers will be able to export directly to Mexico instead of having to build factories in Mexico to sell there. 87 percent of current United States trade with Mexico deals with manufactured goods.

This is especially true for the auto sector. When NAFTA eliminates the auto decree, United States auto manufacturers will be able to sell fully assembled vehicles from plants in the United States directly to Mexico.

When NAFTA is fully implemented, the whole concept behind the flight to Mexico for cheap labor—the maquiladora—will be obsolete because it will no longer be economically sound to build an entire plant in Mexico. Decisions will be made on an economic basis, not on how to avoid Mexican Government regulations on trade.

Illinois is a huge manufacturing State, with over one half of Illinois manufactured exports coming from the Rockford, Winnebago County, area. Over 900 manufacturers, fed by thousands of suppliers from across the Nation, make the Rockford area one of the most densely industrialized areas in the Nation.

Illinois has a track record by which to judge NAFTA. Over the past several years, in anticipation of the elimination of all trade barriers, Mexico has been lowering its tariffs on its own. This has resulted already in the quintupling of Illinois exports to Mexico, from $278 million per year in 1987 to over $1.35 billion in 1992. Last year, Illinois, despite the long distance from the border, was ranked fifth among all 50 States in the value of exports to Mexico. In fact, the Economist magazine predicts that once NAFTA is implemented, Illinois will be the second largest exporting State to Mexico.

And, most of these exports are not sent to Mexico for final assembly to re-export to the United States. In fact, 83 percent of the growth in United States exports to Mexico in the last 5 years was for Mexican consumption—not for re-export. Additionally, in those 5 years exports to maquiladoras in relation to total United States exports to Mexico have fallen. In 1992, United States exports to maquiladoras comprised 22 percent of all United States exports to Mexico, compared to 32 percent in 1987, according to the United States Trade Representative.

What will happen in the 16th Congressional District of Illinois represents a microcosm of what will occur throughout most of the rest of Illinois and the United States.

HOW NAFTA WILL BENEFIT THE 16TH CONGRESSIONAL DISTRICT:

1. Chrysler in Belvidere will manufacture the brand new Neon, an economically priced subcompact auto to compete directly with the Japanese imports. If NAFTA passes, Chrysler expects to export between 3,000 and 5,000 two-door Neons made in Belvidere for sale in Mexico by the mid–1990's. If NAFTA is enacted, Chrysler expects by the year 2000 to export 118,000 vehicles to Mexico, creating 19,000 more jobs in the United States.

Moreover, Chrysler is supplied by hundreds of feeder manufacturers across the Nation. Thus, as the auto sector increases in Mexican sales benefitting Chrysler directly, all feeder industries will also profit. But if NAFTA is defeated, the Mexican Auto Decree stays in place, which would make the direct export of Neons to Mexico from Belvidere very difficult, and more investment in Mexico necessary to meet the growing needs of the Mexican auto market. That's why automobile leaders like Lee Iacocca, former head of Chrysler, support NAFTA.

2. Kraft Foods has a presence all over the Nation, including a processed cheese factory in Stockton. Under current regulations, Kraft must obtain an import license to export processed cheese into Mexico. Because Mexico rarely grants such a license, this regulation essentially requires Kraft to export the raw products to Mexico for processing in Mexican factories. NAFTA will eliminate the import licensing barrier and gradually eliminate import duties on processed cheese, allowing the export of United States manufactured cheese to Mexico, which will directly benefit the plant in Stockton.

3. The Taylor Company of Rockton supplies virtually all major United States quick service restaurant chains with soft-serve ice cream and frozen yogurt machines. These restaurants will be cheaper to build in Mexico because of the elimination of the tariffs for equipment and building materials. The United States leads the world in technology and manufacturing of restaurant equipment. The zero tariffs and rising standard of living for Mexicans translates into more restaurants and more equipment being sold from Rockton for Mexican markets.

4. TC Industries in Crystal Lake supplies blade edges for Caterpillar, John Deere, and other original equipment manufacturers and are supplying edges directly to Mexico. In 1992, 2,700 employees who work for supplier companies to Caterpillar, such as TC Industries, own their jobs to Mexican exports. As the Mexican economy expands, the need for commercial and residential road and bridge construction increases, which translates into more building equipment for Mexico. Plus, the zero tariff makes it cheaper for Mexican companies to buy United States equipment as opposed to buying construction equipment from non-NAFTA companies such as Komatsu of Japan.

5. Sun Electric Corp., located in Crystal Lake, a manufacturer of automotive test and diagnostic equipment, has seen an increase of more than 40 percent of its sales to Mexico over the last 2 years. With the implementation of more strict clean air laws in Mexico, that country will need this equipment to test its cars, trucks, and buses. Sun Electric expects to continue to export to the booming market in Mexico.

6. Honeywell, whose Microswitch division has plants in Freeport and Galena, also expects its sales in Mexico to double by 1995 as a result of NAFTA. Honeywell is a leader in environmental technology and climate control equipment, which is desperately needed in Mexico. Microswitch makes many of the switches and control boxes used in this equipment. In addition, Microswitch is a major producer of sophisticated electronic on-board automotive sensors that will continue to supply United States and foreign automotive manufacturers in Mexico.

7. Sundstrand Corp. of Rockford already does extensive business in both Canada and Mexico, particularly through the industrial units. The tariff reductions and protection for intellectual property, which are part of the principal treaty document, would open up markets for Sundstrand products, particularly in Mexico. Sundstrand expects to hire additional workers in Rockford to meet the expected increased demand for Sundstrand product, particularly from Mexico.

8. Hydrotec Systems of Rockton and Aqua-Aerobic Systems of Rockford, which sells water purification systems, eagerly anticipates the implementation of NAFTA. Currently, Hydrotec and Aqua-Aerobic face import duties ranging between 10 and 35 percent on their products. NAFTA wipes away those restrictions. And, with Mexico looking to improve its water quality, Hydrotec and Aqua-Aerobic expect to sell more of their water purification products in Mexico, creating more jobs in their companies.

9. Eclipse, Inc. of Rockford, which manufactures industrial process heating equipment for a wide range of industries—for example, automobile, petrochemical, building materials, et cetera—has refocused its business strategy. Like the auto industry, Eclipse previously faced many Mexican Government barriers that effectively prohibited the direct export of industrial heating equipment to Mexico. Because NAFTA wipes away these impediments to trade. Eclipse closed its manufacturing facility

in Mexico and relocated its business back to Rockford. Eclipse is counting on being able to directly export to Mexico. If NAFTA is defeated, Eclipse would have to reconsider that strategy.

10. Greenlee-Textron, also of Rockford, is a manufacturer of tools and products for the nonresidential electrical construction market, railway industry, and powered utility market. It looks forward to the removal of tariffs and other competitive roadblocks by NAFTA for the expanded end use of its products. Improving Greenlee-Textron's competitiveness in Canada and Mexico has the potential of increasing new business sales along with the expansion of their work force.

11. A.O. Smith, which has a presence in Rockford, makes a wide variety of products including electric motors, water heaters, and frames for General Motor's Blazer light truck. Currently, the Blazer is out of the price range of most Mexicans, even the middle class, because of the 20 percent import tariff. With NAFTA abolishing this tariff, A.O. Smith Rockford's plant expects to manufacture more frames for the Blazer in anticipation of the new light truck market for GM in Mexico.

How NAFTA will benefit the rest of Illinois: NAFTA will not only benefit northwestern Illinois but the rest of the State, too.

1. Zenith of Glenview anxiously awaits the passage of NAFTA so that the import restriction on television picture tubes into Mexico is lifted. Under NAFTA, TV sets assembled from picture tubes made in the United States will be freely imported into Mexico. This gives Zenith a considerable cost advantage over major Asian competitors assembling sets in Mexico from foreign-made tubes, which will continue to be subject to a 15-percent tariff. Zenith predicts that NAFTA should increase more jobs in the United States, including their facility in Melrose Park.

2. Summit Industries of Chicago and Baxter International of Deerfield manufacture medical equipment. Since Summit began exporting to Mexico in 1989, its sales of x-ray equipment have skyrocketed by more than 500 percent. Summit believes that its sales are likely to increase at an equal, if not greater, rate after NAFTA's implementation. Baxter's exports of medical devices have also risen 60 percent since 1988.

3. Caterpillar Inc., a manufacturer of mining and construction equipment, and lift trucks, diesel and gas turbine engines of Peoria, expects to be big winners as a result of NAFTA. For example, Mexico's new toll road program has authorized 50 new road-building projects. Because NAFTA favors North American products, Caterpillar expects to edge out foreign competitors like Komatsu of Japan for these projects. Already, Caterpillar's exports to Mexico have generated work for about 1,300 of its employees.

4. FMC Corporation of Chicago, which is a manufacturer of machinery and chemicals for industry and agriculture, has also benefited from trade with Mexico. Between 1990 and 1992, FMC exports to Mexico have increased at 31 percent per year. FMC estimates that these exports have created approximately 360 new jobs in their company. With NAFTA's ratification, FMC estimates that approximately 1,000 new U.S. jobs will be added to their payrolls in anticipation of this continued export growth. But if NAFTA is defeated, the 360 new jobs created to date at FMC would be jeopardized depending upon Mexico's reaction to its rejection.

5. NAFTA bodes well for Navistar International of Chicago, one of the Nation's largest truck manufacturers. In 1989, Dina Caminones, the largest Mexican manufacturer of medium and heavy duty trucks, bought $6 million worth of components from Navistar. By 1992, that figure swelled to $100 million. In addition, Dina also imported 400 fully assembled trucks from Navistar in 1991. NAFTA will allow this partnership to continue and permit the direct export of trucks and parts to Mexico.

6. Unr-Rohn of Peoria makes communications support towers. As Mexico modernizes its telecommunications giant, and PEMEX, the national oil company. These contracts have increased its Peoria-based work force by 10 percent to more than 500. Unr-Rohn estimates that this work force will need to be increased another 7 percent this year alone to meet demand in Mexico.

7. Sears, Roebuck and Co. of Chicago is looking to further increase its sales to Mexico once NAFTA is adopted. Revenues of Sears Mexico in 1992 were $467.7 million, an increase of 26.8 percent over 1991. In 1993, Sears expects to double the sales of United States sourced merchandise in Mexico.

8. Nalco Chemical Co. of Naperville supports NAFTA because it will be good for the economy, will increase new jobs, and will benefit the environment in Mexico. Nalco Chemical sells chemical for water and waste water treatment, and oil production and refining projects. If NAFTA passes, Nalco would be placed in an excellent position to sell duty-free safe chemicals for use in these applications, which would satisfy the needs of a growing Mexican market and would be good for their environment.

B. THE SERVICE INDUSTRIES

Mexico presently has a $146 billion banking, securities, insurance, and trucking service industry. NAFTA will bust open those markets, which are now mainly closed, by eliminating investment and location restrictions.

Since the United States is the world's leading exporter of services—over $164 billion annually—Mexico's proximity makes it ripe for the United States service industry. American banks, investment firms, telecommunications industries will have more open markets.

Insurance: NAFTA will phase out Mexican restrictions on insurance over 6 years, opening up completely what is now a closed $3.5 billion market. Illinois companies like Allstate, State Farm, Continental Assurance, Kemper, and several others will be permitted to enter the Mexican insurance market through joint ventures with Mexican companies, with the United States ownership share increasing from 30 percent to 100 percent after 6 years.

Telecommunications: NAFTA opens Mexico's $6 billion market for telecommunications services. It gives United States providers of voice mail or packet-switched services free access to the Mexican public telephone network and eliminates all investment restrictions in 1½ years. Illinois companies including Motorola, Shure Bros., Woodhead Industries, Andrew Corp., and Multigraphics Division will be key beneficiaries of these changes.

Banking: Increased trade between the United States and Mexico will undoubtedly require the services of the Illinois financial, legal, and brokerage communities, including Amcore of Rockford, First National Bank, and Continental Bank of Chicago. Continental alone expects the bank's export/import finance business between Mexico and the United States to double in the next couple of years from $1 billion annually.

Trucking: While Mexican truckers have had access to the United States for years, present Mexican laws require United States trucking firms to replace American drivers at the border to complete the delivery in Mexico. NAFTA allows United States truckers direct access to Mexico.

C. INTELLECTUAL PROPERTY RIGHTS

NAFTA also provides for intellectual property rights protection, which is critical for any company that wishes to keep its patent or copyright on its product, that will enable Illinois firms to expand their presence in Mexico. The NAFTA text provides for a higher level of protection for intellectual property rights than any other treaty in the world. Mexico has agreed to a 20 year patent protection, which is critical for the Illinois pharmaceutical industry—for example, Baxter International and Abbott Laboratories—and compliance with the Berne Convention, which administers copyright protection for cultural products such as books, film, and music.

D. AGRICULTURE

NAFTA will greatly increase agricultural exports like corn and soybeans, the staple of Illinois growers and Mexican consumers. The Illinois Department of Agriculture projects a potential new market in Mexico for 4 million tons of Illinois corn per year once NAFTA wipes away all the complex Mexican quota, tariff, and import licensing requirements. For the entire United States, NAFTA could quadruple corn exports, thus boosting corn prices by 6 cents per bushel, according to the U.S. Department of Agriculture.

For soybeans, NAFTA is expected to boost exports by 20 percent, resulting in a $400 to $500 million gain for the soybean industry, according to the U.S. Department of Agriculture. Soybean exports to Mexico are expected to reach 4.5 million tons after 10 years.

In many other commodities, our exports to Mexico are expected to continue to grow. For example, when NAFTA wipes out the tariffs on cattle and beef, the United States will more than triple its beef exports in 10 years, going from 64,000 metric tons in 1991 to over 200,000 metric tons. This is expected to add to the incomes of those in the beef industry by as much as $400 million, according to the United States Department of Agriculture.

United States pork and hog exports to Mexico are projected to double by the end of the 10-year transition period in NAFTA, resulting in a $50 to $100 million gain for the industry, according to the U.S. Department of Agriculture.

Overall, according to the Council for Agricultural Science and Technology of Iowa, our exports of agricultural products to Mexico because of NAFTA are expected to increase by $480 million, boosting United States individual farm incomes by $200 million. Without NAFTA, these increases for the individual farmer will not be realized.

IV. WHAT WILL NOT CHANGE WITH NAFTA

Safety standards: First, there is a belief that NAFTA will undermine labor standards, environmental protection, and highway and food safety laws. The NAFTA text specifically states that nothing in this agreement compels nations to lower their standards. If anything, standards will be harmonized upward. Over the past few years, Mexico has made historic strides to increase its standards in many areas. NAFTA gives Mexico the financial tools and the political backing necessary to build upon that foundation to further upgrade standards in their country.

Second, no NAFTA opponent has made a convincing argument as to how defeating NAFTA will increase these standards. Keeping nations in poverty doesn't increase environmental awareness or promote good labor practices. In fact, it does the opposite. As nations move up the development ladder, they go beyond mere subsistence existence to affording some of the basics we take for granted in this country. Expanded trade—not closed markets—creates the wealth necessary to improve basic health and safety standards.

Third, some claim NAFTA will allow unsafe double and triple trailers from Mexico traveling on our Nation's highways. It is important to remember that Mexican truckers will have to comply with the same road and vehicle restrictions as United States truckers in order to drive on United States highways.

Sovereignty: With the negotiation of the side agreements that creates two tri-national boards on environmental and labor issues to review cases, some are concerned about the loss of our sovereignty. Many international organizations and hundreds of treaties already impose some constraints on our ability to act unilaterally, from the mundane to the sublime.

For example, the United States-Russian arms reduction treaty requires us not to have more than 3,500 strategic ballistic nuclear missiles in our arsenal by the year 2003. Also, the Universal Postal Union regulations international postal service and each country is bound by these rules. This is not a surrender of sovereignty, but an agreement by parties to mutual act in the best interests of all. Additionally, any treaty can be modified by mutual consent of the parties or abrogated by a country that simply wants out.

If any nation should worry about its sovereignty, it's Mexico. Few Americans remember that it was the United States that incorporated half of Mexico into its territory during the last century. As late as 1914, we sent military expeditions into Mexico. Is it any wonder why Mexico is sensitive about their sovereignty? If any nation has to worry about the intrusiveness of the side agreements, it's Mexico, which has the most environmental and labor problems.

Once again, the NAFTA text clearly states that all three nations have the right to craft their own laws. None of these commissions can change any nation's laws, including our own. In extremely rare cases, these commissions will be a useful tool to bring about public pressure to produce desirable results—improve environmental and labor protection. The most extreme punishment that these commissions can mete out is a denial of favorable—pre-NAFTA—trading privileges in a particular industry that violates basic environmental or labor standards of their own country. In other words, the main aim of these commissions is to require the United States, Canada, and Mexico to enforce their own laws.

The trade sanctions would be equivalent to the amount of money the guilty industry should have spent to correct the problem. Thus, those who are most concerned about our supposed loss of sovereignty and oppose NAFTA should be pleased with these tri-national commissions because the sanctions would restore pre-NAFTA trading rules.

CONCLUSION

Mr. Speaker, NAFTA is primarily about reducing government barriers to free trade across the borders of Mexico, the United States, and Canada. Good news doesn't get much play anymore. But if there's one story that deserves attention it is the good that NAFTA will do for everyone involved. It's a win-win situation for all three countries.

FAIRNESS FOR CAREER SERVICEMEN AND WOMEN

HON. MIKE KREIDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. KREIDLER. Mr. Speaker, as America reduces military force levels to respond to a changing world, thousands of men and women face the prospect of an early end to their careers in our uniformed services. Through no fault of their own, they are being separated from active duty, sometimes after many years of honorable service.

To make matters worse, some of them face an obsolete and unnecessary barrier to receiving the future retirement benefits they have earned. That barrier is a requirement, added to the law at the height of the cold war, that anyone retiring from the reserve component of the Armed Forces must have served at least eight years in the reserves to be eligible for benefits, regardless of how many years of active duty service he or she might have accumulated.

The 8-year reserve service requirement means that a person who has spent 13, 15, or 19 years in active service, and then transfers to the reserves, must spend an additional 8 years in reserve status before qualifying for any retirement benefits at all. That means a 19-year veteran, instead of serving 1 more year before qualifying, can be forced to serve a total of 27 years. That is unfair and unnecessary in today's military.

This 8-year requirement made sense when the Defense Department was trying to retain career personnel for a full 20 years of active service. It reduced the incentive for someone with more than 12 years of active service to transfer to the reserve component, by requiring more than 20 total years of service to qualify for benefits—8 years in the reserves plus the active-duty years.

But today that requirement only works a hardship on men and women who would rather stay in active service, but instead must spend additional years in the reserve component to qualify for the pension benefits they have earned. At the same time, the 8-year minimum may discourage voluntary movement from active to reserve status—the wrong incentive when downsizing is required.

That is why I am introducing the Military Reserve Retirement Fairness Act, which would repeal the obsolete 8-year minimum for reserve service. This bill would entitle those retiring from the reserve component to benefits, upon reaching the age of 60, after any combination of active and reserve service totalling 20 years. Benefits would continue to be based on the current point system that recognizes the difference between active and reserve service.

Mr. Speaker, in today's world, so dramatically different from the cold war environment that produced the 8-year requirement, we should not penalize the men and women who have served our country with honor and hoped to do so for 20 years or longer. The Military Reserve Retirement Fairness Act would replace this penalty with a demonstration of our good faith commitment to the men and women of our armed services. I urge my colleagues to support this legislation.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Reserve Retirement Fairness Act".

SALUTE TO OXNARD WOMEN'S DAY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. GALLEGLY. Mr. Speaker, I rise today to inform my colleagues of an important event taking place on Saturday—the eighth annual Oxnard Women's Day.

Each year, the highlight of Oxnard Women's Day is a conference designed to celebrate women and their accomplishments, as well as to provide practical advice on careers and advancement.

This year's theme will be Heal the World by Healing Yourself, and features seminars designed particularly for women reentering the workforce. These workshops range from team building to balancing lives and responsibilities to ways to look and dress better.

The main purpose of this growing event, which draws between 300 and 500 women annually, is to give women increased self-esteem and different approaches to dealing with problems. It's an opportunity for women to come together and look at the issues and events that pertain to their lives.

Mr. Speaker, I ask my colleagues to join me in saluting this Celebration of Women, and the many women and men who have organized this outstanding event.

TRIBUTE TO JUDGE JERRE S. WILLIAMS

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. PICKLE. Mr. Speaker, on Sunday, August 29, 1993, Texas lost an outstanding jurist and a remarkable man. Judge Jerre S. Williams contributed immensely not only to the State of Texas, but on a national level as well, serving this great Nation in the administrations of President Lyndon B. Johnson and President Jimmy Carter.

Judge Williams' accomplishments are legion. After receiving his bachelor's degree in 1938, he went on to excel at Columbia University, receiving his law degree in 1941. His law career was interrupted to serve with the Army Air Force during World War II. Shortly after his service, he received a place on the University of Texas law school faculty where he dedicated over three decades of his life and became quite, quite simply, a legend. Judge Williams was known throughout the university for his outstanding teaching ability and is held in the highest esteem by both students and faculty.

Judge Williams was known nationwide as an expert on constitutional, administrative, and labor law. This expertise was recognized and acknowledged by prestigious appointments for posts under Presidents Carter and Ford.

In 1967, President Johnson appointed Williams to the Administrative Conference of the United States, and shortly thereafter called upon him to help settle a threatened national airlines strike that would have shaken the Nation's economy.

in 1978, President Carter appointed Williams to an emergency negotiation panel which settled a nationwide railway dispute. The culmination of this brilliant legal career came when President Carter appointed Williams to the powerful Fifth Court of Appeals in New Orleans in 1980.

Jerre Williams was married to a distinguished member of the State bench, Judge Mary Pearl Williams. A fine person and leading legal light in her own right. For many years, I have been close friends with Jerre, Mary Pearl, and their children. All three children have earned law degrees, and continue to follow in the footsteps of their parents. This proud family is a living testament to the power of the American way. They are walking, talking personifications of the promise of America.

Mr. Speaker, the Honorable Judge Jerre Williams' impact on both in the State of Texas and nationally was profound. With the loss of Jerre Williams we have lost a man whose expertise is irreplaceable, and whose contributions were unsurpassed. Those of us who knew Jerre Williams will cherish his memory, and the rich wealth of legal and judicial scholarship on our Nation's bench is somewhat poorer for his passing, and infinitely richer for his contributions.

THE DECLINE IN AMERICAN SCHOOLS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. SOLOMON. Mr. Speaker, the fall edition of Policy Review carried an article written by Jide Nzelibe, a Nigerian immigrant educated in the American public school system. His review of our Nation's current educational crisis is essential to the present debate on education reform.

As Mr. Nzelibe states: "My Nigerian experience makes one fact inescapable: The decline in American public schools is tied directly to the decline in the American family." I strongly urge my colleagues to heed our Nigerian immigrant's advice on how real reform can be enacted. I have inserted his remarks for your perusal.

[From Policy Review, Fall 1993]

America's Wild Kingdom—A Nigerian Immigrant Is Shocked by His U.S. High School

(By Jide Nzelibe)

I looked on with bemusement as an attractive female passed a note to a young man in the first row. Some trite vulgarities were exchanged, my more restive classmates started singing, and the teacher was all but completely ignored.

Welcome to the civics course at Northwestern High School in Hyattsville, Maryland, a lower-middle to middle-class suburb of Washington, D.C. Though the above scene is a commonplace to American students, as a recent immigrant raised in a poor but industrious village in Nigeria, I was more than a little shocked.

CODES OF CONDUCT

My initial impressions of Northwestern were a jumble of mixed messages: mini-billboards and placards constantly advertised the dangers of unsafe sex and drug abuse. Everywhere I looked—on walls, chalkboards, and in the restrooms—there were institutional invocations to the lowest common denominators of achievement. The school's public address system constantly eulogized students who made it through the month or week without any absences, or those who were only marginally competent in their studies.

By contrast, Nigeria's public school system—which I attended through grammar school and most of high school—closely mirrors its parent British system in its emphasis on merit-based results and rigid codes of conduct. Students take examinations on different subjects before they proceed to any grade level, and there are separate testing requirements for graduation from any school level and entrance into another.

Most of Nigeria's public high schools have boarding facilities, and I attended a boarding school in the east. As in many American boarding schools, the Nigerian schools administer strict guidelines governing clothing requirements, tardiness, obedience to authority, reading habits, and appropriate behavior.

Students who come in after the fist bell for class, for example, face corporal punishment or some form of detention. Most of the time the detained students are assigned such menial tasks as cutting the school lawn (by hand, with long blades), or washing and scrubbing the classrooms or cleaning the latrine (which had no plumbing). Consequently, being tardy or absent from class was the exception.

Students are obliged to perform various chores—from cleaning the dorm to fetching water for the school cooks—irrespective of their class levels or backgrounds. Since the plumbing in my high school was hardly ever in operation, students had to fetch water in buckets from local neighborhoods or streams.

A PLACE WHERE GRADES MATTER

The academic discipline in Nigerian schools simply mirrors the boarding-school environment. At the end of each term of the Nigerian academic year, students are issued report cards that evaluate their performance in various subject areas as well as their class ranking. Grades really matter: Students who do not rank favorably are admonished strongly by both family members and their peers, and those who rank well are rewarded with praise. This helps foster friendly competition. In life outside the classroom, students often try to best each other by reciting lines of verse from Shakespeare or one of Nobel laureate Wole Soyinka's poems or short stories.

Academic programs are rigorous. For example, as a "third former" in the Nigerian system—equivalent to the ninth grade—I placed into an advanced mathematics track for the next grade level. This enabled me to start working on statistics and calculus in my forth form (10th grade). The atmosphere in this class, and other classes, was demanding. Grades never were inflated and sometimes a C was a welcome grade even for a very good student. The level of instruction in the classroom was relatively high and formal; usually the teacher would lecture and students would take notes quietly and ask questions later.

Contrast this with U.S. schools: in some of my advanced grade-level classes at Northwestern, teachers constantly used audio-visual aids and other teaching devices. Often, the classroom atmosphere appeared more rehabilitative than educational, as teachers tried to impart rudimentary social skills and values to their students. Grades of A and B were the norm and not the exception. Thus, there was very little incentive to perform for students who knew that a relatively mediocre output would bring home good results.

PROMISE AMID PROBLEMS

Admittedly, Nigeria's boarding-school environment has its deficiencies. Most of these involve issues of bureaucratic inefficiency, administrative corruption, and constant hazing by upper-class students. Many of the Nigerian schools also are underfunded and overcrowded.

In my last two years in Nigeria, my school was facing chronic shortages in supplies and services. Breakfast was usually a loaf of bread the size of a hot-dog roll and an egg—when they were available—and dinner consisted of yam porridge or some other starch meal. We usually went to bed hungry. The situation was much worse for the underclassmen, who were served last and could not defend themselves against famished upperclassmen. Food brawls were common.

Nevertheless, in this austere and often inhospitable environment, there were several shining examples of academic promise. Obinna Tagbo was one of my classmates and closest friends at school. He looked like a street brawler, but he was an unforgettable science whiz who spontaneously could calculate square roots of complex numbers. The last time I heard from him, he was preparing to go to one of Nigeria's exclusive and rigorous medical schools. Many of our peers competed successfully to secure places in Nigeria's highly selective hard-science programs.

FOCUS ON FAMILIES

Indeed, despite all the shortcomings of the Nigerian system, I think I received a better education there than I did at Northwestern. This would have not been possible without the cultural pressures shaping Nigerian youth.

Generally, throughout a Nigerian student's academic life, he is subject to various social pressures from relatives, peers, and others to work hard and succeed. The belief that, without a good education, one's prospects in life are fairly limited, prevails in the minds of most parents, regardless of their social backgrounds. Many strive against seemingly impossible social and economic odds to send their children to school.

My friends and I had to walk—barefoot, usually—two to three miles to get to school. My elementary school did not provide textbooks, and there were no libraries, no electricity, no running water, and hardly any leisure facilities. Nevertheless, many of the poor peasant farmers would scrape up whatever they could to provide books and uniforms for their children. The institutions and the government hardly provided any other amenity except teachers. Despite all this, the desire to learn was not compromised.

One of the social highlights of my hometown was the annual PTA children's concert, a small extravaganza of art exhibitions, mini-theater competitions, biblical and poetry recitations, and academic quizzes. Proud parents from all backgrounds waited patiently to see their children outperform their peers. Community leaders awarded prizes to the best students and personally congratulated parents.

These concerts are a little window into the communitarian spirit so central to Nigerian life—and so firmly rooted in the family. The family unit in most of Nigeria's ethnic groups is usually the extended family. Thus, there exists a whole range of individuals who feature in a Nigerian child's social development. Extended families from one village often interact informally with families from other villages, sharing concerns over childrearing and family welfare. For example, any child who commits an indiscretion in another village can rest assured that someone in his family is going to hear about it.

A SHORT LEASH

Most Nigerian families subscribe to the unspoken philosophy that liberty as an end in itself is undesirable—unless it is accompanied by a strong spirit of responsibility. Therefore, children in Nigeria generally are kept on a short leash through their adolescent years. The importance of responsibility for others often is taught from an early age. The family structure also helps promote strong regard for those in authority. Consequently, by the time most children make the transition into adulthood, they already have been acculturated to norms governing respect for one's elders, authority figures, and superiors.

Many social critics in the United States point to inadequate funding, poor faculty and facilities, and the socioeconomic conditions of urban areas as reasons for the decline in the American public school system; however, compared with my Nigerian experience, Northwestern High School had a much more educated faculty and better-equipped facilities. At Northwestern, there were free lunch programs for economically disadvantaged students, free bus rides to and from school for the neighborhood students, and free academic texts for classroom instruction. All the students had to do was to show up—often in expensive clothing and cars—and perform.

Sadly, many of them did not. Although they were much better off than any of my Nigerian peers, their social expectations were fairly low and they had little respect for authority. These students were relatively sophisticated about all the various status symbols of a consumer culture, but they were hardly sophisticated in their academic aspirations.

In one of my history classes, for example, the teacher admonished a student for disrupting the class. In response, the student casually tossed some expletives at the teacher and continued to misbehave. I watched disbelievingly as the teacher literally implored the student to go see a counsellor. Such an indiscretion never would have been tolerated—or even heard of—in a Nigerian school.

Jennifer (not her real name) was a particularly bright young woman who was in two of my classes. She was one of the first acquaintances I made at Northwestern and I cherished her friendship greatly. I admired her not only because she was one of the top students in the class, she also was one of the few level-headed people I knew at the school. At an informal school social outing in the middle of the year, she offered me drugs hidden in her purse. The last time I saw Jennifer was two years ago. She had a small baby and she was living at home with her mother. Did she have any future plans? She had vaguely defined intentions of going to junior college, but she was not sure she could afford the time or money.

Vulgar and obscene talk, gym periods and lunch breaks as open sessions for aggressive sexual conduct, pregnant teenagers in at least two of my classes, a new single mother in another—none of these stories surprise an American ear. But for the Nigerian, they are nothing short of scandalous.

THE KEY TO ACHIEVEMENT

After all has been said about poor funding, institutional biases, and cultural differences, my Nigerian experience makes one fact inescapable: the decline in America's public schools is tied directly to the decline of the American family. There is a very important aspect of academic achievement that transcends government policy or economic circumstance, and that is the moral and social aptitude of the citizenry. At Northwestern High School most of the teachers appeared eager to help with my homework and career plans, the library in the school was well stocked and accessible, and there were plenty of sporting facilities. What I found lacking was an atmosphere among students—reinforced by family—that was congenial to academic excellence and social growth.

Don't misunderstand me. I love America. The freedom, tolerance, and respect of differences that are a part of everyday public life are some of the first things a visitor to America notices. But I also saw a public school system disconnected from society's most important institution—the family. In Nigeria, with all its political and social problems, the family remains strong, and by doing so helps define the social and economic expectations of the nation.

Can the hopes and dreams of Americans afford to be any less lofty and noble than those of Nigerians?

CONGRESSIONAL MEDAL OF HONOR WINNER PFC. GARFIELD M. LANGHORN HONORED

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to honor Pfc. Garfield M. Langhorn of the U.S. Army, a man who personifies the true meaning of the Congressional Medal of Honor.

Born in 1948, Private Langhorn attended Riverhead High School, in Riverhead, NY, and is one of only a handful of Long Islanders who have been awarded the Medal of Honor since it was created in 1863.

Private Langhorn was drafted into the Army in April 1968, and was sent to Vietnam October 27 of that year. He was stationed with the 7th Squadron of the 17th Cavalry, 1st Aviation Brigade in Pleiku Province, Vietnam, where he served as a radio operator with a combat helicopter team.

Private Langhorn's platoon was inserted into a landing zone to rescue two pilots of a Cobra helicopter shot down by enemy fire. As the troops were taking the bodies to a pickup site, they suddenly came under intense fire from North Vietnamese soldiers. While protecting the wounded, an enemy hand grenade landed in front of Private Langhorn. Choosing to protect the wounded, Private Langhorn threw himself on the grenade, scooped it beneath his body, and absorbed the blast. By sacrificing himself, he saved the lives of his fellow soldiers.

On Sunday, October 3, Private Langhorn was officially recognized for his act of heroism. A monument to Private Langhorn was dedicated at Riverhead Town Hall before a crowd of over 600 people. Private Langhorn's parents, Mary and Garfield Langhorn, played a major role in the creation of the monument and its dedication, and were very proud and pleased by the very large number of supporters who participated in honoring their son.

Mr. Speaker, Private Langhorn's act of bravery and sacrifice truly exemplifies the courageous tradition of the U.S. Army. I ask my colleagues to join me in paying tribute to this extraordinary soldier who truly earned the Medal of Honor. His parents and the community on eastern Long Island will always remember Private Langhorn, who gave his own life for his comrades and our country.

COMMEMORATING THE PACKERS 500TH WIN AND 75TH YEAR

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. ROTH. Mr. Speaker, I rise to pay tribute to the most accomplished and successful franchise in the history of the National Football League: the Green Bay Packers.

On Sunday, the Packers added another laurel to their proud tradition of excellence. the cherished green and gold won their 500th game by defeating the Denver Broncos.

The victory, and this milestone, comes at a fitting time. The Green Bay Packers are celebrating their 75th year as a National Football League franchise, and the Pack has planned a season's worth of festivities to commemorate this remarkable anniversary.

The Packers are accustomed to making history. The team is the most successful franchise in the history of the NFL, boasting a league-high 11 championships. Winner of the first two Super Bowls, the Packers are also the only team ever to win three consecutive championships, which they accomplished not once but twice.

Green Bay's rise to prominence is a storybook tale of American enterprise. When Earl "Curly" Lambeau persuaded his bosses, the Acme Packing Co., to sponsor a team in the fledgling National Football League, no one knew that a dynasty would be born. The Packers fielded their first team in 1921, and it only took them 8 years to rise to the top of the league.

That year, 1929, the Packers won the first of three consecutive championships. Under the guidance of legendary coach Vince Lombardi, they won three more between 1965 and 1967. The Lombardi era marked the pinnacle of the franchise's history. During his 9 years the Packers won five league titles, including victories in Super Bowls I and II. Those Packers exemplified Coach Lombardi's credo, that "winning is not everything. It is the only thing." In the late 1960's Green Bay came to be known, and rightfully so, as "Titletown, USA."

Today's Packers are continuing that glorious tradition of winning. With a young and talented coach, Mike Holmgren, a rising star at quarterback in Brett Favre, one the game's best wide receivers. Sterling Sharpe, and the off-season acquisition of the league's most coveted free agent, defensive end Reggie White, the 1993 Packers are poised to challenge the NFL's premier teams. This 75th season is a rebirth for our Packers. The 500th victory they recorded Sunday is just the first step in their latest claim to recapture their place atop the league.

Mr. Speaker, my heartfelt congratulations go out to all the Green Bay Packers, past and present. They will have earned a share of this glorious accomplishment.

Let us also recognize the city behind the team, the community that has faithfully supported this franchise for 75 years. Green Bay is a city of champions, and not only because it is the home of the Green Bay Packers. The people who have cheered for and supported this franchise through thick and thin are also heroes in this football success story. The Packers are the only publicly owned franchise in professional sports, a large reason why they are also among the most successful. Without the support and dedication of their community, the Green Bay Packers could not have won their 500th victory.

Mr. Speaker, I rise today to honor all of us who have a little green and gold in our hearts. The Packers achieved a great feat on Sunday, but it is what the team has meant to all of its faithful followers over the years that we truly celebrate here today. On behalf of the city of Green Bay, the Fox Valley, the State of Wisconsin, and the legions of Packer fans across the Nation, I commend the Green Bay Packers for 75 years of greatness, on and off the field. Here's to 75 more.

TAKING GOVERNMENT AT ITS JUMBLED WORD

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. DUNCAN. Mr. Speaker, almost everyone today knows how wasteful and bloated our Federal bureaucracy has become. Even the very liberal Clinton administration says the Federal payroll should be reduced by at least 252,000 employees over the next 5 years.

A Mike Royko column published in today's Washington Times shows once again how ridiculous some of the activities of Federal bureaucrats have become. I would like to call this column to the attention of my colleagues and other readers of the RECORD.

[From the Washington Times, Oct. 13, 1993]

TAKING GOVERNMENT AT ITS JUMBLED WORD

(By Mike Royko)

Another of our occasional tales about federal bureaucrats and what your tax dollars are paying for:

Some time ago, a young man applied to the law school at the University of Michigan, was not admitted, then filed a complaint with the government that he had been discriminated against because he had a physical handicap.

The case was investigated by the Civil Rights Office of the Department of Education.

After a while, the university received a letter. It began pleasantly enough, saying the investigation had found no evidence of discrimination.

But then the letter took a bizarre twist. Several, in fact. I won't quote the letter in full because you would have to be an expert in bureaucratic gibberish to understand it.

Instead, here is an interpretation as offered by a professor of law at the university who happened to see the letter.

"OK, in the first paragraph of the letter, they use the word 'handicap.' And a little later in the letter, they use the word 'handicap' again.

"But then they say that when they reviewed our literature describing our nondiscrimination policy, they saw that we used the words 'physical disability,' and that's a no-no.

"Their review also showed that we changed from 'physical disability' in our literature and replaced it with the word 'handicap' and that was fine because 'handicap' was now a federally approved word.

"But then it goes on to say that the rules have been changed again. The word 'handicap' is out. They have replaced it with the word 'disability.'

"So they're saying that we don't have to totally change all our literature again—from 'disability' to 'handicap' to 'disability' or whatever the heck it is they want—but when we print new brochures, we should use the word 'disability'.

"But in that very same letter, what word did the bureaucrat use to describe somebody with a disability? He used the word 'handicap.' Not once but twice.

"I think it is horrendous. Changing the word around—that does nothing. It's such a waste of time and energy. One should be concerned about treating people in a humane fashion, not juggling words.

"This government thought control is kind of Orwellian when every so often an edict comes down that rewrites the language.

"There must be a lot of bureaucrats with time on their hands if they can devote so much energy to insisting we change from word A to word B and back to word A, even though they keep using word B while telling us to use word A."

It was a kind of a weird letter. And a call to the Chicago office of the U.S. Department of Education, Office for Civil Rights Region V, brought an equally weird set of conversations.

First, the bureaucrat who answered the phone said she would transfer us to the people who speak to the press, but she said she would not provide their names.

When the bureaucrat who talks to the press came on, he said he would discuss the matter, but only "on background."

What does that mean—"On background?"

"Well, you don't put my name in. You know, just say a 'spokesman.'"

OK. This wasn't exactly Watergate or the S&L scandal, but if he wanted to be a poor man's Deep Throat, we would play along.

The bureaucrat then spoke in a confident tone: "Let me walk you through the genesis of this case. On Oct. 18, 1991, the school was found to be out of compliance in their policy because it wasn't posted."

But that's not what the letter was about.

"Oh, do I have the wrong letter?"

It appears so.

The bureaucrat finally tracked down the right letter and said: "The language in the law read 'handicapped,' but it was later changed to 'disability.' Congress did it. I'm not sure what happened. I think somebody absolutely screwed this one up. I think this was just a badly written letter. There is some confusion here.

"Wow, this is incredible. I have such a bad cold today. I am usually able to avoid situations like this."

It wasn't clear whether he meant he avoided bad colds or taking calls about screwed up letters. Maybe both. Or possibly he wanted us to know that he was at his desk and working, despite the torment of a bad cold. I knew how he felt, as my sinuses were acting up.

Later, he called back and put a higher-ranking bureaucrat on the phone.

This person said: "All this letter did was alert them of the word change from 'handicap' to 'disability,' but the major point of the letter was that they've done everything they agreed to do. It might not be clear in the letter. I'm sorry if it did seem confusing. It's really a minor matter. They really complied fully. We will not bother them again."

That's nice, but please don't send them another letter saying that. They might panic.

THE INCOME EQUITY ACT OF 1993

HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. SABO. Mr. Speaker, today I am introducing the Income Equity Act of 1993. This bill deals with one of the most serious problems facing our economy today—the increasing polarization of income.

The trends in income distribution have been toward increasing disparity for the last three decades but, in the last 15 years we have experienced a dramatic increase in income polarization. Those at the top made great gains, while the rest of the population remained stagnant or lost ground. Some of the most compelling evidence of this trend is shown in the 1993 Green Book put out by the House Ways & Means Committee. In 1977, the total income of the bottom 40 percent of all Americans was approximately twice the total income of the top 1 percent. By 1990 the incomes of the richest 1 percent had grown so dramatically their combined total equaled the combined income of the bottom 40 percent. In other words the aggregate income of the richest 2½ million Americans has almost doubled while that of the bottom 100 million has declined significantly.

Recent income data released by the Census Bureau show that this trend is continuing. The economic status of most Americans worsened last year and income inequality is at its highest since 1947. The share of income going to the bottom fifth of all households dropped to a postwar low of 4.4 percent. Meanwhile, the top 5 percent had the highest income gain in 1992 receiving 17.6 percent of the national income pie.

Why is this a problem? Because in a democratic society it is very important that people feel they are treated fairly.

The Income Equity Act approaches this problem in two different ways: first it raises the minimum wage from $4.25 an hour to $6.50 an hour; second, it links the tax deduction for executive pay to the pay of other workers within the same organization by denying business tax deductions for executive pay which is in excess of 25 times the pay of the company's lowest paid worker.

I propose raising the minimum wage because I believe that all people who work full time should be able to live off the economy. The minimum wage remained fixed at $3.35 an hour from 1981 to 1990. In 1990 it rose to $3.80 and in 1991 it was raised to $4.25. Since 1981, the cost of living has risen 59.3 percent, more than twice the rate of increase in the minimum wage.

In 1992 the poverty level for a family of three was $11,186, roughly $2600 above the minimum wage. More than two-thirds of minimum wage workers are adults and 7 out of 10 live below the poverty line. The Federal Government is spending very large sums of money to provide basic life support to people who work full time. This is necessary because these people don't make enough money to live off the economy. That is wrong.

Every person who works full-time should be able to live off the economy without having to turn to the Government to put food on the table or a roof overhead. That cannot happen for families trying to live on the minimum wage in much of the country today.

I propose linking executive pay to the pay of a lower-paid workers because Government mandates alone cannot solve the problem of income polarization. While raising the minimum wage can improve the economic well-being of low-income workers, there is a broader problem with income polarization. This bill creates an incentive for private sector employers to look a the income structure of their own businesses.

By denying business tax deductions for executive pay which is more than 25 times higher than the pay of other workers, I hope to create some self-interest on the part of people at the top in what happens to people at the bottom. Clearly, executives should be paid in accordance with their risks and responsibilities. And there is no doubt that good executive leadership is essential to the well-being of any organization. But it is also true that the success of a company is a product of all its employees, not just its high-level executives.

Because of the dramatic change in income distribution which has occurred over the last 20 years, income inequality is at its highest level since World War II. Obviously, there are many reasons for this situation and not all of them are the responsibility of Government. There are, however, some things which the Government can and should do to improve the income structure of our society. I propose using a higher minimum wage and the incentive of a tax penalty to help reduce a level of income polarization which has become extremely damaging to our economic and social well-being.

OSCAR DYSON: A FISHING INDUSTRY LEADER

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. YOUNG of Alaska. Mr. Speaker, today, the residents of Kodiak, AK, are honoring Oscar Dyson on the occasion of his 80th birthday. I think it fitting that the House pay tribute as well.

Oscar's record of service to the fishing industry, to Alaska, and to the Nation is outstanding. He first came to Kodiak in 1940 and worked with the Army Corps of Engineers building airfields. He entered World War II in earnest when Dutch Harbor was bombed as part of the Japanese invasion of the Aleutian Islands and went on to serve his country during that conflict.

After the war, he returned as a fisherman and began the long career which continues to this day. He pioneered several fisheries and designed a prototype vessel to harvest king crab. He was the first fisherman to deliver Alaska pollock to a shore based processing plant, setting in motion a multimillion dollar industry that employs thousands of people in Alaska and the Pacific Northwest. He also helped establish several fishermen's organizations in Kodiak.

Not content with being an industry leader, Oscar also took the time to serve his community, his State, and his country. He was a member of the Alaska Board of Fisheries for 13 years, including a term of service as chairman. He was a member of the Kodiak City Council for 10 years and of the advisory board for Kodiak Community College for 3 years. For the past 12 years, he has served on the Port of Kodiak Port Operations Advisory Board. During this time, the Port was expanded considerably and has consistently been one of the top three ports in the United States for fisheries landings. In his spare time, Oscar served as a member of the U.S. delegation to numerous international fisheries treaty negotiations and as an appointee by the Secretary of Commerce to the North Pacific Fishery Management Council.

However, the most important point in Oscar's life was when he met his wife, Peggy. As Oscar said in an interview after being named fishery industry "Highliner of the Year" in 1985: "That was the start of a beautiful friendship and love affair."

Mr. Speaker, any one of us would be proud to have such a long and distinguished career. At age 80, Oscar Dyson is still going and who knows what greater contributions he will make in the years ahead. I hope that the House will join me in offering our congratulations and best wishes to Oscar on this special day.

SEIZE THE PROMISE OF PEACE IN THE MIDDLE EAST

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. HOYER. Mr. Speaker, I rise today to mark an important step forward on the long road to peace in the Middle East. Today, 1 month after the historic accord between Israel and the Palestine Liberation Organization was signed on the White House lawn, the Declaration of Principles of the agreement enters into force. In Cairo, Israeli and Palestinian negotiators are sitting down and forming committees to address the outstanding issues that still obstruct the path to peaceful coexistence and Palestinian self-rule. And even as I stand to address this body, a wide array of forces are working to dismantle any hopes of peace set in motion by the courageous act of Israeli and Palestinian leaders.

Only days before the agreement was announced, it remained almost unthinkable that implacable enemies—Israel and the PLO—would in short order set the stage to live side by side in peace. Steps had been taken to bridge the enormous gulf of mistrust, fear, and bitterness developed through generations. Prime Minister Rabin and Chairman Arafat, their handshake an image captured for all history, have entered into a process which will ultimately test their ability to bring their own people together. Already, Israelis and Palestinians opposed to the accords have demonstrated en masse against the efforts of their leaders, and extremists on both sides have announced their intentions to use violence to scuttle the nascent peace process.

Mr. Speaker, while it may be easier to derail peace efforts—through acts of terror, threat and coercion—than it is to capitalize on the momentum of the Israeli-PLO accord, each small step forward makes the peace process more difficult for extremists to reverse. For this reason, it is imperative that our Government support efforts of Middle Eastern leaders to promote and strengthen the peace process. In this regard, I believe that a historic opportunity exists to help establish a CSCE-like model for the states of the Middle East. Participants could engage in a process of constructive dialogue by which, in the long term, barriers to trade, travel, and communication can be removed and regional stability established.

Mr. Speaker, I want to emphasize again the need to aggressively pursue all avenues which promote peace and stability in the Middle East. The opportunity we are confronted with is rare and should not be squandered. The United States has more than economic and strategic reasons for promoting peace. As a superpower, we have the responsibility to use our influence to bring peace and healing to a region badly in need of both.

TRIBUTE TO BRENDAN ELLIOT EAGLE SCOUT

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Brendan Elliot of Troop 28, Providence, and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 merit badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. These young men have distinguished themselves in accordance with these criteria.

For his Eagle Scout project, Brendan worked on the cleanup and restoration work at India Point Park in Providence. From the repair of park benches to the repainting of these same benches and general maintenance upkeep of the park, Brendan committed himself totally to this project.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Brendan Elliot. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 80 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Brendan Elliot will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

ORGAN AND BONE MARROW TRANSPLANTATION AMENDMENTS OF 1993

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. SPENCE. Mr. Speaker, the House approved H.R. 2659, the Organ and Bone Marrow Transplantation Amendments of 1993. This legislation reauthorizes the National Organ Transplant Act [NOTA] through fiscal year 1996. NOTA is the statutory vehicle for the authorization of systems and procedures which govern human organ procurement, allocation, and transplantation nationally. Reauthorization of this legislation assures the continuation of the existing systems in our Nation that have successfully facilitated the equitable and effective procurement and distribution of human organs and human bone marrow for transplantation to those who are in need of these procedures.

As the recipient of a double-lung transplant over 5 years ago, I strongly identify with the important work that is authorized through this legislation. On May 6, 1988, 7 months after my name was entered on the list of those approved for an organ transplant, I received the call that I had been praying for. A donor had been located whose lungs would be acceptable for transplantation to me. On that day, which I recall so vividly, I received the lungs of an 18-year-old young man, who was tragically killed in a motorcycle accident. The surgery took 6 hours and my recovery came about over a period of 3 months. The glimmer of hope that I had held for so long had turned into reality, and I was given a new life.

Mr. Speaker, I have had the distinct privilege to represent the Second Congressional District of South Carolina for the past 23 years. While the fishbowl of Congress often places its Members in the public spotlight, I feel that my position has provided me with an unique opportunity to be a living testimony by sharing my experience with others who might find themselves in a situation similar to the one that I was in prior to my surgery. Additionally, I am pleased to be able to support initiatives, like H.R. 2659, to promote organ donation and advancements in medical research and technology.

Since my operation, I have been contacted by others who are searching for the hope that I have found. My wife and I spend untold hours on the telephone speaking to people who simply need to know that there is hope for them, too. They seem to take heart from talking to someone who has been through what they are undergoing and who can give them some advice as to how to deal with their problem.

Transplant recipients probably have a little different perspective on life—they have a most wonderful gift to share. Each day, I try to remember to tell my family and friends just how much I appreciate them, and I keep reminding myself of how very fortunate I am. The advances that have been achieved in medical science have made the miracle of transplantation a reality for many. I commend those who have supported the passage of the Organ and Bone Marrow Transplantation Amendments of 1993, and am grateful for the promise that comes with it for Americans who are in need of the programs which it authorizes.

PRESERVING NATCHEZ, MS

HON. MIKE PARKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. PARKER. Mr. Speaker, I stand before the United States House of Representatives today to introduce a bill to preserve a historical community in my district which is important to all those who value our Nation's history.

Many people I have spoken to outside of Mississippi always recognize one city in my district before all others. That city, Mr. Speaker, is Natchez, MS. Known for its rich heritage, its antebellum mansions and its prosperous river economy, the proud citizens of Natchez are to be commended for their preservation and display of history. Unfortunately, part of that history is being threatened. Located on the banks of the mighty Mississippi River, an entire street and numerous homes are threatened to literally be washed away by "Ol' Man River".

Pursuant to the recommendations of two reports conducted by the Army Corps of Engineers, my bill instructs the Secretary of the Army to carry out the necessary activities to stabilize the bluffs along the Mississippi River in the vicinity of Natchez. I would welcome and encourage your support in seeing that this historical district is preserved for many generations to come.

THE 150TH ANNIVERSARY OF B'NAI B'RITH

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. FRANK of Massachusetts. Mr. Speaker, on October 13, one of the most useful and important private voluntary organizations in our country—B'nai B'rith—will celebrate its 150th year. B'nai B'rith has throughout this period been an extremely important voice for the American Jewish community, and because of the thoughtful, sensitive, and creative way in which it has carried out its work, B'nai B'rith has been an important asset for the United States as a whole.

I am very proud of the cooperation I have been able to extend to B'nai B'rith in the various important causes which it has undertaken. In my work as a Member of Congress, I have found the organization to be an important source of information, advice and counsel. B'nai B'rith has been in the forefront of efforts to combat prejudice and discrimination in virtually every aspect of American life throughout its existence. I am delighted to join many, many others in expressing my admiration and gratitude to those who have provided such important leadership for the accomplishment of American ideals through B'nai B'rith over 150 years of vital service.

BIPARTISAN HEALTH CARE REFORM: HEALTH CARE INFORMATION MODERNIZATION AND SECURITY ACT

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. HOBSON. Mr. Speaker, last week Mr. SAWYER and I introduced H.R. 3137, the Health Care Information Modernization and Information Act of 1993. In the Senate, Mr. BOND and Mr. RIEGLE introduced this legislation as S. 1494. Our bipartisan, bicameral bill reduces excessive paperwork and administrative waste in our health care system by facilitating the development of an electronic health care data network.

The paperwork burden in our current health care system, which has grown to staggering proportions, impacts everyone. We pay for this burden in higher insurance premiums and medical bills that consume as much as 10 cents of every health care dollar.

But the cost is greater than dollars. Just ask the person on Medicare who must suffer the anxiety of filling out confusing forms, or the physician who is forced to spend less time with patients and more time completing paperwork. President Clinton was correct when he said, "A hospital ought to be a house of healing, not a monument to paperwork and bureaucracy."

The technology exists today to move away from a paperwork system and toward an electronic health care data network. But there are no uniform standards to allow this technology to fully develop. To make this work, a hospital in Ohio must be able to communicate with an insurance company in Chicago, which then must be able to contact Medicare in Baltimore. Today, these providers often speak a different electronic language.

The Health Care Information Modernization and Security Act removes the barriers that have slowed the development of an electronic health care data network. It adopts standards for health care data and ensures patient privacy and confidentiality of medical records.

HEALTH CARE DATA PANEL

Our bill establishes a health care data panel that is responsible for adopting data standards and strict privacy and confidentiality standards. The panel includes the Secretaries or their designees from Health and Human Services, Defense, and Veterans Affairs, and representatives from the Agency for Health Care Policy and Research, the National Institute of Standards and Technology, and the National Telecommunications and Information Administration.

The panel is advised by a Health Informatics Commission. The Commission includes private sector experts who represent different professions, geographic areas, Federal or State government health programs, applicable standard-setting groups, and consumers of health care services.

DATA STANDARDS

The Panel develops data standards so providers, insurers and others can communicate in the same, standard electronic language. When possible, the data standards must reflect existing, widely adopted standards.

The data standards are implemented according to an aggressive timetable. Within 9 months after enactment of this bill, financial and administrative transactions must be standardized; within 12 months, an initial quality indicator data set must be standardized; and within 2 years, a comprehensive clinical data set must be standardized.

The data standards are enforced using civil penalties that are limited to $100 per violation. There is a 1-year grace period during which penalties do not apply. In the case of the more complicated clinical data set, there is a 2-year grace period. There are waivers for small and rural hospitals.

PRIVACY AND CONFIDENTIALITY REQUIREMENTS

Strict patient privacy and confidentiality of medical information are fully protected according to the following principles: Information should be collected only to the extent necessary to carry out the purpose for which the information is collected; information collected for one purpose should not be used for another purpose without the individual's informed consent; information should be disposed of when no longer necessary to carry out the purpose for which it was collected; and individuals should be notified (in advance of the collection of information) whether furnishing the information is mandatory or voluntary, what the record keeping practices are concerning the information, and what uses will be made of the information.

Privacy and confidentiality standards are enforced using civil and criminal penalties of at least $1000 per violation. Recommendations for criminal fines and penalties will be submitted to Congress.

IMPACT

The benefits of reducing excessive paperwork and administrative waste in our health care system are significant. Conservative estimates indicate an electronic health care data network would save $4 billion annually in administrative costs. It would save $20 billion annually by providing medical researchers, physicians, and hospitals with the clinical data they need to reduce unnecessary and costly medical procedures. And by reducing health fraud it could save as much as $150 billion annually.

These savings are significant, but in achieving these savings, in computerizing all of these various health transactions, we also create a system capable of much more than just paperwork simplification.

Today, fragmented information makes if difficult to reform our health care system. We create the information infrastructure necessary to provide the comprehensive data needed to enact effective reform. Our plan can be enacted as a stand-alone bill, or as the foundation for comprehensive reform. It is consistent with insurance market reform, managed competition, single-payer, and the Clinton plan.

Today, information on cost and quality among hospitals and benefit plans is not available to consumers. We create a system that provides the data consumers need to compare the value of insurance plans and health services. Our plan allows consumers to make the smart choices that are necessary to make competition work.

Today, information on the effectiveness of medical procedures is either unavailable or scattered among providers in an unusable form. We create the tools needed for outcomes research to improve the quality of care. Our plan provides medical researchers, physicians, and hospitals with the clinical data they need to reduce unnecessary and costly medical procedures.

And today, the confusing, disjointed paperwork system provides cover for the consumer or provider who wants to cheat the system. We make it possible to expose fraud in ways that are impossible to do under the paperwork system we have today.

CONCLUSION

Mr. Speaker, to conclude my remarks, I want to credit the work and commitment of the people behind this legislation. In 1991, Secretary of Health and Human Services Louis Sullivan articulated a vision of a health care information system. In 1992, Mr. BOND introduced legislation to achieve that vision, and then updated that work with the introduction of the Health Care Information Modernization and Security Act.

I am pleased to sponsor Mr. BOND'S bill in the House of Representatives. As the former Ohio Senate Chairman of Health, I aggressively sought out fraud and abuse in Ohio's health care system. I soon learned the difficulty of uncovering fraud and abuse without the availability of comprehensive information. The electronic health care date network developed by this bill would make that information accessible.

Also, I particularly am pleased that Mr. SAWYER has joined me in this effort. TOM is known for his expertise and familiarity with electronic data systems, and has shown great leadership and effectiveness on these issues as the Chairman of the House Subcommittee on the Census. The technology to collect and process information for the census is similar to what we propose here.

NAFTA

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. SANDERS. Mr. Speaker, I recently returned from an extremely informative 4-day visit to Mexico with the Government Operations Committee, led by Chairman JOHN CONYERS. During this trip I had the opportunity to attend meetings in two different communities in the state of Chihuahua with a number of small farmers. I estimate that one meeting had about 100 participants and the other one, 150. One of the key spokesmen for the group was Father Camilo Daniel Perez, a Catholic priest.

Many small farmers in Mexico are deeply concerned about President Salinas' agricultural policies and about the NAFTA agreement. They oppose both because they believe that the end result of both policies will be that large numbers of small farmers in Mexico will be driven off of the land, and into the cities as a source of cheap labor. They believe, as I do, that this will not only cause intense suffering for the farmers of Mexico but will result in increased illegal immigration into the United

States as displaced Mexicans are forced to leave their country in order to survive economically.

I believe that many Members of Congress believe that the NAFTA is wildly popular in Mexico. This is not true. I am enclosing a statement written by the Peasant Democratic Front, entitled "Alternative Solutions for the Rural Area," which points out why many small farmers oppose NAFTA and what alternative proposals they would like to see:

PEASANT DEMOCRATIC FRONT—ALTERNATIVE SOLUTIONS FOR THE RURAL AREA

1. THE IMPACT OF THE FREE TRADE AGREEMENT ON THE RURAL AREA

We, the rural producers, already know what the FTA's impact on the rural areas will be, since the Mexican Government is now adjusting the economy as if the Agreement were already operating.

Certainly at the meeting that you just had in Ciudad Cuauhtemoc, you must have realized from the peasants themselves that almost all the countryside has been abandoned by the Government, without the necessary subsidies, or enough credits, with low prices for our output and with inputs such as fertilizers, fuel and financing very expensive, and with a good number of loans in the process of collection.

No doubt President Salinas de Gortari intends to "clean" our lands of peasants in order to offer them to big investors from Mexico and abroad. This means that several million of us peasants will be displaced on our own and, since there aren't enough jobs, many will seek or many of us will seek to emigrate to the U.S. This is the reality of our rural area at the present time.

2. WHAT DOES THE RURAL AREA MEAN TO US, THE PEASANTS?

We think that agriculture is profitable, but that it should not be seen as a business, but rather above all as a space of life for us, the peasants. Wanting "to clean" the land of peasants is something contemptible because it is a lack of respect for us, for our life, for our families and for the land itself, for us taking the land from us is taking life from us.

In addition, the countryside should be defended as a generator of employment, as a prop for the feeding of the people and as a factor in the well-being and social peace. Therefore, we reject the mercantilist vision that the FTA has of the rural areas and, in general, of the economy.

3. WHAT CAN WE, THE PEASANTS, DO FOR THE RURAL AREA?

We think that we peasants should unite and organize in order to make the agricultural land produce. Precisely here, in our region, a good number of us peasants have organized in the form of cooperatives. Thus, for example, we have created a revolving fund to help ourselves with credits for production, we have organized a savings and loan bank for the family economy. Occasionally we have organized ourselves to market the kidney bean. We also have a Consumers' Cooperative that has worked with very good results, as well also as a Housing Improvement Program supported by the international organization Habitat for Humanity.

These are some cooperative organization efforts, but certainly there is still a lot to do in this field, since we should organize much better in order to produce, to transform our products, adding value to them, and in order to market them sufficiently. All of this will create more jobs.

A great obstacle for organizing ourselves in this way is the lack of democracy on the ejido and, therefore, the small degree of participation that we producers have in the decision-making with respect to the country's agrarian policy.

In addition, we peasants feel that it is more and more necessary to join with other low-income farmers of the U.S. and Canada. That's why we have been pleased to form part of the Coalition of Rural Organizations, which has its headquarters in Washington.

4. TOWARD ORGANIC AGRICULTURE

We also see the urgency of putting aside agrochemical agriculture and beginning to give importance to organic agriculture. Thus, in place of using chemical fertilizers we should use natural fertilizer, we should protect our water from all contamination and reject all use of pesticides that damage our ecology and endanger our health.

Precisely now we have a great lagoon, Bustillos Lagoon, which unfortunately has been contaminated due to many factors: the sewage of several communities in the municipality is discharged there. The garbage deposited on the edges of the rivers and brooks is dragged there by the current. Pesticides reach here, many of which are prohibited in the U.S. and are used here with impunity. Until a short time ago, the factories of the area were emptying their wastes there: cellulose, ponderosa and paper.

It is incredible that this lagoon, instead of being a blessing for the immense amount of water it stores, is for us a headache because of its contamination and the floods that it has caused us.

Therefore it is very important for us to propose to seek the most feasible way to bring back the water for agricultural use, whether by retaining it before it reaches the lagoon, or by implementing ways of using water, rehabilitating it at least for certain crops.

There are some studies and projects carried out by the Committee for the Solution of Bustillos Lagoon that we must take up and follow up.

5. WHAT SHOULD THE GOVERNMENT DO FOR THE RURAL AREA?

In the first place, the Government should reactivate the domestic market and turn its attention toward the rural area in order to provide it with the necessary support, since agriculture is the basis of social well-being and healthful human co-existence, things that Salinas de Gortari seems to have forgotten.

As soon as possible the government should:

1. Resolutely support and facilitate the organization of peasants, so that the economic organizations for the rural areas directly handle the Government supports, becoming responsible for their utilization, thus avoiding all bureaucratism and corruption. Also the Government should facilitate the creation of credit unions and savings and loan banks, as well as the creation of revolving funds per organization, etc.

2. Solve as soon as possible the problem of the loans being collected and enable the rural area with soft, sufficient and timely loans.

3. Implement a program of substantial subsidies to the factors and inputs that we use in the countryside, so that the high prices of fertilizers, fuel and agricultural financing will come down.

4. Provide sufficient and fair price guarantees and strict control over the importations of agricultural products so that our economy does not suffer.

6. OUR POSITION ON THE FREE TRADE AGREEMENT

We agree and, it is also a necessity, that our economy must open to the world, so that international treaties must be signed.

But we do not agree with this Free Trade Agreement concretely because it is an agreement that attacks our dignity as peasants and rural producers, as it views us as a "useless" piece in the economy as a whole. The agreement considers us only as a mere business.

Nor do we agree with the agreement because it is clear that it is only made for the big investors. This will cause the number of poor in our country to increase and the abyss between the rich and richer and the poorer and poorer will grow.

So, we reject this agreement because it does not include the mechanisms of an efficient social well-being, a real growth in jobs that will only be generated according to the judgment of the investors, who will seek cheap and captive labor. Nor will the agreement foster the production of basic grains or include the development of indigenous peoples and, besides, it is risky for our sovereignty.

We reject this agreement because we are sure that a treaty that does not look out for the social well-being of the population or therefore raise the standard of living of Mexicans will not be able to bring about a more efficient, more competitive and open economy. An agreement that does not serve the people carries the traces of its own failure.

We will have to say with sadness that we reject this agreement because it was made behind the backs of the working class, in which we include ourselves, the peasants.

Finally, we feel that for Salinas de Gortari the approval of the agreement is necessary for political motives. For him and his group, the agreement is his favorite child and his first-born. With the agreement approved the Salinas group will be consolidated in power. This is currently Salinas' interest and not the interest of benefiting the people.

Sincerely,

Union for the Progress of the Peasants of Bustillos Lagoon [UPCALA], affiliate of FDC, Anahuac, Chihuahua, October 10, 1993.

EDUCATION QUESTIONNAIRE

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. BARRETT of Wisconsin. Mr. Speaker, below please find the questionnaire results. Overall, there was a 16-percent response rate—760 total responses—for the questionnaire:

1. Which category(ies) best applies to you?

8% School Administrator.

83% Teacher.

2% School board member.

1% District Administrator.

6% Other—Counselors, Social Workers, Speech Pathologists, Library Media, Physical Therapists, Reading Technician, Researcher, Implementor, Services Coordinator, Student Services, Safety Supervisor, Recreation Specialist, Support Staff, MPS Lobbyist, Psychologist.

2. How long have you held this position?

25% 1–5 years.

23% 6-10 years.
14% 11-15 years.
38% 16+ years.

3. Do you believe that the federal government should adopt national education goals?
80% Yes.
20% No.

Should the amount of federal aid to states be dependent upon the schools' proven commitment to achieving the national goals?
44% Yes.
56% No.

4. Do you feel that the primary focus of the federal government should be on equality of educational opportunity or on issues of educational excellence?
22% A. Equality of educational opportunity.
18% B. Issues of educational excellence.
56% C. Both.
4% D. Other.

5. Do you feel that educational reform should begin with an individual school to be used as a model or be implemented on a system-wide level?
50% A. Individual school
50% B. System-wide

6. If more federal money is allocated toward education, how would you like to see the money distributed? Please prioritize the following options (1 meaning most important and 7 being least important)

A. Technology (computers, VCRs, etc.) 28% of the respondents selected this category as their 1st or 2nd choices.

B. Building construction/renovation 22% of the respondents selected this category as their 1st or 2nd choices.

C. Teacher and administrator development/continuing education 48% of the respondents selected this category as their 1st or 2nd choices.

D. Curriculum materials. 33% of the respondents selected this category as their 1st or 2nd choices.

E. Bilingual education 2.5% of the respondents selected this category as their 1st or 2nd choices.

F. At-risk education programs 46% of respondents selected this category as their 1st or 2nd choices.

G. Other 25% of the respondents selected something other than the six goals as their 1st or 2nd choices.

7. Do you support public school choice programs?
50%-Yes.
50%-No.

Should private schools be included in the choice programs?
21%-Yes.
79%-No.

8. Listed below are the national education goals contained in the President's initiative. Please specify which goal you feel should be given the most federal attention and funding (1) to the least federal attention and funding.

A. All children ready to learn—33%-1st, 26%-2nd, 17%-3rd, 11%-4th, 7%-5th, 6%-6th.

B. 90% graduation rate—2%-1st, 4%-2nd, 10%-3rd, 24%-4th, 43%-5th, 17%-6th.

C. All children competent in core subjects—14%-1st, 24%-2nd, 29%-3rd, 24%-4th, 7%-5th, 2%-6th.

D. First in the world in math and science—3%-1st, 3%-2nd, 4%-3rd, 9%-4th, 20%-5th, 61%-6th.

E. Every adult literate and able to compete in the work force—17%-1st, 19%-2nd, 22%-3rd, 18%-4th, 16%-5th, 8%-6th.

F. Safe, disciplined, drug-free schools—34%-1st, 25%-2nd, 16%-3rd, 15%-4th, 6%-5th, 4%-6th.

9. Which, if any, of the following educational issues do you believe should fall under the jurisdiction of the federal government? Check all that apply.
25% A. Reforming management and governance of education.
35% B. Setting performance standards.
13% C. Educational techniques/strategies and assessments.
27% D. Professional preparation and development.

10. Do you believe that continuing federal aid should be dependent upon student achievement outcomes?
23% Yes.
77% No.

11. Please check that which best describes your willingness to undertake, promote and support Goals 2000 and related programs.
25% Strongly Support.
43% Support.
4% Oppose.
4% Strongly Oppose.
24% Neutral.

12. The federal government is considering increasing the funding for Tech-Prep and other school-to-work transition programs. Do you support this increase?
92% Yes.
8% No.

13. What can the federal government do to help increase the effectiveness of education in America? Please list 3 ideas and rank them.
See individual surveys.

14. The premise behind Goals 2000 is that by raising expectations, achievement will rise. Do you believe that by developing more challenging expectations we will see an overall increase in student achievement?
62% Yes.
38% No.

15. If federal, state and local governments make a commitment to educational reform, do you think that the United States will succeed in achieving Goals 2000?
70% Yes.
30% No.

16. Are graduation rates an appropriate way of measuring the success or failure of reform?
32% Yes.
68% No.

17. Do you believe that if the federal government coordinates the creation of our nation's educational goals, it should also set professional development criteria?
61% Yes.
39% No.

18. Do you feel that you have been or will be provided with adequate opportunities, time and resources to learn how to teach new curricula through up-to-date methods and technologies?
37% Yes.
63% No.

A GRATEFUL NATION HONORS THE LIFE OF LCDR GERALD J. CARROLL

HON. WAYNE T. GILCHREST

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. GILCHREST. Mr. Speaker, I rise today to commemorate the life of a true American hero, LCDR Gerald J. Carroll USN (Ret.) of Leonardtown, MD, who died on September 30, 1993.

Lieutenant Commander Carroll was a member of that small and eternally brave brotherhood of naval aviators. His childhood dream was realized when he was accepted into the Navy flight school following his graduation from Boston College. After receiving his wings, he was dispatched to Vietnam where he flew combat helicopter search and rescue missions. His job, one of the most dangerous in the war, required him to fly into combat areas at tree top level and retrieve the broken and bloodied bodies of the wounded and dying. With little regard for his personal safety and sometimes to the consternation of his superior officers, Gerry Carroll never gave up on a rescue mission. Never.

Thousands of soldiers, marines and downed pilots owe their lives to heros like Gerry Carroll. I am one of those soldiers. Severely wounded in the chest and arm during a firefight in Vietnam in 1967, my life was saved by the arrival of a helicopter that was able to get me off that field and to immediate medical assistance.

Gerry Carroll was a veteran of 198 combat missions. He served his country under fire in Vietnam, Grenada and Beirut. He was one of the most highly decorated naval aviators in the post-Vietnam era, having received the Distinguished Flying Cross, the Air Medal and the Navy Commendation Medal, the Combat Action Medal, the Navy Unit Commendation, the Meritorious Unit Commendation, two Navy Expeditionary Medals, the Armed Forces Expedition Medal, the Arctic Service Ribbon and the National Defense Service Medal. He faithfully served his country with great courage.

Following his distinguished naval career, Gerry became a best selling novelist. He combined his great passion for lacrosse and his genuine affection for young people by serving as the coach for the lacrosse team of St. Mary's Ryken High School. His enthusiasm for life was obvious to all who were privileged to know him.

Gerry Carroll always sought to make his landings equal to his takeoffs. Somehow I know that he has.

THE DEFENSE DEPARTMENT BOTTOM-UP REVIEW

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, October 13, 1993, into the CONGRESSIONAL RECORD:

THE DEFENSE DEPARTMENT BOTTOM-UP REVIEW

On September 1, Defense Secretary Les Aspin unveiled his Bottom-Up Review, a comprehensive study which aims to define the role of the U.S. military in the post-Cold War era. The plan encompasses all aspects of our national defense—from military strategy to weapons acquisition to the nuts and bolts of fielding U.S. troops. Secretary Aspin recommends a smaller and less expensive military, but one that is equipped to protect and advance our interests in a changed international environment.

For decades U.S. defense planning centered on the Soviet threat. We maintained military forces capable of fighting simultaneously a major land war in Europe and a second smaller war elsewhere. The threat of war with the Soviet Union has receded. The sweeping changes that are taking place offer the U.S. an opportunity to reassess our defense needs. The Bottom-Up Review seeks to provide a blueprint for our post-Cold War military. In so doing, it aims to answer the following questions: What are the new threats we face? How should the U.S. respond to these threats? How many troops and what weapons systems will we need? How will our industrial base support this force?

THREATS AND OPPORTUNITIES

The Bottom-Up Review begins with an assessment of threats and opportunities that America is likely to face in the post-Cold War era. While the Soviet Union no longer exists, the world is still a dangerous place. The Bottom-Up Review outlines the major threats to our interests. They include: first, the proliferation of nuclear weapons and other weapons of mass destruction; second, the threat of large-scale aggression by major regional powers, such as the Iraqi invasion of Kuwait; third, threats to democracy and reform movements in the former Soviet Union, Eastern Europe and elsewhere; and fourth, economic dangers to our security if we fail to build a competitive and growing economy.

There are dangers in the new era, but there is also the promise of a safer and freer world. The Bottom-Up Review identifies new opportunities to build a larger community of democratic nations, to promote regional security alliances designed to reduce the potential for regional aggression, and to implement drastic reductions in the strategic nuclear arsenals of the U.S. and the former Soviets Union. Finally, the end of the Cold War will allow us to advance our security goals at a lower cost, making available greater resources for investment in other areas important to American prosperity.

NEW MILITARY STRATEGY

Given the new threats and opportunities we are likely to face, the Review next defines a U.S. defense strategy to protect and advance American interests. Secretary Aspin recommends maintaining the capabilities necessary to win two nearly simultaneous major regional conflicts—for example, an Iraqi invasion of Kuwait and a North Korean invasion of South Korea. The Pentagon argues that it is smart to prepare for a two-war scenario because a "two-war" force provides a hedge against the possibility of confronting a larger-than-expected threat, and because it provides a deterrent against aggressors who might view a U.S. engagement somewhere in the world as an opening to attack an ally in another region.

DEFENSE FORCE

Lastly, the Review outlines a defense force capable of carrying out this mission. Secretary Aspin recommends a new force structure that will be smaller, less expensive, faster and more flexible than our current force. He would cut troop strength from 1.7 million to 1.4 million. The Army would be reduced from 14 active divisions to 10; the Air Force, from 16 fighter wings to 13; and the Navy, from 443 ships to 346. Guard and Reserve forces would also be trimmed. To enhance the capabilities of these forces, Secretary Aspin would provide for additional prepositioned equipment, additional airlift and sealift, improved anti-armor and precision-guided munitions, and improved Army National Guard combat brigade readiness.

The Bottom-Up Review also proposes a weapons acquisition strategy to meet the new security threats. Some "Cold War" programs, such as the AF/X combat aircraft, would be shelved. Others, including the Strategic Defense Initiative, would be reconfigured. SDI was originally developed to protect this country from a Soviet nuclear missile attack. This threat has receded. Secretary Aspin has proposed instead to refocus the program to protect U.S. and allied forces in regional conflicts. Likewise, the B-2 "Stealth" bomber was originally designed as a strategic bomber to be used against the Soviet Union. It will now be used, in fewer numbers, to slip by enemy defenses in regional conflicts and deliver precision-guided conventional weapons. Secretary Aspin also proposes to continue to buy certain "Cold War" weapons—like the Seawolf submarine—in order to preserve our ability to manufacture these systems in a national emergency.

ASSESSMENT

I believe that the Bottom-Up Review provides a credible first step toward redefining our national security in a time of dramatic change. Past defense plans had proposed shrinking our Cold War forces. This one recognizes that the end of the Cold War provides an opportunity to restructure our military and devise a defense policy that is driven by a new threat assessment, rather than budget pressures alone. The Review's conclusion that we need a smaller, more mobile, and more flexible force than our existing force is sound. The House, with my support, has recently approved a defense bill that anticipated many of the recommendations in the Review by providing additional funding for airlift and sealift; canceling the AF/X program; changing the emphasis of the ballistic missile defense program; and making needed investments in our defense industrial base.

Congress will continue to examine the assumptions and conclusions of the Bottom-Up Review in preparation for next year's budget cycle. Certain aspects of the Review will be vigorously debated. Some have suggested that the proposal to fight two wars at the same time is unnecessary in today's security environment—and has the practical effect of increasing the size and cost of our defense forces. Others say that the new procurement strategy, while an improvement, is still too ambitious, and suggest that programs like the Seawolf submarine should be discontinued. Still others have questioned the Review's conclusion that the U.S. should continue to maintain a large contingent of troops in Europe and Asia. These are all legitimate issues that should be debated and reviewed carefully in the months ahead as we seek to maintain the finest fighting force in a world of constantly changing threats.

THE AMERICAN LEGION PRESENTS PRIORITIES TO CONGRESS

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. MONTGOMERY. Mr. Speaker, on September 21, Bruce Thiesen, newly elected national commander of the American Legion, appeared before a joint hearing of the House and Senate Veterans' Affairs Committees to present the legislative priorities and concerns of this vital and very active service organization, in particular, its views on the role of the Department of Veterans Affairs in health care reform.

The American Legion, marking its 75th anniversary this year, is the Nation's largest veterans group and, I might add, one of its most highly regarded.

I am pleased to share with my colleagues Commander Thiesen's eloquent statement, preceded by an introduction from California Senator DIANNE FEINSTEIN:

REMARKS OF SENATOR DIANNE FEINSTEIN

It is a great pleasure for me to have the opportunity to introduce to this distinguished joint committee Mr. Bruce Thiesen, the new National Commander of the American Legion. Of course he hails from California, and that is the reason I am here.

Mr. Thiesen is an Army veteran era person, is a native Californian who has been a member of the American Legion since 1966. Though a great farmer by trade, Mr. Thiesen has devoted much time to the American Legion and veterans issues, serving as California Department Commander and the National Chairman of the Economic Commission, the Disaster and Emergency Fund Committee, and the Vietnam Memorial Dedication Committee, among many others.

He was elected National Commander earlier this month during the closing session of the 75th annual national convention.

As you know, the American Legion is the largest veterans organization in the United States, with 3.1 million members throughout the world, and the National Commander has the task of representing these 3.1 million veterans.

Mr. Thiesen is here today to present the American Legion's recommendations and concerns on veterans issues. He will address the problem of America's veterans on a day-to-day basis as they seek quality and affordable health care, education, training, and counseling assistance. I can think of no better person to speak for the veterans of the American Legion than its new National Commander who just happens to hail from the largest state in this union.

STATEMENT OF BRUCE THIESEN, NATIONAL COMMANDER, THE AMERICAN LEGION, BEFORE A JOINT HEARING OF THE SENATE AND HOUSE VETERANS AFFAIRS COMMITTEES, SEPTEMBER 21, 1993

Mr. Chairman: Thank you for the chance to come before you today to discuss some of the concerns of The American Legion.

American Legion Commanders have been making similar presentations for years. We ask for this chance at this time of year, because we believe that if our concerns are going to make a difference, we should let you know as the next fiscal year's budget is being prepared, rather than after we see what has developed.

Rarely are we in town at times of potential change, and I am proud to be here this week to talk to you about our thoughts on how change will affect the men and women who have served this Nation.

The American Legion is celebrating its 75th anniversary this year.

In those years of service to veterans and to our communities, we have seen a great deal of change in the way this country sees its veterans, and their role in our society. Since 1919, we have done our level best to present in clear and unemotional terms of our views on a range of issues, and this is my goal here today.

I know that you have received a copy of the Legion's official statement. It's long and detailed, and reflects our best attempts to boil down complicated issues into our honest views about how things can change and be improved.

In the days since this statement was prepared and submitted to you, we have discovered that this testimony immediately precedes your receipt of the President's Health Security Act.

So, if I may, I'd like to share with you The American Legion's views about national health care and how it should affect the delivery of health care to the nation's veterans.

First, I want to remind you that this is not a new issue to the Legion. For the past 2 and one half years, our staff and volunteers have been meeting on this issue. Our Veterans Planning and Coordinating Committee met in 1991 to begin shaping our view of how the VA could deliver health care to veterans more efficiently.

In May of 1992, our National Executive Committee approved the Veterans Planning and Coordinating Committee's recommendations, and late last year we published what we have come to call our Gold Book.

Each of you have been sent copies in the past, and we have testified in both Houses of Congress on its recommendations.

A number of people—and some of our members—have asked us why we would discuss changing the way VA operates. Well, that's what we do on a number of issues. We consistently monitor the VA's progress and problems, and we bring to the VA's attention areas we think can be improved.

But, on this particular issue we were concerned, because people with no knowledge about VA or about veterans were talking about radical change for the sake of change. The ideas proposed in the past would have killed the VA health care system, and we could not let that happen.

Past attempts to create a national health care system overlooked the only national health care delivery system this nation has—that one operated by the VA. No national planner we talked to ever tried to learn from the progress and the problems the VA has faced for more than 50 years.

We did our best to enlighten these people, but we faced a stern determination to ignore the VA and to try to reinvent the wheel.

But, things seem to be different, now.

Candidate Clinton promised the American Legion that veterans would not suffer from a national health plan. But, what was most important, he said that veterans would be partners in any plan that was developed.

He kept that promise, against what I am sure were strong recommendations that he simply fold VA health care into a Canada style health care plan that would put disabled veterans in line with every other American.

We are aware that we do not know the details of the plan, but we are extremely encouraged by what we have seen so far.

In fact, the provisions for veterans, as they have been described to us by Mrs. Clinton, at her invitation in meetings held in April with our Past National Commander Roger Munson, and just last Saturday with some of our staff, seem as if they were—by and large—the products of the Veterans Planning and Coordinating Committee.

Please don't think for a moment that The American Legion will consent to buying a pig in a poke. We want to see the details, and we are sure we will not agree with some of them, but I want to assure these Committees, Mrs. Clinton and the task force that the American Legion will work with all of you to iron out potential differences.

A most critical element is the provision to permit Medicare and other third party funding as revenue sources for the VA.

It's critical to the VA's success, because we know that it is ridiculous to try to provide health care without funds to pay for it—just as it has been ridiculous for the VA to collect nearly one billion dollars in third party payments over the past few years, just to give the money to the Treasury.

We know that the VA cannot survive by standing still. We see this time as an extraordinary opportunity for the VA to thrive and to flourish. We have the obligation to do what ever we can to help.

To put into perspective just what we see as a growing problem that the country will not be able to spend itself out of, my submitted testimony tells you that we are recommending 18 point 5 billion dollars for the Veterans Health Administration for Fiscal Year 1995.

This includes an amount that will make up for the current one point five billion dollar shortfall for the current fiscal year, and add enough for the VA to actually get on with its mission of delivering health care. This amount will help the VA move forward, rather than simply keep pace, as it has been forced to do for more than ten years.

Remember, this appropriation is for the core group of veterans now entitled to VA care. It does not allow for further expansion of the patient population.

Furthermore, we urge you to keep the Congress' commitment to a strong research program at the VA. Saving money on research is short sighted and dangerous, and can threaten years of progress that has been made thanks to the dedicated researchers working on grants from the VA.

We have spent a great deal of time over the past few years discussing health care.

The time I spent today illustrates just how important this area is, but while we were focusing on health care, another problem got much, much worse.

Veterans and their families depend on the VA to deliver benefits that have been earned. Right now, it can take 8 to 12 months—or even longer—to receive a disability rating.

If that decision must be appealed, it might take another year to resolve. While that time is passing, veterans and their families are forced to wait in a kind of limbo until their cases are resolved.

We cannot settle for a system which has more than half a million cases backlogged. There is no defense for that.

If it takes a veteran nine months to a year to get his or her first disability check—even a retroactive one—that means for that period of time the veteran might be out of work, and unable to support a family.

There may not be health insurance for the disability while the claim is pending, and an entire family may be forced to suffer, not because a claim is in doubt, but because it is stuck in the system.

Clearly, Veterans Benefits Administration needs more people and technology to deal with this backlog. The Board of Veterans Appeals needs more personnel, and the ability to streamline its operation for more production.

We will work with you to make the changes necessary, so veterans and families do not have to wait forever for an earned benefit.

I want to assure you that The American Legion is still committed to finding some help for Persian Gulf War veterans who are still seeking answers to their health problems.

Just as we did for Agent Orange victims, we are calling for a complete scientific study into the causes and the extent of these very real physical problems.

We realize that this nation's obligations to the men and women who serve do not stop when they leave the service. That is why this organization sponsored the first GI Bill, and that is why we will continue to press for an improved GI Bill for today's wartime veterans. Those of us who are putting children through college know it cannot be done for $400 per month, and those of us who served know that the men and women who serve this country shouldn't have to pay for a benefit that they have coming to them.

As more and more people leave the military, there will be a more critical need to make certain that their re-entry into society is eased as much as possible. Education is an excellent way to ensure that readjustment.

And, as you will see in my submitted statement, we are calling for more efficiency in the major construction process and for the National Cemetery System.

We urge the VA and these committees to do what is necessary to bring more facilities on line quicker, and to fund to the appropriate levels to ensure that veterans and their families are treated with dignity from the time they leave the service to the time they are buried.

You might not be accustomed to seeing The American Legion as an instrument of change. Believe me, we are just as nervous about change as anybody else in this country, but we are also realists who understand that the old systems are rusty and need some fine-tuning. We understand the risks, and we are willing to work with you and take the actions that will best serve veterans in the long run.

Thank you again, members of these committees, for the chance to come before you today. I want to remind you of the reception I am hosting at 5:30 p.m. in Room B-338 of the Rayburn House Office Building. I look forward to seeing you there.

I'll be glad to answer your questions at this time.

TRIBUTE TO PATRICIA K. MANSFIELD

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. CLAY. Mr. Speaker, I want to take this opportunity to recognize the fine work of Post Office and Civil Service Committee staff member, Patricia Kimberly Mansfield, who will be leaving the committee this month to return to her home in McKeesport, PA, where she will assume major responsibilities for the operation of the family business, the McKeesport Daily News.

I especially want to cite Patti, as she is known to her colleagues, for the unstinting work performed while assisting me in securing passage of the family medical leave bill, the first legislation signed into law by President Clinton. This was a cause to which she was devoted. Her service was invaluable.

While a student at Penn State, Ms. Mansfield did an internship for Congressman Joseph Gaydos with the Education and Labor Committee. She was named executive assistant for the Post Office and Civil Service Committee when I assumed the chairmanship at the start of the 102d Congress.

We will miss Patti Mansfield's warm and generous manner. She has been a friend and supporter for me and members of the committee.

I wish her success and happiness as she embarks on this new and challenging career.

MOST-FAVORED-NATION STATUS FOR ROMANIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. SMITH of New Jersey. Mr. Speaker, I would like to express my support for action taken by this House to approve the United States-Romania Trade Agreement. The trade agreement which was signed in Bucharest in April 1992, grants MFN status to Romania and institutes important safeguards for businesses operating in Romania, such as intellectual property rights, and protections for financial transactions and settlement of commercial disputes in Romania. As my colleagues know, when the House considered the agreement 1 year ago, MFN for Romania was rejected resoundingly by the House.

It is important to note, Mr. Speaker, that this agreement restores MFN for only 1 year, and would require an annual review of progress in Romania, with respect to the protection of human rights and further progress in democratic institution building. The 1 year review is critical at this point since many human rights concerns remain unresolved.

Having completed the long-awaited local and national elections last year, Romania's transition from the dictatorial Ceausescu regime to a fledgling democracy has been fettered by the Government's reluctance to make some needed reforms. For instance, Romanian civil society suffers because of the lack of civilian control of the Romanian Intelligence Service [SRI], the reluctance to grant full and free access to the electronic media—particularly independent television—and radio stations, the lack of willingness to provide needed protections and support to ethnic minorities, and the Parliament's lack of accountability to the voters.

The grim abuses of the former Securitate remain a dark cloud within Romanian society. I believe that cloud will continue to haunt the Romanians, until thorough investigations are conducted and there is a commitment to purge the reconstituted Romanian Intelligence Service of those officers linked to the old apparatus and its abuses. From all reports, the Romanian Government's investigations of past abuses have been inadequate. Former members of the Securitate continue to be in control of the SRI, not the least of whom is director of the reconfigured agency. In spite of the reform law passed by the Parliament and effective for almost 20 months, there is little civilian control of the SRI.

By the end of 1992, the newly established National Audiovisual Council was issuing broadcast licenses for private television and radio stations. I was disturbed to receive reports that certain stations which had broadcast stories in opposition to the government's line were denied the license. Within months, broadcast programs committed to ethnic minorities were taken off the only national television station, Romanian State Television [TVR], and relegated to local stations or channel 2 which reaches only 30 percent of the population. These trends are sobering, considering that the council has a monopoly on the distribution of licenses and broadcasting frequencies.

As with any administration, one can measure the priorities of the government or its tolerances by whom it appoints to certain positions. Many people in Romania were not pleased that President Iliescu appointed Paul Everac as director to the TVR. Mr. Everac recently published a book which gives clear evidence of his anti-Semitic and anti-gypsy beliefs, and raises serious questions about his ability to make fair and objective use of TVR.

With the hope of clearing its bad name regarding ethnic minorities, and seeking to melt the tension which has grown among the various groups, the Romanian Government did recently create the National Minority Consultative Council in April 1993. The effectiveness of that council will become evident if and when representatives of the minorities—Hungarians and Gypsies in particular—witness positive change in policy and attitude by the leadership of the Government of Romania. Some of the most egregious and offensive statements are held at a slight distance, especially those relating to the Romanian population, but government leaders are slow or simply refuse to condemn the inflammatory rhetoric. It is my hope that the council can play a positive role in brokering solutions to longstanding ethnic conflicts.

Mr. Speaker, additional reforms which are so desperately needed must clear the Romanian Parliament, and yet, the Parliament needs its own package of reforms. Unfortunately, President Iliescu's base of power in the Parliament is a combination of former communists and extreme nationalists, and I recognize that construction of a truly democratic legislative system takes years of political will and financial investment. Having spoken with staff and members of the Romanian parliament about the inadequacies of that institution, I trust that an appropriate and effective program can be designed by the Special Task Force on the Development of Parliamentary Institutions in East Europe. Such a program could help nurture a well-informed and professional Parliamentary structure.

I am aware of a number of outstanding individuals in the Parliament who are seeking truth and openness in that body, as well as improvement in the accountability to the Parliament to the Romanian people. In addition, the Parliament should seriously consider a change in its voting policy so that each Member of Parliament's votes are recorded and made available for review by the electorate.

I recently had the opportunity to meet with Chamber of Deputies Member Peter Dugulescu, a member of the opposition political party, Democratic Convention. I had first met Mr. Dugulescu in 1985, during the dark days of the Ceausescu regime, and it was a pleasure to be reacquainted. Mr. Dugulescu assured me of his political party's continued support and the Romanian people's need for the renewal of MFN. The Romanian Democratic Convention, along with Romania's friends here in the United States and in the House, support this 1 year extension of MFN, with the hope that by next year pro-democratic institutional changes will have been made in Romania.

Having been in the lead on the charge against MFN during the Ceausescu regime, I am encouraged that the country is moving in the right direction. For the sake of Romanian people, I strongly urge the Government of Romania to tackle the remaining human rights problems so that renewal of Romania's MFN will someday become pro forma.

SUPPORT U.N. MEMBERSHIP FOR TAIWAN

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. TAUZIN. Mr. Speaker, throughout its 400 years of history, Taiwan has undergone constant change; enduring the brunt of colonization by the Portuguese, the Dutch, the Spanish, the Japanese, and the Chinese Nationalists. The only constant during that time was the fact that the people of Taiwan have had no say in determining the political future of their own country.

In recent years though, Taiwan has begun to make exceptional progress toward establishing democracy and securing political freedoms for its people. In the economic field, Taiwan today ranks 13th in world trade and 25th in per capita income. Taiwan is the United States' sixth largest trading partner and is the largest holder of foreign reserves worldwide with over US$88 billion total.

Yet despite this economic and political progress and despite the people of Taiwan's strong desire to be recognized as an independent country free from China, Taiwan is not a member of the United Nations. The reason for this anomaly is that both the Nationalists in Taipei and the Communists in Beijing claim that they are the sole, legitimate Government of Taiwan, China, Tibet, and Mongolia. And therefore, most governments around the world maintain diplomatic relations with China and not with Taiwan. China has a seat in the United Nations and Taiwan has not. But it should be understood that, since the Communists in Beijing came to power in 1949 on the mainland, they have never—not for a single day—exercised any control over Taiwan. Taiwan is an independent country and deserves its own seat in the United Nations.

In 1971, the United Nations replaced the government in Taipei with the government in Beijing. This was done in order to "strengthen the authority and prestige of the United Nations." But with Taiwan's ever increasing economic and political importance, the same argument which was used for China over 20 years ago applies to Taiwan's bids to enter the United Nations.

The United Nations currently comprises 184 members. However, the international community still has no formal access to hear the concerns of over 21 million of its fellow peace-loving brothers and sisters. In order for the United Nations to genuinely represent the entire world community, Taiwan must be allowed to enter the United Nations as a new member, under the name "Taiwan" and as an independent country. Only by allowing Taiwan entrance into the United Nations can we ensure that no other nation ever again encroach on Taiwan's right to sovereignty.

TRIBUTE TO CHIEF TOMMY PITCHLYNN HARRIS

HON. MICHAEL J. KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. KOPETSKI. Mr. Speaker, it is with great pleasure that I rise today in recognition of a very special resident of my district. Chief Tommy Pitchlynn Harris will celebrate his 100th birthday on October 16, 1993, and I wish to pay special tribute to his lifetime of public service and achievement.

Tommy Harris was born October 16, 1893, and is a proud and devoted member of the Choctaw Indian Nation. He is a direct descendant of Chief Peter Pitchlynn, a leader who pioneered the Choctaw settlement of Oklahoma. Tommy is very proud of his heritage and is affectionately called Chief Tommy by his many friends and loved ones.

Chief Tommy grew up in Oklahoma where he worked as a cowboy, teamster, ranchhand, and land holder. He left for World War I in 1917 and served for 1 year in a machinegun company. In October 1926, Chief Tommy moved his family to Albany, OR, where he lived for many years with his wife, three sons, and one daughter. In August of 1949, the Harris family moved to Salem, OR, and lived in a house that Tommy constructed using bricks from eight World War II Army barrack chimneys.

Today, Chief Tommy lives at the Hidden Lake Retirement Residence in Salem, OR. He is active among the seniors and participates in the Hidden Lake Razzle Dazzle Band. He is known among his friends for being a true gentleman and possessing a fantastic sense of humor.

Mr. Speaker, I am proud to salute Chief Tommy on his 100th birthday for his dedication to his heritage, his family, and our country. I am honored to represent this fine member of the Choctaw Nation and the Salem community.

RIOT AND PROTEST AT HAMILTON SQUARE BAPTIST CHURCH

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. DORNAN. Mr. Speaker, I would like to bring to the attention of my colleagues a recent incident that took place at the Hamilton Square Baptist Church in San Francisco, CA. It involves blasphemous rioting by gay and lesbian activists on sacred church grounds.

The article follows:

OFFICIAL STATEMENT BY DR. DAVID C. INNES

The following events took place on Sunday evening, September 19, 1993, revolving around the regularly scheduled 6:00 PM Sunday Evening Worship Service of the Hamilton Square Baptist Church, 1212 Geary St., San Francisco, California. Reverend Lou Sheldon, of the Traditional Values Coalition, was invited by the church to be the guest speaker.

Only the church's membership and regular attenders were notified of the service, through the church's own Sunday bulletin. No public notice or invitation was made in addition to this. However, in the September 16, 1993 edition of the Bay Area Reporter, the meeting was announced in a front page article using intemperate, inflammatory language. A three-by-five ad on page five of the September 15, 1993 edition of the San Francisco Sentinel announced a protest of the Sunday night service. The church has no knowledge of how, or from whom they obtained the information.

The church received telephone calls during the week prior to the meeting, demanding that our guest speaker should not come. Two people came to the church during that week asking to see the pastor and, speaking to the caretaker, notified him that we could not have Rev. Sheldon as a guest speaker in our church, and that they intended to stop him.

The church's pastor, Dr. David C. Innes, made at least four calls to the Northern (Police) Station prior to the meeting, on Saturday and Sunday afternoon regarding the demonstration, expressing his concern for potential problems. He called the Northern Station immediately before the service, and requested more backup police because he felt the situation was not under control. He was informed that no backup would be sent unless requested by police that were present and further, that they had not requested it. Dr. Innes was told, "You must understand. This is San Francisco."

Homosexual and lesbian demonstrators began gathering around the church property as early as 5:00 PM. The police were immediately notified by telephone of their presence. As people entered the building, demonstrators handed out flyers purporting to be published by the church. These were also placed upon automobile windshields in the immediate area. By 6:00 PM a riot was under way. The rioters assumed complete control of the exterior property and grounds of the church. In spite of several requests to have them removed the officer in charge insisted that everything was under control and that police procedures and regulations would not allow him to do so.

At about the time of the beginning of the service, an usher, stationed himself in the courtyard to assist members in gaining entry to the building. The usher witnessed the destruction of church property and notified an officer who turned away and ignored him. The rioters recognized him as a church member, surrounded him and completely denied him any freedom of movement.

Pastor Charles & Donna McIlhenny were refused entry by the rioters, and told they could not enter the building. The doors were completely blocked by the rioters. Pastor McIlhenny held on to Donna as they began to make their way through the mob who were shouting and screaming in their ears, "You will not enter this church." The rioters assaulted them, pushing and shoving them, seeking to keep them from the front door. One of them grabbed Donna's body, lifting her off the ground, and another put his arms completely around her, and attempted to pull her back away from the entry. She stretched her arms out for help from a nearby police officer who offered no assistance. Her son, seeing she was in trouble, pleaded with the officers to assist her. The officers appeared so overwhelmed by the rioters that they were unable to take control of the situation. Both of her hands were scratched (the skin was broken).

Finally, the church's caretaker grabbed her outstretched arms and pulled her through to the door, out of the hands of the rioters. As they made their way past the three police officers at the door, they were pelted by rocks, which also struck the window panes of the entry doors. Several members from Pastor McIlhenny's church also were accosted and had to flee to a side entrance. There they also found the entry blocked and had to remain outside until the riot police arrived and let them in the building. Pastor McIlhenny's son, Ryan and his friend were not able to enter the building.

The rioters removed the Christian flag from the flagpole, and attached the gay flag under the U.S. flag. The church's caretaker removed both flags, but a rioter grabbed the gay flag and it was again run up the flag pole and the rope knotted out of reach. When the caretaker, again attempted to remove the gay flag, he was assaulted and hit with eggs. Being pushed back he was unable to reach the flag pole, and returned to the entry of the church. Much of the newly planted landscaping around the flag pole was damaged.

One cement bench was pushed over into the fountain by rioters. When police were notified of this they refused to respond. A second bench was dismantled and the seat thrown over into a light well and destroyed by rioters. The rioters guilty of this vandalism described this wanton destruction of church property as "interior decorating." Paper messages were stuck to the handrails, walls and windows of the building.

A single parent, who is a church member, and her six year old daughter were told they could not enter the building.

A rioter grabbed her daughter's arm as she was clinging to her mother, and began interrogating her. The mother and daughter finally entered the building by passing through the rioters. The child was crying and terrified. The mother had also brought an elderly friend who was refused entry by the rioter. Twenty minutes passed before she was able to get her friend into the service. Along with these, many others of the elderly and children were terrorized.

To our knowledge, riot police were never called in by the officers present. They came only because the guest speaker left the worship service and called 911. The rioters were then removed from the courtyard area of the church property by the riot police. They then proceeded to the emergency exit doors on the west side of the auditorium where they pounded and kicked the doors seeking to break them down. This so disturbed the service in process that the service had to be temporarily discontinued. The officers present were immediately notified. The pounding was so loud, that an elderly blind woman was terrified, thinking that the sound was gunshots. She began crying, feeling helpless and threatened, and was comforted by nearby members. Due to the forceful nature of the rioter's attempt to break down the door, one of the exit doors was damaged in a major way, the door jam being broken.

Rioters continued their demonstration, standing on church property with their megaphone. The rioters then laid down in the intersection of Geary and Franklin, blocking all traffic. The rioters passed out the fraudulent flyers to waiting vehicles and pounded on the vehicles of those attempting to cross the intersection. The police took no action to remove them for approximately ten minutes. A woman demonstrator exposed her breasts to church members present in the area.

One woman, a regular attender at our services, and her husband were hindered from entering the building by the rioters who had been moved to the sidewalk. When she entered the building she was so terrified that one of our other ladies had to help her calm down. Another member stood across the street and did not enter because of fear of physical violence.

As the service was concluded, the people were split into three groups. All of the children were clinging to the parents, frightened to leave the building. Two groups exited out emergency exits. One group waited, and then exited the main entrance. The people were shouted at and threatened by the rioters as they made their way to their cars, being called Christian bigots, hypocrites, fascists, homophobes, and other expletives, some obscene. An eight year old retarded girl, upon exiting the front entrance was so traumatized upon being verbally accosted, that she fell down the steps.

The guest speaker was escorted by police to the church van, as debris pelted him from the rioters. Following his departure the rioters began to depart and the riot police were dismissed. The rioters shouted at the police, "You won't be here all night, but the church (building) will be." Only two or three police officers remained to secure the building. Dr. Innes, Rev. Eugene Lumpkin, and the church's associate Pastor with his wife and children remained inside. When this became known to the rioters, they returned in force to the church and began pounding on the front doors. The situation was once again out of control and Dr. Innes called 911 for reinforcements. When the rioters saw children standing in the lobby, they shouted, "We want your children. Give us your children." The police asked us to move away from the entry. Dr. Innes, his associate and family left through another exit. A nine year old boy, was crying in hysterics, "They are after me. It's me they want." He did not calm down until the family was several miles from the building.

A rioter broke one of the large address numbers off the face of the building and attempted to remove others unsuccessfully. A citizen's arrest was made on this individual. The person making the citizen's arrest was verbally threatened by other rioters.

Officers told us they were informed by the rioters that our meeting was an open, public meeting, and they did not intend to prohibit the entry of the rioters onto our property. The pastor, Dr. Innes, informed the officers that this was a regularly scheduled church worship service and was not, as such, an open, public meeting, in the secular sense. He further informed the officers that no public notice had been made by the church inviting the public. The police later insisted that they were bound by the rioters's claim that this was an open, public meeting and not a worship service. We were informed by the police, that due to the city's police regulations and policies, the police were not allowed to enforce the law regarding the disturbance of church worship services and the presence of rioters on church property. Police estimates of the number of rioters, were approximately 75, although actual counts indicated a number closer to 100.

In spite of all this malicious disruption, not a single arrest was made by the police outside of one citizen's arrest. The church's property was not secured, and the fundamental rights of the worshippers were not protected because, we were told, "The Board of Supervisors would never support the measures necessary to do so."

Upon leaving for the final time, several of the rioters said, "We will be back." Numerous obscene and threatening telephone calls have been received at the church following the riot.

LIVERMUSH: PART OF WESTERN NORTH CAROLINA'S HISTORY

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. TAYLOR of North Carolina. Mr. Speaker, this weekend in Shelby, Cleveland County, NC, the annual Livermush Festival will take place. To those who are unaware of what this western North Carolina delicacy is and tastes like, I invite them to Shelby this weekend to take part in the festivities.

Livermush holds a special place in the history of our mountain region. It was born of necessity and hardship during the early part of the 20th century and continues to play a role in the tradition and heritage of western North Carolina.

Mr. Speaker, I would like to enter into the RECORD a history of this tasty meat by Shelby Star reporter Michael Goforth and urge my colleagues to read this so they, too, can understand more about our mountain culture.

A BRIEF HISTORY OF LIVERMUSH

(By Michael Goforth)

Folks in these parts generally take livermush of granted and manage a smile when discussing it. However, the meat concoction which has remained mostly a regional food was born of necessity and hard times.

Eighty-six year old Carrie Mae Canipe recalls how livermush moved from the farm to the market.

Back if the early 1920's, she said, it was common for the family to make livermush after slaughtering a hog. Not wanting to waste any meat from the animal, the liver and "snoots" were mixed with corn meal and seasonings to come up with livermush. Families made the dish for their own consumption.

Mrs. Canipe said that around 1925 or 1926 her husband, Bert, became aware of a couple in Gastonia who made livermush and sold it to their neighbors. Bert Canipe, she said, got the idea that livermush could become a business.

Bill McKee, whose father, Ray, started Mack's Livermush, attributed the birth of commercial livermush in this area to Canipe and Clay Blanton.

Mrs. Canipe said that first recipe for livermush was somewhat different from the one being used by the couple in Gastonia.

"We kind of worked it up ourselves," she said. "We worked it up where we liked it, kind of by trial and error."

The seasoning was simple—sage, black pepper and salt.

The livermush was taken to stores in five pound blocks and sold for ten cents a pound. Sales she said, "took off like wildfire."

Livermush, she said, got a lot of people through the Depression.

From the business of Canipe and Blanton, newer livermush businesses were also spawned.

McKee said his dad got the recipe for livermush from Canipe and Mack's Livermush began in 1933.

"We still have the same recipe we started with," McKee said, There's been some updating a little. The spices are a little different."

The process of making livermush has changed a lot, he said. It's gone from wooden paddles to electric agitators and wood burning cast iron kettles to stainless steel steam kettles.

Originally, McKee said, the livermush was made in 10-pound pans and the pans themselves were taken to the store and placed on the meat counter.

"Sometimes it was still warm," he said.

McKee said he was 8 or 10 years old before the livermush started to be packaged in one-pound blocks.

The livermush that is familiar to this area differs from similar types of foods as one travels more than 100 miles away, said McKee. South and east, it becomes liver pudding and toward the north it becomes scrapple.

In October of 1987 both the Cleveland County Commissioners & the Shelby City Council passed resolutions proclaiming that "livermush is the most delicious, most economical and most versatile of meats," and proclaimed the first Livermush Exposition.

JUDY CONLEY, CAPITAL DISTRICT'S FIRST LADY OF LABOR, RECEIVES AWARD OF MERIT

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. SOLOMON. Mr. Speaker, with your permission I'd like to say a few words about a person who's finally getting some overdue recognition.

This Saturday, October 16, the Capital District Union Label and Service Trades Council will honor Judy Conley with its Award of Merit. I've known Judy for a long time, and I can think of few people who have contributed more to the welfare of labor in our district. She has worked tirelessly for the interests of labor, and what's more, she has been a reliable source of labor views ever since I entered Congress in 1979. And believe me, Mr. Speaker, Judy Conley has never been bashful about expressing those views.

She has enough responsibilities for two people. Judy is field supervisor for the Upstate New York International Ladies Garment Workers Union, AFL–CIO; president of the Greater Glens Falls Central Labor Council, AFL–CIO; regional vice president of the Union Label and Service Trades Department of New York State, AFL–CIO, and vice president of the Capital District Union Label and Service Trades Council, AFL–CIO. She was recently elected to serve as president of the Coalition of Labor Union Women of Northeast New York.

Mr. Speaker, Judy Conley would not have acquired these duties without the trust and respect of her labor colleagues. She certainly has mine.

And so, I would ask all members to join me, not only in congratulating Judy Conley for her award, but to echo my own thanks for all she has done to benefit working men and women in upstate New York.

TRIBUTE TO MAURICE ACERS

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. PICKLE. Mr. Speaker, I rise to salute the memory of Mr. Maurice Acers, who left us on August 3, 1993, at the age of 85.

Mr. Speaker, in the life of this stalwart community servant and American patriot is the story of what is best about this Nation and her people. It is the story of a man who decided early in life not to sit on the sidelines, but to get out on the field and mix it up. It is the story of a man who reveled in the free enterprise system and excelled in it, and at the same time provided employment, dignity, and hope to hundreds of people as he and his wife built Halliday Realtors into a billion dollar corporation.

Life was not always so sweet for him, however. Born into humble surroundings in the Dallas subdivision of Oak Cliff, Maurice worked his way through college, holding down as many as six jobs at one time. He earned a bachelors degree from Southern Methodist University in 1929, did graduate work at Harvard University in 1929–30, and received his L.L.B and J.D. degrees from the University of Texas School of Law in 1934.

After practicing law for 2 years, Maurice joined the FBI, where he was special agent in charge of the San Antonio Office, director of personnel at several cities, and ultimately reached the high position of inspector in charge for the United States and its territories. After 13 years of decorated service, Maurice left the Bureau, but remained active in the fight against crime for the rest of his life as he helped establish the Dallas Crime Commission and was a founder of the Crimestoppers Program.

He went on to serve as president of the Texas Citrus Fruit Growers Exchange, Inc., and was named executive secretary to Governor Allan Shivers in 1951. From 1955 to 1960, he served as a member of the Texas Employment Commission.

In Beaumont, TX, Maurice shared a car ride to the airport with a young lady named Ebby Halliday, who operated a successful small realtor enterprise. They were married in 1965 and went on to build one of the best known and most successful real estate firms in America.

He also maintained lifelong involvement in community uplift activities, serving as a founding member of Keep Texas Beautiful, on the board of the Rotary Club, the United Way, and the Boys and Girls Clubs of America.

Mr. Speaker, I am proud to join with the Members of the 103d Congress of the United States of America to salute this great American and to extend to his surviving family and friends our heartfelt acknowledgments.

TRIBUTE TO THE LATE ELIZABETH WASHAK, ONE OF OUR FIRST NURSE PRACTITIONERS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Mr. HYDE. Mr. Speaker, recently our community lost one of its great contributors, Elizabeth Washak, when she passed away in Elmhurst, IL.

The Boston Globe printed an obituary on Wednesday, August 25, that covers her wide-ranging career of service to her fellow human beings, which I commend to my colleagues.

Her surviving family have our deepest sympathy.

[From the Boston Globe, Aug. 25, 1993]

ELIZABETH WASHAK, 61; WAS ONE OF FIRST NURSE PRACTITIONERS IN U.S.

Elizabeth (Courtney) Washak of Hillside, Ill., a pioneering nurse practitioner, died Sunday, apparently of a heart attack. She was 61.

Mrs. Washak, who was born in Boston, was one of the country's first nurse practitioners, a registered nurse with specialized training to handle a variety of medical problems in understaffed areas.

She opened the first independent nurse practitioner office in Chicago in 1978 and subsequently operated a solo practice with the Inuit people of Galena, Alaska, and delivered babies in the hills of eastern Kentucky for the Hayden Hospital, a hospital staffed and operated by women. At one time she ran a health clinic inside a cell on the main cellblock at Stateville Prison in Illinois.

Mrs. Washak graduated from South Boston High School. She earned a degree in education from Columbia University and master's degrees from Rush Medical School and Roosevelt University.

She retired from the Cook County Department of Public Health in Illinois four years ago and founded the Second Opinion Health Food Store in Berkeley, Ill.

She leaves her husband, Edward, three sons, Edward 3d of Yorkville, Ill., Sean of Brussels, and Courtney of Cambridge; her parents, Patrick and Theresa of South Boston; and two sisters, Ethel Courtney Hanley of Norwood and Patricia Courtney Curtin of Duxbury.

A funeral Mass will be said at 10 a.m. Saturday in Gate of Heaven Church in South Boston.

TRIBUTE TO FOLKLIFE IN SAN PEDRO, CA

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 13, 1993

Ms. HARMAN. Mr. Speaker, it is my pleasure to welcome a new exhibition to the Madison Gallery at the Library of Congress. The exhibit, entitled, "Old Ties, New Attachments, Italian-American Folklife in the West" highlights the culture and heritage of Italian-Americans in the Western United States. As the Congresswoman for California's 36th District, I am proud to note that one of the wonderful areas of my district, San Pedro, is the focus of a significant part of the exhibition which will be on view in Washington, DC, until March 27, 1994. In fact, the exhibit features the picture of the late Archie Royal—Achille Reali—of San Pedro, CA, on the exhibition poster and flier.

The exhibit, created by the Library of Congress, American Folklife Center, shows the occupational history and experience of Italian-American families involved in Western enterprises from ranches to restaurants, fruit stands to fishing vessels, and steel production to retail sales. The 36th Congressional District of California is full of priceless memories from the wide variety of immigrant families who have lived, played, and worked in the area.

For those who have not already seen the exhibition during its tour in California and Nevada, I urge them to take the time to visit this exhibit and learn about Italian-American communities in San Pedro, Gilroy, and San Francisco, CA; Carbon County, UT; Pueblo, CO; and central and eastern Nevada.

The treasures on display are everyday objects that were passed down in families. It is the memories that these objects hold that bring this exhibition to life and help us appreciate the contributions made by the Italian-American community. I commend the American Folklife Center of the Library of Congress, their 21 researchers, folklorists, and field workers, supporters including Henry Salvatori, the John Snow Memorial Trust, R.R. Donnelley & Sons Co., Dell Computer, and the many individuals in the Italian-American community who made this traveling exhibition possible and have enriched us all.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 14, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 15

9:30 a.m.

Governmental Affairs

Regulation and Government Information Subcommittee

To hold hearings to examine international telemarketing fraud.

SD–342

10:00 a.m.

Foreign Relations

To hold hearings on the nomination of Mark G. Hambley, of California, to be Ambassador to the Republic of Lebanon.

SD-419

Labor and Human Resources

To resume hearings to examine the Administration's proposed Health Security Act, to establish comprehensive health care for every American.

SD-430

10:30 a.m.

Foreign Relations

Near Eastern and South Asian Affairs Subcommittee

To hold hearings to examine current developments in the Middle East.

SD-419

OCTOBER 19

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings on the nomination of Daniel Collins, of Ohio, to be a Member of the Board of Directors of the National Railroad Passenger Corporation.

SR-253

Governmental Affairs

To hold hearings on proposed legislation to restructure the Federal forcework.

SD-342

10:00 a.m.

Banking, Housing, and Urban Affairs

Business meeting, to mark up S. 1299, to reform requirements for the disposition of multifamily property owned by the Secretary of Housing and Urban Development, enhance program flexibility, and authorize a program to combat crime, and S. 423, to provide for recovery of costs of supervision and regulation of investment advisors and their activities, and to consider pending nominations.

SD-538

Commerce, Science, and Transportation

Surface Transportation Subcommittee

To hold hearings on the use of intelligent vehicle highway systems for commercial vehicles.

SR-253

Labor and Human Resources

To resume hearings to examine the Administration's proposed Health Security Act, to establish comprehensive health care for every American, focusing on its economic impact.

SD-430

10:30 a.m.

Small Business

To hold hearings on the nomination of Cassandra M. Pulley, of the District of Columbia, to be Deputy Administrator of the Small Business Administration.

SR-428A

2:00 p.m.

Environment and Public Works

To hold hearings to examine the environmental side agreements of the North American Free Trade Agreement (NAFTA).

SD-406

Labor and Human Resources

Labor Subcommittee

To hold hearings to examine single payer health care systems.

SD-430

OCTOBER 20

9:30 a.m.

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Indian Affairs

To hold oversight hearings on issues relating to Indian self-goverance.

SR-485

10:00 a.m.

Commerce, Science, and Transportation

To hold hearings to examine violence in television programs, focusing on S. 1383, to prohibit the distribution to the public of violent video programming during hours when children are reasonably likely to comprise a substantial portion of the audience, S. 973, to require the Federal Communications Commission to evaluate and publicly report on the violence contained in television programs, and S. 943, to protect children from the physical and mental harm resulting from violence contained in television programs.

SR-253

2:00 p.m.

Commerce, Science, and Transportation

To hold hearings on S. 1427, to provide the necessary authority to manage the activities in Antarctica of United States scientific research expeditions and United States tourists, and to regulate the taking of Antarctic marine living resources.

SR-253

3:30 p.m.

Foreign Relations

To hold hearings on the nominations of Larry E. Byrne, of Virginia, to be Associate Administrator for Finance and Administration of the Agency for International Development, and Jennifer Anne Hillman, of the District of Columbia, for the rank of Ambassador during her tenure of service as Chief Textile Negotiator.

SD-419

OCTOBER 21

9:30 a.m.

Energy and Natural Resources

To hold hearings on S. 447, to facilitate the development of Federal policies with respect to those territories under the jurisdiction of the Secretary of the Interior.

SD-366

Environment and Public Works

Clean Air and Nuclear Regulation Subcommittee

To hold hearings on the implementation of the acid rain provisions of the Clean Air Act Amendments of 1990.

SD-406

Indian Affairs

To hold hearings on S. 1345, to provide land-grant status for tribally controlled community colleges, tribally controlled postsecondary vocational institutions, the Institute of American Indian and Alaska Native Culture and Arts Development, Southwest Indian Polytechnic Institute, and Haskell Indian Junior College.

SR-485

10:00 a.m.

Commerce, Science, and Transportation

To hold hearings on proposed legislation to implement the North American Free Trade Agreement (NAFTA).

SR-253

2:00 p.m.

Veterans' Affairs

Business meeting, to consider pending calendar business.

SR-418

2:30 p.m.

Veterans' Affairs

To hold hearings to review research on the health effects of agent orange and other herbicides used in Vietnam.

SR-418

OCTOBER 28

9:30 a.m.

Energy and Natural Resources

To hold oversight hearings on the Administration's National Action Plan to reduce greenhouse gases.

SD-366

Indian Affairs

To hold oversight hearings on issues relating to Indian child abuse.

SR-485

10:00 a.m.

Banking, Housing, and Urban Affairs

Business meeting, to mark up S. 783, to strengthen the accuracy and the privacy protection provisions of the Fair Credit Reporting Act with regard to credit reporting agencies' file information systems, and to consider other pending calendar business.

SD-538

OCTOBER 29

9:30 a.m.

Indian Affairs

To hold hearings on proposed legislation relating to Indian fish and wildlife resourcemanagement.

SR-485

NOVEMBER 3

9:30 a.m.

Indian Affairs

To hold hearings on S. 720, to clean up open dumps on Indian lands.

SR-485

NOVEMBER 4

2:00 p.m.

Energy and Natural Resources

Mineral Resources Development and Production Subcommittee

To hold oversight hearings on ocean mining policy.

SD-366

NOVEMBER 16

9:30 a.m.

Indian Affairs

To hold hearings on S. 1146, to provide for the settlement of the water rights claims of the Yavapai-Prescott Indian Tribe in Yavapai County, Arizona.

SR-485

HOUSE OF REPRESENTATIVES—*Thursday, October 14, 1993*

The House met at 10 a.m.

Rabbi Alvin K. Berkun, Tree of Life Congregation, Pittsburgh, PA, offered the following prayer:

Heavenly Father, as we begin our day of deliberations in this the House of Representatives of the United States of America, we pause to acknowledge You and pray for peace.

According to the 2,000-year-old volume written by the ancient rabbis, "The Ethics of Our Fathers," the world rests on three things: on truth, on justice, and on peace. All three are connected and intertwined.

The goal of the first two is to bring about the third, peace.

To the Jewish sages of old, peace was God's very name. Peace. Shalom, the ideal toward which we must all strive.

In Jewish tradition, the word "Shalom" has a much wider meaning than it does in its English equivalent, the word "peace," for in the Hebrew context the word "peace" touches on the work that is done here. It refers to the welfare of all. It implies a sense of security, contentment, and sound health.

The Prophet Isaiah taught that Shalom would be opposed to the dissatisfaction and unrest that evil can cause.

May we be inspired by one of the greatest of Jewish sages, a contemporary of Jesus, Rabbi Hillel, who said, "Love peace and pursue peace."

May the inspiration of our Judeo-Christian heritage inspire all of us as we work together to make of our Nation a beacon of hope, a symbol of freedom, and a harbinger of peace for all. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Wisconsin [Mr. KLECZKA] come forward and lead the House in the Pledge of Allegiance.

Mr. KLECZKA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair announces that the Chair will recognize 15 Members on each side for 1-minute requests.

The Chair first recognizes the gentleman from Pennsylvania [Mr. COYNE], the sponsor of today's guest Chaplain.

A WELCOME TO RABBI ALVIN K. BERKUN

(Mr. COYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COYNE. Mr. Speaker, I am pleased today to welcome Rabbi Alvin K. Berkun to the U.S. House of Representatives. I want to extend to Rabbi Berkun the appreciation of the House for serving as guest Chaplain.

Rabbi Berkun is the sixth rabbi in the 129-year history of the Tree of Life Synagogue in Pittsburgh. Since coming to Pittsburgh from his native Connecticut, where he served as rabbi in New Haven for 15 years, Rabbi Berkun has become an active leader in the Pittsburgh community. He is founder and a board member of the Community Day School. Rabbi Berkun was a founder and served as president of the conservative movement's Rabbinical Assembly Region of Southern Pennsylvania, Ohio, and Kentucky. He has also been president of the Rabbinic Fellowship of Greater Pittsburgh. He was presented with the Rabbinic Leadership Award at the general assembly of the Council of Jewish Welfare Federations.

Rabbi Berkun is also well known throughout the Pittsburgh area as a leader in the civic and religious life of our community. He has served as a member of the Carnegie One Hundred and the Religious Leadership Forum. He is a member of the steering committee of the Citizen League of Southwestern Pennsylvania. He serves as a participant in the Black/Jewish Dialogue and the Presbyterian/Jewish Dialogue. Rabbi Berkun is to be commended for his efforts to increase understanding between all faiths and all members of our American community.

Rabbi Berkun was ordained by the Jewish Theological Seminary of America, from which he holds an honorary doctor of divinity degree. He also holds a master of Hebrew literature degree. He attended the Hebrew University in Jerusalem, and is a graduate of the University of Michigan's Near Eastern Studies Department.

Rabbi Berkun served his Nation's military service in the Chaplain Corps as a U.S. Navy lieutenant. Rabbi Berkun has taught seminars in the former Soviet Union with refuseniks. Rabbi Berkun and his wife, Flora, are the proud parents of Elizabeth, Jonathan, and Rebecca.

Mr. Speaker, I want to thank Rabbi Berkun for offering words of inspiration to the House today. Let us act on Rabbi Berkun's admonition that we all "love peace and pursue peace."

WORLD CHAMPION PHILLIES

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker—

The playoffs are over. The verdict is in.
As I said last week, the Phillies would win.
Atlanta was tough, they tried their best,
But against the Phillies it was no contest.
The Tomahawks were silenced, the Braves ended up meek.
There's no doubt in our minds the Phils are at their peak!
Schilling was great, Mr. MVP.
In setting the tone, he was the key.
Mitch lived up his usual style,
Worrying us, thrilling us all the while.
Six games it took to beat the Braves.
Atlanta chops—no! Philly waves!
Rag tag, gamers, call them what you will.
Heart, guts—a dream to fulfill.
Now it's off to Toronto, the World Series is here.
The Phillies are a-poppin, final victory is near.
The Blue Jays will try
They'll put up a fight,
But they can't win the Series.
It's not in the cards, it's just not right.
Phils in seven—more thrills, more chills.
World Champions, team of destiny—America's Phils!

☐ 1010

RUBE GOLDBERG HEALTH CARE

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, this is a diagram of the Clinton health care bureaucracy.

Rube Goldberg never had it so good.

The Clinton health care plan is an amazingly complex effort to achieve simplicity.

In fact, this effort to cut down on bureacracy will create 59 new Federal bureaucracies, expand 20 others, while imposing 79 new Federal mandates.

Rube Goldberg, of course, is famous for building overly complex devices to catch mice.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The Clinton health plan will catch patients in a maze of Government regulations, higher costs, and lower quality.

Mr. Speaker, the President spoke eloquently about the need to cut down on Government bureacracy when it comes to health care, and we need real health care reform, so I urge him to live up to his rhetoric and to rethink his Rube Goldberg health care trap before he brings it to the Hill.

CWO MICHAEL DURANT OF BERLIN, NH, WELCOMED HOME FROM SOMALIA

(Mr. SWETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWETT. Mr. Speaker, it is with great pride and celebration that I am able to stand and welcome back my constituent, CWO Michael Durant of Berlin, NH.

His release this morning was a joyous event that culminated 10 days filled with anxiety and fear. The strength that Michael showed throughout this ordeal and the way his family and hometown came together, rallied support for him, and drew upon their faith, was truly of heroic proportion.

Once again New Hampshire citizens have demonstrated the solid granite from which they are hewn. They are a united community in times of trouble, without cracks or seams.

As Michael makes his way homeward, and Laurie, his wife, flies to meet him in Germany, I want to extend my deepest felt appreciation and congratulations to all those who made his release possible. From Michael himself, to his family, to the community of Berlin, Ambassador Oakley, President Clinton and former President Jimmy Carter, the International Community of the Red Cross, military and State Department officials, and all others who helped, they deserve credit for an outstanding effort.

Americans have demonstrated, yet again, that even when facing the most difficult of trials, we can pull together and overcome any odds.

THE HOUSE REPUBLICAN CRIME BILL OFFERS A STRATEGY TO PROTECT SCHOOLS, NEIGHBORHOODS, AND CHILDREN

(Mr. FISH asked and was given permission to address the House for 1 minute.)

Mr. FISH. Mr. Speaker, by the year 2000, every school in America free of drugs and violence and offering a disciplined environment conducive to learning—this is the sixth of our national education goals, adopted by this House yesterday.

I point out to my colleagues that our schools cannot reach this goal alone. Today students are greeted in the morning by metal detectors and police officers.

Attorney General Reno calls youth violence our greatest crime problem. The House Republican crime bill, H.R. 2872, would directly address this worsening reality. Tougher penalties for violation of the Gun-Free School Zones Act, community policing grants, enlisting neighborhood responses to crime, and stiffer penalties for criminal street gangs, together form a coordinated strategy to protect schools, neighborhoods, families, and children. How can we expect our Nation's students to get the quality educations they deserve when backpacks no longer carry just books, rulers, and bag lunches, but guns and knives.

THE HEALTH SECURITY PLAN: A SIMPLER SOLUTION

(Mr. VISCLOSKY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Speaker, opponents of reform claim that the President's health security plan will be complex and create more government bureaucracy. Not true.

Nothing could be more confusing, bureaucratic, top-heavy and regulatory than the current system. Health care costs are skyrocketing, fraud and abuse thrive in a maze of loopholes and fine print, and doctors and patients alike are awash in a sea of bureaucracy and red tape.

Under the President's proposal, Government will set standards, guarantee security, and then get out of the way. It will simplify the system, reduce paperwork, eliminate duplication, and put consumers in the driver's seat.

The far-right Republican fringe should be ashamed of itself. Look at their plan—if we could get the details. It does nothing to cut insurance company redtape. Nothing to standardize forms. Nothing to simplify billing or eliminate fine print. It leaves the insurance companies in the driver's seat—and all Americans at risk of losing coverage at any time.

Let us get real; let us give the President a chance.

LACK OF ADMINISTRATION SUPPORT FOR NPR RECOMMENDATIONS

(Mr. CLINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINGER. Mr. Speaker, on September 7, the President and Vice President stood at a crowded White House ceremony to introduce what they promised to be a major commitment toward reforming the management of the Federal Government. That announcement was followed by countless television appearances and photo opportunities where even more promises were made to make the Government even more efficient.

A few days later, I delivered the Republican response to the President's weekly radio address on reinventing government. I stated then that "President Clinton * * * [could] look to congressional Republicans as partners in their effort to streamline the Federal Government." Most Republicans stand ready to vote yes to implement recommendations of the National Performance Review.

In my radio address, I challenged the President to submit a legislative package implementing the NPR recommendations to Congress within 30 days. Nearly 5 weeks have passed since those recommendations were released. What has the administration to show for its efforts? Not a single bill has been introduced by the President, not a single monogram detailing their recommendations have been delivered to Congress, not a single vote has been cast in support of the National Performance Review. Only hollow promises stand now where Bill Clinton had once promised to make this issue one of his highest priorities.

A unique opportunity has been lost to enact these reforms quickly. I hope that the White House did not use this costly reinventing Government exercise just as a political tool—that they really mean to support these ideas and make Government more efficient. To date, there is little proof of their efforts.

IT IS TIME FOR THE JUSTICE DEPARTMENT TO TELL THE TRUTH ABOUT DEMJANJUK

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, John Demjanjuk was released from jail in Israel but is now in jail in America in his own home.

And I understand the deep feelings of the Jewish community about what is taking place, but I think it is time now for the Justice Department of the United States to tell the truth.

They now say, my colleagues, that there is no evidence against John Demjanjuk, the same group that called him "Terrible" for many years. I think that there is evidence, evidence that our Justice Department suborned the perjury of Otto Horn, the Nazi guard who lied through his teeth in Cleveland.

I think there is also evidence that our Justice Department perpetrated a fraud, a hoax, on the courts of Israel and America, and I think there is also other evidence that they ran roughshod over the rights of Demjanjuk.

My colleagues, when the constitutional rights of a citizen like Demjanjuk can be thrown aside, the constitutional rights of every American are on the table. I ask, Where is Congress? Why don't you act on the resolution I have submitted? What are you afraid of? The truth?

MILITARY INTERDICTION NECESSARY TO KEEP DRUGS OFF OUR STREETS

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, this week the Senate considers the Defense appropriations bill, which includes funding for military drug interdiction. I want to alert Members that military interdiction faces possible elimination unless its supporters act fast.

Senate report language promises "to adjust funds appropriated in this account if the bottom up review so recommends." Following recent news reports that the Clinton administration considers military interdiction a failure, this looks and smells like a set-up.

The fact is military interdiction works. Since 1990 DOD has helped disrupt more than 335 tons of drugs—17 billion dollars' worth—bound for our country. These seizures would not have occurred without military help, and for every $1 we've spent, we've kept 20 dollars' worth of drugs off our streets.

Mr. Speaker, we will never rid our society of crime if we simply surrender to the drug lords. Military interdiction is too important and too successful to be killed in the fine print of a spending bill.

GIFT BAN FOR MEMBERS OF CONGRESS

(Ms. SCHENK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHENK. Mr. Speaker, as many of my freshman colleagues, I came to Washington this year with the hope and the desire to help restore trust in Government. One way to begin doing so is to enact a strict ban on gifts for Members of Congress.

When I was a cabinet secretary in the executive branch of California's government a decade ago, we operated under a gift ban. We called it the two-hamburgers-and-a-Coke rule.

□ 1020

Like the bill before this House, it restricted the value of gifts we could receive. It worked in California, and it will work in this Congress.

A gift ban helps give reassurance to citizens that their representatives are working for the public interest, not for their self-interest.

Many Americans think accepting gifts from lobbyists is a—let's face it—form of bribery. We need to stop that perception. We must restore the faith of citizens in the way we conduct their business. A gift ban starts us down that important road.

THE 1990'S: A TIME OF GREED

(Mr. GRAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAMS. Mr. Speaker, during the budget debates this year, President Clinton and his friends here in Congress repeatedly condemned the 1980's as a time of greed—symbolized by hostile corporate takeovers.

Well, the President has certainly put the shoe on the other foot.

Thanks to the Clinton administration, if the 1980's were known as the decade of corporate takeovers, the 1990's will be known as the decade of Government takeovers.

Most ambitiously, the President is plotting a whole-scale takeover of this Nation's $900 billion health care industry.

That includes the hospitals, the insurance industry, the pharmaceutical industry, and everything else associated with health care.

Now, that is the kind of hostile takeover that would make Henry Kravis, Ross Johnson, and T. Boone Pickens look like amateurs.

If hostile takeovers added dramaticaly to private debt in the 1980's, just think what Government takeovers will add to the national debt in the 1990's.

As the stockholders in our Government, it is the American taxpayer who will get stuck with the bill.

Yes, Mr. Speaker, just like the 1980's, the 1990's will also be remembered as a time of greed—only now it's Government greed.

Once the Clinton raiders finish with health care, who knows who or what will be next.

CHANGE FOR THE BETTER

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, most Americans say "keep Government out of our lives!" But the Clinton health plan calls for bigger and more intrusive Government and lots less personal choice. That is what we see now that the smoke from the White House PR machine is clearing and the fine print of the Clinton health plan comes into focus. People want change for the better, not change for more Government. If you had not noticed, nobody in America thinks that Government is managing much of anything very well. But change for better can be made in health care by overhauling malpractice rules, by reducing paperwork and reforming insurance markets. I am troubled by the First Lady's refusal to move ahead on these points now. To this, Mrs. Clinton said "no." Not maybe; not we're open—just "no" by insisting on her whole plan. She and the President risk losing this opportunity for doable real reform today—a risk most Americans are not willing to take while we still wait for the Clinton health bill from the White House now 6 months overdue.

KNOCK OUT SUPER COLLIDER FUNDS FROM CONFERENCE REPORT

(Mr. SLATTERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SLATTERY. Mr. Speaker, today the conference committee on the energy and water appropriations bill will meet. Our constituents have been calling on us to cut spending, and this bill contains the largest spending cut the House made in any of the appropriations bills: the superconducting super collider [SSC].

Two-thirds of the House voted to cut this project and save taxpayers as much as $10 billion. By an overwhelming 280 to 150 vote the House said "We can't afford this budget busting item."

Unfortunately, the Senate included funding for the SSC in their version of the bill.

Mr. Speaker, the House must stand tough. We deserve to have a separate up-or-down vote on the super collider as an item in disagreement with the Senate when this conference report comes back.

I urge the House leadership and conferees to structure the report to allow such a vote. If we do not have such a vote, I call on all 279 of my colleagues who joined me in opposing this project on the House floor, to vote again to prevent any more money from being wasted on the super collider.

We must be prepared to vote against the entire conference committee report if it contains funding for the super collider.

TRIBUTE TO J.P. HUMPHREYS

(Mr. HANCOCK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANCOCK. Mr. Speaker, on October 6, 1993, a very good friend of mine, Mr. J.P. Humphreys of Joplin, MO, passed away.

In addition to being a friend and constituent, J. Humphreys was a brilliant businessman, a dedicated community leader, and an all-around great American.

As a businessman, J. Humphreys became president of a small, two-plant company in 1960 and it is now a major national firm, with seven manufacturing plants and more than 1,000 employees.

He was a tireless community leader, serving as president of the Joplin Chamber of Commerce, chairman of the board for the First Community Church, and as leader of many other civic groups.

Always a patriot, J. served valiantly and honorably as a Marine Corps bomber pilot during World War II. As a citizen, he was politically active and an outspoken defender of freedom.

He lived his life according to what he called the freedom philosophy, a set of principles of morality for human action.

J.P. Humphreys was definitely a leader, a man who made a difference during his time here with us. He will be missed by his many friends, business associates, family, and this Member of Congress.

POLLY KLAAS ABDUCTION

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, on October 1, 12-year-old Polly Klaas was enjoying a slumber party with two friends at her home in Petaluma, CA, when a man, wielding a knife, entered Polly's bedroom through an open window. The man tied up and gagged Polly's two friends, and then kidnaped Polly.

Mr. Speaker, Polly was abducted from her home almost 2 weeks ago. Since that tragic evening, Polly's family, the police, the FBI, and volunteers have been working nonstop to find Polly—but not one lead has been uncovered.

Mr. Speaker, Polly needs our help, and we are running out of time. I urge my colleagues to include Polly's picture and the sketch of her abductor in their next mailing to their district.

Mr. Speaker, there is a number to call for people who have any information about Polly. That number is 800-272-0012. I would impress upon my colleagues the importance of urging their constituents to use this number if they have any information that could help reunite Polly with her family.

Our efforts could put an end to this awful nightmare. Please help the Klaas family bring Polly home.

VOTE AGAINST SUPERCONDUCTING SUPER COLLIDER

(Mr. BOEHLERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, within the week this body, the people's House, Republicans and Democrats alike, are going to be put to a test, and that test is going to determine whether we have been honest with ourselves and honest with the American people when we said we want change, that we are not going to do things the same old way, that we are truly serious about deficit reduction, that we are not going to continue to mortgage our children's and grandchildren's future, and that we are going to cut unnecessary wasteful spending. That test will come on the energy and water development appropriations conference report.

Mr. Speaker, this House, by an overwhelming 280 to 150 vote, voted to terminate the superconducting super collider, a massive expenditure that started out costing $4.4 billion, which is less than 20 percent complete, and is now estimated to cost over $13 billion.

We said we do not want it in the interest of the American people and yet a conference report that will come to us provides $640 million completely ignoring the will of the House. The vote is going to come within the week and we must reject it.

Mr. Speaker, I urge my colleagues to pay attention to this one. This is the moment of truth. We have had the sanctimonious sermons about deficit reductions, about change. Now we can put our votes where our mouths have been. Now we can truly demonstrate to the American people that we are masters of our own destiny, that change will come, that deficit reduction will be honest.

□ 1030

A TRAVESTY OF JUSTICE

(Mr. APPLEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPLEGATE. Mr. Speaker, I am mad as hell. Where is justice?

Monica Seles, the best tennis player in the word, was maliciously stabbed in the back for the purpose of maiming her by a German, to dethrone Monica from the No. 1 position in tennis, to help his fellow countryman to become the No. 1 player. And the irony is that it worked. Steffi Graf now is the No. 1 tennis player in the world.

They took the man before the courts, and the German judge said he expressed remorse and went on to sentence this man and, get this, sentenced him to a 2-year suspended sentence for trying to destroy a life.

The judge should have thrown him in the jug and tossed the key away. The deed was heinous and justice was a travesty.

God willing, Monica will be back on the courts and will be, again, one day, No. 1.

TRIBUTE TO SENATOR DONALD MUNSON

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, today I rise to pay tribute to a great American, a fine legislator, and a true friend to the citizens of western Maryland, State Senator Donald Munson.

Senator Munson recently was named Legislator of the Year by the Maryland Classified Employees Association for his successful efforts to keep the Western Maryland Center Hospital from being privatized. In fact, Don Munson has been working to keep the western Maryland center in public hands since 1974 when he was first elected. His dedication serves as an inspiration to all of us in public life.

This is the first time this honor has been bestowed on a lawmaker from western Maryland, and is a good example of the type of impact one can have on an important issue over a given length of time. Don Munson stayed close to the issue all of these years, and this recognition of his efforts and diligence by the Maryland Classified Employees Association is a reflection of the respect, affection, and admiration so many of us in Maryland have for Senator Munson.

Western Maryland is truly fortunate to have Don Munson on our side.

CRISIS IN HAITI

(Ms. WATERS asked and was given permission to address the House for 1 minute.)

Ms. WATERS. Mr. Speaker, I take the floor today to commend President Clinton for his swift action in reinstating comprehensive sanctions against the Haitian military and police and the tiny economic elite who bankroll them.

The actions by General Cedras and Colonel Francois that led to the delay in landing United States and Canadian trainers and technical support forces are only the most recent outrages in a rising tide of violence and intimidation.

The United States has a responsibility. For years we backed a succession of supposedly friendly military-backed dictators. Presidents Bush and Clinton promised to return to power President Aristide—a heroic priest who won two-thirds of the votes in the last election.

Earlier this year, our President refused entry to thousands of Haitian refugees. We turned them back at sea. However, we promised the return of President Aristide.

President Aristide can restore order and democracy, and the Haitians will have no need to take to the sea in an attempt to escape oppression and terrorism. We need to support the President. The time is now.

WITHDRAWAL FROM SOMALIA

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, the good news today is that CWO Michael Durant has been freed by his Somalia captors and that American forces are no longer targeting warlord Aideed. The bad news is how much the administration has politicized our mission in Somalia.

First they disregarded recommendations of our military commanders against targeting Aideed. Then, requests for heavy tanks and armor were overruled, resulting in the disaster of October 3—when 18 American Rangers were killed and 75 wounded.

Now we learn the administration is sending up to 3,000 more troops to Somalia—in addition to the forces already there.

Mr. Speaker, the administration still hasn't learned an important lesson about Somalia. The only practical solution is for Congress to set a date for withdrawing American troops from Somalia.

I intend to offer legislation to set the date January 31, 1994, for pulling our troops out of Somalia. I ask my colleagues to support me in this effort.

CONSTITUTIONAL DELINEATION OF POWER

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, there seems to be some confusion about the delineation of power and responsibility between the President as Commander in Chief and the constitutional obligations of this Congress and its warmaking authority.

The constitutional powers of the President as Commander in Chief to introduce U.S. Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances is exercised only pursuant to a declaration of war, specific statutory authorization, or a national emergency created by an attack upon the United States, its Territories or possessions or armed forces.

There is no declaration of war. Neither this body nor the other body has authorized the deployment of troops in Somalia.

There is no national emergency. President Clinton must meet his obligation under the War Powers Act and submit a written request for authorization to the Congress defining the scope, duration and, most importantly, the objectives of our military operation in Somalia.

Congress, we must stop ducking our responsibilities and vote to authorize this deployment or bring the troops home.

INVEST IN AMERICA

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, American workers be alert. If you think your pension funds are safe and are being used wisely to help Americans, listen—please listen.

A public pension fund conference was held in Red China in September—the first of its kind—and an American who determines how funds from pensions for public workers are invested revealed that he had $500 billion to invest—and he was looking at placing it in China—according to an article in the New York Times.

Organizers admitted they are investigating how to increase their marginal investing in Asian mutual funds, while the Times article said they also are looking specifically at China.

Mr. Speaker, we are handing American pension money to a country that ignores human rights—that pays slave wages—and providing that nation with cash infusion to come back and compete with those very people who are paying into the pension funds.

Funds represented in the conference are: The New York City Comptrollers Office, the California Public Employees Retirement System, and the Dallas Employees Retirement Fund. All America may well be shortchanged by these groups. American business needs financial infusion to keep our workers above the poverty line. We need to invest in America and not in slave labor and human rights violators.

THE SUPERCONDUCTING SUPER COLLIDER

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is difficult to sit here and listen to some of the things and understand it differently and not speak out on behalf of America.

Let us not fool ourselves. Cutting the super collider project will not save one penny. It will simply close down a project and shift the spending to some place else.

Voting down this project simply kills the greatest research project in these times. It is a project that will help us to create jobs, to put people to work, to keep people working, to come along with breakthroughs in health care that will ultimately cut the cost of the care, and discover other projects for energy conservation and energy alternatives.

It is really very foolish for us to continue to vote on emergency extensions of unemployment benefits and then shift other spending away from a project that can bring jobs and keep jobs. We are still spending but yet not eliminating the necessity of emergency funding for unemployment compensation.

It does not make sense. Do not be fooled by the rhetoric. This money earmarked for the SSC will not be saved. We are here to attempt to find jobs and keep jobs and keep America working. We must not just spend and yet not maintain a strong work force. The project is more than 20 percent complete. If we are to stay on the cutting edge of technology and maintain global competitiveness, then we must continue to find a way to keep this necessary project alive and strong.

□ 1040

URGING CONSIDERATION OF THE ISTOOK RESOLUTION

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, I speak today on Resolution 238, the Istook resolution regarding the House post office. I find it interesting to see how hypocritical we as a body in Congress can be when we investigate every other department or agency of the Government, but we are always slow to do it to ourselves. In 1987 we voted 416 to 2 to set up a special committee to investigate Iran-Contra, but now we cannot do it because we are being told by our leadership and Members that if we do it will interfere with the Justice Department investigation. Is that not convenient?

Last year the House committee, a task force that actually investigated the post office scandal, said they could find nothing, and they complained about the Justice Department interfering with Congress. However, today, we hear Congress is interfering with Congress. However, today, we hear Congress is interfering with the Justice Department. It is nothing more than an excuse not to do the right thing.

Mr. Speaker, I say we bring the Istook resolution to the floor. Let us clean up our own house. Justice must not play favorites. Justice must be blind.

HAVE YOU SEEN THIS PLAN?

Mr. SMITH of Texas. Mr. Speaker, the Washington Post reports a recent poll found that 70 percent of Americans believe the President has not told the whole story on his health care plan. When asked how much they knew about the Clintons' health care plan only 17 percent said they knew a lot. Eighty-three percent said they knew little or almost nothing about it.

Mr. Speaker, I say to my colleagues that I presume the 17 percent that say they know a lot about the plan must reside in the White House that will not release the plan. I am equally convinced that 83 percent that know little or nothing about the plan must reside in Congress, because no one here has seen it.

Weeks ago the President came to this very floor to address the Congress and the Nation to describe his health care plan. Congress has even had hearings, but as yet there have been no sightings. This thing is harder to find than Waldo.

If the administration's policy of pronouncement and pause, of describe and delay, keeps up, expect to see the President's health care speech on milk cartons with the caption: "Have you seen this plan?"

LOBBY DISCLOSURE/GIFT BAN

Mr. HINCHEY. Mr. Speaker, what are we trying to accomplish with the legislation we are proposing to expand lobby disclosure requirements and to ban gifts? We are not saying that Members of Congress have sold their votes for a good dinner or a free round of golf. I do not know anyone here who would ever do that. We are not saying Members of Congress are routinely showered with gifts and lavishly entertained by lobbyists. We all know that life here is usually more gritty than glittering, and there are few among us who have not ourselves given away unwanted gifts. What we are saying is that we must dispel the impression people have that Congress is up for sale. We must let them know the truth.

As long as the business of lobbying is carried on behind a curtain, the public will suspect us of selling their right to honest and open Government for a mess of pottage from Ridgewell's. As long as the sealed gift packages enter our doors, our constituents will suspect us of selling out their interests—even if we know those boxes only contain a bag of peaches and a box of cookies. Let us invite the public in. Without these new rules and new limits, the public will continue to have legitimate reasons to suspect that we have something to hide. We have to let them know that we do not.

Let us pass this legislation requiring disclosure by lobbyists and banning gifts.

CONGRESS SHOULD FORM A VETERANS CAUCUS

Mr. DORNAN. Mr. Speaker, it is very fitting that an Army general should be sitting in the Speaker's chair, because I come with glorious news, partially glorious news.

In about a half a century of newsmagazines, never have all three major magazines had the same cover. This is the handsome but tortured face of CWO Michael Durant, who was released today in Somalia. Our one and only missing or captured American is now back in the loving arms of his comrades. The last body of the 18 Americans murdered in Somalia on October 3 arrived at the mortuary at Dover Air Force Base last night.

Mr. Speaker, I just got off the phone. I am not allowed to release his name, they are still confirming his identity, but it is a given. I have his name right in front of me here, because there is only one man missing. This is the man whose mother, and her name is, amazingly, Mary, identified the tortured body of her son 9 days ago, live, in color, on American television. It reminds me as a Christian of the fourth station of the cross, Jesus meets his mother, Mary.

Now we come, Mr. Speaker, to what it says in the copy of these news magazines: "Trapped in Somalia: What in the World Are We Doing?; An Anatomy of a Disaster in Somalia; Somalia, What Went Wrong?"

Mr. Speaker, I have never said this, but I believe the gentleman from Mississippi [Mr. MONTGOMERY] and I and all the other veterans of this House and the other Chamber, the veterans only, should have a caucus and advise Clinton what to do in Somalia, Haiti, Abakhazia, Bosnia, and the 300 hot spots around this world where human beings are killing other human beings. What is our role? Let the veterans in both Chambers work it out.

ARTS, HUMANITIES, AND MUSEUMS AMENDMENTS OF 1993

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 264 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 264

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2351) to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1965, and the Museum Services Act. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and labor. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Points of order against the amendments printed in the report for failure to comply with clause 7 of rule XVI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from California [Mr. BEILENSON] is recognized for 1 hour.

Mr. BEILENSON. Mr. Speaker, for purposes of debate only, I yield the customary one-half hour of debate to the gentleman from Florida [Mr. GOSS], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1050

Mr. Speaker, House Resolution 264 is the rule providing for the consideration of H.R. 2351, the Humanities and Museums Amendments of 1993, reauthorizing for 2 years the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services.

The rule provides 1 hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. Under the recommended rule, the bill is considered as read and only the three amendments printed in the report to accompany the rule would be in order.

The amendments will be considered in the order in which they appear in the report; each amendment is debatable for 20 minutes, with the time equally divided between the proponent and an opponent. The amendments are not divisible and they are not subject to amendment.

In addition, all points of order against the amendments are waived for germaneness. Finally, Mr. Speaker, the rule provides one motion to recommit.

Mr. Speaker, this rule is certainly not without controversy, and that is partly because the bill for which it structures debate deals with one of the more controversial, and contentious, subjects that the Congress considers: Federal funding for the arts and the perennial debate over the definition of art that attends it.

Mr. Speaker H.R. 2351 is a short-term authorization bill that contains no permanent changes in the law and the Committee on Education and Labor therefore requested that no amendments dealing with content restrictions or other substantive changes in the law be in order, and that the house be permitted to vote instead on a simple, 2-year extension of the authorizations for these agencies.

For that reason, the Committee on Rules recommended that only those amendments printed in the report be made in order. These amendments are alike in that they address only the issue of funding for the three independent agencies reauthorized by H.R. 2351.

The first amendment, to be offered by the gentleman from Illinois [Mr. Crane], would abolish funding for the National Endowment for the Arts entirely. The second, to be offered by the gentleman from California [Mr. Dornan], would reduce the authorization levels for the three agencies. the third, to be offered by the gentleman from Wisconsin [Mr. Gunderson], would freeze the State grant to those States that substitute Federal money for State funding.

Mr. Speaker, in requesting this rule, the Education and Labor Committee argued that Congress made significant changes in the operations of these agencies in 1990 and that the results of these modifications should be reviewed before any further are considered.

In addition, the committee felt that the new administration and it recently appointed heads for these agencies should be allowed to review the operations of the agencies and assess their activities before any further statutory changes are made.

Indeed, the new agency heads, who have enjoyed wide bipartisan support, may find it necessary to ask Congress to make substitute changes in the enabling statutes, making a simple reauthorization plan for now more relevant than ever.

In fact, the Rules Committee received a letter from the NEA addressing the issues discussed during the hearing on H.R. 2351 and which states that the new administration plans a comprehensive review of the NEA's authorizing statute.

Mr. Speaker, the House has not been without the opportunity to act in a deliberative manner on this matter; in fact, most recently, in July of this year, the House debated two amendments dealing with NEA funding, accepting one for a 5 percent cut in spending and rejecting another that proposed to cut off funding entirely for the endowment. The Committee on Rules took all these matters into consideration in recommending this rule. I urge my colleagues to adopt House Resolution 264 so that we may proceed today with consideration of the simple reauthorization of these three agencies, leaving the debate over content restrictions—which is an entirely valid one of course until the new leadership at the agencies has had the opportunity to study the agencies and define areas where improvements should be made.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, during testimony for the rule on H.R. 2351—the Arts, Humanities and Museums Amendments of 1993—we were asked by the chairman of the Education and Labor Subcommittee to delay discussion of certain "substantive policy issues" until this straight authorization expires 2 years from now. For that reason, today we have a modified closed rule that makes in order only three amendments—two of which focus narrowly on appropriate funding levels for the NEA, the NEH, and museums and one which makes a technical correction.

We will have a chance to debate whether any Federal funds should support the arts, humanities, and museums—and we will discuss a 40 percent cutting amendment.

But under this rule we won't have debate on the related issue that many Americans are most concerned about—how Federal money for the arts, humanities, and museums is being used. We won't have a chance to define what constitutes the type of quote art unquote that Federal dollars support and what the parameters are for obscenity. I think this is a missed opportunity. Several amendments were offered in committee on this subject, but under this rule these legitimate proposals designed to clarify our policies will not be heard.

I am particularly troubled that we will not speak to the issue of preventing this money from being channeled to illegal aliens. While some might view this as an obvious point, we recently saw a case in California where Federal arts dollars were in fact handed out to illegal aliens.

Still, Mr. Speaker, I expect today we will have a lively debate about the merits of Federal funding for arts, humanities, and museums. Although I believe there is merit to some reasonable level of Federal support for these programs, I have supported and will continue to support efforts to cut back funding levels for the arts. I certainly recognize the enormous budget crisis we face—and I know that all programs will have to be scaled back.

I have also supported efforts to tighten up the rules on how this money is spent, and to penalize the NEA for instances of poor judgment—repeated poor judgment. So I will support the Dornan amendment, cutting 40 percent from this bill—as a fiscally prudent measure. I hope this sends a message. I must note, though, that I am somewhat troubled by his argument about penalizing other agencies for past lapses in judgment—since his 40 percent cut is not only targeted at the NEA, but at the NEH and museums as well—neither of which has, to my knowledge, awarded Federal funds to obscene or immoral projects.

Mr. Speaker, this rule is better than it might have been but worse than it should have been. I think the public good would have been well served by an open rule and broad debate on this subject—and today's modified closed rule precludes that result.

I urge my colleagues to vote "no" on the previous question so that we may bring this bill back under an open rule. Then we can debate these vital content issues.

Mr. Speaker, I reserve the balance of my time.

Mr. Speaker, I include for the Record rollcall votes in the Rules Committee on proposed amendments to the rule on H.R. 2351, as well as information on open versus restrictive rules in the 103d Congress.

The information referred to follows:

ROLLCALL VOTES IN THE RULES COMMITTEE ON PROPOSED AMENDMENTS TO THE RULE ON H.R. 2351, THE ARTS, HUMANITIES, AND MUSEUMS AMENDMENTS ACT OF 1993

1. Open rule—This amendment in the nature of a substitute provides for an open rule with one hour of general debate.

Vote (Defeated 3-5): Yeas—Solomon, Dreier, Goss; Nays—Moakley, Derrick, Beilenson, Hall, Slaughter. Not Voting: Frost, Bonior, Wheat, Gordon, Quillen.

2. Hunter (CA)—Prohibits awarding of funds from the NEA and the NEH under the following circumstances: projects of a patently offensive nature as defined by the Supreme Court's Miller test; projects which degrade women, minorities, or children; and programs which give funds to illegal aliens.

Vote: (Defeated 3-5): Yeas—Solomon, Dreier, Goss; Nays—Moakley, Derrick, Beilenson, Hall, Slaughter. Not Voting: Frost, Bonior, Wheat, Gordon, Quillen.

3. Rohrabacher (CA)—Prohibits NEA and NEH grant funding from going to any program that benefits illegal aliens.

Vote (Defeated 3-5): Yeas—Solomon, Dreier, Goss; Nays—Moakley, Derrick, Beilenson, Hall, Slaughter. Not Voting: Frost, Bonior, Wheat Gordon, Quillen.

4. Bachus (AL)—Prohibits awarding of funds from the NEA for projects which promote, disseminate, or produce materials that depict, or describe in a patently offensive way, sexual or excretory activities or organs, or religion or religious symbols.

Vote (Defeated 3-5): Yeas—Solomon, Dreier, Goss; Nays—Moakley, Derrick, Beilenson, Hall, Slaughter. Not Voting: Frost, Bonior, Wheat, Gordon, Quillen.

Note: The individual amendments would be printed in the Rules Committee report, would not be subject to amendment, would be debateable for 20-minutes each, and appropriate points of order would be waived.

OPEN VERSUS RESTRICTIVE RULES: 103d Cong.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).

OPEN VERSUS RESTRICTIVE RULES: 103d Cong.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (d–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1(not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1-D not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0 (May 24, 1993).
H. Res. 173 May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (May 20, 1993)
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176.. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 218, July 20, 1993	O	H.R. 2530: BLM authorization, fiscal year 1994–95	NA	NA	
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)		A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization			PQ: 237–169. A: 234–169. (Sept. 13, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D–67; R–24)	A: 241–182. (Sept. 28, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D–3; R–9)	1 (D–1; R–0)	A: 213–191–1. (Sept. 14, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D–7; R–7; I–1)	10 (D–7; R–3)	A: Voice Vote. (Oct. 13, 1993).

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted[1]	Open rules		Restrictive rules	
		Number	Percent[2]	Number	Percent[3]
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	38	10	26	28	74

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Oct. 13, 1993.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Montana [Mr. WILLIAMS], chairman of the subcommittee.

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for yielding the time.

This legislation is a simple, short, only 2-year extension of the authorizations for the National Endowment for the Humanities, the Institute for Museum Services, and the National Endowment for the Arts.

Our subcommittee, and the full committee, in concurrence with the administration, made no policy changes in these three agencies. We want to see how our legislative changes of 2 years ago are working. And in the interests of giving the agencies appropriate time to work through the very significant changes we made, including the changes that now disallow the NEA to fund obscenities, we thought a 4-year track record would give the Congress a good opportunity to then come back, beginning immediately after we pass, and hopefully this legislation is signed into law, to come back and review how the agency is working in anticipation of a longer reauthorization in the next Congress.

□ 1100

I want to make it clear that the administration supports and has recommended this 2-year extension.

The gentleman from California has explained to the membership that there will be some amendments offered by our colleagues to this legislation.

Normally, a 2-year extension of existing law would simply be considered under suspension, but none of us are unmindful of the fact that even though we enacted very significant reforms for the National Endowment for the Arts a couple years ago, that agency remains the subject of controversy. Much of the controversy is based on works that the NEA has not funded; but nonetheless, the agency is still the subject of controversy.

So I thought we ought to bring the bill, not under an extension, but to the floor and allow our colleagues to work their way, including an amendment to just end the agency, so we are allowing that.

I think we are correct not to allow substantive policy changes in either of the Endowments or the Institute of Museum Services until they have an appropriate time to deal with the changes which we placed on them just a few years ago.

Mr. GOSS. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Alabama [Mr. BACHUS].

Mr. BACHUS of Alabama. Mr. Speaker, I rise in opposition to the rule. If this rule is adopted, the American people will be denied the opportunity to hear the debate on how the National Endowment for the Arts spends their tax dollars.

Mr. Speaker, the sponsorship of some of the projects now being funded by the National Endowment for the Arts is totally opposed to the will of the people.

We are talking here about sponsorship, about Federal support for projects that you and I and other Members of this body would not hang in our homes. In fact, the House rules would deny them being exhibited here, yet the taxpayers of this country are being called upon for 2 more years to fund these types of projects.

Now, the gentleman from Montana wrote a letter to the Membership and he said in that letter, mailed yesterday:

> I realize that this is a controversial issue. Members have differing opinions on it; however, as we debate the issue, let us keep the debate based on facts.

Well, Mr. Speaker, the problem is that the gentleman from Montana has taken the position that we will not debate this issue. We will not debate my amendment.

Mr. Speaker, my amendment is a simple amendment. It simply says this, that the National Endowment for the Arts will not fund, with the American people's money, projects or programs that depict or describe in a patently offensive way sexual or excretory activities or organs; or depict or describe in a patently offensive way religion or religious symbols.

We know what we are discussing here. We are discussing obscenity. We are discussing pornography. We are discussing sacrilegious works that the American people have continued for 10, 15 years to pay for.

The gentleman from Montana in his letter to our colleagues wrote, and said again on this floor, that we are not funding these projects; but in fact, Mr. Speaker, we are funding these projects. We have funded them since 1990.

I would like the opportunity under an open rule to discuss these projects. I will mention only two today as time permits, one now and one a little later.

Our colleague, the gentleman from Montana, wrote the Membership about the NEA and said that the NEA did not grant money for a film which was to portray two 12-year old young girls engaged in lesbian activity.

In fact, Mr. Speaker, before me now I have that grant. I have in my hand the grant application approved by the National Endowment for the Arts which the gentleman from Montana says does not exist.

In fact, we did approve that project, and the taxpayers of the United States paid $27,700 to fund this film.

Let me read from the grant application that was approved by the National Endowment for the Arts:

> This work will be created for up to 5 performers, with 2 girls black and white about 12 years old as the main characters.

And these young ladies were engaged in sexual conduct with each other.

Mr. Speaker, I would like to debate whether or not that happened and whether we ought to fund this.

I would like to offer an amendment which would stop that funding.

The gentleman from Montana says that we did not fund Mr. Witkin, but in fact, Mr. Speaker, I hold in my hand the April edition of Vanity Fair which in fact describes page after page of art objects produced by Mr. Witkin.

A medical professor in his home State of New Mexico described his art work as worse than Jeffrey Dahmer.

It is almost unspeakable that the American people have no right to put an end to this foolishness and this nonsense. If this rule is affirmed, if you vote "yes" on this rule, if you vote "yes" on the previous question, they will not get the opportunity to do what Vanity Fair says we have funded Mr. Witkin, who they say is kinkier than Robert Mapplethorpe at his kinkiest.

In fact, he went to France to do some of this art work because it involved desecrating the bodies of the deceased, and that is illegal in the United States; so he went to France to produce some of his works.

It says in the Vanity Fair article that we have funded these projects, and the former Chairman of NEA has written an apology to Senators for the funding of these projects.

Mr. Speaker, we do not need to fund these projects. We need a vote in this House to end this foolishness. Over 90 percent of the American people say, "Don't fund this obscenity. Don't fund this sacrilegious art."

This is a matter of respect and sensitivity to their opinions.

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, it is perfectly outrageous that Members, like the gentleman from Alabama, would come to the floor and claim things that are not so.

Let me just say this as clearly as I can. The National Endowment for the Arts did not fund what the gentleman claims they did. No tax money was used to fund those things.

Now, anybody can rise up on this floor because of our rules and make claims that are outrageously incorrect and inaccurate, as the gentleman from Alabama is doing; but he is wrong—w-r-o-n-g. He is wrong.

Mr. GOSS. Mr. Speaker, I yield 1½ minutes to the gentleman from Alabama [Mr. BACHUS] to respond.

Mr. BACHUS of Alabama. Mr. Speaker, I wrote a letter to our colleagues in which I outlined five projects that the National Endowment for the Arts had funded. One of the people we funded and in the April 1993 edition of Vanity Fair, it points out, in fact the former Chairman of the NEA has admitted that we did fund Joel Peter Witkin. They report that he has received, and I am going to quote from Vanity Fair:

> Witkin was recently awarded his fourth National Endowment for the Arts grant.

☐ 1110

The former Chairman wrote a letter just last month; I have that letter in my hand, August 3, 1993, to a U.S. Senator in which she says:

> I have just received information that one of the photographic fellowship applications I approved last September was awarded to an individual whose work appears to use shock quality.

She goes on and quotes from the April 1993 issue.

Also, Mr. Speaker, I have read the actual grant request which was approved by the National Endowment for the Arts.

And I will say this about the other two projects which he said did not exist:

The Whitney Museum received a $65,000 direct grant from the NEA for the independent students program which put on the exhibit which included some very famous works including "Bullwhip" by Mapplethorpe; many Americans know about that, and Serrano's "Piss Christ."

Also the gentleman from Montana [Mr. WILLIAMS] says we did not fund the 1990 Pittsburgh gay and lesbian film festival, but in fact the former Chairman of the NEA now says we did.

Mr. GOSS. Mr. Speaker, I understand the other side has no additional speakers at this time, so I yield 4 minutes at this point to the distinguished and unique gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, I thank the gentleman for yielding this time to me, and let us see if I can be unique.

To my dear colleagues on the other side I ask: Do you understand why we have to start cutting money? Why we have to make this a purely fiscal issue?

Now I do not know about my colleagues on the other side, but I like the gentleman from Montana [Mr. WILLIAMS], and I sure like my colleague, the gentleman from Alabama [Mr. BACHUS]. However, I am embarrassed when I hear one gentleman accuse the other of not being factually correct, especially when I happen to know that the gentleman on my side is factually correct. The problem is that money is fungible. These so-called elitist artists are getting money to do one thing, like buy electricity, pay the cleaning people, pay the carpenters to set up the exhibits. This allows the elitists to use other money to exhibit the scum. I know that my dear colleague, the gentleman from Montana [Mr. WILLIAMS], is uncomfortable defending Serrano's "Christ" in urine. I refuse to use the artistic title for that. I know he does not like to defend this scatological, blasphemous, and pornographic garbage, but PATRICK knows, as we speak, we are funding three pornographic homoerotic art festivals.

Mr. Speaker, this is why there should be an open rule, so the American people could determine whether BACHUS speaks the truth or WILLIAMS speaks the truth.

So, I say to my other dear friend, the gentleman from California [Mr. BEILENSON], TONY, you grew up like me in New York, and you represented Beverly Hills for much of your career. He and I both come from areas where most of the money is generously given by patrons of the arts and where most of NEA money goes today. I will state the figure four times today; $9.32 billion, Mr. Speaker, is generously given by private citizens to the arts and humanities in this country. If private citizens want, under the first amendment, to fund garbage, and 99.999 percent do not, then let them do it. But the Government shouldn't be involved in that.

Recently, I was in the home of our Ambassador to France, the lovely Ambassador Pamela Harriman. I stood awestruck before a Van Gogh in a drawing room of the U.S. Ambassador's taxpayer-owned home, and I looked at a picture simply called Roses. Remember Van Gogh never sold a painting while he was alive. His brother, Theo, was sending money down from Holland while Vincent cuts off his ear and then blew his brains out. But what an artist. What an artist out of all that pain.

I am looking at Roses in Ambassador Harriman's home. If she needed some pin money and put it on the market, here is about what she could get:

This year Van Gogh's Wheat Fields sold for $57 million. In 1990 Van Gogh's portrait of Dr. Gauchet sold for $82.5 million. In that same year Renoir's Au Moulin de la Gallette sold for $78.1 million. Put all of that together and you get about $47 million more than what we are arguing about here.

To take away from the people in what Manhattan and Beverly Hills call Fly Over America, and I say to my colleagues, You know when you fly from Newark, or JFK, or LaGuardia to LAX, you fly over the rest of this country, you fly over Alabama, and, yes, you fly over Montana sometimes, PATRICK. To take money away from these Americans that the elites only fly over and spend it on disgusting art, is an insult to taxpayers.

Let us get real. Let us cut 40 percent.

The SPEAKER pro tempore (Mr. MONTGOMERY). The time of the gentleman from California [Mr. DORNAN] has expired.

Mr. GOSS. Mr. Speaker, I yield 30 additional seconds to the gentleman from California.

Mr. DORNAN. Mr. Speaker, I have 30 seconds to make my monetary case. I say to my colleague, Here's what's going to happen, TONY.

Instead of passing out ten-dollar bills signed by three creepy artistes on the border of Mexico, they will pass out a five and a one. That is what my 40-percent cut does. Instead of getting a $50,000 grant to run a porno homoerotic film festival, they will only get $30,000. That is the 60 percent that I am leaving in there if my 40-percent cut passes.

Let us cut 40 percent.

Mr. BEILENSON. Mr. Speaker, we cannot compete with the kind of testimony that the gentlemen on the other side have presented, so I reserve the balance of my time.

Mr. GOSS. I thank the distinguished gentleman from California [Mr. BEILENSON]. We are clearly well endowed with an overabundance of California participation today for which we are most grateful.

Mr. Speaker, I yield 3 minutes to my good friend, the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, I rise in strong opposition to this rule which is part of the ongoing attempt by the Democrat leadership to thwart the efforts on the part of the Republican minority, our efforts to prevent Federal funds from going to illegal aliens. I had an amendment that would have prevented any funds from this piece of legislation from being used for illegal aliens. That was not permitted by this rule. This then becomes a vote on whether or not efforts like my own to prevent taxpayers' dollars from going to illegal aliens should be permitted on the floor.

Illegal aliens are siphoning off billions of the taxpayers' dollars. They pay very little into the system, but they take these precious billions from a myriad of programs. I would like to see those who are here illegally cut off from these Federal dollars in one single act, but that is not how the House leadership wants it to be. So, we have to decide whether illegal aliens get Federal funds on a program-by-program basis. Therefore, the vote on this rule will be a major test of Congress' commitment to the Federal taxpayer.

My amendment, which this rule does not allow me to offer, states that none of the funds authorized for NEA or NEH may be used to provide funds to illegal aliens.

It is current NEA policy that direct grants be made only to U.S. citizens or resident aliens. However, there is no similar prohibition on how grantees can spend the grants they get from NEA. Thus NEA funds have found their way into the hands of foreign nationals, including those who have entered our country illegally.

The most famous example of this involves an NEA funded program in San Diego, CA, in which the artist handed out crisp $10 bills to those illegally crossing the United States-Mexico border. After the fact, the NEA tried to recover some money on the grounds that $10 bills did not qualify as materials under the terms of the grant, a rather dubious contention, given that materials funded under NEA grants have come to include virtually any object or substance known to man.

The NEA did not cite a prohibition against giving money to illegal aliens, because there is no restriction on grantees handing out grant money to whoever they want. In fact, the whole point of the NEA-approved project, called "The Border Project: Two Cities/Dos Ciudades" was to fund projects and artists on both sides of the border, specifically including Mexican nationals.

At a time when illegal aliens are flocking to the United States to take advantage of a wealth of Federal benefits, the symbolism of this so-called art of handing out taxpayer money to illegal aliens sends the wrong message. So, one provision of my amendment requires grantees of NEA or NEH grants to certify that none of the funds received from these endowments will be given to illegal aliens.

We, the Congress, have the ultimate responsibility of insuring that the taxpayers' hard-earned dollars do not go to support those who are in our country illegally. I urge a "no" vote on the rule in order that I may offer my amendment to this bill.

□ 1120

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to my good friend, the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I want to assure my colleagues as well as my friend, the gentleman from California [Mr. ROHRABACHER], that the National Endowment for the Arts regulations prohibit them from providing money to illegal aliens. Their own regulations say that the awards and grants can be given only to citizens who are permanent residents.

Now, it is true that the Museum for Contemporary Art in San Diego received an NEA grant, and it is true that one of their subgrantees in effect was involved in a project that handed $10 bills to people as the gentleman from California [Mr. ROHRABACHER] described.

However, that is outside of NEA regulations, so NEA disallowed the cost of that, which was approximately $4,500, from being charged to them. They have not paid it, because it is against their regulations to do so.

So the reason the gentleman was not permitted by the Committee on Rules to offer his amendment was twofold: First, we did not want to make policy and substantive changes; and, second, the NEA does not and cannot by their own regulations do what the gentleman would prohibit them from doing in the law.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Speaker, quite frankly, I am a little bit fed up with all this bashing of the arts. I want my colleagues on that side of the aisle to know that there are colleagues on this side of the aisle who are just as sensitive to the value of the arts in America as you are.

Mr. Speaker, the arts are not some luxury of the privileged few. Let me read from an editorial in this morning's New York Times. It is entitled "Art Is No Luxury." This is just one excerpt.

> In 1992, the arts and other cultural activities in the metropolitan region generated almost $3.5 billion in wages and salaries and royalties, a 10 percent increase over the last decade. They were responsible for 107,000 jobs, ranging from starring on stage, to making ballet slippers, to catering for movie crews. And their total economic impact, counting expenditures by art institutions, their suppliers, wage earners, and visitors, generated $9.8 billion, sorely needed bucks, in the metropolitan area. Nearly 25 percent of that money came from tourists who said they had come to New York or lengthened their stays there to go to museums, and galleries, and theaters, and concerts.

Mr. Speaker, it is not just in New York, which is my home State, where the arts have a positive impact. It is in Chicago, and in Los Angeles, and in Atlanta, and in all the urban centers across the country. And it is not just in the big cities, it is small town U.S.A where families and kids are exposed to the theater and fine music and art of all kinds.

Are there abuses in the NEA, of course there are, and we should eliminate the abuses. But, for goodness sake, do not try to kill the agency that brings so much to the enrichment of life in America. If you want to vote to kill the NEA, do so. And I suggest that we have that vote, and we will, later on today. But I will tell you, those who vote to kill the NEA, I am going to take their names and I am going to send them all a sympathy card, because they have missed something special in life if they have not been touched by the arts in America.

Mr. Speaker, culture is good for an advanced society. It is good for America. Let us be responsible in the discharge of our duties. Let us not just pander to some of the interests that are shortsighted and refuse to deal with facts. The arts are good for America, and we ought to proudly support them in this Congress, which is the representative body for the American people.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentleman from Alabama [Mr. BACHUS].

Mr. BACHUS of Alabama. Mr. Speaker, there has been mention of Chairman Jane Alexander and her appointment to the National Endowment for the Arts, and I applaud her appointment. I know her as a fine actress.

But, Mr. Speaker, I would like to remind the Members of this body that we are a nation of laws and not people, and NEA Chairmen have come before us for some 10 years and assured us that these practices would not continue.

We did try in 1990 to tighten the law, but we were unsuccessful, and those projects continued.

So I would simply urge my colleagues, let us make a substantive change. Let us pass this amendment, and let us stop these abuses.

If you love the arts, you should be for this amendment. David Gergen, in an editorial some 2 years ago, said the taxpayers have a right, if they are going to fund this, to demand standards. That is what my amendment is about. It is sponsorship, not censorship.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, my friend and colleague, the gentleman from Montana [Mr. WILLIAMS], suggested that the problem has been taken care of in the National Endowment for the Arts, and that is why my amendment to prevent illegal aliens from receiving any of the dollars that come through the National Endowment for the Arts is unnecessary.

Mr. Speaker, if it was not necessary, there would not be the opposition to having this amendment on the floor. The American people are too smart to take that kind of an answer. It if is not necessary, why oppose the amendment? Let us just have it on the record that we oppose illegal aliens getting any of these dollars.

Mr. Speaker, that is not the reason why my amendment was not permitted. My amendment was not permitted because of politics on this side of the floor. You will find this in issue after issue after issue, that the Democratic Party is unwilling to say that taxpayer dollars should not be going to illegal aliens.

☐ 1130

And there will always be some excuse for not permitting us even to vote on the issue. Members will find this in the very next debate, I think, we have on this floor.

It is a very similar issue. The American people better pay attention on who is siding with them and who is siding with the best use of their tax dollars.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

We have heard a lot of testimony today that we want to take 2 years just to see how things are working. That sort of reminds me of the catastrophic health legislation that we passed. It did not take 2 years to figure out we had a bad piece of legislation that was not doing the job adequately, and this body responded very well, as did the other, by getting rid of that program.

I suspect that we have seen enough problem areas that we ought to be making the fixes now in the NEA management side of things to prevent some of these problem areas from coming forward. I believe we can do that. I do not think that anybody is really talking too much about substantive policy changes on the NEA in this area. I think it is talking about better controls so that we get better use of the taxpayers' dollars. As it turns out, today we can only talk about just sending money. The only debate really today, under the allowable amendments, is how much money are we going to send. It is not going to be what are the regulations for the use of that money.

That is what the American people are asking us to do. I, frankly, think that by a debate on those points that the NEA would profit, both literally and figuratively. I think America would be assured that we are doing our jobs on their behalf, that we are not waiting on bureaucrats to decide in 2 years how they like the program, that we are responding to what they are saying today.

I think, if anything, we have proven in the last 40 minutes or so that there really is controversy and good debate to be had on these subjects, if only the Committee on Rules would have made it in order.

I guess it comes down to this: On the previous question, if Members support the previous question, then they believe we have no business debating what types of projects we fund with Federal tax dollars.

If they join me in voting no on the previous question, they believe this body has a responsibility today to debate the proper use of taxpayers' funds.

Mr. Speaker, I yield back the balance of my time.

Mr. BEILENSON. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to thank our friend, the gentleman from New York [Mr. BOEHLERT] for his very thoughtful remarks regarding the support of the arts.

Second, to say to my very good friend, the gentleman from California [Mr. ROHRABACHER], that I do take some personal offense as well as institutional offense at the concluding remarks that he made.

The gentleman knows that there is no person on this floor, no person in this body who cares more about the general problems that he described than this gentleman from California who is speaking now. I believe he is trivializing a truly important issue about benefits to illegals.

The gentleman knows in this particular case our friend, the gentleman from Montana [Mr. WILLIAMS] has pointed out that under current law, individuals must be citizens or permanent residents of the United States to receive grant money from the NEA, from the NEH, and from the INS.

The gentleman from California [Mr. ROHRABACHER] himself, in his Dear Colleague letter of a couple weeks ago, says, and I quote him, "It is current NEA policy that directs grants to be made only to U.S. citizens or resident aliens."

A few dollars not funded by the NEA found their way into the hands of illegals. That has been stopped. That was not paid for by American taxpayers.

I would say again to the gentleman from California [Mr. ROHRABACHER], he is trivializing a very important issue. He is correct that billions of dollars of benefits paid for by Americans taxpayers get into the hands of people who are here in this country illegally, but for him to speak out about a few thousand dollars which were not paid for by Federal funds against and contrary to the law and to regulations of the Endowment itself, I think, as I said, unnecessarily trivializes the whole issue and makes it much more difficult to deal with the serious problems than, in fact, he mentioned.

Finally, let me say that it is always interesting and good to listen to our colleague, the gentleman from California [Mr. DORNAN]. I am particularly glad that we made his amendment in order so that we will be able to listen to him again on a little bit later today, debating his amendment.

Mr. FORD of Michigan. Mr. Speaker, I rise in support of the rule providing for consideration of H.R. 2351, the Arts, Humanities, and Museums Amendments of 1993.

H.R. 2351 would provide a simple 2-year extension for three agencies, the National Endowment for the Arts, National Endowment for the Humanities, and Institute for Museum Services. The Committee on Education and Labor decided not to reauthorize these agencies for the customary 5 years because none of the three had sitting Chairs. It would be inappropriate to undertake a full review of these agencies without the recommendations of the new administration.

The rule provides for consideration of three amendments. One would abolish the NEA. Another would reduce authorized spending for the NEA, NEH, and IMS. The third would freeze grants to States that reduce their arts funding in expectation of receipt of Federal funds.

I applaud the Rules Committee for its judgment. It is perfectly proper for the House to consider them, regardless of whether we approve or reject them.

Mr. Speaker, I do not believe it would be appropriate for the House to consider other amendments that would change the structure of the NEA. The Committee on Education and Labor decided not to adopt any changes in these agencies, including changes advocated by their supporters. Until the new Chairs have a chance to evaluate their domains and report to the Congress, we should leave them be.

I again thank the Rules Committee and urge my colleagues to support the rule.

Mr. BEILENSON. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BEILENSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to rule XV, the Chair announces that he will reduce to a minimum of 5 minutes a recorded vote, if ordered, on the adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 240, nays 185, not voting 8, as follows:

[Roll No. 497]

YEAS—240

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coppersmith
Costello
Coyne
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English (AZ)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Geren
Gibbons
Glickman
Gonzalez
Gordon

Gutierrez
Hall (OH)
Hamburg
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Nadler
Natcher
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone

Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—185

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett

Barton
Bateman
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Blute
Boehlert

Boehner
Bonilla
Browder
Bunning
Burton
Buyer
Callahan
Calvert
Camp

Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cooper
Cox
Cramer
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hamilton
Hancock
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke

Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Murphy
Myers
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter

Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—8

Engel
Gephardt
Green

Hansen
McDade
Murtha

Neal (NC)
Washington

☐ 1201

Mr. BARTLETT of Maryland and Mr. BEVILL changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GOSS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 225, noes 195, not voting 13, as follows:

[Roll No. 498]

AYES—225

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)

Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Berman

Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster

Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Costello
Coyne
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Geren
Gibbons
Glickman
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Nadler
Natcher
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rush
Sabo
Sanders
Sangmeister
Sawyer
Schenk
Schroeder
Schumer
Scott
Sharp
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NOES—195

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Browder
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Condit
Cooper
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hancock
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Laughlin
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Machtley
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Minge
Molinari
Moorhead
Murphy
Myers
Nussle
Oxley
Packard
Paxon
Penny
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Royce
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Valentine
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—13

Carr
Gephardt
Green
Hansen
Hayes
Livingston
McDade
Murtha
Neal (NC)
Roybal-Allard
Serrano
Washington
Wilson

☐ 1210

The Clerk announced the following pairs:

On this vote:

Mr. Washington for, with Mr. Hansen against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to House Resolution 264 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2351.

☐ 1211

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2351) to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1965, and the Museum Services Act with Mr. SERRANO in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Montana [Mr. WILLIAMS] will be recognized for 30 minutes, and the gentlewoman from New Jersey [Mrs. ROUKEMA] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we begin debate on H.R. 2351, a bill that reauthorizes the National Endowment for the Humanities, the National Endowment for the Arts, and the Institute for Museum Services.

This is a simple 2-year extension of existing law. It makes no substantive changes in existing law. We merely authorize funding for these three agencies at the levels requested by the President in his fiscal year 1994 budget request.

Let me begin by quickly giving a little background on these three agencies. The National Endowment for the Arts is an independent Federal agency created in 1965 to encourage and support the arts in the United States.

The National Endowment for the Humanities is an independent Federal agency, also created in 1965 to develop and promote a broadly conceived national policy of support for the humanities.

The Institute of Museum Services is an independent Federal agency which was created in 1976. Its purpose is to increase and improve museum services.

H.R. 2351 maintains all of the NEA procedural changes that Congress last made when it reauthorized these agencies in 1990. Among those changes is this change which we made for the National Endowment for the Arts.

We placed in the law this language:

> Obscenity is without artistic merit, is not protected speech and shall not be funded.

I sponsored that language as an amendment. It was successfully secured by this House, considered and kept by the Senate, and the National Endowment for the Arts has followed it as nearly as I can tell to the letter since we put it in the law.

We also changed authority for the Chair of the National Endowment for the Arts to recoup misused NEA funds.

We totally reformed the NEA application procedures, peer panel review procedures, and fund dispersement procedures.

So H.R. 2351 continues the major initiatives in the NEA, the NEH, and the IMS, the Institute for Museum Services.

Mr. Chairman, I commend this simple 2-year reauthorization to my colleagues and hope you will support it.

Mrs. ROUKEMA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we are considering the administration's proposal for a simple extention of the authority of the National Foundation for the Arts and Humanities for 2 years.

The agencies authorized under the umbrella of the Foundation—the National Endowment for the Arts [NEA], the National Endowment for the Humanities [NEH], and the Institute for Museum Services—have contributed richly to the pleasure and education of millions of Americans through their many cultural programs and initiatives.

The rich contributions of the Institute of Museum Services are less high profile than those of the Endowment for the Arts or the Endowment for the Humanities but still important. This is coming from a mother who dragged her children, possibly against their will, to every museum and historical exhibit within reach.

Of course, the National Endowment for the Humanities has brought us such fine contributions as Ken Burn's series, "The Civil War."

But since it is the National Endowment for the Arts that has drawn most of the attention, and the fire, over the past few years, let me briefly address its contributions.

Since its formation almost 30 years ago, the NEA has provided the public side of a very valuable public-private partnership to foster the arts.

Since its formation, the number of community orchestras has grown from 22 to 422. The number of professional dance companies has risen from 37 to 300.

The NEA has provided the critical support which allowed production of such American classics as the original "Driving Miss Daisy," "The Great White Hope," and a "Chorus Line."

The NEA has brought us the television programs "Live from the Lincoln Center," "American Playhouse," and "POV: Point of View."

All told, over 11,000 artists have received fellowships from the endowment. They've won 43 Pulitzer Prizes, 47 MacArthur Awards, 28 National Book Club Awards.

It has been the NEA's role to leverage, not replace, the private funding that is so necessary to allow this type of growth to occur.

However, these contributions have been accompanied by some controversy. I suppose this is understandable and perhaps, inevitable, when a diverse democracy like ours decides to set aside public funding for cultural programs.

I, too, have had deep concerns regarding the NEA grantmaking procedures. But, I submit that many, if not most of the controversies we will hear outlined on this floor today occurred before we adopted the important reforms in 1990.

As a matter of fact, I endorsed and voted for the withdrawal of funding over the Maplethorpe scandals.

We owe a debt of gratitude to our late colleague, Paul Henry of Michigan, for his energetic advocacy of the 1990 reforms. While they are not perfect, they have gone a long way toward eliminating many of the well-publicized, offensive art that brought scandals into sharp focus on NEA grantmaking.

My inclination has been to support the administration's proposal for straightforward reauthorization. It is a practical, short-term solution to the fact that the authority for these Agencies expired on September 30 of this year. Moreover, new leadership for both the National Endowment for the Arts—Jane Alexander—and the Endowment for the Humanities—Dr. Sheldon Hackney—have only recently been confirmed.

The key to effective functioning will be the competency of the new Chairs and the consensus building skills Ms. Jane Alexander and Dr. Sheldon Hackney bring to their respective offices.

I want you to know that I had the pleasure of meeting with Jane Alexander recently. I was particularly impressed with her attitude about her chairmanship:

> I will be hands on and firm. People have to know there are rules to get NEA grants and I will let them know what those rules are.

That's important because one of the most important reforms we enacted in 1990 was to increase the authority and responsibility of the NEA Chair. By doing so, we have also greatly enhanced accountability.

We will have someone to answer the questions about suspect projects such as the Art Rebate Program which is defunct in California. And, someone to take genuine responsibility.

There are some additional important issues that we would be remiss in not more closely examining as we move through this process toward a more permanent authorization.

For example, I am concerned about the continued potential for conflict of interest on the NEA peer panels, and quite frankly this concern extends to the NEH which conducts a nearly identical peer review process.

While the 1990 amendments instituted new policies to try to prevent conflict of interest on the NEA panels, we need to study whether these new guidelines are in fact working and whether they should be applied to the NEH.

In our hearing earlier this year, we received testimony from Leonard Garment, who along with John Brademas, cochaired the Independent Commission convened in 1990 to look at the NEA's guidelines and grantmaking procedures. The work of this Commission, which was a bipartisan endeavor, was very important and deserves our continued attention.

The Committee on Education and Labor will thoroughly review the recommendations made by the Independent Commission that were not incorporated into the 1990 amendments. Special stress should be placed on the conflict-of-interest questions and the statutory authority of the chairman.

Mr. Chairman, we have all, whether we are conscious of it or not, benefited from the contributions of the agencies authorized under this act. I hope my colleagues will join me in extending the life of the NEA, the NEH, and the Institute for Museum Service for the next 2 years.

If I don't vote for this not even my mother, my husband, or my children will vote for me.

□ 1220

Mr. WILLIAMS. Mr. Chairman, I yield 4 minutes to the gentlewoman from New York [Ms. SLAUGHTER] who, parenthetically, is the Chair of the prestigious Congressional Arts Caucus and has been very helpful to us with this legislation, not only this year, but through the years.

Ms. SLAUGHTER. Mr. Chairman, I rise in support of this legislation to reauthorize the National Endowments for the Arts and Humanities and the Institute of Museum Services, which have had such a dramatic and positive impact on communities of every size and in every corner of this Nation. In fact, I can think of no other Federal agencies or programs which have so directly and successfully improved the quality of life for all of our citizens—simultaneously educating our children, contributing to the economic vitality of cities large and small, and teaching us more about ourselves and who we are as a nation.

With this arts support comes an added benefit. The arts are extraordinarily effective at boosting local economies, often transforming once desolate areas and generating increased tourism, retail sales, and local business spending. The impact in nearly every State is no small matter. In Florida and North Carolina, for example, the economic impact of the arts in 1988 was found to be greater than $1 billion in each State. In the city of San Francisco alone, the economic value of the arts to the local economy was between $1.2 and $1.3 billion in 1987. In Tennessee, the impact of the nonprofit arts industry was found to be $114 million annually, providing employment for 2,500 people. Similar results are found throughout the Nation.

Those who attempt to portray cuts in the budgets of these agencies as effective deficit reduction are simply off base. All the combined spending of the Federal Government on every single arts agency, program, and institution amounts to just one five-hundredth of 1 percent of the Federal budget. More is spent on the military bands—about $10 million more—than the entire budget of the NEA, which is charged with supporting every art form and promoting access to the arts for every citizen.

Economically, these agencies pull their weight and more. Every dollar the NEA spends generates more dollars. In fiscal year 1993, for example, NEA seed money generated an 11-to-1 impact in private dollars.

But the effect of these arts agencies goes beyond the economic. The arts teach our children in a way that is unmatched. I can think of no greater means of fostering confidence, self-expression, and discipline in a child than experience in the arts—experience which translates into ability in every other academic area. As more and more of our young people are exposed to violence and drugs or drop out of school because of what they see as their own helplessness, the arts are a resource we cannot afford to waste.

Frankly, we have heard enough from opponents of the NEA who misrepresent the true work of the NEA. Just a few NEA-supported projects include the following:

The UrbanArts' Youth Works/Art Works Program in Boston which targets economically disadvantaged teens with arts workshops which reinforce ability in reading, writing and math.

The Substance Abuse and Violence Prevention Program in Kansas which created the First Step Dance Company for children of recovering substance abusing mothers as well as a program which provides arts classes for latch key kids.

The Youth At Risk Program in Boise, ID, which informs social service agencies how the arts can be used with juvenile offenders.

Of course, we are all familiar with the NEA's support of all of our local museums and symphonies and of touring groups—such as the internationally renowned Garth Fagan Dance Co. from my district—considered to be one of our first ambassadors to the world.

Mr. Chairman, the Crane amendment to eliminate all funding for these agencies would obviously wipe out all of this support. The Dornan amendment to reduce funding for each of these agencies by 40 percent would simply gut these agencies on a false altar of deficit reduction. This amendment would cripple those priorities which Congress took a great deal of time to identify in the last reauthorization—support for underserved areas, increased funding to the States, and arts education. I urge defeat of both of these amendments.

For those who have been mistakenly led to believe that the legislation does not address obscenity, let me state clearly and emphatically that that is patently false. The statute which this bill extends for 2 years clearly states:

> Obscenity is without artistic merit, is not protected speech, and shall not be funded. Projects, productions, workshops, and programs that are determined to be obscene are prohibited from receiving financial assistance under this act from the National Endowment for the Arts.

Furthermore, this language is reinforced by a tightening of panel procedure, increased oversight by the National Council of the Arts, and stringent conflict of interest laws, all of which were enacted in the 1990 reauthorization and will be extended by this bill.

Mr. Chairman, I am pleased to offer my support for this legislation and am proud to speak of the accomplishments of these agencies. This reauthorization legislation will allow us to look to the future, to the ways of making the arts a greater national priority. I am particularly pleased that the President has made such excellent choices in Jane Alexander, Sheldon Hackney, and Diane Frankel to lead these agencies. Under their leadership and through support for this legislation, the arts will take their place as the important resource they are for communities, our economy and our Nation.

□ 1230

Mrs. ROUKEMA. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. BALLENGER], a member of the subcommittee.

Mr. BALLENGER. Mr. Chairman, many people talk about the negative grants by the NEA and I hope that the NEA will continue to make those grants with consideration to what is considered the moral climate of our country.

On a positive note in a small town in North Carolina, my hometown, NEA grants have been effective. Our county art museum, built with local money, has been helped twice in the last 8 years. Also our school system in trying to further the teaching of art was aided through the North Carolina Arts Council partly funded by NEA. We now are teaching art both in school and after school through our community schools system.

These grants have been very positive in the growth of quality of life in our community, thus helping in the economic growth there in attracting new industry.

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, I rise today to support the bill. It should be obvious, as President Clinton has said, that the arts are an essential element of our American way of life, and that they contribute greatly to our well-being as a people—and to our economy. As such, the reauthorization of the National Endowment for the Arts should be almost automatic.

It is common knowledge that the arts pump billions of dollars into our economy, that the arts are a revenue generator. According to the Port Authority of New York & New Jersey Alliance for the Arts, the total impact of the arts on the New York-New Jersey region in 1992 was $9.8 billion, supporting 107,000 jobs and attracting over 3.5 million tourists who said their primary reason for making or extending their trip was the arts. There is not a State in this Nation that has not benefited in tangible ways from the economic contribution of our arts industry.

We know by now that when we talk about teaching discipline, analytical and critical thinking, and problem solving, that the arts must be part of that conversation.

We know by now that when we talk about quality of life, the arts must be part of that conversation.

We know by now that when we talk about bridging the chasm that divides us by class or income or race, the arts must be part of that conversation.

We know by now that when we talk about competing on a global scale, the arts must be part of that conversation.

Today I address an even more important reason why support for the arts is crucial. The arts embody the ideals and values of this great Nation—the values of life, liberty, and freedom of expression. The arts are a key medium through which we express these ideals as a nation.

We have heard much about obscenity. I say that it is ridiculous that an intolerant few may set our agenda. We are in danger of allowing our precious cultural heritage to come under attack, to becoming marginalized. We are discouraging controversy when, instead, we should be encouraging the free exchange and communication of ideas. It is impossible to encourage creativity and new ideas without engendering some measure of controversy.

Most Members of Congress are not artists, and some do not understand a great deal about the artistic process. Well, I am not a surgeon, nor am I an artist. But I do know that what a surgeon does is important. And you don't have to be an artist to know that what an artist does is important.

Some Members ask, Why fund something we may not like or that offends our sensibilities? They fail to understand that worthwhile art is rarely popular with everyone. And innovation in art is never popular with everyone. What is, at first, considered outrageous routinely becomes mainstream—from Van Gogh to Elvis. Even Michelangelo's masterpieces could be considered obscene under the standards which some of the Members of this House would like to impose.

As a people, we do not always achieve our ideals, but they must always be our compass. The arts are an expression of a basic longing of the human soul.

Some Members contend some art—even some art funded in part by the NEA—is obscene. But standards of obscenity change; one person's obscenity is another's pioneering, breathtaking art. We must not strangle artistic freedom. Dance, music, theater, design and architecture, film and video, poetry, fiction, the graphic and visual arts—all of these are expressions of our basic longing—and of our civilization and our Nation.

Let us ask ourselves, who are we as a nation? What will we leave behind for future generations? It is irrelevant whether we like certain art or not, even whether it offends our sensibilities. The question is whether we as a nation stand for freedom.

I say we must remember the inspiring words of President John F. Kennedy, when he envisioned an America that would command respect throughout the world, but only for its military and economic strength, but for its civilization.

President Kennedy said he was certain that after the dust of centuries has passed over our cities, we too will be remembered not for the victories or defeats in battles or in politics, but for our contribution to the human spirit.

When we impose restrictions on what today offends our sensibilities, we limit that contribution in ways we cannot fathom now, but which may be painfully evident tomorrow. We should be looking for ways to encourage the freest expression of the arts. Only then will it be most likely that some of what is created will prove to be of lasting value. And when future generations look back, let them say that we had the vision—grounded in good common sense and enlightened self-interest—to value the artists in our midst and to give them the freedom to practice their art.

Mrs. ROUKEMA. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I am honored to be sharing this platform with the gentlewoman from New Jersey [Mrs. ROUKEMA], the gentleman from New York [Mr. NADLER], and the gentleman from Montana [Mr. WILLIAMS].

Mr. Chairman, I also endorse and support the National Endowment for the Arts. We talk here about morals, standards, ethics, and quality of life, things that keep us from being pulled down to the lowest possible common denominator, things that are all around us. So it seems to me that in terms of governmental involvement, we must walk as governmental officials along side by side with our other selves, individual citizens. It does not seem to me possible for us to be involved in things such as vocational education and at the same time not be involved in other forms of education, such as art.

Clearly, what the National Endowment is about is not supporting fly-by-night outfits. They are involved in support of basic, established institutions.

□ 1240

Let me give an example. The country that has probably approached this best of all is France. It has art enterprises as a major part of its educational program for one simple purpose—to recognize and uplift people of all backgrounds and make them appreciate the quality and the dignity and the unusual characteristics of that great country.

Now, why am I personally involved in this debate? I come from a rural community. We here in Washington can go to the Kennedy Center, or the Folger, or to the Arena Stage. And in New York City, which is the major city in the State that I come from, we can visit the Metropolitan, or the Frick, or the Museum of Modern Art.

But where I live, this is not possible. Let me tell my colleagues a story. When I was growing up, the only art exposure I had was listening, literally, to Walter Damrosch on NBC radio in one of the classrooms in the public school which I was attending. Not so with my children. They know art, they appreciate a wide variety of cultural activities. Same school, same location. I never had that opportunity.

For example, in the area in which I live, two towns, Painted Post, and Elmira, had the London Ballet perform. In Chautauque—other events came to that great institution, such as an opera-musical theater program. In Newfield, a tiny little town outside of Ithaca, a folk arts program appeared. The Syracuse Symphony performed in towns my colleagues never heard of—Trumansburg, Auburn, and Moravia. The Acting Company of New York, an extraordinary outfit, has visited Olean.

Now these represent an enriching part of the life of younger children. They are important, but it seems to me that we are diverted many times by the porno issue, the Whitney, the Mapplethorpe, a variety of horror stories.

No one in this Chamber supports pornography in any form, clearly. This is a bogus issue.

Let me just quote for my colleagues something, as the demogagues come up here and talk about one terrible issue after another vis a vis art education and government involvement. France's Cardinal Richelieu, many years ago said, "give me six lines written by the most honorable of men and I will find an excuse in them to hang him."

Let us not hang this program, nor the people that support it.

Mr. WILLIAMS. Mr. Chairman, I yield 3 minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I would like to thank Congressman WILLIAMS and his subcommittee for their work on this important legislation. In addition, I would like to commend Chairman FORD and the full committee for their leadership in bringing this bill to the floor.

We live in a time—the nuclear age—that is, more often than not, complicated and surely very stressful. It is a time when it seems that we have an increasing need just to stop and smell the roses. And it is the arts that allow us to do that. To the degree that we can hold onto ourselves, to produce something for the sake of its beauty—or the challenge of its energy—society is better off. Artists share their talents, their creativity, and their spirit, and we are a richer Nation for that.

Today we are traumatized with massive amounts of information; there is an invasion of our lives by sophisticated technology and computerization. We have transportation systems that can have us in distant places, experiencing different cultures within a day's time. We really do need the arts to maintain our sanity in such a fast-paced world.

It is through the arts that we make a statement about who we are and what we care about. It is through the arts that we are less limited in our ability to communicate with each another. We can communicate because we feel, see, touch, smell. Any and all of our senses are utilized to express ourselves—that is art.

Perhaps it's not politic to discuss the funding of arts from the point of view that it's all right for Government to empower its people to enjoy, to feel good, to expand their vision—but I choose to do that. I choose not to make economic arguments, though there are valid ones to be made. I choose not to defend artistic talent of individual artists who dare to dream, to challenge, to create their own style and image. Instead, I choose to congratulate our open, democratic Government for recognizing the place art has in each of our lives.

After all is said and done; after the shouting, screaming, negotiating, politicking—what's left is the pure joy of the creative spirit and the rainbow of talent and art it produces.

The NEA is the Government agency charged with the responsibility for sponsoring artistic development in this country. Each of us have our own likes and our dislikes. Perhaps we will not always concur with all the decisions for funding by the NEA. That would be an impossible requirement for any agency.

I believe our new chairperson, Jane Alexander, will provide the best possible leadership for the Endowment.

Jane Alexander is a highly talented and sensitive and caring human being, dedicated to the arts.

I urge my colleagues to support art as an important part of our culture, our history—who we are. I urge support of H.R. 2351 and a "no" vote on the Dornan amendment.

Mrs. ROUKEMA. Mr. Chairman, I yield myself such time as I may consume.

I just want to underscore something that our colleague from New York said. He referred to the obscenity issue or the pornography issue as a bogus issue.

I would like to repeat what was said in the opening statement, that there is reform language here that explicitly prohibits obscenity. Quoting from that reform language: "Obscenity is without artistic merit. It is not protected speech and shall not be funded."

I appreciate the reference of the gentleman from New York [Mr. HOUGHTON].

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair will note that the gentlewoman from New Jersey [Mrs. ROUKEMA] has 17 minutes remaining, and the gentleman from Montana [Mr. WILLIAMS] has 12 minutes remaining.

Mr. WILLIAMS. Mr. Chairman, I yield 2 minutes the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, as a New Yorker and the proud representative of a district which is one of the Nation's top exporters of the arts and culture in America, I rise to voice my strong support for the National Endowment for the Arts and for the Institute for Museum Services.

I believe America must make investments in both our physical infrastructure and our cultural infrastructure.

We need bridges and highways to help move people from place to place.

We need art to transport us in a different way—to inspire us, to challenge us and, most of all, to give meaning to our lives.

NEA grants have enabled New York City's cultural treasures to be shared with people throughout our country.

NEA grant to touring dance companies have made it possible for the Merce Cunningham and Alvin Ailey dance companies to perform for people from New Hampshire to North Dakota.

Aristotle defined art as "exhilaration."

For over 28 years, the NEA has given public support to artists, dancers, musicians who have exhilarated us and helped us to transcend boundaries.

It has done this cost-effectively, and at considerably less than is allotted in other industrial countries.

Society defines itself by the way it preserves and presents its culture as much as by its investments in new technologies.

There is something truly remarkable about a country that can build the finest and most professional military and at the same time produce the finest opera, ballet, art, literature, and music.

Fund the NEA.

Mrs. ROUKEMA. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Chairman, I thank the gentlewoman for yielding time to me.

As I am sure most of my colleagues realize, I have an amendment, following the debate, that would, in effect, terminate the National Endowment for the Arts. It is not predicated on any of the discussion about who is to judge art.

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It is predicated upon basic constitutional principles. This issue did come up in Philadelphia during the debates, and Charles Pinckney from South Carolina introduced a proposal for national funding of literature, arts, and the sciences. He was overwhelmingly turned down by his colleagues that crafted our precious Constitution on the grounds that those were not legitimate functions of the National Government.

That was a consistent position taken by our Government until 1965, when during the guns and butter era of LBJ, Congress created the National Endowment for the Arts.

This debate is implying that it is either/or; that without the National Endowment for the Arts, we will not finance the arts in the United States. That is as fallacious as it can be. Last year the National Endowment spent $174 million, and the private sector spent $9.3 billion, I underscore billion dollars, to finance the arts. In addition to that, that was an 18 percent increase over 1991 levels of funding. It is not either/or.

My argument is not on the merits of art. If I sat on one of their boards, Andrew Wyeth would be the only one who would ever probably get any grant from me, but that is a personal concern. That is why government does not belong involved in this critical area. Beauty is in the eye of the beholder. These are decisions to be made in a free environment where, if someone wants to peddle a bottle of urine with a crucifix in it and call that art, and some pervert is willing to pay for that, that is his business; but certainly that is not a warranted expenditure of taxpayer money.

I approve the guidelines that have been set up wholeheartedly to try and restrict some of these perversions, but the fact of the matter is, first and foremost, we are talking a constitution argument. I urge my colleagues to support my amendment.

Mrs. ROUKEMA. Mr. Chairman, I yield two minutes to our colleague the gentleman from Wisconsin [Mr. GUNDERSON], a member of the committee.

Mr. GUNDERSON. Mr. Chairman, I come from western Wisconsin. I am uniquely privileged to have a very special constituent. His name is Garrison Keilor. He is, as I think everyone recognizes very quickly, the famous nationwide host of Prairie Home Companion. I bring that up because Garrison Keilor got his start through a grant from the National Endowment for the Arts.

The difference between my philosophy on this and that of my friend and colleague who just spoke is not in the general or generic concept of supporting the arts. I think, very frankly, we as private citizens should make those decisions, but much of that money that he talks about in support of the arts is, paying for tickets to the Kennedy Center for you, for me, when we go to those performances, and the Government should not pay for that.

What the National Endowment for the Arts does do which justifies its existence, it gives birth to artists. That cannot happen without some kind of an endowment that gives people who otherwise would not have an opportunity that opportunity to cultivate a talent which then, when cultivated, will succeed or fail in the private sector as private individuals choose to or not to fund that particular proposal. That is why we have an Endowment.

Mr. Chairman, I come to the Members today to ask the Members not to support business as usual in the Endowment. I am not asking anybody to do that on this or any other issue, but I am asking them to do two things. I am asking Members to support a simple 2-year reauthorization, which I think we have to do, because the alternative means no Endowment.

In the process of supporting that simple reauthorization, give the new chairperson of the Endowment, Jane Alexander, the opportunity she truly deserves to go out and build an understanding and a support for the Endowment across this country.

Mr. FAZIO. Mr. Chairman, I rise in support of H.R. 2351, the Arts, Humanities, and Museums Amendments of 1993. For more than a quarter of a century, the National Endowment for the Arts [NEA], the National Endowment for the Humanities [NEH], and the Institute of Museum Services [IMS] have promoted creativity and excellence in the arts in this country, broadening the public's access to cultural affairs. Let us continue to lend our full support to such vital and successful organizations.

For the past few years, we have heard so much misinformation about these agencies from a vocal minority. I believe it is important for us all to remember the many more voices of the majority in support of these invaluable forces in the arts and humanities.

As we are well aware, the National Endowment for the Arts has been the primary target of this unfair criticism. The handful of controversial examples that have been touted as indicative of the NEA's efforts are no justification for reduced funding or censorship.

When Congress reauthorized the NEA in 1990, a number of changes were made to refine and improve this agency. Provisions were added that created greater accountability in the grant review process, and the NEA Chair was given increased authority to recoup NEA funds if grant money is misused. Further, arts education and arts projects in rural and artistically underserved areas were given new emphasis and support.

Let us be clear about this legislation: Obscenity is not art and cannot be supported with funds from the NEA. This agency awards grants in a process which considers the diverse beliefs and values of the American public, while not creating an environment where only pastoral landscape paintings are safe enough for public sponsorship. I believe the NEA strikes a delicate balance of reaffirming our Nation's commitment to the arts while maintaining sensitivity to the nature of public sponsorship.

Throughout my State of California, the NEA, NEH, and IMS provide assistance to so many valuable programs. Funding provided to the California Arts Council's Artist in Residence Program enables artists of all disciplines to teach and share their art forms with people who might otherwise never have any direct contact with the arts. In my district, with the assistance of a grant from the NEA, the University of California at Davis was able to sponsor an arts and lectures series. These funds help to develop and promote diverse cultural events throughout northern California.

It is a commentary on the strength and the wisdom of a government which supports and nurtures the creativity of its artists. Every society needs its artists; they are its watchers, its critics, and its champions. The NEA, NEH, and the IMS nurture the arts and humanities in our country for a very small price. I hope my colleagues will join me in supporting our Nation's rich cultural heritage and support H.R. 2351.

Mr. KIM. Mr. Chairman, although we are still an infant among most nations of the world, America has developed over the past two centuries a culture as interesting and unique as any in history. American art, music, theater, and film has made this country one of the most advanced and artistic cultures in the world. I can think of few ways to better teach the next generation of Americans about their history than to let them hear the music, read the literature, and see the films of the twenties, forties, sixties, et cetera. Art not only serves as a form of entertainment, it tells the American story.

We are all quite aware of the fiscal problems that continue to plague our economy. Unfortunately, the arts, like all segments of our society, must share in America's fiscal sacrifice. Like many of my colleagues, I do not support the NEA authorization bill before us. It simply does not cut enough. At a time when we cannot find the means to properly care for the elderly and provide homes for the homeless, while still attempting to eliminate our huge budget deficit, I cannot support the funding levels in this bill. We must prioritize spending and make difficult choices. We just cannot afford this level of NEA spending.

I oppose the Crane amendment abolishing the NEA totally. I fear that if we eliminate funding for the NEA this year, we will never be able to resurrect it. This would be an injustice not only to today's Americans, but to the next generation of young Americans who will not experience the many works of art we now enjoy.

Local symphonies and plays are some examples of the art the NEA provides. I encourage presentations of Beethoven, Bach, and other contemporaries like Gershwin. Our children could be deprived of the full value of these works if we eliminate funding for the NEA. That is why I oppose the bill as it stands before us so that we may bring it back to the floor in a form that will permit the funding of morally responsible, worthwhile, and entertaining works of art while still maintaining the sense of fiscal responsibility the economic climate demands.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise today to support H.R. 2351 and the arts in America. This bill will reauthorize the National Endowment for the Arts [NEA], the National Endowment for the Humanities [NEH], and Institute for Museum Services [IMS] for 2 years. I support this legislation and oppose any amendments that would reduce its funding or eliminate the NEA completely.

My reasons for supporting this bill are based on the belief that the arts enrich, uplift, inspire, and unite us. Regardless of our backgrounds, occupation, age, et cetera, we can all come together to enjoy and appreciate the arts. The NEA is one of the organizations that successfully enables more of us to participate in and celebrate the rich talent of artists throughout our country. Since 1965, when the NEA was established, the number of professional theaters, orchestras, dance companies, and opera companies has multiplied greatly. The number of Americans that have enjoyed the NEA-sponsored work has also increased significantly. For less than a dollar a year per taxpayer, every day across the country, Americans enjoy special museum exhibits, radio programs, jazz music performances, dance shows, et cetera.

In the last 2 years, with the NEA's assistance, in my district in Illinois, students from Maywood, Berkeley, Bellwood, Oak Park, River Forest, and Westchester had an opportunity to attend special concerts by the world-renowned Chicago Symphony Orchestra. The Community Television Network in Chicago supported the neighborhood video program that reaches out to youth who have dropped out of public school and have little or no exposure to the arts. The free, outdoor Grant Park concerts continued to draw enthusiastic crowds; the annual Latino film/video festival was a success; professional minority artists participated in a formal training program; and the Art Institute of Chicago and the Chicago public schools joined in a collaborative museum education project. Mr. Chairman, the projects I just mentioned are only a handful of the worthwhile projects that the NEA has sponsored in Illinois and throughout the country.

The NEH has been just as successful in expanding opportunities for artists and audiences nationwide. In my district, the NEH sponsored a study project on the African oral tradition for elementary and secondary school teachers in Chicago, a citywide humanities festival, and other meaningful events.

Mr. Chairman, considering how little the national arts programs actually cost, and how much they provide to each of us and to society, H.R. 2351 is legislation that we cannot afford to not support.

Mr. FIELDS of Texas. Mr. Chairman, I rise in support of the Crane amendment because I simply do not believe that sponsorship of the arts is the responsibility of the Federal Government.

Earlier this year, I sent a letter to President Clinton suggesting some very practical and specific spending cuts, aimed at deficit reduction. Among these suggested spending cuts was a proposal to cut funding for the National Endowment for the Arts. I proposed this action, not because I am against art, but because I am concerned about the economic well-being of our country.

The fact of the matter is that American art can survive without the National Endowment for the Arts. In 1992 alone, $9.3 billion was spent on the advancement of the arts by the private sector, and since 1989, private donations to the arts have increased by 36 percent.

Mr. Chairman, the $120 million contained in H.R. 2351 for the NEA would represent less than 2 percent of all funding in America for the arts. Abolishing the NEA will not threaten the future of art in America; rather, it will take away only a small fraction of the total funding currently received through private financing.

With a $4 trillion national debt, it is incumbent upon us to make the tough decisions by cutting all extraneous spending. With a President and a Congress at least publicly committed to deficit reduction, the immediate question that must be answered is: Do we really need to fund the National Endowment for the Arts?

The answer is a resounding "No." I urge my colleagues to exercise some fiscal responsibility and vote for the Crane amendment.

Mr. FORD of Michigan. Mr. Chairman, I rise in support of the bill, H.R. 2351, the Arts, Humanities and Museums Amendments of 1993.

H.R. 2351 is the Clinton administration's proposal to reauthorize for 2 years and without change three agencies: the National Endowment for the Arts, National Endowment for the Humanities, and Institute for Museum Services. The authorization expired September 30. The bill provides appropriation authorizations of $174,593,000 for the NEA, $177,491,000 for the NEH, and $28,777,000 for the IMS, consistent with the President's budget for 1994.

The administration submitted its proposal in May for a 2-year extension to allow a thorough review of these agencies by the administration, the agencies and the constituencies they serve, and the Congress. The administration believes, and I agree, that it would be inappropriate for Congress to alter the structure of these agencies without the suggestions of their new heads. We made a lot of reforms in the NEA in 1990. We need some time to measure their effects.

Over the next 2 years, we will receive the views of NEH Chairman Sheldon Hackney, NEA Chairwoman Jane Alexander, and next IMS head, nominee Diane Frankel, as they gain expertise in their jobs.

Mr. Chairman, the arts and humanities endowments have played crucial roles in enhancing and promoting culture throughout the United States for more than 28 years.

The NEA supported the nonprofit theaters that produced the last 11 Pulitzer Prize-winning plays. Since the agency was established, the number of professional dance companies, opera companies, and orchestras has exploded, vastly increasing Americans' access to the arts. The NEA's grants and services to nonprofit organizations and individuals in dance, design arts, folk arts, literature, media arts museums, opera and musical theater, and the visual arts have made a tangible difference in the development of cultural life in every State.

Similarly, the NEH, whose mission is to promote scholarly research, education, and public programs in the humanities, has provided grants to individuals, institutions, and organizations for projects concerned with history, literature, philosophy, languages, archeology, and other disciplines.

The Institute for Museum Services, created in 1976 to increase and improve museum services, has been just as successful over its shorter history. It has funded operating expenses and conservation activities for all types of museums, from aquariums, zoos and arboretums, to art, history, and nature centers.

It is evident that support for the NEH and the IMS is broad and bipartisan. Despite harsh attacks from a few critics who believe the broad mission of the NEA is undeserving of Federal investment, support for the Endowment also remains broad and bipartisan, as indicated by the House's vote in July, by 322 to 105, in favor of a $175 million appropriation for fiscal 1994. That support is well-earned: the NEA has been instrumental in extending access to the arts nationwide.

For example, NEA grants have helped build a national network of State and local arts organizations that brings the arts to rural, inner-city, and other artistically underserved areas. The NEA funds tours in chamber music, opera, jazz, folk arts, museum special exhibitions, theater, and dance.

Many of the NEA's grants to big-city organizations benefit citizens in small towns across the country. For example, a jazz grant to pianist Judy Carmichael of New York City will support a series of 25 presentations illustrating the history and development of early jazz in high schools and colleges in 8 States. The AMAN Folk Ensemble of Los Angeles received a $70,000 grant for touring, educational, and performance activities, resulting in residencies for the company in at least nine moderate and small towns in three States.

Mr. Chairman, with the NEA's support, the arts have become an important sector of our economy, as well as a way by which Americans express their creativity and appreciate and advance our artistic heritage. I urge my colleagues to support the bill.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise today to support H.R. 2351 and the arts in America. This bill will reauthorize the National Endowment for the Arts [NEA], the National Endowment for the Humanities [NEH], and Institute for Museum Services [IMS] for 2 years. I support this legislation and oppose any amendments that would reduce its funding or eliminate the NEA completely.

My reasons for supporting this bill are based on the belief that the arts enrich, uplift, inspire, and unite us. Regardless of our backgrounds, occupation, age, etc., we can all come together to enjoy and appreciate the arts. The NEA is one of the organizations that successfully enables more of us to participate in and celebrate the rich talent of artists throughout our country. Since 1965, when the NEA was established, the number of professional theaters, orchestras, dance companies, and opera companies has multiplied greatly. The number of Americans that have enjoyed the NEA-sponsored work has also increased significantly. For less than a dollar a year per taxpayer, every day across the country, Americans enjoy special museum exhibits, radio programs, jazz music performances, dance shows, etc.

In the last 2 years, with the NEA's assistance, in my District in Illinois, students from Maywood, Berkeley, Bellwood, Oak Park, River Forest, and Westchester had an opportunity to attend special concerts by the world-renown Chicago Symphony Orchestra. The Community Television Network in Chicago supported the Neighborhood Video Program that reaches out to youth who have dropped out of public school and have little or no exposure to the arts. The free, outdoor Grant Park concerts continued to draw enthusiastic crowds, the annual Latino Film/Video Festival was a success, professional minority artists participated in a formal training program and the Art Institute of Chicago and the Chicago public schools joined in a collaborative museum education project. Mr. Chairman, the projects I just mentioned are only a handful of the projects that the NEA has sponsored in Illinois and throughout the country.

The NEA has been just as successful in expanding opportunities for artists and audiences nationwide. In my district, the NEH sponsored a study project on the African oral tradition for elementary and secondary school teachers in Chicago, sponsored a city-wide humanities festival, etc.

Mr. Chairman, considering how little the national arts programs actually cost, and how much they provide to each of us and to society, H.R. 2351 is legislation that we can't afford to not support.

Mrs. MINK. Mr. Chairman, I rise today to express my strong support for H.R. 2351, the Arts, Humanities, and Museums Amendments of 1993. This bill is a simple 2-year reauthorization of the National Endowment for the Humanities, the National Endowment for the Arts, and the Institute of Museum Services.

This reauthorization is necessary to allow funding to continue while the Congress takes a closer look at these programs and works with the administration to produce a more comprehensive reauthorization bill.

Mr. Chairman, some have chosen to use the debate on this bill, to elevate peripheral issues that are on the political radar of a small but vocal constituency. The emphasis on the issues of obscenity and pornography is overblown and simply a deleterious tactic to thwart all Federal support of artistic expression and cultural diversity.

During the reauthorization of these programs in 1990 we set forth a logical and deliberative process to deal with the issue of obscenity. We provided more assistance at the local level, where community involvement would help dictate how funds are spent, and we targeted funds to areas of specific need including rural communities, disadvantaged areas, and indigenous peoples.

We in the United States are fortunate to live in a country of diverse cultures. The arts, crafts, music, dance, legends, history, and other defining components of our cultures that each of us pass on to generations of children help to preserve the unique heritage of our forefathers and foremothers.

The National Endowments of the Arts, the National Endowment of the Humanities, and the Institute of Museum Services provides national leadership and the funds necessary to help our communities perpetuate the culture, arts, and history that has played a part in shaping each locality.

In a State like Hawaii where we have integrated into our daily lives elements of so many cultures—from the East and West—these Federal programs have assisted efforts to maintain our own traditions, practices, and arts, as well as foster greater learning and understanding about all aspects of the all cultures that have emigrated to the Hawaiian Islands.

In Hawaii moneys from the Federal arts and humanities programs have helped to preserve the once dying arts of the lauhala weaving and canoe carving. They have helped to teach young children of many races and cultural backgrounds the intricacies of the Hawaiian hula. They have helped educate the general public on the indigenous people of Hawaii and their plight to preserve their culture and regain their self-sufficiency. It has helped to preserve the unique culture of plantation life in Hawaii that brought diversity to Hawaii.

In your community NEA, NEH, and IMS may have helped sustain a local children's theatre, or a city symphony. Maybe it was folk art festival or a fine art museum. These programs touch each and every one of our communities.

Budget cutters and deficit hawks advocate sacrificing the preservation of arts and culture in the name of the budget deficit. They brand it as wasteful spending and congressional pork.

Reality is that the moderate amount of $123 million in NEA funds provided to over 3,500 organizations in fiscal year 1992, leveraged an additional $1.4 billion in private funds for the preservation of the arts.

Mr. Chairman, this is a smart investment that will reap many returns. Sometimes we forget about the most precious and promising resource in the United States; and that is our human capital. The National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services help us invest in our human capital. By preserving the past we foster opportunities for the future.

I urge the Members of House to support H.R. 2351, the Arts, Humanities, and Museums Amendments of 1993.

Mr. MFUME. Mr. Chairman, freedom to create is one of the greatest benefits this Nation has provided. The National Endowment for the Arts, the National Endowment for the Humanities and the Institute of Museum Services have been responsible for bringing the best of the arts and humanities to millions of Americans who, for reasons of geography or other factors, would otherwise not have this access.

One of the most valuable services provided by the NEA, the NEH and the IMS is that of education. Through each of its disciplines, art represents a distinct way of exploring and understanding our common humanity and surroundings. The arts enhance creativity and cultivate each student's ability to make informed aesthetic judgments. Properly integrated, arts education helps students develop an appreciation for individual arts disciplines, as well as for how those disciplines relate to other subjects. Appreciation of the arts transcends cultural, racial and ethnic barriers. Participants and observers are able to experience the breadth of culture of the American society. Americans from all walks of life are enriched by the historical contributions of American immigrants and minorities in shaping America's evolving cultural heritage.

The National Endowment for the Arts [NEA] provides funding and support to thousands of outstanding programs, bringing arts to millions of Americans in communities across the country. The NEA has provided support for the touring of museum exhibits, dance companies, symphony orchestras, and theater performances in order to vastly increase the public's access to these forms of art. Its support of public television has also contributed to an expanded audience.

The NEA has helped to build a national network of arts institutions and public agencies which supports the arts in all 50 States and territories, and has presided over the single largest expansion of the arts in our Nation's history. The number of nonprofit arts organizations has grown from about 7,000 to about 34,000 over the past 28 years. This growth has increased the number of jobs, expanded tax bases, attracted tourists and businesses, and improved the quality of life in many American communities.

The National Endowment for the Humanities [NEH] has been the Federal Governments primary vehicle for promoting the study and understanding of history, literature, philosophy, and other disciplines of the humanities throughout the Nation for almost 30 years. The American people recognize that knowledge of the humanities—the ideas, works and events that make up the record of human thought and experience—is not only personally rewarding to them as individuals, but critical to our shared civic life as a nation. NEH's outreach has included support for reading and discussion groups at libraries, museum exhibits at small and emerging institutions, and the creation of outstanding television programs such as the Civil War.

The Institute of Museum Services [IMS] has provided 15,000 grants in the past 15 years to museums of every kind and size around the country. These grants have provided an indispensable backbone of support for richer public programming and 87 percent of museums receiving general operating support grants from IMS have reported using them for educational programming.

Today, the NEA, NEH, and IMS reauthorization bill was voted on in the House of Representatives. The bill consisted of a simple reauthorization for 2 years in the amount of $174.5 million for the NEA, $177.5 million for the NEH and $29 million for the IMS for fiscal year 1994. There were two amendments introduced to the bill that would have greatly reduced or eliminated funding for the NEA, NEH and the IMS. I opposed both amendments, and they were defeated. Thus the Congress has made a strong statement in support of the arts, recognizing the merit and importance of the arts to the growth of our Nation.

Mrs. ROUKEMA. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. WILLIAMS. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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The CHAIRMAN. Pursuant to the rule, the bill is considered as read for amendment under the 5-minute rule.

The text of H.R. 2351 is as follows:

H.R. 2351

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arts, Humanities, and Museums Amendments of 1993".

SEC. 2. AMENDMENTS TO THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965.

(A) Funds Authorized for Program Grants.—Section 11(a)(1) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(a)(1)) is amended—

(1) in subparagraph (A)—

(i) in clause (i) by striking "$125,800,000" and all that follows through "1993", and inserting "$119,985,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995",

(ii) by amending clause (ii) to read as follows:

"(ii) Not less than 27.5 percent of the amount appropriated under clause (i) for each of the fiscal years 1994 and 1995 shall be for carrying out section 5(g).",

(iii) in the first sentence of clause (iii) by striking "For" and all that follows through "year," the last place it appears, and inserting "Not less than 7.5 percent of the amount appropriated under clause (i) for each of the fiscal years 1994 and 1995", and

(2) in the first sentence of subparagraph (B) by striking "$119,900,000" and all that follows through "1993", and inserting '$130,573,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995".

(b) Funds Authorized To Match Non-Federal Funds Received.—Section 11(a) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking "1993" the first place it appears and inserting "1995", and

(ii) by striking "$13,000,000" and all that follows through "1993", and inserting "$16,955,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995",

(B) in subparagraph (B)—

(i) by striking "1993" the first place it appears and inserting "1995", and

(ii) by striking "$12,000,000" and all that follows through "1993", and inserting "$11,963,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995",

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking "1993" the first place it appears and inserting "1995", and

(ii) by striking "$15,000,000" and all that follows through "1993", and inserting "$13,187,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995", and

(B) in subparagraph (B)—

(i) by striking "1993" the first place it appears and inserting "1995", and

(ii) by striking "$15,150,000" and all that follows through "1993", and inserting "$14,228,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995", and

(3) in the last sentence of paragraph (4) by striking "section 5(1)(2)" and inserting "section 5(p)(2)".

(c) Funds Authorized for Administration of Programs of the National Endowments.—Section 11(c) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(c)) is amended—

(1) in paragraph (1) by striking "$21,200,000 and all that follows through "1993", and inserting "$24,466,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995", and

(2) in paragraph (2) by striking "$17,950,000" and all that follows through "1993", and inserting "$20,727,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995".

(d) Limitation on Total Appropriations Authorized.—Section 11(d) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(d)) is amended—

(1) in paragraph (1) by striking "exceed" and all that follows through the period at the end, and inserting "exceed $174,593,000 for fiscal year 1994.", and

(2) in paragraph (2) by striking "exceed" and all that follows through the period at the end, and inserting "exceed $177,491,000 for fiscal year 1994.".

SEC. 3. AMENDMENTS TO THE MUSEUM SERVICES ACT.

Section 209 of the Museum Services Act (20 U.S.C. 967) is amended—

(1) in subsection (a) by striking "$24,000,000" and all that follows through "1993", and inserting "$28,777,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995", and

(2) in subsection (d) by striking "1993" and inserting "1995".

The CHAIRMAN. No amendments to the bill are in order except the amendments printed in House Report 103–264. Each amendment shall be considered in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Debate time for each amendment shall be equally divided and controlled by the proponent and an opponent of the amendment.

It is now in order to consider amendment No. 1 printed in House Report 103–264.

AMENDMENT OFFERED BY MR. CRANE

Mr. CRANE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Crane: Beginning on page 2, strike line 2 and all that follows through line 22 on page 5, and inserting the following:

This Act may be cited as the "Humanities and Museums Amendments of 1993".

SEC. 2. AMENDMENTS RELATING TO THE NATIONAL ENDOWMENT FOR THE HUMANITIES.

(a) Funds Authorized for Program Grants.—Section 11(a)(1)(B) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(a)(1)(B)) is amended in the first sentence by striking "$119,900,000" and all that follows through "1993", and inserting "$130,573,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995".

(b) Funds Authorized To Match Non-Federal Funds Received.—Section 11(a) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(a)) is amended—

(1) in paragraph (2)(B)—

(A) by striking "1993" the first place it appears and inserting "1995", and

(B) by striking "$12,000,000" and all that follows through "1993", and inserting "$11,963,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995", and

(2) in paragraph (3)(B)—

(A) by striking "1993" the first place it appears and inserting "1995", and

(B) by striking "$15,150,000" and all that follows through "1993", and inserting "$14,228,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995".

(c) FUNDS AUTHORIZED FOR ADMINISTRATION OF PROGRAMS OF THE NATIONAL ENDOWMENT.—Section 11(c)(2) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(c)(2)) is amended by striking "$17,950,000" and all that follows through "1993", and inserting "$20,727,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995".

(d) LIMITATIONS ON TOTAL APPROPRIATIONS AUTHORIZED.—Section 11(d)(2) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(d)(2)) is amended by striking "exceed" and all that follows through the period at the end, and inserting "exceed $177,491,000 for fiscal year 1994.".

SEC. 3. TERMINATION OF THE NATIONAL ENDOWMENT FOR THE ARTS.

(a) REPEALER.—Sections 5, 5A, and 6 of the National Foundation on the Arts and the Humanities Act of 1965 (42 U.S.C. 954, 954a, 955) are repealed.

SEC. 4. CONFORMING AMENDMENTS.

(a) DECLARATION OF PURPOSE.—Section 2 of the National Foundation on the Arts and the Humanities Act of 1965 (42 U.S.C. 951) is amended—

(1) in paragraphs (1) and (6) by striking "arts and the",

(2) in paragraphs (2) and (4) by striking "and the arts",

(3) in paragraphs (5) and (9) by striking "the arts and",

(4) in paragraph (7) by striking "the practice of art and",

(5) by striking paragraph (11), and

(6) in paragraph (12) by striking "the Arts and".

(b) DEFINITIONS.—Section 3 of the National Foundation on the Arts and the Humanities Act of 1965 (42 U.S.C. 952) is amended—

(1) by striking subsections (b), (c), and (f), and

(2) in subsection (d)—

(A) by striking "to foster American artistic creativity, to commission works of art,",

(B) in paragraph (1)—

(i) by striking "the National Council on the Arts or", and

(ii) by striking ", as the case may be,",

(C) in paragraph (2)—

(i) by striking "sections 5(l) and" and inserting "section",

(ii) in subparagraph (A) by striking "artistic or", and

(iii) in subparagraph (B)—

(I) by striking "the National Council on the Arts and", and

(II) by striking ", as the case may be,", and

(D) by striking "(d)" and inserting "(b)", and

(3) by redesignating subsections (e) and (g) as subsections (c) and (d), respectively.

(c) ESTABLISHMENT OF NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES.—Section 4(a) of the National Foundation on the Arts and the Humanities Act of 1965 (42 U.S.C. 953(a)) is amended—

(1) in subsection (a)—

(A) by striking "the Arts and" each place it appears, and

(B) by striking "a National Endowment for the Arts,",

(2) in subsection (b) by striking "and the arts", and

(3) in the heading of such section by striking "THE ARTS AND".

(d) FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES.—Section 9 of the National Foundation on the Arts and the Humanities Act of 1965 (42 U.S.C. 958) is amended—

(1) in subsection (a) by striking "the Arts and",

(2) in subsection (b) by striking "the Chairperson of the National Endowment for the Arts,",

(3) in subsection (c)—

(A) in paragraph (1) by striking "the Chairperson of the National Endowment for the Arts and",

(B) in paragraph (3)—

(i) by striking "the National Endowment for the Arts", and

(ii) by striking "Humanities," and inserting "Humanities", and

(C) in paragraphs (6) and (7) by striking "the arts and".

(e) ADMINISTRATIVE FUNCTIONS.—Section 10 of the National Foundation on the Arts and the Humanities Act of 1965 (42 U.S.C. 959) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking "in them",

(ii) by striking "the Chairperson of the National Endowment for the Arts and", and

(iii) by striking ", in carrying out their respective functions,",

(B) by striking "of an Endowment" each place it appears,

(C) in paragraph (2)—

(i) by striking "of that Endowment" the first place it appears and inserting "the National Endowment for the Humanities",

(ii) by striking "sections 6(f) and" and inserting "section", and

(iii) by striking "sections 5(c) and" and inserting "section", and

(D) in paragraph (3) by striking "Chairperson's functions, define their duties, and supervise their activities" and inserting "functions, define the activities, and supervise the activities of the Chairperson",

(2) in subsection (b)—

(A) by striking paragraphs (1), (2), and (3), and

(B) in paragraph (4)—

(i) by striking "one of its Endowments and received by the Chairperson of an Endowment" and inserting "the National Endowment for the Humanities and received by the Chairperson of that Endowment", and

(ii) by striking "(4)",

(3) by striking subsection (c),

(4) in subsection (d)—

(A) by striking "Chairperson of the National Endowment for the Arts and the", and

(B) by striking "each" the first place it appears,

(5) in subsection (e)—

(A) by striking "National Council on the Arts and the", and

(B) by striking ", respectively,", and

(6) in subsection (f)—

(A) in paragraph (1)—

(i) by striking "Chairperson of the National Endowment for the Arts and the", and

(ii) by striking "sections 5(c) and" and inserting "section",

(B) in paragraph (2)(A)—

(i) by striking "either of the Endowments" and inserting "National Endowment for the Humanities", and

(ii) by striking "involved", and

(C) in paragraph (3)—

(i) by striking "that provided such financial assistance" each place it appears, and

(ii) in subparagraph (C) by striking "the National Endowment for the Arts or".

SEC. 5. AMENDMENT TO SHORT TITLE OF THE STATUTE.

Section 1 of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 951 note) is amended by striking "the Arts and".

SEC. 6. TRANSITION PROVISIONS.

(a) TRANSFER OF PROPERTY.—On the effective date of the amendments made by this Act, all property donated, bequeathed, or devised to the National Endowment for the Arts and held by such Endowment on such date is hereby transferred to the National Endowment for the Humanities.

(b) TERMINATION OF OPERATIONS.—The Director of the Office of Management and Budget shall provide for the termination of the affairs of the National Endowment for the Arts and the National Council on the Arts. Except as provided in subsection (a), the Director shall provide for the transfer or other disposition of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with implementing the authorities terminated by the amendments made by this Act.

Page 5, line 23, strike "SEC. 3." and insert "SEC. 7.".

The CHAIRMAN. Pursuant to the rule, the gentleman from Illinois [Mr. CRANE] will be recognized for 10 minutes, and the gentleman from Montana [Mr. WILLIAMS] will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Chairman, I introduced in my earlier remarks my basic thrust. I would remind all of my colleagues that upon election to Congress, the very first act of a newly elected Member is to stand in this Chamber, raise his right hand, and swear to uphold that Constitution, so help him God. I would urge my colleagues, if they have not reviewed some of the debate that went on in Philadelphia when the Constitution was being crafted, or debate subsequent thereto, to go back and examine that. Each one of us has an obligation to do so when he takes that sacred oath.

When I say the debates that went on, it was not confined strictly to the Philadelphia Convention. There was a very noteworthy Representative from the State of Virginia, Representative John Page, who in 1792, in addressing Congress, observed:

> The encouragement which the General Government might give to the fine arts . . . might, if judiciously applied, redound to the honor of Congress, and the splendor, magnificence, and real advantage of the United States; but the wise framers of our Constitution saw that, if Congress had the power of exerting what has been called a royal munificence for these purposes, Congress might, like many royal benefactors, misplace their munificence; . . . might reward the ingenuity of the citizens of one State, and neglect

> a much greater genius of another. . . . It is not sufficient, to remove these objections, to say, as some gentlemen have said, that Congress is incapable of partiality or absurdities, and that they are as far from committing them as my colleagues or myself. I tell them the Constitution was formed on a supposition of human frailty, and to restrain abuses of mistaken powers.

In some of the debates we have had on this subject, it has been that abuse of mistaken powers that has been the focus of the debate. That is not what I am concentrating on. What I am concentrating on, as I indicated before, is the constitutional question and whether we are upholding that oath we take when we get sworn in.

The fact is, further, though, that there is inevitably going to be discrimination when we involve Government in this kind of an enterprise. For example, last year there were almost 18,000 applications for grants from the NEA, and yet, because of limited resources, only about 4,000 grants were made. Who is to play the omniscient judge in making these kinds of determinations and know that he is not injuring one of those who did not receive a grant when he confers a grant on someone else?

In addition to that, the reference that Representative Page made in his remarks in 1792 about preferences to one State versus another, the fact of the matter is New York State, of course, gets the lion's share of the grants. More specifically, New York City. One, they argue that is a large State, and as a result, that allocation of these scarce resources is dictated. Explain to me, then, why Washington, DC, with a population about the size of a single congressional district, gets more in grants than the State of Illinois, my home State, Ohio, and Michigan combined.

There is a misallocation of these resources that will inevitably occur, and again, it goes back to the importance of leaving these decisions in the private sector where they rightfully belong, where the individuals who choose can make these decisions on a voluntary basis and have made them, and made them generously from the beginning of our Republic until the present moment, and infinitely more generously than our Government has been or is even capable of being in this area.

□ 1300

So, I would urge my colleagues to review these vital points and to uphold their constitutional obligation.

Mr. Chairman, I reserve the balance of my time.

Mr. WILLIAMS. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I have long supported the National Endowment for the Arts. Unfortunately, controversy in recent years has overshadowed the fact that since its establishment in 1965, the NEA has awarded over 90,000 grants, making the arts available to millions of Americans who might never have otherwise had the opportunity.

I believe that the NEA's record will only be strengthened under the chairmanship of Jane Alexander. The wide respect for her abilities is reflected by the fact that her nomination was unanimously approved by the Senate Labor and Human Resources Committee and remarkably by the Senate as a whole. I was particularly impressed with her testimony that she will "be accountable and look forward to working with Members of Congress. My goal for the arts is that best reaches the most." Mr. Chairman, I share the respect shown Ms. Alexander, but confessions is good for the soul and I must admit my administration may be some what beneficial by the fact that she is my constituent. The 19th Congressional District of New York is proud of her and her activities.

Mr. Chairman, this is a new beginning in HEW under new leadership. Let us reauthorize NEA for 2 years without amendments that could cripple the effectiveness of the agency. At that time, it would be appropriate to evaluate the Endowment and the performance of Ms. Alexander.

Mr. WILLIAMS. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I rise today in opposition to the weakening amendments being offered to cut or eliminate funding for the National Endowment for the Arts, and I urge my colleagues on both sides of the aisle to join me in voting in favor of full reauthorization.

As a member of the Education and Labor Committee, I have had the pleasure to learn more about the Endowment, as the subcommittee and committee have debated and passed authorizing legislation. I was struck not only by the diversity of the activities the NEA offers, and by how far-reaching the impact of the NEA is, especially for small, rural, and hard-to-reach communities, but also by how cost effective the program is.

For those Members who are contemplating voting to cut funding for the NEA to save money, I ask you to think again after you have the facts. The NEA is one of the most powerful seed grant programs working today. In fact, it provides economic stimulus to many small communities.

In fiscal year 1992, the $153 million in program funds invested by the NEA leveraged $1.68 billion in contributions and funding from businesses, groups, individuals, and other sources. This means that for each $1 invested by the NEA, $11 in matching funds are produced. In turn, this creates a 20-fold return in jobs, services, and contracts.

Since the endowment's founding in 1965, the number of orchestras has increased from 110 to 230; nonprofit threater companies have gone from 37 to 450; opera companies have grown in number from 27 to 120, and dance companies from 35 to 450. In California alone, the number of performing arts companies, museums, and arts organizations grew from 650 to over 1,400.

The counties of Marin and Sonoma, CA, which I am priviledged to represent, have received over $100,000 this year in support of the arts, for incredibly diverse programs.

For instance, the NEA awarded individual creative writing grants to the Headlands Center for the Arts located in Sausalito which has a terrific open studio program for visual artists. The wonderful Marin Symphony and Public Art Works Co. also received seed grants to bring their services to more people. The Antenna Theater in Sausalito, recently received $20,000 to create a completely new type of production, which will combine elements from museum exhibits, radio theater, and audience participation.

Sonoma County benefits from endowment-funded opera performances in Santa Rosa, and public radio and television programs based in Rohnert Park.

All this costs the taxpayer 68 cents a year. The total Federal commitment to the arts is less than two ten-thousandths of 1 percent of our budget.

Being a member of the Budget Committee, I firmly believe cutting unnecessary and unworkable programs is vitally important. My colleagues, if you are serious about having some real impact in debt reduction, look elsewhere in the budget. The NEA is an excellent program that fits the criteria for deserving Federal support.

I urge my colleagues, especially in light of October being Arts and Humanities month, to vote no on the weakening amendments and yes to reauthorization of the National Endowment for the Arts.

Mr. CRANE. Mr. Chairman, I yield 4 minutes to my distinguished colleague, the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, I rise in support of the Crane amendment.

Let me describe myself as a museum rat. Sometimes the word "rat" can have a positive connotation, as in tunnel rat in Vietnam where our courageous young guys would go down in the Viet Cong complexes. I was a museum rat because I grew up in Manhattan on the West Side, a few blocks south of the American Museum of Natural History. Every rainy day my brothers and I would walk a few blocks north and spend all morning, take a lunch break, spend all afternoon in that museum. We would see the 90-foot blue whale, the lion exhibit in the main hall. Teddy Roosevelt astride a horse with his Indian guide at his side, with all of the benches with inscriptions describing him as a naturalist, conservationist, patriot, warrior, diplomat, politician.

My wife says that my happiest hours are spent in the Smithsonian's museum complex. The Holocaust Museum at the end of the Mall is another favorite of mine. I cannot get there enough. I am a history buff and a museum lover second to none.

Having so credentialed myself, let me tell Members why I am supporting the Crane amendment.

The NEA has no accountability whatsoever in the way it gives away money. The recent decision to give funding to three self-described homoerotic film festivals, films for homosexuals and lesbians, included a prohibition of use of funds for the exhibition. However, the funds can be used for related activities such as symposia and lectures attached to the festival. Therefore, you cannot argue with the fact that the money goes to support the film festivals. The money that would have gone toward symposia now can go to films of exotic content.

Now let us get intellectual here and arty, and let me give my colleagues a couple of quotes from acknowledged artists and writers.

Francois Truffaut stated, "Airing one's dirty linen never makes for a masterpiece." That would happen to include self-described art involving excrement, which with fungible money has been funded, no matter what you hear on that or this side of the aisle. Let us stop playing unfair intellectual games here, dancing on the head of a pin.

Here is Emile Zola: "My own art is a negation of society, an affirmation of the individual, outside all rules and demands of society." This epitomizes the sentiments of some members of the arts community who are on the U.S.A. dole.

Here is a quote from a fine columnist up in Boston, Don Feder:

> Art is a reflection of a society's most profound aspirations * * * Cultures exalt their highest ideals. In the Middle Ages, it was the diving. For the 18th and 19th centuries, it was man as Promethean hero. Today, it's the depraved, life as a freak show. Our cultural mavens wallow in the sordid, celebrate the nauseating, dwell on their imaginary persecution.

He just wrote that a few months ago.

Now, my colleagues, I am tired of trying to be an art critic, and try to separate out the one-tenth of 1 percent of the blasphemous, scatological, and hardcore pornographic scum from the fine NEA grants out of 100,000. I think we can do what the Constitution gives us as a guide. Leave the funding of the arts, as the gentleman from Illinois [Mr. CRANE] said, to private citizens who last year donated $9.32 billion, God bless them. We do not have to take $174 million out of middle America, who do not want this garbage. It repels them and it should.

□ 1310

Mr. WILLIAMS. Mr. Chairman, the point needs to be made now, following my friend from California, that the NEA did not, did not fund the 1991 Pittsburgh International Lesbian and Gay Film Festival, either directly or indirectly; no NEA money.

Any film clip that my friend is upset about is not the result of NEA funding.

Mr. Chairman, I reserve the balance of my time.

Mr. CRANE. Mr. Chairman, I yield 15 seconds to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. I thank the gentleman for yielding to me.

Mr. Chairman, and PATRICK, I will speak slowly: I was not speaking of Pittsburgh in 1991. I am speaking of now, right now, 1993. Under the interim chair, Ana Steele, three porno film festivals in New York, Los Angeles, and Pittsburgh were funded, PATRICK.

Mr. Chairman, let us get the truth on the floor.

Mr. WILLIAMS. I tell my colleague that he may be upset then apparently about film festivals in the future that might be funded but they are not funding any now.

Mr. Chairman, I yield myself the balance of my time.

Our friend from Illinois argues each time the reauthorization comes up that we should support his amendment to eliminate the NEA on the basis, I think, that arts are not mentioned in the Constitution and that perhaps we might even be violating our oath of office around here if we vote for the National Endowment for the Arts.

I tell my colleagues that there is a lot of important things that the public is involved in through their National Government that are not mentioned in the Constitution, probably never contemplated by the Framers of that document.

Let me share just a few with you: the National Highway System that is not mentioned in the Constitution; land grant colleges are not mentioned in the Constitution; Yellowstone National Park is not mentioned in the Constitution; in fact, no national park is.

The gentleman's State of Illinois is not mentioned in the Constitution, never mentioned by the Framers.

What the Framers did have, however, was the foresight to make the Constitution a living document that could respond to changing times, and that document does call for a Federal Government that "promotes the general welfare."

I would contend that support for the arts is one way, and a very important way, for this Government to promote the general welfare of its people. But I do want to point out to my friend from Illinois and my colleagues that the Framers were not totally unaware of the need for Government to consider and assist the arts and artists.

Article I, section 8, clause 8 of the Constitution does provide for the promotion "of the progress of science and the useful arts."

So the Framers were not unconcerned about the arts.

And I might say that that concern, as evidenced by the fact that the arts are included in the Constitution, probably indicates that support of the arts was something that the Framers intended the Federal Government to play some part in, perhaps a prominent part.

Mr. CRANE. Mr. Chairman, in rebuttal here: The quote the gentleman made from the Constitution goes beyond what he cited: "promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." It deals only with patents, nothing more.

James Madison, considered the architect of our Constitution, stated with regard to the general-welfare clause: "Whenever money has been raised by the general authority and is to be applied to a particular measure a question arises whether the particular measure be within the enumerated authorities vested in Congress." And clearly, the NEA is not.

Mr. Chairman, I yield my remaining time to my colleague, the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. I thank the gentleman for yielding this time to me.

Mr. Chairman, I have been involved in this debate since I came to Congress in 1984, and frankly I weary of the debate. If we are going to talk about the Government's use of taxpayer funding for the National Endowment for the Arts, I think we must address the constitutionality issue. It has been addressed here I think definitively by the gentleman from Illinois [Mr. CRANE]. Once you get by the question raised by the constitutionality of the issue you must also address the question of the first amendment rights and censorship. That gets thrown around here a great deal.

I would ask you: Is it or is it not censorship to have a Government agency funded by the taxpayers of America to accept or reject applications, grants for artwork, and determine what is or what is not meritorious. If you are opposed to Government censorship of the arts and if you have any intellectual integrity whatsoever, you must be opposed to the existence of the National Endowment for the Arts.

Anything less than that is mere sophistry, a rationale to obtain the money.

If the money is more important than the integrity of the arts, then vote "yes" to reauthorize this Government agency. If integrity of the arts, integrity of the American people, integrity of the Government of this Nation is more important to you than money then vote "no"; very simple.

I say trust your integrity; do not trust the Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. CRANE].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. WILLIAMS. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names.

[Roll No. 499]

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (OK)
Eshoo
Evans
Everett
Ewing
Faleomavaega
(AS)
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-
Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

□ 1339

The CHAIRMAN pro tempore (Mr. SERRANO). Four hundred and twenty-six Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN pro tempore. The pending business is the demand of the gentleman from Illinois [Mr. CRANE] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Members will have 5 minutes on this vote.

The vote was taken by electronic device, and there were—ayes 103, noes 326, not voting 9, as follows:

[Roll No. 500]

AYES—103

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Barcia
Bartlett
Barton
Bliley
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Cunningham
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Emerson
Everett
Ewing
Fields (TX)
Gekas
Gingrich
Goodlatte
Grams
Greenwood
Hall (TX)
Hancock
Hastert
Hefley
Herger
Holden
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
King
Kingston
Knollenberg
Kyl
Laughlin
Levy
Lewis (FL)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCrery
McHugh
McKeon
Moorhead
Orton
Paxon
Penny
Petri
Pombo
Quillen
Quinn
Ravenel
Roberts
Rohrabacher
Roth
Royce
Sarpalius
Sensenbrenner
Shuster
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Stearns
Stenholm
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Vucanovich
Walker
Young (FL)

NOES—326

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Ballenger
Barca
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Camp
Cantwell
Cardin
Carr
Castle
Chapman
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Cooper
Coppersmith
Costello
Coyne
Cramer
Crapo
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Faleomavaega
(AS)
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Goss
Grandy
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Hansen
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Horn
Houghton
Hoyer
Huffington
Hughes

Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
Kleczka
Klein
Klink
Klug
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lazio
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCurdy
McDermott
McHale
McInnis
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Slattery
Slaughter
Smith (IA)
Snowe
Spence
Spratt
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zeliff
Zimmer

NOT VOTING—9

Clay
Conyers
Gephardt
Green
McDade
Murtha
Romero-Barcelo (PR)
Stark
Washington

□ 1349

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1350

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 103-264.

AMENDMENT OFFERED BY MR. DORNAN

Mr. DORNAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DORNAN:

Page 2, line 14, strike "$119,985,000" and insert "$104,593,000".

Page 3, line 5, strike "$130,573,000" and insert "$107,491,000".

Page 5, line 17, strike "$174,593,000" and insert "$104,593,000".

Page 5, line 21, strike "$177,491,000" and insert "$107,491,000".

Page 6, line 3, strike "$28,777,000" and insert "$17,267,000".

The CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. DORNAN] will be recognized for 10 minutes, and a Member opposed, the gentleman from Montana [Mr. WILLIAMS], will be recognized for 10 minutes.

The Chair recognizes the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, I yield myself such time as I may consume.

My amendment to H.R. 2351 is very simple. It would reduce by approximately 40 percent the authorized levels for the National Endowment for the Arts [NEA], the National Endowment for the Humanities [NEH], and the Institute of Museum Services [IMS]. This 40-percent cut would force these three Federal programs to more efficiently and more carefully prioritize the money they give away. In real terms, these cuts would have only a minor impact on the function of these three programs. For example, instead of $5,000 grants, there would be $3,000 grants.

At a time when we are all trying to downsize, tighten belts, and share the pain, this reduction is reasonable and very necessary.

Over the next 10 years my amendment could save the taxpayers of our country about $1.5 billion without a lethal decrease in the level of funding for cultural programs.

As everyone is aware, our Federal Government is suffering through a severe and growing financial crisis. It is up to us to bring some reason back to the spending patterns of this Congress. I believe that cutting 40 percent from these programs is one more step to help prioritize more effectively our national needs.

Notwithstanding the value of the arts, humanities and private museums in the United States, the Federal Government does not need to be subsidizing these activities at current levels. I must say that I am thankful for some of the work that has been the result of Federal subsidies to cultural programs, such as Ken Burns' brilliant Civil War series. However, in these times of our crushing fiscal crisis we must all reduce our demands on the Federal Government.

Furthermore, no one believes that the arts and humanities would crumble with a reasonable reduction in NEA, NEH or IMS funds. In fact, giving to the arts, humanities, and museums has never been greater. It's stunning how generous private benefactors have been.

According to the annual report on philanthropy, "Giving USA," the arts and humanities have seen an explosion in giving in the last 10 years. In fact, the authors of this report wrote: "Not only did museums receive more gifts of art in 1991 than in previous years, many of the gifts were termed 'masterpieces'. Both the quantity and the quality of donated art soared." If we can't save some money when donations are soaring when will we ever save?

In fact, philanthropic giving to the arts, humanities and museums rose by $500 million dollars from 1991 to 1992, bringing total private giving to $9.32 billion. Obviously, with giving rising faster than inflation, the recession has not hit this vibrant area of our culture very hard.

By looking over the last 3 years, we also see huge sums of money changing hands in the art market. Van Gogh's "Portrait of Dr. Gauchet" sold for $82.5 million in 1990. In the same year, Renoir's "Au Moulin de la Gallette" sold for $78.1 million. And just this year Van Gogh's "Wheatfields" was purchased for $57 million. Combined, the sale price of these three paintings—$217.6 million—totals far more than the amount we will be cutting next year from the NEH, NEA, and IMS.

In fact, since philanthropic giving is up so dramatically and the art market is so robust, there is no better time to wean the arts and humanities from their government subsidies.

Some may argue that we will be taking money away from education programs, but this is only a red herring to prevent credible deficit reduction. Last year, our citizens spent $493 billion dollars on education, and philanthropic giving to education was $14 billion. Our education goals will not be impacted in the least by a reduction in grants by 40 percent. Possibly this cut could give the affected agencies motivation to direct more of their resources toward the education of our youth instead of toward administration or debt reduction.

I am also confident that this 40-percent reduction will not have an adverse effect on the cultural institutions of our country. The Institute of Museum Services is a little known Federal agency. They exist in order to give money to museums throughout the country. This year they will give out over $23 million to such struggling entities as the Metropolitan Museum of Art—where the endowment is valued at over $550 million and their Matisse exhibit had record numbers of attendees. And why are middle class folks taxed to give money to the always popular Museum of Modern Art? These Federal funds will also go to the Tobacco Farm Life Museum, the Brick Store Museum, and the Latah County Historical Society. I know, and we all know, that we can reduce the amount of grants to these entities without major complaints from taxpayers.

Furthermore, in case Members have concerns, these IMS grants have nothing to do with our Federal commitment to our national museums and institutions such as the Smithsonian. Next year we will spend $450 million supporting the Smithsonian Institution, the National Gallery of Art, the Commission of Fine Arts and other worthy cultural programs. That commitment can be justified because these institutions are charged with protecting our national treasures. The IMS, on the other hand, gives their money away exclusively to private sector museums who generally charge or can charge admission.

The National Endowment for the Humanities had excellent leadership under Lynn Cheney. However, the NEH must share the pain the rest of us are feeling, particularly when we consider where some of their money goes. In 1992, the NEH sent millions of dollars to Harvard, Princeton, and Yale. These three Ivy League institutions have a combined endowment of almost $11 billion. In fact, Yale University is in the midst of a gigantic $1.5 billion fundraising campaign. Maybe they could forego their taxpayer millions from the NEH and use some of their billions to finance what is now federally subsidized scholarship.

The National Endowment for the Arts, as always, is in a league of its own. Last year, the NEA gave out millions of taxpayer dollars for, catch this, deficit reduction, loan repayment, and the establishment of cash reserves. So the Federal Government goes deeper into debt, takes out loans to finance that debt, and depletes our cash reserves, while the NEA is throwing money around to private arts organizations to alleviate their debt, pay off their loans, and establish cash reserves for them. Can we afford this largesse? Not when we have a $4 trillion—and growing—debt of our own to worry about. Let's clean up our own financial house before we try to pay off private sector debt. OK.

I believe this money would be best used reducing the Federal deficit. But if Members of Congress insist on spending this money, direct it toward the repair of our infrastructure, the defense of our Nation or allies, the reform of violence-prone children, or the search for a cancer or AIDS cure.

Mr. Chairman, I believe we need to attack our deficit with ferocity. As the renowned Russian writer Boris Pasternak said, "Art is unthinkable without risk and spiritual self-sacrifice." That's self-sacrifice on the artists' part, not the taxpayer's part. By weaning these private institutions from give-away subsidies of our Federal Government, we will be doing a favor to the taxpayers and the artists who complain about Federal control of Federal money.

I urge Members to vote for financial responsibility and real deficit reduction. Vote for my amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from San Diego, CA [Mr. HUNTER], where the artists were passing out $10 bills. Under my amendment, they can pass out, as I have told my pal, the gentleman from California [Mr. BEILENSON], a $5 and a $1, instead of a crisp $10 bill to illegal aliens.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding time to me.

I want to thank my friend, the gentleman from California, BOB DORNAN, for giving me a chance to support very strongly his amendment and brag a little bit about a Western artist, Olaf Wieghorst, who, when he passed away 2 years ago, was considered the dean of western artists in America and one of the finest artists in the world.

I have brought Olaf Wieghorst's great rendition, entitled "His Wealth."

Mr. DORNAN. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from California.

Mr. DORNAN. Mr. Chairman, may I ask the cameras to please come in for a closeup on that beautiful, obvious work of art.

Mr. HUNTER. Mr. Chairman, that is a show business background. I like that.

Let me say a word or two about Olaf Wieghorst. Olaf Wieghorst represented some of the things that we want to preserve in America. One of those values is the ethic of charitable giving.

If we tell our children, if we teach our children that charity is a job of government, that government should support artists, that it should give money away to people, then how are we going to teach our children that that ethic belongs to them and that their job is to be charitable and to be generous?

Any time anyone walked into Olaf Wieghorst's house, when he was 88 years old, he had been a cavalryman at the Big Ben. He had been a cowboy in the West, moved to San Diego in 1946 and became the highest priced artist, ultimately selling his paintings for a million dollars, any time anyone walked into Olaf Wieghorst's house, he would give them a lithograph, whether they were a plumber or a Congressman or somebody just visiting him. He believed in charity.

Mr. DORNAN. Mr. Chairman, if the gentleman will continue to yield, how many grants did he get as a kid?

Mr. HUNTER. Olaf Wieghorst did not believe in government giving out handouts for any social service. He often said to me and other members of the community that that was bad and that giving away art was a province of the artist, that artists should be charitable. Government should not be involved in art.

Olaf Wieghorst went from being an artist, who had no skill at all, had no lessons, to becoming one of the finest artists in the world.

Let us preserve the charitable ethic. Let us vote "yes" on the Dornan amendment.

Mr. WILLIAMS. Mr. Chairman, I yield a minute and a half to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I listened with interest to some of my colleagues who wish to cut 40 percent off the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services which make grants to individuals and institutions throughout the country. I am not worried about the museums and the arts in some of the richer cities of America, but most of us do not come from the richer cities of America. We come from rural America. We come from mid-America. We come from the smaller cities of America.

I can recall, as a 5-year-old, going to the county seat, Hollister, CA, population 3,000. In the auditorium of the San Benito County High School there was a group of people dressed in tuxedos, as we would call them today. It happened to be a symphony. Its players played great, deeply moving music. This symphony was a project of the Works Progress Administration—the WPA.

□ 1400

It was the midst of the Depression and these talented men and women were supported by this Government to make the rounds and to change people's lives. They certainly changed my life. In high school I became a music major. I was going to devote my whole life to music. Although I did not do that, the joy of music and later the arts have enriched my life and the lives of those in my family.

If some of this discussion had occurred in the Privy Council to the Emperor of Austria in the late 1700's and the early 1800's, there would be no Beethoven, there would be no Mozart. They were subsidized by the governments of their time.

I urge my colleagues to support the continuation of this investment in the arts. This investment will help not simply the smaller museums, operas, symphonies, and theaters across this land. It will support the emerging individual artists and writers. I know the result will mean a new dimension in the lives of other 5-year-olds, other 85-year-olds and most in between.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to my distinguished colleague from the city of my birth, the gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, I cannot believe we are spending this much time on this. The question to me is whether, after passing the largest tax increase in the history of this country, we should be telling our citizens that we are going to be giving away money to support the arts. The question is whether, while we cut our military and place the Nation at risk, we should be financing fledgling painters and sculptors. The question is whether, while we search for a way to finance universal health care, we should be sponsoring film festivals, regardless of the contents.

Unlike some of my colleagues, I object to government expenditures on the arts not because I occasionally disagree with what is funded, and I do, but because we just cannot afford those expenditures right now. If the head of a family were to spend evenings at the symphony or at the theater while his children went hungry and the roof needed repair, we would label that behavior an outrage, but we do that as a country every day. It is wrong, and we can stop it by cutting the National Endowment for the Arts.

We cannot adequately fund programs to combat breast cancer, and we should not be funding this. Support the so-called Dornan amendment.

Mr. WILLIAMS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Chairman, I rise in strong support of H.R. 2351, extending the authorizations for the National Endowment for the Arts,the National Endowment for the Humanities, and the Institute for Museum Services for fiscal years 1994 and 1995 and in strong opposition to the Dornan amendment that would cut these programs severely. It should not be enough to be a lover of the arts, as I am, and as I know many of my colleagues are. If we are Members of Congress and we love the arts, the very least we can do is to support this modest appropriation.

Governments have always been patrons of the arts, from the times of emperors and kings to the rise of democratic republics today. Indeed, it is the mark of a civilized society that its government is a patron of the arts. The reason governments have supported the arts, in no small part, is because the arts are not self-supporting. If government falls away from the arts, we have art for the rich and often only the rich. This is perhaps the primary reason to support NEA, which has been a prime mover in carrying the arts to grassroots communities, stimulating artists everywhere, and creating arts audiences throughout the country.

The concern about government censorship and location to some and not others betrays a misunderstanding of the selection process. Government does not choose the recipients of arts funding. Artists choose other artists. This is peer review at its best.

Further, it was suggested earlier in the debate that the District gets more arts funding than several of the States put together. That is quite simply because the District hustles. There are not set-asides in the arts. Artists must be entrepreneurial to survive. They must not only be talented. They must be energetic and submit proposals and more proposals until they are successful. Energy and merit decide arts and humanities grants, not geography.

Mr. Chairman, it should be unthinkable in this economic climate to cut the funds for the already underfunded and hard hit arts and humanities. When this bill emerges from conference, a cut somewhere between 2½ and 5 percent will be incorporated, reflecting cuts in both the House and the Senate. Enough in this case is more than enough.

The economy of the 1990's has been especially cruel to the arts. The arts not only suffer severely during economic downturns; most live close to the line even when the economy has been good to the rest of us. At times like these, the arts need more support—not less.

Before the National Endowment for the Arts was established in 1965, there was only one great arts center—New York City. Washington, DC, despite its status as the Capital City, was not on any map of the arts. The NEA and the other arts agencies have helped create competition to New York by stimulating the arts even in small places on a grand national scale and by stimulating large, new audiences for the arts. Today, ground-breaking exhibits, plays and operas are as likely to come from Washington—or Texas—as they are to come from New York.

Most important, NEA funding knows no preferences. Brand new experimental groups successfully compete with well-known theaters for funding. I can't vouch for all of our appropriations, but NEA grants look a lot like America.

The arts and the humanities don't need lip service. They need their government to join the private sector as a patron of the arts. Please support the arts and the humanities. Vote for H.R. 2351.

Mr. DORNAN. Mr. Chairman, I would ask the Chair how much time remains on my side.

The CHAIRMAN. The gentleman from California [Mr. DORNAN] has 2 minutes remaining.

Mr. DORNAN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I have a letter before me on behalf of the 250,000-member National Taxpayers Union, NTU. They say, "Dear Representative Dornan: On behalf of the 250,000 member National Taxpayers Union [NTU], I am pleased to offer our endorsement of your amendment to reduce the funding levels of the three organizations, NEA, NEH, and IMS.

"While NTU believes serious consideration should be given toward abolishing these agencies entirely," and we have just passed that point, "your amendment will certainly put the NEA, NEH, and IMS on the right track to fiscal reality. In an age of budget deficits approaching $300 billion and a national debt racing past $4.2 trillion, taxpayers expect and deserve firm leadership and resolve on the part of Congress to cut unnecessary Federal spending."

Mr. Chairman, there is not a single Member in this Chamber who would not claim to be a patron of the arts, a lover of the arts. But we are talking about fiscal responsibility here. I can think of no finer work of art than a balanced budget.

Mr. Chairman, I reserve the balance of my time.

Mr. WILLIAMS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I first want to set the record straight. Mr. Chairman, my colleague, the gentleman from California [Mr. DORNAN] said, somewhat facetiously, that some of the money we save we can give to those immigrants in San Diego.

Mr. DORNAN. They are already getting it.

Mrs. ROUKEMA. They are not already getting it. That is why I want to set the record straight.

Mr. Chairman, I want the Members to understand that under this legislation, they cannot give money away to illegal immigrants. In that case, the money was disallowed. I want to point out, however, the financial situation here. This is not an appropriation bill, it is an authorization. The authorization bill this year was cut 5 percent from the previous year. This authorization level is at $174 million, the actual NEA amount for 1993, and it is frozen for the next 2 years, so this represents an authorization level that is a 2-year freeze.

In that sense, including the 5-percent cut that we have already incurred, this does represent fiscal responsibility.

I also want to say that I do not think we really want to cut or increase admission for schoolchildren, the poor, and middle class, and deny them access to these wonderful valued programs.

Mr. DORNAN. Mr. Chairman, I yield myself 30 seconds, because my good colleague, the gentlewoman from New Jersey [Mrs. ROUKEMA] may not be aware of this.

What the NEA did was, they sent a notice to these three phony artists in California that had already given away most of the money, crisp $10 bills to some illegal aliens. Not all illegal aliens, but some. Under my bill, I repeat, the NEA could still give them a $5 bill and a $1 bill.

Mrs. ROUKEMA. Mr. Chairman, I am sorry, I do not want to give them anything. I do not want to give them anything, and they cannot, under this legislation.

Mr. DORNAN. I don't want to give them anything either. But in this case there was phony bookkeeping by the NEA.

Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. STEARNS].

Mr. WILLIAMS. Mr. Chairman, I yield 30 seconds to the gentleman from Florida.

The CHAIRMAN. The gentleman from Florida [Mr. STEARNS] is recognized for 1 minute.

Mr. STEARNS. Mr. Chairman, I rise in support of the gentleman from California [Mr. DORNAN] and his amendment to reduce the authorization of the National Endowment for the Arts.

My support for this amendment comes from a desire to have some fiscal responsibility injected into the programs we fund in this House.

We must concentrate our resources on what is absolutely necessary, imperative and essential and not on what is simply desirable. Is it absolutely necessary to continue to fund a program run with taxpayer dollars which supports material that I cannot show on the House floor, because according to House rules it offends the decorum of the House? Think of that, the Federal Government sponsors material that it cannot show in the peoples' House. But at the very same time this House continually underfunds breast and cervical cancer research.

In 1992, $9.32 billion was spent by the private sector on the promotion, funding, and advancement of the arts and I believe a 40-percent cut in this program's authorization will be a victory for fiscal responsibility. It would give credence to our rhetoric to cut spending and hope to the folks back home that this Congress can make the votes to reduce the deficit.

We need to eliminate or reduce those programs that are not necessary, imperative and essential. Vote "yes" for the Dornan amendment.

Mr. WILLIAMS. Mr. Chairman, I yield 30 seconds to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Chairman, I want to restate what I said this morning. I hope my colleagues will hear me.

In the Federal budget we spend $10 million more a year on military bands that are stationed right here in Washington than we do in every nook and cranny of the United States through the National Endowment for the Arts. If we are going to cut something, for heaven's sake, cut something that benefits fewer people than this very small amount that we do to try to uplift the spirits and to reach the people who are gifted and talented, and humanize the life in the United States.

Better we should cut the bands than we should cut the programs for schoolchildren in rural areas.

Mr. WILLIAMS. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in strong opposition to the amendment.

All over America, local artists and local arts groups rely on the National Endowment for the Arts for essential support. In my district, these groups are struggling for survival and I know that is true across the Nation.

No one has ever questioned the work of these groups. They have enriched our community and the quality of life.

But this amendment will put many of them out of business. It will shut down deserving arts organizations all over this Nation, and it will do real damage to the cultural vitality of our Nation.

But that is not all. Abolishing the NEA would do damage to our local schools who rely on the endowment to expand arts education in difficult financial times.

This amendment would end that also. It would take funds out of our schools and away from our children.

And finally, this amendment would also undermine the economy of many areas of this country.

Just last week the Port Authority of New York and New Jersey released a study on the economic impact arts activities have on the New York economy. The findings are dramatic.

While the economy of the New York metropolitan region has suffered, one sector of the regional economy has grown—the arts.

Indeed, the arts directly employ over 40,000 people, and pump at least $9.8 billion a year into the economy of the New York area.

An amendment to cut the NEA is an amendment to undermine an important growth area in our economy. The arts are a lifeline not just for the creativity of many New Yorkers, but also a lifeline for the economy of our region.

Mr. Chairman, I submit to you that any amendment that will harm our Nation's schools, damage our cultural heritage, and damage local economies, at the same time, does not deserve the support of this House.

□ 1410

Mr. WILLIAMS. May I inquire of the Chair the time remaining on both sides?

The CHAIRMAN. The time of the gentleman from California [Mr. DORNAN] has expired, and the gentleman from Montana [Mr. WILLIAMS] has 4 minutes remaining.

Mr. WILLIAMS. Mr. Chairman, for the purposes of closing, I yield 1 minute to the gentleman from California [Mr. DORNAN], and the gentleman from California can reserve that time to close debate.

Mr. DORNAN. I thank my colleague. He is a scholar and a gentleman as always.

Mr. WILLIAMS. Mr. Chairman, I yield myself such time as I may consume.

My colleagues, let us understand now what this amendment does. This 40-percent cut cuts museums in America, Federal funding for museums in America by 40 percent. It cuts the National Endowment for the Humanities and your State humanities councils would receive perhaps cuts of up to 50 percent if this amendment is passed. And, of course, it also cuts the National Endowment for the Arts, the agency that I think this amendment is really aimed at.

So let me speak to the arts part of this. Some believe that Federal support for the arts is not necessary because the arts are thriving, they are doing very well.

In the past 5 years, two dozen national theaters of acclaim have closed their doors because of financial difficulties. The New Theater of Brooklyn, the Actors Theater of St. Paul, the Academy Theater of Atlanta all have been forced to shut down, and 182 different theater companies in this country are running deficits and have had them more than double in just the past year. Touring companies have dropped by 40 percent in just the past 24 months. Cutting NEA will only accelerate that. Museums, such as the Detroit Institute of Arts, can only open half of their galleries at a time, and the others, such as the great Metropolitan Museum in New York City, have reduced hours for much of their exhibits. More than one-third of the museums in this country are running deficits, and the gentleman from California's amendment would make it worse.

Six of the Nation's preeminent dance companies, including the Geoffrey Ballet, Dance Theater of Harlem, and the North Carolina Dance Theater came very close to collapse recently, and the gentleman's amendment could make it worse.

I urge my colleagues, do not vote for this 40-percent cut for your museums, for the humanities, for the arts in your States. Reject the Dornan amendment. Vote "no."

The CHAIRMAN. The gentleman from California [Mr. DORNAN] is recognized for 1 minute.

Mr. DORNAN. Mr. Chairman, let me take 15 seconds to point up an act of courtesy that has become rare in this House but used to be standard comity and decency here. To use Chairman WILLIAMS' own words, in my exuberance, and because it is my amendment, I ate up my time and speakers. But his act of generousness in giving me the opportunity to close using a minute of his time is an example that I hope will be followed in this Chamber. PATRICK, I thank you sincerely.

I will close with this rebuttal to his last point. People who are sure of their positions are able to be generous and I know Mr. WILLIAMS is sure of his position. The Federal funding to nonprofit theaters is only 2.6 percent of all money used by nonprofit theaters. My amendment cuts 40 percent of 2.6 percent only. When I look at this pie chart in this aforementioned "Giving USA" report on philanthropy, every other area that we draw from, the 96.4 percent, is absolutely going up, up, up. Corporations, foundations, individuals kick in almost 9 percent, single tickets, and subscriptions. The arts are doing all right. But we must be fiscally responsible here in this Chamber.

Again I thank the gentleman from Montana [Mr. WILLIAMS] for his generosity.

The CHAIRMAN. The gentleman from Montana [Mr. WILLIAMS] has 30 seconds remaining.

Mr. WILLIAMS. Mr. Chairman, I yield myself that remaining time.

I would just again urge my colleagues to vote "no" on the Dornan amendment.

Mr. Chairman, I want to take a few seconds to thank the gentleman from California [Mr. DORNAN] for his kindness toward me, not only in this debate, but in the very rancorous debate and difficult debate of 3 years ago. Mr. DORNAN was a gentleman throughout. We disagreed, but he was very kind to me personally, and I appreciate it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. DORNAN].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. DORNAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 151, noes 281, not voting 6, as follows:

[Roll No. 501]

AYES—151

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bevill
Bilirakis
Bliley
Boehner
Bonilla
Browder
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Chapman
Coble
Collins (GA)
Combest
Condit
Cooper
Cox
Cramer
Crane
Crapo
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Emerson
Everett
Ewing
Fields (TX)
Gallegly
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Grams
Greenwood
Hall (TX)
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoke
Holden
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
Kasich
Kim
King
Kingston
Knollenberg
Kyl
Laughlin
Levy
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
Mica
Michel
Miller (FL)
Molinari
Moorhead
Myers
Nussle
Oxley
Paxon
Petri
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Ravenel
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Rowland
Royce
Sarpalius
Schaefer
Sensenbrenner
Shuster
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (WY)
Visclosky
Vucanovich
Walker
Weldon
Wolf
Young (AK)
Young (FL)
Zimmer

NOES—281

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bilbray
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Brown (CA)
Brown (FL)
Bryant
Byrne
Camp
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Costello
Coyne
Danner
Darden
de la Garza
de Lugo (VI)
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Faleomavaega (AS)
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Grandy
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoekstra
Horn
Houghton
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Klug
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lazio
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Murphy
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Rogers
Rose
Rostenkowski
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Volkmer
Walsh
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff

NOT VOTING—6

Gephardt
Green
McDade
Murtha
Romero-Barcelo (PR)
Washington

☐ 1436

Mr. STRICKLAND changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 3, printed in House Report 103-264.

For what purpose does the gentleman from Wisconsin rise?

AMENDMENT OFFERED BY MR. GUNDERSON

Mr. GUNDERSON. Mr. Chairman, under the rule, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GUNDERSON: Page 2, after line 6, insert the following:

(a) MODIFICATION OF LIMITATION ON USE OF FEDERAL FUNDS.—Section 5(g) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 954(g)) is amended—

(1) in paragraph (4)(C)—

(A) by inserting "(i)" after "(C)", and

(B) by adding at the end the following:

"(ii) Notwithstanding any other provision of this subsection, the amount allotted to a State for the current fiscal year under this subsection may not be greater than the amount so allotted to such State for the preceding fiscal year if—

"(I) the amount of State funds to be expended for such current fiscal year to carry out this subsection is less than the average annual amount expended by such State during the most recent preceding period of 3 fiscal years to carry out this subsection; and

"(II) the rate of the reduction in the amount of State funds exceeds the rate of reduction in the aggregate of all general fund expenditures to be made by the State in such current fiscal year.", and

(2) in paragraph (5)—

(A) by striking "(5) All" and inserting "(5)(A) Except as provided in subparagraph (B), all", and

(B) by adding at the end the following:

"(B) All amounts allotted under paragraph (3) that are not made available to a State as a result of the operation of subsection (g)(4)(C)(ii) shall be allotted to the remaining States in equal amounts.".

Page 2, line 7, strike "(a)" and insert "(b)".

Page 3, line 8, strike "(b)" and insert "(c)".

Page 4, line 24, strike "(c)" and insert "(d)".

Page 5, line 11 strike "(d)" and insert "(e)".

Page 5, after line 22, insert the following:

(f) INVESTIGATION AND REPORT.—Not later than September 30, 1995, the Chairperson of the National Endowment for the Arts shall—

The CHAIRMAN. Pursuant to the rule, the gentleman from Wisconsin [Mr. GUNDERSON] will be recognized for 10 minutes and the gentleman from Montana [Mr. WILLIAMS] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Chairman, in order to make sure that I do not use too much time, I yield myself 3 minutes.

Mr. Chairman, I do not believe this will be a long, drawn-out process. I think we have worked out the details of this amendment so that it can be accepted. It is not controversial.

Let me begin by thanking the distinguished gentlewoman from New York [Ms. SLAUGHTER], for working with me in cosponsoring this amendment, because I think it articulates on a bipartisan basis exactly what we are trying to do.

Many of you will recall that in the last reauthorization we struggled to deal with the controversies. We did that by doing two things, one of which was to reform the grants process. The second was to literally increase the amount of money which went back to the States from 20 to 27½ percent.

□ 1440

When we held the hearings on the reauthorization, and I am committed to a simple extension to give Miss Alexander every opportunity to look at the agency and its programs before we do a more substantive reauthorization in a couple of years, I was alarmed to discover, however, that a significant number of States had decreased State support for the arts at the very time that the Federal Government, through this increased return of money to the States, had increased our Federal allocations.

Let me give my colleagues an example:

In 1991, Mr. Chairman, the NEA basic grants to the States increased by almost 25 percent, from $21½ million to $26.2 million, and yet 24 of the 50 States reduced their funding from the previous year. In 1993, despite the NEA basic grants increasing by 5 percent, 35 of the 50 States cut funding for the arts. Recognizing that this was happening, although we thought it was not the intent of our last reauthorization, we felt it would be important that we would simply put into this legislation the simple reauthorization; frankly, a clarification, that if a State cuts their support, funding for the arts, they are not going to receive an increase in Federal funding in the next year.

We are trying to send the signal: "You can't supplant State funds with Federal funds" and we are, frankly, trying to send the opportunity for our State art commissions to leverage to the maximum degree possible their State funding.

Mr. Chairman, we think this amendment accomplishes all of that without any kind of negative harm.

Mr. Chairman, the amendment that I'm offering has a very simple and straightforward objective. I do not think that the Federal Government, through the NEA, should be increasing its contribution to State arts programs when there is evidence that the States themselves are cutting back on their own commitment to the arts. Consistent with this view, the amendment which I am offering says that the NEA will not increase its direct grant to any State which has decreased its own funding for the arts from a 3-year average base level.

Mr. Chairman, I have worked with the Democratic side of the Committee on Education and Labor, as well as with the administration, to insure that this amendment is as fair as it can possibly be, and that it does not punish States which have had to reduce their arts funding as part of overall budget cuts.

I would point out to my colleagues that when Congress reauthorized the NEA in 1990 I was sponsor of efforts to increase the percentage of NEA funds going directly to the States. We increased the basic State grant from 20 to 27.5 percent of the NEA's budget, and made other changes which directed an additional 7.5 percent of NEA funds to rural and underserved State programs. I am a proponent, not an opponent, of Federal support for State arts programs.

It was not my intention in 1990 or today, however, nor was it the Committee on Education and Labor's intention, that these additional Federal funds should be used to supplant existing State funding. In fact, the 1990 Reauthorization Act specifically prohibited States from using these additional Federal dollars to offset reductions in their own funding for the arts.

Nonetheless, there is good reason to at least suspect that this is in fact occurring. Back in June, during a hearing on this reauthorization, I heard testimony which suggested that the increased NEA funding going directly to States and rural communities as a result of my efforts in 1990 was, among other things, compensating for reductions in arts funding at the State level. I asked my staff to look further into the trend in State funding for arts programs as compared to the trend in Federal support for those State programs. While the data is not conclusive, it certainly substantiated my initial concerns.

In the last 3 fiscal years, 24, 36, and 35 States and territories of the United States have reduced their own funding for State arts programs by an average of better than 12 percent. During the same period, Federal grants to States for the arts have increased from a 1990 base of $21.5 to $27.3 million—a 30 percent increase.

Let me present some statistics which give evidence of the problem.

In fiscal year 1991, 24 of the 50 States and territories reduced arts funding from the previous year's level. One State cut spending by more than 50 percent. Thirteen States cut spending by more than 25 percent. Overall, spending for the arts was reduced by 10.5 percent. Among the 24 States which cut arts funding, the average reduction was 16 percent.

At the same time, NEA basic grants to States increased by almost 25 percent, from $21.5 million to $26.2 million.

In fiscal year 1992, 36 of the 50 States and territories cut funding for the arts from the fiscal year 1991 level. Five States cut spending by more than 50 percent. Eleven States cut spending by more than 25 percent. Overall, spending for the arts was reduced by 21.6 percent. Among the 36 States which cut funding the average reduction was 18.5 percent.

NEA basic grants to States decreased by barely 1 percent.

In fiscal year 1993, 35 of the 50 States cut funding for the arts. Two States cut spending by more than 25 percent. Eight States cut spending by more than 15 percent. Overall, spending for the arts increased by about 1 percent. However, discounting the fact that one State—Michigan—increased its funding by $13.5 million, the overall spending declined by more than 6 percent. Among the 35 States which cut spending, the average reduction was 8 percent.

NEA basic grants increased by 5 percent.

Mr. Chairman, let me give you just a few examples of what is happening.

In fiscal year 1992: NEA gave Florida $575,000, a 20-percent increase over the State's fiscal year 1990 grant, and Florida cut its own funding for the arts by 29 percent.

In fiscal year 1993, Florida's basic grant increased again by 3.5 percent and State art funding declined again, by 16 percent.

In fiscal year 1992: NEA gave Alaska $435,000, a 25-percent increase over the State's fiscal year 1990 grant, and Alaska cut its own State funding for the arts by 16.5 percent.

In fiscal year 1993, Alaska's basic grant increased again by 5.5 percent, and State art funding declined again by 10.5 percent.

In fiscal year 1992: NEA gave California $766,000, a 13-percent increase over the State's fiscal year 1990 grant, and California cuts State spending for the arts by 5.5 percent.

In fiscal year 1993, California's basic grant increased again by 4 percent, and State art funding declined by 15.5 percent.

In fiscal year 1992: NEA increased Illinois' State grant by almost 20 percent, to $558,000. Illinois cut State funding for the arts by almost 15 percent.

In fiscal year 1993, Illinois' basic grant again increased by 4.5 percent, and State art funding declined again by 21.2 percent.

In fiscal year 1992: NEA increased Maryland's State grant by almost 25 percent, to $482,000. Maryland cut State funding for the arts by 14 percent.

In fiscal year 1993, Maryland's basic State grant again increased by 5.6 percent, and State art funding declined again by 31.1 percent.

In fiscal year 1992: NEA increased Pennsylvania's State grant by about 20 percent, to $563,000 from fiscal year 1990 to fiscal year 1992. Pennsylvania cut arts funding in fiscal year 1992 by 16.5 percent.

In fiscal year 1993, Pennsylvania's basic State grant again increased by 4.5 percent, and State art funding declined again by 7.25 percent.

Mr. Chairman, this is not a targeted list. It is, rather, representative of what is happening in a majority of States.

I understand that State budgets have been under extreme pressure over the last several years, and I am not intent on punishing States for having made difficult budget decisions. In order to make that perfectly clear to the committee, I have revised the amendment which I introduced initially so that a State's basic grant would only be capped in cases where cuts in a State's arts programs were disproportionate to cuts made in other nonmandatory programs.

Thus, a State which made an across the board cut in nonmandatory programs would not, I repeat not, be affected by this amendment. A State would only be affected if it were to cut nonmandatory spending over a 3-year period by an average of 5 percent, for example, while cutting arts funding over the same period by 15 percent that it would be penalized.

I would point out further Mr. Chairman that my amendment will not—barring an overall cut in the NEA budget—cut Federal arts grants to any State. It only says that we will not increase the Federal grant to any State which had disproportionately cut its own arts budget.

I do not think this is either inappropriate or punitive given the budget crunch we are trying to deal with. I am pleased to say that the administration agrees with me on this. I have been called personally by the Acting Chair of the NEA, Anna Steele, and she has told me that neither the NEA nor the administration objects to this amendment.

The Federal budget is under no less pressure than the States' budgets, Mr. Chairman, and we are being asked to make decisions about priorities that are no less painful than those being made in statehouses. We should not, under the circumstances, ask the Federal Government to make sacrifices in order to increase funding for State art programs when there is evidence that the States themselves are not willing to make the same sacrifice and demonstrate the same commitment to the arts.

Mr. Chairman, I reserve the balance of my time.

Mr. WILLIAMS. Mr. Chairman, I ask unanimous consent to be granted the 10 minutes on our side although we are not in opposition to the amendment being offered by the gentleman from Wisconsin [Mr. GUNDERSON].

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York [Ms. SLAUGHTER], the cosponsor of this amendment.

Ms. SLAUGHTER. Mr. Chairman, I am pleased to support the reauthorization of the Federal cultural agencies which have changed the cultural landscape of this Nation. The National Endowments for the Arts and Humanities and the Institute of Museum Services—and the organizations and programs which they aid—are clearly deserving of our continued support.

Arts groups in our communities battle formidable economic challenges yet manage to reach out to every segment of the population. Their work, day in and day out, is in reaching children through arts education, fostering better understanding in our communities, and playing an important role in the vitality of our local economies.

That is why these arts groups should be seeing greater public support. To this end, I rise in support of this amendment to the Arts, Humanities, and Museums Amendments of 1993. Let me begin by commending subcommittee Chairman PAT WILLIAMS for his expert leadership on arts issues throughout the years and for this opportunity to remedy what I believe is an unintended situation.

Mr. Chairman, we must enhance support for local arts groups and programs and not have a situation where Federal funds are being used as a substitute for State spending. That principle is clearly articulated in the current statute for the Federal arts agencies and is something in which I strongly believe with regard to a variety of Federal Government programs.

What we have seen at the State level, however, are reductions in legislative appropriations to the arts. Most recently, in fiscal year 1993, 35 of the 50 States cut funding for the arts, with 8 of these States reducing funding by more than 15 percent. For fiscal year 1992, 36 of the States and territories reduced arts spending from the previous year's level. In that year, 11 of the States that reduced this funding did so by more than 25 percent.

Of course, a number of factors go into these decisions at the State level, and this amendment takes this reality into account. Under this amendment, no State will see a reduction in their current NEA State grant. Only those States which have singled out the arts for a disproportionately high reduction over the average of 3 years will have their current level frozen. The amendment also asks that the basic State grant be frozen only if the State reduces arts funding by a percentage significantly larger than those cuts made in other nonmandatory State programs.

Mr. Chairman, the people who ultimately suffer when Federal funds are used to supplant State funds are those nonprofit theaters and music groups, arts education programs aimed at children, and individual artists who should be seeing greater financial support. Instead, in many States, arts funding has been targeted for unfair cuts. This amendment directs the NEA to study State compliance with current law and to report to Congress before the next reauthorization. Hopefully, this will help us to truly provide increased assistance to the arts groups and programs which desperately need any bit of help we can give them.

Arts programs in our communities are simply too important to our Nation's economic success and our children's education to be treated as a low priority. These arts groups and programs need what should be additional Federal funds to bring the richness of the arts to every part of the community. The arts not only teach our children—and, really, all our citizens—to appreciate beauty, or how to dance or to sing or to paint. The arts magically instruct us in better understanding ourselves and each other and in imagining worlds which are beyond our direct experience. For children who are increasingly exposed to violence, drugs, and other harsh realities, the arts can keep kids in school and give them a pride in themselves which can steer them away from self-destruction. That is a resource which we must commit ourselves to supporting. And, we have the means to that support in front of us today, in the continued authorization of the Federal cultural agencies.

Mr. GUNDERSON. Mr. Chairman, I yield 1 minute to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I want to congratulate the authors of this amendment.

When the gentleman from Wisconsin [Mr. GUNDERSON] first raised it in committee, Mr. Chairman, we rather reserved judgment on it. However, he really did point up a potential problem here and unintended actions on the part of the States and I am just pleased that our colleague, the gentlewoman from New York [Ms. SLAUGHTER], has joined him in this position, and I want to congratulate them.

Mr. Chairman, I think this is an excellent resolution of a problem. Between now and the 2-year authorization that will be coming along we can examine the facts and determine if indeed a problem exists. For this we shall be looking to the NEA Chair for advice and counsel.

Mr. WILLIAMS. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman from Montana [Mr. WILLIAMS] for yielding this time to me and for his leadership on this very important issue. I rise in strong support for the National Endowment for the Arts. The NEA supports artistic excellence and expanded opportunities for all Americans to experience and participate in the arts. I am so pleased that this body earlier today rejected the amendment offered by the gentleman from Illinois [Mr. CRANE] and the amendment offered by the gentleman from California [Mr. DORNAN]. I rise to join my colleagues, the gentlewoman from New York [Ms. SLAUGHTER] and the gentleman from Wisconsin [Mr. GUNDERSON], in support of their amendment.

I just want to tell one little anecdote from my district, Mr. Chairman. I recently had my neighborhood meeting in one of the poorer sections of my district where jobs and the lack of opportunities were the prevailing concerns, crises as well. Some of the women in the room, the mothers in the room, made certain that they rose to speak when they were recognized to say:

> With all that we are talking about, about jobs, and crime, and health care and the litany of concerns that we have in our country, please remember, Congresswoman PELOSI, to make sure that in the Congress you provide for arts in the schools for our children.

Mr. Chairman, the arts are very important to our spiritual lives and to the enrichment of our young people in our country. In that spirit I rise to support this reauthorization for the National Endowment for the Arts.

Mr. Chairman, I rise in strong support of the National Endowment for the Arts. The NEA supports artistic excellence and expanded opportunities for all Americans to experience and participate in the arts.

Most Endowment grants must be matched by nonfederal funds—from 1:1 to 1:4—and therefore leverage significant other funds. For example, in 1992, the NEA awarded $123 million to 3,500 organizations. This resulted in an estimated $1.4 billion in matching funds or 10 times as much as the NEA awards. This is a good Federal program. Creativity is one of our Nation's most important resources. Investing in arts organizations creates jobs and improves the quality of American lives. Investing in arts education allows many children and adults access to learning that would not otherwise be possible. The NEA stimulates private and public sector giving which further creates jobs and opportunities for learning.

Mr. Chairman, I urge my colleagues to reject the Crane and Dornan amendments and support the NEA.

Mr. WILLIAMS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to say that my committee is in support of what the gentleman has crafted here, and we appreciate his leadership in trying to correct a situation. The gentleman from Wisconsin, I think primarily, believes that States may be supplementing their Federal funding for the arts by cutting State funding. I am in support of the amendment, but, as the gentleman knows, I really question whether there is that cause and effect relationship between increased Federal arts support to the States and State arts funding cutbacks. During the last 3 years State cutbacks in the arts have totaled $77 million. During that same time States only received an increase of $16 million with Federal money. So, I am not sure the States are really supplementing or making these cuts because they are getting increased Federal dollars, but, nonetheless, the gentleman from Wisconsin [Mr. GUNDERSON] is trying to correct what he sees as a potential inequity, and he is trying to encourage appropriate funding for the arts at both the Federal and State level, and so we support him in that effort.

Mr. Chairman, I yield back the balance of my time.

Mr. GUNDERSON. Before yielding back the balance of my time, Mr. Chairman, I simply want to point out to my colleagues that the administration, I believe, supports this amendment, and I want to commend the gentleman from Montana [Mr. WILLIAMS] and his staff for working with us through subcommittee, through full committee, and here on the floor to reach out for details that we could all agree on.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. GUNDERSON].

The amendment was agreed to.

□ 1450

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. SERRANO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2351) to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1965, and the Museum Services Act, pursuant to House Resolution 264, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CUNNINGHAM

Mr. CUNNINGHAM. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CUNNINGHAM. Mr. Speaker, in its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CUNNINGHAM of California moves to recommit the bill (H.R. 2351) to the Committee on Education and Labor, with instructions to report the bill back to the House forthwith, with the following amendment:

Page 2, after line 3, insert the following (and redesignate succeeding sections accordingly):

SEC. 2. LIMITATION ON DISTRIBUTION OF FUNDS TO INDIVIDUALS WHO ARE NOT LAWFULLY IN THE UNITED STATES.

(a) DEFINITION.—Section 3 of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 952) is amended by adding at the end the following:

"(m) With respect to fiscal years 1994 and 1995, the term 'individual not lawfully in the United States' means an individual who is not a United States citizen, a national of the United States, a permanent resident alien, an asylee, a refugee, a parolee, or a nonimmigrant in status.".

(b) NATIONAL ENDOWMENT FOR THE ARTS.—Section 5 of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 954) is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking "and" at the end,

(B) by redesignating paragraph (2) as paragraph (3), and

(C) by inserting after paragraph (1) the following:

"(2) none of the financial assistance available under this section for fiscal year 1994 or fiscal year 1995 will be used to provide financial assistance to an individual who is not lawfully in the United States; and",

(2) in subsection (g)(2)(B)—

(A)(i) by inserting "(i)" after "(B)", and

(ii) by inserting "and" at the end, and

(B) by inserting after clause (i), as so designated by subparagraph (A), the following:

"(ii) provides an assurance that none of the financial assistance received under this subsection for fiscal year 1994 or fiscal year 1995 will be used to provide financial assistance to an individual who is not lawfully in the United States;", and

(1) in subsection (i)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and

(B) by inserting after paragraph (2) the following:

"(3) an assurance that none of the financial assistance received under this subsection for fiscal year 1994 or fiscal year 1995 will be used to provide financial assistance to an individual who is not lawfully in the United States;".

(c) NATIONAL ENDOWMENT FOR THE HUMANITIES.—Section 7 of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 956) is amended—

(1) in subsection (e)—

(A) by inserting "(1)" after "(e)", and

(B) by adding at the end the following:

"(2) None of the financial assistance available under this section for fiscal year 1994 or fiscal year 1995 shall be used to provide financial assistance to an individual who is not lawfully in the United States.",

(2) in subsection (f)(5)(C)—

(A) by inserting "(i)" after "(C)", and

(B) by adding at the end the following:

"(ii) As a condition of receiving funds made available under this subsection for fiscal year 1994 or fiscal year 1995, each recipient of such funds shall provide to the Chairperson an assurance that none of such funds will be used to provide financial assistance to an individual who is not lawfully in the United States.", and

(3) in subsection (h) by adding at the end the following:

"(4) As a condition of receiving funds made available under this subsection for fiscal year 1994 or fiscal year 1995, each recipient of such funds shall provide to the Chairperson an assurance that none of such funds will be used to provide financial assistance to an individual who is not lawfully in the United States.".

Mr. CUNNINGHAM (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. CUNNINGHAM] is recognized for 5 minutes in support of his motion to recommit.

Mr. CUNNINGHAM. Mr. Speaker, I rise today to offer a motion to recommit this bill with instructions because a simple extension of existing law fails to address the many serious problems with the NEA that continue to resurface.

Mr. Speaker, this motion contains instructions to limit distribution of NEA funds for fiscal years 1994 and 1995 that would provide financial assistance to illegal aliens. The gentleman from Montana [Mr. WILLIAMS] has stated that the rules prevent under the NEA and doctrine of issuing those dollars. And, to the credit of the NEA, they have withdrawn support for the problem that we had in San Diego.

The rules under which the NEA operates can be codified by this House by this motion to recommit, which prohibits those dollars from going to illegal aliens, directly or indirectly.

Mr. Speaker, I would say to my friend, the gentleman from Montana [Mr. WILLIAMS], that the reason I offer this motion is this was not the first case in San Diego. This is the fifth case of NEA dollars being directed toward illegal immigrants.

There are two agendas here. One is the illegal immigration agenda, which does not do the NEA benefit and does not do the taxpayers benefit. This summer in San Diego, some self-proclaimed artists received a $5,000 grant from the Museum of Contemporary Art in San Diego that was partially funded by the NEA, and used it to hand out crisp $10 bills to illegal aliens. And they call this art.

Mr. Speaker, giving our tax dollars to people who have broken the law by entering this country illegally is not acceptable. The NEA retroactively withdraw money so there was no Federal tax dollars used. But each year the same issue resurfaces.

Mr. Speaker, I would repeat to the gentleman from Montana [Mr. WILLIAMS] that it does not do the NEA any good to have to fight this particular issue, nor does it do the American taxpayers any good.

There are many worthwhile projects that are funded through the National Endowment for the Arts. That is not the question.

Mr. Speaker, I would say to my friend, the gentleman from Montana [Mr. WILLIAMS] that I came very close this time to supporting his opinion and not voting to cut the National Endowment for the Arts. There are many worthwhile programs funded by the NEA. As a matter of fact, I have personally given to local arts organizations in San Diego.

But as we must do with all government programs, we must make agencies accountable for the dollars they distribute. Part of that process is to make sure that precious taxpayer dollars do not go to funding those who did not contribute them in the first place.

Mr. Speaker, we are sending the wrong message, by constantly allowing these problems to interfere with nationally funded art. It does not do the NEA service, and I would hope that the gentleman from Montana [Mr. WILLIAMS] would support this motion.

Mr. Speaker, I would like to close and say that the National Endowment for the Arts does do some good work. In my own district, Escondido has a new performing arts center. We have the renowned San Diego Symphony. I have given money to both of these privately. But that is far different from handling out Federal dollars to illegal aliens and calling it art.

I am not a lost cause for the gentleman from Montana [Mr. WILLIAMS] and I have hope for the future.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Does a Member wish to be heard in opposition to the motion?

Mr. WILLIAMS. Mr. Speaker, I rise in opposition.

The SPEAKER pro tempore. The gentleman from Montana [Mr. WILLIAMS] is recognized for 5 minutes.

Mr. WILLIAMS. Mr. Speaker, I rise in opposition to the motion to recommit offered by the gentleman from California [Mr. CUNNINGHAM].

Mr. Speaker, I know this seems straightforward, but it really seems to me that it could create some unintended consequences. Let me give an example.

The gentleman's amendment does not allow any financial assistance to go to illegal immigrants. Of course, the NEA's guidelines, and I think I called them regulations a while back, but their guidelines prohibit that as well. So he simply wants to codify it.

The problem is that the way the gentleman's motion to recommit is written, it says that no financial assistance can go. Let us just take one example. Many touring companies, for example, some symphonies and other performing arts centers, use part of an NEA grant to provide reduced price tickets to the local citizenry. That is the financial benefit. That is financial assistance for those local citizens.

Do we have to screen out the illegal aliens among them in the crowd before we allow them in?

In other words, it seems to me while the gentleman is on the right track, there would be consequences here that most likely the gentleman would not intend.

Let me read to you what the NEA requires. They have various categories of funding in the NEA. For example, in their design arts eligibility criteria, it says this: "Awards can only be made to U.S. citizens or permanent residents of the United States." In their literature program, "Applicants must be citizens or permanent residents of the United States." In their media arts program fellowships, "Individuals must be U.S. citizens or permanent residents of the United States." In all of their music fellowships, "Composers must be citizens or permanent residents of the United States." In their museum program, "Applicants must be U.S. citizens or permanent residents of the United States." In their opera and musical theater program, "The category is open only to individuals who are citizens or permanent residents of the United States."

Mr. Speaker, the list goes on. So the NEA does, through guidelines, carefully screen out people. But the gentleman's motion to recommit would be a broad-brushed attempt that would, as I have said, and do not want to repeat myself, but would probably create unintended consequences.

Mr. Speaker, I know that Members on both your side and our side are tired of hearing this old saw, but it does seem to me that his issue needs to be heard. I think it is a good issue. I think we ought to hear it.

We are going to begin, by the way, our reauthorization hearings right away after the first of the year for the next 2-year cycle. This is an issue we really ought to hear.

Mr. Speaker, I do not say that to the gentleman from California [Mr. CUNNINGHAM] to put him off. But I want to do it in a fashion, for example, that would not disallow subsidizing tickets and making them reduced price.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from California.

□ 1500

Mr. CUNNINGHAM. Mr. Speaker, one of the problems, and I think the gentleman will agree, is that this has been an ongoing problem, especially in San Diego, and I am not sure of other parts of the country.

The NEA went through a lot of hurt on this issue. This is going to resurface.

At a bare minimum, I would ask the gentleman, in those hearings, to at least, before a grant is offered, not everybody reads the rules on what they can or cannot do with these. They get a broad-based paper. But at least the individual receiving that grant should read and sign a statement saying that those dollars will not be used intentionally for illegal immigration.

Mr. WILLIAMS. Mr. Speaker, reclaiming my time, I think the gentleman is on the right track.

I am very aware, as is every taxpayer in this country, and we are all among them, very aware of this problem that the border States have, particularly our southern border States. Montana is a border State, but has a northern international partner, a good neighbor, Canada.

We are all aware that some taxpayers' moneys are being used in large amounts to assist illegal aliens. There is no support for that in the United States. I do not support it. But I think that we have to get at it in a careful and structured way.

Mr. ROHRABACHER. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Speaker, this motion to recommit includes a 2-year form of my amendment which prohibits giving tax dollars to illegal aliens.

Members should keep in mind these key points:

First, there is no current prohibition on NEA/NEH grantees from giving taxpayer money to illegal aliens. The regulation Mr. WILLIAMS has spoken of today applies only to direct grants from NEA, and says nothing about how grantees can spend the money.

Second, NEA's ruling in the San Diego case was only about whether $10 bills could be considered materials. It said nothing about giving money to illegal aliens, because there are no such NEA regulations on the grantees.

The only way to prevent a repetition of NEA funds going to illegal aliens, and the only way to express the position of this House that taxpayer money in general should not be going to illegal aliens, is to adopt this motion to recommit.

Enough is enough. No more tax dollars for illegal aliens. Vote "yes".

The SPEAKER pro tempore (Mr. MCNULTY). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. CUNNINGHAM. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The Chair announces that pursuant to clause 5 of rule XV, he will reduce to a minimum of 5 minutes a vote on the question of passage, if that vote is ordered. This will be a 15-minute vote on the motion to recommit, possibly followed by a 5-minute vote on passage.

The vote was taken by electronic device, and there were—yeas 210, nays 214, not voting 9, as follows:

[Roll No. 502]

YEAS—210

Allard
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Brooks
Browder
Brown (OH)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chapman
Clinger
Coble
Collins (GA)
Combest
Condit
Cooper
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Holden
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kyl
Lancaster
Laughlin
Lazio
Leach
Lehman
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McNulty
Meyers
Mica
Michel
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Nussle
Oxley
Packard
Parker
Paxon
Penny
Petri
Pickle
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Roth
Roukema
Rowland
Royce
Santorum
Sarpalius
Schaefer
Schiff
Sensenbrenner
Sharp
Shaw
Shuster
Sisisky
Skeen
Skelton
Slattery
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Stupak
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—214

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Byrne
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Coyne
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Grandy
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Horn
Houghton
Hoyer
Hughes
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lantos
LaRocco
Levin
Lewis (GA)
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McMillan
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Morella
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Saxton
Schenk
Schroeder
Schumer
Scott
Serrano
Shays
Shepherd
Skaggs
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Swett
Swift
Synar
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—9

Green
Lloyd
Martinez
McDade
Murphy
Murtha
Smith (MI)
Washington
Waters

☐ 1523

Mr. MILLER of California and Ms. SHEPHERD changed their vote from "yea" to "nay."

Ms. DANNER and Messrs. PARKER, LANCASTER, SHARP, BROWN of Ohio, SISISKY, BRYANT, and GALLO changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BUNNING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. The Chair wishes to announce that notwithstanding his prior announcement, this will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 304, nays 119, not voting 10, as follows:

[Roll No. 503]

YEAS—304

Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Ballenger
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Bevill
Bilbray
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Camp
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Goss
Grandy
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Hansen
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Horn
Houghton
Hoyer
Huffington
Hughes
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Klug
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lazio
Leach
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Mazzoli
McCloskey
McCollum
McCurdy
McDermott
McHale
McInnis
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Snowe
Spence
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zeliff
Zimmer

NAYS—119

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Barca
Bartlett
Barton
Bilirakis
Bliley
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Emerson
Everett
Ewing
Fields (TX)
Gallegly
Gekas
Gingrich
Goodlatte
Goodling
Grams
Greenwood
Hall (TX)
Hancock
Hastert
Hefley
Herger
Holden
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
Kasich
Kim
King
Kingston
Knollenberg
Kyl
Laughlin
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCrery
McHugh
McKeon
Mica
Moorhead
Nussle
Orton
Oxley
Packard
Paxon
Petri
Pombo
Portman
Quillen
Quinn
Ravenel
Roberts
Rohrabacher
Roth
Royce
Sarpalius
Schaefer
Sensenbrenner
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Stearns
Stenholm
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Vucanovich
Walker
Young (FL)

NOT VOTING—10

Abercrombie
Berman
Green
Martinez
Matsui
McDade
McKinney
Murtha
Washington
Whitten

☐ 1539

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 2351, the bill just passed.

The SPEAKER pro tempore (Mr. MCNULTY). Is there objection to the request of the gentleman from Montana?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2519, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, October 14, 1993, to file a conference report on the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2492, DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1994

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, October 14, 1993, to file a conference report on the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2445, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1994

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, October 14, 1993, to file a conference report on the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

COMMUNICATION FROM THE HONORABLE PAT SCHROEDER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable PAT SCHROEDER, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 1993.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L of the Rules of the House that I have been served with a subpoena issued by the County Court of the City and County of Denver, Colorado.

After consultation with the General Counsel, I will notify you of my determinations as required by the Rule.

Sincerely,

PAT SCHROEDER,
Congresswoman.

COMMUNICATION FROM THE DIRECTOR OF NON-LEGISLATIVE AND FINANCIAL SERVICES, U.S. HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from Leonard P. Wishart III, Director of Non-Legislative and Financial Services, U.S. House of Representatives:

NON-LEGISLATIVE AND FINANCIAL SERVICES, U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 1993.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that my office has been served with a subpoena issued by the Superior Court of the District of Columbia.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

LEONARD P. WISHART III,
Director.

PROVIDING FOR CONSIDERATION OF H.R. 3167, UNEMPLOYMENT COMPENSATION PROGRAM EXTENSION

Mr. BONIOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 273 and ask for its immediate consideration.

H. RES. 273

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committee on Ways and means now printed in the bill, the amendments printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill as so amended shall be considered as read. All points of order against the bill, as so amended, are waived. No further amendment shall be in order except those printed in part 2 of the report. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 265 is laid on the table.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BONIOR] is recognized for 1 hour.

Mr. BONIOR. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, 12 days ago, on October 2, emergency unemployment benefits ran out for over 1 million Americans.

And unless we vote to extend those benefits today, those workers, and their families, and their children, will be left out in the cold.

Mr. Speaker, these are people who worked hard and played by the rules all their life.

They are the ones who have raised our families and fought our wars, the ones, who through no fault of their own, went to work one day, only to be told that the company was downsizing, and their name was at the top of the list.

These are the Ph.D's who are forced to deliver pizza.

They are the steelworkers, as someone once said, with fingers too big to use a computer who are waiting to be retrained for work.

They are the fathers and mothers, brothers and sisters, who sit down with the yellow pages and make hundreds of calls every day trying to get an interview.

They are the ones who, if they find jobs, usually take pay cuts of 50 percent or more.

These are the casualties of 12 years of destructive economic policies, and we have got to help them.

Mr. Speaker, after a 4-year national nightmare, we could not expect to get out of this overnight.

We could not expect to recover overnight from the worst recession since the Great Depression.

But our economy is finally starting to turn a corner.

Unemployment is at a 2-year low.

Over 1 million jobs have been created.

Growth for the second part of this year is picking up, and interest rates are low.

But let us face it. Even if the economy comes back like the Philadelphia Phillies, there will still be people left on the bench.

Unemployment has turned the corner, but the number of long-term unemployed is still going up.

We have nearly as many long-term unemployed today as we did during the depths of the 1982 recession.

And we have 50 percent more long-term unemployed than we did at the depths of the Bush recession.

In parts of my district, 1 out of every 11 people is out of a job.

I want to get them back into the game.

As a first step, we must pass this bill today.

But we need more than that. We need to have a long-term program in place to retrain our workers, to retool our industries, and to create the high-skill, high-wage jobs we need for the future.

Mr. Speaker, the economy is turning the corner. But in the meantime, we cannot leave over 1 million hard-working Americans out in the cold.

We have to pass this bill today.

Mr. Speaker, House Resolution 273 provides for consideration of H.R. 3167, the Unemployment Compensation Amendments of 1993.

The rule waives all points of order against consideration of the bill, and provides 1 hour of general debate.

The rule makes several modifications in the text of H.R. 3167.

These modifications consist of:

One, technical amendments reported by the Committee on Ways and Means;

Two, an amendment to strike section 7 of the bill, which would have extended the sponsorship period for legal aliens from 3 to 5 years for purposes of determining eligibility for the Supplemental Security Income (SSI) Program; and

Three, amendments to change the effective dates of the benefits provided in the bill.

The rule also makes in order two amendments.

The first is an amendment to be offered by Representative JOHNSON of Connecticut. The Johnson amendment cuts off unemployment compensation to individuals in certain States.

The second amendment—to be offered by Representative SWIFT—would extend emergency unemployment benefits to railroad workers. This amendment is similar to one which has been approved on each of our previous unemployment extensions bills.

Finally, the rule allows one motion to recommit with or without instructions.

I urge my colleagues to support the rule and the bill.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Mount Clements in Michigan.

Mr. Speaker, several weeks ago, many in the Democrat leadership were decrying the potential decline of the committee system if discharge petition signatures were to be made public. I would point out that this rule is one of three consecutive rules reported by the Rules Committee that completely bypasses the committee system. Like the rules for the Biological Survey and Goals 2000, this rule self-executes a changed version of the bill that was never considered in the committee of jurisdiction.

Where are the howls of indignation? Are we now being told that committee deliberation is no longer necessary?

For a moment in the Rules Committee Tuesday night, it seemed like common sense might prevail. As a result of bipartisan support, a motion to provide an open rule to permit the Members to work their will on the controversial issue of how to pay for extended unemployment benefits was adopted on a vote of 5 to 4.

But the Democrats on the committee could not allow a foreign concept known as deliberative democracy to stand. So they adjourned to their private quarters for a few minutes and then returned.

Now I will not characterize what was said or done, but certainly there was a great amount of coercion being exerted because the bipartisanship of the previous vote evaporated, retroactively. A motion was made to reconsider the vote, which was adopted, and the open rule was defeated on a 5 to 4 party lien vote.

Frankly, Mr. Speaker, this makes one wonder. Is the leadership concerned about the committee system or is it concerned about a process that weakens its ability to subvert the will of the majority by controlling the outcome of legislation? We will have an opportunity to put that question to the test.

I urge my colleagues to vote to defeat the previous question on this rule. In doing so, the strong role that committees play in legislative process will be maintained.

If the previous question is defeated, Mr. Speaker, I intend to offer an amendment to the rule that will restore the original bipartisan open rule motion that was adopted, but then rescinded on a partisan vote, in the Rules Committee. It will make in order H.R. 3167, as reported by the Ways and Means Committee, as the vehicle for consideration. In addition to making in order all germane amendments, it will also permit an en bloc amendment by the gentleman from New York [Mr. SERRANO] to strike the SSI/alien provisions and shorten the extension period from 4 to 3 months.

More important, by defeating the previous question, we can put an end to the leadership's use of the unemployed as a political ping pong ball, to be paddled around because some aren't able to choose between benefits to unemployed Americans and benefits to immigrant aliens.

Mr. Speaker, I urge my colleagues to restore common sense to the rules and procedures governing the legislative process. Let us not support a rule that self-executes an amendment that obviously could not pass on its own. I urge my colleagues to vote down the previous question, and I reserve the balance of my time.

Mr. Speaker, I include the following information on rollcall votes in the Rules Committee:

ROLLCALL VOTES IN THE RULES COMMITTEE ON MOTIONS TO RULE ON H.R. 3167, THE UNEMPLOYMENT COMPENSATION AMENDMENTS

1. Open Rule—Provides for one hour of general debate followed by an open amendment process. Adopted: 5-4. Yeas: Beilenson, Solomon, Quillen, Dreier, and Goss. Nays: Derrick, Frost, Gordon, and Slaughter. Not Voting: Moakley, Bonior, Hall, and Wheat.

2. Beilenson Motion to Reconsider Vote for Open Rule Substitute—Adopted: 5-4. Yeas: Derrick, Beilenson, Frost, Bonior, and Gorton. Nays: Solomon, Quillen, Dreier, and Goss. Not Voting: Moakley, Hall, Wheat, and Slaughter.

3. Revote on Open Rule Substitute: Rejected 4-5. Yeas: Solomon, Quillen, Dreier, and Goss. Nays: Derrick, Beilenson, Frost, Bonior, and Gordon. Not Voting: Moakley, Hall, Wheat, and Slaughter.

4. Serrano Amendment—Striking self-executing provision relating to alien eligibility for SSI benefits and shortening benefit extension period of bill from four to three months, and making it in order instead as a separate amendment with one-hour of debate. Rejected: 4-4-1. Yeas: Solomon, Quillen, Dreier, and Goss. Nays: Derrick, Frost, Bonior, and Gordon. Present: Beilenson. Not Voting: Moakley, Hall, Wheat, and Slaughter.

5. Gekas Amendment—An amendment to provide that the costs for the extension is to be financed by an across the board reduction in new spending in the reconciliation act of 1993. Rejected: 4-5. Yeas: Solomon, Quillen, Dreier, and Goss. Nays: Derrick, Beilenson, Frost, Bonior, and Gordon. Not Voting: Moakley, Hall, Wheat, and Slaughter.

6. Adoption of Rule—Adopted: 5-4. Yeas: Derrick, Beilenson, Frost, Bonior, and Gordon. Nays: Solomon, Quillen, Dreier, and Goss. Not Voting: Moakley, Hall, Wheat, and Slaughter.

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	38	10	26	28	74

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Oct. 14, 1993.

OPEN VERSUS RESTRICTIVE RULES: 103d CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (d–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1(not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1-D not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0 (May 24, 1993).
H. Res. 173 May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (May 20, 1993)
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176.. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 218, July 20, 1993	O	H.R. 2530: BLM authorization, fiscal year 1994–95	NA	NA	
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)		A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization			PQ: 237–169. A: 234–169. (Sept. 13, 1993).

OPEN VERSUS RESTRICTIVE RULES: 103d CONG.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D–67; R–24)	A: 241–182. (Sept. 28, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D–3; R–9)	1 (D–1; R–0)	A: 213–191–1. (Sept. 14, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D–7; R–7; I–1)	10 (D–7; R–3)	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

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Mr. Speaker, I reserve the balance of my time.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the chief deputy whip, the distinguished gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I rise today in strong support of the rule and of H.R. 3167, the Unemployment Compensation Amendments of 1993.

I rise in support of the rule for a number of reasons. First and foremost, we owe it to the hundreds of thousands of jobless workers who have exhausted their unemployment benefits. In spite of the fact that over 1 million jobs have been created since the Clinton administration took office, many people who want to work have not been able to find jobs.

In my State of New Mexico, unemployment hovers at 7.4 percent. In actual numbers, 56,000 New Mexicans are out of work. In fact, 11,000 people in my State have been unemployed for more than 6 months and 1,000 new people exhaust their benefits every month.

Let us be straight about this. For these people who exhaust their benefits—there is no other assistance.

Second, I rise in support of this rule because it rights a wrong. This legislation originally funded part of the unemployment extension by extending the period of time that aged, blind, and disabled immigrants were ineligible to receive Social Security payments from 3 to 5 years. Again, I want to be clear, these immigrants are here legally. They have fulfilled every requirement of them and are obligated to fulfill all the obligations of citizenship short of voting.

It think it is wrong to pit this group of people against another, the unemployed. These immigrants, the aged, the blind, and the disabled, have done nothing wrong. And if we fail to pass this rule, they will have the rules changed on them retroactively, punishing tens of thousands of people for no fault of their own.

Mr. Speaker, I urge all of my colleagues to support this rule and to support this bill—it is the right thing to do.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to our hard-working friend and the ranking Republican on the Committee on Ways and Means, the gentleman from Texas [Mr. ARCHER].

Mr. ARCHER. Mr. Speaker, I cannot believe what we are about to do with this rule. Normally, rules are procedural in total content, and, whether I agree or disagree with them, I rarely speak on a rule. But this rule in its simplest terms would eliminate Federal unemployment compensation for American workers that number 350,000 strong who will not get those benefits in January so that aliens can get welfare benefits.

Mr. Speaker, the practical effect of current law is to require aliens to wait 3 years before they can qualify for many welfare benefits. H.R. 3167, as reported from the Committee on Ways and Means, would extend that waiting period to 5 years. This rule, if approved, would automatically remove that provision and return us to the current law of 3 years, all without a vote on this specific provision that was put in the bill in the Committee on Ways and Means.

Mr. Speaker, this is what the vote on this rule is all about: A yes vote is a vote to choose welfare for aliens over unemployed American workers, and a no vote puts American workers and American taxpayers first.

The SSI welfare reform is a good one, and Members should not expect that they can hide behind the procedural aspect of adopting a rule for consideration of the bill. This rule is not purely procedural. It changes the substance of the legislation. It is a veiled attempt to conceal the issue of welfare for aliens from the American taxpayers.

The vote on the rule is an opportunity for Members to make a clear choice. It may well be our only chance to vote for the interests of taxpayers by reducing welfare benefits for aliens. I urge a no vote on the previous question and against the rule.

Mr. FORD of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. ARCHER. I yield to the gentleman from Tennessee.

Mr. FORD of Tennessee. Mr. Speaker, I say to the gentleman, Mr. ARCHER, we held SSI hearings this morning in the Subcommittee on Human Resources, and Mr. SANTORUM and I both, and in my opening statement, made it very clear, I think, and some of the administration's people who were testifying, that this is an area in which we have not had a comprehensive review as it relates to the aliens provision in raising and generating a revenue to offset this emergency unemployment compensation package.

It is the intent of the Subcommittee on Human Resources to conduct the comprehensive study to see where we are, and I, too, would agree that this is an area that we must, as my colleague knows, address, and I think we will real soon before the Subcommittee on Human Resources.

Mr. ARCHER. Then we should have a chance to debate this as an amendment to this bill. This rule prohibits that. I thank the gentleman from Tennessee [Mr. FORD].

Mr. BONIOR. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. ROSTENKOWSKI], the distinguished chairman of the Committee on Ways and Means.

Mr. ROSTENKOWSKI. Mr. Speaker, I want to explain to my colleague why I will be voting to oppose this rule. While I have not worked to influence others to defeat the rule, I feel it is important to let you know why I prefer a separate floor amendment to accomplish the changes being self-executed by this rule.

The rule deletes the provision which would have increased from 3 to 5 years the sponsor-to-alien deeming period of the Supplemental Security Income or SSI Program, and it scales back the duration of the EUC Program by 5 weeks so that it will end on New Year's Day.

As a result, about 38,000 sponsors who pledged to maintain and support individuals legally immigrating to the United States will be held to that pledge for purposes of the SSI Program for only 3, instead of 5, years and 300,000 long-term unemployed workers will not be able to claim emergency unemployment compensation in the first 5 weeks of 1994.

I would like to clear up some misunderstandings which seem to exist about the sponsor-to-alien deeming provision in the Ways and Means Committee bill. Under current law, the income and resources of sponsors are deemed to be available to the alien in determining eligibility and payment amounts for the alien under the SSI Program. The sponsor must sign an affidavit that he is willing and able to receive, maintain, and support the alien, and that he is ready and willing to guarantee that the alien will not become a public charge during his or her stay in the United States.

Unfortunately, under the SSI Program the affidavit of support is binding for only 3 years, and a growing number of aliens are becoming public charges after the 3-year period expires, even though their sponsors are not likely to be poor.

The provision that this rule deletes would have made the affidavit of support binding for 5 years for SSI purposes. This would have cut outlays by $330 million over 3 years and financed the 5 additional weeks of unemployment benefits.

As you can tell, I believe that the policy of counting a sponsor's income in determining SSI eligibility is appropriate. It does not single out any group of immigrants. It applies to all—eastern European, Asian, Hispanic, every sponsored alien. And deletion of the provision means that about 300,000 more unemployed workers will not qualify for emergency benefits, since it is unclear whether any more extensions will be possible.

Mr. Speaker, I support allowing the House to work its will on these provisions by voting on a separate amendment to modify the bill. However, Mr. Speaker, since the committee of jurisdiction voted to provide a longer extension, I oppose shortening that extension through a self-executing rule.

☐ 1600

Mr. DREIER. Mr. Speaker, while the chairman of the Committee on Ways and Means was not seeking to influence any Members on this rule vote, I have to say that his eloquence has led me to strengthen my resolve to oppose the rule.

Mr. Speaker, at this point I am happy to yield 3 minutes to the distinguished gentleman from New York [Mr. SOLOMON], the ranking Republican on the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, let us make no mistake about it: If Members vote "yes" on this rule, they are voting to take away jobless benefits from American workers in order to provide welfare benefits for aliens. That is exactly what this rule does.

Mr. Speaker, let's not mince words here. This rule is a dagger pointed at the heart of the House committee system.

Today it eviscerates the Committee on Ways and Means. Tomorrow it could be any committee.

I have lost count of the times we Republicans have been lectured in the Rules Committee about the need to preserve and protect our committees. We heard it when we were talking about discharge petitions. And we hear it daily when we are told why we Republicans can't offer certain amendments to bills because the committee of jurisdiction doesn't like or doesn't want to deal with them.

And yet here we are today with a rule that the Ways and Means Committee did not ask for on a bill they did not report, self-executing the elimination of a provision that they did report.

Where, oh where, have the great protectors of the House committee system fled to today? Come over here to the floor. Why have they gone into hiding?

Mr. Speaker, we on this side may not agree with closed rules requested by the Ways and Means Committee—especially on nontax bills like this. But one thing we do agree on is the importance of making the committee-reported product the base bill for amendment purposes. That should go without saying. That is the rule of the House.

And yet this rule throws the reported bill out the window, as if the Ways and Means Committee had taken no action. Instead of the committee amendments in the reported bill, we are presented with Rules Committee amendments contained in the Rules Committee report. Those amendments are offered, according to the Rules Committee report, to the page and line numbers, of the introduced bill. Can you believe that?

Moreover, the Rules Committee's amendments are considered as adopted in the House and the Committee of the Whole upon the adoption of this rule. In other words, the rule self-executes the adoption of the amendments, and in so doing, it executes, with extreme prejudice, the work of the Ways and Means Committee.

Mr. Speaker, I hope every Member of this body is as offended as I am, and as the chairman of the Committee on Ways and Means is, at the audacity of the Rules Committee in legislating for another committee.

Mr. Speaker, that is wrong.

Mr. Speaker, let me repeat one more time: If Members vote for this rule, they are voting to take away jobless benefits for American workers, hundreds of them in my district, and thousands of them in yours, to give welfare benefits for aliens.

What has the Congress come to? This is an outrageous rule. Every Member ought to vote "no" on it. Please vote "no."

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, unemployed working men and women across this Nation are relying on us to act today and vote for the rule and pass a desperately needed extension of the Emergency Unemployment Compensation Program. These working Americans struggling to survive are asking us to do our jobs.

Mr. Speaker, it is our job to make sure that each of the almost 2 million Americans who find themselves unemployed and at the end of their regular unemployment insurance benefits are given the crucial assistance provided by this emergency program. For many of these men and women, the very ability to continue to house and feel themselves and their families often hinge on these benefits.

We must pass the rule and the extension and give working people the help they need to keep on fighting day-in and day-out to find work in a job market that continues to offer them little, if any hope.

The bill before us today includes an innovative worker profiling provision critical to building the reemployment system. Worker profiling is good for workers because it helps them get new jobs faster. The system will also create real and significant cost savings for the Government. Savings that come not at the expense of any other person or group, but simply from getting workers off the unemployment lines and back to work more quickly.

Last week, 62,000 unemployed workers were turned away at unemployment offices because we failed to pass an extension. This week, 62,000 more will be turned away. Next week, the same. Mr. Speaker, it is long past time for us to pass this legislation, get the benefits flowing again and stop playing political football with the lives of unemployed working Americans.

I urge my colleagues to vote for the rule, vote to extend the emergency unemployment insurance program, implement the new worker profiling system, and cast a vote for our country's working men and women.

Mr. DREIER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida [Mr. GOSS], a hardworking colleague on the Committee on Rules.

Mr. GOSS. Mr. Speaker, I thank my distinguished colleague and friend, the gentleman from California, for yielding time to me.

Mr. Speaker, even the most seasoned veterans, the most expert students of the twists and turns of the House Rules Committee, must be scratching their heads about this rule. First we had a rule—personally requested by the chairman of the House Ways and Means Committee—to bring this unemployment compensation extension forward at the request of his committee. That rule never made it to the floor because of internal squabbling among the majority party over financing for this, the fifth emergency extension of unemployment benefits in recent memory. So yesterday in the Rules Committee an orphan rule was presented, devoid of sponsors and despite the express opposition of Mr. MATSUI, a distinguished senior member of the Ways and Means Committee. It was highly unusual that no one from the committee of jurisdiction came to testify in support of this rule which, through its passage, would self-execute a change in the financing under the bill and would thereby also shorten the extension of benefits to Americans from 4 to 3 months. When the minority made a motion to throw this controversial, complex, and closed rule out and replace it with an open rule, the incredible happened—a Bipartisan vote prevailed. But the victory of openness was short-lived, lasting only as long as necessary for majority leadership to persuade a member of the majority to change his or her vote.

Mr. Speaker, there is a legitimate debate about whether an additional emergency extension of unemployment benefits is really necessary; about whether we can afford this extension; about whether the financing envisioned by the Ways and Means Committee is realistic and reliable; and about whether we won't just have to come back here, once again, on New Year's Eve, to deal with a sixth extension of this program. All of these issues affect each Member of this House—and all 435 Members should have the chance to impact this legislation. If you are planning to wish someone a happy New Year—especially someone without a job—you might want to vote "no." I urge defeat of this rule.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the distinguished subcommittee chairman, the gentleman from Tennessee [Mr. FORD].

☐ 1610

Mr. FORD of Tennessee. Mr. Speaker, I rise in support of the amendment, but I must say that I truly supported the bill reported from the House Committee on Ways and Means.

I certainly regret that I am in opposition or opposed to the chairman of the full committee at all. One of the problems I see with this is that, yes, we do, in fact, take away 5 weeks of emergency unemployment compensation benefits. That is a problem with me.

We also have an additional problem, and that is that we are 12 days behind the October 2 date. More than 100,000 long-term unemployed citizens of this country have exhausted their benefits.

If we continue this to another week, we will have 60,000 additional Americans who are out of work with no unemployment compensation benefits.

I certainly applaud the chairman of the full committee and certainly support him, but as one member of the Committee on Ways and Means and chairman of the Subcommittee on Human Resources, I would urge my colleagues to let us adopt this rule and move this emergency unemployment compensation bill to the President for him to sign to give those long-term unemployed workers who are out of work their extended benefits.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GEKAS] one of the Members who offered an amendment that tragically is not incorporated in this measure, the one that would help pay for it.

Mr. GEKAS. Mr. Speaker, we ought to reject this rule, not only for the excellent reasons already articulated by Members on both sides, that it is a travesty of the committee system that is employed in this particular rule, but there is an even better reason we should reject it.

We have been encouraged for term after term by the American people and for the American people to put into place, whenever we engage in a spending program of the magnitude of this one or any other program, some kind of sense of pay as you go.

The funding mechanism that has been provided in this bill, by any objective analysis, would constitute an enigma wrapped in a puzzle. It is one that is apparently workman like, but cannot work.

I have offered, in the Committee on Rules, a proposal that could fund this piece of legislation. And then it would persuade me to vote for the extension of unemployment benefits. Namely, we, this Congress, has passed a massive tax bill only this past summer.

Included in that extraction of tax moneys from the American public are provisions to provide for $28 billion of new spending. My proposal is, if this new spending program, unemployment compensation, of slightly more than $1 billion has to be paid for, why not pay it first in first out, out of the moneys generated in this past massive tax bill that was passed. How do we do that?

By taking the $28 billion of new spending programs that the American people have been called on to pay with the new gas tax and the new retroactive taxes and all the other taxes that are in that bill and apportion the new spending bills downward to meet the cost of this bill.

That would make this appropriation revenue-neutral. We would be able to pay as you go on unemployment comp out of new spending, because this is new spending. And the President and the Clinton administration, the majority want new spending in the tax bill that was passed. Simply fold this into that by reducing proportionately the funding, new spending programs that are in the new tax program.

That is why we should defeat this bill. This is a rule that does not permit my own proposition to come before the full House. I think it could gain support.

I will be met somewhere along the line with the proposition that, of course, my amendment could not be accepted because it requires waivers. Well, we waived the rules all over the place on all points of order on every conceivable bit of this particular rule. We should do the same for our amendment.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I have been here 9 years. I have watched the Congress try and deal with the loss of jobs, and this is pitiful. Unemployment compensation is becoming another way of life in America. Congress is trying to cure the cancer of job loss with a couple of aspirin and some warm milk.

Nobody is looking at the underlying problem in this country, and in 9 years we have not. It is disgusting.

We have a trade program that is a joke, a joke. We allow countries to send their products over to our flea market without even charging table space, and they deny us access. We even give most-favored-nation trade status to China that pays 17 cents an hour wages, when they do not pay slave labor.

Then we have a Tax Code that penalizes achievement, rewards dependency, rewards imports, kills exports, destroys investment.

Congress just does not get it. The American worker does not want unemployment compensation. The American worker wants employment compensation. They want a job. They want a paycheck. We are not making anything else available here.

For 9 years we have wasted our damn time, in my opinion. I have to lay that on the Democrats.

I think it is time to reward Americans who hire Americans, reward Americans who invest in America, reward Americans who buy American-made products made by American-made workers. We are either going to use a stick or we are going to use a carrot here, folks.

It is not working. It is time to change our Tax Code. We tax income. Why not also consider taxing expenses, spending? Maybe we will force some savings in this country to finance our debt. Maybe we will trap that illegal underground market on the streets and make some revenue from it instead of building more prisons. But no one wants to listen to that because we are not in the mainstream. I think some Members have to be removed around here.

I would just like to close by saying this: Ohio has less than a 7-percent unemployment rate, but nobody is dealing with a 15-percent unemployment rate in my damn town in Ohio. I want an opportunity at the Committee on Rules to deal with those types of problems for those cities.

Mr. DREIER. Mr. Speaker, let me say to my friend, the gentleman from Ohio, we always welcome him in the Committee on Rules.

Mr. Speaker, I yield 2 minutes to a new member of the Committee on Ways and Means, my friend, the gentleman from Michigan [Mr. CAMP].

Mr. CAMP. Mr. Speaker, I support extending unemployment benefits for workers and I support paying for them. That was done in the unemployment bill reported by the Ways and Means Committee.

And now as Paul Harvey says, "It's time for the rest of the story."

This story is about 300,000 Americans who will run out of unemployment benefits between January 2 and February 1 of 1994, because the Democrat leadership is playing inside-the-beltway politics that hurts the unemployed. Under this rule 300,000 unemployed workers will not be eligible for an emergency extension of unemployment benefits.

Why is that?

The bill reported by the Ways and Means Committee covered these citizens who have worked hard, paid their taxes, and now face long-term unemployment because of the economy and downsizing by employers.

The $1.1 billion extension was paid for by toughening job search requirements and yes, by reducing the billions of dollars in welfare benefits paid to aliens.

The majority pulled the unemployment bill on September 30 indefinitely, just before unemployment benefits were to expire, because some members of their caucus objected to reducing welfare benefits for aliens—some of whom have paid no employment or income taxes.

Mr. Speaker, now the majority in proposing this rule eliminated paying for it and pulled the plug on 300,000 Americans who will run out of benefits next year.

Support the unemployed—oppose the rule. •

□ 1620

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I urge my colleagues to defeat the rule. I do that because I think the passage of this rule will make us make a choice that the Members of this House should not have to make. I agree with my friend, the gentleman from Michigan [Mr. BONIOR] that we want to extend emergency unemployment benefits. People are unemployed and they need the benefits through no fault of their own.

However, the rule only gives us a choice of passing unemployment benefit extension that will expire during the holiday season. It will expire at the end of this year, when Congress is out of session and American workers will still need help. To me, that is not the option that we should be voting on.

The bill that came out of the Committee on Ways and Means extended benefits until February, so we would have time to act on legislation to help our workers. The Committee on Rules has not given us that option. The Committee on Rules has taken extraordinary action in not allowing the full House to vote on an extension through February, which was approved and funded by the Committee on Ways and Means.

I would also like to point out to my colleagues that this bill already cuts back on the emergency unemployment benefits to 7 weeks. There are many people who are going to be hurting, even with this bill passing. We need to take a look at the unemployment extended benefit program that involves the States, and if we are going to cut this bill back until the end of this year, we should at least deal with the trigger mechanism to allow States to move forward with their extended benefit programs. We have not done that. That would have been a very modest cost in this legislation.

For all these reasons, Mr. Speaker, I would hope that my colleagues would defeat the rule so we could come forward with a bill that extends unemployment benefits to a time we can help the American workers and not leave them high and dry during this holiday season.

Mr. DREIER. Mr. Speaker, I am happy to yield 2 minutes to a new Member, the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, I rise in opposition to this rule and to further extension of unemployment benefits.

My opposition is not because I lack compassion for those who have lost their job or been unfairly displaced by defense conversion. My opposition is because this Congress has failed our jobless citizens.

This Congress continues its policy of penalizing success and rewarding failure. This Congress refused to address the root problems of job creation.

This Congress lacks creative solutions to encourage employment. Look at what we have done since January:

We have increased taxes on job creators.

We have imposed more mandates on employers.

We have further mortgaged our future by spending more than we take in.

Truly this Congress is schizophrenic.

We support enterprise zones with less taxation and regulations, then we tax and further regulate.

We talk about job creation and then put more people out of business.

When will we learn that tax incentives, policies that encourage capital formation and investment, create jobs?

There is no dignity in standing in an unemployment line. There is dignity in providing an opportunity and inventive to employ and be employed.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Speaker, let me begin by first thanking the majority whip, the gentleman from Michigan [Mr. BONIOR] for his efforts to try to get this rule through, and also to get passage of the bill, which is very important. I do not think there is any doubt we need unemployment benefits for the working men and women who have had a very difficult time over these last several years.

I want to hit the heart of what is going on in this rule. That is the provision that was struck from it which dealt with the SSI recipients who are aged, blind, and disabled. Let me add one last thing to that. They are aged, blind, and disabled, but they are also immigrants. They are not just any type of immigrants, they are legal immigrants.

The problem is in this House, as we see in the public, there is a fire storm going on right now, and next year there are elections. Politically, immigrants are the hot topic, and everyone wants to be on the bandwagon when it comes to immigrants, legal or not. We are talking about folks who have every obligation that a U.S. citizen has, so a legal immigrant must go to war the way a citizen must, and a legal immigrant must pay taxes the way any citizen must. A legal immigrant must do everything, has every obligation that a citizen has, but they cannot vote, so they do not have a bloc that lobbies up here, so when it comes to them, it is a lot easier to go after them than it is someone else.

What do we find? That that is what we are trying to do here. We are giving one extra month of extension for folks who are unemployed by taking it away from the aged, blind or disabled. That was what was out there. We are trying to change that. We need this money for the unemployed, but we do not have to take it from Peter to pay Paul. Why are we robbing people who are entitled to something?

I hate this term that is constantly being used. They are not aliens, they are legal residents who have every right to be in this country, because we as a country admitted them here. I find it very distasteful that some people who are arguing against this rule are people who in previous times have voted against money for the unemployed. I think it is very disingenuous that people get up here and do that.

I would hope that the Members would have the common sense to see that what we are trying to do is come up with something that is temporary. We need to do more. Obviously, we have to come up with a permanent solution to the unemployed, and hopefully what we will do is, we will come up with a permanent solution so we do not have to come back here after 3 months or when we are out of session to come up with a solution.

I hope the administration is listening, because hopefully they will see it is up to them and will assist Congress to come up with the money people need to be able to get reemployed, to create those jobs. But please, do not do this because it is thought to be a hot button issue and people will vote for you next year. Do not go after people who are immigrants, and especially do not go after the folks who are legal immigrants, who went through every legal hoop that is required of them to get into this country. This country allowed them to come in. They are now fulfilling every obligation they have. Because of that, they have every right to receive social security, supplemental social security, because they happen to be aged, blind or disabled.

Do not mask it as something else. Do not say they are aliens, because they are here as legal residents. Be truthful to the American public. What some are trying to do is create a scare tactic and scare Members on this side of the aisle. I hope my colleagues on this side of the aisle will stand up to that and give this chance to those who are unemployed for at least 3 months.

Mr. DREIER. Mr. Speaker, I am happy to yield 2 minutes to my friend, the gentlewoman from New Britain, CT [Mrs. JOHNSON], a hard-working member of the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I urge opposition to the rule. I want to talk a little bit about this issue of aliens and their support under SSI.

Mr. Chairman, aliens when they come to America come with a sponsor. The sponsor is obliged to support their alien guest, to take care of them, until they got on their feet and could support themselves.

The evidence is very clear from studies that we have the backup system to support aliens if their sponsors become unable to support them is now being exploited. People are applying for SSI so that it will pick them up after their 3 years. It is planful and the result is that 20 percent of our SSI recipients are aliens. This is an exploitation of our welfare benefits program that is not in harmony with America's values, that was not intended, and that violates the principle of responsibility that underlies the sponsor program. For us to fund unemployment benefits by merely extending the obligation of the sponsor to support the alien that they invited to America, that they took responsibility for, to 5 years rather than 3 years.

This is not a hardship. There is a bond between sponsors and those they sponsor. There is an obligation, here, amongst people, not between the American people and the alien guest. Extending the period of sponsor-financial liability is an honorable way to fund the extended benefits for those in America who are faced with an extraordinarily difficult time in our economic history, who have been unemployed for long periods.

I regret that we have allowed benefits to expire. We have allowed a break in benefits, that if President Bush had done it, he would have been castigated by my friends on the other side of the aisle.

I do not hear those same cries of anguish for those people who now are losing benefits because we have not made this extension, but I personally am outraged at the break in services, at the break in benefits, and I regret that people's benefits will be cut off January 1, when we are not even in session, because we do not have the courage to fund them for the full 4 months.

□ 1630

It is not fair. It is not right. Return this rule back to the Rules Committee.

Mr. BONIOR. Mr. Speaker, I yield 4½ minutes to the distinguished gentleman from Michigan [Mr. LEVIN], a member of the Committee on Ways and Means.

Mr. LEVIN. Mr. Speaker, first of all, let it be clear there is a need here. We are talking about people who are exhausting their unemployment compensation.

The number who exhausted their unemployment compensation, 26 weeks in most cases, reached 39 percent last month. We have structural unemployment in this country, and it applies in every State, in every State.

The number of people who are exhausting their benefits reaches about 250,000 every month now. So let us not diminish this question. There is need here.

Most people want to work. There are some abuses. But the vast majority of unemployed people want to work. There is not a job available for them. There is structural unemployment in this Nation.

We tried to fund it in the Ways and Means Committee. We have a profiling provision. It is a real provision. It is true that it is spread over 5 years. But only 6 percent of the people who have exhausted their benefits in this country ever get any help on job search, only 6 percent. This bill is an honest effort to try to combine unemployment compensation with reemployment efforts. And we should have done this years ago. It was opposed by the Bush administration at every juncture, and it is those of us on the majority side who have been saying let us combine the unemployment system with reemployment.

We have tried to take steps to combine the welfare system with work. Here we are trying to combine unemployment compensation with getting back to work through reemployment efforts. So now what we are essentially hung up on is the SSI provision. There is enough money in this provision for one additional month. And it is a difficult problem, I acknowledge. Do not let anyone oversimplify it. Talk about outrage, when some of the people who cry outrage are those who would have opposed extension of unemployment compensation in any event, and did in previous years.

Look, this proposal was brought up in the Ways and Means Committee. Let the facts be clear. There were no hearings on it. There was no real discussion of it.

I think there are strong arguments in favor of reform of the SSI system. Those were not discussed in the Ways and Means Committee. We were under the gun to fund the unemployment benefit extension in real terms. And so this proposition of reform or change in the SSI system was brought up by a member of the staff as one suggestion, and the committee did not delve in any depth at all into it.

The gentleman from Tennessee [Mr. FORD] held a hearing on SSI this morning. It is the first time we have had that kind of a comprehensive discussion, and it is not fair to pit resident immigrants against the unemployed. That is not a fair way to shape this issue, it really is not.

It is said the benefits would run out in February instead of January if we included the SSI provision. Look, we are going to have to face this extension issue probably next month in any event, because when we came back here in January, if it were going to expire in February, we would not be ready instantaneously to handle this issue.

There has been such a temptation to make this unemployment extension issue a plaything. Let us not do it. Reluctantly, but clearly it seems to me, I have to conclude that the best way to proceed here is to adopt this rule, and let us have an up-or-down vote on whether people here feel that we need to extend the unemployment benefits.

I think the facts are clear that we have to extend. Let us get on with it.

Mr. DREIER. Mr. Speaker, I yield 30 seconds to my friend, the gentlewoman from New Britain, CT [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Certainly there is no intention to make this issue of unemployment compensation a plaything. I want the RECORD to note that I have always supported extending benefits, funded extended benefits. And our committee, every time we have considered it, has considered a variety of ways of funding it. And I personally, as a member of the committee, have often voted to increase the taxes in the system to honestly and legitimately and up front fund the new benefits.

We had choices. We did not take them. This provision is not a bad one, and we ought to stand by it, and provide the length of benefits our people out there need.

Mr. DREIER. Mr. Speaker, I yield 4 minutes to my good friend, the gentleman from Pittsburgh, PA [Mr. SANTORUM] another diligent member of the Committee on Ways and Means.

Mr. SANTORUM. Mr. Speaker, I thank the gentleman for yielding the time.

The gentleman from Michigan [Mr. LEVIN] just said that it is unfair to pit the unemployed versus aliens. We did not pit the unemployed against aliens. The Rules Committee, by its self-executing rule, put the play in play here on the floor of the House. The question is whether we are going to extend benefits for an additional 5 weeks to 350,000

Americans, or are we going to continue to give welfare payments to aliens.

Now, I might add, what are we talking about here; $320 million over the next 3 years is what this alien provision costs. You may say that is a lot of money. Well, it is a lot of money. But over the next 5 years aliens in this country will qualify, and we will pay $21.3 billion, $21.3 billion of welfare benefits to people who came to this country, who signed a paper saying they could provide for themselves, who signed a paper who said they were going to be sponsored, and they were going to have income and benefits from the sponsor who brought them here. We are going to pay $21.3 billion.

I will say to the gentleman from California [Mr. BECERRA] I am a son of an immigrant. My father came to this country and his father came to this country together, not for welfare benefits. We came here for opportunity, for a chance to succeed. That is all we are saying.

We are giving people that greatest of gifts. It is not the welfare benefit. The greatest gift of America is to be in this country and have the opportunity for your son to be a Member of Congress.

I am very proud of that fact, that my father came to this country for opportunity, and he too served in a war. And he gave me the opportunity to be a successful American. And that is why I am here today.

The gentleman from Tennessee came here and said we had testimony before the Committee on Ways and Means, Subcommittee on Human Resources today. We did. And now what did the testimony say? The testimony repeatedly said we are spending far too much money. We are spending far too much money on aliens in this country and welfare benefits. Now that is pretty clear from the testimony.

I would remind the gentleman that he voted for this provision in the House Committee on Ways and Means, and that in fact every member of the House Committee on Ways and Means, Republican and Democrat, voted for this provision in the bill to finance benefits.

I would just say that if Members on this side of the aisle want to support the President, they want to support a unanimous vote of the Committee on Ways and Means, they want to support the chairman of the Committee on Ways and Means, they want to support welfare reform, they want to support American workers, then I would suggest that they defeat this rule and allow the extension of benefits to be 4 months, to February, and not 3 months to New Year's Eve.

Mr. BECERRA. Mr. Speaker, will the gentleman yield?

Mr. SANTORUM. I am happy to yield to the gentleman from California.

Mr. BECERRA. Mr. Speaker, I thank the gentleman very much for yielding and would agree with the gentleman that all immigrants come here with the expectations of being able to do much better for themselves and their children, and in fact, we have laws that require that no one come into this country and become a public charge. That is not the issue here.

The issue here is that they are individuals that this country has said you have passed every legal hurdle and you are now here.

Mr. SANTORUM. If I can reclaim my time, all we are doing is changing the legal hurdle. We are saying instead of 3 years, 5 years. This is the law that we put in place and made the estimate at the time that 3 years of sponsorship, of having that amount of money deemed to be the money that the alien, in fact, has is 3 years. We are saying because of the ever-increasing charge that our Government is facing in providing for aliens in this country, legally, that we are now going to reassess that and extend the deeming provision for sponsorship to 5 years, all within the rules, not doing it retroactively. We are doing it prospectively. And I think it is a very fair way to go about reducing welfare benefits, No. 1; and No. 2, to solve the problem of the unemployed.

□ 1640

Mr. BONIOR. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from California [Mr. MATSUI].

Mr. MATSUI. I thank the gentleman for yielding this time to me.

You know, I guess I intended to support this rule, but after the gentleman from Pennsylvania [Mr. SANTORUM] spoke, it makes me wonder whether I should.

I say to the gentleman I hope he will engage in this discussion because I think there was an implication here, he was directing to my colleague, the gentleman from California [Mr. BECERRA] that his grandparents or parents came here to work and share in the American dream and there was an implication that perhaps the recent arrivals came here to collect welfare benefits. I think that is just the kind of rhetoric that is creating a lot of backlash against certain recent arrivals.

Let me just say this—it is a little difficult for me to say this on the floor of the House—but, you know, the gentleman himself blends in pretty well. No one would know whether he is 5th, 2d, or 15th generation American. But there are others of us who could be a 5th or 6th or 15th generation American but we sometimes suffer when that kind of rhetoric occurs on the floor of the House.

So I would just ask that my colleague temper himself somewhat. He has ambitions for higher office. I would just hope these higher office ambitions will remain at the level I think that the rhetoric deserves.

Mr. SANTORUM. Mr. Speaker, will the gentleman yield?

Mr. MATSUI. I yield to the gentleman from Pennsylvania.

Mr. SANTORUM. I thank the gentleman for yielding.

I want to thank the gentleman from California for wanting to engage in a colloquy. I would suggest that my father and my grandfather would not be on the floor arguing for welfare benefits for people who came over at that time. What they came here to do was to take advantage of the opportunity, and that was all I was trying to say.

Mr. MATSUI. I say to the gentleman I have the time. And I say, if in fact somebody comes in with a sponsor and let us say that person becomes disabled 2 years later or a year later, that person may be entitled, as any other resident of the United States, to benefits. I am sure the gentleman was not referring to that person wanting to come in here to receive benefits, is that right?

Mr. SANTORUM. All I am suggesting is that the gentleman voted that we extend the sponsorship provision, as the chairman said today on the floor, from 3 years to 5 years, that is all I am saying.

Mr. MATSUI. I just think that we ought to temper our rhetoric a little bit.

Mr. BECERRA. Mr. Speaker, will the gentleman yield?

Mr. MATSUI. I yield to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. I thank the gentleman for yielding to me.

Mr. Speaker, I want to correct something else that was said by the gentleman which is incorrect. This is not prospective. If you have come to this country having followed every rule that this country required you to follow, you would be hit. It was as if you were telling someone who is retiring at 65, "No, we changed it, you cannot retire." If somebody who is below the poverty level does qualify to receive a particular benefit, we say, "No, you will not receive that benefit." That is what we are doing here.

What we are saying is do not change the rules all of a sudden for people who have followed every law and regulation in the book.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to my friend, the gentleman from Huntington Beach, CA [Mr. ROHRABACHER].

Mr. SANTORUM. Mr. Speaker, will the gentleman yield to me?

Mr. ROHRABACHER. I yield to the gentleman from Pennsylvania.

Mr. SANTORUM. I thank the gentleman.

I would just suggest that this is the same gentleman who voted to retroactively raise taxes on people to the first part of this year.

Mr. ROHRABACHER. The gentleman is not talking about me.

Mr. Speaker, I would like to note that I think there has been a terrible loss of faith in the American people in their Government. We can see it all over the place. We can see people lost their faith in representatives who negotiate agreements with other countries, they have lost faith with their Representatives in Congress. Why is it?

They do not think that we care about them. They think we have other interests and other people that we care about more than our own people.

I think this hits to the heart of the matter. It is not unreasonable for us to say that if someone comes to this country, a foreigner who would like to come to this country and participate in the opportunities that we provide all people who get here and get here legally, that it is not unreasonable to say that they cannot participate in the Government benefits, especially the social welfare benefits that are eligible for our citizens for a period of 5 years. Is this unreasonable?

It is not unreasonable, because we care about those citizens, our own citizens, our own citizens who are in desperate situations because they have lost their jobs; the end of the cold war has happened, the aerospace industry is going down and they cannot find any work. We care more about them than we do about the person who has come here from a foreign country. It is not that we do not like those people from foreign countries. They come here and they want to take advantage of the opportunity, we applaud them, and we cherish our tradition of immigration in our country. We cherish it. We cherish our immigrants.

But we want them to come here and participate in the opportunity, and we cannot do it at the expense, when our own people are down and out.

We would have had an open rule that would have permitted us to go beyond this problem and have a vote on this. But instead, what happened? What happened? Their man in the Committee on Rules, a Democrat who was very concerned about the immigration crisis in California, voted for the Republicans, and he was beaten down by his own Democrats and forced to change his vote.

We care about the American people, yes, we love our heritage of immigration in this country.

We have got to put top priority on our own people.

Mr. DREIER. Mr. Speaker, I yield 30 seconds to the distinguished former mayor of Fort Lauderdale, FL [Mr. SHAW], a member of the Committee on Ways and Means.

Mr. SHAW. I thank the gentleman for yielding this time to me.

I cannot remember a time where we have seen some senior members from the Committee on Ways and Means together with the chairman come and talk down a rule, encourage its own members to vote "no."

The simple reason is that things are in total disarray. It is time that we give some leadership here in the House. It is time that we have a situation where various caucuses do not make the majority party cave on rules, cave on bills, cave on its plan. This House desperately needs some leadership.

I would encourage the Members to vote "no," send that message in, and let us get some leadership on the majority side of the aisle.

Mr. DREIER. I yield myself the balance of my time.

Mr. Speaker, this is a very simple process that we have come to right now. Many who have criticized those who are opposing the rule, say we are trying to delay ensuring that those benefits get to the unemployed. The fact of the matter is those of us who oppose this rule stand ready to bring forth an open rule which will allow the committee process to work its will and every member a chance to do the many things that have been discussed during this past hour of debate.

I urge a "no" vote on the previous question so that we can make an open rule and let this House work its will.

Mr. Speaker, I yield back the balance of my time.

Mr. BONIOR. Mr. Speaker, I yield my remaining time to the gentlewoman from New York [Ms. VELÁZQUEZ].

Ms. VELÁZQUEZ. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise today in strong support of this rule. I believe as strongly as everyone in this Chamber that the extension of unemployment benefits is absolutely necessary.

The proposed extension is the best alternative available to us. It does not delay compensation to unemployed Americans, and it gives Congress until January 1, 1994 to come up with a new funding mechanism if we need to extend benefits further. The prior proposal was unfair to aged, blind, and disabled immigrants who depend on SSI benefits. We should not—and need not—rob Pedro to pay Paul. Legal immigrants should not be asked to solely bear the burden of financing this extension for the entire United States.

Mr. Speaker, I urge quick passage of this rule so that Americans no longer have to go without the unemployment benefits they so heavily rely on.

Mr. BONIOR. Mr. Speaker, I would just close by suggesting to my colleagues to vote "aye" on the previous question—I assume the minority will ask for a vote on that—"aye" on the rule and "aye" on the bill. It is time we got on with providing these people who have played by the rules with the unemployment compensation extension that they deserve and in fact they have paid for in their taxes and through their employers over the years.

Let us not pit the disabled, the blind, and the aged against unemployed people. Let us move in this direction and come back with a program that makes sense for the future on this issue.

☐ 1650

Mr. BONIOR. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BONIOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 235, nays 187, not voting 11, as follows:

[Roll No. 504]

YEAS—235

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English (AZ)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Glickman
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoyer
Hughes
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Markey
Matsui
Mazzoli
McCloskey
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Ros-Lehtinen
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky

Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Strickland
Studds
Stupak
Swift
Synar
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—187

Allard
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Holden
Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lancaster
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
Margolies-Mezvinsky
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Murphy
Myers
Nussle
Oxley
Packard
Paxon
Penny
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stark
Stearns
Stenholm
Stump
Sundquist
Swett
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—11

Bunning
Engel
Green
Martinez
McCurdy
McDade
McDermott
Murtha
Rose
Stokes
Washington

☐ 1710

Mr. PETERSON of Florida changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GEPHARDT). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 149, nays 274, not voting 10, as follows:

[Roll No. 505]

YEAS—149

Abercrombie
Andrews (ME)
Andrews (NJ)
Barca
Barrett (WI)
Becerra
Berman
Bishop
Blackwell
Bonior
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Cantwell
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
de la Garza
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Edwards (CA)
Edwards (TX)
English (AZ)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hamburg
Harman
Hastings
Hilliard
Hinchey
Hoyer
Inslee
Jefferson
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klein
Kopetski
Kreidler
Laughlin
Levin
Lewis (GA)
Lowey
Maloney
Mann
Manton
Markey
Matsui
Mazzoli
McDermott
McKinney
Meehan
Meek
Menendez
Mfume
Mineta
Minge
Mink
Moakley
Mollohan
Nadler
Natcher
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Rangel
Reed
Reynolds
Richardson
Ros-Lehtinen
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Smith (IA)
Studds
Stupak
Swift
Synar
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Waters
Watt
Waxman
Wheat
Whitten
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—274

Ackerman
Allard
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barlow
Barrett (NE)
Bartlett
Barton
Bateman
Beilenson
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Borski
Brewster
Brooks
Browder
Bryant
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cardin
Carr
Castle
Chapman
Clement
Clinger
Coble
Collins (GA)
Combest
Condit
Cooper
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
Deal
DeFazio
DeLay
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fingerhut
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hayes
Hefley
Hefner
Herger
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, Sam
Kasich
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lazio
Leach
Lehman
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Machtley
Manzullo
Margolies-Mezvinsky
McCandless
McCloskey
McCollum
McCrery
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meyers
Mica
Michel
Miller (CA)
Miller (FL)
Molinari
Montgomery
Moorhead
Moran
Morella
Murphy
Myers
Neal (NC)
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Regula
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Rostenkowski
Roth
Roukema
Rowland
Royce
Sangmeister
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Sensenbrenner
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skeen
Skelton
Slattery
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Sundquist
Swett
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Thurman
Torkildsen
Traficant
Upton
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Williams
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—10

Bunning
Engel
Green
Martinez
McCurdy
McDade
Murtha
Rose
Stokes
Washington

☐ 1815

Mr. VOLKMER and Mr. ACKERMAN changed their vote from "yea" to "nay."

Mr. THOMPSON of Mississippi changed his vote from "nay" to "yea."

So the resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute.)

Mr. GEPHARDT. Mr. Speaker, I would like to take a moment to try to explain what our intentions are for the rest of the evening and tomorrow.

Mr. Speaker, it is our intention to take up the rule tonight on unemployment compensation. This would be the original rule. The vote would be held until tomorrow morning.

Tomorrow morning the House will meet at 10 a.m., and we will proceed to a vote on that rule, and then to consideration, if the rule passes, of the unemployment compensation legislation, leading to a vote.

It would be my assumption, Mr. Speaker, that that would be the only business that we would be able to complete tomorrow to be able to leave at a reasonable point.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank the gentleman from Missouri [Mr. GEPHARDT], my friend, for yielding to me.

Mr. Speaker, I would like to say that in the event, for some reason, this rule were to be pulled, I would like to announce to the House pursuant to clause 4(c) of rule XI that tomorrow I may call up House Resolution 265, the original rule that the majority leader has said we are going to consider this evening.

Mr. GEPHARDT. I have no further announcement to the House if there are no further questions.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I was under the impression that it was very likely that the reason we would be staying for business tomorrow was because we would move forward to consideration of the rule dealing with HUD and independent agencies, as well as the bill itself. My chairman has not been on the floor in the last couple of hours. I have heard nothing else from anybody in connection with that.

Mr. GEPHARDT. Mr. Speaker, our concern is that the unemployment program, as my colleague knows, has run out. We need to bring this legislation forward and finish it. I am told that the unemployment legislation will take 4 or 5 hours for the entire transaction, even with the debate of the rule this evening, so we really will not have time to bring up other matters.

Mr. GINGRICH. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Georgia.

Mr. GINGRICH. Mr. Speaker, as I understand, Members can probably expect then that we would rise about 3 o'clock based on the schedule the gentleman has outlined.

Mr. GEPHARDT. That is correct.

Mr. GINGRICH. I thank the gentleman.

PROVIDING FOR CONSIDERATION OF H.R. 3167, UNEMPLOYMENT COMPENSATION PROGRAM EXTENSION

Mr. BONIOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 265 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 265

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committee on Ways and Means now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the bill, modified by the amendments recommended by the Committee on Ways and Means now printed in the bill. The amendment in the nature of a substitute shall be considered as read. All points of order against the amendment in the nature of a substitute are waived. No amendment to the amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1820

The SPEAKER. The gentleman from Michigan [Mr. BONIOR] is recognized for 1 hour.

Mr. BONIOR. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER], pending which I yield myself such time as I may consume

Mr. Speaker, the Clerk has read the rule. The House has spoken. This rule is the same as the rule we just considered, with the exception of the self-executing amendment that was the point of controversy on the last rule.

Mr. Speaker, we know this issue. It is time for us to act so we can deal with the immediate needs of people who are on unemployment and have been on unemployment for an extended period of time.

I would also point out to my colleagues that the rule makes in order two amendments. The first amendment is by the gentlewoman from Connecticut [Mrs. JOHNSON], which cuts off emergency unemployment compensations to individuals in certain States. The second amendment, to be offered by the gentleman from Washington [Mr. SWIFT], would extend emergency unemployment to railroad workers. This amendment is similar to one which has been approved on each of our previous unemployment extension bills.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I thank the gentleman from Michigan [Mr. BONIOR] for yielding me this time, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this restrictive rule. Yes, in many parts of the country, the economy remains sluggish. Unemployment remains near 9 percent in California, and 10 percent in Los Angeles—more than three points above the national average. Therefore, I believe that our top legislative priority should be private sector job creation, even above health care and welfare reform. However, this bill does not create jobs. We should have an open rule so that all of these issues can be fully debated.

Let us put this benefit extension into perspective. If we pass H.R. 3167, it will be the fifth extended benefit bill passed since November 1991. Now is the time to ask, "When does this all end?" Unemployment is going down. Yes, slowly. Yes, in States like California, it is much higher than we can stand. But, nationwide, things are getting better. Today, unemployment is at 6.7 percent. It peaked two Junes ago.

Although unemployment has been falling more slowly than we would hope, maybe it is time to consider that these extended benefits may be contributing to the problem. In some States, extended benefits are providing a very damaging incentive not to work.

In addition, the Clinton tax increase is likely to kick the economy in the shins and cause things to get worse. If for no other reason, we should stop extended benefits now, just so that when things do get worse, we can reinstate them again to handle the higher unemployment.

Mr. Speaker, this is another in a long line of unfair restrictive rules. Instead, we should have an open rule. This is not a tax bill. There is no reason for the Ways and Means Committee to be protected from open debate. Once again, the vast majority of Americans are having their representative in Congress gagged by the closed Rules Committee.

This rule does permit one amendment by Mrs. JOHNSON. It will save the taxpayers as much as $100 million. It is about time. Her amendment says that States with unemployment rates below 5 percent do not qualify for emergency extended benefits any more. They should not. The eight States with unemployment below 5 percent are at full employment. Businesses are finding it hard to find enough people to work. They are cutting back hours and losing sales.

Back in February, when we last extended these benefits, Mrs. JOHNSON asked the Rules Committee to make a similar amendment in order. The Rules Committee gagged her, costing the taxpayers $1.2 billion dollars this year. That's the real cost of a closed rule.

As we all know, finding a way to pay for these extended benefits has become a small fiasco. The Ways and Means Committee bill includes $1 billion in benefits, and claims to pay for them with $700 million in smoke and mirrors, and a $300 million change in the Supplemental Security Income Program making it harder for aliens to qualify for Federal disability payments.

The vast majority of this financing is basically the hope that we are going to spend $700 million less on regular unemployment benefits over the next 5 years because all the States are going to do a better job of finding jobs for the unemployed. Sure they will.

That is it. That is where we get the money. Not real spending cuts. No new revenue is raised. In fact, CBO believes that it will cost just as much to implement the worker-profile reforms as will be saved by them. The House should insist on concrete spending cuts to pay for more benefits.

As we know, Mr. GEKAS has an amendment which would reduce new spending included in the President's budget reconciliation package to offset the $1 billion cost for this bill. We should grant him the waiver he needs. We cannot keep adding to the deficit—short term or long.

Mr. Speaker, I urge a "no" vote on the rule, and let's come back with a rule we can support.

Mr. Speaker, I reserve the balance of my time.

Mr. BONIOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Speaker, this issue of how we deal with legal aliens and SSI is a very important issue, and it is one that has to be, in my view, done carefully.

We have a number of Members in the House who are deeply concerned about the rapidity with which this change is being made. I want to refresh Members' memories about how this law came into being and what is at stake here.

Back in the early 1970's, the SSI Program came into being. It is obviously a program to help elderly citizens who are very poor. It has been a very successful program.

From 1972 or 1973 when it first started, until about 1982, there was no requirement of a period of years in which a family member's income would be imputed to an elderly legal alien's income. It was in 1982 that the 3-year requirement which we are talking about tonight came into being. That 3-year requirement has been in place since 1982.

Mr. Speaker, the suggestion that has come forward from the committee to help pay for the extension of these unemployment benefits was to raise the level from 3 years to 5 years during which a family member's income would be imputed to the elderly legal alien's income. This is a recommendation that came from the committee. It is controversial with many of our Members.

Mr. Speaker, it seems to me that what we are really presented with here tonight, and have been over the last weeks, is a much larger and much more complicated and tougher question, and that is the question of how we are going to pay for the extension of unemployment benefits.

I believe we have a chronic unemployment problem in our country. We have had that problem for some time.

□ 1830

There are millions of Americans that tonight are not even counted as unemployed, who have gone off unemployment compensation. I think the actual unemployment rate in America is much higher than 6½ or 7 percent. It is probably more like 10 or 12 percent.

The truth is, our unemployment compensation system, I think, is broken. And it needs to be fixed. We need a reemployment compensation system. We need to review the way the whole system works, at the State level and at the Federal level.

In my view, we need the kind of retraining and replacement system that many have called for and talked about for a long time.

Obviously, before we approach this question again, if this rule passes and this bill passes, we are going to have to reapproach this whole question. I hope that we will do that in a spirit of fixing a system that is broken. I hope we will look at the way we pay for this and the way the benefits work. I hope we will look at the way the entire system is constructed so that we can do better at getting people retrained and back to work in the period while they are unemployed.

And I hope that by doing that, we can cut down dramatically over time on the amount of people that continue to be unemployed in our society.

I would like to engage the chairman of the Subcommittee on Human Resources of the Committee on Ways and Means, the honorable gentleman from Tennessee [Mr. FORD], and ask him if in the last weeks there has not been an effort in his subcommittee to look at this question as to the advisability of this particular way of funding this unemployment extension and if there would not be a willingness on the part of his subcommittee and the committee to look at this again anew before we approach this question again in the early part of next year.

Mr. FORD of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Tennessee.

Mr. FORD of Tennessee. Mr. Speaker, I thank the distinguished gentleman for yielding time to me.

Let me answer in two parts. One is yea on the SSI legal immigrant. That is an issue that we announced this morning that we will have public witnesses and public hearings sessions probably within the next 2 or 3 weeks. And hopefully, we will get the instructions from the full committee chairman, the gentleman from Illinois [Mr. ROSTENKOWSKI], as to how we should proceed in this particular area.

It is clear, Mr. Speaker, that we need to go back and revamp this whole emergency unemployment compensation, unemployment compensation in general, that we need to get it before the committee and move with the bill with the leadership and, hopefully, with bipartisan support in this Congress to really address this problem, rather than coming back to this House floor every 3 or 4 months in these emergency unemployment crises that we are faced with as it relates to the compensation package.

Mr. GEPHARDT. Mr. Speaker, I appreciate the gentleman's statement. It just appears to me that we are talking here about unemployment compensation.

As the gentleman knows better than anyone in the body, this is a system that has traditionally been funded by taxes paid by workers so that in the event they become unemployed they will be able to draw these benefits, try to be retrained, try to be reemployed.

Mr. FORD of Tennessee. Mr. Speaker, if the gentleman will continue to yield, we want to stay on track, with the funding mechanism in place, that that would certainly be the areas in which this subcommittee would be finding the necessary funds to fund the emergency unemployment compensation.

Mr. GEPHARDT. Mr. Speaker, I appreciate the gentleman's statement.

I feel deeply that this program is a very important part of our country. I also believe that it is broken and it needs to be fixed.

I believe what we are doing tonight is a temporary move to make sure those unemployment benefits, extended benefits can still be extended in the next 3 or 4 months. But I agree with the gentleman that it is vital and important that before these 4 months are up that we look at a real fix for the entire program, that we review the entire intent of the program, the way the program has worked, and try to come back with modifications, long-term changes that will bring it back to its original intent and make it, again, the kind of successful reemployment program that it once was and should be.

Mr. FORD of Tennessee. Mr. Speaker, if the gentleman will continue to yield, I will assure him that is the intent of the Subcommittee on Human Resources of the Committee on Ways and Means, to really address and to reform this area of unemployment compensation benefits.

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman.

Mr. DREIER. Mr. Speaker, I yield 4 minutes to our chief deputy whip, the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding time to me.

This is an issue that over the last several years has been heavily politicized. This is an issue that was used by the Democrats to literally beat up on George Bush on almost a monthly or every few months basis, suggesting that he did not care about domestic affairs and did not care about the unemployed, because he was unwilling to sign unemployment bills that were not paid for under the Budget Act.

Now we find out that the problem in unemployment is something quite different than what they told us it was just a few months ago, when they were using it as a wedge against President Bush. We have just heard a dialog here that suggests that the unemployment system is broken and should be fixed.

That was one of the things that President Bush was trying to say about the unemployment system, too. But at that time the Democrats were telling us, "Oh, no, we can't proceed with that, because President Bush doesn't care about the unemployed. And we can't fix the system. There is nothing broken about this system."

We have just heard now totally different, when it is in their interest to do so.

I would also suggest that we have heard a lot of talk, political talk over the last few weeks and months about gridlock in this town. We have just watched gridlock in action. It had absolutely nothing to do with the Republican Party.

It had to do with the fact that on the Democratic side of the aisle, literally we have to appease every caucus in sight in order to move legislation. If there is a group of 10 that gathers together, evidently, they have to be appeased no matter what the emergency.

People are actually being turned away at unemployment centers right now while the Democrats play their own internal politics and hold up legislation from coming to the floor.

I will say that I find it extremely disturbing, and the next time we hear about gridlock, I think most of America should focus on what we saw on the floor this evening when the leadership could not get their act together in large part because there were too many competing interests within the Democrat Party to deal with.

That was not a Republican problem. That is purely an internal Democrat problem, where they should have plenty of votes necessary to move legislation if they so desire.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding to me.

I would like to underscore, first, that this rule was reported out 15 days ago, No. 1.

Second, as we had that 45-minute or 1 hour and 15 minute recorded vote, a couple of new Members came to me and asked a very simple question.

They said, "Now, it seems that there is a real problem going on here in this negotiating process. I can't imagine what it must have been like when Ronald Reagan and George Bush were in the White House."

And I said, "I don't remember a situation like this taking place on the House floor."

We have ended gridlock. We have both Houses of Congress and the executive branch in the control of one political party. And yet, the situation that we just witnessed a few minutes ago, which is, quite frankly, jeopardizing the opportunity for people to not only get their benefits but for us to get a job-creating program put forward, took place.

Mr. WALKER. Mr. Speaker, I want to congratulate the House for finally doing the right thing and bringing the rule to the floor that was originally reported out and should have been brought to the floor earlier, rather than going through this long-term negotiated process that resulted in literally thousands of Americans being denied their unemployment benefits. That had absolutely nothing to do with the Republicans, and I am glad we have finally seen sense.

We have finally decided to do the right thing and bring the right rule to the House floor.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his congratulations and I look forward to working with him as we tackle this problem.

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. LEVIN].

□ 1840

Mr. LEVIN. Mr. Speaker, first let me say a word to the gentleman from Pennsylvania [Mr. WALKER] and to everybody else about reemployment and reform of the system. A number of us have been talking about this for a number of years. A number of us have been talking about the need to completely redo it. A number of us have been talking, and it was led by Mr. Pease in those days, many years ago, about the need to change the trigger mechanism.

Mr. Speaker, I do not think this is the time for a lot of partisan bickering, when there are hundreds of thousands of people who are unemployed through no fault of their own. The truth of the matter is that every effort to change the trigger was resisted by the President, the then-President, Mr. Bush, and also by most in the minority. We had no support for reform of the system. We have been talking about combining unemployment with reemployment for a number of years, so it is not anything that we just thought of today for the first time. We have been in the vanguard on the majority side trying to change the unemployment comp system from simply an income maintenance system to one that helps get unemployed people back to work. That is point No. 1.

I know it is a temptation to the minority to try to raise the specter of gridlock. All I want them to know is that there was an honest effort here these last weeks and months to put together a funding mechanism that was real, that was real. We did not suggest waiving the law and having an emergency provision here. We were trying to come up with real moneys. The provision here in this bill for profiling is an honest effort in that regard.

There has been a clear evaluation by CBO, working with OMB, as to what it will save over 5 years. Members say it will cost more than will be saved, but in any welfare reform proposal where there are health provisions and day care provisions, it may at first cost more than it will save, but by the way, the savings that are calculated in terms of our expenditures are not the only savings. People are going to go back to work, because of the job search provisions here. They are paying taxes, and those taxes eventually will go into the U.S. Treasury.

Mr. SANTORUM. Mr. Speaker, will the gentleman yield?

Mr. LEVIN. I am glad to yield to the gentleman from Pennsylvania.

Mr. SANTORUM. Mr. Speaker, I just want to clarify that point. I agree with the gentleman. I support this rule. The money that is going to be spent for the worker profiling program will be spent by discretionary funds that are under a cap, so we are not going to spend any more money.

We have heard testimony in the subcommittee, as the gentleman knows, that they believe, the Labor Department believes, that there is sufficient money in the job training program right now, job search program right now, to take care of this increased case load. I think the gentleman's point is well taken.

Mr. LEVIN. The gentleman from Pennsylvania is correct. The Labor Department has already requested adequate moneys in 1994 to handle this job search. Let it be clear, we are not going to have to appropriate a dime more, so it is not fair for the gentleman from California [Mr. DREIER] or anybody else to say it is going to cost more than we will save. To get people back into employment will cost some moneys in training, in job search, whatever it is, but they are more productive and it is what they want, and we save more, when we add everything together, including the tax revenues.

It is easy on the gentleman's side to try to caricature the efforts that have been made here to pay for this, but I want everybody to know there was a genuine effort to do so. I will be interested in the votes tomorrow on the final bill. I am not sure that the gentleman from California [Mr. DREIER] has ever voted for an extension. I would ask the gentleman, has he? He voted against the last one. Has he ever voted for any extension of unemployment benefits?

Mr. DREIER. Will the gentleman yield?

Mr. LEVIN. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I would recommend that the gentleman go back and look back through 1991. On the last five, I may have voted no, and quite frankly, I do not believe this is the best way to deal with this issue. I have argued time and time again that when our Committee on Rules will put forth a rule that will allow economic growth packages, that will create private sector jobs, that is the kind of thing that I believe needs to be incorporated in this kind of package.

If my friend is questioning my credibility at all in voting against a rule, opposing a rule, and at the same time voting against the extension of unemployment benefits, I do not know why he would be doing anything like that.

Mr. LEVIN. Because essentially, Mr. Speaker, people come on the floor and talk about the need to provide some assistance to the people who are laid off through no fault of their own, but when the chips are down, when there is a chance to extend benefits, they vote no.

I will go back and check the gentleman's previous vote. I have the last vote. The gentleman voted "no."

Mr. DREIER. If the gentleman will continue to yield, I do not know when I have said that, but I have regularly said, let us create some private sector jobs and get the Government out of providing this kind of constant extension which we basically should establish as an entitlement program that will go on ad infinitum.

Mr. LEVIN. I do not want it to go on ad infinitum. On the other hand, I do not want us to be inconsistent, to say one thing and to do another.

Mr. DREIER. The gentleman has not told me when I have said one thing and have done another. My friend has accused me of saying one thing and doing something else. I would like to have an example of that.

Mr. LEVIN. The example is that time after time on the extension of benefits, most in the minority people came——

Mr. DREIER. Is the gentleman referring to this gentleman?

Mr. LEVIN. Most in the minority party, let me finish, came forward and said, "Let us do something else." They said, "Let us have an economic growth package." Many of the times it was not paid for and it did not meet the immediate needs of people who were laid off through no fault of their own.

I do not want an entitlement program. This is not a welfare program. I have been a leader in the effort to try to connect unemployment with reemployment. Here we have a bill that does exactly that.

It is a disgrace in this country that only 6 percent of the unemployed have any help with job search, even as they are exhausting their benefits. We do not provide the link between unemployment and reemployment. Here is a bill that does exactly that. It has become, instead of a place where we join hands because it is a good idea, it becomes, again, like the previous unemployment comp extension efforts, a political football.

The people who are in the unemployment lines, who want to go back to work, and there are some abusers, as is true in any other program, and it is up to the States to get rid of the abusers. We should help.

Here we have a program that does link the two. It is time for us to not talk about what was done 6 or 7 or 8 months ago, or to talk about gridlock, but to get behind this bill. I will be very interested to see how many votes we will get on the minority side tomorrow when the chips are down, when the wheels really hit the road.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. LEVIN. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I would simply like to formally hear on the floor, in response to the remarks of my very dear friend the gentleman from Michigan [Mr. LEVIN]. I would like to extend to him an invitation to join our bipartisan, bicameral, arm-in-arm, zero capital gains tax caucus, which is designed to create private sector job opportunities, and I hope he will join Members on his side of the aisle in both the House and the Senate who are part of that, so we can step forward and create meaningful private sector jobs and expand this economy.

I hope very much that my friend will seize the opportunity to join us in the attempt to create meaningful private sector jobs, so we will not have to stand here and argue whether or not we are going to extend unemployment benefits to States that today have full employment.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

I know the gentlewoman from Connecticut [Mrs. JOHNSON], who has been very active about the issue, feels passionately about the amendment she will offer. I think the gentleman from California [Mr. DREIER] has just indicated his position on it by his last statement.

I would say to my friend from California, a State may have full employment, but there are people within that State who are out of work and deserve those benefits, just as much as people in Michigan, in California, and other places. They do not care whether their State, in terms of numbers, has full employment or not. They are out of work. They are out of work for a long time. They have obligations to meet. They are just as deserving as the people who come from a State that has high unemployment.

I am sure we are going to get into this debate tomorrow. If the gentleman likes, we can do it this evening as well. I think the intention of the amendment is probably well-intentioned.

□ 1850

But the fact of the matter is there are real people behind those numbers, those are real people in those States. They have families, they have mortgages, they have education payments to make. All they want to do is have a decent life and a commitment to work, and you cannot treat them differently than people in high unemployment States. And that is all we are saying.

Mr. LEVIN. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Michigan.

Mr. LEVIN. We will be debating this in the morning.

By the way, look, we should be debating, discussing capital gains provisions. I sponsored one that was tied in to inflation.

But for the 250,000 people who will exhaust their benefits this month, they want action. They do not want further debate. And I am in favor of every assistance we can give to the creation of the jobs in the private sector. But do not use that as an excuse for inaction.

I just want to say to the gentlewoman from Connecticut [Mrs. JOHNSON], this is going to come out tomorrow, when she looks at the exhaustion rates in some of the States that would be caught by her amendment, they are higher than the exhaustion rates in some of the States where the workers would receive these benefits. And you have to bear that burden, you have to bear that burden.

I thank the gentleman for yielding.

Mr. DREIER. Mr. Speaker, I am more than happy to yield 8 minutes to my very good friend, the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, there are a number of things that I think very much need to be said at this time, and we will get into this more tomorrow.

But my colleague from Michigan has talked about how people who are unemployed in States with low unemployment rates are still in tough straits. They are in tough straits personally, but in very different circumstances.

In Connecticut when our unemployment rate was 4 percent, I had companies turning down orders because they could not find enough people to beef up their production rates. I had grocery stores closing down hours because they lost people to bag. We on this floor had to come back and specifically increase the salaries the VA system was offering to receptionists and all kinds of people because we could no longer compete at the salaries that we had been offering once unemployment got below 5 percent in Connecticut.

Now the unemployment rate of 4 percent or 3 percent represents the normal turnover, people who are moving from job to job, and so on and so forth. And anyone who lives in a State that has that kind of unemployment sees signs out that say help wanted. Now they may not be at the same wages that one was accustomed to work, but the circumstances of an unemployed person in a State with 4-percent unemployment is absolutely different than the circumstances of the people in Connecticut or in California, both of which are suffering from the dual impact of the collapse of the S&L system and the absolutely irresponsible pace at which we have been cutting defense contracts. And so those people genuinely not only are unemployed, but are in States where there is no employment option. And our responsibility here on the floor is to look at the particular nature of the extended benefit program.

I want to add a couple of things, because there have been some statements made in this debate and I think mislead the public as to both the quality and quantity of the work this body has done in recent years. We did reform our unemployment compensation benefits program and particularly the extended benefits portion of it only a year ago. And when our friend, Tom Downey of New York, chaired the committee, we adopted the lowest and the most generous trigger for extended benefits that the Nation has ever adopted. We adopted not only a 6.5 percent at that time, when economists were testifying that 6 percent was full employment, but we used to develop that 6.5 percent the most generous definition of unemployment the Nation has ever used, because it included those exhaustees. It was the first time, and Tom Downey deserves a lot of credit for having worked with the Department of Labor, President Bush's Department of Labor, to develop a way to estimating exhaustees. And the Ways and Means Committee reformed that program, made it far more generous, far easier to trigger extended benefits.

The difference was that the States had to share in the cost. Now almost all of the States right now had a surplus in their unemployment compensation funds, and they could share in the cost. And yet, we are going to tomorrow consider providing extended benefits 100 percent federally funded extended benefits at a time when this body raised taxes a very significant amount to fund the needs that we felt the Nation had only a few short months ago. In other words, we said to America that it is tough, you are going to have to pay more taxes, but this is what we need, these are the needs of our people, and here is the plan to address those needs, the spending needs, and we will have to raise taxes to do it. We knew about this need then. We knew we were going to have to extend benefits then. We should have included it in that budget, paid for it with those tax increases, and by gum, that was the right way to do it. And for us to be coming back a few months later to fund a need we knew about is part of the reason the people do not trust us any longer.

But I did want to get on the record that the Ways and Means Committee did a very powerful, very responsible reform of our extended benefits program. I agree with the Majority Leader that we need to reform the retraining programs in America so that we do a far better job of helping people get reemployed rather than sustaining them on unemployment. And I am proud, I am pleased to say that this President is proposing that kind of reform.

I am even prouder to say that President Bush introduced the most comprehensive reform of our unemployment system and of our job training system that anyone had ever introduced, and he did it because he wanted us to understand that the free trade agreeement with Mexico would be backed with a new and better system. And our committee would not hear that bill. Now remember that. We refused to even consider a retraining program that for the first time offered stipends to people who were in danger of losing their jobs because of changes in trade or environmental law. I mean, it was the most progressive retraining bill we have ever had, and the bill that is going to come to us from the Labor Department will build on it.

So this Congress has, for political reasons in the past, deferred. So when my colleague from Michigan says we should not do politics, enormous politics have been done with the unemployed. And I am proud of the fact that the Republicans tonight did not put obstacles in the way. We want a bill that is funded, and many of us are going to vote for it. But in the past my colleague from Michigan also said we never supported unemployment. We supported unemployment overwhelmingly, the extension of benefits overwhelmingly.

Mr. SANTORUM. Mr. Speaker, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I am happy to yield for a moment to my colleague from Pennsylvania to get this issue of fact on the record.

Mr. SANTORUM. Mr. Speaker, I thank the gentlewoman for yielding. I will just quote the dates on which unemployment bills were passed.

On November 14, 135 Republicans voted for the extension, 26 against. That is the first extension. The second extension, February 4, 1992, 151 Republicans voted for it, 8 against. On July 2, 1992, the third extension, 142 Republicans voted for, 21 against.

So in all three cases of funded extended benefits they were supported overwhelmingly by the Republican Party.

Mrs. JOHNSON of Connecticut. The important thing is that the Republicans have stood firmly and strongly behind extending benefits when they were paid for. We voted against them when they were not paid for.

In contrast, the majority party in today's Congress passed completely unfunded extended benefits a few months ago, totally borrowed money, 100 percent federally funded, federally borrowed money, and this time they are making an absolutely honest effort to fund it. And I commend them on that, and I will support it.

But the record of Republicans in supporting extended benefits is an honorable one. It has been a tough one because we have had to vote no when they were not funded. We have voted yes when they were funded.

Furthermore, the committee's record in reforming our extended benefit program is an honorable, progressive, and reformist record of those Republicans and Democrats, with Democrat leadership of our colleague Tom Downey. And our record as a party on reforming job training proposals is an outstanding one. As a Congress it is a silent one.

□ 1900

I hope we will move together to do that. But make no mistake about it, we do not accept the implication that we are in any way blocking unemployment comp. In fact we are absolutely strongly opposed to the delay you have imposed on our constituents getting the benefits they need. And it is that responsibility that you and you alone must take.

Just one last comment. Let me clear up this issue of a supplementary security benefits problem. Nobody on that program now is going to be taken off that program by the way we are funding these benefits. Everyone on it is secure. The only difference is going to be those that are coming up to the 3-year limit will now have to be supported by their sponsors for 2 more years. If the sponsoring family has experienced an economic catastrophe and cannot afford to support the alien they sponsored, they will be free of that responsibility. So there is no hardship here. It is only families that can afford to carry their sponsored person for 2 more years that would be affected. Those are the facts, and I think it is important to have our debate and our decisions based on the facts.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume in order to respond, if I might.

I want to make a couple of comments with respect to my colleague from the State of Connecticut [Mrs. JOHNSON]. First of all, let me say that we in the Rules Committee have made the gentlewoman's amendment in order. I am sure the gentlewoman is aware of that. I expect she will be supporting the rule as we move forward on this bill.

Mrs. JOHNSON of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentlewoman.

Mrs. JOHNSON of Connecticut. I thank the gentleman for yielding.

Mr. Speaker, I do intend to support the rule.

Mr. BONIOR. I thank my colleague for that.

For those of you who are listening to the debate here this evening, I think it is instructive to maybe give a little bit of the other side of the Johnson amendment because I think it is an important amendment in this bill. The amendment would exclude from the emergency unemployment extended comp program those States that average a rate of total unemployment for the most recent 3 months of less than 5 percent. Those States include Delaware, Hawaii, Iowa, Nebraska, North Dakota, South Dakota, Utah, Indiana, North Carolina and Wisconsin.

Now, the argument that the gentlewoman from Connecticut makes is that chances of getting a job in a low-unemployment State are much better than they are in a high-unemployment States. If you have got full employment, as the gentlewoman said, in your State, there are going to be advertisements our there, people are going to be looking for people to employ in these jobs. They say that it follows from this that workers in low-unemployment States should get a job instead of filing for unemployment benefits.

This might be true in some States. The gentlewoman's State is a relatively small geographical State, as is Rhode Island, Delaware. But even in some of these States it is difficult for families to pick up and do the thing that she suggests, to go from one end of the State to the other.

For instance, in Iowa, the latest unemployment rate available in Iowa City, IA, where I happened to live for 4 years, is 1.9 percent. They clearly have what is termed full employment.

Mrs. JOHNSON of Connecticut. But they are going to give benefits under your amendment.

Mr. BONIOR. But it is 5.3 percent in the Waterloo-Cedar Falls area. The question is: Should we deny these benefits to unemployed workers in Waterloo-Sioux Falls because the unemployment rate in the rest of the State is low? I do not think we should. They are just as unemployed as they are in Virginia, where, by the way, the unemployment rate is the same, 5.3 percent.

So it seems to me we have got to refocus this debate on this important amendment down to individuals. We are not talking statistics. Statistics do not bleed, Mr. Speaker; people do, families do.

These families have the same obligations, the same needs for opportunity, the same bills to pay as people in California, as people in New York, Michigan, or Ohio. And we ought not to just summarily dismiss them because they happen to live in a State where the unemployment rate may be below the average, even though they may be hundreds of miles away from where those opportunities lie.

Mr. Speaker, I yield 2½ minutes to the gentleman from Oregon [Mr. KOPETSKI].

Mr. KOPETSKI. I thank the gentleman for yielding this time to me.

Mr. Speaker, I would remind the body that if anybody has the credit of bringing this issue to our country's attention, that is, the plight of the unemployed, it was Mr. BONIOR in the last session of the Congress who stood on this floor for hours upon hours pointing out that unemployed people in this Nation were hurting and we need to extend the unemployment benefits for them. I think the gentleman from Pennsylvania [Mr. SANTORUM] forgot to point out that President Bush vetoed one of those bills. It would be interesting to see the vote count on that as well and how his caucus voted on the bill that President Bush vetoed.

Mrs. JOHNSON of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. KOPETSKI. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. I thank the gentleman for yielding. It was vetoed because it was unfunded. The bill which President Bush vetoed was unfunded.

Mr. KOPETSKI. The fact is, if you are unemployed out there in America, you do not care if the funding is there or not. You need the check because the grocer still charges you money for groceries, your mortgage is still due, the car payment is still due, and the kids have got to go to school. That is what we are talking about, what Mr. BONIOR is talking about, these individuals in our society.

I know the gentlewoman has a care and concern for people in this country, but we are talking today about unemployed people. It seems the debate is straying away. We start talking about capital gains tax reductions, which I of course support, but we are not dealing with that issue here. We are not trying to change the world. There is a great bumper sticker that says, "Some people want to change the world, we just want to change your oil."

All we are trying to do here is extend unemployment benefits to unemployed workers. These are people who are ready to work, able to work, they are out there looking for work, and there are no jobs for them.

The problem we are facing in this country today, which this administration is recognizing and is going to have programs in place to address, is the fact that whether you are displaced—if you are a displaced aerospace worker or a defense worker in Connecticut, you may not be qualified to take a job that is in existence there in Connecticut. Or if you are a displaced timber worker in Oregon, you may not be able to take an existing job in the high-technology industry that is available in Oregon today. That is the structural setup. That is what we are calling the structural problem in this unemployment system.

The committee examined all kinds of ways to fund it. We knew we could not put it on the deficit, so we looked for something. We knew we could not bring an increase to the FUTA tax to this floor because there would not be the political support for it. This is what we came up with. This is the best we know. Is it the best means? No. Is it perfect? No, but it shows that we are scraping the barrel to finance even this kind of program for people in this country, that we do have to reform the system, that we do have to get this economy going.

I hope all of you support that rule tomorrow.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

I say to my friend from Mount Clemens that I hope he joins with the gentleman from Oregon and me in supporting the greatest job-creating item we have coming before us on November 17, that being the North American Free-Trade Agreement.

Mr. BONIOR. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman.

Mr. BONIOR. I thank the gentleman for yielding.

We can come back later tonight and spend an hour or so on it.

Mr. DREIER. I would be happy to.

Mr. BONIOR. I recall reading yesterday that Secretary Reich sent up the retraining money in the Senate. He is asking for $100 million for the whole country to retrain 10,000 workers who will be displaced by the North American Free-Trade Agreement—10,000 workers is a drop in the bucket, but I would be happy to talk about that at some future time.

Mr. DREIER. We look forward to taking part in that debate.

Mr. Speaker, I yield 6 minutes to my friend from Mount Lebanon, PA [Mr. SANTORUM].

Mr. SANTORUM. I thank my friend for yielding this time to me.

Mr. Speaker, I would just say to my friend from Oregon that his comment that the people who are unemployed do not care whether it is unfunded or not is fundamentally wrong. I happen to have one of the highest rates of unemployment of any area in the country, and they do care. But I went to lots of town meetings, and I talked with those people, and they said they are not willing to sacrifice their children's future by piling more money onto the deficit just so they can get their unemployment benefits. They wanted a responsible package.

□ 1910

What this House continually does is underestimate how responsible families are in this country, how much they realize that they do want their government to live within their means. It is that kind of attitude that we should listen to more in this House, instead of just willy-nilly passing more benefits to people who would like to see them paid for.

What I would like to do first is to just commend my chairman, the gentleman from Illinois [Mr. ROSTENKOWSKI] and the committee for putting forward in this rule a bill that everyone on this floor should be able to support. It is a bill that is paid for. It is a bill that extends benefits for 4 months and does it in a way that I am very, very proud to be here and support, because it has two reforms to pay for this proposal which I think are both good reforms, one having to do with the sponsorship of provisions that we discussed earlier, and the other having to do with worker profiling which I think is a very important thing that I think we should be doing.

So I want to commend the chairman for his fine work in bailing out the administration and coming up with a funding mechanism and to be able to stand up here and support the work of the committee that was done unanimously in committee, to see it here on the floor.

The only thing I would like to express a little concern about is the fact that this should have been done 15 days ago. Fifteen days ago we had this very same rule that we have today. I can guarantee you that 15 days ago the chairman and every member of this committee would have been up here supporting this bill and having it pass overwhelmingly and we would not have had 2 weeks of people in this country having fallen off unemployment benefits, 2 weeks of people being denied benefits in this country because we refused to act.

The gentleman from Michigan claims himself to be the great patriot of the unemployed, and yet held up consideration of this bill for 2 weeks while people went without extended benefits.

I think the compassion that he would express for those in States like Nebraska that have a 2.9 percent unemployment rate should have been evidenced on the floor for the past 2 weeks, where no one from his side of the aisle took the well and complained why there was not a vote on this bill, took the well and complained why we were not addressing this problem because there were internal special interest politics being played on his side of the aisle.

Where is the compassion, when the effort to solve this situation is bound up in special interest politics? Where is it? Where have you been for 2 weeks? Why have you not been here on the floor defending the unemployed for 2 weeks as they fell off?

I will say that Members from your side of the aisle have done a great job in past extensions telling us how urgent the need for extended benefits are, and how we could not delay, not a moment to wait to extend benefits because, well, we had to pay for these.

In fact, I will read you quotes, Mr. PICKLE on November 20, 1991, says:

> There are millions of people, Americans who need this legislation. I hope that this is the final version of it and it can be approved immediately.

February 4, 1992, second extension, Mr. PETE GEREN from Texas:

> The clock is ticking for the 43,000 unemployed workers in my home town. An additional 13 weeks of unemployment benefits should not only be the beginning of our efforts to get them back on their feet, these benefits will keep food on their tables and the wolf from the door.

Again on February 4, 1992, the second extension:

> These folks are not looking for a handout—

Said the gentlewoman from Tennessee [Mrs. LLOYD].

> They are taxpayers who have supported this Nation. Many have fought to defend our personal freedoms on foreign shores. They have sent their sons and daughters off to do the same without hesitation. Action must be taken now to stave off the proverbial wolf at the door which has forced many families to choose between essentials which they cannot afford to do without.

The third extension of benefits, July 2, 1992, the gentleman from California [Mr. FAZIO]:

> With so many people out of work, we have a responsibility to act quickly and decisively if we are to give them the assistance they need and deserve.

The gentleman from Pennsylvania [Mr. FOGLIETTA]:

> For some on July 4th when unemployment runs out for millions, it will not be a day for fireworks. It will be a sad day for family meetings to discuss how to pay for mortgages and how to buy groceries.

The gentleman from Michigan [Mr. FORD]:

> Today, all across our Nation, millions of Americans are preparing to celebrate the 4th of July weekend with their families. For many Americans, however, this holiday, like so many before, will hold no reason for celebration, only the continued fear and economic insecurity, of an impending expiration of their unemployment benefits.

The fourth extension of unemployment benefits earlier this year, the gentleman from Pennsylvania [Mr. COYNE]:

> Some may argue that the House should delay action on this issue, but any delay puts at risk the ability of unemployed Americans to provide for their families. The House must act expeditiously to ensure that unemployment benefits are available after the expiration date.

It goes on and on. Where were these people the past 2 weeks? Where are they are on the floor today? Where is the compassion that was held up for the people who are for the unemployed, when you were playing special interest politics for 2 weeks while people could not feed their families.

Let us talk about real politics. Let us not talk about phonies. Let us talk about the cost to States who now having dropped the program are going to have to reconstitute the program and try to find these people who have dropped out of the system and get them back in the system to pay them their extended benefits. You have not even addressed the issue of where we are going to come up with that money.

This place is full of hypocrisy in many, many instances, but never will I hear in my time here the hypocrisy that has gone on in the last 2 weeks on this floor that we have seen on this bill.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

I just have one question for the gentleman from Pennsylvania [Mr. SANTORUM].

Where is the gentleman on the North American Free-Trade Agreement? Does the gentleman from Pennsylvania [Mr. SANTORUM] support that?

Mr. Speaker, I yield to the gentleman from Pennsylvania.

Mr. SANTORUM. I am still receiving testimony in the Ways and Means Committee. I have not made up in my mind.

Mr. DREIER. Mr. Speaker, I guess I started the NAFTA debate here.

Mr. Speaker, at this time I am happy to yield 2 minutes to my very dear friend and colleague on the Rules Committee, the gentleman from Sanibel, FL [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I thank the gentleman from Greater San Dimas, CA, and environs for yielding this time to me.

Mr. Speaker, I want to look at this from a somewhat different perspective. This is a debate on the rule. I realize we sort of have gotten away from that, and certainly after the very useful discussion we just had with the gentleman from the Commonwealth of Pennsylvania, I think outlined the problems very well from the perspective of the customer whom we all serve and the problems that have taken place in the past 2 weeks.

I will say for the record that the Minority side did participate in the lengthy meeting with the Rules Committee which caused some inconvenience because it was called at the last minute because of the deadline when we realized the October 2 expiration was coming up, and we did our work and we reported out a rule, I believe, September 29, in time for action to be taken to meet the deadline, so no American who was unemployed and eligible for this program needed to have gone without.

I think it is perfectly clear, the record is clear that the problem has been on the other side of the aisle, the management on the majority side. I do not know what the problems are. I am not going to talk more about gridlock. I think we have seen a new definition of gridlock today, but that is not my point in getting up.

We have redefined tranching. This is the sixth bite. The sixth bite would have come on New Year's, but we have not accepted that approach. Now we are going to do the fifth tranche at some point soon because the pressure is on to deal with this program, and the sixth tranche will come sometime later, presumably after 4 months; but we will have yet another tranche, so we have given yet another word a new meaning.

We have also given the word emergency a new meaning I think in this process, but the bottom line is how are we going to pay for this?

What we are being told now is that it is going to be a miracle of the States that is going to pay for this. We are going to go through this worker profiling, and what has never been possible before by these States that are strapped for funds is suddenly miraculously going to be possible and we are going to raise millions of dollars to pay for this program.

The SSI problem we have heard caused a problem on the other side with the rule we passed out on the 29th, the rule we are talking about now, has not gone away. So we still have the problem there.

The shortening of the benefits package from 4 months to 3 months apparently is not meeting with approval.

The Gekas proposal, which is the one we really wanted to make in order, which is a sensible way to begin talking about funding this, we are not going to be allowed to debate.

So the question remains, how do we pay for this?

I submit that the majority is asking us to pay for this by adding it to the national debt. That is really what we are being asked to do, avoid the issue of pay, we will get to it later. The emergency is too great. We will have another chance to come to the sixth tranche, and that is responsible to all Americans who are being asked to pick up the tab for the national debt, including those who have not yet been born.

That is why I am opposing this rule and suggest others oppose it as well.

□ 1920

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just recommend to my colleague who sits with me on the Committee on Rules that he share a discussion with the gentlewoman from Connecticut [Mrs. JOHNSON] who is a supporter of this rule, and maybe between now and tomorrow morning when we do it she can convince him, as a Member of his party, that this is the best we can do at this point, that we should go forward and provide these benefits.

Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin [Mr. BARCA].

The SPEAKER pro tempore (Mr. MCDERMOTT). The gentleman from Wisconsin [Mr. BARCA] is recognized for 1 minute and advises the gentleman from Michigan [Mr. BONIOR] that he has the right to close.

Mr. BONIOR. Mr. Speaker, the gentleman from Wisconsin can close for me.

Mr. BARCA of Wisconsin. Mr. Speaker, I hope we do not delay any further. There are thousands of Americans that are waiting for our action tomorrow, and I hope we will find a way to work together on a bipartisan basis to pass a rule and finally pass a much deserved and much needed bill.

But secondarily, Mr. Speaker, I hope we will also have the compassion to not only not delay, but also not to deny benefits to thousands of workers that have worked hard to qualify for benefits, that need those benefits, that happen to live in States that are below 5 percent, and I can tell my colleagues that there are parts of my district where the unemployment rate far exceeds a statewide average of 5 percent.

That is why I hope tomorrow that the amendment being offered by the gentlewoman from Connecticut [Mrs. JOHNSON] will fail. I hope we will have some equity, and I hope that we will be able to ensure that workers and their families that need this help will get the help that they richly deserve so that they can get retrained so they can get back into the workforce where they want to be, and so I will just ask, Mr. Speaker, that we work together.

I say to my colleagues, Let's pass a bill tomorrow.

Mr. DREIER. Mr. Speaker, I yield 4 minutes to my very good friend and hard-working Member, the gentleman from Del Mar, CA [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I would like to associate myself with the comments from the gentleman from Pennsylvania [Mr. SANTORUM] and the gentlewoman from Connecticut [Mrs. JOHNSON]. I think they said it very eloquently for our position. I would like to go from another direction.

Mr. Speaker, I have heard that people bleed, but why are they bleeding? I have heard that we do not care that we are paid or not paid, or people do not care who or what event is paid for. But if we increase the national debt, which is already $4.3 trillion, that is going to cost more jobs in the long run. The Clinton tax bill increased the debt by $1 trillion. That will also cost jobs. I have heard about the displaced timber workers from Oregon, and I say to my colleagues, You won't find the Republicans voting on an unreasonable Endangered Species Act which is putting those timber workers out of work and then cry they don't have the dollars.

Yes, Mr. Speaker, they are bleeding. Look at the fishing industry, especially in the State of California. The other side has destroyed it with the Endangered Species Act.

They want to get the economy going? We are not talking about line-item veto and balanced budget amendment, but all of these things will create jobs, and that is what we are talking about here. I heard that the North American Free-Trade Agreement will displace 10,000 jobs. The Clinton tax plan of a $127 billion tax cut in defense, above the $50 billion we already went through, will cost 2 million jobs in the United States. Two million jobs, Mr. Speaker. How about those folks?

These are the same people that are going to bleed and that they are going to want to give unemployment dollars to. We need to take a look at that.

In the State of California my colleagues say they have got problems. We have got in some areas 10 percent unemployment.

Now let us take a look at why we are bleeding, and I say to my colleagues, If you take a look at the highest tax rate in the history of this country, we are going to bleed. Eighty percent of all your spending cuts come after 1996, and I say quite frankly, I do not want President Jack Kemp to have to deal with that.

What about construction and real estate? They put a clamp on the banks so tight with revenuers that banks cannot be banks to make loans that create the jobs in the construction industry, in the real estate industry.

Let us look at the EPA. Look on how many States, Republicans and Democrats, how the EPA has put rules and regulations on them. It is costing us jobs.

Look at the family leave program on small business. The Democrats are attacking small business on purpose. Why? Because small business votes with the Chamber; they support Republicans.

The Federal employees, on which they passed the Hatch Act, votes Democrat mostly. They are trying to socialize this country, trying to unionize it at the expense of business, and that business is jobs, and now they are trying to pay for it when they cannot pay for it and extend it.

Mr. Speaker, Mr. President, in this country unemployment benefits, health care benefits, education reform are tools to socialize this country by the leadership of the Democrat Party. They are trying to put everything under a single umbrella so that they can buy the votes. That is why they wanted to increase taxes. They want to socialize the country, make it beholden to the Federal Government and cry that people are out of work.

Mr. Speaker, I say to my colleagues, You can't do that and create jobs. If you did, you wouldn't vote for those kinds of things. Look at the volunteer education program. You just created 100,000 new Federal workers, gave them $17,000. But in each city you are going to have to establish those bureaucracies, and a new Federal Government and a new mandate. With the health care bill, my colleagues, sure. You want to increase the size of government, but again you want to put it on the backs of small business. That is going to cost you jobs along with the tax increases, with the family leave program, with the Hatch Act, with all the other things that you're destroying jobs, and then you are trying to fight for those unemployment benefits.

Mr. Speaker, it is wrong.

Mr. BONIOR. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to rule I, further proceedings are postponed until tomorrow.

The point of no quorum is considered withdrawn.

INTRODUCTION OF MILITARY FAIRWAY FAIRNESS ACT OF 1993

(Mr. KLECZKA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KLECZKA. Mr. Speaker, I rise today to introduce the Military Fairway Fairness Act of 1993, which would open military golf courses to the general public, an idea which would raise $100 million for deficit reduction. I had previously sought to introduce this as an amendment to the Defense Authorization Act for fiscal year 1994, but was unable to include it in the rule.

The idea to open military golf courses came to me from one of my constituents, Mr. Jack Nedobeck. This constituent, like many, is concerned about Government spending and saw this solely as a benefit for the military. I agree with him and am pleased to bring this issue to the national forum. It just goes to show that some of our best ideas don't come from inside the beltway, they come from the folks back home.

Currently, military golf courses cost American taxpayers $6 million a year. The American people pay part of the cost of operating the courses, yet they do not receive any benefit from their investment. Those in uniform often pay half as much at a military course as civilians pay at a public golf course.

Mr. Speaker, I know that the military is concerned with the morale and quality of life of its personnel. I share this concern, but I believe that exclusive golf courses are unnecessary. As in a similar bill introduced by Senator DECONCINI, this bill would not restrict the use of these golf courses by military personnel; it would simply permit the use of the facilities by civilians. I believe that it is unfair to ask American people to continue to support such exclusiveness. It's time to tee off on this unnecessary benefit.

Mr. Speaker, following is the text of the Military Fairway Fairness Act of 1993:

H.R. 3283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Fairway Fairness Act of 1993".

SEC. 2. USE OF DEPARTMENT OF DEFENSE GOLF COURSES BY THE GENERAL PUBLIC.

(a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2246. Department of Defense golf courses: use by the general public

"(a) LIMITATION.—Except as provided in subsection (b), each golf course equipped, owned, operated, or maintained at a facility or installation of the Department of Defense shall be open to use by the general public.

"(b) EXCEPTION.—Subsection (a) does not apply to a golf course at a facility or installation outside the United States or at a facility or installation inside the United States at a location designated by the Secretary of Defense as a remote and isolated location.

"(c) USE OF GENERATED REVENUES.—(1) Not more than 10 percent of any gross revenues generated during a fiscal year from the operation of a golf course to which subsection (a) applies may be retained by the operator of the golf course. Any such gross revenues that are retained under this paragraph may be used only to maintain such course or to support morale, welfare, or recreation activities of the military personnel at the facility or installation. Any such gross revenues generated during a fiscal year that are not retained under this paragraph shall be deposited in the General Fund of the Treasury and used only for Federal budget deficit reduction.

"(2) The Secretary of Defense shall annually submit to the Congress a report that identifies in detail how the revenues retained under paragraph (1) have been expended.

"(d) FEES.—The Secretary of Defense may subsidize for active and retired military personnel any fees imposed by the Secretary for the use of the golf course and give priority access to the golf course for such personnel. Fees imposed for nonmilitary persons for the use of the golf course shall be based on rates that are competitive with golf fee rates in effect in the relevant local community.

"(e) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

"2246. Department of Defense golf courses: use by the general public.".

THE CLINTON HEALTH PLAN: PROMOTING PRIMARY CARE

(Mr. KREIDLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KREIDLER. Mr. Speaker, the Clinton health reform plan will improve the quality of medical care in America by encouraging more doctors to work in the fields of general and family medicine.

I would like to share with my colleagues a recent article in the Tacoma News Tribune that discusses our efforts in Washington State to address the critical shortage of these primary care physicians.

In America, we pay too much to treat illness after it becomes serious, and too little to prevent it in the first place.

That's because we have too many high-priced, high-technology specialists and not enough down-home family doctors.

Most countries have a ratio of one specialist for every two general practitioners.

America has just the opposite.

My district has a shortage of primary care physicians.

That means too many people go to the local emergency room for their care—and that's the most expensive care around.

That's not only bad economics, it's bad medicine too.

The Clinton plan will change that and offer better care at an affordable cost.

That's the prescription we need.

[From the Takoma News Tribune, Sept. 27, 1993]

BACK TO BASICS OF MEDICINE

(By Patti Eplar)

Every Friday afternoon, Dr. Cynthia Dumler trades the medical woes of downtown Tacoma for the growing suburban ailments of Puyallup's South Hill.

Dumler, a first-year resident, is one of two new doctors who are learning the specialty of family medicine in an area of the county that really needs their help.

Despite three pages of listings in the Puyallup yellow pages, doctors in Eastern Pierce County are in short supply. Now, state officials and health care administrators are hoping to entice young physicians to set up practice in underserved areas of the state through tuition assistance and offsetting residency training costs.

"It's not out of the question," says Dumler about settling in Puyallup after her three years as a family practice resident are up. A Nebraska native, Dumler says she likes the opportunities small towns have to offer family doctors, including a better sense of community and a broader range of privileges at local hospitals.

Dumler is the kind of doctor envisioned in President Clinton's just-released health care proposal as well as the reform measure the Washington Legislature passed earlier this year.

In fact, experts say, the trend in medicine is away from specialties like orthopedic surgery or thoracic surgery and toward specialties that people really need—family care, pediatrics, internal medicine, the so-called primary care fields.

No more running to the doctor only when you're sick. That drives up costs for everyone.

Instead, people would regularly get checkups from doctors who could focus on what a particular patient might need to maintain a healthy lifestyle and avoid ailments like heart disease.

A 30-year-old woman, for example, doesn't need blood tests or heart exams, says Dr. Marilyn Darr, a family practitioner and faculty member at Puyallup Valley Family Practice Clinic in the South Hill area.

"She needs good breast exams and to be taught how to do that herself. She needs good Pap smears and good pelvics," Darr said.

"It's not the glorious fix-your-heart thing, but it's the basic stuff that needs to be done."

The trouble is there are not enough primary care physicians. University of Washington medical school administrators estimate there's a need for nearly 300 more primary care doctors along the Interstate 5 corridor in Snohomish, King and Pierce counties.

Eastern Pierce County, one of the fastest-growing areas of the state, is feeling a particular crunch because of its rapid growth and rural characteristics.

The Puyallup and Orting valleys are short about 30 primary care doctors, and Dr. John Coombs, associate dean for regional affairs and rural health at the UW School of Medicine.

Coombs said a lot of people in the fast-growing east country area may not be able to get to a doctor on a regular basis or have to drive a long way from home for a checkup.

Darr said dozens of patients come from Mount Rainier, Orting, Graham and even Tacoma to the South Hill center for medical care.

Moreover, Coombs said, the emergency room at Good Samaritan Hospital in Puyallup is one of the busiest in the state because many people use it for ailments they should be seeing a private physician for.

The Puyallup clinic is a satellite of Tacoma Family Medicine, which also trains residents in family practice. Dumler and Dr. Alan Shulman are the only two of Tacoma Family Medicine's 20 residents who receive training in Puyallup, although officials hope to expand the program to six residents eventually.

The residency program is sponsored by Good Samaritan Hospital and Multicare Medical Center, which looked at the number of doctors in the area and found a void that needed to be filled.

Earlier this year, the Legislature boosted funding for a UW program that helps hospitals and clinics pay residency training costs for doctors who agree to go into primary care fields.

The $2.8 million brings the state's commitment to training doctors to about $4 million and was a key element of the state's ambitious health care reform effort.

"There's a very, very strong commitment on the part of the Legislature to deal with underserved areas and to follow up with the money to make it work," said state Sen. Phil Talmadge, a West Seattle Democrat and one of the principal lawmakers behind health care reform.

Talmadge notes that enticing young doctors away from the glamorous, high-paying specialties and into the family care fields is a central principle of health care reform. The state hopes to corral runaway medical costs in part by taking better care of people up front, before they develop problems that need expensive procedures and treatments.

Health care reform "will not work absent a shift in the nature of the professionals providing the services," Talmadge said. "We have to produce people who will be the gatekeepers" of good health.

To that end, the Legislature also required the UW medical school to make sure that at least half its graduates go into primary care fields, in order to keep the extra funding for residency training, Talmadge said.

Still, wrenching the medical profession from its traditional way of doing business isn't cheap.

State funds contribute only about 8 percent of the actual cost of training residents, Coombs said, with the rest of the money coming from grants, patient fees and hospitals like Good Samaritan.

Residents are encouraged to stay in the geographic area where they take their training but aren't required to do so. Coombs said the residency programs have about an 80 percent retention rate—doctors who end up staying in the state.

"There are lots of enticements," he said, including support from the residency program for a new doctor beginning practice.

"Most of them will practice within 50 miles of the residency program," Coombs said. "That means having a residency program in Puyallup will help bring doctors to that area."

WORKING FOR EQUITABLE ACCESS TO HIGH-QUALITY HEALTH CARE

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, all Americans, especially the poor and minorities, need health security for their families which provides for primary and preventive health care services and eliminates a multitier health system.

More than 38 million Americans are without health coverage today, and millions more are underinsured. Minorities and persons with limited income represent the largest percentage of the uninsured and underinsured. However, most Americans are without the security of knowing if their insurance coverage will protect them fully in case of a medical crisis. We need to change the health care system in our country to insure that all Americans, rich or poor, have the health care coverage they and their families so rightly deserve.

I know first hand the problems the citizens of the First District of North Carolina face in their efforts to receive adequate health care. Because the First Congressional District of North Carolina is very rural and economically distressed, many of my constituents do not have access to regular primary health care or preventive services. In fact, the recent census has shown that the number of poor people in America has increased—that will mean more families will be denied adequate health care.

One of the biggest challenges in reforming health care will be to insure equitable access to high quality health care. That will mean the current system based on structural inequities in rural areas and inequalities based on race must be eliminated.

I look forward to working with my colleagues on the health care reform proposal to insure that all Americans receive high quality health care.

Mr. Speaker, for the RECORD I include a statement on the Clinton health care reform, and what it means to African-Americans:

THE CLINTON HEALTH CARE REFORM: WHAT DOES IT MEANS TO AFRICAN AMERICANS?

(By Linda A. Clayton, MD, MPH and W. Michael Byrd, MD, MPH)

CONGRESSIONAL BLACK CAUCUS HEALTH BRAINTRUST TESTIMONY

In this ERA of health reform, the unique and crisis laden needs of African American, disadvantaged minority, and poor populations have hardly been mentioned. Instead of a reform based on principles of public health, rational and objective health planning, and meeting quantitative health needs assessments, emphasis instead has been placed upon developing a system overwhelmingly shaped by purely economic and ideological considerations. In this artificial debate, the poor health outcome, health status, and health service delivery performance of the United States (U.S.) Health System; the wide, deep, health outcome and services disparities based on race and class, and; the multiple causes of the economic displacements and runaway health care costs inflation are scarcely mentioned, much less analyzed and addressed.

Though seldom mentioned in the media, African Americans suffer the worst health status, receive the worst health services, and experience the worst health outcomes of any racial or ethnic group in the United States. The general "Mainstream" health crisis characterized by rampant health care cost inflation consuming 14 percent of the GDP; leaving 37 million Americans uninsured and another 50 million underinsured, and; usurping the United States' competitiveness in the world economy cannot be allowed to obscure this severe, ominous and dangerous, structural, race and class-based health crisis. Moreover, the lower tier of this "Dual health crisis" is built upon decades of health care segregation and discrimination and has roots more than three centuries old. Problems this deeply ingrained in the fabric of a social system don't solve themselves.

For example, the glowing reports released yesterday of improvements in white America's longevity and infant mortality rate don't mention the fact African Americans have been losing life-span since 1984 and infant mortality rates two to three times worse than white rates have stagnated. Blacks, both urban and rural, are far less likely to receive preventative or therapeutic services; less likely to have access to primary or specialty care providers, and; are less likely to receive or benefit from the recent high technology medical progress.

Over the past 30 years we have lost over 200 black, inner-city and rural, hospitals; we have lost more than 600 community health centers and numerous migrant health centers. For the past quarter century funding has been continuously stripped from city and public hospitals, yet blacks, other minorities and the poor are forced to utilize these underfunded, poorly equipped and understaffed facilities or emergency rooms for their health care.

Collapse or urban and rural health care infrastructures, has been the result of market forces, cut throat market competition in the health system, monetarization and commercialization or health care, and over-reliance on the private sector for the delivery of health care in America. While market forces have been working, inner-city and large blocks of rural areas have been categorized as "medically underserved" areas for the past 30 years and this situation continues to deteriorate to the present time. Yet no specific plans, measures, or corrective actions have been revealed to alleviate these problems or adequately serve these populations.

Additionally, race and class discrimination is pervasive throughout the United States health system at all levels from patients to professional and institutional providers. This has been reflected in health outcome studies; recent health service utilization studies both recently reported in the N Engl J Med, JNMA, JAMA, and the J Health Care for the Poor and Underserved, and; health practice patterns studies recently conducted by the National Medical Association.

As reflected in the recently released world health organization report and Andrew Hacker's book "Two Nations, Life Across the Racial Divide in America," is very separate and very unequal; and that includes the health delivery system.

We challenge the Clinton administration to join in the philosophy of the other 23 Organization for Economic Cooperation and Development [OECD] nations and develop a universal health system that will correct structural inequities and inequalities based on race and class; will objectively, practically, and structurally incorporate all Americans into a truly unitary health system driven by the Nation's public health needs, and; will provide equitable access to high quality, comprehensive, health services based on international, not "Fortune 500", standards regardless of race, class, work status, ethnicity, geographic location, or the ability to pay.

ORDER OF BUSINESS

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent that the order of the 60-minute special orders granted today for the gentleman from Indiana [Mr. BURTON] and the gentleman from California [Mr. DOOLITTLE] be switched.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1930

OVERREGULATION OF BUSINESSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, as we talk about reinventing Government, we need to talk about overregulation.

Mr. Speaker, every day, Congress endangers jobs in this country through the overregulation of business. According to a 1993 study cited by the Vice President's report on reinventing Government, the private sector has to spend at least $430 billion annually to comply with Federal requirements—that's 9 percent of GDP. As we search for ways to help Americans, let's make sure we don't help them right out of their jobs.

A survey of small and mid-sized businesses this summer found that 38 percent have been unable to get enough investment capital. One cause of this capital crunch is the money siphoned off by Federal Government overspending and overregulations.

The list of burdensome requirements placed on businesses is long: payroll tax deposit requirements; OSHA regulations; environmental rules; wage reporting requirements; Disability Act requirements; minimum wage rules; product safety standards; pension regulations; and Equal Opportunity Act reporting requirements.

Mr. Speaker, alone, none of these regulations are fatal to business, but together, they hit businesses like a wrecking ball, demolishing the hopes of American workers and entrepreneurs. Small businesses are the engine of growth in America. Let's not regulate them out of business.

We just have not talked enough about the negative consequences of big Government that is out of control. We all know horror stories resulting from Government redtape, but seldom do we think of the costs involved.

Our Government has 125,000 regulators working at any given time on 5,000 regulations.

This is occurring at 59 Government agencies and these regulators produce 66,000 pages printed in the Federal Register annually. Every year, 66,000 new pages of regulations.

Most important, Mr. Speaker, is that these regulations cost our economy an estimated $430 billion annually, or about $4,000 for each family in America.

Government regulations are crippling our country.

Big government, with our overzealous regulations, is costly not only for taxpayers, but certainly for jobs and ultimately our standard of living.

Mr. Speaker, as we reinvent Government, let us invent one with fewer job killing regulations.

TRAGEDY IN SOMALIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, I have been doing a series of special orders the last 2 weeks, trying to make sense out of our policy in Somalia. And I am learning something as we go along day to day. So some of the things that I surmised or tried to figure out a few days ago, I am learning today may have been slightly wrong. But I am getting to the hard facts. It is not easy, because, as I said last week, for the first time in my 17 years on the Hill, 15 in office, I have never had such difficulty getting straightforward, I don't want to say truthful, because that would indicate untruthfulness, but straightforward, clear, right from the shoulder, factual briefings.

I have got to kind of go around like I am back on as a journalist, as an investigative reporter, and piece this together.

I held up this morning the three principal news magazines, U.S. News & World Report, Time, and Newsweek. They all had Durant on the cover. One of his family members just called me a while ago, and I missed the call, they left a number, and told my staffer to thank me for everything I have done the last week to keep his name alive. His wife, Laurie, is on her way to Landstuhl, Germany. He is on his way up there from Somalia.

We now have no hostages. Of the 18 men killed on Sunday, October 3, and the 3 that died in the hospital later on on the 4th, and the 1 that died in the hospital up in Germany, those 18 men, we miraculously have all the remains home. There is a set of remains of one of our heroic men who was dragged through the streets, beaten after he was dead, spit on, mutilated, and finally burned so badly that they are trying desperately to identify him. They are going to have to go to DNA. He is back on the soil of the country that he died serving. His uniform is as a door gunner. He is up at Dover in a mortuary as we speak. I am not allowed to release his name, but there is only one person missing.

As I said this morning, his mother knows who he is, because she identified him, live, on Monday night, October 4, on television. "That is my David," she said. She did not even know he was over there. Then the Army said, "We don't think so." Then the next day they told her he is missing, and for 7 more days she has gone through this most unbelievable of all agonies that could ever be presented to a mother.

Her statement to USA Today was, "I am torn up inside. I don't know what to say." Of course, his wife was holding out hope that it was not him.

Now, here are two of the magazines. I misplaced U.S. News & World Report. But here is Time. "What in the world are we doing? Anatomy of a disaster in Somalia.

They went to press when CWO Michael Durant was still trapped. He is now out. Here it says "The inside stories."

Here is Newsweek. "Firefight from hell." Here is the opening of their story, a picture of Les Aspin, "The making of a fiasco. An inside look at how Washington blundered into a misguided two-track policy. Our track, the humanitarian track; the U.N. track, putting out a contract on the very warlord who has four sons in the United States."

Try and sell that case to the mothers and fathers and wives and children of these 18 men that died.

Here is the inside of Time. Newsweek, by the way, censored themselves. They had none of the gruesome pictures. But Time magazine, "Anatomy of a disaster," with a handsome soldier on one side, goes to a full page photo, bled off on all edges, that means nothing but photo copy, of this big tall blonde American hero, dead at this point, thrust on two of his arms and a foot, one of the fellow crewmen on the helicopter of Durant's who had white handcuffs cut, as I said last week. No one puts white handcuffs, stolen from us, on a dead body.

Now, here is something that I am developing, and I will have more to tell you next week. There was a crash of the first Black Hawk that went down on September 25, 8 days before the firefight from hell when we lost 18 Americans dead.

□ 1940

On September 25, a utility Black Hawk, a UH-60 was hit be a rocket-propelled grenade, the same as the three that were hit Sunday. The third one made it back and crash-landed. The plane is destroyed, the helicopter is destroyed at Newport on the port. So they got 3 helicopters. I do not know how many are in the air. Part of that no straight briefing stuff.

But the first Black Hawk went down on the 25th, went down in an open street area, not as bad as the two that went down 8 days later.

We rescued the 2 warrant officer helicopter pilots.

FURTHER REVELATIONS ABOUT SOMALIA

The SPEAKER pro tempore (Mr. McDERMOTT). Under a previous order of the House, the gentleman from California [Mr. HUNTER] is recognized for 5 minutes.

Mr. HUNTER. Mr. Speaker, let me say one thing before I yield to the gentleman from California [Mr. DORNAN].

We just left the Armed Services room. We have a reception there for our staff members who have been working hard to put a budget together.

As I walked out, I saw the placard that has a provision of the Constitution that we always show our witnesses, when the administration comes up to testify.

It says, among other things, that the Congress shall be responsible for raising and supporting armies. That means seeing to it that our men and women in uniform, no matter where they are around the world, are as secure as we can possibly make them and to see to it that they have, in the words of Colin Powell, superb training and superb equipment.

I want to compliment my friend, the gentleman from California [Mr. DORNAN] because, of all the members of the Armed Services Committee, and all of us have this responsibility of looking after our young men and women in uniform, he has done more than all the rest of us in terms of trying to knit together what happened to our young men and women in uniform, long before we have hearings on this and long before we have definitive statements from the administration.

He has contacted families. He has worked hard, even while the warrant officer who has been recently released was in captivity.

I know that the family was very grateful for that. I have seen some indications of that.

I just want to thank my friend for following up on his responsibility as a Member of Congress and the Armed Services Committee.

Mr. Speaker, I yield to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, in the sense of confession is good for the soul, let me tell the Speaker and the 1,200,000 people watching a piece of advice the gentleman from California [Mr. HUNTER] gave me about these special orders over the last few days.

He said, "My friend, be passionate but don't look so angry."

It is good advice. I want all these people watching me to know that one of my staffers said to me the other day, "In 17 years you have never raised your voice to a staffer." Maybe I am just a pussy cat, like Ronald Reagan, not tough on staff.

I am not an angry person around here. I think all colleagues will acknowledge that I try to be an upbeat, optimistic, happy person.

But in this well, I let some passion show. I do not mean it to be anger.

Track the rest of my investigation.

September 25, UH-60 goes down. We rescue the two warrant-officer pilots, the two door gunners, and we do not know the condition because I cannot get the after-action report.

A passenger from the 10th Mountain Division, that is where BOB DOLE was crippled and won his Purple Heart and Bronze Star in World War II in Italy, 10th Mountain Division, Fort Drum, NY. He was riding as a passenger in this 101st Regiment chopper.

It goes down. Rescue the two pilots. So it was not a hard landing.

The three in the back are overwhelmed by the crowd. Now, we have only gotten back the remains of one, one, terribly mutilated. The family has put their hero to rest either in Arlington or their hometown. I will find out where.

The other two, I am going to slow down so you hear every word, everybody following the proceedings here and you, Mr. Speaker. We do not have a fingernail back of one of those two heroes.

I learned this looking at a paper, when I see this beautiful African-American, black American family, the Williams, mother, father. I think a widow. I cannot remember a child. Eugene Williams, 26, and the last line says, "No remains."

Now, I am fighting to get all the remains back of the five men that were beaten to death and murdered by the crowd on the 3d and the 4th.

I am saying, wait a minute, we did not get remains back from the September 25 crash.

One remains and two no remains. And here is where I get this feeling the Army is not straight with the American people, some people in the Army.

They said, the fire of the crash consumed all the remains. That is not true.

When a jet fighter goes straight in, you can get 5 or 10 pounds of remains. A B-2 hits a mesa in Texas, and they got 10 pounds of remains out of 4 big, healthy Air Force officers. You get something.

No. What they were covering up was the cover up that happened a couple of weeks ago when they said, the crowd does not have those bodies. We have those remains.

The first shots we ever saw of the remains of Americans being held up in the street was not October 4. It was September 25 and 26 on our news. Those were the remains.

When Agency France Press and when Reuters said they were waving limbs around, our Government said, impossible. We got the remains.

No, they did not. They were waving the limbs of our heroes.

My point is, we had 8 days to analyze not just in Mr. Aspin's shop but to analyze in Mogadishu that unfortunately we were flying over angry mean streets where the people were acting like sharks and tearing our men apart.

Somebody should have said, was that a lucky shot with a rocket-propelled grenade that took out our 101st Regiment chopper? What if they get another one?

The next two that they got were Special Forces guys. We have lost Delta Forces guys. We have lost Rangers. We have lost sergeants in their middle thirties.

Durant's pilot was 45 years old. I bet you the next time I am on the floor, I will be talking about his combat record in Vietnam as a 19-, 20-, or 21-year-old Huey or Cobra gunship pilot.

This is truly a disaster, not only here, but I want questions answered to me, if I have to go to Mogadishu itself, to tell me why in 8 days they did not have a hard-core, well-thought-out rescue plan through these dangerous, mine-laden, angry streets, to get to a chopper crew, if it went down before, for a second time, they were overrun, beaten to death. And their bodies desecrated in that way.

A DISCUSSION OF AN IMPORTANT ISSUE FACING AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont [Mr. SANDERS] is recognized for 5 minutes.

Mr. SANDERS. Mr. Speaker, as the only Independent in this House, my views on many issues are different than my colleagues of the Democratic and Republican Parties. And that is fine, because that is what democracy is about.

But my major concern in terms of what happens here in the House is that there is an enormous amount of obfuscation, that we run away from the most important issues facing the American people.

On any given day, there are thousands of issues out there. And we often talk about many of them. But it is amazing to me, and I think to the American people, how somehow we forget to discuss the most important issues facing the ordinary people of this country.

In the few minutes that I have, I just want to touch upon some issues with the hope that maybe, just maybe, we can begin some serious discussion about these issues here in the U.S. Congress.

The first point that I want to talk about that concerns me very much is my fear that this country, this great country, this democracy is evolving into an oligarchy. An oligarchy is a country in which a few people have tremendous wealth and tremendous power and exercise that wealth and that power over all of the people.

In the United States today, and this fact is not terribly well-known, the wealthiest 1 percent of our population own 37 percent of the wealth. The wealthiest 1 percent of our population own more wealth than the bottom 90 percent. And what is going on in this country today is that the wealthiest people are becoming wealthier and have more power.

The middle class is shrinking, and the poor are suffering more than they have ever suffered before.

When we talk about oligarchy, we are talking about the power of the few over the political process. That means both major political parties.

When we are talking about oligarchy, we are talking about an increased concentration in the media where a few corporations control more and more of our television, of our radio, of our magazines, and of our newspapers.

That raises the issue of whether or not the American people are getting the truth about what is going on in this country or whether what we are hearing about reflects the interests of the wealthy and the powerful.

□ 1950

That issue, the evolution of a democracy into an oligarchy, is not talked about too much in this institution, in the Congress. I hope we can begin that discussion.

The second issue that I want to touch upon briefly is very often people get up here and they say, "The United States is the wealthiest Nation on Earth." They are wrong. It is not. The interesting question is, and the interesting issue is, 20 years ago in terms of the wages and the benefits that ordinary Americans received, we were No. 1. We led the world. Our workers received the highest wages. Our health care system was the best. Our educational system was the best.

Today, according to a variety of studies, we are 12th in the world. Do the Members want to know why German automobile manufacturers are coming to the United States today? They are coming to the United States for the same reason that American companies are going to Mexico. They are coming for cheap labor.

Today in terms of wages and many other indicators, we rank 12th in the world behind Western Europe and Scandinavia. Many of these countries have health care systems guaranteeing health care to all of their people. Many of these countries guarantee free educational opportunities to their people, so the question arises how did the United States, under both Republican and Democratic leadership, go from 1st in the world to 12th in the world, and why are we not talking about that reality.

Another point that I think should be raised, when we talk about rich and poor and working people in this country, is not simply to mention that the standard of living of working people is in rapid decline. That is important to point out. But we should point out that the gap between the rich and the poor is growing wider, and we should begin to ask some questions as to why the chief executive officers in the United States of America earn 157 times more than the workers in those corporations, 157 times. That is the largest gap in the industrialized world.

In 1960 in this country the gap was 40 to 1. In Japan today my understanding is that the gap is 32 to 1. What has been going on in this country is that as our standard of living, as we have become a poorer nation, the big-money interests have taken more and more out for the few and left the working people and the poor out to dry.

The last point that I want to touch upon, we can talk about the past and we can moan and be concerned about what has happened over the last 20 or 30 years, a real tragedy. However, we should also be thinking about what is going on in the future, and what we must do to change the trends.

What concerns me very much is that when we talk about employment, and we hear the employment statistics, 6.7, 7 percent, it does not sound too bad. Mr. Speaker, I will be back.

ON BALANCE NAFTA IS A VERY GOOD DEAL FOR NEBRASKA, AMERICA—AND THE HEMISPHERE

The SPEAKER pro tempore (Mr. McDERMOTT). Under a previous order of the House, the gentleman from Nebraska [Mr. BEREUTER] is recognized for 5 minutes.

Mr. BEREUTER. Mr. Speaker, the proposed North American Free-Trade Agreement has resulted in more exaggerated claims and hyperbole, and more distorted arguments by both sides, than any issue Americans have faced for a long time. Given the breadth of coverage of this trade agreement and the huge economic and development disparities between Mexico and its two North American neighbors—Canada and the United States—it is understandably a very complicated agreement. Canada and the United States have already faced most of our tough trade issues in our bilateral free-trade agreement of 1989; therefore, the focus is now on the trade relations with Mexico, especially Mexico-United States trade relationships.

Our neighbor to the south has a large population of 90 million, one that is very young and growing rapidly. As recently as 1986 we had a trade deficit with Mexico, but in 1992 we have a $5.6 billion trade surplus. Mexico is our second largest export market for manufactured goods and third largest agricultural export market. Even allowing for the maquiladora—Mexico-United States border twin plants—trade, Mexico imports far more per capita from us than we import from them.

Yet it is important to remember that the Mexican wage rate is, on average, one-seventh that of a United States citizen. It is also obvious that Mexico's economy, democratic institutions, infrastructure, et cetera are far less developed than its northern neighbors. Also, their gross domestic product is still only 5 percent as large as the American GDP, causing some exaggerated claims by both proponents and opponents.

In every international trade agreement there are, in varying degrees, winning and losing sectors. Some people and some business enterprises will gain and others will lose—at least relatively. Some sectors, industries, or geographic areas are seen as demanding politically, culturally, and economically sensitive treatment through negotiated protective tariffs, quotas, et cetera. But carefully negotiated international trade treaties are not zero-sum games; one country need not lose so the other can gain. Experience has shown that overall reductions in impediments to the freer flow of goods, services, and ideas benefit all countries in such trade agreements.

The NAFTA negotiation process was begun by President Bush with specific concurrence by the Congress. The negotiated results, including several side agreements to cover subjects particularly sensitive or controversial in the United States, have been endorsed by both President Bush and President Clinton, and all living former Presidents. These side agreements cover important subjects such as labor standards and the environment. Other agreement provisions address such problematic areas as damage to a domestic industry by import surges, and the transshipment of America-bound goods through Mexico in order to escape the normal American tariff rates.

THE COSTS AND BENEFITS OF NAFTA FOR THE UNITED STATES

The crucial question to be asked by a Member of Congress in considering this proposed trade agreement is whether its approval is in the best interest of the United States or contrary to it. As best as we can determine we must consider the overall cost and benefits—direct and indirect. Such a determination should consider not only the short-term impacts but, also, certainly, the overall cost-benefit balance for America in the longer term. Of course, within this national context, as an elected national representative of Nebraskans, I also must attempt to measure what is overall in the best interest of our State and its citizens.

Also, within national and Nebraska overall cost-benefit determinations, one cannot ignore the impact of these proposed changes on the jobs, lives, and overall well-being of individual Americans and Nebraskans. If it is your job which may be lost because of changes in trade patterns, quite probably you have a much different attitude about what is said to be abstractly in the best interest of our country. Indeed, many of the most vocal and well-financed opponents of NAFTA are a hodgepodge of special interest groups, and political figures hoping to seize on a political issue, that play upon an individual's most basic fear of losing his or her job.

Because I know how important the NAFTA decision is to America and its citizens, I have delayed my decision on the proposed NAFTA, very intentionally, until I could carefully examine the provisions of the basic agreement and the side agreements. I also wanted to allow sufficient time to consider the opinions and arguments of both all the affected interests and of those organizations and individuals who think they have valuable opinions or conclusions to offer for consideration.

My conclusion, for both the short run and the long run, for both the United States and Nebraska, is that the approval of the North American Free-Trade Agreement is in our overall best interest; consequently it should be approved by Congress. The lessons of history tell us that, time and time again, the reduction of trade barriers stimulate economic growth for those countries and their citizens who are willing to compete. Conversely, the increase of tariffs and trade protectionism has proven disastrous for countries which have chosen to turn inward and ignore international economic realities. That is surely even more true in the global economy in which we live today. The passage of the infamous Smoot-Hawley tariff legislation in the 1930's was no small factor in the severe American depression of that decade. It is in part because of these underlying, linked, historically sustained principles, in addition to objective analysis of the numbers involved, that has resulted in more than 300 of the world's most distinguished economists writing to President Clinton to support NAFTA and destroy its opponents' arguments. Indeed, nearly every major economic study of NAFTA concluded that reducing trade barriers will increase growth, jobs, and wages in all three countries. To satisfy NAFTA opponents and my own curiosity, I have also read the book, "Save Your Job, Save Our Country," written by H. Ross Perot and Pat Choate, and the line-by-line critique of it by the Office of the U.S. Trade Representative. The USTR paper devastates the arguments of the book.

A great many Americans are concerned about the loss of American jobs to locations in other countries. We all should be, and I certainly am. Many people say no to NAFTA simply because they are upset by current international labor and plant location trends. They are upset by the status quo, in effect saying, "Stop the world, I want to get off." These underlying concerns about lost jobs are certainly understandable and not to be ignored. However, it is important to remember that there is currently nothing to prohibit United States companies from moving jobs to Mexico, Southeast Asia, South America, and the other low-wage economies where, in total, four-fifths of the world's people live. These low-wage countries will continue to aggressively pursue U.S. jobs and investments even if NAFTA is rejected. And businesses in developed countries with high labor and other production costs will continue to look for less expensive or more productive business locations.

One also needs to remember in this regard that we already have something approaching a free-trade arrangement for most Mexican goods, services, and commodities. The problem is that it currently works only one way—nearly tariff-free access for Mexican exports into the United States, but not the reverse. At this time the average Mexican tariff on United States agricultural and manufactured exports is 10 percent while the average United States tariff on Mexican exports to the United States is only 4 percent. If NAFTA is approved there will be a sharp reduction in Mexico's tariffs, phased down over time for some very sensitive agricultural commodities and other products. These sharply reduced tariffs would allow a United States manufacturer to remain in the United States while for the first time exporting its products to Mexico with little or no tariff. In other words, the low-wage incentive to move jobs out of the United States already exists; therefore, approval for NAFTA would actually reduce this job-relocation incentive rather than increase it—by eliminating Mexico's substantial barriers to United States manufactured products.

Likewise Mexican domestic content laws would be either eliminated or the required domestic content would be sharply reduced. Thus, it would no longer be necessary for United States auto makers and auto parts manufacturers to locate facilities in Mexico to tap Mexican markets; these products could be made in the United States by American workers and exported to Mexico.

Frequently people ask about the competitive impact of low Mexican wage rates. Again it must be said, of course, that the wage differential exists now—without NAFTA. Despite this huge differential in wage rates the bottom line is that many companies still find it more expensive to manufacture in Mexico. Why? American labor is more productive. Labor costs currently represent on the average only 15 percent of the costs of production for American manufacturing companies. Mexican industries have higher transportation, packaging, marketing, utilities, infrastructure, and capital investment costs. Larger future United States export markets in Mexico, Canada, and the rest of the Western Hemisphere, with fewer trade barriers, should made it possible, and provide an incentive for American businesses, to make the capital investment and productivity expenditures to maintain our industries' competitive edge.

Will the passage of NAFTA eliminate the environmental degradation in Mexico, especially along our border? Will it eliminate unsafe working conditions and other labor abuses of Mexicans working in their country? Will it curb government corruption and encourage greater democracy in Mexico? The answer is "No"; NAFTA will not solve all these existing problems. But, the provisions will eliminate the maquiladora arrangements that have accentuated such environmental and unsatisfactory labor conditions along the United States-Mexican border. Actually NAFTA is the first trade agreement to also address the environmental and labor disputes arising among the nations involved.

What about enforcement of the provisions of NAFTA? Chapter 20 of NAFTA and the recently concluded side agreements establish procedures to solve disputes among the three nations. This was a very difficult and complex problem, but the proposed dispute mechanisms give individuals in the three nations the right to petition against foreign companies which are allegedly violating the laws of their domicile country. For constitutional and sovereignty reasons the enforcement of a country's laws is left to that country, but fines or punitive tariffs are authorized for the other countries if a nation does not comply with the treat provisions by implementing or enforcing them.

It is also important to note that NAFTA does not restrict the United States ability to adopt more stringent environmental, safety, or other standards than Canada or Mexico. The agreement merely requires that such standards be based on scientific principles and that they are applied in a nondiscriminatory fashion.

What about immigration—legal or illegal? Greater trade and economic growth should enable Mexico to allocate more resources to the protection of its own environment. It should also help alleviate some pressures for Mexicans to emigrate to the United States in search of employment, although I believe that substantial relief from the incredible and expensive tide of illegal aliens to the United States from and through Mexico will be possible only in the longer term. This is a very big and growing problem for the United States, and, realistically, NAFTA will not offer much short-term relief.

Mexican economic growth and prosperity through greater trade with the United States and Canada is, perhaps, the best method for ensuring continued reform and a stable progression towards democracy in Mexico. Conversely, failure by the United States to approve NAFTA could erode support for democracy, reduced trade barriers, and economic reform in Mexico.

Beyond that, rejection of NAFTA would by example send a very bad message to other nations, of Latin America and the Caribbean which are now committed to take, or could be encouraged to take, steps forward for economic liberalization and political reform. In addition to other advantages they see in a NAFTA-like trade agreement with the United States, our neighbor countries to the south now understand these reforms are also the key to greater trade and access to U.S. markets and U.S. exports. We must remember that a NAFTA agreement with Mexico is only the first step. Chile is the next country impatiently waiting in line. Its circumstances make such an agreement far easier to reach, with substantial benefits accruing to the United States and Chile.

Finally, in analyzing the impact of NAFTA on our Nation as a whole, I must tell you that one of my primary concerns was whether our United States Government would have the will to enforce the authorized punitive tariffs and fines if the Governments of Mexico or Canada, or any variety of business interests in those countries, are found to be in violation of the provisions of NAFTA. During the cold war era there was the perception, in part reflecting reality, that the U.S. Government all too often failed to insist on general fair trade treatment or even the enforcement of trade agreements. National security or foreign policy considerations were cited by the State Department or Defense spokesmen as the reason for such inaction or decisions.

Now the cold war is over and the economic interests of our Nation and its citizens certainly deserve much stronger consideration when it comes to enforcing trade agreements. Accordingly, when I met separately with Trade Ambassador Mickey Kantor, Secretary Warren Christopher, and President Bill Clinton, I raised this issue. I received reasonable assurances they understood this concern and recognized the need for a change in national perspective. They pledged they would be more aggressive in demanding compliance with current and NAFTA provisions by our trade partners.

I also asked, and do still hope, that President Clinton will forcefully express himself and pledge his commitment on this issue in a public statement to the American people. It would reassure many American employers, business families, and farmers that the protection of their interests will be the highest priority when our Government has evidence of trade or other treaty violations. I pledge to be aggressive in the oversight of NAFTA compliance and in demanding appropriate action by the Clinton administration and its successors as long as I am in office.

THE IMPACT ON NEBRASKA

Since agriculture, food processing, and other types of agribusiness still largely dominate the Nebraska economy, the approval of NAFTA is even more clearly in Nebraska's best interest than for the Nation as a whole. In saying that I do not mean to give the impression that I am ignoring the interests of Nebraskans employed or with financial interests unrelated to agriculture, for I have not. On balance, as in the rest of the Nation, some Nebraskans in the manufacturing and service sectors will benefit and others will not. Yet, overall NAFTA will be a net plus for Nebraskans, who will fare better than most Americans. Generally our manufacturing facilities are newer and better, with less job obsolescence. Our labor force is better educated and has a stronger work ethic. And, frankly, in the transportation sector—truck or rail—it is hard to imagine anything but a brighter future for all Americans involved.

In agriculture, though, Mexico is the third largest and most rapidly growing export market for United States farm commodities. Despite Mexico's more restrictive tariffs and quotas on agricultural imports, the United States currently enjoys a growing $1.5 billion trade surplus with Mexico. As mentioned, those Mexican agricultural quotas and tariffs, on a specified timetable, will be gradually phased out or cut to a minimum.

Therefore, most of Nebraska's agricultural commodity groups, the Nebraska Farm Bureau, and the Nebraska Grange strongly support the approval of NAFTA. NAFTA would be especially beneficial overall to Nebraska agriculture. With the possible exception of sugar and dry bean producers, NAFTA's quota and tariff reduction provisions, plus the elimination of many obvious nontariff barriers, will certainly make Mexico's fast-growing markets more accessible to Nebraska's agricultural and processed food exports. For example, a recent study commissioned by the Nebraska Corn Board to examine a variety of economic studies on Mexican-American trade found that the estimates for American corn exports varied from "44 to 244 percent greater with NAFTA than without it." They concluded that these greater exports could increase the price a farmer currently receives for a bushel of corn by 9 cents.

Other Nebraska commodities and exports predicted to benefit significantly under NAFTA are: Sorghum, wheat, cattle, beef, hogs, pork, soybeans, soybean meal, soybean oil, dairy products, and processed foods in general. Together, corn and these commodities represent over 95 percent of Nebraska's agricultural production. Consequently, over 101 American agriculture producer and processing organizations support passage of NAFTA.

Nebraska's other industries and businesses should also benefit greatly under passage of NAFTA. Those sectors expected to benefit from passage of NAFTA include: Mining, crude petroleum and natural gas, printing and publishing, chemicals and related products, petroleum and coal, rubber, leather and leather products, fabricated metal products, industrial machinery and computers, transportation equipment, and miscellaneous manufacturing equipment. Also, the following industries are expected to export more goods and services to Mexico and Canada: Food processing machinery manufacturers, farm equipment manufacturers, agricultural chemical and fertilizer producers, automobile and aircraft parts manufacturers, steel producers, and pollution control manufacturers.

The Nebraska service-related industries, including banks and financial services, insurance companies, telecommunications equipment and service firms, construction and engineering companies, trucking, and railroads are expected to benefit. Finally, provisions of NAFTA that protect intellectual property rights should benefit Nebraska's pharmaceutical manufacturers and software producers in our domestic market and through increased exports.

CONCLUSION

As I mentioned previously, many NAFTA opponents have strong views, sometimes have used distorted information and arguments, and a few have demagogically exploited the job concerns of more vulnerable American workers. On the other hand, some proponents have also engaged in hyperbole, exaggerating the projected benefits, slanting their arguments, and glossing over less inviting or problematic details of NAFTA. Together, both sides have engaged in a very expensive grassroots lobbying effort aimed at Congress. Some labor unions and business groups have asked their workers or members to set aside their intellect and common sense, and instead blindly follow their position in lobbying Senators or Representatives.

However, I am confident that most Nebraskans will see through these tactics, sort through the various arguments and facts, and independently reach their own conclusions. We certainly don't need outsiders telling us what is best for Nebraska. And, Nebraskans, living in a State settled by adventurous, industrious pioneers, are not afraid of change or the future.

When it comes to deciding if NAFTA is in the best interest of the United States—and Nebraska—I must and have set aside any partisan interests and particular sectoral or other special interests. My responsibility is to carefully examine the provisions of the NAFTA, and the arguments pro and con, and then reach the best judgment regarding its merits. I have done this and concluded that the approval of NAFTA is in the overall best interest of the United States—both in the short-term and long-term; for Nebraska the case is even more overwhelmingly positive. I hope this summary of the consideration that resulted in my judgment will also be helpful to Nebraskans in examining this complex and controversial issue.

REPORT ON THE SIEGE OF SARAJEVO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indian [Mr. McCLOSKEY] is recognized for 5 minutes.

Mr. McCLOSKEY. Mr. Speaker, it was a beautiful, bright, moderately crisp fall day Monday in Sarajevo as I arrived with Representative CHARLES WILSON and eight other international parliamentarians.

With numerous people walking on the streets, one could almost forget that a sniper or heavy artillery shell could destroy anyone at any time. And indeed, some people did meet such a fate in the hours we were there. These included a young man wounded in a bread line.

Occasionally, automatic weapons were fired and heavy artillery hits could be heard at various distances.

The New York Times reported that Sarajevo suffered about 150 artillery hits that day.

The brave and noble people of Sarajevo are trapped by both Serb gunners and cruel UNPROFOR policy as they continue to get minimal food and water.

There is little electricity and no heat for the coming winter. And UNPROFOR restricts communications. Access for mail and other outside communications is nearly nonexistent.

Even Sarajevans who have the right to reside in other countries cannot travel out.

We will not allow these people the arms to defend themselves. And we won't militarily intervene. In short, the West is abetting the genocide and is even restricting the spiritual solace of communication.

Somehow, most of these people go on, with some but dwindling hope.

As residents of the world's largest concentration camp, they know that Assistant Secretary of State Steve Oxman is not credible in recently calling Sarajevo a "precarious situation" rather than a full-blown brutal siege.

The Clinton administration has pledged to launch air strikes against Serb positions if the siege of Sarajevo is resumed. It has resumed. Humanitarian assistance is being blocked, water and electricity lines are cut, and no one can go in or out of the city.

Serb forces are preventing sick and wounded civilians from leaving the city for proper medical treatment. The United Nations' so-called protective forces will not deliver mail or restore telephone links to the outside world.

We heard that, recently, U.N. forces have actually prevented journalists from carrying more than six letters to and from Sarajevo.

We also heard that 25 signatures are needed on U.N. documents to obtain U.N. approval to fly wounded citizens out of Sarajevo. Even then, 3 days notice has to be given to Serb forces, who have the final say over who goes in our out.

In recent days, Serb forces have refused to allow any citizens to leave. They are demanding that injured Serb terrorists be allowed out before any innocent civilians can be taken out. The United States and the United Nations do not challenge this outrageous demand, so no one gets out. People continue to suffer and die.

Several people are killed outright every day in sniper and artillery attacks, and many others are wounded.

While we were in Sarajevo, we visited the Kosevo Hospital. On the day we were there, the bodies of seven victims of Serb attacks were in the morgue. We visited with a young man who was fortunate enough to survive an attack that day. He was hit while trying to collect some water for himself and his family.

If this is not a siege, I do not know what is. It is part of the Serbs' ongoing genocide against the people of Bosnia. The only appropriate moral and political response to this genocide happens to be the only effective one: To launch air strikes against Serb positions and lift the arms embargo so that the Bosnian people can defend themselves.

We should honor the legitimately elected Bosnian Government's request that we come to their aid so that Bosnia's territorial integrity, sovereignty, and independence can be restored.

We should also honor their request to open Tuzla Airport so that adequate aid can reach the country's remaining Bosnian enclaves. If suffering increases this winter, the responsibility will lie with us, rather than with the Bosnians who are rejecting Owen and Milosevic's entreaties to surrender in Geneva.

We must save Bosnia and the cause of conscience. History will not vindicate us merely because we were unified in our inaction in Bosnia. Rather, we will be judged by the concrete steps we took to end the genocide in Bosnia.

□ 2000

ADMINISTRATION'S HEALTH CARE PROPOSAL

The SPEAKER pro tempore (Mr. McDERMOTT). Under a previous order of the House, the gentleman from Missouri [Mr. GEPHARDT] is recognized for 5 minutes.

Mr. GEPHARDT. Mr. Speaker, I rise this evening to talk about the health care legislation that the administration has been working on and that the President gave a speech about a few days ago in this room. There have been a number of comments made by various members of the public and Members of the Congress that the administration has been slow in bringing the actual legislative language for this proposal.

I think it is strange that this criticism is being lodged. In most legislative proposals that are made in this town, and in the Federal Government, they are made by what we call writing specifications, putting down on a piece of paper the general ideas that will later be embodied in specific legislation. And in fact, in all of the competing proposals from Republican Members of the Senate and Republican Members of the House, Democratic Members of both bodies, there is no specific legislation. There are only specifications, again, general language about what the proposal would be.

It is also worth noting that this health care proposal being made by the administration is the most far-reaching health care proposal that we have seen in our country perhaps ever. In the 1930's we passed Social Security. In the 1950's we passed the Medicaid legislation. In the mid-1960's we passed Medicare legislation. But there has not been, in my memory, or perhaps anyone's memory, a piece of legislation on health care that is as comprehensive and far-reaching as the proposal that is now being made by President Clinton.

I think the criticism that has been lodged is ill-founded and inappropriate. I think the administration should take the time, as they are, to make sure that the legislation is correctly drawn, that all of the cost estimates are accurate, that all of the features of the legislation correctly and appropriately work.

It would be far better to take another week, or another 2 weeks, or another 3 weeks now than to present legislation hastily with all of its myriad of specificities, and to have mistakes, or to have things in it that do not work properly, or to have cost estimates that are not accurate.

I give the administration high marks for taking the time over 9 months to bring this proposal to us. I think it is a good proposal. I think it is an exciting proposal. I think the American people are focused on the need for this kind of legislation. I think it would be entirely inappropriate to make this proposal in specificity until it had been clearly thought through.

So I think rather than criticizing the administration we should be praising them for having the courage to bring this kind of a bill to the Congress. Rather than criticizing them for being too slow, we should be praising them for having the gumption to try to bring this proposal together, and rather we should be asking for them to take the appropriate amount of time so that they see that this proposal is correctly put together.

When it comes here we will have extensive hearings in all of the committees. Every Member of Congress will have a chance to read every word in the legislation. People in our districts will have the opportunity to read and to understand what is being presented. And then, after all of the hearings, we will begin discussions in the committees, and we will bring a health care proposal to the floor of the Senate and the floor of the House.

So I think rather than being impatient right now we should be satisfied with waiting and seeing the specifics of this legislation. And I hope and pray that in the early part of next year, certainly by the middle of next year we are able to pass in both bodies the most far-reaching and revolutionary health care reform proposal that our country has ever seen.

CHILD PORNOGRAPHY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DOOLITTLE] is recognized for 60 minutes.

Mr. DOOLITTLE. Mr. Speaker, I received a letter a week or so ago from Patrick Truman. Mr. Truman, in the Bush administration, had been the head of the Office of the Department of Justice that prosecutes child pornography. It is called the Child Exploitation and Obscenity Section. He wrote to me and to other Members of Congress the following:

> I am writing to call your attention to the fact that the Department of Justice has reinterpreted the Federal child pornography law in a way that will open the floodgates of child pornography in America and lead to increased sexual exploitation of children. It did so in a brief filed last week in the United States Supreme Court case in which a twice-convicted child pornographer seeks review of his most recent conviction.

Mr. Speaker, this letter concerned me, and I looked into it. And we have sent the letter to the Attorney General, who recently addressed the Republican Members of Congress, and I am sure she would say the same to the Members of her own party, she expressed her concern in the meeting with us about the need to do something for children. And the letter we sent her, which is cosigned, I believe by 66 Members of Congress who signed this letter, the letter we sent to her asked here please, in the name of doing something to protect children, please take a look at the brief that your Justice Department, acting on behalf of the people of the United States, has filed in the Supreme Court.

Mr. Speaker, it strikes me as extremely ironic. This is the first time in 12 years that the Justice Department has gone in seeking to weaken rather than strengthen the child pornography laws. And I think many of us are aware, and I am sure the people across the country are aware of what happened here just recently in the Nation's Capital where a lady discovered a small child being forced to perform a sex act upon an adult, and this brave woman had the courage to pick up a stick and beat the man until she broke his arm. She should get a medal.

But the fact of the matter is that there are thousands of children being exploited, and we know that people who commit sex crimes on children use child pornography. And here we have a case where actually the district court, the Federal district and the circuit court of appeals actually upheld the child pornography law that has been in effect. And now after that law has been upheld by the two lower courts, the new Justice Department under President Clinton is coming in and seeking a reinterpretation of the law which mirrors very closely exactly what the defense in this case is asking for.

□ 2010

And it is going to make prosecution of child pornography much more difficult. Whose interests are we serving here? The ACLU? Is that who the Government is designed to support in this? How in the world do we benefit by aiding child pornography, and in effect that is what the position of the Justice Department is doing. I hope that Ms. Reno will take a close look at the letter, will look at these departments, which are very large, with lots of briefs going on. I can only hope she was not personally aware of the details of this brief. The idea that we are now going to weaken for the first time in 12 years, under the Clinton administration's stewardship, the child pornography laws is totally unacceptable, especially since this is an administration which is very public about its expressing its concern for children.

Mrs. Clinton at one point was head of the Children's Defense League and has expressed on various occasions her concern for children.

So I would like to just draw that to people's attention.

Mr. Speaker, I yield to my colleague, the gentleman from California [Mr. CUNNINGHAM] for his comments.

Mr. CUNNINGHAM. I thank the gentleman.

I would like to talk about the family in a little different way. Today we talked about the unemployment compensation bill. First, before I get into that, I would like to take a look at—Mr. GEPHARDT from Missouri talked about the health care plan, and I would like to address that. BOB MICHEL, our leader, and NEWT GINGRICH, our whip, 2 years ago set forth a health care task force to take a look at the real needs of health care. Every item in there except for two the President talked about in his address.

The Republican plan is called Action '93. The 100 percent deductible for self-employed, the grouping of insurance, the cutting of paperwork, all of those things are good and supported, and there is a lot of common ground between the President and the Republican plan.

But what I would do is ask Mr. GEPHARDT if he will fight equally as hard to keep the burden off—off the American taxpayer and small business, and that is the part I want to talk about, in the American family.

In this unemployment compensation bill, every time it comes up the other side speaks and says, "Well, the Republicans do not care about the unemployed." But if you take a look at the votes, the Republicans do vote for the unemployment bill when it is paid for. This country is in a $4.3 trillion debt, and I am amazed that the American people do not know there is a difference between a deficit and the debt. Comments were made in the unemployment plan that people do not care whether it is funded or not. But your grandchildren will and their grandchildren will because they are going to be unemployed because of it if we fund it.

What I would like to speak to tonight is a little bit about, in this Member's opinion, as just a sophomore, but the other side of the aisle is trying to federalize and socialize this country. How are they doing it? They are doing it by intentionally attacking small business. You say, "Well, DUKE, that is Machiavellian." Well, it is Machiavellian. The health care bill, the education volunteer program are tools in order to bring a bigger bureaucracy under the Federal Government.

And why would they do that? Because it is the economy, stupid; people vote their pocketbook.

And if you are a Federal employee and a Republican is trying to reduce the size of the Federal Government, who are they going to vote for? And they have broken that code. So we are trying to reduce the size of the Federal Government, and they are trying to build it into a bigger bureaucracy.

Take a look at the education volunteer program, where students get $17,000 a year. Only $4,700 goes back to pay for tuition. The rest is in health care and child care.

But that person is now 100,000 new Federal employees, and every city is going to have a bureaucracy. We have to pay for that bureaucracy.

What does that do? It cuts private sector jobs. Then we are going to cry for unemployment.

Mr. DOOLITTLE. Reclaiming my time, what the gentleman is saying is right in tune with what the economic statistics are revealing.

Fortune magazine, July 12 this year, had a very interesting article entitled "When Will You Get a Raise?" Well, there is a graph there, and the graph is—I will hold it up here—that pay hits the skids. It says, "From Wall Street to Main Street, since 1970, real compensation per employee, including benefits, has actually dropped 1.2 percent." Imagine that, adjusting for inflation, we have dropped in real compensation. By the way, to save people reading the article—it is an excellent one—but if you do not read it, the answer to the question, "When will I get my next raise" "No time soon" is the answer because companies cannot pay the raises if the economy is not growing, productivity is not increasing.

The gentleman from San Diego has been pointing out all of these marvelous new entitlements that we are busily creating for people like the one the gentleman just mentioned in the educational area, you know, I liken this to asphyxiation where we are slowly losing our oxygen, slowing down. Enough people have not figured that out yet. But every time we concoct some new program ostensibly to help someone, we are just taking away a little more oxygen from all of us.

I yield to the gentleman, but before that I observe the gentleman is very correct, this is a socialization of America going on right under our noses and it is not improving the quality of life; it is getting worse directly as a result of those kinds of efforts.

Mr. CUNNINGHAM. I thank the gentleman. I would like to make it, as one President said, perfectly clear that I am not a Perot supporter, but Mr. Perot in his campaign was right on the money when he held up the chart that half of the United States was painted red. That represented all of the State and Federal tax dollars that go to pay the interest on the debt, just the interest. And if you take a look at the year 2000, Mr. Perot pointed out all of the United States would be colored in.

How does that affect the American family? It affects their individuality and their ability to work.

People say, "How come? When I was growing up, both parents did not have to work, but now today both parents are having to work just to make ends meet. Why?" Because of the national debt.

And what does the family need? It needs security and long-range planning.

I hesitate to mention this next thing because my good friend from California, Mr. HUNTER, I told him he could not talk about free trade tonight, but Mr. BONIOR stated that we would lose 10,000 jobs if free trade goes through. I tell my friend from California I have still not made up my mind on the free trade issue.

There are a lot of issues on both sides. But under the Clinton tax plan, we are going to lose 2 million jobs with $127 billion cut in defense. And a cut in defense—and I am on the Committee on Armed Services, and we just went through the bottom-up review—and AL GORE, the Vice President, in his paper in reinventing Government, made the statement that those cuts on the bottom-up review were based on the President's $127 billion cut, not on the readiness that we need, but on a bare-bones readiness. And that would put us into a hollow force.

This comes at the time of Haiti, Somalia, maybe even Bosnia. That is also a family issue.

But the main point is 2 million jobs are going to be lost. California overall has a 9 percent—you are talking about 3 percent unemployment, 4 percent unemployment, California has a 9 percent unemployment rate. The Clinton tax plan, under the Federal income Tax Code, California paid only 12 percent of the Federal income tax as a State. But under this tax plan we will pay 16 percent.

What does that mean? It takes $40 billion out of the State of California that Governor Wilson could have used for education, for health care, for the criminal justice system, for the programs that we want to support. But, no, the Federal Government can do it better.

This is all in the plan to federalize and bring everybody under the control of the Federal Government.

□ 2020

My colleague, the gentleman from Vermont [Mr. SANDERS] is listed as an Independent. He is a devout Socialist. He believes in socialism.

Now, the gentleman from Vermont [Mr. SANDERS] personally is a very nice man, I want to assure you, but his politics stink, because that is what this Government, this administration, is trying to do to this country is socialize it, to attack small business and take that individuality away and create it under a Federal bureaucracy.

How? Look at the banks. Can banks be banks today? Under the rules and regulations, can they make a small business loan?

You know, I used to be able to sign on the dotted line for a loan. I cannot do that anymore, because of what I call the revenuers or the regulators.

Talk to the banks. Can they make small business loans? No. To create new jobs? No.

The biotech industry wants to have people invest in it because they want to create new medicines for us. Can they do that? No, because the Clinton tax plan wants to tax them on the benefits that they are going to give to their new scientists and call it real income, so they cannot create the jobs.

The environmental controls, the unreasonable environmental controls. When they talk about unemployment, look at our industries. Look at the forest industry. You will not find Republicans trying to destroy it.

Who cost those jobs in the first place? Look at the forestry industry. Look at the real estate industry. Look at the construction industry. Look at the fishing industry, even in San Diego, and the shipbuilding industry.

They are saying they want unemployment dollars, but yet they put a knife in the backs of the independent small businessmen and cost the jobs.

Our position is let us save the jobs and the private industry for the people. That is what the family is about.

I could go on, but I would like to yield, because I see my friend, the gentleman from California, would like to speak also.

Mr. DOOLITTLE. Mr. Speaker, I thank the gentleman. I invite the gentleman to interrupt and have a colloquy.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman allow me to make one other comment that I had forgotten?

Mr. DOOLITTLE. Yes, I yield to the gentleman from California.

Mr. CUNNINGHAM. In the $127 billion defense cut, you will notice on the other side of the aisle all the Socialists, all the liberals come up and cry for the conversion plan. This is their way to create jobs when defense goes down the tubes, 2 million jobs. That will only keep up with about 1 one-thousandth of the jobs that are lost. It is excuse to say, "Hey, we can demilitarize and yet we cannot support the men and women that we are asking to go in harm's way."

Mr. DOOLITTLE. Mr. Speaker, I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding to me.

I want to say that the great distinguished gentleman from California [Mr. DOOLITTLE] and my good friend, my seatmate from San Diego, the gentleman from California [Mr. CUNNINGHAM] are two gentlemen who I most admire in this Congress, because they have a real sense of what America needs.

I think the debate we had today, I notice the gentleman from New York [Mr. SOLOMON] is here as our leader on the Rules Committee, and fought this rule with respect to the National Endowment for the Arts, but I saw another attack on America's families today, and that was the idea not only that we are going to continue to allow an organization to exist that has done horrible things, I am talking not just about the obscene pictures that have been paid for by American taxpayers, but also as the gentleman from California [Mr. CUNNINGHAM] has pointed out, the giving away of crisp new ten dollar bills, thousands of them, to illegal aliens by so-called artists who are giving away American taxpayer moneys, and I object to the NEA's waste of taxpayer money because of those things; but I also object for another reason that is family related.

We try to teach our kids to be charitable, to give to good causes and to support good causes. Sometimes those good causes are feeding the poor. Many of us are involved in those causes through our churches. I can remember going down with my mother and father to Ensenada, Mexico, and supporting a particular orphanage down there because they had such a feeling for that particular orphanage, or working with them in our church or with my wife, Lynn.

We all tried to imbue that ethic, the ethic of charity and helping others in our children, and yet at the same time with these giant Government organizations that we are supposed to fund with taxpayer moneys, we are teaching our children, America's children, that the real party that is responsible for charity is Government, and that we do not necessarily have to take care of the poor ourselves, because Government is going to take care of the poor, and we do not have to worry about supporting people who are young and struggling artists and helping the arts and helping people develop in those fields because now Government is going to support artists. As the hand of Government creeps in and takes over a bigger and bigger part of the responsibilities that are spread out across America in this great, wonderful free country that we live in, families and children are left with less and less of an ethic that is theirs to carry out.

I can see this going to what we have done with America's farmers and ranchers with respect to the Endangered Species Act. Our people who live in the country, and I know the gentleman from northern California has many farmers, many ranchers, many timber owners in his area of California, and the gentleman from California, DUKE CUNNINGHAM, who came from Shelbina, MO, population 1,250.

Mr. CUNNINGHAM. It is 2,113.

Mr. HUNTER. Well, 2,113, and as my seatmate from San Diego knows many ranchers and farmers, and you know, America's ranchers, farmers and timber owners, have always been interested in conservation. Whether it was that farmer who kept that extra hedge row for Bobwhite Quail or maybe developed a marsh for the ducks and the egrets and all that wildlife that we care about in America, they did it because they developed over the years in this country a conservation ethic, that idea advanced by Aldo Leopold, the great naturalist, that this is our wild America and it is our duty as custodians, as private individuals, to care for nature and for wildlife, and yet now when you have a Government bureaucrat who walks on to a farm and tells the farmers who have bought and paid for with his hard-earned dollars a piece of land and that bureaucrat says, "You're going to have to stop plowing the south 40 because I now deem that the south 40 is wetlands, and therefore you have to stop plowing it because I went down and felt it and it's damp."

He is turning that farmer now into somebody who hates wildlife and who now abandons the ethic of conservation because big government is coming in and telling him he is not doing it in the right way.

I hate to see this Government intrusion in every area of our lives that is leaving less and less of an ethic for our young people to be conservationists, to be charitable, to care for others and to do all the things that we used to do as families and individuals that now we are told shall be done by government, big faceless government with somebody else's dollars.

Mr. DOOLITTLE. Mr. Speaker, I thank the gentleman.

I am going to recognize our colleague, the gentleman from New York, in just a minute.

I would just like to observe that conservation ethic that the gentleman from California referred to really is based on the ethic of stewardship contained in the Bible. God has given us these things to use wisely for the benefit, the Bible says, of man, meaning mankind. That is the view that we have and we are losing sight of that.

In fact, as one of our former colleagues used to say, we are switching from worshiping the Creator to the creation. I think he has a very valid point there. We are getting our priorities mixed up.

I think we have got to be mindful of the fact—you know, typically we hear discussed in modern politics the idea that economic issues are over here and the social issues are over here.

Well, I think, frankly, one of the leading social issues of our time is going to be the economic health of the United States of America, and that economic health directly impacts on just about every other social issue that we could name, and I am not going to go into it now, we have talked about it before, Bill Bennett's outstanding publication, the Index of Leading Cultural

Indicators, illustrates very clearly what has been happening in this country in terms of the decline in this civilization.

I thank the gentleman for his comments. I hope he will stay and jump in.

We have one of our outstanding leaders here, the ranking member on the Rules Committee, the gentleman from New York [Mr. SOLOMON]. I am pleased to have the gentleman here, and I yield to the gentleman from New York.

Mr. SOLOMON. Well, Mr. Speaker, it is nice to be here with all these Californians. Of course, they all seem to think like I do anyway.

I am from the Adirondack Mountains up in New York State. We also have some people from Oklahoma sitting over here, too. I guess we are going to hear from them in a few minutes

I just want to thank the gentleman from California [Mr. DOOLITTLE] for focusing on this deplorable, deplorable issue, the most deplorable that I know of, which is child pornography.

I am just looking at an article here that was given to me the other day from the Boston Herald, a credible newspaper in Boston, MA.

□ 2030

The title of it is "Kiddie Porn Gets Justice Support," and they are talking about our Justice Department. Here we have another example of just how some of the Clinton appointees are imposing social policy far to the left of the American mainstream, and that bothers me to no end. In this case we see how the lawyers over at Janet Reno's Justice Department have reversed previous administration policies with respect to child pornography. I do not know how they can do that.

Enforcement of child pornography laws under the Justice Department's new policy effectively can be described as a charade: it does nothing less than increase the protection afforded to the producers of this trash. Up until now, the relevant standard was focused on whether the material was intended to elicit a sexual response from the viewer, rather than on the actions of the child.

For the past 12 years, the Department used that standard to successfully prosecute child pornography involving sexually explicit photographs of children.

Now, the Clinton appointees over at Justice argue that there is no child pornography where the child has clothing on, no matter how suggestive the pose or context.

Mr. Speaker, as a father of five and a grandfather of two fine young children I just cannot believe what I am reading in this article. The Justice Department's new standard treats the child like an adult, 5- and 6-year-olds, and that is probably no accident. After all, First Lady Hillary Clinton has always advocated minimizing the differences between adults and children.

She says that children should be able to divorce their parents. That I cannot believe, Mr. Speaker. She also made a statement that my wife took some terrible offense to. She said that marriage, the vows of marriage, are a kind of slavery. My wife almost went through the ceiling when she read that.

However, Mr. Speaker, at what point do adult rights for children actually deprive the children of their rights to privacy, and the pursuit of happiness?

Now any child should be presumed to be mature enough to know that he or she is being taken advantage of and strong enough to resist a sick photographer or film maker.

The adult photographer or filmmaker is almost always in a better position to manipulate the child into posing in certain positions which the child might not otherwise do if he or she were more mature. Any parent, Mr. Speaker, knows that.

Like so many of the other Clinton social policies, this one is not based on reality.

In fact, it scares me to see how the same administration which claims to be so concerned about the future of our children is actually doing so much to leave them unprotected.

What happens when that child sees the results of that photo session?

Maybe not right away, but maybe as the child grows older, the child will see the photos and be ashamed.

How can that young person maintain a high self-esteem?

We have educators in schools today worrying that low self-esteem in children holds them back from reaching their potential.

Well, Mr. Speaker, if my colleagues agree with the argument, how can we permit exploitation of children who are too young to make judgments on participating in this degrading trash, what some adoringly call art?

In all good conscience, how can we permit some perverted filmmaker to ruin the child's self-esteem and quite possibly reduce the child's future contribution to society?

Well, the Clinton officials at the Justice Department want to relax the protection of the child.

Unlike most Americans, they think that a child has to be totally naked and performing lustful acts on screen to constitute child pornography.

Ask the parents of kidnapped children who are forced into posing for pictures which are sexually suggestive but do not satisfy the stringent standards set down by the Justice Department.

Ask them what they think about this new policy. I don't know how we can look them in the eye and defend how we can place more of a value on some so-called artist's freedom of expression than a poor, innocent child's personal dignity.

Mr. Speaker, it is no surprise, then, that Dade County, FL, where Janet Reno enforced child pornography laws as a State attorney, currently has more child pornography businesses than any other county in the Nation.

Is this what we can expect on a nation-wide scale under this new policy?

For the sake of our children, I hope this does not happen. We must not let the Justice Department curry favor with the child pornographers on this one, and that is exactly what is happening.

Mr. Speaker, I say to the gentleman, Again sorry to take up so much of the gentleman's time, but, when I read that article about what is happening over there, the country has to focus on this issue, and the gentleman's special order here this evening is doing just that.

Mr. Speaker, on behalf of my children and my grandchildren, and all of the other children in this Nation, I say, God bless what you're doing, and thank you for doing it.

Mr. DOOLITTLE. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON].

Does the gentleman from California wish to ask a question? We have got the gentleman from Oklahoma [Mr. ISTOOK] who wants to enter in.

Mr. CUNNINGHAM. I am sorry. I did not see the gentleman, but I would like to tell the gentleman from Oklahoma that my dad grew up in Shawnee, OK, so we got red clay in our blood.

Mr. DOOLITTLE. So, I yield to the gentleman from Oklahoma [Mr. ISTOOK], our new Member courageously pushing for a full ethics committee investigation in the matter surrounding the post office, an issue that is very much at the forefront of events here in the Capitol.

Mr. ISTOOK. Mr. Speaker, I thank the gentleman from California [Mr. DOOLITTLE].

Mr. Speaker, the gentleman from California [Mr. HUNTER] was making some remarks about what the government does or does not do when it comes to charity. It reminds me of the evolution that we have gone through in this country. The old saying was: Charity begins at home. Now it seems that charity begins in some sort of government office; at least that is the perception. I think that we have gone from what used to be charity, to welfare, to entitlements, and the progression, as I see it, works like this:

Under charity, if you desire to assist someone, you do it out of the goodness of your heart, out of your desire to help your fellow man. You can impose whatever conditions you desire to impose, or no conditions whatsoever, on what you do for them. If you think that they need to have some corrections in their own behavior as a condition to receiving some assistance, you can say, "I'll help you if you will do something."

Mr. Speaker, that is charity.

But then we got to a situation where we have welfare replacing charity, and welfare, of course, is coming from the government, and welfare has the same purpose of assisting people, but it does not have the conditions that are attached to it. A person gets welfare because the government enables anyone to receive that, and there is no correcting mechanism where receipt of something depends upon behavior or abstaining from some sort of other behavior, and people began to have what I can an I-gave-at-the-office syndrome. Why should they dip into their own pockets or take their own time to assist so much in charity if the government is going to do it through welfare? But it goes a step further and says, "It's not only the government giving you something through a welfare mechanism, but it's an entitlement. If the government fails to give it to you, you can sue, you can demand, you can insist, you can go to court, you can win and compel the government to give these things to you, and again, of course, there is no link to your behavior. There is no correcting mechanism whereby you are encouraged to become independent or you are encouraged to avoid the type of behavior that perhaps helped you get in the situation that you are in or that you learn the types of behavior that will make you self-sufficient."

Now of course we have discussion of changing government programs, workfare rather than welfare, trying to link it to some behavior, but every time that we have to go through a government bureaucracy we have tremendous inefficiency. We do not have someone who is there acting out of a motivation of kindness and concern. They are doing it because it is their job to do so.

□ 2040

And you will never have the same effectiveness upon someone's behavior as when they know that you are acting purely out of the goodness of your own heart, you are doing it because you desire to assist people.

It is always remarkable to me that so many people continue to engage in the many good works that they do, that we do still have so many volunteer groups in this country that do so many good deeds and that reach out to help their fellow men and their fellow women as well. But a lot of people are having that killed. We are being told that charity is no longer what you do with your own money, it is your willingness to dip into somebody else's pocket and compel them to pay, through the government, through the tax system.

We have lost track of the 3-foot rule. The 3-foot rule is what you do when you reach out with your arm and you get into your own wallet. Instead, we have got the long arm of government going out. And I do not consider it charity if I cast a vote to compel other people in this country to contribute to a welfare state. I consider it charity when I take of my own time and my own money and my own commitment to reach out and help someone else.

I do not want to kill charity in this country, and I do not want my children to live in an environment where they think the world owes them a living, that America owes them a living, that they are entitled to things that are not linked to their behavior, not linked to self-reliance, to independence, to honesty, to forthright dealings with their fellow man. I want them to see that linkage.

Mr. Speaker, we need to have the security that comes not from a government handout, but from a solid, strong, stable family. We need government policies that encourage that.

I know the President has been speaking recently upon the theme of security. He will call it personal security, economic security, health security. How about family security?

The laws in America have been skewed against the family. Look at the divorce laws. It started in the 1970's in your home State of California with passing no fault divorce laws. Currently every State in America, except South Dakota, says that if you want to get divorced, you only have to meet one requirement: you must be married. You do not have any linkage to behavior, you do not have any concern over what will this do to the children as far as whether the divorce is going to be granted.

We need to have a linkage with the best interest of the child, and realize that a marriage is not just an arrangement between a man and a woman; it is also something that involves the children. We need government policies, whether it is changes in divorce laws, whether it is changes in the Tax Code, where we do not encourage, we do not give the same tax incentives for families to stay together as we used to with the personal exemptions. We have a child care tax credit that only goes to parents that work outside of the home. The tax rates themselves, the marriage penalty, we need to change these policies. That is part of the linkage that you were talking about between economic policy and social policy.

If we want America to be strong, we need to give people more freedom to stay at home more frequently and do things with their kids, instead of feeling a financial pinch to go out.

I realize there are other people who want to speak, but I think that it is important that we teach and live so that security comes through the family unit, rather than saying we are dependent upon a government system of handouts to seek our security.

Mr. DOOLITTLE. I thank the gentleman. Certainly history bears out his comments.

I yield to the gentleman from North Carolina [Mr. TAYLOR], who has been a stalwart for reform in the House bank, the House post office, and on behalf of the wise use of governmental moneys, which are really the people's money, and a member of our sophomore class.

Mr. TAYLOR of North Carolina. I appreciate that. I thank the two gentlemen from California for the fine work in putting together this special order.

A lot of people ask why we have special orders. I think it is a time for us to speak to the Nation and to remind them in a reflective moment of what is going on here in Washington and what is not going on in Washington.

The gentleman has pointed this special order toward the family. I agree with the previous speakers that the family is the core and the heart toward civilization. It is the oldest block of our civilization, and it is the only way we can change what is happening in America in the areas of crime and poverty. We depend very much on the family.

I would like to focus just a moment on the duplicity and hypocrisy that we see in the debate we are having about budget cutting. I know the administration has come forward and said that they have recently put through a package that was to cut the budget. And when we examine that package, and as a member of the Committee on Appropriations I have an opportunity to examine that package, we find that we are not cutting the deficit. We are not cutting spending.

To the contrary, the package of taxes of over $300 billion will go to create more government. Taxes were increased and there will be more government spending. The national debt at the end of the first 4 years, according to the administration's own estimates, will be somewhere between $1 and $1.5 trillion extra. That means that our children and grandchildren will be facing a national debt not of $4.5 trillion that we have now, but somewhere close to $6 trillion, while we are being told that they must sacrifice and pay additional taxes in order to pay for more government, not to reduce the deficit.

On the Committee on Appropriations we have 13 subcommittees. That is where the cutting is done for appropriations spending. Not in the Rose Garden, not in the press conferences, not talking around the country, but in those subcommittees during the hearings and markups that we have of the bill.

Let me tell you that while the President is speaking about cutting deficits and how important it is, his Office of Management and Budget sent to our Subcommittee on Commerce, Justice, and State a request to have each of the categories, whenever the Senate would cut or the House would cut, he wanted the higher level. He instructed his representatives to tell the Members of

Congress that he wanted the higher level. So we will come out of that with a 12-percent increase in many of the categories, tens of billions more dollars than the House and Senate actually were willing to settle for.

Now, I think it is time that we level with the American people. If we are going to cut spending and try to get control of the deficit, then we should keep our word and do it. We should not promise one thing and do the other.

This has an impact on the family, both from the spending, the legacy we are leaving our children, but the problems we are creating as far as jobs and employment opportunities in this country. These are going to be badly affected by the use of our capital by creating more and more government.

Certainly we leave a bad impression and undermine public confidence when we try to mix signals by saying we are cutting and reducing the deficit when we are merely increasing taxes and providing more government.

I appreciate the opportunity the gentleman has presented by holding this special order and for giving all of us a chance to point out the strengths of this country and what direction we really need to be going in in this country in promoting the family.

Mr. DOOLITTLE. I thank the gentleman very much. It is wonderful to have someone with the gentleman's views sitting there on the Committee on Appropriations, which actually controls how we are going to spend the money on behalf of the people of this country. We just do not have enough people with your philosophy there yet, but we are working on it.

I yield to my friend from San Diego, the great DUKE CUNNINGHAM, Vietnam ace.

Mr. CUNNINGHAM. I thank my friend JOHN DOOLITTLE from California.

We are talking about family values, family issues. In the State of California there is one issue that cuts across education, it cuts across health care, it cuts across law enforcement, and it cuts across the ability of the American taxpayer, the California taxpayer, to pay for those programs. I am speaking about the illegal immigration problem that we have in California.

The State of California has got over a $12 billion deficit. Why? Just like this body, we have got a Democratically controlled assembly and senate, and the Governor cannot stop the spending. We want to provide education for our children, in which our schools are being overrun by illegals; in law enforcement, where you have got 22 percent of your illegal felons in our prison system and we are having to rotate felons out of our jails because there is not enough room; and in health care, where you have two-thirds of all the children born in Los Angeles hospitals are to illegal aliens, and then the mothers go down and qualify for welfare.

□ 2050

In the State of California, we pay $24 million a month on welfare for illegal aliens, $24 million a month. That would pay for a lot of unemployment. And to the folks that want to bring up the unemployment bill tomorrow, we can pay for $27 billion that it is costing this country for illegal immigration, $27 billion, just by stopping illegal immigration. But yet, the Senator from the other body from the State of California stands up on the border and beats on her chest and says, "I want to stop illegal immigration."

Her cohort, the other female Senator from California, while she was a Member of this body, we could not get her to support one item that would stop illegal immigration. But now that it is popular, both of them are doing so. But the litmus test is whether they have stopped the services for illegal immigrants. Why? It is costing, again, $27 billion.

We take a look at the issues in this House. We tried to cut and make sure that illegal aliens could not vote under motor-voter, illegal aliens to this country. Under the motor-voter bill, and you know it was defeated on this House floor, we tried to stop, under the Vocational Education Program, the voluntary program, we tried to put an amendment in to where those dollars going for Americans for Volunteer Education would not go to illegal immigrants. Do you know it was voted down on this House floor?

Today, we had a motion to recommit that stated that the current rules under the National Endowment for the Arts, which state that dollars cannot go to anything else than American programs, American citizens, that we codify the House position to make sure that those funds could not go to illegal immigrants. You know that was defeated today by three votes, by three votes. Why? Why would they do this?

The more people you keep on welfare under your thumb, second and third generation, like a hypodermic needle of heroin, the more people you have beholding. "It is the economy stupid." People vote their pocketbook.

If I am trying to take away those welfare dollars, they are not going to vote for a Republican. What we would rather do is get them a job. The other side of the aisle is trying to federalize this country. It is trying to socialize this country. It is trying to homogenize this country, and it is trying to unionize this country. Why? Because if you are a Federal employee, the Republicans are trying to take the Federal Government down in size, you are going to vote Democratic, about 70 percent of them. They know that.

Why do you think, why did they put through the Hatch Act where Federal employees could take part in campaigns? To slew the power in the vote.

If we can build up that Federal bureaucracy, education volunteer program, 100,000 new Federal workers, when AL GORE is saying we need to reinvent the Federal Government, we are building the size of the Federal Government.

Look at the health care plan that is coming up. It is going to be a big, giant bureaucracy under the Clinton plan, and it is going to cost and put the burden on the backs of the small business. Why attack small business? Because small business votes with the Chamber. It supports the private enterprise and supports Republicans, and they are trying to attack that. And that is wrong.

The only thing that is going to change that, the only items, we need a balanced budget amendment to stop the spending of the liberal Democrats. They are trying to socialize this country. I think most Americans are aware of it, and they are fed up with it, and they are tired, and I think there is going to be a revolution.

The second thing we need to do is get a balanced budget amendment along with a line-item veto, which we were denied in this House. Both of those items stop the spending by the liberal Democrats. Why do you think they wanted to wait until after 1996 for 80 percent of their spending cuts? So that they will have all of these dollars to spend and buy those votes. Fact.

Mr. DOOLITTLE. You mean 80 percent of their reduced spending increases?

Mr. CUNNINGHAM. Eighty percent of their reduced spending increases.

Mr. DOOLITTLE. After President Clinton's first term is when those take effect?

Mr. CUNNINGHAM. No. The gentleman is incorrect. After President Clinton's only term that will take effect.

Mr. DOOLITTLE. I stand corrected.

Mr. CUNNINGHAM. Second, if you can increase the welfare amount, if you can keep people on unemployment, beholding to the Federal Government and Federal dollars, if you can increase the benefits to people that are not even American citizens, that hopefully will become American citizens, then you are going to buy those votes.

The American people are fed up with the illegal immigration problem, from the person that blew up the World Trade Center, who was an illegal immigrant that came into this country illegally—and by the way, could vote motor-voter, he had a driver's license—to the Chinese ships coming in, to the Haitian ships coming in, to the illegal immigrants in the State of California who are coming from the south and the north, from Canada. There are a lot of Canadian illegals in the State of California that should not be in and are not paying American taxes. We have got to stop it.

Mr. DOOLITTLE. Maybe they are here to use our hospitals and health care system before we adopt their system.

Mr. CUNNINGHAM. Well, I think that what we need to do is work in a bipartisan mission on the health care issue, and Action '93, again, every item in there was mentioned, except with the example of two, one of those was the example of an IRA, where you could put $5,000 a year into an IRA, tax-free, if you spent it on health care. That was a person, when they pick a system that they are going to spend their dollars on, they are going to be more frugal with those dollars. It is also going to save for when they become chronologically gifted. They will have a pot in there of health care dollars that they can apply for their twilight years.

I would like to thank the gentleman from California for yielding on this very important special order. I hope that he would have a special order next week, and I will participate the same.

Mr. DOOLITTLE. I will look forward to doing that.

I thank all our participants.

Mr. Speaker, the family is under severe pressure in this country. I think we all know that intuitively. We all grow increasingly uneasy at the direction this country is heading in, this slow but steady slowing down of the economy, the prolonged recession that we are in.

The gentlemen from California, Mr. CUNNINGHAM, Mr. HUNTER, and I represent a State which is not merely in a recession, it is in a depression. We have never seen anything like it. You would have to go back probably to the Great Depression to see anything that rivaled this.

We are very, very concerned. Yet, people see the debate played out here. And we should make very clear, the Clinton administration and the Democrats, the liberal Democrats of this body believe that government is good and can help men and women and that, therefore, we need to have more of it so that we can offer more help.

Republicans believe, like the Founders of this great country, that government, George Washington said, is not reason, is not eloquence, it is force. And like fire, it is a dangerous servant and a fearful master.

Government unchecked will destroy our liberties. And beyond that, it will destroy the means of making a livelihood.

I do not know how anyone cannot look at the present circumstances and be terribly concerned. What is the future for our children, increasingly, as they will be victims of criminal activity, as they will be subjected to broken homes, as they will have to cope with the communicable diseases that continue to spread unabated throughout this country?

Overlaying all of this is the reality that the economy is hurting people. When people are out of jobs, their quality of life is deeply impacted.

President Clinton, during the campaign, used that phrase that the gentleman from California [Mr. CUNNINGHAM] repeated: "It is the economy, Stupid."

He promised in his campaign pledges to get the economy going again, reduce the deficit, give us a middle-class tax cut and give us more affordable health care.

So far we have seen none of those. Indeed, instead of a middle-class tax cut, we got a tax hike on the middle class and virtually everybody else capable of paying taxes. Instead of getting the economy going again, we continued to limp along with the anemic state of affairs that we are presently in. And as for the health care situation, well, we will talk about that again next week. But I think most people have the sense that increasing governmental mandates, increasing taxes on employers and employees, and increasing government bureaucrats, in essence, further pushing us down the road to socialized medicine is not the direction we need to be heading in.

□ 2100

As for the budget deficit, as Members heard from the remarks of the gentleman from North Carolina [Mr. TAYLOR], having undergone the largest tax increase in history, even by the present administration's own numbers, we will add $1.2 trillion to the cumulative national debt at the end of this 5-year plan, and we will have annual budget deficits at the end of this 5-year plan at $200 billion a year.

The likelihood exists, particularly if reelection is achieved by the incumbent President, that the Members will hear another passionate speech from this Chamber explaining why we as Americans once again need to sacrifice the interests of ourselves and our children in order to meet the insatiable appetite of government for taxpayers' money.

Mr. Speaker, I thank my colleagues for the opportunity to have this special order on the family. There is a significant economic dimension to the health of the American family. I wanted to draw that out tonight, along with some of the other very definitely direct social issues, like the pornography question we were just talking about, and the other issues that have been raised. We will look forward again to addressing Members in this Chamber and the American people concerning the health of the American family.

HEALTH SECURITY FOR ALL AMERICANS

The SPEAKER pro tempore (Mr. McDERMOTT). Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, I am here this evening to talk about health care. I am joined by two of my distinguished colleagues, the gentleman from Massachusetts [Mr. MEEHAN] and the gentlewoman from Connecticut [Ms. DELAURO].

Mr. Speaker, for the past 3 weeks, anybody who has looked up at the U.S. Capitol from anywhere on the Mall has seen a strange sight, because for the past 3 weeks, during the daytime, on the street that runs between the U.S. Capitol Grounds and the Reflecting Pool on this side of the Mall, there's been a special 10-foot electronic sign running nonstop.

It is one of those signs that keeps a running minute-by-minute tally, just like the one we have seen in Times Square that keeps a running count of the national debt.

It is owned by a group called Families USA, a group that is very familiar to Members of this body as a strong and effective advocate for working families and for health care reform.

They call their sign the Health Security Meter.

It keeps a running tab, second by second, of the number of Americans who have lost their health insurance.

It has been running continuously since the President finished his health care speech to this Chamber 3 weeks ago last night.

Yesterday morning, Mr. Speaker, the Health Security Meter reached a dubious milestone.

Early yesterday morning, around the time the House was convening for the day, the Health Security Meter reached the 1½ million mark.

That means that in the 2 weeks since the President stood in this Chamber and delivered his health care speech, 1½ million Americans, and counting, have lost their health insurance.

That is about 1 person every 1.15 seconds, about 75,000 people a day, or about 2 million people a month.

Mr. Speaker, that is the human cost of this health care crisis, and the tab is running, every second, every minute, and every hour throughout this great land. We cannot afford to let this go on much longer, because it is unraveling our social fabric, reducing our productivity, affecting our competitiveness, draining our State and Federal budgets, and driving down the wages and living standards of our work force.

Mr. Speaker, these people are not strangers.

They's not slackers. They're our fathers and mothers, brothers and sisters, neighbors and friends. They're people who worked hard and played by the rules all their lives—the ones who raise our families and fought our wars—the ones who have struggled to leave their children a better life than what they knew.

They are people like that man from Michigan who wrote to say that 14 years ago he was diagnosed with Hodgkin's Disease.

With the help of a strong will and some good doctors, he fought it, and by 1985, was pronounced cured—cured by everyone but his employer's insurance company, who refused to cover him because they said, "He was a bad risk."

So, after 15 years on the job, his boss was forced to lay him off, just because the insurance company would not cover him. Now he has no job—and he, his wife, and his two children have no health insurance.

Mr. Speaker, it is people like this who, after a lifetime of hard work, are seeing their very idea of security shattered before their eyes, the ones who have paid health insurance premiums for years, only to find out that when they really needed their health insurance, their health insurance wasn't there for them.

They're also the ones who thought it could never happen to them—just like most of us think it could never happen to us. It will not happen to us.

But we know that over the next 2 years, one out of every four Americans is expected to be without insurance at some point. Each of us knows somebody in our family, in our neighborhood, who we work with, who we go to church or synagogue or temple with, who has that experience.

Mr. Speaker, this is a tally of heartbreak, a tally of broken lives, a tally of families living on the edge, and it's time we put a stop to it. All of us who have served in this great institution, in this body, and perhaps locally at our State levels, have a rare opportunity to do something that we can remember for the rest of our lives. We will have stepped forward to fill this health care gap in our country.

This is what health care reform is all about. This is what it all comes down to.

As the First Lady said so eloquently in her testimony 2 weeks ago:

> I hope we can agree on one thing from the outset. That when our work on health care reform is done, every American, every American, will be guaranteed a comprehensive package of benefits that can never, never, be taken away.

That's the goal. That's what we've got to stay focused on.

And while we work to fix what is wrong with our health care system while preserving what is right, while we work to build upon and improve the system we have now to make it fairer, to make it better, and to make everyone responsible, while we work to achieve the six goals of security, savings, simplicity, choice, quality, and responsibility.

We have got to remember that the bottom line of health care reform is health security for all Americans.

Three weeks ago, the President's speech started the ball rolling and framed the parameters of the debate.

Two weeks ago, the First Lady's testimony energized the call for health care reform and sharpened the focus. Now the debate has begun.

But as the euphoria of the President's speech and the First Lady's testimony begin to fade; as we begin the bare-knuckle work on the details we can't let health care reform sink into the sludge pit of partisan politics, because the stakes are too high for our constituents.

We must stay focused on the goal of health security for all Americans, because the eyes of the Nation are focused on it, and that's what they sent us here to do. Above all issues, I think, in the last election, it ranked right at the top.

Mr. Speaker, in the past 2 weeks, a wonderful thing has happened. In the past few weeks, a national consensus for health care reform has started to form.

Seventy-one percent of the people polled in a recent Los Angeles Times poll chose the Clinton plan over letting the health care system evolve on its own.

For the first time ever, leaders from both the Democratic and Republican parties have embraced comprehensive reform.

And in a few short months, we've moved from dire concern about the health care system to shaping a proposal to help fix it.

But the Health Security Meter is still running.

Two million people are still losing their coverage every month, and the numbers keep piling up.

The most difficult questions are the ones we can't answer, like: How many senior citizens today are being forced to choose between the prescription drugs they need to stay healthy and the groceries they need to survive?

□ 2110

How many parents are putting off a doctor's visit for their kids because they do not have the coverage they need to pay for it? How many small businesses are dropping employees from coverage because they are squeezed by premiums 40 percent higher than large companies? How many entrepreneurs are not able to create the business they want because a preexisting condition locks them into a job and a health plan that they cannot escape from? How many people want to move from welfare to work and to encompass the dignity of work but do not because they cannot afford to give up the Medicaid that covers their children, their preeminent concern? And how many businesses want to cover their employees but cannot because they will go bankrupt if they do? How many sales are companies like Ford Motor Co. losing because they spend more on health care than they do for the steel in the cars that they manufacture; $1,100, $1,200 per car goes to pay for the health care costs of the employees of that company and its retirees.

We have got to move more quickly on health care reform, because every day we wait the numbers just keep multiplying and piling up and piling up. None of us has all of the answers right now, but we do have a plan, the President's plan. It is a plan that rejects the big government solutions, a plan that rejects broad-based taxes, a plan that insists that small businesses be protected, a plan that preserves what is best in our system today while fixing what is wrong. It is a plan that drastically cuts the paperwork that is choking our health care system. Everybody knows about it from visits to the doctor's office and visits to the hospital, a plan that controls the costs that are crippling American businesses, hurting American families, exploding our deficit, a plan that maintains the highest-quality health care, extends health care into the preventive health care area and the mental health care area.

The President's plan preserves your right, preserves your right to choose your doctor and your health plan so that we can have a doctor our family has confidence in. It makes sure that everyone pays and contributes to health care. Everyone pays and contributes to it. And of course, it restores the sense that we are all in this together.

Above all, I think the promise of the President's health care plan is reflected in this card I hold in my hand. It is a health security card. And if you remember during his speech the President held this card up. It is a card that guarantees each American a comprehensive package of benefits equal or better than the benefits provided by most of the Fortune 500 companies.

As Franklin Roosevelt once said about Social Security, this card represents a sacred trust between the Government and its people, and can never be taken away. And as the President said in his speech, with this card, if you lose your job, or if you switch jobs, you are covered. If you leave your job to start a small business, you are covered. If you retire early, you are covered. If you or someone in your family has a preexisting medical condition, you are covered. If you get sick or a member of your family gets sick, even if it is a life-threatening illness, you are covered. And if an insurance company tries to drop you for any reason, you are still covered, because that will be illegal.

The President's health care plan guarantees a comprehensive package of benefits, and with this card you will never leave home without it. That is the ultimate goal of health care reform, to give all Americans the peace of mind to know that no matter what happens, health care will always be there for them.

And the President's plan will work. But we still have got a lot of work to do in the months ahead before we come to a vote, hopefully in the spring. And I hope we can put aside partisan politics, we can embrace each other, work to smooth out the rough edges of the President's plan, and come up with a solution that will work for all Americans, because every minute that we do not, the clock continues to run. It is at 1 million and counting since the President spoke. In the short time that I have been speaking here this evening, another 800 people have been added to the ranks of the uninsured.

We cannot wait any longer. The country and the Nation have waited long enough. We are behind every other major industrial nation in this world in terms of providing the coverage that is necessary for our workers. We have to move quickly to guarantee each American comprehensive health benefits that can never be taken away. And we must move quickly to pass President Clinton's health security plan.

I am very pleased now to yield to my colleagues who have been working very hard on this issue and who have come to the floor day after day, night after night to make a pitch for getting health care done in this country, and get it done soon, and providing people that we represent with the security that they so richly deserve.

Mr. Speaker, I yield to my friend, the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, I thank my colleague from Michigan, DAVID BONIOR, for yielding.

Mr. Speaker, I believe this is truly a historic moment for our country. Health care reform was deemed a necessity in previous administrations as far back as Harry Truman. But it has taken 217 year as a Nation for a President to present a plan that will guarantee health care for every man, woman, and child.

I agree with the President that our country's health care system just does not work for too many people. And we cannot afford to ignore what is wrong with it any longer.

President Clinton and Hillary Rodham Clinton I believe are to be commended not just for acknowledging the problem, but for having the courage to take on the entrenched powers in Washington, to actually find a solution.

Mr. BONIOR. Will the gentleman yield just a moment on that point?

Mr. MEEHAN. Sure, I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, people ought to be aware that there are entrenched powers in this city, in this country that are going to do everything they can to stop this. Many of them are huge corporations. You are seeing ads running on television now throughout the country. The money people are going to come out against this, because it threatens, they believe, their existence.

It does not have to. All we are asking them to do is be responsible and to participate, and to be a part of solving this issue. So the gentleman is absolutely correct when he stresses the point that this is going to be attacked on a variety of different fronts as we move forward.

Mr. MEEHAN. And I do not think the American people have any doubt why we have not been able to get health care reform for the 217 years we have been waiting for it.

The truth is the ranks of the more than 37 million Americans without health insurance, most of them working men and women and their families, are growing every day. My distinguished colleague from Michigan pointed out that Families USA, over a million and counting since the President was here in this Chamber. A friend of mine in Concord, MA, Phil Villers, has been very involved with Families USA. It seems to me that in addition to people with preexisting conditions, the unemployed, the working poor, the small businesses, they are unable to obtain health care coverage or afford it even if they could find it. Lack of health care coverage or the fear of losing it is no longer something that happens to someone else. Every one of you probably knows someone who has been denied coverage or paid too much for health care, whether it be a family member, a friend, a coworker, a neighbor or ourselves. I come from a large family, seven children in my family. Members of my family have been without health insurance, and their children have been without health insurance.

I have heard many of the stories myself from people who have contacted me or written to my office in desperation.

There is the elderly couple in Lowell, MA, that is having trouble making ends meet because they pay $3,200 a year, 25 percent of their income, for supplemental insurance to cover their prescription drugs.

There is a young Lawrence couple. He is attempting to purchase private insurance because of an anticipated layoff and the loss of health benefits. However, he has been unable to find a carrier that will cover him because he has a disabled wife and a 6-year-old child with a heart condition.

Then there is the suburban teenager who wrote to me because of her concern about her family. The business her father worked for failed, and her mother took a job as a bank teller, primarily to obtain health benefits for her family. However, it is unlikely that the mother will be eligible for coverage because she has cancer.

And the list goes on and on. And unfortunately, I have been able to do little other than nod my head and listen, until now.

Because of an unprecedented call for change in this country, I believe that soon terms like "preexisting condition," "coverage denied," "prescription drugs not included," will be found only in history books, and not in health care manuals.

□ 2120

I believe the President has proposed a workable, feasible approach to health-care reform.

In addition to providing health care for all Americans—not just those who can afford it or are fortunate enough to have a comprehensive employee benefits package—the President's plan will help cap the escalating health-care costs that are draining our national resources and our personal savings.

The United States spends one-third more on health care than any other country in the world—14 percent of the gross national product. Our medical bills are growing at more than twice the rate of inflation. In my home State of Massachusetts—where health-care costs have risen more than 13 percent annually for the past 5 years—the average family of four spends $5,320 each year for care.

This health-care crisis is fueling our Federal budget deficit, affecting large corporations' ability to compete in a global economy and reducing the survival rates of small companies. On average, 12 percent of corporate payrolls are eaten up by health-care costs. Small businesses—the key to job creation in our country—pay health-insurance premiums that are one-third higher than large companies. Small business need this plan.

However, our country's nearly trillion-dollar annual medical bill has not resulted in the best delivery system. For example, the United States ranks 21st in infant mortality and has the 3d worst immunization rate in the Western Hemisphere.

I agree with President Clinton that the strength of our current health-care system can be found in our skilled medical professionals, technology and institutions.

But what good is having the best health care in the world if all of our citizens cannot access it?

After spending the past 8 months talking to more than 1,000 health-care organizations, interviewing thousands of providers and consumers, and reading more than 700,000 letters, the First Lady and the President's task force have formulated a comprehensive health-care plan. It deserves our immediate attention and our thorough examination.

The President last week outlined the plan's six key ingredients that seem so basic, yet have been lacking for too long in the lives of millions of Americans:

Security: Guaranteeing comprehensive benefits for all Americans for a lifetime.

Savings: Controlling health-care costs that have nearly quadrupled since 1980.

Simplicity: Cutting down on mind-boggling paperwork that accounts for 25 percent of hospital bills.

Mr. BONIOR. Unbelievable, when you think about it, 25 percent of every dollar is spent on health care and goes just for the paperwork. In Canada—and the Speaker pro tempore here will appreciate this—it is 11 cents per dollar. But 25 cents of every dollar just for paperwork. Under the President's proposal, we will have one form. I know people are saying, "Oh, yeah, I got to see it." One form, simple. We will not have doctors, nurses, people throughout this country using their time to do paperwork instead of practicing what they went to school to learn: providing health care for their own constituencies.

Mr. MEEHAN. I have had four health care forms in my district in Massachusetts, and I have listened to doctors talk about having to hire more people simply to deal with the paperwork. Simplicity is absolutely critical.

Quality: emphasizing improved care and efficient delivery of services.

Choice: allowing the freedom to pick a doctor and a health care plan.

Mr. BONIOR. Many people today cannot even choose the plan that they want. They just get what the company gives them if they work for a company. This will allow them different options, different choices. Like, for instance, I think many employees, Federal employees have, a menu of plans from which to choose. People need that ability to choose between 20, 30, 10, or 5 different types of plans as well as, as the gentleman correctly points out, the doctor, a doctor in whom the subscriber and his family may have confidence.

Mr. MEEHAN. Responsibility: Encouraging a reasonable profit margin for providers and a healthier lifestyle for consumers.

I truly believe that elected officials across this country have heard the pleas of the American people and are committed to working together in a bipartisan way to reform our health-care system. The question being asked today in the Halls of the Congress is not "Will we have national health care?", but rather, "What will be included in the plan?"

I think that is an incredible difference. As a new Member, and certainly my colleague from Michigan can speak to it, we have not heard that type of optimism, "What is going to be in the plan?"

The country is ready to do it, the Congress is ready to do it.

Mr. BONIOR. I remember 20 years ago getting involved in politics and the Campaign for National Health Security for Americans. We happened to believe at that time back in the 1970's, early 1970's, 1971, a consensus was building then, but then it sort of broke and faded, it broke away into politics and partisan bickering and we could not get the groups together. And it has taken us 20 years to march us back to the point where we are on the edge, as the gentleman from Massachusetts [Mr. MEEHAN], has correctly pointed out, on the edge of getting it done. The question is just what kind, and the timing, I believe, is just around the corner.

Mr. MEEHAN. I want to mention a point I talked about earlier: I would caution that there are powerful forces in Washington seeking to derail our country off the course that the President has charted. Special interests have beefed up their efforts in an effort to stop health care reform; 30-second television ads, money being flown in, all to prevent the health care reform that this country has demanded. I think it is going to take a concerted effort to fight their plan to undermine a national health care plan because they are looking to maintain the status quo and prevent the change that the American people are crying out for.

Hospitals, doctors, other care providers, insurance and drug companies, large corporations, small businesses, labor groups, health consumers, need to all work together to build a comprehensive health care plan for all Americans.

I have faith in the determination of the American people to embrace the President's call for change, and I look forward to being a part of a Congress that will pass the country's first national health care legislation early next year. And I cannot imagine anything that would be more rewarding to me as a new Member of Congress, as a freshman Member of Congress, but to be here and to actively participate in finally getting the Nation's first national health care legislation approved. That would make it all worthwhile to me as a new Member of Congress, and I thank the gentleman for taking this special order.

Mr. BONIOR. I thank my colleague for his comments, and I could not emphasize or put more of a stamp on his last statement. It would really make it all worthwhile, all of our efforts being in this institution, being in politics in this body, to come and finish off something that has been lying out there for literally decades, making sure that all Americans have health care.

It will rival Social Security in the 1930's, Medicare in the mid-1960's. This will be that significant, that important, that revolutionary in the positive sense, for this country.

I thank the gentleman for his leadership. He is one of the newer Members of this institution who has taken on the hard special interests and has said "No" to those who have said "No" to change. He is leading the effort to make sure that his constituents and the people of the great Commonwealth of Massachusetts have the security to which they are entitled, that it is a privilege for them to have, it is a right for them to have, and he is leading the effort in that regard, and I thank him for his contribution.

Mr. Speaker, I yield now to my colleague, the gentlewoman from Connecticut, ROSA DELAURO, who also, as much as literally any other Member of this institution, has been dogged, determined on this issue, has spoken out in the leadership meetings we have had and in the whip meetings that we have had and the groups that we put together to move legislation on the need to move with some alacrity on this, that the time is right, the country is waiting for. And I thank her again for her leadership on this issue.

Ms. DELAURO. I thank the gentleman from Michigan for having this special order this evening. I am so pleased to join the gentleman from Michigan [Mr. BONIOR], who has taken a leadership position on this issue, and my colleague from Massachusetts [Mr. MEEHAN], who has spoken eloquently tonight on the difficulties of our health care system.

□ 2130

Our Nation as we talked about and have talked about for several weeks does have a national health care crisis. There is no question, every individual knows that is the case.

One of the facts that in my view cannot be repeated often enough is that Americans spend more than $800 billion on health care. That is what they spent last year, and it is going to be more this year. With that, we see health care costs that are continually rising and the numbers of uninsured continue to grow.

I think that we need to applaud the President for taking on the health crisis and making health care a central focus and a central project of his Presidency.

The final details are now being hammered out. In his proposal several weeks ago in this body, and I will repeat, it has been mentioned here tonight that there are six principles on which this health care proposal is founded: security of coverage, simplicity of administration, savings in costs, choice among health care plans and physicians, quality of care and individual and corporate responsibility for making that system work.

It has been what—50 or 60 years since anyone has had the courage, any President has had the courage to take on the issue. Others have tried. They have started it and let it go because in fact it is complicated. It is complex, but that should not deter us and it clearly has not deterred President Clinton.

I would like to address a couple of these principles tonight if I might. One is savings in costs and the second is security of coverage, childbirth, braces for children and operations to remove a ruptured appendix, these are not unusual medical procedures. Families face these kinds of issues every single day, but these every day kinds of medical bills like those that I have mentioned become a crippling financial burden for too many American families. If you are not adequately covered, even nonemergency procedures can be a family crisis.

Even worse, millions of mothers and fathers live in fear of the emergency that will require medical care and medical attention that they just cannot afford any longer.

Mr. BONIOR. It is like carrying a 50-pound sack of potatoes on your back all day. I mean, that is a physical term, but translated into mental anguish it is just very crippling and very distracting for people in their lives. It just eats them up. Every one of us knows someone in our families or our neighborhoods who has gone through that, who is going through it today. The gentlewoman is absolutely correct.

Ms. DELAURO. I see people at office hours every Saturday, my constituents. I do it at a Stop-and-Shop or a Wal-Mart or some major grocery store.

One woman came last week and she said that she had just been let go from her job, not her fault, they just closed up the business, and she brought with her the benefit of an extension for 18 months. Now with that up, she is faced with looking at paying either $1,200 a quarter or $3,000 a quarter for her insurance. She has a family and she said, "I cannot do this."

So she said, "I will keep my fingers crossed."

Imagine keeping your fingers crossed on your own health and that of your family.

Mr. BONIOR. As we pointed out, 2 million people a month lose it and have to cross their fingers.

Ms. DELAURO. And that is what they are doing. It is families who have this difficulty. Most families are lucky to have employers who are covering their health care, but they are not immune to the soaring costs.

It is not only families, but our businesses, which as we mentioned here tonight, and as costs rise workers pay larger and larger chunks of their paychecks for insurance coverage, and business spending on health care has increased 253 percent since 1980, a period when corporate profits rose only 130 percent.

So that for families, for employers and for government, the rising rates are three times what inflation is. It is really threatening the ability of private employers to maintain current benefits.

Mr. BONIOR. Let me just tell the gentlewoman a story in that regard, if the gentlewoman will allow me.

Ms. DELAURO. Sure.

Mr. BONIOR. I have a constituent in my district, this happened actually 2 years ago, but I think it is illustrative of the problem. This guy worked in a factory. He is a lovely man. He worked at a tough job. He comes home at the end of the day and he is dirty, he is tired and all he wants to do is kind of slouch down in the chair and sort of relax, maybe have a soda or a beer and just kind of let the day go by for an hour because he is exhausted.

He worked 30 years, started when he was 18 out of high school in this plant, retired, 30 years and out, had health care benefits and pension benefits.

He went to the mailbox every month to get his pension check because he was not eligible yet for Medicare or Social Security. He had a check there for about $500 each month in pension benefits that he had built up over 30 years of service in this factory.

He told me, "Congressman, I went to my mailbox last week and there was a check there, but it was for $32 instead of $500, with a little note inside that said, 'That is all you are going to get from now on because your health premiums have increased so much, we are going to have to deduct that from your pension.'"

That clearly was allowed in his contract. That man's life was shattered. You can imagine, I mean, all of us think about the day we are going to retire. We are putting aside something privately or publicly or however with our employer for a pension, and then to realize one day that it has vanished. It is gone. All your dreams, all your hopes, that have gone on too long and for too many people in this country and we have got to change it.

Ms. DELAURO. I would just give you an example of a family that I visited in Wallingford, CT. It was in the midst of the Persian Gulf war. The family had lost their son in the gulf war. I went to pay my respects quietly. I was in their living room. I was speaking to the father. The mother was not there. The father was an autoworker who had just been laid off from his job and he had no health insurance.

The mother was not there at the time. She was coming in a little bit later because she was out looking for a job. She had tried several places and she was waiting to see if she could get a job, but her first criteria in accepting a job was not having to wait a year to get health care or 6 months, but wanting to get a job that would provide health care benefits immediately.

Here was this family that lost their son in the gulf war and there they were. They were frantic. They were trying to cope with the tragedy of losing a child and did not know what they were going to do; one, about their own employment, and second, about their own health care.

This is not what this Nation is about, should not be what this Nation is about.

Mr. BONIOR. This plan will rectify that. They will have that peace of mind. They will have that security. If the loss is so debilitating, they will have mental health benefits so they can have counseling to take care of a situation that saps every ounce of energy and love and emotion out of a person when you lose someone that close. It is just critical.

Just one other story and then I will let my colleague continue.

I was meeting back in my constituency with some women, about five of them. They worked in a nursing home. They came to see me, and they were members of a union, worked in a nursing home. They came to see me because none of them had any health insurance. They are taking care of our mothers, our fathers, our grandparents, and yet they themselves had no health insurance.

One of the women, I will never forget this, she told me, "Congressman, I go to bed every night and I say a prayer that my son won't get sick. I don't know what I would do."

I mean, what an incredible irony that these people who are taking care of our own cannot take care of their own because there is not the insurance and the security there for them.

They are going to get a card when we pass this plan like this, the national health security plan. It is always going to be there for them.

When I work on this issue, as I am sure both of you do, we think about people like this. That is what gives us the drive to keep going, to get it done, because as the gentleman from Massachusetts [Mr. MEEHAN] said so correctly and as the gentlewoman from Connecticut [Ms. DELAURO] has illustrated, that is what is going to make it all worthwhile for us serving here, is getting something for people who deserve it, who have a right to it in this country.

□ 2140

Ms. DELAURO. I just want to pick up on something the gentleman said because I find it a major flaw in our health care system now which will be rectified in the President's plan, and that is the whole issue, which in my view helps to undermine people's security, of the absence of mental health, mental health care coverage. Neurobiological disorders like manic depressive disorder, anxiety disorder, autism, schizophrenia, can be just as debilitating as physical illnesses, and they are physical illnesses, but many health insurance programs, including Medicare, discriminate against people who suffer with these diseases. Not only is one faced with the trauma of the disease and stigmatized at the same time, but their health insurance coverage does not extend so they get this kind of coverage, and they are faced with mounting bills and without the wherewithal to get any further help in these illnesses. It is becoming a larger and larger problem, and it is estimated that 19 percent of our adult population in the United States suffers from a diagnosable mental illness within any 6-month period of time——

Mr. BONIOR. Yeah.

Ms. DELAURO. Not a small issue, and the plan addresses this issue in a first step in terms of coverage for those who suffer with mental illness.

Mr. BONIOR. As we learn more and more about mental illness, and as we learn more and more about medicine in general and people in general, we come to understand how much physical disabilities are related. I know, and this is a very small example, but personally the tension and the pressure of the job that I have causes my own muscles to tighten and the physical problems that I have, and, as minor, and as minuscule and as sometimes irrelevant, at least compared to the problems that we have discussed that other people have had tonight, we all understand that, and know that, and that is why being able to deal with stress, being able to deal with all the mental health issues that are important in our very chaotic lives in the 21st century that we are about to enter is a critical part of good health care, quality health care, preventative health care as we move forward.

Ms. DELAURO. Another issue, I think, is if we could be assured that the quality of our care was going up with the spiraling costs, that would be one thing, but it was mentioned here for each dollar spent at a hospital that 25 cents goes to administrative bookkeeping and paperwork. For small businesses that is about 40 cents. It can be up to 40 cents on the dollar.

I have had a number of my constituents contact me to express their frustrations with those bureaucratic regulations and with the paperwork so that the simplification coming down to one form I think is critical. I also think that we have to be concerned because of what happen with all of these regulations, that we are in danger of looking at serious health care fraud that to the system is about $80 billion a year, and so what we need to do is to address that issue.

Mr. BONIOR. That is a very, very important issue, and I am glad my colleague, the gentlewoman from Connecticut [Ms. DELAURO] raised it because I have a constituent, Bill Ellicott in my district, who basically has a business that deals with health care fraud and making sure that there is not the double coverage payment schemes that so often go on and that really saps a lot of the resources out of the system in our country. It is an area that we can save a considerable amount of money on to help pay for some of the things we have been talking about.

Ms. DELAURO. It is $80 billion a year. It is 10 percent of what health care costs us. Again it has not received the attention that it needs to.

I will just give my colleague a couple of examples:

In California a scheme involving rolling laboratories fraudulently billed insurers for more than $1 billion. A father and son team looted Medicaid for more than $16 million by submitting bills for 400,000 phantom visits. A laboratory company was convicted of sending Medicare more than $100 million in fraudulent blood test claims that were inflated by almost 100 percent.

We have to do something about clearing that up. We have to make this kind of effort a crime. We have to add to the efforts of the FBI and others who can ferret out this kind of effort, and we see that. Both of these kinds of issues that we are talking about with regard to mental illness and with regard to fraud are within the Clinton plan, that we take it on, that we are looking at eliminating that fraud, and we are looking at a treatment for medical illness.

Mr. Speaker, let me just conclude by saying that we know that there are powerful interests that are opposed to this plan. There are also, quite frankly, those amongst our ranks that believe the system is too complicated, that it is too hard to deal with. In fact, in my view there are nay sayers. People say that we cannot take this on and that Congress is ill equipped to take it on.

I think the American people disagree with this view. I told the gentleman that I go to Stop and Shops and to malls every weekend. I have had people come up and talk to me. I have had hundreds of letters, thousands of letters, and phone calls. People in my community are in favor of health care reform. They want us to move on this issue.

And I think that those who say that Congress is not up to it, to them I say I know that we say here tonight that Congress has got to be up to this challenge.

I ask the American people. I think the American people have a role to play. They are demanding us doing this, but they have a role to play as well. I think that they have got to let those of us who represent them know that they are not going to stand around for politics, and partisan bickering and nay saying. They want those of us who represent them to move on health care reform.

Mr. BONIOR. And they ought to be calling their Congress men and women, calling their Senators, letting them know, writing to them. They have to be active on this. It will save them in the long run thousands, tens of thousands, of dollars over their lifetime, and it will provide them the peace and security that they want for themselves and their families. It is in their interest to tell us to move on this, to tell the timid to get out of the way because we are coming down the aisle, and we have got a good product, and we are going to enact it, and we are going to have the President sign it.

Ms. DELAURO. And they want us to work with the President.

Mr. BONIOR. They do.

Ms. DELAURO. It is not all hammered out, but they want the Congress to work with the President to pass health care reform and do it next year, and I think those who do not, who are the timid and the naysayers, will pay a price with those that they represent, and I hope the American public will write and call the Members of Congress, Members of the House and the Senate.

I want to say, Thank you, to my colleague.

Mr. BONIOR. I thank my colleague for staying at this late hour and coming and talking about this as well as the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. I was going to point out that it is interesting, and I ask:

Can you imagine having a health care system, and you talked about the cost that it is costing all Americans, whether Americans have health insurance or not, they are paying for a system that doesn't make any sense? Can you imagine when people get seriously sick, and get rushed to the hospital, they get rushed to emergency rooms across the country?

And I have been to many of them in my own district, the emergency rooms. It does not make any sense to wait until someone gets so sick that they have to be rushed and get the most expensive possible health care rather than to provide them the preventative health care that would save the system billions and billions of dollars. It just does not make any sense, and it is happening all across the country and costing us billions and billions whether we have health insurance or not.

I see so many families without health insurance, and something happens to them, and they get sick, and they do not go and get the type of attention they need, and it is not until it is a crisis and they go into an emergency room, and then everyone pays the most expensive possible health care costs, and I think that is an important point here as well.

Mr. BONIOR. The gentleman from Massachusetts [Mr. MEEHAN] is absolutely correct, and it is a big part of the cost. It is a big part of the inefficiency that the present system has, and it is clearly something that is going to be dealt with and will be dealt with in this plan.

Well, I thank my colleagues, and I guess I should just conclude by saying that I am honored we could participate in this trialog, I guess, three of us this evening, and equally honored that the Speaker pro tempore who is presiding this evening is the gentleman from Washington, Congressman JIM MCDERMOTT, a medical doctor and a very active and knowledgeable player on this issue as well as a member of the Committee on Ways and Means, and I expect that, when we are finished tonight, he will give us his impressions, a pointer or two, I suspect, on some of the issues we talked about. And we are, obviously, always open to his wise counsel as we move forward, so I thank my colleagues for their contributions this evening.

□ 2150

CONFERENCE REPORT ON H.R. 2492

Mr. DIXON submitted the following conference report and statement on the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes:

CONFERENCE REPORT (H. REPT. 103-291)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2492) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 8, 9, 13, 18, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 12, 14, 16, 20, 28, 39, 40, 41, 42, 43, 44, 45, 46, 47, and 48, and agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$115,888,000*; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$892,156,000*; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$711,742,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$882,359,000*; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$206,191,000*; and the Senate agree to the same.

Amendment numbered 21:

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$2,202,000*; and the Senate agree to the same.

Amendment numbered 27:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows:

Delete the matter proposed by the House and stricken by the Senate and delete the matter proposed by the Senate; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$6,342,000*; and the Senate agree to the same.

Amendment numbered 34:

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,202,000*; and the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,040,000*; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$20,578,000*; and the Senate agree to the same.

Amendment numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$14,348,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 6, 10, 19, 22, 23, 25, 26, 29, 30, 31, 33, and 38.

JULIAN C. DIXON,
LOUIS STOKES,
RICHARD J. DURBIN,
MARCY KAPTUR,
DAVID E. SKAGGS,
NANCY PELOSI,
WILLIAM H. NATCHER,
Managers on the Part of the House.

HERB KOHL,
PATTY MURRAY,
ROBERT C. BYRD,
CONRAD BURNS,
CONNIE MACK,
MARK O. HATFIELD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement of the House and the Senate in explanation of the effect of the actions agreed upon by the managers and recommended in the accompanying conference report.

RETIREMENT OF CHIEF JUDGE FRED B. UGAST

The conferences note the impending retirement of Judge Fred B. Ugast, Chief Judge of the District of Columbia Superior Court, after 20 years of judicial service, and congratulate him on his accomplishments in the areas of innovative programs, case processing efficiencies, and expanding access to court services. Chief Judge Ugast encouraged the development of the nationally recognized Civil Delay Reduction Program in 1989. His administration also developed the Specialized Felony Drug Calendar program which resulted in earlier disposition of criminal drug cases. He expanded the court's "Settlement Week" program into a formalized alternative dispute resolution program that is integrated into the civil, small claims, and domestic relations case processing systems. His administration has also emphasized expanded access to justice services.

Chief Judge Ugast's strong leadership and vision has truly enhanced the administration of justice in the District of Columbia. He leaves a lasting legacy of significant accomplishments in public service.

DEVELOPMENT DAY CARE FOR HOMELESS CHILDREN

Homeless preschool children represent the fastest growing, most fragile and vulnerable segment of the homeless population. Currently, 725 homeless families with approximately 957 preschoolers live in shelters in the District.

Programs serving homeless preschool children in the District should receive a fair share of day care funds made available to the District through Federal child care and block grant funding such as the Stewart B. McKinney Homeless Assistance Act of 1987 (Public Law 100-177). The Department of Human Services is urged to review its funding commitments and take expeditious steps to ensure that programs serving these homeless children are included in the allocation of available day care resources. Although McKinney Act funds are provided through the District's public schools to assist in meeting the needs of homeless school age children, the District currently has no program or special funding available to satisfy the very special developmental needs of the homeless preschool population.

The Committee encourages District officials to take the necessary creative steps to seek and use available Federal resources to meet the acute needs of homeless children and their families. In particular, District officials should improve coordination of resources directed toward the homeless and seek out additional existing funding available under the McKinney Act.

NATIONAL CHILD PROTECTION, TRAUMA AND RESEARCH CENTER

The House and Senate Subcommittees on District of Columbia Appropriations have provided significant support for the National

Child Protection, Trauma and Research Center in previous years and the conferees wish to reiterate their strong support for the project. Although the Subcommittees lack sufficient Federal funds in their 602(b) allocations at this time to fund the project, the conferee continue their strong interest in supporting the Center through the appropriations process.

DEPARTMENT OF CORRECTIONS

The District of Columbia is party to several court orders and consent decrees meant to alleviate overcrowding and to mandate staff levels, security requirements, and standards of health and sanitation in facilities operated by the Department of Corrections. In the past 10 years, the Department's average daily inmate population has grown from approximately 6,500 to over 11,500. In order to comply with judicial requirements and to avoid additional court fines, the District has for several years outplaced prisoner in private and public corrections facilities in other states. In light of budget constraints, however, and citing a leveling trend in prison population, the District has recently reduced its out-of-state correctional contracting.

The conferees commend the District in its efforts to secure the most cost-effective inmate housing. The conferees note, however, that according to information provided to them, the cost competitiveness and general quality of corrections contractors appear well documented. Moreover, the conferees are concerned that District inmates not be eligible for early release to reduce overcrowding as a result of returning D.C. prisoners to District-owned facilities. Even if this is not the case and inmate population is stable at an acceptable level, the prospect of future requirements makes it appear prudent to maintain some ongoing outside contracting capacity until additional new capacity is available in District-owned facilities. Should the Department of Corrections require expanded use of outside contracted prison or jail capacity the conferees will consider a supplemental or reprogramming request for the necessary increased costs, if any.

GEORGETOWN UNIVERSITY COGENERATION FACILITY

In 1989, Georgetown University, operating under the applicable local and Federal energy policy statutes, initiated District of Columbia approvals to develop a cogeneration plant on its campus. It is the conferees' understanding that approvals for this facility include three environmental policy acts enacted by the Council of the District of Columbia and 19 regulatory approvals as well as zoning approval granted and upheld by the D.C. Court of Appeals.

The proposed facility would continue to provide the much needed steam for the University at the same time that it provides the Potomac Electric Power Company with additional capacity on its system. Because of the energy and financial savings and the need for additional power, the conferees encourage the District of Columbia to review, with the applicants, the basis for withdrawal of the environmental approval to construct the cogeneration facility.

TITLE I

FISCAL YEAR 1994 APPROPRIATIONS

FEDERAL FUNDS

FEDERAL CONTRIBUTION TO RETIREMENT FUNDS

Amendment No. 1: Restores language proposed by the House and stricken by the Senate which delays the obligation and expenditure of $2,000,000 until September 30, 1994, and October 1, 1994, respectively.

FEDERAL CONTRIBUTION FOR CRIME AND YOUTH INITIATIVES

Amendment No. 2: Appropriates $17,327,000 as proposed by the House instead of $15,327,000 as proposed by the Senate.

Amendment No. 3: Deletes language proposed by the Senate which would have allowed the Mayor to use a portion of the appropriation for Federal Crime and Youth Initiatives for the operations of the Trauma Care Fund established in Public Law 102-382 (106 Stat. 1428).

DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT

Amendment No. 4: Appropriates $115,888,000 instead of $118,543,000 as proposed by the House and $114,781,000 as proposed by the Senate. The increase of $1,107,000 above the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which requires the District to identify local sources of revenues for the account "Admission to Statehood".

ECONOMIC DEVELOPMENT AND REGULATION

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum inserted by said amendment, insert: *$87,293,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action appropriates $87,293,000 instead of $85,348,000 as proposed by the House and $85,629,000 as proposed by the Senate.

The increase of $1,664,000 above the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

PUBLIC SAFETY AND JUSTICE

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 7: Appropriates $892,156,000 instead of $907,966,000 as proposed by the House and $877,703,000 as proposed by the Senate.

The conference agreement reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Police and Fire Clinic.—The conferees were recently informed that the District has undertaken a study to examine the costs and services now provided by the Clinic and plan to have a comprehensive package developed by January 1994 that will (1) recommend a system for providing performance of duty medical services to District police and fire fighters and for determining the impact of the system on Federal agencies currently receiving services from the Clinic on a reimbursable basis; (2) compare the cost of providing the Clinic's current services with the cost of providing these services through private health care providers; and (3) provide an implementation schedule and cost analysis for establishing the new system. The conferees request that the study and comprehensive package address the comments and recommendations of the Federal agencies using the Clinic's services. The conferees note that the Federal agencies involved probably have not had an opportunity to consider the impact of changes proposed in the Clinic's operations on their fiscal year 1994 budgets, and therefore request District officials to make every effort to ensure that no changes are made in the availability of the Clinic's services prior to the Federal agency's concurrence with the changes or arrangement for alternative services. The conferees look forward to receiving the comprehensive package in early 1994, and direct that the Police and Fire Health Clinic continue operating in fiscal year 1994 at the fiscal year 1993 level until such time as the comprehensive plan is approved by the Committees on Appropriations of the House and the Senate. The conferees commend the District for identifying and implementing several cost cutting measures which have resulted in reducing nonpersonal services costs by $400,000. The conferees encourage District officials to continue their efforts to identify and implement cost cutting measures relative to the Clinic's current operations.

Fire suppression liquid.—The conferees have received the Fire Department's report regarding the features of a fire suppression liquid concentrate called Pyrocap B-136. The Department's report indicates that the concentrate greatly reduces toxic smoke, heat, and "completely relieves the problem of burnback in cases of petroleum fires". The conferees urge the Department to use this technology whenever possible, and to place it on trucks that answer fire emergencies in several parts of the city including several inner-city areas that have high fire incident rates as well as the White House and the Federal enclave. The conferees plan to review the use of this technology with fire officials at next year's hearings.

Amendment No. 8: Deletes language proposed by the Senate which would have provided $4,000,000 "from other Federal sources hereafter appropriated" to fund the D.C. National Guard ($1,100,000); the Office of Emergency Preparedness ($1,848,000); and object class 70 (equipment) of the Metropolitan Police Department ($1,052,000).

Amendment No. 9: Restores language proposed by the House and stricken by the Senate that prohibits the elimination of the Administrative Assistants to the Battalion Fire Chiefs in the Fire Department.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed in said amendment, insert: *: Provided further, That in addition to the $892,156,000 appropriated under this heading, an additional $1,025,000 and 11 full-time equivalent positions shall be transferred from the Department of Administrative Services to the District of Columbia Court System for janitorial services, pest control, window washing, trash collection and removal, and landscaping*

, and

on page 5, after line 7 of the House engrossed bill H.R. 2492 insert "(Including Transfer of Funds)" as a centerhead.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action deletes a proviso proposed by the Senate that would have prohibited the closing of Engine Company 3 located at 439 New Jersey Avenue, Northwest, and inserts a new proviso that transfers $1,025,000 and 11 full-time equivalent positions from the Department of Administrative Services under Governmental Direction and Support to the District of Columbia Court System for janitorial services, pest control, window washing, trash collection and removal, and landscaping. The conference action also inserts a new centerhead "Including Transfer of Funds" under the Public Safety and Justice appropriation heading.

Regarding the closing of Engine Company 3 located at 439 New Jersey Avenue, Northwest, the conferees have received assurances from the City Administrator that the closing ". . . will *not* impact on the level of fire protection afforded the U.S. Capitol or any part of the Capitol Hill area" and that the "Fire Department anticipates upgrading Ambulance Number 15, which is currently housed at Engine Company 3, to an Advanced Life Support unit staffed with paramedics . . . during the first quarter of fiscal year 1994. It will be moved to one of the four fire stations within a mile of the U.S. Capitol."

This action by the conferees is taken on the condition that District officials, at least 15 days prior to the closing of Engine Company 3, fully brief appropriate officials of the Architect of the Capitol on the District's plans for closing Engine Company 3 and continuing to provide the excellent service to the Capitol complex that has been provided in the past. The conferees stress the statement made by the head of the Architect's fire protection division that, "there needs to be assurance that the excellent service provided by the Fire Department in the past will not be diminished by any proposed change."

The conference agreement provides the transfer of $1,025,000 and 11 positions, to the D.C. Court System. The conferees were informed by the executive officer of the courts that the Department of Administrative Services has agreed to the transfer of these resources to the Court System. The executive officer further stated that while the Department of Administrative Services "appears to do the best it can under difficult circumstances, the Courts suffer the consequences of reductions in service delivery."

PUBLIC EDUCATION SYSTEM

Amendment No. 11: Appropriates $711,742,000 instead of $711,813,000 as proposed by the House and $710,742,000 as proposed by the Senate. the conference action reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

Amendment No. 12: Allocates $3,474,000 for the Commission on the Arts and Humanities as proposed by the Senate instead of $3,540,000 as proposed by the House. The reduction of $66,000 below the House allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

Amendment No. 13: Allocates $4,500,000 for the D.C. School of Law as proposed by the House instead of $3,500,000 as proposed by the Senate. The increase of $1,000,000 above the Senate allowance reflects the restoration of $1,000,000 that was included in final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

Amendment No. 14: Allocates $487,000 for the Education Licensure Commission as proposed by the Senate instead of $492,000 as proposed by the House. The conference agreement reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

HUMAN SUPPORT SERVICES

Amendment No. 15: Appropriates $882,359,000 instead of $914,830,000 as proposed by the House and $869,587,000 as proposed by the Senate. The increase of $12,772,000 above the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

Amendment No. 16: Provides that $20,905,000 is to remain available until expended for the District's employees' disability compensation program as proposed by the Senate instead of $17,905,000 as proposed by the House. The increase of $3,000,000 above the House allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

PUBLIC WORKS

Amendment No. 17: Appropriates $206,191,000 instead of $215,749,000 as proposed by the House and $203,939,000 as proposed by the Senate. The increase of $2,252,000 above the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

Water and Sewer Utility Administration.—The conference action abolishes 51 positions to reflect final action by the Mayor and Council on the District's fiscal year 1994 budget amendment (H. Doc. 103–136).

REPAYMENT OF LOANS AND INTEREST

Amendment No. 18: Deletes language proposed by the Senate which would have authorized the use of funds appropriated under this heading to pay the debt service for the first year on $50,000,000 that the District would have been authorized to borrow under capital outlay as matching funds for constructing or modernizing the George Washington University Hospital.

Amendment No. 19: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$306,264,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $306,264,000 instead of $312,948,000 as proposed by the House and $316,948,000 as proposed by the Senate.

The reduction of $6,684,000 below the House allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136). The Senate allowance included $4,000,000 to cover the first year debt service for $50,000,000 in general obligation bonds the District would have issued under amendment number 24 to provide matching funds for modernization of the George Washington University Hospital. Section 6 of the Trauma Care Systems Planning and Development Act of 1990 (Public Law 101–590; 104 Stat. 2929) authorizes a total of $50,000,000 to George Washington University Hospital as matching funds for the purpose of constructing or modernizing their medical facility.

PAY ADJUSTMENT

Amendment No. 20: Appropriates $81,680,000 as proposed by the Senate instead of $70,680,000 as proposed by the House. The increase of $11,000,000 above the House allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

SEVERANCE PAY

Amendment No. 21: Insert new heading and paragraph as proposed by the Senate and appropriates $2,202,000 instead of $11,033,000 as proposed by the Senate. The decrease of $8,831,000 below the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103–136). The Senate action reflected the mayor's proposal as submitted to the Council.

D.C. GENERAL HOSPITAL DEFICIT PAYMENT

Amendment No. 22: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed in said amendment, insert:

D.C. GENERAL HOSPITAL DEFICIT PAYMENT

For the purpose of reimbursing the General fund for costs incurred for the operation of the D.C. General Hospital pursuant to D.C. Law 1–134, the D.C. General Hospital Commission Act of 1977, $10,000,000.

ENERGY ADJUSTMENTS

The Mayor shall reduce appropriations and expenditures for energy costs in the amount of $482,000 within one of several of the various appropriation headings of this Act.

COMMUNICATIONS ADJUSTMENTS

The Mayor shall reduce appropriations and expenditures for communications costs in the amount of $158,000 within one or several of the various appropriation headings in this Act.

CONTRACTUAL SERVICES ADJUSTMENTS

The Mayor shall reduce contractual services appropriations and expenditures within object class 40 in the amount of $1,500,000 within one or several of the various appropriation headings in this Act: Provided, That no reductions shall be made to agencies not under the direct control of the Mayor or to the Department of Human Services.

CASH RESERVE FUND

For the purpose of a cash reserve fund to replenish the consolidated cash balances of the District of Columbia, $3,957,000.

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on page 13 line 3 of the House engrossed bill, H.R. 2492, strike "$3,423,000" and insert "$3,323,000".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action appropriates $10,000,000 instead of $20,000,000 as proposed by the Senate for the D.C. General Hospital Deficit Payment to the District's general fund. The reduction of $10,000,000 below the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment transmitted to Congress September 13, 1993 (H. Doc. 104–136). The conference action also inserts three new headings and paragraphs requested by the Mayor and Council in H. Doc. 103–136 which authorize the Mayor to reduce appropriations and expenditures throughout the District government in energy (−$482,000), communications (−$158,000), and contractual services for all agencies under the Mayor's direct control except for the Department of Human Services (−$1,500,000). The conference action also inserts a new heading "Cash Reserve Fund" and paragraph appropriating $3,957,000 to replenish the consolidated cash balances of the District government as requested by the Mayor and Council in H. Doc. 103–136.

In addition, the conference action appropriates $3,323,000 for optical and dental benefits as requested by the Mayor and Council in H. Doc. 103-136 instead of $3,423,000 as proposed by the House and the Senate.

PERSONAL AND NONPERSONAL SERVICES ADJUSTMENTS

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Delete the sum stricken by said amendment and delete the sum inserted by said amendment and strike out line 10 through and including line 14 on page 13 of the House engrossed bill H.R. 2492, and on page 29, line 12 of the House engrossed bill H.R. 2492 strike out "1993" and insert in lieu thereof "1994".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action deletes reductions of $27,062,000 proposed by the House and stricken by the Senate and $7,000,000 proposed by the Senate and deletes the heading and paragraph relative to Personal and Nonpersonal Services Adjustments which would have authorized the Mayor to reduce appropriations and expenditures throughout the District government to keep the budget in balance. The conference agreement reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment transmitted to Congress September 13, 1993 (H. Doc. 103-136). The budget amendment distributes the reductions proposed by the House and Senate to agency budgets.

The conference action also extends for 12 months (from December 31, 1993, to December 31, 1994) the District's authority to retire up to 50 fire fighters or members of the Fire and Emergency Medical Services Department who were hired before February 14, 1980, and exclude those disability retirements from the computation of the rate of disability retirements under subsection 145(a) of the District of Columbia Retirement Reform Act (Public Law 96-122). The conferees have been advised by District officials that the additional 12 months are required to properly process these cases. The intent of section 132 in H.R. 2492 is to exempt up to 50 disability retirements from the trigger mechanism calculation for any period from October 1, 1993 through December 31, 1994. The trigger mechanism calculation is included in Public Law 96-122 and allows the annual Federal payment of $52,070,000 to the police officers and fire fighters retirement fund to be reduced when the disability retirement rate exceeds an established limit.

CAPITAL OUTLAY

Amendment No. 24: Appropriates $108,743,000 as proposed by the House instead of $158,743,000 as proposed by the Senate. The Senate allowance include $50,000,000 that the District government would have borrowed and transferred to George Washington University for use as matching funds for modernization of the George Washington University Hospital. Section 6 of the Trauma Care Systems Planning and Development Act of 1990 (Public Law 101-590) authorizes a total of $50,000,000 to George Washington University Hospital for the purpose of constructing or modernizing its medical facility.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed in said amendment, insert: *: Provided further, That the District of Columbia government shall transmit to the House and Senate Committees on Appropriations, the House Committee on the District of Columbia, and the Senate Committee on Governmental Affairs, no later than April 15, 1994, a proposed plan providing for the financing of the capital rehabilitation and revitalization of the medical infrastructure within the District of Columbia: Provided further, That this plan shall include how the capital needs of all hospitals will be addressed: Provided further, That this plan shall specifically address the currently authorized George Washington University project as part of the overall plan.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action deletes language proposed by the Senate that would have allocated $50,000,000 of the funds borrowed under Capital Outlays solely for the purpose of carrying out section 6 of Public Law 101-590 (104 Stat. 2929) and would have required the funds to be transferred within 45 days of receipt of the bond proceeds and inserts in lieu thereof a proviso that requires the District government to transmit a plan by April 15, 1994, to the House and Senate Committees on Appropriations, the House Committee on the District of Columbia, and the Senate Committee on Governmental Affairs. The plan is to provide proposals for the financing of the capital rehabilitation and revitalization of the medical infrastructure within the District of Columbia. The conferees request that the plan include how the capital needs of all hospitals will be addressed and how the plan will specifically address the currently authorized George Washington University project as part of the overall plan.

The George Washington University Hospital.—The history of federal support to hospitals in Washington, D.C. dates to June 1941 when the Congress enacted the National Defense Public Works Act that has become known as the Lanham Act (Public Law 137, 77th Congress; 55 Stat. 361). The Lanham Act provided for the construction of waterworks, sewage disposal systems, streets, and hospitals. It was through this authority that the current George Washington University Hospital was built. In 1946, the Congress enacted the Washington Hospital Center Act (Public Law 648, 79th Congress) which provided for the consolidation of three District hospitals into the Washington Hospital Corporation. This Act was amended several times to include the other hospitals in the city. In the 1968 District of Columbia Hospital and Medical Facilities Construction amendments, funds were authorized for seven hospitals because the District was unable to raise the necessary matching funds to make use of Hill-Burton funds. In 1990, the Congress enacted the Trauma Care Systems Planning and Development Act which authorized a 50-percent matching federal grant for George Washington University Hospital to complete its estimated $100 million modernization project.

The conferees believe that the above history makes it clear that the Federal government has historically played a significant role in financing the construction, renovation, and expansion of medical care facilities in the District of Columbia. Since the last use of the original 1946 Act, the enactment of the District's Home Rule Act has changed the relationship between the District and Federal governments. This change necessitates a review of the funding mechanism for District hospital capital projects. The conference agreement includes language requiring such a review and submission of a plan contemporaneous with the submission of the District's fiscal year 1995 budget on April 15, 1994.

The conferees note that, according to information available to them, most states and some local governments provide financial assistance to health care facilities within their jurisdictions. It has not been necessary for the District government to address this matter since Home Rule; however, it has now become necessary. As noted above the current physical plants of most of the hospitals in the District are approximately the same age and will soon, if they do not now, require substantial rehabilitation, renovation or reconstruction. As a general rule the financing of the capital needs of public hospitals requires some public assistance from government at some level. To ensure that help is applied evenly and that everyone knows what the procedure is there must be a plan. The conferees have asked the District government to develop and submit such a plan. In developing this plan, the conferees anticipate that the District will make use of available resources, including the Mayor's Task Force on Long Term Strategies to Improve the District of Columbia Public Health Care Delivery systems, the D.C. Hospital Association, the General Accounting Office and other interested public and private organizations.

This plan will specifically address the George Washington University Medical Center because it has an existing authorization to undertake a project of renovation and construction. George Washington University Hospital is a private institution with a public mission. It is the closest emergency medical facility to the White House, State Department and most foreign embassies. Everyone is familiar with the heroic efforts of its staff in March 1981 after an assassination attempt on the President of the United States. The hospital has specific emergency arrangements with the White House for such occasions and undertakes additional preparedness during events such as summit conferences and major world meetings that take place in Washington, D.C. What goes unreported, but is more compelling, are the everyday crises that befall visitors or government workers downtown that find their way to the George Washington University Hospital. The emergency room currently sees 50,000 patients in a space designed for 30,000 annually. The University's own consultant has stated that the facility is 38 percent too small. Planning for expansion and renovation has identified minimum needs of $100 million. Included are expansion of the emergency room, additional operating rooms, and expanded critical care areas as well as physical, mechanical and space requirements for modern medical technology.

Children's National Medical Center.—Similarly, Children's National Medical Center has undertaken construction to house the National Child Protection, Trauma and Research Center. There is now nowhere in the District for such facilities to seek financial assistance. This omission should be addressed and a policy decision reached as to how such projects will be handled, currently and in the future.

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows the Washington Aqueduct to use $500,000 of the funds borrowed under this heading to initiate construction of modifications to the Little Falls Dam facility to allow passage for anadromous fish on the Potomac River.

GENERAL PROVISIONS

Amendment No. 27: Deletes section 135 proposed by the House and stricken by the Senate and deletes a new section 135 proposed by the Senate. The House language stricken by the Senate and the Senate language deleted by the conferees are identical and would have prohibited the Mayor from contracting out for goods and services now provided by District employees until the Mayor submitted to the Council and the Council approved revised contracting policies and procedures that (1) provided a cost analysis for each contract and (2) showed that contracting out would provide savings of at least 10 percent over the duration of the contract.

Amendment No. 28: Deletes language proposed by the House and stricken by the Senate that would have prohibited the Mayor from awarding certain contracts over $1,000,000 until after the Council had approved the proposed contract award.

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *137*

, and

on page 33, line 11 of the House engrossed bill H.R. 2492 strike out "Sec. 137" and insert in lieu thereof "Sec. 135"

, and

on page 33, line 23 of the House engrossed bill H.R. 2492 strike out "Sec. 138" and insert in lieu thereof "Sec. 136".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action changes section number 139 proposed by the Senate which requires the Mayor to report to the Congress within 90 days on the status of construction of a new Federal prison in the District of Columbia that was previously authorized.

The conference action also makes technical changes by renumbering sections 137 and 138 to 135 and 136, respectively, to reflect action by the conferees on amendment numbers 27 and 28.

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed in said amendment, insert:

SEC. 138. AMENDMENTS TO CHARTER FOR GROUP HOSPITALIZATION AND MEDICAL SERVICES.

(a) LEGAL DOMICILE.—The first section of the Act entitled "An Act providing for the incorporation of certain persons as Group Hospitalization, Inc.", approved August 11, 1939 (hereafter referred to as "the Act"), is amended by adding at the end thereof the following: "The District of Columbia shall be the legal domicile of the corporation.".

(b) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 5 of the Act is amended to read as follows:

"SEC. 5. The corporation shall be licensed and regulated by the District of Columbia in accordance with the laws and regulations of the District of Columbia.".

(2) REPEAL.—The Act is amended by striking section 7.

(c) REIMBURSEMENT OF REGULATORY COSTS BY THE CORPORATION.—The Act (as amended by subsection (b) of this section) is amended by inserting after section 6 the following new section:

'SEC. 7. The corporation shall reimburse the District of Columbia for the costs of insurance regulation (including financial and market conduct examinations) of the corporation and its affiliates and subsidiaries by the District of Columbia.".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 1993.

SEC. 139. (a) Title IV of the District of Columbia Omnibus Budget Support Act of 1992 (D.C. Law 9-145) is hereby repealed, and any provision of the District of Columbia Retirement Reform Act amended by such title is restored as if such title had not been enacted into law.

(b) Subsection (a) shall apply beginning September 10, 1992.

SEC. 140. Section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; D.C. Code, sec. 1-242(3)), is amended by striking the period at the end of the fourth sentence and inserting the following: ", and except that nothing in this section shall prohibit the District from paying an employee overtime pay in accordance with section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207).".

SEC. 141. Effective October 1, 1993, there is hereby established pursuant to the District of Columbia Fund Accounting Act of 1980, effective June 14, 1980 (D.C. Law 3-70; D.C. Code, sec. 47-371 et seq.), a Cash Reserve Fund to replenish the consolidated cash balances of the District of Columbia.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action changes the section number from 140 as proposed by the Senate to 138 and adds a new section as proposed by the Senate amending the congressional charter for Group Hospitalization, Inc. to establish the District of Columbia as the legal domicile for the corporation. The language requires the corporation to be licensed in and regulated by the laws and regulations of the District of Columbia government. The amendments are permanent legislation and takes effect October 1, 1993, instead of on the date of enactment of this Act. Identical substantive language was included in section 137 of the FY 1993 D.C. Appropriations Act (Public Law 102-382; 106 Stat. 1435) for a one-year period with the understanding that specific authorizing legislation would be enacted. The language in Public Law 102-382 will expire September 30, 1993.

Section 139 repeals three amendments to the District of Columbia Retirement Reform Act of 1976 (Public Law 96-122) that were included as part of the District's Omnibus Budget Support Act of 1992. Testimony was received from the Board's chairman requesting the repeal of these amendments. In a follow-up letter dated September 21, 1993, the Board chairman stated "As fiduciaries charged with the responsibility of managing the retirement funds for the District's police officers, fire fighters, teachers, and judges . . . the Board believed that the District's actions dangerously eroded the independence of the Board, and had therefore looked to Congress for relief." The three amendments that are being repealed: (1) provided the District with the authority to determine the source of funding for the Board's administrative expenses and eliminated the prohibitions on the District against specifying how the Board could spend its appropriated budget; (2) permitted the District to include grant funds in its annual contribution to the retirement funds; and (3) eliminated congressionally mandated prohibitions against "party-in-interest" transactions which were specifically designed by the Congress to guard against conflicts of interest and to ensure arms-length transactions between the Board and the District government. According to the September 21, 1993, letter referred to earlier, the Board chairman states that the repeal of the three amendments are necessary ". . . to ensure the continued independence of the Board and financial security of the Funds . . .".

The conference action also adds two new sections requested by the Mayor and Council in H. Doc. 103-136. Section 140 amends the Home Rule Act to clarify the District's authority to pay overtime to District government employees in accordance with the Fair Labor Standards Act of 1938. The report accompanying the District's request states that this change will reduce recordkeeping costs and the higher costs of more generous overtime provisions for employees hired prior to enactment of the District's Comprehensive Merit Personnel Act of 1978. The report further states that this amendment will not affect overtime provisions in existing compensation settlements.

Section 141 establishes a cash reserve fund to replenish the consolidated cash balances of the District government.

TITLE II

FISCAL YEAR 1993 SUPPLEMENTAL

DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT

(INCLUDING RESCISSION)

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$14,231,000*

, and

on page 35, line 12 of the House engrossed bill H.R. 2492 strike out "$10,587,000" and insert in lieu thereof "$10,242,000"

, and

on page 37, line 4 of the House engrossed bill H.R. 2492 after "*Provided*," insert:

"That $7,000,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: Provided further,"

, and

on page 37, line 11 of the House engrossed bill H.R. 2492 strike out "(Rescission)" and insert in lieu thereof "Including Rescission"

, and

on page 37, line 12 of the House engrossed bill H.R. 2492 strike out "Of" and insert in lieu thereof "For an additional amount for "Public works", $23,447,000: *Provided*, That of"

, and

on page 37, line 16 of the House engrossed bill H.R. 2492 after "rescinded" insert "for a net increase of $20,176,000"

, and

on page 44, line 14 of the House engrossed bill H.R. 2492 insert "SEC. 203. Notwithstanding any other provision of law, appropriations made and authority granted pursuant to this title shall be deemed to be available for the fiscal year ending September 30, 1993."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $14,231,000 instead of $15,133,000 as proposed by the House and $15,501,000 as proposed by the Senate. The decrease below the House and Senate allowances reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

The conference agreement also rescinds $10,242,000 under the Economic Development and Regulation appropriation title instead of

$10,587,000 as proposed by the House and the Senate. The reduction of $345,000 below the House and Senate allowance relates to the Office of International Business as reflected in the District's final action on the revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993, too late for consideration by the House or the Senate.

The conferees have agreed to a new proviso requested by the District under "Human Support Services" that allows $7,000,000 to remain available until expended for employees' disability compensation.

Under the Public Works appropriation title the conference action inserts "Including Rescission" as a centerhead and appropriates an additional $23,447,000 requested by the District in H. Doc. 193–136 for payment to the Washington Metropolitan Area Transit Authority (WMATA) to cover the July–September 1992 quarterly operating subsidy. This action provides a net increase of $20,176,000 under the Public Works appropriation title instead of a rescission of $3,271,000 as proposed by the House and the Senate. The District's fiscal year 1992 supplemental request included a $26,000,000 reduction to reflect a change in the method used by the District to make its quarterly payments to WMATA. The District proposed to change from a forward-payment basis to a pay-behind basis. Although the proposal was not approved, the necessary budget authority was not provided. The conference action provides the budget authority required in order for the District to legally pay WMATA the amount owed for fiscal year 1992. The conferees have been informed that with this action the District has sufficient authority to pay the remaining fiscal year 1992 quarterly payment and all four fiscal year 1993 quarterly payments in accordance with current policies followed by WMATA and the Compact jurisdictions.

The conference action also inserts a new section 203 that deems the appropriations and language provisions in Title II to be available for the fiscal year ending September 30, 1993. This language in effect ratifies all obligations and expenditures made in anticipation of the enactment of the District's fiscal year 1993 supplemental request as approved in title II of this Act.

Amendment No. 32: Rescinds $6,342,000 instead of $4,760,000 as proposed by the House and $7,162,000 as proposed by the Senate.

The conference agreement reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$7,889,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides a net increase of $7,889,000 instead of $10,373,000 as proposed by the House and $8,339,000 as proposed by the Senate. The action by the conferees reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136). The reduction of $450,000 in the net increase below the Senate allowance reflects a reduction in contractual services in the Office of City Administrator/Deputy Mayor for Operations.

ECONOMIC DEVELOPMENT AND REGULATION

(INCLUDING RESCISSION)

Amendment Nos. 34 and 35: Appropriate $5,202,000 for a net decrease of $5,040,000 instead of $1,047,000 for a net decrease of $9,540,000 as proposed by the House and $6,047,000 for a net decrease of $4,540,000 as proposed by the Senate.

The conference action reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136). The increase of $500,000 in the net decrease proposed by the Senate reflects a reduction in the District's Employer-Assisted Housing Program.

PUBLIC SAFETY AND JUSTICE

(INCLUDING RESCISSION)

Amendment Nos. 36 and 37: Rescind $20,578,000 for a net decrease of $14,348,000 instead of $18,921,000 for a net decrease of $12,691,000 as proposed by the House and $21,078,000 for a net decrease of $14,848,000 as proposed by the Senate.

The conference agreement reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136). The reduction of $500,000 below the net decrease proposed by the Senate reflects an increase for the purchase of police vehicles and radio equipment.

Amendment No. 38: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that unspent funds remaining in the personal and nonpersonal services budget of the Metropolitan Police Department at the end of fiscal year 1993 shall remain available for the exclusive use of the Metropolitan Police Department for the purchase of equipment in fiscal year 1994. The House language provided for the carryover of unspent nonpersonal services funds.

Amendment No. 39: Corrects a misspelling in the printing of the bill as proposed by the Senate.

PUBLIC EDUCATION SYSTEM

(INCLUDING RESCISSION)

Amendment Nos. 40 and 41: Appropriate $4,000,000 for the public schools of the District for a net decrease of $3,257,000 in the Public Education System appropriation as proposed by the Senate instead of a net decrease of $7,257,000 in the Public Education System appropriation as proposed by the House. The Senate action reflects the District's revised supplemental request for fiscal year 1993 which was not available at the time the bill was under consideration by the House.

HUMAN SUPPORT SERVICES

(INCLUDING RESCISSION)

Amendment Nos. 42 and 43: Appropriate $81,772,000 for a net increase of $79,551,000 as proposed by the Senate instead of $70,772,000 for a net increase of $68,551,000 as proposed by the House.

The conference agreement reflects the District's revised supplemental request for fiscal year 1993 which was not available at the time the bill was under consideration by the House.

REPAYMENT OF LOANS AND INTEREST

Amendment No. 44: Appropriates $11,059,000 as proposed by the Senate instead of $19,051,000 as proposed by the House.

The conference agreement reflects the District's revised supplemental request for fiscal year 1993 which was not available at the time the bill was under consideration by the House.

PERSONAL AND NONPERSONAL SERVICES ADJUSTMENTS

Amendment No. 45: Deletes language proposed by the House and stricken by the Senate which would have authorized the Mayor to reduce $29,730,000 in fiscal year 1993 appropriations and expenditures throughout the District government to keep the budget in balance because of declining local revenues. The Senate action agreed to by the conferees reflects the District government's revised supplemental request for fiscal year 1993 which was not available at the time the bill was under consideration by the House. The revised supplemental request allocates the reduction proposed by the House and stricken by the Senate to agency budgets reflected throughout Title II of the bill.

GENERAL PROVISIONS

Amendment Nos. 46, 47, and 48: Delete language proposed by the House and stricken by the Senate concerning requirements of the Buy American Act as codified under 41 U.S.C. 10a et seq. These provisions already apply to all procurements made by the District of Columbia government since 41 U.S.C. 5a defines the word "department" as follows: "The word 'department' as used in this Act shall be construed to include independent establishments, other agencies, wholly owned Government corporations * * * and the government of the District of Columbia * * *.".

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

Federal Funds

New budget (obligational) authority, fiscal year 1993	$688,000,000
Budget estimates of new (obligational) authority, fiscal year 1994	705,101,000
House bill, fiscal year 1994	700,000,000
Senate bill, fiscal year 1994	698,000,000
Conference agreement, fiscal year 1994	700,000,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	+12,000,000
Budget estimates of new (obligational) authority, fiscal year 1994	−5,101,000
House bill, fiscal year 1994	....
Senate bill, fiscal year 1994	+2,000,000

District of Columbia Funds

New budget (obligational) authority, fiscal year 1993	*$3,988,421,000*
Budget estimates of new (obligational) authority, fiscal year 1994	*3,740,382,000*
House bill, fiscal year 1994 ...	*3,753,705,000*
Senate bill, fiscal year 1994 ..	*3,777,932,000*
Conference agreement, fiscal year 1994	*3,740,382,000*
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	*(248,039,000)*
Budget estimates of new (obligational) authority, fiscal year 1994	*0*

House bill, fiscal year 1994 (13,323,000)
Senate bill, fiscal year 1994 (37,550,000)

JULIAN C. DIXON,
LOUIS STOKES,
RICHARD J. DURBIN,
MARCY KAPTUR,
DAVID E. SKAGGS,
NANCY PELOSI,
WILLIAM H. NATCHER,
Managers on the Part of the House.

HERB KOHL,
PATTY MURRAY,
ROBERT C. BYRD,
CONRAD BURNS,
CONNIE MACK,
MARK O. HATFIELD,
Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 2445

Mr. BEVILL submitted the following conference report and statement on the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes:

CONFERENCE REPORT (H. REPT. 103-292)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 7, 8, 9, 10, 11, 13, 16, 24, 27, 35, and 47.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 18, 19, 21, 25, 26, 33, 34, 40, 41, 42, 43, 44, and 46, and agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,688,990,000*; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$13,819,000*; and the Senate agree to the same.

Amendment numbered 28:

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted, insert the following: *which 18 are for replacement only), $3,223,910,000 to remain available until expended*; and the Senate agree to the same.

Amendment numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$3,595,198,000*; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,181,855,000*; and the Senate agree to the same.

Amendment numbered 45:

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$16,560,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 3, 4, 12, 14, 15, 17, 20, 22, 29, 30, 31, 32, 36, and 39.

TOM BEVILL,
VIC FAZIO,
JIM CHAPMAN,
DOUGLAS "PETE" PETERSON,
ED PASTOR,
CARRIE MEEK,
WILLIAM H. NATCHER,
DEAN A. GALLO,
HAROLD ROGERS,
JOSEPH M. MCDADE,
Manager on the Part of the House.

J. BENNETT JOHNSTON,
ROBERT C. BYRD,
ERNEST F. HOLLINGS,
JIM SASSER,
DENNIS DECONCINI,
HARRY REID,
J. ROBERT KERREY,
MARK O. HATFIELD,
THAD COCHRAN,
PETE V. DOMENICI,
DON NICKLES,
SLADE GORTON,
MITCH MCCONNELL,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

The language and allocations set forth in House Report 103-135 and Senate Report 103-147 should be complied with unless specifically addressed to the contrary in the conference report and statement of the mangers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs and activities of the Corps of Engineers. Additional items of conference agreement are discussed below.

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

Amendment No. 1: Appropriates $207,540,000 for General Investigations as proposed by the House instead of $208,544,000 as proposed by the Senate.

The conferees note that the San Joaquin River Basin, South Sacramento County Streams, California, study will include an examination of the water resources problems that were to be addressed by the Northern California Streams, Morrison Stream Group, California, study proposed by the House.

The conference agreement includes $150,000 for the Newport Bay Harbor, California, project as proposed by the Senate instead of $250,000 as proposed by the House. The conferees direct the Corps of Engineers to utilize those funds to initiate feasibility phase studies for the project as authorized by section 841 of Public Law 99-662. Environmental preservation benefits associated with the authorization to modify the existing Federal project at Newport Bay Harbor by extending channels into the upper Newport Bay shall be consolidated with other benefits to be derived from the project and be fully evaluated.

The conferees note that the limitation on the San Joaquin River, Pine Flat Dam, Fish and Wildlife Restoration, California, study described in House Report 102-555 relative to involuntary acquisition of water rights, storage rights and land is not intended to apply to investigations of the enlargement of Pine Flat Reservoir or the construction of off-stream reservoirs, which are to be included in the study.

The conferees have provided $500,000 for a reconnaissance study to investigate the feasibility of flood control and other water resource improvements for the City of Winters, California, near Dry Creek, Chickahominy Slough and Moody Slough.

The conferees have provided $600,000 for the Secretary of the Army, acting through the Chief of Engineers, to prepare a reconnaissance study and transmit to Congress a report addressing solutions for facilitating fish migration on the Sacramento River, California. The investigation shall emphasize the potential for modifying the existing Sacramento River Deep Water Ship Channel and ship lock for use as a supplemental route for anadromous fish migration. The Delta channel could potentially provide a migration route for anadromous fish which would bypass Delta channels and agricultural diversions east of Rio Vista.

The conference agreement includes $800,000 for the Corps of Engineers to conduct flood control studies for St. Louis City and County, Jefferson and Ste. Genevieve Counties, Missouri. The conferees expect the Corps, in conducting this regional flood control study, to work closely with local communities. At the request of the communities, the Corps should consider both structural solutions and nonstructural alternatives (such as the relocation of individuals and businesses).

The conference agreement includes $2,000,000 for the Corps of Engineers to conduct studies of the reaches of the upper Mississippi and lower Missouri Rivers and their tributaries that were flooded in 1993. From within those funds, the conferees direct the Secretary of the Army to initiate preliminary activities on a study to assess the adequacy of current flood control measures on the upper Mississippi River and its tributaries. The study should focus on identifying public facilities, industrial, petrochemical, hazardous waste and other facilities which require additional flood protection, assess the adequacy of current flood control measures, examine the differences in Federal cost-sharing for construction and maintenance of flood control projects on the upper and lower Mississippi River system, evaluate the cost-effectiveness of alternative flood control projects, and recommend improvements to the current flood control system.

The conferees recognize the need to undergo a feasibility study of erosion control in order to protect the historic Montauk Point Lighthouse located on Long Island, New York. Therefore, the conferees encourage the Army Corps of Engineers to implement a feasibility study in fiscal year 1994 should the Corps identify the necessary funds from its accounts that are both available and unexpended during fiscal year 1994.

Within the amount provided for Research and Development, the conference agreement includes $2,000,000, $800,000 above the budget request, for activities related to zebra mussel control.

The conferees have provided $600,000 for the Corps of Engineers to conduct a watershed management study of the Cypress Valley Watershed, Texas, in close coordination with the Texas Parks and Wildlife Department. This study is to be conducted under the authority of the resolution of the House Committee on Public Works and Transportation for the Cypress Bayou Basin.

The conference agreement includes $1,000,000 for Corps of Engineers flood data collection activities instead of $500,000 as proposed by the Senate.

The conference agreement includes $300,000 for the initiation of a construction technology transfer project between the Corps of Engineers construction-related research activities and Indiana State University as proposed by the House.

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

Central Basin Groundwater Project, California, $750,000;

Los Angeles County Water Conservation, California, $100,000;

Los Angeles River Watercourse Improvement, California, $300,000;

Norco Bluffs, California, $150,000;

Rancho Palos Verdes, California, $80,000;

Biscayne Bay, Florida, $700,000;

Lake George, Hobart, Indiana, $200,000;

Little Calumet River Basin (Cady Marsh Ditch), Indiana, $310,000;

Ohio River Shoreline Flood Protection, Indiana, $400,000;

Hazard, Kentucky, $250,000;

Brockton, Massachusetts, $350,000;

Passaic River Mainstem, New Jersey, $17,000,000;

Broad Top Region, Pennsylvania, $400,000;

Juniata River Basin, Pennsylvania, $450,000;

Lackawanna River Basin Greenway Corridor, Pennsylvania, $300,000;

Jennings Randolph Lake, West Virginia, $400,000;

Monongahela River Comprehensive, West Virginia, $600,000; and

West Virginia Comprehensive, West Virginia, $500,000;

Provided, That notwithstanding ongoing studies using previously appropriated funds, and using $2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct hydraulic modeling, foundations analysis and related design, and mapping efforts in continuing preconstruction engineering and design for the additional lock at the Kentucky Dam, Kentucky, project, in accordance with the Kentucky Lock Addition Feasibility Report approved by Report of the Chief of Engineers dated June 1, 1992; Provided further, That using $250,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to include the study of the Alafia River as part of the Tampa Harbor, Alafia River and Big Bend, Florida, feasibility study: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $250,000 of available funds to complete a detailed project report, and plans and specifications for a permanent shore erosion protection project at Geneva State Park, Ashtabula County, Ohio: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $400,000 of the funds appropriated herein to continue preconstruction engineering and design, including preparation of the special design report, initiation of National Environmental Policy Act document preparation, and initiation of hydraulic model studies for the Kaumalapau Harbor navigation study, Lanai, Hawaii: Provided further, That using $4,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with detailed designs and plans and specifications, including detailed cost estimates, for the master plan of the Indianapolis, White River, Central Waterfront, Indiana, project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to limit the Columbia River Navigation Channel, Oregon and Washington, feasibility study to the investigation of the feasibility of constructing a navigation channel not to exceed 43 feet in depth from the Columbia River entrance to the Port of Portland/Port of Vancouver and to modify the Initial Project Management Plan accordingly; Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $400,000 of the funds appropriated herein to initiate a reconnaissance study, including economic and environmental studies, for the Pocataligo River and Swamp, South Carolina, project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $90,000 of the funds appropriated herein to complete the reconnaissance study of the Black Fox and Oakland Spring wetland area in Murfreesboro, Tennessee; Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize $200,000 of available funds to initiate the planning and design of remedial measures to restore the environmental integrity and recreational boating facilities at Old Hickory Lake, Tennessee, in the vicinity of Drakes Creek Park, in accordance with the reconnaissance study findings dated September 1993; Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize $4,460,000 of available funds to complete preconstruction engineering and design for the Ste. Genevieve, Missouri, flood control project authorized by section 401(a) of the Water Resources Development Act of 1986 (100 stat. 4118) so that the project will be ready for construction by October 1, 1994; Provided further, That all plans, specifications and design documents shall be currently reviewed in order to expedite the project; Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize $2,000,000 of the funds appropriated herein to undertake preconstruction engineering and design of the Virginia Beach Erosion Control and Hurricane Protection, Virginia, project, including storm water collection and discharge, as authorized by section 102(cc) of Public Law 102–580

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes provisions contained in both the House- and Senate-passed bills for the following projects: Central Basin Groundwater, California; Little Calumet River Basin (Cady Marsh Ditch), Indiana; Ohio River Shoreline Flood Projection, Indiana; Hazard, Kentucky; Brockton, Massachusetts; Jennings Randolph Lake, West Virginia; Monongahela River Comprehensive, West Virginia; and West Virginia Comprehensive, West Virginia.

The conference agreement restores provisions included by the House and stricken by the Senate for the following projects: Los Angeles County Water Conservation, California; Los Angeles River Watercourse Improvement, California; Norco Bluffs, California; Rancho Palos Verdes, California; Biscayne Bay, Florida; Lake George, Hobart, Indiana; Broad Top Region, Pennsylvania; Juniata River Basin, Pennsylvania; and Lackawanna River Basin Greenway Corridor, Pennsylvania.

The conference agreement restores funding levels proposed by the House and amended by the Senate for the following projects: Tampa Harbor, Alafia River and Big Bend, Florida; Indianapolis, White River, Central Waterfront, Indiana; and Passaic River Mainstem, New Jersey. The conference agreement also includes additional directive language for the Tampa Harbor, Alafia River and Big Bend, Florida, and the Indianapolis, White River, Central Waterfront, Indiana, projects.

The conference agreement deletes a provision proposed by the Senate for the McCook and Thorton Reservoirs, Illinois, project.

The conference agreement includes provisions proposed by the Senate for the following projects: Kentucky Lock and Dam, Kentucky; Geneva State Park, Ohio; Kaumalapau Harbor, Hawaii; Columbia River Navigation Channel, Oregon; Pocataligo River and Swamp, South Carolina; Black Fox and Oakland Spring Wetland, Tennessee; Old Hickory Lake, Tennessee; Ste. Genevieve, Missouri; and Virginia Beach, Virginia. The conference agreement provides $2,000,000 for the Kentucky Lock and Dam, Kentucky, project instead of $2,500,000 as proposed by the Senate.

CONSTRUCTION, GENERAL

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$1,255,875,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,255,875,000 for Construction, General, excluding the Red River Waterway, Mississippi River to Shreveport, Louisiana, project, instead of $1,296,167,000 as proposed by the Senate. The House had proposed a total of $1,389,138,000 for Construction, General, including the Red River Waterway project. Including the Red River Waterway project, the conference agreement appropriates a total of $1,400,875,000 for Construction, General.

While not including construction funding for the Montgomery Point Lock and Dam, Arkansas, project, the conferees express support for the project and urge the Corps of Engineers to continue to expedite the engineering and design so that construction can begin as soon as a favorable recommendation is reached by the executive branch, preferably for the fiscal year 1995 budget cycle. At that time, the Committees stand ready to consider a budget proposal.

Within available funds, the conferees direct the Corps of Engineers to implement the hillside erosion component included in the Swan Lake Habitat Restoration and Enhancement, Illinois, project, which is an important feature of the Upper Mississippi River System Environmental Management Program.

The conference agreement includes an additional $100,000 for the Winfield Locks and Dam, West Virginia, project for technical assistance to communities around the project site to help those communities understand and analyze the remedial options for the toxic and hazardous materials on the site as authorized by section 347 of Public Law 102-580 as proposed by the House and the Senate. The conferees require that any consultant contracted with to provide analysis of the remedial options be totally independent of the Army Corps of Engineers.

Within the Corps of Engineers Continuing Authorities Programs, the conferees direct the Corps to undertake the projects described in the House and Senate reports. For the Northport, Alabama, project, the conference agreement includes $1,050,000 for design and construction of the project as proposed by the House. In addition, under the Section 205 program, the conference agreement includes $100,000 for the Corps of Engineers to initiate and complete plans and specifications for the Feather Creek flood control project in Clinton, Indiana.

The conference agreement includes $11,000,000 for the Corps of Engineers Aquatic Plant Control Program as proposed by the House. The conferees direct that the additional funds provided above the budget request be utilized as described in the House report.

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

Rillito River, Arizona, $4,200,000;

Coyote and Berryessa Creeks, California, $4,000,000;

Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, $400,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $12,000,000;

Sonoma Baylands Wetland Demonstration Project, California, $4,000,000;

Central and Southern Florida, Florida, $17,850,000;

Kissimmee River, Florida, $5,000,000;

Melaleuca Quarantine Facility, Florida, $1,000,000;

Casino Beach, Illinois, $820,000;

McCook and Thornton Reservoirs, Illinois, $13,000,000;

O'Hare Reservoir, Illinois, $5,000,000;

Des Moines Recreational River and Greenbelt, Iowa, $2,700,000;

Lake Pontchartrain and Vicinity (Jefferson Parish), Louisiana, $200,000;

Anacostia River, Maryland and District of Columbia, $700,000;

Clinton River Spillway, Michigan, $2,000,000;

Silver Bay Harbor, Minnesota, $2,600,000;

Stillwater, Minnesota, $2,400,000;

Sowashee Creek, Mississippi, $3,240,000;

Molly Ann's Brook, New Jersey, $1,000,000;

New York Harbor Collection and Removal of Drift, New York and New Jersey, $3,900,000;

Rochester Harbor, New York, $4,000,000;

Wilmington Harbor Ocean Bar, North Carolina, $5,266,000;

West Columbus, Ohio, $9,000,000;

Lackawanna River Greenway Corridor, Pennsylvania, $2,000,000;

South Central Pennsylvania Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, Pennsylvania, $10,000,000;

Quonset Point-Davisville, Rhode Island (for 2 elevated water storage towers and the relocation of sewer lines), $1,875,000;

Lake O' The Pines-Big Cypress Bayou, Texas, $300,000;

Red River Basin Chloride Control, Texas and Oklahoma, $4,000,000;

Wallisville Lake, Texas, $1,000,000;

Richmond Filtration Plant, Virginia, $1,000,000;

Southern West Virginia Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, West Virginia, $3,500,000; and

State Road and Ebner Coulees, LaCrosse and Shelby, Wisconsin, $1,467,000: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,500,000 of available funds to initiate and complete construction of the Finn Revetment portion of the Red River Emergency Bank Protection, Arkansas and Louisiana, project: Provided further, That the Chief of Engineers is directed to use a fully funded contract for the construction of the Finn Revetment: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,500,000 of the funds appropriated herein to continue the Red River Levees and Bank Stabilization below Denison Dam, Arkansas, project, including the completion of studies to improve the stability of the levee system from Index, Arkansas, to the Louisiana state line and the continuation of rehabilitation work underway: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to expend $500,000 in fiscal year 1994 to initiate reconstruction of the Sacramento River floodwall between miles 58 and 60 of the Sacramento River, California, as an essential portion of the Sacramento Urban Levee Reconstruction project pursuant to the Sacramento River Flood Control Act to 1917, as amended, and the Local Cooperation Agreement signed on June 4, 1990: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, shall (1) use $2,000,000 of the funds appropriated herein to carry out engineering and design for the relocation of the comfort and lifeguard stations on the Atlantic Coast of New York City, from Rockaway Inlet to Norton Point, New York, project as authorization by section 1076 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2015), and (2) not later than one year after the date of enactment of this Act, report to Congress on the results of the expenditure of funds required under paragraph (1): Provided further, That with $2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Bethel, Alaska, project authorized by Public Law 99-662, including but not limited to initiating lands and damages, erosion control construction, and continued related engineering and construction management: Provided further, That no fully allocated funding policy shall apply to the construction of the Bethel, Alaska, project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $24,119,000 of the funds appropriated herein to continue the Lake Pontchartrain and Vicinity, Louisiana, Hurricane Protection project, including continued construction of parallel protection along the Orleans and London Avenue Outfall Canals and the award of continuing contracts for construction of this parallel protection under the same terms and conditions specified for such work under this heading in Public Law 102-377: Provided further, That the Secretary of the Army, acting thought the Chief of Engineers, is directed to use $450,000 of the funds appropriated herein to complete the repair and restoration of a safe condition of the existing Tulsa and West Tulsa local protection project, Oklahoma, authorized by the Flood Control Act of 1941, Public Law 73-228: Provided further, That with $5,000,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction of the Pike County, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367, with initial efforts concentrated in the communities of Buskirk and McCarr, in accordance with the Huntington District Commander's preliminary draft detailed project report for Pike County, Kentucky, dated March 1993, using continuing contracts: Provided further, That with $700,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction, using continuing contracts, of the Williamsburg, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367, in accordance with Plan B of the approved draft specific project report for Williamsburg, Kentucky, dated April 1993: Provided further, That with $19,300,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with the Barbourville, Kentucky, and the Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367, and if further directed to design and construct a system to collect and transport sewage from the unincorporated community of Rio Vista to the Harlan, Kentucky, treatment plant, as part of the Harlan, Kentucky, element: Provided further, That with $5,365,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with the Matewan, West Virginia, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: Provided further, That with $3,500,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Hatfield Bottom, West Virginia, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367 using continuing contracts: Provided further, That no fully allocated funding policy shall apply to construction of the Matwan, West Virginia, Hatfield Bottom, West Virginia, Barbourville, Kentucky, and Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland river project: Provided further, That with $1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction, using continuing contracts, of the Salyersville, Kentucky, cut through channels project: Provided *further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate and complete construction of offshore breakwaters at Grand Isle, Louisiana, as an integral part of the repair of features of the Grand Isle and Vicinity, Louisiana, project damaged by Hurricane Andrew using funds previously appropriated for that purpose in the fiscal year 1992 Dire Emergency Supplemental Appropriations Act, Public Law 102–368, which are available for this work: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the section 14 bank stabilization program at McGregor Park in Clarksville, Tennessee, utilizing heretofore appropriated funds until the Federal funds limit of $500,000 is reached or bank protection for the entire park is completed: Provided further, That using $6,300,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue with the authorized Ouchita River Levees, Louisiana, project in orderly but expeditious manner and within the amount, $3,800,000 shall be used to continue rehabilitation or replacement of all deteriorated drainage structures which threaten the security of this critical protection, and $2,500,000 shall be used to repair the river bank at Columbia, Louisiana, which is eroding and placing the project levee protecting the city in imminent danger of failure: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize $3,000,000 of the funds appropriated herein to provide design and construction assistance for a water transmission line from the northern part of Beaver Lake, Arkansas, into Benton and Washington Countries, Arkansas, as authorized by section 220 of Public Law 102–580; and in addition, $145,000,000, to remain available until expended, is hereby appropriated for construction of the Red River Waterway, Mississippi River to Shreveport, Louisiana, project as authorized by law, and the Secretary of the Army is directed to continue the second phase of construction of Locks and Dams 4 and 5; complete construction of Howard Capout, McDade, Elm Grove, Cecile, Curtis, Sunny Point, and Eagle Bend Phase I and Phase II revetmenmts in Pools 4 and 5, and levee modifications in Pool 5, all of which are previously directed to be initiated; and award continuing contracts in fiscal year 1994 for construction of the following features of the Red River Waterway which are not to be considered fully funded: recreation facilities in Pools 4 and 5, Piermont/Nicholas and Sunny Point Capouts, Lock and Dam 4 Upstream Dikes, Lock and Dam 5 Downstream Additional Control Structure, Wells Island Road Revetment, and construction dredging in Pool 4; and as authorized by laws, and the Secretary is further directed to provide annual reimbursement to the project's local sponsor for the Federal share of management costs for the Bayou Bodcau Mitigation Area as authorized by Public Law 101–640, the Water Resources Development Act of 1990.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes provisions contained in both the House- and Senate-passed bills for the following projects: Rillito River, Arizona; Coyote and Berryessa Creeks, California; Sacramento River Flood Control (Glenn-Colusa Irrigation District), California; San Timoteo Creek (Santa Ana River Mainstem), California; Sonoma Baylands Wetland Demonstration, California; Kissimmee River, Florida; O'Hare Reservoir, Illinois; Pike County, Kentucky; Salyersville, Kentucky; Williamsburg, Kentucky; Lake Pontchartrain and Vicinity (Jefferson Parish), Louisiana; Anacostia River, Maryland and District of Columbia; Stillwater, Minnesota; Sowashee Creek, Mississippi; Molly Ann's Brook, New Jersey; Lake O' The Pines-Big Cypress Bayou, Texas; Red River Basin Chloride Control, Texas and Oklahoma; Wallisville Lake, Texas; and Southern West Virginia Environmental Restoration and Resource Protection Development Pilot Program, West Virginia. The provisions for the Pike County, Kentucky, Salyersville, Kentucky, and Williamsburg, Kentucky, projects have been amended to provide additional directive language to the Secretary of the Army.

The conference agreement restores provisions included by the House and stricken by the Senate for the following projects: Melaleuca Quarantine Facility, Florida; McCook and Thornton Reservoirs, Illinois; Clinton River Spillway, Michigan; Silver Bay Harbor, Minnesota; Rochester Harbor, New York; Wilmington Harbor Ocean Bar, North Carolina; Lackawanna River Greenway Corridor, Pennsylvania; South Central Pennsylvania Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, Pennsylvania; Richmond Filtration Plant, Virginia; and State Road and Ebner Coulees, LaCrosse and Shelby, Wisconsin.

The conference agreement provides $17,850,000 for the Central and Southern Florida, Florida, project as proposed by the House instead of $9,500,000 as proposed by the Senate; provides $820,000 for the Casino Beach, Illinois, project as proposed by the House instead of $300,000 as proposed by the Senate; provides $2,700,000 for the Des Moines Recreational River and Greenbelt, Iowa, project as proposed by the House instead of $1,700,000 as proposed by the Senate; and provides $3,900,000 for the New York Harbor Collection and Removal of Drift, New York and New Jersey, project as proposed by the House instead of $2,900,000 as proposed by the Senate.

The conference agreement amends House language for the Red River Emergency Bank Protection, Arkansas, project; the Barbourville, Kentucky, project; the Harlan, Kentucky, project; and the Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, project as proposed by the Senate. The conference agreement also provides additional directive language for the Harlan, Kentucky, project.

The conference agreement restores House language stricken by the Senate for the West Columbus, Ohio, project amended to provide $9,000,000 for the project instead of $5,000,000 as proposed by the House.

The conference agreement deletes a House provision regarding the Fort Point, Galveston, Texas, project as proposed by the Senate.

The conference agreement includes provisions proposed by the Senate for the following projects: Quonset Point-Davisville, Rhode Island; Red River Levees and Bank Stabilization below Denison Dam, Arkansas; Atlantic Coast of New York, New York; Bethel, Alaska; Tulsa and West Tulsa, Oklahoma; Matewan, West Virginia; Hatfield Bottom, West Virginia; Grand Isle, Louisiana; McGregor Park, Clarksville, Tennessee; Ouachita River Levees, Louisiana; and Beaver Lake, Arkansas. The provision regarding the McGregor Park project has been amended to make a technical correction.

The conference agreement appropriates $145,000,000 for the Red River Waterway, Mississippi River to Shreveport, Louisiana, project as proposed by the Senate. The House had included $65,000,000 for the project within the amount appropriated in Amendment No. 3.

The conferees adopt the House report language on the Kissimmee River, Florida, project and add the following. The Corps of Engineers is directed to sign a single Project Cooperation Agreement with the South Florida Water Management District as authorized by section 46 of Public Law 100–676 and section 101(8) of Public Law 102–580 no later than February 1, 1994, in accordance with the Memorandum to the South Atlantic Division Commander dated February 17, 1993, and signed by the Jacksonville Deputy District Engineer for Project Management.

The conferees agree with the language in the Senate report regarding the Beaver Lake, Arkansas, water transmission line project authorized by section 220 of the Water Resources Development Act of 1992.

The conferees agree with the language in the Senate report regarding the West Des Moines, Des Moines, Iowa, project.

The conferees agree with the language in the House report regarding the Red River Chloride Control, Texas and Oklahoma, project and note that the features to be developed include Areas VI, VII, IX, XIII, XIV, and Crowell Brine Lake.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

Amendment No. 5: Appropriates $348,875,000 for Flood Control, Mississippi River and Tributaries, as proposed by the Senate instead of $352,475,000 as proposed by the House.

The conferees agree with the language contained in the House report regarding the Yazoo Basin, Mississippi, Demonstration Erosion Control Program and the Wickliffe Bluff, Kentucky, project.

OPERATION AND MAINTENANCE, GENERAL

Amendment No. 6: Appropriates $1,688,990,000 for Operation and Maintenance, General instead of $1,691,350,000 as proposed by the House and $1,673,704,000 as proposed by the Senate.

The conference agreement includes a total of $1,869,000 for the Chena River Lakes, Alaska, project. The amount provided includes $200,000 for the Corps of Engineers to investigate possible solutions to groundwater flooding that is occurring downstream of Moose Creek Dam and $250,000 for the Corps of Engineers to develop a plan to mitigate fishery impacts. The Senate had proposed that the study of flooding problems be performed under the General Investigations account.

The conferees note that the rock rubble mound entrance jetties at Newport Bay Harbor, California, may require structural rehabilitation work and ask that the Corps of Engineers survey the need and report back to the Committees on Appropriations of the House and Senate for consideration in fiscal year 1995.

Within available funds, the conferees direct the Corps of Engineers to continue studying alternatives for whitewater releases at the John W. Flannagan Dam, Virginia.

The conferees agree with the language contained in the Senate report for the St. Georges Bridge, Delaware, project.

Amendment No. 7: Restores House language stricken by the Senate that provides $400,000 for the Los Angeles River (Sepulveda Basin to Arroyo Seco), California, project.

Amendment No. 8: Deletes the word "and" proposed by the Senate.

Amendment No. 9: Restores House language stricken by the Senate that provides $2,500,000 for the Flint River Flood Control, Michigan, project.

Amendment No. 10: Restores "; and" proposed by the House and stricken by the Senate.

Amendment No. 11: Restores House language stricken by the Senate that provides $250,000 for the New Madrid County Harbor, Missouri, project.

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that provides $5,000,000 for the Corps of Engineers to undertake critical maintenance work on the Kentucky River, Kentucky, Locks and Dams 5–14 and directs the Corps to transfer those facilities to the Commonwealth of Kentucky; directs the Secretary of the Army to maintain a minimum conservation pool level of 475.5 feet at Wister Lake, Oklahoma; and directs the Secretary of the Army to complete long-term dredged material disposal plans for the existing Columbia River navigation project, including associated fish and wildlife studies.

GENERAL EXPENSES

Amendment No. 13: Restores House language stricken by the Senate which provides that not to exceed $54,855,000 of funds provided in the Act shall be available for general administration and related functions in the Office of the Chief of Engineers and deletes language proposed by the Senate which provided that not to exceed $58,255,000 shall be available for the Office of the Chief of Engineers unless the Secretary of the Army determines that additional funds are required and notified the Committee on Appropriations of the House and Senate of the reasons therefore.

The conferees agree with the language in the House report regarding billbacks and project management.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that in fiscal year 1994, the Secretary of the Army shall advertise for competitive bid at least 7,500,000 cubic yards of the hopper dredge volume accomplished with Government-owned dredges in fiscal year 1992 and which, notwithstanding the provisions of the section, authorizes the Secretary of the Army to use the Corps of Engineers dredge fleet to undertake projects under certain conditions. The conferees view the 7,500,000 cubic yards as a target, not a floor, and expect contract awards to reflect this.

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which will permit the Corps of Engineers to reprogram funds to continue the construction of projects in order to prevent the termination of contracts or the delay of scheduled work.

Amendment No. 16: Deletes language proposed by the Senate regarding the removal or demolition of residential structures in the Muskingum River Basin, Ohio.

The conferees have agreed not to include bill language proposed by the Senate regarding the removal or demolition of residential structures in the Muskingum River Basin, Ohio. However, the conferees urge the Corps of Engineers not to remove or demolish any residential structure that is subject to an easement or right-of-way in favor of the United States for the containment or impoundment of waters in the Muskingum River Basin, Ohio, until such time as the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives have had the opportunity to review and address the policy in the next Water Resources Development authorization legislation.

Amendment No. 17: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 108. (a) IN GENERAL.—The Secretary of the Army is authorized to convey to the City of Galveston, Texas, fee simple absolute title to a parcel of land containing approximately 605 acres known as the San Jacinto Disposal Area located on the east end of Galveston Island, Texas, in the W.A.A. Wallace Survey, A–647 and A–648, City of Galveston, Galveston County, Texas, being part of the old Fort San Jacinto site, at the fair market value of such parcel to be determined in accordance with the provisions of subsection (d). Such conveyance shall only be made by the Secretary of the Army upon the agreement of the Secretary and the City as to all compensation due herein.

(b) COMPENSATION FOR CONVEYANCE.—Upon receipt of compensation from the City of Galveston, the Secretary shall convey the parcel as described in subsection (a). Such compensation shall include—

(1) conveyance to the Department of the Army of fee simple absolute title to a parcel of land containing approximately 564 acres on Pelican Island, Texas, in the Eneas Smith Survey, A–190, Pelican Island, City of Galveston, Galveston County, Texas, adjacent to property currently owned by the United States. The fair market value of such parcel will be determined in accordance with the provision of subsection (d); and

(2) payment to the United States of an amount equal to the difference of the fair market value of the parcel to be conveyed pursuant to subsection (a) and the fair market value of the parcel to be conveyed pursuant to paragraph (1) of this section.

(c) DISPOSITION OF SPOIL.—Costs of maintaining the Galveston Harbor and Channel will continue to be governed by the Local Cooperation Agreement (LCA) between the United States of America and the City of Galveston dated October 18, 1973, as amended. Upon conveyance of the parcel described in subsection (a), the Department of the Army shall be compensated directly for the present value of the total costs to the Department for disposal of dredge material and site preparation pursuant to the LCA, in excess of the present value of the total costs that would have been incurred if this conveyance had not been made.

(d) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of the land to be conveyed pursuant to subsections (a) and (b) shall be determined by independent appraisers using the market value method.

(e) NAVIGATIONAL SERVITUDE.—

(1) DECLARATION OF NONNAVIGABILITY; PUBLIC INTEREST.—Unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the parcel described in subsection (a) are not in the public interest then, subject to paragraphs (2) and (3), such parcel is declared to be nonnavigable waters of the United States.

(2) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—The declaration under paragraph (1) shall apply only to those parts of the parcel described in subsection (a) which are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina facilities. All such work is subject to all applicable Federal statutes and regulations including, but not limited to, sections 9 and 10 of the Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 401 and 403), commonly known as the Rivers and Harbors Appropriations Act of 1899, section 404 of the Federal Water Pollution Control Act, and the National Environmental Policy Act of 1969.

(3) EXPIRATION DATE.—If, 20 years after the date of the enactment of this Act, any area or part thereof described in subsection (a) is not bulkheaded or filled or occupied by permanent structures, including marina facilities, in accordance with the requirements set out in paragraph (2), or if work in connection with any activity permitted in paragraph (2) is not commenced within 5 years after issuance of such permits, then the declaration of nonnavigability for such area or part thereof shall expire.

(f) SURVEY AND STUDY.—The 605-acre parcel and the 564-acre parcel shall be surveyed and further legally described prior to conveyance. Not later than 60 days following enactment of this Act, if he deems it necessary, the Secretary of the Army shall complete a review of the applicability of section 404 of the Federal Water Pollution Control Act to the said parcels.

The mangers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have included a provision proposed by the Senate authorizing the Secretary of the Army to convey to the City of Galveston, Texas, a 605-acre parcel of land known as the San Jacinto Disposal Area in exchange for a 564-acre parcel of land on Pelican Island, Texas, known as the Pelican Island Alternative Disposal site together with payment to the United States of an amount equal to the difference in the agreed upon fair market values of the two parcels of land plus the present value of certain increased costs directly attributable to this transaction. The Senate provision has been amended to make technical corrections. The conveyances shall occur upon agreement by the Secretary and the City with respect to all compensation due under the provisions of this amendment.

The San Jacinto Disposal Area is currently used by the Army Corps of Engineers for the disposal of spoils dredged from the channel leading into Galveston Bay. The Pelican Island site, however, offers the Corps an alternate site for future spoils deposit that will serve as a viable spoils site substantially longer than would the San Jacinto site.

The fair market value of the parcels to be conveyed shall be determined by three independent appraisers, each a member in good standing of the American Institute of Real Estate Appraisers, using the market value method. One appraiser each shall be selected by the Corps and the City of Galveston, and one appraiser shall be selected by mutual agreement of the two parties.

If the fair market values as determined by the three appraisers are not the same and the difference between the high and low values is ten percent or less, the three values shall be averaged to determine fair market value. If the high and low values differ by more than ten percent, the appraisers shall attempt to agree upon a fair market value. If the three fail to agree, the three appraisers shall jointly select a fourth appraiser who shall independently appraise each tract. The highest and lowest of the four appraisals shall be discarded and the two remaining appraisals averaged to determine fair market value.

Costs of maintaining the Galveston Harbor and Channel will continue to be governed by the Local Cooperation Agreement between the United States of America and the City of Galveston dated October 18, 1973, as amended. This provision also provides that the Department of the Army shall be compensated for the present value of costs to the Department that will be incurred under the Local Cooperation Agreement which exceed the present value of costs that would have been incurred had this transaction not occurred. The provisions of the amendment extinguish any rights of the United States of navigational servitude over the San Jacinto Disposal Area.

Wetlands created in a disposal area by the Department of the Army through active spoil operations are "non-jurisdictional". Accordingly, any wetlands on the San Jacinto Disposal Area require no mitigation.

The conferees understand that wetlands on the 564-acre Pelican Island parcel were also created by the Department of the Army during spoilage operations. This parcel was spoiled upon and navigational servitude rights claimed until removed by the Coast Guard Authorization Act of 1991. The conferees understand that the Army Corps of Engineers' internal Feasibility Study (1991) included a wetlands mitigation plan characterized as "Plan 2" which was acceptable to the Corps and other participating agencies. If the Secretary determined that wetlands mitigation of the Pelican Island parcel is necessary, it shall be accomplished in accordance with Plan 2.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES		CONFERENCE ALLOWANCE	
		INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
	ALABAMA				
(N)	CHICKASAW CREEK, AL	253,000	---	253,000	---
(FDP)	METROPOLITAN HUNTSVILLE - MADISON COUNTY, AL	350,000	---	350,000	---
	MUSCLE SHOALS, AL	---	---	300,000	---
	ALASKA				
(N)	ANCHOR POINT HARBOR, AK	180,000	---	180,000	---
(FDP)	CHENA RIVER COMPREHENSIVE STUDY, AK	122,000	---	122,000	---
(N)	CHIGNIK HARBOR, AK	---	50,000	---	50,000
(N)	COOK INLET, AK	300,000	---	300,000	---
(RDP)	KAKE HARBOR, AK	300,000	---	300,000	---
(N)	KETCHIKAN HARBOR, AK	150,000	---	150,000	---
(N)	NORTHERN SEA COMMERCIAL ROUTE STUDY, AR	---	---	300,000	---
(N)	SAND POINT HARBOR, AK	300,000	---	300,000	---
(FDP)	SEWARD AREA RIVERS, AK	188,000	---	188,000	---
(N)	SEWARD HARBOR, AK	200,000	---	200,000	---
(FDP)	SEWARD, LOWELL CREEK, AK	142,000	---	142,000	---
(N)	ST. PAUL HARBOR, AK	---	---	125,000	---
(N)	WRANGELL NARROWS AND DRY STRAITS, AK	170,000	---	170,000	---
	ARIZONA				
	COMBINED ARIZONA RECONNAISSANCE STUDY, AZ	---	---	280,000	---
	GILA RIVER, GILLESPIE DAM TO YUMA, AZ	---	---	1,000,000	---
	GILA RIVER AND TRIBS, LOWER SANTA CRUZ RIVER, AZ	---	---	300,000	---
(FDP)	HASSAYAMPA RIVER AT WICKENBURG, AZ	150,000	---	150,000	---
	RIO SALADO AREA, TEMPE AZ	---	---	750,000	---
(FDP)	TUCSON DRAINAGE AREA, AZ	450,000	---	450,000	---
	ARKANSAS				
	ARKANSAS RIVER, TUCKER CREEK, AR	---	---	475,000	---
(FDP)	ARKANSAS RIVER WETLANDS AND FLOOD CONTROL, AR	250,000	---	250,000	---
(FDP)	OUACHITA RIVER BASIN, HOT SPRINGS, AR	650,000	---	650,000	---
(SPE)	WHITE RIVER WETLANDS, AR & MO	300,000	---	300,000	---
	CALIFORNIA				
(FC)	AMERICAN RIVER WATERSHED, CA	---	2,000,000	---	4,000,000
	CALLEGUAS CREEK, CA	---	---	130,000	---
(FC)	CARNEROS CREEK, CA	---	600,000	---	600,000
	CENTRAL BASIN GROUNDWATER PROJ, WHITTIER NARROWS, CA	---	---	750,000	---
	CITY OF HUNTINGTON BEACH, ORANGE COUNTY, CA	---	---	275,000	---
	CITY OF WINTERS, CA	---	---	500,000	---
(SPE)	COAST OF CA, SOUTH COAST REGION (ORANGE COUNTY)	250,000	---	250,000	---
(N)	CRESCENT CITY HARBOR, CA	150,000	---	150,000	---
(N)	HUMBOLDT HARBOR AND BAY (DEEPENING), CA	162,000	---	162,000	---
(FC)	KAWEAH RIVER, CA	---	500,000	---	500,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES		CONFERENCE ALLOWANCE	
		INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
	LACDA WATER CONSERVATION, CA	---	---	100,000	---
	LEONARD RANCH, CA	---	---	300,000	---
(N)	LOS ANGELES - LONG BEACH HARBORS, CA	---	2,000,000	---	2,000,000
(FC)	LOS ANGELES COUNTY DRAINAGE AREA, CA	---	3,633,000	---	3,633,000
	LOS ANGELES RIVER WATERCOURSE IMPROVEMENT, CA	---	---	300,000	---
(FC)	LOWER MISSION CREEK, CA	---	79,000	---	79,000
(SP)	MALIBU COASTAL AREA, CA	250,000	---	250,000	---
(FDP)	MARIN COUNTY SHORELINE, SAN CLEMENTE CREEK, CA	280,000	---	280,000	---
	MARINA DEL RAY, CA	---	---	175,000	---
(SP)	MISSION BAY, SAN DIEGO COUNTY, CA	100,000	---	100,000	---
(FDP)	MISSION ZANJA CREEK, CA	341,000	---	341,000	---
(N)	MORRO BAY HARBOR, CA	---	122,000	---	122,000
	NORCO BLUFFS, SANTA ANA RIVER, CA	---	---	150,000	---
(FDP)	N CA STREAMS, CACHE CREEK BASIN (LAKE CO), CA	400,000	---	400,000	---
(FDP)	N CA STREAMS, UPR SACRAMENTO R, F&WL HABITAT RESTORATI	250,000	---	550,000	---
(FDP)	N CA STREAMS, WESTSIDE TRIBUTARIES TO YOLO BYPASS, CA.	350,000	---	450,000	---
(FDP)	N CA STREAMS, YUBA RIVER BASIN, CA	300,000	---	300,000	---
(FC)	NAPA RIVER, CA	---	700,000	---	900,000
(N)	NEWPORT BAY HARBOR, CA	150,000	---	150,000	---
(FDP)	NORTHERN LOS ANGELES COUNTY, CA	325,000	---	325,000	---
(N)	NOYO RIVER AND HARBOR (BREAKWATER), CA	---	550,000	---	550,000
(SP)	OCEANSIDE SHORELINE, CA	300,000	---	300,000	---
(SP)	PACIFIC COAST SHORELINE, CARLSBAD, CA	260,000	---	260,000	---
(FDP)	PAJARO RIVER AT WATSONVILLE, CA	197,000	---	197,000	---
(N)	POINT ARENA (BREAKWATER), CA	245,000	---	245,000	---
(N)	PORT HUENEME, CA	350,000	---	350,000	---
	RANCHO PALOS VERDES, CA	---	---	80,000	---
	SACRAMENTO RIVER FISH MIGRATION	---	---	600,000	---
(SPE)	SACRAMENTO-SAN JOAQUIN DELTA, CA	900,000	---	900,000	---
(SP)	SAN FRANCISCO COUNTY, OCEAN BEACH, CA	200,000	---	200,000	---
(N)	SAN FRANCISCO HARBOR, CA	215,000	---	215,000	---
(FDP)	SAN JOAQUIN R BASIN, PINE FLAT DAM, F&WL HABITAT RESTO	240,000	---	240,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, ARROYO PASAJERO (FRESNO CO),	400,000	---	400,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, CALIENTE CREEK STREAM GROUP,	300,000	---	300,000	---
	SAN JOAQUIN RIVER BASIN, FIREBAUGH AND MENDOTA, CA	---	---	150,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, SAN JOAQUIN R MAIN STEM & TRI	325,000	---	325,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, SOUTH SACRAMENTO COUNTY STRMS	350,000	---	350,000	---
(FC)	SAN LORENZO RIVER, CA	---	100,000	---	300,000
(FC)	SAN RAFAEL CANAL, CA	---	1,210,000	---	1,210,000
(N)	SANTA BARBARA HARBOR, CA	---	360,000	---	360,000
(N)	SANTA MONICA BREAKWATER, CA	95,000	---	95,000	---
(N)	SANTA MONICA BREAKWATER, CA	---	100,000	---	100,000
(FDP)	SEVEN OAKS AND PRADO DAMS WATER CONSERVATION, CA	150,000	---	150,000	---
	SILVER STRAND SHORELINE, CORONADO, CA	---	---	275,000	---
	SONOMA COUNTY VERNAL POOLS, CA	---	---	250,000	---
(FDP)	UPPER GUADALUPE RIVER, CA	150,000	---	150,000	---
(FDP)	UPPER PENITENCIA CREEK, CA	250,000	---	250,000	---
(FC)	WEST SACRAMENTO, CA	---	1,000,000	---	1,000,000
(FDP)	WHITEWATER RIVER BASIN, CA	150,000	---	150,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	COLORADO				
(FDP)	BOXELDER, SPRING, AND DRY CREEKS, FT COLLINS, CO.......	100,000	---	100,000	---
(FDP)	MANITOU SPRINGS, CO..............................	360,000	---	360,000	---
(FC)	RALSTON AND LEYDEN CREEKS, CO.....................	---	150,000	---	150,000
	CONNECTICUT				
(FDP)	CENTRAL CONNECTICUT COASTAL FLOODING, CT...............	350,000	---	350,000	---
(COM)	CONNECTICUT R BSN - NATURAL VALLEY STORAGE, CT, MA, NH	100,000	---	100,000	---
	DELAWARE				
(N)	C&D CANAL - BALTIMORE HBR CONN CHANNELS, DE & MD (DEEP	250,000	---	250,000	---
(SP)	DELAWARE BAY COASTLINE, DE & NJ..........................	600,000	---	600,000	---
(SP)	DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND, D	210,000	---	210,000	---
(N)	DELAWARE RIVER MAIN CHANNEL DEEPENING, DE, NJ, & PA...	---	4,000,000	---	4,000,000
	FLORIDA				
	BISCAYNE BAY, FL..	---	---	700,000	---
(SP)	BREVARD COUNTY, FL......................................	130,000	---	130,000	---
(FDP)	COAST OF FLORIDA STUDY, FL..............................	780,000	---	780,000	---
(SP)	COLLIER COUNTY, FL......................................	100,000	---	100,000	---
(SP)	DAYTONA BEACH SHORES, FL................................	65,000	---	65,000	---
	FORT PIERCE BEACH, FL...................................	---	---	150,000	---
(FDP)	HILLSBORO CANAL, FL.....................................	37,000	---	37,000	---
	HILLSBORO INLET, FL.....................................	---	---	150,000	---
(N)	JACKSONVILLE HARBOR, FL.................................	150,000	---	150,000	---
(BE)	MARTIN COUNTY, FL.......................................	---	282,000	---	282,000
	MIAMI RIVER SEDIMENTS...................................	---	---	---	300,000
(BE)	NASSAU COUNTY, FL.......................................	---	229,000	---	229,000
(N)	PALM VALLEY BRIDGE, FL..................................	---	980,000	---	980,000
(BE)	PANAMA CITY BEACHES, FL.................................	---	1,280,000	---	1,280,000
(N)	PANAMA CITY HARBOR, FL..................................	---	850,000	---	850,000
(FDP)	PERDIDO KEY, FL...	300,000	---	300,000	---
(N)	PONCE DE LEON INLET, FL.................................	266,000	---	266,000	---
	PORT EVERGLADES, FL.....................................	---	---	150,000	---
	ST JOHNS RIVER WATER QUALITY, FL........................	---	---	400,000	---
	ST PETERSBURG (SEC. 216), FL............................	---	---	100,000	---
(N)	TAMPA HARBOR, ALAFIA RIVER AND BIG BEND, FL...........	130,000	---	250,000	---
	TAMPA HARBOR, SEDDON CHANNEL, FL........................	---	---	600,000	---
	GEORGIA				
	ATLANTA COMBINED SEWER OVERFLOW TREATMENT, GA..........	---	---	---	200,000
(BE)	GLYNN COUNTY BEACHES, GA................................	---	200,000	---	200,000
(N)	LOWER SAVANNAH RIVER BASIN, GA & SC.....................	100,000	---	100,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	HAWAII				
(N)	BARBERS POINT HARBOR MODIFICATION, OAHU, HI	325,000	---	325,000	---
(N)	KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	---	180,000	---	180,000
(N)	KAUMALAPAU HARBOR, HI	---	---	400,000	---
(FDP)	WAILUPE STREAM FLOOD CONTROL STUDY, OAHU, HI	330,000	---	330,000	---
	IDAHO				
(FDP)	LOWER BOISE RIVER AND TRIBUTARIES STUDY, ID	227,000	---	227,000	---
	ILLINOIS				
(FDP)	ALEXANDER AND PULASKI COUNTIES, IL	210,000	---	210,000	---
(RDP)	CHICAGO RIVER, NORTH BRANCH (1946 MOD), IL	147,000	---	147,000	---
(BE)	CHICAGO SHORELINE, IL	---	1,000,000	---	1,000,000
(FDP)	DES PLAINES RIVER, IL	381,000	---	381,000	---
(RDP)	FREEPORT, IL	140,000	---	140,000	---
	ILLINOIS AND MICHIGAN CANAL, IL	---	---	---	500,000
	ILLINOIS SHORELINE EROSION, IL	---	---	150,000	---
(FDP)	SOUTHEAST CHICAGO, IL	377,000	---	377,000	---
(RCP)	UPPER MISSISSIPPI & ILLINOIS NAV STUDY, IL, IA, MN, MO	8,500,000	---	8,500,000	---
(RDP)	WAUKEGAN HARBOR, IL	35,000	---	35,000	---
	INDIANA				
(FDP)	INDIANAPOLIS, MARION COUNTY (SOUTH), IN	250,000	---	250,000	---
(FDP)	INDIANAPOLIS, WHITE RIVER (NORTH), IN	400,000	---	400,000	---
(FDP)	INDIANAPOLIS, WHITE RIVER, CENTRAL WATERFRONT, IN	300,000	---	300,000	3,700,000
	LAKE GEORGE, HOBART, IN	---	---	---	200,000
	LITTLE CALUMET RIVER BASIN (CADY MARSH DITCH), IN	---	---	---	310,000
	LITTLE CALUMET RIVER BASIN, DYER, IN	---	---	150,000	---
	KOONTZ LAKE, IN	---	---	200,000	---
	OHIO RIVER SHORELINE FLOOD PROTECTION, IN	---	---	400,000	---
(FDP)	ORANGE COUNTY (LOST RIVER), IN	243,000	---	243,000	---
(FDP)	ST JOSEPH RIVER, SOUTH BEND, IN	100,000	---	200,000	---
(FDP)	UPPER TIPPECANOE RIVER BASIN, IN	200,000	---	200,000	---
(FDP)	WABASH RIVER BASIN COMPREHENSIVE, IN & IL (MIDDLE REAC	155,000	---	300,000	---
	WABASH RIVER, BREVOORT LEVEE, IN	---	---	200,000	---
	IOWA				
(FC)	GREEN BAY LEVEE AND DRAINAGE DIST	---	---	330,000	---
	MISSISSIPPI RIVER LEVEES, IA, IL, & MO	---	---	250,000	---
(FC)	MUSCATINE ISLAND LEVEE AND DRAINAGE DISTRICT, IA	---	213,000	---	213,000
(FC)	THURMAN TO HAMBURG, PUMPING FACILITIES, IA	---	100,000	---	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	KANSAS				
(FC)	ARKANSAS CITY, KS	---	115,000	---	115,000
(FDP)	MARYSVILLE, KS	77,000	---	77,000	---
(RCP)	SALINA, KS	200,000	---	200,000	---
(FC)	TOPEKA, KS	---	---	---	225,000
(FDP)	TURKEY CREEK BASIN, KS & MO	100,000	---	100,000	---
(FC)	WINFIELD, KS	---	284,000	---	284,000
	KENTUCKY				
(FDP)	EAST FORK OF THE LITTLE SANDY RIVER, KY	143,000	---	143,000	---
	GRAYSON LAKE REALLOCATION STUDY	---	---	85,000	---
	HAZARD, KY	---	---	---	250,000
	KENTUCKY LOCK AND DAM, LOCK ADDITION, KY	---	---	---	2,000,000
(N)	MCALPINE LOCKS AND DAM, IN & KY	---	2,180,000	---	2,180,000
	METROPOLITAN CINCINNATI, NORTHERN KENTUCKY, KY	---	---	100,000	---
(FDP)	METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY	300,000	---	300,000	---
(FC)	METROPOLITAN LOUISVILLE, POND CREEK, KY	---	1,250,000	---	1,250,000
(FDP)	SALT RIVER BASIN, KY	225,000	---	300,000	---
(N)	UNIONTOWN/OHIO RIVER MAINSTEM STUDY, KY, IL & IN	1,500,000	---	1,500,000	---
	LOUISIANA				
(FDP)	AMITE RIVER AND TRIBUTARIES, LA	160,000	---	160,000	---
	BAYOU LAFOURCHE AND LAFOURCHE-JUMP WATERWAY, LA	---	---	---	200,000
(FDP)	BOSSIER PARISH, LA	830,000	---	830,000	---
(FC)	COMITE RIVER, LA	---	1,200,000	---	1,200,000
(FC)	EAST BATON ROUGE PARISH, LA	---	500,000	---	500,000
(N)	INTRACOASTAL WATERWAY LOCKS, LA	1,300,000	---	1,300,000	---
(FDP)	JEFFERSON - ORLEANS PARISHES, LA	1,000,000	---	1,000,000	---
(N)	LAKE CHARLES SHIP CHAN, BY-PASS AND GEN ANCHORAGE AREA	300,000	---	300,000	---
	MERMENTAU, VERMILLION, & CALCASIEU RIVERS & BAYOU TECHE	---	---	400,000	---
(N)	MISSISSIPPI RIVER - GULF OUTLET BANK EROSION, LA	400,000	---	400,000	---
(FDP)	OUACHITA PARISH, LA	600,000	---	600,000	---
(FC)	WEST BANK - EAST OF HARVEY CANAL, LA	---	500,000	---	500,000
	MARYLAND				
(FDP)	ANACOSTIA RIVER AND TRIBUTARIES, MD & DC	225,000	---	225,000	---
(N)	BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MD	585,000	---	585,000	---
	BALTIMORE METROPOLITAN WATER RESOURCES, MD	---	---	292,000	---
	MASSACHUSETTS				
(N)	BOSTON HARBOR, MA	---	330,000	---	330,000
	BROCTON, MA	---	---	350,000	---
(FC)	SAUGUS RIVER AND TRIBUTARIES, MA	---	1,640,000	---	1,640,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES		CONFERENCE ALLOWANCE	
		INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
	MINNESOTA				
(FDP)	CROOKSTON, MN..	110,000	---	110,000	---
	RED RIVER AT GRAND MARAIS OUTLET, MN.................	---	---	200,000	---
	MISSISSIPPI				
(FDP)	EAST FORK BASIN FISH AND WILDLIFE RESTORATION, MS.....	165,000	---	165,000	---
(FDP)	HANCOCK, HARRISON AND JACKSON COUNTIES, MS..........	550,000	---	550,000	---
	JACKSON COUNTY INDUSTRIAL WATER SUPPLY, MS...........	---	---	40,000	---
(FDP)	JACKSON METROPOLITAN AREA, MS..............................	400,000	---	400,000	---
	LOWNDES COUNTY PORT BARGE FLEETING AREA..............	---	---	50,000	---
(FDP)	PASCAGOULA RIVER BASIN, MS...................................	260,000	---	260,000	---
	MISSOURI				
(FC)	BLUE RIVER BASIN, KANSAS CITY, MO..........................	---	350,000	---	350,000
(FC)	COLDWATER CREEK, MO...	---	48,000	---	48,000
(N)	MISSISSIPPI RIVER, VICINITY OF ST LOUIS, MO...........	50,000	---	50,000	---
(RCP)	MISSOURI RIVER LEVEE SYSTEM, UNIT L-246, CUTOFF LAKE,.	125,000	---	125,000	---
(FC)	RIVER DES PERES, MO...	---	300,000	---	300,000
	ST LOUIS REGION, MO...	---	---	800,000	---
	STE GENEVIEVE, MO...	---	---	---	3,200,000
(FDP)	SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO..........	59,000	---	59,000	---
	NEBRASKA				
(FDP)	ANTELOPE CREEK, LINCOLN, NE.....................................	15,000	---	15,000	---
(FDP)	BURT-WASHINGTON COUNTIES, NE.................................	125,000	---	125,000	---
(FC)	WOOD RIVER, GRAND ISLAND, NE..................................	---	109,000	---	109,000
	NEVADA				
(FDP)	BATTLE MOUNTAIN, NV..	350,000	---	350,000	---
(FDP)	LAS VEGAS WASH AND TRIBUTARIES, PITTMAN WASH, NV......	350,000	---	350,000	---
	LOWER TRUCKEE RIVER, NV..	---	---	400,000	---
(FC)	TROPICANA AND FLAMINGO WASHES, NV........................	---	3,685,000	---	3,685,000
	NEW JERSEY				
(N)	ARTHUR KILL CHNL EXTENSION-CARTERET, NJ TO HOWLAND HOO	200,000	---	200,000	---
(SP)	BARNEGAT INLET TO LITTLE EGG INLET, NJ.................	350,000	---	350,000	---
(SP)	BRIGANTINE INLET TO GREAT EGG HARBOR INLET, NJ........	380,000	---	380,000	---
(SP)	CAPE MAY POINT, NJ..	250,000	---	---	---
(N)	DELAWARE RIVER COMPREHENSIVE NAVIGATION STUDY, NJ, PA.	158,000	---	158,000	---
	HACKENSACK RIVER BASIN, NJ & NY...............................	---	---	400,000	---
(SP)	LOWER CAPE MAY MEADOWS, NJ......................................	490,000	---	740,000	---
(FC)	LOWER SADDLE RIVER, BERGEN COUNTY, NJ....................	---	1,300,000	---	1,300,000
(FDP)	MANASQUAN RIVER BASIN, NJ..	140,000	---	140,000	---
(N)	NEW YORK HBR AND ADJACENT CHANNELS, CLAREMONT TERMINAL	---	500,000	---	500,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	PASSAIC RIVER MAINSTEM, NJ............................	---	---	---	17,000,000
(SP)	RARITAN BAY AND SANDY HOOK BAY, NJ....................	320,000	---	320,000	---
	RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ.......	---	---	---	2,800,000
	SOUTH RIVER AT OLD BRIDGE AND SAYREVILLE, NJ..........	---	---	500,000	---
(SP)	TOWNSENDS INLET TO CAPE MAY INLET, NJ.................	490,000	---	490,000	---
	NEW MEXICO				
(FDP)	ALBUQUERQUE ARROYOS, RIO GRANDE AND TRIBUTARIES, NM...	100,000	---	100,000	---
(FDP)	ESPANOLA VALLEY, RIO GRANDE AND TRIBUTARIES, NM.......	130,000	---	130,000	---
(FDP)	LAS CRUCES, EL PASO AND VICINITY, NM..................	70,000	---	70,000	---
(FDP)	RIO RANCHO, RIO GRANDE AND TRIBUTARIES, NM............	300,000	---	300,000	---
(FDP)	ROCKY ARROYO/DARK CANYON, PECOS RIVER AND TRIBUTARIES,	390,000	---	390,000	---
(FDP)	SAN JUAN RIVER AND TRIBUTARIES, NM....................	450,000	---	450,000	---
	NEW YORK				
(RCP)	ADDISON, NY...	160,000	---	160,000	---
	ARTHUR KILL CHANL-HOWLAND HOOK MARINE TRMNL, NY & NJ..	---	---	---	500,000
	EAST RIVER, NY..	---	---	500,000	---
	HUDSON RIVER HABITAT RESTORATION, NY..................	---	---	300,000	---
(SP)	JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY..........	200,000	---	200,000	---
(N)	LAKE MONTAUK HARBOR, NY...............................	325,000	---	325,000	---
(SP)	LONG BEACH ISLAND, NY.................................	90,000	---	90,000	---
(N)	NEW YORK HARBOR ANCHORAGE AREAS, NY...................	200,000	---	200,000	---
	NORTH SHORE OF LONG ISLAND, NY........................	---	---	500,000	---
(SPE)	ONONDAGA LAKE, NY (SEC 401, P L 101-596)..............	100,000	---	100,000	---
(N)	RARITAN BAY ANCHORAGES, NY AND NJ CHANNELS, NY & NJ...	200,000	---	200,000	---
(SPE)	REYNOLD'S CHANNEL AND NEW YORK STATE BOAT CHANNEL, NY.	350,000	---	350,000	---
	SOUTH SHORE OF STATEN ISLAND, NY......................	---	---	475,000	---
	YONKERS SHORELINE, NY.................................	---	---	400,000	---
	NORTH CAROLINA				
(FC)	BRUNSWICK COUNTY BEACHES, OCEAN ISLE BEACH PORTION, NC	---	216,000	---	216,000
(N)	CAPE FEAR-NORTHEAST (CAPE FEAR) RIVER, NC.............	1,100,000	---	1,100,000	---
(SP)	DARE COUNTY BEACHES, NC...............................	210,000	---	210,000	---
(BE)	FORT FISHER AND VICINITY, NC..........................	---	338,000	---	338,000
	LOCKWOODS FOLLY RIVER, NC.............................	---	---	50,000	---
	MANTEO (SHALLOWBAG) BAY, NC...........................	---	---	---	158,000
(FC)	SUGAR CREEK BASIN, NC & SC............................	---	656,000	---	656,000
(N)	WILMINGTON HARBOR OCEAN BAR, NC.......................	---	734,000	---	734,000
(N)	WILMINGTON HARBOR, CHANNEL WIDENING, NC...............	---	660,000	---	660,000
	NORTH DAKOTA				
(FDP)	GRAND FORKS, ND.......................................	325,000	---	325,000	---
(FDP)	LEWIS AND CLARK LAKE, NE & SD AND LAKE SAKAKAWEA, ND..	50,000	---	50,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	OHIO				
(FDP)	DAYTON, OH (MIAMI RIVER BASIN)........................	300,000	---	300,000	---
	LAKE ERIE TO OHIO RIVER, OH & PA..........................	---	---	500,000	---
(FC)	METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH, KY.	---	490,000	---	490,000
	OKLAHOMA				
(FDP)	BIRD CREEK BASIN, OK..	400,000	---	400,000	---
(FDP)	NORTH CANADIAN RIVER, OK....................................	125,000	---	125,000	---
	OREGON				
(FDP)	AMAZON CREEK WETLANDS, OR..................................	150,000	---	150,000	---
(N)	COLUMBIA RIVER NAVIGATION CHANNEL DEEPENING, OR & WA..	1,000,000	---	1,000,000	---
(MP)	COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA...	---	641,000	---	641,000
(N)	COOS BAY, OR (DEEP DRAFT NAVIGATION)......................	---	830,000	---	830,000
(FDP)	JOHNSON CREEK, OR...	285,000	---	285,000	---
(FDP)	MIDDLE FORK WILLAMETTE FISHERY RESORATION, OR..........	400,000	---	400,000	---
(FDP)	SOUTH SANTIAM FISHERY RESTORATION, OR.....................	300,000	---	300,000	---
	TRESTLE BAY RESTORATION, OR...................................	---	---	100,000	---
(FDP)	WILLAMETTE RIVER TEMPERATURE CONTROL, OR................	700,000	---	700,000	---
(FC)	WILLAMETTE RIVER BASIN REVIEW.................................	---	---	130,000	---
	PENNSYLVANIA				
	BROAD TOP REGION, PA..	---	---	---	400,000
(FC)	CHARTIERS CREEK, PA..	---	250,000	---	250,000
(FC)	CURWENSVILLE LAKE, PA (REALLOCATION)........................	---	283,000	---	283,000
	JUNIATA RIVER BASIN, PA...	---	---	450,000	---
	LACKAWANNA RIVER CORRIDOR, PA.................................	---	---	300,000	---
(FC)	LACKAWANNA RIVER, OLYPHANT, PA................................	---	275,000	---	275,000
(FC)	LACKAWANNA RIVER, SCRANTON, PA................................	---	553,000	---	553,000
(FDP)	LEHIGH RIVER BASIN, PA..	290,000	---	290,000	---
(N)	LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA......	---	4,400,000	---	4,400,000
(FDP)	MILTON, PA..	250,000	---	250,000	---
(FC)	SAW MILL RUN, PA...	---	460,000	---	460,000
(FDP)	SCHYULKILL RIVER BASIN, SCHUYLKILL HAVEN AREA, PA.....	170,000	---	170,000	---
(FDP)	SUSQUEHANNA RIVER BASIN FISH RESTORATION, PA, NY & MD.	300,000	---	300,000	---
(FC)	WYOMING VALLEY (LEVEE RAISING), PA..........................	---	818,000	---	818,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	PUERTO RICO				
(FC)	ARECIBO RIVER, PR..	---	400,000	---	400,000
(FC)	RIO DE LA PLATA, PR......................................	---	231,000	---	575,000
(FC)	RIO GRANDE DE LOIZA, PR..................................	---	800,000	---	800,000
(FDP)	RIO GUANAJIBO, PR..	256,000	---	306,000	---
(FDP)	RIO NIGUA AT SALINAS, PR.................................	100,000	---	100,000	---
(N)	SAN JUAN HARBOR, PR......................................	---	1,208,000	---	1,208,000
	SOUTH CAROLINA				
(N)	CHARLESTON HARBOR, SC (DEEPENING/WIDENING)............	725,000	---	725,000	---
(FDP)	CHARLESTON STORM DAMAGE REDUCTION, SC..................	370,000	---	370,000	---
	POCOTALIGO RIVER AND SWAMP, SC.........................	---	---	400,000	---
(SP)	SOUTH CAROLINA SHORES, NORTH PORTION, SC..............	188,000	---	188,000	---
	SOUTH DAKOTA				
(FC)	ABERDEEN AND VICINITY, SD...............................	---	150,000	---	150,000
(FC)	BIG SIOUX RIVER, SIOUX FALLS, SD........................	---	300,000	---	300,000
(SPE)	JAMES RIVER ENVIRONMENTAL, SD...........................	30,000	---	30,000	---
(RCP)	OAHE DAM TO LAKE SHARPE, SD.............................	250,000	---	250,000	---
(FC)	WATERTOWN AND VICINITY, SD..............................	---	370,000	---	370,000
	TENNESSEE				
	BLACK FOX, OAKLAND SPRINGS WETLAND AREA................	---	---	90,000	---
	KNOXVILLE, TN..	---	---	250,000	---
	TEXAS				
(FDP)	BOWIE COUNTY LEVEE, TX..................................	75,000	---	75,000	---
(FC)	BRAYS BAYOU, HOUSTON, TX................................	---	1,000,000	---	1,000,000
(RCP)	BUFFALO BAYOU & TRIBUTARIES - ADDICKS & BARKER RESERVO	400,000	---	400,000	---
	COLONIAS ALONG U.S.-MEXICO BORDER, TX..................	---	---	300,000	---
(N)	CORPUS CHRISTI SHIP CHANNEL, TX.........................	464,000	---	464,000	---
(FC)	CYPRESS CREEK, HOUSTON, TX..............................	---	500,000	---	500,000
	CYPRESS VALLEY WATERSHED, TX............................	---	---	600,000	---
(FC)	DALLAS FLOODWAY EXTENSION, TRINITY RIVER PROJECT, TX..	---	700,000	---	700,000
(RCP)	FERRELLS BRIDGE DAM - LAKE O' THE PINES, TX..........	325,000	---	325,000	---
(RCP)	GIWW - ARANSAS NATIONAL WILDLIFE REFUGE, TX...........	939,000	---	939,000	---
(RCP)	GIWW - CORPUS CHRISTI BAY TO PORT ISABEL, TX..........	225,000	---	225,000	---
	GIWW - HIGH ISLAND TO BRAZOS RIVER, TX................	---	---	300,000	---
(FDP)	GRAHAM, TX (BRAZOS RIVER BASIN).........................	100,000	---	100,000	---
(FC)	GREENS BAYOU, HOUSTON, TX...............................	---	800,000	---	800,000
(N)	HOUSTON - GALVESTON NAVIGATION CHANNELS, TX...........	---	692,000	---	692,000
	JEFFERSON COUNTY, TX....................................	---	---	300,000	---
(FDP)	LOWER TRINITY RIVER BASIN, TX...........................	500,000	---	500,000	---
	NECHES RIVER AND TRIBS, SALT WATER BARRIER, TX.........	---	---	200,000	---
(FDP)	NORTH BOSQUE RIVER WATERSHED, TX........................	450,000	---	450,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES		CONFERENCE ALLOWANCE	
		INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
(FDP)	PECAN BAYOU LAKE, TX	265,000	---	265,000	---
(FDP)	PLAINVIEW, BRAZOS RIVER BASIN, TX	400,000	---	400,000	---
(N)	SABINE - NECHES WATERWAY, CHANNEL TO ORANGE, TX	265,000	---	265,000	---
(FC)	SHOAL CREEK, AUSTIN, TX	---	213,000	---	213,000
(FC)	SOUTH MAIN CHANNEL, TX	---	1,500,000	---	1,500,000
(FDP)	UPPER TRINITY RIVER BASIN, TX	830,000	---	830,000	---
	UTAH				
(FDP)	SEVIER RIVER AND TRIBUTARIES, UT	200,000	---	200,000	---
	VERMONT				
(FDP)	WINOOSKI RIVER AND TRIBUTAIRES, ICE FLOW, VT	169,000	---	169,000	---
	VIRGINIA				
(SPE)	CHESAPEAKE BAY SHORELINE, HAMPTON, VA	250,000	---	250,000	---
(SPE)	JAMES RIVER BASIN FISH AND WILDLIFE RESTORATION STUDY,	250,000	---	250,000	---
	SANDBRIDGE BEACH, VA	---	---	---	780,000
(BE)	VIRGINIA BEACH, VA (HURRICANE PROTECTION)	---	2,000,000	---	2,000,000
	WASHINGTON				
(SPE)	CHIEF JOSEPH POOL RAISING, WA	535,000	---	535,000	---
(RCP)	HOWARD HANSON DAM (ADDITIONAL STORAGE), WA	350,000	---	350,000	---
(FDP)	NOOKSACK RIVER, WA	250,000	---	250,000	---
(FDP)	SKAGIT RIVER, WA	382,000	---	382,000	---
	WEST VIRGINIA				
(FC)	ISLAND CREEK AT LOGAN, WV	---	225,000	---	225,000
	JENNINGS RANDOLPH LAKE, WV	---	---	400,000	---
(COM)	KANAWHA RIVER BASIN COMPREHENSIVE, WV (MARLINTON/GREEN	324,000	---	324,000	---
(N)	KANAWHA RIVER NAVIGATION, WV	309,000	---	309,000	---
(N)	MARMET LOCKS AND DAM, WV	---	1,878,000	---	1,878,000
	MONONGAHELA RIVER COMPREHENSIVE, WV	---	---	600,000	---
(RDP)	OCEANA, WV	400,000	---	400,000	---
	WEST VIRGINIA COMPREHENSIVE, WV	---	---	500,000	---
	WISCONSIN				
	LOWER KINNICKINNIC RIVER, MILWAUKEE, WI	---	---	200,000	---
	MILWAUKEE HARBOR, WI	---	---	200,000	---
(FC)	PORTAGE, WI	---	100,000	---	100,000
	WYOMING				
(FDP)	JACKSON HOLE RESTORATION, WY	438,000	---	438,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	REVIEW OF AUTHORIZED PROJECTS				
	COORDINATION STUDIES WITH OTHER AGENCIES..............	9,340,000	---	9,340,000	---
	COLLECTION AND STUDY OF BASIC DATA				
	MISCELLANEOUS				
	COASTAL FIELD DATA COLLECTION..........................	3,600,000	---	4,000,000	---
	ENVIRONMENTAL DATA STUDIES.............................	150,000	---	150,000	---
	ENVIRONMENTAL SERVICE PARTNERSHIPS.....................	1,500,000	---	1,500,000	---
	FLOOD PLAIN MANAGEMENT SERVICES........................	7,600,000	---	7,600,000	---
	FLOOD PLAIN STUDIES, MISSISSIPPI AND MISSOURI..........	---	---	2,000,000	---
	GREAT LAKES REMEDIAL ACTION PLANS (SEC. 401)...........	---	---	250,000	---
	HARBORS - DREDGED MATERIAL DISPOSAL AREA STUDY.........	1,000,000	---	1,000,000	---
	HYDROLOGIC STUDIES.....................................	490,000	---	490,000	---
	INTERNATIONAL WATER STUDIES............................	500,000	---	500,000	---
	PRECIPITATION STUDIES (NATIONAL WEATEHER SERVICE)......	500,000	---	500,000	---
	REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT..	250,000	---	250,000	---
	SEC. 219 ENVIRONMENTAL INFRASTRUCTURE PROJECTS.........	---	---	1,500,000	---
	SEC. 307 WATER QUALITY PROJECTS........................	---	---	2,000,000	---
	SCIENTIFIC AND TECHNICAL INFORMATION CENTERS...........	250,000	---	250,000	---
	STREAM GAGING (U.S. GEOLOGICAL SURVEY).................	690,000	---	690,000	---
	TRANSPORTATION SYSTEMS.................................	900,000	---	900,000	---
	TOTAL..	17,430,000	---	23,580,000	---
	RESEARCH AND DEVELOPMENT...............................	32,700,000	---	33,000,000	---
	SUBTOTAL, GENERAL INVESTIGATIONS.......................	122,374,000	61,430,000	153,271,000	96,797,000
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.........	-26,204,000	---	-42,528,000	---
	TOTAL, GENERAL INVESTIGATIONS..........................	96,170,000	61,430,000	110,743,000	96,797,000

TYPE OF PROJECT:
(N) NAVIGATION
(BE) BEACH EROSION CONTROL
(FC) FLOOD CONTROL
(MP) MULTIPURPOSE, INCLUDING POWER
(SP) SHORELINE PROTECTION
(FDP) FLOOD DAMAGE PREVENTION
(RCP) REVIEW OF COMPLETED PROJECT
(RDP) REVIEW OF DEFERRED PROJECT
(COMP) COMPREHENSIVE
(SPEC) SPECIAL

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	ALABAMA		
(N)	BAYOU LA BATRE, AL	2,200,000	2,200,000
(N)	BLACK WARRIOR AND TOMBIGBEE RIVERS, VICINITY OF JACKSO	2,000,000	2,000,000
(N)	TENNESSEE - TOMBIGBEE WATERWAY WILDLIFE MITIGATION, AL	15,000,000	15,000,000
(FC)	VILLAGE CREEK, JEFFERSON COUNTY, AL	1,500,000	1,500,000
	WILLIAM BACON OLIVER LOCK AND DAM, AL	---	4,000,000
	ALASKA		
	BETHEL, AK	---	2,000,000
(N)	KODIAK HARBOR, AK	400,000	400,000
(N)	SITKA HARBOR, AK	6,000,000	6,000,000
	ARIZONA		
(FC)	CLIFTON, AZ	3,700,000	3,700,000
(FC)	HOLBROOK, AZ	1,600,000	1,600,000
	NOGALES WASH, AZ	---	200,000
	RILLITO RIVER, AZ	---	4,200,000
	ARKANSAS		
(MP)	BEAVER LAKE, AR (DAM SAFETY)	10,000,000	10,000,000
	BEAVER LAKE, AR, ENVIRONMEMTAL INFRASTRUCTURE	---	3,000,000
(MP)	BEAVER LAKE, AR (WATER QUALITY ENHANCEMENT)	525,000	525,000
(MP)	DARDANELLE LOCK AND DAM (POWERHOUSE), AR (MAJOR REHAB)	2,500,000	2,500,000
(N)	MCCLELLAN - KERR ARK RVR NAV SYSTEM, LOCKS AND DAMS, A	11,100,000	11,100,000
	RED RIVER EMERGENCY BANK PROTECTION, AR	---	3,500,000
	RED RIVER BELOW DENISON DAM LEVEE & BANK STABIL, AR	---	3,500,000
	CALIFORNIA		
	COYOTE AND BERRYESSA CREEKS, CA	---	4,000,000
(FC)	GUADALUPE RIVER, CA	14,400,000	14,400,000
(FC)	MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTION, CA	800,000	800,000
(FC)	MERCED COUNTY STREAMS, CA	1,100,000	1,100,000
	MORRO BAY HARBOR, CA	---	450,000
(N)	OAKLAND HARBOR, CA	1,200,000	1,200,000
(FC)	REDBANK AND FANCHER CREEKS, CA	500,000	500,000
(N)	RICHMOND HARBOR, CA	550,000	550,000
(FC)	SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	2,500,000	2,500,000
	SACRAMENTO RIVER DEEPWATER SHIP CHANNEL, CA	---	100,000
	SACRAMENTO RIVER FLOOD CONTROL PROJECT (GCID), CA	---	400,000
	SACRAMENTO URBAN AREA LEVEE RECONSTRUCTION, CA	---	500,000
(FC)	SACRAMENTO RIVER FLOOD CONTROL PROJECT, CA (DEF CORR)	2,350,000	2,350,000
(N)	SAN FRANCISCO BAY TO STOCKTON, CA	750,000	750,000
(FC)	SAN LUIS REY RIVER, CA	6,792,000	6,792,000
(FC)	SANTA ANA RIVER MAINSTEM, CA	120,000,000	118,750,000
(FC)	SANTA PAULA CREEK, CA	645,000	645,000
	SONOMA BAYLANDS WETLANDS RESTORATION, CA	---	4,000,000
(N)	VENTURA HARBOR, CA	4,838,000	4,838,000
(FC)	WILDCAT AND SAN PABLO CREEKS, CA	2,739,000	2,739,000
(E)	YOLO BASIN WETLANDS, SACRAMENTO RIVER, CA	2,063,000	2,063,000
	COLORADO		
(FC)	ALAMOSA, CO	800,000	800,000
	DELAWARE		
(FC)	DELAWARE COAST PROTECTION, DE	185,000	185,000
	FLORIDA		
(N)	CANAVERAL HARBOR DEEPENING, FL	4,996,000	4,996,000
	CANAVERAL HARBOR SAND BYPASS, FL	---	4,800,000
(FC)	CENTRAL AND SOUTHERN FLORIDA, FL	7,600,000	17,850,000
(FC)	DADE COUNTY, FL	2,800,000	2,800,000
(BE)	DUVAL COUNTY, FL	8,590,000	8,590,000
(N)	FORT PIERCE HARBOR, FL	1,600,000	400,000
(FC)	FOUR RIVER BASINS, FL	2,000,000	2,000,000
	KISSIMMEE RIVER, FL	---	5,000,000
(BE)	LEE COUNTY, FL (REIMBURSEMENT)	1,760,000	1,760,000
	MANATEE HARBOR, FL	---	3,000,000
	MELALEUCA QUARANTINE FACILITY, FL	---	1,000,000
(N)	MIAMI HARBOR CHANNEL, FL	1,500,000	1,500,000
	PALM BEACH COUNTY BEACHES (OCEAN RIDGE), FL	---	200,000
(BE)	PINELLAS COUNTY, FL	400,000	1,900,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	GEORGIA		
(MP)	RICHARD B RUSSELL DAM AND LAKE, GA & SC...............	10,000,000	10,000,000
	HAWAII		
(FC)	ALENAIO STREAM, HAWAII, HI...........................	3,578,000	3,578,000
(N)	KAWAIHAE SMALL BOAT HARBOR, HAWAII, HI...............	4,210,000	4,210,000
(N)	MAALAEA HARBOR, MAUI, HI.............................	4,640,000	4,640,000
	ILLINOIS		
(FC)	ALTON TO GALE ORGANIZED LEVEE DISTRICT, IL & MO (DEF C	500,000	500,000
	CASINO BEACH, IL.....................................	---	820,000
(FC)	EAST ST LOUIS, IL....................................	7,000,000	7,000,000
(N)	FOUR LOCKS, ILLINOIS WATERWAY, IL (MAJOR REHAB)......	5,200,000	5,200,000
(N)	LOCK AND DAM 13, MISSISSIPPI RIVER, IL (MAJOR REHAB)..	5,060,000	5,060,000
(N)	LOCK AND DAM 15, MISSISSIPPI RIVER, IL (MAJOR REHAB)..	11,330,000	11,330,000
(N)	LOCK AND DAM 25, MISSISSIPPI RIVER, IL & MO (MAJOR REH	1,600,000	1,600,000
(FC)	LOVES PARK, IL.......................................	4,200,000	4,200,000
	MCCOOK AND THORNTON RESERVOIRS, IL...................	---	13,000,000
(N)	MELVIN PRICE LOCK AND DAM, IL & MO...................	20,350,000	7,850,000
	O'HARE RESERVOIR, IL.................................	---	5,000,000
(N)	OLMSTED LOCKS AND DAM, IL & KY.......................	110,314,000	110,314,000
(N)	UPPER MISS RIVER SYSTEM ENV MGMT PROG, IL, IA, MO, MN.	19,455,000	19,455,000
	INDIANA		
(FC)	EVANSVILLE, IN.......................................	500,000	500,000
	FORT WAYNE METROPOLITAN AREA, IN.....................	---	500,000
(FC)	LITTLE CALUMET RIVER, IN.............................	16,000,000	16,000,000
	IOWA		
	DES MOINES RECREATIONAL RIVER AND GREENBELT, IA.......	---	2,700,000
(N)	MISSOURI RIVER FISH AND WILDLIFE MITIGATION, IA, NE, K	11,800,000	11,800,000
(FC)	MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS & MO.........	1,000,000	1,000,000
(FC)	PERRY CREEK, IA......................................	3,000,000	3,000,000
	THURMAN TO HAMBURG, PUMPING FACILITIES, IA...........	---	825,000
(FC)	WEST DES MOINES, DES MOINES, IA......................	2,070,000	2,070,000
	KENTUCKY		
(FC)	FRANKFORT, SOUTH FRANKFORT, KY.......................	1,750,000	1,750,000
	SALYERSVILLE, KY.....................................	---	1,000,000
(FC)	YATESVILLE LAKE, KY..................................	1,400,000	1,400,000
	LOUISIANA		
(FC)	ALOHA - RIGOLETTE, LA................................	2,967,000	2,967,000
	LAKE PONTCHARTRAIN STORM WATER DISCHARGE.............	---	2,000,000
(FC)	LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	9,619,000	24,119,000
	LAKE PONTCHARTRAIN AND VICINITY, LA (JEFFERSON PARISH)	---	200,000
(FC)	LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)....	2,977,000	2,977,000
	OUACHITA RIVER LEVEES, LA............................	---	6,300,000
(N)	MISSISSIPPI RIVER - GULF OUTLET, LA..................	1,500,000	1,500,000
(N)	MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, L	6,161,000	6,161,000
(FC)	NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION)......	1,233,000	1,233,000
(N)	RED RIVER WATERWAY, MISSISSIPPI RIVER TO SHREVEPORT, L	32,847,000	145,000,000
(FC)	WESTWEGO TO HARVEY CANAL, LA (HURRICANE PROTECTION)...	5,770,000	5,770,000
	MAINE		
	ST. JOHN RIVER (IRRIG/CONSERV).......................	---	252,000
	MARYLAND		
	ANACOSTIA RIVER, MD & DC.............................	---	700,000
	MASSACHUSETTS		
(FC)	TOWN BROOK, QUINCY AND BRAINTREE, MA.................	11,400,000	11,400,000
	MICHIGAN		
	CLINTON RIVER SPILLWAY, MI...........................	---	2,000,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	MINNESOTA		
(FC)	BASSETT CREEK, MN	1,050,000	1,050,000
(FC)	CHASKA, MN	5,600,000	5,600,000
(N)	DULUTH - SUPERIOR CHANNEL EXTENSION, MN & WI	886,000	886,000
(FC)	ROCHESTER, MN	22,130,000	22,130,000
	SILVER BAY HARBOR, MN	---	2,600,000
(FC)	ST PAUL, MN	3,651,000	3,651,000
	STILLWATER, MN		2,400,000
	MISSISSIPPI		
(N)	GULFPORT HARBOR, MS	7,000,000	7,000,000
	PASCAGOULA HABOR, MS	---	800,000
	SOWASHEE CREEK, MS	---	3,240,000
(FC)	TOMBIGBEE RIVER AND TRIBUTARIES, MS & AL	5,000,000	5,000,000
	MISSOURI		
(FC)	BLUE RIVER CHANNEL, KANSAS CITY, MO	16,900,000	16,900,000
(FC)	BRUSH CREEK, KANSAS CITY, MO	5,200,000	5,200,000
(FC)	CAPE GIRARDEAU - JACKSON, MO	7,800,000	7,800,000
(FC)	MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO	3,489,000	3,489,000
(N)	MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	4,535,000	4,535,000
	NEBRASKA		
(FC)	MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	74,000	74,000
(FC)	PAPILLION CREEK AND TRIBUTARIES LAKES, NE	2,881,000	2,881,000
	NEVADA		
	TROPICANA AND FLAMINGO WASHES, NV	---	3,000,000
	NEW JERSEY		
	MOLLY ANN'S BROOK, NJ		1,000,000
	NEW YORK HARBOR & ADJACENT CHANNELS, PORT JERSEY, NJ		1,500,000
	SALEM RIVER, NJ		1,500,000
(BE)	SANDY HOOK TO BARNEGAT INLET, NJ	34,800,000	34,800,000
	NEW MEXICO		
(FC)	ACEQUIAS IRRIGATION SYSTEM, NM	2,000,000	2,000,000
(FC)	ALAMOGORDO, NM	400,000	400,000
(FC)	COCHITI WETFIELDS, NM	10,552,000	10,552,000
(FC)	MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	2,125,000	2,125,000
(FC)	RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,	9,000,000	9,000,000
	NEW YORK		
(BE)	ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT,	8,756,000	10,756,000
	EAST ROCKAWAY INLET-ROCKAWAY INLET & JAMAICA BAY, NY	---	3,280,000
(N)	KILL VAN KULL AND NEWARK BAY CHANNEL, NY & NJ	28,500,000	28,500,000
(N)	NEW YORK HARBOR COLLECTION AND REMOVAL OF DRIFT, NY &	2,900,000	3,900,000
(FC)	NORTH ELLENVILLE, NY (DEF CORR)	1,900,000	1,900,000
	ONONDAGA LAKE STORM WATER DISCHARGE	---	2,000,000
	ROCHESTER HARBOR, NY	---	4,000,000
	NORTH CAROLINA		
(N)	AIWW - REPLACEMENT OF FEDERAL HIGHWAY BRIDGES, NC	4,550,000	4,550,000
(FC)	CAROLINA BEACH AND VICINITY, NC	350,000	350,000
(FC)	FALLS LAKE, NC	4,000,000	4,000,000
	LAKE GASTON, AQUATIC VEGETATION, NC & VA	---	200,000
(N)	MOREHEAD CITY HARBOR, NC	7,020,000	7,020,000
(BE)	WEST ONSLOW BEACH AND NEW RIVER INLET, NC	110,000	110,000
	WILMINGTON HARBOR OCEAN BAR, NC	---	5,266,000
(FC)	WRIGHTSVILLE BEACH, NC	1,000,000	1,000,000
	NORTH DAKOTA		
(FC)	LAKE ASHTABULA AND BALDHILL DAM, ND (DAM SAFETY)	1,300,000	1,300,000
(FC)	LAKE ASHTABULA AND BALDHILL DAM, ND (MAJOR REHAB)	800,000	800,000
(FC)	SHEYENNE RIVER, ND	400,000	400,000
(FC)	SOURIS RIVER BASIN, ND	9,200,000	9,200,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	OHIO		
(FC)	MILL CREEK, OH	1,900,000	1,900,000
	WEST COLOMBUS, OH	---	9,000,000
	OKLAHOMA		
(FC)	FRY CREEKS, BIXBY, OK	500,000	500,000
(FC)	MINGO CREEK, TULSA, OK	14,500,000	14,500,000
	OREGON		
(N)	BONNEVILLE NAVIGATION LOCK, OR & WA	7,422,000	7,422,000
(MP)	BONNEVILLE POWERHOUSE PHASE I, OR & WA (MAJOR REHAB)	7,600,000	7,600,000
(MP)	BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB)	1,000,000	1,000,000
(MP)	BONNEVILLE SECOND POWERHOUSE, OR & WA	6,500,000	6,500,000
	COLUMBIA RIVER INDIAN TRIBE IN LIEU FISHING SITES	---	3,900,000
(FC)	ELK CREEK LAKE, OR	450,000	450,000
	UMPQUA RIVER, WINCHESTER BAY, OR	---	100,000
	PENNSYLVANIA		
(N)	GRAYS LANDING, LOCK AND DAM 7, MONONGAHELA RIVER, PA	22,000,000	22,000,000
	LACKAWANNA RIVER, PA	---	2,000,000
(FC)	LOCK HAVEN, PA	17,917,000	17,917,000
(N)	POINT MARION, LOCK AND DAM 8, MONONGAHELA RIVER, PA &	4,700,000	4,700,000
(BE)	PRESQUE ISLE PENINSULA, PA (PERMANENT)	410,000	410,000
	SOUTH CENTRAL PA ENVIRONMENTAL RESTORATION, PA	---	10,000,000
(FC)	TURTLE CREEK, PA	1,074,000	1,074,000
	PUERTO RICO		
(FC)	PORTUGUES AND BUCANA RIVERS, PR	15,600,000	15,600,000
(FC)	RIO PUERTO NUEVO, PR	1,500,000	1,500,000
	RHODE ISLAND		
	NARRAGANSETT TOWN BEACH, NARRAGANSETT, RI	---	150,000
	SOUTH CAROLINA		
(N)	CHARLESTON HARBOR, SC	5,820,000	5,820,000
(N)	COOPER RIVER, CHARLESTON HARBOR, SC	10,500,000	---
(MP)	RICHARD B RUSSELL DAM AND LAKE, WILDLIFE MITIGATION, S	4,839,000	4,839,000
	TENNESSEE		
(MP)	CENTER HILL DAM, TN (DAM SAFETY)	6,800,000	6,800,000
	TEXAS		
(FC)	BEALS CREEK, BIG SPRING, TX	600,000	600,000
(N)	BRAZOS ISLAND HARBOR, TX	9,300,000	9,300,000
(N)	CHANNEL TO VICTORIA, TX	4,000,000	4,000,000
(FC)	CLEAR CREEK, TX	5,000,000	5,000,000
(FC)	COOPER LAKE AND CHANNELS, TX	10,700,000	10,725,000
(FC)	EL PASO, TX	10,500,000	10,500,000
(N)	FREEPORT HARBOR, TX	2,800,000	2,800,000
(N)	GIWW - BRAZOS RIVER FLOODGATES, TX (MAJOR REHAB)	4,600,000	4,600,000
(N)	GIWW - SARGENT BEACH, TX	3,875,000	3,875,000
(FC)	LAKE WICHITA, HOLLIDAY CREEK AT WICHITA FALLS, TX	4,000,000	4,000,000
(FC)	MCGRATH CREEK, WICHITA FALLS, TX	100,000	100,000
(N)	MOUTH OF COLORADO RIVER, TX	3,000,000	3,000,000
(FC)	RAY ROBERTS LAKE, TX	5,600,000	5,600,000
(FC)	RED RIVER CHLORIDE, TX & OK	2,000,000	4,000,000
(MP)	SAM RAYBURN DAM AND RESERVOIR, TX (DAM SAFETY)	12,500,000	12,500,000
(FC)	SAN ANTONIO CHANNEL IMPROVEMENT, TX	4,600,000	4,600,000
(FC)	SIMS BAYOU, HOUSTON, TX	10,000,000	10,000,000
(FC)	TAYLORS BAYOU, TX	3,300,000	3,300,000
	WALLISVILLE LAKE, TX	---	1,000,000
	VIRGINIA		
(FC)	JAMES R OLIN FLOOD CONTROL PROJECT, VA	4,100,000	4,100,000
(N)	NORFOLK HARBOR AND CHANNELS (DEEPENING), VA	1,700,000	1,700,000
	RICHMOND FILTRATION PLANT, VA	---	1,000,000
(FC)	ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	900,000	900,000
(BE)	VIRGINIA BEACH, VA (REIMBURSEMENT)	850,000	850,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	WASHINGTON		
(FC)	CHEHALIS RIVER, SOUTH ABERDEEN AND COSMOPOLIS, WA.....	1,500,000	1,500,000
(MP)	CHIEF JOSEPH ADDITIONAL UNITS, WA..........................	2,268,000	2,268,000
(MP)	COLUMBIA RIVER JUVENILE FISH MITIGATION, WA, OR & ID..	48,300,000	49,500,000
(N)	GRAYS HARBOR, WA..	7,200,000	7,200,000
(MP)	LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	5,000,000	5,000,000
(FC)	MUD MOUNTAIN DAM, WA (DAM SAFETY ASSURANCE)...........	16,900,000	16,900,000
	WEST VIRGINIA		
(FC)	LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	17,100,000	45,600,000
(FC)	MOOREFIELD, WV...	500,000	500,000
(FC)	PETERSBURG, WV...	1,000,000	1,000,000
(N)	ROBERT C BYRD LOCKS AND DAM, WV & OH..................	22,000,000	22,000,000
	SOUTHERN WEST VIRGINIA ENVIRONMENTAL RESTORATION, WV..	---	3,500,000
(N)	WINFIELD LOCKS AND DAM, WV....................................	56,500,000	56,600,000
	WISCONSIN		
	STATE ROAD AND EBNER COULEES, WI..........................	---	1,467,000
	MISCELLANEOUS		
	AQUATIC PLANT CONTROL (1965 ACT)...........................	8,500,000	11,000,000
	BEACH EROSION CONTROL PROJECTS (SECTION 103)...........	1,500,000	2,000,000
	CLEARING AND SNAGGING (SECTION 208)........................	500,000	500,000
	EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC. 14).	7,500,000	7,500,000
	EMPLOYEES' COMPENSATION..	18,920,000	18,920,000
	FLOOD CONTROL PROJECTS (SECTION 205).......................	22,000,000	22,000,000
	INLAND WATERWAYS USERS BOARD - BOARD EXPENSES.........	35,000	35,000
	INLAND WATERWAYS USERS BOARD - CORPS EXPENSES.........	170,000	170,000
	NAVIGATION MITIGATION (SECTION 111).........................	500,000	500,000
	NAVIGATION PROJECTS (SECTION 107)...........................	3,000,000	4,100,000
	PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	7,500,000	8,130,000
	WETLAND AND AQUATIC HABITAT CREATION......................	3,000,000	3,000,000
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE........	-65,486,000	-165,406,000
	TOTAL, CONSTRUCTION GENERAL...................................	1,206,237,000	1,400,875,000

TYPE OF PROJECT:
(N) NAVIGATION
(BE) BEACH EROSION CONTROL
(FC) FLOOD CONTROL
(MP) MULTIPURPOSE, INCLUDING POWER

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	GENERAL INVESTIGATIONS		
	SURVEYS:		
	GENERAL STUDIES:		
(FDP)	MORGANZA, LA TO THE GULF OF MEXICO	300,000	300,000
(FDP)	MISSISSIPPI DELTA, MS	2,020,000	2,020,000
(FDP)	JACKSON AND TRENTON, TN	610,000	610,000
(FDP)	REELFOOT LAKE, TN	400,000	400,000
	COLLECTION AND STUDY OF BASIC DATA	315,000	315,000
	PRECONSTRUCTION ENGINEERING AND DESIGN:		
	EASTERN ARKANSAS REGION (COMPREHENSIVE REGION), AR	---	2,400,000
	LOWER WHITE RIVER, BIG CREEK & TRIBUTARIES, AR	---	175,000
	SUBTOTAL, GENERAL INVESTIGATIONS	3,645,000	6,220,000
	CONSTRUCTION		
(FC)	CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	91,300,000	91,300,000
(N)	HELENA HARBOR, PHILLIPS COUNTY, AR	512,000	512,000
(FC)	MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN.	23,400,000	23,400,000
(FC)	ST FRANCIS BASIN, AR & MO, CONSOLIDATED	10,100,000	10,100,000
(FC)	WHITEMAN'S CREEK, AR	260,000	260,000
(FC)	ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	6,700,000	6,700,000
(FC)	ATCHAFALAYA BASIN, LA	28,000,000	28,000,000
(FC)	MISSISSIPPI AND LOUISIANA ESTUARINE AREAS, MS & LA	2,100,000	2,100,000
(FC)	MISSISSIPPI DELTA REGION, LA	4,600,000	4,600,000
(FC)	TENSAS BASIN, RED RIVER BACKWATER, LA	6,700,000	6,700,000
(FC)	HORN LAKE CREEK & TRIBUTARIES (INCL COW PEN CREEK), MS	331,000	331,000
(FC)	SARDIS DAM, MS (DAM SAFETY)	11,528,000	11,528,000
	YAZOO BASIN, MS:	(37,743,000)	(37,743,000)
(FC)	BIG SUNFLOWER RIVER, MS	8,322,000	8,322,000
(FC)	DEMONSTRATION EROSION CONTROL, MS	20,000,000	20,000,000
(FC)	MAIN STEM, MS	25,000	25,000
(FC)	REFORMULATION UNIT, MS	350,000	350,000
(FC)	TRIBUTARIES, MS	3,900,000	3,900,000
(FC)	UPPER YAZOO PROJECTS, MS	4,100,000	4,100,000
(FC)	YAZOO BACKWATER F&WL MITIGATION LANDS, MS	350,000	350,000
(FC)	YAZOO BACKWATER, MS	696,000	696,000
(FC)	NONCONNAH CREEK, TN & MS	200,000	200,000
(FC)	WEST TENNESSEE TRIBUTARIES, TN	2,400,000	2,400,000
	SUBTOTAL, CONSTRUCTION	225,874,000	225,874,000
	MAINTENANCE		
(FC)	CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	66,579,000	66,579,000
(FC)	LOWER ARKANSAS RIVER - NORTH BANK, AR	583,000	583,000
(FC)	LOWER ARKANSAS RIVER - SOUTH BANK, AR	25,000	25,000
(FC)	MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN.	4,916,000	4,916,000
(FC)	ST FRANCIS RIVER BASIN, AR & MO	9,129,000	9,129,000
(FC)	TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA	2,217,000	2,217,000
(FC)	WHITE RIVER BACKWATER, AR	1,652,000	1,652,000
(FC)	ATCHAFALAYA BASIN, LA	13,694,000	13,694,000
(FC)	BATON ROUGE HARBOR DEVILS SWAMP, LA	230,000	230,000
(FC)	BAYOU COCODRIE AND TRIBUTARIES, LA	120,000	120,000
(FC)	BONNET CARRE, LA	710,000	710,000
(FC)	LOWER RED RIVER - SOUTH BANK LEVEES, LA	8,000	8,000
(FC)	MISSISSIPPI DELTA REGION, CAERNARVON, LA	39,000	39,000
(FC)	OLD RIVER, LA	4,736,000	4,736,000
(FC)	TENSAS BASIN, RED RIVER BACKWATER, LA	2,620,000	2,620,000
(N)	GREENVILLE HARBOR, MS	269,000	269,000
(N)	VICKSBURG HARBOR, MS	217,000	217,000
	YAZOO BASIN, MS:	(18,443,000)	(26,243,000)
(FC)	ARKABUTLA LAKE, MS	2,244,000	3,444,000
(FC)	BIG SUNFLOWER RIVER, MS	1,672,000	1,672,000
(FC)	ENID LAKE, MS	2,333,000	3,833,000
(FC)	GREENWOOD, MS	1,421,000	1,421,000
(FC)	GRENADA LAKE, MS	2,677,000	4,177,000
(FC)	MAIN STEM, MS	2,784,000	2,784,000
(FC)	SARDIS LAKE, MS	2,465,000	4,665,000
(FC)	TRIBUTARIES, MS	1,330,000	2,730,000
(FC)	WILL M WHITTINGTON AUX CHAN, MS	410,000	410,000
(FC)	YAZOO BACKWATER, MS	447,000	447,000
(FC)	YAZOO CITY, MS	660,000	660,000

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	WAPPAPELLO LAKE, MO	3,782,000	4,282,000
(N)	MEMPHIS HARBOR (MCKELLAR LAKE), TN	1,595,000	1,595,000
(FC)	INSPECTION OF COMPLETED WORKS	1,348,000	1,348,000
(FC)	MAPPING	948,000	948,000
	SUBTOTAL, MAINTENANCE	133,860,000	142,160,000
	REDUCTION FOR SAVINGS AND SLIPPAGE	-20,379,000	-25,379,000
	TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES	343,000,000	348,875,000

TYPE OF PROJECT:
(N) NAVIGATION
(FC) FLOOD CONTROL

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	ALABAMA		
(FC)	ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	3,000,000	3,000,000
(N)	ALABAMA - COOSA RIVER, AL	4,681,000	6,800,000
(N)	BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	15,496,000	20,000,000
	DOG AND FOWL RIVERS, AL	---	529,000
(N)	GULF INTRACOASTAL WATERWAY, AL	3,014,000	4,000,000
(MP)	MILLERS FERRY LOCK & DAM - WILLIAM "BILL" DANNELLY LAK	3,169,000	3,169,000
(N)	MOBILE HARBOR, AL	23,024,000	25,000,000
(MP)	ROBERT F HENRY LOCK AND DAM, AL	5,878,000	5,878,000
(N)	TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	18,049,000	20,000,000
(MP)	WALTER F GEORGE LOCK AND DAM, AL & GA	6,842,000	6,842,000
	ALASKA		
(N)	ANCHORAGE HARBOR, AK	1,750,000	1,750,000
(FC)	CHENA RIVER LAKES, AK	1,419,000	1,869,000
(N)	DILLINGHAM HARBOR, AK	603,000	603,000
(N)	HOMER HARBOR, AK	292,000	292,000
(N)	KETCHIKAN, THOMAS BASIN, AK	270,000	270,000
(N)	NINILCHIK HARBOR, AK	191,000	191,000
(N)	NOME HARBOR, AK	349,000	349,000
(N)	WRANGELL NARROWS, AK	70,000	70,000
	AMERICAN SAMOA		
(N)	OFU HARBOR, AS	255,000	255,000
	ARIZONA		
(FC)	ALAMO LAKE, AZ	982,000	982,000
(FC)	PAINTED ROCK DAM, AZ	876,000	876,000
	TUCSON DIVERSION CHANNEL, AZ	---	550,000
(FC)	WHITLOW RANCH DAM, AZ	102,000	102,000
	ARKANSAS		
(MP)	BEAVER LAKE, AR	4,295,000	4,295,000
(MP)	BLAKELY MT DAM - LAKE OUACHITA, AR	4,147,000	4,147,000
(FC)	BLUE MOUNTAIN LAKE, AR	1,123,000	1,123,000
(MP)	BULL SHOALS LAKE, AR	5,185,000	5,185,000
(MP)	DARDANELLE LOCK AND DAM, AR	6,691,000	6,691,000
(MP)	DEGRAY LAKE, AR	7,209,000	7,209,000
(FC)	DEQUEEN LAKE, AR	1,014,000	1,014,000
(FC)	DIERKS LAKE, AR	1,026,000	1,026,000
(FC)	GILLHAM LAKE, AR	1,007,000	1,007,000
(MP)	GREERS FERRY LAKE, AR	4,737,000	4,737,000
(N)	HELENA HARBOR, AR	480,000	480,000
(N)	MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR	26,247,000	26,247,000
(FC)	MILLWOOD LAKE, AR	2,254,000	2,254,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	NARROWS DAM - LAKE GREESON, AR	4,072,000	4,072,000
(FC)	NIMROD LAKE, AR	1,313,000	1,313,000
(MP)	NORFORK LAKE, AR	3,702,000	3,702,000
(N)	OSCEOLA HARBOR, AR	602,000	602,000
(N)	OUACHITA AND BLACK RIVERS, AR & LA	5,625,000	5,625,000
(MP)	OZARK - JETA TAYLOR LOCK AND DAM, AR	5,797,000	5,797,000
(N)	WHITE RIVER, AR	2,110,000	2,110,000
(N)	YELLOW BEND PORT, AR	139,000	139,000
	CALIFORNIA		
(FC)	BLACK BUTTE LAKE, CA	1,505,000	1,505,000
(FC)	BUCHANAN DAM - H V EASTMAN LAKE, CA	1,507,000	1,507,000
(FC)	COYOTE VALLEY DAM (LAKE MENDOCINO), CA	2,363,000	2,363,000
(FC)	DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	2,968,000	2,968,000
(FC)	FARMINGTON DAM, CA	146,000	146,000
(FC)	HIDDEN DAM - HENSLEY LAKE, CA	1,948,000	1,948,000
(N)	HUMBOLDT HARBOR AND BAY, CA	3,322,000	3,322,000
(FC)	ISABELLA LAKE, CA	918,000	918,000
(N)	LOS ANGELES - LONG BEACH HARBOR MODEL, CA	155,000	155,000
(N)	LOS ANGELES - LONG BEACH HARBORS, CA	95,000	495,000
(FC)	LOS ANGELES COUNTY DRAINAGE AREA, CA	3,390,000	3,590,000
	LOS ANGELES COUNTY DRAINAGE AREA (HANSEN DAM), CA	---	2,790,000
	LOS ANGELES RIVER (SEPULVEDA BASIN TO ARROYO SECO), CA	---	400,000
(N)	MARINA DEL REY, CA	2,105,000	2,105,000
(FC)	MERCED COUNTY STREAM GROUP, CA	176,000	176,000
(FC)	MOJAVE RIVER DAM, CA	190,000	190,000
(N)	MORRO BAY HARBOR, CA	2,250,000	2,250,000
(N)	NAPA RIVER, CA	2,397,000	2,197,000
(FC)	NEW HOGAN LAKE, CA	1,734,000	1,734,000
(MP)	NEW MELONES LAKE (DOWNSTREAM CHANNEL), CA	849,000	849,000
(N)	OAKLAND HARBOR, CA	2,593,000	2,593,000
	OCEANSIDE EXPERIMENTAL SAND BYPASS, CA	---	4,000,000
(N)	OCEANSIDE HARBOR, CA	845,000	845,000
(N)	PETALUMA RIVER, CA	1,850,000	1,850,000
(FC)	PINE FLAT LAKE, CA	2,064,000	2,064,000
(N)	RICHMOND HARBOR, CA	2,342,000	2,342,000
(N)	SACRAMENTO RIVER (30 FOOT PROJECT), CA	404,000	404,000
(N)	SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA.	882,000	882,000
(N)	SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	151,000	151,000
(N)	SAN DIEGO HARBOR, CA	150,000	150,000
(N)	SAN FRANCISCO BAY - DELTA MODEL STRUCTURE, CA	2,221,000	2,221,000
(N)	SAN FRANCISCO BAY LONG TERM MANAGEMENT STRATEGY, CA	896,000	896,000
(N)	SAN FRANCISCO HARBOR AND BAY (DRIFT REMOVAL), CA	2,208,000	2,208,000
(N)	SAN FRANCISCO HARBOR, CA	1,952,000	1,952,000
(N)	SAN JOAQUIN RIVER, CA	1,427,000	1,427,000
(N)	SAN PABLO BAY AND MARE ISLAND STRAIT, CA	1,100,000	1,100,000
(FC)	SANTA ANA RIVER BASIN, CA	2,824,000	2,824,000
(N)	SANTA BARBARA HARBOR, CA	1,625,000	1,625,000
	SANTA CRUZ HARBOR, CA	---	100,000
(FC)	SUCCESS LAKE, CA	1,459,000	2,259,000
(N)	SUISUN BAY CHANNEL, CA	2,020,000	2,020,000
(FC)	TERMINUS DAM (LAKE KAWEAH), CA	1,307,000	1,307,000
(N)	VENTURA HARBOR, CA	1,200,000	1,200,000
(N)	YUBA RIVER, CA	19,000	19,000
	COLORADO		
(FC)	BEAR CREEK LAKE, CO	362,000	362,000
(FC)	CHATFIELD LAKE, CO	663,000	663,000
(FC)	CHERRY CREEK LAKE, CO	534,000	534,000
(FC)	JOHN MARTIN RESERVOIR, CO	2,336,000	2,336,000
(FC)	TRINIDAD LAKE, CO	655,000	655,000
	CONNECTICUT		
(FC)	BLACK ROCK LAKE, CT	434,000	434,000
(FC)	COLEBROOK RIVER LAKE, CT	509,000	509,000
(FC)	HANCOCK BROOK LAKE, CT	237,000	237,000
(FC)	HOP BROOK LAKE, CT	787,000	787,000
(FC)	MANSFIELD HOLLOW LAKE, CT	524,000	524,000
(FC)	NORTHFIELD BROOK LAKE, CT	334,000	334,000
(FC)	STAMFORD HURRICANE BARRIER, CT	205,000	205,000
(FC)	THOMASTON DAM, CT	514,000	514,000
(FC)	WEST THOMPSON LAKE, CT	519,000	519,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	DELAWARE		
(N)	CEDAR CREEK, DE	40,000	40,000
(N)	CHESAPEAKE AND DELAWARE CANAL - ST GEORGES BRIDGE REPL	14,000,000	14,000,000
(N)	INDIAN RIVER INLET AND BAY, DE	200,000	200,000
(N)	INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	11,200,000	11,200,000
(N)	INTRACOASTAL WATERWAY, REHOBOTH BAY TO DELAWARE BAY, D	37,000	37,000
(N)	MISPILLION RIVER, DE	1,040,000	1,040,000
(N)	MURDERKILL RIVER, DE	40,000	40,000
(N)	WILMINGTON HARBOR, DE	3,447,000	3,447,000
	DISTRICT OF COLUMBIA		
(N)	POTOMAC AND ANACOSTIA RIVERS (DRIFT REMOVAL), DC	689,000	689,000
(N)	POTOMAC BELOW WASHINGTON, DC	575,000	575,000
(N)	WASHINGTON HARBOR, DC	30,000	30,000
	FLORIDA		
(N)	AIWW, NORFOLK TO ST JOHNS RIVER, FL, GA, SC, NC & VA	1,115,000	1,115,000
(N)	ANCLOTE RIVER, FL	630,000	630,000
(N)	CANAVERAL HARBOR, FL	2,195,000	2,195,000
(FC)	CENTRAL AND SOUTHERN, FL	8,189,000	8,189,000
(N)	CHARLOTTE HARBOR, FL	30,000	30,000
(N)	CLEARWATER PASS, FL	290,000	290,000
(N)	ESCAMBIA - CONECUH RIVERS, FL	431,000	431,000
(N)	FERNANDINA HARBOR, FL	1,610,000	1,610,000
(N)	FORT MYERS BEACH FL	430,000	430,000
(N)	FORT PIERCE HARBOR, FL	906,000	906,000
	HORSESHOE COVE, FL	---	500,000
(N)	INTRACOASTAL WATERWAY, CALOOSAHATCHEE R TO ANCLOTE R,	134,000	375,000
(N)	INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	2,940,000	2,940,000
(N)	JACKSONVILLE HARBOR, FL	5,840,000	5,840,000
(MP)	JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA.	5,642,000	5,642,000
(N)	LONG BOAT PASS, FL	875,000	875,000
(N)	MIAMI HARBOR, FL	200,000	200,000
(N)	OKEECHOBEE WATERWAY, FL	4,284,000	4,284,000
(N)	OKLAWAHA RIVER, FL	67,000	67,000
(N)	PALM BEACH HARBOR, FL	1,225,000	1,225,000
(N)	PANAMA CITY HARBOR, FL	391,000	391,000
(N)	PONCE DE LEON INLET, FL	65,000	65,000
	REMOVAL OF AQUATIC GROWTH, FL	3,044,000	3,044,000
(N)	ST AUGUSTINE HARBOR, FL	467,000	467,000
(N)	ST LUCIE INLET, FL	50,000	50,000
(N)	TAMPA HARBOR, FL	3,636,000	3,636,000
(N)	WITHLACOOCHIE RIVER, FL	50,000	50,000
	GEORGIA		
(MP)	ALLATOONA LAKE, GA	5,016,000	5,016,000
(N)	APALACHICOLA CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	3,959,000	3,959,000
(N)	ATLANTIC INTRACOASTAL WATERWAY, GA	1,877,000	1,877,000
(N)	BRUNSWICK HARBOR, GA	3,474,000	3,474,000
(MP)	BUFORD DAM AND LAKE SIDNEY LANIER, GA	6,426,000	6,426,000
(MP)	CARTERS DAM AND LAKE, GA	3,793,000	3,793,000
(MP)	HARTWELL LAKE, GA & SC	7,350,000	7,350,000
(MP)	J STROM THURMOND LAKE, GA & SC	7,021,000	7,021,000
(MP)	RICHARD B RUSSELL, GA	4,915,000	4,915,000
(N)	SAVANNAH HARBOR LONG TERM MANAGEMENT STRATEGY, GA	481,000	481,000
(N)	SAVANNAH HARBOR, GA	9,634,000	9,634,000
(N)	SAVANNAH RIVER BELOW AUGUSTA, GA	156,000	156,000
(MP)	WEST POINT DAM AND LAKE, GA & AL	4,690,000	4,690,000
	HAWAII		
(N)	BARBERS POINT HARBOR, HI	94,000	94,000
(N)	HONOLULU HARBOR, HI	100,000	100,000
(N)	PORT ALLEN HARBOR, KAUAI, HI	2,489,000	2,489,000
	IDAHO		
(MP)	ALBENI FALLS DAM, ID	5,725,000	5,725,000
(MP)	DWORSHAK DAM AND RESERVOIR, ID	7,108,000	7,108,000
(FC)	LUCKY PEAK LAKE, ID	899,000	899,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

ILLINOIS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	CALUMET HARBOR AND RIVER, IL	1,693,000	1,693,000
(FC)	CARLYLE LAKE, IL	3,332,000	3,332,000
(N)	CHICAGO HARBOR, IL	1,901,000	1,901,000
(N)	CHICAGO RIVER, IL	476,000	476,000
(FC)	FARM CREEK RESERVOIRS, IL	410,000	410,000
(N)	ILLINOIS AND MISSISSIPPI CANAL, IL	110,000	110,000
(N)	ILLINOIS WATERWAY (LMVD PORTION), IL	1,001,000	1,001,000
(N)	ILLINOIS WATERWAY (NCD PORTION), IL & IN	19,332,000	19,332,000
(N)	KASKASKIA RIVER NAVIGATION, IL	1,723,000	1,723,000
(N)	LAKE MICHIGAN DIVERSION, IL	434,000	434,000
(FC)	LAKE SHELBYVILLE, IL	3,937,000	3,937,000
(N)	MISS R BETWEEN MO R AND MINNEAPOLIS (LMVD PORTION), IL	13,071,000	13,071,000
(N)	MISS R BETWEEN MO R AND MINNEAPOLIS, IL, IA, MN, MO &.	85,590,000	85,590,000
	NORTH BRANCH CHICAGO RIVER, IL	---	150,000
(FC)	REND LAKE, IL	3,704,000	3,704,000
(N)	WAUKEGAN HARBOR, IL	505,000	505,000

INDIANA

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	BEVERLY SHORES, IN	48,000	48,000
(FC)	BROOKVILLE LAKE, IN	520,000	520,000
(N)	BURNS WATERWAY HARBOR, IN	1,302,000	1,302,000
(N)	BURNS WATERWAY SMALL BOAT HARBOR, IN	150,000	150,000
(FC)	CAGLES MILL LAKE, IN	530,000	530,000
(FC)	CECIL M HARDEN LAKE, IN	784,000	784,000
(FC)	HUNTINGTON LAKE, IN	534,000	534,000
(N)	INDIANA HARBOR, IN	369,000	369,000
(N)	MICHIGAN CITY HARBOR, IN	71,000	449,000
(FC)	MISSISSINEWA LAKE, IN	704,000	704,000
(FC)	MONROE LAKE, IN	1,027,000	1,027,000
(FC)	PATOKA LAKE, IN	530,000	530,000
(FC)	SALAMONIE LAKE, IN	772,000	772,000

IOWA

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	CORALVILLE LAKE, IA	2,837,000	2,837,000
(FC)	MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	65,000	65,000
(N)	MISSOURI RIVER - SIOUX CITY TO MOUTH, IA, NE, KS & MO.	5,473,000	5,473,000
(FC)	RATHBUN LAKE, IA	2,832,000	2,832,000
(FC)	RED ROCK DAM - LAKE RED ROCK, IA	2,976,000	2,976,000
(FC)	SAYLORVILLE LAKE, IA	3,258,000	3,258,000

KANSAS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	CLINTON LAKE, KS	1,410,000	1,410,000
(FC)	COUNCIL GROVE LAKE, KS	734,000	734,000
(FC)	EL DORADO LAKE, KS	480,000	480,000
(FC)	ELK CITY LAKE, KS	809,000	809,000
(FC)	FALL RIVER LAKE, KS	845,000	845,000
(FC)	HILLSDALE LAKE, KS	675,000	675,000
(FC)	JOHN REDMOND DAM AND RESERVOIR, KS	2,182,000	2,182,000
(FC)	KANOPOLIS LAKE, KS	1,194,000	1,194,000
(FC)	MARION LAKE, KS	894,000	894,000
(FC)	MELVERN LAKE, KS	1,482,000	1,482,000
(FC)	MILFORD LAKE, KS	1,737,000	1,737,000
(FC)	PEARSON - SKUBITZ BIG HILL LAKE, KS	871,000	871,000
(FC)	PERRY LAKE, KS	1,795,000	1,795,000
(FC)	POMONA LAKE, KS	1,921,000	1,921,000
(FC)	TORONTO LAKE, KS	377,000	377,000
(FC)	TUTTLE CREEK LAKE, KS	1,726,000	1,726,000
(FC)	WILSON LAKE, KS	1,256,000	1,256,000

KENTUCKY

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	BARKLEY DAM AND LAKE BARKLEY, KY	6,574,000	6,574,000
(FC)	BARREN RIVER LAKE, KY	1,416,000	1,416,000
(N)	BIG SANDY HARBOR, KY	1,035,000	1,035,000
(FC)	BUCKHORN LAKE, KY	907,000	1,407,000
(FC)	CARR FORK LAKE, KY	1,061,000	1,061,000
(FC)	CAVE RUN LAKE, KY	810,000	810,000
(FC)	DEWEY LAKE, KY	965,000	965,000
(N)	ELVIS STAHR (HICKMAN) HARBOR, KY	525,000	525,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	FISHTRAP LAKE, KY	1,121,000	1,121,000
(FC)	GRAYSON LAKE, KY	815,000	815,000
(N)	GREEN AND BARREN RIVERS, KY	1,574,000	1,574,000
(FC)	GREEN RIVER LAKE, KY	1,312,000	1,312,000
(N)	KENTUCKY RIVER, KY	1,009,000	1,009,000
(MP)	LAUREL RIVER LAKE, KY	1,850,000	1,850,000
(N)	LICKING RIVER OPEN CHANNEL WORK, KY	19,000	19,000
(FC)	MARTINS FORK LAKE, KY	613,000	613,000
(FC)	MIDDLESBORO CUMBERLAND RIVER BASIN, KY	42,000	42,000
(FC)	NOLIN LAKE, KY	1,756,000	1,756,000
(N)	OHIO RIVER LOCKS AND DAMS, KY, IL, IN, OH, PA & WV	58,502,000	59,002,000
(N)	OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN, OH, PA & WV.	6,243,000	6,243,000
(FC)	PAINTSVILLE LAKE, KY	742,000	742,000
(FC)	ROUGH RIVER LAKE, KY	1,271,000	1,271,000
(FC)	TAYLORSVILLE LAKE, KY	851,000	1,271,000
(MP)	WOLF CREEK DAM - LAKE CUMBERLAND, KY	4,200,000	4,200,000
(FC)	YATESVILLE LAKE, KY	842,000	842,000
	LOUISIANA		
(N)	ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	6,150,000	9,150,000
(N)	BARATARIA BAY WATERWAY, LA	815,000	815,000
(FC)	BAYOU BODCAU RESERVOIR, LA	431,000	431,000
(FC)	BAYOU PIERRE, LA	25,000	25,000
(N)	BAYOU TECHE, LA	940,000	940,000
(FC)	CADDO LAKE, LA	115,000	115,000
(N)	CALCASIEU RIVER AND PASS, LA	9,176,000	9,176,000
(N)	FRESHWATER BAYOU, LA	1,860,000	1,860,000
(N)	GULF INTRACOASTAL WATERWAY, LA & TX SECTION	13,795,000	13,795,000
(N)	HOUMA NAVIGATION CANAL, LA	2,250,000	2,250,000
(N)	LAKE PROVIDENCE HARBOR, LA	301,000	301,000
(N)	MADISON PARISH PORT, LA	49,000	49,000
(N)	MERMENTAU RIVER, LA	1,525,000	1,525,000
(N)	MISSISSIPPI RIVER - BATON ROUGE TO GULF OF MEXICO, LA.	40,470,000	42,970,000
(N)	MISSISSIPPI RIVER - GULF OUTLET, LA	12,810,000	12,810,000
(N)	MISSISSIPPI RIVER OUTLETS AT VENICE, LA	2,470,000	2,470,000
(N)	RED RIVER WATERWAY - MISSISSIPPI RIVER TO SHREVEPORT,	5,908,000	5,908,000
	REMOVAL OF AQUATIC GROWTH, LA	1,698,000	1,698,000
(FC)	WALLACE LAKE, LA	184,000	184,000
	MARYLAND		
(N)	BALTIMORE HARBOR (DRIFT REMOVAL), MD	371,000	371,000
(N)	BALTIMORE HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	431,000	431,000
(N)	BALTIMORE HARBOR AND CHANNELS, MD & VA	10,470,000	10,470,000
(N)	BROAD CREEK, MD	45,000	45,000
(N)	CHESTER RIVER, MD	350,000	350,000
(FC)	CUMBERLAND, MD AND RIDGELEY, WV	94,000	94,000
(N)	HERRING BAY AND ROCKHOLD CREEK, MD	66,000	66,000
(N)	HONGA RIVER AND TAR BAY, MD	820,000	820,000
(N)	ISLAND CREEK ST GEORGE ISLAND, MD	45,000	45,000
(FC)	JENNINGS RANDOLPH LAKE, MD & WV	1,318,000	1,318,000
(N)	NANTICOKE RIVER NORTHWEST FORK, MD	40,000	40,000
(N)	NORTHEAST RIVER, MD	55,000	55,000
(N)	OCEAN CITY HARBOR AND INLET AND SINEPUXENT BAY, MD	67,000	67,000
(N)	RHODES POINT TO TYLERTON, MD	403,000	403,000
(N)	SLAUGHTER CREEK, MD	380,000	380,000
(N)	TRED AVON RIVER, MD	69,000	69,000
(N)	WICOMICO RIVER, MD	633,000	633,000
	MASSACHUSETTS		
(FC)	BARRE FALLS DAM, MA	362,000	362,000
(FC)	BIRCH HILL DAM, MA	302,000	302,000
(FC)	BUFFUMVILLE LAKE, MA	441,000	441,000
(N)	CAPE COD CANAL, MA	9,731,000	9,731,000
(FC)	CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	177,000	177,000
(FC)	CONANT BROOK LAKE, MA	153,000	153,000
(FC)	EAST BRIMFIELD LAKE, MA	333,000	333,000
(FC)	HODGES VILLAGE DAM, MA	348,000	348,000
(FC)	KNIGHTVILLE DAM, MA	439,000	439,000
(FC)	LITTLEVILLE LAKE, MA	414,000	414,000
(FC)	NEW BEDFORD FAIRHAVEN ACUSHNET HURRICANE BARRIER, MA	198,000	198,000
(FC)	TULLY LAKE, MA	428,000	428,000
(FC)	WEST HILL DAM, MA	435,000	435,000
(FC)	WESTVILLE LAKE, MA	453,000	453,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	MICHIGAN		
(N)	ARCADIA HARBOR, MI	49,000	49,000
(N)	BOLLES HARBOR, MI	50,000	50,000
(N)	CHANNELS IN LAKE ST CLAIR, MI	218,000	218,000
(N)	CHARLEVOIX HARBOR, MI	556,000	556,000
(N)	DETROIT RIVER, MI	3,577,000	3,577,000
	FLINT RIVER FLOOD CONTROL, MI	---	2,500,000
(N)	FRANKFORT HARBOR, MI	798,000	798,000
(N)	GRAND HAVEN HARBOR, MI	930,000	930,000
(N)	GRELICKVILLE, MI	119,000	119,000
(N)	HARBOR BEACH HARBOR, MI	80,000	80,000
(N)	HOLLAND HARBOR, MI	488,000	488,000
(N)	INLAND ROUTE, MI	44,000	44,000
(N)	KEWEENAW WATERWAY, MI	752,000	752,000
(N)	LAC LA BELLE, MI	126,000	126,000
(N)	LELAND HARBOR, MI	123,000	123,000
(N)	LITTLE LAKE HARBOR, MI	165,000	165,000
(N)	LUDINGTON HARBOR, MI	2,563,000	2,563,000
(N)	MANISTEE HARBOR, MI	252,000	252,000
(N)	MENOMINEE HARBOR, MI & WI	192,000	192,000
(N)	MONROE HARBOR, MI	1,451,000	1,451,000
(N)	MUSKEGON HARBOR, MI	164,000	164,000
(N)	NEW BUFFALO HARBOR, MI	99,000	99,000
(N)	ONTONAGON HARBOR, MI	3,544,000	3,544,000
(N)	PENTWATER HARBOR, MI	144,000	144,000
(N)	PRESQUE ISLE HARBOR, MI	942,000	942,000
(N)	ROUGE RIVER, MI	135,000	135,000
(N)	SAGINAW RIVER, MI	2,675,000	2,675,000
(N)	SAGINAW RIVER, MI (DIKE DISPOSAL)	300,000	300,000
(FC)	SEBEWAING RIVER (ICE JAM REMOVAL), MI	13,000	13,000
(N)	SOUTH HAVEN HARBOR, MI	1,142,000	1,142,000
(N)	ST CLAIR RIVER, MI	1,003,000	1,003,000
(N)	ST JAMES HARBOR, MI	90,000	90,000
(N)	ST JOSEPH HARBOR, MI	1,210,000	1,210,000
(MP)	ST MARYS RIVER, MI	15,115,000	15,115,000
	MINNESOTA		
(FC)	BIGSTONE LAKE WHETSTONE RIVER, MN & SD	497,000	497,000
(N)	DULUTH - SUPERIOR HARBOR, MN & WI	4,290,000	4,290,000
(N)	GRAND MARAIS HARBOR, MN	171,000	171,000
(FC)	LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	796,000	796,000
(N)	MINNESOTA RIVER, MN	145,000	145,000
(FC)	ORWELL LAKE, MN	1,362,000	1,362,000
(FC)	RED LAKE RIVER, MN	177,000	177,000
(N)	RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	2,996,000	2,996,000
	SAUK LAKE, MN	---	40,000
	MISSISSIPPI		
(N)	BILOXI HARBOR, MS	838,000	838,000
(N)	CLAIBORNE COUNTY PORT, MS	3,000	3,000
(FC)	EAST FORK, TOMBIGBEE RIVER, MS	592,000	592,000
(N)	GULFPORT HARBOR, MS	2,146,000	2,146,000
(N)	MOUTH OF YAZOO RIVER, MS	165,000	165,000
(FC)	OKATIBBEE LAKE, MS	1,431,000	1,431,000
(N)	PASCAGOULA HARBOR, MS	3,606,000	3,606,000
	PASS CHRISTIAN HARBOR, MS	---	693,000
(N)	PEARL RIVER, MS & LA	270,000	270,000
(N)	ROSEDALE HARBOR, MS	403,000	403,000
(N)	YAZOO RIVER, MS	79,000	79,000
	MISSOURI		
(N)	CARUTHERSVILLE HARBOR, MO	392,000	392,000
(MP)	CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	4,993,000	4,993,000
(FC)	CLEARWATER LAKE, MO	2,550,000	2,550,000
(MP)	HARRY S TRUMAN DAM AND RESERVOIR, MO	8,815,000	8,815,000
(FC)	LITTLE BLUE RIVER LAKES, MO	841,000	841,000
(FC)	LONG BRANCH LAKE, MO	663,000	663,000
(N)	MISS RIVER BETWEEN OHIO AND MO RIVERS, MO & IL (REG WO	14,565,000	14,565,000
	NEW MADRID COUNTY HARBOR, MO	---	250,000
(FC)	POMME DE TERRE LAKE, MO	1,695,000	1,695,000
(FC)	SMITHVILLE LAKE, MO	1,076,000	1,076,000
(N)	SOUTHEAST MISSOURI PORT, MISSISSIPPI RIVER, MO	202,000	202,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	STOCKTON LAKE, MO	3,093,000	3,093,000
(MP)	TABLE ROCK LAKE, MO	4,660,000	4,660,000
(FC)	UNION LAKE, MO	17,000	17,000
(FC)	WAPPAPELLO LAKE, MO	10,000	10,000
	MONTANA		
(MP)	FT PECK DAM AND LAKE, MT	3,657,000	3,786,000
(MP)	LIBBY DAM, LAKE KOOCANUSA, MT	7,409,000	7,409,000
	NEBRASKA		
(MP)	GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	5,778,000	5,778,000
(FC)	HARLAN COUNTY LAKE, NE	1,632,000	1,632,000
	MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	---	200,000
(MP)	MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO,.	1,000,000	1,000,000
(FC)	PAPILLION CREEK & TRIBUTARIES LAKES, NE	594,000	594,000
(FC)	SALT CREEK AND TRIBUTARIES, NE	688,000	688,000
	NEVADA		
(FC)	MARTIS CREEK LAKE, NV & CA	405,000	405,000
(FC)	PINE AND MATHEWS CANYONS LAKES, NV	276,000	276,000
	NEW HAMPSHIRE		
(FC)	BLACKWATER DAM, NH	400,000	400,000
(FC)	EDWARD MACDOWELL LAKE, NH	377,000	377,000
(FC)	FRANKLIN FALLS DAM, NH	689,000	689,000
(FC)	HOPKINTON - EVERETT LAKES, NH	1,023,000	1,023,000
(FC)	OTTER BROOK LAKE, NH	445,000	445,000
(FC)	SURRY MOUNTAIN LAKE, NH	442,000	442,000
	NEW JERSEY		
(N)	BARNEGAT INLET, NJ	1,050,000	1,050,000
(N)	COLD SPRING INLET, NJ	826,000	826,000
(N)	DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	12,669,000	12,669,000
(N)	DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	260,000	260,000
	MAURICE RIVER, NJ	---	1,500,000
(N)	NEW JERSEY INTRACOASTAL WATERWAY, NJ	3,007,000	3,007,000
(N)	NEWARK BAY, HACKENSACK AND PASSAIC RIVER, NJ	1,420,000	1,420,000
(N)	RARITAN RIVER TO ARTHUR KILL CUT-OFF, NJ	60,000	60,000
(N)	RARITAN RIVER, NJ	700,000	700,000
	NEW MEXICO		
(FC)	ABIQUIU DAM, NM	1,245,000	1,245,000
(FC)	COCHITI LAKE, NM	1,739,000	1,739,000
(FC)	CONCHAS LAKE, NM	866,000	866,000
(FC)	GALISTEO DAM, NM	271,000	271,000
(FC)	JEMEZ CANYON DAM, NM	849,000	849,000
(FC)	SANTA ROSA DAM AND LAKE, NM	799,000	799,000
(FC)	TWO RIVERS DAM, NM	327,000	327,000
	NEW YORK		
(FC)	ALMOND LAKE, NY	356,000	356,000
(FC)	ARKPORT DAM, NY	188,000	188,000
(N)	BAY RIDGE AND RED HOOK CHANNELS, NY	495,000	495,000
(N)	BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	1,435,000	1,435,000
(N)	BUFFALO HARBOR, NY	585,000	585,000
(N)	BUTTERMILK CHANNEL, NY	50,000	50,000
(N)	EAST RIVER, NY	195,000	195,000
(N)	EAST ROCKAWAY INLET, NY	1,258,000	1,258,000
(FC)	EAST SIDNEY LAKE, NY	351,000	351,000
(N)	EASTCHESTER CREEK, NY	70,000	70,000
(N)	FIRE ISLAND TO JONES INLET, NY	1,870,000	1,870,000
(N)	HUDSON RIVER CHANNEL, NY	940,000	940,000
(N)	HUDSON RIVER, NY	2,127,000	2,127,000
(N)	JAMAICA BAY, NY	500,000	500,000
(N)	JONES INLET, NY	1,000,000	1,000,000
(N)	LAKE MONTAUK HARBOR, NY	60,000	60,000
(FC)	MT MORRIS LAKE, NY	1,366,000	1,366,000
(N)	NEW YORK AND NEW JERSEY CHANNELS, NY	2,050,000	2,050,000
(N)	NEW YORK HARBOR (DRIFT REMOVAL), NY & NJ	4,470,000	4,470,000
(N)	NEW YORK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),.	740,000	740,000
(N)	NEW YORK HARBOR, NY	5,734,000	5,734,000
(N)	PORTCHESTER HARBOR, NY	295,000	295,000
(N)	ROCHESTER HARBOR, NY	92,000	92,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	SHINNECOCK INLET, NY	100,000	100,000
(FC)	SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	692,000	692,000
(FC)	WHITNEY POINT LAKE, NY	489,000	489,000
	NORTH CAROLINA		
(N)	ATLANTIC INTRACOASTAL WATERWAY, NC	6,117,000	6,117,000
(FC)	B EVERETT JORDAN DAM AND LAKE, NC	1,133,000	1,133,000
(N)	BEAUFORT HARBOR, NC	378,000	378,000
(N)	BOGUE INLET AND CHANNEL, NC	1,000,000	1,000,000
(N)	CAPE FEAR RIVER ABOVE WILMINGTON, NC	598,000	700,000
(N)	CAROLINA BEACH INLET, NC	571,000	571,000
(FC)	FALLS LAKE, NC	987,000	987,000
(N)	LOCKWOODS FOLLY RIVER, NC	924,000	924,000
(N)	MANTEO (SHALLOWBAG) BAY, NC	6,103,000	6,103,000
(N)	MASONBORO INLET AND CONNECTING CHANNELS, NC	1,500,000	2,500,000
(N)	MOREHEAD CITY HARBOR, NC	2,595,000	2,595,000
(N)	NEW RIVER INLET, NC	950,000	950,000
(N)	OCRACOKE INLET, NC	278,000	278,000
(FC)	W KERR SCOTT DAM AND RESERVOIR, NC	1,670,000	1,670,000
(N)	WILMINGTON HARBOR, NC	6,203,000	6,203,000
	NORTH DAKOTA		
(FC)	BOWMAN HALEY LAKE, ND	251,000	251,000
(MP)	GARRISON DAM, LAKE SAKAKAWEA, ND	9,098,000	9,148,000
(FC)	HOMME LAKE, ND	243,000	243,000
(FC)	LAKE ASHTABULA AND BALDHILL DAM, ND	955,000	955,000
(FC)	PIPESTEM LAKE, ND	361,000	361,000
(FC)	SOURIS RIVER, ND	96,000	96,000
	OHIO		
(FC)	ALUM CREEK LAKE, OH	1,826,000	1,826,000
(N)	ASHTABULA HARBOR, OH	2,155,000	2,155,000
(FC)	BERLIN LAKE, OH	1,575,000	1,575,000
(FC)	CAESAR CREEK LAKE, OH	713,000	713,000
(FC)	CLARENCE J BROWN DAM, OH	490,000	490,000
(N)	CLEVELAND HARBOR, OH	4,868,000	4,868,000
(N)	CONNEAUT HARBOR, OH	677,000	677,000
(FC)	DEER CREEK LAKE, OH	1,766,000	1,766,000
(FC)	DELAWARE LAKE, OH	1,677,000	1,677,000
(FC)	DILLON LAKE, OH	1,694,000	1,694,000
(N)	FAIRPORT HARBOR, OH	1,185,000	1,185,000
(N)	HURON HARBOR, OH	867,000	867,000
(N)	LORAIN HARBOR, OH	437,000	437,000
(FC)	MASSILLON LOCAL PROTECTION PROJECT, OH	25,000	25,000
(FC)	MICHAEL J KIRWAN DAM AND RESERVOIR, OH	926,000	926,000
(FC)	MOSQUITO CREEK LAKE, OH	612,000	612,000
(FC)	MUSKINGUM RIVER LAKES, OH	6,170,000	6,170,000
(FC)	NORTH BRANCH KOKOSING RIVER LAKE, OH	244,000	244,000
(FC)	PAINT CREEK LAKE, OH	1,795,000	1,795,000
(FC)	ROSEVILLE LOCAL PROTECTION PROJECT, OH	30,000	30,000
(N)	SANDUSKY HARBOR, OH	963,000	963,000
(N)	TOLEDO HARBOR, OH	6,896,000	7,896,000
(FC)	TOM JENKINS DAM, OH	269,000	269,000
(FC)	WEST FORK OF MILL CREEK LAKE, OH	387,000	387,000
(FC)	WILLIAM H HARSHA LAKE, OH	640,000	640,000
	OKLAHOMA		
(FC)	ARCADIA LAKE, OK	343,000	343,000
(FC)	BIRCH LAKE, OK	653,000	653,000
(MP)	BROKEN BOW LAKE, OK	1,413,000	1,413,000
(FC)	CANDY LAKE, OK	25,000	25,000
(FC)	CANTON LAKE, OK	1,343,000	1,343,000
(FC)	COPAN LAKE, OK	638,000	638,000
(MP)	EUFAULA LAKE, OK	4,262,000	4,262,000
(MP)	FORT GIBSON LAKE, OK	2,868,000	2,868,000
(FC)	FORT SUPPLY LAKE, OK	678,000	678,000
(FC)	GREAT SALT PLAINS LAKE, OK	335,000	335,000
(FC)	HEYBURN LAKE, OK	657,000	657,000
(FC)	HUGO LAKE, OK	1,293,000	1,293,000
(FC)	HULAH LAKE, OK	400,000	400,000
(FC)	KAW LAKE, OK	2,149,000	2,149,000
(MP)	KEYSTONE LAKE, OK	2,827,000	2,827,000
(FC)	OOLOGAH LAKE, OK	1,287,000	1,287,000
(FC)	OPTIMA LAKE, OK	487,000	487,000
(FC)	PENSACOLA RESERVOIR - LAKE OF THE CHEROKEES, OK	4,000	4,000
(FC)	PINE CREEK LAKE, OK	1,121,000	1,121,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK	2,861,000	2,861,000
(FC)	SARDIS LAKE, OK	876,000	876,000
(FC)	SKIATOOK LAKE, OK	1,089,000	1,089,000
(MP)	TENKILLER FERRY LAKE, OK	2,818,000	2,818,000
(FC)	WAURIKA LAKE, OK	1,202,000	1,202,000
(MP)	WEBBERS FALLS LOCK AND DAM, OK	2,499,000	2,499,000
(FC)	WISTER LAKE, OK	747,000	747,000
	OREGON		
(FC)	APPLEGATE LAKE, OR	567,000	567,000
(FC)	BLUE RIVER LAKE, OR	259,000	259,000
(MP)	BONNEVILLE LOCK AND DAM, OR & WA	16,200,000	16,200,000
(N)	CHETCO RIVER, OR	677,000	677,000
(N)	COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	8,817,000	8,817,000
(N)	COLUMBIA RIVER AT THE MOUTH, OR & WA	9,006,000	9,006,000
(N)	COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, O	374,000	374,000
(N)	COOS BAY, OR	5,470,000	5,470,000
(N)	COQUILLE RIVER, OR	405,000	405,000
(FC)	COTTAGE GROVE LAKE, OR	589,000	589,000
(MP)	COUGAR LAKE, OR	1,101,000	1,101,000
(N)	DEPOE BAY, OR	---	585,000
(MP)	DETROIT LAKE, OR	2,160,000	2,160,000
(FC)	DORENA LAKE, OR	639,000	639,000
(FC)	FALL CREEK LAKE, OR	508,000	508,000
(FC)	FERN RIDGE LAKE, OR	749,000	749,000
(MP)	GREEN PETER - FOSTER LAKES, OR	2,610,000	2,610,000
(MP)	HILLS CREEK LAKE, OR	856,000	856,000
(MP)	JOHN DAY LOCK AND DAM, OR & WA	20,610,000	20,610,000
(MP)	LOOKOUT POINT LAKE, OR	4,857,000	4,857,000
(MP)	LOST CREEK LAKE, OR	3,663,000	3,663,000
(MP)	MCNARY LOCK AND DAM, OR & WA	9,434,000	9,434,000
(N)	PORT ORFORD, OR	226,000	226,000
(N)	ROGUE RIVER, OR	718,000	718,000
(N)	SIUSLAW RIVER, OR	733,000	733,000
(N)	SKIPANON CHANNEL, OR	13,000	13,000
(N)	UMPQUA RIVER, OR	1,301,000	1,301,000
(N)	WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	885,000	885,000
(FC)	WILLOW CREEK LAKE, OR	460,000	460,000
(N)	YAQUINA BAY AND HARBOR, OR	1,520,000	1,520,000
	PENNSYLVANIA		
(N)	ALLEGHENY RIVER, PA	10,892,000	10,892,000
(FC)	ALVIN R BUSH DAM, PA	490,000	490,000
(FC)	AYLESWORTH CREEK LAKE, PA	172,000	172,000
(FC)	BELTZVILLE LAKE, PA	932,000	932,000
(FC)	BLUE MARSH LAKE, PA	1,498,000	1,498,000
(FC)	CONEMAUGH RIVER LAKE, PA	1,311,000	1,311,000
(FC)	COWANESQUE LAKE, PA	1,398,000	1,398,000
(FC)	CROOKED CREEK LAKE, PA	1,059,000	1,059,000
(FC)	CURWENSVILLE LAKE, PA	497,000	497,000
(FC)	EAST BRANCH CLARION RIVER LAKE, PA	994,000	994,000
(N)	ERIE HARBOR, PA	40,000	40,000
(FC)	FOSTER JOSEPH SAYERS DAM, PA	569,000	569,000
(FC)	FRANCIS E WALTER DAM, PA	855,000	855,000
(FC)	GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	537,000	537,000
(FC)	JOHNSTOWN, PA	1,909,000	1,909,000
(FC)	KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,493,000	1,493,000
(FC)	LOYALHANNA LAKE, PA	1,138,000	1,138,000
(FC)	MAHONING CREEK LAKE, PA	1,064,000	1,064,000
(N)	MONONGAHELA RIVER, PA	16,070,000	16,070,000
(FC)	PROMPTON LAKE, PA	524,000	524,000
(FC)	PUNXSUTAWNEY, PA	47,000	47,000
(FC)	RAYSTOWN LAKE, PA	2,583,000	2,583,000
(N)	SCHUYLKILL RIVER, PA	1,395,000	1,395,000
(FC)	SHENANGO RIVER LAKE, PA	1,745,000	1,745,000
(FC)	STILLWATER LAKE, PA	295,000	295,000
(FC)	TIOGA-HAMMOND LAKES, PA	1,439,000	1,439,000
(FC)	TIONESTA LAKE, PA	1,425,000	1,425,000
(FC)	UNION CITY LAKE, PA	543,000	543,000
(FC)	WOODCOCK CREEK LAKE, PA	753,000	753,000
(FC)	YORK INDIAN ROCK DAM, PA	494,000	494,000
(FC)	YOUGHIOGHENY RIVER LAKE, PA	1,800,000	1,800,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	PUERTO RICO		
(N)	SAN JUAN HARBOR, PR	1,355,000	1,355,000
	SOUTH CAROLINA		
(N)	ATLANTIC INTRACOASTAL WATERWAY, SC	2,092,000	2,092,000
(N)	BROOKGREEN GARDEN CANAL, SC	5,000	5,000
(N)	CHARLESTON HARBOR, SC	3,615,000	3,615,000
(N)	COOPER RIVER, CHARLESTON HARBOR, SC	3,574,000	3,574,000
(N)	FOLLY RIVER, SC	320,000	320,000
(N)	GEORGETOWN HARBOR, SC	3,070,000	3,070,000
(N)	JEREMY CREEK, SC	3,000	3,000
(N)	LITTLE RIVER INLET, SC & NC	111,000	111,000
(N)	MURRELLS INLET, SC	93,000	93,000
(N)	PORT ROYAL HARBOR, SC	1,714,000	1,714,000
(N)	SHIPYARD RIVER, SC	35,000	35,000
(N)	TOWN CREEK, SC	540,000	540,000
	SOUTH DAKOTA		
(MP)	BIG BEND DAM - LAKE SHARPE, SD	5,980,000	5,980,000
(FC)	COLD BROOK LAKE, SD	182,000	182,000
(FC)	COTTONWOOD SPRINGS LAKE, SD	165,000	165,000
(MP)	FT RANDALL DAM - LAKE FRANCIS CASE, SD	9,986,000	9,986,000
(FC)	LAKE TRAVERSE, SD & MN	581,000	581,000
(MP)	OAHE DAM - LAKE OAHE, SD & ND	9,689,000	9,689,000
	TENNESSEE		
(MP)	CENTER HILL LAKE, TN	7,533,000	7,618,000
(MP)	CHEATHAM LOCK AND DAM, TN	4,905,000	4,905,000
(MP)	CORDELL HULL DAM AND RESERVOIR, TN	4,454,000	4,454,000
(MP)	DALE HOLLOW LAKE, TN	3,487,000	3,487,000
(MP)	J PERCY PRIEST DAM AND RESERVOIR, TN	2,640,000	2,695,000
(MP)	OLD HICKORY LOCK AND DAM, TN	4,920,000	4,920,000
(N)	TENNESSEE RIVER, TN	13,472,000	13,472,000
(N)	WOLF RIVER HARBOR, TN	698,000	698,000
	TEXAS		
(FC)	AQUILLA LAKE, TX	973,000	973,000
(FC)	ARKANSAS - RED RIVER CHLORIDE CONTROL - AREA VIII, TX.	956,000	956,000
(FC)	BARDWELL LAKE, TX	2,080,000	2,080,000
(FC)	BELTON LAKE, TX	3,267,000	3,267,000
(FC)	BENBROOK LAKE, TX	2,459,000	2,459,000
(N)	BRAZOS ISLAND HARBOR, TX	1,187,000	1,187,000
(FC)	BUFFALO BAYOU AND TRIBUTARIES, TX	2,182,000	2,182,000
(FC)	CANYON LAKE, TX	1,378,000	1,378,000
(N)	CHANNEL TO HARLINGEN, TX	340,000	340,000
(FC)	COOPER LAKE AND CHANNELS, TX	1,034,000	1,034,000
(N)	CORPUS CHRISTI SHIP CHANNEL, TX	10,315,000	10,315,000
(MP)	DENISON DAM - LAKE TEXOMA, TX	6,045,000	6,045,000
(FC)	ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	3,000	3,000
(FC)	FERRELLS BRIDGE DAM - LAKE O'THE PINES, TX	1,833,000	1,833,000
(N)	FREEPORT HARBOR, TX	5,458,000	5,458,000
(N)	GALVESTON HARBOR AND CHANNEL, TX	3,614,000	3,614,000
(N)	GIWW - CHANNEL TO VICTORIA, TX	1,607,000	1,607,000
(N)	GIWW - CHOCOLATE BAYOU, TX	1,570,000	1,570,000
(FC)	GRANGER DAM AND LAKE, TX	1,287,000	1,287,000
(FC)	GRAPEVINE LAKE, TX	1,947,000	1,947,000
(N)	GREENS BAYOU CHANNEL, TX	400,000	400,000
(N)	GULF INTRACOASTAL WATERWAY, TX	13,476,000	13,476,000
(FC)	HORDS CREEK LAKE, TX	983,000	983,000
(N)	HOUSTON SHIP CHANNEL, TX	11,034,000	11,034,000
(FC)	JOE POOL LAKE, TX	1,029,000	1,029,000
(FC)	LAKE KEMP, TX	230,000	230,000
(FC)	LAVON LAKE, TX	2,500,000	2,500,000
(FC)	LEWISVILLE DAM, TX	2,371,000	2,371,000
(N)	MATAGORDA SHIP CHANNEL, TX	3,445,000	3,445,000
(N)	MOUTH OF THE COLORADO RIVER, TX	1,470,000	1,470,000
(FC)	NAVARRO MILLS LAKE, TX	1,219,000	1,219,000
(FC)	NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	1,187,000	1,187,000
(FC)	O C FISHER DAM AND LAKE, TX	1,473,000	1,473,000
(FC)	PAT MAYSE LAKE, TX	860,000	860,000
(FC)	PROCTOR LAKE, TX	2,287,000	2,287,000
(FC)	RAY ROBERTS LAKE, TX	3,342,000	3,342,000
(N)	SABINE -NECHES WATERWAY, TX	10,045,000	10,045,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	SAM RAYBURN DAM AND RESERVOIR, TX	4,326,000	5,326,000
(FC)	SOMERVILLE LAKE, TX	2,692,000	2,692,000
(FC)	STILLHOUSE HOLLOW DAM, TX	1,585,000	1,585,000
(MP)	TOWN BLUFF DAM - B A STEINHAGEN LAKE, TX	1,788,000	1,788,000
(N)	TRINITY RIVER & TRIBUTARIES, TX	1,500,000	1,500,000
(FC)	WACO LAKE, TX	2,599,000	2,599,000
(FC)	WALLISVILLE LAKE, TX	501,000	501,000
(MP)	WHITNEY LAKE, TX	4,278,000	4,278,000
(FC)	WRIGHT PATMAN DAM AND LAKE, TX	2,214,000	2,814,000
	VERMONT		
(FC)	BALL MOUNTAIN LAKE, VT	745,000	745,000
(N)	NARROWS OF LAKE CHAMPLAIN, VT & NY	42,000	42,000
(FC)	NORTH HARTLAND LAKE, VT	509,000	509,000
(FC)	NORTH SPRINGFIELD LAKE, VT	584,000	584,000
(FC)	TOWNSHEND LAKE, VT	753,000	753,000
(FC)	UNION VILLAGE DAM, VT	463,000	463,000
	VIRGINIA		
(N)	APPOMATTOX RIVER, VA	281,000	281,000
(N)	ATLANTIC INTRACOASTAL WATERWAY, VA	3,366,000	3,366,000
(N)	BROAD CREEK, VA	189,000	189,000
(N)	CHANNEL TO NEWPORT NEWS, VA	847,000	847,000
(N)	CHINCOTEAGUE INLET, VA	1,065,000	1,065,000
(FC)	GATHRIGHT DAM AND LAKE MOOMAW, VA	1,725,000	1,725,000
(N)	HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	525,000	525,000
(N)	HOSKINS CREEK, VA	511,000	511,000
(N)	JAMES RIVER CHANNEL, VA	1,299,000	1,299,000
(MP)	JOHN H KERR DAM AND RESERVOIR, VA & NC	7,401,000	7,401,000
(FC)	JOHN W FLANNAGAN DAM AND RESERVOIR, VA	1,293,000	1,293,000
(N)	LITTLE WICOMICO RIVER, VA	200,000	200,000
(N)	LYNNHAVEN INLET, VA	778,000	778,000
(N)	MONROE BAY AND CREEK, VA	400,000	400,000
(N)	NANSEMOND RIVER, VA	429,000	429,000
(N)	NORFOLK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS), V	100,000	100,000
(N)	NORFOLK HARBOR AND CHANNELS, VA	7,103,000	7,103,000
(FC)	NORTH FORK OF POUND RIVER LAKE, VA	339,000	339,000
(N)	PAGAN RIVER, VA	400,000	400,000
(MP)	PHILPOTT LAKE, VA	2,233,000	2,233,000
(N)	POTOMAC RIVER AT ALEXANDRIA, VA	75,000	75,000
(N)	POTOMAC RIVER AT MT VERNON, VA	309,000	309,000
(N)	RUDEE INLET, VA	452,000	452,000
(N)	TANGIER CHANNEL, VA	30,000	30,000
(N)	THIMBLE SHOAL CHANNEL, VA	174,000	174,000
(N)	WATERWAY ON THE COAST OF VIRGINIA, VA	1,118,000	1,118,000
(N)	WHITINGS CREEK, MIDDLESEX CO, VA	195,000	195,000
(N)	WILLOUGHBY CHANNEL, VA	155,000	155,000
	WASHINGTON		
(N)	ANACORTES HARBOR, WA	20,000	20,000
(N)	BELLINGHAM HARBOR, WA	28,000	28,000
(MP)	CHIEF JOSEPH DAM, WA	15,437,000	15,437,000
(N)	COLUMBIA RIVER AT BAKER BAY, WA & OR	18,000	18,000
(MP)	COLUMBIA RIVER SYSTEM OPERATION REVIEW, WA, ID, MT & O	640,000	640,000
(N)	EVERETT HARBOR AND SNOHOMISH RIVER, WA	890,000	890,000
(N)	GRAYS HARBOR AND CHEHALIS RIVER, WA	7,529,000	7,529,000
(FC)	HOWARD A HANSON DAM, WA	945,000	945,000
(MP)	ICE HARBOR LOCK AND DAM, WA	7,661,000	7,661,000
(N)	LAKE WASHINGTON SHIP CANAL, WA	5,165,000	5,165,000
(MP)	LITTLE GOOSE LOCK AND DAM, WA	4,617,000	4,617,000
(MP)	LOWER GRANITE LOCK AND DAM, WA	5,668,000	5,668,000
(MP)	LOWER MONUMENTAL LOCK AND DAM, WA	7,181,000	7,181,000
(FC)	MILL CREEK LAKE, VIRGIL B BENNINGTON LAKE, WA	563,000	563,000
(FC)	MT ST HELENS, WA	451,000	451,000
(FC)	MUD MOUNTAIN DAM, WA	1,629,000	1,629,000
(N)	PUGET SOUND AND TRIBUTARY WATERS, WA	1,139,000	1,139,000
(N)	SEATTLE HARBOR, WA	584,000	584,000
(FC)	STILLAGUAMISH RIVER, WA	165,000	165,000
(N)	SWINOMISH CHANNEL, WA	392,000	392,000
(FC)	TACOMA, PUYALLUP RIVER, WA	47,000	47,000
(MP)	THE DALLES LOCK AND DAM, WA & OR	11,169,000	11,169,000
(N)	WATERWAY CONNECTING PORT TOWNSEND AND OAK BAY, WA	43,000	43,000
(N)	WILLAPA RIVER AND HARBOR, WA	125,000	125,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	WEST VIRGINIA		
(FC)	BEECH FORK LAKE, WV	935,000	935,000
(FC)	BLUESTONE LAKE, WV	2,643,000	3,643,000
(FC)	BURNSVILLE LAKE, WV	1,421,000	1,421,000
(FC)	EAST LYNN LAKE, WV	946,000	946,000
(N)	ELK RIVER HARBOR, WV	18,000	18,000
(FC)	ELKINS, WV	31,000	31,000
(N)	KANAWHA RIVER LOCKS AND DAMS, WV	11,509,000	11,509,000
(FC)	R D BAILEY LAKE, WV	1,234,000	1,234,000
(FC)	STONEWALL JACKSON LAKE, WV	938,000	938,000
(FC)	SUMMERSVILLE LAKE, WV	1,243,000	1,243,000
(FC)	SUTTON LAKE, WV	2,832,000	2,832,000
(N)	TYGART LAKE, WV	370,000	370,000
	WISCONSIN		
(N)	ASHLAND HARBOR, WI	265,000	265,000
(N)	BIG SUAMICO HARBOR, WI	184,000	184,000
(N)	CORNUCOPIA HARBOR, WI	207,000	207,000
(FC)	EAU GALLE RIVER LAKE WISCONSIN, WI	477,000	477,000
(N)	FOX RIVER, WI	2,781,000	2,781,000
(N)	GREEN BAY HARBOR, WI	1,833,000	1,833,000
(N)	GREEN BAY HARBOR, WI (DIKE DISPOSAL)	30,000	30,000
(N)	KEWAUNEE HARBOR, WI	290,000	290,000
(FC)	LA FARGE LAKE, WI	70,000	70,000
(N)	MANITOWOC HARBOR, WI	775,000	775,000
(N)	MILWAUKEE HARBOR, WI	2,874,000	2,874,000
(N)	PORT WASHINGTON HARBOR, WI	259,000	259,000
(N)	SAXON HARBOR, WI	132,000	132,000
(N)	SHEBOYGAN HARBOR, WI	793,000	793,000
(N)	STURGEON BAY, WI	326,000	326,000
(N)	TWO RIVERS HARBOR, WI	86,000	86,000
	WYOMING		
(FC)	JACKSON HOLE LEVEES, WY	1,015,000	1,015,000
	MISCELLANEOUS		
	COASTAL INLET RESEARCH PROGRAM	3,500,000	3,500,000
	COST SHARE BEACH DISPOSAL (SECTION 933)	600,000	600,000
	DREDGING RESEARCH PROGRAM	3,487,000	3,487,000
	ENVIRONMENTAL DREDGING (SECTION 312)	---	750,000
	ENVIRONMENTAL REVIEW GUIDE FOR OPERATIONS (ERGO)	4,000,000	4,000,000
	INSPECTION OF COMPLETED WORKS	6,889,000	6,889,000
	MONITORING OF COMPLETED COASTAL PROJECTS	2,100,000	2,100,000
	NATIONAL DAM SAFETY PROGRAM	20,000	20,000
	NATIONAL EMERGENCY PREPAREDNESS PROGRAM (NEPP)	7,000,000	7,000,000
	NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION	3,931,000	3,931,000
	PROJECT CONDITION SURVEYS	10,709,000	10,709,000
	PROTECTION, CLEARING, AND STRAIGHTENING OF CHANNELS	50,000	50,000
	REAL TIME WATER CONTROL RESEARCH PROGRAM	675,000	675,000
	RECREATION PARTNERSHIP INITIATIVES (RPI)	400,000	400,000
	REMOVAL OF SUNKEN VESSELS	1,000,000	1,000,000
	REPAIR, EVALUATION, MAINTENANCE & REHAB RESEARCH	6,000,000	6,000,000
	RIVER CONFLUENCE ICE RESEARCH	650,000	650,000
	SCHEDULING RESERVOIR OPERATIONS	3,200,000	3,200,000
	SURVEILLANCE OF NORTHERN BOUNDARY WATERS	3,764,000	3,764,000
	WATERBORNE COMMERCE STATISTICS	4,310,000	4,310,000
	WETLANDS MITIGATION BANKING DEMONSTRATION STUDY	335,000	335,000
	WETLANDS RESEARCH PROGRAM	5,283,000	5,283,000
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-25,487,000	-35,480,000
	TOTAL, OPERATION AND MAINTENANCE	1,657,700,000	1,688,990,000

TYPE OF PROJECT:

(N)	NAVIGATION
(BE)	BEACH EROSION CONTROL
(FC)	FLOOD CONTROL
(MP)	MULTIPURPOSE, INCLUDING POWER

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

Amendment No. 18: Appropriates $24,770,000 to carry out the provisions of the Central Utah Project Completion Act as proposed by the Senate instead of $25,770,000 as proposed by the House.

Amendment No. 19: Provides that $14,920,000 of the funds appropriated to carry out the provisions of the Central Utah Project Completion Act shall be available to carry out the activities authorized under title II of the Act as proposed by the Senate instead of $15,920,000 as proposed by the House.

Amendment No. 20: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds appropriated to carry out the provisions of the Central Utah Project Completion Act shall be available for feasibility studies of alternatives to the Uintah and Upalco Units.

Amendment No. 21: Deletes House language stricken by the Senate which provides that $500,000 of the funds available for activities authorized under title II of the Central Utah Project Completion Act shall be available for expenses incurred by the Secretary of the Interior in carrying out his responsibilities under the Act.

Amendment No. 22: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that appropriates $1,000,000 for expenses incurred by the Secretary of the Interior in carrying out his responsibilities under the Central Utah Project Completion Act.

BUREAU OF RECLAMATION

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs and activities of the Bureau of Reclamation. Additional items of conference agreement are discussed below.

GENERAL INVESTIGATIONS

Amendment No. 23: Appropriates $13,819,000 for General Investigations instead of $13,109,000 as proposed by the House and $14,409,000 as proposed by the Senate.

The conference agreement includes $1,000,000 for the Bureau of Reclamation to undertake studies and other activities to identify opportunities for water reclamation and reuse instead of $2,000,000 as proposed by the Senate. Such activities include the San Francisco, California, Area Water Reclamation study authorized by section 1611 of Public Law 102-575 and final engineering and site preparation for the project proposed by Escondido for the Rincon Del Diablo and Olivenhain Municipal Water Districts in the San Diego, California, area.

CONSTRUCTION PROGRAM

Amendment No. 24: Appropriates $464,423,000 for Construction Program as proposed by the House instead of $460,898,000 as proposed by the Senate.

The conferees have provided $125,000 to establish a Sacramento River Information Center pursuant to section 3406(b)(16) and section 3407(e) of Public Law 102-575. Such center shall operate through a non-profit organization, under terms and conditions identified by the Bureau of Reclamation. The conferees encourage the center to support educational activities, including those targeted toward the school systems and the public at large, to promote a better understanding of the Central Valley aquatic systems and resources.

The conferees have provided $2,750,000 to help resolve the fishery problems associated with the Glenn-Colusa Irrigation District's Hamilton City Pumping Plant, $750,000 of which is intended to reimburse the District for extraordinary expenditures undertaken in fiscal year 1993, with the approval of all concerned Federal and state agencies, to make emergency, interim retrofits to the District's existing fish screen.

The conference agreement includes $5,000,000 for the San Gabriel Basin Demonstration, California, project authorized by section 1614 of Public Law 102-575 as proposed by the House instead of $1,000,000 as proposed by the Senate. This project and its peripheral components will assist Southern California in meeting its long-term water needs using local water resources which are presently contaminated but can be reclaimed through conjunctive use and treatment. This cost-shared project will produce 30,000,000 gallons per day of potable water. The conferees recognize the importance of such projects in meeting the goals of Public Law 102-575 regarding water quality and utilization of the basin as a water storage facility.

In lieu of the language contained in the House and Senate reports regarding the Garrison Diversion Unit, North Dakota, project, the conferees agree that the funds appropriated are to carry out activities authorized by the Garrison Diversion Unit Reformulation Act of 1986, Public Law 99-294.

The conferees agree not to take a position on the acquisition of the Lincoln Ranch in Arizona at this time. If, in the future, acquisition of the Ranch proves feasible, due consideration will be given to the project.

OPERATION AND MAINTENANCE

The conferees direct that none of the funds appropriated for Operation and Maintenance may be used for the Western Water Policy Review. Funds to carry out the Western Water Policy Review have been provided under General Administrative Expenses.

The conference agreement includes up to $2,000,000 for the Bureau of Reclamation to undertake repairs to the Corning Canal, Thomes Creek Siphon in California. The conferees are concerned, however, that state and local interests have not taken sufficient precautions to prevent streambed degradation impacting the siphon crossings. Therefore, to prevent future damages, the Bureau is directed to work with state and local interests to develop a plan to prevent a recurrence of the erosion problem jeopardizing the siphon operation and to inform the Committees on Appropriations of the House and Senate, within six months of the date of enactment of this Act, of the progress on developing such a plan. Any further repairs caused by streambed degradation attributable to gravel mining operations on Thomes Creek shall be a non-Federal responsibility. This is not intended to preclude Bureau participation in a long-term solution to the problem.

BUREAU OF RECLAMATION LOANS PROGRAM ACCOUNT

Amendment No. 25: Appropriates $12,900,000 for the Bureau of Reclamation Loans Program, excluding administrative expenses, as proposed by the Senate instead of $11,563,000 as proposed by the House. The conference agreement also provides $600,000 for administrative expenses of the Loan Program as proposed by the House and the Senate.

Amendment No. 26: Provides a loan obligation ceiling of $21,000,000 as proposed by the Senate instead of $18,726,000 as proposed by the House.

GENERAL ADMINISTRATIVE EXPENSES

The amount provided for General Administrative Expenses includes $2,000,000 for the Bureau of Reclamation to initiate the Western Water Policy Review authorized in title 30 of Public Law 102-575.

GENERAL PROVISIONS

Amendment No. 27: Deletes language proposed by the Senate which amends the Northern Cheyenne Indian Reserved Water Rights Settlement Act of 1992.

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
GENERAL INVESTIGATIONS		
ARIZONA		
UPPER SAN PEDRO RIVER OPTIMIZATION STUDY............	80,000	80,000
TUCSON/PHOENIX WATER CONSERVATION AND EXCHANGE STUDY..	300,000	300,000
CALIFORNIA		
AMERICAN RIVER FOLSOM SOUTH OPTIMIZATION STUDY.	65,000	65,000
DELTA WATER MANAGEMENT........................	---	50,000
OFFSTREAM STORAGE INVESTIGATION..................	---	20,000
SACRAMENTO VALLEY RICELANDS/WETLANDS CONJUNC. USE STUD	500,000	500,000
SALTON SEA RESEARCH PROJECT........................	---	100,000
SAN JOAQUIN VALLEY CONVEYANCE......................	---	10,000
SOUTHERN CALIFORNIA COMPREHENSIVE WATER.............	200,000	200,000
PUTAH CREEK FLOW OPTIMIZATION INVESTIGATION..........	50,000	50,000
COLORADO		
GRAND VALLEY PROJECT WATER CONSERVATION STUDY	50,000	50,000
UPPER ARKANSAS RIVER BASIN WATER QUALITY INVEST.......	125,000	125,000
YAMPA RIVER WATER SUPPLY STUDY	100,000	100,000
IDAHO		
IDAHO RIVER SYSTEMS MANAGEMENT........................	175,000	175,000
MONTANA		
FORT PECK INDIAN RESERVATION..........................	---	200,000
MUSSELSHELL RIVER WATER MANAGEMENT PLAN...............	80,000	80,000
WESTERN MONTANA WATER CONSERVATION STUDY..............	150,000	150,000
NEW MEXICO		
MIDDLE RIO GRANDE ASSESSMENT/MGMT STUDY...............	150,000	150,000
PECOS RIVER BASIN FISH AND WILDLIFE...................	100,000	100,000
RIO PUERCO WATERSHED SEDIMENTATION & WATER QUALITY STU	50,000	50,000
SAN JUAN RIVER - GALLUP WATER SUPPLY STUDY............	---	500,000
NEBRASKA		
PICK SLOAN MISSOURI BASIN PROGRAM, PRAIRIE BEND UNIT..	---	75,000
OREGON		
CARLTON LAKE RESTORATION..............................	100,000	100,000
GRANDE RONDE WATER OPTIMIZATION STUDY.................	55,000	55,000
JOSEPHINE COUNTY WATER MGMT IMPROVEMENT STUDY.........	90,000	90,000
NORTHWEST OREGON REGIONAL WATER SUPPLY STUDY	100,000	100,000
OREGON STREAM RESTORATION PLANNING STUDY..............	200,000	200,000
OREGON SUBBASIN CONSERVATION PLANNING.................	200,000	200,000
OWYHEE PROJECT STORAGE OPTIMIZATION STUDY.............	200,000	200,000
UPPER DESCHUTES RIV BASIN WATER CONSERVATION PROJ.....	120,000	320,000
SOUTH DAKOTA		
BLACK HILLS REGIONAL WATER MANAGEMENT STUDY...........	100,000	100,000
LEWIS AND CLARK RURAL WATER SYSTEM....................	---	50,000
TEXAS		
EDWARDS ACQUIFER REG. WATER RESOURCES & MGMT STUDY....	175,000	175,000
LOWER RIO GRANDE BASIN STUDY..........................	190,000	190,000
RINCON BAYOU-NUECES MARSH WETLANDS....................	175,000	175,000
UTAH		
UTAH LAKE WATER MANAGEMENT STUDY......................	150,000	150,000
WEBER BASIN WATER QUALITY/WATERSHED...................	150,000	150,000
WYOMING		
WIND RIVER BASIN STUDY................................	88,000	88,000
VARIOUS		
BEAR RIVER INTRESTATE WATER SUPPLY STUDY..............	75,000	75,000
BEAR RIVER BASIN WATER QUALITY/WATERSHED..............	150,000	150,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM......	1,200,000	1,200,000
ENVIRONMENTAL & INTERAGENCY COORDINATION ACTIVITIES...	3,234,000	3,234,000
FISH & WILDLIFE HABITAT PRESERVATION & ENHANCEMENT....	50,000	50,000
GENERAL PLANNING STUDIES..............................	900,000	900,000
INVESTIGATION OF EXISTING PROJECTS....................	455,000	455,000
LOWER COLORADO RIVER REGULATORY STORAGE STUDY.........	150,000	150,000
MINOR WORK ON COMPLETED INVESTIGATIONS................	236,000	236,000
MISSOURI RIVER BASIN WATER RESOURCE MGMT PLANS........	150,000	150,000
TECHNICAL ASSISTANCE TO STATES........................	1,346,000	1,346,000
UPPER SNAKE RIVER BASIN SALMON MIGRATION WATER STUDY..	200,000	200,000
UPPER SNAKE RIVER BASIN STORAGE OPTIMIZATION..........	200,000	200,000
WEST TEXAS/SOUTHERN NEW MEXICO WATER RESOURCE INVEST..	100,000	100,000
RECLAMATION WASTE WATER STUDIES.......................	---	1,000,000
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGES.......	---	-1,100,000
TOTAL, GENERAL INVESTIGATIONS.........................	12,714,000	13,819,000
CONSTRUCTION PROGRAM		
CONSTRUCTION AND REHABILITATION AND COLORADO RIVER BASIN SALINITY CONTROL PROJECTS		
ARIZONA		
INDIAN WATER RIGHTS SETTLEMENT PROJECTS...............	3,023,000	3,023,000
TRES RIOS WETLANDS DEMONSTRATION......................	---	500,000
CALIFORNIA		
CENTRAL VALLEY PROJECT:		
AUBURN-FOLSOM SOUTH UNIT............................	1,825,000	1,825,000
MISCELLANEOUS PROJECT PROGRAMS......................	16,015,000	20,190,000
SACRAMENTO RIVER DIVISION...........................	4,814,000	4,814,000
SAN LUIS UINT.......................................	50,000	50,000
TRINITY RIVER RESTORATION PROGRAM...................	3,535,000	3,535,000
LOS ANGELES AREA WATER RECLAMATION & REUSE PROJECTS.	---	5,250,000
SAN GABRIEL BASIN DEMONSTRATION.....................	---	5,000,000
COLORADO		
GRAND VALLEY UNIT, TITLE II, CRBSCP...................	15,444,000	15,444,000
LOWER GUNNISON BASIN UNIT, TITLE II, CRBSCP...........	4,193,000	4,193,000
PARADOX VALLEY UNIT, TITLE II, CRBSCP.................	3,958,000	3,958,000
MONTANA		
HUNGRY HORSE DAM......................................	---	3,500,000
NEBRASKA		
NORTH LOUP DIVISION, P-SMBP...........................	5,928,000	5,928,000
NEVADA		
NEWLANDS PROJECT......................................	---	100,000
NORTH DAKOTA		
GARRISON DIVERSION UNIT, P-SMBP.......................	30,000,000	32,000,000
OREGON		
UMATILLA BASIN PROJECT................................	6,300,000	9,900,000
SOUTH DAKOTA		
BELLE FOURCHE UNIT, P-SMBP............................	7,310,000	7,310,000
MNI WICONI PROJECT....................................	3,000,000	10,000,000
MID DAKOTA PROJECT....................................	---	2,000,000
TEXAS		
LAKE MEREDITH SALINITY CONTROL PROJECT, TX & OK.......	---	1,400,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
WASHINGTON		
COLUMBIA BASIN PROJECT:		
IRRIGATION FACILITIES	4,000,000	4,800,000
VARIOUS		
BOULDER CANYON PROJECT, AZ-NV	4,754,000	4,754,000
COLORADO RIVER BASIN SALINITY CONTROL PROJ., TITLE I	8,257,000	8,257,000
SUBTOTAL, REGULAR CONSTRUCTION	122,406,000	157,731,000
DRAINAGE AND MINOR CONSTRUCTION:		
BOISE PROJECT, PAYETTE DIVISION, IDAHO	2,395,000	2,395,000
BRANTLEY PROJECT, NEW MEXICO	2,092,000	2,092,000
COLORADO RIVER FRONT WORK & LEVEE SYSTEM, AR, CO	1,250,000	1,250,000
COLUMBIA & SNAKE RIVER SALMON RECOVERY PROJECT	2,000,000	2,000,000
CULTURAL RESOURCES ACT., ID,ND,MT,OR,SE,WA,WY	62,000	62,000
FRYINGAN-ARKANSAS PROJECT, COLORADO	400,000	400,000
HEADGATE ROCK HYDROELECTRIC PROJECT, AZ, CA	51,000	51,000
KLAMATH PROJECT, OREGON-CALIFORNIA	2,442,000	2,442,000
MC GEE CREEK PROJECT, OKLAHOMA	100,000	100,000
MINIDOKA PROJECT, IDAHO	315,000	315,000
MOUNTAIN PARK PROJECT, OKLAHOMA	500,000	500,000
NEWLANDS PROJECT, NEVADA	2,379,000	2,379,000
NUECES RIVER PROJECT, TEXAS	700,000	700,000
PALMETTO BEND PROJECT, TEXAS	100,000	100,000
PICK-SLOAN MISSOURI BASIN PROGRAM:		
BOSTWICK DIVISION, NEBRASKA	230,000	1,230,000
EAST BENCH UNIT, MONTANA	50,000	50,000
FARWELL UNIT, NEBRASKA	560,000	560,000
OAHE UNIT, SOUTH DAKOTA	96,000	96,000
OWL CREEK UNIT, WYOMING	15,000	15,000
RECLAMATION RECREATION MANAGMENT ACT - TITLE 28	2,000,000	2,000,000
RECREATION FACILITIES AT EXISTING RESV, VARIOUS	151,000	151,000
SAN LUIS VALLEY PROJECT, CLOSED BASIN DIVISION	390,000	390,000
TUALATIN PROJECT, OREGON	---	450,000
WETLANDS DEVELOPMENT, VARIOUS	1,800,000	1,800,000
YAKIMA FISH PASSAGE/PROTECTIVE FACILITIES, WA	725,000	725,000
SUBTOTAL, DRAINAGE ADN MINOR CONSTRUCTION	20,803,000	22,253,000
SAFETY OF DAMS PROGRAMS:		
BITTER ROOT PROJECT, COMO DAM, MONTANA	500,000	500,000
BOISE PROJECT, DEER FLAT DAM, IDAHO	4,000,000	4,000,000
CENTRAL UTAH PROJECT, VERNAL UNIT, STEINAKER DAM, UT	1,099,000	1,099,000
DEPARTMENT OF INTERIOR DAM SAFETY PROGRAM	650,000	650,000
HYRUM PROJECT, UTAH	341,000	341,000
ITITIATE SOD CORRECTION ACTION, VARIOUS	18,136,000	18,136,000
MODIFICATION REPORTS & PRECONSTRUCTION ACTIVITY	2,500,000	2,500,000
SALT RIVER PROJECT, BARTLETT DAM, ARIZONA	12,897,000	12,897,000
SALT RIVER PROJECT, HORSESHOE DAM, ARIZONA	14,234,000	14,234,000
SALT RIVER PROJECT, STEWART MTN. DAM, ARIZONA	227,000	227,000
SAN CARLOS IRRIGATION - COOLIDGE DAM, ARIZONA	7,903,000	7,903,000
SUBTOTAL, SAFETY OF DAMS	62,487,000	62,487,000
REHABILITATION AND BETTERMENT:		
MILK RIVER, GLASGOW DIVISION, MT	410,000	410,000
OGDEN RIVER PROJECT, UTAH	1,935,000	1,935,000
SHOSHONE PROJECT	1,100,000	1,300,000
WEBER BASIN PROJECT, UTAH	3,613,000	3,613,000
SUBTOTAL, REHABILITATION AND BETTERMENT	7,058,000	7,258,000
SCIENCE AND TECHNOLOGY:		
DESALTING TECHNOLOGY	1,000,000	1,000,000
GLOBAL CLIMATE CHANGE	1,012,000	1,012,000
GROUNDWATER RECHARGE DEMONSTRATION PROGRAM	4,470,000	4,470,000
WATER TECHNOLOGY/ENVIRONMENTAL RESEARCH	4,335,000	4,335,000
SUBTOTAL, SCIENCE AND TECHNOLOGY	10,817,000	10,817,000
TOTAL, CONSTRUCTION AND REHABILITATION AND COLORADO RIVER BASIN SALINITY CONTROL PROJECTS	223,571,000	260,546,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
COLORADO RIVER STORAGE PROJECT		
UPPER COLORADO RIVER BASIN FUND AND PARTICIPATING PROJECTS		
COLORADO		
ANIMAS-LA PLATA PROJECT	7,000,000	7,000,000
DOLORES PROJECT	20,335,000	20,335,000
UTAH		
CENTRAL UTAH PROJECT, BONNEVILLE UNIT	18,857,000	18,857,000
CENTRAL UTAH PROJECT, UINTAH UNIT	25,000	25,000
DRAINAGE & MINOR CONSTRUCTION:		
PARTICIPATING PROJECTS:		
DALLAS CREEK PROJECT	290,000	290,000
RECREATIONAL AND FISH AND WILDLIFE FACILITIES:		
RECREATIONAL FACILITIES	12,490,000	12,490,000
FISH AND WILDLIFE FACILITIES	3,751,000	3,751,000
TOTAL, COLORADO RIVER STORAGE PROJECT	62,748,000	62,748,000
COLORADO RIVER BASIN PROJECT		
CENTRAL ARIZONA PROJECT		
ARIZONA		
CENTRAL ARIZONA PROJECT, WATER DEVELOPMENT (LCRBDF)	160,470,000	160,470,000
CENTRAL ARIZONA PROJECT, NON-INDIAN DIST. SYSTEMS	120,000	120,000
CENTRAL ARIZONA PROJECT, SAFETY OF DAMS	18,178,000	18,178,000
TOTAL, COLORADO RIVER BASIN PROJECT	178,768,000	178,768,000
ASSOCIATED ITEMS		
UNDISTRIBUTED REDUCTION BASED ON ANTICIPATED DELAYS	-33,239,000	-37,639,000
TOTAL, CONSTRUCTION PROGRAM	431,848,000	464,423,000
LOAN PROGRAM		
EASTERN MUNICIPAL CALIFORNIA WATER DISTRICT NO. 3	3,800,000	3,800,000
FORT MCDOWELL INDIAN TRIBE	1,400,000	9,100,000
LOAN ADMINISTRATION	600,000	600,000
TOTAL, LOAN PROGRAM	5,800,000	13,500,000

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs and activities of the Department of Energy. Additional items of conference agreement are discussed below.

APPLICATION OF GENERAL REDUCTIONS

With regard to any general reductions contained in the Fiscal Year 1994 Energy and Water Development Appropriations Act, with the exception of activities specifically addressed by the Committees, the conferees recommend that the Department of Energy apply those reductions in the most prudent and practical manner. Any such reduction should be taken in a manner that is cost effective and generally least disruptive to the Department's missions and programs. The Department continues to maintain significant amounts of prior year uncosted balances, particularly in capital equipment and construction project accounts. In applying any general reductions, the Department should seek to reduce these balances as much as possible. Furthermore, the Department shall consult with and make their plans for these reductions available to the House and Senate Energy and Water Development Appropriations Subcommittees prior to implementing the reductions.

GENERAL PLANT PROJECTS

In recent years, general plant projects authorized under Department of Defense authorization acts have been subject to statutory funding limits on the cost of individual projects, while similar projects for civilian programs of the Department have not. The Secretary should develop guidelines using the flexibility provided to the civilian programs and the direction provided in enacted authorization acts. The Secretary should establish coordinated management guidelines and funding limits for Departmentwide application which achieves maximum programmatic efficiency and effectiveness. These revised guidelines should be submitted to the House and Senate Energy and Water Development Appropriations Subcommittees prior to the submission of the fiscal year 1995 budget.

MINORITY EDUCATION OPPORTUNITIES

There are currently over 440,000 Hispanic students attending 125 Hispanic-serving institutions in 15 states and Puerto Rico. These colleges and universities include some of the premier research and development facilities in the world, as well as many other excellent two- and four-year institutions. These colleges and universities are poised to make an increasingly important contribution to Department of Energy research projects and programs, particularly as the DOE plans to increase its predesignated research, development, and education funds for many minority institutions, including historically black colleges and universities.

The conferees applaud the Department of Energy's efforts to enhance the education opportunities for minority students in the areas of science and technology. The conferees strongly encourage the Department to include Hispanic-serving institutions to participate in any current or future plans to increase its predesignated or targeted research, development, and education funds.

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

Amendment No. 28: Appropriates $3,223,910,000 for Energy Supply, Research and Development Activities instead of $3,167,634,000 as proposed by the House and $3,249,286,000 as proposed by the Senate, deletes language proposed by the Senate restricting the funding for the gas turbine-modular helium reactor, and deletes language proposed by the House funding hydrogen research and development.

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that makes funds available by transfer from the Geothermal Resources Development Fund.

SOLAR AND RENEWABLE ENERGY PROGRAMS

The conferees agree that the solar program is funded at $252,349,000 as indicated in the tables and the programs are to be funded at the highest level described in either the House or Senate reports, except for the reductions described in the Senate report.

Biofuels Energy Systems.—The Department is urged to pursue the planning of a biomass plant using switchgrass and rice straw and to submit a plan on the feasibility of such plant to the Committees on Appropriations of the House and Senate prior to the submission of the fiscal year 1995 budget.

The conference agreement includes funds to continue ongoing research and development activities and also provides that a portion of the increase in this program for fiscal year 1994 be directed toward cost-shared validation of direct-combustion biomass technologies, including gasification technologies, injected turbines, whole tree energy, and other advanced combustion biomass technologies with a most industry-driven focus.

Indian Energy Resources.—The conferees recommend an appropriation of $5,000,000 to fund and implement Indian energy resource programs in accordance with the provisions of sections 2603 and 2606 of the Energy Policy Act of 1992 to be administered by the Office of Technical and Financial Assistance in the energy efficiency and renewable energy organization. The conferees intend that, in allocating the funds appropriated, the Department should give priority to a mature project in which an Indian tribe has already made a substantial investment and with which the Department is already working cooperatively. In this regard, the conference is aware of the proposed Navajo transmission project in conjunction with the Western Area Power Administration and directs the Department to give every consideration to this project in allocating the funds appropriated. The conferees expect the Department to move expeditiously in allocating these funds.

HYDROGEN RESEARCH

The conference recommendation establishes a new line for hydrogen research. Hydrogen, as a transportation fuel available from domestic sources, has the potential to play an important role in the energy security of the United States, as well as having important environmental benefits. The laboratories of the Department of Energy have extensive experience in the production, storage, transport, and safe utilization of hydrogen. Funding at the level of $10,000,000 is provided for the Department to accelerate its hydrogen research program through a strategy of adopting available technologies and fossil sources in the short term to build experience and infrastructure for the longer term. Development of more advanced techniques, such as fuel cells and hydrogen generation using renewable energy, should be continued, and these techniques should be phased in as they become technically and economically competitive. Development of the transportation or power end-use technologies such as fuel cells or engines, which are applications funded in other accounts (fossil energy research and development and energy conservation), should not be funded as part of hydrogen research.

SUPERCONDUCTING MAGNETIC ENERGY STORAGE

The conferees recommend $10,000,000 for a research program directed at the development of a superconducting magnetic energy storage (SMES) system. SMES, a state-of-the-art method of storing electrical energy in superconducting coils, offers the ability to discharge electricity as needed with 95 percent efficiency. Utilities using SMES could store excess nighttime production in the system and then withdraw that energy during the peak period of the day. It can also be used for spinning reserve, emergency power, transmission stability, and grid regulation. The conferees believe the SMES system is an important energy storage technology that also is environmentally beneficial.

The conferees recognize that the superconducting magnetic energy storage program has been under development by the Department of Defense, and in order to minimize costs and to expedite progress in the development of civilian applications, the Department should, to the extent practicable, utilize developed technology.

NUCLEAR ENERGY PROGRAMS

The conferees recommend $12,000,000 to continue the development of the passively safe Gas Turbine-Modular Helium Reactor as proposed by the House and $30,400,000 for the Advance Liquid Metal Reactor/Integral Fast Reactor (ALMR/IFR) program as proposed by the Senate.

The conferees provide the full budget request of $109,300,000 for facilities/termination. In lieu of the original budget proposal, the funds recommended are for an alternative program where the EBR-II reactor is operated through fiscal year 1996, with shutdown activities for the facility conducted in parallel with ractor operation. The funds for the termination of the MHTGR and the ALMR design are to be used to continue the program in fiscal year 1994.

ENVIRONMENT, SAFETY AND HEALTH

The conference provides the fiscal year 1993 level of $158,070,000. The reduction from the budget request should be applied to the significant increase in studies performed under this budget category.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH

The conference provides $1,000,000 to conduct research and develop the technology for commercial exploitation in the disposal of infectious hospital waste through electron beam sterilization at a medical research center with proven experience with this technology as proposed by the House.

The conference agreement provides $5,800,000 for the Medical University of South Carolina's Cancer/Oncology Center. This appropriation will enhance the Center's research in the areas of human molecular genetics, biological risk assessment and innovative treatments in conjunction with the Department of Energy sponsored Environmental Hazards Assessment Program and the MUSC Molecular and Structural Biology program. These funds will support the establishment of a tumor bank to store and archive various cancers as well as further the development of radiosurgical approaches to tumors with environmental causation.

The conferees direct the Department of Energy to maintain the current location of the national office and the co-located western regional office of the National Institute for Global Environmental Change. The conferees are concerned that the position of national director for the NIGEC Program has been vacant for over one year, and that the University of California has not completed the process of recruiting a scientist of international stature to head the program. The Secretary of Energy is requested to work with the president of the University of California to expedite the selection of a highly qualified national director.

The conferees have provided $4,000,000 for the Environmental Biotechnology program at Florida A & M University to support research including support for principal investigators and research assistants at the graduate and undergraduate levels. This program, in addition to performing vitally needed research, will serve to increase the participation of minorities in this area of scientific endeavor.

The conferees are very supportive of the Department's Boron Neutron Capture Therapy (BNCT) Program and fully support the budget request of $8,744,000. The conferees believe considerable progress has been made through support and funding for BNCT. The conferees are encouraged with the interest of a number of academic health centers and universities which have formed a BNCT-university consortium to advance treatment of brain tumors to patients in the United States. The conferees are aware and encourage the BNCT-university consortium interest, in conjunction with the National Cancer Institute, to involve national and international experts in the assessment of BNCT and the development of a strategic plan to further advance the treatment of brain tumors. To the extent available, the Department should use unobligated balances of up to $2,000,000 to support this university consortium.

The conference agreement provides $4,600,000 for the Biomedical Information Communication Center (BICC) at Oregon Health Sciences University to conduct research and develop a model for a statewide, high-speed information, education and data gathering network which will allow health care information, services and education to be delivered electronically. BICC is building a database for electronically encoding and storing elements of the medical record for the lifetime of a patient, the "lifetime clinical record". This database will be used to evaluate outcomes, and represents a way to track the efficacy and effect of medical treatments. Such databases, collected on large populations over long periods of time, hold the promise of answering questions that have never been answered about the long-term effects of low-level exposure to potential environmental hazards such as radiation or electromagnetic fields (EMF).

The conferees do not include funds for an international study of greenhouse gases to be conducted by the State of Illinois.

MAGNETIC FUSION

The conferees provide $347,595,000 for the magnetic fusion energy program.

The conferees note with approval that the international thermonuclear experimental reactor (ITER) engineering design activity phase of the program has commenced. The conferees direct the Department of Energy to focus the Department's magnetic fusion energy program on national program elements that further the design, construction, and operation of the international thermonuclear experimental reactor and a future fusion demonstration reactor.

The Department is directed to set priorities for the domestic fusion program identifying those elements that contribute directly to the development of ITER or to the development of a fusion demonstration reactor. The Department will provide a plan that describes the selection process for the proposed site within the United States for ITER, the necessary steps that will lead to the final selection of a host site for ITER by the countries involved in the ITER program, and the schedule and critical path including milestones and budget that will be necessary to allow for the design, construction, and operation of ITER by 2005. Of the available funds, $64,000,000 is included for ITER design and R&D. Within available funds, $2,000,000 is provided to begin the evaluation and selection of a U.S. host site for ITER.

The deuterium-tritium experiments that will be conducted on the Tokamak Fusion Test Reactor (TFTR), located at the Princeton Plasma Physics Laboratory (PPPL), are to have the highest priority within the U.S. fusion energy program during fiscal year 1994.

In support of ITER design and R&D tasks, and further development of a fusion demonstration reactor, $20,000,000 is included for design work on the Tokamak Physics Experiment (TPX). The successful operation of both TPX and ITER is necessary for the development of an attractive fusion demonstration reactor. The TPX facility will be a national facility that takes advantage of the site credits at PPPL. The Department is directed to ensure that U.S. industry is fully involved in the design of TPX. Thus, it is the intent of the conferees for the TPX project to proceed with design activity including industrial participation in the engineering design and R&D. The Department should utilize standard, phased, industrial contracts for these design activities with options for construction that would permit continuity and would allow the project, if it should be approved in the future, to be completed in the most efficient and cost-effective manner.

The Department is directed to proceed with the upgrade of the DIII–D tokamak facility including increasing operating time to expedite the formulation of design solutions for TPX and ITER.

The conferees direct the Department to begin an aggressive low activation fusion materials program with the goal of developing and characterizing low activation materials that could be tested in ITER and utilized in a future demonstration power reactor.

The conferees agree with the House report language providing a $500,000 increase, within available funds, for inertial fusion energy, and strongly urge the Department to maintain a viable inertial fusion energy program and move forward with a timely decision on the Inertial Linac Systems Experiment that would allow, if a favorable decision is rendered, construction to begin in fiscal year 1995.

SUPPORTING RESEARCH AND TECHNICAL ANALYSIS

The conferees support the continuation of the Advanced Neutron Source and the conference agreement provides $17,000,000 for the project. This is the amount needed for the continuation of essential research and development, reactor safety and regulatory compliance tasks. This will include work on the draft Environmental Impact Statement, completion of advanced conceptual design studies and updates to the appropriate baseline documentation, and applicable activities to position the project to proceed. The conferees expect a construction start next year upon accomplishment of this required work.

The conferees recommend $3,000,000 for the Midwest Superconductivity Consortium as proposed by the House and the $700,000 for a feasibility study to determine options for projects or programs to facilitate the adoption and long-term development of energy efficiency and renewable energy on Indian Reservations as proposed by the House.

The conferees are aware of the University of Nebraska's superconductivity research and urge the members of the Midwest Superconductivity Consortium to consider the inclusion of the institute.

The conferees recommend $7,000,000 for the DOE Experimental Program to Stimulate Competitive Research (DOE–EPSCoR) as recommended by the Senate.

The conferees are supportive of the work done at Florida State University's Super Computations Research Institute. The Department of Energy is urged to fully utilize the facility and give consideration toward providing assistance in updating and expanding the Institute's capabilities. Accordingly, from within available funds, the conferees' recommendation includes $8,300,000 to continue the Super Computations Research Institute.

The conferees do not include funds for the House provisions relating to the Dade County public schools, and the provision relating to the Queens Hall of Science Discovery Laboratory.

ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

(NON-DEFENSE)

The conferees have included funds to continue the Maywood site and Wayne site cleanup contained in the DOE Formerly Utilized Sites Remedial Action Program (FUSRAP). This will continue the removal of contaminated materials in interim storage at Maywood and Wayne, New Jersey.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that appropriates $177,092,000 instead of $160,000,000 as proposed by the House and specifies specific funding and revenue sources for the Uranium Supply and Enrichment Activities.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that the anticipated obligated balances should be estimated rather than prescribed.

Amendment No. 32: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that specifies the amount of funds to be expended for uranium and thorium decontamination required by the Energy Policy Act of 1992.

In lieu of the Senate report language concerning the appropriation of funds for the initial reimbursements of claims made by active uranium and thorium mill site licensees for remediation expenses under title X, subtitle A of the Energy Policy Act of 1992 (Public Law 102–486), the conferees are in agreement that the Department is to carry out the program and use the funds in a fair and equitable manner consistent with Public Law 102–486.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

Amendment No. 33: Appropriates $1,615,114,000 as proposed by the Senate instead of $1,194,114,000 as proposed by the House.

Amendment No. 34: Deletes language proposed by the House limiting the availability of funds to construct a B-Factory.

The conferees agree to provide $36,000,000 for the construction of the asymmetric B-meson production facility (B-Factory) as proposed by the House. Since the review and selection of the site for the project have been completed, the restrictions contained in the House bill are no longer required.

Amendment No. 35: Deletes language proposed by the Senate restricting the availability of funds for the Superconducting Super Collider.

The conferees direct that none of the funds made available for the Superconducting Super Collider construction may be spent 90 days after the beginning of the fiscal year unless the Secretary delivers to the Committees on Appropriations of the House and Senate an implementation plan for the specific recommendations of the Report of the DOE Review Committee on the Baseline Validation of the Superconducting Super Collider and the Secretary certifies that the management issues raised by the General Accounting Office in its report dated February 1993, number GAO/RCED-93-87, have been adequately addressed and will not reoccur.

The Los Alamos Meson Physics Facility (LAMPF), the Relativistic Heavy Ion Collider (RHIC), and the Continuous Electron Beam Accelerator Facility (CEBAF) are funded as proposed by the Senate.

Because of budget limitations, the conferees recommend a general reduction of $15,000,000.

Language in the Act would prohibit the expenditure of funds for "food, beverages, receptions, parties, country club fees, plants or flowers pursuant to any cost-reimbursable contract". The managers do not intend to preclude legitimate activities such as cafeteria services. It is intended to prohibit the waste of the taxpayers' money on payment of contractors' country club fees or fancy parties and receptions.

SUPERCONDUCTING SUPER COLLIDER

The conferees agree to $640,000,000 for the Superconducting Super Collider (SSC) as proposed by the Senate.

The conferees note that construction of the SSC is the highest priority in particle physics today and is a critical necessity to permit progress in the basic understanding of matter into the 21st century. Numerous scientific reviews have affirmed and reaffirmed the fact that the SSC is the next logical and meaningful step in the ages-old quest for a deeper understanding of what things are made of and how they work.

As did the two preceding Presidents, President Clinton strongly supports this important project and has declared it a top priority of his Administration. In his letter of October 12, 1993, the President has stated:

The SSC represents not only the culmination of high energy physics research in the twentieth century, but also the cornerstone of continued American international scientific leadership in the century to follow. The SSC is expected to unlock fundamental secrets about the nature of matter and energy.

The SSC represents a vital investment in our nation's ability to maintain its preeminence in basic scientific research and to stimulate the development of new technologies in many areas critical to the health of the U.S. economy. We cannot abandon our commitment to improving our national scientific and technological performance, which will, in turn, stimulate economic growth. The SSC is an investment in our future.

Fundamental science forms the foundation of technological progress. The SSC has the potential to strengthen the U.S. superconducting magnet industry. Materials and techniques resulting from the SSC will help to improve the performance of U.S. manufacturing and may stimulate advances in health care.

In her letter of October 13, 1993, the Secretary of Energy urged the continued support for the SSC and advised that the SSC will be an essential tool for carrying all of humanity to the next level of understanding about the origin of mass and the relations between mass and energy. Termination of the SSC would cause severe damage to the field of high energy physics and would signal that the United States is withdrawing from its position of clear world leadership in basic science.

The Secretary of Energy further advised of her intention to institute a number of management reforms and has committed to comply with the Senate provisions concerning the appropriate improvements.

The Secretary of Energy advised that she expects that the project will be completed in 2002 for less than $11,000,000,000 in as-spent dollars. The conferees intend to hold the Secretary of Energy to a commitment of less than $11,000,000,000 for the construction of the Superconducting Super Collider. If at any time the estimate for the project exceeds this figure, the Secretary should advise the Congress of actions to reduce the cost of the project or reduce its scope.

NUCLEAR WASTE DISPOSAL FUND

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

For the nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, $260,000,000 to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise her authority pursuant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: Provided, That of the amount herein appropriated, within available funds, not to exceed $5,500,000 may be provided to the State of Nevada, for the sole purpose of conduct of its scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: Provided further, That of the amount herein appropriated, not more than $7,000,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: Provided further, That within ninety days of the completion of each Federal fiscal year, each State or local entity shall provide certification to the Department of Energy, that all funds expended from such payments have been expended for activities as defined in Public Law 97-425, as amended. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in 18 U.S.C. 1913: Provided further, That none of the funds herein appropriated may be used for litigation expenses: Provided further, That none of the funds herein appropriated may be used to support multistate efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That none of the funds provided under this Act shall be made available for Phase II-B grants to study the feasibility of siting a Monitored Retrievable Storage Facility.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree to the distribution of the Nuclear Waste Disposal Fund as proposed by the Senate which makes specific allocations and restrictions as to the use of the funds. The provision proposed by the Senate considering the siting of a Monitored Retrievable Storage facility has been revised to prohibit Phase II-B grants.

The conferees agree with the House provisions concerning the development of a multipurpose canister (MPC).

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

Amendment No. 37: Appropriates $3,595,198,000 instead of $3,572,198,000 as proposed by the House and $3,597,482,000 as proposed by the Senate.

The conferees agree to provide $17,000,000 to continue funding the dual-axis radiographic hydrotest facility at the Los Alamos National Laboratory (LANL). However, no funds are provided for the high-explosives material test facility at LANL.

For the technology transfer program in fiscal year 1994, an amount of $223,000,000 is recommended. Within this funding, the conferees support making available not to exceed $3,000,000 for evaluating and assisting in the transfer of technologies developed at the Nevada Test Site.

The conference agreement includes $10,000,000 for the high-performance computing and communications program.

The conferees are aware that the authorizing committees may include in the National Defense Authorization Act for Fiscal Year 1994 a change to the testing program budget structure. There is no objection to the Department implementing this new structure in fiscal year 1994.

The conferees have not included $4,000,000 proposed by the Senate to establish, in conjunction with the Department of Defense, a program for destruction of highly energetic explosives. There is no objection to the Department of Energy's participation in this program if funded on a reimbursable basis by another agency.

The conference agreement provides $30,000,000 for the research and evaluation activities related to the production of tritium and to initiate a systematic review of all available options for disposal of plutonium from dismantled warheads. These funds have been provided as part of the weapons complex reconfiguration program which is currently managing this activity.

During deliberations on the National Defense Authorization Act for Fiscal Year 1994, both the House and Senate Armed Services Committees are addressing the issues of tritium production and plutonium disposal.

The conferees recognize the need to provide for new tritium production capacity to meet future anticipated demands for tritium in the downsized nuclear weapons stockpile as well as the need to provide a practical solution to the safeguarding and disposal of plutonium from dismantled nuclear weapons.

Thus, the conference agreement supports the continuation of activities begun last year by the Department of Energy to evaluate the feasibility of tritium production along with disposition of plutonium and generation of electricity. In addition, the Department should consider developing a cooperative program with Russia to explore methods of plutonium disposal and power production.

The conferees believe that the Nation must immediately begin development of a plan for ultimate disposal of plutonium from dismantled warheads. The technical, institutional and economic issues of each alternative must be evaluated. The Department is directed to begin an analysis of the costs and benefits of each option for plutonium disposal including, but not limited to, indefinite storage, direct disposal in a repository, immobilization in a waste form, reactor or accelerator conversion of plutonium, and subsequent spent fuel handling and waste management costs for each option. The development times for each technology as well as health, safety, and environmental problems are to be addressed also.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

Amendment No. 38: Appropriates $5,181,855,000 for Defense Environmental Restoration and Waste Management instead of $5,185,877,000 as proposed by the House and $5,106,855,000 as proposed by the Senate.

The conferees wish to reiterate concerns raised by both the House and Senate with respect to the overall cost of environmental cleanup actions that the Department has committed to perform under existing compliance agreements. While committed to providing adequate funding for necessary cleanup activities around the country, the conferees emphasize that there will not be an endless source of funding for this program with significant increases in the outyears.

The Department should begin to develop a program related to the management of hazardous materials and of hazardous materials emergency response, and up to $10,000,000 from within available funds is provided for program planning and predesign activities in fiscal year 1994. The Department is expected to include funding for this activity in the fiscal year 1995 budget submission.

The conferees agree that the Department needs to develop a mechanism for establishing priorities among competing cleanup requirements. Toward this end, the Department is directed to review compliance agreements and to submit by June 30, 1995, a report to the Committees on Appropriations evaluating the risks to the public health and safety posed by the conditions at weapons complex facilities that are addressed by compliance agreement requirements.

The report should estimate, with as much specificity as practicable, the risk to the health and safety of individual members of the public intended to be addressed by cleanup activities required by the compliance agreements, the health and safety effect of implementing the requirements, and the cost associated with implementing the requirement. The Department should work with State and Federal regulators and affected parties to develop programs which reduce risk to public and worker health and safety.

The conferees emphasize that they do not intend the Department to perform an exhaustive, formal risk assessment, as that term is frequently used, of the thousands of cleanup activities required by the compliance agreement. Instead, the Department is directed to estimate the risk addressed by cleanup requirements on the basis of the best scientific evidence available.

The conference agreement includes $2,114,000 for the liquid waste treatment system at the Nevada Test Site consistent with the Department's amended budget request.

The conferees have provided $40,000,000 for closeout activities for the Hanford Waste Vitrification Plant construction project at Richland, Washington, in accordance with the revised Hanford site cleanup agreement. An additional $35,000,000 has been provided in waste management operating expenses to support the closeout activities and to begin implementation of new activities required by the revised Hanford site cleanup agreement. Also, in support of the revised agreement, $45,660,000 has been provided for the multifunction waste remediation facility at the Hanford site to accelerate construction of new tanks and development of waste pretreatment capability.

The conferees have restored the $10,000,000 reduction proposed by the Senate to the technology development program. However, the conferees support the Senate position that these funds should not be used for educational activities. These funds are to be used for development of innovative technologies related to the remediation of high-level waste tanks and the characterization, treatment, and disposal of mixed waste. The technology development program has increasingly included funds for educational activities, community agreements, and other activities not related to technology development. The Department should ensure that the technology development program is clearly defined and justified.

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that provides for the transfer of $8,000,000 to the Environmental Protection Agency for implementation of the Waste Isolation Pilot Plant Land Withdrawal Act of 1992 and development of cleanup standards to guide the Department of Energy's environmental restoration efforts.

MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS

Amendment No. 40: Appropriates $1,963,755,000 as proposed by the Senate instead of $2,046,592,000 as proposed by the House.

The conferees understand the Secretary of Energy has developed a plan to revise significantly the Department's classification procedures. This plan will include a comprehensive review of the classification rules and procedures, research and development of new technology to expedite declassification of documents, expanded training of employees to declassify documents, and public participation. The conferees support the objectives of this plan and expect them to be accomplished within the funds provided including issuance of revised classification guidelines by September 30, 1994. The Department is directed to report to the House and Senate Committees on Appropriations by June 15, 1994, on the progress to date.

The conferees support the Department's ongoing program in Verification and Control Technology to establish a data base and tracking system for weapons grade plutonium, uranium, and tritium in the states of the former Soviet Union, and urge the Department to accelerate the program as much as possible within available funds.

The conference agreement does not include establishment of a new program for tritium production and plutonium disposition. Tritium production activities which were initiated last year and development of plutonium disposition alternatives are included in the weapons complex reconfiguration program.

OFFICE OF THE INSPECTOR GENERAL

Amendment No. 41: Appropriates $30,362,000 for the Office of the Inspector General as proposed by the Senate instead of $31,757,000 as proposed by the House.

POWER MARKETING ADMINISTRATIONS

WESTERN AREA POWER ADMINISTRATION

Amendment No. 42: Appropriates $272,956,000 for the Western Area Power Administration as proposed by the Senate instead of $287,956,000 as proposed by the House.

Amendment No. 43: Appropriates $260,400,000 to be derived from the Department of the Interior Reclamation fund as proposed by the Senate instead of $275,400,000 as proposed by the House.

Department of Energy

	Budget Estimate	Conference
ENERGY SUPPLY RESEARCH AND DEVELOPMENT		
I. Solar applications		
A. Solar building technology research		
Operating expenses	4,807,000	4,807,000
Capital equipment	200,000	200,000
Total, Solar building technology research	5,007,000	5,007,000
B. Photovoltaic energy systems		
Operating expenses	71,345,000	74,345,000
Capital equipment	6,700,000	3,700,000
Total, Photovoltaic energy systems	78,045,000	78,045,000
C. Solar thermal energy systems		
Operating expenses	32,191,000	32,191,000
Capital equipment	509,000	509,000
Total, Solar thermal energy systems	32,700,000	32,700,000
D. Biofuels energy systems		
Operating expenses	55,057,000	55,057,000
Capital equipment	3,100,000	3,100,000
Total, Biofuels energy systems	58,157,000	58,157,000
E. Wind energy systems		
Operating expenses	26,453,000	26,453,000
Capital equipment	3,900,000	3,900,000
Total, Wind energy systems	30,353,000	30,353,000
F. Ocean energy systems - OE	---	1,000,000
Total, Solar applications	204,262,000	205,262,000
II. Other solar energy		
A. International solar energy program - OE	5,754,000	5,250,000
B. Solar technology transfer - OE	16,404,000	21,404,000
C. National Renewable Energy Laboratory		
Capital equipment	1,025,000	1,025,000
Construction:		
General plant projects	1,728,000	1,728,000
94-E-102 National wind technology center expansion, Golden, CO	3,180,000	3,180,000
Total, Construction	4,908,000	4,908,000
Total, National Renewable Energy Laboratory	5,933,000	5,933,000
D. Resource assessment		
Operating expenses	2,203,000	2,100,000
Capital equipment	200,000	200,000
Total, Resource assessment	2,403,000	2,300,000
E. Solar program support - OE	5,400,000	5,000,000
F. Program direction - OE	8,200,000	7,200,000
Total, Other solar energy	44,094,000	47,087,000
TOTAL, SOLAR ENERGY	248,356,000	252,349,000
(Operating expenses)	(227,814,000)	(234,807,000)
(Capital equipment)	(15,634,000)	(12,634,000)
(Construction)	(4,908,000)	(4,908,000)

Department of Energy

	Budget Estimate	Conference
GEOTHERMAL		
II. Geothermal technology development - OE	22,072,000	22,072,000
III. Program direction - OE	1,000,000	1,000,000
IV. Capital equipment	900,000	900,000
TOTAL, GEOTHERMAL	23,972,000	23,972,000
(Operating expenses)	(23,072,000)	(23,072,000)
(Capital equipment)	(900,000)	(900,000)
HYDROGEN RESEARCH		
I. Operating expenses	4,900,000	10,000,000
HYDROPOWER		
I. Small scale hydropower development - OE	946,000	946,000
II. Program direction - OE	135,000	135,000
TOTAL, HYDROPOWER	1,081,000	1,081,000
ELECTRIC ENERGY SYSTEMS AND STORAGE		
I. Electric energy systems		
A. Electric field effects research - OE	10,000,000	10,000,000
B. Reliability research - OE	6,100,000	6,100,000
C. System and materials research - OE	20,730,000	20,730,000
D. Program direction - OE	850,000	850,000
E. Capital equipment	900,000	900,000
Total, Electric energy systems	38,580,000	38,580,000
II. Energy storage systems		
A. Battery storage - OE	5,774,000	5,774,000
B. Thermal storage. - OE	---	1,100,000
C. Superconducting magnetic energy storage	---	10,000,000
D. Program direction - OE	350,000	350,000
E. Capital equipment	300,000	300,000
Total, Energy storage systems	6,424,000	17,524,000
TOTAL, ELECTRIC ENERGY SYSTEMS AND STORAGE	45,004,000	56,104,000
(Operating expenses)	(43,804,000)	(44,904,000)
(Capital equipment)	(1,200,000)	(11,200,000)
POLICY AND MANAGEMENT		
Policy and management - CE	3,878,000	3,878,000
NUCLEAR ENERGY		
I. Nuclear energy R & D		
A. Light water reactor - OE	57,789,000	57,789,000
B. Advanced reactor R & D		
Operating expenses	16,000,000	42,400,000
C. Space reactor power systems		
Operating expenses	27,500,000	27,500,000
D. Advanced radioisotope power system		
Operating expenses	46,100,000	46,100,000
Capital equipment	2,000,000	2,000,000
Total, Advanced radioisotope power system	48,100,000	48,100,000
F. Facilities		
Operating expenses	6,900,000	6,900,000
G. Program direction	10,463,000	10,463,000
H. Policy and management		
Operating expenses	12,612,000	12,612,000
I. Test reactor area hot cells	1,400,000	1,400,000

Department of Energy

	Budget Estimate	Conference
J. Oak Ridge landlord		
Operating expenses	16,080,000	16,080,000
Capital equipment	670,000	670,000
Construction:		
GPN-103 General plant projects	1,450,000	1,450,000
94-E-201 Communications network, OR	6,700,000	6,700,000
Total, construction	8,150,000	8,150,000
Total, Oak Ridge landlord	24,900,000	24,900,000
Total, Nuclear energy R & D	205,664,000	232,064,000
(Operating expenses)	(194,844,000)	(221,244,000)
(Capital equipment)	(2,670,000)	(2,670,000)
(Construction.....)	(8,150,000)	(8,150,000)
II. Termination costs		
Operating expenses	102,300,000	102,300,000
Capital equipment	5,000,000	5,000,000
Construction:		
GPN-102 General plant projects	2,000,000	2,000,000
Total, Termination costs	109,300,000	109,300,000
TOTAL, NUCLEAR ENERGY	314,964,000	341,364,000
(Operating expenses)	(297,144,000)	(323,544,000)
(Capital equipment)	(7,670,000)	(7,670,000)
(Construction.....)	(10,150,000)	(10,150,000)
CIVILIAN WASTE RESEARCH AND DEVELOPMENT		
I. Spent fuel storage R&D - OE	577,000	577,000
II. Program direction - OE	110,000	110,000
TOTAL, CIVILIAN WASTE RESEARCH AND DEVELOPMENT	687,000	687,000
ENVIRONMENT, SAFETY AND HEALTH		
Operating expenses	173,246,000	158,070,000
Capital equipment	1,600,000	1,600,000
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	174,846,000	159,670,000
NUCLEAR SAFETY POLICY - OE	15,000,000	15,000,000
LIQUIFIED GASEOUS.SPILL TEST FACILITY - ESRD	979,000	1,300,000
ENERGY RESEARCH		
I. Biological and environmental research		
A. Biological and environmental research R&D		
Operating expenses	338,060,000	338,060,000
Capital equipment	21,600,000	21,600,000
Construction:		
GP-E-120.General plant projects	3,500,000	3,500,000
94-E-335 Brookhaven linac isotope producer.facility upgrade,.BNL	6,000,000	6,000,000
94-E-337 Advanced light source structural biology support facility, LBL	600,000	600,000
94-E-338.Structural biology center, ANL	4,000,000	4,000,000
94-E-339.Human genome lab,.LBL	2,200,000	2,200,000
91-EM-100 Environmental & molecular sciences laboratory, PNL, Richland, WA.	33,000,000	33,000,000
Total, Construction	49,300,000	49,300,000
Total, Biological and environmental research R&D..	408,960,000	408,960,000

Department of Energy

	Budget Estimate	Conference
B. BER program direction - OE	7,100,000	7,100,000
Total, Biological.and environmental.research	416,060,000	416,060,000
(Operating expenses)	(345,160,000)	(345,160,000)
(Capital equipment)	(21,600,000)	(21,600,000)
(Construction.....)	(49,300,000)	(49,300,000)
II. Fusion energy		
A. Confinement systems	157,400,000	170,400,000
B. Development and technology	81,300,000	81,300,000
C. Applied plasma physics	59,805,000	59,805,000
D. Planning and projects	4,895,000	4,895,000
E. Inertial fusion energy	4,000,000	4,000,000
F. Program direction - OE	9,200,000	9,200,000
G. Capital equipment	15,995,000	15,995,000
H. Construction:		
GPE-900 General plant projects, var. locations.	2,000,000	2,000,000
94-E-200 Tokamak physics experiment, Princeton plasma physics laboratory	13,000,000	---
Total, Construction	15,000,000	2,000,000
Total, Fusion energy	347,595,000	347,595,000
(Operating expenses)	(316,600,000)	(329,600,000)
(Capital equipment)	(15,995,000)	(15,995,000)
(Construction.....)	(15,000,000)	(2,000,000)
III.Supporting research and technical analysis		
A. Basic energy sciences		
1. Materials sciences	276,985,000	276,985,000
2. Chemical sciences	169,000,000	169,000,000
3. Applied.mathematical sciences	106,200,000	106,200,000
4. Engineering and geosciences	37,900,000	37,900,000
5. Advanced energy projects	11,400,000	11,400,000
6. Energy biosciences	26,700,000	26,700,000
7. Program.direction - OE	9,400,000	9,400,000
8. Capital.equipment	44,880,000	44,880,000
9. Construction:		
GPE-400.General plant projects	5,000,000	5,000,000
94-E-305 Accelerator & reactor improvements.	7,500,000	7,500,000
89-R-402 6-7 GeV syn. radiation source, ANL.	107,000,000	107,000,000
Total, Construction	119,500,000	119,500,000
Total, Basic energy sciences	801,965,000	801,965,000
(Operating expenses)	(637,585,000)	(637,585,000)
(Capital equipment)	(44,880,000)	(44,880,000)
(Construction)	(119,500,000)	(119,500,000)
B. Advanced neutron source		
Operating expenses	12,000,000	17,000,000
Capital equipment	1,000,000	---
Construction:		
94-E-308 Advanced neutron source	26,000,000	---
Total, Advanced neutron source	39,000,000	17,000,000
C. Energy oversight, res. analysis & univ. support		
1. Energy research analyses - OE	4,020,000	4,020,000
2. University & science education programs		
a. Laboratory cooperative.science centers	35,823,000	35,823,000
b. University programs	12,800,000	12,800,000
c. University reactor fuel assistance	3,730,000	3,730,000
d. University research instrumentation	5,647,000	5,647,000
Total, University & science education programs.	58,000,000	58,000,000
3. ER laboratory technology transfer	39,353,000	39,353,000
4. Advisory and oversight - OE	13,800,000	13,800,000
Total, Energy.oversight, res. anal. & univ. supt..	115,173,000	115,173,000

Department of Energy

	Budget Estimate	Conference
D. Multiprogram energy labs - facility support		
1. Multiprogram general purpose facilities		
Operating expenses	700,000	700,000
Capital equipment	6,000,000	6,000,000
Construction:		
GPE-801 General plant projects	9,000,000	9,000,000
94-E-351 Fuel storage and transfer facility (BNL)	1,000,000	1,000,000
94-E-363 Replace roofing, (ORNL)	3,300,000	3,300,000
93-E-313 Electrical system upgrade, phase II (ANL)	2,150,000	2,150,000
93-E-325 Potable water system upgrade, phase I (BNL)	2,017,000	2,017,000
92-E-322 East canyon electrical safety project (LBL)	1,568,000	1,568,000
92-E-323 Upgrade steam distribution system, West End (ORNL)	2,693,000	2,693,000
92-E-324 Safety compliance modifications, 326 building (PNL)	2,000,000	2,000,000
92-E-329 Electrical substation upgrade (ANL)	2,070,000	2,070,000
88-R-806 Environmental health & safety project (LBL)	1,691,000	1,691,000
Total, Construction	27,489,000	27,489,000
Total, Multiprogram general purpose facilities	34,189,000	34,189,000
2. Multiprogram energy labs - tiger team report		
Operating expenses	623,000	623,000
Capital equipment	500,000	500,000
Construction:		
93-E-315 Roof replacement, phase I (BNL)	1,926,000	1,926,000
93-E-317 Life safety code compliance (PNL)	1,000,000	1,000,000
93-E-320 Fire and safety improvements, phase II (ANL)	850,000	850,000
93-E-323 Fire and safety systems upgrade, phase I (LBL)	1,000,000	1,000,000
93-E-324 Hazardous materials safeguards, phase I (LBL)	1,000,000	1,000,000
Total, Construction	5,776,000	5,776,000
Total, Tiger team report	6,899,000	6,899,000
Inactive and surplus facilities - OE	500,000	500,000
Total, Multiprogram energy laboratories - fac sup.	41,588,000	41,588,000
(Operating expenses)	(1,823,000)	(1,823,000)
(Capital equipment)	(6,500,000)	(6,500,000)
(Construction.)	(33,265,000)	(33,265,000)
Total, Supporting research and technical analysis	997,726,000	975,726,000
(Operating expenses)	(766,581,000)	(771,581,000)
(Capital equipment)	(52,380,000)	(51,380,000)
(Construction)	(178,765,000)	(152,765,000)
IV. Policy and management	3,233,000	3,233,000
TOTAL, ENERGY RESEARCH	1,764,614,000	1,742,614,000

Department of Energy

	Budget Estimate	Conference
ENERGY APPLICATIONS		
I. Technical information management program		
Operating expenses	14,338,000	14,338,000
Capital equipment	600,000	600,000
Total, Technical information management program	14,938,000	14,938,000
II. In-house energy management		
Operating expenses	6,590,000	6,590,000
Construction:		
IHE - 500 Modifications for energy mgmt	19,555,000	19,555,000
Total, In-house energy management	26,145,000	26,145,000
TOTAL, ENERGY APPLICATIONS	41,083,000	41,083,000
ENVIRONMENTAL RESTORATION AND WASTE MGMT (NON-DEFENSE)		
I. Corrective activities		
Operating expenses		
Undistributed	1,120,000	1,120,000
Construction:		
92-E-601 Melton Valley LLLW collection and transfer system upgrade (ORNL)	11,500,000	11,500,000
90-R-119 Laboratory wastewater treatment plant improvements (ANL)	680,000	680,000
88-R-830 Liquid low level waste collection and transfer sys upgrade (ORNL)	6,500,000	6,500,000
Total, Construction	18,680,000	18,680,000
Total, Corrective activities	19,800,000	19,800,000
(Operating expenses)	(1,120,000)	(1,120,000)
(Construction....)	(18,680,000)	(18,680,000)
II. Environmental restoration		
Operating expenses:		
1. Facilities and sites	230,858,000	230,858,000
2. Formerly utilized sites, remedial action projects	42,745,000	42,745,000
3. Uranium program mill tailings, remedial action projects	97,103,000	97,103,000
4. Uranium mill tailings, groundwater restoration project	7,000,000	7,000,000
Total, Environmental restoration	377,706,000	377,706,000
(Operating expenses)	(377,706,000)	(377,706,000)
III. Waste management		
Operating expenses:		
1. Waste operations	73,336,000	73,336,000
2. West valley	124,000,000	124,000,000
3. Low level waste	11,400,000	11,400,000
Total, Operating expenses	208,736,000	208,736,000
Capital equipment	2,706,000	2,706,000
Construction:		
GP-E-600 General plant projects	1,992,000	1,992,000
94-E-601 Waste handling building, Fermilab	1,000,000	1,000,000
94-E-602 Bethel Valley federal facility agreement upgrades, ORNL	3,600,000	3,600,000
93-E-632 Laboratory floor drain collection system upgrades, BNL	1,083,000	1,083,000
93-E-633 Upgrade sanitary sewer system (ORNL)	7,000,000	7,000,000
93-E-900 Long-term storage of TMI-2 fuel, INEL	7,320,000	7,320,000
91-E-305 Waste management fac. project (BNL)	6,150,000	6,150,000

Department of Energy

	Budget Estimate	Conference
91-E-322 329 Building compliance (PNL).........	1,800,000	1,800,000
91-E-600 Rehab of waste management bld 306, ANL	200,000	200,000
91-E-602 Hazardous, radioactive and mixed waste storage facility.(ANL)............	1,295,000	1,295,000
88-R-112 Hazardous waste handling, fac. (LBL)..	5,787,000	5,787,000
Total, Construction..............................	37,227,000	37,227,000
Total, Waste management..............................	248,669,000	248,669,000
(Operating expenses)...............................	(208,736,000)	(208,736,000)
(Capital equipment)...............................	(2,706,000)	(2,706,000)
(Construction.....)...............................	(37,227,000)	(37,227,000)
IV. Facility transition and managment		
Operating expenses..................................	71,103,000	71,103,000
Capital equipment...................................	200,000	200,000
Total, Facility transition and managment..............	71,303,000	71,303,000
TOTAL, ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.	717,478,000	717,478,000
(Operating expenses)...............................	(658,665,000)	(658,665,000)
(Capital equipment)...............................	(2,906,000)	(2,906,000)
(Construction.....)...............................	(55,907,000)	(55,907,000)
Subtotal, Energy supply research and development......	3,356,842,000	3,366,580,000
Use of prior year balances............................	-113,300,000	-113,300,000
Education programs (ESR&D)............................	-58,000,000	---
Salary reduction......................................	-29,370,000	-29,370,000
TOTAL, ENERGY SUPPLY RESEARCH AND DEVELOPMENT.........	3,156,172,000	3,223,910,000
(Operating expenses)...............................	(2,702,102,000)	(2,802,840,000)
(Capital equipment)...............................	(120,485,000)	(126,485,000)
(Construction.....)...............................	(333,585,000)	(294,585,000)
URANIUM SUPPLY AND ENRICHMENT ACTIVITIES		
I. Uranium enrichment residual activities		
Operating expenses..................................	246,992,000	246,992,000
Capital equipment...................................	100,000	100,000
Subtotal, Uranium.supply and enrichment activities....	247,092,000	247,092,000
(Operating expenses)...............................	(246,992,000)	(246,992,000)
(Capital equipment)...............................	(100,000)	(100,000)
Revenues..	-70,000,000	-70,000,000
TOTAL, URANIUM SUPPLY AND ENRICHMENT ACTIVITIES.......	177,092,000	177,092,000
(Operating expenses)...............................	(176,992,000)	(176,992,000)
(Capital equipment)...............................	(100,000)	(100,000)
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
UE Decontamination and Decommissioning Fund...........	286,320,000	286,320,000
GENERAL SCIENCE AND RESEARCH		
I High energy physics		
A. Physics research - OE........................	148,560,000	148,560,000
B. Facility operations		
Operating expenses..............................	268,455,000	268,455,000
Capital equipment...............................	61,160,000	61,160,000
Construction:		
GP-E-103 General plant projects, various locations....................................	12,149,000	12,149,000
94-G-301 Accelerator improvements & modifications, VL..........................	13,105,000	13,105,000

Department of Energy

	Budget Estimate	Conference
94-G-304.B-Factory	36,000,000	36,000,000
92-G-302.Fermilab main injector, Fermilab	25,000,000	25,000,000
Total, Construction	86,254,000	86,254,000
Total, Facility operations	415,869,000	415,869,000
C. High energy technology - OE	59,415,000	59,415,000
E. Other capital equipment	3,925,000	3,925,000
Total, High energy physics	627,769,000	627,769,000
(Operating expenses)	(476,430,000)	(476,430,000)
(Capital equipment)	(65,085,000)	(65,085,000)
(Construction.....)	(86,254,000)	(86,254,000)
II. Nuclear physics		
A. Medium energy physics - OE	91,555,000	111,555,000
B. Heavy ion physics - OE	67,400,000	67,400,000
C. Low energy.physics - OE	25,600,000	25,600,000
D. Nuclear theory - OE	14,800,000	14,800,000
E. Capital equipment	27,130,000	30,130,000
F. Construction:		
GP-E-300 General plant projects, various locations	3,600,000	3,600,000
94-G-302 Accelerator improvements & mods., VL	3,800,000	3,800,000
91-G-300 Relativistic heavy ion collider, BNL	70,000,000	78,000,000
87-R-203 Continuous electron beam accelerator facility, Newport News, VA	16,590,000	16,590,000
Total, Construction	93,990,000	101,990,000
G. Other capital equipment	1,870,000	1,870,000
Total, Nuclear physics	322,345,000	353,345,000
(Operating expenses)	(199,355,000)	(219,355,000)
(Capital equipment)	(29,000,000)	(32,000,000)
(Construction.....)	(93,990,000)	(101,990,000)
III.General science program direction - OE	9,000,000	9,000,000
IV. Superconducting super collider		
A. SSC project		
Operating expenses	104,402,000	104,402,000
Capital equipment	50,000,000	50,000,000
Construction:		
90-R-106.Superconducting super collider	480,598,000	480,598,000
Total, SSC project	635,000,000	635,000,000
B. SSC laboratory research and operations		
Operating expenses	5,000,000	5,000,000
Total, Superconducting super collider	640,000,000	640,000,000
General reduction	-12,923,000	-15,000,000
TOTAL, GENERAL SCIENCE AND RESEARCH	1,586,191,000	1,615,114,000
(Operating expenses)	(781,264,000)	(799,187,000)
(Capital equipment)	(144,085,000)	(147,085,000)
(Construction.....)	(660,842,000)	(668,842,000)
ISOTOPE PRODUCTION AND DISTRIBUTION FUND		
I. Isotope production	3,910,000	3,910,000
General reduction	-44,000	---
TOTAL, ISOTOPE PRODUCTION AND DISTRIBUTION FUND	3,866,000	3,910,000

Department of Energy

	Budget Estimate	Conference
ATOMIC ENERGY DEFENSE ACTIVITIES:		
WEAPONS ACTIVITIES		
I. Research and development		
A. Research and development - core		
Operating expenses	986,772,000	956,772,000
Capital equipment	67,019,000	67,019,000
Construction:		
GPD-101 General plant projects, various locations	11,500,000	11,500,000
94-D-102, Nuclear weapons research, development and testing facilities revitalization, Phase V, various locations	11,110,000	4,000,000
92-D-102 Nuclear weapons research, development and testing facilities revitalization, phase IV, various locations	27,479,000	27,479,000
90-D-102 Nuclear weapons research, development, and testing facilities revitalization, phase III, various locations	30,805,000	30,805,000
88-D-106 Nuclear weapons research, development, and testing facilities revitalization, phase II, various locations	39,624,000	39,624,000
Total, Construction	120,518,000	113,408,000
Total, Research and development - core	1,174,309,000	1,137,199,000
B. Inertial fusion		
Operating expenses	172,553,000	172,553,000
Capital equipment	15,860,000	15,860,000
Total, Inertial fusion	188,413,000	188,413,000
Total, Research and development	1,362,722,000	1,325,612,000
II. Testing		
A. Weapons program		
Operating expenses	375,000,000	374,726,000
Capital equipment	24,400,000	19,400,000
Construction:		
GPD-101 General plant projects, various locations	5,000,000	5,000,000
93-D-102 Nevada support facility, North Las Vegas, NV	4,000,000	4,000,000
Total, Construction	9,000,000	9,000,000
Total, Testing	408,400,000	403,126,000
Total, Research, development and testing	1,771,122,000	1,728,738,000
(Operating expenses)	(1,534,325,000)	(1,504,051,000)
(Capital equipment)	(107,279,000)	(102,279,000)
(Construction.....)	(129,518,000)	(122,408,000)
III. Stockpile support		
Operating expenses	1,802,280,000	1,792,280,000
Capital equipment	12,136,000	12,136,000
Construction:		
Production base:		
Facilities capability assurance program:		
88-D-122 Facilities capabilities assurance program (FCAP), various locations	27,100,000	27,100,000
Production support facilities:		
GPD-121 General plant projects, various locations	7,700,000	7,700,000
Total, Production base	34,800,000	34,800,000

Department of Energy

	Budget Estimate	Conference
Environment, safety and health:		
94-D-124 Hydrogen fluoride supply system, Y-12 Plant, Oak Ridge, TN	5,000,000	5,000,000
94-D-125 Upgrade life safety, Kansas City Plant, Kansas City, MO	1,000,000	1,000,000
94-D-127 Emergency notification system, Pantex Plant, Amarillo, TX	1,000,000	1,000,000
94-D-128 Environmental, Safety and Health analytical lab, Pantex Plant, Amarillo, TX	800,000	800,000
93-D-122 Life safety upgrades, Y-12 Plant, Oak Ridge, TN	5,000,000	5,000,000
92-D-126 Replace emergency notification systems,.various locations	10,500,000	10,500,000
85-D-121 Air and water pollution control Y-12 plant	3,000,000	3,000,000
Total, Environment, safety and health	26,300,000	26,300,000
Safeguards and security:		
88-D-123 Security enhancement, Pantex Plant, Amarillo, TX	20,000,000	20,000,000
Total, Construction	81,100,000	81,100,000
Use of prior.year balances - OE (WA/SS)	---	-3,000,000
Total, Stockpile support	1,895,516,000	1,882,516,000
IV. Program direction		
Weapons program direction	280,466,000	177,466,000
Contractor employment transition	---	100,000,000
Capital equipment	3,619,000	3,619,000
Total, Program direction	284,085,000	281,085,000
V. Complex reconfiguration		
Operating expenses	138,500,000	168,500,000
Construction:		
93-D-123 Complex - 21, various.locations	25,000,000	25,000,000
Total, Complex reconfiguration	163,500,000	193,500,000
Subtotal, Weapons.activities	4,114,223,000	4,085,839,000
Use of prior year balances	-356,641,000	-440,641,000
Salary reduction	-48,282,000	-50,000,000
TOTAL, WEAPONS ACTIVITIES	3,709,300,000	3,595,198,000
(Operating expenses)	(3,350,648,000)	(3,248,656,000)
(Capital equipment)	(123,034,000)	(118,034,000)
(Construction....)	(235,618,000)	(228,508,000)
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT		
I. Corrective activities		
Operating expenses		
Undesignated	2,170,000	2,170,000
Capital equipment		
Undesignated	600,000	600,000
Construction:		
92-D-403 Tank upgrades project, LLNL	3,888,000	3,888,000
Total, Corrective.activities	6,658,000	6,658,000
(Operating expenses)	(2,170,000)	(2,170,000)
(Capital equipment)	(600,000)	(600,000)
(Construction.....)	(3,888,000)	(3,888,000)

Department of Energy

	Budget Estimate	Conference
II. Environmental restoration		
Operating expenses	1,536,027,000	1,536,027,000
III. Waste management		
Operating expenses	2,327,106,000	2,362,106,000
Capital equipment	132,113,000	138,781,000
Construction:		
GP-D-171 General plant projects	28,959,000	28,959,000
94-D-400 High explosive wastewater treatment system, LANL	1,000,000	1,000,000
94-D-402 Liquid waste treatment system, NTS	2,114,000	2,114,000
94-D-404 Melton Valley storage tank capacity increase, ORNL	9,400,000	9,400,000
94-D-405 Central neutralization facility pipeline extension project, K-25	1,714,000	1,714,000
94-D-406 Low-level waste disposal facilities, K-25	6,000,000	6,000,000
94-D-407 Initial tank retrieval systems, RL	7,000,000	7,000,000
94-D-408 Office facilities - 200 East, RL	1,200,000	1,200,000
94-D-411 Solid waste operation complex, RL	7,100,000	7,100,000
94-D-414 Site 300 explosive waste storage facility, LLNL	370,000	370,000
94-D-416 Solvent storage tanks installation, SR.	1,500,000	1,500,000
93-D-174 Plant drain waste water treatment upgrades, Y-12	3,500,000	3,500,000
93-D-175 Industrial waste compact fac., Y-12	1,800,000	1,800,000
93-D-176 Oak Ridge reservation storage facility, Oak Ridge, TN	6,039,000	6,039,000
93-D-177 Disposal of K-1515 sanitary water treatment plant waste, K-25	7,100,000	7,100,000
93-D-178 Building 374 liquid waste treatment facility, RF	1,000,000	1,000,000
93-D-181 Radioactive liquid waste line repl, RL.	6,700,000	6,000,000
93-D-182 Replace of cross-site trans system, RL.	6,500,000	6,500,000
93-D-183 Multi-function waste remediation, RL	35,660,000	45,660,000
93-D-187 High level waste removal from filled waste tanks, SR	3,000,000	3,000,000
93-D-188 New sanitary landfill, SR	1,020,000	1,020,000
92-D-172 Hazardous waste treatment and processing facility, Pantex Plant	300,000	300,000
92-D-173 NOx abatement facility, ID	10,000,000	10,000,000
92-D-177 Tank 101-AZ waste retrieval system, RL.	7,000,000	7,000,000
92-D-188 Waste management ES&H, and compliance activities, various locations	8,568,000	8,568,000
91-D-171 Waste receiving and processing facility, module 1, Richland, WA	17,700,000	17,700,000
90-D-172 Aging waste transfer line, Richland, WA	5,600,000	5,000,000
90-D-177 RWMC transuranic (TRU) waste characterization and storage facility, ID	21,700,000	21,700,000
89-D-172 Hanford environmental compliance, Richland, WA	11,700,000	11,700,000

Department of Energy

	Budget Estimate	Conference
89-D-173 Tank farm ventilation upgrade, Richland, WA	1,800,000	1,000,000
89-D-174 Replacement high level waste evaporator, Savannah River, SC	12,974,000	12,974,000
88-D-173 Hanford waste vitrification plant (HWVP), Richland, WA	85,000,000	40,000,000
87-D-181 Diversion box and pump pit containment buildings, Savannah River, SC	2,137,000	2,137,000
86-D-103 Decontamination and waste treatment facility, LLNL, Livermore, CA	10,260,000	10,260,000
83-D-148 Non-radioactive hazardous waste management, Savannah River, SC	2,169,000	2,169,000
81-T-105 Defense waste processing fac., SR, SC	43,873,000	43,873,000
Total, Construction	379,457,000	342,357,000
Total, Waste management	2,838,676,000	2,843,244,000
(Operating expenses)	(2,327,106,000)	(2,362,106,000)
(Capital equipment)	(132,113,000)	(138,781,000)
(Construction.....)	(379,457,000)	(342,357,000)
IV. Technology development		
Operating expenses	371,150,000	371,150,000
Capital equipment	29,850,000	29,850,000
Total, Technology development	401,000,000	401,000,000
V. Transportation Management		
Operating expenses	19,730,000	19,730,000
Capital equipment	400,000	400,000
Total, Transportation Management	20,130,000	20,130,000
VI. Program direction		
Operating expenses	82,427,000	82,427,000
Capital equipment	9,469,000	9,469,000
Total, Program direction	91,896,000	91,896,000
VII. Facility transition & management		
Operating expenses	545,268,000	545,268,000
Capital equipment	24,726,000	24,726,000
Construction:		
GP-D-171 General plant projects, var. locations	19,221,000	19,221,000
94-D-122 Underground storage tanks, RF	700,000	700,000
94-D-401 Emergency response facility, Idaho National Engineering Laboratory, Idaho	1,190,000	600,000
94-D-412 300 area process sewer piping system upgrade, Richland, Washington	1,100,000	1,100,000
94-D-415 Idaho National Engineering Laboratory medical facilities, Idaho National Engineering Laboratory, Idaho	1,110,000	1,110,000
94-D-451 Infrastructure replacement, Rocky Flats Plant, Golden, Colorado	6,600,000	6,600,000
93-D-172 Idaho National Engineering Laboratory electrical upgrade, Idaho National Engineering Laboratory, Idaho	9,600,000	9,600,000
93-D-184 325 facility compliance/renovation, Pacific Northwest Laboratory, Richland, Washington	3,500,000	3,500,000

Department of Energy

	Budget Estimate	Conference
93-D-185 Landlord program safety compliance, phase II, Richland, Washington	1,351,000	1,351,000
92-D-125 Master safeguards and security agreement/materials surveillance task force security upgrades, Rocky Flats Plant, Golden, Colorado	3,900,000	3,900,000
92-D-181 Idaho National Engineering Laboratory fire and life safety improvements, Idaho National Engineering Laboratory, Idaho	5,000,000	5,000,000
92-D-182 Idaho National Engineering Laboratory sewer systems upgrade, Idaho National Engineering Laboratory, Idaho	1,450,000	1,450,000
92-D-183 Idaho National Engineering Laboratory transportation complex, Idaho National Engineering Laboratory, Idaho	7,198,000	7,198,000
92-D-184 Hanford infrastructure underground storage tanks, Richland, Washington	300,000	300,000
92-D-186 Steam system rehabilitation, phase II, Richland, Washington	4,300,000	4,300,000
92-D-187 300 area electrical distribution conversion and safety improvements, phase II, Richland, Washington	10,276,000	10,276,000
91-D-175 300 area electrical distribution conversion and safety improvements, phase I, Richland, Washington	1,500,000	1,500,000
90-D-175 Landlord program safety compliance, phase I, Richland, Washington	1,800,000	1,800,000
Total, Construction	80,096,000	79,506,000
Total, Facility transition & management	650,090,000	649,500,000
(Operating expenses)	(545,268,000)	(545,268,000)
(Capital expenses)	(24,726,000)	(24,726,000)
(Construction)	(80,096,000)	(79,506,000)
Subtotal, Defense environment restoration & waste mgmt	5,544,477,000	5,548,455,000
Use of prior year balances	-86,600,000	-86,600,000
General reduction and other adjustments	-37,765,000	-280,000,000
Transfer to EPA	8,000,000	---
TOTAL, DEFENSE ENVIRONMENTAL RESTORATION & WASTE MGMT.	5,428,112,000	5,181,855,000
(Operating expenses)	(4,767,513,000)	(4,552,278,000)
(Capital equipment)	(197,158,000)	(203,826,000)
(Construction)	(463,441,000)	(425,751,000)
MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS		
MATERIALS SUPPORT		
I. Reactor operations	168,495,000	168,495,000
II. Processing of nuclear materials	387,628,000	387,628,000
III. Supporting services	282,073,000	260,000,000
IV. Capital equipment	75,209,000	65,000,000
V. Construction:		
A. Environment, safety and health:		
93-D-147 Domestic water system upgrade Phase I &.II, Savannah River, SC	7,720,000	7,720,000
93-D-148 Replace high-level drain lines, Savannah River, SC	1,800,000	1,800,000
93-D-152 Environmental modification for production facilities, Savannah River, SC	20,000,000	20,000,000
92-D-140 F&H canyon exhaust upgrades, Savannah River, SC	15,000,000	15,000,000

Department of Energy

	Budget Estimate	Conference
92-D-142 Nuclear material processing training center, Savannah River, SC	8,900,000	8,900,000
92-D-143 Health protection instrument calibration facility, Savannah River, SC	9,600,000	9,600,000
90-D-149 Plantwide fire protection, Phases I and II,.Savannah River, SC	25,950,000	25,950,000
Total, Environment, safety and.health	88,970,000	88,970,000
B. Programmatic projects:		
GPD-146 General plant projects, various locations	31,760,000	23,000,000
92-D-150 Operations support facilities, Savannah.River, SC	26,900,000	26,900,000
92-D-153 Engineering support facility, Savannah.River Site, SC	9,500,000	9,500,000
86-D-149 Productivity retention program, Phases I, II, III, IV, V, and VI, various locations	3,700,000	3,700,000
Total, Programmatic projects	71,860,000	63,100,000
Total, Construction	160,830,000	152,070,000
VI. Program direction	62,970,000	57,000,000
Subtotal, Materials Support	1,137,205,000	1,090,193,000
TOTAL, MATERIALS SUPPORT	1,137,205,000	1,090,193,000
(Operating expenses)	(901,166,000)	(873,123,000)
(Capital equipment)	(75,209,000)	(65,000,000)
(Construction.....)	(160,830,000)	(152,070,000)
OTHER NATIONAL SECURITY PROGRAMS		
I. Verification and control technology		
Operating expenses	344,741,000	341,941,000
Capital equipment	15,573,000	15,573,000
Construction:		
90-D-186 Center for national security and arms control, Sandia National Laboratories Albuquerque, NM	8,515,000	8,515,000
Total, Verification and control technology	368,829,000	366,029,000
II. Nuclear safeguards and security		
Operating expenses	86,246,000	82,700,000
Capital equipment	4,101,000	4,101,000
Total, Nuclear safeguards and security	90,347,000	86,801,000
III. Security investigations - OE	53,335,000	49,000,000
IV. Security evaluations		
Operating expenses	14,961,000	14,961,000
V. Office of nuclear safety		
Operating expenses	24,859,000	24,859,000
Capital equipment	50,000	50,000
Total, Office of nuclear safety	24,909,000	24,909,000
VI. Worker training and adjustment	100,000,000	100,000,000
TOTAL, OTHER NATIONAL SECURITY PROGRAMS	652,381,000	641,700,000
(Operating expenses)	(624,142,000)	(613,461,000)
(Capital equipment)	(19,724,000)	(19,724,000)
(Construction....)	(8,515,000)	(8,515,000)

Department of Energy

	Budget Estimate	Conference
NAVAL REACTORS		
I. Naval reactors development		
A. Plant development - OE	124,900,000	124,900,000
B. Reactor development - OE	316,531,000	316,531,000
C. Reactor operation and evaluation - OE	166,000,000	166,000,000
D. Capital equipment	46,900,000	46,900,000
E. Construction:		
GPN-101 General plant projects, various locations	7,500,000	7,500,000
93-D-200 Engineering services facilities Knolls Atomic Power Laboratory, Niskayuna, NY	7,000,000	7,000,000
92-D-200 Laboratories facilities upgrades, various locations	2,800,000	2,800,000
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	7,800,000	---
Total, Construction	25,100,000	17,300,000
F. Program direction	18,300,000	18,300,000
Total, Naval reactors development	697,731,000	689,931,000
II. Enrichment materials - OE	70,000,000	70,000,000
TOTAL, NAVAL REACTORS	767,731,000	759,931,000
(Operating expenses)	(695,731,000)	(695,731,000)
(Capital equipment)	(46,900,000)	(46,900,000)
(Construction.....)	(25,100,000)	(17,300,000)
SUBTOTAL, MATERIALS SUPPORT AND OTHER DEF. PROGRAMS	2,557,317,000	2,491,824,000
Savannah river pension refund	-100,000,000	-100,000,000
Use of prior year balances	-351,132,000	-409,132,000
Salary reduction	-18,937,000	-18,937,000
Education programs (MS)	58,000,000	---
TOTAL, MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS	2,145,248,000	1,963,755,000
(Operating expenses)	(1,808,970,000)	(1,654,246,000)
(Capital equipment)	(141,833,000)	(131,624,000)
(Construction.....)	(194,445,000)	(177,885,000)
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal	120,000,000	120,000,000
General reduction	-258,000	---
TOTAL, DEFENSE NUCLEAR WASTE DISPOSAL	119,742,000	120,000,000
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	11,402,402,000	10,860,808,000
(Operating expenses)	(10,046,873,000)	(9,575,180,000)
(Capital equipment)	(462,025,000)	(453,484,000)
(Construction.....)	(893,504,000)	(832,144,000)
DEPARTMENTAL ADMINISTRATION		
I. Administrative operations		
A. Office of the Secretary - salaries and expenses	2,856,000	2,856,000
B. General management - personnel compensation and benefits	191,269,000	191,269,000
C. General management - other expenses		
1. Travel	5,317,000	5,317,000
2. Services	183,678,000	177,000,000
3. Capital equipment	8,561,000	7,780,000
Total, Other expenses	197,556,000	190,097,000

Department of Energy

	Budget Estimate	Conference
D. Program support		
1. Office of minority economic impact	3,626,000	3,626,000
2. Policy analysis and system studies	4,334,000	4,334,000
3. Consumer affairs	47,000	47,000
4. Public affairs	55,000	55,000
5 International policy studies	1,255,000	1,255,000
Total, Program support	9,317,000	9,317,000
Total, Administrative operations	400,998,000	393,539,000
II. Cost of work for others	61,626,000	61,626,000
Subtotal, Departmental administration (gross)	462,624,000	455,165,000
Use of unobligated balances and other adjustments	-47,927,000	-53,927,000
General reduction	-214,000	---
Total, Departmental administration (gross)	414,483,000	401,238,000
Miscellaneous revenues	-239,209,000	-239,209,000
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	175,274,000	162,029,000
(Operating expenses)	(166,713,000)	(154,249,000)
(Capital equipment)	(8,561,000)	(7,780,000)
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General	31,757,000	30,362,000
POWER MARKETING ADMINISTRATIONS:		
ALASKA POWER ADMINISTRATION		
I. Operation and maintenance		
Operating expenses	4,010,000	4,010,000
SOUTHEASTERN POWER ADMINISTRATION		
I. Operation and maintenance		
A. Operating expenses	3,217,000	3,217,000
B. Purchase power and wheeling	31,488,000	31,488,000
Subtotal, Operation and maintenance	34,705,000	34,705,000
Use of prior year balances	-4,963,000	-4,963,000
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	29,742,000	29,742,000
SOUTHWESTERN POWER ADMINISTRATION		
I. Operation and maintenance		
A. Operating expenses	21,563,000	21,563,000
B. Purchase power and wheeling	1,650,000	1,650,000
C. Construction	11,138,000	11,138,000
Subtotal, Operation and maintenance	34,351,000	34,351,000
Use of prior year balances	-764,000	-764,000
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	33,587,000	33,587,000
WESTERN AREA POWER ADMINISTRATION		
I. Operation and maintenance		
A. Construction and rehabilitation	121,695,000	121,695,000
B. System operation and maintenance	125,554,000	125,554,000
C. Purchase power and wheeling	100,707,000	100,707,000
D. Utah mitigation and conservation	5,000,000	5,000,000
Subtotal, Operation and maintenance	352,956,000	352,956,000
Use of prior year balances		-75,000,000
Transfer of permanent authority from DOI	(7,168,000)	(7,168,000)
TOTAL, WESTERN AREA POWER ADMINISTRATION	352,956,000	277,956,000

Department of Energy

	Budget Estimate	Conference
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	165,375,000	165,375,000
FERC revenues	-165,375,000	-165,375,000
TOTAL, FEDERAL ENERGY REGULATORY COMMISSION		
NUCLEAR WASTE DISPOSAL FUND		
Nuclear waste disposal fund	260,000,000	260,000,000
General reduction	-1,972,000	
TOTAL, NUCLEAR WASTE DISPOSAL FUND	258,028,000	260,000,000

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

Amendment No. 44: Appropriates $249,000,000 as proposed by the Senate instead of $189,000,000 as proposed by the House.

The conferees agree that a total of $50,000,000 is provided for Corridor L in West Virginia; a total of $4,600,000 is provided for corridor construction in Mississippi; a total of $13,500,000 is provided for Corridors G, B, Q, and F in Kentucky; and a total of $38,700,000 is provided for corridor construction in Alabama.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Amendment No. 45: Appropriates $16,560,000 for the Defense Nuclear Facilities Safety Board instead of $15,060,000 as proposed by the House and $18,060,000 as proposed by the Senate.

TENNESSEE VALLEY AUTHORITY

Amendment No. 46: Appropriates $140,473,000 as proposed by the Senate instead of $138,973,000 as proposed by the House.

TITLE V

GENERAL PROVISIONS

Amendment No. 47: Deletes language proposed by the Senate urging the Secretary of Energy to prepare a proposal to satisfy the Bonneville Power Administration's entire repayment obligation to the United States Treasury.

The conferees agree that, utilizing funds made available in this Act, the Secretary of Energy is requested to submit to the Congress by February 1, 1994, a legislative proposal to satisfy the Bonneville Power Administration's entire repayment obligation to the United States Treasury for appropriated investment in the Federal Columbia River Power System. The proposal should result in maximum deficit reduction for the Federal Government in fiscal year 1995 through fiscal year 1999, and should not increase Bonneville Power Administration rates beyond those rates which would result under existing debt repayment policy and practices.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

New budget (obligational) authority, fiscal year 1993	$22,240,643,000
Budget estimates of new (obligational) authority, fiscal year 1994	22,346,046,000
House bill, fiscal year 1994	21,730,444,000
Senate bill, fiscal year 1994	22,192,617,000
Conference agreement, fiscal year 1994	22,215,382,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	−25,261,000
Budget estimates of new (obligational) authority, fiscal year 1994 0,664,000	
House bill, fiscal year 1994	+484,938,000
Senate bill, fiscal year 1994	+22,765,000

Tom Bevill,
Vic Fazio,
Jim Chapman,
Douglas "Pete"
Peterson,
Ed Pastor,
Carrie Meek,
William H. Natcher,
Dean A. Gallo,
Harold Rogers,
Joseph M. McDade,
Managers on the Part of the House.

J. Bennett Johnston,
Robert C. Byrd,
Ernest F. Hollings,
Jim Sasser,
Dennis DeConcini,
Harry Reid,
J. Robert Kerrey,
Mark O. Hatfield,
Thad Cochran,
Pete V. Domenici,
Don Nickles,
Slade Gorton,
Mitch McConnell,
Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 2519

Mr. SMITH of Iowa submitted the following conference report and statement on the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes:

CONFERENCE REPORT (H. REPT. 103-293)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2519) "making appropriations for the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies for the fiscal year ending September 30, 1994, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 19, 20, 25, 35, 38, 39, 43, 47, 53, 54, 56, 57, 58, 60, 65, 66, 70, 85, 88, 91, 102, 104, 112, 118, 119, 134, 154, 156, 158, 160, 165, 167, 172, 173, 176, 177, and 178.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 14, 24, 28, 29, 40, 41, 42, 45, 46, 48, 49, 51, 59, 61, 74, 83, 87, 100, 117, 121, 123, 124, 125, 136, 144, 146, 163, and 168, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$90,105,000*; and the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$358,000,000*; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$12,000,000*; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$107,000,000*; and the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$85,000,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$4,000,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$13,000,000*; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$8,000,000*; and the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$500,000 shall be available for expenses authorized by section 213 of said Act for regional children's advocacy centers; (b) $1,000,000 shall be available for expenses authorized by section 214 of said Act for local children's advocacy centers; (c) $1,500,000*; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$9,123,000*; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$813,797,000*; and the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$99,000,000*; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$99,000,000*; and the Senate agree to the same.

Amendment numbered 50:

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$722,000,000*; and the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$269,543,000*; and the Senate agree to the same.

Amendment numbered 68:

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$7,776,000*; and the Senate agree to the same.

Amendment numbered 69:

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$26,500,000*; and the Senate agree to the same.

Amendment numbered 72:

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$18,900,000*; and the Senate agree to the same.

Amendment numbered 76:

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *1992 (Public Law 102–572 (106 Stat. 4515–4516)), $13,550,000*; and the Senate agree to the same.

Amendment numbered 77:

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$226,000,000*; and the Senate agree to the same.

Amendment numbered 82:

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$109,703,000, to remain available until expended; of which $2,000,000 is for the construction of the National Marine Fisheries Service Estuarine and Habitat Research Laboratory in Lafayette, Louisiana; of which $1,000,000 is for a grant for the purchase of equipment for the Ruth Patrick Science Education Center in Aiken, South Carolina; and of which the following amounts shall be available to carry out continuing construction activities: $1,000,000 for construction and related expenses for a Multi-Species Aquaculture Facility to be located in the State of New Jersey; $1,000,000 for a grant to the Mystic Seaport, Mystic, Connecticut, for a maritime education center; $1,395,000 for a grant to the Indiana State University Center for Interdisciplinary Science Research and Education; and $1,000,000 for a grant for the Boston Biotechnology Innovation Center: Provided, That notwithstanding any other provision of law, any land located on Woodley Island in the City of Eureka, California, that is acquired by the United States of America from Humboldt Bay Harbor, Recreation and Conservation District, California, for use as a weather forecasting office, shall be used only as a weather forecasting office and for related purposes: Provided further, That in the event the aforementioned property is no longer required for such use, the Secretary of Commerce shall determine that the property is no longer needed for such use and title of the property shall revert to Humboldt Bay Harbor, Recreation, and Conservation District*; and the Senate agree to the same.

Amendment numbered 86:

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$16,000,000*; and the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms in the areas of textiles, biotechnology, and manufacturing, to include: a grant of $9,000,000 for the National Textile Center University Consortium; a grant of $3,400,000 for the Tailored Clothing Technology Corporation; a grant of $800,000 for the Center for Global Competitiveness at Saint Francis College in Loretto, Pennsylvania; a grant of $465,000 for the Center for Manufacturing Productivity at the University of Massachusetts at Amherst; a grant of $1,395,000 for the Massachusetts Biotechnology Research Institute; and a grant of $930,000 for the Michigan Biotechnology Institute,* ; and the Senate agree to the same.

Amendment numbered 90:

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *$248,590,000*; and the Senate agree to the same.

Amendment numbered 92:

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$42,100,000, of which $30,300,000 shall remain available until expended: Provided, That $800,000 shall be available only for a grant to the City of Williamsport, Pennsylvania for revitalization and development of minority firms, and $500,000 shall be available only for a grant to the Catawba Indian Tribe in South Carolina for business planning and technical assistance*; and the Senate agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$5,700,000*; and the Senate agree to the same.

Amendment numbered 95:

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$19,927,000*; and the Senate agree to the same.

Amendment numbered 96:

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$24,000,000*; and the Senate agree to the same.

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$26,000,000*; and the Senate agree to the same.

Amendment numbered 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$28,000,000*; and the Senate agree to the same.

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$23,000,000*; and the Senate agree to the same.

Amendment numbered 106:

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,850,000*; and the Senate agree to the same.

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$12,900,000*; and the Senate agree to the same.

Amendment numbered 108:

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$11,000,000*; and the Senate agree to the same.

Amendment numbered 109:

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,156,000,000*; and the Senate agree to the same.

Amendment numbered 116:

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$18,450,000*; and the Senate agree to the same.

Amendment numbered 126:

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$20,600,000*; and the Senate agree to the same.

Amendment numbered 127:

That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$258,900,000. Of this total amount: $71,266,000 shall be available for grants for performance in fiscal year 1994 or fiscal year 1995* *for Small Business Development Centers as authorized by section 21 of the Small Business Act, as amended; $3,500,000 shall be available for the Service Corps of Retired Executives (SCORE); $18,000,000 shall be available to carry out section 24 of the Small Business Act, as amended; $3,000,000 shall be available for the Small Business Institute program (SBI); $9,000,000 shall be available until expended for Microloan technical assistance*; and the Senate agree to the same.

Amendment numbered 128:

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *; $175,000 shall be available for a grant to the Ben Franklin Center in Philadelphia, Pennsylvania, to assist small businesses to qualify for and participate in the Small Business Innovation Research (SBIR) program; $750,000 shall be available for a grant to the North Carolina Rural Economic Development Center for the North Carolina Small Business Capital Access Program to provide financial development assistance to small businesses; $500,000 shall be available for a grant to the Van Emmons Population, Marketing Analysis Center, Towanda, Pennsylvania, for an integrated small business data base to assist Appalachian Region small businesses; $1,000,000 shall be available for a grant to the City of Prestonsburg, Kentucky, for small business development assistance; $680,000 shall be available for a grant to the State of Nebraska for a statewide small business data base to facilitate the development of small businesses in rural communities; $100,000 shall be available for a grant to the State of Nebraska for a statewide small business data base to facilitate the development of small businesses in rural communities; $100,000 shall be available for a grant to the Institute for Economic Development, Western Kentucky University to provide small business consulting services for senior citizens; $5,000,000 shall be available for a grant to the National Center for Genome Resources in New Mexico, to provide consulting assistance, information and related services to small businesses and for related purposes; $1,000,000 shall be available for a grant to the University of Arkansas, Fayetteville, Arkansas, for the Genesis small business incubator facility; $300,000 shall be available for a grant to the Economic Development Council of Paducah, Kentucky, to assist in the development of a small business incubator facility; $1,000,000 shall be available for a grant to the WVHTC Foundation in West Virginia for build out, equipment, and operations costs for a small business incubator facility; $250,000 shall be available for a grant to Grant County, West Virginia, to establish a small business development and financial assistance fund; and in addition, the following continuing activities shall be funded from the total amount provided in this paragraph at the level designated for these activities under this heading in Public Law 102–395: Hazard Community College in Hazard, Kentucky, to assist in the development of a small business consulting, information and assistance facility; Seton Hill College in Greensburg, Pennsylvania, to provide for a small business consulting and assistance center for entrepreneurial opportunity; the University of Central Arkansas to assist the Small business Institute Program of the Small Business Administration to establish and operate a National Data Center; and the Iowa Waste Reduction Center, University of Northern Iowa for a demonstration program to assist small businesses in complying with certain Federal regulatory requirements*; and the Senate agree to the same.

Amendment numbered 131:

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$196,041,000*; and the Senate agree to the same.

Amendment numbered 143:

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,500,000*; and the Senate agree to the same.

Amendment numbered 151:

That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$6,000,000*; and the Senate agree to the same.

Amendment numbered 152:

That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$11,200,000*; and the Senate agree to the same.

Amendment numbered 153:

That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$14,400,000*; and the Senate agree to the same.

Amendment numbered 155:

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$16,200,000*; and the Senate agree to the same.

Amendment numbered 157:

That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$16,000,000*; and the Senate agree to the same.

Amendment numbered 164:

That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$43,500,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 5, 7, 10, 11, 21, 22, 23, 27, 30, 31, 34, 37, 44, 52, 62, 63, 64, 67, 71, 73, 75, 78, 79, 80, 81, 84, 93, 97, 99, 101, 110, 111, 113, 114, 115, 120, 122, 129, 130, 132, 133, 135, 137, 138, 139, 140, 141, 142, 145, 147, 148, 149, 150, 159, 161, 162, 166, 169, 170, 171, 174, and 175.

Neal Smith,
Bob Carr,
Alan Mollohan,
James Moran,
David E. Skaggs,
David E. Price,
William H. Natcher,
Hal Rogers,
Jim Kolbe,
Joseph McDade,
Managers on the Part of the House.

Ernest F. Hollings,
Daniel K. Inouye,
Dale Bumpers,
Frank R. Lautenberg,
Jim Sasser,
Bob Kerrey,
Robert C. Byrd,
Pete V. Domenici,
Ted Stevens,
Mark O. Hatfield,
Phil Gramm,
Mitch McConnell,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement by the House and Senate in explanation of the effect of the action by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF JUSTICE AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

Office of Justice Programs

The conference agreement provides a total of $679,605,000 for the various Justice Assistance programs of the Office of Justice Programs instead of $650,000,000 as proposed by the House and $683,314,000 as proposed by the Senate. The disposition of each amendment under this heading and a detailed description of the agreement for each program follows—

Amendment No. 1: Appropriates $90,105,000 instead of $91,300,000 as proposed by the House and $89,564,000 as proposed by the Senate for the following programs:

[In thousands of dollars]

Program/Activity	Fiscal year—				
	1993 Enacted	1994 Request	1994 House	1994 Senate	1994 Conference
National Institute of Justice	22,995	22,995	22,995	22,500	22,500
Bureau of Justice Statistics	21,373	21,373	21,373	20,943	20,943
Emergency Assistance	(2,000)				
Missing Children	8,471	5,971	6,621	6,621	6,621
Regional Information Sharing System	14,491	14,491	14,491	14,200	14,491
Management and Administration	21,669	25,822	25,820	25,300	25,550
Total	88,999	90,652	91,300	89,564	90,105

The conferees are concerned about duplication of effort within the Department, specifically within the Office of Justice Programs (OJP). As discussed under the National Institute of Justice, the bureaus within OJP are funding similar, or in some cases, the same projects. The conferees expect the Attorney General to ensure that funds appropriated to the Department of Justice for the various Bureaus of OJP be obligated in a way to avoid such duplication of effort.

NATIONAL INSTITUTE OF JUSTICE

The conferees understand that the National Institute of Justice (NIJ) has initiated plans to embark on a major study on the origins of criminal behavior. This study would entail the gathering of significant amounts of data on individuals by tracking them from childhood through adulthood. The conferees understand that the NIJ plan to start from scratch on this project, in spite of the fact that there are a number of ongoing studies that could provide most of the data needed for the study. The conferees are aware of the three projects of the Program of Research on the Causes and Correlates of Delinquency—the Denver Youth Survey, Pittsburgh Youth Study, and Rochester Youth Development Study. Since 1986, these studies have gathered extensive and valuable data about youth violence. The conferees agree that scarce budgetary resources should not be wasted by duplicating the information already gathered by these three studies. The conferees further agree that the NIJ, from within the amounts set aside for this project, should provide grants to these three ongoing studies in order to allow them to continue to interview and collect data on the subjects of their study who are now entering the peak ages of involvement in violence. In past years these projects have each received grants of $500,000, and the conferees believe similar amounts are needed in fiscal year 1994 to continue their efforts. Fifteen days prior to the award of any grants for the study on the origins of criminal behavior, the conferees expect the Department to notify the Committees on Appropriations of the House and Senate of their plans for this project.

Amendment No. 2: Renames the "Missing Alzheimer Patient Alert" program designated in the House bill, to the "Safe Return" program, as proposed by the Senate amendment.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE GRANTS

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment as follows. In lieu of the matter proposed by said amendment, insert the following: *notwithstanding the provisions of section 511 of said Act, $474,500,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The House bill provided a total of $427,000,000 for State and Local Law Enforcement Assistance Grants, while the Senate amendment proposed $493,750,000 for these grants. The conference agreement provides a total of $474,500,000, as summarized in the following table:

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE GRANTS

[In thousands of dollars]

Program/Activity	Fiscal year—				
	1993 Enacted	1994 Request	1994 House	1994 Senate	1994 Conference
Part D—Management and Administration	2,000				
Part E—Edward Byrne Memorial Grants:					
Formula Grants	423,000	431,000	306,000	371,750	358,000
Discretionary Grants	50,000	50,000	50,000	50,000	50,000
Correctional Options Grants	(9,000)	(8,000)	15,000	9,000	12,000
NCIC 2000	21,000	13,000	13,000	13,000	13,000
DC/Metro Task Force	(2,000)	2,000	2,000		(2,000)
State/local overtime assistance payments	(16,000)	(16,000)	16,000	(16,000)	16,000
Community Policing			25,000	25,000	25,000
Upgrade Criminal Records				25,000	(25,000)
Anti car theft grants					500
Total, State and Local Law Enforcement Grants	496,000	496,000	427,000	493,750	474,500

The conference agreement also adds new language, not in either bill, waiving the $50,000,000 limitation of Byrne discretionary grants contained in section 511 of the Omnibus Crime Control and Safe Streets Act. This waiver is necessary in order to provide the $25,000,000 requested by the Administration for Community Policy projects.

The conferees note that a supplemental appropriation of $150,000,000 for grants to local communities to hire additional law enforcement personnel was enacted on July 2, 1993. These grants, however, will be awarded during the 1994 fiscal year. The conference agreement was made with this additional source of funding available to States and localities in mind.

Amendment No. 4: Designates $358,000,000 for the Edward Byrne Memorial Formula Grant program, instead of $371,750,000 as proposed by the Senate, and $356,000,000 for the entire Byrne Program as proposed by the House.

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment as follows. In lieu of the matter proposed by said amendment, insert the following: *of part E of title I of said Act and $50,000,000 shall be available to carry out the provisions of chapter A of subpart 2*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language which: (1) provides that the $358,000,000 agreed to in amendment number 4 be available for the Byrne formula grant program, and (2) designates $50,000,000 for the Byrne discretionary grant program. The House and Senate bills included similar language making the amounts provided in amendment number 4 available for both the Byrne formula and discretionary grant programs.

Amendment No. 6: Designates $12,000,000 for Correctional Options Grants, instead of $15,000,000 as proposed by the House, and "an additional $9,000,000" as proposed by the Senate.

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment which adds the words "an additional", which were not in the House bill. This language clarifies the intent of the conferees that the $25,000,000 in discretionary grants designated for Community Policing is in addition to the $50,000,000 provided for the Byrne discretionary program.

Amendment No. 8: Deletes a designation of $1,000,000 for a community policing grant for Wichita, Kansas as proposed in the Senate amendment. This matter is further addressed under the Byrne discretionary grant program.

Amendment No. 9: Deletes the words "an additional" as proposed in the Senate amendment.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment as follows. In lieu of the matter proposed by said amendment, insert the following:

(e) $16,000,000 shall be available to reimburse any appropriation account, as designated by the Attorney General, for selected costs incurred by State and local law enforcement agencies which enter into cooperative agreements to conduct joint law enforcement operations with Federal agencies; (f) $500,000 shall be available to carry out the provisions of subtitle B of title I of the Anti Car Theft Act of 1992 (Public Law 102–519), notwithstanding the provisions of section 131(b)(2) of said Act, for grants to be used in combating motor vehicle theft: Provided further, That not to exceed $12,500,000 of the funds made available in fiscal year 1994 under chapter A of subpart 2 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, shall be available as follows: (a) $2,000,000 shall be available for the activities of the District of Columbia Metropolitan Area Drug Enforcement Task Force; (b) not to exceed $10,000,000 shall be available to the Director of the Federal Bureau of Investigation for start-up costs associated with coordinating the national background check system; and (c) $500,000 shall be transferred to the National Commission to Support Law Enforcement for the necessary expenses of the Commission as authorized by section 211(B) of Public Law 101–515.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The House bill designated $2,000,000 for the D.C. Metro Area Drug Task Force and $16,000,000 for overtime payments for State and local law enforcement personnel. The Senate amendment deleted the House designations and added a new designation of $25,000,000 for grants to upgrade criminal history records.

The conference agreement restores the House designation of $16,000,000 for overtime payments for State and local law enforcement personnel, and adds a new designation not in either bill of $500,000 grants authorized by the Anti Car Theft Act of 1992. The agreement waives the provision in the Anti Car Theft Act that requires States to charge a $1 motor vehicle fee to apply for these grants, because most States have no such fee enacted into law.

The conference agreement also includes language designating up to $12,500,000 within the Byrne discretionary grant program for the following programs: (a) $2,000,000 for the District of Columbia Metropolitan Area Drug Enforcement Task Force; (b) up to $10,000,000 for the FBI's start-up costs associated with coordinating the national background check system; and (c) $500,000 to initiate the National Commission to Support Law Enforcement. The conferees agreed to designate $500,000 from the Byrne program for the National Commission to Support Law Enforcement because of its importance to State and local law enforcement.

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment which adds language, not in the House bill, to allow the States in fiscal year 1994 to utilize their Byrne formula grant funding for programs for the prosecution of driving under the influence charges.

Edward Byrne Memorial Formula Grants.—The agreement provides $358,000,000 for the formula grant program, almost a 20 percent increase over the amount provided in the House bill.

The conferees understand that 42 U.S.C. 3759 mandates that the States allocate no *less* than 5 percent of their formula grant funding for the improvement of criminal justice records. Five percent of the amount appropriated for formula grants would equal $18,000,000, or $3,000,000 more than the amount requested by the Administration to upgrade State criminal records. The conferees agree that the Bureau of Justice Assistance, in its guidance to the States on these fiscal year 1994 grants, should make the upgrade of criminal history records, in conjunction with the FBI, a high priority.

Edward Byrne Memorial Discretionary Grants.—The agreement provides the full $50,000,000 authorized for this discretionary grant program, to include:

(A) $2,800,000 for the National Crime Prevention Council to continue and expand the National Citizens Crime Prevention Campaign (McGruff).

(B) $1,200,000 for a grant to DARE America to continue and expand the Drug Abuse Resistance Education program.

(C) $2,500,000 for a continuation grant to the Boys and Girls Clubs of America.

(D) $2,800,000 for a continuation grant for the Organized Crime Narcotics (OCN) program.

(E) $2,800,000 for a continuation grant for the Financial Investigations (FINVEST) program.

(F) $700,000 for Criminal Information Systems for a continuation grant to the SEARCH Group, Inc.

(G) Not less than $500,000 to continue the criminal drug organization project of the South Carolina State Grand Jury.

(H) $2,000,000 for a grant to continue the activities of the District of Columbia Metropolitan Area Drug Enforcement Task Force.

(I) Up to $10,000,000 for a grant to the FBI to coordinate the national background check system as part of the upgrade of State criminal history records.

The conferees are aware of a number of other projects which will enhance State and local law enforcement. Within the overall amounts provided in the conference agreement for Byrne discretionary grants, the conferees expect the Bureau of Justice Assistance to examine the following proposals, provide grants if warranted, and report its intentions to the Committees on Appropriations of the House and Senate.

The projects described on page 16 of House Report 103–157, and the following additional projects—

San Miguel County, New Mexico seeks a grant for planning and design work to establish a multi-jurisdictional detention center.

The State of Florida seeks a grant to expand the Miami Violent Street Crime Task Force concept to other communities in Florida. This program has had some preliminary success in preventing and reducing such crimes as car-jackings and highway and street robberies which have endangered residents and visitors alike.

Lamar University in Beaumont, Texas, working in close cooperation with State and County officials, seeks a grant for a state-of-the-art instructional program to provide criminal justice, drug treatment and correctional education services for five current and proposed Federal, State and County prisons in Southeast Texas.

Williamsport, Pennsylvania seeks a grant to implement a drug interdiction and community neighborhood watch program.

The American Correctional Association seeks a grant to demonstrate and evaluate model training programs for staff and inmates at selected prison facilities.

Correctional Options Grants.—The agreement provides a total of $12,000,000 for Correctional Options Grants, as follows:

(A) $9,600,000 for grants to public agencies for correctional options that provide alternatives to traditional modes of incarceration.

(B) $1,200,000 for grants to private agencies for correctional options that provide alternatives to traditional modes of incarceration.

(C) $1,200,000 for grants to public agencies to establish, operate and support boot camp prisons.

The conferees are aware of a number of Correctional Options projects which will provide innovative alternatives to incarceration. Within the overall amounts provided in the conference agreements for these grants, the conferees expect the Bureau of Justice Assistance to examine the following proposals, provide grants if warranted, and report its intentions to the Committees on Appropriations of the House and Senate:

The South Carolina Department of Alcohol and Other Drug Abuse Services seeks a continuation grant for the Coastal Addictions Treatment Program, which diverts to treatment youthful offenders with alcohol/drug abuse problems;

San Juan County, New Mexico as described in House Report 103–157; and

Los Angeles County, California as described in Senate Report 103–105.

The conference agreement also provides for the following discretionary grants in addition to the amounts provided for the Edward Byrne Memorial Discretionary Grant Program:

National Crime Information Center (NCIC).—$13,000,000 to continue the modernization of the NCIC.

Overtime Payments.—$16,000,000 for overtime payments to State and local law enforcement agencies which are participating in Federal task forces. The conference agreement assumes that these funds will be distributed as follows: $10,700,000 for DEA and $5,300,000 for OCDE.

Anti Car Theft Grants.—$500,000 for a newly authorized grant program to be used to combat motor vehicle theft.

The conferees are aware of two projects which will provide innovative approaches to combating motor vehicle theft. Within the overall amounts provided in the conference agreement for these discretionary grants, the conferees expect the Bureau of Justice Assistance to examine the following proposals, provide grants if warranted, and report its intentions to the Committees on Appropriations of the House and Senate.

The District Attorneys Office for Kings County, NY seeks a grant for a project utilizing its innovative Autocrimes Prosecution Unit of Assistant District Attorneys and criminal investigators, working with the NYPD's Auto Crimes Division, to prosecute car thieves and dismantle chop shops and illegal parts distribution operations.

Essex and Union Counties, New Jersey seek a grant to expand an auto theft task force, which has had some preliminary success in reducing auto theft.

Community Policing.—$25,000,000 for Community Policing grants to State and local governments to improve cooperative efforts between law enforcement agencies and the community by placing more officers on the street and employing new, innovative techniques to prevent crime.

The conferees expect the Bureau of Justice Assistance (BJA) to continue to utilize the expertise developed by national organizations, such as the Eisenhower Foundation, the National Crime Prevention Council, the National Training and Information Center, and the National Association of Town Watch in expanding Community Policing into new communities.

The conferees agree with the decision by the Justice Department to equally distribute, between large and small communities, the grants for additional police funded in the fiscal year 1993 supplemental appropriation. The conferees encourage the Attorney General to distribute these Community Policing grants in a like manner.

The conferees are aware of a number of projects which will provide innovative approaches to community policing. Within the overall amounts provided in the conference agreement for these discretionary grants, the conferees expect the Bureau of Justice Assistance to examine the following proposals, provide grants if warranted, and report its intentions to the Committees on Appropriations of the House and Senate.

The Santee-Lynches Regional Council of Governments in South Carolina, as described in Senate Report 103–105.

The City of Johnstown and Cambria County, Pennsylvania seeks a grant for a multi-jurisdictional community policing proposal involving Federal, State and local law enforcement, community leaders, and social services agencies.

The City of Charleston, WV seeks a grant to combine efforts of community volunteer organizations, local law enforcement and public housing agencies to address high crime activity.

The City of Wichita, KS seeks a grant for a community policing demonstration project as a model for moderate-sized cities, which will concentrate the efforts of police and community volunteers in high crime activity areas.

The conferees are also aware of the need to provide communities interested in utilizing community policing techniques with training and technical assistance. The conferees understand that the Bureau of Justice Assistance's (BJA) State and Local Training and Technical Assistance program, particularly the Community Oriented Policing (COP) training component, has already trained over 10,000 officers and local officials in this philosophy of crime prevention. The conferees believe the availability of this assistance is critical to the success of the community policing discretionary grant program and expect BJA to provide additional resources from this appropriation to the COP training project. These training funds shall be in addition to other funds required to provide technical assistance to the States in their implementation of the Edward Byrne Formula Grant program.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

Amendment No. 12: Appropriates $107,000,000, instead of $123,000,000 as proposed by the House and $95,000,000 as proposed by the Senate.

The conference agreement provides a total of $107,000,000 for FY 1994 for Juvenile Justice and Delinquency Prevention Act (JJDPA) programs, as summarized in the following table:

JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAMS

[In thousands of dollars]

Program/Activity	Fiscal year—				
	1993 Enacted	1994 Request	1994 House	1994 Senate	1994 Conference
Title II:					
Part A—Management & Administration	3,650	3,650	4,200	3,700	4,250
Part B—Formula Grants	51,100	51,100	65,550	53,300	59,500
Part C—Discretionary Grants	18,250	18,250	23,250	19,000	21,250
Part D—Youth Gangs	4,000	4,000	6,000	5,000	5,000
Part G—Juvenile Mentoring			2,000	7,000	4,000
Title V—Delinquency Prevention Grants			22,000	7,000	13,000
Total—JJDP programs	77,000	77,000	123,000	95,000	107,000

Amendment No. 13: Designates $85,000,000 for funding of Part A (Management & Admin), Part B (Formula Grants), and Part C (Discretionary Grants) of the JJDPA, instead of $93,000,000 as proposed by the House and $76,000,000 as proposed by the Senate.

Amendment No. 14: Designates $5,000,000 for funding of Part D of the JJDPA (Youth Gangs) as proposed by the Senate, instead of $6,000,000 as proposed by the House.

Amendment No. 15: Designates $4,000,000 for funding of Part G (Juvenile Mentoring) of the JJDPA, instead of $2,000,000 as proposed by the House and $7,000,000 as proposed by the Senate.

Amendment No. 16: Designates $13,000,000 for funding of Title V (Delinquency Prevention Grants) of the JJDPA, instead of $22,000,000 as proposed by the House and $7,000,000 as proposed by the Senate.

Part C—Discretionary Grants.—The conference agreement provides a total of $21,250,000 for Part C discretionary grants, of which:

(A) $550,000 is for a grant to provide financial and technical assistance to an organization representing the State Advisory Groups (SAGs).

(B) $100,000 is for a grant to an organization representing the SAGs for an information center to gather and publicize information on JJDP programs.

(C) $3,500,000 is for a grant to the five organizations which comprise the National Coordinated Law-Related Education (LRE) program.

The conferees agree that section 299(e) of the JJDPA does not preclude the National Coordinated Program from competing for LRE funding for programs/projects developed after enactment of P.L. 102-586.

Within the amounts provided for the National Coordinated LRE Program, the conferees agree that $100,000 should be made available as a *one-time* grant to the National Student/Parent Mock Election program. The conferees understand that this program, while providing a useful tool for educators to instruct students on the democratic process, is not targeted towards at-risk youth. Limited funding provided under the Juvenile Justice and Delinquency Prevention Act should be targeted against at-risk youth and not the juvenile population in general. The conferees agree that any future Federal grant proposals for the Mock Student Election should be considered under programs administered by the Department of Education.

(D) $2,300,000 is for a grant to the National Council of Juvenile and Family Court Judges to provide continuing legal education in family and juvenile law.

(E) $1,000,000 is for a grant to expand the Teens, Crime, and the Community Program as described in the Senate Report.

(F) $1,300,000 is for grants for the 7 studies of youth violence mandated by section 248(b)(6) of the JJDPA. Within this amount, $300,000 is provided for the three existing sites, and $1,000,000 is provided to initiate the studies at the four new sites described in section 248. As discussed previously in the report under the National Institute of Justice (NIJ), the conferees believe continuation of the Program of Research on the Causes and Correlates of Delinquency at the three existing sites should be funded at an estimated $500,000 for each site by NIJ as part of its study on the origins of criminal behavior. Should the three Causes and Correlates sites be funded by NIJ, then the conferees believe the $300,000 designated here for that purpose should instead be used for grants to States for assistance to programs at the State and local level.

(G) $500,000 is for a continuation grant to the National Network of Children's Advocacy Centers for technical assistance and training.

Within the amounts provided for discretionary grants under Parts C, D and G of title II and title V of the JJDP Act, the conferees expect the Office of Juvenile Justice Programs to examine each of the following proposals and to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

The projects described on page 18 of House Report 103-157 and page 14 of Senate Report 103-105, and the following additional projects—

A grant to "Just Say No" International to expand its Youth Power program to public housing projects in Oakland, California and Baltimore, Maryland.

A grant to the State of North Carolina to initiate two pilot violence reduction programs based on a successful model program implemented by the Governor's Crime Commission in Robeson County, N.C.

A grant to Lackawanna County, PA to initiate a Juvenile Crime Prevention Program with the local District Attorney, community representatives and counseling practitioners.

VICTIMS OF CHILD ABUSE ACT

Amendment No. 17: Appropriates $8,000,000, instead of $8,700,000 as proposed by the House and $5,000,000 as proposed by the Senate.

The conference agreement provides a total of $8,000,000 for Victims of Child Abuse programs for FY 1994, as summarized in the following table:

VICTIMS OF CHILD ABUSE PROGRAMS

[In thousands of dollars]

Program/Activity	Fiscal year—				
	1993 enacted	1994 request	1994 House	1994 Senate	1994 conference
Subtitle A—Improve Investigations/Prosecution:					
Regional Advocacy Centers			500		500
Local Advocacy Centers			1,500		1,000
Technical Assistance and Training	1,500	1,500	1,600	1,500	1,500
Subtotal	1,500	1,500	3,600	1,500	3,000
Subtitle B—Court Appointed Special Advocates:					
Training and Technical Assistance	(1,000)		1,000	1,000	1,000

VICTIMS OF CHILD ABUSE PROGRAMS—Continued

[In thousands of dollars]

Program/Activity	Fiscal year—				
	1993 enacted	1994 request	1994 House	1994 Senate	1994 conference
Expand Local CASA Programs	(1,000)		3,500	2,000	3,500
Subtotal	(2,000)	0	4,500	3,000	4,500
Subtitle C—Child Abuse Training	500	500	600	500	500
Total—Victims of Child Abuse Act	2,000	2,000	8,700	5,000	8,000

Amendment No. 18: Designates $500,000 for Regional Children's Advocacy Centers, $1,000,000 for Local Children's Advocacy Centers, and $1,500,000 for technical assistance and training. The House bill designated $500,000 for Regional Children's Advocacy Centers, $1,500,000 for Local Children's Advocacy Centers, and $1,600,000 for technical assistance and training. The Senate amendment struck the House designations for regional and local advocacy centers, and designated $1,500,000 for technical assistance and training.

Amendment No. 19: Restores "(d)" as proposed by the House.

Amendment No. 20: Designates "(e) $3,500,000" to expand local CASA programs as proposed by the House, instead of "(c) $2,000,000" as proposed by the Senate.

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment as follows. In lieu of the matter proposed by said amendment, insert the following: *(f) $500,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement designates $500,000 to develop model technical assistance and training programs, instead of $600,000 as proposed by the House and $5,000,000 as proposed by the Senate.

MANAGEMENT AND ADMINISTRATION

The conference agreement provides a total of $29,457,000 and 348 FTE, the full base request, for the management and administration of the Office of Justice Programs (OJP). Because of the new programs that will have to be administered by OJP in fiscal year 1994, the conferees agreed not to include the FTE reductions requested by the Administration.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 22: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$119,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $119,000,000 for General Administration instead of $117,196,000 as proposed by the House and $115,000,000 as proposed by the Senate. The agreement provides requested adjustments to base and assumes the recommended reductions for deficit, FTE, and administrative savings.

Executive Office for Immigration Review (EOIR).—The agreement also restores the $800,000 FTE/Administrative reduction requested for the Executive Office for Immigration Review (EOIR), and provides $1,000,000 of the program enhancement for 7 additional Immigration Judges requested in the budget amendment as part of the President's Immigration Initiative. The agreement assumes an appropriation of $47,469,000 for EOIR with a resulting FTE ceiling of 579.

DEPARTMENT OF JUSTICE DEBT COLLECTION ACTIVITIES

The Department of Justice is responsible for handling the litigation in Federal Courts necessary to obtain judgments which it can enforce to collect civil debts, penalties and fines owed the United States. The Department's civil debt collection activities will result in the recovery of an estimated $918 million in fiscal year 1993 to be deposited into the Treasury. The Department estimates that hundreds of millions of dollars a year in additional debt could be recovered if it was provided more resources.

In order to provide additional resources to improve civil debt collection, the Department has been provided the authority, in section 108, to credit to its Working Capital Fund up to 3 percent of all amounts collected pursuant to civil debt collection litigation activities. Section 108 authorizes the Department to use these collections to pay for the costs of "processing and tracking" debt collection litigation, but not for the actual litigating expenses. The conferees understand that "processing and tracking" includes, but is not limited to, the following services and functions:

The Debt Collection Management Unit,

The National Central Intake Facility,

The Private Counsel Program,

The Debt Accounting Operations Group, and

Other activities and adjunct debt collection tools associated with the litigation and collection of debts (e.g., skiptracing, credit reports, asset investigations, training, education and outreach, and costs in connection with sales of property to satisfy a U.S. Government debt, etc.)

If fiscal year 1993 civil debt collection levels of $918,000,000 continue into fiscal year 1994, up to $27,000,000 could be deposited into the Working Capital Fund (WCF) in fiscal year 1994. The conferees agree that should the $27,000,000 be deposited to the WCF, it should be used first to pay for the existing costs of processing and tracking debt collection litigation throughout the Department, and next to expand such processing and tracking activities. Where appropriate, any appropriated funds supplanted by such payments from the Working Capital fund (WCF) should be used to expand civil debt collection litigating activities. Under this proposal, total debt collection resources would increase from $33,000,000 to an estimated $44,250,000—a 43 percent increase. The Department estimates that for each additional dollar applied to civil debt collection activities, between $15 and $32 in additional debt can be collected. The conferees estimate that by implementing this proposal, at least $170 million and potentially up to $360 million in additional civil debt would be collected and deposited into the Treasury. The following chart identifies resources available under this proposal, as follows: (1) appropriated amounts in the Department's fiscal year 1994 base for debt collection activities, (2) a proposed distribution of WCF collections for processing and tracking, (3) the resulting impact on appropriated funds, and (4) the total amount that could be available for debt collection in fiscal year 1994.

DEBT COLLECTION RESOURCES

[In thousands of dollars]

Appropriation/Program	FY 1994 Base			FY 1994 Conference		
	Appropr	Wk Cap Fnd	Total	Appropr	Wk Cap Fnd	Total
General Administration—						
Debt Collect Management Unit	3,000		3,000		3,000	3,000
Nat'l Central Intake Facility	2,100		2,100		4,700	4,700
Subtotal	5,100		5,100		7,700	7,700
U.S. Attorneys—						
Tracking and Processing	9,900		9,900		11,900	11,900
Litigation	9,100		9,100	14,000		14,000
Subtotal	19,000		19,000	14,000	11,900	25,900
General Legal Activities: Tax Division—						
Tracking and Processing	3,300		3,300		4,400	4,400
Litigation	4,400		4,400	6,000		6,000

DEBT COLLECTION RESOURCES—Continued

[In thousands of dollars]

Appropriation/Program	FY 1994 Base			FY 1994 Conference		
	Appropr	Wk Cap Fnd	Total	Appropr	Wk Cap Fnd	Total
Subtotal	7,700		7,700	6,000	4,400	10,400
Civil Division—						
Tracking and Processing	506		506		750	750
Litigation	44		44	250		250
Subtotal	550		550	250	750	1,000
Environment Division—						
Tracking and Processing	350		350		550	550
Litigation						
Subtotal	350		350		550	550
U.S. Marshals Service—						
Tracking and Processing	300		300		1,700	1,700
Litigation						
Subtotal	300		300		1,700	1,700
Total Debt Collection Resources—						
Tracking and Processing	19,456		19,456		27,000	27,000
Litigation	13,544		13,544	20,250		20,250
Total	33,000		33,000	20,250	27,000	47,250

OFFICE OF INSPECTOR GENERAL

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$30,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $30,000,000 for the Office of Inspector General instead of $30,898,000 as proposed by the House and $30,723,000 as proposed by the Senate. The conferees expect that the various Department of Justice fee accounts will continue to reimburse the Inspector General for audit and inspection services.

WEED AND SEED PROGRAM FUND

Amendment No. 24: Appropriates $13,150,000 for the Weed and Seed Program as proposed by the Senate instead of $12,829,000 as proposed by the House. The conferees expect the Weed and Seed Program fund to provide existing Weed and Seed grantees with supplemental grants to support the continuance of ongoing projects.

Amendment No. 25: Includes the section number "605" as proposed by the House instead of "606" as proposed by the Senate. This is a technical change.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

Amendment No. 26: Appropriates $9,123,000 as proposed by the Senate instead of $9,385,000 as proposed by the House, and deletes language included in the Senate amendment concerning death penalty procedures for terrorists, and restrictions on assistance for Nicaragua. In both instances, similar language is being addressed in other, more appropriate, legislation—the Crime Bill for the death penalty legislation, and the Foreign Operations, Export Financing, and Related Programs Appropriations Bill for the restrictions on Nicaragua.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert: *$403,968,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $403,968,000 for General Legal Activities, instead of $400,968,000 as proposed by the House and $400,086,000 as proposed by the Senate.

The conference agreement provides for the following changes from fiscal year 1993: an increase of $25,772,000 for requested adjustments to base; a decrease of $13,688,000 associated with requested deficit, FTE, and administrative savings; an additional base reduction of $4,816,000; and $400,000 of the $1,600,000 program enhancement for the Civil Division requested in the budget amendment as part of the President's Immigration Initiative.

Office of Special Counsel for Immigration Related Unfair Employment Practices.—The conferees are concerned with the recent decision by the Office of Special Counsel (OSC) to cease funding of employer educational efforts in favor of increased funding for employee educational efforts. The conferees believe it is in the best interest of all parties associated with this endeavor to maintain a balanced program to inform both employees and employers of their rights and responsibilities under the law. The conferees encourage the OSC to reconsider its decision to cease funding of employer education.

VACCINE INJURY COMPENSATION PROGRAM

Amendment No. 28: Appropriates $2,000,000 for vaccine injury compensation expenses as proposed by the Senate, instead of $1,900,000 as proposed by the House.

CIVIL LIBERTIES PUBLIC EDUCATION FUND

Amendment No. 29: Deletes language proposed by the House and stricken by the Senate that would have allowed any amounts remaining in the Civil Liberties Public Education Fund, after all redress payments had been provided, to be used for research, public education activities, and publishing for the Commission on Wartime Relocation and Internment of Civilians.

SALARIES AND EXPENSES, ANTITRUST DIVISION

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lien of the matter proposed by said amendment, insert: *$66,817,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides total new budget (obligational) authority of $66,817,000 for the Antitrust Division, instead of $63,817,000 as proposed by the House and $62,092,000 as proposed by the Senate. This agreement, when added to unobligated prior year fee collections of $3,500,000, provides total budget (obligational) authority of $70,317,000 for fiscal year 1994. The agreement provides: $3,634,000 for requested adjustments to base; $1,288,000 to restore requested FTE, administrative and deficit reductions; $1,837,000 for automation upgrades; and a $3,000,000 program enhancement (including an estimated 50 FTE) to expand Antitrust Division enforcement efforts.

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$45,997,000*

and on page 9 line 19 of the House engrossed bill, H.R. 2519, strike "$19,000,000", and insert in lieu thereof "$20,820,000".

and on page 10 line 3 of the House engrossed bill, H.R. 2519, strike "$19,000,000", and insert in lieu thereof "$20,820,000".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides for a net appropriation (after offsetting fee collections have been deducted) of $45,997,000 instead of $44,817,000 as proposed by the House and $43,092,000 as proposed by the Senate. The agreement also amends the bill to provide for estimated offsetting fee collections of $20,820,000 instead of the $19,000,000 included in both the House and Senate bills. The $20,820,000 estimate assumes the same amount of fees will be collected in fiscal year 1994 as was collected in fiscal year 1993.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

Amendment No. 32: Appropriates $813,797,000 for the United States Attorneys instead of $808,797,000 as proposed by the House and $818,797,000 as proposed by the Senate.

UNITED STATES TRUSTEE SYSTEM FUND

Amendment No. 33: Appropriates $99,000,000 instead of $99,837,000 as proposed by the Senate and $94,008,000 as proposed by the House.

The conference agreement provides total new budget (obligational) authority of $99,000,000 for the U.S. Trustees for fiscal year 1994. The agreement provides requested adjustments to base, assumes restoration of the requested FTE, administrative and deficit reductions, and allows for a $2,000,000 program enhancement (including an estimated 36 FTE) for increased U.S. Trustee workload.

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$61,513,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides that $61,513,000 of the amount appropriated shall be derived from the U.S. Trustee System Fund, instead of $56,521,000 as proposed by the House and $46,150,000 as proposed by the Senate.

Amendment No. 35: Provides that $37,487,000 of offsetting fee collections shall be retained in this appropriation as proposed by the House, instead of $53,687,000 as proposed by the Senate.

Amendment No. 36: Provides that the $99,000,000 appropriated in amendment number 33 shall be reduced as offsetting fees are collected, instead of $99,837,000 as proposed by the Senate and $94,008,000 as proposed by the House.

Amendment No. 37: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$61,513,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides that the net appropriation that results after offsetting fee collections are deducted is $61,513,000, instead of $56,521,000 as proposed by the House and $46,150,000 as proposed by the Senate.

Amendment No. 38: Provides that any fees collected in excess of $37,487,000 shall be available for obligation in fiscal year 1995 as proposed by the House, instead of $53,687,000 as proposed by the Senate.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

Amendment No. 39: Appropriates $940,000 for the Foreign Claims Settlement Commission as proposed by the House instead of $898,000 as proposed by the Senate.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The conference agreement appropriates the full $339,808,000 requested by the Administration for the U.S. Marshals Service for fiscal year 1994. While the Administration did not request additional Deputy U.S. Marshals to handle security for newly authorized Federal judgeships, the conferees understand that protection of the judicial process is the highest priority program within the Marshals Service. The conferees expect the Marshals Service to distribute its available resources to cover its highest priority programs, and anticipate that all new judgeships will receive adequate security.

SUPPORT OF UNITED STATES PRISONERS

Amendment No. 40: Appropriates $312,884,000 as proposed by the Senate instead of $307,700,000 as proposed by the House.

The conferees understand that the $312,884,000 provided under the conference agreement, when added to the $12,500,000 in available prior year funds, will provide sufficient resources to allow the U.S. Marshals to handle current estimated jail days for fiscal year 1994.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

Amendment No. 41: Appropriates $26,106,000 for the Community Relations Service as proposed by the Senate instead of $26,792,000 as proposed by the House.

Amendment No. 42: Designates $16,278,000 for costs associated with Cuban and Haitian entrants as proposed by the Senate instead of $17,415,000 as proposed by the House.

Amendment No. 43: Includes the section number "605" as proposed by the House instead of "606" as proposed by the Senate. This is a technical change.

ASSETS FORFEITURE FUND

Amendment No. 44: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$55,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriate $55,000,000 from the Assets Forfeiture Fund instead of $60,275,000 as proposed by the House and $58,000,000 as proposed by the Senate.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

Amendment No. 45: Appropriates $2,668,000 as proposed by the Senate instead of $2,586,000 as proposed by the House.

INTERAGENCY LAW ENFORCEMENT

ORGANIZED CRIME DRUG ENFORCEMENT

Amendment No. 46: Appropriates $382,381,000 as proposed by the Senate instead of $384,381,000 as proposed by the House.

Amendment No. 47: Includes the section number "605" as proposed by the House instead of "606" as proposed by the Senate. This is a technical change.

The conference agreement provides the full budget request less a reduction of $2,000,000 associated with a nonrecurring expense in fiscal year 1993 under undistributed Regional Drug Information Squad funds.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

Amendment No. 48: Appropriates $2,038,705,000 for the FBI as proposed by the Senate instead of $2,024,705,000 as proposed by the House.

Amendment No. 49: Designates $84,400,000 for the automation of fingerprint identification services as proposed by the Senate, instead of $75,400,000 as proposed by the House.

Counterterrorism Initiative.—The conference agreement provides $5,000,000 for the counterterrorism initiative described in the Senate report. The conferees understand a full $10,000,000 will be available for this initiative, since the FBI plans to obligate an estimated $5,000,000 from fiscal year 1993 appropriations to purchase equipment for a second Hostage Rescue Team, to expand and upgrade special weapons and tactics teams, and for other terrorist related programs.

Identification Division Automation.—The agreement provides $84,400,000 for the revitalization of the Automated Fingerprint Identification System project, the full amount requested.

Headquarters Staffing.—The conferees remain concerned with the number of agents assigned to FBI headquarters, especially in light of recent information provided by the Department which identifies an overage of 84 agents at FBI headquarters in fiscal year 1993. The conferees fail to understand how the FBI can justify such high agent staffing levels at headquarters at a time when the President is calling for major reductions in administrative expenses. The conferees expect the FBI to provide detailed justification for their fiscal year 1995 request for agents in all management and supervisory positions, both in the field and at headquarters, and for all agents at headquarters.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 50: Appropriates $722,000,000 for the salaries and expenses of the DEA instead of $718,684,000 as proposed by the House, and $727,161,000 as proposed by the Senate.

The conference agreement, when added to anticipated offsetting collections of $42,123,000 from Diversion Fees, provides a total of $764,123,000, an increase of $15,770,000 over fiscal year 1993 amounts.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

Amendment No. 51: Appropriates $1,048,538,000 as proposed by the Senate, instead of $1,059,000,000 as proposed by the House.

The conference agreement provides for requested adjustments to base and assumes requested reductions for FTE (except the Border Patrol) and administrative savings.

Immigration Initiative.—The conference agreement provides over $171,000,000 in additional resources to implement the President's Immigration Initiative. The INS will receive the bulk of these resources, over $129,000,000 above fiscal year 1993 levels, as follows:

200 additional Land Border Inspectors	$17,000,000
600 additional Border Patrol Agents	45,072,000
Additional detention/deportation resources	11,000,000
Immigration Emergency Fund	6,000,000
Detain/deport excludables circumventing inspect	11,900,000
Asylum officers/interpreters for airports	5,300,000
Overseas preinspection	10,700,000
Carrier consultation/training	2,000,000
Expedited exclusion (42 new inspectors	2,527,000
Additional detention/deportation at airports	10,269,000
Expanded airport inspection services	7,304,000

Also, the conference agreement provides a total of $42,500,000 in other Justice Department accounts to implement additional aspects of the President's Initiative:

Expand/construct four INS detention facilities.	$40,300,000
Restore base/add 7 new Immigration Judges	1,800,000
Civil Division to handle legal challenges	400,000

Border Barrier.—Within the resources provided in the conference agreement, the conferees expect the Border Patrol to work with the community of Nogales, Arizona, and other border communities, on the design and construction of barriers which are acceptable to all interested parties.

EXPEDITED EXCLUSION OF ILLEGAL ALIENS

Amendment No. 52: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

for projects on the northern border of the United States only.

In addition, section 286 of the Immigration and Nationality Act of 1952 (8 U.S.C. 1356), as amended, is further amended—

(1) in subsection (d), by striking "$5", and inserting "$6"; and

(2) in subsection (h)(2)(A), by deleting subsection (v), and inserting the following:

"(v) providing detention and deportation services for: excludable aliens arriving on commercial aircraft and vessels; and any alien who is excludable under section 212(a) who has attempted illegal entry into the United States through avoidance of immigration inspection at air or sea ports-of-entry.

"(vi) providing exclusion and asylum proceedings at air or sea ports-of-entry for: excludable aliens arriving on commercial aircraft and vessels including immigration exclusion proceedings resulting from presentation of fraudulent documents and failure to present documentation; and any alien who is excludable under section 212(a) who has attempted illegal entry into the United States through avoidance of immigration inspection at air or sea ports-of-entry.".

IMMIGRATION EMERGENCY FUND

For the Immigration Emergency Fund, as authorized by section 404(b)(1) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1101), $6,000,000, to remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The House bill included language extending the Land Border Fee Pilot Project from September 30, 1993 to September 30, 1996. The Senate amendment limits this pilot project to the northern border of the United States. The conference agreement includes the language proposed by the Senate and also adds new language, not in either the House or Senate bills, which was proposed by the Administration in its recent Immigration Initiative, as follows: (1) amends section 286 of the Immigration and Nationality Act of 1952 to raise the inspection user fee from $5.00 to $6.00 to fund enhanced enforcement efforts at airports and seaports; and (2) appropriates $6,000,000 to the Immigration Emergency Fund to cover potential costs associated with third country repatriation of smuggled aliens. The agreement also amends section 286 to allow expenses associated with detention, deportation and expedited exclusion of illegal aliens attempting to enter through, or circumvent inspection at, airports and seaports, to be reimbursed from the Immigration User Fee Account.

The conference agreement will raise an estimated $50,000,000 in additional offsetting collections to the Immigration User Fee Account. The conferees expect the Department to utilize these additional resources to expand and improve its ability to prevent excludable aliens from entering the United States, as requested by the President—specifically: up to $10,700,000 to expand pre-inspection at foreign airports, $2,000,000 for the Carrier Consultation Program, and up to $11,900,000 to enhance Detention and Deportation. In addition, upon enactment of proposed legislation to expedite the exclusion process, the following expenses should be reimbursed from the aforementioned fee increase: $5,274,000 for 24 additional asylum officers and 7 additional interpreters at airports and seaports, $2,527,000 for 42 additional airport inspectors for secondary posts and to process exclusion orders, and up to $10,269,000 for additional detention and deportation costs.

The conferees expect the INS to use these additional fee resources to expand contract detention space at international airports, especially in the New York City area.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

Amendment No. 53: Appropriates $1,950,000,000 for the salaries and expenses of the Federal Prison System as proposed by the House instead of $1,971,615,000 as proposed by the Senate.

The conference agreement, when added to prior year carryover of $30,000,000, provides for requested adjustments to base and sufficient program enhancements to allow: (1) for full activation of all new prison facilities currently scheduled to open in fiscal year 1994; (2) for prisoner population increases; and (3) for activation of a joint BOP/INS contract facility in the Southwest.

Parent/Child Programs.—The conference agreement assumes the continuing maintenance and implementation of parent/child programs as described in the House report.

Community Corrections.—The conferees understand that the Bureau of Prisons (BOP) has increased its utilization of Community Corrections Center (CCC) beds and home confinement. The conferees encourage the BOP to continue to utilize the CCC beds under contract and to develop other appropriate community corrections programs for Federal offenders as a more cost-effective and efficient alternative to incarceration.

Incarceration of Illegal Aliens.—The conferees understand that illegal aliens convicted of crimes committed in the United States are given the option of serving out their sentence in a U.S. prison or being deported to their country of origin for imprisonment. While the conferees agree that the rights of aliens under the constitution should be safeguarded, we remain concerned that the American taxpayer is forced to pay for the cost to incarcerate these illegal aliens. The conferees urge the Committees of jurisdiction of both the House and Senate to consider legislation to provide either the Federal Judiciary or the Attorney General the authority to decide whether to incarcerate these illegal aliens in a U.S. prison or in a prison in their country of origin.

NATIONAL INSTITUTE OF CORRECTIONS

Amendment No. 54: Appropriates $10,211,000 for the National Institute of Corrections as proposed by the House instead of $9,995,000 as proposed by the Senate. The conferees expect the NIC to continue to support training at the National Sheriffs' Institute, as described in the Senate report.

The conferees are aware of a Memorandum of Understanding (MOU) between the Center for Mental Health Services Substance Abuse and Mental Health Services Administration, the National Institute of Justice, and the National Institute of Corrections of the Department of Justice. The purpose of the MOU is to establish a framework for a continuing relationship between these organizations in order to engage in joint planning and implementation of initiatives for mental health and criminal justice partnerships, particularly to improve delivery of mental health services to those incarcerated in the criminal justice system. Specifically, the joint efforts are intended to focus on the police handling of mentally ill offenders, including training for law enforcement officers; the special circumstances involved in the admission of the mentally ill; jail-based mental health services; and linking mentally ill offenders with community mental health services. The conferees encourage these organizations to expeditiously implement the MOU. The conferees urge the National Institute of Corrections to begin work in this area at the earliest possible date, and to provide a report on efforts taken to implement this MOU to the Committees on Appropriations of the House and Senate by April 1, 1994.

BUILDINGS AND FACILITIES

Amendment No. 55: Appropriates $269,543,000 for the buildings and facilities of the Federal Prison System instead of $175,000,000 as proposed by the House and $351,850,000 as proposed by the Senate.

Amendment No. 56: Deletes language proposed by the Senate and not in the House bill which designated $75,000,000 for INS detention facilities. The conference agreement includes $30,000,000 for such facilities in amendment number 55.

Amendment Nos. 57 and 58: Includes the section number "605" as proposed by the House instead of "606" as proposed by the Senate. This is a technical change.

The conference agreement provides for requested adjustments to base, and provides for the following program enhancements:

Complete the Ft. Devens' Medical Facility	$74,600,000
INS/Marshals Detention facility in Buffalo, NY	10,300,000
Expand the INS Detention facility in El Paso, TX ...	7,500,000
INS Detention facility at Krome, FL	11,250,000
INS Detention facility in San Francisco, CA	11,250,000
Subtotal, New Construction	114,900,000
Cooperative Agreement Program	20,000,000
Modernization and Repair	32,701,000

The agreement provides $114,900,000 for new construction only to fund ongoing projects to completion, and to fund INS detention facilities which are part of the President's and the Senate's Immigration Initiative.

FCI Loretto Expansion.—The conferees are aware of a proposal to expand the Federal Correctional Facility (FCI) at Loretto, PA. The conferees expect the Bureau of Prisons to perform a detailed study on the possible expansion of this facility and report its findings to the Committees on Appropriations of the House and Senate. This study should address the following issues: (1) the feasibility and cost of adding a third floor to the existing facility; (2) the need to expand existing service facilities (kitchen, dining facilities, laundry, medical, recreational, etc.) to accommodate additional prisoners, and related costs; (3) are existing utilities sufficient to handle an expansion, and if not, what are the costs to upgrade those utilities; and (4) will the local community support such an expansion.

Limitation on Administrative Expenses, Federal Prison Industries, Incorporated

Amendment No. 59: Designates $3,395,000 as proposed by the Senate for administrative expenses of the Federal Prison Industries, Incorporated, instead of $3,100,000 as proposed by the House.

General Provisions—Department of Justice

Amendment No. 60: Includes the section number "605" as proposed by the House instead of "606" as proposed by the Senate. This is a technical change.

Amendment No. 61: Deletes language proposed by the House and stricken by the Senate which authorizes the use of extraordinary surpluses in the Assets Forfeiture Fund for Certain law enforcement, prosecution and correctional initiatives.

Amendment No. 62: Report in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to repeal the authority for the Attorney General to use extraordinary surpluses in the Assets Forfeiture Fund for certain law enforcement, prosecution and correctional initiatives.

Victims of Crime Act

Amendment No. 63: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed in said amendment, insert the following:

SEC. 110. TECHNICAL AMENDMENTS TO THE VICTIMS OF CRIME ACT.—

(a) Section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601), is amended—

(1) In subsection (d)(2)—

(A) by striking "and" at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by adding at the end the following:

"(C) 1 percent shall be available for grants under section 1404(c); and

"(D) 4.5 percent shall be available for grants as provided in section 1404A.".

(2) In subsection (d)(3), by striking "1404(a)" and inserting "1404A".

(3) In subsection (g)(1), by striking "(d)(2)(A)(iv)" and inserting "(d)(2)(D)".

(b) Section 1404A of the Victims of Crime Act of 1984 (42 U.S.C. 10603(a)), is amended by striking "1402(d)(2)" and inserting "1402 (d)(2)(D) and (d)(3).".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Less Costly Alternatives to Incarceration.—The conference agreement deletes language proposed by the Senate and not in the House bill, which would have authorized the Attorney General to enter into reimbursable agreements in fiscal year 1994 with the Federal Judiciary and State and local governments for the cost of less expensive alternatives to incarceration. The conferees understand that the Attorney General already has the necessary statutory authority to execute the provisions proposed in the Senate amendment. The conferees further understand that the Department could realize a savings of up to $35 per day for each individual who is incarcerated by utilizing home confinement and electronic monitoring instead of the traditional form of confinement in a jail or prison. The conferees encourage the Attorney General, within the confines of existing sentencing guidelines, and without lessening the safety of our citizens and visitors, to make maximum use of these less costly alternatives to incarceration.

Victims of Crime Act.—The conference agreement also adds language not in either bill to correct technical errors which arose when the Victims of Crime Act (VOCA) was amended by the Federal Courts Administration Act of 1992. Without these corrections, the Department will be unable to award grants for several purposes for which the legislation intended such grants to be awarded.

Funding for Bankruptcy Judgeships

Amendment No. 64: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 111. BANKRUPTCY FEES.—

(a) CHAPTERS 7 AND 13 FILING FEES.—Effective 30 days after enactment of this Act—

(1) Section 1930(a)(1) of title 28 of the United States Code is amended by striking "$120" and inserting "$130".

(2) Section 589a of title 28 of the United States Code is amended in subsection (b)(1), by striking "one-fourth" and inserting "23.08 percentum".

(3) SEC. 406. (b) of Public Law 101–162 (103 Stat. 1016) is amended by striking "25 percent", and inserting "30.76 percentum".

(b) CHAPTER 11 FILING FEE.—Effective 30 days after enactment of this Act—

(1) Section 1930(a)(3) of title 28 of the United States Code is amended by striking "$600" and inserting in lieu thereof "$800".

(2) Section 589a of title 28 of the United States Code is amended in subsection (b)(2), by striking "50 percentum" and inserting "37.5 percentum".

(3) Section 589a of title 28 of the United States Code is amended in subsection (f)(1), by striking "16.7 percentum" and inserting "12.5 percentum".

(4) SEC. 406. (b) of Public Law 101–162 (103 Stat. 1016) is amended by adding "and 25 percent of the fees hereafter collected under 28 U.S.C. section 1930(a)(3)" immediately after "28 U.S.C. section 1930(a)(1)".

(c) No funds provided by this Act shall be expended to fill any bankruptcy judgeship unless such appointee was on a merit selection list or report submitted to the court of appeals by either the judicial council or a subcommittee of the members of the council, in accordance with section 120 of the Bankruptcy Amendments and Federal Judgeship Act of 1984 (Public Law 98–353; 98 Stat. 344), section 152 of title 28 of the United States Code, and the Judicial Conference of the United States' Procedures for the Selection and Appointment of Bankruptcy Judges.

(d) REPORT ON BANKRUPTCY FEES.—

(1) REPORT REQUIRED.—Not later than March 31, 1998, the Judicial Conference of the United States shall submit to the Committees on the Judiciary of the House of Representatives and the Senate, a report relating to the bankruptcy fee system and the impact of such system on various participants in bankruptcy cases.

(2) CONTENTS OF REPORT.—Such report shall include—

(A)(i) an estimate of the costs and benefits that would result from waiving bankruptcy fees payable by debtors who are individuals, and

(ii) recommendations regarding various revenue sources to offset the net cost of waiving such fees.

(B)(i) an evaluation of the effects that would result in cases under chapters 11 and 13 of title 11, United States Code, from using a graduated bankruptcy fee system based on assets, liabilities, or both of the debtor, and

(ii) recommendations regarding various methods to implement such a graduated bankruptcy fee system.

(3) WAIVER OF FEES IN SELECTED DISTRICTS.—For purposes of carrying out paragraphs (1) and (2), the Judicial Conference of the United States shall carry out in not more than six judicial districts, throughout the 3-year period beginning on October 1, 1994, a program under which fees payable under section 1930 of title 28, United States Code, may be waived in cases under chapter 7 of title 11, United States Code, for debtors who are individuals unable to pay such fees in installments.

(4) STUDY OF GRADUATED FEE SYSTEM.—For purposes of carrying out paragraphs (1) and (2), the Judicial Conference of the United States shall carry out, in not fewer than six judicial districts, a study to estimate the results that would occur in cases under chapters 11 and 13 of title 11, United States Code, if filing fees payable under section 1930 of title 28, United States Code, were paid on a graduated scale based on assets, liabilities, or both of the debtor.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate amendment provided language, not in the House bill, which would raise Chapters 7 and 13 bankruptcy filing fees from $120 to $135 in order to fund additional workload in the U.S. Trustee System. The conference agreement provides for new or increased bankruptcy fees which will raise an anticipated $12,800,000 on an annual basis in additional offsetting collections, as follows:

Subsection (a) raises $8,600,000 by increasing Chapter 7 (Individual Litigation) and Chapter 13 (Individual Debt Adjustment) filing fees from $120 to $130.

Subsection (b) raises $4,200,000 by increasing Chapter 11 (Business Reorganization) filing fees from $600 to $800.

The conferees have agreed to raise these various fees in order to address the critical needs of the Bankruptcy Courts. In the absence of these fee increases, available overall budgetary resources would not have allowed for any program enhancements to handle bankruptcy filings. The conferees agree that amounts collected as a result of these fee increases shall be applied to the filling of vacant bankruptcy judgeships (including the bankruptcy judgeships authorized by P.L. 102–36) and related expenses.

Appointment of Bankruptcy Judges.—The conference agreement also includes, in subsection (c), a provision to clarify the existing procedures to be utilized by the Courts of Appeals in the appointment of bankruptcy judges. Under existing statutory provisions and regulations promulgated by the Judicial Conference of the United States, bankruptcy judges are to be appointed following a rigorous merit selection process. This provision makes clear the intent of Congress that the Courts of Appeals select an appointee from a list or report submitted to the Courts of Appeals by either the judicial council or a subcommittee of the council.

Report on Bankruptcy Fees.—The conference agreement also includes, in subsection (d), a requirement that the Judiciary submit a report relating to the bankruptcy fee system and its impact on various participants in bankruptcy cases.

The report should include an analysis of the need for a provision which would permit the waiver of the filing fee for certain indigent individual debtors, the costs and benefits of waiving the filing fee, and financing options. To complete the report, the conferees expect the Judicial Conference to carry out a program in no more than six representative judicial districts whereby bankruptcy fees may be waived for individual debtors filing under chapter 7 who are unable to pay in installments. The results of this program should allow the Congress to consider the feasibility and desirability of implementing a fee waiver program on a nationwide basis.

The report will also include a study of the estimated effect of implementing a graduated bankruptcy fee filing system for chapter 11 and 13 cases. The conferees expect this study to review data in not fewer than six judicial districts, including several districts in which a significant number of chapter 11 cases are filed. The conferees also expect there to be an overlap, in at least two districts, between the districts for the bankruptcy fee waiver program and the districts selected for the graduated fee study. Although the graduated fee study will not require any actual change in the chapter 11 or 13 filing fee, the results should allow the Congress to consider the advisability of implementing a graduated fee system in the future.

The conferees assume that the Judiciary will not incur a cost of more than $1,500,000 to comply with this section, of which not more than $100,000 shall be spent on the analyses associated with the report. If it appears that the costs will exceed these amounts, then the conferees expect the Judiciary to notify the Congress.

JURISDICTION OF THE OFFICE OF INSPECTOR GENERAL

Amendment No. 65: Deletes language proposed by the Senate and not in the House bill, which would have prevented enforcement of Attorney General Order No. 1638-92, relating to the jurisdiction of the Office of Inspector General. The conferees agree to delete this provision pending a review of the issue by the Attorney General.

Amendment No. 66: Deletes a Sense of the Senate provision included in the Senate bill but not in the House bill.

GANG TASK FORCE WAIVER

Amendment No. 67: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 112. For fiscal year 1994 only, grants awarded to State and local governments for the purpose of participating in gang task forces and for programs or projects to abate drug activity in residential and commercial buildings through community participation, shall be exempt from the provisions of section 504(f) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate amendment proposed language, not in the House bill, which would have amended the Omnibus Crime Control and Safe Streets Act of 1968 to waive the limitation of four years on providing grants for gang task force projects to abate illegal drug use. The conference agreement provides for a one-year waiver of this limitation. The conferees agree that any permanent change in existing law should be addressed as part of the Crime Bill.

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

Amendment No. 68: Appropriates $7,776,000 instead of $7,565,000 as proposed by the House, and $7,923,000 as proposed by the Senate.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

Amendment No. 69: Designates a limitation of $26,500,000 for payments to State and local enforcement agencies instead of $26,000,000 as proposed by the House, and $28,500,000 as proposed by the Senate.

The conferees agree with language in the Senate Appropriations Committee report that calls for EEOC, in conjunction with the General Accounting Office, to provide a report to the Committees on Appropriations of the House and Senate on the total cost of implementing the Federal Employee Fairness Act of 1993, not later than 30 days following its enactment.

Amendment No. 70: Appropriates $230,000,000 for the Equal Employment Opportunity Commission as proposed by the House instead of $227,305,000 as proposed by the Senate.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

Amendment No. 71: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: *: Provided, That $60,400,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than $99,900,000: Provided further, That any offsetting collections received in excess of $60,400,000 in fiscal year 1994 shall remain available until expended, but shall not be available for obligation until October 1, 1994: Provided further, That none of the funds appropriated by this act shall be used to repeal, to retroactively apply changes in, or to continue a reexamination of, the policies of the Federal Communications Commission with respect to comparative licensing, distress sales and tax certificates granted under 26 U.S.C. 1071, to expand minority ownership of broadcasting licenses, including those established in the Statement of Policy on Minority Ownership of Broadcasting Facilities, 68 F.C.C. 2d 979 and 69 F.C.C. 2d 1591, as amended 52 R.R. 2d 1313 (1982) and Mid-Florida Television Corp., 69 F.C.C. 2d 607 (Rev. Bd. 1978), which were effective prior to September 12, 1986, other than to close MM Docket No. 86-484 with a reinstatement of prior policy and a lifting of suspension of any sales, licenses, applications, or proceedings, which were suspended pending the conclusion of the inquiry: Provided further, That none of the funds appropriated to the Federal Communications Commission by this Act may be used to diminish the number of VHF channel assignments reserved for noncommercial educational television stations in the Television Table of Assignments (section 73.606 of title 47, Code of Federal Regulations): Provided further, That none of the funds appropriated by this act may be used to repeal, to retroactively apply changes in, or to begin or continue a reexamination of the rules and the policies established to administer such rules of the Federal Communications Commission as set forth at section 73.3555(d) of title 47 of the Code of Federal Regulations, other than to amend policies with respect to waivers of the portion of section 73.3555(d) that concerns cross-ownership of a daily newspaper and an AM or FM radio broadcast station.*

In addition, section 9(a) of Title I of the Communications Act of 1934, as amended, is further amended as follows:

(a) by striking "(a) GENERAL AUTHORITY.—" and inserting in lieu thereof the following:

"(a) GENERAL AUTHORITY.—

"(1) RECOVERY OF COSTS.—; and

(b) by adding at the end the following new paragraph:

"(2) FEES CONTINGENT ON APPROPRIATIONS.—The fees described in paragraph (1) of this subsection shall be collected only if, and only in the total amounts, required in Appropriations Act."

and on page 28 line 14 of the House engrossed bill, H.R. 2519, strike "$129,889,000", and insert in lieu thereof "$160,300,000".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Both the House and Senate bills appropriated $129,889,000, the full appropriations requested by the Commission for fiscal year 1994. The Senate amendment added language not in the House bill, but included in previous Appropriations Acts, which prohibits the use of funds by the FCC to: (1) change or reexamine changes of current policies governing comparative licensing, distress sales and tax certificate policies intended to expand opportunities for minorities; (2) diminish the number of VHF channels assigned for noncommercial educational television stations; and (3) reexamine rules governing cross-ownership of newspapers and broadcast stations.

The conference agreement strikes the $129,889,000 appropriation recommended in both bills and inserts $160,300,000. The agreement includes new language not in either the House or Senate bills, which, pursuant to the provisions enacted in the Omnibus Budget Reconciliation Act of 1993, allows the FCC to collect $60,400,000 in section 9 offsetting fees, and to credit those fees to this appropriation. The agreement will reduce the appropriation of $160,300,000 as offsetting fees are collected for a net appropriation of $99,900,000. The agreement also includes new language not in either the House or Senate bills, which amends Title I of the Communications Act of 1934 to require that the amount of section 9 fees that can be collected be designated in Appropriation Acts. Lastly, the conference agreement includes the restrictive language concerning minority ownership, noncommercial VHF education television stations, and cross-ownership of newspapers and broadcast stations that was contained in the Senate amendment; however, the restrictive language concerning cross-ownership was amended as follows: *Cross-ownership of newspapers and broadcast stations.*—The conferees understand that the FCC has recently found that circumstances in the radio market have changed significantly, and that the Commission has modified its local ownership rules for radio. While the conferees do not endorse these findings or adopt the reasoning of the Commission's decisions, it nonetheless appears that it may now be appropriate to permit the FCC to establish a more liberal policy with respect to waivers permitting cross-ownership of newspapers and radio stations. The conference agreement permits the FCC to change its policy concerning waivers of the restriction against such cross-ownership. The conferees intend that the new policy allow such waivers to be granted only in the top 25 markets where at least 30 independent broadcast voices remain in the market after the transfer is completed. Concerns have been raised that, on occasion, the FCC has overlooked its obligation to make a separate determination that an application for waivers of its cross-ownership rules be granted only if it serves the public interest. The conferees intend that the FCC also make a separate affirmative determination that such a transfer is otherwise in the public interest, based upon the applicants' showing that there are specified benefits to the service provided to the public sufficient to offset the reduction in diversity which would result from the waiver. The conferees also intend that the FCC retain the discretion to examine requests for other waivers of the radio-newspaper cross-ownership rule on a case-by-case basis upon a showing that such a waiver would have unique public benefits. The conferees agree that this amendment to the Senate amendment does not change the television-newspaper cross-ownership policies or any other aspect of newspaper-broadcast cross-ownership rules and policies, nor do the conferees intend that this action be regarded as an endorsement of past FCC actions granting waivers of ownership rules.

Commission Funding.—The $160,300,000 included in the conference agreement provides the FCC with their full appropriations request, plus $16,111,000 to continue to implement the Cable Act, $9,300,000 to initiate the modernization/upgrade of their technical equipment and infrastructure, and $5,000,000 to handle additional workload resulting from the President's technology initiatives. The agreement provides the Commission with a minimum of 240 FTE above their request, for a total of 1,964 FTE, to allow the FCC to fully implement its new responsibilities.

Wireless Information Network.—The conference agreement provides $30,000 to permit the Commission to continue to subscribe to the Rutgers University Wireless Information Network.

Fee Waivers.—The FCC has authority under 47 U.S.C. 158(d)(2) to waive its fees "in any specific instance for good cause shown, where such action would promote the public interest." The conferees are aware of one such specific instance—that of non-profit entities which qualify for tax exempt status, and which seek to use the new cost-efficient technology of ultra-light, non-geostationary satellite systems to advance the public interest. The conferees believe that this is the type of situation that Congress envisioned when the fee waiver was authorized, and encourage the Commission to waive fees in this instance.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Amendment No. 72: Appropriates $18,900,000 for the Federal Maritime Commission instead of $18,383,000 as provided by the House and $19,450,000 as provided by the Senate.

The conferees agree with the concerns expressed in the House report accompanying this bill (H. Rept. 103–157) regarding the borrowing of funds from the Treasury in accordance with section 502(g)(2) of Public Law 102–582. The conferees expect that the House and Senate Appropriations Committees will be notified prior to any use of this borrowing authority.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

Amendment No. 73: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: *: Provided further, That the funds appropriated in this paragraph are subject to the limitations and provisions of sections 10(a) and 10(c) (notwithstanding section 10(e)), 11(b), 18, and 20 of the Federal Trade Commission Improvements Act of 1980 (Public Law 96–252; 94 Stat. 374), except that this proviso shall cease to be effective upon enactment of an Act authorizing appropriations for the Federal Trade Commission for fiscal year 1994*

and on page 29 line 11 of the House engrossed bill, H.R. 2519, strike "$19,000,000", and insert in lieu thereof "$20,820,000",

and on page 29 line 21 of the House engrossed bill, H.R. 2519, strike "$69,740,000", and insert in lieu thereof "$67,920,000",

and on page 29 line 22 of the House engrossed bill, H.R. 2519, strike "$19,000,000", and insert in lieu thereof "$20,820,000".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate added language, not in the House bill, containing the policy decision made in 1980 and included in previous appropriations Acts regarding the operation of the Commission. The language restricts FTC as follows: (1) prohibits the use of FTC funds to engage in rulemakings concerning unfairness in advertising; (2) establishes limits on public participation; (3) prohibits the use of FTC funds to petition the Patent Commissioner for cancellation of a registered trademark; and (4) prohibits FTC from studying or investigating agricultural marketing orders or agricultural cooperatives.

The conference agreement includes the Senate restrictions, but adds an exemption to nullify the restrictions upon enactment of an FTC Authorization for fiscal year 1994. The agreement also amends the bill to allow for collection of $20,820,000 of offsetting fee collections instead of the $19,000,000 included in both the House and Senate bills. The $20,820,000 estimate assumes the same amount of fees will be collected in fiscal year 1994 as was collected in fiscal year 1993. As a result of the revised fee estimate, the agreement amends the bill to provide a net appropriation of $67,920,000 instead of the $69,740,000 included in both the House and Senate bills.

The conference agreement provides the FTC new budget (obligational) authority of $88,740,000, which when added to prior fee carryover of $3,500,000, provides the Commission total budget authority of $92,240,000 for fiscal year 1994. At this level, the Commission will receive its full adjustments to base, and will be able to fund necessary automation upgrades.

NATIONAL COMMISSION TO SUPPORT LAW ENFORCEMENT

SALARIES AND EXPENSES

Amendment No. 74: Deletes the separate appropriation of $500,000 recommended in the House bill and stricken by the Senate. The conference agreement, in Amendment No. 10, provides for a transfer of $500,000 from the State and Local Law Enforcement Assistance Grant Program to initiate this new National Commission to Support Law Enforcement. The conferees agreed to this transfer because of the importance of the Commission to State and local law enforcement.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

Amendment No. 75: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: *: Provided, That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of 1 percentum to one-twenty-ninth of 1 percentum and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover costs of services of the securities registration process: Provided further, That such fee increase shall be repealed upon enactment of legislation amending the Securities Exchange Act of 1934 to establish a new fee system in fiscal year 1994 for full cost recovery of Commission expenses.*

In addition, and subject to enactment of legislation amending the Securities Exchange Act of 1934 to establish a new fee system in fiscal year 1994 to require the Commission to collect a $171,621,000 in fees to be deposited to this appropriation as an offsetting collection; $171,621,000, to remain available until expended: Provided, That subject to the fee provisions contained in said legislation, $171,621,000 of fees shall be assessed and deposited as an offsetting collection to this appropriation to recover the costs of services of the securities registration process: Provided further, That the $171,621,000 herein appropriated shall be reduced as the aforementioned fees are collected during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than $0.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The House bill provided an appropriation of $57,856,000, the full budget request, which when added to carryover amounts and anticipated offsetting fee collections of $171,300,000 to be derived upon enactment of the Securities and Exchange Commission Authorization Act, 1993, would provide the SEC with its full budget request for fiscal year 1994. The Senate amendment allows for the same appropriated amount, and adds language not in the House bill, but similar to that in previous Appropriations Acts, which increases the rate of section 6(b) fees from 1/50th to over 1/29th of one percent. The amounts assumed in the Senate bill, when added to prior year unobligated balances would provide the SEC with its full budget request for fiscal year 1994.

The conference agreement allows for an appropriation of $57,856,000, and assumes the collection of a total of $171,621,000 in offsetting fee collections, for total new budget (obligational) authority of $229,477,000. The agreement includes the fee language proposed by the Senate raising the rate of section 6(b) fees from 1/50th to 1/29th of one percent, but adds language to repeal this rate increase upon enactment of legislation amending the Securities Exchange Act of 1934 to establish a new fee system in fiscal year 1994 for full cost recovery of Commission expenses. If H.R. 2239, or similar legislation, is ultimately enacted into law in fiscal year 1994, the conferees have included new language which allows the SEC to collect $171,621,000 in fees in accordance with the provisions of that legislation.

The conferees agree that the section 6(b) fee increase included in this conference agreement is intended to be a temporary, one-year solution to the long-term problem regarding SEC funding. H.R. 2239, which passed the House and is pending in the Senate, was initiated by the House to be the long-term solution to this problem. The conferees agree that the following services of the Securities and Exchange Commission are covered by the fee authorized in the Senate amendment:

SERVICES OF THE SECURITIES REGISTRATION PROCESS

Receipt, processing, and public availability of securities registration statements.

Review of securities registration statements filed under the securities acts, including period reports, proxy soliciting material, and tender offer schedules.

Inspection of investment companies that have registered securities with the Commission to determine the accuracy and adequacy of related disclosures.

Oversight of the accounting profession with respect to financial statements contained in filings related to the registration process made with the Commission.

Activities, including rulemaking, planning, system development and coordination, associated with establishing and operating the system for mandatory electronic filing of registration statements and related disclosure documents.

Rulemaking, legal, interpretive, investor information and economic services related to the registration process.

Oversight and enforcement of securities markets and securities professionals in connection with the public offering and trading associated with the issuance of registered securities.

Automation and administrative support services related to the registration process.

The conferees agree that the following services of the Securities and Exchange Commission are not covered by the fee authorized in the Senate amendment:

SERVICES NOT INCLUDED IN THE SECURITIES REGISTRATION PROCESS

Regulation of investment advisers.

Regulation of public utility holding companies not related to the securities registration process.

Rulemaking, legal, interpretive, law enforcement, consumer information and economic services not related to the securities registration process.

Receipt, processing, and public availability of filings not related to the securities registration process.

Oversignt of securities markets and securities professionals not related to distribution and trading of registered securities.

Automation and administrative support services not related to the securities registration process.

Other services not related to the securities registration process.

The conference agreement of $229,477,000 in new budget authority, when added to anticipated fiscal year 1993 fee carryover of $30,840,000, will provide the SEC with total budget (obligational) authority of $260,317,000 for fiscal year 1994. This amount provides the Commission with their requested adjustments to base, and allows for requested reductions of $4,200,000 associated with non-recurring fiscal year 1993 projects. Since funding for the SEC is totally offset through the collection of fees, and not from taxes or other sources of revenue, the conferees agree that FTE levels should be determined based upon filings and resulting workload and that administrative reductions should *not* be applied to the Commission.

Investment Advisers.—Both the House and Senate bills included language to allow the SEC to collect $16,600,000 in Investment Adviser fees upon enactment of authorizing legislation. The conferees agree that, should the SEC begin to collect such fees, an estimated 100 FTE will be required to implement this new program above the 2,677 FTE assumed by the conferees for the Commission's ongoing duties and responsibilities.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

Amendment No. 76: Inserts a citation to the State Justice Institute Authorization Act of 1992 as proposed by the Senate, instead of the State Justice Institute Authorization Act of 1988 as proposed by the House, and appropriates $13,550,000 for the Institute as proposed by the House instead of $13,000,000 as proposed by the Senate.

TITLE II—DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Amendment No. 77: Appropriates $226,000,000 for the core research programs of the National Institute of Standards and Technology (NIST) instead of $210,000,000 as proposed by the House and $240,988,000 as proposed by the Senate. The amount provided in the conference agreement will fully fund the adjusted base program for this account, and allows an additional $28,812,000 to be distributed among high priority program increases. The conferees expect NIST and the Department of Commerce to submit a notification of reprogramming to the House and Senate Appropriations Committees as soon as possible indicating the proposed distribution of this amount.

The conferees agree that the amounts designated under NIST's Scientific and Technical Research and Services appropriations account and Industrial Technology Services appropriations account for transfer to the NIST Working Capital Fund are intended to increase the invested capital of the Fund as the transfers are made.

Amendment No. 78: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum named in said amendment, insert: *$1,500,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate amendment provided for a transfer of $3,000,000 from this account to the Department of Commerce Working Capital Fund. The House bill contained no provision on this matter. The conference agreement allows for a transfer of $1,500,000 from NIST to the Department of Commerce Working Capital Fund. The conferees intend that this amount be used to fund procurement and grants management and financial oversight systems.

INDUSTRIAL TECHNOLOGY SERVICES

Amendment No. 79: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

The conference agreement includes $232,524,000 for the external research programs of the National Institute of Standards and Technology, as proposed by the Senate. The House passed bill did not include any funds for this purpose, although the House-reported bill included $162,000,000 for this account. The conference agreement provides the full budget request for this appropriation account, which includes funding for the Advanced Technology Program (ATP), the Manufacturing Extension Partnership (MEP) program, and the Quality Outreach program. The conferees agree that these funds are to be distributed between the Advanced Technology Program, manufacturing extension partnership and quality outreach program as proposed in the report accompanying the Senate bill (S. Rept. 103–105) and the budget request.

CONSTRUCTION OF RESEARCH FACILITIES

Amendment No. 80: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

The conference agreement includes the full budget request of $61,686,000 for the construction of NIST facilities as proposed by the Senate. The House-passed bill did not include a provision on this matter, although the House-reported bill also included $61,686,000 for this purpose.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 81: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$1,694,753,000, to remain available until expended; of which $576,000 shall be available for operational expenses and cooperative agreements at the Fish Farming Experimental Laboratory at Stuttgart, Arkansas; and in addition, $54,800,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided, That grants to States pursuant to section 306 and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed $2,000,000 and shall not be less than $500,000: Provided further, That hereafter all receipts received from the sale of aeronautical charts that result from an increase in the price of individual charts above the level in effect for such charts on September 30, 1993, shall be deposited in this account as an offsetting collection and shall be available for obligation*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $1,694,753,000 for operations, research, and facilities of the National Oceanographic and Atmospheric Administration (NOAA) instead of $1,650,000,000 as proposed by the House and $1,685,000,000 as proposed by the Senate. The conference agreement also includes language designating $576,000 for the Fish Farming Experimental Laboratory at Stuttgart, Arkansas instead of $600,000 for this purpose as included in the Senate bill. The House bill contained no provision on this matter.

The conference agreement provides for a transfer of $54,800,000 from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" instead of $55,544,000 as proposed by the House and $54,000,000 as proposed by the Senate. The amount transferred under this conference agreement will allow $7,144,000 to be available for Saltonstall-Kennedy fisheries development grants in fiscal year 1994.

The conference agreement includes language proposed by the Senate which provides minimum and maximum funding levels for section 306 and 306(a) Coastal Zone Management grants. The House bill contained no provision on this matter.

The conference agreement also includes language proposed by the Senate allowing NOAA to retain collections derived from an increase in the price of aeronautical charts. In a fiscal year 1993 reprogramming request, NOAA proposed to significantly reduce aeronautical chart production since it does not directly relate to the agency's primary missions. The Committees on Appropriations did not approve this reprogramming, but urged NOAA and the user community to find a means to finance production and distribution of the charts that reduced reliance on NOAA appropriations. In order for NOAA to continue such aeronautical chart production, users of these products will have to assume a greater share of the burden through increased chart prices. The conference agreement will allow these increased collections to go directly to supporting the aeronautical mapping and charting program. The House bill contained no provision on this matter.

The conference agreement does not include language proposed by the Senate setting the reprogramming threshold for NOAA at a level more stringent than that in effect for the remainder of the accounts in this bill. The conferees expect that NOAA will continue to keep the Committees on Appropriations of the House and the Senate informed of any changes in the levels provided for the various programs, projects and activities designated in the table included in this report. The conferees also expect NOAA to continue providing to the Committees quarterly status reports on the obligation of funds.

The details of the conference agreement are provided in the following table with appropriate comparisons:

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

[In thousands of dollars]

	Fiscal year—				
	1993 currently available	1994 request	1994 House	1994 Senate	1994 conference
NATIONAL OCEAN SERVICE					
Mapping, Charting, and Geodesy:					
Mapping and Charting	$29,300	$27,773	$27,773	$29,300	$28,500
Automated Nautical Charting System II	1,500	1,500	1,300	1,500	1,300
Great Lakes mapping project	465	465	0	0	0
Subtotal	31,265	29,738	29,073	30,800	29,800
Geodesy	15,750	18,402	17,402	18,402	17,900
SC Cooperative Geodetic Survey	554	0	0	600	554
Land Info. Sys. (Multi-Purpose Cadastre)	1,674	0	1,500	600	1,200
Subtotal	17,978	18,402	18,902	19,602	19,654
Total, Mapping, Charting, and Geodesy	49,243	48,140	47,975	50,402	49,454
Observation and Assessment:					
Observation and Prediction	11,084	12,112	11,511	12,112	11,800
Circulatory survey program	738	738	738	700	700
Observatory buoys/California	140	0	140	0	140
Chesapeake Bay Observation Buoys	400	0	400	0	400
Institute for Marine Engineering	500	0	0	0	0
Ocean services	4,442	4,442	4,442	4,442	4,442
COAP	456	456	450	450	400
Subtotal	17,760	17,748	17,681	17,704	17,882
Estuarine and Coastal Assessment	2,420	2,448	2,448	2,420	2,420
Ocean assessment program	11,925	11,925	11,925	17,369	17,369
Damage assessment	1,200	1,200	1,200	1,200	1,200
Transfer fr Damage Assess Revolv fund	17,506	1,500	1,500	1,500	1,500
S. Carolina Wetland Management Demo	1,800	1,800	0	500	500
Marine Protective Structure	100	0	0	0	0
NY Harbor water quality model	75	0	0	0	0
Oil Pollution Act of 1990	1,395	1,395	1,395	1,395	1,395
Subtotal	36,421	20,268	18,468	24,384	24,384
Coastal Ocean Science:					
Coastal Ocean program	12,000	11,874	11,874	10,000	11,000
Maui algal bloom crisis	450	0	0	400	400
Subtotal	12,450	11,874	11,874	10,400	11,400
Total, Observation and Assessment	66,631	49,890	48,023	52,488	53,666
Ocean and Coastal Management:					
Coastal Management:					
CZM 306 and 306A grants	33,534	33,287	41,500	42,000	41,500
Estuarine research reserves	3,214	3,214	3,214	3,214	3,214
CZM program administration	3,597	3,534	0	3,500	0
Charleston, SC, spec. area mgt. plan	960	0	0	1,000	1,000
Nonpoint pollution control	1,920	1,920	4,000	3,000	4,000
Subtotal	43,225	41,955	48,714	52,714	49,714
Ocean Management	1,627	1,841	1,700	1,500	1,500
Marine sanctuary sites program	7,000	7,000	9,000	9,150	9,150
Hawaii humpback mar. sanct. institute	144	0	0	0	0
Subtotal	8,771	8,841	10,700	10,650	10,650
Total, Ocean and Coastal Management	51,996	50,796	59,414	63,364	60,364
Total, NOS	167,870	148,826	155,412	166,254	163,484
NATIONAL MARINE FISHERIES SERVICE					
Information Collection & Analyses:					
Resource Information	49,056	52,872	52,000	53,000	52,872
Conservation engineer/by-catch	716	716	716	1,716	1,416
Antarctic research	1,200	1,200	1,200	1,200	1,200
Fishery resource data error reduction	960	960	960	960	960
Oyster disease research	1,500	0	1,500	1,500	1,500
Marine mammal research	2,314	2,314	2,314	2,314	2,314
Consolidation of NMFS facilities	−1,300	0	0	0	0
Protected species research	3,630	3,630	3,630	3,630	3,630
Halibut/Sablefish IFQ's	0	0	0	1,370	1,200
Chesapeake Bay Studies	1,890	1,890	1,890	1,890	1,890
Right Whale research	214	214	214	214	214
Gear entanglement studies	651	651	651	651	651
MARFIN	3,780	3,780	3,780	3,780	3,780
SEAMAP	1,340	1,340	1,340	1,340	1,340
Aquaculture	2,225	2,225	2,225	2,225	2,500
Stuttgart	576	0	0	600	576
Alaskan groundfish surveys	661	661	661	661	661
Bering Sea pollock research	945	945	945	945	945
West Coast groundfish	780	780	780	780	780

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—Continued

[In thousands of dollars]

	Fiscal year—				
	1993 currently available	1994 request	1994 House	1994 Senate	1994 conference
New England stock depletion	1,116	1,116	1,116	1,116	1,116
Hawaii stock management	500	0	0	500	500
Yukon River Chinook Salmon	700	700	700	700	700
Winter Run Chinook Salmon	500	500	250	250	250
Atlantic salmon research	710	710	710	710	710
United States/Canada lobster study	0	0	0	300	300
Gulf of Maine Groundfish survey	567	567	567	567	567
Dolphin Safe Technologies	500	500	500	500	500
Habitat Research/Evaluation	470	470	470	470	470
Pacific salmon treaty program	5,587	5,587	5,587	5,587	5,587
Fish Cooperative Inst. Enhancement	384	384	384	384	384
Hawaiian Monk Seals	520	0	0	520	520
Stellar Sea Lion Recovery Plan	1,440	1,440	1,440	1,440	1,440
Atlantic Bluefin Tuna Research	300	0	300	240	300
Hawaiian Sea Turtles	240	240	240	250	240
Center for Shark Research	140	0	140	0	140
Subtotal	84,812	86,392	87,485	92,310	92,153
Fishery Industry Information:					
Fish statistics	9,838	10,734	10,162	10,734	10,500
Alaska groundfish monitoring	4,100	4,100	4,100	4,500	4,500
PACFIN/catch effort data	2,046	2,046	2,046	2,046	2,046
Rec. Fishery harvest monitoring	2,046	2,046	2,195	2,195	2,395
Subtotal	18,030	18,926	18,503	19,475	19,441
Information Analyses and Dissemination	19,424	21,562	20,112	21,562	20,112
Computer hardware and software (IT–95)	2,000	2,000	2,000	1,000	1,500
Subtotal	21,424	23,562	22,112	22,562	21,612
Total, Info., Collection, and Analyses	124,266	128,880	128,100	134,347	133,206
Conservation and Management Operations:					
Fisheries Management Program	12,007	13,070	14,069	13,070	13,500
Columbia River hatcheries	10,300	10,300	10,300	10,300	10,300
Columbia River smolt	112	0	100	100	100
Columbia River endangered species	288	288	288	288	288
Regional Councils	8,556	8,556	8,556	8,556	8,556
International fisheries commissions	1,100	400	900	1,200	800
Management of Georges Bank	480	480	480	480	480
Sandy Hook lease	1,500	1,500	0	0	0
Pribilof Islands	300	0	0	0	0
Beluga whale committee	192	0	192	200	192
Pacific tuna management	1,606	1,606	1,606	2,000	1,800
Subtotal	36,441	36,200	36,491	36,194	36,016
Protected Species Management	3,756	4,036	4,000	4,036	4,000
ESA listing & status review	930	930	930	930	930
Tissue bank & stranding network	295	295	295	295	295
Driftnet Act implementation program	3,278	2,900	2,900	3,278	3,278
Marine Mammal Protection Act Implement	7,750	7,750	7,750	7,750	7,750
Endangered Species Act recovery plan	218	218	218	218	218
Fishery observers training	96	0	96	200	150
East Coast observers	700	0	700	700	700
Subtotal	17,023	16,507	16,889	17,407	17,321
Habitat Conservation	5,800	6,306	6,200	6,300	6,200
Enforcement & Surveillance	11,000	12,637	11,700	12,600	12,000
Total, Conservation and Mgmt. Opns	70,264	71,650	71,280	72,501	71,537
State and Industry Assistance Programs:					
Grants to States:					
Interjurisdictional fisheries grants	3,239	3,156	3,156	3,156	3,156
Anadromous grants	2,108	2,108	2,108	2,108	2,108
Anadromous fishery proj (striped bass)	186	0	300	0	250
North Atlantic fish reinvestment	0	0	0	2,000	1,500
Louisiana emergency fund	5,100	0	0	0	0
Interstate fish commissions	295	295	295	295	295
Subtotal	10,928	5,559	5,859	7,559	7,309
Fisheries Development Program:					
Fisheries Trade Promotion activities	1,700	1,700	1,700	1,700	1,700
Product quality and safety	8,700	9,854	8,700	9,854	9,000
Fish oils	900	900	500	0	0
Fisheries biotechnology	0	0	0	2,000	1,750
Hawaiian fisheries development	768	0	0	750	750
Seafood Inspection program	5,500	5,500	5,000	5,500	5,500
Subtotal	17,568	17,954	15,900	19,804	18,700
Total, State & Industry Assist. Progs	28,496	23,513	21,759	27,363	26,009
Total, NMFS	223,026	224,043	221,139	234,211	230,752
OCEANIC AND ATMOSPHERIC RESEARCH					
Climate and Air Quality Research:					
Interannual & Seasonal Climate Research	7,909	7,945	7,945	7,945	7,945
Long-Term Climate & Air Quality Research	23,666	27,099	25,000	25,000	25,000
Nat'l Acid Precipitation Assess	1,376	1,376	1,376	1,376	1,376
High Performance Computing	0	2,600	1,000	0	1,000
Subtotal	25,042	31,075	27,376	26,376	27,376
Climate and Global Change	46,997	69,902	66,902	53,000	63,000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—Continued

[In thousands of dollars]

	Fiscal year—				
	1993 currently available	1994 request	1994 House	1994 Senate	1994 conference
Total, Climate and Air Quality	79,948	108,922	102,223	87,321	98,321
Atmospheric Programs:					
Weather Research	27,450	30,515	28,486	28,486	28,486
PROFS/advanced forecasting applications	1,870	1,870	1,870	0	1,870
Wind Profiler	4,350	4,350	4,350	4,350	4,350
Federal/State Atmospheric Mod. grants	2,639	0	2,900	2,500	3,000
Southeastern Storm Research	372	0	372	0	372
Subtotal	36,681	36,735	37,978	35,336	38,078
Solar-Terrestrial Services and Research	4,850	5,368	5,000	3,500	5,000
Total, Atmospheric Program	41,531	42,103	42,978	38,836	43,078
Ocean and Great Lakes Programs:					
Marine Prediction Research	8,850	9,693	9,409	9,000	9,200
GLERL	4,558	4,558	4,558	4,558	4,558
Great Lakes nearshore research	500	500	0	500	500
VENTS	2,496	2,496	0	2,496	2,496
SE US FOCI Program	1,000	0	1,000	0	500
GLERL/Zebra mussel	911	0	911	0	911
Lake Champlain Study	190	0	0	190	290
Pacific Island Tech. Assistance	190	0	0	200	190
Subtotal	18,695	17,247	15,878	16,944	18,345
Sea Grant:					
Sea Grant college program	40,000	39,787	40,787	48,000	43,200
Sea Grant-Zebra Mussel	2,800	0	2,800	0	2,800
National Coastal R&D Institute	1,300	0	1,300	1,000	1,100
Subtotal	44,100	39,787	44,887	49,000	47,100
Undersea Research Program:					
NOAA Undersea Research Program	15,998	2,038	17,823	17,000	18,100
Maine Marine Research Center	1,900	0	0	1,900	1,900
Regional Marine Research Centers	0	4,000	0	0	0
Subtotal	17,898	6,038	17,823	18,900	20,000
Total, Ocean and Great Lakes programs	80,693	63,072	78,588	84,844	85,4445
Total, OAR	202,172	214,097	223,789	211,001	226,844
NATIONAL WEATHER SERVICE					
Operations and Research:					
Local Warnings and Forecasts	298,725	319,868	319,868	319,868	319,868
MARDI	23,316	75,813	56,991	60,000	75,000
WSFOs—reduce 8 stations	752	752	752	752	752
Southern Region HQ	814	814	0	0	0
Data buoy engineering and test	518	0	0	0	0
Data buoy maint. for Hawaii	542	542	0	550	542
Pacific & Alaska Region HQ	366	366	366	366	366
Agricultural and fruit frost	2,316	2,316	2,316	2,316	2,316
Fire weather services	449	449	449	449	449
Susquehanna Riv Basin Flood Sys	669	669	900	669	900
Aviation forecasts	35,596	35,596	35,596	35,596	35,596
Flood Warning System/Colorado River	288	288	288	288	288
Contract observers	190	0	0	0	0
Samoa	240	0	0	240	200
Regional Climate Centers	3,000	3,000	3,000	3,000	3,000
California Data Buoys	205	205	200	200	200
Subtotal	367,986	440,678	420,726	424,294	439,477
Central Forecast Guidance	28,211	30,034	28,555	29,000	28,555
Atmospheric and Hydrological Research	2,350	2,544	2,390	2,544	2,400
Total, Operations and Research	398,547	473,256	451,671	455,838	470,432
Systems Acquisition:					
Public Warning and Forecast Systems:					
NEXRAD	84,516	123,545	114,044	133,545	120,000
ASOS	18,000	18,135	18,135	18,135	18,135
AWIPS/NOAAPort	23,779	43,564	27,818	43,564	43,564
NMC Computer facility upgrades	7,826	14,600	12,000	8,000	8,000
Total, Systems Acquisition	134,121	199,844	171,997	203,244	189,699
Total, NWS	532,668	673,100	623,668	659,082	660,131
NATIONAL ENVIRONMENTAL AND SATELLITE, DATA, AND INFORMATION SERVICE					
Satellite Observing Systems:					
Polar Spacecraft and Launching	148,432	162,099	156,099	139,000	139,000
Geostationary Spacecraft and Launching	118,000	182,746	123,746	123,746	123,746
Environmental Observing Services	47,600	50,284	49,443	50,000	49,443
Total, Satellite Observing Systems	314,032	395,129	329,288	312,746	312,189
Environmental Data Management Systems	22,346	23,768	23,139	22,000	22,000
Data and Information Services	10,300	10,300	10,300	15,300	15,300
Subtotal	32,646	34,068	33,439	37,300	37,300
Total, NESDIS	346,678	429,197	362,727	350,046	349,489
PROGRAM SUPPORT					
Administration and Services:					
Executive Direction and Administration	25,000	25,269	25,269	25,000	25,000
Systems Program Office	1,100	1,100	1,100	1,500	1,100

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—Continued

[In thousands of dollars]

	Fiscal year—				
	1993 currently available	1994 request	1994 House	1994 Senate	1994 conference
Subtotal	26,100	26,369	26,369	26,500	26,100
Central Administrative Support	38,000	39,244	39,244	38,000	38,000
Retired Pay Commissioned Officers	7,333	7,706	7,706	7,706	7,706
Total, Administration and Services	71,433	73,319	73,319	72,206	71,806
Marine Services	60,056	62,037	62,037	63,000	62,037
Maintain S.E. Marine Facility	258	258	258	0	0
Marine Electronics Agenda	700	0	0	0	0
New England Science Center	186	0	0	0	0
Total, Marine Services	61,200	62,295	62,295	63,000	62,037
Aircraft Services	9,000	8,995	8,995	9,500	9,000
Aircraft Critical Safety and Inst	500	500	500	500	500
Subtotal	9,500	9,495	9,495	10,000	9,500
Total, Program Support	142,133	145,109	145,109	145,206	143,343
Direct obligations, ORF	1,614,547	1,834,372	1,731,844	1,765,800	1,774,043
Reimbursable Obligations	369,081	390,385	390,385	390,385	390,385
Total Obligations, ORF	1,983,628	2,224,757	2,122,229	2,156,185	2,164,428
Financing:					
Deobligations	−11,800	−13,800	−24,800	−25,300	−22,990
Offsetting Collections					
Federal Funds	−332,128	−353,650	−353,650	−353,650	−353,650
Non-Federal Funds	−36,953	−36,735	−36,735	−36,735	−36,735
Trust Funds	0	0	0	0	0
Budget authority, ORF	1,602,747	1,820,572	1,707,044	1,740,500	1,751,053
Financing from proposed transfers:					
Promote and develop fishery products	−55,000	−61,400	−55,544	−54,000	−54,800
Damage Assessment	−17,506	−1,500	−1,500	−1,500	−1,500
Appropriation, ORF	1,530,241	1,757,672	1,650,000	1,685,000	1,694,753

Activities funded under this conference agreement which were originally addressed in only the House report (H. Rept. 103–157), or only the Senate report (S. Rept. 103–105), are provided in accordance with any direction given in that report, unless expressly modified in the following statement.

NATIONAL OCEAN SERVICE

The conference agreement includes a total of $163,484,000 for the fiscal year 1994 activities of the National Ocean Service instead of $155,412,000 as proposed by the House and $166,254,000 as proposed by the Senate.

The amount provided includes $9,150,000 for the National Marine Sanctuary Program. The conferees intend that the increase provided be used to support activities and expenses associated with newly designated and soon-to-be designated sanctuaries, as well as to maintain and strengthen the activities of existing sanctuaries. The amount provided includes funding for the Hawaiian humpback whale marine sanctuary as provided in the Senate report.

The conference agreement includes $41,500,000 for section 306 and 306(a) Coastal Zone Management grants and $4,000,000 for nonpoint pollution control grants. Program administration costs are expected to be funded from the Coastal Zone Management Fund as proposed by the House; however, the conferees intend that program administration expenses not exceed $3,500,000.

The conference agreement includes language specifying minimum and maximum amounts for grants to States under section 306 and 306(a) for fiscal year 1994 as proposed by the Senate. The conferees expect NOAA to submit an allocation plan, including an allocation formula with appropriate minimum and maximum levels, to the Committees on Appropriations and appropriate authorizing committees of the House and the Senate when the fiscal year 1995 President's Budget request is transmitted to the Congress.

The conferees have provided $11,000,000 for the Coastal Ocean program. Of this amount, the conferees expect $700,000 to be used to conduct research by the Baruch Institute and the University of South Carolina on small, high salinity estuaries. This research is to be conducted in coordination with the National Marine Fisheries Service Southeastern Fisheries Laboratory. In addition, the conferees expect $800,000 to be provided to the National Institute of Environmental Renewal in Pennsylvania for a program to identify and quantify sources of pollution in the Chesapeake Bay.

NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes a total of $230,752,000 for the programs and activities of the National Marine Fisheries Service, instead of $221,139,000 as proposed by the House and $234,211,000 as proposed by the Senate.

The conferees have included $52,872,000 for NMFS resource information programs. Of this amount, not less than $750,000 is for Marine Resources, Monitoring, Assessment and Prediction Program (MARMAP) activities carried out by the South Carolina Wildlife and Marine Resources Department.

The conference agreement includes $700,000 above the request for conservation engineering and bycatch. This increase is intended to support ongoing programs of the National Marine Fisheries Service (NMFS) through the Gulf and South Atlantic Fisheries Development Foundation to assess finfish bycatch in the Gulf of Mexico and South Atlantic shrimp trawl fisheries.

Within the funding provided, the conferees expect that the Auke Bay Laboratory will receive not less than $5,243,000. Funds provided for implementation of the Driftnet Act may be used for high seas salmon research as well as other purposes specified in the House and Senate reports.

The conference agreement includes $2,500,000 for the aquaculture program. Within the amounts provided, $250,000 is for the "Nantucket Program" for shellfish aquaculture, $80,000 is for bay scallop restoration on Long Island, and $250,000 is for the Newport, Oregon, Marine Science Center.

The conferees have included $2,395,000 for the recreational fishery monitoring program. Of this amount, $200,000 is for a grant to the South Carolina Wildlife and Marine Resources Department to support enhanced red drum and recreational species assessments, tagging and resource management.

The conference agreement includes $1,800,000 for a grant to the Joint Institute for Marine and Atmospheric Research in Hawaii for Pacific tuna and billfish management, instead of $2,000,000 as provided by the Senate.

The conference agreement includes $1,500,000 for the Northwest Atlantic Ocean Fisheries Reinvestment program to address the decline of groundfish stocks in New England. These funds will be used for development of underutilized species, aquaculture and expanded uses for fish waste.

The conference agreement includes $1,750,000 for fisheries biotechnology and toxicology research at the National Marine Fisheries Service Southeastern Laboratory in Charleston, South Carolina.

The conferees have provided $1,200,000 for Halibut/Sablefish individual fisheries quotas (IFQs) instead of $1,370,000 as proposed by the Senate. The House bill contained no funds for this purpose. These funds are provided because of a realization that NMFS will incur significant costs in implementing the management plan recently approved for Pacific halibut and sablefish. The funds are provided only for the implementation of this particular management plan and this provision does not imply any endorsement by the conferees of IFQs in general. The conferees are concerned about the costs of implementing and enforcing IFQs and agree that the Appropriations Committees and the appropriate authorizing committees will continue to review this fisheries management system during hearings and review of the fiscal year 1995 budget for NOAA.

Within the funding provided for NMFS, $10,300,000 has been included for the operations of the Columbia River hatcheries as authorized by the Mitchell Act. The conferees expect NMFS to comply with reprogramming guidelines in the obligation of these funds, and expect that a report on a program plan for these funds, as well as those provided for the Columbia River hatcheries in the construction account, be provided to the Committees on Appropriations of the House and the Senate no later than December 1, 1992.

The conference agreement includes a total of $800,000 for international fisheries commissions. The amount provided over the request is intended to be applied as follows: $300,000 for transfer to the Great Lakes Fishery Commission for addressing the reregistration of lampricide with the Environmental Protection Agency; and $100,000 for the continuation of sea lamprey control in Lake Champlain.

The conferees have included $300,000 for the conclusion of the United States/Canada lobster study as provided by the Senate. The conferees agree that this amount represents the final installment for completion of this study.

Within the amounts provided, NMFS is expected to reimburse any unpaid costs incurred in research on bowhead whales pursuant to section 313 of Public Law 102-567.

OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes a total of $226,844,000 for NOAA's Oceanic and Atmospheric Research, instead of $223,789,000 as proposed by the House and $211,001,000 as proposed by the Senate.

The conference agreement includes $290,000 to continue the Lake Champlain research program carried out cooperatively between the Great Lakes Environmental Research Laboratory and the Lake Champlain Basin Consortium. Of this amount, $100,000 is for the GPS differential station as described in the Senate report.

The conference agreement includes a total of $46,000,000 for the Sea Grant college program, of which $2,800,000 is specifically designated toward research, public education and outreach on the problem of zebra mussels. The increase above base levels for the National Sea Grant program should be used for marine biotechnology programs and is to be awarded on a competitive basis.

The conferees have included $18,100,000 for the National Undersea Research Program. Of the amount provided, $3,372,000 is for the Hawaii NURP program. The conferees intend that no ongoing program will receive less than $1,000,000.

Within the increase provided over fiscal year 1993 levels for long-term climate and air quality research, $500,000 is specifically provided for the Geophysical Fluid Dynamics Laboratory.

NATIONAL WEATHER SERVICE

The conference agreement includes a total of $660,131,000 for the fiscal year 1994 expenses of the National Weather Service, instead of $623,668,000 as proposed by the House and $659,082,000 as proposed by the Senate.

The managers expect the National Weather Service to provide a weather radio transmitter for Craig, Alaska, to serve the west coast of Prince of Wales Island. The conferees also expect that NOAA will take no action to plan for or to implement any reduction in the Jackson, Kentucky, Weather Service Office.

In the interest of aviation safety, the conferees intend that the weather observation station at Stampede Pass, Washington, will be maintained only until the new ASOS is fully operational in the first quarter of fiscal year 1994.

Within the amounts provided under the National Weather Service, $800,000 is intended for the continued maintenance of fourteen coastal data buoys funded in fiscal year 1993 under the GOES Contingency Fund. The conferees expect that future budget requests for NOAA will include the necessary funding to maintain these data buoys.

The conference agreement includes an increase of $100,000 above the amounts included in the House report for the Federal/State Cooperative Atmospheric Weather Modification Program. This increase is to be provided to the State of Arizona to begin a winter snowpack enhancement research program on the Navajo Nation in Arizona and New Mexico.

The conference agreement includes $75,000,000 for training and staff for the new weather service facilities associated with the modernization efforts of the NWS. The conferees expect this amount to be allocated to allow increased staffing for the maximum number of weather stations receiving new radars and equipment under the Weather Service modernization plan. The conferees further expect NOAA to provide to the House and Senate Appropriations Committees quarterly updates, beginning on January 1, 1994, on the status of opening the new weather service offices, by location, and to submit a reprogramming notification to the Committees on Appropriations should the full $75,000,000 not be required for this stated purpose in fiscal year 1994.

The conference agreement includes a total of $189,699,000 for weather service systems acquisition. This amount fully funds the request for ASOS and AWIPS, and provides sufficient funding to continue NEXRAD system acquisition and the Class VII computer.

NATIONAL ENVIRONMENTAL AND SATELLITE, DATA, AND INFORMATION SERVICES

The conference agreement includes a total of $349,489,000 for the National Environmental and Satellite, Data, and Information Service (NESDIS), instead of $362,727,000 as proposed by the House and $350,046,000 as proposed by the Senate.

The conferees have included the Senate level of $139,000,000 for the Polar Orbiting Environmental Satellite (POES) program, noting that the Senate Defense Appropriations bill continues Air Force support for launch services at the fiscal year 1993 level. The conferees continue to support the concept, recently endorsed by the National Performance Review, of converging NOAA's polar orbiting satellite program with that of the Department of Defense should such a plan prove to be feasible and to provide cost savings. However, the conferees remain skeptical of the cost effectiveness and feasibility of consolidation with NASA's polar satellite programs. The conferees further agree that convergence will not be practicable unless budgetary resources for NOAA are increased in future years.

PROGRAM SUPPORT

The conference agreement includes a total of $143,343,000 for the program support activities of the National Oceanic and Atmospheric Administration, instead of $145,109,000 as proposed by the House and $145,206,000 as proposed by the Senate.

The conferees expect NOAA to follow the lead of the State Department in reducing the increases for foreign national employees overseas.

The conferees have included $7,706,000 for the retirement pay of NOAA commissioned officers. The conferees expect NOAA and the Department of Commerce to work with the Office of Management and Budget (OMB) to ensure that this item is funded as a mandatory account in fiscal year 1995 and subsequent fiscal years to provide for consistency with other retirement accounts for the uniformed services.

The amount provided under the NOAA Operations, Research, and Facilities account assumes $22,290,000 in prior year deobligations.

CONSTRUCTION

Amendment No. 82: Provides $109,703,000 for the NOAA construction account, and designates funding for several items for construction and related activities. The conference agreement also includes a technical language correction relating to the transfer of land in Eureka, California, to NOAA for the purpose of building a weather forecast office for a new NEXRAD facility. This item was contained in neither the House or Senate bills. The House bill included $89,775,000 for this appropriation account, with no designation of the funds in bill language. The Senate amendment included $109,703,000 for this account and designated in bill language $5,000,000 for the acquisition of real property for national estuarine reserves and $6,250,000 for the construction of a National Marine Fisheries Service (NMFS) laboratory in Lafayette, Louisiana.

The conference agreement designates amounts for specific construction and related activities, including: $2,000,000 for the construction of the National Marine Fisheries Service Estuarine and Habitat Research Laboratory in Lafayette, Louisiana; $1,000,000 for a grant for the purchase of equipment for the Ruth Patrick Science Education Center in Aiken, South Carolina; and the following amounts for several continuing construction activities: $1,000,000 for construction and related expenses for a Multi-Species Aquaculture Facility to be located in the State of New Jersey; $1,000,000 for a grant to the Mystic Seaport, Mystic, Connecticut, for a maritime education center; $1,395,000 for a grant to the Indiana State University Center for Interdisciplinary Science Research and Education (funded under the Small Business Administration in previous fiscal years); and $1,000,000 for a grant for the Boston Biotechnology Innovation Center.

The conferees are aware that many NOAA-owned facilities, at an average age of 30 years, may require significant major repairs or upgrades, particularly the National Marine Fisheries Service (NMFS) laboratories. The conferees have received many requests for specific NMFS facility projects ranging from minor repairs to new facility construction. The conferees recognize that many of these requests represent bona fide program requirements, but are concerned that this piecemeal approach may not take into account long-term funding for equipment and staffing for the new and expanded laboratories. The conferees expect the Department of Commerce to submit to the Committees on Appropriations, and the appropriate authorizing committees, a comprehensive facilities plan for NMFS. This plan should address any requirements for new laboratory or other office space, modifications or repairs to existing space, and any recommended closures of outdated or unnecessary facilities. The plan should also indicate NOAA's proposed staffing for the existing and proposed facilities. This plan should be submitted to the Congress no later than January 1, 1994.

In that regard, the conferees are aware that NOAA is in the process of determining a site for a replacement for the National Marine Fisheries Service Laboratory that is engaged in groundfish research on the West Coast. The conferees expect that Newport, Oregon, will be included in a study of potential sites, and that local real estate and construction costs, as well as operating costs and cost-of-living expenses, will be included as major criteria for determining a new site. In addition, the conferees would expect that co-location with existing NOAA personnel and offices, as well as other existing Federal science agencies, be among the highest criteria for a new site. The conferees expect a report on this item by January 1, 1994.

The conferees have included $5,000,000 for the National Estuarine Research Reserve Program for acquisition of real property and construction. The funds for this authorized program are not designated in the bill, as proposed by the Senate.

The conference agreement includes $683,000 for planning and design of a joint Federal and State Marine Laboratory to be located at the marine resources center at Fort Johnson, South Carolina. The conference agreement also includes $178,000 for the Beaufort NMFS laboratory. In addition, the conference agreement provides $1,800,000 for the Newport, Oregon, Marine Science Center and $500,000 for the Kodiak, Alaska, Fisheries Center, both of which are described in the Senate Report.

The conference agreement includes the following amounts for the NOAA construction account:

(In thousands of dollars)

	FY 1994 Conference
Construction:	
NEXRAD Facilities and Land	62,784
Beaufort, NC Laboratory	178
Charleston Fish Lab Repair	683
Oxford, MD fisheries lab	750
Lafayette, LA fisheries lab	2,000
Nat'l Estuarine Research Reserves	5,000
Monitor Marine Sanctuary museum	800
Boston biotechnology innovation center	1,000
Mystic, CT maritime educ. & research ctr.	1,000
Newport, OR Marine Science Center	1,800
Kodiak Fisheries Center	500
Sandy Hook lease	1,500
Environmental Compliance	4,000
Boulder Lab	2,441
Multispecies Aquaculture Center	1,000
Silver Spring Consolidation	2,421
Real Property Maintenance	6,500
NOAA Research Facilities & Other Const.	4,751
Indiana State University	1,395
Ruth Patrick Science Center	1,000
Columbia River Facilities	8,200
Total, Construction	109,703

FLEET MODERNIZATION, SHIPBUILDING, AND CONVERSION

Amendment No. 83: Appropriates $77,064,000 for NOAA Fleet Modernization, Shipbuilding, and Conversion as proposed by the Senate, instead of $23,064,000 as proposed by the House.

The conference agreement includes funding for the acquisition of an oceanographic research vessel. The conferees expect NOAA to apply the economic model developed by NOAA, and the recommendations included in the Department of Commerce Inspector General's report of September 1993, to ensure that the most cost-effective means of acquiring such a vessel is selected. The conferees encourage NOAA to consider full and open competition as well as the option of utilizing existing Navy contracts.

The conferees are not convinced that NOAA should proceed with its plans to perform major repair-to-extend (RTE) or modernization packages on older vessels such as the *Oceanographer* and suggest that such funds would be better used to proceed with repair and upgrade of Navy T-AGOS vessels, as noted in the fiscal year 1993 conference agreement.

The conferees are concerned that NOAA has not complied with reprogramming procedures in its use of funds provided under this heading in previous fiscal years. The conferees expect that notification will be provided to the House and Senate Appropriations Committees regarding any change in the use of funds provided in this bill and in the use of any unobligated balances from previous fiscal years. The conferees further agree that NOAA budget justifications for this account have provided little information and detail on the distribution of the funds requested. Accordingly, beginning in fiscal year 1995, the budget justification material for this account should fully detail shipbuilding, repair and modification projects by vessel.

AIRCRAFT PROCUREMENT AND MODERNIZATION

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum named in said amendment, insert: *$43,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $43,000,000 for the new Aircraft Procurement and Modernization account instead of $46,000,000 as proposed by the Senate. The House bill contained no provision on this matter. The amount provided is sufficient for the acquisition and equipping of a mid-size research aircraft capable of performing more advanced hurricane research and environmental missions in climate and global change, air chemistry and mesocyclone research. The conferees agree that this should be a fully competitive procurement.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 85: Appropriates $33,042,000 for the Department of Commerce General Administration account as proposed by the House, instead of $31,712,000 as proposed by the Senate.

OFFICE OF INSPECTOR GENERAL

Amendment No. 86: Appropriates $16,000,000 for the Department of Commerce Office of Inspector General instead of $15,860,000 as proposed by the House and $16,500,000 as proposed by the Senate.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

Amendment No. 87: Appropriates $128,286,000 for Census Bureau salaries and expenses as proposed by the Senate instead of $131,170,000 as proposed by the House.

The conferees support the Senate recommendation to continue to maintain on a monthly basis the M22P, M20J, and M20K reports.

PERIODIC CENSUSES AND PROGRAMS

Amendment No. 88: Appropriates $110,000,000 for periodic censuses and programs as proposed by the House instead of $120,084,000 as proposed by the Senate.

The conferees support the designation of $600,000 of these funds for intercensal poverty estimates as proposed in the House report.

The conferees remain concerned that the efforts of the Census Bureau to plan for the Year 2000 decennial census have not adequately addressed the concerns expressed by the Congress regarding the cost and the scope of the next decennial census. The conferees expect the Secretary of Commerce and the Office of Management and Budget to take a more active role in planning for the Year 2000 decennial census to ensure that all concerns of the Congress, the absolute data requirements of Federal departments and agencies, as well as State and local government data needs, are considered in the planning effort. The conferees expect that other Federal departments and agencies with significant data requirements, for which the decennial census is determined to be the most effective means of collection, will reimburse the Census Bureau for a portion of the costs of planning for and conducting the Year 2000 Census. The conferees expect the Secretary of Commerce to report to the House and Senate Appropriations Committees, as well as the appropriate authorizing committees, by January 1, 1994, on the status of the Year 2000 decennial census planning efforts, including any proposals for legislative changes which may be necessary to address the concerns expressed by Congress.

The conferees continue to support the efforts of the Census Bureau to work with the U.S. Postal Service to develop procedures to simplify and lower the cost of the next decennial census. The conferees expect the status report requested above to include an update on the progress being made with the Postal Service.

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Amendment No. 89: Provides language which allows funding provided to the International Trade Administration (ITA) to be used to fund grants and cooperative agreements, and designates specific funding levels for certain activities aimed at promoting U.S. exports, particularly in the sectors of textiles, biotechnology, and manufacturing, and increasing the competitiveness of U.S. businesses. These specific activities include: $9,000,000 for National Technology Center university consortium; $3,400,000 for the Tailored Clothing Textile Corporation; $800,000 for the Center for Global Competitiveness at Saint Francis and Saint Vincent Colleges in Pennsylvania; $465,000 for the Center for Manufacturing Productivity at the University of Massachusetts at Amherst; $1,395,000 for the Massachusetts Biotechnology Research Institute; and $930,000 for the Michigan Biotechnology Institute. The Senate amendment included language allowing funds under ITA to be used for grants and cooperative agreements, including those in support of the National Textile Center university consortium and the Tailored Clothing Technology Corporation. The House bill contained no similar language provision, although funding for both the National Textile Center and Tailored Clothing Technology Corporation had been included in the House bill.

Amendment No. 90: Appropriates $248,590,000 for the expenses of the International Trade Administration instead of $221,445,000 as proposed by the House and $251,103,000 as proposed by the Senate. The following table reflects the distribution of the funds provided by activity:

INTERNATIONAL TRADE ADMINISTRATION

[In thousands of dollars]

	Fiscal years—				
	1993	1994 request	1994 House	1994 Senate	1994 conference
Trade Development	54,707	51,511	51,346	57,063	59,903
Int'l Economic Policy	17,325	24,833	17,838	21,101	19,748
Import Administration	28,423	29,341	28,261	32,341	32,341
U.S. and Foreign Commercial Service	113,396	140,598	124,000	140,598	136,598
Total	213,851	246,333	221,445	251,103	248,590

Trade Development.—The conference agreement includes a total of $59,903,000 for the Trade Development office under ITA. Of this amount, $9,000,000 is for the National Textile Center, $3,400,000 is for the Tailored Clothing Technology Corporation, and $3,590,000 is for additional activities identified under Amendment No. 89.

The conference agreement includes $4,040,000 for the Office of Textiles and Apparels, exclusive of the National Textile Center and the Tailored Clothing Technology Corporation.

International Economic Policy.—The conference agreement includes $19,748,000 for International Economic Policy. This amount represents a current services level for this office.

Import Administration.—The conferees have agreed to provide the Import Administration with an increase of $3,000,000 to hire additional accountants and financial analysts for antidumping and countervailing duty case investigations as proposed by the Senate.

U.S. and Foreign Commercial Service.—The conferees have not provided the full budget request for the United States and Foreign Commercial Service (US&FCS), although an increase of $6,475,000 is provided over the base for this activity for restoration of purchasing power losses overseas. The conferees expect the US&FCS, and the other programs within ITA, to realize efficiencies and savings as a result of the result of the recent review of Federal export programs conducted by the Interagency Trade Promotion Coordinating Committee chaired by the Secretary of Commerce. The conferees also expect the US&FCS to follow the lead of the State Department in reducing foreign national pay increases.

The conferees endorse the Senate language confirming that the US&FCS should remain in the Department of Commerce and that other Federal departments and agencies should not duplicate US&FCS's mission and programs. The conferees are supportive of the efforts of the Trade Promotion Coordinating Committee (TPCC), particularly with regard to the submission of a unified export promotion budget.

The conferees encourage the establishment of an international trade specialist position in the State of Vermont as provided in the Senate report.

The conferees intend that the funding distribution indicated above be used as thresholds against which the reprogramming procedures outlined in section 605 of the fiscal year 1994 Appropriations Act are to be applied. The conferees are concerned that ITA has, in previous fiscal years, shifted funds between offices and activities without notifying the House and Senate Appropriations Committee as required. Such reprogramming procedures also apply to the use of unobligated balances which carry over from previous fiscal years.

The conferees encourage ITA to utilize unobligated carryover balances to support the NIS Business Information Service (BISNIS) and the Special American Business Intern Training Program (SABIT).

The managers are aware that the Department of Commerce, Department of State, Department of Justice, and the U.S. Trade Representative have not yet reached an interagency agreement regarding future remedies to be applied against former republics of the Soviet Union that are disrupting domestic and export markets for potash and other fertilizers. The Administration is urged to act in an expeditious manner to end any unfair pricing and injurious surges of potash exports from these republics. Steps should be taken to implement bilateral proposals that would comply with United States trade statutes.

Because of the overall funding constraints, the conference agreement does not include funding under the International Trade Administration for a program to provide technical assistance to help foreign governments enforce intellectual property laws, as included in the Senate Report. The conferees expect ITA to work with the Patent and Trademark Office, also under the Department of Commerce, to develop a program under PTO's Office of Legislation and International Affairs to provide assistance in this area.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Amendment No. 91: Deletes language proposed by the Senate earmarking funds for the Office of Antiboycott Compliance. The House bill contained no similar provision. The conferees expect this activity to be maintained at not less than the current staffing level during fiscal year 1994.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

Amendment No. 92: Provides $42,100,000 for the Minority Business Development Agency (MBDA), instead of $38,362,000 as proposed by the House and $43,381,000 as proposed by the Senate, and includes language not in either bill designating funding for specific minority business development activities as follows: $800,000 for a grant to the city of Williamsport, Pennsylvania, for the revitalization of small merchants and development of minority firms, and $500,000 for a grant to the Catawba Indian Tribe in South Carolina for business and economic development planning and technical assistance.

The conference agreement also designates that $30,300,000 of the funds provided are to remain available until expended, instead of $22,800,000 as proposed by the House and $29,000,000 as proposed by the Senate. The conference agreement does not include bill language limiting amounts for MBDA program administration as included in the House bill. However, the conferees expect that no more than $15,500,000 will be expended for program management activities in fiscal year 1994.

The conferees agree with the Senate report language regarding the importance of assisting minority businesses in rural as well as urban areas. The conferees expect that none of the funds provided for new minority business development centers, including MEGA Centers, will be expended prior to MBDA submitting a reprogramming notification to the Appropriations Committees in accordance with section 605 of this Act notifying the Committees of the proposed distribution of the funds provided.

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 93: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the United States Travel and Tourism Administration including travel and tourism promotional activities abroad for travel to the United States and its possessions without regard to 44 U.S.C. 501, 3702 and 3703, including employment of American citizens and aliens by contract for services abroad; rental of space abroad for periods not exceeding five years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; advance of funds under contracts abroad; payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672, when such claims arise in foreign countries; and not to exceed $15,000 for official representation expenses abroad; $17,120,000, to remain available until expended: Provided, That none of the funds appropriated by this paragraph shall be available to carry out the provisions of section 203(a) of the International Travel Act of 1961, as amended: Provided further, That in addition to fees currently being assessed and collected, the Administration shall charge users of its services, products, and information, fees sufficient to result in an additional $3,000,000, to be deposited in the General Fund of the Treasury.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $17,120,000 for the fiscal year 1994 expenses of the U.S. Travel and Tourism Administration (USTTA) instead of $20,298,000 as proposed by the Senate. The House-passed bill contained no funding for this program. The House-reported bill included $17,120,000 for USTTA.

The conference agreement also includes language originally included in the House-reported bill prohibiting any of the funds provided from being used to carry out section 203(a) of the International Travel Act of 1961, as amended. The Senate bill had limited amounts available for a new cooperative tourism marketing program to $2,500,000.

The conference agreement also includes language proposed by the Senate, and included in the House-reported bill and the President's budget request, allowing up to $3,000,000 in additional fees to be deposited in the General Fund of the Treasury. The House-passed bill contained no similar provision.

The conferees expect USTTA to follow the lead of the State Department in reducing foreign national pay increases.

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 94: Appropriates $5,700,000 for the operating expenses of the Technology Administration instead of $4,500,000 as proposed by the House and $6,000,000 as proposed by the Senate. The amount provided will allow the Under Secretary for Technology to carry out new responsibilities and Congressional mandates under the national civilian technology policy.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 95: Appropriates $19,927,000 for the operating expenses of the National Telecommunications and Information Administration (NTIA) instead of $18,927,000 as proposed by the House and $20,927,000 as proposed by the Senate.

PUBLIC TELECOMMUNICATIONS FACILITIES

PLANNING AND CONSTRUCTION

Amendment No. 96: Appropriates $24,000,000 for NTIA's Public Telecommunications Facilities, Planning and Construction (PTFP) program instead of $20,254,000 as proposed by the House and $28,000,000 as proposed by the Senate.

Amendment No. 97: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert: *: Provided further, That notwithstanding the provisions of sections 391 and 392 of the Communications Act, as amended, not to exceed $700,000 appropriated in this paragraph shall be available for the Pan-Pacific Educational and Cultural Experiments by Satellite program (PEACESAT)*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment designates $700,000 of the funds under PTFP grants toward the Pan-Pacific Educational and Cultural Experiments by Satellite (PEACESAT) program. The Senate amendment designed $1,000,000 for this purpose and also designated $500,000 for the American Indian Higher Education Consortium. The House bill contained no similar provision.

The conferees also understand that NTIA has existing legislative authority to continue to support the American Indian Higher Education Consortium and expect NTIA to favorably consider an application from the Consortium for utilization of telecommunications technologies, and provide a grant if warranted.

INFORMATION INFRASTRUCTURE GRANTS

Amendment No. 98: Appropriates $26,000,000 for the new national information infrastructure demonstration grant program under NTIA instead of $21,746,000 as proposed by the House and $31,000,000 as proposed by the Senate.

The conferees expect NTIA to run competitive solicitations in the selection and award of information infrastructure grants. In this regard, the conferees endorse the review and consideration of the various proposals named in the House and Senate reports should applications be submitted. The conferees have been made aware of additional proposals which may be eligible under the application guidelines and authorities for this program, and urge NTIA to examine the following proposals and provide grants if warranted:

(1) a proposal from Somerset Community College in Kentucky for a model distance learning and information technology network;

(2) a proposal from the State of North Carolina to link health care activities at four teaching hospitals/medical schools and a military hospital to the North Carolina Information Highway for a telemedicine demonstration;

(3) a proposal from the American Academy of Distance Learning to build and equip a multi-State telecommunication network to train minority unemployed and underemployed workers;

(4) a proposal from Mount Sinai Medical Center in Miami Beach, Florida, to expand its critical pathways program to reduce resource consumption and patient stay;

(5) a proposal from the Oregon Community College Association for the Advanced Computing Environment (ACE) project, which involves the development of an information utility that will allow widespread access to a variety of technological resources throughout the State;

(6) a proposal from the City of Atlanta and the State of Georgia to develop an integrated, comprehensive information infrastructure for public safety, transportation, and public works management; and

(7) a proposal from the Hispanic Information and Telecommunications Network (HITN) to develop the technical infrastructure to support a nationwide network linking schools, universities, community centers, and other locations serving the Latino community.

Amendment No. 99: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate.

The conference agreement includes language proposed by the Senate which further clarifies that these funds may be used for the provision of educational, cultural, health care, public information, public safety or other social services. The House passed-bill contained no similar provision, although the House-reported bill had included similar language.

ECONOMIC DEVELOPMENT ADMINISTRATION

Amendment No. 100: Inserts a new title as proposed by the Senate. The House-passed bill included this heading as well as funding for the Economic Development Administration under Title IV of the bill.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Amendment No. 101: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91–304, and such laws that were in effect immediately before September 30, 1982, and for trade adjustment assistance, $322,642,000: Provided, That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration: Provided further, That, notwithstanding any other provision of law, the Secretary of Commerce may provide financial assistance for projects to be located on military installations closed or scheduled for closure or realignment to grantees eligible for assistance under the Public Works and Economic Development Act of 1965, as amended, without it being required that the grantee have title or ability to obtain a lease for the property, for the useful life of the project, when, in the opinion of the Secretary of Commerce, such financial assistance is necessary for the economic development of the area: Provided further, That the Secretary of Commerce may, as the Secretary considers appropriate, consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure or realignment.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides a total of $322,642,000 for Economic Development Assistance Programs. This amount includes increases for public works grants, planning assistance, technical assistance, and economic adjustment grants, including defense conversion activities. The conference agreement also includes language originally proposed by the Senate under a separate account for defense economic conversion (see Amendment No. 103) which will allow the Commerce Department to make grants to communities impacted by base closures even if title to land has not been transferred by the Federal government. The conferees have included this language as a temporary, one-year solution to the problem of title conveyance of military installations slated for closure. The conferees anticipate that the appropriate authorizing committees will address this concern in reauthorization legislation for EDA. The House-passed bill did not include any funding or the language for this account, which was stricken on a point of order during floor consideration of the bill. The House-reported bill provided $233,150,000 for economic development assistance programs, but did not address the issue of grantees having title prior to awarding funds in relations to military base closures. The Senate bill included $242,642,000 under this heading for economic development assistance programs, and included a separate appropriation account for defense economic conversion funded at $80,000,000.

The following table reflects the proposed distribution of these funds:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

[In thousands of dollars]

Fiscal years—	1993	1994 request	1994 House	1994 Senate	1994 conference
Public works grants	147,435	135,385		[1]147,435	160,000
Planning assistance	24,770	24,770		26,770	26,000
Technical assistance (including University Centers)	9,000	10,420		9,142	10,600
Defense economic conversion	0	33,000		(2)	80,000
Research and evaluation	0	500		0	500
Trade adjustment assistance	13,720	0		13,720	10,000
Economic adjustment grants	22,075	19,075		45,575	35,542
Total	217,000	223,150	0	242,642	322,642

[1] Funding for the economic development assistance programs were stricken from the House version of the bill on a point of order.

[2] The Senate included $80,000,000 for defense economic adjustment in a separate appropriation account.

The Conferees expect that funds designated under Title I and Title IX in the above table will be awarded for proposals not eligible for funding provided in this and other bills for defense conversion activities. Funds provided for defense conversion are for grants and assistance necessary to assist communities adversely impacted by Department of Defense and Department of Energy contract reductions and installation realignments and closures.

The conferees have provided an increase for Title IX assistance to communities impacted by severe economic dislocations, such as communities impacted by reductions in the coal and timber industries. The conferees encourage the Administrator of EDA to give favorable consideration to applications received for rehabilitation of abandoned lumber and plywood mill sites. The conferees also encourage the Administrator of EDA to give favorable consideration to applications received for assisting communities in adjusting to the downturn in the coal industry.

The conferees have agreed to include the budget request of $500,000 for EDA research and development programs.

The conferees endorse EDA's review and consideration of all of the proposals named in both the House and Senate reports accompanying this bill, should proposals be submitted. The conferees have also been made aware of the following additional proposals for economic assistance, and encourage EDA to consider applications for these proposals within applicable procedures and guidelines:

(1) for infrastructure renovation and improvements to the Macon Coliseum, in the City of Macon, Georgia;

(2) for assistance to the Wood County Airport Authority in West Virginia in its construction of a new hangar maintenance facility;

(3) for water and sewer infrastructure expansion in the City of Wheelwright, Kentucky, to support the requirements of construction of a new prison;

(4) for site preparation and infrastructure for the development of an industrial park in Wolfe County, Kentucky.

DEFENSE ECONOMIC ADJUSTMENT COMMUNITY ASSISTANCE

Amendment No. 102: Deletes language proposed by the Senate creating a separate new account for defense economic adjustment community assistance. The Senate bill provided $80,000,000 for this purpose, and included language clarifying that grants may be made to communities impacted by military base closures even if the issue of title to the property is not yet resolved. The House bill did not contain any provision on these matters. The conference agreement includes the funding for this purpose and language addressing the military installation title issue under the Economic Development Assistance Programs account addressed under Amendment No. 101.

SALARIES AND EXPENSES

Amendment No. 103: Appropriates $28,000,000 for the salaries and expenses of the Economic Development Administration instead of $26,284,000 as proposed by the House in Amendment No. 136 and $30,151,000 as proposed by the Senate. The conferees support the efforts of EDA to reduce the paperwork and processing time for review and approval of grant applications.

The conferees are concerned about recent actions taken by the Department to create new offices and make other organizational changes within EDA. The conferees expect to receive notification of any funding or organizational changes at least fifteen days prior to any action on or announcement of such a change.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

Amendment No. 104: Restores a section number as originally proposed by the House in a reference to reprogramming procedures. The reprogramming notification procedures are included in section 605 of the FY 1994 Appropriations Act, as proposed by the House, instead of section 606 as proposed by the Senate.

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

Amendment No. 105: Appropriates $23,000,000 instead of $22,326,000 as proposed by the House and $23,217,000 as proposed by the Senate.

The conference agreement reflects savings totaling $1,257,000 achieved through implementation of a pay freeze and a reduction in administrative overhead consistent with the President's proposal for these items for Executive Branch agencies.

CARE OF THE BUILDING AND GROUNDS

Amendment No. 106: Appropriates $2,850,000 instead of $2,699,000 as proposed by the House and $2,983,000 as proposed by the Senate.

The conference agreement reflects savings totaling $117,000 to be achieved through implementation of a pay freeze and administrative overhead consistent with the President's proposal for these items for Executive Branch agencies. The conference agreement includes funds to support modifications in the Court building to meet Americans with Disability Act requirements and renovation of elevator number 4.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

Amendment No. 107: Appropriates $12,900,000 instead of $13,127,000 as proposed by the House and $12,195,000 as proposed by the Senate.

The conference agreement reflects savings totaling $327,000 achieved through implementation of a pay freeze and administrative overhead consistent with the President's proposal for these items for Executive Branch agencies. The conference agreement also includes $279,000 for the residual workload of the Temporary Emergency Court of Appeals. Public Law 102-572 terminated this Court and transferred its functions to the Court of Appeals for the Federal Circuit. The conference agreement also includes up to $200,000 for program increases for additional staff attorneys and clerical positions.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Amendment No. 108: Appropriate $11,000,000 instead of $11,100,000 as proposed by the House and $10,718,000 as proposed by the Senate

The conference agreement reflects savings totaling $356,000 achieved through implementation of a pay freeze and reductions in administrative overhead consistent with the proposal of the President for these items for the Executive Branch in fiscal year 1994.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Amendment No. 109: Appropriates $2,156,000,000 instead of $2,189,131,000 as proposed by the House and $2,070,400,000 as proposed by the Senate.

The conference agreement includes $16,000,000 for program increases to meet the highest priority needs of the Federal courts funded in this account, of which $12,800,000 shall be derived from an increase in certain fees which are addressed in Amendment No. 64. The conference agreement also reflects a total of $55,559,000 in savings achieved through implementation of a pay freeze and administrative overhead and FTE reductions consistent with those proposed by the President for the Executive Branch for fiscal year 1994.

Although the funding provided by the conference agreement is sufficient to fund the 35 bankruptcy judgeships which were authorized by the Bankruptcy Act of 1992, the conferees expect the Judicial Conference to examine carefully the pending bankruptcy caseload of each of the districts with newly authorized judgeships and fill those with the greatest backlog and complexity of cases first. The conferees note that the increase in the number of bankruptcy cases pending and the total volume of such cases in a district may not be as good an indicator of workload or need as the complexity of the individual cases.

The conferees are aware of the problem of disparity of staffing among the various Federal courts. However, sufficient funds cannot be appropriated to hire additional personnel for understaffed courts or to provide for relocation expenses of supporting staff for courts where there are disparities between the workload formula and staffing levels. The conferees expect the Judicial Conference of the United States to establish as a high priority, the provision of assistance to understaffed courts to address this problem and submit a report to the house and Senate Appropriations Committees no later than February 1, 1994.

As stated above, the conference agreement reflects savings from administrative savings and FTE reductions similar to those proposed by the President for Executive Branch agencies. The conferees recognize, however, that the appointment of new judges and increases in workload require appropriate supporting staff.

Amendment No. 110: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$2,160,000*

The managers on the part of the Senate will move to concur in the amendment of the house to the amendment of the Senate.

The conference agreement provides $2,160,000 for expenses of the United States Court of Federal Claims for processing cases under the National Childhood Vaccine Injury Act of 1986. The House had proposed $2,063,000 for this purpose and the Senate had proposed $2,975,000.

The conference agreement includes sufficient funds for the Office of Special Masters to maintain the current level of clerical and professional support staff and case-related travel.

DEFENDER SERVICES

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$280,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $280,000,000 for the Defender Services account instead of $297,252,000 as proposed by the House and $286,170,000 as proposed by the Senate. The amount in the conference agreement, together with an estimated carryover of unobligated balances of approximately $18,000,000 from fiscal year 1993, will provide a total availability of approximately $298,000,000 for fiscal year 1994 for this account.

The conference agreement reflects $4,821,000 in savings achieved through implementation of a pay freeze and administrative overhead reductions consistent with reductions proposed by the President for these items for the Executive Branch.

Amendment No. 112: Deletes language proposed by the Senate that would have prohibited any of the funds appropriated for the Defender Services account to be used to increase the hourly rate paid panel attorneys above the rate in effect on July 2, 1993. The House bill contained no provision on this matter.

Although the conference agreement deletes the prohibition contained in the Senate bill on an increase in the hourly rate paid panel attorneys, the conference agreement reflects a reduction of $18,900,000 associated with a five-year Federal pay comparability catch up for panel attorneys proposed in the budget request. The conferees are agreed that none of the funds provided in the conference agreement are to be used for implementing the disapproved five-year catch up of pay comparability adjustment and that the rate of compensation during fiscal year 1994 will be the rate in effect on July 2, 1993. Similarly, the conferees continue to oppose expansion of the $75 hourly out-of-court rate for panel attorneys in United States judicial districts outside the 16 districts currently using this rate. The conferees note that the Judiciary suspended payments to court-appointed attorneys under the Criminal Justice Act on May 27, 1993, as a result of a fiscal year 1993 shortfall in the Defender Services account. Implementation of a five-year aggregate cost-of-living adjustment in the hourly rate paid panel attorneys, or an increase in the $75 hourly rate currently paid panel attorneys in the 16 districts, would only serve to reduce representation for indigent defendants in Federal criminal proceedings.

Amendment No. 113: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum named by said amendment, insert: *$19,800,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides a limitation of $19,800,000 for death penalty resource centers. The Senate had proposed a limitation of $11,524,000 for the centers. The House bill contained no provision on this matter.

The conference agreement provides $19,800,000 for death penalty resource centers. Although this amount is $10,844,000 below the budget request for fiscal year 1994 and is $265,000 below the program level for fiscal year 1993, the amount in the agreement will provide fiscal year 1994 current services funding for the centers and some allowance for states expected to qualify for the program which requires state applicants to provide matching funds. In this regard, the conferees expect the Administrative Office of the United States Courts to submit a reprogramming proposal in accordance with the procedures contained in section 605 of this Act before allocating any of the funds appropriated for this program to any new centers.

COURT SECURITY

Amendment No. 114: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$86,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides for $86,000,000 for the Court Security account instead of $84,500,000 as proposed by the House and $80,952,000 as proposed by the Senate. The conference agreement includes $1,500,000 above the House mark to cover the highest priority needs of the Judiciary in this account, consistent with program increases provided to the Judiciary overall by this conference agreement. The conference agreement also reflects savings totaling $220,,000 achieved through implementation of a pay freeze and reductions in administrative overhead consistent with proposals by the President for these items for Executive Branch agencies.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

Amendment No. 115: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$44,900,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $44,900,000 for the Administrative Office of the United States Courts instead of $44,612,000 as proposed by the House and $43,358,000 as proposed by the Senate.

The conferees commend the recent action of the Judicial Conference of the United States in establishing the new Economy Subcommittee of the Conference's Budget Committee. The conferees expect the Economy Subcommittee to take the necessary action to help the Judicial Branch improve its entire budget process from formulation through execution. To that end, the conferees have included $325,000 in the conference agreement to be used only to provide enhanced support above the base level for the work of the Economy Subcommittee.

The conference agreement reflects savings of $2,612,000 to be achieved through implementation of a pay freeze and administrative overhead and FTE reductions consistent with proposals of the President for these items for Executive Branch agencies.

The conferees are concerned that, in some instances, the Judiciary has not adhered to the House and Senate Appropriations Committees reprogramming policy and procedures detailed in section 606 of the fiscal year 1993 Appropriations Act. The conferees expect the Judiciary to follow the reprogramming notification procedures for fiscal year 1994 precisely and not reallocate resources prior to submitting the required notifications to the Appropriations Committees. The Committees have provided the Judiciary with transfer authority in the fiscal year 1994 Appropriations Act which is the same as the transfer authority provided in fiscal year 1993. The conferees believe that such authority, together with the traditional reprogramming policy contained in section 605 of the fiscal year 1994 Appropriations Act, provides the Judiciary the needed discretion to respond to unanticipated circumstances and needs.

The conferees are encouraged by the decision of the Judicial Conference to establish the Economy Subcommittee of the Conference's Budget Committee. The conferees expect the Economy Subcommittee to examine the entire budget process of the Judiciary and to make certain that all elements of the Judicial Branch, including the courts and all supporting offices and functions, are performing their constitutional and statutory responsibilities in the most efficient manner possible. As part of this effort, the conferees strongly urge the Economy Subcommittee to review its procedures for establishing the base budget amounts for each appropriation account within the Judiciary's budget and, if necessary, bring these procedures more in line with those of the Legislative and Executive branches of the Federal Government. The conferees expect the Economy Subcommittee will consult on this matter with the Executive Branch in an effort to try to eliminate or rectify any substantive differences and inconsistencies and expect the Judiciary to apply generally accepted budget principles to the development of future budget requests.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Amendment No. 116: Appropriates $18,450,000 instead of $18,467,000 as proposed by the House and $18,296,000 as proposed by the Senate.

The conference agreement reflects savings of $672,000 to be achieved through implementation of a pay freeze and administrative overhead and FTE reductions consistent with proposals of the President for these items for Executive Branch agencies.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

Amendment No. 117: Inserts "$20,000,000," as proposed by the Senate instead of "$20,000,000" as proposed by the House. This is a technical change.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

Amendment No. 118: Appropriates $8,468,000 as proposed by the House instead of $8,474,000 as proposed by the Senate. The conference agreement reflects $335,000 in savings to be achieved through implementation of a pay freeze and administrative overhead and FTE reductions consistent with proposals of the President for these items for Executive Branch agencies.

GENERAL PROVISIONS—THE JUDICIARY

Amendment No. 119: Inserts a reference to section 605 of this Act as proposed by the House instead of section 606 as proposed by the Senate.

TITLE IV—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

OPERATIONS AND TRAINING

Amendment No. 120: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which designates $28,877,000 for the United States Merchant Marine Academy and $10,344,000 for the State maritime academies. The House bill contained no provision on this matter.

The conferees agree that within the overall amounts provided for MARAD operations and training, $242,000 is available for the Massachusetts Center for Marine Environmental Protection at the Massachusetts Maritime Academy authorized by section 6203 of Public Law 102–587.

READY RESERVE FORCE

Amendment No. 121: Appropriates $298,000,000 for the Maritime Administration's Ready Reserve Force as proposed by the Senate instead of $300,000 as proposed by the House.

The conferees agree that none of the funds provided for acquisition of new Ready Reserve Force vessels may be obligated prior to notification of the Committees on Appropriations of the House of Representatives and the Senate under the reprogramming procedures outlined in section 605 of this Act. The conferees further agree that administrative expenses related to the National Defense Reserve Fleet should be funded from this account.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

Amendment No. 122: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed by said amendment, insert the following: *$1,118,000 of which $500,000 shall be available by transfer from unobligated balances remaining from the appropriation entitled "Commission on Agricultural Workers, Salaries and Expenses"*

and on page 51 of the House engrossed bill, H.R. 2519, after the heading "Salaries and Expenses" on line 9, insert the following new heading "(including transfer of funds)".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $1,118,000 for the Commission on Immigration Reform, of which $500,000 shall be available by transfer from the unobligated balance for the Commission on Agricultural Workers. The House had proposed $900,000 for the Commission on Immigration Reform and the Senate has proposed $500,000. The agreement also adds the heading "including transfer of funds" not in either the House or Senate bill.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

Amendment No. 123: Appropriates $1,099,000 for the fiscal year 1994 expenses of the Commission on Security and Cooperation in Europe as proposed by the Senate instead of $1,047,000 as proposed by the House.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

Amendment No. 124: Appropriates $1,290,000 for the Marine Mammal Commission as proposed by the Senate instead of $1,226,000 as proposed by the House.

MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

SALARIES AND EXPENSES

Amendment No. 125: Appropriates $500,000 as proposed by the Senate instead of $300,000 as proposed by the House.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

Amendment No. 126: Appropriates $20,600,000 for the fiscal year 1994 operating expenses of the Office of the United States Trade Representative instead of $21,318,000 as proposed by the House and $20,143,000 as proposed by the Senate.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 127: Appropriates $258,900,000 for the Salaries and Expenses appropriation of the Small Business Administration and includes the following earmarkings: (1) $71,266,000 for Small Business Development Centers; (2) $3,500,000 for the Service Corps of Retired Executives; (3) $18,000,000 to carry out section 24 of the Small Business Act, as amended; (4) $3,000,000 for the Small Business Institute program (SBI); and (5) $9,000,000 for Microloan technical assistance. The House had proposed an appropriation of $243,326,000 for Salaries and Expenses with an earmark of $71,266,000 for Small Business Development Centers. The Senate had proposed an appropriation of $215,000,000 with the following earmarkings: (1) $3,500,000 for the Service Corps of Retired Executives; (2) $3,000,000 for the Small Business Institute program; and (3) $9,500,000 for Microloan technical assistance.

The conference agreement also includes certain additional earmarkings in Amendment No. 128.

The following table shows the distribution of the funds provided in the conference agreement for the SBA Salaries and Expenses account, including the earmarking of funds in Amendment Nos. 127 and 128:

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

[In thousands of dollars]

	Conference Agreement
Regular Operating Expenses	102,796
Disaster Assistance Expenses	19,869
Non-Credit Programs:	
SBDC Program	71,266
SBDC Technical Assistance	677
SBDC Central Europe Development	1,091
Natural Resources Development	18,000
7(j) Program	8,073
SCORE Program	3,500
SBI Program	3,000
Women's Outreach	2,000
Veterans Outreach	445
International Trade Outreach	481
Advocacy Research & Database	1,514
PASS	1,098
Women's Council	500
White House Conference	2,490
Data Collection/Proc. System-U of Central A	200
U. of North. Iowa Small Business Assistance	465
Seton Hill Center for Entreprenurial Opp	930
North Carolina Capital Access Program	750
City of Prestonsburg, KY, Small Business Assistance	1,000
Hazard Community College	750
WVHTC Small Business Incubator	1,000
Microloan Technical Assistance	9,000
National Center for Genome Resources	5,000
Nebraska Small Business Data Base	680
Western Kentucky University Small Business Consulting	100
Van Emmons Population, Marketing Analysis Center	500
Ben Franklin Center SBIR Assistance	175
U. of Arkansas small business incubator	1,000
Grant County, WV, small business development fund	250
Paducah, KY, small business incubator	300
Total, Salaries and Expenses	258,900
Business Loans Admin	94,737
Disaster Loans Admin	76,101
Total SBA Operations (non credit)	429,738

The conference agreement includes sufficient funds to provide for an FTE level of 2,723 for the agency which is approximately 150 below the FY 1993 level.

The conference agreement includes $500,000 above the House allowance for the SCORE program. The conferees are agreed that this amount is to be used entirely for enhanced training for all participants in the program.

The conferees endorse the SBA Administrator's efforts to reduce administrative overhead expenses and duplicative management positions at SBA's central headquarters and its regional offices. The conferees note that the House and Senate Appropriations Committees recently approved a reprogramming request which will permit SBA to relocate central office employees to district offices around the country with the objective of improving service to applicants for SBA services and loan programs. The conferees look forward to future proposals from the Administrator to continue this effort to improve the efficiency of the agency's administrative operations and delivery of programs.

Amendment No. 128: Provides designations for the following items:

$175,000 for a grant to the Ben Franklin Center in Philadelphia, Pennsylvania, to assist small businesses to qualify for and participate in the Small Business Innovation Research (SBIR) program;

$750,000 for a grant to the North Carolina Rural Economic Development Center for the North Carolina Small Business Capital Access Program to provide financial development assistance to small businesses;

$500,000 for a grant to the Van Emmons Population, Marketing Analysis Center in Towanda, Pennsylvania, for continuation of an integrated small business data base to aid Appalachian Region small businesses;

$1,000,000 for a grant to the City of Prestonsburg, Kentucky, for small business development assistance;

$680,000 for a grant to the State of Nebraska for a statewide small business data base to facilitate the development of small businesses in rural communities;

$100,000 for a grant to the Institute for Economic Development, Western Kentucky University to provide small business consulting services for senior citizens;

$5,000,000 for a grant for a National Center for Genome Resources in New Mexico to provide consulting assistance, information and related activities to small businesses;

$1,000,000 for a grant to the University of Arkansas, Fayetteville, Arkansas, for the Genesis small business incubator facility;

$1,000,000 for a grant to the WVHTC Foundation in West Virginia for build out, equipment and operations costs for a small business incubator facility;

$300,000 for a grant to the Economic Development Council of Paducah, Kentucky, to assist in the development of a small business incubator facility;

$250,000 for a grant to Grant County, West Virginia, to establish a small business development fund to provide financial assistance to small businesses and grants; and

grants for the following continuing activities at the level designated for these activities under this heading in Public Law 102-395: Hazard Community College in Hazard, Kentucky, to assist in the development of a small business consulting, information and assistance facility; Seton Hill College in Greensburg, Pennsylvania, to provide for a small business consulting and assistance center for entrepreneurial opportunity; the University of Central Arkansas to assist the Small Business Institute Program of the Small Business Administration to establish and operate a National Data Center; and the Iowa Waste Reduction Center, University of Northern Iowa for a demonstration program to assist small business in complying with Federal regulatory requirements.

The Senate has proposed an earmarking of $5,000,000 for a grant to the National Center for Genome Resources to provide technical assistance and information to small businesses and for related activities. The House bill contained no similar provision.

Amendment No. 129: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment amended to read as follows:

None of the funds appropriated for the Small Business Administration under this act may be used to impose any new or increased loan guaranty fee or debenture guaranty fee, or any new or increased user fee or management assistance fee, except as otherwise provided in this Act: Provided, That none of the funds provided in this or any other Act may be used for the cost of direct loans to any borrower under section 7(b) of the Small Business Act to relocate voluntarily outside the business area in which the disaster has occurred.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement restores language proposed by the House and stricken by the Senate which prohibits funds appropriated for the Small Business Administration under this Act from being used to impose any new or increased loan guaranty fee, debenture fee, or any new or increased user fee or management assistance fee. The conference agreement also includes new language which was originally carried in the bill under the disaster loans program account which prohibits any of the funds provided in this or any other Act from being used for the cost of direct loans to any borrower under section 7(b) of the Small Business Act from relocating voluntarily outside the business area in which a disaster has occurred.

BUSINESS LOANS PROGRAM ACCOUNT

Amendment No. 130: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$16,946,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $16,946,000 for the credit subsidy cost of SBA direct business loans. The House had proposed $22,994,000 for this purpose and the Senate had proposed $21,032,000 and an earmarking of $5,135,000 for the microloan program.

The conferees expect the Small Business Administration to obligate all of the $3,418,000 in credit subsidy budget authority provided in this paragraph for the microloan program before obligating any of the credit subsidy budget authority carrying over for this program from fiscal year 1993.

The conference agreement reflects new credit subsidy estimates developed by the Office of Management and Budget and the Small Business Administration for fiscal year 1994.

The following table shows the allocation of subsidy costs and program levels for the various SBA direct loan programs under the conference agreement:

DIRECT LOANS

[In thousands of dollars]

	Fiscal year 1994 conference	
	Program level	Subsidy amount
Direct:		
Handicapped	9,553	3,252
Veterans	12,000	3,006
Economic opportunity	8,500	1,861
8(a) loans	4,991	663
Microloans	[1] 33,672	3,418
Investment Company	15,000	4,746
Total, direct	83,716	16,946

[1] In addition to this amount, $52.9 million is carried over from FY 1993.

Amendment No. 131: Appropriates $196,041,000 in credit subsidy budget authority to support the SBA business loans guarantee program instead of $191,955,000 as proposed by the Senate and $219,459,000 as proposed by the House.

The following table shows the allocation of subsidy costs and program levels for the SBA business loans guarantee program:

BUSINESS LOANS GUARANTEES

[In thousands of dollars]

	Fiscal year 1994 conference	
	Program level	Subsidy amount
General Business	[1] 6,976,744	150,000
502	40,000	640
504	1,000,000	5,100
SBIC	100,000	16,250
Participating Securities	207,833	18,705
SSBIC	17,868	5,346
Total, guaranteed	8,342,445	196,041

[1] In addition to this amount, $1.812 billion is carried over from FY 1993.

The conference agreement provides the requested credit budget subsidy authority to support a program level of $6,976,744,000 for SBA's business loans guarantee program. The conferees note that a carryover of $1.8 billion from FY 1993 is expected in the General Business loan guarantee program. This carryover amount, together with the amount provided in the conference agreement, will provide total program authority of $8.8 billion for the General Business loan guarantee program. In addition, the conference agreement provides $1,000,000,000 for the section 504 Development Company program to meet anticipated demand in fiscal year 1994.

Finally, the conference agreement includes $100,000,000 for the Small Business Investment Company (SBIC) program and $207,833,000 for the new equity participation program which is expected to begin in fiscal year 1994 once the required regulations for this program are approved.

DISASTER LOANS PROGRAM ACCOUNT

Amendment No. 132: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

Delete the matter stricken and delete the matter inserted and strike all on line 14, page 54 of the House engrossed bill, H.R. 2519, and all that follows through "In addition," on line 24, page 54 on page 53, line 12 of the House engrossed bill, H.R. 2519, strike "this amount" and insert in lieu thereof "the total amount in this paragraph".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement strikes both the House and the Senate amounts proposed for this item, makes a technical change in the second paragraph under this heading and makes a technical change in the language in the Salaries and Expenses account. The House had proposed an appropriation of $75,000,000 for the credit subsidy cost of SBA disaster loans. The Senate had proposed $65,000,000 for this purpose. The conference agreement eliminates both the House and the Senate amounts proposed for this item because the expected carryover of unused credit budget authority of $132,741,000, contingent credit subsidy budget authority totaling $170,000,000 that has not been used and the additional $140,000,000 in contingent credit subsidy budget authority provided in Amendment No. 133 will provide a total program availability of up to $1,926,220,000 for fiscal year 1994.

Amendment No. 133: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum named in said amendment insert: *$140,000,000*, and on page 55, line 6 of the House engrossed bill, H.R. 2519, strike "$12,369,000" and insert in lieu thereof "$7,000,000".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides a contingency appropriation of $140,000,000 for the cost of emergency disaster loans and associated administrative expenses which shall be available in fiscal year 1994 to the extent that the President notifies the Congress of his designation of any or all of these amounts as emergency requirements under the Budget Enforcement Act of 1990. The conference agreement also provides that Congress designates this amount as an emergency requirement pursuant to the Budget Enforcement Act of 1990. The Senate had proposed a contingency appropriation of $75,000,000 for the cost of SBA emergency disaster loans and associated administrative expenses. The House bill contained no provision on this item.

The conference agreement also adds a new provision reducing the appropriation for additional capital for the "Surety Bond Guarantees Revolving Fund" from $12,369,000 as originally proposed by the House and the Senate to $7,000,000. Because of reduced activity in the construction industry during fiscal year 1993, the demand for surety bond guarantees was lower with the result that anticipated claims for fiscal year 1994 will be lower also. Therefore, the conferees have reduced the amount appropriated for additional capital to the fund needed to pay surety bond claims in fiscal year 1994.

THOMAS JEFFERSON COMMEMORATION COMMISSION

SALARIES AND EXPENSES

Amendment No. 134: Restores an appropriation of $62,000 for the Thomas Jefferson Commemoration Commission as proposed by the House and stricken by the Senate.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

Amendment No. 135: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $400,000,000; of which $341,865,000 is for basic field programs; $8,950,000 is for Native American programs; $12,759,000 is for migrant programs; $1,402,000 is for law school clinics; $1,274,000 is for supplemental field programs; $795,000 is for regional training centers; $9,611,000 is for national support; $10,564,000 is for State support; $1,101,000 is for the Clearinghouse; $651,000 is for computer assisted legal research regional centers; $10,928,000 is for Corporation management and administration; and $100,000 is for board initiatives.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $400,000,000 and certain designations of the funds for the various components of the Legal Services Corporation's budget. The Senate amendment had provided a total of $349,000,000 with different designations for the various components of the Corporation's budget. The House bill contained no provisions on these matters.

The conference agreement provides $400,000,000 for the Legal Services Corporation, an increase of $43,000,000 above the fiscal year 1993 enacted appropriation, but a reduction of $125,515,000 from the Corporation's budget request. The Corporation has the authority to submit its budget directly to the Congress. The conference agreement is also $32,000,000 below the request in the President's budget for the Corporation.

The following table shows the amounts for each program provided for in fiscal year 1993, in the Corporation's budget request, in the Senate bill, and in the conference agreement. The House bill contained no funding for the Corporation.

[In thousands of dollars]

Program component	Fiscal years—		House[1]	Senate	Conference
	1993	1994 request			
Basic field programs	305,305	457,957	....	298,904	341,865
Native American program and components	8,005	9,606	....	7,826	8,950
Migrant programs and components	11,056	13,267	....	10,808	12,759
Law school clinics	1,254	....	....	1,226	1,402
Supplemental field programs	1,139	1,367	....	1,113	1,274
Regional training centers	711	800	....	695	795
National support	8,241	9,889	....	8,056	9,611
State support	9,448	11,338	....	9,236	10,564
Clearinghouse	985	1,182	....	963	1,101
CALR regional centers	582	698	....	569	651
Corporation management and administration	9,774	14,661	....	9,555	10,928
National Resource and Training Center	450	....	....	....	....
Special emergency funds	....	400	....	....	....
Attorney recruitment program	....	1,000	....	....	....
Training study	....	100	....	....	....
Client training	....	500	....	....	....
ADR initiatives	....	500	....	....	....
Board initiatives	50	2,250	....	49	100
Total	357,000	525,515	....	349,000	400,000

[1] The House bill contained no funds for the Corporation.

In recognition of the fact that there are no support centers to coordinate and further the work of local programs in the District of Columbia, Guam, Micronesia, Puerto Rico and the Virgin Islands, up to $100,000 of additional state support funds provided in the conference agreement should be apportioned by the Legal Services Corporation among jurisdictions for use as district, territorial or commonwealth support planning grants.

The conferees intend that each existing state support program receive an increase of not less than 2.5 percent over its fiscal year 1993 grant level. The conferees further intend that additional increases in state support funding be distributed in a manner directed toward equalization of funding among the states. For each state, the Legal Services Corporation shall determine a target state support amount which shall be used as the basis to compute the distribution of any new funds appropriated by this law. The target amount shall be determined as follows:

(1) Four percent of the total 1994 field funding (the sum of basic field, native American and migrant funding) for each state receiving more than $4,375,000 in total field funding, including new funds distributed pursuant to this law;

(2) Ten percent of the total 1994 field funding (the sum of basic field, native American and migrant funding) for each state receiving less than $1,750,000 in total field funding, including new funds distributed pursuant to this law;

(3) $175,000 for all other states.

The additional state support funds provided under the conference agreement not required for support planning grants or for the 2.5 percent increase as provided shall be allocated to the states that receive the lowest percentage share of the target state support amount determined in subparagraphs (1), (2), and (3) of the preceding paragraph. The allocation of such funds to such states shall be done in a manner that raises the funding level of the greatest number of the lowest percentage share states to an equal percentage of the target state support amount. In states receiving funds that have more than one state support grantee, the additional state support funds shall be apportioned among the grantees in a manner that provides each grantee with the same percentage increase above its current funding level.

The conferees intend that increases in training support money be distributed in a manner directed toward equalizing funding regionally. It is the conferees' intention that in allocating increases in funding for regional training centers, each regional training center FY 1993 grant recipient ("RTC") shall be allocated a FY 1994 grant equal to 103% of its FY 1993 grant. The Legal Services Corporation shall determine a target grant amount for each RPC equal to .29% of the "field" (basic field migrant and Native American) funding of the states in each RTC's regional service area. The additional regional training funds appropriated by this law which are not necessary to pay the grants provided in the second sentence in this paragraph shall be allocated to the RTCs which receive the lowest percentage share of their target grant amount defined above in a manner that funds the greatest number of RTCs at an equal percentage of the target grant amount.

It is the conferees' understanding that the Corporation will have minimal fiscal year 1993 carryover funding due, in large part, to its compliance with the conferees' directives against utilizing funds for new initiatives or other budget categories unrelated to the activities for which they were originally statutorily mandated. It is the conferees' desire that all of the funds allocated in fiscal year 1994 for delivery of legal assistance and for the support of the delivery of legal assistance be used for the purposes for which they are allocated.

It is the conferees' intention that the Corporation study means to ensure client input into program operation, including but not limited to the development of a national client organization.

Amendment No. 175 provides a statutory formula for the allocation of Legal Services funds and language continuing certain restrictions governing the use of Legal Services funds for fiscal year 1994.

Amendment No. 136: Deletes language included in the House bill providing funds for the Department of Commerce's Economic Development Administration salaries and expenses as proposed by the Senate. Funding for the Economic Development Administration in the Senate bill and in this conference agreement is included under Title II of the bill and is addressed at Amendment No. 103.

TITLE V—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

Amendment No. 137: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which makes the appropriation for Diplomatic and Consular Programs available for necessary expenses not otherwise provided for. The House bill contained no provision on this matter.

Amendment No. 138: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment insert: *$1,704,589,000*.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $1,704,589,000 for the Diplomatic and Consular Programs account instead of $1,612,206,000 as proposed by the House and $1,653,184,000 as proposed by the Senate.

The conference agreement includes $5,000,000 for international environmental and scientific research under the sponsorship of the Bureau of Oceans and International Environmental Scientific Affairs.

The conferees support the Administration's proposal to upgrade consular visa and passport systems which is part of the Administration's immigration control initiative. The conferees note that the Department of State is seeking the authority to retain machine readable visa processing fees, which is included in the pending authorization bill for the Department for fiscal years 1994 and 1995. Pending the possible enactment of this authority, the conferees encourage the Secretary of State to make available additional funds to accelerate the upgrade of consular visa and passport systems and consider submitting a reprogramming proposal to the House and Senate Appropriations Committees for this purpose.

The conference agreement includes $15,000,000 to further the integration of the Diplomatic Telecommunications Service (DTS) by consolidating its respective separate networks and to continue enhancement of the consolidated DTS communications network.

The conferees recognize that the establishment of a new, more modern and responsive DTS is evolutionary, and note that some progress is being made toward improving communications services to the Federal agencies engaged in foreign activities. Examples of progress which has been made toward improving international communications include: the transfer of additional communications personnel to the DTS Program Office (DTS-PO) to engineer, install and manage new DTS communications installations; establishment of a service function to coordinate Federal agency requirements and the subsequent reduction of their communications backlog by the use of consolidated resources; establishment of a test facility to enable Federal agency subsystems to be integrated into the DTS; and the initiation of new packet communications services at a number of overseas locations.

The conferees continue to be concerned, however, about the slow rate of progress being made by the DTS-PO in achieving full integration of DTS resources and assets as well as consolidated management and operation of the DTS network. Despite previous direction by Congress, DTS-PO has failed to update the DTS Strategic Plan to provide for the inclusion of voice and facsimile services as part of the basic DTS services available to the various Federal agencies overseas. Installations for the enhanced DTS packet network are substantially behind schedule, and there has been little progress in removing the barriers to permit the consolidation of communication facilities at embassies worldwide.

Therefore the conferees are agreed and expect that the Department not obligate the $15,000,000 included in the conference agreement for the DTS until a revised DTS Strategic Plan is submitted to and approved by the House and Senate Appropriations Committees. The amended plan should be provided by November 30, 1993, and be accompanied by a detailed accounting of previously appropriated DTS funds for fiscal years 1992 and 1993. Further, the conferees are agreed and expect that $15,000,000 of the Department of State Information Management budget is to be similarly withheld from obligation pending receipt and approval of the revised DTS Strategic Plan developed by the DTS Program Office.

The conferees continue to be concerned about the administration and financing of the Department of State's foreign affairs administrative support (FAAS) system, which provides for shared support costs for the Department and agencies it services at State Department posts overseas. The FAAS system is the primary method by which the Department charges for support to agencies doing business overseas. Estimated costs are shared among serviced agencies through a complex system of workload counts and calculations.

The conferees note that many problems have arisen under the FAAS system and that State Department and serviced agency officials generally agree that the FAAS system is deficient. Among the problems are the following: (1) costs of services provided cannot be substantiated and become a point of contention between the State Department and the serviced agencies; (2) the Department has been unable to determine the expense of managing FAAS; (3) the Department has inadequate standards for reporting reimbursed funds; and (4) some support costs, not shared under FAAS, are paid directly at posts with serviced agency funds and are unknown in their entirety.

Given these problems and the dissatisfaction with the FAAS system on the part of the State Department and the serviced agencies, the conferees expect the Department to submit a plan to the House and Senate Appropriations Committees to implement an acceptable per capita cost sharing system to replace FAAS by the beginning of fiscal year 1996. In addition, the conferees expect the Department to advise serviced agencies at each post annually of the amount of administrative support funding approved for the post, by agency and define associated levels of services to be provided at each. Finally, the conferees expect the Department to allot 100 percent of reimbursed FAAS funds to the posts for which they were approved and to not obligate FAAS funds for any other purpose; and within geographic bureaus, allot to each post not less than 95 percent of the approved Department share of FAAS. In addition, the conferees expect that the other departments and agencies for which funds are appropriated in this bill and which receive support services overseas from the Department of State under the FAAS system will identify their overseas support funding requirements in their fiscal year 1995 appropriations request to the Congress. Further, the conferees expect the Department of State to submit an informational budget presentation of the totality of overseas support in its fiscal year 1995 budget submission to the House and Senate Appropriations Committees.

The conferees recognize the current financial, consular, personnel, and administrative computer systems have been declared highly vulnerable to waste, fraud, and abuse. It is also understood the Department's existing proprietary computer systems have become costly to maintain, unreliable, and incapable of incorporating technological advances now widely available. The conferees understand there is a need to implement a strategic plan to replace these systems with more capable and reliable open systems.

The conferees continue to be concerned, however, that the Department has thus far failed to develop a comprehensive strategic plan for migrating to open computer systems. Without such a plan the conferees cannot be assured that the Department's migration effort will result in systems that: (1) provide accurate and timely information on the Department's operations, (2) allow system users to become more efficient, and (3) enhance overall productivity.

The conferees expect the Department to accelerate development of a comprehensive strategic plan which addresses the concerns listed above. The plan should be provided no later than March 31, 1994, and include system requirements, major milestones, funding needs, and procurement projections. Further, assurances must be provided that a management team with sufficient authority is in place to direct the migration project. Finally, it must be demonstrated that this team has or acquires the capability and experience necessary to guide this complex project to a successful conclusion.

The conferees support the Department of State's new policy to assign priority to promote U.S. business interests overseas. Senior departmental officials and Ambassadors can make a significant contribution in helping American firms compete successfully for foreign contracts. The conferees agree, however, that the principal responsibility for assisting U.S. businesses overseas resides with the United States and Foreign Commercial Service (US&FCS), Department of Commerce. While the conferees endorse the policy change at the Department of State, funds provided in this bill for the Department of State should not be used for any personnel, programs or activities that would duplicate the mission and activities of US&FCS.

Amendment No. 139: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment insert: *and for expenses of general administration: Provided, That notwithstanding section 502 of this Act, not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts, "Diplomatic and Consular Programs" and "Salaries and Expenses" under the heading "Administration of Foreign Affairs" may be transferred between such appropriation accounts: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement inserts language proposed by the Senate which makes the funds appropriated for Diplomatic and Consular Programs available for expenses of general administration of the Department.

The conference agreement also includes new language not in either bill which provides that not to exceed 20 percent of the amount made available in this Act for Diplomatic and Consular Programs and Salaries and Expenses may be transferred between such appropriation accounts. The agreement further provides that any transfer pursuant to this section will be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with procedures set forth in that section.

The House bill contained no provision on this matter.

SALARIES AND EXPENSES

Amendment No. 140: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment insert: *$396,722,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $396,722,000 for the Salaries and Expenses account of the Department of State instead of $481,416,000 as proposed by the House and $455,816,000 as proposed by the Senate.

This appropriation provides for the general administration and related support costs of the Department of State and the Foreign Service. This account, together with the diplomatic and consular programs account, constitutes a new account structure for the Department in accordance with the pending authorization bill. The conferees are concerned that this new account structure not impose undue financial burdens in converting the existing Salaries and Expenses account of the Department to the new structure. The conferees expect the Department to consult closely with the Appropriations Committees on this matter in order to minimize such conversion costs.

The conferees support the President's decision to establish a task force to conduct a review of the United States Government security classification rules and procedures. The conferees expect this effort to produce a comprehensive post-Cold War reform plan that addresses the current problem of overclassification, which exacts excessive costs both in dollars and in the ability of a democratic society to function. The conferees further expect that the new security classification policies and practices will be reflected as savings in future budget requests, and request and expect the Departments of Commerce, Justice, and State to submit reports to the House and Senate Appropriations Committees by March 31, 1994, that provide: (1) an estimate of the total amount of funds spent for fiscal year 1993 and an estimate of expenditures for fiscal year 1994 on all security classification-related activities including, but not limited to, physical, personnel, and document security, (2) an estimate of the number of personnel assigned within each agency to such security activities, and (3) a plan to reduce expenditures for classifying information and for keeping information classified, which shall include a specific expenditure-reduction goal for fiscal year 1995.

The conference agreement reflects a reduction of $5,149,000 requested in the budget for Foreign Service National (FSN) employee pay raises. The conferees are agreed that it would not be equitable to provide funding for FSN pay raises and cost-of-living increases since U.S. national employees of the State Department will not receive any cost-of-living adjustment during fiscal year 1994 as part of the Government-wide program to reduce the Federal deficit.

BUYING POWER MAINTENANCE

Amendment No. 141: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

Delete the matter stricken and delete the matter inserted

, and

strike all on line 24, page 57 of the House engrossed bill, H.R. 2519, and all that follows through line 3, page 58.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The House had proposed $3,800,000 for the Buying Power Maintenance account of the Department of State.

The Senate had proposed $3,000,000 for this item. The conference agreement strikes both the House and the Senate amounts proposed for this item because the account has gained in excess of $18,000,000 during fiscal year 1993 as a result of gains in currency transactions in OECD countries.

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

Amendment No. 142: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$410,000,000, of which $10,000,000 is for relocation and renovation costs necessary to facilitate the consolidation of overseas financial and administrative activities in the United States*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $410,000,000 for Acquisition and Maintenance of Buildings Abroad as proposed by the Senate and adds language not in either the House or Senate bill which designates $10,000,000 of this amount for renovation costs necessary to facilitate consolidation of overseas financial and administrative activities of the State Department in the United States as proposed in the National Performance Review. The House bill had proposed $381,481,000 for the account without any designation of the use of funds.

The conferees intend that the remaining amount of the increase provided in the conference agreement above the House level be allocated to real property maintenance, energy conservation, antiterrorism, and security upgrade programs of the Department's Office of Foreign Buildings.

EMERGENCES IN THE DIPLOMATIC AND CONSULAR SERVICE

Amendment No. 143: Provides a limitation of $1,500,000 for representation expenses instead of $1,000,000 for this purpose as proposed by the House and $2,000,000 as proposed by the Senate.

REPATRIATION LOANS PROGRAM ACCOUNT

Amendment No. 144: Appropriates $593,000 for the credit subsidy cost of direct loans in this account as proposed by the Senate instead of $186,000 for this purpose as proposed by the House.

The conferees expect the Department of State to improve its efforts to collect delinquent loans which were made to destitute Americans overseas to enable them to return to the United States. In this regard, the conferees note that the Administration's National Performance Review (NPR) includes a recommendation that the Department of State needs to do a better job collecting debts owed to the Department. The conferees fully endorse this recommendation and expect the Department to submit a plan to carry out the recommendation to the House and Senate Appropriations Committees by February 1, 1994.

Amendment No. 145: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $183,000 for administrative expenses necessary to carry out the repatriation loan program and provides that these funds may be transferred to the Salaries and Expenses account under Administration of

Foreign Affairs. The House bill contained no provision on this matter.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Amendment No. 146: Inserts a heading as proposed by the Senate.

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

Amendment No. 147: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $860,885,000: Provided, That any payment of arrearages made from these funds shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations, ten percent of said assessment shall be available for obligation only upon a certification to the Congress by the Secretary of State that the United Nations has established an independent office with responsibilities and powers substantially similar to offices of Inspectors General authorized by the Inspector General Act of 1978, as amended: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $860,885,000 for assessed contributions to international organizations. The conference agreement also provides that any payment of arrearages made from these funds shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organizations. The conference agreement further provides that of the funds appropriated in this account for the assessed contribution of the United States to the United Nations, 10 percent of that assessment shall be available only upon a certification to the Congress by the Secretary of State that the United Nations has established an independent office with responsibilities and powers substantially similar to offices of Inspectors General authorized by the Inspector General Act of 1978, as amended. The conference agreement further provides that none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

The Senate bill had proposed $904,926,000 for payment of United States assessed contributions to international organizations, of which not to exceed $44,041,000 would have been available to pay arrearages. The Senate bill also included the provision included in the conference agreement that the payment of arrearages shall be directed towards special activities that are mutually agreed upon by the United States and the respective international organization and a provision also included in the Senate bill which prohibits any of the funds from being used for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

The Senate bill also included language which would have prohibited the payment of funds available for arrearage payments to the United Nations until the Secretary of State certified to Congress that the United Nations had established an independent office of audits and inspections with responsibilities and powers substantially similar to offices of Inspectors General authorized by the Inspector General Act of 1978 or that the United Nations had established a mechanism, process or office to institute certain audit investigation procedures of United Nations operations including a means for keeping the Secretary General fully informed about problems and deficiencies relating to the administration of such operations and the necessity for corrective action. Further, the Senate bill included language which would have provided authority to the Secretary of State to propose that the Secretary General of the United Nations establish an advisory committee to assist in the creation of such mechanism, process or office and included language governing the composition of such an advisory committee.

Finally, the Senate bill included language which would have established a policy stating that Congress calls upon the Government of the Russian Federation to remove its troops from Estonia, Latvia, and Lithuania according to a firm schedule. Although the conference agreement does not include this provision, the conferees endorse the removal of troops of the Government of the Russian Federation from the Baltic States as soon as possible and call upon the administration to continue to press this policy on the Government of the Russian Federation.

The House bill contained no provisions on any of these matters.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

Amendment No. 148: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed by said amendment insert: *$401,607,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $401,607,000 for assessed United States contributions for support of United Nations peacekeeping forces. The House had proposed $422,499,000 including a limitation of $20,892,000 for arrearages and the Senate had proposed a total of $444,736,000 including a limitation of $21,992,000 for arrearages. The conference agreement contains no limitation or earmarking of funds for arrearage payments.

Amendment No. 149: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

Delete the matter stricken and delete the matter inserted, and on line 5, page 60 of the House engrossed bill, H.R. 2519, strike ", of" and all that follows through "arrearages" on line 7.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement strikes both the House and the Senate earmarks to pay arrearages owed by the United States for United Nations peacekeeping forces. The House had proposed $20,892,000 for this purpose. The Senate had proposed $21,992,000.

The conferees fully support the Administration's efforts to reduce significantly the United States' assessment rate for United Nations peacekeeping activities to a level that more equitably reflects the responsibilities of other Member nations, who can and should pay a greater percentage of peacekeeping costs. Given the conferees' strong belief that the United States is already being assessed at an inequitably high level, the conferees are deeply disturbed that the United Nations has increased the United States' rate for peacekeeping activities from 30.4 percent to 31.7 percent. Further, the conferees believe that the United States should receive credit toward its assessed contribution for additional costs incurred by the United States Government as a result of its direct participation in U.N. sanctioned peacekeeping activities. Therefore, the conferees recommend that the Administration conduct a thorough review of the current process of committing to peacekeeping operations including the policy of seeking all funding for such operations within the Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act. Further, the conferees expect that the Administration will notify the U.N. that the United States will not accept an assessment of more than 25 percent of peacekeeping costs for any new or expanded peacekeeping commitments after the date of enactment of this Act. Further, the conferees strongly recommend that the Administration consider not agreeing to participate in any new peacekeeping operations until the U.N. and pertinent United States agencies undertake badly needed organizational and management changes to carry out peacekeeping activities effectively. The conferees expect the Department of State in the fiscal year 1995 budget submission to include an annual three-year projection of United States peacekeeping costs and submit a detailed plan to the Appropriations Committees which identifies United States actions needed to correct policy and structural deficiencies in U.S. involvement with United Nations peacekeeping activities.

The conferees are deeply concerned that the United States continues to vote to approve new, expanded, or renewal of United Nations peacekeeping missions given the fiscal constraints on the account. The conferees are particularly concerned that the United States continues to make financial commitments to the United Nations without any certainty that the funds will be available. The conferees note that the current fiscal year 1994 assessed peacekeeping requirements are now projected to total at least $1,299,770,000, including $58,716,000 for three new missions in Haiti, Liberia, and Rwanda just approved by the United Nations with the concurrence of the United States Representative without prior consultation with the House and Senate Appropriations Committees. The conferees note that this projection is $855,034,000 above the fiscal 1994 budget request for assessed peacekeeping contributions.

Therefore, the conferees fully expect the Secretary of State to notify the House and Senate Appropriations Committees 15 days in advance, where practicable, of a vote by the United Nations Security Council to establish any new or expanded peacekeeping operation. The conferees expect that the notification concerning any such peacekeeping operation shall include the total estimated cost, the United States share of such cost, the mission and objectives, the duration and estimated termination date, and the source of funding for the United States share (i.e. annual budget request, reprogramming, budget amendment, or budget supplemental request).

Amendment No. 150: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert: *: Provided, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement inserts language which provides that funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services and materials for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers. The Senate amendment had proposed the provision included in the conference agreement and an additional provision that would have required the Secretary of State to certify that the United States' Mission to the United Nations has established procedures to provide information on all United Nations procurement regulations and solicitations to American manufacturers and suppliers. The House bill contained no provision on these matters.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

Amendment No. 151: Appropriates $6,000,000 instead of $5,463,000 as proposed by the House and $6,600,000 as proposed by the Senate.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

SALARIES AND EXPENSES

Amendment No. 152: Appropriates $11,200,000 for the Salaries and Expenses account of the International Boundary and Water Commission, United States and Mexico instead of $11,054,000 as proposed by the House and $11,330,000 as proposed by the Senate.

CONSTRUCTION

Amendment No. 153: Appropriates $14,400,000 for the Construction account instead of $14,051,000 as proposed by the House and $14,790,000 as proposed by the Senate. The conference agreement includes $2,500,000 to reimburse the City of San Diego, California, for treatment of Tijuana, Mexico sewage. This amount together with $316,000 provided for this item in the Salaries and Expenses account will provide a total of $2,816,000 for such reimbursement.

The conference agreement also includes $2,000,000 for construction costs to stabilize the Rio Grande River channel near Caballo Dam in New Mexico.

Amendment No. 154: Deletes language proposed by the Senate which would have earmarked not more than $2,500,000 in the Construction account to reimburse the City of San Diego, California, for treatment of Tijuana, Mexico sewage. The House bill contained no provision on this item.

The conference agreement provides $2,500,000 in Amendment No. 153 for this item. The conferees have received a clarification from the Department of State that existing authority is sufficient to reimburse the City of San Diego for treatment of Tijuana sewage from funds available in the Construction account. Therefore, the Senate provision is unnecessary.

INTERNATIONAL FISHERIES COMMISSION

Amendment No. 155: Appropriates $16,200,000 for the International Fisheries Commissions instead of $14,200,000 as proposed by the House and $18,200,000 as proposed by the Senate. The conference agreement includes a total of $2,700,000 to the Great Lakes Fishery Commission for the cost of the re-registration of lampricide of which $2,000,000 is provided above the budget request and the House bill and $700,000 is allocated from the Commission's operating budget for this purpose. The total amount provided in the conference agreement ($2,700,000) in this amendment, together with $300,000 provided to NOAA for the Great Lakes Fishery Commission in Amendment No. 81, $1,500,000 which was made available for the re-registration project in fiscal year 1993 from the Commission's operating budget and $500,000 included in the Commission's budget plan for fiscal year 1995 and fiscal year 1996, will provide for the full cost of the re-registration project.

Amendment No. 156: Deletes a proviso proposed by the Senate that would have earmarked $4,000,000 for the Great Lakes Fishery Commission for the registration of the pesticide TFM. The House bill contained no similar provision. This matter is addressed in Amendment No. 155.

OTHER

PAYMENT TO THE ASIA FOUNDATION

Amendment No. 157: Appropriates $16,000,000 for payment to the Asia Foundation instead of $16,287,000 as proposed by the House and $15,000,000 as proposed by the Senate.

GENERAL PROVISIONS—DEPARTMENT OF STATE

Amendment No. 158: Restores a reference to section 605 of this Act as proposed by the House and stricken by the Senate.

Amendment No. 159: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 503. Funds appropriated or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the international Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides that the United States Commissioner of the International Boundary Commission, United States and Canada may be compensated only for actual hours worked. The Senate amendment would have prohibited any funds in this or any other act from being expended for the salary of such commissioner. The House bill contained no provision on this matter.

Amendment No. 160: Deletes a provision proposed by the Senate stating that it is the sense of the Senate that funds made available under Public Law 102-391, the Foreign Operations, Export Financing, and Related Programs Appropriations Act for fiscal year 1993, for the Economic Support Fund, which have been allocated for Nicaragua, be instead made available for emergency humanitarian assistance for Bosnia-Hercegovina. The House bill contained no provision on this matter.

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT ACTIVITIES

Amendment No. 161: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *$53,500,000, of which not less than $9,500,000 is available until expended only for payment of United States contributions to the Preparatory Commission for the Organization of the Prohibition of Chemical Weapons*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $53,500,000 for ACDA. The conference agreement also provides that not less than $9,500,000 of the amount appropriated to ACDA be available until expended only for payment of United States contributions to the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons. The House bill provided $47,279,000 for ACDA. The Senate amendment provided $58,000,000 for ACDA and added language not in the House bill which designated $14,000,000 for payment of United States contributions to the Preparatory Commission for the organization on the Prohibition of Chemical Weapons.

BOARD OF INTERNATIONAL BROADCASTING

GRANTS AND EXPENSES

Amendment No. 162: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum "$206,000,000" named in said amendment, insert: $210,000,000

The managers on the part of the Senate will move to concur in the amendment of the house to the amendment of the Senate.

The conference agreement provides $210,000,000 for expenses of the Board for International Broadcasting, including grants to Radio Free Europe/Radio Liberty, incorporated. The Senate had proposed $206,000,000 for this purpose. The House bill contained no provision on this matter.

ISRAEL RELAY STATION

(RESCISSION)

Amendment No. 163: Deletes a rescission of $180,000,000 for the Israel Relay Station proposed by the House and stricken by the Senate. These funds were rescinded in the Supplemental Appropriations Act of 1993 (Public Law 103-50).

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

Amendment No. 164: Appropriates $43,500,000 for the fiscal year 1994 expenses of the International Trade Commission (ITC) instead of $44,391,000 as proposed by the House and $42,000,000 as proposed by the Senate.

Of this amount, the conferees have included $8,400,000 for the studies and analyses performed primarily by the ITC staff. The conferees expect the International Trade Commission to perform trade studies in response to requests from Members of the Appropriations Committees of the House of Representatives and the Senate.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

Amendment No. 165: Appropriates $730,000,000 as proposed by the House instead of $741,693,000 as proposed by the Senate.

The conference agreement reflects the President's initiative to reduce FTE and administrative costs. The conference agreement also reflects a reduction of $5,477,000 requested in the budget for Foreign Service National (FSN) employee pay raises. The conferees are agreed that it would not be equitable to provide funding for FSN pay raises and cost-of-living increases since U.S. national employees of the USIA will not receive any cost-of-living adjustment during fiscal year 1994 as part of the Government-wide program to reduce the Federal deficit. Further, the conferees endorse the provision in the Senate Appropriations Committee Report (S. Report 103–105) concerning the conflict resolution center.

The conferees support the Administration's initiative to enhance United States Government supported broadcasting services to Asia. Therefore the conferees have included in the overall conference agreement for the United States Information Agency, resources to begin this initiative if the necessary authorization is enacted. The conferees expect the United States Information Agency to submit a reprogramming proposal for this initiative to the House and Senate Appropriations Committees once an authorization is enacted.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

Amendment No. 166: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment insert: *to include other educational and cultural exchange programs, $242,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $242,000,000 for USIA's educational and cultural exchange programs and provides language not in either the House or Senate bill which makes the appropriation available for additional educational and cultural exchange programs that were not cited in the House or Senate bill language. The House proposed an appropriation of $217,650,000 and the Senate had proposed $250,702,000.

The conference agreement includes an increase of $24,350,000 for the general enhancement of USIA's educational and cultural exchange programs above the amount provided in the House bill. The conferees are agreed that this increase be used to supplement programs above the level provided by the House for such items as the International Visitor program, the Fulbright and other academic programs (to include Vietnamese student exchanges and CAMPUS), the Claude and Mildred Pepper Scholarship program, various new exchange programs (to include the Mike Mansfield Fellowship Program and exchanges for Pacific Island nations in the Western and South Pacific, both if authorized), the American Studies program (if authorized) and Humphrey Fellowships. The conferees expect USIA to submit a reprogramming proposal to the House and Senate Appropriations Committees in accordance with section 605 of the fiscal year 1994 Appropriations Act, which would propose an allocation of the total amount provided in the conference agreement among the various educational and cultural exchange programs.

RADIO CONSTRUCTION

Amendment No. 167: Appropriates $75,164,000 for the Radio Construction account as proposed by the House instead of $57,620,000 as proposed by the Senate.

The conferees note that the overall broadcasting priorities of the United States Government are changing and that, pending enactment of an authorization bill for the United States Information Agency, preparations must be made for consolidation of international broadcasting assets and facilities. Accordingly, the conferees expect USIA to develop a plan for use of the Radio Construction account that reflects these new priorities. The conferees also expect that the Agency will submit this plan to the House and Senate Appropriations Committees under the reprogramming procedures set forth in section 605 of the Fiscal Year 1994 Appropriations Act.

EAST-WEST CENTER

Amendment No. 168: Appropriates $26,000,000 as proposed by the Senate instead of $23,000,000 as proposed by the House.

The conference agreement includes $250,000 to support the U.S. Government's participation in the establishment of the Joint Commercial commission (JCC) pursuant to the memorandum of understanding signed by 13 Pacific Island nations. The Commission's purpose is to promote the development of mutually beneficial commercial and economic relations between and among the Pacific Island nations and the United States. The recommended funding will allow the United States to establish a secretariat in Hawaii. These funds are to be administered by the East-West Center in consultation with the State of Hawaii Office of International Relations.

BROADCASTING TO CUBA

Amendment No. 169: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

BROADCASTING TO CUBA

RADIO BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Radio Broadcasting to Cuba Act, as amended (22 U.S.C. 1465 et seq.) (providing for the Radio Marti Program or Cuba Service of the Voice of America), including the purchase, rent, construction, and improvement of facilities for radio transmission and reception and purchase and installation of necessary equipment for radio transmission and reception as authorized by 22 U.S.C. 1471, $14,000,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a), of which $5,000,000 shall be withheld from obligation until 30 days after the Director of the United States Information Agency submits a report to Congress which certifies receipt of the report of the Advisory Panel on Radio Marti and TV Marti and specifies the measures the United States Information Agency is taking with respect to the recommendations of the panel.

TELEVISION BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.), including the purchase, rent, construction, and improvement of facilities for television transmission and reception, and purchase and installation of necessary equipment for television transmission and reception, $7,000,000, to remain available until expended: Provided, That not later than July 1, 1994, the Director of the United States Information Agency shall submit to Congress, after consulting with the Board for International Broadcasting and after taking into account any relevant recommendations of the Advisory Panel on Radio Marti and TV Marti, his recommendations as to whether TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation and whether the interests of the United States are better served by maintaining television broadcasting to Cuba, by terminating television broadcasting to Cuba and strengthening radio broadcasting to Cuba, or by funding other activities related to promoting democracy in Cuba authorized by law: Provided further, That of the amount appropriated in this paragraph, $2,500,000 shall be withheld from obligation until after July 1, 1994, and, after that date, funds shall be available only for the orderly termination of television broadcasting to Cuba unless the Director of the United States Information Agency determines, in the report to Congress called for in the Administrative Provision Establishing the Advisory Panel on Radio Marti and TV Marti, that maintaining television broadcasting to Cuba is technically sound and effective, is consistently being received by a sufficient Cuban audience to warrant its continuation, and is in the best interests of the United States.

ADMINISTRATIVE PROVISION ESTABLISHING THE ADVISORY PANEL ON RADIO MARTI AND TV MARTI

(a) ESTABLISHMENT.—There is established an advisory panel to be known as the Advisory Panel on Radio Marti and TV Marti (in this section referred to as the "Panel").

(b) FUNCTIONS.—The Panel shall study the purposes, policies, and practices of radio and television broadcasting to Cuba (commonly referred to as "Radio Marti" and "TV Marti") by the Cuba Service of the Voice of America.

(c) REPORT.—Not later than 90 days after the date on which the members of the Panel have been appointed pursuant to subsection (d), the Panel shall submit to the Congress and the United States Information Agency (USIA) a report which shall contain—

(1) a statement of the findings and conclusions of the Panel on the matters described in subsection (b); and

(2) specific findings and recommendations with respect to whether—

(A) such broadcasting consistently meets the standards for quality and objectivity established by law or by the United States Information Agency;

(B) such broadcasting is cost-effective;

(C) the extent to which such broadcasting is already being received by the Cuban people on a daily basis from credible sources;

(D) TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation;

(d) COMPOSITION.—(1) The Panel shall be composed of three members, who shall among them have expertise in government information

and broadcasting programs, broadcast journalism, journalistic ethics, and the technical aspects of radio and television broadcasting.

(2) The Director of the United States Information Agency shall appoint the members of the Panel not later than 30 days after the date of the enactment of this Act. Individuals appointed to the Panel shall be noted for their integrity, expertise, and independence of judgment consistent with the purposes of the Panel.

(3) Each member of the Panel shall be appointed for the life of the Panel. A vacancy in the Panel shall be filled in the manner in which the original appointment was made.

(4) Each member of the Panel shall serve without pay, except that such member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with Sections 5702 and 5703 of title 5, United States Code.

(e) TEMPORARY PERSONNEL.—(1) The Panel may procure temporary and intermittent services under Section 3109(b) of title 5, United States Code (relating to employment of experts and consultants), at rates for individuals not to exceed the maximum rate of basic pay payable for GS-15 of the General Schedule.

(2) Upon request of the Panel, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of the agency to the Panel to assist it in carrying out its duties under this section.

(3) Support Services.—The United States Information Agency shall provide facilities, supplies, and support services to the Panel upon request.

(f) TERMINATION.—The Panel shall terminate immediately upon submitting its report pursuant to subsection (c).

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides new language not in either the House or Senate bill that appropriates $14,000,000 for Radio Broadcasting to Cuba. Of this amount, $5,000,000 shall be withheld until 30 days after the Director of the United States Information Agency submits a report to Congress which certifies receipt of the report of the Advisory Panel on Radio Marti and TV Marti and specifies the measures the United States Information Agency is taking with respect to the recommendations of the Panel.

The conference agreement also includes new language not in either bill which appropriates $7,000,000 for Television Broadcasting to Cuba. The conference agreement further provides that not later than July 1, 1994, the Director of the United States Information Agency shall submit to Congress after consulting with the Board for International Broadcasting and after taking into account any relevant recommendations of the Advisory Panel on Radio Marti and TV Marti, his recommendations as to whether TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation, and whether the interest of the United States is being served by maintaining broadcasting to Cuba, by terminating television broadcasting to Cuba and strengthening radio broadcasting to Cuba, or by funding other activities related to promoting democracy in Cuba authorized by law. The conference agreement further provides that of the $7,000,000 appropriated, $2,500,000 shall be withheld from obligation until after July 1, 1994, and after that date funds shall be available only for the orderly termination of television broadcasting to Cuba unless the Director of USIA determines in the report to Congress that maintaining television broadcasting to Cuba is technically sound and effective, is consistently being received by a sufficient Cuban audience to warrant its continuation and is in the best interest of the United States.

The conference agreement also includes an administrative provision not in either the House or Senate bill which establishes the Advisory Panel on Radio Marti and TV Marti, sets forth its functions, provides for the appointment of the Panel members, supporting staff and support services and requires that the Panel report to the Congress and the United States Information Agency not later than 90 days after its establishment. The report required by the conference agreement is to contain a statement of the Panel's findings concerning the purposes, policies, and practices of Radio and TV Marti and whether broadcasting consistently meets the standards for quality and objectivity established by law or by the United States Information Agency, whether such broadcasting is cost effective, the extent to which such broadcasting is already being received by the Cuban people on a daily basis from credible sources, and whether TV Marti broadcasting is technically sound and effective and consistently being received by a sufficient Cuban audience to warrant its continuation.

The Senate amendment would have appropriated $28,351,000 for Broadcasting to Cuba which would have provided funding for Radio and Television Marti. The House bill contained no provision on this item.

NORTH/SOUTH CENTER

Amendment No. 170: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

NORTH/SOUTH CENTER

To enable the Director of the United States Information Agency to provide for carrying out the provisions of the North/South Center Act of 1991, (22 U.S.C. 2075), by grant to an educational institution in Florida known as the North/South Center, $8,700,000, to remain available until expended: Provided, That funds appropriated by this Act for the United States Information Agency and the Department of State may be obligated and expended at the rate of operations and under the terms and conditions provided by H.R. 2519 as enacted into law, notwithstanding section 701 of the United States Information and Educational Exchange Act of 1948 and section 15 of the State Department Basic Authorities Act of 1956 except that this proviso shall cease to be effective after April 30, 1994 or upon enactment into law of H.R. 2333, the State Department, USIA, and Related Agencies Authorization Act, Fiscal Years 1994 and 1995 or similar legislation, whichever first occurs.

The managers on the part of the Senate will move to concur in the amendment of the House of the amendment of the Senate.

The conference agreement provides $8,700,000 for the North/South Center instead of $8,000,000 as proposed by the House and no appropriation for the Center as proposed by the Senate. The amount in the conference agreement provides the same level of resources for the North/South Center for fiscal year 1994 as was appropriated for fiscal year 1993.

The conference agreement also includes a new proviso that makes the funds appropriated by this Act for the USIA and the State Department available for obligation and expenditure at the rate of operations and under the terms and conditions provided by H.R. 2519 as enacted into law, notwithstanding section 701 of the United States Information and Educational Exchange Act of 1948 and section 15 of the State Department Basic Authorities Act of 1956. The conference agreement also provides that this proviso shall cease to be effective after April 30, 1994 or upon enactment into law of H.R. 2333, the State Department, USIA, and Related Agencies Authorization Act, Fiscal Years 1994 or 1995 or similar legislation, whichever first occurs.

The conference agreement waivers certain provisions of permanent law which prohibit the obligation of funds appropriated to USIA and the State Department in the absence of an enacted authorization for appropriations. The conferees have taken this action because the necessary authorizing legislation has not been enacted into law and the prospects for action are uncertain. Therefore, the conferees believes they have taken the only responsible action in temporarily setting aside these provisions until April 30, 1994 or until an authorization is enacted, whichever first occurs, and that without this action, the principal foreign affairs agencies of the United States Government would be forced to shut down all operations.

The conferees note that the appropriation for the North/South Center is the only annual discretionary appropriations account in USIA or the State Department for which the authorizing committees have chosen to provide a permanent authorization and thus waive the requirements of section 701. While the conferees appreciate the importance of the North/South Center item which basically provides a Federal grant to a university, they believe that the necessary authority to permit the obligation of all the other funds provided in this Appropriations Act to the State Department and the USIA is fundamental. Without the authority provided in the conference agreement, for example, the State Department would have to shut down all United States embassies and consulates, and the USIA would have to terminate all United States Government international broadcasting activities.

The conferees note that recognition of a similar potential impact on State Department refugee programs, which are funded in the Foreign Operations, Export Financing, and Related Programs Appropriations Act led to enactment of a full year waiver of section 15 in the fiscal year 1994 Act (P.L. 103-87) signed on September 30, 1993. Requiring annual or biennial authorization for spending levels is an important process, but prohibiting the obligation of appropriations in the absence of such authorization is unduly restrictive. Therefore, the conferees strongly recommend that the authorizing committees give the most serious consideration to offering legislation to repeal section 701 of the United States Information and Educational Exchange Act of 1948 and section 15 of the State Department Basic Authorities Act of 1956.

NATIONAL ENDOWMENT FOR DEMOCRACY

Amendment No. 171: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $35,000,000 for the National Endowment for Democracy. The Senate amendment also provides that none of these funds may be disbursed to grantees who have not reimbursed the National Endowment for Democracy from nongovernmental funds for disallowed expenditures by such grantees for first-class travel, alcohol and entertainment, identified in the March 1993 report of the Inspection General of the U.S. Information Agency.

The House bill contained no provision on this matter.

The conferees note that since its inception, the National Endowment for Democracy has had a special relationship with the following four institutes: the Center for International Private Enterprise; the Free Trade Union Institute; the International Republican Institute; and the National Democratic Institute for International Affairs. These institutes, representing major institutions in an American democracy, have received a substantial percentage of the Endowment's funds to enable these organizations to develop a program of democratic institution building throughout the world. The conferees note the important role played by the institutes and that as a measure of their success, they have begun to attract for many of their projects, significant funding from other sources.

During the debates in the House and Senate on the Endowment, some Members were critical of the fact that the Endowment allocates funds to these institutes on a non-competitive basis. To address this concern, the conferees expect that the Endowment will move toward a more competitive process in its grant-making procedures. Accordingly, the conferees expect that all program funds made available from the increase in the funding level for the Endowment for fiscal year 1994 should be open equally to all potential applicants.

TITLE VI—GENERAL PROVISIONS

Amendment No. 172: Deletes language proposed by the Senate that would have prohibited any of the funds made available in this Act to be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and atmospheric Administration in shipyards located outside of the United States. The House bill contained no provision on this matter.

This matter is further addressed in Amendment No. 174.

Amendment No. 173: Deletes a section number change proposed by the Senate.

Amendment No. 174: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows;

Restore the matter stricken by said amendment, amended to read as follows:

SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

SEC. 606. (a) PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, to the extent feasible, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Head of the agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 607. (a) None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

(b) None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), conversion, or modernization of aircraft for the National Oceanic and Atmospheric administration in facilities located outside the United States and Canada.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement restores language proposed by the House and stricken by the Senate which provides that in the case of equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of Congress that entities receiving such assistance should, in expending such assistance, to the extent feasible, purchase only American-made equipment and products, and that a notice describing this statement must be provided to each recipient provided financial assistance under this Act. In addition, the conference agreement also inserts new language originally proposed by the Senate in Amendment No. 172 that prohibits any of the funds made available in this Act from being used for construction, repair, overhaul, conversion or modernization of vessels for NOAA in shipyards outside of the United States. Finally, the conference agreement inserts a provision not in either the House or Senate bill that prohibits any of the funds made available in the Act from being used for construction, repair, conversion or modernization of aircraft for NOAA in facilities outside the United States or Canada.

Amendment No. 175: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

SEC. 608. (a) Funds appropriated under this Act to the Legal Services Corporation and distributed to each grantee funded in fiscal year 1994, pursuant to the number of poor people determined by the Bureau of the Census to be within its geographical area, shall be distributed in the following order:

(1) grants from the Legal Services Corporation and contracts entered into with the Legal Services Corporation under section 1006(a)(1) of the Legal Services Corporation Act, as amended, shall be maintained in fiscal year 1994 at not less than the annual level at which each grantee and contractor was funded in fiscal year 1993 pursuant to Public Law 102-395; and

(2) each grantee or contractor for basic field funds under section 1006(a)(1) shall receive an increase of not less than 2.5% over its fiscal year 1993 grant level. Any additional increase in funding for grants and contracts to basic field programs under section 1006(a)(1) shall be awarded to grantees and contractors funded at the lowest levels per-poor-person (calculated for each grantee or contractor's fiscal year 1993 grant level by the number of poor persons within its geographical area under the 1990 census) so as to fund the largest number of programs possible at an equal per-poor-person amount; and

(3) any increase above the fiscal year 1993 level for grants and contracts to migrant programs under section 1006(a)(1) shall be awarded on a per migrant and dependent basis calculated by dividing each such grantee's or contractor's fiscal year 1993 grant level by the state migrant and dependent population, which shall be derived by applying the state migrant and dependent population percentage as determined by the 1992 Larson-Plascencia study of the Tomas Rivera Center migrant enumeration project. This percentage shall be applied to a population figure of 1,661,875 migrants and dependents. These funds shall be distributed in the following order:

(A) forty percent to migrant grantees and contractors funded at the lowest levels per migrant (including dependents) so as to fund the largest number of programs possible at an equal per migrant and dependent amount; and

(B) forty percent to migrant grantees and contractors such that each grantee or contractor funded at a level of less than $19.74 per migrant and dependent shall be increased by an equal percentage of the amount by which such grantee's or contractor's funding, including the increases under subparagraph (A) above, falls below $19.74 per migrant and dependent, within its State; and

(C) twenty percent on an equal migrant and dependent basis to all migrant grantees and contractors funded below $19.74 per migrant and dependent within its State.

(b) None of the funds appropriated under this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by or contrary to any of the provisions of—

(1) section 607 of Public Law 101-515, and that, except for the funding formula, all funds appropriated for the Legal Services Corporation shall be subject to the same terms and conditions as set forth in section 607 of Public Law 101-515 and all references to "1991" in section 607 of Public Law 101-515 shall be deemed to be "1994" unless subparagraph (2) or (3) applies;

(2) subparagraph 1, except that, if a Board of eleven Directors is nominated by the President and confirmed by the Senate, provisos 20 and 22 shall not apply to such a confirmed Board;

(3) authorizing legislation for fiscal year 1994 for the Legal Services Corporation that is enacted into law.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides a distribution formula governing the allocation of funds among the basic field programs. The formula provides that programs shall be held harmless from the funding cuts resulting from the 1990 Census. The conference agreement also provides that each grantee or contractor for basic field funds shall receive an increase of not less than 2.5% over its 1993 grant level. Any additional increase in funding for grants and contracts to basic field programs shall be awarded to grantees and contractors funded at the lowest levels per-poor-person so as to fund the largest number of programs possible at an equal per-poor-person amount. In addition, the conference agreement includes a formula for calculating resources for migrant programs. The formula uses the report of the 1992 Larson-Plascencia study of the Tomas Rivera migrant project. The conference agreement also provides that in the absence of a reauthorization, the funds appropriated for the Legal Services Corporation in this Act will continue to be governed by the restrictions contained in section 607 of Public Law 101-515, including the proviso restricting any abortion litigation. Finally, the conference agreement provides that two provisions contained in Public Law 101-515 restricting the authority of past and current Boards of Directors to revise or adopt regulations are removed with respect to any new Board of 11 directors nominated by the President and confirmed by the Senate.

The Senate amendment provided a distribution formula which would have required that funds appropriated in the Act to the Legal Services Corporation be distributed under a formula that would have maintained basic field programs in fiscal year 1994 at not less than 97.9% of fiscal year 1993 level. The Senate language also included the provision governing the use of funds in the absence of a reauthorization.

The House bill contained no provision on this matter.

Amendment No. 176: Deletes language proposed by the Senate stating it is the sense of Congress that entities purchasing goods or services with the funds available in this Act should, to the maximum extent feasible, where available, purchase only American-made equipment, products, and services. The House bill contained no provision on this matter.

Amendment No. 177: Deletes language proposed by the Senate that would have prohibited any of the funds made available by this Act to be used for contributions to the International Coffee Organization. The House bill contained no provision on this matter.

The conferees note that the United States was among the countries that proposed extending the International Coffee Agreement (ICA) for an additional year to allow for the possibility of resuming negotiations on a new agreement. The conferees believe that the United States should continue to pursue opportunities to negotiate a new ICA that would serve the interests of American consumers and the American coffee industry. The conferees note that a new ICA with economic provisions would be subject to Congressional approval.

Amendment No. 178: Deletes language proposed by the Senate, but not in the House bill, which would have required the Federal Communications Commission to submit an analysis to Congress outlining options for addressing telephone calling card procedures which will maximize consumer benefits. The conferees understand that the Commission is currently considering issues related to procedures for making telephone calls using calling cards in FCC Docket 92-77, the Billed Party Preference proceeding. The conferees encourage the Commission to include the analysis envisioned by the Senate amendment as part of any action it is taking on this issue.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follows:

New budget (obligational) authority, fiscal year 1993	$23,616,242,000
Budget estimates of new (obligational) authority, fiscal year 1994	24,928,085,000
House bill, fiscal year 1994	20,839,956,000
Senate bill, fiscal year 1994	23,540,484,000
Conference agreement, fiscal year 1994	23,396,781,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	−219,461,000
Budget estimate of new (obligational) authority, fiscal year 1994	−1,531,304,000
House bill, fiscal year 1994	+2,556,825,000
Senate bill, fiscal year 1994	−143,703,000

NEAL SMITH,
BOB CARR,
ALAN MOLLOHAN,
JAMES MORAN,
DAVID E. SKAGGS,
DAVID E. PRICE,
WILLIAM H. NATCHER,
HAL ROGERS,
JIM KOLBE,
JOSEPH MCDADE,
Managers on the Part of the House.

ERNEST F. HOLLINGS,
DANIEL K. INOUYE,
DALE BUMPERS,
FRANK R. LAUTENBERG,
JIM SASSER,
BOB KERREY,
ROBERT C. BYRD,
PETE V. DOMENICI,
TED STEVENS,
MARK O. HATFIELD,
PHIL GRAMM,
MITCH MCCONNELL,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ACKERMAN (at the request of Mr. GEPHARDT), for Wednesday, October 13, on account of official business.

Mr. MCDADE (at the request of Mr. MICHEL), for today and October 15, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DOOLITTLE) to revise and extend their remarks and include extraneous material:)

Mr. BOEHLERT, for 5 minutes, today.

Mr. FRANKS of New Jersey, for 60 minutes, today.

Mr. LEACH, for 60 minutes, today.

Mr. SANTORUM, for 5 minutes, today.

Mr. MCCANDLESS, for 60 minutes, on October 20.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. DORNAN, for 5 minutes today, and on October 15.

Mr. HUNTER, for 5 minutes, today.

(The following Members (at the request of Mr. KOPETSKI) to revise and extend their remarks and include extraneous material:)

Mr. SANDERS, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

Mr. SKELTON, for 5 minutes, on October 18.

Mr. KANJORSKI, for 60 minutes each day, on October 14, 15, 18, and 19.

Mr. UNDERWOOD, for 60 minutes each day, on October 18 and 19.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DOOLITTLE) and to include extraneous matter:)

Mr. CALLAHAN.
Mr. ZIMMER.
Mr. COX.
Mrs. ROUKEMA.
Mr. EVERETT.
Mr. RAMSTAD.
Mr. SOLOMON.
Mr. COLLINS of Georgia.
Mr. GILMAN.
Mr. GRAMS.
Mr. LEACH.
Mr. MICHEL.
Mr. BILIRAKIS.
Mrs. BENTLEY in two instances.

(The following Members (at the request of Mr. KOPETSKI) and to include extraneous matter:)

Mr. SCHUMER.
Mr. HAMILTON.
Mr. BONIOR.
Mr. KANJORSKI in two instances.
Mr. STARK in two instances.
Mr. LAROCCO.
Mr. THOMPSON of Mississippi.
Mr. BROWN of California.
Mr. DOOLEY.
Ms. HARMAN.
Mr. HOAGLAND.
Mr. KLEIN.
Mr. TAUZIN.
Ms. PELOSI.
Mr. GUTIERREZ in two instances.
Mr. MCCLOSKEY.
Mr TOWNS.
Mr. MCDERMOTT.
Mr. RUSH in two instances.
Mr. DELLUMS.

(The following Member (at the request of Mr. BONIOR) to revise and extend his remarks:)

Mr. CONYERS.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2517. An act to enable the Secretary of Housing and Urban Development to demonstrate innovative strategies for assisting homeless individuals, to develop the capacity of community development corporations and community housing development organizations to undertake community development and affordable housing projects and programs, to encourage pension fund investment in affordable housing, and for other purposes.

ADJOURNMENT

Mr. BONIOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Friday, October 15, 1993, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

2025. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting his follow-up report on the deployment of U.S. combat-equipped aircraft to support NATO's enforcement of the no-fly zone in Bosnia and Herzegovina (H.

Doc. No. 103–150), was taken from the Speaker's table and referred to the Committee on Foreign Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee on Natural Resources. H.R. 334. A bill to provide for the recognition of the Lumbee Tribe of Cheraw Indians of North Carolina, and for other purposes (Rept. 103–290). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIXON: Committee of Conference. Conference report on H.R. 2492. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103–291). Ordered to be printed.

Mr. BEVILL: Committee of Conference. Conference report on H.R. 2445. A bill making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103–292). Ordered to be printed.

Mr. SMITH of Iowa: Committee of conference. Conference report on H.R. 2519. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103–293). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TAUZIN (for himself, Mr. Studds, Mr. Fields of Texas, and Mr. Coble):

H.R. 3282. A bill to amend title 46, United States Code, to improve towing vessel navigational safety; to the Committee on Merchant Marine and Fisheries.

By Mr. KLECZKA (for himself, Mr. Barrett of Wisconsin, Mr. Klug, Mr. Lipinski, Mr. DeFazio, Mr. Gutierrez, Mr. Barca of Wisconsin, and Miss Collins of Michigan):

H.R. 3283. A bill to provide for the use of Department of Defense golf courses by the general public, and for other purposes; to the Committee on Armed Services.

By Mrs. BENTLEY (for herself, Mr. Stump, Mr. Gallegly, Mr. Levy, Mr. Bartlett of Maryland, and Mr. Machtley):

H.R. 3284. A bill entitled the "Asylum Abuse Prevention Act of 1993"; to the Committee on the Judiciary.

By Miss COLLINS of Michigan:

H.R. 3285. A bill to redesignate the postal facility located at 1401 West Fort Street, Detroit, MI, as the "George W. Young Post Office"; to the Committee on Post Office and Civil Service.

By Ms. PELOSI:

H.R. 3286. A bill to amend the act establishing Golden Gate National Recreation Area to provide for the management of the Presidio by the Secretary of the Interior, and for other purposes; to the Committee on Natural Resources.

By Mr. SCHIFF (for himself, Mr. Skeen, and Mr. Richardson):

H.R. 3287. A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to award grants to improve wastewater treatment for certain unincorporated communities; and for other purposes; to the Committee on Public Works and Transportation.

By Mr. THOMAS of Wyoming (for himself and Mr. Pastor):

H.R. 3288. A bill to amend title 17, United States Code, to create an exception from copyright infringement for certain performances in places of public accomodation; to the Committee on the Judiciary.

By Mr. TOWNS:

H.R. 3289. A bill to exempt from the antitrust laws certain joint activities of institutions of higher education; to the Committee on the Judiciary.

By Mr. NADLER:

H.R. 3290. A bill to amend the Asbestos School Hazard Abatement Act of 1984 and title II of the Toxic Substances Control Act to expand the coverage of those acts to include Head Start Programs, and for other purposes; jointly, to the Committees on Education and Labor and Energy and Commerce.

By Mr. ENGLISH of Oklahoma (for himself, Mr. Sarpalius, and Mr. Brewster):

H.J. Res. 277. Joint resolution proposing an amendment to the Constitution of the United States to limit the number of years an individual may serve in certain positions in the Government of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. PORTER (for himself, Mr. Lantos, and Mr. Underwood):

H. Con. Res. 165. Concurrent resolution expressing the sense of the Congress concerning the International Year of the World's Indigenous Peoples; jointly, to the Committees on Foreign Affairs and Natural Resources.

By Mr. TORRICELLI (for himself, Mr. Deutsch, Mr. Dornan, Mr. Gejdenson, and Mr. Tauzin):

H. Con. Res. 166. Concurrent resolution expressing the sense of the Congress with respect to Taiwan's membership in the United Nations and other international organizations; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Ms. BYRNE introduced a bill (H.R. 3291) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel *Pellican*; which was referred to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 54: Mr. Visclosky.

H.R. 55: Mr. Dixon.

H.R. 144: Mr. Bachus of Alabama.

H.R. 350: Ms. Lowey and Ms. Roybal-Allard.

H.R. 455: Mr. Boehlert.

H.R. 509: Mr. Ravenel.

H.R. 703: Mr. Porter, Mr. Kopetski, and Mr. Armey.

H.R. 796: Ms. Danner, Ms. Molinari, Mr. Lantos, and Mr. Serrano.

H.R. 830: Mr. Fish, Mr. Stenholm, and Ms. Ros-Lehtinen.

H.R. 833: Mrs. Mink and Mr. Nadler.

H.R. 893: Mr. Conyers.

H.R. 962: Mr. Orton and Mr. Brown of California.

H.R. 967: Mr. Hastert, Mr. Lightfoot, Ms. Kaptur, Mr. Cox, and Mr. Clement.

H.R. 1055: Mr. Spence.

H.R. 1181: Mr. Taylor of Mississippi, Mr. Lehman, and Mr. Ravenel.

H.R. 1277: Mr. Brewster.

H.R. 1280: Mr. Lewis of Georgia, Mr. Rush, Mr. Frost, Mr. Manton, Mr. Coyne, Ms. DeLauro, Mr. Waxman, Ms. Lowey, Mr. Washington, Mr. Andrews of Maine, Ms. McKinney, and Mrs. Kennelly.

H.R. 1332: Mr. Barca of Wisconsin.

H.R. 1450: Mr. Inglis of South Carolina.

H.R. 1541: Mr. Emerson.

H.R. 1627: Mr. Gordon.

H.R. 1671: Mr. Franks of Connecticut and Mr. Dellums.

H.R. 1697: Mr. Young of Florida.

H.R. 1734: Mr. Stark.

H.R. 1886: Mr. Scott.

H.R. 1900: Mr. Conyers, Mr. Coyne, Mr. Carr, Mr. Reynolds, Mr. Holden, and Mr. Nadler.

H.R. 1925: Mr. Wynn.

H.R. 1943: Mr. Sanders, Mr. Hinchey, and Mr. Kopetski.

H.R. 1968: Mr. Quillen, Mr. Underwood, and Mr. Klein.

H.R. 2001: Mr. Penny, Mr. Grams, and Mr. Kopetski.

H.R. 2135: Mr. Moakley, Mr. Romero-Barcelo, Mr. Underwood, Mr. Boehlert, Mr. Gingrich, and Mr. Dellums.

H.R. 2210: Mr. Smith of New Jersey, Ms. Brown of Florida, Mr. Dellums, and Mr. Engel.

H.R. 2229: Mr. McDermott, Mr. Kleczka, Mr. Oberstar, Mr. Sanders, and Mr. Kopetski.

H.R. 2287: Mr. Menendez, Mr. Bacchus of Florida, and Mrs. Fowler.

H.R. 2319: Mr. Gingrich, Mr. Johnston of Florida, Mr. Martinez, and Mrs. Morella.

H.R. 2345: Mr. Reynolds, Mr. Klein, Mr. Nadler, and Mr. Lewis of Georgia.

H.R. 2425: Mr. Gingrich.

H.R. 2443: Mr. Martinez, Mr. Stark, Mr. Baker of Louisiana, Mr. McDade, Mr. Dickey, Mr. Pete Geren of Texas, Mr. Linder, Mr. Tejeda, Ms. Woolsey, and Mr. Mazzoli.

H.R. 2512: Mr. Clinger.

H.R. 2557: Mr. Shays.

H.R. 2588: Mr. Andrews of Maine.

H.R. 2602: Mr. Holden.

H.R. 2622: Mr. Gingrich.

H.R. 2623: Mr. Smith of Oregon and Mr. Barton of Texas.

H.R. 2641: Mrs. Meek and Mr. Nadler.

H.R. 2831: Mr. Lantos and Mr. Miller of California.

H.R. 2866: Mr. Murphy, Mr. Tucker, Ms. Schenk, Mr. Minge, Mr. Baesler, Mr. Coppersmith, and Mr. Hilliard.

H.R. 2880: Mr. Gingrich.

H.R. 2884: Mr. Fish, Mr. Clyburn, and Ms. Kaptur.

H.R. 2896: Mr. Emerson.

H.R. 2921: Mr. Sisisky.

H.R. 2925: Mr. Andrews of New Jersey and Mr. Fish.

H.R. 2927: Mr. Baesler, Mr. Thompson and Mr. Hoekstra.

H.R. 2950: Mr. POMEROY and Mr. GILMAN.

H.R. 2971: Mr. MONTGOMERY, Mrs. THURMAN and Mr. DIAZ-BALART.

H.R. 2997: Mr. MACHTLEY.

H.R. 3023: Mr. LIVINGSTON, Mr. GOODLATTE, Mr. SUNDQUIST, Mr. HANCOCK, Mr. GEJDENSON, Mrs. THURMAN, Mr. GUTIERREZ, Mr. BARTLETT of Maryland and Mr. BATEMAN.

H.R. 3039: Mr. CRAPO.

H.R. 3088: Mr. BACHUS of Alabama, Mr. WALSH, Mr. KLUG, Mr. WELDON, Mr. MCCRERY, Mr. CLINGER and Mr. HOCHBRUECKNER.

H.R. 3121: Mr. MCCLOSKEY.

H.R. 3122: Mrs. VUCANOVICH, Mr. SPENCE and Mr. FISH.

H.R. 3125: Mr. GINGRICH.

H.R. 3136: Mr. KENNEDY.

H.R. 3145: Mr. HOLDEN.

H.R. 3173: Mr. BACHUS of Alabama.

H.R. 3182: Mr. HYDE and Mr. KLUG.

H.R. 3184: Mr. SABO and Mr. MATSUI.

H.R. 3203: Ms. PELOSI, Mrs. SCHROEDER, Mr. DEUTSCH, Ms. SLAUGHTER and Mrs. THURMAN.

H.R. 3216: Mr. HOLDEN, Mr. OBERSTAR, Mr. ROTH and Mr. SAXTON.

H.J. Res. 113: Mr. KASICH.

H.J. Res. 131: Ms. SNOWE, Mr. DUNCAN, Mr. ZELIFF, Mr. SAXTON, and Mr. DELLUMS.

H.J. Res. 175: Mr. DELLUMS, Mr. DEUTSCH, Mr. SANDERS, Mr. TORKILDSEN, Mr. MEEHAN, Mr. DOOLITTLE, Mr. KLEIN, and Mr. BATEMAN.

H.J. Res. 180: Mr. ROYCE and Mr. EWING.

H.J. Res. 181: Mr. ROYCE and Mr. EWING.

H.J. Res. 199: Ms. FURSE, Mr. DE LUGO, Mr. LAZIO, Mr. STARK, Mr. BUNNING, Mr. HOLDEN, Mr. ABERCROMBIE, Mr. ROBERTS, Mr. HUTCHINSON, Mrs. MEYERS of Kansas, Mr. MCCRERY, Mr. DARDEN, Mr. PETERSON of Minnesota, Mr. CALLAHAN, Mrs. FOWLER, Mr. ZELIFF, Mr. CRAPO, and Mr. SMITH of Oregon.

H.J. Res. 260: Mr. BATEMAN.

H.J. Res. 266: Mr. BALLENGER.

H.J. Res. 274: Ms. BROWN of Florida, Mr. CARDIN, Mr. GILMAN, Mr. KNOLLENBERG, Mr. LIVINGSTON, Mr. MCDADE, and Mr. WALSH.

H. Con. Res. 26: Mr. ROYCE.

H. Con. Res. 107: Mr. BILIRAKIS and Mr. MINGE.

H. Con. Res. 126: Mrs. LLOYD.

H. Con. Res. 156: Mr. SCHIFF, Mr. FAZIO, Mr. JOHNSON of South Dakota, Mr. GUNDERSON, Mr. FILNER, Mr. ZELIFF, Mr. ROEMER, Mr. DURBIN, Mr. TORKILDSEN, and Mr. TALENT.

H. Con. Res. 158: Mr. GILMAN.

H. Con. Res. 163: Mr. BUNNING.

H. Res. 38: Mr. SCHUMER, Mr. LAFALCE, and Mr. ROMERO-BARCELÓ.

H. Res. 237: Mr. AMEY, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. CASTLE, Mr. CRANE, Mr. CUNNINGHAM, Mr. DICKEY, Mrs. FOWLER, Mr. FRANKS of Connecticut, Mr. GEKAS, Mr. GILCHREST, Mr. GRAMS, Mr. GREENWOOD, Mr. HOBSON, Mr. HOEKSTRA, Mr. HORN, Mr. INHOFE, Mr. LEVY, Mr. MANZULLO, Mr. MCCRERY, Mr. MICA, Mr. PAXON, Mr. QUINN, Mr. RAMSTAD, Mr. RIDGE, Mr. SANTORUM, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. SUNDQUIST, and Mr. ZELIFF.

H. Res. 238: Mr. CANADY, Mr. GOODLATTE, Mr. DORNAN, Mr. STEARNS, Mr. ROYCE, and Mrs. BENTLEY.

H. Res. 239: Mr. HANCOCK and Mr. GALLO.

SENATE—*Thursday, October 14, 1993*

(Legislative day of Wednesday, October 13, 1993)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. DORGAN].

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Hear O Israel: the Lord our God is one Lord: And thou shalt love the Lord thy God with all thine heart, and with all thy soul, and with all thy might. And these words, which I command thee this day, shall be in thine heart: And thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up.—Deuteronomy 6:4–7.

God of Abraham, Isaac and Israel, of Moses and the Prophets, of Jesus and the Apostles, Father of us all, these profound words from the Torah are the mandate for a functional family, a healthy home, and a strong social order. Help us to hear them, heed them, and apply them in our lives and our homes.

In Jesus' name. Amen.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3116, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

Mr. INOUYE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, the committee is ready to proceed. However, the author of the first amendment to be proposed is on his way.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed as if in morning business for 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator is recognized for 5 minutes.

WARRANT OFFICER MICHAEL DURANT

Mr. GREGG. Mr. President, this is obviously a day of good news for New Hampshire, for the country, and especially for the people of Berlin as their son WO Michael Durant is released and returned to Germany where he will be treated.

Michael Durant, as we all know, was the individual who was held hostage in Somalia. He was sent to Somalia as a soldier of the United States and comported himself extremely well representing our country and doing his job pursuing his duty.

Unfortunately, in the process of undertaking that obligation, he was taken prisoner and he was wounded. But he has now been released, and the people of New Hampshire and the people of this country are obviously greatly heartened by that.

There was universal support from the folks in New Hampshire for him and for his family during this very difficult time. We are still a small enough State to be really considered a community. We are a State where people are very concerned about our fellow citizens and when they are put in harm's way. There are a great many prayers not only in Berlin but across the whole State to assure the safe return of Michael Durant which now appears to be accomplished.

The early reports are that his wounds are significant but that he is going to recover and, as I mentioned, he will be going on to Germany for excellent treatment in an American military base hospital. So this is excellent news.

But out of this tragedy, which has turned out well for Michael Durant but not so well for the other Americans who died there, some very significant questions are raised. Today, it was reported in the Washington Times that the commander of the troops in Somalia opposed pursuing Mr. Aideed under the manhunt as requested as it was pursued. The commander, as represented by this newsstory, if it is accurate, represented to the leadership of the Pentagon that to pursue Mr. Aideed in this manner was not something that could be accomplished effectively, that it was not a mission that the military should pursue, I presume because of the nature of the situation in Mogadishu where you have over a million people living in very close quarters, and yet the commander, according again to the story, was overruled by the Secretary of Defense. In addition, we know that the Secretary of Defense rejected a request by the commander in the field for support in the area of transport, in the area of heavy military equipment, and in the area of more men in order to undertake the manhunt effort.

That rejection may well have been one of the reasons why the men who were shot down in the helicopters found themselves under fire and without relief for almost 9 hours—9 hours during which American soldiers' lives were at risk and, unfortunately, some were lost.

Those two major decisions, which appear to have been taken by the Secretary of Defense and the administration and which appear to have been in opposition to the requests and positions of the commander in the field and the military commanders on the ground, raise very serious issues, serious issues involving the appropriateness of the mission, No. 1, and, No. 2, the question of whether or not American lives would have been lost had the on-the-ground commanders' positions been followed and accepted by the Secretary of Defense and the administration.

I would hope that the proper committees of this Senate would hold open and public hearings on these two issues. I do not understand how we can pursue a course in Somalia which is inconsistent with our military advice of our commanders in the field, and I believe the American people want to know why we were pursuing a course in Somalia which was inconsistent with our military commanders and people on the ground who were responsible for that action.

American lives have been lost. One American has been put through an incredible trauma in the person of Warrant Officer Durant. He has now returned. But the question remains: Why

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

were these lives put at risk? Was the mission appropriate? Did the military personnel advise against the mission and were they overruled by the Secretary of Defense? Did the military commanders on the ground request greater support in order to pursue the mission and were they overruled by the Secretary of Defense and the administration? And if those decisions were made, was the approximate result of those decisions the loss of American lives?

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. GREGG. I thank the Acting President pro tempore and hope we will hold hearings on this issue.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

FIRST EXCEPTED COMMITTEE AMENDMENT

Mr. INOUYE. Mr. President, what is the pending business?

The ACTING PRESIDENT pro tempore. The Chair would advise the first excepted committee amendment is pending.

Under the previous order, Senator BUMPERS is to be recognized to offer an amendment.

Mr. INOUYE. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

AMENDMENT NO. 1027

(Purpose: To reduce the amount of funding provided for the Trident II Missile Program)

Mr. BUMPERS. Mr. President, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. Without objection, the pending committee amendment will be set aside and the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself, Mr. DORGAN, Mr. WOFFORD, and Mr. FEINGOLD, proposes an amendment numbered 1027.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 27, strike lines 13-14 and insert in lieu thereof the following: "$2,972,906,000, to remain available for obligation until September 30, 1996: *Provided*, That of the funds appropriated in this paragraph, $1,028,596,000 shall not be obligated or expended for procurement or advance procurement of Trident II missiles unless the President has certified to Congress that the other signatories to the START treaty have rejected a United States proposal to the Joint Compliance and Inspection Commission that "detubing" be accepted as an option for eliminating SLBM launchers under START II."

Mr. BUMPERS. Mr. President, I want to say to the distinguished floor manager, who has been more than generous and cooperative on this, that I have for the time being and I am not sure permanently stricken the last part of the amendment he has there, and I will talk about that in just a moment. But let me first talk about the substance of this amendment.

I cannot remember in my 19-year tenure in the Senate where the Senate has had an opportunity, Congress has had an opportunity to save between $13 and $17 billion with no military or strategic disadvantage.

I have had a few Senators in the last few weeks say to me that they were sorry they voted for a lot of the defense spending of the 1980's. And those same Senators told me they were going to support this amendment.

I want to say, first of all, that it is a little bit complicated for people who do not keep up with strategic weaponry and the START agreements and the agreements that we have had with the Soviet Union in the past and now have with Russia and other former Soviet Republics.

But under the START II agreement—and this is very basic, and so all of my colleagues I hope will understand this if they do not understand any other part of the debate—the United States and Russia and Kazakhstan and Belarus, and the Ukraine are limited to 3,500 warheads each. In my opinion, this is a good treaty. We should have always been negotiating treaties based on warheads rather than land launchers.

But this amendment deals with submarine-launched missiles.

Now, while both Russia and the United States are each allowed 3,500 warheads, we are allowed 1,750 warheads on submarines. That leaves us, if we choose to put all the 1,750 warheads on submarines, with 1,750 warheads to be placed on bombers and ICBM's, land-based missiles.

Mr. President, in 1997, the U.S. Navy will have delivered to it its 18th Trident submarine. That is the completion of the Trident Program. And by 1997, those 18 Trident submarines will compose the entire submarine missile firing part of our strategic weaponry.

Let me repeat that. By 1997, we will have 18 Trident submarines. Each one of those 18 submarines is equipped with what we call 24 tubes—that is, they will carry 24 missiles—and each missile would, except for START II, carry 8 warheads. That means that each Trident submarine has 24 missiles, with 8 warheads on each one; that is 192 warheads per submarine. That means that we wind up with 3,456 warheads on those 18 Trident submarines.

Let me digress just a moment to say that, obviously, 3,500 warheads, which we are permitted under the agreement, is enough to blow the planet out of orbit.

But to proceed with the story, the Trident force alone would have 3,456 warheads if we did not have START II.

Now, Mr. President, under the START II agreement, since we are only allowed 1,750 SLBM warheads, that means we have to cut 50 percent of the warheads that the Trident is capable of carrying because we are limited to 1,750.

And so the question then is, How do you do that? We have to start doing this in the year 2000, and we have to be in compliance by the year 2003. So the question for the U.S. Congress and the Senate today to answer is: How do we cut 50 percent of the warhead capacity the Tridents are capable of carrying?

You can do it either of two ways. You can go ahead and equip each submarine with 24 missiles, and download the warheads from 8 to 4. Again, if you have a Trident submarine that could carry 24 missiles, and you download from 8 warheads to 4 warheads, you cut in half the 192 warheads that submarine is capable of carrying to, namely, 96.

Now, Mr. President, what does that mean? That means that if you download every Trident submarine from 8 warheads to 4 warheads per missile, you arrive at 1,728. That is 24 fewer than we are allowed, but that is what we will do one way or the other. That is option 1—24 missiles per submarine, 4 warheads per missile; total warheads on all 18 Tridents, 1,728.

Option 2, which is what this amendment would do, instead of putting 24 missiles on each submarine, you put 12 missiles, and instead of downloading, you go ahead and leave 8 warheads on each missile.

Now, if you have 12 missiles with 8 warheads, you know what you come out with? The very same 96 warheads.

Why the amendment? Because those missiles cost $46 million a pop. Do you know what you save if you take option 2 and put 12 missiles rather than 24 on each submarine? Do you know how much money you save? $5 billion between now and 1999. Do you know what you lose strategically? Nothing. Zip. Zero.

Now, let me go on with the story. Of the 18 Trident submarines—which have been in service for some time; some of them are getting a little age on them—8 of them are in the Pacific Ocean. The remainder, the other 10, are and will be in the Atlantic Ocean.

But let me take the first eight submarines that we built which are now in the Pacific Ocean. They do not carry this D-5 missile, properly known as the Trident II missile.

Now, bear in mind, my amendment would stop production of the D-5—and I will come back to why.

Well, I will just tell you now. Because we have already bought and paid for—under my option, we have already bought and paid for—more missiles than we can possibly use, plus a very robust testing program of five tests of the D-5 each year for 20 years. In other words, we have in excess of 100 missiles above what we need to outfit this last 10 submarines with the D-5 missile, plus 100 left over to test with, assuming we follow my option of having 8 warheads on each of 12 missiles per submarine.

Back to the Pacific Trident fleet. Eight submarines in the Pacific carry what is known as the C-4 missile; a good missile, nothing wrong with it. But do you know what the Navy wants to do, Mr. President? In about the year 2002, they want to start backfitting these eight submarines to accommodate the D-5 missile. They want to take the C-4 missile off and put the D-5 on.

Do you know what the cost of that is? It is $7 billion. Do you know what you get by taking the C-4 off the Trident submarine and putting the D-5 on, in addition to a $7 billion cost? I will tell you what you get. You get a new missile, a D-5, even though you are replacing a C-4, which has a good, long life in front of it.

Do you know what else you get? You get a missile that is more accurate than the C-4. Do you know how much more accurate? We are going to spend $7 billion to put the D-5 on these first eight submarines and take the C-4 off, and you get accuracy, what we call the circular error probable or CEP; that is, how many of these missiles are going to hit within a certain area. The D-5 has what they call a CEP of 150 yards. That means, if you fire a D-5, it will normally hit within something like that distance of what it is aimed at.

Do you know what the C-4 hits? It is to within 300 yards. For $7 billion you get missiles that are more accurate by a distance from here to the House of Representatives down the hall.

Mr. STEVENS. Mr. President, will the Senator yield? I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FEINGOLD). Without objection, it is so ordered.

Mr. BUMPERS. To proceed, Mr. President, that is what you get. That is how much more accuracy you get for $7 billion.

If the C-4 missile's life was going to be terminated along that period of time, it might make a little sense. But even the Pentagon tells you the C-4 missile is good through 2016.

Do you want to know something else? After you spend $7 billion to put the D-5 on these eight Trident submarines, you are doing that, spending that $7 billion, for submarines which have a life expectancy of 5 to 8 years left.

The Senate is going to live a long time before it has an opportunity to save this kind of money and lose nothing. You are going to hear stories about how the submarines are going to have to get in closer, presumably to Russia, because the missiles will be carrying eight warheads.

Let me ask this question. If that is a problem, why on God's green Earth do we now have 24 missiles with 8 warheads on them? Why do we now patrol the Pacific and Atlantic Oceans with 24 missiles, each with 8 warheads, if suddenly this is such a critical thing on how close you get to your targets?

But, do you know what the real clinker is on that argument? The C-4 and the D-5 have exactly the same range. You lose nothing. And when you talk about 300 yards of accuracy in the nuclear business where you are talking about destroying square miles, totally devastating square miles, I submit buying new missiles for the C-4 is sheer idiocy, lunacy.

Then you will hear, well, all our ships are not at sea all the time. It is true, 65 percent of the force is at sea, one or two are usually in overhaul, and the rest of them are on standby. Of the 18 Trident submarines, 65 percent of them are at sea, on patrol, ready at all times and all but 2 of the 18 are ready to go. Those that are not at sea are ready to go.

I will save some of my arguments on this. But the one point I want to make is to refute the arguments the Navy is making about why this is not a good idea. I have a letter from President Clinton, saying, I assume, essentially what the Navy told him to say, and that is this is not a good idea. But the Secretary of Defense, the President of the United States, our strategic commander and the Deputy Assistant Secretary of Defense—do you know what they say? "This is a great idea except for one thing. You are tinkering with the START agreement. We would have to renegotiate the START II treaty."

Let me destroy that one for you. This agreement was executed in May 1991 when George Bush was President and Mikhail Gorbachev headed up the Soviet Union. When they brought that agreement back to Russia, they first jumped on Gorbachev, the Parliament did, and later jumped on Yeltsin. They said, "You dummies, you have been outfoxed by the United States again. Don't you know why they want to put 24 missiles on each one of those submarines and download to 4 warheads?" They said, "In the case of an emergency the United States can upload to eight warheads per missile in nothing flat. You have been snookered."

So when people say to me you have to reexecute the agreement, or you have to submit this to the other republics like Russia and the Ukraine and they may want something in return, I have two arguments on that. No. 1, I think the Russians would 10 times rather see us fill up 12 tubes on each submarine with concrete or whatever else, where we could not upload in a matter of days. If they are really upset about the fact that we could up load from 4 to 8 warheads, they would jump at the chance of an offer from us saying we are going to detube—that is what they call it, filling up the tubes—detube 12 tubes on the submarine.

When people say to me the Russians will not accept it, I say, for $17 billion it sure will not hurt to ask. If they say no, you are the winner, I say to the Senator, Mr. President, and we spend the money and we buy the missiles, even though I will go to my grave knowing we did not need to. We will go ahead, as we did in the 1980's with the B-1 bomber, 24 of which will soon be taken out of service, 100 B-1 bombers that cost $28 billion and will hardly get off the ground. But because we were convinced the Russians were coming up the Potomac River any day, we voted for it wholesale. I did not.

Then they come along with the B-2 and they say, "Oh, it's stealthy." They did not tell us it was going to cost $2 billion apiece. The first time I ever got a presentation on the B-2, it was going to be $300 million each. Then it goes to 2 billion.

Do you think the Senate cared? We did not care what it cost. Nobody was going to go home and run and tell his people that he was antidefense. Better still, he was not going to let his opponent accuse him of being antidefense, and that lunatic buildup of defense in the 1980's cost us—cost us—at least $1.5 trillion of the $3 trillion increase in the national debt.

What did we get for it? The question has the answer in it.

And so in this case—and the battleships. That is another one. Oh, that was a beauty. Some lobbyist in town did not know what else to do, so he decided we would take those old World War II rust-bucket battleships out of mothballs: The *New Jersey*, the *Iowa*, the *Wisconsin*, the *Missouri*—four of them. We were going to take them out of mothballs and retrofit them.

That wonderful *Missouri* on which the Japanese surrendered to MacArthur in 1945, take it out, spend a half billion dollars on it, take the *New Jersey* out, spend a half billion dollars on it. Senator CHAFEE, of Rhode Island, and I stood on the floor and we almost dropped saying: "This is crazy. What are you talking about?" We might as well been hollering in a rain barrel for all the good it did.

So we took those four battleships out of mothballs and spent close to $2 billion. Do you know where they are now? Back in mothballs.

Do you remember when the *New Jersey* pounded the shores of Lebanon? When you go to the Shouf Mountains in Lebanon today, do you know what the civilians talk about? How we slaughtered innocent men, women, and children in the Shouf Mountains because that battleship was so inaccurate.

Of course, the first thing they discovered when they took it out of mothballs and retrofitted it was that those 16-inch guns shook everything out of kilter, so they had to go back and encase it in rubber, and all that sort of thing, so they could use it.

But the point is, time after time after time the U.S. Senate has had a chance to do something rational and sensible and save money, and we have steadfastly refused to do it. Battleships, B–1, B–2, and on it goes. And now, today, an opportunity to save $13.7 to $17.7 billion between October 1, 1993, and October 1, 2010, and that does not count, Mr. President, the interest on the money we are going to borrow to do those things. Double that. Compound 4½ percent interest on that $17 billion for 30 years and you wind up at $35 billion.

I saw in the New York Times yesterday where the President is getting ready to send a rescission to the Congress. A rescission, of course, is the right to cancel spending that Congress has already appropriated. The story said the President is going to recommend $10 to $15 billion in spending cuts. I do not mind telling you, I recommended to the President 6 months ago during the debate on the stimulus package that he ought to send a king-size rescission over here, and it will give all the people who have been wanting to embarrass the President an opportunity to offer amendments and say, "Well, we ought to do this and we ought to do that."

We can cut more spending than that. We heard all those arguments back during the debate on the deficit reduction package: "Cut spending first. I would not mind voting for this deficit reduction package, but it does not have enough spending cuts in it." And so we come to the super collider and the space station and the National Endowment for Democracy, SDI, and now the D–5 missiles, and the same people who lamented and railed endlessly on the floor of this body about spending cuts could not find it in their hearts to vote to cut one single dime—not one.

The Senate is back to the old stand doing business, adding to the $4 trillion debt and going home and telling the folks something. I do not know what they tell the folks back home.

Do you know another argument you are going to hear on this? The British have built four Trident submarines and they are buying the D–5 missile. Well, I think that is just wonderful, but I do not think the United States ought to be footing the bill to keep the line open buying missiles we do not need in order to accommodate the British. I think it is fine for the British to buy this. I think they are going to buy about 20 over the next 4 years, which means they probably have enough to fill up the first three Trident submarines, and they have one more to go.

Look at the savings right there. Now these are not figures that I just grabbed out of the air. These are figures that come from the budget, from the Defense appropriations bill, from CBO, from the Navy's own in-house studies. I promise you they are accurate.

If you detube the last 10 Trident submarines and say we are only going to put 12 missiles on those 10 submarines, you will cancel 133 missiles that the Navy intends to buy and that the 1994 appropriations is a part of. So you cancel those. Bear in mind, we already have—this is a point that I cannot make too many times—we already have enough missiles bought and paid for, that will be delivered by 1995, to take care of all of our needs under this option and give them five missiles to test every year for 20 years. But here is the first item: Cancel the 133 missiles, $45.7 million each. That "ain't" beanbag.

Everybody on this floor sends wish lists to the chairmen of the 13 appropriations subcommittees. I am chairman of the Agriculture Appropriations Committee, and I do not know how many requests I got. My guess would be somewhere in the vicinity of 1,000 requests from the Members of the U.S. Senate: "Please give me a million for this; please give me $2 million for that; please give me $500,000 for this."

And this year Senator BYRD, chairman of the Appropriations Committee, had to warn all of us: You have to scale back. You do not have the money you have had in the past. You cannot dole out this pork the way you have been doing it.

You think about one missile, $46 million. I could build five small, rural hospitals in my State for that amount of money. Education is failing this country miserably, not the least of the reasons being a shortage of money—$46 million for one missile. And here under this amendment we give the Congress a chance to do something. Cancel those, and do you know what that is worth: $6.1 billion. Add back to that the cost of filling in those 12 tubes on each submarine for $1 billion and your net savings is $5.1 billion. That is real. That is real money. I have seen days I did not make $5.1 billion.

And then you go ahead and cancel the backfitting of those eight submarines in the Pacific and do not buy the D–5 to put on those submarines. You save $8.6 to $12.6 billion with that one, and you lose nothing.

This would be a good amendment if the Soviet Union were still intact. If we had executed this agreement, which we did with the Soviet Union, and the Soviet Union were still in business, this would be an excellent amendment. The fact that the Soviet empire has disintegrated makes it absolutely irresistible.

So, Mr. President, there is your savings. Cancel the program now; do not backfit the first eight submarines, your strategic forces in the Atlantic and the Pacific do not suffer one iota, and the taxpayers of America save from $13.7 to $17.7 billion.

Let me make one other observation. I have said it once but I wish to say it again. Nobody in the U.S. Senate has been more committed to arms agreements than I have been. John Heinz, our late departed brother from Pennsylvania, PAT LEAHY, JOHN CHAFEE, and DALE BUMPERS stood on the floor the first 5 years Ronald Reagan was President of the United States and said even though the SALT Treaty has not been ratified, let us live by it until the Russians start violating it, and for 5 years we succeeded in not breaking out of an unratified agreement.

So I always have championed arms agreements. I am married to the secretary of peace. I would not have much choice, I guess, even if I had not felt strongly about this. She thinks she brought about the dissolution of the Soviet Union. I think she did make a contribution, but my point is this. People say you are going to destroy the START agreement. You are destroying nothing.

Now, Mr. President, let me make one topical statement before I finish. It has nothing to do with this amendment. It has to do with the Senate.

It is tragic, is it not, when you are talking about the fate of the planet and there are roughly four or five Senators in this Chamber and most of them will not have read the colleague letter sent out.

Incidentally, I should say at this time I am very happy to have Senator DORGAN as a chief cosponsor, and he will be speaking on this amendment a little later. I am happy to have the Presiding Officer, from the great State of Wisconsin, as a chief cosponsor of this amendment.

But my point is this. How do you reach the other Senators with this argument? They are off doing other things. I am not really criticizing them. Some of them are in committee meetings. I ought to be in the conference committee on Interior appropriations right now.

But this is a fairly complicated amendment. I discussed it in the Democratic caucus yesterday, and I did the very best I could to simplify it. But I felt, when I left the caucus yesterday, there were a lot of Senators who did not really fully understand it.

I also want to say you are going to hear a lot of Senators come into this Chamber and talk about patrols, the START agreement. Nobody is going to argue—the President did not and the Secretary of Defense did not—that we are placed at a military or strategic disadvantage if my amendment passes.

The Navy is going to say, well, this is the agreement we cut with the Russians, that we download all of our missiles from eight warheads to four, so we need to stick with that agreement. It would just be a nightmare to go talk to the Ukrainians, the Byelorussians, and Russia, and so on. We do not want to do that.

What you are saying is we do not want to save maybe $17 billion.

Mr. President, I will have a few more things to say and I hope we can possibly enter into a time agreement on the amendment. At this point I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I rise to support the amendment offered by the Senator from Arkansas, and to oppose any weakening amendments. I will speak only a few short minutes.

The Senator from Arkansas [Mr. BUMPERS] has raised the sport of swimming upstream in the Senate to Olympic standards. I remember, early this year, when people were proudly wearing, on their dark suit lapels, pins that said "cut spending first." "Cut spending first," that was the political battle cry early in this year. That was a battle cry that became a chant, a mantra used during the deliberations on the budget.

Well, we got through that period and then the Senator from Arkansas began to bring amendments to the floor of the Senate. He offered an amendment to cut over $30 million for the National Endowment for Democracy. How many people know that we give money to the national Republican Party, the national Democratic Party, the U.S. Chamber of Commerce, and the AFL-CIO and urge them to take this around the world and do good work with it to promote democracy? The NED is the most colossally wasteful program in the entire world. The Senator from Arkansas brought that NED amendment; he offered an amendment to eliminate the space station, a project that cannot do what it was advertised, is running far over budget, and is not needed. The Senator wrote an amendment to eliminate the super collider; and now he is proposing an amendment to save $6 billion by stopping production of the D-5 missile. We would save $1 billion this fiscal year and $5 billion in later years.

As I said, the Senator from Arkansas has made swimming upstream an art. Unfortunately, he and I and others who have helped him on these amendments have not always succeeded. That is because wearing the pin that says "Cut Spending First" is easy. That is showboating. Coming to the Senate floor, registering your judgment as an elected representative of the people, and giving one of two answers, yes or no, to the specific amendments—that is where we determine how we spend the taxpayers' money.

The amendment to eliminate funding for the National Endowment for Democracy failed. The amendment to cut the space station failed. The amendment to terminate the super collider failed. Here we are talking about tens of billions of dollars of future spending, which was voted for and supported by people who just months before had worn badges that said, "Cut Spending First."

Now the Senator from Arkansas brings to the floor of the Senate a very simple amendment. He is proposing an amendment that would save about $6 billion by stopping the production of a missile that we do not need. We will not sacrifice any of this country's security. We will not diminish this country's preparedness. We will simply save money.

There is an almost irresistible tide in the Congress of the United States to spend money. That is because all spending has a constituency: In this case it is the Navy. The Navy and contractors and others who are involved in the production of the D-5 will come up with a range of arguments suggesting that this would not be a wise course. They will list the reasons why we need to continue to fund production of this missile.

But let me remind my colleagues of one central fact. We will borrow slightly less than $1 billion today. But that is not peculiar to this day. That is true of every day this year. Every single day this year, the Federal Government will borrow $1 billion in order to support spending for which it has not collected revenue. That is not just workdays or weekdays. That is every day, 7 days a week, every week, every month. All year we are going to borrow money in order to spend it on a range of programs. Some of these programs are critically important to the American people. Some of them are terribly wasteful.

We face a fiscal crisis in this country. The Senator from Arkansas proposes one modification, one change, without sacrificing security, without sacrificing preparedness. We can save $6 billion. Now is the time for us to take a look at the merits of these arguments and say, is there an irresistible need to keep spending money we do not have on things we do not need? Or should we not from time to time take a look at the merits of these amendments and decide yes, this makes sense, now is the time to cut back? Cutting spending is real. It is more than just a chant.

I want to commend again the Senator from Arkansas for this amendment, and tell him I not only support it, but I also support it enthusiastically. This amendment makes good sense.

Let me say to the chairman of the subcommittee, the Senator from Hawaii, I understand the job he does. He has done a wonderful job for many years. It is not easy to allocate scarce resources among those who have unlimited wants and needs. However, in this instance I think the Senator from Arkansas has proposed an amendment that will warrant attention and support by the entire Senate, and I hope we will see this amendment pass today.

Mr. President, I yield the floor.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I find no pleasure in rising to speak in opposition to this amendment.

May I say at the outset that the statistics and numbers presented by the very distinguished Senator from Arkansas are correct. They are based upon numbers and statistics presented by the Department of Defense. The only area that may be questionable would be the dollar figures. But I believe that this is a fundamental issue involved there, not in this amendment alone but in the bill before us. And the issue is the question: Have we, the inhabitants of this planet, reached the stage of development in which we can assure ourselves that peace is finally upon us? That is the question before this House.

I will agree with everyone here that defense spending has been painful and expensive, but we must also admit that since the end of World War II, because we were willing to spend this money, our people have not had to suffer the agony and the misery of a world war.

Yes, we have had Grenada, Panama, Lebanon, and the desert war, but none of the magnitude of World War I and World War II.

Yes, the wall is no more. It is now a place for souvenir hunters to pick up bits of concrete. The Soviet Union that we knew 5 years ago is part of history. But yet, Mr. President, I think we should be aware at this moment that the Russian Government is still producing and procuring multiple warhead ICBM's, intercontinental ballistic missiles, at a time when they are telling us they are poor and destitute. Mr. President, they are still producing and procuring multiple warhead ICBM's.

The question is why? At this moment the nuclear arsenal of the Russians is greater than that of the United States. That is fact. Mr. President, when the wall came down, there was sudden euphoria in this Nation. Many believed that the long-sought peace was finally upon us.

And back to the point, 10 months before Desert Storm, all of us, Members of this Senate, our intelligence community, were convinced that the Middle East had finally reached that state of grace. Decisions were made by the Department of Defense to dismantle the central command, put it out of business. It was no longer needed. Decisions had been made to retire General Schwarzkopf, that his services were no longer necessary. But there are some of us who felt otherwise. But I think we should remind ourselves that many of our colleagues had very pleasant visits with Saddam Hussein. And many of our colleagues returned to this floor to declare, in ringing terms, what a great person Saddam Hussein was, that he was the "Prince of Peace." But then we found ourselves in a shooting war.

Last evening, I watched a program on one of our networks, and it spoke of the strange mystery of a squad of men in the Naval Reserve. These men had served in the desert, and all of them came down with strange ailments. Now one of the agencies of this Government is suggesting that they are victims of chemical biological warfare.

Mr. President, I wish I could come before this body and assure my colleagues that there is peace; that we can further cut defense. In the last 5 years, we have cut out $100 billion. Three years ago, we had 2.1 million men and women in uniform; today, it is 1.4 million. Yes, we are cutting down defense. But the question is: Have we reached a stage where we can cut further?

I wish I could tell my colleagues that we need not lose any sleep over the Koreans. I have no idea what the leaders of North Korea have in mind. What about India and Pakistan? Are they embracing each other? Why are they producing nuclear devices? Is it for energy production, or is it for weapons production? Mr. President, I have no answers. I wish I had the good sense to be like some of my colleagues and say, "Do not worry; peace is upon us."

Mr. President, I was prepared to accept the amendment as it was originally drafted. The original draft of this amendment included a phrase that read as follows: "* * * or until the President has certified to Congress that such cause of action would not be in the national interest."

I think this would cover circumstances of uncertainty. I think all of us should keep in mind that though communism as a threat may not be a viable one this day, we do have another threat, and that is uncertainty.

So, Mr. President, I wish to amend the pending amendment.

AMENDMENT NO. 1028 TO AMENDMENT NO. 1027

(Purpose: To reduce the amount of funding provided for the Trident II Missile program)

Mr. INOUYE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUYE] proposes an amendment numbered 1028 to amendment No. 1027.

Before the period add the following: "or until the President has certified to Congress that such course of action would not be in the national interest".

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I am hopeful that the Senator from Arkansas will see fit to restore this language to his amendment. I join the Senator from Hawaii in expressing a reluctance; we have to really support funding for these continued funds for systems such as this. But we do so because it is the request of the administration, and it also is the request of those who tell us what we need to maintain our defenses.

At one time, the Senator from Arkansas was speaking and said that we "could have our money." I am sure our friend from Arkansas meant the Senator from Hawaii and this Senator. If we could possibly do so, we would shift this money to other problems that we work every day to solve. I want to assure the Senator from Arkansas that we do not present these systems to the Senate because this is something that will benefit us or benefit our States, or in any way because of a commitment to continued production of systems we do not need.

I am convinced that we must continue to maintain these systems, to have these weapons, until the peace, as the Senator from Hawaii has indicated, is actually here.

Furthermore, I believe that the systems that we have financed in the past, as the Senator from Hawaii has said, did in fact bring about the changes that we have seen in the world, because we had demonstrated our willingness to defend ourselves and to meet every challenge that was offered by the former Soviet Union.

But, in my judgment, this amendment of the Senator from Arkansas, without the clause that the distinguished chairman of the subcommittee asked to be reinserted, could not be accepted and ought not to be adopted by the Senate. To put us in the position where the President of the United States would have to make an offer to the former Soviet Union, and the Russians would have to accept it in order to change the policy of the United States, I think is wrong at this time.

So I say to our friend from Arkansas that the original amendment was an amendment that we could accept. It still would maintain the control of the President of the United States as Commander in Chief over the future of this system.

As such, I would not have any objection to it in that form.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, first of all, I want to say that I sit on the Defense Appropriations Subcommittee, which my very good friend, the Senator from Hawaii, chairs, and of which my good friend from Alaska is ranking member.

There are no two Senators for whom I have a higher respect and a greater personal friendship.

These things really transcend friendships, and they understand that and I understand that. It has nothing to do with the way we feel about each other. It has to do with basic disagreements about the way we spend money.

I want to especially thank the Senator from Hawaii, the distinguished chairman of the committee, for saying that my figures are generally correct.

I must say, when you consider the fact that the chairman of the committee does not challenge the fact that we have an opportunity to save between $13.7 and $17.7 billion between now and the year 2010—and when you compute the interest at 4½ percent for 35 years on that amount of money, compute it from the day we are going to spend it, the savings reach almost $35 billion —when you consider the fact that we have here this morning the opportunity to save $35 billion, for a Nation that is hopelessly and deeply in debt, whose problems are not being solved but continue to escalate, but more importantly, the saving of $35 to $40 billion, and losing nothing militarily or strategically, I submit to you, Mr. President, the U.S. Senate has never had such a perfect opportunity.

I listened very carefully to my good friends from Alaska and Hawaii for some rationale for spending this money. I listened very carefully, hoping that they would say we lose something militarily or strategically or our forces or our Nation is going to be placed at risk if this amendment is adopted. None of that.

I do not think they feel this way, but I can tell you there is a sort of mindset in this place that you have to keep these lines open, you just have to keep spending money for something.

The Senator from Hawaii said something that I do disagree with partially when he said, yes, defense spending is painful, but went ahead to say it is necessary for the security of the country. I disagree with that. I do not think defense spending is painful. I think the defense of the Nation ought to be utmost in every Senator's mind.

What I find painful is spending money senselessly. What I find painful are things like the B-1 bomber and the B-2 bomber and spending $35 billion on missiles that we do not need to spend and lose nothing by saving.

One of the reasons that is painful to me is because this great Nation of ours is in decline by any measurement you want to use, economically, politically, socially, culturally.

I tell high school and college kids in graduation speeches and other times I talk to them, we have even lost the art of saying, thank you, please, excuse me, pardon me, I am sorry. We do not even do that anymore. We get out of the car and blow someone away if they honk their horn at you. If that is not a cultural deterioration of the Nation, I do not know what is.

We have an educational system that is failing us miserably. Everybody knows it. If you do not believe it, do you know where our 10th graders stand in math and science against the other 16 developed nations of the planet? Last, dead last. Do you want to know where we stand in social studies, geography, history, philosophy? Thirteenth out of seventeen developed nations.

What is the principal topic of conversation in America today? Health care reform. Do you know what the principal topic of that is? The cost. People say, well, the White House is deluding us. They say it is going to cost more than we think it is going to cost.

I would like to say to Hillary Clinton, a dear woman, and I am proud to call her a good friend—I want to say, "Hillary, why don't you help me save $35 billion to help pay for your health care plan?" I am not going to try to involve her in this. This is really the President's bailiwick. What I am saying is we talk about how we are going to provide health care for everybody in the country and how we cannot afford it, and we walk in here and cavalierly vote against an amendment that would save $13 to $17 billion.

You know what is painful to me? It is our priorities. We have an uncertain economy. We consider ourselves a great Nation, and listen to this. The highest crime rate of any nation on Earth? Not Colombia, South Africa, Russia, or China. They are not in our league. That is a fact. Our crime rate exceeds any other nation. We overtook Colombia 2 years ago, the drug nation of the planet, and our crime rate is greater than theirs.

I read someplace where Hillary Clinton said after health care she would like to become involved in that. I would certainly like for her to. She is a brilliant woman. Maybe she can give us some ideas.

But I can tell you the crime rate is basic, aided and abetted by television and Hollywood. I do not care how long and hard they protest. That is a part of the reason—maybe the main reason—for the crime rate of this country.

And as to public broadcasting, the only sane television still available to us has lost viewership every year for 4 years now. Someone will call and say that is wrong. Maybe it is. I hope it is. If I were raising children, I would block off every channel except Discovery, A&E, and PBS.

But that is not what this amendment is about. This amendment is about spending money senselessly and wastefully.

You did not hear anybody say, Senator, the Russians are going to come and get us if this amendment is adopted. You did not hear anybody say we need more warheads, because we are talking about precisely the same number of warheads that are in the bill, that are in the START agreement. We are just talking about how you are going to equip our submarines so we come out with 1,728 warheads. You can do it the Navy's way or you can do it my way and save $17 billion, and the Senator from Hawaii does not deny the figure.

And 25 percent of the children in this country—you think about this—25 percent of the children in this country are living in households below the poverty rate. Do you think you are going to get crime in this country under control when that situation exists?

Shame of the Nation. Shame, shame of the Nation.

In the 1950's, we began improving the plight of the elderly. You know the elderly poverty rate in this Nation used to be 25 percent in the 1950's. Now it is down to about 11 percent because of Social Security, Medicare, and cost-of-living increases, and we beat our chests because we are proud of it. And while we did that, the most vulnerable among us, our children, who do not vote—they do not vote, so we do not hear their cries—and 25 percent of them, one out of every four children in the country are living below the poverty line.

Do you think you are going to deal with the crime rate? Have you heard people talking about how the President wants to put 100,000 more police on the street and the people are saying how are you going to pay for it? That is a very good question.

Mr. President, I have $17 billion for you. All you have to do, Mr. President, is say you think this is a good idea and you have picked up $17 billion, and counting interest over the next 35 years, $35 billion. That just does not seem like it ought to be too tough. If I were President of the United States I would jump on that like a chicken after a June bug. I would pick up the phone and I would call old Boris and I would say, "Boris, have I got a deal for you." You know what Boris would say? "That sounds good to me." But nobody wants to give Boris Yeltsin the chance to say that because we have to keep the line open.

Mr. President, I do not know of anything else I would say about this. Some people love to talk about the deficit, which you simply cannot get them to deal with. They are not really serious. It is all rhetorical. We go home and tell the chamber of commerce how terrible it is.

Incidentally, let me just say one other thing that is something of an indictment of the U.S. Senate. You know the House of Representatives keeps killing all these programs and cutting spending and the Senate keeps resurrecting them. They killed the National Endowment for Democracy by an overwhelming vote, and when I offered the same amendment here, I got 23 votes. Mr. President, that is the least number of votes I have ever gotten in 19 years since I have been in the Senate.

Someone said, well, Senator, the National Endowment for Democracy is giving somebody a grant and Mrs. Bumpers is going to go to Russia with this group. And I said Mrs. Bumpers can stay home. I got 23 votes.

And the House killed the super collider by 130 votes. What did we do? We resurrected it, 57 to 42. They almost killed the space station, lacked 1 vote killing the space station in the House while we voted overwhelmingly to resurrect that sucker, even though there is not one Member in the Senate who can tell you what the space station is going to do. They cannot tell you what it looks like. They cannot tell you when we are going to deploy it. Nothing. You know, I think if I had said during that debate, "We have been kidding you all this time; there is no such thing as a space station, no work has ever been done; that $8 billion went for parties, whiskey and cigarettes, there is no space station," I do not think the vote would have changed one iota.

People walk in here determined to vote for those things, regardless of what the debate is.

I started, and did not finish, a train of thought earlier about how many Senators are going to pour through that door and vote on this amendment without a clue as to what this debate has been about; about how much savings; nothing.

In all fairness, the House defeated this amendment by 230, I think, to 183.

Well, Mr. President, I was going to offer another amendment, but I think it would be good for the Senate to vote on this, just because I think it would be educational for the people to come in here and at least know what they are voting on.

The Senator from Hawaii has been trying to be cooperative. I want him to know I appreciate that. I think a rollcall vote will be healthy for all of us.

With that, Mr. President, I ask for the yeas and nays on the second-degree amendment.

The PRESIDING OFFICER (Mr. KERRY). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there any further debate?

If not, the question is on agreeing to the amendment of the Senator from Hawaii [Mr. INOUYE] to the amendment of the Senator from Arkansas [Mr. BUMPERS]. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Connecticut [Mr. DODD] and the Senator from California [Mrs. FEINSTEIN] are necessarily absent.

I further announce that, if present and voting, the Senator from California [Mrs. FEINSTEIN] would vote "yea."

Mr. SIMPSON. I announce that the Senator from Oregon [Mr. HATFIELD] is necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 63, nays 34, as follows:

[Rollcall Vote No. 309 Leg.]

YEAS—63

Akaka
Baucus
Bennett
Biden
Bingaman
Bond
Breaux
Burns
Campbell
Chafee
Coats
Cochran
Cohen
Coverdell
Craig
D'Amato
Danforth
Dole
Domenici
Durenberger
Exon
Faircloth
Ford
Glenn
Gorton
Graham
Gramm
Gregg
Hatch
Heflin
Helms
Hollings
Hutchison
Inouye
Kassebaum
Kempthorne
Kennedy
Levin
Lieberman
Lott
Lugar
Mack
McCain
McConnell
Moseley-Braun
Moynihan
Murkowski
Murray
Nickles
Nunn
Packwood
Pressler
Robb
Rockefeller
Shelby
Simon
Simpson
Smith
Specter
Stevens
Thurmond
Wallop
Warner

NAYS—34

Boren
Boxer
Bradley
Brown
Bryan
Bumpers
Byrd
Conrad
Daschle
DeConcini
Dorgan
Feingold
Grassley
Harkin
Jeffords
Johnston
Kerrey
Kerry
Kohl
Lautenberg
Leahy
Mathews
Metzenbaum
Mikulski
Mitchell
Pell
Pryor
Reid
Riegle
Roth
Sarbanes
Sasser
Wellstone
Wofford

NOT VOTING—3

Dodd
Feinstein
Hatfield

So the amendment (No. 1028) was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. NUNN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Mr. President, I urge adoption of the underlying amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to amendment No. 1027, as amended.

The amendment (No. 1027), as amended, was agreed to.

Mr. STEVENS. I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1029

Mr. INOUYE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Hawaii [Mr. INOUYE] proposes an amendment numbered 1029.

Mr. INOUYE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 91, beginning on line 11, delete the text of section 8051 and insert in lieu thereof the following: "Notwithstanding any other provision of law, a qualified Indian tribal or Alaska Native Corporation which enters into a joint venture with a qualified small business concern shall not be denied the opportunity to compete for and be awarded a procurement contract to supply a product under the program provided for by section 2323 of title 10, United States Code, solely because the Indian tribal or Alaska Native Corporation is not the actual manufacturer or processor of the product to be supplied."

The PRESIDING OFFICER. Without objection, the committee amendments are set aside temporarily.

Mr. INOUYE. Mr. President, this amendment has been cleared on both sides. We are prepared to accept it.

Mr. STEVENS. Mr. President, it is an acceptable amendment dealing with the problems of Indian tribes in contracting with the Department of Defense.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1029) was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I rise, first of all, to thank the senior Senator from Arkansas for his efforts on the last amendment. I regret, once again, we did not succeed in making an obvious cut, but we have to proceed through this bill and try to succeed on some of the other amendments.

As we consider the fiscal year 1994 defense appropriations bill, I think more and more people need to come out here and speak about another matter that is integral to our national security, and that is the Federal deficit.

At the end of the cold war, we can and should reduce and eliminate costly, irrelevant and anachronistic projects in the defense budget, as well as excessive costs within the Department itself. I think this is part and parcel of the peace dividend. The peace dividend was promised to the American people who had to pay, in the first place, for the military buildup against the Soviet Union. By 1991 and 1992, the Bush administration tried to basically create an impression that the United States military had been drastically cut back to adjust to the end of the cold war. But, of course, the reality is that this country still sustained a roughly $280 billion in defense outlays in the 1993 budget when President Bush left office and the military has not really undergone the structural changes called for in a new world security situation.

As President Clinton came into office, he made, I think, a genuine effort to address the crisis of deficit reduction and called for even more defense cuts. I congratulate the chairman of the Appropriations Committee for at least bringing down defense appropriations by more than $13 billion in this bill from last year's enacted level of $253 billion down to $239 billion for fiscal year 1994. These are the kinds of cuts we need. But I would suggest we consider even deeper reductions as demands on military spending decrease.

We should not only trim the military budget, we should also, Mr. President, restructure a meaner, leaner force which adjusts to national security threats, and we should also clean up the Department which, over the years, has developed some wasteful, if not strange, procurement policies and a number of slush funds, like the M accounts.

This year when Secretary of Defense Les Aspin proposed the defense budget, he acknowledged that given time constraints, this budget was what he called the treading water budget. Mr. President, I think given our deficit problem, we cannot have a treading water year for the U.S. Senate.

The Bottom-Up Review of Secretary Aspin recently completed was intended to provide a fresh look at the mission, structure, and cost of the U.S. Armed Forces. It concluded that American national security apparatus must be configured to fight two conventional wars at the same time. For example, Iraq and North Korea. Now, that is a dramatically different mission than combating a high-technology nuclear threat of another superpower.

However, this DOD budget we are considering today does not reflect that dramatic difference. It is still extraordinarily high at $239 billion. In combination with other components of the military budget, such as military programs within the Department of Energy, military spending in space programs, intelligence accounts, additional military retirement pay and veterans benefits, our spending, though reduced somewhat significantly, is still out of control. Our military strategy must assume that the United States can deter potential adversaries in areas vital to our interests. We do have to respond to threats which may endanger an entire region. We do have to reassure our friends and allies, particularly in the Pacific, Eurasia, the Middle East, and Latin America, that we still support regional security.

Mr. President, we have to reinforce deterrence by maintaining the sum level of strategic nuclear capability, and I accept and agree that we have to promote some sort of collective security to address international problems.

These goals are also articulated in the Bottom-Up Review which describes several different threats to U.S. national security interests, including economic interests and competition, nuclear proliferation and, of course, what we have seen a great deal of in this past year, ethnic conflicts.

While these are all very serious—they are dangerous threats; they are challenging problems—these issues do not, fortunately, always require military solutions or a major military-industrial-scientific complex of the current size to address them. The Bottom-Up Review also named several potentially hostile countries, and states:

> Regional threats against which our forces have been sized in this study are the following kinds of countries: Iraq, Iran, North Korea, Syria, Libya, maybe Cuba.

Mr. President, I submit that although this is a concern, this is hardly the superpower threat of the Soviet Union which we once did face.

A look at the 1992 annual military spending of these six countries reveals that combined, they spent less than 8 cents to every dollar the United States expended on its military forces. Our Armed Forces have more than twice as many tanks, aircraft, and helicopters as all six of these potential enemies have combined. Beyond that, none of these countries possess seagoing navies which can even rival the U.S. forces.

Nonetheless, according to the Bottom-Up Review, these threats require, somehow, the United States to maintain its current production of cold-war weaponry and its present level of military forces. In other words, Mr. President, it promotes unacceptably high levels of defense and deficit spending and too much continued support of the military-scientific-industrial complex which is overburdening our Federal deficit and causing far too much spending.

When we have voted upon cuts for several massive spending projects in this body—and these cuts have been most often proposed by the very able senior Senator from Arkansas—when we have tried to eliminate such things as the space station, the superconducting super collider, the GWEN communications system, we have in all but four cases this year voted to maintain the programs and, in most cases, to maintain them at the current levels.

Furthermore, I know of several cases where Senators were not even willing to go to the floor with their proposals for cuts because they knew for sure the votes just would not be there. So despite the end of the Soviet threat, despite the repeated acknowledgements that we must overhaul our military, despite all the national attention that has been focused on the Federal deficit, the fact remains that the U.S. Department of Defense is still a huge bureau commanding the most powerful military in the world by a substantial margin.

Just as one example, according to the respected journal, Defense News, in 1992, the United States spent $282.6 billion on defense, although the United Kingdom, certainly not the size of the United States but an important military partner, spent only $42.1 billion, about one-seventh of the United States defense budget.

In 1993, the United States will spend $259 billion, compared to China, now defined as one of the leading security threats, which spent $30 to $45 billion, according to Pentagon estimates. By 1992, U.S. military spending claimed almost 60 percent of all Federal discretionary funding, and that is about 5 percent of the entire U.S. gross domestic product. Military products were, after agriculture, Mr. President, the second-largest U.S. export. Furthermore, the Defense Department is the largest Department of the Federal Government, employing over a third of all civilian employees.

Mr. President, now that the cold war is over, the Pentagon and the defense contractors are fighting very hard against reduction. Rather than preparing for a generalized European war, which perpetuated the military-industrial-scientific complex for 50 years, the search is now on for new justifications for military spending. Like so many other constituencies I have witnessed this year, this industry is really fighting for the status quo. They are fighting against change. They, of course, want us to make the reductions elsewhere.

Mr. President, we are in a different age, in a drastically different time than the cold war years, which precipitated all this spending. We cannot afford to continue programs simply because there is a good enough reason to continue them. Rather, we must continue programs because we absolutely need them. We must prioritize all Government-funded programs and fund only those which are absolutely vital. That is really all we can afford, and we have to start making those hard decisions.

Just as we are swallowing hard medicine for domestic programs, we have to start setting some much tougher, some very high standards for continuing many of these defense contracts.

We will hear many arguments today that we must protect one program because of the jobs it will save in one State or many States. As powerful an argument as this is, and it is often very compelling from a human point of view, I have to say this is not the purpose of the Defense appropriations bill. The defense bill is supposed to finance our national security. Digging deeper into the empty Federal pockets is not national defense. Asking taxpayers throughout the country to finance the jobs of only the defense industry is not fair, and it does not serve our national security.

Mr. President, it is time we climb out from under the heavy cloak of national security and take advantage of the end of the cold war; that we take this opportunity to address the other national security crises which threaten us, our children, and our grandchildren.

Toward that end, Mr. President, I will support a number of amendments to this bill which could greatly reduce our defense spending and, in my view, begin to right-size the military to fit all of our national security needs.

The first, of course, is the amendment that we just attempted on the Trident missile. I will not go into the details, but I just again express my disappointment that we were not able to make the very reasonable cut the Senator from Arkansas proposed. But let me move on to other items that will come before us.

Ballistic missile defense. Last month, the Senate did vote to reduce spending for ballistic missile defense, formerly known as SDI. That was one of few bright moments in terms of deficit reduction I have seen out here this year. We reduced it to $3 billion, and I applaud the committee's recommendation to bring it down even a little further, to $2.8 billion.

However, where this bill recommends $684 million for one part of the BMD, the so-called limited defense system, formerly known as national missile defense, the Bottom-Up Review itself only calls for $600 million of LDS funding. I think the amendment of the Senator from Arkansas to cut $84 million from the LDS budget makes good fiscal sense and is consistent with the administration's projections for BMD. So I urge my colleagues to support that.

I also urge my colleagues, later in the day, hopefully, to support the amendment on the intelligence budget. This has been another source of bloated spending, mostly because, as it was covered in a black budget, it lacked the transparency and the scrutiny of the public. Without a doubt, though, it benefited from the national security spending frenzy which characterized the entire cold-war era.

Despite the end of the cold war, the unclassified intelligence budget for DIA, NSA, the CIA, and other departments still sits at $28 billion a year. This was the same as last year. Our unclassified intelligence budget is almost as great as all of the military budget of France, and is greater than the entire military budgets of Italy, North Korea, and Israel, according to the CIA.

Senator BUMPERS' amendment in this area would reduce the intelligence budget by $400 million. It is really only less than 1 percent. But it would cut the intelligence budget, just as other budgets have been cut.

I do not see how this would prevent the United States from continuing to do the important things it must do in the intelligence area such as tracking arms shipments, monitoring proliferation activities, and following various activities in other countries.

To meet these reductions, I would also support many of Senator MOYNIHAN's suggestions to adjust our classification systems to make them more reasonable. I was also intrigued by his proposal to abolish the CIA not only as a cold-war relic, but also as a redundant agency given the intelligence bureaus throughout the Government.

THEATER MISSILE DEFENSE

While there are solid strategic reasons to continue theater missile defense, we can help defray the costs with the support of our allies who also benefit from their deployment. Senator SASSER's amendment on TMD burdensharing addresses both of our national security problems: Tactical ballistic missile threats and the Federal deficit.

The Sasser amendment takes an original view toward U.S. military responsibility in the post-cold-war world. Since the inception of SDI in 1983, the United States has spent about $32.5 billion on ballistic missile research and development, according to the Congressional Research Service. In 1993 alone we spent $1.1 billion—a 500-percent increase in just 3 years.

Our allies, on the other hand, have expended only $500 million on the program since 1983. Yet theater range missiles pose a greater threat to our allies in Europe, Asia, and the Middle East than they do to U.S. interests.

We need their help in funding this program. The administration requested $1.8 billion for theater missile defense in fiscal year 1994, and has indicated its support for a $12 billion TMD Program over the next 6 years. I am not arguing about the importance of this program; I am just saying that we have an opportunity to lessen the Defense burden on our budget, and we should seize that opportunity today.

Under the Sasser amendment Congress would budget annual TMD spending levels to address the threat to our national security. The United States would fund 80 percent of that amount, and our allies would cover 20 percent in fiscal year 1995, with their portion increasing over time.

There is a provision included in this amendment which would permit the President to waive the payment requirement if it is in our national interest.

Mr. President, this amendment of the Senator from Tennessee is a creative amendment, designed to address the same multilateral security arrangements we are experimenting with in many parts of the world. It comes at almost no cost, and potentially saves us hundreds of millions of dollars. I hope very much that it will be adopted by the Senate.

"SEAWOLF" SUBMARINE

Mr. President, I was not here last year when the Congress decided to build 2½ *Seawolf* submarines, but I am aware of the debate about the program's overall relevance in the post-cold-war world and the cost effectiveness of the program. The solution the Congress crafted was certainly interesting, and seems to have put off the sensitive debate on the third boat. This year we will have an opportunity to vote on funding for the half a boat funded last year.

While the first two boats are under construction—and unfortunally well above cost at that—I do not see the benefit of terminating the program right out. However, construction on the third *Seawolf*—which is only partially funded as is that we have an opportunity. We should rescind those funds now and save the money, rather than be put in the awkward position later of having to finish something we probably should not be starting in the first place.

Finally, Mr. President, I am interested in and am supportive of the amendments that will hopefully be coming before this body today on the administrative procedures.

ADMINISTRATIVE PROCEDURES

In addition to program rightsizing, we should also take advantage of this opportunity to streamline administrative procedures at the Department of Defense. I complement my colleagues Senators GLENN, PRYOR, and GRASSLEY, particularly, for their work in trying to cleanup the Pentagon procurement system, which is by far one of the most obscure, complex, and Byzantine systems around.

The great advantage of the dissolution of the Soviet Union for America is that we should now be able to profit from the vast resources we have in this country. Unfortunately, though, for decades we will be paying the interest alone on the costs of the cold war and the military-industrial-scientific complex it spawned. It is a shame that we are throwing away those resources. It is a lost opportunity to only tread water this year. We have the chance to reverse that this year and next by cutting waste, by cutting programs which just have not fulfilled their mission, and by cutting programs whose missions have been fulfilled. If we can control our deficit spending, then maybe we can begin to truly benefit from what does matter.

I would like to conclude by expressing it through the words of President Eisenhower who said in April 1953:

> Every gun that is made, every warship launched, every rocket fired, signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone; it is spending the sweat of its laborers, the genius of its scientists, and the hopes of its children.

Mr. President, I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona [Mr. MCCAIN] is recognized.

Mr. MCCAIN Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The Chair advises the Senator that there is a committee amendment pending at the present time.

Mr. MCCAIN Mr. President, I ask unanimous consent that the pending committee amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1030

(Purpose: To limit the use of funds for the SSN–21 attack submarine program)

Mr. MCCAIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

> The Senator from Arizona [Mr. MCCAIN], for himself, Mr. D'AMATO, and Mr. SMITH, proposes an amendment numbered 1030.
>
> On page 157, between lines 9 and 10, insert the following:
>
> SEC. 8142. Notwithstanding any other provision of this or any other Act, the total amount obligated or expended for procurement under the SSN–21 attack submarine program may not exceed $4,673,371,000.

Mr. MCCAIN. Mr. President, the purpose of this amendment is simple. It is to cap the expenditure of funds for the purpose of constructing the SSN–21 and SSN–22. I have always stated that America requires a balance of the right kinds of weapons systems and platforms for our national defense. Submarines are part of that balance.

Submarines are valuable contributors to special operations, can contribute to overland strike warfare, and are critical to the maintenance of sealane control.

Submarines are now and probably always will be an important part of our force structure. Although I have strenuously objected to the program in the past, *Seawolf* has been made a part of that force structure, and so be it. I know our brave submariners will do their best to make the program work.

However, Mr. President, the time has come to put an end to any further cost growth of the *Seawolf* Program. This program is typical of what happens when pork barrel projects are authorized. They grow far beyond their original cost and live on indefinitely.

As I stated earlier, the *Seawolf* Program has grown more expensive since its inception, seemingly by the day. In a letter dated July 22, 1993 from Vice Admiral Owens, he stated that the *Seawolf* Program construction costs were $4.45 billion for the SSN–21 and SSN–22. That was in July. Then on September 13, in a letter to Senator NUNN and Congressman DELLUMS, the Secretary of the Navy stated that the costs were now up to $4.673 billion. That is a cost increase of $268 million in only 2 months.

These totals do not include the associated research and development test and evaluation costs for these two submarines, which brings the average cost, Mr. President, per submarine to $5.2 billion.

I repeat. Each *Seawolf* submarine is going to cost the American taxpayers $5.2 billion, and now we want to move forward with a third one, which will be the subject of an amendment after this.

Mr. President, I ask unanimous consent that Vice Admiral Owens' letter and the letter of the Secretary of the Navy be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY,
Washington, DC, September 13, 1993.

Hon. RONALD V. DELLUMS,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to provide the information requested in H.R. 2401 Subtitle C, Section 122, regarding the best estimated costs of producing SSN–21 and SSN–22, and the proposed use for the $540 million made available by Public Law (P.L.) 102–298 for preservation of the submarine industrial base.

The SSN–21 and SSN–22 current estimated end costs are $2,395 million and $2,278 million respectively. These figures exceed the amount appropriated for SSN–21 and SSN–22 by $41 million and $292 million. The primary factors for these increases are costs associated with the truncation of the SEAWOLF program. These increases were reflected in the FY 1993 Ship Cost Adjustment (SCA) which was presented to congressional staffs of the Authorizations and Appropriations Committees on July 19, 1993. A list of currently available department assets was provided to address the overall SCA shortfall. These assets are sufficient for SSN–21/22 requirements.

The Department of Defense Bottom Up Review has concluded that construction of the SSN–23 will be the most effective alternative to bridge the submarine industrial base gap to the authorization of the New Attack Submarine. Therefore, the $540 million provided by P.L. 102–298 will be used to support critical long lead items for SSN–23.

I hope this response adequately addresses your concerns. Similar letters have been sent to Chairman Nunn, Inouye, and Murtha. As always, if I can be any further assistance, please do not hesitate to contact me.

Sincerely,

JOHN H. DALTON,
Secretary of the Navy.

DEPARTMENT OF THE NAVY, OFFICE OF THE CHIEF OF NAVAL OPERATIONS,
Washington, DC, July 22, 1993.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: Thank you for your recent letters on the status of naval aviation and submarine procurement. The Office of the Secretary of the Navy has asked me to respond to your inquiry in light of Mr. Dalton's official status and my active involvement in the Bottom-Up Review (BUR) process. I have reviewed your concerns and would like to provide you with the Navy's strategy on the issues you have articulated. As you know, this strategy and the associated programs are under review in Secretary Aspin's Bottom-Up Review, hence no final decisions have been made.

The Navy's number one tactical priority is to deploy power projection capability on its aircraft carriers, as stated in testimony. And we agree that power projection from our aircraft carriers is still the primary mission of Naval Aviation, as you have noted. The Naval Aviation plan, as proposed in the Bottom-Up Review, continues to provide that all-important capability into the 21st century. As we have proposed in the FYDP, our Naval Aviation plan calls for the procurement of the F/A–18E/F (a significant upgrade to the C/D which will cost only ¼ the R&D (about $5B) required for a new aircraft), a modest air-to-ground upgrade to the F–14, and the continuation of the joint development program associated with our high-end requirement. Additionally, we are pressing ahead with our next generation stand-off and precision guided munitions.

The introduction of the F/A–18E/F will correct the impending tactical and hardware limitations of the fleet's primary force structure asset, the C/D. The upgrade plan was given priority because of the near term F/A–18C/D lack of capability to project power, carrier deck management issues related to cycle time, the impending arrival of our next generation weapons including stand-off and precision guided munitions and the affordability issues associated with the reductions in defense spending confronting us. In response to your concerns for the E/Fs' "range, payload and sophistication," I have enclosed a paper which provides you with the F/A–18E/F's inherent capabilities.

To ensure that Naval Aviation's power projection capability is not adversely affected during these critical budgetary times, we have proposed a moderate and affordable precision weapons delivery capability for the F–14. This modification, known as the Block I strike upgrade, will provide our remaining F–14s with FLIR/Laser capability, improved HUD, new INS/GPS, night vision equipment, ALE–50, air-to-ground radar software modifications and air-to-ground weapons integration. We recognize that these proposed modifications to the F–14 will not wholly replace the A–6's capabilities, but Naval Aviation agrees that with the F/A–18E/F, all necessary power projection capabilities will be sustained through the arrival (~2011) of our next generation aircraft, an AF–X-like aircraft (procured jointly with the Air Force). This new generation aircraft will be an imperative at that time to allow Naval Aviation to remain strong through the first half of the next century.

Recapitalizing our decks with the F/A–18E/F and the power projection capabilities provided by the F–14 Block I strike upgrade, Naval Aviation will be prepared to move into the 21st century. With this plan, we believe we have proposed an affordable procurement strategy that maintains the power projection capability inherent in our forward deployed carriers.

Concerning cost over-run issues with the SSN–21 and SSN–22 programs, the following provides the SCN costs for these two ships:

[In millions of dollars]

	Ships	
	SSN–21	SSN–22
Fiscal year:		
1987	375.0	
1988	257.6	
1989	1,272.7	207.5
1990		194.4
1991		1,560.1
1992	164.4	48.0
1993	284.8	40.1
Total	2,354.5	2,050.1

Ship Cost Adjustments (SCA) for the SEAWOLF program have resulted from contractor Requests for Equitable Adjustments (REA) for HY–100 welding problems, government termination and subsequent reversal of the construction program, and litigation resulting from the SSN–22 contract award. Settlement of a majority of these REA's has been reached totaling $331M for the SSN–21 and $265M for the SSN–22. Outstanding REAs on the order of $150M still remain to be settled. None of the $540M specifically authorized for the preservation of the submarine industrial base has been or is planned to be used by the Navy to fund these SCAs. Additionally, there is no intent by the Navy to use the funds from SSN–23 or the New Attack Submarine (NAS) program to pay for SCAs associated with either SSN–21 or SSN–22.

The Navy shares your concern on the impact that severe defense budget cutbacks have on CVN–76 funding. Pending the outcome of the BUR, we stand firm on our proposed plan to fund CVN–76 in FY95.

The Navy's recommended plan for the preservation of the submarine industrial base has three components: (the Bottom-Up Review will make the final determination on these issues).

I. Construction of the CVN–76 in FY95;

II. Construction of a third SEAWOLF (SSN–23) submarine in FY96;

III. Authorization of the NAS in FY98.

We believe that procurement of SSN–23 in FY96 is the most cost effective construction alternative to bridging any gap in the submarine industrial base since major propulsion components have already been authorized. The use of the $540M of FY92 submarine industrial base funding for SSN–223 will lead to a remaining construction cost of $1.4B to $1.6B in FY96.

The New Attack Submarine will be the follow-on to the SEAWOLF class and will maintain the submarine industrial base into the 21st century. NAS is currently expected to reach a Milestone I DAB in September 1993. The projected SCN funding requirement (RAD V) for this submarine is:

Fiscal year:	*Millions*
1994	
1995	
1996	$576
1997	258
1998	1,952
1999	752
Total	3,535

The obligation of the $540M for the preservation of the submarine industrial base has been held pending the completion of the Bottom-Up Review. If the BUR approves the Navy's plan to build SSN–23, immediate access to these funds will be required to procure long lead components to support a FY96 construction start.

I hope this response satisfactorily addresses your concerns. If I can help in any way on these or other matters, please just ask me.

Sincerely,

BILL OWENS.

FA–18E/F FACT SHEET

BASIC UPGRADES

3600# additional internal fuel (33% increase).

Improved inlet design.

2 additional wing stations (22% increase).

Aerial refueling store compatibility.

F414–GE–400 engines (22,000 lb thrust class, 35% increase).

3,000/5,000 psi hydraulics.

500 sq. ft. increase in wing (25% larger).

Crew station upgrade.

Composite use increase in fuselage skin.

Survivability enhancements.

RANGE FIGURES

Fighter Escort: 420 NM (35% increase over C/D) (2 Aim-9s + 2 Aim-120s, no tanks).

Interdiction: (2 Aim-9s + Mk-83s, FLIR/TINS).

HLLH profile

(2) 480 tanks 475 NM (71% increase over C/D).

(3) 480 tanks 520 NM (53% increase over C/D).

HHH profile

(3) 480 tanks 660 NM (40% increase over C/D).

SURVIVABILITY IMPROVEMENTS

Radar Cross Section: Redesigned inlets & Special treatment.

VHF: X to X plus or minus 60 degrees off nose. Potential to X w/ESA radar, treated ordnance and 480 gal tanks. One order of magnitude below C/D Night Attack configuration.

Towed Decoy: ALE-50.

Vulnerability Reduction: Critical piping rerouted, ECS moved and more suppression in/around fuel tanks

Overall vulnerable area reduced.

ORDNANCE/PAYLOAD

Type: All existing weapons plus JSOW, JDAM, TSSAM & SLAM P31, 3 times more "bringback" allows for deployed carriage of new weapons with suitable fuel service.

Capacity: Increased number of stations (2) allows for more payload (16K total capacity).

By station: Sta 6—2700#; Sta 4 & 8—2875#; Sta 3 & 9—2500#; Sta 2 & 10—1150#; Sta 1 & 11—200#; Sta 5 & 7—FLIR & TINS mounted, but could substitute Aim-7/120.

COMMONALITY

Same infrastructure, maintenance processes, support equipment, and training equipment; 90% common FA-18C/D avionics and 90% software commonality.

AERIAL REFUELING CAPABILITY

Configuration: (2) 480 Gal Tanks; (1) Sargent Fletcher Refueling Store

Give:

Cycle	Give	KA–6	S–3
0+45	15,200#	16,000#	10,700#
1+45(OVHD/15K)	5,900#	10,000#	8,000#
1+45(300NM/30K)	6,400#	9,000#	7,200#

IMPROVED WARFIGHTING CAPABILITY

3 Times More Ordnance Bringback.

80% Reduced Threat Lethality.

25% More CAP Coverage.

80% More Time on Station.

52% More Target Coverage.

80% Greater Carrier Standoff or 65% More Penetration.

20 Year Growth Capability.

MISCELLANEOUS

Development is proceeding on cost and schedule.

All critical performance parameters being met, including range estimates.

Independent assessments by the Defense Science Board, Defense Acquisition Board, and an independent OSD team unanimously confirmed the E/F as a low risk evolution.

The Defense Science Board found no basis to support prototyping the E/F.

Improved cockpit displays greatly enhance pilot situation awareness.

E/F will use the same training hardware, including flight simulators.

Wind tunnel testing has surpassed 10,300 hours and is more than 52% complete.

Material qualifications are more than 99% complete.

Without E/F, Naval aviation will not have an advanced capability for 20+ years until AF-X arrives.

E/F provides new aircraft capability for greatly reduced development cost and significant lowered procurement costs.

Mr. McCAIN. These cost increases are absolutely mind boggling. The growth in cost does not reflect an increase in capability from the original design. The growth in cost does not represent an acceleration of the delivery time. The growth in cost does not represent an extension of the service life or an increase in the reliability, maintainability, or safety of the submarine. In my view, there is no good reason for the huge increase in costs.

The program has simply gone out of control. The way to stop the escalating costs to the *Seawolf* Program is to cap total outlays to procure the SSN-21 and SSN-22 at $4.63 billion. We must require fiscal responsibility in the Navy and of the contractors constructing the submarines. We cannot allow the expenditure of funds on this submarine program to bleed us to death. We cannot continue to cut a new check for *Seawolf* every 2 months. We must decide at some point that we have spent enough money to buy these submarines, and I think that time has arrived.

Mr. President, I ask my colleagues to say enough is enough, that we should make the final payment for these *Seawolf* submarines today, with fair warning that no further funds will be authorized or appropriated, and that we expect to go see two new ships from our investment in the near future. I ask my colleagues to support this amendment as a step toward fiscal responsibility.

Mr. President, we have a study from the GAO that indicates the original cost of this submarine. In January 1989, the Navy awarded Electric Boat a $630 million contract to build the first SSN-21; consequently, Electric Boat estimated the escalation would add $81 million to the construction costs. The delivery scheduled for May 1995—because of welding cracks discovered on the SSN-21's pressure hull, and subsequently on other components of the submarines delivery—was delayed 1 year.

Up until this time, delays caused construction to fall significantly behind schedule. Electric Boat estimated total cost to construct the SSN-21 at $1.03 billion, a $321 million increase, a 45-percent increase over the original target cost. These costs do not include the $1 billion estimated to complete development of the AN/B2Y combat system. The 1987 original estimated cost was $2.3 billion and as we know now, it is up to $5 billion. It is time we cap the program.

I understand that my colleagues are willing to accept this amendment. If not, I would be glad to ask for a rollcall vote.

I yield the floor.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1030, AS MODIFIED

Mr. McCAIN. Mr. President, I send a modification of my amendment to the desk.

The PRESIDING OFFICER. The Senator from Arizona has the right to modify his amendment.

The amendment is so modified.

The amendment, as modified, is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. Notwithstanding any other provision of this or any other Act, the total amount obligated or expended for procurement of the SNN-21 and SSN-22 Seawolf attack submarines may not exceed $4,673,371,000.

Mr. McCAIN. Mr. President, the modification makes clear that this cost capping does not have any effect on the SSN-23, the third *Seawolf* submarine. That was the concern, I understand, of the managers and others, including my friend from Connecticut.

The modification simply states that it caps the cost of SSN-21 and SSN-22, which I believe was the desire of the managers. I ask for its acceptance.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. If the Senator will yield, with that modification, the managers of this bill are willing to accept the amendment.

Mr. STEVENS. That is correct, Mr. President. We do find that amendment acceptable.

The PRESIDING OFFICER. Is there further debate?

The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, so we will be absolutely clear now, the amendment as finally drawn and as amended by the Senator from Arizona provides as follows: that there shall be a cap on the total cost for *Seawolf* 21 and 22 at—and the figure I believe is cited, is it not?

Mr. INOUYE. The authorized amount.

Mr. CHAFEE. The authorized amount, which is the amount that the Navy has said will be the amount it requires to complete the two submarines.

Mr. STEVENS. I cannot quite accept that. It is the amount that is authorized. I do not know what the Navy has said.

Mr. McCAIN. Mr. President, if my friend from Alaska will yield, the letter that I had submitted in the RECORD from the Secretary of the Navy to Congressman DELLUMS and to Senator NUNN says:

The SSN-21 and SSN-22 current estimated end costs are $2,395 billion and $2,278 billion respectively. These figures exceed the amount appropriated for SSN-21 and SSN-22 by $41 million and $292 million. * * * These assets are sufficient for SSN-21/22 requirements.

That is indeed the cap as stated by the Navy as their estimated cost.

Mr. STEVENS. If they are the same, I apologize.

Mr. CHAFEE. I am not sure they are the same.

Is that the amount that is authorized now that has been authorized?

Mr. MCCAIN. Yes.

Mr. CHAFEE. Yes.

Mr. MCCAIN. It is my understanding that amount has been authorized and has been included in the pending appropriations bill.

Mr. STEVENS. We only funded the amount that was authorized.

Mr. CHAFEE. That is clear, is it?

Mr. INOUYE. The dollar in the amendment represents the current estimate of the cost of constructing both SSN-21 and SSN-22.

Mr. CHAFEE. Thank you.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question occurs on the amendment offered by the Senator from Arizona.

The amendment (No. 1030), as modified, was agreed to.

Mr. MCCAIN. Mr. President, I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. KERREY). The Senator from Arizona.

AMENDMENT NO. 1031

(Purpose: To limit the use of funds for the SSN-21 attack submarine program)

Mr. MCCAIN. Mr. President, I send an amendment to the desk on behalf of myself and Senator ROTH and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] for himself and Mr. ROTH proposes an amendment numbered 1031.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. (a) None of the funds appropriated by this or any other Act may be obligated for procurement of a third submarine under the SSN-21 attack submarine program or for advance procurement for such submarine.

(b) None of the $540,200,000 available to the Department of Defense for preservation of the industrial base for submarine construction in accordance with Public Law 102-298 may be obligated or expended for any purpose until—

(1) the Secretary of Defense submits to Congress a report containing—

(A) the funding requirements for each of fiscal years 1995, 1996, 1997, 1998, 1999, and 2000 for the proposed third submarine under the SSN-21 attack submarine program and the proposed New Attack Submarine and a statement regarding whether the necessary funding is provided for in the future-years defense program required by section 221(a) of title 10, United States Code, to be submitted to Congress in 1994;

(B) the acquisition objective, mission requirements, projected total program cost, projected total development cost, projected total procurement cost, and estimated total per-unit cost for the New Attack Submarine (all such costs to be computed and expressed on the basis of the actual dollar amount to be expended at the time expended);

(C) a comparison (with each other) of—

(i) the costs associated with procuring an additional SSN-688 submarine as the production bridge at Electric Boat Division of General Dynamics Corporation;

(ii) the costs associated with procuring an additional SSN-688 submarine as the production bridge at Newport News Shipbuilding and Drydock, Incorporated;

(iii) the costs associated with procuring a third submarine under the SSN-21 attack submarine program as the production bridge at Electric Boat Division of General Dynamics Corporation; and

(iv) the costs associated with procuring a third submarine under the SSN-21 attack submarine program as the production bridge at Newport News Shipbuilding and Drydock, Incorporated;

(D) an assessment of the costs associated with delaying procurement of an additional submarine until 1998 without providing a production bridge at either Electric Boat Division of General Dynamics Corporation or Newport News Shipbuilding and Drydock, Incorporated; and

(E) an assessment of the costs and feasibility of meeting operational requirements and sustaining the industrial base for submarine construction by carrying out either a program that combines overhaul and upgrade of existing SSN-688 submarines or a program for development and production of the New Attack Submarine instead of procuring a third submarine under the SSN-21 attack submarine program; and

(2) the Congress, in an Act, other than an appropriations Act, enacted after the date of receipt of the report referred to in paragraph (1), has specifically authorized the expenditure of the $540,200,000 made available to the Department of Defense for preservation of the industrial base for submarine construction in accordance with Public Law 102-298.

The PRESIDING OFFICER. If there is no objection, the committee amendment will be laid aside.

Mr. MCCAIN. I thank the President.

Mr. President, the amendment I propose would do two things.

First, it would prohibit any Department of Defense funds from being applied toward the SSN-23 which is the third *Seawolf* submarine until we can clearly examine the submarine industrial base.

Second, it would prohibit the expenditure of funds previously targeted for the submarine industrial base until the industrial base issue is resolved.

The time has come to put an end to any further growth of the *Seawolf* submarine. This program is typical of what happens when projects are authorized which are unnecessary. They grow far beyond their original cost and live on indefinitely.

Seawolf is a program that will not go away despite the fact that the administration did not request any funds for it in the fiscal year 1994 Navy budget. The services and strategic think tanks acknowledge that no threat exists to warrant construction of these submarines. Yet the funds for *Seawolf* continue to be picked from the pockets of the American taxpayers.

Mr. President, the *Seawolf* procurement cost ceilings were set by the Secretary of the Navy in December of 1983. At that time the first *Seawolf* SSN-21 had a cost ceiling of $1.6 billion. That figure included nonrecurring startup costs. Today the construction costs alone of the first *Seawolf* submarine have risen from $1.6 billion to $2.4 billion. The cost of these submarines keep going up. Every cost cap has been ignored by the Navy, by the contractors, and by the Congress. I think it is time we said stop.

The GAO, after extensive research, provided accurate figures on the real costs of *Seawolf* submarines. The real cost of each submarine, taking into account construction costs, research, development, and test and evaluation, is now up to $5.2 billion. That is $5.2 billion according to the General Accounting Office for each of the first two *Seawolf* submarines.

The third *Seawolf* submarine is currently projected to cost just as much to construct as the first submarine. This means, given the track record of the *Seawolf* submarine, that the final cost of construction will be at least $3 billion. The normal cost savings we would expect from being farther into the production run will not materialize in the case of the *Seawolf*.

The type of money we are talking about for these submarines is simply incredible. For this amount of money we can construct all the sealift ships required to fulfill our country's rapid deployment needs, on an accelerated basis. For this amount of money, we could field a precision-guided conventional weapons capability for our strategic bomber force in the next 3 years plus build an additional two B-2 bombers. For the cost of a single *Seawolf* we could develop a next-generation tank.

Is a single *Seawolf* submarine as valuable as all these other options? I think not.

Proponents of this weapons system have stated that "*Seawolf* contract termination costs are estimated at $1.8 billion." Those costs will probably not be that high, but even if they are the country will be able to save between

$600 million and $1.2 billion over what would be expended to field a third *Seawolf* submarine.

Other options exist which will save money as well. The construction costs of additional 688 submarines is $1.4 billion per submarine, substantially less than the new *Seawolf* which costs at least $2.4 billion to construct. And that is genuine savings.

Let us consider the cost on decommissioning the *Los Angeles* class submarine. The estimated cost of decommissioning the submarine and disposing of the reactor are $61 to $70 billion. To decommission the 40 submarines required to reach the proper force level as determined by the Secretary of Defense in the Bottom-Up Review, it will cost up to $2.8 billion. It does not make sense to spend $2.4 billion on a new submarine when we have to spend billions of dollars to decommission perfectly good *Los Angeles* class submarines, submarines which will be decommissioned with up to 15 years of service life remaining.

We may not even be able to decommission submarines in the near future. Environmental concerns nearly derailed the entire spent nuclear material program earlier this year. The issue is not a dead one, because there are shortcomings in the disposal programs and valid environmental concerns.

Mr. President, the Joint Chiefs of Staff agreed in 1992 that there was no longer the type of threat which warranted the construction of *Seawolf* submarines. Most of these same gentlemen are still in place as service chiefs. Judging by the recent events in Russia, Ukraine, and elsewhere in the former Soviet Union, the threat has diminished even more from last year.

I recently made a trip to Estonia. I went and visited which at one time was the largest submarine base that the Soviet Union had at that time on the Baltic Sea.

Mr. President, the state of total disrepair, the total absence of any viable weapon system in that port was startling. I even saw warehouses where hundreds of submarine electric batteries sat rotting. I saw cranes on their sides. I saw equipment and buildings gutted.

Mr. President, there is no Soviet submarine threat today, nor is there in the future. There is a need for a submarine capability, but certainly not one that is as prohibitively expensive as the *Seawolf* submarine is.

There is no other nation which has the ability to design and produce submarines equal to the *Los Angeles* class submarines in firepower, speed, diving ability, and reduced noise signature within the next 8 to 10 years. Which means we have technical superiority in attack submarines into the 21st century.

Another factor which rarely gets mentioned in the debate over submarine procurement, is the progress we have made in antisubmarine warfare. Congress has appropriated funds, billions of dollars, over the last decade, for research and development in the area of underwater acoustics and antisubmarine warfare. We have numerous platforms and devices to detect, target, and attack enemy submarines. We have intelligence gathering systems that can provide detailed information, in minutes, to operational users.

We have spent the money and fielded the systems which make submarine hunting easier. These systems make the 688 submarines even more formidable.

Now we get down to the submarine industrial base.

We know that the threat which drove the huge military buildup during the cold war no longer exists. We also know that the threat is changing. And we know that the fiscal realities facing America dictate a smaller military budget.

With a smaller military budget, we must procure the right mix of the most effective personnel and equipment to counter a changing threat to our national security. We must procure weapons in such a manner that we can counter any current threat, but we must also retain the ability to surge production or rapidly improve systems to counter any future threat. That is the whole industrial base issue.

Limited resources guarantee that painful choices must be made concerning force levels and weapons systems. These choices are also painful to the manufacturers of weapons systems and their associated suppliers. There will be some manufacturers and suppliers who will be denied defense contracts, and for those we have created the whole defense conversion program. Limited resources dictate that every procurement decision must be balanced against all others. Limited resources dictate that money for the purchase of one system will come from the cancellation of another.

If the *Seawolf* Program is continued, many other weapons systems will be canceled to pay for *Seawolf*, jeopardizing the industrial base for those weapons systems. If the industrial base is harmed, the ability to defend our national interests is diminished.

If the *Seawolf* Program is continued, especially if *Seawolf* is used as a Government subsidy to maintain an unnecessary shipyard, jobs in other sectors of the industrial base will be lost. The loss of these jobs might damage more than the defense industrial base, it could have grave implications to the whole economy of this country, especially if the jobs displaced by *Seawolf* are in industries which have good potential in the defense conversion area.

We do not know what elements of the submarine industrial base need to be retained in order to maintain the ability to build submarines. We do not know how many shipyards must remain functional to maintain the ability to build submarines. There has not been a comprehensive, detailed study of the defense industrial base as a whole, and the submarine industrial base as a subset, which provides both the administration and the Congress with the information necessary to make decisions concerning the procurement of weapons systems and platforms.

Seawolf is not the panacea for the submarine industrial base. Building additional 688 submarines maintains all the key elements of the submarine industrial base, at a lower cost. Building nuclear powered aircraft carriers maintains the propulsion element of the industrial base. If a realistic study is made of the submarine industrial base issue, a study without assumptions or caveats which plagued the past attempts, I think it would show that there are better ways to maintain the submarine industrial base than the construction of *Seawolf* submarines.

Opponents of my amendment have stated that the cost of shutting down, and then rebuilding, the nuclear submarine industrial base is estimated at $4 to $6 billion. I have no idea where they got their figures and what it is based upon.

To me, the idea of shutting down the entire submarine industrial base is ludicrous. Submarines are a valuable part of our national defense. I have previously stated the continuing need for submarines.

I have proposed, as an option, shutting down production of submarines until such time as new submarines, or submarines with greatly enhanced capabilities, are required. While this production stoppage is occurring, there can be technology demonstrating programs or programs of another type which would maintain the skills and equipment necessary to build submarines in the future. A thorough, independent study of the industrial base would determine if this option were feasible and affordable. What I have proposed is a production shutdown, not an industrial base shutdown.

Stopping production on the *Seawolf* is not the same as shutting down the submarine industrial base.

Mr. President, the Secretary of Defense wrote a letter concerning his rationale for the decision that he made in supporting the third *Seawolf* submarine.

Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, DC, October 6, 1993.

Hon. DANIEL K. INOUYE,
Chairman, Senate Appropriations Committee, Defense Subcommittee, U.S. Senate, Washington, DC.

DEAR SENATOR INOUYE: This letter provides the views of the Department of Defense on a proposed amendment to eliminate all funding for the Seawolf attack submarine program.

The Department thoroughly examined future plans for the attack submarine force as part of the recently completed Bottom Up Review. DoD concluded that it should seek funds for production of a third Seawolf attack submarine in FY 1995 or FY 1996. That conclusion was based primarily on considerations of industrial base impacts and projected modernization programs needed to sustain the submarine force in the future. The need to support the industrial base during the period of transition to a new class was also supported by other DoD studies during the past year.

Currently, the Navy operates a submarine force larger than our new long-term goal of 45–55. As a result, the Navy is achieving near-term budget savings by retiring older submarines before incurring the high costs of mid-life nuclear refuelings and by stopping production of new submarines for several years. However, submarine construction will have to resume around the turn of the the century to sustain this smaller force as Los Angeles class submarines reach the end of their service lives. For that reason, the Bottom Up Review concluded that the Navy should develop and build a new attack submarine as a more cost-effective follow-on to the Seawolf class, with construction beginning in FY 1998 or FY 1999 at the Groton, Connecticut, shipyard. The third Seawolf-class submarine, SSN–23, is intended to "bridge" the projected gap in submarine production until the new submarine has completed development and is ready for initial construction later in the decade. Why a Seawolf? Beside considerable material that can be used for SSN–23 is already in the pipeline, making this our most cost-effective "bridge" option, while also providing the benefit of continuing with the most current production technology. The last Los Angeles class submarine was ordered in 1990, so restarting Los Angeles class construction did not compare favorably to continuing with one additional SSN–21, a submarine much capable of dealing with existing and projected threats.

Industrial base considerations played a primary role in the decision to seek a "bridge" submarine in FY 1995 or FY 1996. The Bottom Up Review examined in depth the alternative of taking steps to effect a "smart" shutdown of nuclear submarine construction, with an eye to preserving the capability to resume production in the future. This option would have ended all production at the Groton, Connecticut, shipyard and left the country with only a single active nuclear-capable shipyard. The decision to build the "bridge" Seawolf submarine will maintain two nuclear-capable shipyards, thereby mitigating the risk of the industrial base and preserving an important national capability.

There is obviously considerable uncertainty, and therefore risk, in any estimate of the likely cost of restarting nuclear submarine construction from a "cold" base when it is likely to be needed to maintain force levels. The Bottom Up Review was not intended to develop detailed budget estimates; that activity will occur this fall. However, for the purposes of comparing alternative courses of action, cost estimates were developed for both the smart shutdown option and the construction of a third Seawolf submarine. The construction of the third Seawolf submarine was estimated to cost about $1.5 billion, in addition to $900 million previously appropriated. Although construction of a third Seawolf was the more expensive option by some estimates, it was judged to be a much less risky industrial approach and had the added benefit of providing the nation with a third state-of-the-art Seawolf attack submarine that will have considerable capability for emerging submarine tasks, including land-attack missile employment and transporting special operations forces. More importantly, allowing our submarine industrial base to go completely cold, as proposed by Senator McCain, could result in future start-up costs that transcend the transient savings envisioned by the Senator's amendment.

The average Seawolf cost of $5.2 billion per submarine cited in Senator McCain's letter apparently was derived from an August 1993 GAO report. The $5.2 billion figure includes all "sunk" costs of development (almost half of the total) and initial construction incurred prior to the end of the Cold War. The incremental cost to construct a third submarine in FY 1995 or FY 1996 is about $1.5 billion.

The Department did not request funds for the third Seawolf submarine in the FY 1994 budget, which was prepared prior to the Bottom Up Review.

I hope these comments clarify DoD's position on this program. Please let me know if you need any additional information.

Sincerely,

LES ASPIN.

Mr. MCCAIN. The Secretary of Defense, Secretary Aspin, says:

> DOD concluded that it should seek funds for production of a third *Seawolf* attack submarine in FY 1995 or FY 1996. That conclusion was based primarily on considerations of industrial base impacts and projected modernization programs needed to sustain the submarine force in the future.

He goes on to say:

> Industrial base considerations played a primary role in the decision to seek a "bridge" submarine in FY 1995 or FY 1996.

"Industrial based considerations played a primary role." He goes on to say:

> There is obviously considerable uncertainty, and therefore risk, in any estimate of the likely cost of restarting nuclear submarine construction from a "cold" base when it is likely to be needed to maintain force levels.

But then he says:

> The construction of the third *Seawolf* submarine was estimated to cost about $1.5 billion, in addition to $900 million previously appropriated. Although construction of a third *Seawolf* was the more expensive option by some estimates, it was judged to be a much less risky industrial approach and had the added benefit of providing the nation with a third state-of-the-art *Seawolf* attack submarine.

Mr. President, I am not sure what the benefit of a state-of-the-art *Seawolf* attack submarine is today. I am sure it will look very impressive, as it goes down the way.

Clearly, in his own words, the Secretary of Defense chose the most expensive option. In these days of draconian cuts in the defense budget, Mr. President, I do not buy that argument.

Now in all fairness to the record, I think I should point out that the Secretary goes on to say:

> More importantly, allowing our submarine industrial base to go completely cold, as proposed by Senator McCain—

I was flattered that he mentioned my name—

> could result in future startup costs that transcend the transient savings envisioned by the Senator's amendment.

As you might note, Mr. President, the Secretary of Defense is a very intelligent individual, and I respect and admire him in many ways. He says "could result." He does not say "will." He said "could result in future startup costs that transcend the transient savings envisioned by the Senator's amendment."

> The average *Seawolf* cost of $5.2 billion per submarine cited in Senator MCCAIN's letter apparently was derived from a August 1993 GAO report.

Not "apparently," "was," I would make the record clear.

> The $5.2 billion figure includes all "sunk" costs of development (almost half the total) and initial construction incurred prior to the end of the Cold War.

Mr. President, I do not know if the American people are really concerned whether these costs were incurred during the cold war or after or at any time. I think what they do say is that they are appalled that we would be spending this kind of money for one single weapons system.

Mr. President, I have been urged by several of my colleagues not to bring this amendment up. I think that their concerns and their arguments, which we will hear shortly, have merit and justification.

I appreciate, as a matter of fact, especially the indepth knowledge of my two colleagues from Connecticut on this issue and their strong advocacy for the continued production of the third *Seawolf* submarine, and I respect their views.

I respectfully disagree with them. I do not anticipate winning this vote because we went through it last year. But it will not be the first vote I have lost on this and other issues that I believe in, and it will certainly not be the last.

I think the facts speak for themselves. The facts speak for themselves—when we are cutting the defense budget by some 40 percent since the cold war was over; since there is no discernible mission for this submarine except for the preservation of the submarine industrial base, which I believe clearly can be maintained in other ways, in much less expensive ways—that this weapons system is not required.

We have sunk many billions of dollars into this system; many, many billions of dollars. Two of them, if they can stay under their escalating cost caps, which was the subject of the previous amendment, will be constructed. Two of them will be. I suggest the time has come now to call a halt.

When we look at the entire defense requirements of this country, we have some significant priorities: Sealift, airlift, rapid deployment, special forces capabilities—so many that are underfunded now. In fact, in the case of airlift, in my view, that is critically underfunded. To spend this kind of money on this weapons system which is not critical to our Nation's defense is indeed a mistake.

Let me point out again, we should preserve industrial base wherever we can. But our first priority must be national security. This weapons system does not meet the argument that this weapons system, at huge numbers of dollars, indeed is vital to our national security. That is why we have defense conversion. That is why we are going to spend billions of dollars in defense conversion.

I would be the first to support a defense conversion program at Electric Boat Co. in Connecticut, in Groton, CT, because I am aware of the terrible dislocation that would take place in the economy of the entire State of Connecticut, and probably Rhode Island, as well. If my colleagues could make a proposal for defense conversion which would alleviate the suffering of these good people in the State of Connecticut and the surrounding States, I would be the first to support it. But this weapons system is not a defense conversion program. What it is is a continuing drain of defense dollars, which are becoming more and more scarce as years go by.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. McCAIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I ask unanimous consent this vote be held at 2:30 this afternoon.

The PRESIDING OFFICER. Is there objection?

Several Senators addressed the Chair.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I ask unanimous consent that any vote on this amendment or relating thereto occur at 2:35 this afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. CHAFEE. Mr. President, I notice the Senator from Arizona is off the floor.

Mr. INOUYE. He said OK.

Mr. CHAFEE. All right.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, it is deja vu time. We had this debate about a year ago. This amendment, with all its provisions, does one simple act: It kills the SSN–23. I realize the author suggested this amendment is just to have a study and reauthorization, but the intent is very simple: It is to kill the SSN–23.

First of all, the SSN–23 has been authorized. Its procurement was authorized in 1992. Furthermore, funds have already been appropriated. At this moment, $540 million are being fenced and are awaiting our decision for expenditure. Add to that $346 million already obligated and spent. So it is not something we are authorizing from scratch and appropriating moneys for.

As I have indicated, this is a revisit. The McCain amendment has asked for studies before any of the $540 million in the industrial base funds can be used, but it also stipulates that even after the study, it cannot be used for a third *Seawolf*. As all of us know, the Department of Defense has reviewed the industrial base and determined that purchasing the SSN–23 is the most cost-effective use of resources. The amendment seeks additional studies without any real benefit.

We have just concluded the so-called Bottom-Up Review, a massive review by the Department of Defense. Simply put, it is a thinly veiled termination of the SSN–23. The Bottom-Up Review reached the following conclusions.

First, maintaining the attack submarine base is vital to the future of the U.S. national security. As I indicated in an earlier debate, the fundamental question before us is whether we, who inhabit this planet, can say to ourselves that peace is upon us. If peace is upon us, then we can do away with all of these systems and do the business of this land. But as I pointed out, at this moment the Russians are building multiple warhead intercontinental ballistic missiles. To suggest to me that that is an act of peace is mind-boggling.

The Bottom-Up Review also indicated that the capability to produce attack submarines is unique and, at this moment, there are only two locations that can produce the submarine: One is in Virginia, the other in Connecticut. The Electric Boat Co. in Connecticut has been building submarines since World War I, and that is all they do. They are the foremost submarine producers on this planet.

The Bottom-Up Review also notes that the reduction in submarine production has already jeopardized the industrial base. I believe we should remind ourselves, Mr. President, that when the *Seawolf* Program was originally authorized—and this is just a few years ago—we agreed to purchase 20 *Seawolf* submarines. We have cut it down to three. To go beyond that would utterly destroy the industrial base and may put our national security in jeopardy.

So the Bottom-Up Review concluded that the most cost-effective way to transition to a new attack submarine, possibly the *Centurion*, which will be required to replace retiring submarines in the early 21st century, is to build this third *Seawolf*, the SSN–23.

Mr. President, there are several of my colleagues who are waiting to be recognized, but I just wanted to point out, one, this program has been authorized. It need not be reauthorized. Funds have already been appropriated and spent. The Department of Defense Bottom-Up Review clearly states that the procurement of this third submarine is essential to our national security, and it would be the most cost-effective way to move into the new attack submarine.

So with all those arguments, I hope that this body will go along with the committee and reject this McCain amendment.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. CHAFEE. Mr. President, first of all, I want to congratulate the chairman of the Defense subcommittee for the presentation he has made and for the position he has taken. It seems to me that the question before the Senate is the following: Are we to maintain some kind of industrial base to build submarines in this Nation for the future?

Nobody is suggesting that the U.S. Navy is not to have submarines in the first part of the next century and into the next century, and, indeed, the proponent of this amendment, the Senator from Arizona, himself has said that we are going to have submarines, an additional class of submarines in the latter part of this century or the first part of the 21st century.

What is the situation as far as submarine building capacity in the Nation currently? There is no new work going to one of the yards. There are currently two yards that build submarines: One—it has been determined that no new work would go to it—Newport News. So that leaves one surviving yard, Electric Boat Yard, partly in Rhode Island, partly, the major part of it, in Groton, CT. It is clear that absent the construction of the third *Seawolf* that the industrial base will be gone.

Is that just me talking or is that somebody who has spent a lot more time studying it than I have? We have a letter addressed to the distinguished chairman of the subcommittee from the Secretary of Defense dated October 6 of this year. This is what the Secretary of Defense says:

> Currently, the Navy operates a submarine force larger than our long-term goal of between 45 and 55 submarines. As a result, the Navy is achieving near-term budget savings by retiring older submarines before incurring the costs of midlife nuclear refuelings and by stopping the production of new submarines for several years. However, submarine construction will have to resume around the turn of the century to sustain this smaller force as the *Los Angeles* class submarines reach the end of their service life.

I do not think anybody is going to argue with that.

> For that reason, the Bottom-Up Review concluded that the Navy should develop and build a new attack submarine as a more cost-effective follow-on to the *Seawolf* class, with construction beginning in fiscal year 1998 or fiscal year 1999 at the Groton, CT, shipyard. The third—

Now here is a very important point, Mr. President—

> The third *Seawolf* class submarine—

The one we are discussing here today, SSN-23—

> is intended to bridge the projected gap in submarine production until the new submarine has completed development and is ready for initial construction later in the decade.
>
> Why a *Seawolf*? Because considerable materiel that can be used for SSN-23 is already in the pipeline making this our most cost-effective bridge option while also providing the benefit of continuing with the most current production technology.

The Senator from Arizona has talked about, "Well, use the old *Los Angeles* class, the 688." This is what the Secretary said:

> The last *Los Angeles* class submarine was ordered in 1990, so restarting *Los Angeles* class construction did not compare favorably to continuing with one additional SSN-21, a submarine much more capable of dealing with existing and projected threats.

So, Mr. President, the Secretary of Defense concludes with the following sentence:

> More importantly, allowing our submarine industrial base to go completely cold, as proposed by Senator MCCAIN, could result in future startup costs that transcend the transient savings envisioned by the Senator's amendment.

Mr. President, there it is. We are going to have submarines in the U.S. Navy, certainly in the beginning of the next century. We are going to need the capability to build them. The question is whether we end that capability now and then start up all over again with a tremendous cost, not just for the yards, but for all the suppliers likewise, the suppliers of steel and other necessities for submarines, or are we going to keep going at a very low production base?

There is no question that the first two submarines cannot be stretched out. We just adopted an amendment proposed by the Senator from Arizona 20 minutes ago that provided that those submarines must meet their production schedule because we put a cap on the money that can be spent by the Navy on those two first submarines, *Seawolfs* 1 and 2. So, therefore, Mr. President, this is a necessity and it makes financial sense as the Navy itself has testified after going through an arduous Bottom-Up Review.

So I urge my colleagues to support the Senator from Hawaii should he move to table or to vote against the amendment, should there be an up-or-down vote. I want to thank the Chair.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

PRIVILEGE OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Paul Montgomery, who is a congressional fellow on my staff, have access to the Senate floor during consideration of this DOD appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I rise to oppose the amendment offered by my colleague from Arizona. The Senator from Hawaii, the chairman of the committee and manager of the bill, was right. This is deja vu all over again. This was an issue that was argued and defeated last year. Since that time, the evidence has grown that building a third *Seawolf* is the right decision to make for our national security and for the level of expenditure that we will make through the Federal budget to preserve our submarine industrial base.

We had a study from the Joint Chiefs of Staff under General Powell reaching that conclusion. The Navy has reached that conclusion and, most recently, the Secretary of Defense, Mr. Aspin, has reached that conclusion in the Bottom-Up Review, and yet the same amendment returns again. I think in this climate when there is an understandable desire to cut spending, we have to be very careful about jeopardizing our national security. And we also have to be careful, Mr. President, that we do not take actions which may have some appeal politically but which ultimately will end up costing more than the course that is recommended in building a third *Seawolf*.

Mr. President, the Senator from Arizona has described the construction of the third *Seawolf* as somehow a relic, an indication of a cold war mentality, as part of a cold-war budget without recognizing that the cold war has ended.

Nothing could be further from the truth. Let me just cite some specific numbers that bear this out. The original plan for *Seawolf* construction, the finest attack submarine ever to be built, was to build 29 submarines. Everyone involved here recognizes that the cold war has ended and that is why we are talking now about building 3, not 29.

The second part of the numbers suggests that we have recognized the end of the cold war. Some people want to describe this three *Seawolf* construction program as primarily a jobs program, as an attempt to keep people working in spite of the fact there is no sense to the program anymore.

Mr. President, obviously, each of us in our own way wants to preserve jobs in our own State—Senator DODD, Senator CHAFEE, Senator PELL, and I no less than any of our other colleagues. But the fact is that even if this third *Seawolf* is built, the level of employment at Electric Boat in Connecticut and Rhode Island will go from a high of 23,000, just about 3 years ago, to 7,500. That means that more than 15,000 people are going to lose their jobs.

So this is not some kind of, "Let's just keep going as if the cold war existed and keep everybody employed" scenario. The tragic fact is that 15,000-plus people are going to lose their positions at Electric Boat as part of this attempt to maintain our ability to build submarines into the next century.

Mr. President, I note the presence in the Chamber of the Senator from Georgia, the chairman of the Senate Armed Services Committee. I know he has a very busy schedule and was good enough to come over to the floor to participate in this debate. I would be happy to yield to him at this time if he would so choose.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. NUNN. Mr. President, I thank my friend from Connecticut. I will make my remarks rather brief on this subject. I appreciate very much his courtesy.

Mr. President, I rise in opposition to the amendment proposed by the Senator from Arizona. I do so reluctantly because I share his concerns about the affordability of our defense forces and that is a significant and a growing problem. However, I believe that the problem of what to do about the submarine industrial base is too important to be solved by imposing an arbitrary fence around the total program or around the $540 million left in fiscal year 1992 after the rescission of the third *Seawolf*. I wish to recount just briefly a little history as to how we find ourselves in this position today.

The Bush administration proposed to cancel further production of *Seawolf* submarines in the fiscal year 1993 budget. This proposal included canceling two *Seawolf* submarines that Congress had already authorized and appropriated.

On April 1, 1992, our Armed Services Committee in the Senate held a hearing on this issue. It became very clear at that hearing the administration had taken this action without analyzing the effect that their proposal would have on the defense industrial base. Studies addressing these issues were only begun after the Defense Department decision to rescind the prior year ships. One of the things they told us on April 1 when we asked about the industrial base, the effect on the industrial base, the decision was we are going to study that. Well, the study in any kind of normal logic would precede the decision rather than follow the decision.

Mr. President, at that time the Department could not say with any certainty whether the submarine industrial base should be protected and, if so, how it should be protected. I believe the initial vote in the Senate on the rescission package, a vote which rejected canceling these two ships, reflected the fact that the Senate had grave reservations about the administration's plan.

Mr. President, the Department of Defense has now concluded its Bottom-Up Review under the leadership of Secretary Aspin. The Bottom-Up Review included the analysis of the submarine industrial base which all of us had hoped would have been available last year when the *Seawolf* cancellation was proposed by the Bush administration, but it was not available.

The results of that analysis confirmed what many of us suspected last year when we voted. Protecting the submarine industrial base is very important to our Nation's security. I would point out that the Senate last year voted to continue building the third *Seawolf* when the rescission bill was before this body. Later, however, the conferees on the rescission bill agreed to terminate this ship.

Mr. President, having the world's best submarines was important during the cold war. In fact, it was crucial. It was critical during the cold war. Certainly the numbers of attack submarines will decline as we adjust our forces to reflect the new world reality. Secretary Aspin intends to cut that force level roughly in half to a level of 45 to 55 submarines. Because we are cutting force levels, I believe the Nation still requires the world's best submarines and, just as important, the Nation requires the ability to build the world's best submarines.

The Bottom-Up Review has concluded that building the next *Seawolf* submarine, the SSN-23, is the best way to protect the submarine industrial base while we develop the next generation of attack submarines.

Congress should certainly review the Defense Department's analysis. We should consider this analysis and any analysis that the Senator from Arizona wants to present during the normal course of the budget review next year.

In the meantime, however, I do not believe that the Congress should take unilateral action that could bring further harm to the submarine industrial base by tying up needed funds now while we await further analysis. Taking such a position now precludes the Navy from taking short-term actions to protect vital components of the industrial base. That is a risk that I do not believe is prudent.

To summarize, Mr. President, the Defense Department has done the analysis that should have been conducted before the program was canceled in the Bush administration. That analysis has demonstrated three things.

No. 1, the Navy needs to begin building the next generation of attack submarine before the end of this decade.

No. 2, the Navy needs to protect the submarine industrial base while this new submarine is being designed.

No. 3, building the SSN-23, the third *Seawolf*, is the best way of protecting the submarine industrial base while the Navy designs this next generation submarine.

Mr. President, I agree with the Senator from Hawaii and his comments.

I believe that the amendment of the Senator from Arizona would preempt the Navy from taking prudent steps to protect the submarine industrial base while the Congress reviews the *Seawolf* program and the new attack submarine program.

So I urge my colleagues to oppose this amendment. I commend both Senators from Connecticut for their remarks and their leadership on this matter.

Mr. INOUYE. Mr. President, I modify my request relative to the consent granted regarding the McCain amendment No. 1031 by asking unanimous consent that no amendment to the amendment be in order prior to a motion to table at 2:35 p.m. today; that if the amendment is not tabled, it be further debatable and amendable.

The PRESIDING OFFICER. (Mr. LIEBERMAN). Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I wonder if the Senator will yield to me for just a moment to modify a pending order governing the disposition of this bill.

Mr. LIEBERMAN. Of course I will.

Mr. MITCHELL. Mr. President, last evening there was entered order 221 printed at page 2 of today's calendar dealing with the consideration of the pending bill. It is only two sentences long, and the second sentence reads as follows:

> That no amendments or motions on the subject of Somalia, or the basing or command of U.S. troops overseas, be in order unless they have been cleared by the majority leader, after consultation with the Republican leader.

I wish to make clear to all of the Members of the Senate that my intention and that of Senator DOLE when we reached this agreement was that no such amendment be in order until we reach the subject of Somalia. That was to permit us to have a period of time within which to continue the discussions that had been under way and still go forward on other business, as we have been doing all day.

Although read literally, it might be construed to suggest that at no time during consideration of this bill could such amendments be offered; I wish to make it clear that is not the intention of myself as the majority leader or the Republican leader, and that once we get into the subject of Somalia, so far as I am concerned, this provision will no longer be operative and I will seek to have it vitiated so that any Senator can offer any amendment he or she wants as is the ordinary case.

As I said last night, I tried throughout the day yesterday to get an agreement which would permit us to consider other matters. I was unable to get that agreement. As a result, the Senate did not act on any business for several hours yesterday. So this was a response to that immediate situation. I wish to assure all Senators, so there can be no misunderstanding in that regard, once we get into the subject of Somalia—I hope that will be sometime this afternoon—nobody has to clear anything with me. I am going to vitiate this order and Senators will be able to have the full freedom to offer amendments which the rules permit.

Mr. President, I thank my colleagues for permitting me to make this clarification. I yield the floor.

Mr. LIEBERMAN. Mr. President, again I thank the Chair. I thank my friend and colleague, the Senator from Georgia, for taking the time to come over, for his typically thoughtful and reasoned statement. I think he makes a number of excellent points.

The one I want to emphasize is that this amendment by the Senator from Arizona would terminate a very thoughtful process to determine the best and most cost-effective way to sustain our submarine industrial base, which means our ability to build submarines at the end of this century and into the next century, which everybody acknowledges we are going to have to do.

The point is this: There is no funding in this bill for the third *Seawolf*. There have been a series of judgments made, including $540 million appropriated last year by the Senate Appropriations Committee, which are aimed at sustaining the submarine industrial base and continuing work on the *Seawolf* program. Next year the remaining funds presumably will be requested, or perhaps in the following year. That would certainly be a more appropriate time for more consideration, after continued oversight by the Department of Defense and the relevant committees of the Congress.

Mr. President, while my colleagues are on the floor, I want to restate that the *Seawolf* program, as it exists now, is not cold war business as usual. We have reduced the program from 29 submarines to 3. It is not some kind of political pork-barrel, full-employment program for the folks back home. The tragic fact is that even if we continue to fund—as I certainly hope and believe we will and should—this third *Seawolf*, more than 15,000 people at Electric Boat in Connecticut and Rhode Island will lose employment, as will many others throughout the country working for subcontractors who supply this program.

Mr. President, why build the third *Seawolf*? I think there are two fundamental reasons.

The first is to sustain our ability to build submarines at the end of the decade. When we say the industrial base, that is what we are talking about. We are not just talking about some theoretical possibility. The fact is that the Navy has made very clear to us, and I do not find anybody who disagrees with this, that even reducing the number of submarines in our fleet down to 45 to 55 as Secretary Aspin has concluded in the Bottom-Up Review, we will still need to build between 10 and 20 new attack submarines in the first decade of the next century.

We need to build new submarines because the existing submarines are simply going to reach the end of their operational lives. They are going to have to be taken out of service. We are going from a fleet of about 85 down to probably 45 to 55. Even under that scenario, we need to build 10 to 20 new submarines.

So the question is—and this is what the Bottom-Up Review considered quite carefully— do we close down the production lines now and restart them at the end of the decade? Or do we continue at a low rate of production, sustaining the infrastructure, the people, the factories, and be able to gear up at the end of this decade? The conclusion from all the studies that have been done is that it makes absolutely no sense to cut these factories off, to lay off all of these people. And the point I want to make again is that it makes no sense, not from a political point of view, but from an economic point of view. In one of its studies of this issue, the Navy made it clear that shutting down the production line now and starting it up at the end of the decade would cost at least $4 to $6 billion.

This is sophisticated work, with sophisticated equipment, and sophisticated factories, with sophisticated workers. You do not just do it overnight with no cost. It is $4 to $6 billion to start it up again, as compared to $1.5 billion to build this third *Seawolf*. A low rate of production sustains the capacity to build more submarines at the end of this century. It makes a lot more economic sense.

I must say that the numbers that our colleague from Arizona has thrown around in his discussion of the earlier amendment were misleading at best: $5.2 billion per submarine is just not real. Again, in the earlier amendment that he offered, it talked about $4.7 billion for the first two *Seawolfs*. And on this third one, we are talking about an estimated cost of $2.4 billion. Incidentally, cost begins to drop a little bit as we gain some experience in building them. The $5.2 billion can only have the remotest relationship to reality if we consider the so-called sunk costs, the startup costs, the earlier investments when we were going to have a 29-boat *Seawolf* program, which now has been reduced to three.

The only way that anyone can understand the $5.2 billion number by taking the so-called overhead for the 29 boats and applying it only to the two boats that are being built.

Incidentally, this money has already been appropriated, with some spent, and some waiting to be spent on the third *Seawolf*. We are talking about an additional $1.5 billion for a total of $2.4 billion for this third *Seawolf*. We are talking about sustaining the industrial base, the ability to build submarines. But more than that, Mr. President, what we are talking about is not just makework, but about creating a kind of silver bullet fleet of the finest attack submarines in the world; quieter, faster, with the capability not only to perform the traditional functions of attack submarines, but to carry out intelligence operations, surveillance operations, covert delivery of special operations forces, and firing Tomahawk cruise missiles, which were so important in the gulf war, and will be in future military operations.

These are extraordinary vessels. I guess there are some who would say that as sophisticated and extraordinary as these vessels are, we are not going to need them. Well, in the first place, there are almost 40 nations in the world that now have submarine capacity, and that capacity is increasing in some of those nations that are least friendly to the United States.

But let us talk about the former Soviet Union. A little more than a week ago, the question of who was in charge of the military might of the former Soviet Union—in this case Russia—was in doubt. It is quite possible that nationalists, people hostile to Western interests, people who might have more aggressive designs, would be back in charge of the former Soviet Union, including its submarine fleet. I think in these cases, as somebody said to me during the week, what we have to judge is not intention but capacity.

The Russians have enormous military capacity, including enormous submarine capacity. An expert in this field said to me this week that the comparable Soviet submarine to our 688 class, which is the best attack sub we have now, is equal to the 688 and can challenge the 688. So the question is capacity, not intention. The intentions of President Yeltsin seem, thank God, to be good and not hostile. But who knows who will be in control in the future.

Mr. President, these submarines are built to last 30 to 40 years. Can anyone in this Chamber say that in the 30 to 40 years after these submarines will be built that the United States of America will not want to have within our capacity, within our control, within our national security structure the three finest attack submarines ever built? I hate to say it, but I have a feeling that somewhere along the line in that next 30 or 40 years, human nature being what it is, human history telling us what it does, we are going to look back, or our successors will look back and be very grateful that we built the three Seawolf submarines.

So we sustain the industrial base at the most cost-effective price. We provide not just a make-work product but the three finest attack subs that have ever been built and that will be available to our military for the next 30 to 40 years.

It is a wise and thoughtful decision, not easy in these times politically, but the right decision to make. It has been sustained over and over again by those who have looked at this question. Again, there is nothing in this bill before us on the third *Seawolf*.

So I urge my colleagues to oppose the amendment offered by the Senator from Arizona.

I thank the Chair.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I rise in opposition to the amendment offered by our colleague from Arizona, Senator MCCAIN.

The fiscal year 1992-93 Defense Authorization Act authorized a third *Seawolf* submarine, commonly referred to as SSN-23. In 1992, Public Law 102-298 appropriated $540.2 million that could be used for advance procurement of critical long-lead items for SSN-23.

The amendment before us, pure and simple, deauthorizes funding for SSN-23 and is more inconsistent with congressional action. Furthermore, it would run counter to the recently released Bottom-Up Review, the elaborate defense posture plan prepared by Secretary Aspin. In it, Secretary Aspin and the administration conclude that construction of the third *Seawolf* is the best, most cost-effective way to preserve our submarine industrial base. The production of this third submarine would bridge the gap until we are ready to begin construction on the new attack submarine to be known as the *Centurion*.

Sustained low-rate production is the most effective way to preserve the technology, design, and unique skills necessary to maintain our submarine industrial base. In an October 6 letter, Secretary Aspin reiterates his belief that the SSN-23 is needed to bridge a projected production gap until a new attack submarine nears construction later this decade. If a production gap occurs, the Navy has determined that the highly specialized submarine vendor base, consisting of over 1,000 firms in 37 States, will be jeopardized.

Submarine technology and construction is unique and complex. It cannot be turned on and off like a faucet without considerable additional costs and disruption. Reconstituting the submarine industrial base to produce a new attack submarine, if at all possible, would also prove to be prohibitively expensive. In 1992, the Navy statement estimated that reconstitution would cost at least $4 to $6 billion.

The McCain amendment would reverse the previous authorization and appropriation of the *Seawolf* Program. In doing so, it would constitute killing a program which has not had a fair hearing in the Armed Services Committee. It would also block our Nation's ability to build submarines in the future.

Mr. President, the administration and Department of Defense also opposes this amendment, and I hope my colleagues will join in voting against it. In doing so, it is important to note that the bill before us today, the underlying bill, does not contain any specific funds for the *Seawolf* Program.

Mr. STEVENS. Mr. President, I have made my views on the *Seawolf* known to the Senate before, and they have not changed. However, I cannot support Senator McCAIN's amendment, and I want to point out why.

The *Seawolf* is a stealth submarine. People keep talking about attack submarine. It was designed and brought to us as a stealth submarine. I fail to see why we need a stealth submarine right now. I do think we need additional stealth aircraft. We started off with the idea of building 70 B-2 bombers, and because of attacks on this floor and general limitations, that has been reduced down and down and down again.

Additional *Seawolfs*, we are told—and this was the Secretary's testimony before our subcommittee—are necessary only to preserve the industrial base to build *Seawolfs*. That is illogical to me because I do not think we need *Seawolfs* to start with.

The real problem about this is that Senator McCAIN's amendment requires us to have an additional authorization to spend money that was already authorized, that we appropriated, and it is in a reserve account; and it would take, I believe, authority to start the third submarine. But I do not think we have to have authority to use the money we have already appropriated for the preservation of the industrial base.

However, if the Senate will look at the request that is contained in Senator McCAIN's amendment—a report from Congress, for the funding required from 1995 through the year 2004, a third submarine of the *Seawolf* class, for a mission requirements statement on such a third submarine, for a comparison of the costs of that submarine to the 688 class construction, for a whole series of comparisons as to the procurement of similar submarines, and for the assessment of the costs associated with the delaying production of a third submarine, I think all of those subjects are worthy of a report to Congress.

It is my understanding that it takes 8 years to build a *Seawolf*. I do not see any reason for us to even get around to thinking about a third *Seawolf* for a couple more years. So, in effect, Senator McCAIN's amendment is premature in that regard, but his provisions calling for a report I would support.

That is my problem. I do not support the amendment that contains a requirement for an additional authorization to expend moneys in the industrial base account, but I do support the concept of having a report to Congress, as he has indicated, as to why we should consider a third *Seawolf*.

Every one of these *Seawolfs* is equivalent to five B-2's. Yet, I look around the floor and I see many Senators who voted against the B-2's. Why? Because they told us they were too expensive. They told us they were unnecessary.

A B-2 is much more necessary for the future of this country's defense, in my opinion, than a *Seawolf*. I ask Senators to come forward and explain why they are opposed to B-2's if they support this *Seawolf*.

The main thing about Senator McCAIN's amendment right now is it really is making an advance decision that I think we will have to make maybe next year or the following year.

I wish he would just offer the amendment to ask for the report so we would have the report. As he has indicated, it is very important information, and I certainly believe the Senate should support getting such a report. But I do not think we should support making the decision that the report pertains to. I would like to have that report, because I think many more people would join me in seriously questioning the need for another *Seawolf*. But that issue is not before us. We are not deciding whether to have a third *Seawolf* today, as I understand it.

If we are making that decision, I think the Senate will be around for a much longer time, because I am very much opposed to a third *Seawolf* unless there is a lot more information and justification presented to the Senate. But I oppose Senator McCAIN's amendment because I do not think we should have to have another authorization to use the $542.2 million that is available to the preservation of the industrial base. That could be used in other areas.

It could be used, actually, in the 638 area. It could be used in other portions of the submarine program, again, though it would take an action by Congress to approve that, in effect, because I do not think that any of these programs can be sustained very long for the amount that we reserved in the industrial base.

I just oppose putting on the appropriations process another level of authorization requirement for moneys that are already authorized, already appropriated, and were already specifically reserved in the bill that we passed last year.

The PRESIDING OFFICER (Mr. CAMPBELL). The Senator from Connecticut [Mr. DODD], is recognized.

Mr. DODD. Mr. President, first of all, let me commend the Senator from Hawaii and the Senator from Alaska for their leadership on this bill overall, and also commend my colleague from Connecticut, who I think made a very comprehensive argument against the amendment of the distinguished Senator from Arizona.

Let me also say to my colleague from Alaska, before he leaves the floor——

Mr. STEVENS. I am not leaving the floor.

Mr. DODD. As one who supports the B-2, I think Senator STEVENS' arguments on the B-2 make sense.

I also happen to believe that the stealth technology we are talking about here has an appropriate value, just as the arguments for a B-2 have value, and this Senator supported those even though we do not have any business in my State with a B-2. But I think stealth technology for the 21st century is critical. We ought not to abandon that technology.

I subscribe to his arguments and ask him to consider the arguments being made on this particular matter when it comes to this form of technology.

Mr. President, as once said in this argument, you have heard now from a number of us here that everything probably has been said in defense of this particular program, but not everyone has said it.

So I am going to take a minute or two here to reiterate some of the arguments—I think the important arguments.

First of all, I would like to include in the RECORD an article written by Admiral Trost. It appears in today's Defense News. I ask unanimous consent that this be printed at this juncture in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUY TODAY, INVEST IN FUTURE

CONGRESS MUST FUND SEAWOLF BRIDGE TO FUTURE SUB

(By Adm. Carlisle Trost)

In its consideration of the 1994 defense budget, Congress at last has the chance to begin a historic redefinition of America's national security priorities.

Since the fall of the Berlin Wall set off a chain of political events that shook the world, there has been endless debate over how we should adjust to these changes. It is time for the debate to end and decisions to be made. It is time to adopt a forward-looking strategy for defense in the post-Cold war era.

The comprehensive bottom-up review of future defense requirements just completed by the Pentagon affords us that opportunity. It provides a sound basis for moving ahead with not only a rational reduction and restructuring of our forces, but a major redirection of our defense strategy.

There is more at stake than peace dividends and downsizing. It goes to the very core of how we view America's role in the world and its ability to carry out its future responsibilities. The concerns that drove our defense planning for more than 40 years have changed dramatically. In their place, we need a new strategy that takes into account not only today's demands, but tomorrow's uncertainties.

For the foreseeable future, that means we can be more selective in the weapons we buy and the number of troops we station around the world. But as the Pentagon review makes crystal clear, it does not mean we can lose sight of basic defense needs. One of those is the technology base that has underpinned our military strength for decades.

It is clear that significant downsizing of the defense industry will and must occur. But as we reduce military spending in accordance with the changed nature of the global threat to U.S. interests, we must take care not to jeopardize defense capabilities that may not be needed now but will be needed in the future. As the Pentagon assessment aptly points out, the only effective way to bridge the gap between the demands of today's world and tomorrow's is through continued low-rate production of critical, defense-unique technologies—especially those with no commercial application.

Last year, Congress recognized the long-range importance of certain defense assets by appropriating $540 million to help preserve our ability to build nuclear submarines. Nuclear submarines are in a class by themselves. Critical to strategic deterrence in the past, they will continue and expand a wide range of conventional roles in the future, enhancing our ability to project force and respond to crises wherever they may erupt.

Their stealth, reach and firepower will make them versatile instruments of U.S. policy, capable of carrying out missile strikes, like those launched against Iraq; intelligence gathering; coastal operations; or the covert deployment of special forces. From Defense Secretary Les Aspin down, U.S. civilian and military leaders agree that submarines—and the ability to design and build submarines—will remain vital to our national defense.

For some time, Congress and the administration have agreed that America's hard-won technological lead in undersea warfare must be upheld. The nagging question has been: How? We now must begin to build a consensus around the answer contained in the bottom-up review.

That document confirms the wisdom of what Congress did last year on an interim basis to sustain the highly specialized technologies, skills and workers who constitute the U.S. submarine industrial base. More importantly, it argues for Congress to commit to the low level of production needed to guarantee that the necessary resources still will be available when the next-generation attack submarine, the first specifically designed for the post-Cold War environment of the 21st century, is scheduled to enter the production pipeline five years from now.

The strategy is clear: buy what we need today, but invest in what we need tomorrow. As we exact deserved savings from the end of the Cold War, we must take care to protect resources fundamental to our national security. With its recommendation to build a third and final Seawolf submarine as a bridge to the next planned modernization of our undersea fleet, the Pentagon has given us an effective way to strike that balance. It is now up to Congress to show that where irreplaceable defense capabilities are at stake, it is prepared to invest in America's future.

Mr. DODD. Mr. President, the title of this particular piece written for today is entitled "Buy Today, Invest in Future." The subtitle is "Congress Must Fund Seawolf Bridge to Future Sub."

I think the last paragraph or so here, which I will just quote, says very eloquently what we are trying to say by raising the various arguments that are valid here.

Admiral Trost is highly regarded, and for the record, I point out he was a former Chief of Naval Operations and one of the most highly regarded naval officers in the past three or four decades, and certainly a knowledgeable individual when it comes to these matters.

He says:

> The strategy is clear: buy what we need today, but invest in what we need tomorrow. As we exact deserved savings from the end of the Cold War, we must take care to protect resources fundamental to our national security. With its recommendation to build a third and final *Seawolf* submarine as a bridge to the next planned modernization of our undersea fleet, the Pentagon has given us an effective way to strike that balance. It is now up to Congress to show that where irreplaceable defense capabilities are at stake, it is prepared to invest in America's future.

I suppose if we had all been clairvoyant 5 or 6 years ago, and had been able to predict the end of the cold war and the collapse of the Soviet Union, we would have come up with some different technology than the *Seawolf*. I suspect a less costly scaled down version of a modern 688 submarine. But no one was clairvoyant 10 years ago, so we planned and invested heavily for a modern, next generation attack submarine, and that was the *Seawolf*.

As colleagues here who follow the debates over the years will recall, we originally planned 29 *Seawolf* submarines to be part of that arsenal to protect and provide that attack submarine capability at the close of this century and into the next century. And then, of course, the collapse of the Soviet Union occurred and the end of the cold war.

So what has happened here, we have now reduced that number of 29 down to 3. And, in a sense, subscribing to the arguments raised by my colleague from Arizona and the Senator from Alaska, who argue whether or not this particular technology is needed in the 21st century, I happen to agree with my colleague from Connecticut. I think the point he made about events that occurred in Russia just a few days ago ought to cause everyone to pause here. I think a significant argument could be made, had two battalions decided to support the insurgents inside the White House in Moscow, we may be looking at a different situation today in Russia.

Fortunately, that did not occur. Fortunately, we had a President who spoke loud and clear in support of Boris Yeltsin, at a moment when it was critically important for the rest of the world to support him and encourage the paramilitary forces in Russia to back Yeltsin at that particular moment.

The point here is not necessarily the outcome, but to point out, as has the Senator from Connecticut, my colleague, the fragility of the former Soviet Union and the major arsenal there.

As the Senator from Hawaii pointed out, and accurately so, there is still an industrial capacity for submarines in the former Soviet Union. For the first time, we now have submarine technology that has been injected into the Persian Gulf. Iran has bought two submarines from the former Soviet Union. Libya is trying to buy them.

The notion somehow that this is no longer an issue out there is just not the case. There are some 400 submarines plowing the ocean floors right now, excluding the arsenals of the United States and the former Soviet Union. The People's Republic of China has an arsenal of 100 submarines. North Korea has the fourth largest submarine force in the world. The list I read, those are not exactly allies of ours.

We also know, as I say, there is an export market going on. Our allies in Germany are producing a diesel model for export, a very sophisticated submarine, by the way. It is not as sophisticated as the *Seawolf* at all, but there obviously are those out there who believe that this technology has some value in terms of a national security structure.

So what we are saying here is that we believe that maintaining our lead, our technical advantage, in this area makes sense.

Does anyone suggest for a minute here—and this may sound ludicrous—but let us assume for a second that we only had one industrial base left in the United States capable of building jet engines; only one left. Let us assume that is the case. It is not the case, but let us assume it is. Were someone to offer an amendment on the floor deciding to terminate the production of jet engines, even one that was more modern than we possibly need, would anyone really want to support such a proposal that would destroy that industrial base to produce jet engines or to produce surface ships or tanks or some of the vital elements to our national security structure?

And yet, with all due respect to my colleague from Arizona, that is exactly what is being proposed here.

This is not a debatable point. A decade ago, there were some six or seven different yards, I think, around the country that had the capacity to build submarines. Today, we are down to one. I might wish it were otherwise, but the fact of the matter is it is down to one.

It happens to be in the State of my colleague from Connecticut and my State, and a major part of the production facility is located in Rhode Island, the State of our colleagues Senator CHAFEE and Senator PELL. So we have a compelling interest in this. We are knowledgeable about it. We spend a lot of time on it, as I expect our colleagues would expect us to.

That is the only place left in America for that capacity; the only place left.

The Senator from Arizona raised the question, but, Mr. President, right here, I mean, people say what has been done about this. Here it is. I mean, that is the study. These are not lightweights doing this. Every knowledgeable, intelligent person who has evaluated this program says the industrial base is critical. You could lose it. You could lose it if you terminate this program.

So, with all due respect to my colleagues who are suggesting that somehow this is unimportant, here you have Admiral Trost, you have the Pentagon, you have the Bottom-Up Review, every single person who has looked at this has said, "Don't jeopardize this."

The Senator from Arizona is correct. He points out that in the letter of the Secretary of Defense this could, not would, but could. Les Aspin was accurate. I cannot say it is absolutely guaranteed, if the amendment of the Senator from Arizona is adopted, absolutely guaranteed that we would lose everything. I do not know. I just know what other people have said who have looked at it. They said you put it at risk, it is in jeopardy.

Does any one of us here really want to place this technology in jeopardy? I do not think so. Our hope is we get to the next generation quickly.

As the Senator from Hawaii has pointed out, for the Centurion-type class of submarine, it is going to be, hopefully, less costly, less sophisticated than the Seawolf submarine, and, as the Senator from Arizona pointed out—and I compliment him for saying so—he supports the submarine technology for the 21st century and believes we ought to have that as part of our national security mix.

The point is, you cannot get there from here, or at least there are significant questions about whether or not you can get there from here if, in fact, the amendment of the Senator from Arizona is adopted.

So, Mr. President, I just want to emphasize those particular points here. It is not engaging in hyperbole or exaggeration. The numbers I give you—again, my colleague from Connecticut pointed out some 405 different nations have a submarine capacity. Most of them have only one or two. Some of them are not very good. But some of the people we worry about most in the world have very good technology in this area and continue to proceed to develop it. We ought not to be unmindful of that as we consider the value and importance of this kind of technology for our future needs.

So I hope that we will reject this amendment.

Now, regarding the points of the Senator from Alaska about a report and examination, I am confident that is going to happen, I presume, here; that we are going to get a continuation of an examination as to whether or not this particular third boat is absolutely necessary to maintain that industrial base, to move forward, or we get the Centurion moved up maybe more quickly.

Maybe I am speaking to myself at this particular juncture, but I am certainly more than willing to examine alternatives, as long as we are going to be able to maintain that industrial base. But that is a question that has to be left for next year or the year thereafter. To terminate the program now, before you have even done the study, seems to me to be putting the cart before the horse, in a sense.

So I am quite confident a study will be done to examine whether or not that is the question. When that happens, obviously, we will have to take a look at it. I am confident that the Senator from Hawaii, in his capacity as chairman of the subcommittee, along with his colleagues, will want to do that as a part of their normal workload in scrutinizing these various systems, including other ones that will have to come before us.

So, Mr. President, I again want to thank our colleague from Hawaii and our colleague from Georgia, the chairman of the Armed Services Committee, and others who have addressed this question.

We have debated this issue many times now in the last several years. I think my colleague from Connecticut and I, Senator CHAFEE and Senator PELL and others have spent an inordinate amount of time on this issue, as would be expected, I suppose, as it is a matter that is important to our States and regions, just as my colleagues from other States that have other issues that are important to them spend time on those issues.

But I think we have debated this pretty thoroughly. We did last year. We had an extensive debate here on a rescission package. I think our colleagues expressed their view that while they may not want, necessarily, this particular program, we are sort of caught between a rock and a hard place on this one, and the issue is: Do you abandon it altogether or maintain that industrial base? Do you lose the only production facility left in the United States that has this capacity?

I think, if the people examine this issue in that context, they will arrive at the same conclusion that a majority of our colleagues have in the past, and that is that the acceptance of this amendment is far too great a risk for us to be taking. It is not just a jobs issue for our employees in Connecticut. It is to us. But I cannot ask a single Senator here to vote for this because it is a job at stake in Connecticut. That would be inappropriate and improper for me to do so. Every one of us have constituents whose jobs are at risk every day, and I cannot come to the floor of this Chamber and ask people to support programs merely to save jobs in our State. That is a matter we have to worry about in our delegation or our joint delegation. But I would not ask a single colleague here to support this program because one single job or 10,000 jobs were at stake in my State.

I think this program is worth supporting because of the arguments that we have made regarding the industrial base and the critical technology. We have to maintain that yard for it to stay open. That is the reason to be against this amendment and support the Senator from Hawaii, the Senator from Alaska, and others who have argued for this this afternoon.

So, Mr. President, again I respect my colleague from Arizona. He and I have spent a lot of time on other matters and other issues in the past, and I presume we will continue on that basis. I admire his persistence on this issue. I just hope he can continue to be persistent and not successful in this regard. I welcome that persistence. But, hopefully, his amendment, with all due respect to him, will be rejected.

Mr. President, I yield the floor.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona [Mr. McCAIN], is recognized.

Mr. McCAIN. Mr. President, I understand that my colleague from Alaska said that he opposes the third *Seawolf* submarine, but he does not like the fact that it was already authorized. I would say, if there is any language changes that he envisions which would change this amendment, I would be more than happy to send a modification to the desk to get his support. In fact, I had urged his staff to do that.

So I am sorry that he finds that aspect of this amendment unacceptable, and I would like to work with him if it were possible to amend the amendment so that would be acceptable, since he, in his statement, is with me in principle in opposition to the third *Seawolf*.

My friend, the junior Senator from Connecticut, said the numbers that I have used were many times misleading.

Mr. President, I ask unanimous consent that at least page 8 of the introduction to the GAO report on the *Seawolf*, entitled "Problems Continue To Plague the "Seawolf" Submarine Program" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[General Accounting Office, August 1993]

NAVY SHIPS—PROBLEMS CONTINUE TO PLAGUE THE SEAWOLF SUBMARINE PROGRAM

(Report to Congressional Requesters)

EXECUTIVE SUMMARY

Purpose

Justification for the Seawolf nuclear-powered attack submarine (SSN-21) and its concurrent design/construction was based on countering the former Soviet Union's submarine force. Almost from the beginning, however, concerns have been voiced about the program's level of concurrency and the submarine's affordability. Over the past 6 years, the program has experienced cost increases, schedule delays, reductions in planned procurements, and proposed termination after construction of the second SSN-21 class submarine.

The Chairman, Subcommittee on Regional Defense and Contingency Forces, Senate Committee on Armed Services, and the Legislation and National Security Subcommittee, House Committee on Government Operations, asked GAO to (1) monitor the status of SSN-21 class design and lead ship construction, (2) assess the effectiveness of technical and management actions to resolve SSN-21 welding problems and guard against a recurrence of a similar problem in the future, and (3) evaluate Navy actions to keep the program on schedule.

Background

In April 1987, the Navy awarded Newport News Shipbuilding and Dry Dock Company (Newport News Shipbuilding), Newport News, Virginia, a $303-million (fiscal year 1987 dollars) contract for the overall SSN-21 class design and detailed design of its forward half. As part of its design contract, Newport News Shipbuilding awarded General Dynamic's Electric Boat Division (Electric Boat), Groton, Connecticut, a $48.8-million subcontract for the detailed design of the submarine's rear half. As of December 1991, Newport News Shipbuilding estimated the total cost of the SSN-21 class design at completion would be $655 million (current-year dollars)—a $352-million increase (116 percent) over the original contract cost estimate.

In January 1989, the Navy awarded Electric Boat a $636.8-million (fiscal year 1987 dollars) contract to build the first SSN-21. Subsequently, Electric Boat estimated escalation would add $81.2 million to the construction cost, bringing the total estimate to $718 million. Delivery was originally scheduled for May 1995. Because of welding cracks discovered on the SSN-21's pressure hull in June 1991 and subsequently on other components, the submarine's delivery was delayed 1 year until May 1996. Up until that time, design delays had caused SSN-21 construction to fall significantly behind schedule. In addition, late delivery of its combat system had the potential to further delay the submarine's construction schedule. The 1-year delay tended to abate these problems. However, in December 1991, Electric Boat estimated the total cost to construct the SSN-21 at $1,039 million (then-year dollars)—a $321-million increase (45 percent) over the original contract target cost. These costs do not include the $1 billion estimated to complete development of the AN/BSY-2 combat system.

Results in Brief

The SSN-21 program continued to experience cost increases and schedule delays during 1992. Since December 1991, the estimated total cost for design and lead ship construction at completion increased about $28 million and $64 million, respectively. Design availability and construction work force problems contributed to SSN-21 construction delays. Because of incompatibility between the design and construction schedules, the potential exists for further schedule delays. According to the Navy, however, actions it and Electric Boat have taken are expected to overcome the delays and minimize any effect of the incompatible schedules. Although it is too early to determine whether these actions will be successful, the Navy believes these actions will maintain the SSN-21's May 1996 delivery. SSN-21 welding problems appear to have been resolved and a recurrence is unlikely.

Principal Findings

Corrective Actions Are Expected To Maintain May 1996 Delivery

In the last year (as of December 1992), construction has fallen behind schedule at least 5 months. The Navy and Electric Boat expect that actions they have taken will make up the 5-month delay and minimize the effects of the incompatibility between the design and construction schedules. It is still early in implementation to be sure these actions will be effective.

Electric Boat and the Navy agree that the factors contributing to construction delays include (1) late drawings and other design data, (2) insufficient staff and problems preparing and releasing the instructions and materials needed for construction (work packages), and (3) a smaller-than-expected SSN-21 construction work force. Electric Boat believes that late design data was the primary factor; however, the Navy believes all three factors together caused the delays.

As of December 1992, more than 4,100 (5 percent) of the work packages scheduled for completion and 6,100 (9 percent) of the completed work packages scheduled for release to construction workers were delinquent. Therefore, to minimize unnecessary construction rework and labor inefficiencies, Electric Boat has not assigned as many construction workers as originally planned. Consequently, the number of construction workers from November 1991 through December 1992 averaged about 38 percent below planned levels. Electric Boat has implemented several measures to address construction delays.

An incompatibility between the design and construction schedules has the potential to further delay the SSN-21's delivery. In March 1991, the design and construction schedules were revised to support a May 1995 delivery, referred to as Revision D. In November 1991, primarily because of the welding problems, a new construction schedule (Revision E) was approved to support a May 1996 delivery. At that time, however, the Navy directed Newport News Shipbuilding to continue its design work to meet the Revision D construction schedule. According to the Navy, the reasons for this directive were to avoid cost increases and staffing changes that a schedule realignment would cause and ensure a schedule margin for design deliveries.

Since November 1991, the design effort has continued to fall further behind the construction schedule. Although the Navy was aware of the problem throughout this time, early corrective actions did not resolve the problem. It was not until the summer of 1992 that the extent of the problem was realized and a detailed analysis was conducted. In December 1992, the Navy directed Newport News Shipbuilding to realign its design effort to support Revision E. According to the SSN-21 program manager, the design and construction schedules are now in line and all design drawing delinquencies will be eliminated by February 1994. In addition, the program manager stated that the corrective actions taken by Electric Boat are expected to maintain the May 1996 delivery. The Department of Defense (DOD) stated that (1) a process to identify the shipbuilder's drawing needs was implemented following adoption of Revision E, (2) the schedule variance did not preclude following the Revision E construction schedule, and (3) overall design progress outweighed the variance problems.

Design and Construction Cost Increases Continue

As of December 1992, Newport News Shipbuilding estimated it would cost $683 million (current-year dollars) to design the SSN-21 class, a $28-million (4 percent) increase since December 1991, and $380 million (125 percent) over the original contract cost estimate. According to Newport News Shipbuilding officials, cost increases are primarily due to contract modifications; expanded work scope; and increased labor, material, and overhead rates.

In December 1992, Electric Boat estimated SSN-21 total construction costs would increase to $1,103 million (then-year dollars), a $64-million (6 percent) increase since December 1991, and $385 million (54 percent) over the initial cost estimate to complete construction. The $385 million includes an estimated $173 million in escalation, which is a $91.8-million increase over Electric Boat's initial $81.2-million estimate. According to Electric Boat officials, cost increases are primarily due to changes in specifications, reductions in the number of submarines to be constructed, which results in higher overhead costs per submarine, and re-estimation of construction elements unknown during the bid proposal and at contract award.

The SSN-21 program also will incur additional cost increases because of design and construction schedule incompatibility. Although the full impact is being studied, the SSN-21 program manager believes the cost increases will be minimal.

Welding Problem Resolved

By September 1992, Electric Boat had corrected the welding problem and instituted new procedures that included raising preheat and post-weld temperatures, increasing the heating time for completed welds to "burn off" impurities, and using welding wire containing less carbon. Electric Boat and Navy officials and three welding consultants GAO contacted believe that the new welding procedures have resolved the welding problem and should prevent any recurrence.

Recommendations

This report contains no recommendations.

Agency Comments

DOD generally agreed with GAO's findings on the status of the SSN–21 design and lead ship construction program and provided additional comments, which GAO has incorporated where appropriate. (See app. IV.)

CHAPTER 1—INTRODUCTION

The Navy justified the Seawolf (SSN–21) class nuclear-powered submarine program and concurrent design/construction of the lead submarine as necessary to counter the former Soviet Union's new generation of quieter, more capable submarines. The SSN–21 class, designed to be quieter, deeper diving, and tactically faster, will provide better operational and weapons capability than the Navy's Los Angeles (SSN–688) class nuclear-powered attack submarines currently under construction.

Due to the collapse of the Soviet Union, as well as U.S. defense budget constraints, planned procurement of SSN–21 class submarines has been reduced from 29 to 2. Unless the Clinton administration seeks funding to build additional SSN–21 class submarines, the program will terminate after the SSN–22 is built.[1]

Total Program Costs Decrease While Average Submarine Costs Increase

Although construction of only two SSN–21 class submarines reduced total estimated program costs by more than $33 billion,[2] the average submarine cost has increased by 247 percent. Table 1.1 details the effect procurement reductions have had on total and average costs for the SSN–21 program.

TABLE 1.1—CHANGES IN SSN–21 DEVELOPMENT AND PROCUREMENT COST ESTIMATES

[Dollars in billions]

Year	Number of ship	Research, development, test, and evaluation	Procurement	Total	Average cost
1985	29	$2.7	$41.0	$43.7	$1.5
1991	12	5.0	28.5	33.5	2.8
1992	2	4.6	5.8	10.4	5.2

[1] According to the Navy, this includes actions it is taking to avoid future program costs of about $208 million over the life of the SSN–21 program. These actions include reducing the number of construction spares and canceling the HY–130 steel program.

SSN–22 Construction

On May 3, 1991, the Navy awarded General Dynamics' Electric Boat Division (Electric Boat), Groton, Connecticut, a fixed-price incentive-fee contract to construct the SSN–22 at a cost of $689 million. The Newport News Shipbuilding and Drydock Company (Newport News Shipbuilding), Newport News, Virginia, challenged the contract award in court, but the U.S. Circuit Court of Appeals, Richmond, Virginia, upheld the Navy's contract award to Electric Boat on March 16, 1992. However, the Navy had placed a stop work order on this cotract due to the Bush administration's decision to terminate the SSN–21 program after constructing the lead ship. The stop work order was lifted in June 1992. Electric Boat began SSN–22 construction in September 1992, with contract delivery scheduled for June 1997. Primary because of construction start delays, but also because of the court challenge and a Navy stop work order, Electric Boat requested a $124-million (1987 dollars) increase in the SSN–22 contract's target cost and an 18-month delivery date extension (to December 1998). The Navy expects to decide on Electric Boat's request in late July 1993.

Cancellation of SSN–23 Through SSN–26 Contracts

In fiscal year 1991, Congress appropriated $2.4 billion to construct the SSN–23 and cover advanced procurement items for follow-on SSN–21 class submarines. Until President Bush proposed terminating the program in 1992, the Navy had planned to issue a solicitation for SSN–23 construction during the second quarter of fiscal year 1992. Since then, however, Congress has rescinded certain funds appropriated for SSN–23 through SSN–26,[3] and the Navy has either completed, issued stop work orders on, or terminated related contracts.

Our Prior Reviews of SSN–21 Related Issues

Since 1985, we have reported 19 times on a wide range of SSN–21 program-related issues. (See app. I.) Topics have included affordability and concurrency, combat system development risks, cost increases and schedule delays, propulsor development and testing, and the effect of reduced SSN–21 class submarine procurement on the U.S. submarine shipbuilding industry. In our last report,[4] we discussed the SSN–21 program's status as of December 1991 and pointed out that design and construction problems have caused continued cost increases and schedule delays. This report presents the results of our continuing SSN–21 program work and provides a 1-year snapshot of the program's status as of December 1992.

Objectives, Scope, and Methodology

The Chairmen, Subcommittee on Regional Defense and Contingency Forces, Senate Committee on Armed Services, and the Legislation and National Security Subcommittee, House Committee on Government Operations, asked us to (1) monitor the status of SSN–21 class design and lead ship construction, (2) assess the effectiveness of technical and management actions to resolve lead ship welding problems and guard against a recurrence of a similar problem in the future, and (3) evaluate Navy efforts to control schedule delays.

To accomplish our overall objectives, we reviewed and analyzed Navy studies; Navy assessments; and contractor cost, schedule, performance, and staffing reports. We also held discussions with Navy officials responsible for the class design, SSN–21 construction, and subsystems' development in Washington, D.C., and at other locations identified below.

To determine the status of the class design, we reviewed and analyzed contractor-developed documents and reports and held discussions with officials at Newport News Shipbuilding; officials of the SSN–21 program within the Naval Sea Systems Command, Arlington, Virginia; and the Navy's Office of the Supervisor of Shipbuilding, Conversion, and Repair, Newport News, Virginia.

To determine the status of SSN–21 construction, we held discussions with officials from Electric Boat and the Office of the Supervisor of Shipbuilding, Conversion, and Repair, Groton, Connecticut, and the SSN–21 program office. In addition, we determined the status of major SSN–21 subsystems to determine whether they will negatively affect the SSN–21 construction schedule. Based on our prior SSN–21 program work, we selected 10 major SSN–21 systems to review. We also discussed the development of these subsystems with responsible Navy officials. Of the 10 subsystems we examined, 2 are experiencing design, production, or installation schedule problems but are not expected to affect SSN–21 construction. These two subsystems and the AN/BSY–2 combat system are discussed in appendix II.

To assess the effectiveness of technical and management actions to correct SSN–21 welding deficiencies, we held discussions with officials from Electric Boat, the Navy's Office of Supervisor of Shipbuilding Conversion, and Repair, Groton, Connecticut; the SSN–21 program office; the Naval Sea Systems Command Office of Ship Design and Engineering; the Office of the Naval Nuclear Propulsion Program; and three welding consultants hired by the Navy. We also reviewed contractor and Navy welding test sampling and quality assurance reports. (See app. III for a full discussion.)

We discussed the Navy's effort to control schedule delays with representatives of the SSN–21 program office, but primarily with the Navy's on-site Supervisor of Shipbuilding, Conversion, and Repair, Groton, Connecticut, for SSN–21 construction and the Supervisor of Shipbuilding, Conversion, and Repair, Newport News, Virginia, for SSN–21 class design.

We conducted our review between May 1992 and May 1993 in accordance with generally accepted government auditing standards.

FOOTNOTES

[1] In January 1992, President Bush announced plans to terminate the program and proposed rescinding appropriated funds and canceling planned spending for all SSN–21 class submarines, except the lead submarine. Subsequently, in March 1992, Congress debated the merits of building one, two, or three SSN–21 class submarines. This debate culminated in Public Law 102–298, "An Act Rescinding Certain Budget Authority," Fiscal Year 1992, June 4, 1992, which implicitly rejected the administration's rescission proposal and, among other actions, restored funding to construct the SSN–21.

[2] Unless otherwise designated, all cost data is expressed in then-year dollars.

[3] For a full discussion on the Bush administration's rescission proposal and the resulting Public Law 102–298, see GAO's report, "Navy's Ships: Plans and Anticipated Liabilities to Terminate SSN–21 Program Contracts" (GAO/NSIAD–93–32BR, Nov. 27, 1992).

[4] "Navy's Ships: Status of SSN–21 Design and Lead Ship Construction Program" (GAO/NSIAD–93–34, Nov. 1992).

Mr. McCAIN. Mr. President, I was not attempting to mislead my friend from Connecticut. I was only quoting from the GAO report. If he believes that the GAO report's numbers are misleading, then I would be more than happy to hear his arguments. But if he characterized my numbers and figures as misleading, then I have to tell him that the GAO is misleading.

I must hasten to add that there have been times when I thought the GAO numbers were not totally accurate, so he may be correct in his assumption that they are misleading, and I would be glad to respond to a question.

Mr. LIEBERMAN. If my friend from Arizona will yield, I would appreciate it. I understood he was quoting from the GAO report.

My point really was that I believe those numbers are misleading. By suggesting each boat will cost, I believe, $5.2 billion, what they are doing is figuring in the overhead, the investment costs that were originally going to be spread out over 29 boats now being spread, in that example, over two boats. As the Senator, my friend from Arizona, indicated himself in his first amendment, which we accepted, the

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Footnotes at end of article.

first two can be built for a total of $4.7 billion, in fact. So I appreciate the opportunity to correct the implication. I think we can all agree that occasionally GAO is misleading and the Senator himself has not been so.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I appreciate the comments of the Senator from Connecticut. One of the most difficult aspects of the entire defense debate is always exactly how much a program, or a particular piece of military hardware costs.

All the time we talk about sunk costs, we talk about R&D costs, we talk about cost overruns. I think one of the reasons why the American people are so cynical about the acquisition of almost any weapons system is because they can never get a true handle on the exact cost of that system. I would point out to my friend from Connecticut that one of the major reasons, in my view, why the B-2 bomber has been under such severe attack is because of the cost escalations. A large amount of that cost escalation has the very same cause as the cost escalation associated with the *Seawolf* submarine, and that is we are procuring far fewer B-2 bombers than we originally anticipated so we do not spread out the original research and development costs.

What I would like to see, and I will try to provide it for the record, is the total cost of this program. Then if you want to divide by two, or if you want to divide by three—because we are arguing here about the difference between two and three weapons systems—I think perhaps we could then get a more accurate depiction of the total costs.

I have disagreed with GAO's numbers from time to time. But I have never heard GAO admit that perhaps their numbers were not correct.

It is a fact there have been significant cost overruns associated with this project and whether there were 1 or 2 or 3 or 29 submarines, the prototypes, No. 1 and No. 2, have had significant, and in my view nearly unacceptable—unacceptable—cost overruns. That is why I proposed the amendment capping the costs of the No. 1 and No. 2. I was grateful my friend from Hawaii and my friend from Alaska accepted the amendment which caps the costs of the first two *Seawolf* submarines.

I want to talk about the defense industrial base issue. The arguments made by the Senators from Connecticut, Mr. DODD and Mr. LIEBERMAN, and all the proponents of the *Seawolf* submarine have validity. We do need an industrial base. We need a missile industrial base, a tank industrial base, an airplane industrial base, a missile industrial base. For virtually every different type of weapons system that would be employed in modern warfare, we need an industrial base.

But the reality is, and the President and I know, we are not going to be able to maintain an industrial base for every single type of weapons system that this country has used. In fact, we are already seeing the disappearance of some of the industrial base for certain defense weapons systems. We are going to have to make more and more hard choices as to which we maintain as an industrial base and for which we then use the defense conversion moneys, several billions of dollars, I might add, in order to help the men and women who are involved in those industries, and the companies and corporations that maintain those defense industrial bases, make the transition into a civilian economy.

No one, least of all this Senator, underestimates the difficulties of going from doing business with one buyer to doing business in the open and free and competitive market. It is not easy. Not every company will survive. In fact, it is my guess the majority of them will not. But at least we are making a commitment to try to assist them to make that very difficult and agonizing transition which, by the way, almost invariably involves downsizing the company, the corporation.

So, if we took the proponents of this weapons system's argument to an extreme, frankly we would not be able to cut the Defense budget, certainly not on the procurement side. And as we know, the procurement side of the Defense budget is an extremely large portion, about 40 percent, I believe, of the budget. I will check that number for the record.

So then we have to ask ourselves the question, What are the challenges of the post-cold-war era? What are those challenges? We are seeing them today in Somalia. We saw them yesterday in Haiti. We see potential flash points throughout the world that may require U.S. military—may or may not—but entail the likelihood of U.S. military involvement.

Perhaps the Senators from Connecticut can give me a scenario where we need a $2 or $3 or $5 billion, depending on your cost estimate, *Seawolf* submarine to protect the United States vital national interests; to accommodate our ability to maintain freedom and democracy, but most important the preservation of our vital national interests in the post-cold-war era.

On a list of priorities of the weapons systems that we need, I do not know of a weapons system that ranks below that of the *Seawolf* submarine, especially given the fact of the incredible cost involved.

What weapons systems could we buy in place of the *Seawolf* submarine? Every time we have a hearing before the Senate Armed Services Committee and the Joint Chiefs and the CINC's, when the area commanders testify before the committee they testify we need sealift capability, we need airlift capability; the C-17 is in serious trouble and it is one of our major priorities; we need rapid deployment forces; we need equipment that gives operating capability to our special operations forces to go into an area quickly and in a stealthy fashion; we need to be able to move men and equipment very rapidly, across broad expanses of sea and air.

By the way, Mr. President, procurement is approximately 20 percent of our overall Defense budget.

So these military leaders tell us that there are significant shortfalls. They also tell us they see difficulties arising and a potential for a serious crisis in readiness. They tell us if we continue to cut the Defense budget significantly we are going to go back to the hollow Army of the 1970's. We are continuously cutting readiness, R&D, research and development, depot maintenance.

I have well documented for this body and members of the Armed Services Committee the pitfalls that lie ahead with continued cuts in defense spending. In fact, in an incredible fashion, this administration proposed freezing the pay for the men and women in the military and at the same time says we need a *Seawolf* submarine. Yet we cannot afford to increase the pay of the men and women serving in the military, many of them at incomes hovering at less than $20,000 a year.

Some people have their priorities screwed up, in that case obviously. But more important, we have to ask ourselves what are our priorities? Both Senators from Connecticut make compelling arguments for the *Seawolf* submarine. If it were the *Seawolf* submarine alone, I would be the first to vote for it. But it is in the context of the post-cold-war era and our reducing our Defense budget by 40 percent, telling thousands of young men and women who voluntarily joined the military for a career that they have to get out because we cannot afford to keep them because of the cuts in defense spending, and then at the same time fund a multibillion-dollar weapons system that has no mission.

If someone could describe to me the mission of the *Seawolf* submarine that cannot be accomplished by the *Los Angeles* class submarine in the post-cold-war threat scenario, I am very interested in hearing it.

Just to be a little crass, it is well known the President of the United States in the primaries was in the State of Connecticut and promised the *Seawolf* submarine would be funded; that he would support the *Seawolf* submarine.

The President of the United States is not renowned for his military knowledge, but he was free to make that commitment. I cannot help but believe that perhaps that might have had some slight influence on the decision by the

Defense Department, and if the Defense Department can justify to me procurement of a multibillion-dollar weapons system for which there is no post-cold-war mission, and at the same time tell young men and women to get out of the military because we cannot afford to keep them and those we keep we are freezing their pay and benefits, then it is highly illogical to do so.

In fact, in my view, it is almost criminal because if we lose the quality of men and women in the military that we have today, we are going to have very serious problems.

I will say—I am happy to say—that the Congress corrected the budget request of the administration to freeze the pay of men and women in the military, both officer and enlisted, but it was the action of Congress, not the action of the administration, that rectified what to me was an unacceptable policy.

So, again, with great respect and admiration for the in-depth knowledge that my colleagues have concerning the *Seawolf* weapons system, and I think it is better to call it a weapons system because it is a magnificent weapons system, and their strong support for it, I fully understand and appreciate. But I hope the rest of my colleagues will agree that in the context of what is happening to our overall defense expenditures we have to make tough decisions, and that decision, in my view, of the priority list leaves out these enormous expenditures.

So I understand and appreciate their views, but at the same time, I think that if we, as said the other day in a column by Col. David Hackworth, retired U.S. Army Colonel, in Newsweek magazine, if the Secretary of Defense can afford a $5 billion *Seawolf* submarine but he cannot afford to send some armor to Somalia, then I think we ought to, frankly, reassess what our priorities are.

Mr. President, I yield the floor.

Mr. ROTH. Mr. President, the history of the *Seawolf* submarine program epitomizes the predicament of the vast majority of weapons. It is over budget, way behind schedule, and, even after several billion dollars has been spent, we do not know if it will work. Yet, we do know that powerful interests work because they are keeping the program alive.

Mr. President, the SSN-21 program was part of the cold war struggle over the deep seas. The SSN-21 class submarines were to be quieter than the seas themselves. The submarines were to operate more than a thousand feet underwater. The submarines were to have special sensors and computer systems to detect Soviet nuclear submarines that were made very quiet by the theft of classified American documents and technologies.

Two years ago, I joined with Senator McCAIN to try to kill the SSN-21 program because the end of the cold war made the submarine irrelevant. While we got very few votes on the amendment that year, it was clear that it was time to stop wasting the taxpayer's money on cold war-era weapons that were no longer relevant. We were vindicated in our views when President Bush announced the termination of the SSN-21 program 2 days after the Senate voted on our amendment. However, the powerful interests were still at work and Congress overroad the President to keep the program alive supposedly for industrial base purposes. Mr. President, again I state: It is time to stop spending the taxpayer's money on cold war weapons that are no longer relevant.

Mr. President, two SSN-21 class submarines have been funded on the basis of the need to maintain the industrial base. The argument in favor of spending $2.6 billion on the SSN-23 is not the dire need for such a system. Indeed, many analysts have noted that the submarine will not be able to operate effectively in post-cold war battle areas. But, perhaps the greater issue is that we cannot afford to keep the spigot of funding open for such a program It is already about a billion dollars over budget and several years behind schedule. Unless we are willing to make this program accountable for a current military need and make it measure up against firm cost and schedule goals, the nearly $1 billion cost overruns will continue to grow.

Mr. President, there are many unfunded needs in the Defense budget. Indeed, the Secretary of Defense announced that nearly $20 billion in additional funds would be needed over the next 6 years. I understand that the argument boils down to spending about $1.5 billion in additional funding in order to keep open a part of the defense industrial base. That might save perhaps $500 billion if that industrial base needs to be reconstituted. I cannot support spending $1.5 billion to save $500 million.

Mr. President, the amendment that Senator McCAIN and I are proposing will send a strong message to the Defense Department. It says that the Congress will not continue spending without accountability on a weapon program in order to protect the industrial base. And, it tells the powerful interests that the Congress will not continue throwing money at weapons that do not have a real world need.

Mr. MITCHELL. Mr. President, I oppose the McCain amendment. It contradicts the conclusions of the Defense Department's Bottom-Up Review, is detrimental to the Navy's public shipyards, and imposes excessive restrictions on funds that already have been appropriated.

As part of its Bottom-Up Review, the Defense Department concluded that the Navy will have to begin construction of a new class of submarines near the end of this century in order to sustain our submarine force at a lower but stable level. In order to accomplish this goal, the Defense Department acknowledged that the submarine industrial base must be preserved. The Defense Department reviewed the options for sustaining the capability to build new submarines and concluded that the most cost-effective way to proceed will be to begin construction of a third *Seawolf* submarine at the Electric Boat shipyard in fiscal year 1995 or 1996.

The McCain amendment would prohibit the Defense Department from pursuing its preferred option for sustaining the submarine industrial base. If this amendment were adopted, the Defense Department would certainly pursue other methods of sustaining this industrial base. Currently, the only other major submarine-related work being conducted is the refueling overhauls of *Los Angeles* class submarines at the Navy's premier facility for such work, Portsmouth Naval Shipyard. With the decline in submarine construction since the end of the cold war, private shipyards are already aggressively pursuing smaller submarine repair projects offered by the Navy in public-private competitions. If the option of building the third *Seawolf* is denied by Congress, private shipyards will clearly seek submarine refueling overhaul work. Without the option of providing new construction work to the private sector, the Defense Department is likely to consider such private sector requests favorably.

I believe this outcome would threaten the workload scheduled for Portsmouth Naval Shipyard, which already has experienced excessive reductions. Portsmouth Naval Shipyard has developed infrastructure and work force skills that are ideally suited for submarine overhaul work, and the Navy should not invest limited funds to duplicate these overhaul capabilities.

The McCain amendment also requires that funds appropriated last year by the Congress be withheld until the Defense Department conducts additional studies of the submarine industrial base. This requirement imposes excessive restrictions on funds that Congress already has appropriated to sustain the industrial base. I believe that such a requirement will delay the Defense Department's efforts to sustain the submarine industrial base and place additional pressure on the private sector to seek additional submarine repair work.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, pursuant to the consent granted on the McCain amendment, No. 1031, I move to table the amendment.

I wish to inquire, that vote will occur at 2:35 this afternoon?

The PRESIDING OFFICER. Under the previous order, that is correct.

Who yields time?

AMENDMENT NO. 1032

(Purpose: To set aside $4,500,000 for replacement of the TER–9A ejection rack for F–16 aircraft)

Mr. INOUYE. Mr. President, in behalf of Senator LEAHY, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the committee amendments are set aside.

Mr. DODD. Reserving the right to object, have the yeas and nays been ordered on the tabling motion on the previous amendment?

The PRESIDING OFFICER. They were not ordered.

Mr. DODD. I ask for the yeas and nays on the tabling motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Without objection, the committee amendments are set aside, and the clerk will report the amendment.

The bill clerk read as follows:

The Senator from Hawaii [Mr. INOUYE], for Mr. LEAHY, proposes an amendment numbered 1032.

Mr. INOUYE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 32, line 21, before the period at the end insert the following: ": *Provided*, That of the funds appropriated under this paragraph, $4,500,000 shall be available for replacement of the TER–9A ejection rack for F–16 fighter aircraft".

Mr. INOUYE. Mr. President, this amendment has been cleared by both sides. I urge its adoption.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1032) was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1033

(Purpose: To provide for a limitation on the obligation or expenditure of funds with respect to certain activities at the Antler Military Operations Area, Pennsylvania)

Mr. INOUYE. Mr. President, I ask unanimous consent that the pending amendments be set aside. I send to the desk an amendment in behalf of Senators WOFFORD and SPECTER, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Hawaii [Mr. INOUYE], for Mr. WOFFORD, for himself and Mr. SPECTER, proposes an amendment numbered 1033.

Mr. INOUYE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, below line 9, insert the following:

SEC. 8142. (a) No funds appropriated under this Act may be obligated or expended for the purpose of establishing the Antler Military Operations Area, Pennsylvania, for the purpose of conducting aerial combat training operations until the date of the submittal to congressional defense committees of the report referred to in subsection (b).

(b)(1)(A) The Secretary of Defense, in consultation with the Administrator of the Environmental Protection Agency and the Administrator of the Federal Aviation Administration, shall submit to the congressional defense committees a report on the effect of low-level aircraft training operations of the Department of Defense on the proposed Antler Military Operations Area, Pennsylvania.

(B) The Secretary shall submit the report not later than 6 months after the date of the enactment of the Act.

(2) The report under this subsection shall include the following:

(A) An assessment of the effect of the training operations referred to in paragraph (1) on—

(i) the environment of the areas of, and in the vicinity of, the proposed Antler Military Operations Area, including a detailed assessment of the effects of the noise generated by such operations on the environment of such areas;

(ii) the economy of such areas; and

(iii) the health and safety of persons living in and around such areas.

(B) A description of the number of aircraft flights per month that the Secretary anticipates will occur in the proposed Antler Military Operations Area.

(C) A description of the number and duration of such flights per month that the Secretary anticipates will occur at or below a level that is 500 feet above the highest ground level of the proposed Antler Military Operations Area.

(c) In the section, the term "congressional defense committees" means the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives.

Mr. WOFFORD. Mr. President, I rise to offer an amendment to the Defense appropriations bill to ensure that the Department of Defense fully considers the environmental and economic impact of new flight-training routes—as well as the potential effect on public safety.

The rapid conversion of Air Reserve components from older aircraft systems to the F–15's and F–16's is generating plans to significantly expand training airspace around the United States. Yet, I am concerned that in some cases we are rushing to establish military operations areas without fully considering the potential effects on the surrounding communities. We must fully and accurately consider the environmental, economic, and public safety effects of high-performance aircraft flown at extremely low levels or at supersonic speeds at higher levels.

In Pennsylvania, the Air National Guard has proposed the establishment of the Antler military operations area, or MOA. This proposal would enable the Air National Guard to conduct flight training over five State parks in north-central Pennsylvania. The Antler MOA would result in frequent, low-level flights over approximately 1,2000 miles of State forest and park land. Hundreds of thousands of Pennsylvanians use these parks for recreation and many communities depend on the tourism that these parks generate.

The Antler MOA should not be implemented until we have full information on the potential impact of flights over Pennsylvania's State parks. The amendment I am introducing would require that the Secretary of Defense, in consultation with the Administrator of the Environmental Protection Agency and the Administrator of the Federal Aviation Administration, to report to Congress on the environmental and economic effects, including the noise effects, of low-level aircraft training in the proposed Antler military operations area. The report will also include a description of the number and duration of flights per month—information that the Air Force has, as of yet, not provided.

A preliminary environmental impact study has already been conducted. But, serious questions remain. The proposed Antler military operations area threatens the peace, tranquility, and economic well-being of some of Pennsylvania's most pristine areas. Pennsylvanians deserve full information before such a policy is implemented.

I thank the distinguished chairman and the ranking minority member of the Subcommittee on Defense for their kind assistance in accepting this amendment, and I yield the floor.

Mr. INOUYE. Mr. President, this matter has been cleared by both managers, and we recommend its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1033) was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Mr. President, I believe that Senator SASSER is prepared to present his amendment at this time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOMALIA

Mr. McCAIN. Mr. President, I want to talk for a minute about the upcoming situation in regard to an amendment involving our continued presence in Somalia.

As we all know, and gratefully so, the American fighting man who was being held prisoner, Warrant Officer Durant, was released this morning. It is my understanding that most, if not all, of our missing-in-action have been accounted for.

Mr. President, to me, and I believe to a majority of the American people, that removes the last impediment for the total, rapid, prompt, and safe withdrawal of American troops from Somalia.

There is no reason for the United States of America to remain in Somalia. The American people want them home, I believe the majority of Congress wants them home, and to set an artificial date of March 31 or even February 1, in my view, is not acceptable. The criteria should be to bring them home as rapidly and safely as possible, an evolution which I think could be completed in a matter of weeks.

Our continued military presence in Somalia allows another situation to arise which could then lead to the wounding, killing or capture of American fighting men and women. We should do all in our power to avoid that.

I listened carefully to the President's remarks at a news conference that he held earlier today. I heard nothing in his discussion of the issue that would persuade me that further U.S. military involvement in the area is necessary. In fact, his remarks have persuaded me more profoundly that we should leave and leave soon.

I am aware of the parliamentary procedure that will take place. I am aware of the unanimous-consent request that was agreed to last night that there will be a vote on the so-called Byrd amendment. I do not know the details of the Byrd amendment, but I have an idea that there will probably be a date of March 31, as opposed to February 1. That is what is at least being circulated as being the case.

Dates certain, Mr. President, are not the criteria here. What is the criteria and what should be the criteria is our immediate, orderly withdrawal from Somalia. And if we do not do that and other Americans die, other Americans are wounded, other Americans are captured because we stay too long—longer than necessary—then I would say that the responsibilities for that lie with the Congress of the United States who did not exercise their authority under the Constitution of the United States and mandate that they be brought home quickly and safely as possible.

I have heard the arguments about what other nations may do. I have heard the arguments about political solutions and us going to the President of Eritrea and the President of Ethiopia for an African solution. All those are fine with me, Mr. President. I am all for it. I am in favor of any other nation that is a part of the United Nations doing whatever they can.

But the mission which the American people supported and this Congress supported in an overwhelming resolution has been accomplished, and that was to feed and keep from starving a million Somali. The American people did not support the goals of nation-building, peacemaking, law and order, and certainly not warlord hunting. They did support a policy of feeding starving people, and those people have been fed.

We did not say we would feed those people forever. We said we would feed them and keep them from starving in a very short timeframe because, tragically, there are people who are starving all over Africa and all over the world. Unfortunately, we cannot feed all of them. We can feed whomever we can, and I would support any effort to feed whomever we can who is starving. But for us to get into nation-building, law and order, et cetera, I think, is a tragic and terrible mistake.

I know that this debate is going to go on this afternoon and I have a lot more to say, but the argument that somehow the United States would suffer a loss to our prestige and our viability, as far as the No. 1 superpower in the world, I think is baloney. The fact is, we won the cold war. The fact is, we won the Persian Gulf conflict. And the fact is that the United States is still the only major world superpower.

I can tell you what will erode our prestige. I can tell you what will hurt our viability as the world's superpower, and that is if we enmesh ourselves in a drawn-out situation which entails the loss of American lives, more debacles like the one we saw with the failed mission to capture Aideed's lieutenants, using American forces, and that then will be what hurts our prestige. We suffered a terrible tragedy in Beirut, Mr. President; 240 young marines lost their lives, but we got out. Now is the time for us to get out of Somalia as rapidly and as promptly and as safely as possible.

I, along with many others, will have an amendment that says exactly that. It does not give any date certain. It does not say anything about any other missions that the United States may need or feels it needs to carry out. It will say that we should get out as rapidly and orderly as possible.

Mr. President, I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I understand that amendments are not in order at the moment on Somalia, and I do not intend to offer one. But I know there will be votes on it later on, and I would like to outline my views on Somalia.

I mention this because as of yesterday we were faced with two possible resolutions, one by the distinguished Senator from West Virginia [Mr. BYRD] and one amendment being developed by the distinguished majority and minority leaders.

I support the amendment by the distinguished Senator from West Virginia [Mr. BYRD].

When President Bush decided to send in American forces to provide humanitarian relief to end the terrible famine we saw in Somalia, those humanitarian purposes got widespread support in the United States. Congress authorized that mission and provided the President with broad discretion to carry it out. In fact, as long as United States forces in Somalia were fulfilling the original humanitarian mission of the United States intervention, the American people, and Congress, solidly backed the President.

Ironically enough, we had a situation where we had a very large military force to carry out a humanitarian mission. Subsequently, when it changed to a military mission, we cut that force back to one barely large enough for the humanitarian mission.

By spring, we knew the humanitarian goal had been achieved. The famine was over. Crops were planted. In fact, Somalia today is enjoying a bumper harvest. Food is plentiful. In some parts, they are even able to export food. U.S. forces drew down from 25,000 to under 5,000.

The United Nations assumed responsibility for diplomatic and other efforts to promote some sort of political settlement. But that was not the chore of the United States, to force a political settlement or to nation build.

But by summer, incrementally, the mission of the United States forces changed, changed from one limited to providing humanitarian relief to that of supporting U.N. efforts to rebuild a government and find a political solution in Somalia.

General Aideed, the Somali warlord in south Mogadishu, became identified as a key roadblock in U.N. efforts to mediate a political settlement. Hostility between the United Nations and General Aideed deepened, and U.S. forces, increasingly committed to supporting U.N. diplomatic objectives, became drawn into the U.N.-Aideed confrontation. The small U.S. combat contingent, which was only part of our overall force, numbering about 1,500 men, was beefed up by a Ranger unit. We were treated to scenes of Rangers dropping from helicopters in raids to capture Aideed.

The humanitarian mission, so widely supported by the American people and authorized by Congress, was transformed into a political and military mission never contemplated by Congress and certainly never authorized by Congress—for that matter, never contemplated by United States planners, who had nothing like the necessary combat forces in Somalia to support such a mission. And our troops became increasingly vulnerable to attack. Inevitably, the simmering pot boiled over, with the tragic killing and wounding of 100 American Rangers in a single incident.

I am a strong supporter of flexibility and broad authority for whoever is President, whether Democrat or Republican, in foreign policy matters. In fact, few Senators in this Chamber have ever voted so consistently to give broad discretion to Presidents in foreign policy issues. But I also insist that the mandates of the Constitution be respected. And if it is a question of the Constitution and the President, no matter who the President might be, the Constitution has to come first.

The Constitution makes clear that Congress must authorize the participation of U.S. Armed Forces in hostilities abroad. The President is the Commander in Chief and properly has full authority to direct American forces in combat operations. But it is to Congress that the Constitution entrusted this power to commit our Nation to war.

That is why I have been so adamant that if American troops are to remain in Somalia, their mission has to be clearly defined by the President, and the Congress by a specific vote must authorize the commitment of American Armed Forces to carry out that mission.

Mr. President, the original humanitarian effort is essentially completed. Therefore, American forces should begin an orderly withdrawal, to be completed by a date certain, unless we have a new mission defined for them and the Congress by a new vote authorizes the continued presence of those forces in Somalia.

The exact date of withdrawal has never really been critical to me—March 1, March 31, February 1. That is not the issue as long as we make it very clear that forces are coming out by a date certain. What has been important to me, far more than a date, is that any new mission for United States forces in Somalia beyond the original humanitarian mission has to be spelled out by the President. It then has to be voted on and approved by the Congress. That is my understanding of the Constitution. That is essentially my position.

But there is another dimension to the Somalia situation and also in Haiti, on which I would like to touch. The mishandling of the United States involvement in Somalia and Haiti and serious mistakes by U.N. leaders, especially in Somalia, have done grave damage to the idea of coping with regional conflicts and crises through multilateral action. To my mind, this is the greatest cost of these botched operations. It is going to take considerable time to rebuild confidence that the United Nations and other international organizations represent adequate instrumentalities for peacekeeping and peacemaking in hot spots around the world.

There has been a lot of talk about a new world order and the great opportunities for conflict resolution and peace in the post-cold-war international arena.

But the way the Somali and Haiti situations have unfolded has done much to discredit that idea that, properly led, the United Nations can be the main means of resolving local conflicts or promoting international stability and order. That is extremely unfortunate. In fact, it may prove very costly to troubled regions around this world.

Because, on the one hand, neither the American people nor our Government, have the disposition to act as the world police officer. But, on the other, we are now seeing fierce criticism of the Uations Nations as peacemaker and peacekeeper. We even hear Senators declare U.S. forces should never, under any circumstances, serve under U.N. or any other international command.

Frankly, this is a prescription for international anarchy. If the United States cannot or will not intervene in crises unilaterally, and if we will not participate in U.N., OAS, or other international efforts to restore or maintain peace, then who is going to fulfill that role? If the most powerful Nation on the Earth does not fulfill it, who does? Do we intend to stand by as spectators when Somalia and Haiti are repeated in other countries?

(Mrs. BOXER assumed the chair.)

Mr. LEAHY. Madam President, this tragedy is going to be repeated in other countries. There is no need to list all of them. But everybody in this body knows there are several other cases of failed governments, where nations are teetering on the edge of anarchy as complete as that which now afflicts Somalia.

Do we really think we can ask other countries to bear the burdens, to send their young men and women to try to keep the peace, while we stay at home? When this issue arose, I asked the Congressional Research Service to provide information on the number of times American troops have served under multinational or other foreign commands in this century. It has been at least 18 times, including as recently as Desert Storm.

I ask unanimous consent that the CRS paper on that issue be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1).

Mr. LEAHY. It should be clear, Madam President, that it is not the placing of the American forces under the U.N. or other international command that is the problem. It is the definition of the lines of command authority. It is the military mission of the forces and their capabilities in a given situation that is critical. This is where Somalia went wrong. It was badly planned, badly coordinated, and without the necessary military capabilities.

Let us not condemn the whole concept of multilateral action with United States participation because mistakes were made in Somalia or Haiti. Let us instead resolve on more direct U.S. leadership, both political and military, in designing and carrying out effective international conflict resolution, peacemaking and peacekeeping operations.

Right now, the United States owes $400 million in arrears to the United Nations, which includes $130 million for peacekeeping operations around the world, in places like Cambodia, Angola, El Salvador, and so on. In fact, we could be over $1 billion in arrears for peacekeeping by the end of this year.

We cannot ask or expect the United Nations, and all the dozens of nations that participate in peacekeeping operations, to do their part if we declare that no American soldier can ever serve under foreign command; and, incidentally, if we are also not going to pay our fair share of the peacekeeping.

Madam President, it is unfortunate that there has been neglect and mishandling of our policy in Somalia and Haiti—not just because of the loss of life; that is always a distressing thing to all Americans. But now we have to regroup, reconsider, and recommit ourselves to effective American policies which blend unilateral actions, where necessary and justified, with strong leadership in the U.N. and other international organizations. Let us not lose sight of the role they can play, especially when we try to replace the bipolarism that we saw during the cold war.

I wish we, as a Nation, had not lost sight of our main reason for being in

Somalia. Unfortunately, we did. And now we see the worst of all possible worlds.

I commend the President, though, in realizing that mistakes were made, and for listening to a broad cross-section of this body and of the other body, Republicans and Democrats. There was a very painful meeting of Senators and Representatives with the President in the White House on Somalia. It went on for about 2 hours, the most intense meeting of that nature I have seen in my 19 years here in the Senate.

To the President's credit, he listened to where we thought the policy was wrong. He has worked very hard to bring about a new policy that is realistic, and one that could have support in this body; one that terminated the military mission that was doomed to eventual failure, at least with the resources we were applying to it, and put it back to the humanitarian roots that brought us to Somalia in the first place. I commend him for that.

I hope the mistake will not be made now to continue this fight over whether it is going to be this date or another date, a few weeks one way or the other, and once again lose sight of why we are there. We are going to leave. We can leave relatively soon. Let us leave with our strongest stance, not that of chasing warlords, but that of feeding millions and millions of people who face starvation without that help.

Let us, at the same time, look at Haiti, and say that we do not accept the naive idea that if we offer some foreign aid to a few military leaders down there, they will give up their banditry, their thievery, their drug dealing, their huge incomes, and have it replaced by reform and tiny salaries; that they will return to the barracks, away from the mansions and the luxury buildings. That kind of thinking is unrealistic. It is as unrealistic as saying we are going to send to Haiti a number of troops with sidearms, and somehow they will influence thugs who carry automatic weapons and heavy-caliber weapons, and who totally control this poor, strangled nation. That is a mission that was heading, by incrementalism or by neglect, toward sheer disaster.

The President was wise to pull back, to ask the United Nations to resume sanctions against these thugs that rule Haiti.

I strongly urge him and his advisers to totally reevaluate what we are going to do in Haiti before we make the mistake of stumbling into something that we cannot control, cannot change, and will not handle, and have Americans die there.

Once again, we pull back to just where we can and will exercise influence in our interest, either security interests, humanitarian interests, or the interests of creating democracy.

I am afraid the Haiti situation was not as well thought out by any means as it should or could be. I would hope that this breather over the weekend, as we look at the reaction to the latest restrictions and sanctions, might allow not only some clearer thinking to happen in Haiti, but it would not hurt to have a little clearer thinking here in Washington.

I have taken this much time on the floor because I understand there was somebody coming over to bring up an amendment. He is not here yet, and perhaps the distinguished chairman of the committee has items he could handle now. I realize there will be discussion of this later on. I yield the floor to the distinguished Senator from Hawaii.

EXHIBIT I

CRS ISSUE BRIEF—UNITED NATIONS PEACEKEEPING: ISSUES FOR CONGRESS

(By Marjorie Ann Browne)

U.S. Military Personnel in UN Ops.

Operation:	Total number
UNTSO [Middle East]	17
UNIKOM [Iraq-Kuwait]	15
MINURSO [Western Sahara]	30
UNTAC [Cambodia]	[1]16
UNPROFOR [former Yugoslavia]	541
UN Headquarters	14
UNMIH [Haiti]	30
Subtotal	663
UNOSOM II	[2]2,686

[1] Withdrawal deadline is November 15.

[2] Staff and logistics support.

The UNPROFOR number includes a MASH (Mobile Army Surgical Hospital) unit of 219 that was originally deployed from Germany to Zagreb to provide medical support to UNPROFOR. This was the first time an entire U.S. unit was provided to serve under U.N. command (the MASH unit became operational in November 1992). On July 12, 1993, a reinforced company team of 305 personnel arrived in Macedonia to serve with a preventive deployment component of UNPROFOR in Macedonia. They are there to observe and report on activities in the country and on its borders with Albania and with the Federal Republic of Yugoslavia (Serbia and Montenegro) with the goal of deterring the spillover of conflict. The U.S. unit conducts missions as directed by the U.N. commander, who is a Dane. A Nordic battalion of 700 from Finland, Sweden, and Norway is already there. On October 11, a contingent of 599 U.S. troops, including engineers, was scheduled to arrive in Haiti to help modernize and train the Haitian armed forces under the Governors Island Agreement.

On May 4, 1993, the U.S.-led Unified Task Force in Somalia ceased operations and was replaced by an expanded U.N. Operation in Somalia (UNOSOM II), authorized by the Security Council under Chapter VII of the Charter. UNOSOM II's anticipated strength of approximately 28,000 personnel from 23 nations included 2,686 U.S. military in logistics and administration divisions in UNOSOM II. UNOSOM II has access to a U.S. ground quick reaction force of 1,144. In this instance, the U.N. commander is a general from Turkey, a NATO ally, and the deputy commander is a U.S. Army general, who has the authority to approve requests to use the quick reaction force. An additional 2200 U.S. marines are on call from offshore. The naming of a commander from a NATO member and a U.S. general officer as deputy commander seemed to make the situation of U.S. military forces serving under U.N. command less of an issue to the United States. (See CRS Issue Brief 92131, *Somalia: Operation Restore Hope and UNOSOM II.)*

OTHER PEACEKEEPING ISSUES

A Peacekeeping Response to International Humanitarian Distress. Since 1991, internal instabilities and disasters in the Persian Gulf region in Africa, and set up. (for further information, see Appendix and CRS Report 90-96 F, United Nations Peacekeeping: Historical Overview and Current Issues.)

U.N. peacekeeping operations take the form of both peacekeeping forces, such as the U.N. Force in Cyprus (UNFICYP), and observer missions, such as the U.N. Iran-Iraq Military Observer Mission (UNIIMOG) and the U.N. Observer Group in Central America (ONUCA). The differences between observer missions and peacekeeping forces are found in the mandate or function of the operation, the numbers and types of personnel used, and whether the personnel are armed. Usually, peacekeeping forces are larger in personnel, equipment, and cost than observer missions and are lightly armed rather than unarmed, as are observers.

On Mar. 1, 1990, General Colin Powell, then chairman of the Joint Chiefs of Staff, observed that U.N. peacekeeping operations "are important contributions to our overall security posture." On Apr. 20, 1993, Secretary of State Warren Christopher told the Senate Foreign Relations Committee of placing a "new emphasis on promoting multinational peacekeeping and peacemaking. The end of the Cold War has unleashed long-suppressed conflicts. * * * But it has also opened up new possibilities for international cooperation." Christopher continued, "our task is to harness that cooperation, to contain and also to prevent the eruption of conflicts. * * * International peacekeeping, especially by the United Nations, can and must play a critical role. Capabilities must be enhanced to permit prompt, effective, preventive action." Christopher declared, "We in the United States are ready to do our part. In this connection, the President and I believe that millions spent now on preventive diplomacy and peacekeeping can save hundreds of million dollars later in defense and international relief."

Section 7 of the U.N. Participation Act of 1945, as amended (P.L. 79-264), authorized the President to detail up to 1,000 members of the U.S. armed forces to the United Nations in a noncombatant capacity. Over the history of the United Nations, the United States has provided various goods and services, including logistics, and has detailed its military to U.N. peacekeeping tasks, but in small numbers. Before 1990, the major U.S. provision of forces were the individual U.S. military officers participating as observers in the UNTSO. As of Oct. 5, 1993, at least 1,232 U.S. military personnel participated in six U.N. operations and at U.N. headquarters:

APPENDIX 1.—U.N. PEACEKEEPING OPERATIONS: A CHRONOLOGICAL LIST[1]

Name of operation	Acronym and service dates	Location
U.N. Truce Supervision Organization in Palestine[1]	UNTSO 1948	Middle East.
U.N. Military Observer Group in India and Pakistan[1]	UNMOGIP 1948	Jammu, Kashmir and Pakistan.
U.N. Emergency Force I	UNEF I 1956–1967	Gaza; Egyptian side in Sinai.
U.N. Observer Group in Lebanon	UNOGIL June–Dec. 1958	
U.N. Operation in the Congo	ONUC 1960–1964	
U.N. Security Force in West New Guinea	UNSF Oct. 1962–Apr. 1963	West Irian.
U.N. Yemen Observer Mission	UNYOM July 1963–Sept. 1964	
U.N. Force in Cyprus[1]	UNFICYP 1964	
Mission of Representative of the Secretary-General in the Dominican Republic	DOMREP May 1965–Oct. 1966	
U.N. India/Pakistan Observer Mission	UNIPOM Sept. 1965–Mar. 1966	India-Pakistan border between Kashmir and Arabian Sea.
U.N. Emergency Force II	UNEF II 1973–1979	Suez Canal sector; Sinai Peninsula.
U.N. Disengagement Observer Force[1]	UNDOF 1974-present	Israel-Syria: Golan Heights.
U.N. Interim Force in Lebanon[1]	UNIFIL 1978–	Southern Lebanon.
U.N. Good Offices Mission in Afghanistan and Pakistan	UNGOMAP Apr. 1988–Mar. 1990	
U.N. Iran-Iraq Military Observer Mission	UNIIMOG Aug. 1988–Feb. 1991	
U.N. Angola Verification Mission	UNAVEM Jan. 1989–May 1991	
U.N. Transition Assistance Group	UNTAG Apr. 1989–Mar. 1990	Namibia and Angola.
U.N. Observer Group in Central America	ONUCA Nov. 1989–Jan. 1992	Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua.
U.N. Iraq-Kuwait Observer Mission[1]	UNIKOM Apr. 1991	
U.N. Observer Mission in El Salvador[1]	ONUSAL May 20, 1991	
U.N. Angola Verification Mission II[1]	UNAVEM II May 31, 1991	
U.N. Mission for the Referendum in Western Sahara[1]	MINURSO Apr. 29, 1991	
U.N. Advance Mission in Cambodia	UNAMIC Oct. 16, 1991–Mar. 15, 1992	
U.N. Protection Force[1]	UNPROFOR Feb. 21, 1992	Former Yugoslavia: Croatia, Bosnia and Herzegovina, Macedonia.
U.N. Transitional Authority in Cambodia[1]	UNTAF Feb. 28, 1992	
U.N. Operation in Somalia I	UNOSOM Apr. 1992–Apr. 1993	
U.N. Operation in Mozambique[1]	ONUMOZ Dec. 16, 1992	Mozambique.
U.N. Operation in Somalia II[1]	UNOSOM II May 1, 1993	
U.N. Observer Mission Uganda-Rwanda[1]	UNOMUR June 22, 1993	Uganda.
U.N. Observer Mission in Georgia[1]	UNOMIG Aug. 24, 1993	
U.N. Observer Mission in Liberia[1]	UNOMIL Sept. 22, 1993	
U.N. Mission in Haiti[1]	UNMIH Sept. 23, 1993	
U.N. Assistance Mission for Rwanda[1]	UNAMIR Oct. 5, 1993	

[1] Operation is still in existence.

Mr. INOUYE. Madam President, we began our consideration and debate on the defense appropriations bill at 9:30 a.m. yesterday. However, because of ongoing negotiations related to the Somalia peacekeeping, we were not permitted to bring up amendments. However, today, that obstacle was taken away, and we have started to consider amendments. We have concluded our debates and votes on seven amendments. However, Madam President, there are 32 other amendments that apparently will be presented before final passage.

As you can see, none of the authors are here. So, for the record, I want to read the following so that these offices may remind themselves that they should be here.

Senator BINGAMAN has a relevant amendment. Senator BRADLEY has an amendment relating to the Army National Guard. Senator BRADLEY also has an amendment on aircraft procurement. Senator BREAUX has an amendment related to mission recorder. Senator BUMPERS has two amendments; the first is to reduce the ballistic missile defense by $84 million, and the second is related to the intelligence budget. Senator BYRD has the Somalia amendment. Senator COCHRAN has an amendment related to submarine exports. Senator COHEN has an amendment related to the transfer of Defense Department land to the city of Bangor, ME. Senator DECONCINI has an amendment related to military golf courses. Senator DOLE has two amendments, one on Bosnia and the other on Haiti. Senator EXON has a sense-of-the-Senate related to commercial disputes with Saudi Arabia. Senator FEINSTEIN has an amendment on the retraining of troops to become police officers. Senator GRAHAM of Florida has one on Haiti. Senator GRASSLEY has an amendment on C–17 progress payments. Senator HELMS has an amendment related to Peru. Senator KENNEDY has two relevant amendments. Senator LAUTENBERG has an amendment on the National Board for Promotion of Rifles practice. Senator METZENBAUM has two relevant amendments. Senator MURRAY has an amendment on GP–160. Senator NICKLES has an amendment on foreign command of U.S. troops. Senator REID has an amendment on low-level flight training. Senator SPECTER has a sense-of-the-Senate on closed shipyard work loads. Senator SPECTER has another sense-of-the-Senate related to the overhaul and depo maintenance bidding at closed facilities. Senator SPECTER has three other amendments, one on funding reduction on the *Seawolf*, or on the carrier, and another on the cost effective study of nuclear versus conventionally powered ships. He has another on the nuclear carrier CVN–76 funding restrictions. Senator STEVENS has one related to the blocking of Russian aid of SS–25 missiles that are still being produced. And there is one by Senator WARNER on methanol plant ship.

If we hope to conclude our debate and have a final vote today, all these amendments will have to be considered. I would think that would be an impossibility. I think all of us should be prepared to meet tomorrow, if the leader so declares, and we may have to spend many hours tonight and tomorrow night.

We have looming before us a continuing resolution. The present continuing resolution takes us to the 21st of October. At this rate, we will have to adopt another. I think it is in our national interest that we resume our debates and consider these amendments and with expedition. That is my hope.

Madam President, I ask unanimous consent that the pending committee amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1034

Mr. INOUYE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUYE] proposes an amendment numbered 1034.

Mr. INOUYE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert:

SEC. . Notwithstanding any other provision of law, within 30 days from the enactment of this Act, the Department of the Navy shall select and take possession of either LCU–1540 or LCU–1549 from the General Services Administration: *Provided*, That the Navy shall modify or have modified the selected vessel utilizing commercial standards that meet U.S. Coast Guard certification requirements as safe to operate in open ocean as a cargo vessel: *Provided further*, That upon completion of all modifications and certification by the U.S. Coast Guard, the Navy shall immediately transfer title of the vessel, at no cost, to the government of American Samoa: *Provided further*, That of the funds appropriated in this Act in Title II, Operation and Maintenance, Navy, $1,500,000 shall be available for this purpose: *Provided further*, That notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa.

Mr. INOUYE. Madam President, I urge adoption of the amendment. It has been cleared on both sides.

Mr. STEVENS. The Senator is correct.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1034) was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, I could call up my amendment, but I will wait until the Somalia amendment has been considered. Mine could take a considerable period of time.

I join in asking Members to come over and work out their amendments. We have just been told, I might say, of five additional amendments which were not listed. We have disposed of four amendments.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1031, AS MODIFIED

Mr. MCCAIN. Madam President, I ask unanimous consent to modify my amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment (No. 1031), as modified, is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. (a) None of the funds appropriated by this or any other Act or otherwise available to the Department of Defense, may be obligated for procurement of a third submarine under the SSN-21 attack submarine program or for advance procurement for such submarine.

(b) None of the $540,200,000 available to the Department of Defense for preservation of the industrial base for submarine construction in accordance with Public Law 102-298 may be obligated or expended for any purpose until—

(1) the Secretary of Defense submits to Congress a report containing—

(A) the funding requirements for each of fiscal years 1995, 1996, 1997, 1998, 1999, and 2000 for the proposed third submarine under the SSN-21 attack submarine program and the proposed New Attack Submarine and a statement regarding whether the necessary funding is provided for in the future-years defense program required by section 221(a) of title 10, United States Code, to be submitted to Congress in 1994;

(B) the acquisition objective, mission requirements, projected total program cost, projected total development cost, projected total procurement cost, and estimated total per-unit cost for the New Attack Submarine (all such costs to be computed and expressed on the basis of the actual dollar amount to be expended at the time expended);

(C) a comparison (with each other) of—

(i) the costs associated with procuring an additional SSN-688 submarine as the production bridge at Electric Boat Division of General Dynamics Corporation;

(ii) the costs associated with procuring an additional SSN-688 submarine as the production bridge at Newport News Shipbuilding and Drydock, Incorporated.

(iii) the costs associated with procuring a third submarine under the SSN-21 attack submarine program as the production bridge at Electric Boat Division of General Dynamics Corporation; and

(iv) the costs associated with procuring a third submarine under the SSN-21 attack submarine program as the production bridge at Newport News Shipbuilding and Drydock, Incorporated.

(D) an assessment of the costs associated with delaying procurement of an additional submarine until 1998 without providing a production bridge at either Electric Boat Division of General Dynamics Corporation or Newport News Shipbuilding and Drydock, Incorporated; and

(E) an assessment of the costs and feasibility of meeting operational requirements and sustaining the industrial base for submarine construction by carrying out either a program that combines overhaul and upgrade of existing SSN-688 submarines or a program for development and production of the New Attack Submarine instead of procuring a third submarine under the SSN-21 attack submarine program; and

(2) 90 days have elapsed after the receipt of such report.

Mr. MCCAIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, what is the pending business?

The PRESIDING OFFICER. The question is on the motion to table the amendment of the Senator from Arizona, as modified.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mrs. FEINSTEIN] is necessarily absent.

The PRESIDING OFFICER (Mr. WELLSTONE). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 310 Leg.]

YEAS—52

Akaka
Bennett
Biden
Boren
Boxer
Breaux
Bryan
Byrd
Campbell
Chafee
Cochran
Craig
Danforth
Daschle
Dodd
Exon
Ford
Glenn
Graham
Harkin
Hatch
Heflin
Hollings
Hutchison
Inouye
Jeffords
Johnston
Kempthorne
Kennedy
Kerrey
Kerry
Levin
Lieberman
Lott
Mathews
Mikulski
Mitchell
Moseley-Braun
Moynihan
Nunn
Packwood
Pell
Pryor
Reid
Riegle
Robb
Rockefeller
Sarbanes
Shelby
Simon
Thurmond
Warner

NAYS—47

Baucus
Bingaman
Bond
Bradley
Brown
Bumpers
Burns
Coats
Cohen
Conrad
Coverdell
D'Amato
DeConcini
Dole
Domenici
Dorgan
Durenberger
Faircloth
Feingold
Gorton
Gramm
Grassley
Gregg
Hatfield
Helms
Kassebaum
Kohl
Lautenberg
Leahy
Lugar
Mack
McCain
McConnell
Metzenbaum
Murkowski
Murray
Nickles
Pressler
Roth
Sasser
Simpson
Smith
Specter
Stevens
Wallop
Wellstone
Wofford

NOT VOTING—1

Feinstein

So the motion to lay on the table the amendment (No. 1031), as modified, was agreed to.

Mr. DODD. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MATHEWS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. There will be order in the Chamber.

AMENDMENT NO. 1035

Mr. INOUYE. Mr. President, I send to the desk an amendment by Senator DOMENICI and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the committee amendment is set aside. The clerk will report.

The assistant legislative clerk read as follows.

The Senator from Hawaii [Mr. INOUYE], for Mr. DOMENICI, proposes an amendment numbered 1035.

Mr. INOUYE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 48, line 22, after Kentucky, add the following: ": and that one multistate region shall include the State of New Mexico:".

Mr. INOUYE. Mr. President, this matter has been discussed by the managers and we have no objection to its immediate adoption.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1035) was agreed to.

Mr. INOUYE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. INOUYE. I believe Senator GRASSLEY is seeking recognition.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, just so nobody worries that I am going to offer an amendment, I am not going to offer an amendment, but I am going to speak about a defense issue that I have spoken about for a long period of time, and I also, during this period of time, want to praise the leadership of the subcommittee for some work that they have helped me with on some issues I have raised on the floor of this body.

Back in late June, specifically June 22, I came to the floor to offer an amendment to the fiscal year 1993 supplemental appropriations bill. At that time, Senator ROTH helped me with that amendment.

This amendment, had we offered it in June, would have rescinded $649,111,986 in Air Force M accounts. The Air Force took that money from the M accounts to plug a gaping hole in its accounting records. The $649 million Air Force transaction violated the M account formula passed by Congress and signed by the President on November 5, 1990. That happens to be Public Law 101–510.

Our amendment was designed to address continuing abuse of the M accounts. Mr. President, there has been a total breakdown of integrity and discipline in Air Force bookkeeping. There are no records; there are no documents; there is no audit trail. As a result, billions of our tax dollars are unaccounted for. That is exactly where the Air Force finances are today.

As a taxpayer, that bothers me. As a U.S. Senator, it bothers me even more because we, as the trustees of the people's money, ought to be able to tell the people of our individual States how did the Air Force spend that $649,111,986. I should be able to tell them exactly, but I cannot. I do not know. The inspector general at the Department of Defense and the General Accounting Office, all of these people who ought to be able to say so, do not know either.

The General Accounting Office and the DOD inspector general could not audit Air Force M accounts because the records are so poor. Without the required documentary evidence, we do not know what happened to the money. We do not know whether the money was spent for purposes authorized by law. Some or all of the money could have been stolen. Air Force books were out of whack by this $649 million, and it seems no one cared.

No one cared enough to reconcile the faulty accounts, to match invoices and vouchers with account balances, to pinpoint the source of the problem.

No one had to care.

The doors to the magic vault were wide open. That magic vault was the M account.

If Air Force accounts were overdrawn by $649.1 million—not to worry.

Just go to the magic vault and rip into the big M account money sack and get all you need and more just in case.

Hopefully, Mr. President, the M account reform legislation will bring this kind of abuse to a screeching halt.

Well Mr. President, as you might well guess, the department was adamantly opposed to the amendment offered by myself and Senator ROTH last June.

The department's position was outlined in a letter to me signed by the principal deputy comptroller, Ms. Alice Maroni, dated June 15, 1993.

I never received that letter. The House Armed Services Committee was kind enough to provide me a copy.

Everything in Ms. Maroni's letter is exactly right.

The money taken from the M accounts was needed to make the books balance. That is what she said. That is exactly right.

The Air Force had bills to pay at the base level of the DOD operations. She is also exactly right about that point as well.

But, Mr. President, Ms. Maroni has completely side stepped the main issue.

Why did bills posted at the base level exceed the amounts of money available on the books at the departmental level?

I will tell you why. Air Force accounts were overdrawn at the base level. Those bases made expenditures they were not authorized to make.

Mr. President, as I have indicated on so many other occasions, this smells like another violation of the Anti-Deficiency Act.

The House Armed Services Committee was not impressed with Ms. Maroni's excuses for sloppy bookkeeping and a blatant disregard for the M account legislation.

The committee retaliated by slashing the Air Force's fiscal year 1994 budget request for O&M.

Mr. President, I ask unanimous consent to place Ms. Maroni's letter in the RECORD along with pages 227–228 of the House Armed Services Committee Report No. 103–200 on the fiscal year 1994 Defense authorization bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPTROLLER OF THE
DEPARTMENT OF DEFENSE,
Washington, DC, June 15, 1993.

Hon. CHARLES E. GRASSLEY,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR GRASSLEY: This responds to your letter of May 20, 1993, in which you asked for the Department's support for proposed legislation to reverse an Air Force restoral of merged surplus authority in the amount of $649 million.

The Department cannot support your proposed legislation because it would place an artificial constraint on the Department's ability to pay existing liabilities and could require the Air Force to find up to $649 million from currently approved programs to pay valid bills.

The restoral created no new obligations. The restoral was an accounting adjustment to bring the Treasury and Air Force departmental obligations into balance with obligations recorded in the accounting records at the field-level. Therefore, deobligating these funds, as required in the proposed amendment, would fail to recognize liabilities that already exist.

Generally, there are differences when one set of accounting records is compared to another at a given time because of the vast numbers of transactions and contractual actions involved in these accounting systems. Over time, these differences are largely reconciled through the normal accounting process. However, in this instance, the Air Force asked the Treasury to make a single large adjustment in order to portray more accurately Air Force liabilities on the books of the U.S. Treasury.

We recommend this proposed amendment language not be accepted by the Senate.

Sincerely,

ALICE C. MARONI,
Principal Deputy Comptroller.

CONTROL OVER "M" ACCOUNTS LACKING

Because of years of neglect, inadequate systems, and poor management, the Department of Defense was not capable of properly implementing provisions of the "M" account legislation included in the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510). The legislation required the department to conduct a one-time audit of its "M" account balances by December 31, 1991 to: (1) establish the amounts supported by valid obligations; and (2) identify and cancel amounts found to be invalid. However, because of the large amount of funds and the department's poor controls over these funds, the Department of Defense Inspector General (DOD IG), who was tasked to complete the audit, only reviewed a sample of $5.2 billion (or 27 percent) of the department's $18.8 billion recorded "M" account balances. The DOD IG found that, of the obligated balances reviewed, $2.3 billion were not adequately supported by documentary evidence. In projecting the results of the sample, the DOD IG estimated that invalid obligations could total as much as $10.2 billion (or over 54 percent) of the total $18.8 billion of "M" account balances. The DOD IG concluded that the department's "M" account balances were materially misstated, inadequately managed, and vulnerable to abuse.

Further, a GAO report on the department's "M" accounts concluded that the department created more budget authority that the Congress intended when it enacted Public Law 101-510. Most flagrant of the department's actions was its assertion that it needed an additional $649.1 million to correct over 30 years of accounting errors, errors neither the Air Force nor GAO could identify and document. Despite this, the DOD Deputy Comptroller authorized the additional budget authority. The committee is not only disappointed with more than 30 years of sloppy bookkeeping, but is also disappointed at the department's blatant disregard for the legislation enacted primarily as a result of such abuses of funds. Therefore, the committee recommends reducing the Air Force's fiscal year 1994 budget for the unsupported adjustment as follows:

[In millions of dollars]

Appropriation	*Reductions*
Operation and Maintenance	$190,709,000

Mr. GRASSLEY. Mr. President, the chairman of the Defense Appropriations Subcommittee, Senator INOUYE, was opposed to our amendment. He favored a more cautious and prudent approach.

While the Senator from Hawaii said that our criticism of Air Force accounting practices was fully justified, he also believed that the amendment proposed by myself and Mr. ROTH, went too far. He said it was off the mark.

Mr. President, Senator ROTH and I agreed that the Senator from Hawaii's assessment was correct, so we withdrew the amendment.

Rescinding the $649.1 million focused attention on the underlying problem but probably as I look back was not the right solution.

The chairman of the subcommittee developed a more positive approach to fixing the DOD accounting system.

He agreed to help Senator ROTH and me by sending a letter to the DOD inspector general, requesting an audit of the Air Force M accounts.

The chairman asked the DOD inspector general to answer four important questions as follows:

Is there documentation to support the $649.1 million transaction, and if not, does it constitute a violation of statute?

Was the $649.1 million taken from the merged surplus account after that account was closed by law?

Was the $649.1 million needed to cover a violation of the Antideficiency Act?

The distinguished chairman asked the DOD to identify the bookkeeping problems that gave rise to the need to take the $649.1 million from the M accounts in the first place.

The chairman asked that the report be submitted to the committee within 90 days.

Mr. President, I ask unanimous consent to place Senator INOUYE's letter in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, June 21, 1993.
Mr. DEREK VANDER SCHAAF,
Deputy Inspector General,
Arlington, VA.

DEAR MR. VANDER SCHAAF: Through recent DoD I.G. and GAO reports, it has come to my attention that a question has been raised over the validity of $649 million in Air Force obligations restored from the "M" accounts under authority provided in the 1991 Defense Authorization Act. Moreover, Senator CHARLES GRASSLEY of Iowa has raised serious concerns about the Air Force's failure to accurately account for these obligations.

Given Senator GRASSLEY's concerns, and the questions raised by your organization and the GAO, I request that you undertake a formal audit of this restoration from the "M" accounts. The audit should determine the validity of these obligations by, at a minimum, answering the following questions: Is there documentation to support the obligation and expenditure of the $649 million and, if not, does this constitute a violation of current law? And, was the $649 million restored from the merged surplus account after it was closed under statute? Your audit also should determine that—if any—"Anti-deficiency Act" violations have occurred or would occur should funds not be available to meet such obligations, and the nature of Air Force bookkeeping methods which led to the "requirement" to restore these obligations.

Since your office already has looked into this problem, I urge you to provide a complete audit report to the Congress within 90 days after the receipt of this letter. Should you have any questions regarding this request, please feel free to contact David Morrison (202-224-7296), a member of my staff. I appreciate your prompt attention to this matter.

Sincerely,

DANIEL K. INOUYE,
Chairman, Senate Appropriations Subcommittee on Defense.

Mr. GRASSLEY. Well. Mr. President, the DOD inspector general has submitted an interim report to the committee. It is dated September 7. A formal audit report will be issued later this year.

The interim report confirms my worst suspicions.

Mr. President, I do not think it is a very pretty picture as you read this interim report. It is the same old story.

Air Force accounting records are in such poor condition that we will never know what happened to the money, $649,111,986. The inspector general says it's impossible to render an accurate accounting.

Laws were violated.

Money was taken from the merged surplus account long after that account was closed by statute.

The inspector general charges that the Comptroller and Principal Deputy DOD Comptroller authorized the illegal procedure.

Others may have been involved as well.

The Antideficiency Act has been violated by at least three missile programs: Titan IV, AMRAAM, and ACM.

Other unreported violations are expected to surface in the future.

The GAO reports that recorded M account expenditures exceed available obligational authority by $500 million and that negative M accounts balances are growing each day.

There is no documentary evidence at the departmental level to support $649.1 million in Air Force obligations. That would be a violation of Federal statutory law.

The DOD inspector general needs to make a final determination on all these issues.

The DOD inspector general must then fix responsibility for what happened. Those involved must be held accountable. And I expect that they will be held accountable or maybe I had better say it this way. I hope that they will be held accountable.

I intend to hold them accountable.

The DOD inspector general must recommend corrective action, including disciplinary action if appropriate.

Mr. President, I ask unanimous consent to place the DOD inspector general's interim report in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INSPECTOR GENERAL,
DEPARTMENT OF DEFENSE,
Arlington, VA, September 7, 1993.
Hon. DANIEL K. INOUYE,
Chairman, Subcommittee on Defense, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This is in reply to your letter of June 21, 1993 concerning Department of the Air Force merged accounts. Our responses to the questions raised in your letter are at the enclosure.

We have initiated an audit to validate the unliquidated obligations in selected appropriations in the Air Force merged accounts. The field work for the audit should be completed by September 30, 1993, at which time we will brief your staff on the findings. A copy of our audit report will be provided when it is issued.

We appreciate your continued interest in Department of Defense accounting issues. If you should have any questions, please contact me or Mr. John R. Crane, Office of Congressional Liaison, at (703) 614-0491.

Sincerely,

DEREK J. VANDER SCHAAF,
Deputy Inspector General.

INSPECTOR GENERAL RESPONSE TO QUESTIONS BY SENATOR DANIEL K. INOUYE CONCERNING "M" ACCOUNTS

Question: Is there documentation to support the obligation and expenditure of the $649 million and, if not, does that constitute a violation of the law?

Answer: There was no documentation at the departmental level for individual line items that required increases in Air Force obligations. The Air Force maintains there is documentation to support individual balances at field-level accounting activities for total expenditures and obligations that include the $649 million, but there is no separate documentation to account for $649 million as a subset of the total Air Force obligations. Increases in obligations were also recorded at the field level; however, the difference between field and departmental records appears to result from adjustments made to compensate for unreconciled balances between the different sets of accounting records. The adjustments were made at the departmental (appropriation) level; therefore, they could not be tied to specific obligation documents. Air Force officials maintain that their actions did not violate the law since no obligations were created. The Air Force restoration was made to correct errors at the departmental level from previous fiscal years and fund increases to existing obligations. We agree that the obligations already existed at the field level. It is likely that some of the obligations were invalid, but it is impossible to ascertain how many.

Question: Was the $649 million restored from the merged surplus account after the account was closed under the statute?

Answer: Yes, some Air Force funds were restored after the period allowed by the statute. The Principal Deputy Comptroller, DoD, improperly certified to the Department of the Treasury on September 17, 1991, that adjustments (including part of the $649 million) were made to support obligations recorded between October 1, 1990 and December 5, 1990, in accordance with Treasury Bulletin No. 91-03. In addition, adjustments were allowed to continue in FY 1992. After the Department of the Treasury issued the restoration warrants, the Comptroller, DoD, with the knowledge of Treasury officials, approved about $249 million in additional Air Force restorations.

Question: What, if any, Antideficiency Act violations have occurred, or will occur, if funds are not available to meet such obligations?

Answer: During our review of the Air Force expired year missile appropriations, we identified apparent Antideficiency Act violations in the Titan Missile, Advanced Medium Range Air-to-Air Missile, and Advanced Cruise Missile programs. Investigations are now under way to determine whether violations exist and to fix responsibility where appropriate. It is likely that other violations have occurred or will occur in several Air Force programs. Not all valid obligations are recorded in the DoD accounting system. Conversely, many of the obligations that are recorded in the accounting records are invalid. It is not possible to forecast what future violations will occur.

Question: What were the nature of the Air Force bookkeeping methods that led to the requirement to restore those obligations?

Answer: Our review showed that the Air Force was improperly calculating and reporting disbursements during its year-end closing process. Those procedures had existed for the past 30 years, and the reconciliations between departmental and field records were ineffective. Because insufficient records are available, neither this office nor the Defense Finance and Accounting Service can state the degree of the error that occurred during previous years or whether other contributing factors were present.

Mr. GRASSLEY. Mr. President, the Air Force took $649,111,986 from the M accounts, but we do not have a clue about what happened to the money. We do not know how the money was used. There is no audit trail.

The Air Force has been using a huge slush fund to cover for an imaginary bookkeeping operation.

With unrestricted access to the magic vault, overdrafts and unexplained imbalances could be ignored and even hidden from view.

The collapse of financial control of the Department of Defense did not happen overnight. It has been coming for a long time. It has progressively worsened. I might say that this is a Republican speaking, and I am not talking just about President Clinton's administration; I am talking about lots of administrations, both Republican and Democrat, for more than a decade.

But what is truly amazing is that it has continued unconstrained for all these years. So far, it has had few, if any, adverse consequences or casualties. It has been painless. How could that happen? Well, with a $50 billion slush fund—and that is how big these M accounts were before they were closed out, and now I am indicating to you there are negative balances there. There was no need, with $50 billion in a slush fund, for financial control and for accounting. Money shortages were easily resolved by a trip to this "magic" vault, the "M" account. DOD's chief financial officer has made no effort to regain control of the money, nor has this person succeeded in providing an accurate and complete accounting of how the Department's money is being spent. The chief financial officer is a traffic cop at the entrance to the magic vault, and his signal light seems to be stuck on green. He is waving the crooks through.

We are talking about Mr. Al Tucker. He occupies that key spot today. It is time to hold the chief financial officer accountable for the continuing financial mismanagement at the Pentagon.

Well, Mr. President, the doors to the magic vault have slammed shut forever. On September 30, the last of the M accounts were closed. From now on, older appropriations—money not spent, because you cannot spend all this money in 1 year—these older appropriations will dump into expired accounts where the fiscal year and appropriations account identity will be maintained. So you can track it. Balances will remain in those accounts for 5 years and then, if not spent in 5 years, will be canceled. Under the new rules, it will be much more difficult to misuse and abuse expired moneys.

The balances in the M accounts have been drained, dropping from $50 billion in 1990 to $3.9 billion as of June 30, 1993, and to zero October 1. As the M accounts dry up and disappear, the Department of Defense could well be staring at massive violations of the Antideficiency Act. Bankrupt accounts are popping up everywhere. The Department of Defense has to pay bills, but no money to pay them.

We will need to be vigilant. We need to be on the alert. We need to be sure the M accounts are closed, as the law requires.

The new leadership at the Pentagon is faced with three painful choices:

Option No. 1: The new leadership could restore integrity and discipline to financial management and remain within the money limits set by Congress. To me, option No. 1 is the right way to go.

But there is also option No. 2: The leadership could try to circumvent the law and use contracts and current appropriations to bail out bankrupt accounts. This would be pretty much business as usual, even with the M accounts closed, still something similar.

Option No. 3: Worse still, the bureaucrats in the Pentagon might establish what I just alluded to—a new slush fund to hide the overdrafts. That is why the Defense Business Operations Fund, or DBOF, causes me so much heartburn. DBOF is a potential slush fund and money laundering operation. It has been used that way, I feel.

I want to digress for a moment to commend the distinguished chairman of the Subcommittee on Defense of the Senate Appropriations Committee for cutting off the water supply to the DBOF plumbing works. I want to commend the chairman for rejecting the proposal to transfer $3 billion in excess DBOF cash to the operation and maintenance accounts and for rejecting DBOF's advance billing procedure that is designed to make up for cash shortages.

The chairman's bold move will help to improve DBOF's image. It will help to restore credibility to financing and accounting in the Defense Department. It will help to dispel the notion that DBOF is nothing more than a cash generator and a money laundering operation to circumvent the will of Congress and spend money in an illegal way.

The new financial czar at the Department of Defense, Mr. John Hamre, says he is going to pursue option No. 1. He is going to stop the financial abuse and clean up the books. I want him to succeed, and I hope that all of my colleagues in this body will give him encouragement to succeed. I want to see him turn the tide, and I want to see him bring reform to the system. I will help in any way I can. If he does what he says he is going to do, Mr. President, Mr. Hamre will need more help. He will need the backing and support from the entire Congress. I hope it is there when he really needs it, and I hope that the distinguished chairman, Senator INOUYE, will continue his good work in straightening things out as well.

I yield the floor.

Mr. INOUYE. Mr. President, the Senator from Iowa is very generous in his remarks, but I believe the credit should be in his shop. I wish to commend and congratulate my friend from Iowa for his persistence and his diligence in pursuing this matter and bringing this matter to the attention of the Senate. Were it not for this persistence and diligence, the M account would still be in existence. I believe we can thank the Senator from Iowa for his contribution to an efficient Department of Defense.

His warning signal on DBOF also gave us the signal to act the way we did. So I thank the Senator for his assistance. I congratulate him for his persistence and diligence. I hope we can continue to work together.

Mr. GRASSLEY. Mr. President, I thank the distinguished chairman for his kind remarks and only, once again, say that it would not have been possible without his help.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COHEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COHEN. Mr. President, I ask unanimous consent that I be allowed to proceed as if in morning business for a period not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOMALIA

Mr. COHEN. Mr. President, I take the floor this afternoon with a good deal of mixed emotions. I think all of us are overwhelmed with a sense of relief and joy that Michael Durant, the so-called detainee, has been released. I think all of us feel a great deal of joy for his family and for his friends that he has been returned safely into our hands.

I say it is mixed because on this very day, tonight, a young man from Maine, M. Sgt. Gary Gordon, will be buried. There will be a service in Lincoln, ME, this evening to commemorate his life.

This follows a funeral held this morning for another young man from Lisbon, ME, Tom Field, who also was killed in Mogadishu last week. In attendance at Sergeant Field's funeral was Sergeant Aaron Williamson, whose family is from Carthage, ME, and who was wounded in last week's clash.

I ask unanimous consent that several articles which appeared in the Maine newspapers be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1).

Mr. COHEN. I would like to repeat one thing from the article about Sergeant Gordon. His wife said:

> Everybody knows he was a hero because he was military. It is not very hard for someone to look at his record and see he was an excellent soldier. But I want the world to know he was not only an excellent soldier, he was a loving, gentle, kind, husband and he was the most wonderful father anybody could have. What tears my heart out is he will never be able to see his children grow up, which was all he wanted in life. It breaks my heart that my little girl might eventually not say his name anymore because she might forget him. I will try to never let that happen.

The article is quite extensive, and I will not quote it at length. But I must say, it is a story like this that tears at our hearts, as well.

I was at a conference this weekend with a group of foreign policy experts and attended a dinner that followed. At the conclusion of the dinner, an individual got up and said—and I am paraphrasing as best I can—"I can't believe the United States would allow itself to be driven out of Somalia because 100 soldiers came under attack."

It was not the appropriate place for me to respond that evening, but I must say that I sat there and I wondered if he ever had to make a call to a father or a mother who had just lost a son or a daughter to share the depths of their grief, even if only momentarily.

Because the photograph of that soldier is going to be placed on the wall of the living room, the den, the family room, and every moment of their lives, those survivors, those friends, the husband, the father, the children, will go by that photograph and they will fall through the hole in their heart that probably runs the distance to the nearest star. It is an infinite wound that neither time nor any words can ever hope to heal.

They are going to carry that wound for the rest of their lives. And we are going to move on, making our speeches and probably calling our quorum calls, as we are right now, and never look back again.

I have listened to the argument that it is unacceptable for us to cut and run. I must say that implicit in this argument is the notion or charge that our soldiers and their commanders or their supporters are cowards. Because there is implicit in this phrase "cut and run" that you are raising the white flag in retreat, that you do not have courage or are lacking in bravery. I think it does a great disservice to our soldiers, to our commanders, and to some of the advocates who take the position that we should remove our troops from Somalia as quickly and as safely as possible.

I am thinking primarily of my friend from Arizona, Senator MCCAIN, who has criticized our continued presence in Somalia. I find it somewhat ironic that the people who talk about cutting and running are probably those who never witnessed battle from anyplace but their living room couches or chairs, while watching CNN.

Senator MCCAIN, for example, is one of the bravest people I know. He is a hero of mine. He spent a long time in prison in Vietnam. And at a time when he was being tortured and beaten, and there were others who were seeking to terminate the war, who spoke out against it, who condemned it even as he was suffering, and at a time when he was given an opportunity for early release, his captors saying, "You go home early," he refused. He refused. He said, "I'm not leaving this hellhole until all of us walk out of here."

So he is a man of courage and bravery. And when the phrase is used, I think those of us who know him and others like him should take offense that there is some implicit suggestion that such a position hints of cowardice.

There are others who take a different view. Senator DOLE, Senator INOUYE, Senator JOHN KERRY, Senator ROBERT KERREY, and others—I do not know what their positions are, but they are equally brave and courageous individuals who are also combat veterans, and their views demand respect.

I think there is some merit to the fact that we need to support the President. We do have to demonstrate that the United States is a steadfast partner.

I think we all know why we went to Somalia. We went there to save thousands, tens of thousands of starving people. But when we moved from peacekeeping to peacemaking, it involved more than a change of words; it was a change of mission. The mission was larger and the bullets bigger.

I think when parents send their sons and daughters to camp, to school, to college, or—witness their entry into the military—they expect that their children will receive training and discipline, and that those in charge of the training and discipline will also provide support for their safety.

What took place in Somalia, I think, is quite clear. The soldiers had the training and the discipline. What they did not have was the support necessary to ensure their safety. And that is why there is such great turmoil in this country today, not that we are afraid to fight.

This country does not have to demonstrate anything about its bravery or courage or willingness to shed blood on behalf of others. That has been demonstrated over and over and over again.

The question we have to resolve tonight or tomorrow is whether or not we do irreparable damage to our Nation's long-term interests and credibility.

Do we tell 100 waiting Haitians that they merely have to threaten the lives of American soldiers and then the American people will "turn tail" and rush back to the comfortable shores of America?

These are issues that we will be debating this evening. And I must say that I hope that the rhetoric on both sides will be as level as possible and not question the motives of the individuals who are taking their respective positions.

I do not think that we have to remind the people, as I indicated before, that we are willing—indeed, brave and courageous and committed enough—to try to deliver humanitarian assistance to foreign lands; that we are willing to engage in some peacekeeping operations.

But I must say, Mr. President, I think before we send our soldiers off to engage in peacekeeping or peacemaking or nation building, there must be a full-fledged debate in the U.S. Congress. We have to be sure that we know exactly what the mission is and what the goals are, and exactly what risks we are asking our sons and daughters to undertake and what kind of support we are willing to give them.

I do not believe that debate took place with respect to Somalia. We were assured that the goal or mission was limited, the duration would be brief, that the risks were minimal, and that we would have our soldiers back on American soil within a relatively short time.

All of that changed in June, if not earlier, and we suddenly became interested in tracking down a so-called warlord. We moved from peacekeeping, which implies that there is a cessation of hostilities—that we are simply delivering humanitarian supplies and medicines and foods—to peacemaking, which implies that we are taking sides, that we are choosing, that we are picking winners and losers and we are coming down on one side or the other. And that ups the ante considerably. That elevates the risk to our soldiers substantially, the risks to their lives, as we have seen in recent days.

We do run the risk that we may only be reinforcing the kinds of brutes and thugs that we have seen in Haiti scare off or chase off a relief ship through the brandishing of their weapons and killing of innocent civilians on the streets. We run the risk that this cancer of ethnic hatred and warring political factions may erupt and metastasize and consume our dreams of a new world order.

But we also run the risk that unless we are prepared to debate these issues fully, that we understand exactly the kinds of commitment we are asking our men and women in uniform to serve, what goals, what ends, how long, under what circumstances, unless we fully debate those issues prior to their going in—and in my judgment we did not do that—then we, I think, run the risk of this country shrinking back from its international obligations, from joining in peacekeeping operations in the future, running the risk that we become isolationists. Someone suggested that such a posture would be the equivalent of the Kitty Genovese case in which neighbors pulled down the shade and refused to respond to the cries or screams of somebody being murdered outside of their apartment building.

That is all in balance as we work our way through this debate on what to do. I have not seen the so-called compromise language that will be offered later today or tonight or tomorrow. But I will examine it closely, with at least the commitment to try to be as open as possible, to listen to the respective arguments. But I must say the notion that somehow, if we vote to bring our troops back from Somalia as soon as possible without setting deadlines, and as safely as we possibly can that somehow we are engaged in an act of cowardice. That is a great disservice to all who serve there now, who have served, and will be serving in the future.

I yield the remainder of my time.

EXHIBIT 1

[From the Bangor Daily News, Oct. 14, 1993]

LINCOLN TO HONOR HERO KILLED IN SOMALIA

(By Mary Anne Lagasse)

LINCOLN.—Master Sgt. Gary I. Gordon hadn't lived in Lincoln for 15 years, but it might as well have been yesterday for many residents, who plan a hero's tribute when his body is returned Thursday night.

American flags flying at half-staff line Main Street. Wreaths stand at the three veterans monuments circled by small flags. Black ribbons are tied to the front doors of nearly every business.

Gordon, 33, was one of two soldiers from Maine killed in recent fighting in Mogadishu, Somalia. He had been in the U.S. Army for 15 years, had earned a Green Beret uniform and the Special Forces hat as well as a long list of awards including a Purple Heart and the Bronze Star. He was assigned to Headquarters, U.S. Army Special Forces Command, where he served as Special Forces team sergeant. He was part of the Ranger task force that went to Somalia in late August.

Area residents remember Gordon, the son of Duane and Betty Gordon of Lincoln, as a quiet, easy-going person who gave 110 percent to whatever he did.

To his wife of seven years, Carmen, 29, and their two children, Ian, 6, and Brittany, 3, Gordon was a loving and caring husband and father.

"What breaks my heart is that he (Ian) just admires his father. He would often dress up like Gary and copy everything down to—my husband chewed (tobacco) and he (Ian) would even spit like him. Gary always made sure there was time set aside for his kids. We did everything with the children. It was very important to him since his job required a lot of trips.

"Brittany, 3, loves her daddy. When he would come home, just the sound of the car or the front gate opening, our kids would just run out screaming, 'Daddy's home!' Sunday morning was a ritual. He got the paper and his coffee and he had to split the newspaper with Brittany and she would make believe she was reading the paper with him.

"Everybody knows he was a hero because he was military. It is not very hard for someone to look at his record and see he was an excellent soldier. But I want the world to know he was not only an excellent soldier, he was a loving, gentle, kind husband and he was the most wonderful father anybody could have. What tears my heart out is he will never be able to see his children grow up, which was all he wanted in life. It breaks my heart that my little girl might eventually not say his name anymore because she might forget him. I will try to never let that happen," Carmen Gordon said in a telephone interview late Wednesday afternoon.

Gordon said her husband had many talents. He was an artist, a writer who planned to write a book when he retired, and he was a woodworker and had just started a small business.

She said a friend once asked him what was the one thing he wanted. "At that time we were not together and he said tenderness. His tenderness was his family and he finally got it and now, it's taken away. He was just a beautiful person. He did heroic things. He was going to save a downed helicopter. * * * He was a very brave, strong, loving and tender person. I just loved him so much. He was my world," Gordon said as she sobbed.

At least 50 veterans from several area American Legion and Veterans of Foreign Wars posts are expected to line Main Street Thursday night to salute Gordon as his body is transported to the Clay Funeral Home.

"We are encouraging veterans of all wars to turn out and pay tribute to Gary Gordon and to support his family," said Darrell Savage, commander of the Carl Burrill American Legion Post 77 of Lincoln who was instrumental in organizing the tribute.

State police will escort the hearse from Bangor International Airport to Lincoln where they will be joined by Lincoln police, according to local officials. Gov. John R. McKernan and Rep. Olympia J. Snowe plan to attend the funeral graveside service at 2 p.m. Saturday.

Earlier in the week, students at Mattanawcook Academy in Lincoln paid tribute to Gordon and his family with a moment of silence to coincide with the funeral service held in North Carolina.

"Two often, whether it's the people in the armed services or our law enforcement people, we take for granted what they put on the line every day so the rest of us can enjoy life," the governor said in a telephone interview Wednesday. "The least we can do is make sure those loved ones know we all not only respect immensely what they do, but that what they did was not in vain," said McKernan.

He described Gordon and the other Maine soldier killed in Somalia, Sgt. Thomas J. Field, 25, of Lisbon, as professionals who were doing something they believed was important for the country. "We darn well ought to make sure we remember then for having done that * * * they did the ultimate in giving their lives for the rest of us," McKernan said. He ordered flags at the Capitol to be flown at half-staff through Saturday.

"We always knew he was a hero, but now the world knows," said Tanya Whitney of Lincoln, Gordon's cousin. Whitney described the Gordon family as a small-town, quiet, hard-working family.

"It's sad. They gave him medals of honor and the Purple Heart. He died a hero. They (the family) are holding onto those things. They are just so very proud of him. It was his life. It was his career. To be a master sergeant at 33 years old!" Whitney said.

Gordon had gone on many dangerous missions during his military career and his family had worried about him each time. This time, however, there was not supposed to be anything to worry about.

"It doesn't seem fair * * * there are two babies and his wife, who need him, left behind. We go over there (Somalia) to help them. * * * Their whole country isn't worth one of us," said Whitney.

Alan Gates of Lincoln, who played football and other sports with Gordon, remembers seeing the soldier jogging or running in frigid weather in order to stay in shape during a visit to Lincoln to see family.

Gary McFalls, 34, of Lincoln, a member of the Class of 1978 at Mattanawcook Academy, where Gordon graduated, described him as a quiet, all-around guy. "It was an awful shock. You hear of this happening someplace else. It hit home this time. It's hard to believe," McFalls said.

McFalls, and others in Lincoln, said he didn't understand what American forces were doing in Somalia.

There have been reports that the bodies of the two Maine soldiers were dragged through the streets of Magadishu, but Walter Sokalskis, deputy public affairs office for the U.S. Army Special Operations Command at Fort Bragg, said Wednesday, "To the best of my knowledge who the actual soldiers were has not been officially determined yet."

In an effort to help the family, Lincoln Town Manager Clifton Barker said the Gary Gordon Memorial Fund was set up at Key Bank. Barker said a Falmouth lawyer had contracted the town about an anonymous person wanting to make a generous donation to benefit Gordon's family. He said some local stores also had put out donation boxes.

"I never knew him, but from what everyone has said, he (Gordon) was a very quiet feller, heck of a good kid, and the military was his life.

[From the Bangor Daily News, Oct. 14, 1993]

MSG. GARY IVAN GORDON

LINCOLN AND SOUTHERN PINES, N.C.—Master Sgt. Gary Ivan Gordon, 33, husband of Carmen Romano (Drake) Gordon, was killed in the line of duty Oct. 3, 1993, while serving with the U.S. Army in Mogadishu, Somalia. He was born in Lincoln, Aug. 30, 1960, the son of Duane and Betty (Bonney) Gordon. Gary was a devoted family man. His son admires him, his daughter is filled with his love, and his wife respects and honors him with all her heart. His talents ranged from father, husband, artist, carpenter, writer and dedicated soldier. We will continue his strength and never stop letting the world forget what a wonderful human being was taken from this earth. In addition to his wife of Southern Pines and his parents of Lincoln, he is survived by his son, Ian Brigadoon Gordon; and his daughter, Brittany Lynn Gordon, both of Southern Pines; his sister, Robin Gordon of Bangor; his grandfather, Earl Dicker of Lincoln; two nephews, several aunts and uncles. Friends may call 7–9 p.m. Friday at the Clay, Stevens & Clay Funeral Home, Lincoln. Funeral services will be held at 2 p.m. Saturday at the funeral home, with the Rev. Jack Stewart officiating. Burial with full military honors will follow at Lincoln Cemetery. Requesting no flowers, donations in his memory may be left at the funeral home for the children's trust fund.

[From the Brunswick Times-Record, Oct. 10, 1993]

LISBON FEELS LOSS OF ONE OF ITS OWN

(By Kenneth Z. Chutchian)

LISBON.—Nobody here is trying to be objective about U.S. military involvement in Somalia anymore.

With one of their own shot down and killed, Lisbon residents say they can't look at headlines about that corner of the world without feeling pain.

Sgt. Thomas H. Field, 25, of 4 Winter St., a 1986 graduate of Lisbon High School, was killed in action Sunday while flying with an Army helicopter unit in Somalia, where a U.S. military-led humanitarian effort has deteriorated into war.

The former football player and captain of the Lisbon High School hockey team had planned on making the Army his career. He often visited his old stomping grounds in Lisbon during military leaves, and had scores of friends in his small-town hometown.

Earlier this week, when Field was considered missing in action, people here were shocked, and the real meaning of war began to hit home in Lisbon. with reports of his death confirmed today, grief and anger dominated their emotions.

Field's former hockey coach, Charles Hutchinson, said the war in Somalia now has a whole new meaning in Lisbon.

"Reality sets in," he said. "You always think it's someone else's problem. Knowing someone there who died for what he thinks is right changes everything. I'm a firm believer that if American people are going to be in that area, we should give them enough firepower to protect themselves."

Field attended a Lisbon High School hockey game last December and stopped by to chat with his former coach.

"He was very mature for his age," Hutchinson said of Field's senior year. "Most kids just want to get through their senior year and forget about their studies. It was just the opposite with him."

Last summer Field was on leave when he visited Tony's Sunoco gas station in Lisbon Falls, where he once worked.

Diane Hachey, an old high school friend of Field's who works at Tony's, said, "He had just reenlisted and was very happy."

Field talked about a recent camping trip and his brother's stock car racing at Oxford Plains Speedway, Hachey recalled.

Hachey gave an emphatic "no" when asked if she could separate her judgments about U.S. forces fighting in Somalia from her feelings about losing a friend.

"We should get our men out of there," Hachey said. "We were doing something good and it got turned around."

At Lisbon High School, students and teachers responded quickly earlier this week when they heard Field's helicopter was shot down and he was missing in action. They bought yellow ribbons and tied them to trees in front of the school on Route 196.

Early this morning, the school's faculty was still reluctant to assume Field was dead because they had only a television news report for confirmation.

"You hear about statistics, but it's quite another thing to put a face and a person along with them," said Lisbon High School principal William Schenck.

He described Field as "a very talented young man" who had won a senior class assembly award from a Lewiston vocational school for his work in automotive mechanics. Schenck said the award was a special recognition because it was not issued annually.

While Lisbon High mourns the loss of an alumnus—who has a niece and a cousin currently attending the school—students and teachers will make a small gesture to show their awareness of death and loss beyond the intimate confines of their town.

The yellow ribbons, Schenck said, are not coming down until all of the American soldiers missing in action are released from captivity.

[From the Lewiston Sun-Journal, Oct. 7, 1993]

WOUNDED SERGEANT SAYS HE'S A VERY LUCKY MAN

(By Tim Hanson)

CARTHAGE.—U.S. Army Sgt. Aaron Williamson of Carthage considers himself a lucky man despite being wounded twice Sunday in fighting in Somalia.

"You don't get much luckier than I did," he said Wednesday in a telephone interview from the hospital at Andrews Air Force Base outside Washington, D.C. "The Big Ranger in the sky was watching over me on that one."

Williamson was shot in the left leg while rappelling from a helicopter that later crashed. The Blackhawk helicopter was piloted by Michael Durant of Berlin, N.H., who was captured by Somalis and seen on videotape being interrogated by his captors.

Also aboard the copter, according to Army sources, was Thomas Field of Lisbon, who is now listed as missing in action.

Williamson said he'd like to talk more about the fate of the chopper crew, but is not allowed to do so by the military.

"I really can't talk about that much," when asked about Field and Durant. "I'd really like to tell you, but I can't."

He said he had seen the videotape of Durant on television but was limited in his comments to "it's a big mess."

After being shot in the leg, Williamson crawled to a nearby building to be with other Americans. After about eight hours in the building, he was shot with a rocket-propelled grenade fired from about 30 feet away by a Somali trooper.

Fortunately for Williamson, he was wearing a flak jacket that limited the damage from the grenade. When it exploded, the impact broke his nose and tore off the ring finger of his left hand, he said.

He was airlifted from Somalia to the U.S. military hospital in Landstuhl, Germany. He left that hospital early Wednesday and was flown to Andrews, where he arrived about 7 p.m. Wednesday.

"I'm hurting more now than I was at first. Someone told me that the rocket-propelled grenade that hit me may have been fired at such a close range that it probably didn't develop its full charge," he said. "The hairs on my arms are burned and I have black spots on my face."

As for his first wound, "They're not sure if they have to remove the bullet from my leg." He said, "It's starting to give me more trouble."

Williamson said he will be flown to Maxwell AFB in Alabama on Thursday for work on his finger.

"They said I might have to fly to Scott Air Force Base in Ohio first before going to Alabama, one of those Air Force shuttle things, I guess," he said.

Williamson said he'd go back to Somalia "in a second" after he recovers from his wounds.

"I think they should arc-light the place with B–52s and flatten the whole city" of Mogadishu, he said.

Mr. FORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SASSER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. SASSER. Mr. President, I ask unanimous consent that the pending committee amendments be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1036

(Purpose: To achieve greater cooperation from allies of the United States and international organizations for the support of the costs involved in development and production of Theater Missile Defense systems)

Mr. SASSER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. SASSER], for himself, Mr. LEAHY, Mr. SIMON, Mr. WOFFORD, Mr. CONRAD, Mr. FEINGOLD, and Mrs. BOXER, proposes an amendment numbered 1036.

Mr. SASSER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the title of general provisions, insert the following:

SEC. . Not later than January 1, 1994, the Secretary of Defense shall submit to Congress a report on steps that can be taken by the United States to achieve greater cooperation from allies of the United States and international organizations for the support of the costs involved in development and production of Theater Missile Defense systems.

(b) The Congress shall establish by law for each fiscal year (beginning with fiscal year 1995) the level of new obligational authority (stated as a single dollar amount) for research, development, test, and evaluation and for procurement for Theater Missile Defense programs of the Department of Defense for that fiscal year.

(c)(1) Not more than 80 percent of the amount established pursuant to subsection (b) for any fiscal year may be provided from amounts appropriated to the Department of Defense from the general fund of the Treasury, and no appropriation may be made to the Department of Defense for any fiscal year which would cause the total amount appropriated for that fiscal year for research, development, test, and evaluation and for procurement for Theater Missile Defense programs of the Department of Defense to exceed 80 percent of such amount.

(2) Any additional funds for research, development, test, and evaluation and for procurement for Theater Missile Defense programs for any fiscal year for which an amount has been established pursuant to subsection (b) shall be derived from the Theater Missile Defense Cooperation Account under section 2609 of title 10, United States Code, as added by subsection (e).

(3) The President may waive the limitation in paragraph (1) and the requirement in paragraph (2) to the extent that the President determines appropriate in the national security interest of the United States.

(d) It is the intent of Congress that, except as provided in subsection (e), the percentage of the cost of development and production of Theater Missile Defense systems that is borne by the United States, and the percentage that is borne by allied nations and international organizations, should incrementally shift over the fiscal years after fiscal year 1995 so that the percentage actually borne by the United States in later fiscal years is significantly less than the maximum of 80 percent provided for under subsection (c).

(e) The financial contribution requirements established for allied nations in the administration of this section shall not apply to any foreign nation that, as of the date of the enactment of this Act, is paying at least 20 percent of the total cost of the contracts in existence under a theater missile defense interceptor system program being carried out on such date in cooperation between that foreign nation and the United States.

(f)(1) Chapter 155 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2609. Theater Missile Defense: acceptance of contributions from allies; Theater Missile Defense Cooperation Account

"(a) ACCEPTANCE AUTHORITY.—The Secretary of Defense may accept from any allied foreign government or any international organization any contribution of money made by such foreign government or international organization for use by the Department of Defense for Theater Missile Defense programs.

"(b) ESTABLISHMENT OF THEATER MISSILE DEFENSE COOPERATION ACCOUNT.—(1) There is established in the Treasury a special account to be known as the Theater Missile Defense Cooperation Account'.

"(2) Contributions accepted by the Secretary of Defense under subsection (a) shall be credited to the Account.

"(c) USE OF THE ACCOUNT.—(1) Funds in the Account are hereby made available for obligation for research, development, test, and evaluation, and for procurement, for Theater Missile Defense programs of the Department of Defense, subject to annual limitations provided by law in total obligations for such purpose.

"(d) INVESTMENT OF MONEY.—(1) Upon request by the Secretary of Defense, the Secretary of the Treasury may invest money in the Account in securities of the United States or in securities guaranteed as to principal and interest by the United States.

"(2) Any interest or other income that accrues from investment insecurities referred to in paragraph (1) shall be deposited to the credit of the Account.

"(e) NOTIFICATION OF CONDITIONS.—The Secretary of Defense shall notify Congress of any condition imposed by the donor on the use of any contribution accepted by the Secretary under the authority of this section.

"(f) REPORTING REQUIREMENT.—Not later than 30 days after the end of each quarter of each fiscal year, the Secretary of Defense shall submit to Congress a report on the contributions accepted by the Secretary under this section during the preceding quarter.

"(g) ANNUAL AUDIT BY GAO.—The Comptroller General of the United States shall conduct an annual audit of money accepted by the Secretary of Defense under this section and shall submit a copy of the results of each such audit to Congress.

"(h) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2609. Theater Missile Defense: acceptance of contributions from allies; Theater Missile Defense Cooperation Account.".

(g) Section 2609 of title 10, United States Code, as added by subsection (f), shall take effect as of October 1, 1993.

Mr. SASSER. Mr. President, I might say that this amendment is cosponsored by Senators LEAHY, SIMON, WOFFORD, CONRAD, FEINGOLD, and BOXER.

Mr. President, as illustrated by the Senate's debate a few weeks ago on the fiscal year 1994 national defense authorization bill, the United States is now in the process of rethinking its whole missile strategy. Since the 1950's, I think there is general consensus that the greatest military threat to the United States has been the long-range Russian ballistic missile force, and the very existence of this long-range intercontinental ballistic missile force was really the driving thrust behind what gave birth to something we called the strategic defense initiative, star wars, or SDI.

The United States of America has already spent $32 billion on SDI. Let me repeat that figure—$32 billion has already been spent on SDI.

At the rate we are going, over the next 5 years we will spend an additional $18 to $20 billion on these missile defense systems. Of that $18 to $20 billion, $12 billion will be spent on so-called theater missile defense systems.

Since the breakup of the Soviet Union and the end of the cold war, the threat of an intercontinental ballistic missile attack on the United States has shrunk to almost nothing. That is not to say we as a nation ought to let down our guard. We are continuing robust spending for national defense in general, and we are continuing very robust funding for ballistic missile defense in particular. That underscores I think this Nation's commitment to vigilance. We always must cast a wary eye toward development of long-range ballistic missiles and also of new warheads by countries such as China or North Korea.

We are essentially worried about intercontinental ballistic missiles. Because the United States has two great oceans protecting it, we are literally thousands upon thousands upon thousands of miles away from any nation which could threaten us with missiles. Our allies in Europe and in other areas do not have the same luxury. They do not have great oceans protecting their borders for thousands of miles as we have in the United States.

They are not frightened there so much of intercontinental ballistic missiles, but many of our allies do live under the constant threat of attack by short-range or theater ballistic missiles.

Now, those are the kinds of missiles which we saw operating in a very primitive way in Operation Desert Storm, those very primitive missiles the Iraqis had. But many of these nations operate within range of those types of primitive theater ballistic missiles. And many more of our allies are likely to come within range of these missiles at some time in the near future.

When you compare these so-called theater ballistic missiles to an intercontinental ballistic missile, they are relatively cheap to manufacture and relatively easy to deploy, and perhaps the most alarming thing about theater ballistic missiles is that the trigger is not held by Boris Yeltsin. It is more likely to be held by a Mu'ammar Qadhafi or a Saddam Hussein.

Now, Mr. President, I have brought with me today a chart which has been prepared by the Department of Defense, and this chart shows the threat posed by existing theater ballistic missiles held by so-called third countries that are not our allies.

This map shows the west coast of the United States. This is the east coast of the United States, and South America. And you note that the United States is not threatened at all by these so-called theater ballistic missiles. They are concentrated mostly in the Middle East and around, and you see they have an operational range that takes them up into parts of China, parts of Russia, parts of Southern and Eastern Europe. Western Europe at this juncture is not seriously threatened. But clearly the United States itself is not threatened at all. The real threat from theater ballistic missiles today is to some of our allies in the Middle East and in Southern or Eastern Europe, and in the not too distant future some of our allies probably in Western Europe.

We found in the war in the Persian Gulf that probably any despot who has enough financial wherewithal can field an arsenal of theater ballistic missiles even though some might be of crude arrangement. But for now and the foreseeable future, the sole direct threat to U.S. interests from theater missiles and tactical missiles comes only when United States military forces are deployed in overseas theaters. The continental United States is not affected, nor is Hawaii, nor is the State of Alaska.

Clearly, our attempt to defend against theater missiles ought to be driven by what is in our vital interests.

It ought to be driven by our geographic position in the world. It ought to be driven by strategic reality. A recent Department of Defense SDI briefing states that the mission of the U.S. Theater Missile Defense Program is to "protect U.S. forces, U.S. allies, and other important countries."

Let me read that so my colleagues will understand.

> Even though the Continental United States is not threatened, and the only threat from theater ballistic missiles would be U.S. forces deployed in these areas here in the Middle East, some of Europe, or in some portions of Southeast Asia, those are the only places that U.S. forces could be threatened. The aim of our theater missile defense program is not only to protect U.S. forces but also to protect U.S. allies and other important countries.

Well, a very generous objective indeed, very generous. But like it or not, let me say to my colleagues, this country of ours has been the policeman of the world for at least the last half century. We have paid an enormous price for that, and the American people are telling us they have had enough of it. They want other nations to pick up part of the price tag, at least for their own defense. We have expended and continue to expend vast amounts of our resources to protect our allies.

Whether it is troops of the United States stationed in Europe—and bear in mind we still have over 150,000 U.S. troops stationed in Western Europe, almost a half century after World War II—or whether it is the mighty nuclear carrier battle groups steaming through the Red Sea, we are there to keep the peace. And our U.S. taxpayers are paying for it. And honoring these many commitments to our allies and keeping the peace comes at an enormous price.

Nobody argues with what occurred after World War II. The largess of the United States made sense. We are the only superpower dedicated to democracy and freedom, and our allies were devastated by the war and had little money to spend to defend themselves. Europe lay in rubble and struggled to feed its citizens, and the armies of the Soviet Union were on the move gobbling up vast amounts of territory. The doomsday clock was ticking toward midnight. But things have changed dramatically since 1946 or 1947 and 1949, indeed, since even 1960.

Fifty years after the Second World War ended, the situation has changed very, very dramatically. The allies that were devastated in 1945 now have robust economies, and they built those robust economies to some extent freed by the high cost of national defense because the United States has been footing the bill. Uncle Sugar has plowed vast amounts of money into rebuilding and developing their industrial base. And many of these countries in Europe have created a standard of living which rivals and even exceeds that of the United States.

And half a century after World War II, the United States is no longer the unchallenged industrial giant of the world. We are struggling right here at home to overcome a very anemic economy, indeed. We are struggling to find the funding to educate our children, to provide health care for our citizens, to battle and defeat the criminality that stalks our streets day after day. We are running an enormous trade deficit. We are trillions of dollars in debt and have a $300 billion budget deficit staring us in the face for the coming fiscal year.

So is it not a testament to the wisdom of the American people that they are now looking to Europe, to Japan, and to Korea, our three biggest economic competitors and saying, enough is enough. We have done our share.

My constituents in the State of Tennessee are telling me that they think it is time our allies should start assuming more of the burden of their own defense. And I believe, Mr. President, they are right. I might say that from Europe to Asia our allies now are slowly starting to pick up more of the bill. So there is some light there, I would suggest, at the end of the tunnel.

We talk a lot about burdensharing, sharing the burden of defending the democracies of the world and those who are striving to become democracies and those who believe in freedom, believe in civil liberties, believe in human rights. I would submit that nowhere is burdensharing more appropriate than in the theater missile defense area.

As I spelled out earlier, theater missile defense is primarily a problem of our allies. Yet, a recent Defense Week article entitled "European Ballistic Missile Defense—Big Plans, Lots of Talk, But Not Much Cash" stated "No European state has an antimissile program."

None of these nations that are threatened in Southern and Eastern Europe and soon to be threatened in Western Europe, according to Defense Week, have an antimissile program.

If they are so threatened, why do they not have programs going? And if we in the United States are not threatened, why are we calculating to spend $12 billion over the next 5 years for theater missile defense, and we are not even threatened by theater ballistic missiles?

Well, the only time we are threatened by theater ballistic missiles is when we are there with our troops protecting our lives. Who shouldered the cost of the R&D for theater ballistic missile defense? You guessed it: Uncle Sugar, the United States.

Let me just share with my colleagues another chart, which I think those in the Chamber and those watching on television will find interesting: Missile defense research. Expenditures between 1985 and 1993. Total expenditures for missile defense research in the 8-year period from 1985 to 1993 was $33 billion. The United States spent $32.5 billion of that $33 billion. How much did our allies spend? Look at the little blue line for our allies—$500 million over the same 8-year period.

So let me just calculate this out for you. For missile defense research, trying to find a way to knock down incoming missiles, the United States footed a 98.5-percent share, total. Where is the fairness to that? Where is the equity? Why are we doing it?

Well, let me tell you what is fair about the amendment that I offer today. As you can see from a third chart here, which I use to graphically illustrate to my colleagues what I am trying to do, the Sasser amendment that we offer today on behalf of myself and others, No. 1, recognizes the importance of theater missile defenses. We are not going to argue about that. They are important. Even though the continental United States or Alaska or Hawaii are not threatened by theater ballistic missiles, we can see that theater missile defenses are important because we do have forces deployed around the world.

We recognize that theater-range missiles pose a threat to our allies that equals or exceeds the threat posed to U.S. interests. We say "equals or exceeds." The truth is that the threat to our allies from theater-range missiles greatly exceeds the threat to the United States. But in the interest of being fair, we say "equals or exceeds" the threat posed to U.S. interests.

Our amendment recognizes that U.S. taxpayers have borne a disproportionate share of the burden for developing theater missile defense systems. As we indicated earlier, $33 billion has been spent on missile defense, and 98.5 percent of it has been paid for by the United States.

Our amendment supports the recent administration and congressional statements expressing the desire and need to receive greater allied support in protecting Western security interests.

Last, in the event there is no cooperation, or if we cannot implement it, then our amendment provides a Presidential waiver if deemed essential to U.S. national interests.

So what we are saying is that if we pass this amendment and we say that our allies have to contribute to developing a theater missile defense system, but the President and Secretary of Defense, try as they might, cannot get any help on it and they still believe it is essential to the U.S. national interests to go forward, then the President can simply waive this amendment by a letter to the Congress stating that he cannot put it into effect.

What we are saying here in a nutshell is that the Sasser amendment says that the United States is no longer going to pick up the entire tab for theater missile defense. Under this amendment before us today, Congress would establish overall theater missile defense funding levels. In doing so, we would prevent the type of carte blanche research and development and procurement spending that has become all too familiar.

Here is how it would work. This gives the President and the Secretary of Defense over a year to implement this program. Beginning in fiscal year 1995, the United States would pay 80 percent of the overall amount for theater missile defense R&D, and the allies would pay the remaining 20 percent. This figure would perhaps rise in subsequent years. That is, the allied contribution would be more, and the U.S. contribution would be less.

How would the amendment effectuate itself? The allied contribution would be deposited into a theater missile defense cooperation account established by the Department of the Treasury. You remember the account that was set up in Operation Desert Storm for the various nations involved, to put money into that account to defray a portion of the cost of that military operation. This would be very similar to that. A precedent has already been set for this type of account being established in the Department of the Treasury here in the United States.

As I previously mentioned, the President of the United States could waive an ally's obligation any time it shall be deemed in the national interest of the United States.

Finally, as I said earlier, the amendment will not take effect until fiscal year 1995. This gives the administration and our allies ample time to adjust and develop a program for contribution and programs for beginning to share the cost.

Some of my colleagues may say this amendment is too harsh. I hope they do not. Or they might say it is too critical of our allies. I do not think so. We are saying, look, allies, even though the United States is not threatened by theater ballistic missiles, even though we are not threatened, we are going to pay 80 percent of the cost. We are just asking you to come along and pay 20 percent of the cost. Now that, I think, ought to be a deal they could not pass up. But this amendment does resort to a stick when a carrot would be more successful.

Let me say that I recommend an excellent study recently conducted under the auspices of the National Institute for Public Policy. The National Institute for Public Policy is a conservative-leaning think tank. This conservative-leaning think tank, in a study entitled "Proliferation and Missile Defense, European Allied and Israeli Perspectives," indicates that there is already a movement on the part of some of our allies to get into the business of theater missile defense R&D.

This 1993 study printed in June says this, and this is a direct quote:

> Europe appears at this point prepared both to make the necessary investment in missile defense systems and to buy into U.S. technologies or entire systems based on the cost advantages to be derived.

Still quoting:

> These developments should help alleviate U.S. concern regarding equitable burdensharing with its European allies in the area of ballistic missile defense.

So what they are saying is with just a little push, with just a gentle nudge, the Europeans are ready to come forward, act in their own self-interest, and start contributing to this whole concept of theater ballistic missile research and development and the development of the systems themselves.

I must say, Mr. President, that this study should be required reading for all of my colleagues who are concerned that we are being too harsh on our allies with this amendment.

What we are saying and what this article is saying is that our allies, on their own, realizing that their own self-interest is at stake, have indicated a growing willingness to participate in U.S. theater missile defense efforts, and this amendment would provide them the opportunity and the nudge forward to do it.

This is a fair amendment. I think it deserves the Senate's support. As a matter of fact, I was hopeful and still hope that maybe the distinguished chairman will accept this amendment. We are not placing an onerous financial burden on our allies. We are not leaving them to the prey of wolves like Saddam Hussein and his kind. The amendment simply and basically reflects the change in world politics; it reflects the change in world economics; and it reflects the changing burdens in the defense of the so-called developing world.

Our defense budgets must reflect these changes. The United States can no longer afford to shoulder the entire burden, or virtually the entire burden, alone. Our people see this. Our constituents see it. They tell us that now every day. And we have to start expressing their wishes and their will in some of this legislation that is moving through here funding the Department of Defense operations.

The truth is that our allies, or most of them, can afford to pay more to defend themselves and some of them are willing to do so.

I say, Mr. President, it is time that Uncle Sam made a prudent and fair cut in the allowances of some of those allies of ours that see themselves as the ward of the U.S. taxpayer.

Mr. President, I urge adoption of this amendment and yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Hawaii [Mr. INOUYE].

Mr. INOUYE. Mr. President, it pains me to speak in opposition to this amendment because, as many of my colleagues are aware, I am one of the early advocates of burdensharing. I have long insisted upon burdensharing throughout this globe. But yet, as we all know, there is no uniformity among our allies. For example, at this moment, our NATO allies provide 24 percent of the cost of our presence there, the cost of real estate, the cost of housing, the cost of hiring of nationals, the cost of utilities—24 percent.

In Korea, the Koreans provide 70 percent, and it is rising. In Japan at this time, it is in excess of 76 percent, and in 2 years it will be just about 100 percent. For example, at this moment, when we build a barracks, the cost of construction is borne completely by the Japanese Government. This is burdensharing. I wish I could say that we have been successful, that all nations have been contributing heavily. But such is not the case.

However, my opposition to this amendment goes a bit further. Mr. President, we should keep in mind that the theater missile defense system is established to protect our troops overseas—our troops.

I hope that all of us can recall the Scuds. I remember watching CNN one evening and witnessing the conflagration in Saudi Arabia when one of the Scuds landed on a barracks. I believe about 50 men and women perished as a result of that. This is the system to counter these Scuds. Yes, the Scud was a very primitive system. But I am certain all of us are aware that since that time the Chinese have been working at it and the Iranians have been working at it.

If this amendment becomes the law of the land, our allies, whoever they are, will be determining the pace of our production, the amount spent for the production of these protective devices and the placement of these protective devices.

We have been critical of our leadership because some have suggested that we were slow in providing equipment to our men in Somalia. What would we say to those men and women who are serving overseas if we explain to them, well, we cannot put up the full system because our allies here have failed to put in their share? This is not real estate, Mr. President. This is not housing. These are devices, weapon systems, to protect our personnel.

Then the question comes up, what do we mean by allies? I think that is a very fundamental question. Who are the allies that we are speaking of?

Let us take a small place called the Middle East. In Desert Storm, we considered Syria our ally. Is Syria part of this program? Is Egypt part of this program? Is Bahrain part of this program? Are the Arab Emirates part of this program? Is Turkey? Is Korea an ally? Is Pakistan an ally? I have no idea what we mean by allies.

Although the measure says the Department of Defense may accept contributions from allies, there is another provision that says we will negotiate with these allies to give us money. Mr. President, it is true that some of our allies, who were devastated in World War II, have, as a result of our assistance, made miraculous recoveries. They have done very well, and they should be participating in burdensharing.

But, Mr. President, I do not believe that a theater missile defense system should be an item for burdensharing. We should be responsible for what we provide for our personnel. What do we do if our allies say, yes, we agree that we should have theater missile defense in this country, but we insist that you use our system because it is cheaper? And yet we know it is inferior to ours. Do we, as a result of negotiations, tell our men and women we are going to provide you with a system which is less efficient because it is cheaper and this is what our allies can afford?

No, Mr. President. I can speak at greater length, but I do hope that we will reject this. But in so saying, because I believe that this program does have merit in the sense that it should be taken into serious consideration by our administration, I would like to have the administration, the Department of Defense, respond to this measure and tell us how they can carry out the intent of the Sasser amendment in a way that would not jeopardize the security of our military personnel overseas.

I would hate to just reject this outright. I hope we can somehow come up with some amendment or some modification that would bring this about, because the concept itself may have some merit. But to do what my good friend is trying to provide in this measure I think would be placing our manpower, our personnel, our young men and women who have decided to place themselves in harm's way, in great jeopardy.

So, with some pain, I must oppose this amendment.

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Tennessee.

Mr. SASSER. Let me just briefly respond to the distinguished chairman, because I do not wish to prolong this debate this afternoon.

But I think it should be pointed out that the amendment before us today specifically exempts any nation from contribution which is paying at least 20 percent of the total cost of the contracts in existence under a theater missile defense interceptor program.

Now, this would exempt one country and that one country alone, and that is the State of Israel, because they are the only country that is presently involved in developing a theater missile defense program. And that is the Arrow system which is being developed now by the State of Israel. Israel is exempt under this amendment because the Israelis are making an effort to come up with their own system. But they are the only nation, other than the United States and the Russians, who have any kind of theater missile defense system.

I heard the distinguished chairman state during the course of his argument here that we would run the risk of perhaps depriving U.S. forces of an adequate theater missile defense if this amendment were adopted. I do not think that is the case at all. In other words, the United States would still be sovereign over its own theater missile defense program, if it wished to be. The United States would certainly deploy the missile defense systems and could deploy them as an umbrella over United States troops.

My question is this: Why should the taxpayers of the United States, who are not threatened by theater missile defense or theater ballistic missiles, have to pay for the development of a defense system that not only defends United States troops in Germany, but also defends German troops in Germany, if they are subject to a theater ballistic missile attack, or defend French troops or British troops or Belgium troops, for that matter? Why cannot the taxpayers of those nations come forward and help defray a portion of the defense system for their troops?

Now, bear in mind, under this amendment the United States still pays 80 percent of the cost. We are simply saying, for those who are able, working in conjunction with us, working with the Secretary of Defense and the Government of the United States, let us work out a system where you share in some of the research and development and procurement costs of theater missile defenses.

Interestingly enough, Mr. President, in a publication of the Congressional Research Service entitled "Theater Missile Defense," it says:

> According to the Ballistic Missile Defense Office, foreign participation has helped the U.S. missile defense effort. Basically, Ballistic Missile Defense Office has received widespread access to foreign technical expertise and innovative technology contributions.

So to say that collaboration with our allies in the production or in the development of this theater missile defense system would be counterproductive flies in the face of the CRS report that says it would be productive.

Now, when you blow all the foam off of this amendment here and you get down to the basics, here is what you have: We presently are going to spend, over the next 5 years, about $12 billion for theater missile defense. If the Sasser amendment becomes law, we are going to save about $3 billion of that $12 billion spent. That is $3 billion that is going to be paid by the taxpayers of France, Germany, Belgium, Italy, Japan, Korea, and others who are directly threatened by theater ballistic missiles, to work in conjunction with us to develop a system that they can have access to, that they can participate in financially to protect their own troops and their own people.

That is all we are saying, "Let us do it together. Sure we will continue to pay 80 percent of the cost, but you kick in $3 billion, save us that $3 billion, and we will move forward together and develop a theater missile defense system with you, even though we are not directly threatened here in the United States by theater ballistic missiles."

So, that is what we are all about here, Mr. President, simply trying to get our allies to contribute a modest amount towards the collective effort to put up a theater missile defense.

And if, at the end of fiscal year 1995, the President says, "I just can't do it. We simply can't cooperate with them. We can't get them to contribute. They will not bring in the financial resources that we think they ought to have, but we still need to go forward and develop a theater missile defense because we think it is in the national interest of the United States," the President can do that.

We are not tying his hands here. We are just simply giving the President and the Secretary of Defense the wherewithal to nudge our allies into doing what some of them are inclined to do anyway.

So, there we have it, Mr. President. The vote is not: Do we want an adequate theater missile defense? The vote here is: Do we want to spread the costs among our allies, spread its costs among all of those who are defended, and do we want to save the American taxpayer $3 billion over the next 5 years?

I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska [Mr. STEVENS].

Mr. STEVENS. Mr. President, as I understand Senator SASSER's amendment, he would restrict funding for this program to 80 percent of the required amount. In my judgment, that would mean the future of this program would depend upon foreign contributions for U.S. defensive systems. This could really jeopardize the U.S. technologies that we lead the world in developing, technologies we share with our allies in a common defense. But I do not know why we should share the money we use to develop those defensive systems with them. To me, it would make the development of this program dependent upon the rate of allied financial support. That poses a great risk to U.S. command and control of the systems and it is a force sharing prior to their development.

I just have to say to the Senator, while I have supported other efforts in the past to share defense spending for the development of new systems with our allies, that was done in the days when we had a lot more money available. We have already cut this down. It is down literally to its lowest possible level, as far as I am concerned, as far as the total development of the system. For theater missile defense to proceed I think the Sasser amendment has to be defeated.

Mr. GRASSLEY. Mr. President, I rise to support the amendment offered by my friend and colleague from Tennessee, Senator SASSER, requiring that our allies contribute their fair share toward the cost of the Tactical Missile Defense Program [TMD].

This amendment would allow us to continue the TMD Program as planned. It would simply realize, and address, the reality of this program: That our allies face a greater risk from tactical missiles, and that therefore they should bear a greater cost burden than they now bear.

The contributions that would result from this amendment would free up about $3 billion over the next 5 years. In this day and age of trillion-dollar budgets, that is not a lot of savings, Mr. President. But then it is also not an unfair burden for our allies.

As my colleague from Tennessee points out—who incidently is the chairman of the Senate Budget Committee and should know such things—without the Sasser amendment, the TMD Program will be one of the fastest growing programs in the entire Federal budget. With the Sasser amendment, the planned program growth would continue, but the American taxpayers would not have to foot the entire bill. Yet the United States would still be picking up 80 percent of the tab.

The Sasser amendment contains the requisite flexibility by allowing the President to waive the requirement for burden sharing by our allies if he deems it in the interest of the United States. Under this amendment, he has that discretion.

Mr. President, the American taxpayer has become weary from his and her long bout resisting communism. He and she were willing to play the lead role in preserving freedom on behalf of the world. Now, the Communist dragon has been slain. Yet we are still footing the bill. When is enough enough?

It seems to me, Mr. President, that the Sasser amendment successfully answers that question. That is why I join him on his amendment, and I congratulate him for raising it here before this body.

Thank you, Mr. President, and I yield the floor.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. MOSELEY-BRAUN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SASSER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SASSER. Madam President, I am prepared to yield back all time if the distinguished chairman is.

Mr. INOUYE. Madam President, there is no time agreement, but as of this moment we have had no requests for time to speak, so I assume all the debate has been concluded. We are prepared to resolve this matter now by voice vote or—

Mr. SASSER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there further debate?

Mr. INOUYE. Madam President, I move to table and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mrs. FEINSTEIN] is necessarily absent.

I further announce that, if present and voting, the Senator from California [Mrs. FEINSTEIN] would vote "nay."

Mr. SIMPSON. I announce that the Senator from Washington [Mr. GORTON], the Senator from New Hampshire [Mr. SMITH], and the Senator from Wyoming [Mr. WALLOP] are necessarily absent.

I further announce that, if present and voting, the Senator from Washington [Mr. GORTON] and the Senator from New Hampshire [Mr. SMITH] would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 54, nays 42, as follows:

[Rollcall Vote No. 311 Leg.]

YEAS—54

Akaka
Baucus
Bennett
Biden
Bond
Boren
Breaux
Brown
Burns
Chafee
Coats
Cochran
Cohen
Coverdell
Craig
D'Amato
Danforth
Dodd
Dole
Domenici
Durenberger
Exon
Faircloth
Glenn
Graham
Gramm
Gregg
Hatch
Heflin
Helms
Hollings
Hutchison
Inouye
Kassebaum
Kempthorne
Kennedy
Kerry
Lieberman
Lott
Lugar
Mack
McCain
McConnell
Murkowski
Nickles
Nunn
Packwood
Pressler
Roth
Shelby
Simpson
Stevens
Thurmond
Warner

NAYS—42

Bingaman
Boxer
Bradley
Bryan
Bumpers
Byrd
Campbell
Conrad
Daschle
DeConcini
Dorgan
Feingold
Ford
Grassley
Harkin
Hatfield
Jeffords
Johnston
Kerrey
Kohl
Lautenberg
Leahy
Levin
Mathews
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murray
Pell
Pryor
Reid
Riegle
Robb
Rockefeller
Sarbanes
Sasser
Simon
Specter
Wellstone
Wofford

NOT VOTING—4

Feinstein
Gorton
Smith
Wallop

So the motion to lay on the table the amendment (No. 1036) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, if I might have the attention of the distinguished chairman of the subcommittee, I had asked the distinguished Senator from Arkansas, Mr. BUMPERS, to yield for approximately 10 minutes so that I might proceed with the amendments which we have worked out, I think; and the distinguished Senator from Arkansas has agreed to that.

So if it is acceptable to the managers, I would like to proceed at this time on the amendments which I discussed yesterday morning before amendments were in order and to facilitate disposition of the amendments at this time.

Mr. INOUYE. Does the Senator wish to have me respond?

Mr. SPECTER. Yes. If it is agreeable to proceed at this time, I will do so.

If I may, I think it would be better if I submit the amendments formally.

AMENDMENT NO. 1037

(Purpose: To provide for a study of the cost-effectiveness of the procurement of nuclear-powered aircraft carriers and nuclear-powered submarines)

Mr. SPECTER. At this time, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the excepted committee amendments are laid aside temporarily. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 1037.

Mr. SPECTER. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. (a)(1) The Comptroller General shall carry out a study of the cost-effectiveness to the Navy of the utilization of nuclear-powered aircraft carriers and nuclear-powered submarines.

(2) The study shall include—

(A) a comparison of the life-cycle cost of nuclear-powered aircraft carriers and nuclear-powered submarines with the life-cycle cost of conventionally powered aircraft carriers and conventionally powered submarines, as the case may be;

(B) a comparison of the cost of procuring nuclear-powered aircraft carriers with the cost of carrying out the service-life extension or complex overhaul of existing conventionally powered aircraft carriers;

(C) a comparison of the projected cost to the Navy of operating a fleet of aircraft carriers utilizing no homeports located at foreign overseas installations with the projected cost of operating such a fleet utilizing both foreign overseas homeports and homeports located in the United States;

(D) an assessment of the effect on the projected costs referred to in subparagraph (C) of—

(i) the plan, if any, of the Navy for the location of a homeport for a nuclear-powered aircraft carrier in the Western Pacific region in the event of the retirement of all conventionally powered aircraft carriers in the fleet; and

(ii) restrictions imposed by foreign nations on utilizing installations located in such nations as homeports for nuclear-powered aircraft carriers, and on the operation of such carriers in the waters of such nations;

(E) an assessment of the number of aircraft carriers required by the Navy in order to meet operational requirements for a continuous presence of aircraft carriers in three overseas regions simultaneously in the event that foreign nations prohibit the utilization of locations in such nations as homeports for nuclear-powered aircraft carriers;

(F) an assessment of the refueling including any complex overhaul of the fueling system and nuclear propulsion system required for the nuclear-powered aircraft carriers of the fleet through 2010, including—

(i) a schedule for such refueling;

(ii) the cost of such refueling; and

(iii) the cost of disposing of the waste generated by such refueling;

(G) a detailed description of all programs of the Department of Defense and of the Department of Energy relating to nuclear propulsion systems for naval ships (including surface ships and submarines) that utilize such systems; and

(H) a detailed estimate of costs associated with processing or otherwise disposing of nuclear fuel and other nuclear material (including nuclear waste) from the existing nuclear-powered fleet of ships (including surface ships and submarines) of the Navy.

(3) In determining the life-cycle costs associated with nuclear-powered aircraft carriers and nuclear-powered submarines for the purposes of the study under this subsection, the Comptroller general shall take into account the cost of processing or otherwise disposing of nuclear fuel and other nuclear material (including nuclear waste) removed from such aircraft carriers and submarines.

(b) The Comptroller General shall submit to the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives a report on a study carried out under subsection (a) not later than 6 months after the date of the enactment of this Act.

Mr. SPECTER. Madam President, this amendment provides for a study by the General Accounting Office of the cost and operational effectiveness for utilization of nuclear powered aircraft carriers contrasted with conventional carriers, and the cost and operational effectiveness of nuclear powered submarines contrasted with conventional submarines.

Madam President, the essence of this amendment relates to the cost of nuclear carriers, which are in the range of $4.5 to $6 billion with a life expectancy of some 25 to 50 years; contrasted with the cost for a service life extension program of a conventional carrier, which is in the range of $800 million to $1 billion with an additional life expectancy of 15 to 20 years. Those are the figures which generally have been discussed.

But this amendment calls for a study by the General Accounting Office to make a determination as to what the precise figures are for the cost and operational effectiveness of a nuclear carrier contrasted with a conventional carrier; similarly, what the cost and operational effectiveness would be for construction of a nuclear submarine contrasted with a conventional submarine.

It also calls for an assessment of the costs associated with the storage and disposal of the nuclear waste from the refueling overhauls for these ships and the final disposal of these ships at retirement. And there is one other issue, and this is a slight modification from the amendment which was discussed yesterday, with copies having been given to both managers. It also calls for a GAO study on the issue of home porting, or forward home porting. The issue there is that Japan, illustratively, will not allow homeporting of a nuclear aircraft carrier; and with retirement of our last conventional carrier around 2010, will it still be necessary to have a forward home port in the Western Pacific and possibly other regions. And with the retirement of all of the conventional carriers, it may not be plausible to have a carrier home ported in Japan or some other region, like the Mediterranean where some of the countries, if not all of the countries, would not agree to have a nuclear carrier home ported there. That one factor is different, but it is in line with the balance of the GAO study. As I say, that change has been made available to the managers.

I ask at this time that the amendment be accepted.

Mr. INOUYE. Madam President, if the Senator will yield——

Mr. SPECTER. I do.

Mr. INOUYE. I am pleased to advise the Senate that the managers of this bill have no objection to the adoption of the Specter amendment.

Mr. CHAFEE. Madam President, I wonder if the floor manager will yield for a question.

Mr. INOUYE. I am happy to.

Mr. CHAFEE. Do I understand that the Senator's amendment is to give the cost estimates for the production of a conventionally powered submarine? Is that correct?

Mr. SPECTER. That is correct.

Mr. CHAFEE. Vis-a-vis the cost of a nuclear powered submarine?

Mr. SPECTER. That is correct.

Mr. CHAFEE. Is there any comparison in other features besides cost? Is there any comment on the capabilities of the two submarines versus one another?

Mr. SPECTER. Yes. That is included; the longevity, the cost and operational effectiveness, and total capability generally.

Mr. CHAFEE. I think clearly a very noisy, slow-powered, conventionally powered submarine would come in at a very low cost. But the trouble is it is no good to any military force.

I think that we have to be careful here making comparisons solely on the basis of price. So when the Senator explained the amendment, I did not hear that part. But I would encourage that be included. In other words, the capability of the two different types of submarines are to be set forth—speed, silence——

Mr. SPECTER. That is the intention of the amendment.

Mr. CHAFEE. Depth, capabilities, all of those.

Mr. SPECTER. All facets of the GAO study would involve cost and effectiveness. The effectiveness would include all features of the submarine.

Mr. CHAFEE. That would apply for the carriers likewise?

Mr. SPECTER. That is correct.

Mr. CHAFEE. In other words, speed, capability of competing without refueling, and so forth?

Mr. SPECTER. Again, the carrier's cost; the operational effectiveness, including all the features which the distinguished Senator from Rhode Island enumerated, plus any others which are relevant in such comparison.

Mr. CHAFEE. Thank you very much.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from Hawaii.

Mr. INOUYE. Madam President, as I indicated, the managers of the measure have no objection.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 1037) was agreed to.

Mr. SPECTER. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPECTER. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

AMENDMENT NO. 1038

(Purpose: To express the sense of the Congress on permitting closing military installations to compete for and perform Department of Defense overhaul and depot-level maintenance services)

Mr. SPECTER. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 1038.

Mr. SPECTER. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the title of general provisions, insert the following:

SEC. . (a) It is the sense of Congress that—

(1) the Secretary of Defense should not prohibit any military installation described in subsection (b) from bidding on or performing Department of Defense contracts for overhaul services or for depot-level maintenance of material for the Armed Forces that are awarded using competitive procedures;

(2) performance of such a contract by such a military installation should not affect the schedule for closure of the installation;

(3) such a contract should not be entered into for the performance of work at such an installation if the time necessary for performance of the contract extends beyond the date established for closure of the installation or if the performance of the contract at the installation would otherwise affect the schedule for closure of the installation; and

(4) such a contract awarded to a military installation should be terminated for default if the contract is not completed on or before the completion date provided in the contract.

(b) A military installation referred to in subsection (a) is a military installation that (1) has been approved for closure subject to the provisions of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), (2) is in the process of implementing a conversion or reuse strategy for the installation to take effect upon closure, and (3) has received some funds from the Department of Defense for the purpose of implementing the conversion or reuse strategy.

Mr. SPECTER. Madam President, this amendment was also discussed at greater length yesterday morning, and it is a sense of the Congress on permitting closing military installations to compete for and perform Department of Defense overhaul and depot-level maintenance services. The intent of this amendment is to permit bases which have been ordered closed under the Base Closure Act to bid on work which will be completed prior to the date that they are set for closing.

This is completely consistent with the Base Closure Act. It is my understanding, again, that this amendment is acceptable to both managers.

The PRESIDING OFFICER. Is there further debate?

Mr. INOUYE. Madam President, the managers are pleased to accept this amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1038) was agreed to.

Mr. SPECTER. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPECTER. Madam President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1039

(Purpose: To express the sense of the Congress on permitting operators of industrial facilities at closed military installations to compete for Department of Defense contracts for overhaul services and Department of Defense contracts for depot-level maintenance services)

Mr. SPECTER. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 1039.

Mr. SPECTER. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the title of general provisions, insert the following:

SEC. . It is the sense of the Congress that operators of industrial facilities at military installations closed after the date of the enactment of this Act should be permitted to qualify as offerors for (1) proposed Department of Defense contracts for overhaul services for the Armed Forces, and (2) proposed Department of Defense contracts for depot-level maintenance of material for the Armed Forces.

Mr. SPECTER. Madam President, the purpose of this amendment—and, again, this was discussed at some length yesterday morning—is to express the sense of the Congress on permitting operators of industrial facilities at closed military installations to compete for and perform Department of Defense contracts for overhaul services and Department of Defense contracts for depot-level maintenance services.

This is in line, illustratively, with the Philadelphia Navy Yard, although it would apply more broadly on the efforts for conversion where there are plans, which we are trying to work out now with the Department of the Navy, to have a facility like the Philadelphia Navy Yard restructured to do private business and public business and then to have the opportunity to bid on public contracts, again on a cost basis, to have a chance to compete and perform these contracts.

It is my understanding again that this has been cleared with both managers.

Mr. INOUYE. Madam President, this amendment has been cleared. We have no objection.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1039) was agreed to.

Mr. SPECTER. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPECTER. Madam President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1040

(Purpose: To provide for a limitation on the obligation or expenditure of funds with respect to the Antler Military Operations Area, Pennsylvania)

Mr. SPECTER. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 1040.

Mr. SPECTER. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, below line 9, insert the following:

SEC. 8142. (a) No funds appropriated under this Act may be obligated or expended for the purpose of carrying out low-level aircraft training operations with respect to the Antler Military Operations Area, Pennsylvania, until the date of the submittal to congressional defense committees of the report referred to in subsection (b).

(b)(1)(A) The Secretary of Defense, acting through the Deputy Under Secretary of Defense for Environmental Security and in consultation with the Administrator of the Environmental Protection Agency and the Administrator of the Federal Aviation Administration, shall submit to the congressional defense committees a report on the effect of low-level aircraft training operations of the Department of Defense on the proposed Antler Military Operations Area, Pennsylvania.

(B) The Secretary shall submit the report not later than 6 months after the date of the enactment of this Act.

(2) The report under this subsection shall include the following:

(A) An assessment of the effect of the training operations referred to in paragraph (1) on—

(i) the environment of the areas of, and in the vicinity of, the proposed Antler Military Operations Area, including a detailed assessment of the effects of the noise generated by such operations on the environment of such areas;

(ii) the economy of such areas; and

(iii) the health and safety of persons living in and around such areas.

(B) A description of the number of aircraft flights per month that the Secretary anticipates will occur in the proposed Antler Military Operations Area.

(C) A description of the number and duration of such flights per month that the Secretary anticipates will occur at or below a level that is 500 feet above the highest ground level of the proposed Antler Military Operations Area.

(c) In this section, the term "congressional defense committees" means the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives.

Mr. SPECTER. Madam President, this is another amendment which I had submitted yesterday morning and had discussed at some length, so it will not be necessary to talk very long about it.

This amendment relates to a proposal by the Antler military operations areas in central Pennsylvania which the Air National Guard will likely use to perform low-level combat——

Mr. INOUYE. Madam President, will the Senator yield?

Mr. SPECTER. I do.

Mr. INOUYE. That matter has been resolved.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Madam President, the substance of this amendment, I am advised, has already been cleared by both sides. But it may be worthwhile to make a very brief comment about it.

This is a matter of some importance to Pennsylvania, because the Antler Military Operations Area would convert some 50,000 acres of Pennsylvania State parks and forests into a jet fighter training area 300 to 5,000 feet above ground level.

The Pennsylvania Department of Environmental Resources brought this matter to my attention and requested that we work through a study to determine the health and safety of persons living in and around such areas, and the impact on the environment.

Being on the Subcommittee for the Department of Defense Appropriations, I brought the matter up in subcommittee, and there was an issue which needed further consideration. Then I brought the matter up again in full committee. I believe Senator REID had a similar concern, and we decided to reserve final disposition of the matter until it reached the floor.

Subsequently, my staff was contacted by the staff of Senator WOFFORD, and we were pleased to have him join in the Specter-Wofford amendment which has just been recited. I understand that the matter was taken up, although I had not been aware at the time it was submitted for the RECORD, that that was done. I think on this state of the record the matter has been sufficiently described.

The PRESIDING OFFICER. Is there further debate?

Mr. SPECTER. There is no amendment pending, Madam President. May the record show it is technically withdrawn since the substance of the amendment has already been acted on.

The PRESIDING OFFICER. The Senator has that right.

The amendment is withdrawn.

The amendment (No. 1040) was withdrawn.

Mr. INOUYE. I commend my distinguished colleague from Pennsylvania for bringing this matter to the attention of the subcommittee, and I believe later to the full committee. I thank him very much.

Mr. SPECTER. I thank the chairman and the ranking member, and I thank my colleague from Arkansas for yielding to me.

I yield the floor.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I ask unanimous consent that the pending committee amendment be temporarily laid aside so that I may offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1041

(Purpose: To reduce the amount to be appropriated for the Foreign Intelligence Program and the Tactical Intelligence and Related Activities Program)

Mr. BUMPERS. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself, Mr. SASSER, Mr. METZENBAUM, Mr. WOFFORD, and Mr. FEINGOLD, proposes an amendment numbered 1041.

Mr. BUMPERS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of line 9 on page 157, insert the following new section:

"Notwithstanding any other provision of this bill, the amounts appropriated for the program in support of the intelligence community of the federal government for the National Foreign Intelligence Program shall be reduced by $300,000,000; and the amounts appropriated for the programs in support of the intelligence community of the federal government for the Tactical Intelligence and Related Activities Program shall be reduced by $100,000,000."

Mr. BUMPERS. Madam President, I must say that it took a lot of courage on my part to offer this amendment because, frankly, I am so tired of losing. I am tired of offering the Senate opportunity after opportunity after opportunity to cut spending, with absolutely no success.

I sometimes wonder about the press; they never report this. I do not know why. They never report who is voting for spending cuts and who is not. The reason I say that is because it is really interesting to me to watch the people who make the longest winded speeches around here about spending cuts and who can never find it in their hearts to vote for one.

I offered the Senate an opportunity this morning to cut $17 billion in spending, with absolutely no loss of strategic or military advantage. I got 34 votes. One Senator was very kind and called and told me he voted against me and he apologized. He said, "I realize now you were absolutely right about it." I think another Senator told me that he misunderstood that it was a motion to table. So maybe I would have gotten 36 votes. That is a lot of votes around here when you are trying to cut spending.

Senator SASSER just offered an amendment to do burdensharing, to let some of the other countries pick up some of the tab. He got 42 votes.

I hear people say, "Well, I cannot support you, but I am for spending cuts, cutting entitlements. You are never going to get the deficit under control unless you cut entitlements."

What does that mean? I will tell you what it means. It means they are not prepared to tell you what they are willing to cut, because the same person who says "I am for cutting entitlements" may say if we ask: Well, are you willing to cut Medicare? We have already cut $56 billion on the deficit reduction package. The elderly people in this country are terrified about those cuts. They may say: Well, I do not know, we cut about all we can in Medicare. How about Medicaid, health care for the poorest of the poor. They may say: I would not mind cutting that one. How about kicking Aunt Lucy out of the nursing home? No, I would not be for that. How about food stamps that allow some people to eat because of the large debt of the Federal Government and the decision made 25 years ago that no child should go hungry? That is an entitlement. Do you want to cut that one? Usually, you do not get a response to that. No, it is all entitlements, because you never have to say what you are for cutting.

But I will tell you some of the biggest entitlements in this country—the space station, the super collider, National Endowment for Democracy, SDI, intelligence budget, which my amendment addresses, those are entitlements which just go on year after year after year getting healthy increases as we cut Medicare $56 billion over the next 5 years.

So when you vote for this kind of entitlement, you are voting to cut those kinds of entitlements. Go home and tell the elderly, the AARP and elderly that you speak to when you are making your political speeches, go home and tell them that when you voted against about $300 billion worth of spending cuts over the next 30 years—which I offered just in the last 3 weeks—that when you voted against those, you almost guaranteed that we are going to have to cut further on those entitlements that help people, poor people, all people.

Go home and tell the people in education the reason we cannot do more for them is because we cannot find it in our heart to cut a bloated intelligence budget. We cannot find it in our heart to cut $38 billion on the D–5 missile, counting interest, over the next 35 years. We cannot find it in our heart to cut $100 billion on the space station. You think about that.

I hate to be so caustic and acerbic about this, and it sounds self-serving, and I hate to do this and I do not mean it that way. But I sometimes think, having fought against the space station and the collider now for 4 years running, I sometimes think if Senators walked on that floor and the head of NASA walked up to them and said, "Boy, have you guys been snookered; there is not anything like a space station; there is no plan; nothing," I do not think it would change a vote. I think we would still vote $2.1 billion for the space station.

So, after getting a whopping 34 votes this morning in an attempt to do something about the deficit of this Nation, here I am at the same old stand giving everybody an opportunity to vote for a very modest cut.

Madam President, I originally intended to try to cut the intelligence budget by a billion dollars. Discretion being the better part of valor, I knew I had no chance of that, so I am offering an amendment that would cut $300 million from the national foreign intelligence budget and $100 million from the pentagon's tactical intelligence and related activities, TIARA, a total of $400 million.

I do not know and I will not know for a little while, probably after the vote, if it would have made any difference if I had offered to cut $100 million from the NFIP and $50 million from TIARA. I doubt if there would be any difference in the votes. People are not going to cut spending. They do not want to cut spending, and they are not going to.

Every Member of this body got a letter from James Woolsey, who I personally like and respect, saying, "If you vote for the Bumpers amendment you are going to jeopardize our intelligence ability for years to come."

Madam President, here is a little unclassified chart. In 1965 through 1994 —I want you to look at this for just a moment—the national foreign intelligence budget is up 100 percent in the 1980's. There is 1980. There is 1990. There is a 100-percent increase in the 1980's in this budget, which the New York Times says is $17 billion.

Incidentally, you know another burr under my saddle is the fact that all these numbers are kept so secretive and when I say what these numbers are I have to say the Los Angeles Times reported it, or the New York Times reported it.

Senator MOYNIHAN is going to offer an amendment on this floor on this bill to make the total intelligence budgets public, and I intend to support him. I would not vote for an amendment that said you have to tell how much you are spending on human intelligence, how much you are spending on satellites. But the Los Angeles Times says that we are spending $28 billion a year on intelligence.

I am not here to tell you whether that is right or wrong. I am telling you what the Los Angeles Times reported. But I can tell you this because this is in the report from the House Appropriations Committee, this budget has gone up 100 percent in the 1980's, and I am saying cut it by $300 million.

The Senator from Arizona, who is chairman of the Senate Select Committee on Intelligence, is going to say we have already cut it.

Madam President, I hate to anticipate what he is going to say, but that is what he is going to say, and let me answer it before he says it.

They did not cut anything. They just did not give them an increase.

The President of the United States said when he was a candidate that he was going to cut $7 billion out of the intelligence budget in 5 years after he became President, $7 billion.

Do you know what the budget request was this year? It was for an increase of $800 million in this budget, an $800 million increase, according to the House Appropriations Committee.

And our Senate Committee on Intelligence said we are not going to cut you. We are going to leave you level funding the same amount of money you got in 1993. Big deal.

Let me show you another chart, Madam President. This does not impress anybody around here but people who watch C–SPAN are pretty impressed with it. They said, "I did not know that. I cannot believe that."

You know, I am an old trial lawyer, and I know what the people understand. I know what their native intelligence tells them, and if the American people had been voting on that amendment this morning, it would have been 85 to 15. The American people have got enough sense to know that we are not serious around here about the deficit.

And when the American people see a chart like this that says we spend more on intelligence, according to the August 4 edition of the Los Angeles Times, we spend more money on intelligence than these 10 nations, including Italy, spend on their entire defense budget, and James Woolsey sends a letter to everybody and says, "If you vote for the Bumpers amendment you are going to jeopardize intelligence for years to come." You want to know how good our intelligence is. You have a great example of it. You saw a bunch of thugs sitting on the Port-au-Prince dock saying you cannot land these American troops in Haiti. Obviously, if our intelligence community had been doing its job, they would have told the President you are going to get a very heated reception in Haiti, and the President would not have embarrassed himself to some extent and the Nation by sending them in the first place.

And George Shultz, former Secretary of State, in his book called "Turmoil and Triumph"—incidentally, he was one of the people I liked in the Reagan administration. Here is what George Shultz says in his book—you know everybody is willing to tell you after they leave office what they really think. You cannot get anybody in politics to tell you what they really think until they leave office.

(Mr. REID assumed the Chair.)

Mr. BUMPERS. I remember when Dwight Eisenhower made his great military-industrial complex speech. Do you know when he made it? As he left office. What a dynamite speech that would have been in his first inauguration.

I never will forget, even our colleague, Senator Goldwater, turned to one of the Senators over there and said: "Who drafted this prayer-in-school amendment?" The Senator said, "I did." He said, "You ought to be ashamed of yourself."

And I remember General Jones, who was Chairman of the Joint Chiefs of Staff when I came to the Senate. We were still in Vietnam. The Senator from Kentucky came to the Senate the same time I did and he remembers this all well.

This country was upside down over Vietnam. And shortly after that, David Jones retired from the Air Force—I believe he was an Air Force man—and he held a press conference. Do you know what he said? "It is impossible to design a sensible defense system in this country, because all I do is referee interservice rivalry. You give the Air Force $2 billion, you got to give the Navy $2 billion. You give the Navy $2 billion, you got to give the Army $2 billion." He said, "All I do is referee fights."

And if Colin Powell holds an exit interview and tells the unmitigated truth, as he is supposed to do in this $6 million book, he is going to tell you essentially the same thing.

Former Secretary of State George Shultz provides a particularly harsh appraisal of the CIA in his memoirs "Turmoil and Triumph." He repeatedly disparages the political analysis on the Soviet Union by CIA Director William Casey and his Deputy Robert Gates noting, "We had no accurate help from the intelligence community about what to expect."

Can you believe that a short 4 years ago, two-thirds of the entire intelligence budget went to spy on the Soviet Union and its allies? And today, there is no Soviet Union. But do you know the interesting thing about that spending two-thirds of our intelligence budget on the Soviet Union? Not one person in the CIA ever told the President that the Soviet Union was about to collapse.

But this is really not about the competence of the intelligence community. It is about how much money we are willing to spend on intelligence.

Mr. President, we have another big problem in the intelligence community. We have so many intelligence organizations in this country funded with this $28 billion. We have got spies spying on spies; overlap. The left hand does not know what the right hand is doing. My guess is James Woolsey, in one of his more candid moments, would tell you that.

Who are they? Well, the National Foreign Intelligence Program, that is the CIA, the National Security Agency, the Defense Intelligence Agency, the National Reconnaissance Office, even the State Department and the FBI, get in on the act. And we have Navy intelligence, Army intelligence, Marine intelligence. We have intelligence agencies that the public does not even know about. And the national foreign intelligence budget, which I am trying to cut a paltry $300 million, is higher right now than it was at the height of the cold war.

Mr. President, the House froze spending, but freezing is not enough in these times. If we cannot cut $300 million from the National Foreign Intelligence budget and $100 million from TIARA, we might as well hang it up.

Incidentally, do you know something else? Do you know ALBERT GORE, in the Vice President's reinventing government report, weighs in on this intelligence budget? My amendment goes right to the heart of what ALBERT GORE talks about.

Mr. President, what are the opponents of this amendment going to say? Well, I tell you, terrorism is so much greater now. We have to spend more money trying to find terrorists. We have to spend more money on this and that and the other. But 3 years from now, we are going to start cutting.

And the Senate will buy it, just like Lucy holding the ball for Charlie Brown every fall. Charlie says, "No, I'm not going to kick that ball now. You'll pull it out from under me and I'll kick and I'll fall." And Lucy says, "No, I won't." So Charlie goes out charging and Lucy pulls the ball out from under him and he takes a big spill year after year after year, just like the U.S. Senate.

They will say, "We have this whole intelligence thing under in-house reform and by this time next year, we are going to give you a definitive plan on how we are going to deal with this." And, like Charlie Brown, we are going to fall for it one more time.

Do you think this is just Dale Bumpers talking? "The intelligence community has, in my view, been greatly overfunded for the past decade. We may well have 10 times too many analysts in the intelligence community today."

Ten times more than we need. Who said that? Lt. Gen. William Odom, former Director of the National Security Agency.

The House Appropriations Committee said,

> The committee notes that during the course of the last decade, budgetary resources devoted to the intelligence community have grown in real terms by over 100 percent. In a time that saw a significant expansion of the defense budget, the budgets of the intelligence community grew at a rate that was 20 times faster in real terms.

That is right. Defense in the 1980's grew 5 percent in real terms, and the national foreign intelligence budget grew 100 percent—20 times faster and higher than the defense budget.

Here is another quote by William Colby, former Director of CIA. "There is substantial money to be saved. I would say a substantial reduction in intelligence funding is possible and that means several billion dollars." That, from a former Director of the CIA—several billion dollars can be saved.

Do you know what my amendment does? If we believe press reports, it cuts the budget of the National Foreign Intelligence Program by less than 2 percent. You think about that. You think about a nation that is piling debt on top of debt, where the interest on the national debt alone will soon equal the total amount of income tax, personal income tax, paid by the people of this Nation.

And some people will walk in here and say, "Well, I'm not going to worry about it. That is only $400 million."

Only $400 million. That is the mentality that brought us a $4 trillion debt.

And, to all of you who have not yet found it in your heart to vote to cut one single dime, at least of the amendments I have offered, I invite you after you vote "no" on this to stand up and tell us when you are going to start voting to cut spending.

Do not tell me about entitlements. Which entitlements and how much? This morning you had a chance to cut $30 billion over 35 years; $400 million is not much, but you are going to have to borrow that money if you do not vote for this amendment. That will run to well over $1 billion over the next 30 years.

Let me reemphasize what I just said a moment ago. This is not literally true. But every time you vote no on one of these spending cuts, you know that spending cuts are going to have to happen somewhere. So when you vote against a spending cut on the D-5 missile and the intelligence budget and the collider, and all the rest of them, you are voting to cut Medicaid and Medicare and Social Security.

I yield the floor.

The PRESIDING OFFICER. The manager of the bill, the Senator from Hawaii.

Mr. INOUYE. Mr. President, I listened very carefully to the remarks of my friend from Arkansas. And once again, I find it very difficult to participate in this debate.

First of all, we are dealing with classified information. I realize some of my colleagues may pooh-pooh that and suggest that is a copout. But there are laws that we must follow, laws that determine classification, laws that determine secrecy.

But I can mention the following without violating the law. Last year, we reduced the request by the intelligence community by 10 percent. That cut was greater than that made on any other agency of our Government. In this fiscal year account, we have reduced the President's request by $1.498 billion. That is quite a bit.

Much has been said in this debate about the effectiveness of intelligence. What my distinguished colleague from Arkansas is alluding to is what we call HUMINT, or human intelligence. The amount we spend on human intelligence in this budget is less than 4 percent.

I cannot give the dollar figures because that would be classified. But when one considers that during the height of the cold war, we were spending more than 4 times that amount, we have cut that down to 4 percent. That is why we were not able to get the necessary intelligence in Port-au-Prince, because the decision was made by the Executive Office and by the Congress of the United States to spend the bulk of the money for high technology.

I wish I could describe some of the systems that we have at this moment, but I am certain all of us are aware that at this moment, above us in the atmosphere are all sorts of devices. If it were not for those devices, the battle in the desert, Operation Desert Storm, may have turned out a little differently. Those satellites told us where the tanks were. Those satellites told us where the artillery pieces were. Those satellites told us about the Iraqi troop movements. And those satellites saved thousands of lives.

I wish we had more spies in Port-au-Prince who could have reported back to us as to what to expect if our forces landed there. But a decision was made to reduce human intelligence. If I could give you the dollar figures, you would know we are spending very, very little for spies.

I would like to suggest, if this is agreeable with the author of the amendment, that we temporarily set aside this amendment to permit Members of the Senate who may wish to do so to go to room S-207 to look over the budget and see how we are spending our money.

It is difficult for Members of this body to discuss this and debate this issue. I am certain those who are listening to our debate might find this is all mumbo-jumbo. I do not intend to do that, but the laws of secrecy prevent me from describing how we spend these billions of dollars. But I am certain even the uninitiated realize that satellites cost money; rockets that send them up cost money. They cost much, much more than the hiring of spies.

Last year, as I indicated, we cut the budget by 10 percent. This year, we further cut that by $1.498 billion. If we adopt this amendment, it will not put the intelligence community out of business. But I agree with the Director of Central Intelligence that it will have an effect on the quality of intelligence that can be provided to our President, to the Department of Defense, and to agencies of the Government.

So I would like to advise the Senate that we are prepared to vote at this moment. I have just received a message from the leader that he would like to have a vote as soon as possible because the Senate needs to proceed with the Somalia debate, and I believe the debate will take about 4 hours.

So if at all possible, I hope we can vote on this in the next few minutes.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. DECONCINI. Mr. President, while I understand the motivation of the distinguished Senator from Arkansas and others who might support his amendment to seek deeper cuts in the Intelligence budget beyond those recommended by the Intelligence Committee, in my view, such cuts would be unwise and could produce results none of us want.

I want to remind my colleagues of several points which are pertinent here.

First, the Budget for Intelligence activities has, in fact, been steadily declining for the last 4 years. Last year, Congress took the first really substantial cut in 20 years and I supported every penny of it. Indeed, I voted for the amendment offered by Senator BUMPERS last year to take a larger cut than that being recommended by the Intelligence Committee. In fact, the level of funding ultimately approved by the Congress last year was below the level being sought by the Senator from Arkansas.

This year, the Intelligence Committee is recommending another substantial reduction in the administration's request. While the level of funding recommended by the committee for fiscal year 1994 remains classified pursuant to executive branch policy, suffice it to say that the amount of funding recommended is less than last year's appropriated level. It will force the intelligence community to restructure its plans at a lower level of expenditure.

We have already imposed a 17.5 percent across-the-board personnel cut in all agencies of the intelligence community by 1997. They are struggling to meet this requirement.

This cut comes on top of substantial reductions already taken within the Department of Defense and other agencies over the last several years which have meant additional consolidation and downsizing of intelligence components.

In short, Mr. President, things are headed in the direction that Senator BUMPERS wants. We are cutting intelligence; we are downsizing the personnel force; and we are streamlining and consolidating functions.

At the same time, we cannot ignore that despite the end of the cold war, there are legitimate and continuing demands being placed upon intelligence.

To begin with, it is important to recognize that the focus of United States intelligence during the cold war, namely the military threat posed by the Soviet Union and its Warsaw Pact allies, though changed, has not entirely disappeared. There remain in the Russian Republic and the former Soviet Republics of Ukraine and Kazahkstan roughly 30,000 strategic and tactical nuclear weapons. While the governments of these republics are no longer hostile to the United States and presently seem unlikely to become so, control of these weapons, to prevent their loss to extremist states or terrorists, remains a significant concern of the United States.

Indeed, the United States has a serious stake in preventing the proliferation of weapons of mass destruction, whether they be nuclear, chemical or biological weapons, as well as the proliferation of missile systems able to deliver these weapons over long distances. It is clear that several states—some of whom are hostile to the United States or have unstable relationships with neighboring countries—countries like North Korea, Libya, Iran, and Iraq—are attempting to become nuclear states or are developing chemical or biological weapons. Should they succeed in developing these capabilities, other States in the same region may decide they have no alternative but to follow a similar path.

The intelligence community monitors the control and movement of existing weapons of mass destruction and tracks the development and production of these weapons and the systems designed to deliver them. The results of these efforts have been the basis for diplomatic actions by the United States and increasingly are being provided to international bodies charged with monitoring compliance with treaties designed to prevent the spread of such weapons and related delivery systems.

The intelligence community also provides virtually the sole means of verifying many bilateral and multilateral agreements signed by the United States. In addition, the intelligence community plays a key role in terms of advising U.S. diplomats involved in negotiating such agreements.

In a similar vein, the intelligence community is asked to monitor the effectiveness of international economic or military sanctions which might be imposed on other countries by the United Nations or by the United States on a unilateral or multilateral basis. Frequently the results of these efforts have led to diplomatic or military actions to enforce or effectuate the sanctions or embargoes concerned.

A large part of the intelligence community's efforts are devoted to support of U.S. military forces, which, with the end of the superpower conflict, must prepare for a variety of new contingencies. While clearly the threat of nuclear devastation has lessened, longstanding ethnic, cultural, and political rivalries previously held in check by the superpower conflict have been unleashed. Regional conflicts have been spawned around the globe, and it has become increasingly difficult to predict where U.S. military forces might be deployed, what their objectives will be once deployed, or what type of military threat they might face. The job of the intelligence community is to anticipate where such deployments might occur and maintain an information base capable of supporting such contingencies.

This function entails not only identifying the capabilities and vulnerabilities of opposing military or paramilitary forces, but also gathering information to be used in planning U.S. operations, targeting data to guide U.S. "Smart" weapons, data to counter enemy radars and sensors which otherwise might threaten U.S. aircraft, and other military support functions.

Once U.S. forces are deployed, the intelligence community typically brings to bear its entire capability in their support, both to achieve the rapid success of the mission and to protect U.S. lives and resources.

Increasingly, the intelligence community is also supporting the operational deployments of United Nations peacekeeping forces as well, providing intelligence on threats to the safety and mission of such forces. This has recently occurred in support of U.N. operations in Cambodia and Bosnia and Herzegovina. Clearly, where U.S. Forces are participating in U.N. operations, as they currently are in Somalia, the level of intelligence support is substantially enhanced. As our forces there face growing and more serious threats to their safety, having reliable intelligence becomes absolutely critical.

In addition to supporting military operations, the intelligence community also provides support to the planning of U.S. military force structures and tactics, as well as to the research, development and acquisition of military weapons and equipment by the Department of Defense. Even in an era of military downsizing, the intelligence community continues to provide literally thousands of defense planners and contractors with information concerning foreign military capabilities which must be taken into account as they assess U.S. military needs of the future and build the capabilities to match them.

The end of the cold war has also seen increasing recognition of the importance of a strong domestic economy as an element of U.S. national security. This recognition has caused a reexamination of the intelligence community's capabilities and proper role in terms of supporting the competitive position of U.S. industry abroad. While there are clear pitfalls to be avoided in this area, intelligence agencies are increasingly being called upon by Federal agencies which are charged with promoting U.S. competitiveness abroad—principally, the Departments of State, Commerce, and Treasury—to alert them to cases in which there is a need to keep the playing field level for U.S. business interests abroad. Similarly, the Federal Bureau of Investigation [FBI] and other elements of the intelligence community provide information to firms within the United States which indicates such firms may be the subject of an intelligence attack by foreign governments or by persons or companies acting under the sponsorship of a foreign government.

The intelligence community also plays important, though largely unseen, roles in the areas of counterterrorism and counternarcotics.

The FBI Intelligence Division has responsibility for tracking and monitoring possible international terrorist activity within the United States. The CIA and other intelligence agencies are involved in monitoring terrorist activities abroad. Such monitoring includes tracking the movements of known or suspected terrorists, developing information on their training, tactics, operations and equipment, and developing information regarding the relationships between terrorist groups and foreign governments. The information developed as a result of such monitoring is shared by the United States with the authorities of other governments whose nationals or resources might be threatened by terrorist activities. The objectives of such monitoring are to prevent terrorist incidents from taking place, such as the recent action by the FBI to prevent a series of bombings and assassinations in New York City, or to apprehend and prosecute the perpetrators of terrorist acts, such as the recent bombing of the World Trade Center or the downing of Pan AM 103 several years before. In each of the cases cited, the intelligence community played a significant role in preventing or redressing terrorist incidents involving U.S. citizens or property.

The role of the intelligence community in countering international narcotics activities is also significant but not well appreciated. U.S. Intelligence capabilities are frequently used to determine where narcotic substances are being grown or produced in foreign countries, to determine where narcotics are being shipped or transported, to understand the network used to produce and distribute these narcotics, or to learn where proceeds from their sale are being used or deposited. This information is turned over not only to U.S. drug enforcement authorities, but to appropriate authorities in other governments to identify and locate the individuals involved in such activities and to preclude them from successfully carrying out their plans. Often, there is only an indirect benefit to the United States, and more often than not the role of U.S. Intelligence agencies is not publicly acknowledged by other governments. Suffice it to say, the involvement of U.S. Intelligence often provides the key to a successful raid on a drug installation in a foreign country or a successful interception of narcotics in international transit.

Finally, the President and other key policymakers have a continuing need for secret, non-publicly available information regarding the intentions and capabilities of other governments. To be sure, the world political environment has become far more open and foreign leaders more accessible since the end of the cold war. Communications between the United States and other governments, aided by the explosion of technology in recent years, have become more voluminous, direct, and timely. News media instantly flash images and commentary concerning world events to all points of the globe.

Still, the President needs a capability to assess what other governments are saying. Are events as they seem? Can the President rely upon what other governments are saying privately or what they state publicly? How firm is their position? What is their reaction likely to be if the United States takes a particular action and not another? Are U.S. interests threatened and, if so, how?

The U.S. Intelligence community, by attempting to gather and analyze information concerning the actions or attitudes of other governments which is not publicly available, is often able to provide unique insights to the President and other policymakers. On occasion, this information has provided a reliable basis for a significant U.S. diplomatic or military initiative which would not have otherwise been attempted. This is not to say that the contribution made by U.S. intelligence has always been unique or reliable or actionable. I myself have criticized the intelligence community's analysis regarding the former Soviet Union and Iraq's military strength during the Persian Gulf war. I simply note that at times the contribution of intelligence has been invaluable.

It should also be noted, that intelligence capabilities often require long lead times to establish and cannot easily be reconstituted once lost. This is true for sophisticated technical collection programs as well as for human intelligence activities which rely upon developing and maintaining human collectors with the desired access to information. Neither can be accomplished overnight.

The Intelligence Committee must factor this into its thinking. Decisions taken in 1 year to terminate or drastically reduce programs might mean that certain capabilities would not be available in the years ahead should they be needed. We have to hedge our bets. In some instances, money must be obligated for new initiatives that will enable the administration to cancel older and, ultimately, more costly programs in the future. In other cases, we must reject proposals made in 1 year that might foreclose the consideration of more promising options later on. In short, in arriving at our recommendation for the Senate, the Intelligence Committee attempted to assess the intelligence budget not simply in terms of this year's needs, but with an eye to preserving reasonable, albeit smaller, capability to satisfy the demands of the future where American lives and resources might potentially be at risk.

This is an arcane and complex field. People tend to think of it in terms of spies in trenchcoats. The reality is, it's computers and sensors and rocket launches. It is not for amateurs, and we are indeed fortunate in the Senate to have a group of professionals on the staff of the intelligence committee who scrub the details of all these activities and give those of us who serve on the committee an objective, unvarnished assessment of their worth. These assessments are available for every Member of the Senate to read, Mr. President, at the committee offices, and I encourage them to do so.

My inclination, like Senator BUMPERS, is to find a way to cut the intelligence budget. With the defense budget going down, with the end of the cold war, we cannot afford—Nor do we need—as elaborate or as comprehensive an intelligence capability as we once had.

Downsizing must occur and is occurring. But we must be mindful of the continuing security needs of the country: to protect our people and resources, to support our military forces, to provide the President with information. Without a doubt, the United States has the most capable intelligence apparatus in the world, and I want to keep it that way. I think we can do so even in a period of downsizing, but we must be prudent and attack the problem at a measured pace, if the United States is to maintain a capability adequate to support its national security needs, both now and for the future.

I simply do not think it would be prudent to go further and deeper this year. I urge my colleagues to vote against the Bumpers amendment.

Mr. President, I thank the Senator from Hawaii, the manager of the bill, for his enlightening statement of what we have already done in the area of intelligence reduction. I have to oppose the amendment of the Senator from Arkansas.

Let me say in doing so, I stood shoulder to shoulder with the Senator, and he knows so. So it is not that I am here trying to defend something that is important to this committee chairman, that we cannot go ahead and take further reductions.

What we have done is we have reduced the intelligence budget year after year, over the last 3 years. I was part of that. I tried to cut it additionally, and we could not put the votes together. We had to build a coalition. But we have real reductions here.

This amendment is being offered to this defense appropriations bill, and I want to make it clear it seeks to cut the funding level recommended by the committee. We spent months going over this. We spent weeks putting together a coalition to get a further reduction, and that is what we have done.

The amount appropriated for intelligence activity remains classified, as the Senator from Hawaii said. There is a movement to declassify that. I am one who has been converted that maybe we should just get the figure out so we can talk about it so it is not kind of cloaked here like, well, are we really telling the truth? Are we really cutting? I can say we are really cutting.

Suffice it to say, the Defense appropriations bill provides for a level of cuts that is already below those recommended by the Intelligence Committee. The Intelligence Committee made a cut, not just to the cost of living, as the Senator from Arkansas said. I will say that is true. We made an additional cut of 2 percent below last year's level. So we made a real cut in addition to no cost of living.

Sure, anybody can come out here and say we spend billions of dollars on intelligence, and what do we get? We do not have the information, we cannot find Aideed in Mogadishu, so, my gosh, we must have a failure. Or they can say, "Look at Haiti, we do not know what is going on in Haiti." We knew what was going on in Haiti, and our intelligence gave us some good information on Haiti. They said those generals are not going to give up. They are not going to let the President come back. And what happened? Our President sent our troops over there and they would not let them come back. That is pretty good intelligence.

That is the information we had. We were hopeful that maybe it was wrong or maybe they would back down, and they did not. The cuts being sought by the Senator from Arkansas would mean still further reductions in the amounts being recommended by the Intelligence Committee. In the case of the National Intelligence Program, he wants to cut another $300 million, and in the case of tactical programs, another $100 million. I voted with Senator BUMPERS in the past—a year ago—when he offered an amendment to the Defense appropriations bill which called for an additional $1 billion in cuts. I did it because I felt he was right. We did not succeed. But in fact, we have done that now. We are cutting, make no mistake about it. The intelligence part of this DOD bill is a substantial cut. It is not an increase.

Last year, it was cut very substantially. In fact, the intelligence budget ultimately approved last year by Congress was reduced to a level below what Senator BUMPERS proposed in his amendment last year. That did not just happen. Then the chairman, Senator BOREN, took it upon himself to build a coalition within the Intelligence Committee and, believe me, that is no easy task because there are those who feel we should spend more and more and more on intelligence. I am not one of them. He was able to build that coalition to enact a budget, an authorization bill that reduced it below what the Senator from Arkansas offered last year, and I joined that.

It also projected what it would be over the next 5 years. That was a reduction this year, a real cut of 2 percent. We had some quarrels with the administration on it. The President said $7 billion over 5 years from the year he came in. That is where we are headed and that is our target, so we are going to make them if I have anything to do with it.

We had some quarrels with the Director. We worked them out, not with the Director, but with the committee, which insisted on an additional cut.

We are recommending yet another cut this year, which is another significant cut from the administration's original request and, in essence, holds the line at last year's appropriated level.

The proposed bill would continue for a fifth consecutive year the downward spiral that was already instituted before President Clinton was elected and before his budget came up, which had a growth factor in it for this year, the year we are debating, for next fiscal year, which we are already in.

The Intelligence Committee recommended level is sustained this year. Overall intelligence resources would have been reduced in real terms more than 13 percent compared with what the 1989 appropriations were. That is a significant reduction, not just pie in the sky.

Look at other defense items, particularly some of the ones the Senator from Arkansas has—correctly, in my judgment—gone after, and they have gone up, or nondefense items, such as the superconducting super collider and space station, and they have gone up.

In addition to those funding cuts, Congress has already levied an across-the-board personnel cut of 17.5 percent in all intelligence agencies, including the CIA, by 1997. We did that last year, and we are implementing that right now, and we are going to get there.

So it is hard to say we have a bloated organization here that is mushrooming out of sight. The Senator from Arkansas will say we have intelligence agencies and do not even know where they are. If he wants to know where they are, come down to the Intelligence Committee. We will give him everything we have, and we have a lot. I think we do know where they are. We know what they spend. I spend a lot of time, as do members of that committee, reviewing what they spend their money on, and sometimes we disagree.

The cuts being recommended this year by the committee are deeper than those which were passed by the House. The House wisely defeated two floor amendments to make further cuts, and they were defeated by big margins. So we are talking about the amount of cuts here, not whether or not we have cuts. The Senator from Arkansas wants another $400 million. Believe me, if I could stand up here in good conscience and say, "Yes, let's do another $400 million," I would do it. But we have looked at this as carefully as we can. It has taken a lot of time, and we have a real reduction here. We should go no further.

The President sent a letter to the chairman of the House committee saying he vigorously opposed the further cuts, as did Jim Woolsey. Actually, the Director of the CIA wanted an increase of 3 percent, and he was able to finally convince the administration and OMB to suggest that in the budget. We did not give that to him. The administration continues to tell us overall cuts of $7 billion over the next 4 years, and I believe that we will meet that, and that is exactly where the bill before us sits today to do just that. The cuts to intelligence incorporated in the DOD appropriations bill, in fact, represents the approach that the President said he wanted in his campaign.

I must say he got a little diverted in his budget request for this year. We, in the committee, have forced it, as this bill in the Subcommittee of Defense has forced it, to maintain that $7 billion cut.

The problem with this amendment is that it would impose a level of cuts beyond those recommended by either the Intelligence or the Appropriations Committee that cannot readily be absorbed by the National Foreign Intelligence Program. When you are dealing with classified numbers, it is easy to say, "Oh, just cut it, there are just billions of dollars and hundreds of people out there that we do not need, analysts," and read a letter from a former CIA Director that said there are substantial or billions that can be cut. That is right, and that is exactly what we have done. We have cut billions of dollars, and we are going to continue to do that.

I regret that the Senator from Arkansas feels he needs to put his tremendous prestige as a leader of further reductions, that this Senator has joined on, because I take some pride in what we have offered to this body. In fact, the distinguished chairman of the subcommittee and the ranking member said we are going to make further cuts. So this is not a legitimate target for the criticism that has been leveled against it.

I invite Senators, any of them—and I have talked to the Senator from Arkansas—to come down to the Intelligence Committee. We have analysts there, we have auditors there that work for the Senate, work for him, and they are prepared to show you the books. We have the books. They are not cooked. Someone may say, "Oh, the books from these agencies are cooked." They are not cooked down at the committee. We pride ourselves in that independence. We have done audits on some of these different programs, and we have found mistakes, and we have made corrections.

I do not say for a moment that more cannot be done, but they are doing it right at this moment. That is what the Senator should do; come down and satisfy himself so at least he is satisfied, if he loses tonight, that we are making cuts. Do not step out and say we are just building up, we are just adding more money to intelligence, it is out of control, because it is not.

This amendment, in my view, cuts too deeply at a time that we have already made substantial cuts. I urge my colleagues to defeat the amendment offered by the Senator from Arkansas.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. METZENBAUM. Mr. President, I rise in support of the amendment by my esteemed colleague from Arkansas, Senator BUMPERS. But in doing so, I wish to pay my respects to the distinguished chairman of the Intelligence Committee.

Senator DECONCINI has been assiduous in his efforts to bring reason and logic to spending in connection with the intelligence budget. His chore has not always been an easy one because, realistically speaking, there are only so many votes on that committee that would be willing to go further than the cuts which have already been made under his leadership.

But the fact is additional cuts can and should be made, in this Senator's opinion. So I rise in support of the amendment of the Senator from Arkansas. But in doing so, I pay my respects to the Senator from Arizona, who truly has provided some very strong and able leadership in attempting to bring some logic and reason to the intelligence budget.

In all candor, I must say that the previous chairperson of the same committee, Senator BOREN, also was receptive to making cuts. But it is tough to make cuts when you have a solid block of Senators, none of whom is willing to consider any cut whatsoever, and a divided block of Senators on our side of the aisle, some of whom are willing to make cuts and others who are not. So when you are the chair of a committee under those circumstances, you try to find some middle ground so that you can achieve a majority vote. The Senator from Arizona has done that and done that very well.

Notwithstanding that, this Senator believes further cuts in the intelligence budget should and could be made and that we owe it to the American people to make those cuts.

The Senate Intelligence Committee may have held the line against increased spending on intelligence, but the fact is there is ample room for further reductions.

I must say that the amounts proposed by the Senator from Arkansas are rather modest in amount, and I believe that if they eliminated just some of the waste that has been testified to in hearings I have sat through—and I must say I have sat through some hearings and said this is unbelievable, this is incredible, that you are spending these kinds of dollars; you do not know what you are spending them on and are not providing the kind of intelligence you should be providing.

My colleagues in this body are well aware that the American people cannot be told the total amount of money appropriated for U.S. intelligence because it is classified.

So while Senator BUMPERS may call for a $300 million cut in national intelligence and a $100 million cut in technical intelligence, we cannot stand in the Chamber and explain publicly how large or small a dent that will make in those budgets. Whether it is a 5-percent or 50-percent or an 80-percent or 100-percent cut, we are not allowed to talk about that. We can discuss, however, some of the reasons why a floor amendment is needed.

That is why the Intelligence and Appropriations Committees of the Congress cannot make the sort of reductions many of us know are warranted and should be made. The U.S. intelligence community is a gigantic institution. It employs literally tens of thousands of persons in the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the National Reconnaissance Office, the Central Imagery Office, and both large and small units in our military forces and in several executive branch departments.

Over the past few years the intelligence community's military personnel in particular have begun a gradual but significant drawdown. The impact of this drawdown and of the withdrawal of U.S. military forces from many overseas locations has been to prompt some very useful reorganization and streamlining of the military intelligence system.

Civilian personnel levels are also under pressure, but only to a lesser extent. Perhaps because the end of the cold war made some of our military preparations so clearly and obviously unnecessary, we have been much more willing to end people's military careers than we have been to give pink slips to civilian personnel.

But personnel cutbacks, sensible as they are, only scratch the surface of the intelligence budget. If you want to effect real savings in intelligence, you have to cut not just personnel levels but also systems and institutions.

Are there places to make such cuts in the intelligence budget? Of course there are. There can be no argument about that. But there is nothing we can cut that will not cause some pain somewhere. Reducing the intelligence budget is like pulling teeth these days, and there is no painless dentistry in this process.

One example: Our intelligence system still devotes millions of dollars to maintaining systems which were originally designed to learn all there was to know about the former Soviet Union and to rush that information back to U.S. analysts and military leaders. We could do without much of that information.

But for every program of that sort, there is a general or an admiral somewhere who worries he might need that information in the event of a war.

The generals remind us that war is hell and war costs lives, as we have seen recently in Somalia, and no military commander wants to sacrifice lives, especially if some more spending on intelligence could reduce such risk. So every commander wants more in intelligence and every commander complains about the shortfalls in the intelligence he gets, just as General Schwarzkopf did after the gulf war.

The Intelligence Committees listened to those complaints, as we must. The problem is we do not and really we cannot balance those claims off against the other claims on our National Treasury. Another $1 billion here or $2 billion there might save tens or hundreds of lives in the next war, it is argued. But how many lives could we save before the next war if those same billions were spent on better health care or more affordable housing or improved education or more law enforcement or safer cars on the highways, or even that audacious idea of cutting the deficit, cutting the deficit and moving closer toward a balanced budget.

The Intelligence Committees cannot make these tradeoffs and the Budget Committee cannot do that either since the intelligence budget is secret and is largely hidden in the defense budget. So it is here on the floor of the Senate that we must make such hard choices.

Let me give you a second example. We spend billions of dollars on intelligence—be it from Russia or Bosnia or Somalia or Haiti—that gives us little more than what we learn from CNN. And that often does not get to us as fast as CNN does.

I will never forget the day I walked out of a closed hearing of the Intelligence Committee, and it was a very critical issue that was before us. We all knew we were sworn to secrecy. It was an issue the American people wanted to know about, but we knew none of us could speak publicly about it. My wife, whom I called after the hearing, said, "What happened?" I said, "I am in no position to tell you." And she said, "Well, didn't this, this, and this happen?" I said, "How do you know?" She said, "I just heard it on national TV."

That has happened time and time again; I have come out of intelligence briefings and learned more about what was happening in the particular area than I learned from the intelligence briefing, and I learned it from the national TV. It is not necessarily because of waste or inefficiency in the CIA or other intelligence agencies, but I must say that there is an unbelievable amount of that.

I cannot forget the day I sat in an Intelligence Committee hearing and learned about a particular project that was involved in a particular community in this country, and nobody in the community knew anything about it. But it was a fact that there was $1 million a year being spent on it, and there was not anybody—it was not a matter of being covert. It was a matter of a public facility involved, and yet the fact is the public facility was not even noticed, notwithstanding the fact that it was a very, very public facility.

It is simply a fact of life that all of the intelligence officers in the world cannot always tell you what is going to happen everywhere at once. But our Government keeps trying to find out everything, often acting in the short run as though money were no object. And whenever our foreign policy fails to anticipate some development, the first whipping boy is the so-called "faulty intelligence." So the intelligence agencies throw more and more money at problems even though they know full well that often it does very little good.

Again, we could look to the Intelligence Committee to pull the plug on this approach, but that is awfully hard to do. Nobody on the Intelligence Committee wants to come down to the floor and tell their colleagues, here is a budget that will give us less foreign intelligence next year than we get today. Just as nobody wanted to put a cap on the military during the cold war, so nobody wants to put a cap on our ability to anticipate events in a world of great instability.

But how much can we afford? What is the limit as to what we should spend on intelligence?

Can we really afford every satellite that our intelligence services would like to launch? Can we really afford to let each military service run its own science and technology analysis center? Can we really afford all the high-volume communication lines that we might like to have so that every type of intelligence information can be shot instantly around the world to every U.S. military commander and civilian policymaker?

Our committees do a serious job of trying to make sure we get what we pay for in U.S. intelligence, although I am frank to say that I think further budget cuts would result in still greater efficiency. But the committee simply cannot make the cosmic decisions. They cannot be expected to decide how much is enough when the perceived costs of any mistake in judgment are so high.

That is up to all of us together, Mr. President, and Senator BUMPERS has done us all a favor by proposing this amendment. He is affording us all the opportunity to consider the Nation's priorities.

The amount in question, $400 million, may seem small. But it is our one chance to say that there was no blank check for intelligence, that every sector must share in the pain of restructuring the American economy.

This is our one chance to decide that the needs of our people at home are, in the long run, more vital to the national security than is the insatiable demand for information on foreign capabilities and intentions—matters that may still be of deep concern to us, but that are now much less likely to threaten our survival than they did in past decades.

I share the view of my colleague from Arkansas that we can no longer afford the high intelligence budgets of the past. And I urge my colleagues to think hard about what else the last $400 million of that budget can be used for, be it for good works or simply for reducing the budget deficit. If each of us thinks hard about that, we can pass this amendment and make Government spending a little more sensible.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. DOLE. Mr. President, I understand the distinguished majority leader will be in very briefly to get a unanimous-consent agreement which is very important. We would like to get that so we can continue to debate the pending amendment. It deals with the Somalia issue; two amendments.

I wonder if my colleagues might object if I put in a brief quorum call so the majority leader might come in and make the request. It is going to be a 4-hour debate. If we do not get started on that. We could be here a long time.

I hope we can lay this amendment aside.

Here is the majority leader now. I can say to the majority leader that the agreement has been cleared on this side.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS-CONSENT AGREEEMENT

Mr. MITCHELL. Mr. President, I will now propound a unanimous-consent request. If approved, I will then have a statement to make on the subject matter of it.

I now ask unanimous consent that Senator BUMPERS' amendment and the committee amendments be laid aside, if necessary, and that Senator BYRD be recognized to offer an amendment on Somalia in his behalf and in behalf of myself, Senator DOLE, and others; that upon the reporting of the amendment, Senator MCCAIN be recognized to offer his amendment relative to the immediate withdrawal of United States troops from Somalia; that there be 4 hours for debate on the two amendments, with the time to be equally divided and under the control of Senators BYRD and MCCAIN; that no other amendments or motions be in order until these two amendments are disposed of; and immediately upon the reporting of Senator MCCAIN's amendment, Senator BYRD be recognized to speak for up to 30 minutes from the time under his control; that upon the completion of Senator BYRD's opening remarks, Senator MCCAIN be recognized to speak for up to 30 minutes from the time under his control; that at the conclusion or yielding back of all time Senator THURMOND be recognized to move to table Senator MCCAIN's amendment; that upon the disposition of Senator MCCAIN's amendment the Senate vote on, or in relation to, Senator BYRD's amendment; and, that the preceding occur without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BUMPERS. Reserving the right to object, Mr. President, I did not hear the first part of request. Did it include setting my amendment aside?

Mr. MITCHELL. Yes. It did.

Mr. BUMPERS. Until when?

Mr. MITCHELL. Until these two amendments are disposed of which would be 4 hours.

Mr. BUMPERS. Could I prevail upon the majority leader? I think we only have about 15 minutes left on this amendment, to go ahead and dispose of it?

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I modify my prior request as follows:

That Senator WARNER be recognized to address the Senate for 2 minutes in opposition to the Bumpers amendment; that thereafter, Senator SASSER be recognized for 2 minutes to address the Senate in support of the Bumpers amendment; that immediately following the conclusion of Senator SASSER's remarks, Senator INOUYE be recognized to move to table the Bumpers amendment; and that upon the disposition of the Bumpers amendment, the agreement which I previously stated then immediately take effect.

The PRESIDING OFFICER. Is there objection?

Mr. METZENBAUM. Mr. President, reserving the right to object, and I do not intend to object. I just want to express my own keen sense of disappointment that, as I understand it, under this proposal the issue before us is whether or not we withdraw immediately under the McCain amendment or withdraw by March 31 under——

Mr. DOLE. No later than.

Mr. METZENBAUM. No later than March 31. I do not intend to stand in the way of going forward with that vote. I know the leader indicated that subsequently there could be another amendment bringing the date forward. I think that would be a sort of vain act if the Senate has acted that we do it on the March 31 date.

I just want to say that I wish we would have had a chance to vote on the original Byrd amendment. I think we should be bringing our troops home at an earlier date. I am aware that a number of respected Members of this body have been in negotiations on this subject with the White House. I respect that fact and do not intend to challenge that. I respect each of the Members who have been negotiating on this subject. But I do say that I wish we had a chance to vote on an earlier date. I will not object.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I want to reiterate what I said to the Senator from Ohio and what he has just said. This agreement does not preclude any Senator from offering an amendment on Somalia. If the Senator from Ohio wants to offer an amendment after these amendments are disposed of setting any dates he wants or setting any other condition, he is free to do so. No Senator should be under any misimpression that anyone is precluded from offering an amendment as a consequence of this agreement.

The second point I want to make is that there have been negotiations over a 2-day period. I have described them generally in prior statements here on the floor with Senator DOLE, and an agreement has been reached, as a result of which Senator BYRD will offer an amendment on his behalf, my behalf, Senator DOLE's, a number of other Senators, including Senator WARNER, Senator NUNN, Senator PELL, who is here, Senator THURMOND, and others who participated in these discussions. I believe that the debate will be a good and vigorous and informative one, and that all Senators will benefit from participation, as will the American people.

I will speak to the substance of the amendment which I have been involved in, of course, with the other Senators in preparing it, and why I think the Byrd-Mitchell-Dole, et al. amendment should pass.

Mr. President, I now want to make clear that the prior agreement to which I earlier referred in a statement today, which stated that no amendments or motions on the subject of Somalia, or the basing or command of United States troops overseas, be in order unless they have been cleared by the majority leader, after consultation with the Republican leader, was intended only so we could complete the discussions and get the Somalia matter before us. After we complete the discussion and dispose of these two amendments, pursuant to this order, it is my intention to seek unanimous consent to vitiate this aspect of the prior order so that there would be no restraint on Senators in that regard.

I thank all of my colleagues for their patience and courtesy in this matter, and I yield the floor.

The PRESIDING OFFICER. The Senator is recognized for 2 minutes.

Mr. METZENBAUM. Will the majority leader yield for a question?

Mr. MITCHELL. Yes.

Mr. METZENBAUM. Do I understand the procedure will be that we will debate this issue for 4 hours with no intervening amendments? That should take us to about 11 or 12 o'clock. If any Senator wishes to offer an amendment thereafter, is it the majority leader's thought that that would have to be offered 11 or 11:30 tonight or whenever the time has expired?

Mr. MITCHELL. No. We are going to continue on the bill.

Mr. METZENBAUM. Tomorrow?

Mr. MITCHELL. Tomorrow. I hoped we could pass it tonight, but it obviously takes a lot of time to get things done here. It will be tomorrow and maybe Monday and maybe thereafter.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. Under the order, the Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I rise in opposition to the amendment of the Senator from Arkansas. It is my privilege to serve on the Intelligence Committee, and I have so served for some 5 years. Now I share the responsibility of the leadership of the committee, as the committee's vice chairman, with my distinguished colleague and friend from Arizona, Mr. DECONCINI, the committee's chairman. The Senator from Arizona has very ably stated many points which I feel are sufficient grounds for the Members of the Senate to accept the position that this is a very unwise amendment.

Mr. President, I would like to add two additional facts. As we proceed to cut back in our national security on many fronts, primarily in the Department of Defense budget, intelligence becomes a force multiplier. It enables the men and women of the armed services to have information essential to the performance of their duties—addressing subjects of vital importance, such as regional instabilities, arms buildups, and tactical military information—and particularly as it relates to missions in high-risk areas, such as Somalia or Bosnia.

So this intelligence force multiplier is extremely valuable and essential in a dangerous world, especially when the United States is reducing the size of its Armed Forces. This amendment would tend to undercut the ability of the various agencies engaged in intelligence to provide that service to the men and women in the Armed Forces.

I ask unanimous consent that a letter dated October 5, 1993, from the Director of Central Intelligence addressed to the Senator from Virginia be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE DIRECTOR OF
CENTRAL INTELLIGENCE,
Washington, DC, October 5, 1993.

Hon. JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: The Senate will shortly take up H.R. 3116, the DoD Appropriations Act for FY 1994. I am very much concerned about an amendment that may be offered to reduce intelligence spending below the level already approved by the Senate Appropriations Committee. I believe that approval of such an amendment would have a harmful effect on our ability to provide accurate and timely intelligence to the President, our military and other policymakers. Furthermore, the Administration is on record as opposing further budget cuts to intelligence.

I certainly recognize and support the urgent need to reduce the budget deficit by cutting back on expenditures. Intelligence cannot be immune to such reductions. That is why the President has pledged to reduce the combined national and tactical intelligence budget request by $7 billion over fiscal years 1993–1997 when compared with that of the previous Administration. The Senate Appropriations Committee has further recommended reducing our budget request for FY 1994 by several hundreds of millions of dollars below this Administration plan.

Some will argue that even these further reductions do not go far enough, and that the end of the cold war justifies a much reduced intelligence capability. I strongly disagree. The threats to this country, its friends, and allies from terrorists and from third-world countries seeking weapons of mass destruction and the means to deliver them are very real and growing. This reality has recently been brought home by the bombing of the World Trade Center, the plot to bomb other buildings and assassinate prominent U.S. officials, and weapons proliferation in the Mid-East and elsewhere. Intelligence has been instrumental in preventing terrorist attacks and in slowing the efforts by countries hostile to the U.S. to acquire weapons of mass destruction. Now is not the time to weaken that intelligence capability through further budget reductions.

It is true that the cold war is over. But to take one example, the demise of the Soviet Union has had no effect on international narcotics cartels, which continue to pour poison into this country. Furthermore, the dissolution of the Soviet empire has left in its wake wars of nationalism and ethnic strife. With a smaller military force, our ability to use, or credibly be able to use, military power to deal with these regional issues is very heavily dependent on accurate intelligence. Stated another way, intelligence is a tried and true force multiplier. Additional cuts could result in delay and disruption of a sensible plan for the consolidation and modernization of our important satellite systems and leave our deployed military forces at risk.

Collecting intelligence on terrorism, proliferation of weapons of mass destruction, foreign economic policy, and narcotics cartels, as well as on explosive regions and hostile military forces, is neither easy nor inexpensive. Indeed, it is much more difficult and costly to collect and piece together intelligence on a number of these subjects than it was to follow many of the activities of the old Soviet Union. I believe our new emphasis in intelligence is critical to the national security of our country.

I hope you share my desire to make prudent, but only prudent, reductions to the previous intelligence funding plan while still maintaining an intelligence community and resources capable of supporting our policymakers and military forces as they meet the national security challenges of the 1990s. I would appreciate your support in the upcoming debate on the intelligence budget.

Sincerely,

R. JAMES WOOLSEY.

Mr. WARNER. I want to read a portion, one paragraph:

> The threats to this country, its friends, and allies from terrorists and from third-world countries seeking weapons of mass destruction and the means to deliver them are very real and growing. This reality has recently been brought home by the bombing of the World Trade Center, the plot to bomb other buildings and assassinate prominent U.S. officials, and weapons proliferation in the Mideast and elsewhere. Intelligence has been instrumental in preventing terrorist attacks and in slowing the efforts by countries hostile to the United States to acquire weapons of mass destruction. Now is not the time to weaken that intelligence capability through further budget reductions.

My time has expired. To accommodate the leadership, I yield the floor.

AMENDMENT NO. 1041

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. Mr. President, once again it is time for the Senate to address the question of spending for this Nation's intelligence community. It is also time to ask whether or not it is necessary in this post-cold war era for our intelligence agencies to continue to operate under a cloak of budgetary secrecy.

We spend a great deal of money on intelligence programs. Of course, the exact amount remains classified. However, it is widely known that intelligence programs represent a sizable element of the Federal budget. The popular media places the aggregate cost of intelligence; that is, funding for the CIA, NSA, and tactical defense intelligence programs—at around $28 billion, roughly 10 percent of the Defense budget.

I will not confirm nor deny this figure. The true amount remains secret. Nevertheless, it is fair to say that in these days of shrinking budgets and hard choices, the intelligence budget remains sizable. It is certainly larger than funding for infants, women, and children. It is certainly larger than Head Start. We spend more on intelligence than we do on diplomacy and foreign aid combined. The Federal Government spends more on intelligence than it does on education.

Mr. President, now is the time to review these priorities.

This amendment will cut $400 million from the intelligence budget. This is a real savings—a real reduction in the deficit.

Will this cut endanger our national security? No, it will not. Intelligence budgets grew by healthy margins in the 1980's. If these agencies are crippled, it is by their own design, not a lack of budgetary resources.

In fact, this amendment may lead to a more open and healthy debate on intelligence spending. Until now, these programs have remained almost totally outside the budgetary process. As a secret budget, the intelligence programs have remained largely free from public scrutiny.

Ostensibly, this secrecy protects our intelligence sources and methods. The argument goes that if we publish information about the intelligence budget, a foreign intelligence service might be able to glean trends in U.S. intelligence from this data.

But which foreign intelligence services are we worried about. The Director of our CIA now meets directly with his counterparts in Russia. Are we worried that the French or the British or the Japanese might be able to glean some useful information from the public disclosure of our intelligence budget?

No, I believe the real purpose of this secrecy is to shield the intelligence community from the rigors of open debate on the merits of spending for these programs. You see, Mr. President, secrecy serves to exclude almost all critics from reviewing these programs.

In the depths of the cold war, maybe this was necessary. But in this new world order, with both domestic and defense budgets shrinking—and spending decisions becoming more and more difficult—it is time to debate the merits of intelligence spending, and to see if these resources can be put to a more productive use.

This amendment would start this process by simply curbing spending on intelligence programs ever so slightly. This amendment cuts less than 1½ percent of intelligence spending. Less than 1½ percent. Funding for intelligence programs, even if this amendment is passed, will remain robust.

This amendment will give us some breathing room and some savings. It will encourage a reevaluation of the role of the intelligence community in the new world order. Mr. Woolsey, the new head of the CIA, has advocated a new look. But any such action must be taken in light of a realistic budgetary environment. This amendment makes that budgetary environment clear. Future spending levels for these programs are going to have to be constrained.

In conclusion, Mr. President, I would like to state that many men and women have served our intelligence agencies with distinction over the years. This amendment is not aimed against them. Even the former chief of the National Security Agency, Lt. Gen. Bill Odom, has stated that even a pretty healthy cut in the U.S. intelligence budget would not hurt the ranks of intelligence. I share this view.

There savings are possible, necessary, and desirable. This amendment does not threaten our national security. It will not gut our intelligence agencies. It is a good amendment and I am pleased to join with my friend from Arkansas in sponsoring it to reduce the expenditures for the intelligence community by $400 million.

Let us be clear exactly what this amendment does. This amendment is going to reduce expenditures for intelligence activities by about 1½ percent—a 1½ percent cut; that is all it does.

Prior to the collapse of the Soviet Union, we were advised that 80 percent of the funds spent in the intelligence community went to develop intelligence about the Soviet Union. Now the Soviet Union is gone. It is no more. Yet, we are still told there can be no substantial cuts in the intelligence budget.

Now, we are simply here this evening trying to make the most modest reduction in this largely cold war relic. Make no mistake, Mr. President, it is not a mystery as to why the intelligence budget remains a secret. If we can lay this budget out here and debate it and discuss it in full view of the American people, then I think they would clearly see that many of these expenditures are grossly exaggerated.

A very distinguished American, Lt. Gen. Bill Odom, retired, former Chief of the National Security Agency, who, by the way, was the only member of the old intelligence community who advised against going into Somalia, that I am aware of—he was opposed to it. He is the only one I am aware of. Lieutenant General Odom said that even a pretty healthy cut, as he put it, in the U.S. intelligence budget, would not hurt the ranks of intelligence. I share this view, Mr. President.

Mr. MURKOWSKI. Mr. President, I rise in opposition to the amendment offered by the Senator from Arkansas [Mr. BUMPERS].

I had the opportunity to serve on the Senate Select Committee on Intelligence for 8 years—serving as its vice chairman for the 2 years prior to this past January.

And I had the rare privilege of serving in that capacity at a rather momentous time in history.

During my tenure as vice chairman, we witnessed the fall of the Soviet Union.

And we began the transformation of our Nation's intelligence community from one focused against a single, monolithic threat. To one focused against a wider variety of smaller threats characteristic of a more complex but still dangerous world.

While I was vice chairman we also experienced Desert Shield and Desert Storm.

We saw our intelligence capabilities tested, and saw most of our intelligence systems and procedures validated.

But Desert Storm also revealed some weaknesses.

For example, we were not adept at disseminating some of our best signals intelligence [SIGINT] and imagery to the battlefield where it could be employed.

In the wake of these events, Senator BOREN, the distinguished chairman of the committee for much of the time I served, worked closely with members on a bipartisan basis.

We instituted needed reforms, pursued some reorganization initiatives, and made some real spending reductions in line with the different threats and requirements of the post-cold war world.

We worked to make intelligence leaner, more accountable, and more effective—and we were even able to save a few billion dollars in the process.

I know that Senators DECONCINI and WARNER, who succeeded Senator BOREN and I as chairman and vice chairman of the Intelligence Committee, have continued in that effort.

I also know that Senators INOUYE and STEVENS, the floor managers and distinguished leaders of the Defense Appropriations Subcommittee, have also given great thought and attention to our intelligence requirements.

But I respectfully suggest to my colleagues that the budget cutting in this area can easily go too far.

The budget that President Clinton sent to Congress already contained over $8 billion in cuts to the National Foreign Intelligence Program [NFIP] over the years 1993-97 compared with the post-cold war budget projections of President Bush.

The Senate Intelligence and Appropriations Committees have made additional cuts beyond these—and now we have Senator BUMPERS offering even deeper cuts.

I would remind my colleagues that Senator BUMPERS offered a similar amendment last year. The Senate rejected it by a vote of 35-57.

If we rejected the idea then—when the world seemed a somewhat less dangerous place than it does to many of us today—then we should certainly reject it now.

Mr. President, I believe we've cut intelligence spending enough. Indeed, after witnessing the events of the past several weeks, I am concerned that we may have cut too much already.

It's true that the Soviet threat has transformed. But we still live in a world where intelligence targets are uncertain and diverse:

We must remain alert to terrorist threats such as the one we witnessed with the bombing of the World Trade Center.

We must monitor and bring increased international scrutiny on the efforts of nations attempting to acquire new weapons of mass destruction and the means to deliver them.

We need to develop some new approaches in dealing with vast amounts of open source data emerging from formerly closed societies.

We must correct the intelligence shortcomings revealed in Desert Storm, and do a better job getting intelligence into the hands of the war fighter.

We must continue to restructure and upgrade our human intelligence efforts. We have some superb technical collection methods—but there is no substitute for human intelligence, particularly when we are dealing with low-tech adversaries such as Somali warlords.

Achieving these goals requires commitment, perseverance, and resources. Our Nation's intelligence community has the commitment and the perseverance—but it's up to us to provide the resources.

Mr. President, it is true that we no longer face a superpower threat in the form of the old Soviet Union.

But it is also true that we will still have to deploy and fight our military forces in the future to face threats or protect vital interests we can't even envision today.

Our smaller military forces are more, not less dependent upon intelligence. Deeper cuts in intelligence will further diminish our capabilities and might place deployed U.S. forces at risk.

Intelligence is sometimes an easy target for spending cuts, Mr. President, because its failures are widely discussed—but its successes are kept quiet to protect key sources and confidential methods.

So I urge my colleagues, Mr. President, to resist this easy target and oppose the Bumpers amendment.

If we adopt the Bumpers amendment—

We curtail collection on some high priority targets;

We defer the improvements that Desert Storm showed we needed; and

We go well beyond the cuts that make sense.

I urge my colleagues to oppose this amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, pursuant to the agreement, I move to table the

Bumpers amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on the motion of the Senator from Hawaii to table amendment 1041, offered by the Senator from Arkansas.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from California (Mrs. FEINSTEIN] is necessarily absent.

The PRESIDING OFFICER (Mrs. MURRAY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 35, as follows:

[Rollcall Vote No. 312 Leg.]

YEAS—64

Akaka
Baucus
Bennett
Biden
Bond
Boren
Burns
Byrd
Chafee
Coats
Cochran
Cohen
Coverdell
Craig
D'Amato
Danforth
DeConcini
Dole
Exon
Faircloth
Ford
Glenn
Gorton
Graham
Gramm
Gregg
Hatch
Heflin
Helms
Hutchison
Inouye
Jeffords
Johnston
Kassebaum
Kempthorne
Kennedy
Kerrey
Kerry
Lautenberg
Leahy
Lieberman
Lott
Lugar
Mack
McCain
McConnell
Mikulski
Murkowski
Nickles
Nunn
Packwood
Pressler
Reid
Robb
Rockefeller
Roth
Shelby
Simpson
Smith
Specter
Stevens
Thurmond
Wallop
Warner

NAYS—35

Bingaman
Boxer
Bradley
Breaux
Brown
Bryan
Bumpers
Campbell
Conrad
Daschle
Dodd
Domenici
Dorgan
Durenberger
Feingold
Grassley
Harkin
Hatfield
Hollings
Kohl
Levin
Mathews
Metzenbaum
Mitchell
Moseley-Braun
Moynihan
Murray
Pell
Pryor
Riegle
Sarbanes
Sasser
Simon
Wellstone
Wofford

NOT VOTING—1

Feinstein

So the motion to lay on the table the amendment (No. 1041) was agreed to.

Mr. MITCHELL. Madam President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Madam President, pursuant to the—may we have order, Madam President?

The PRESIDING OFFICER. The Senate will be in order for the majority leader to be heard.

FUNDING FOR DEFENSE PRODUCTION ACT

Mr. RIEGLE. Mr. President, I would like to ask the chairman of the Defense Appropriations Subcommittee a question about funding for the Defense Production Act [DPA]. It is my understanding that while the House included $200 million for DPA, the bill before us today does not include those funds.

As the distinguished chairman knows, last year the Congress reauthorized title III of the DPA for $200 million. During that reauthorization, the Banking Committee, which I chair, made a number of important changes to DPA in order to strengthen our Nation's defense industrial and technological base. As I understand it, the Defense Department has a number of worthy industrial base projects awaiting funding.

I would like to ask the chairman whether he shares my belief in the importance of our industrial base and the usefulness of DPA as a tool in strengthening that base? I would also like to ask whether he intends to revisit the issue of DPA funding in the conference with the intention of restoring an adequate level of funding for this important program?

Mr. INOUYE. I would like to assure the distinguished chairman of the Banking Committee that I share his concerns over the health of our industrial base and support efforts to strengthen that base using DPA. It is my intention to work in conference with the House to provide an appropriate level of funding for this important program.

Mr. RIEGLE. I thank the chairman for his assurances.

THE COMING SHORTFALL IN AIR FORCE INTERDICTION AIRCRAFT

Mr. BOND. Mr. President, the report accompanying this bill contains important language regarding the future outlook for the Air Force's interdiction aircraft force.

If we follow the plan set forth in the Bottom-Up Review, procurement of all Air Force tactical aircraft will end until the F–22 goes into production. That means we will have a gap of several years in which there will be no production—a gap which is almost certain to grow larger as F–22 production is delayed for cost and schedule reasons.

The gap in tactical aircraft production—though not an ideal situation—is probably manageable from an air superiority fighter point of view. The F–15 remains the most capable air-to-air fighter in the world and it has much room for growth; and the Air Force is literally swimming in F–16 including many of the newest models.

One area that is of great concern, however, is the Air Force's interdiction force. The simple fact is that the Air Force faces a looming shortfall in interdiction aircraft.

The F–15E, along with the aging F–111 and the F–117, make up the Air Force's interdiction force. Both the F–111 and F–117 production lines have been shut down. The F–111, though a capable aircraft, continues to age, and many older aircraft will continue to have to be retired. The F–117, though clearly one of our silver bullets, has limited uses—it can only be flown at night, for example—and we have only 55 of them in the force today.

When the last USAF F–15E is delivered early next year, the Air Force will have bought 209 of the low-altitude, all-weather attack aircraft. That is a cut from the original planned purchase of 392 aircraft.

Current Air Force plans call for deploying two wings of F–15E aircraft well into the next century. Because the planned follow-on for the F–15E—the A/F–X—has been canceled, it is likely those two wings will have to remain in operation for much longer than is currently planned. Given the fact that there is now no clear plan to deploy a replacement for the F–15E, it is safe to assume we will be flying that aircraft for decades to come.

The problem goes beyond just the two F–15E wings, however. The Bottom-Up Review put forth last month, limits the Air Force to 20 fighter wings—a number which I believe is dangerously small—but if we are only going to have 20, then they should be the best ones we can afford. A recent Rand study said the Air Force needs more than five wings devoted to do the task that Secretary Aspin has said the bottom-up review force is intended to do—fight and win two nearly simultaneous regional conflicts. Today, the Air Force has only 3.3 wings of interdiction aircraft, if the F–111 is retired, that number will drop to only 2.5 wings. We need to take action now to reverse that disturbing trend.

Calculations made by Air Force planners show that, assuming normal attrition, they will not be able to maintain two F–15E wings for as long as now planned, much less for as long as it will likely take to deploy a replacement.

Senior Air Force leaders including the Chief of Staff and the head of the Air Combat Command have expressed concern about the future of the interdiction force and have expressed a desire for additional F–15E procurement. In addition, an independent study recently commissioned by the Air Force called for additional F–15E procurement.

The purchase of 72 F–15 aircraft by Saudi Arabia is now expected to extend production of the plane until 1998—with initial phases of the production line beginning to close down in 1996. Current news reports indicate that Israel is also considering purchases of F–15's which could further extend production. As a result, we have the unique opportunity to purchase additional F–15E's at extremely affordable costs. Given the likelihood that any follow-on interdiction aircraft will be further delayed, it only makes sense to take advantage of that opportunity.

The committee report recognizes this problem and indicates to the Air Force that it should monitor the age and condition of the interdiction force, and that it should consider the need for additional interdiction aircraft procurement as it evaluates industrial base and force mix issues.

This is an extremely important concern—one upon which I intend to follow up with the Air Force following final passage of this bill. Operation Desert Storm showed clearly the importance of our interdiction force. As the committee notes in its report language, the F-15E demonstrated great effectiveness in that campaign.

One area in which I believe this issue should be considered is in the certification required by the committee with regard to the B-1B bomber. Specifically, the bill prohibits further funding for the B-1B conventional upgrades until the Secretary certifies that such a program is militarily required, affordable and fully funded. I would add to those requirements that he should also consider whether the conventional mission could be handled in a more effective and cost-saving way by spending the money on additional tactical interdiction aircraft such as the F-15E.

It is clear to me that prudence dictates that the Air Force procure a small number of additional F-15E aircraft to ensure our ability to deploy a solid force into the next century. The F-15E is our most advanced and most flexible interdiction aircraft. It is a new fighter with the R&D bill already paid. It has the most advanced weapons delivery systems of any aircraft in production in the world. It can deliver precision weapons at long ranges, day or night and in nearly all weather conditions. The Saudi purchase gives us a unique opportunity to purchase more of them at an extremely affordable cost, and it would be a mistake to pass up that opportunity. No appropriation is required this year, but I urge the Air Force to request—and Congress to fund—a reasonable amount of long-lead procurement in the fiscal year 1995 budget to preserve our option to purchase F-15E's and maintain a capable interdiction force.

PHYSICAL SECURITY EQUIPMENT

Mr. FORD. Mr. President, I would like to engage in a colloquy with the distinguished chairman of the Defense Subcommittee. Mr. Chairman, during consideration of the Defense appropriations bill for fiscal year 1993, language was included that prohibited the use of physical security equipment that did not meet the Government-wide, Federal specification. Furthermore, $15 million was set aside to begin a retrofit program to replace old, mechanical physical security equipment with new, high-technology electromechanical equipment.

A year later, after much discussion and obstructionism on the part of the Defense Department and the GSA's Information Security Oversight Office, the money has not been obligated and the retrofit program has not yet begun. During that time, the one piece of equipment that met the GSA standard, FF-L-2740, was forced to undergo additional testing because it was alleged that the equipment could be violated. After months of haggling—and at a cost of $100,000 to the manufacturer of the equipment—it was determined that the alleged threat was, in fact, no threat at all.

Mr. Chairman, no funds were included in the fiscal year 1994 Defense appropriations bill for the retrofit program and I am somewhat concerned at the pace at which this program is proceeding. Would you clarify for me your understanding of where we are.

Mr. INOUYE. I am pleased to respond to my good friend and colleague. Your recitation of the facts of this matter is correct. The committee added language to last year's bill, and again this year, for a basic, fundamental reason. We believe strongly that our most important documents—top secret and secret—should receive the utmost protection. Old security locks were found to be vulnerable 8 years ago, forcing those agencies responsible for setting standards to set a new standard.

We believe a retrofit program is warranted and, in fact, essential, for the protection of our most sensitive documents. It is my understanding that the Defense Department is finally moving forward with the retrofit program. We chose not to place additional moneys in the fiscal year 1994 bill until we had a better picture of how the Department intends to spend the $15 million from fiscal year 1993. Let me assure my colleague that this matter will be reviewed before we conference with the House.

Mr. FORD. Mr. Chairman, I appreciate your response and I look forward to the opportunity to continue working with you on this important national security matter.

NAVAL ELECTRONIC SYSTEMS ENGINEERING

Mr. SARBANES. Mr. President, I would like to engage the distinguished chairman of the subcommittee in a colloquy to clarify the intent of section 8088 of the bill with respect to the naval electronics systems engineering facilities.

Mr. Chairman, the 1993 report to the President of the Defense Base Closure and Realignment Commission recommended that:

> * * * [t]he ATC/ACLS [Air Traffic Control/Aircraft Carrier Landing System] facility, the Aegis Radio Room Laboratory, Identify Friend or Foe, Light Airborne Multipurpose System [LAMPS], and special warfare joint program support at St. Inigoes will remain in place and will be transferred to Naval Air Systems Command.

I want to ensure that the language contained in section 8088 will do nothing to relocate, alter or modify the functions specified in the Commission's report to be retained at St. Inigoes, including all the civilian management, support personnel, and management operations associated with these functions.

Mr. INOUYE. The Senator from Maryland is correct. The intent of this language is simply to ensure the implementation of the recommendations contained in the 1993 report of the Defense Base Closure and Realignment Commission. The language will not change in any way the Commission's recommendations with respect to the functions specified to be retained at St. Inigoes, including all the civilian management, support personnel, and management operations associated with these functions that were in existence as of final approval of the Commission's report.

Mr. SARBANES. I greatly appreciate the chairman' clarification of this language and assurances.

AUTOMATED MANUFACTURING RESEARCH FACILITY

Mr. HOLLINGS. Mr. President, I want to take a moment to thank the distinguished chairman of our Defense Appropriations Subcommittee for one action taken in the Navy manufacturing technology provision of the bill. For some 10 years now, the Navy and the Commerce Department's National Institute of Standards and Technology [NIST] have cooperated in operating an Automated Manufacturing Research Facility [AMRF] at NIST's laboratories. That AMRF testbed, in turn, has provided very valuable advanced technology to a range of DOD and other manufacturing projects, including the rapid acquisition of manufactured parts project. I understand that the pending bill provides an increase to the budget request for manufacturing technology programs. NIST has indicated that $6 million is required for continued AMRF work, and I want to thank our subcommittee chairman for his efforts to provide funds for important collaborative efforts such as AMRF.

Mr. INOUYE. The Senator from South Carolina is correct. The Navy has indicated that, within the recommended funding level, $6 million will be used to continue Navy and NIST work at the Automated Manufacturing Research Facility. I am pleased that we were able to provide funds which will sustain DOD manufacturing technology programs such as AMRF.

F/A-18C/D ADVANCE PROCUREMENT

Mr. BOND. Mr. President, there is one item that I feel was addressed inadequately in this year's bill. The issue is advance procurement funding for the Navy and Marine Corps F/A-18 strikefighter. The F/A-18 is the backbone of the Navy's carrier air wings and a key component in Marine aviation, as well. This aircraft has maintained a strong reputation for its ability to perform a broad range of missions—effectively, reliably, safely, and affordably. It is the only Navy fighter or attack aircraft in production, and it is the key to implementing and successfully executing the aviation element of the Navy's "From the Sea" warfighting doctrine.

This year, the committee was presented a multiyear procurement request for the F/A-18C/D that extended from fiscal year 1994 through fiscal year 1997. At that time, F/A-18C/D production is scheduled to end, and the F/A-18E/F, now in development, will begin entering the fleet. According to the Defense Department, this plan would have saved roughly $200 million over the next 4 years of Hornet procurement, while requiring a modest increase in upfront funding to buy into the plan. Unfortunately, in the current budget environment, neither the Senate Armed Services Committee nor the Appropriations Committee felt it could commit to the multiyear funding request. The committees removed all advance procurement funding for the F/A-18, leaving the service without funds to secure long-lead items for aircraft it intends to purchase in fiscal year 1995.

Recognizing the importance of continuing F/A-18C/D production, the two House committees, while also disapproving the multiyear request, included sufficient advance procurement funds to support the Navy's planned buy of F/A-18C/D's in fiscal 1995.

Continued F/A-18 procurement is crucial for maintaining U.S. power projection capabilities. Naval aviation is facing a significant shortfall in tactical aircraft that begins later this decade when a waterfall of aging F-14's, A-6's, and F/A-18's reach the end of their service lives. F/A-18C/D's purchased between fiscal year 1995 and 1997 are needed to help prevent these shortfalls from becoming unmanageable, a situation that would weaken our ability to respond effectively to world crises. Secretary Aspin's recent decision to maintain 11 active and 1 reserve aircraft carrier means we need more Hornets, not fewer, to meet the threats we expect to face as we move into the next century.

Without the continued purchase of new Hornets, the Navy and Marine Corps also will fail to reach their objective to modernize all frontline F/A-18 squadrons with night strike capability. Combat-ready F/A-18's must maintain their advantage over adversary systems if we're to ensure rapid conflict victories with a minimal loss of American life. The night strike F/A-18C/D Hornet, with its AIM-120 AMRAAM, autonomous precision air-to-surface weapons capability, survivability improvements, and enhanced sensors, is significantly more lethal and survivable than early versions of the aircraft. Getting as many of these aircraft into the hands of American pilots as quickly as possible is simply the right thing to go.

Maintaining a healthy F/A-18C/D production program also makes sense for our Nation's economy and for thousands of American working men and women. The F/A-18 program supports communities and families in 43 States. More than 2,300 companies, including many small and disadvantaged businesses, have a stake in continued F/A-18C/D production. Domestic procurement of the F/A-18 annually supports more than 21,000 direct jobs and more than 51,000 indirect jobs across the country. A large percentage of these jobs can be found in States like California and Missouri, areas already hard hit by defense cutbacks.

But the story is larger than that. The F/A-18 is an international success story, having generated more than $7.9 billion in exports and more than 95,000 export-related jobs since the early 1980's. With a solid domestic production base, the F/A-18 is expected to generate some $6 billion in additional exports between now and fiscal year 1997. These exports will produce some 72,000 man-years of direct work for the U.S. aerospace industry. These exports create a side benefit of lowering the cost the United States pays for its F/A-18's. To date, international sales of the F/A-18 have saved the United States more than $1.9 billion in procurement costs.

Continued domestic procurement of the F/A-18 is a win-win proposition for the United States. There is a valid military requirement for these airplanes and the benefit for the U.S. economy is overwhelming. In the upcoming conferences, I strongly urge the Senate to adopt the House position and provide sufficient advance procurement funds to support the Navy's plans for F/A-18C/D production in fiscal 1995.

MILITARY MEDICAL FORCE

Mr. INOUYE. Mr. President, I rise to speak on a military medical issue of importance. As you know, our military health professionals play an essential role in supporting readiness through their service and care for the active duty forces, the military dependents, and those men and women who have retired after honorable service.

Our military physicians play an important part in fulfilling our promise to those we send into harm's way. We have said to our fighting forces that we will care for them on the battlefield; we have said to the soldier, when you are at war, we will care for your loved ones; we have said to the sailor on the high seas, your spouse and children will receive the best of medical care while you are away.

Consequently, as we reduce the size of the military and the supporting infrastructure in proportion to the threats we now face, we must not forget the human side of the equation.

Twenty-one years ago, the Congress, by overwhelming vote, passed the Uniformed Services Health Professional Revitalization Act. This legislation authorized the establishment of the Uniformed Services University of the Health Sciences [USUHS] "to provide our Nation with medical officers and scientists of character who serve the common good." The act also created the Armed Forces Health Professions Scholarship Program [HPSP]. Over the years, these two distinct and complementary programs have helped produce today's impressive military medical force. The scholarship program provides a flexible source of well-educated physicians in numbers necessary to balance the fluctuating needs of the services. USUHS provides the Nation with a cadre of career-oriented medical officers trained and educated to both practice military medicine and to serve as uniformed medical leaders. The university was founded on the belief that this Nation should have the medical equivalent of the military service academies where young, aspiring physicians could study the art and science required to become military physicians. I have chosen my words carefully—I have said "military physicians" not just "physicians in the military" for there is a definite, qualitative difference.

Some 1,836 USUHS medical graduates have been trained to be competent, committed, uniformed medical officers prepared for operational deployment and concurrently able to provide comprehensive medical care. In return for their medical education, the USUHS graduates incur, at a minimum, a 7-year obligation of service to the Nation.

Has USUHS satisfied the visions of Congress in establishing the university? The answer is a resounding "yes."

Since the first class graduated in 1980, the preliminary figures are showing an overall retention rate of 97 percent. The commitment to public service is absolutely established. USUHS graduates show a predilection for choosing initial assignment with troops. At the onset of Desert Storm, USUHS doctors filled 9 of 14 medical officer positions in the Army Special Operations Forces. USUHS graduates are ready to deploy directly from peacetime assignments to combat medical support operations. A few days ago, a USUHS graduate at the Walter Reed Army Medical Center volunteered for service in Somalia because he felt his training compelled him to do so.

USUHS is the only Federal medical school in the Nation. USUHS has recently received full re-accreditation from the nationally recognized accrediting bodies. In addition to the usual medical school curriculum, USUHS has an integrated curriculum in military medicine which extends across the 4 years of medical school. USUHS-trained medical officers receive unequalled training in the management of medical situations most likely to occur in combat or other disaster environments.

USUHS represents a blending of traditional medicine, military training, and character development and it has met the objective to produce a doctor who has acquired a high level of readiness for rapid overseas deployment. Over these 20-some years, USUHS medical graduates, by virtue of specialized training and longer commitments, have formed a cadre of career medical officers who are making a significant contribution toward medical readiness.

The administration's health care reform program is emphasizing the need for primary care physicians who will provide health care for the undeserved. The administration is addressing the current shortage of primary care physicians with civilian medical schools whose current graduating classes fall far short of the President's goal of 50 percent of graduates to enter careers in primary care disciplines. USUHS, however, is already graduating doctors close to the President's established goal. USUHS students and graduates demonstrate dedication to public service through voluntarism, participation in community activities, and proven commitment to deliver primary care to undeserved populations. Unlike civilian medical schools, USUHS graduates from the Army, Navy, Air Force, and the Public Health Service are trained to support contingency responses to natural and manmade disasters.

The House Defense Appropriations Subcommittee, based on the national performance review report, has recommended the closure of our only Federal medical school. Relying on data provided by the Office of Management and Budget, which utilized a tunnel-vision approach in comparing the per capita cost to DOD of an HPSP student with the per capita investment in a USUHS student, the House Appropriations Committee has again recommended closure of USUHS based only on price.

No attention was paid to the value of the university graduates and associated products and services to the Nation by the university. Nor was consideration paid to the part our medical school can play in the new health care reform initiatives. Closing our Federal medical school is projected by OMB to save $300 million over 5 years. Considering the $108.5 billion that the administration has recommended for savings, closing our medical school seems to play an insignificant part in achieving that monetary goal.

Yet, readiness and service to country make the preservation of this institution worthy of our full support. Whatever the reasoning which has lead to this attempt to close down the Nation's only Federal medical school, we must stand behind Congress' sound decision to create a medical school dedicated to medical readiness and service to our Nation. In our recommendations to the Senate on the 1994 defense appropriations bill, we fully fund the President's budget request for USUHS. I ask for your strong support to protect the Uniformed Services University of the Health Sciences from those who do not fully recognize what our military medical school stands for or how it can play a role in the current health care reform initiatives.

ROME LABORATORY

Mr. MOYNIHAN. Mr. President, I rise to enter into a colloquy with my gallant colleague, the distinguished manger of this Defense appropriations bill, regarding Rome Laboratory. As he knows, Rome Laboratory is one of the Air Force's four superlabs, with responsibility for electronics research and development. Its work is vital to Air Force command, control, communications, and intelligence systems. And its work has applications in many other fields, including those that will drive the fledgling information highway.

Mr. INOUYE. Senator MOYNIHAN has aptly described Rome Laboratory, and I understand the laboratory has made many important contributions to our defense technology, and that its work has important civilian applications as well.

Mr. MOYNIHAN. I was disturbed to learn last week that Air Force officials are beginning to think about whether, when, and where they may move Rome Laboratory. The laboratory works closely with Syracuse University, Cornell, the University of Rochester, R.P.I, and many local businesses. This cooperation and teamwork with the resource in central New York have contributed much to the outstanding work we have seen from the laboratory in the 40 years since its inception. Any relocation would be costly, would disrupt work for years, and would end this important partnership. Moreover, the Base Closure and Realignment Commission just last July endorsed Rome Laboratory remaining where it is.

I expressed my concerns about the future of the laboratory in a letter to Secretary Aspin, and rather than reiterate them I ask that the letter be introduced into the RECORD.

Mr. INOUYE. I saw a copy of the letter from the Senator from New York to the Secretary of Defense, and it does explain the Senator's concerns in no uncertain terms. I share these concerns, and I hope to be able to assist my colleague on this matter when we take this bill to conference. I will ask the conferees to include the following language in our conference report statement of managers:

> The conferees are concerned about reports of possible realignment actions being considered which might affect Rome Laboratory, Griffiss Air Force Base, New York. Therefore, the conferees prohibit the use of any Defense Department funds to implement the realignment, closure, or consolidation of any mission or activity at Rome Laboratory except as part of the base realignment and closure process.

Mr. MOYNIHAN. I am most grateful to my friend from Hawaii for his concern and efforts on this matter. It is important to me to the continued excellence at the Air Force's electronics superlab.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, October 4, 1993.

Hon. LES ASPIN,
Office of the Secretary of Defense,
The Pentagon, Washington, DC.

DEAR MR. SECRETARY: As you surely know, the recent round of base closings was not kind to New York. Three of our four major facilities ended up on the final list. Against the explicit recommendation of the Air Force to keep Plattsburgh Air Force Base open, it was decided to move its operations instead to McGuire Air Force Base in New Jersey for reasons incomprehensible to us and undisclosed by the commission, whose chairman just happened to be a former Republican Congressman from New Jersey. Vermont is with us on this. Senator Leahy called it "a raw deal." Senator Jeffords said he was "* * * shocked that [the commission] had felt it had sufficient information to reverse the considered judgment of the armed forces. I heard nothing in the testimony that would support such a stunning deviation from the Defense Secretary's judgment."

I would note that Plattsburgh has been a U.S. military post since 1818, following the Treaty of Ghent. To close such a base in the face of military advice to the contrary is wanton and deeply disturbing.

The closing of Griffiss Air Force Base in Rome was no less disturbing. Among other things, the base provides the launching facilities for the 10th Mountain Division now at Fort Drum. I had something to do with the reactivation of the 10th Mountain Division at its present location. In 1977, on arriving at the Senate, I spoke on the floor pointing out that if you were to look at the location of military bases in the United States, you would assume that we were planning to fight the next war in Nicaragua. A fierce snowstorm around that time had all but isolated New York's North Country when I found that Marines were up there training for cold weather combat, and happy to be of help on the highways. And so the 10th Mountain Division was put in place, although with Griffiss closing now it will be without a full service airfield.

The one bright spot was that it was decided to maintain the Rome Laboratory at Griffiss even as the base was closing. Now I learn that General Ronald Yates, Chief of the Air Force Materiel Command, has asked Rome lab staff to start planning to move to Wright Patterson Air Force Base in Ohio. The first planning documents from Rome were sent to Washington on Friday. Please tell me that if such an order has been made it will be rescinded, or that if it has not been made it will not.

Rome is a truly exceptional laboratory. On December 14, 1990, the Rome Air Development Center was renamed Rome Laboratory and was designated as one of only four Air

Force "superlabs." It has been there more than 40 years and its work with forty-two Universities in New York and around the country supports seventy-six professors and graduate students. Its nearly 1700 contracts are worth more than $2 billion, and it has upwards of thirty Cooperative Research and Development Agreements with private industry, more than any other laboratory of its kind. It is simply a world center for research on photonics and information technology in general. I have had some familiarity with its work since the Kennedy campaign of 1960.

You should know that there will be blood on the walls if this order goes forward. It is rare for me to use such language but after the recent closings I don't know what other language is appropriate. You surely must know that for a half century Federal taxes have bled New York of billions of dollars to support military activities elsewhere in the nation. That was injury. This is insult.

Sincerely,

DANIEL PATRICK MOYNIHAN.

IN SUPPORT OF THE CONTINUATION OF THE DEFENSE NUCLEAR AGENCY [DNA]

Mr. WARNER. Mr. President, I rise to express my concerns about the recommendations set forth in the committee bill to transfer the existing functions of the Defense Nuclear Agency [DNA] to the various military services, thereby terminating DNA as a separate defense agency.

Mr. President, the committee, in its report accompanying the bil', stated that it had concluded that the costs of the Defense Nuclear Agency as a separate agency cannot be justified in a period of increasing constraints on the defense budget. The committee report then goes on to state that the committee recommends that the functions of DNA be transferred to the Armed Services and other defense agencies, and further states that this recommendation permits militarily important functions to continue without paying additional overhead and administrative costs for another agency.

I must express my serious reservations about the wisdom of these recommendations. I fear that the splintering of the functions and expertise of DNA among the various services, which are themselves subject to the identical budget pressures cited by the committee in its recommendations, could well result in those functions being abandoned and that expertise being lost at exactly the point in history when the United States should be strengthening those functions and emphasizing that expertise.

Mr. President, I am not alone in these concerns. I have recently received a letter from the Honorable Melvin Laird and the Honorable Harold Brown, two of our most respected former Secretaries of Defense, having served in their respective positions under a Republican and a Democratic administration.

I would like to quote from a couple of passages in that letter and ask my colleagues to consider the comments of these respected defense experts. First, Secretaries Laird and Brown state:

> Since it was established three decades ago, DNA has been the focal point of this vital national capability. As Defense budgets continue to shrink, the military services are reducing their in-house capability and relying more heavily on DNA expertise. Without DNA, expertise in nuclear weapons and their effects will be fragmented and the preservation of capability will be tenuous. It is essential that DNA maintain the national core competency in nuclear effects, system survivability, and hardness testing.

Secretaries Laird and Brown further state:

> It is essential to world security to dismantle the stockpile of nuclear weapons in the former Soviet Union. The instability of the New Independent States is readily apparent, the current unrest in Moscow being an unsettling example, and the control of weapons in destabilized states is risky. DNA is the U.S. national expert in the safety and storage of nuclear weapons, and the agency has been providing critical support in the cooperative nuclear threat reduction in the New Independent States. It is the agent for Nunn-Lugar funds and plays an important role in arms control efforts and the Strategic Environmental Research and Development Program. Without DNA, the cooperative threat reduction program would be significantly weakened.
>
> Secretary Aspin has reviewed the role and mission of DNA and has recommended the Agency be the repository for the Department's core nuclear competence. We concur wholeheartedly and believe strongly that the independent oversight of the military nuclear programs which the Agency currently provides is imperative.

Mr. President, when Melvin Laird and Harold Brown jointly make such strong and direct recommendations concerning the management of defense nuclear programs and expertise, I think that we all should listen. I find myself in agreement with the thoughts and recommendations of these former Secretaries of Defense, and as they point out in their letter, Secretary Aspin has reached the same conclusion.

Mr. President, I will be talking to a number of my colleagues in the coming days about this particular matter. I hope that the Clinton administration will weigh in on this issue as well, so that the managers of this bill in conference will be prepared to recede from this particular recommendation. This matter is too important to be decided without further study and debate.

I ask that the entire letter from Secretaries Laird and Brown be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, DC, OCTOBER 6, 1993.

Hon. JOHN W. WARNER,
Committee on Armed Services,
U.S. Senate, Washington, DC.

DEAR JOHN: We understand that the Senate Defense Appropriations Subcommittee has proposed a set of actions that would disestablish the Defense Nuclear Agency (DNA). As former Secretaries of Defense who have maintained an interest and involvement in nuclear issues, we are concerned about the loss of capability and expertise if the Committee proposal were to take effect.

Nuclear weapons constitute a continuing threat to national security. While the threat from the former Soviet Union (FSU) no longer exists in its earlier form, tens of thousands of nuclear warheads remain in Russian stockpiles. Moreover, new threats are arising in the Third World through the proliferation of nuclear weapons technology. To preserve our security, it is important that we maintain our national capability in understanding nuclear weapons effects and providing nuclear survivability of Defense assets. We also need a knowledgeable central agency for our efforts to encourage, accelerate and participate in the dismantling of existing weapons in the FSU.

Since it was established three decades ago, DNA has been the focal point of this vital national capability. As Defense budgets continue to shrink, the military services are reducing their in-house capability and relying more heavily on DNA expertise. Without DNA, expertise in nuclear weapons and their effects will be fragmented and the preservation of capability will be tenuous. It is essential that DNA maintain the national core competency in nuclear effects, systems survivability, and hardness testing.

Over the past three decades, underground nuclear tests were used to test the survivability and operability of military systems in nuclear environments. In light of the moratorium on such tests, and the prospect of indefinite discontinuance, DNA has been developing laboratory simulators and test procedures for testing military systems without recourse to underground nuclear testing. Without DNA as the focal point, this important capability in simulation and testing would be fragmented and probably not sustainable.

Proliferation of nuclear weapons in the Third World is a significant concern. In order to counter proliferation, it is essential to understand the capabilities of these nuclear weapons, the effectiveness of such weapons against U.S. and allied assets, and techniques for defeating these weapons. Without DNA, which is the national repository of nuclear weapons effects knowledge, a critical element of our national counter proliferation program would be significantly weakened.

It is essential to world security to dismantle the stockpile of nuclear weapons in the former Soviet Union. The instability of the New Independent States is readily apparent, the current unrest in Moscow being an unsettling example, and the control of weapons in destabilized states is risky. DNA is the U.S. national expert in the safety and storage of nuclear weapons, and the agency has been providing critical support in the cooperative nuclear threat reduction in the New Independent States. It is the agent for Nunn-Lugar funds and plays an important role in arms control efforts and the Strategic Environmental Research and Development Program. Without DNA, the cooperative threat reduction program would be significantly weakened.

Secretary Aspin has reviewed the role and mission of DNA and has recommended the Agency be the repository for the Department's core nuclear competence. We concur wholeheartedly and believe strongly that the independent oversight of the military nuclear programs which the Agency currently provides is imperative.

We urge the Committee to support efforts to decrease the risk of a nuclear accident and enhance the capability to deal with the threats posed by nuclear weapons by retaining DNA and its programs.

With best wishes and kindest personal regards, we are

Sincerely,

HAROLD BROWN.
MELVIN R. LAIRD.

PERSIAN GULF WAR VETERANS

Mr. RIEGLE. Mr. President, I would like to engage the distinguished chairman of the subcommittee in a brief colloquy regarding the research and investigations required to identify the causes and treatment for a disabling syndrome experienced by many Persian Gulf war veterans that may be related to exposure to hazardous chemical, biological, and radiological agents and substances during their service in the gulf war.

As the chairman is aware, the Senate version of the Defense authorization bill contains language authorizing this research at a total funding level of $5.7 million. The Department of Defense requested the latitude to take these funds from existing appropriations.

I would like to raise a number of concerns about this issue at this time.

Mr. INOUYE. I appreciate the Senator's interest in this area. I understand that the House version of this bill we are currently considering includes $1.2 million for research into health problems relating to the gulf war that is limited to the effects of multiple chemical sensitivities. Both the House and Senate have included funds for research into the effects of exposure to depleted uranium.

Mr. RIEGLE. Mr. President, I believe that a substantial body of evidence has now been developed which indicates that a number of units stationed in Saudi Arabia during the gulf war may have come under attack by Iraqi weapons carrying chemical warfare agents, biotoxins, and possibly biological agents. Many more units appear to have been exposed to the indirect effects of a cloud of toxic chemicals which drifted directly across the positions occupied by United States servicemen and women along the Saudi-Iraqi and Saudi-Kuwaiti borders.

The evidence of this exposure, which was discussed during consideration of the Senate Defense authorization bill, is mounting and now includes: the reports of hundreds of gulf war veterans, National Oceanic and Atmospheric Administration satellite photographs showing smoke plumes from coalition bombings in Iraq moving across coalition troop emplacements, contemporaneous videotapes made by veterans and other personal accounts which confirm that chemical alarms were sounding, published statements of French and Czech Government officials confirming the detection of trace amounts of chemical warfare agents, and, most significantly, the disabling illnesses being suffered by thousands of those who served our Nation in this war.

Several private medical research efforts have begun which suggest that the disabling syndrome experienced by many gulf war veterans may be the result of chemical neurological damage or multiple chemical sensitivities. Other research efforts indicate that the disabling symptoms may be caused by the uncontrolled growth of bacteria and related toxins, which cause neurotoxic damage. Medical research must be expanded to determine both the cause of the disabling syndrome and the treatment needed to return these veterans to a normal healthy life. Equally important, we must establish the manner in which this disabling syndrome was contracted in order to ensure that the United States is prepared for future conflicts.

Because I want to ensure that appropriate research is conducted to identify both the causes of the illnesses and the appropriate treatments, I would like to establish several points with the chairman.

As we established in the authorization bill, $2 million is needed to conduct an investigation into reports that Persian Gulf war veterans were exposed to not only chemical agents, but possibly biological warfare agents and biotoxins. This investigation should also include information as to what chemical and biological hazards of all types U.S. servicemen and women may have been exposed to as a result of their service in the Persian Gulf war, which units were exposed, and the sources and locations of these exposures.

With all due respect to my colleagues in the House, I believe the research they envision does not encompass the true scope of the problem the veterans may be facing. The Senate version of the authorization bill recommends that $2 million is needed for medical research into the causes of the disabling syndrome experienced by Persian Gulf war veterans related to exposure to hazardous agents and materials, including combined chemical warfare agents, biological warfare agents, biological toxins, and other unconventional warfare agents, or other environmental conditions hazardous to the health of such members as a result of their service in the gulf war.

Finally, the Senate authorization bill establishes that $1.7 million is needed to conduct a medical study into the effects of depleted uranium on military personnel.

This language is consistent with both the scope of the problem and the types of information needed to be gathered in order begin to properly determine the causes and appropriate treatment for this disabling illness.

Mr. INOUYE. I thank the distinguished Senator for his efforts on this matter. I agree that this is a serious issue which must be thoroughly researched and we will seriously consider these recommendations when the bill is being considered in conference. Indeed, this committee's bill provides $2 million to study the effects of depleted uranium on health and the environment.

Mr. RIEGLE. I again thank the distinguished chairman for his work to make sure that the Department of Defense is both ready for the future conflicts they may be forced to confront, and willing to take the necessary efforts to ensure that those who serve during these conflicts receive proper medical care.

Mr. MITCHELL. Madam President, pursuant to the order agreed to earlier by the Senate, Senator BYRD will now be recognized to offer an amendment relative to Somalia in his behalf, in behalf of myself, Senator DOLE, and others; and that immediately following that, Senator MCCAIN will be recognized to offer an amendment relative to Somalia.

Then there will be 4 hours for debate on the two amendments generally, the time to be under the control of Senators BYRD and MCCAIN, and then the Senate will vote on a motion to table the McCain amendment. Upon the disposition of that amendment, the Senate will vote on or in relation to the Byrd amendment. That will all occur this evening.

I want, now, before we proceed to the amendments, to thank Senator DOLE, Senator BYRD, Senator PELL, Senator NUNN, Senator THURMOND, Senator WARNER, Senator INOUYE, Senator STEVENS, and others who have participated in the process of developing what I hope will be an amendment that the Senate can approve by a large margin.

This is an important issue. I encourage all Senators who wish to do so to participate in the debate. It is important, not just for the Senate but for the American Government, the American people, and those Americans now serving in Somalia. I believe that the result, which will be presented by Senator BYRD, is a responsible approach to the problem, largely supportive of the policy set forth last week by the President and one which we hope will result in a speedy withdrawal of American forces under circumstances which are orderly and which permit the continued successful conduct of the humanitarian mission.

Madam President, I will have more to say on the subject during the debate. I would like now to yield to the distinguished Republican leader for any comments that he may wish to make.

Mr. DOLE. Madam President, I thank the majority leader. I just say I concur in what he said. I think both amendments are very clear-cut. I just recommend my colleagues read both amendments. Both, I think, express the views of their authors, and I particularly would hope they would carefully read the Byrd amendment. The McCain amendment is very short, can be read very quickly. It gives one choice. The other amendment, a little different choice.

As I said, I prefer not to have a date, but I also believe the President ought to have some flexibility. I think this does give the President the flexibility and it does protect American forces, and I think it will permit the President to proceed.

We have an American plan now. We are going to get out of there, no question about it. I think that is what many people are concerned about. I would congratulate all the people who have been involved in negotiations, and particularly Senator BYRD who has been on the floor here time and again on this particular issue. I hope we could dispose of both amendments in less than 4 hours, but I know there are a lot of people who want to speak.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is recognized to offer an amendment.

Mr. BYRD. Madam President, under the agreement I believe the amendment is to be offered and read by the clerk; is that correct? Before any speeches are made?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 1042

(Purpose: To provide funding for the involvement of the United States Armed Forces in Somalia through March 31, 1994, unless the President requests and the Congress authorizes an extension of that date)

Mr. BYRD. I send to the desk an amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows.

The Senator from West Virginia [Mr. BYRD] for himself, Mr. MITCHELL, Mr. DOLE, Mr. PELL, Mr. LUGAR, Mr. NUNN, Mr. THURMOND, Mr. WARNER, Mr. STEVENS, Mr. BROWN, Mr. LEAHY, Ms. MOSELEY-BRAUN, and Mr. EXON, proposes an amendment numbered 1042.

At the end of the Committee amendment which appears on page 8, lines 12 through 17, strike "environment" and insert the following: "environment: *Provided further*, That the Senate finds that—

"(1) the United States entered into Operation Restore Hope in December of 1992 for the purpose of relieving mass starvation in Somalia;

"(2) the original humanitarian relief mission in Somalia had the unanimous support of the Senate, expressed in Senate Joint Resolution 45, passed on February 4, 1993;

"(3) the original humanitarian mission was being successfully accomplished by United States forces, working with forces of other nations, and an expanded mission was assumed by the United Nations on May 4, 1993 pursuant to United Nations Resolution 814, of March 26, 1993;

"(4) neither the expanded United Nations mission of national reconciliation, nor the broad mission of disarming the clans, nor any other mission not essential to the performance of the humanitarian mission has been endorsed or approved by the Senate;

"(5) the expanded mission of the United Nations was, subsequent to an attack upon United Nations forces, diverted into a mission aimed primarily at capturing certain persons, pursuant to United Nations Security Council Resolution 837, of June 6, 1993;

"(6) the actions of hostile elements in Mogadishu, and the United Nations mission to subdue those elements, have resulted in open conflict in the city of Mogadishu and the deaths of 29 Americans, at least 159 wounded, and the capture of American personnel; and

"(7) during fiscal years 1992 and 1993, the United States incurred expenses in excess of $1.1 billion to support operations in Somalia: *Provided further*, That the Senate approves the use of United States Armed Forces in Somalia for the following purposes—

"(i) The protection of United States personnel and bases; and

"(ii) The provision of assistance in securing open lines of communication for the free flow of supplies and relief operations through the provision of—

"(I) United States military logistical support services to United Nations forces; and

"(II) United States combat forces in a security role and as an interim force protection supplement to United Nations units: *Provided further*, That funds appropriated, or otherwise made available, in this or any other Act to the Department of Defense may be obligated for expenses incurred only through March 31, 1994, for the operations of United States Armed Forces in Somalia: *Provided further*, That such date may be extended if so requested by the President and authorized by the Congress: *Provided further*, That funds may be obligated beyond March 31, 1994 to support a limited number of United States military personnel sufficient only to protect American diplomatic facilities and American citizens, and noncombat personnel to advise the United Nations commander in Somalia: *Provided further*, That United States combat forces in Somalia shall be under the command and control of United States commanders under the ultimate direction of the President of the United States: *Provided further*, That the President should intensify efforts to have United Nations member countries immediately deploy additional troops to Somalia to fulfill previous force commitments made to the United Nations and to deploy additional forces to assume the security missions of United States Armed Forces: *Provided further*, That—

"(A) captured United States personnel in Somalia should be treated humanely and fairly; and

"(B) the United States and the United Nations should make all appropriate efforts to ensure the immediate and safe return of any future captured United States personnel:

Provided further, That the President should ensure that, at all times, United States military personnel in Somalia have the capacity to defend themselves, and American citizens: *Provided further*, That the United States Armed Forces should remain deployed in or around Somalia until such time as all American service personnel missing in action in Somalia are accounted for, and all American service personnel held prisoner in Somalia are released".

The PRESIDING OFFICER. The Senator from Arizona is recognized to offer an amendment.

AMENDMENT NO. 1043

(Purpose: To terminate further military operations in Somalia.)

Mr. McCAIN. Madam President, on behalf of myself, Senator GRAMM, Senator GORTON, Senator SMITH, Senator D'AMATO, Senator ROTH, Senator HUTCHISON, Senator WALLOP, Senator COATS, Senator FAIRCLOTH, Senator PRESSLER, Senator CRAIG, Senator MACK, Senator BROWN, Senator HATCH, Senator KEMPTHORNE, Senator NICKLES, and Senator BURNS, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. McCAIN], for himself, Mr. GRAMM, Mr. GORTON, Mr. SMITH, Mr. D'AMATO, Mr. ROTH, Mrs. HUTCHISON, Mr. WALLOP, Mr. COATS, Mr. FAIRCLOTH, Mr. PRESSLER, Mr. CRAIG, Mr. MACK, Mr. BROWN, Mr. HATCH, Mr. KEMPTHORNE, Mr. NICKLES and Mr. BURNS, proposes an amendment numbered 1043.

At the appropriate place in the bill, insert the following new section:

SEC. . PROHIBITION ON THE USE OF FUNDS FOR UNITED STATES MILITARY OPERATIONS IN SOMALIA.

(a) PROHIBITION—No funds appropriated or otherwise made available in this or any other Act to the Department of Defense may be obligated for support of operations of United States Armed Forces in Somalia except as provided for in subsection (b).

(b) EXCEPTIONS.—

(1) funds may be appropriated or otherwise made available for continued operations of United States Armed Forces in Somalia to support the prompt and orderly withdrawal of all United States Armed Forces from Somalia in a manner most consistent with the safety of United States personnel.

(2) funds may be appropriated or otherwise made available for continued operations of United States Armed Forces in Somalia in the event that American prisoners of war have not been returned to United States authorities and Americans missing in action have not been accounted for.

The PRESIDING OFFICER. The Senator from West Virginia is recognized to speak for up to 30 minutes.

Mr. BYRD. I thank the Chair.

Madam President, I have offered this amendment on behalf of myself, Mr. MITCHELL, Mr. DOLE, Mr. PELL, Mr. LUGAR, Mr. NUNN, Mr. THURMOND, Mr. WARNER, Mr. STEVENS, Mr. BROWN, Mr. LEAHY, Ms. MOSELEY-BRAUN, and Mr. EXON.

Madam President, the amendment I offer is intended to return the formation and execution of American foreign policy to its rightful home base: Washington, DC. Its specific purposes are to put the stamp of the Senate on our policy in Somalia, to limit our mission there, and to establish a clear termination of our involvement over the short run. Furthermore, the amendment exercises the authority of the Congress to put a strict limit on funding in order to effect the limited policy and missions. I might add that Congress has used this power far too sparingly in exercising its constitutional authority in matters of going to war. The last time Congress did so exercise this authority was in June 1973, when Congress included a funding cutoff for all combat activities in Cambodia, Laos, and North and South Vietnam.

I ask unanimous consent that the appropriate verbiage from that law be printed in the RECORD.

There being no objection, the verbiage was ordered to be printed in the RECORD, as follows:

SENATE REPORT 93-277—CONTINUING APPROPRIATIONS, 1974

The Committee on Appropriations, to whom was referred House Joint Resolution 636, making continuing appropriations for the fiscal year 1974, and for other purposes, reports the same to the Senate with amendments and with the recommendation that the joint resolution be passed.

This resolution is necessary in order to provide funds for continuing governmental functions beyond June 30, 1973 for programs for which appropriations for the fiscal year ending June 30, 1974 have not been enacted. The resolution follows the basic form and concept of similar resolutions of past years.

The resolution assumes passage by the House of 9 of the 13 regular annual appropriation bills for fiscal year 1974 by June 30. Therefore, it is recommended that the continuing resolution extend to September 30, 1973, to provide about a month after return from the August recess to finalize the remaining bills.

It is expected that two bills will pass the Senate before July 1, 1973, the Agriculture and HUD-Space-Science-Veterans bills.

The basis of operation under the resolution, which is based on the status of each particular bill as of the date of enactment of the resolution, is as follows:

(1) Where the applicable bill has passed only one House, the rate for operations shall not exceed the current rate or the rate permitted by the action of the one House, whichever is lower (Sec. 101(a)(4));

(2) Where the applicable bill has passed both Houses but has not cleared conference, and the amount as passed by the House is different from that passed by the Senate, the pertinent project substantial increases in the cost of the approved programs. No funds made available under this Resolution are to be used for projects not approved through Slice XXIII (calendar year 1972 program).

Anti-impoundment language

On page 1, line 5, of the resolution, following the word "funds" the committee has inserted the following additional language:

"and shall be made available for expenditure except as specially provided by law."

The committee has added this language to the bill to insure that all funds appropriated herein shall be obligated except as specifically provided by law. It is the intent of the committee that all funds be available for obligation except those for which a specific reservation has been provided in this bill or those which may legally be withheld under the Anti-Deficiency Act or other specific statutory authority.

Combat activities by U.S. Forces over North Vietnam, South Vietnam, Laos or Cambodia

The following new section has been included in the bill by the committee:

"SEC. 109. None of the funds herein or hereafter appropriated under this Act or heretofore appropriated under any other act may be expended to support directly or indirectly combat activities in, over, or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia by U.S. Forces."

[From the Congressional Record, June 29, 1973]

LAIRD SAYS NATION CANNOT AFFORD TO BE DISTRACTED FROM ISSUES

Mr. SCOTT of Pennsylvania. Mr. President, Melvin Laird, President Nixon's new domestic adviser, in a speech before the National Institute of Dental Research, has said eloquently and succinctly what we should all be saying and working to accomplish:

"The American agenda of issues and problems and decisions and dreams and demands deserves our attention right now."

I ask unanimous consent that the Friday New York Times article reporting on Mr. Laird's speech be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAIRD SAYS NATION CANNOT AFFORD TO BE DISTRACTED FROM ISSUES

(By Nancy Hicks)

WASHINGTON, June 28.—The White House domestic adviser, Melvin R. Laird, said today that the country could not afford to let itself be distracted by Watergate and, in the process, neglect problems and challenges it faces.

Speaking at a luncheon meeting celebrating the 25th anniversary of the National Institute of Dental Research, and to newsmen afterward, Mr. Laird said, "The American agenda of issues and problems and decisions and dreams and demands deserves our attention right now."

The reference to Watergate was implied in and specified after the 25-minute speech which was devoted almost exclusively to summarizing the accomplishments of the Administration and urging support for it.

"When the American people gave President Nixon the most overwhelming vote of confidence in the history of this Republic, they were voting for the man's ideas as well as for the man himself," the former Secretary of Defense told the 150 dentists.

CITES "BREAKTHROUGHS"

"And I can say this afternoon that this Administration is as determined and dedicated as it ever has been to giving the American people the leadership they voted for last November and the leadership we believe they still want today," he said.

"It was the President's policy of keeping America strong and keeping American policy credible that led to the historic breakthroughs with China and Russia.

"We can hardly afford now to turn our backs on the policies that have brought us to this junction, if we are to prevent international turmoil from continuing to be a distraction from the pursuit of our domestic goals," he said.

Mr. Laird had accepted the luncheon engagement before he returned to the Administration as chief domestic adviser to the President on June 6. As a Representative from Wisconsin, Mr. Laird had sponsored legislation to expand the National Institutes of Health, of which the National Institute of Dental Research is a part.

"Gentlemen, I am delighted that you could all attend the 25th anniversary of the National Institute of Dental Research. I'm glad to see such a good turnout for the celebration," Mr. Laird said to reporters who waited to question him about Watergate after the speech at the Washington Hilton.

Asked when the President would answer reporters' questions generated from the Senate testimony of John W. Dean 3d, the former White House counsel, Mr. Laird replied:

"The idea that the President is not going to have a news conference to answer questions [arising from the Senate Watergate hearings] is in error.

"I would not think the President wants to be in a position in which he is responding to every single witness who appeared before the committee."

Mr. Laird said the President was waiting to see if the hearings would continue now or would be suspended for a short period. In any case, the White House "will go forward. In any case, the White House "will go forward at our own time," he said."

CONCLUSION OF MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

CONTINUING APPROPRIATIONS, 1974

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 261, House Joint Resolution 636.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated.

The legislative clerk read as follows: "A joint resolution (H.J. Res. 636) making continuing appropriations for the fiscal year 1974, and for other purposes."

The ACTING PRESIDENT pro tempore. Is there objection to the consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Appropriations, with amendments.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN). Without objection, it is so ordered.

Mr. MCCLELLAN. Mr. President, the Committee on Appropriations at its meeting on Thursday, June 28, 1973, approved the continuing resolution with amendments and ordered it reported to the Senate.

As Members are aware, the purpose of the continuing resolution is to enable the departments and agencies of the Federal Government to function, in the absence of new obligational authority for the upcoming fiscal year 1974 which commences on July 1.

This resolution contains an expiration date of September 30, 1973, to provide about 1 month after the return of the Senate from its August recess to finalize the remaining appropriation bills.

The resolution assumes passage by the House of 9 of the 13 regular annual appropriation bills for fiscal year 1974 by June 30.

It is expected that two bills will pass the Senate before July; that is, the Agriculture and the HUD, Space Science, Veterans bills.

Members are familiar with the terms of the resolution. They are explained in detail in the committee report.

On a rollcall vote of 9 to 8 in the committee, the Church-Case language, dealing not only with Cambodia and Laos but also with North and South Vietnam, was inserted into the continuing resolution.

The remaining amendments proposed by the committee are explained in the report.

Mr. President, this resolution is necessary to continue the functions of Government after June 30, 1973, and I urge its adoption.

Mr. YOUNG. Mr. President, this resolution is absolutely necessary in order to provide for funding the continuation of Government functions beyond June 1973.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BIOGRAPHY—KENNETH E. BELIEU, UNDER SECRETARY OF THE ARMY

Kenneth E. BeLieu, Under Secretary of the Army, was born in Portland, Oregon, February 10, 1914. He attended Roosevelt High School in Portland ('33) and the University of Oregon ('37) at Eugene, Oregon and subsequently the Harvard Business School Advanced Management Program ('55).

Mr. BeLieu was sworn in as Under Secretary of the Army on 22 September 1971.

In 1940, after three years of business in Portland, he volunteered for active duty as a Second Lieutenant in the Infantry. By 1945, he had participated in the Normandy Landing and campaigns in France, the Battle of the Bulge, Germany and Czechoslovakia. He was awarded the Silver Star, the Legion of Merit, the Bronze Star, Purple Heart and Croix de Guerre.

Following World War II, he served in various assignments with the Army in the War Department and Department of the Army General Staff. In 1950, during the Korean Conflict, he lost his left leg below the knee as a result of wounds received in combat. Upon his discharge from the hospital he was assigned to the office of the Secretary of the Army where he served as Executive Officer to two Secretaries of the Army before his retirement as a Colonel in 1955.

From 1955 to 1960, BeLieu was a professional staff member of the Senate Armed Services Committee, the first Staff Director of the Senate Aeronautical and Space Sciences Committee and at the same time was Staff Director of the Preparedness Investigating Subcommittee of the Senate Armed Services Committee.

In February 1961, he was appointed Assistant Secretary of the Navy for Installations and Logistics. In February 1965, he was appointed Under Secretary of the Navy. While in the Navy Mr. BeLieu was awarded the Navy's Distinguished Public Service Award. He returned to private life in July of 1965.

During the period of July 1965 to January 1969, Mr. BeLieu held positions as Executive Vice President, President and Member of the Board of the Leisure World Foundation, Laguna Beach, California; Member, Defense Science Board; Member of the Board of Advisors, Ryan Aeronautical Corporation and Continental Motors; and Member, Technical Advisory Board, RCA.

On January 21, 1969 Mr. BeLieu was appointed by President Nixon as Deputy Assistant to the President for Congressional Relations, the position he held until he was appointed Under Secretary of the Army.

Mr. BeLieu and his family reside in Alexandria, Virginia.

Mr. BIBLE. Mr. President, will the Senator yield, with the permission of the Senator from Florida, for an observation?

Mr. MCCLELLAN. I yield.

Mr. BIBLE. Mr. President, I associate myself with the remarks of the Senator from Arkansas. I have had many, many personal contacts with Kenneth BeLieu over the years. He is a close personal friend. I have come to think of him as one of the most able public servants in all of government.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MCCLELLAN. I yield.

Mr. ERVIN. I thank the Senator from Florida for permitting me to proceed.

Mr. President, I associate myself with the remarks of the distinguished Senator from Arkansas and the distinguished Senator from Nevada. Over the years I have had many contacts with Kenneth BeLieu and many opportunities to observe his work as a public official. He is truly a great American and truly a great public servant.

CONTINUING APPROPRIATIONS, 1974

The Senate continued with the consideration of the resolution (H.J. Res. 636) making continuing appropriations for the fiscal year 1974, and for other purposes.

CONTINUING RESOLUTIONS ERODE CONGRESSIONAL POWER

Mr. HATFIELD. Mr. President, the Congress continues its laudable efforts to regain its rightful constitutional prerogatives, efforts in which I have wholeheartedly joined, and which I will continue enthusiastically to support. The Congress has at last found the will to challenge the President's war in Southeast Asia, and we will continue to attach riders to any and all legislation that comes through the Senate until we succeed in stopping the illegal bombing.

In the Senate Watergate hearings, the committee is revealing to the public what the Congress has long known—that executive autocracy, far from fostering efficiency in Government, fosters instead a mentality that regards the Constitution itself as an annoying obstacle to the quest for greater power.

So there are signs that the Congress is no longer content to docilely bend to the wishes of the administration, and that is as it should be. But in one critical area the Congress is still failing itself and the American people. That critical area is appropriations and fiscal policy, perhaps the single most important power Congress holds.

Today we are considering a continuing resolution to fund Government programs until we get around to passing the necessary appropriations bills. The continuing resolution is necessary, and I shall vote for it, but it should be recognized for what it is—an emasculation of congressional power.

Continuing resolutions simply give Government agencies the same amount of money for the same programs authorized for the previous fiscal year. They do not reflect any new congressional review of programs, any new perception of national priorities. Foreign aid has been operating on a continuing resolution for 15 months. During that time there have been extensive hearings, and prolonged debate on foreign aid policy, which have contributed greatly to our understanding of the factors that should shape foreign aid programs in the post-Vietnam era. Yet all this discussion has been to no avail, for we have never been able to resolve the differences into an appropriations package, and have relied instead upon the lame answer of continuing resolutions.

In so doing, Congress abdicates its responsibility, and contributes to the erosion of its power over the Federal purse. If the Congress does not take the responsibility of setting national priorities, the Executive will, and its domination over the Congress will continue.

I do not mean to unduly criticize the Appropriations Committees for their failure to get appropriations bills before the Congress before the end of the fiscal year. As a member of the Senate Appropriations Committee, I well understand the frustrations of attempting to develop the Federal budget within a few short months. Nonetheless, we should all recognize that the appropriations process is in need of reform.

As an initial step, we need to change the fiscal year to conform with the calendar year. Senator MAGNUSON has recommended this change in his Federal Appropriations Reform Act (S. 1648), and today I am joining him as a cosponsor of that legislation. This bill will give the Congress time to thoughtfully consider authorizing and appropriating legislation, rather than having to surrender to the last resort of continuing resolutions.

But we cannot argue that, since these reform efforts are proceeding, we can afford to remain content with flimsy "answers" to budgetary problems, such as continuing resolutions. Continuing resolutions are prime examples of the Congress' inadequacy to deal with tough political decisions, and lend credence to the claim that Congress is fiscally irresponsible. They are signs of weakness.

I do not contend that the answer lies in the formation of small, all-powerful budget committees to exercise total control of the budgetary process in the name of congressional responsibility and efficiency. That is not necessarily the alternative to our present situation.

But I do say that the Congress, no more than the Executive, can cover up its deficiencies with desperation measures. When we rely upon continuing resolutions to fund Government operations, we surrender our power of the purse. When we lose that power, we lose our credibility with the people, and our right to contest the present distortion of national priorities.

Mr. CHURCH. Mr. President, I ask unanimous consent that Thomas Dine, my committee staff assistant, be granted the privilege of the floor during the Senate consideration of the pending resolution in order to assist me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHILES. Mr. President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. The committee amendment is next in order.

Does the Senator ask unanimous consent to have his amendment called up?

Mr. CHILES. Mr. President, I ask unanimous consent that my amendment may be called up out of order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment of the Senator from Florida will be stated.

The assistant legislative clerk proceeded to read the amendment.

AMENDMENT OF TITLES 10 AND 37 OF THE UNITED STATES CODE—CONFERENCE REPORT

Mr. HARRY F. BYRD, JR. Mr. President, I submit a report of the committee of conference on H.R. 8537, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. Helms). The report will be stated by title.

The legislative clerk read as follows: "The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8537) to amend titles 10 and 37, United States Code, to make permanent certain provisions of the Dependents Assistance Act of 1950, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees."

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report, which reads as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8537) to amend titles 10 and 37, United States Code, to make permanent certain provisions of the Dependents Assistance Act of 1950, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

On page 6 of the Senate engrossed amendment strike out titles III and IV, and insert in lieu thereof the following:

"SEC. 206. This Act shall become effective July 1, 1973."

And the Senate agree to the same.

STUART SYMINGTON,
HARRY F. BYRD, Jr.,
HAROLD E. HUGHES,
JOHN TOWER,
WILLIAM L. SCOTT,
Managers on the Part of the Senate.

SAMUEL S. STRATTON,
F. EDWARD HÉBERT,
BILL NICHOLS,
WILLIAM G. BRAY,
JOHN E. HUNT,
Managers on the part of the House.

Mr. HARRY F. BYRD, JR. Mr. President, because the laws relating to this expired last night, I ask unanimous consent that the printing requirement under the rule be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRY F. BYRD, JR. Mr. President, I move that the Senate agree to the conference report.

The motion was agreed to.

CONTINUING APPROPRIATIONS, 1974

The Senate continued with the consideration of the resolution (H.J. Res. 636) making continuing appropriations for the fiscal year 1974, and for other purposes.

Mr. HARTKE. Mr. President, I am shocked and dismayed by the report that the Committee on Foreign Relations has voted to allow the bombing of Cambodia to continue until August 15.

The death rattle of America is being heard today in the Capitol of the United States. The committee amendment is coming to the floor of the Senate in a few minutes, and I will gladly yield the floor to permit it to be presented.

This is another Gulf of Tonkin resolution. There may be no deception this time, but the precipitate action is there.

I thought Congress had spoken clearly this session. I thought we said the President has to make up his mind whether he wants to stop the bombing or stop this country. Veto or no veto, Congress must redress the overwhelming power of the Executive.

Now the Congress seems to have capitulated. I am sad. The Congress of the United States is abandoning its mandate as an equal branch of the Government.

I hear people talking about the resurgence of Congress, restoring the balance of power, yet I have never seen such capitulation in my life. Elected officials who have had dedicated records of being on the side of humanity appear willing to surrender their principles with hardly a whimper.

The old adage of the Bible is true: The sins of the fathers and the mothers will be visited upon the children unto the fourth and fifth generation.

The young people of this country spoke out time and time again. Finally their message got through to the older people, and finally to the Congress.

We adopted a resolution the Eagleton amendment. We put it in every bill. We said we were going to meet the President head on. Now the Committee on Foreign Relations agrees to this tragic delay with only two dissents, that of the majority leader and the Senator from Maine. I compliment Senator MANSFIELD and Senator MUSKIE for their willingness and dedication to stand for peace. I wish I could say the same about the other members of the foreign Relations Committee, each of whom I hold in the highest respect. Nevertheless, I cannot understand their action.

Mr. President, I am unwilling to have Congress commit suicide. I know that everyone in this body is aware of my long record against the war. My active opposition to the war dates from 1963. I disagreed with my own President about it. God bless his soul, he is no longer with us. I have said repeatedly that I would not criticize the Nixon administration if it brought the war to an end, and it did. But the President could have done it much sooner—some 20,000 lives sooner.

It is not just American lives that are involved; it is all of humanity. Those bombs are killing people every minute. It is not a matter of dollars and appropriations; it is a matter of killing people. It is outright murder. I repeat, it is outright murder. I do not want my finger to pull the trigger on those bombs. I do not want my children to bear the guilt of Vietnam. Other Senators may put their fingers on the trigger. I will not.

Yesterday we stood fast. We agreed that the Cambodian resolution offered by the distinguished Senator from Missouri would stay in the debt limit bill. My understanding was that the House would keep it in the bill. I understand the President threatened to veto it. I understood we were willing to accept that veto. I understood that we would have a confrontation and that we were not going to compromise with death. That is just the point. We must confront the President with the fact that this country has had enough of killing and suffering.

A long time ago, in late 1967, when I wrote about the American crisis in Vietnam, I stated:

I believe that the people of the world will be better served by the virtues of the American example than by the employment of American military power. I believe that we cannot violate the pledges for the peaceful settlement of international disputes contained in the United Nations Charter and then demand that others live according to that international "rule by law."

The gracious bounty of America deserves to be employed in building a better way of life for our people at home and for all of the peoples of the world. We will not be able to fulfill the promise of American life while America's precious human and material resources are being wasted in a land war in Vietnam. Other well-meaning American leaders have told us before that winning just this one war will make the world safe for freedom and democracy. We know that war and killing cannot help us to realize our constructive goals. We must work toward these ends slowly and painfully. We know that we will be able to achieve the lofty promise of America only in peace.

I said:

You never can justify immorality, even if it is national or international policy—in the self-interest or the national interest.

I repeated at that time this statement:

In a major foreign policy speech at The American University on June 10, 1963 President Kennedy returned to this theme. "I believe that we must reexamine our own attitude [toward world peace]—as individuals and as a nation—for our attitude is as essential as theirs. . . . Every thoughtful citizen who despairs of war and wishes to bring peace, should begin by looking inward—by examining his own attitude toward the possibilities of peace."

When President Kennedy asked us to look at ourselves, he did not deny the hostility and the malevolence of the other side.

Mr. President, I am talking about morality and credibility. These are subjects of discussion everywhere today. I said at that time, and this is the heart of my speech:

To sum up: even more damaging than the credibility gap is what might be called America's "morality gap" in Vietnam. A nation cannot furnish moral leadership while performing immoral acts. This is at the heart of my objection to what we are doing in Vietnam—it is basically immoral. Supposed political expediency can never justify clear-cut immorality whether in national or international politics. It may appear to succeed in the short term, but it carries the seeds of self-destruction.

But it is even more immoral now in Cambodia. We bomb in the name of expediency and that is the only excuse for the August 15 delay from the Committee on Foreign Relations today.

Mr. President, the chairman of the Committee on Foreign Relations (Mr. FULBRIGHT) has likewise been a dedicated foe of this war. I am waiting to see how he explains this sudden turn of events in the Committee on Foreign Relations. I never thought I would be at odds with him since the Gulf of Tonkin resolution was presented. This is the same precipitous type action as was taken when we surrendered complete authority to the President, with only vague assurances.

Senator FULBRIGHT said at that time:

The measure of our falling short [of Americans ideals] is the measure of the patriot's duty of dissent. The massive nature of the suffering Vietnam has called forth an equally massive outpouring of agony by those who care for America.

If we are going to bring American practice up to American ideals, we must speak out.

But I would add to Senator FULBRIGHT'S statement that our speaking out is not so much an act of dissent as it is an act of affirmation. The truth is that we are consistently upholding certain commitments and policies.

Mr. President, the issue is not parliamentary procedure, it is not dollars, it is not getting along with the President. The issue is simply death, death in every aspect—death with the cold hand of America pulling the trigger on innocent people.

There is no question that others are guilty, but we should not measure ourselves by the guilt of others. That is like saying that you should murder someone because someone else has murdered. That is no excuse, especially for a country like America. I thought we had put that attitude aside.

With respect to those who really feel this country may now be sinking to its death, those who feel that we may have reached our peak and are on our way down, if we approve of the action taken today in the Committee on Foreign Relations and if the Cambodian bombing is continued for another 45 days; if that authority is continued, then the Watergate hearings and all the other hearings might as well be dismissed because there is not enough credibility left in this body to really support any continued confidence by the American people.

It took a long time for the American people to accept the fact that they had been mislead about the war. Basically the American people believe in peace. Basically the American people believe in life. They do not want to put their stamp of approval on war and death. It is our responsibility in the Senate to end the bombing. The Constitution is very clear. It says that only Congress can declare war. In the past we in Congress said that the war was underway—that we could not stop it once it was underway. We have been too quick with excuses, mostly excusing our own consciences when we did not reassert the right to have control over whether or not America should be engaged in military action.

The time for excuses has long since passed. We have determined in this body and in the other body that the Eagleton amendment should be law. We have made it very clear to the President that we want the bombing stopped. The identical resolution and amendment was passed by both bodies. Now, we must question whether or not this Congress has the courage to stand up by its own commitments or whether this Congress is going to be intimidated by political blackmail.

Mr. President, I do not know who is going home on July 4th for a holiday, but it is a sad state of affairs when the Declaration of Independence is going to be celebrated in a few days and we have a declaration of capitulation from Congress—a declaration, which really is a declaration of war. That is what it amounts to. Any Senator who votes for the Foreign Relations Committee proposal will be declaring war on Cambodia until August. Make no mistake. That is what it is. The proposal adopted by the Foreign Relations Committee is a declaration of war, and I am willing to stay here during all this holiday—I do not need a vacation—while we decide whether we have the courage to stop the bombing and the killing once and for all. I want to stay here until we make sure the President of the United States is the servant of the people, and not the new dictator of imperial America.

TO GIVE AND TO TAKE AWAY

Mr. JAVITS. Mr. President, I speak with particular reference to the third proviso in section 101(a)(4) of the continuing resolution now before us, House Joint Resolution 636. This proviso stipulates that no State will receive less under title I-A of the Elementary and Secondary Education Act than it received during fiscal year 1972. A total appropriation of some $1.5 billion is involved. The reason for this provision, which also appears in the Labor-HEW fiscal year 1974 appropriation bill, H.R. 8877, which passed the House on June 26, is to forestall a diminution in title I funds received by a State because of use of the 1970 census in counting eligible students instead of the 1960 census. The authorizing legislation, the Elementary and Secondary Education Act, requires use of the latest census figures.

This proviso was proposed to prevent, as the House report on H.R. 8877 states, "a drastic redistribution and possible reductions of as much as 50 percent in some State allotments." At this late date in the appropriation process, when school budgets are already in place for the new school year which begins in September, I do not believe anyone here would want seriously to dislocate local budgetary processes. But while this provision does not do that, it does an injustice to the concept of concentration of funds on the disadvantaged which has been a part of the enactment of ESEA since 1965. And, given the nature of the "grandfather" concept, it threatens to change the direction of ESEA, for grandfathering breeds more grandfathering, as all of us here know.

This past year, distribution of funds through the States to the local schools has been on the basis of the 1960 census. This, schools are receiving funds based on a count of children almost all of whom are no longer attending public school, for if a child were 5 years of age in 1960 he would be 18 today in 1973 and probably be out of school—as a matter of fact, title I, ESEA, provides only for the counting of children aged 5 to 17. As a matter of fact, it is a fair assumption that many of the youngsters counted in 1960—then aged 10 to 17, for example—have now married, moved out of the area of the school they attended, and even have children of their own. However, under this proviso, if their own children are eligible as disadvantaged, they could well not receive title I assistance because that money is going to another State based on the 1960 count of the parent. Thus, for example, if an individual counted as disadvantaged and living in South Carolina in 1960 had subsequently married, and moved with his wife and child to New York, California, Pennsylvania, or any one of some 25 other States, and his child was also eligible to be counted as disadvantaged, under this proviso funds would go to South Carolina where the parent resided in 1960, rather than to the State where the child resided in 1970 and still resides. This is visiting the nonsin of the parent upon the child.

But this hold-harmless provision, designed to protect school budgets from drastic reductions, will not even do that. Let us take, for example, a school district in one of the States where local educational agency boundaries and county boundaries are coterminus. Should such a district suffer a 50-percent loss of eligible students due to the change from 1960 to 1970 census—the type of loss referred to in the House report—then, despite the hold-harmless provision which refers only to States, that local school district would lose title I funds and the other school districts throughout the State would gain title I funds. This, according to the Office of Education, applies in States advantaged by the hold-harmless provision as well as in States disadvantaged by it. It also applies in States where local school districts are not coterminus with county lines, except inasmuch as computations would be affected by population changes in other parts of the county. Consequently, the hold-harmless provision, which applies only to States and not to local educational agencies—that is, local school boards—cannot avoid a heavy local budget impact.

Now, as to individual States. Some States, as the 1970 census reveals, have proportionately more eligible disadvantaged children than they had in 1960; some States have less. The States with more eligible children, logically require—and are entitled under the Elementary and Secondary Education Act—more funds to educate them; the States with less require less funds. Because of this hold-harmless provision in the Labor-HEW appropriation bill passed by the House, 28 States will have to give away allocated moneys to bring 22 States up to their fiscal year 1972 level. But for the hold-harmless provision in H.R. 8877, my own State of New York would, in fiscal year 1974, receives $54,680,111 more in fiscal year 1974—thus, the disadvantaged children of New York State would lose more than $54 million in title I funds to which the law otherwise entitles them. Other States also would lose—for example, Indiana $3,866,327; Maine $1,068,315; Michigan, $12,678,798; New Hampshire, $503,115.

The PRESIDING OFFICER. The question recurs on the committee amendment, as amended.

The committee amendment, as amended was agreed to.

Mr. CHILES. Mr. President——

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MCCLELLAN. Mr. President, will the Senator yield?

Mr. CHILES. I yield to the Senator from Arkansas.

Mr. MCCLELLAN. Mr. President, I move to strike from the bill section 108.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. EAGLETON. I ask for the yeas and nays.

Mr. MANSFIELD. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. EAGLETON. Mr. President, if I may have the attention of the Senate for 30 seconds, I wish to describe what this is. It is the Eagleton amendment, as adopted by the House, and it came over in the continuing resolution from the House. The motion is to strike the section and I vote "no."

The PRESIDING OFFICER. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN) and the Senator from Wyoming (Mr. MCGEE), are necessarily absent.

I further announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Iowa (Mr. CLARK), are absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS), is absent because of illness.

I further announce that, if present and voting, the Senator from Iowa (Mr. CLARK), would note "nay."

Mr. GRIFFIN. I announce that the Senator from New Hampshire (Mr. COTTON) is absent because of illness in his family.

The Senator from Vermont (Mr. STAFFORD) is necessarily absent.

The Senator from Idaho (Mr. MCCLURE) and the Senator from New York (Mr. JAVITS) are absent on official business.

Also, the Senator from Arizona (Mr. GOLDWATER) and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

If present and voting, the Senator from New York (Mr. JAVITS), the Senator from Vermont (Mr. STAFFORD) and the Senator from South Carolina (Mr. THURMOND) would vote "yea."

The result was announced—yeas 58, nays 31, as follows:

[No. 261 Leg.]

YEAS—58

Aiken, Allen, Baker, Bartlett, Beall, Bellmon, Bennett, Bible, Brock, Buckley, Byrd, Harry F., Jr., Byrd, Robert C., Cannon, Case, Chiles, Church, Cook, Cranston, Curtis, Dole, Domenici, Dominick, Eastland, Ervin, Fannin, Fong, Fulbright, Griffin, Gurney, Hansen, Helms, Hollings, Hruska, Huddleston, Humphrey, Jackson, Johnston, Long, Magnuson, McClellan, McIntyre, Metcalf, Nunn, Packwood, Pastore, Pearson, Percy, Roth, Saxbe, Scott, Pa., Scott, Va., Sparkman, Stevens, Stevenson, Taft, Talmadge, Tower, and Young.

NAYS—31

Abourezk, Bayh, Brooke, Burdick, Eagleton, Gravel, Hart, Hartke, Haskell, Hatfield, Hathaway, Hughes, Inouye, Kennedy, Mansfield, Mathias, McGovern, Mondale, Montoya, Moss, Muskie, Nelson, Pell, Proxmire, Randolph, Ribicoff, Schweiker, Symington, Tunney, Weicker, and Williams.

NOT VOTING—11

Bentsen, Biden, Clark, Cotton, Goldwater, Javits, McClure, McGee, Stafford, Stennis, and Thurmond.

So Mr. McCLELLAN's motion to delete section 108 was agreed to.

Mr. CHILES. Mr. President, I send to the desk two amendments and ask that they be considered en bloc.

I ask unanimous consent that the reading of the amendments be waived and that they be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

On page 10, after line 22, insert the following: "Nothing contained in this Act appropriating sums of money shall be interpreted by any person or court as authority for ratification or approval of any impoundment budget authority by the President or any other federal employee, in the past or the future, unless done pursuant to statutory authority in effect at the time of such impoundment and shall not be held to effect the status of any lawsuit or right of action involving the right to those funds."

On page 10, after line 22, insert the following: "Any provision of law which requires unexpended funds to return to the general fund of the Treasury at the end of the fiscal year shall not be held to affect the status of any lawsuit or right of action involving the right to those funds."

Mr. CHILES. Mr. President, these two amendments would add language to the bill primarily to provide that nothing in the bill would hinder any lawsuit that is now in progress or any right of action that would now be available by virtue of impoundment in any fund in the bill.

The Office of General Counsel, Department of Education, of my State contacted me in regard to their fear that the language that would go into effect now under continuing resolution would hurt the provisions of a lawsuit because of the fact that funds could lapse. So this language merely provides that nothing in the bill can be construed to make illegal any act that is statutorily legal.

I have discussed the amendments with the distinguished chairman of the committee and with the ranking minority member of the committee. I hope that the amendments can be accepted.

Mr. McCLELLAN. Mr. President, I have not had an opportunity to consider the full impact of these amendments. I am disposed to take them to conference. I do not know what will happen in conference. My concern is that we are loading the bill with amendments. However, I will take the amendments to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments, en bloc, were agreed to.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment. I ask unanimous consent that its reading be dispensed with and that the amendment be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

On page 8, line 6, after the word "amended" insert the following, "of which $183,400,000 shall be for carrying into effect title I, part A, of such Act".

Mr. HUMPHREY. Mr. President, very briefly, I have spoken to the chairman of the committee about this matter. The matter was brought to my attention by two very able and distinguished members of the other body. I hope that the chairman will take this amendment to conference and discuss it with the members of the conference committee from the other body.

This relates to the level of the Job Corps. It adds no money. It merely designates that the Job Corps itself will not be eliminated.

The PRESIDING OFFICER (Mr. MONDALE). The question is on agreeing to the amendment of the Senator from Minnesota (putting the question).

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the joint resolution.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution (H.J. Res. 636) was read the third time.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN) and the Senator from Wyoming (Mr. McGEE) are necessarily absent.

I further announce that the Senator from Iowa (Mr. CLARK) and the Senator from Delaware (Mr. BIDEN), are absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that if present and voting, the Senator from Iowa (Mr. CLARK) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from New Hampshire (Mr. COTTON) is absent because of illness in his family

The Senator from Vermont (Mr. STAFFORD) is necessarily absent.

The Senator from Idaho (Mr. McCLURE) and the Senator from New York (Mr. JAVITS) are absent on official business.

Also, the Senator from Arizona (Mr. GOLDWATER) and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

If present and voting, the Senator from New York (Mr. JAVITS), the Senator from Vermont (Mr. STAFFORD), and the Senator from South Carolina (Mr. THURMOND) would each vote "yea."

The result was announced—yeas 73, nays 16, as follows:

[No. 262 Leg.]

YEAS—73

Abourezk, Aiken, Allen, Baker, Bartlett, Bayh, Beall, Bellmon, Bennett, Bible, Brock, Buckley, Burdick, Byrd, Harry F., Jr., Byrd, Robert C., Cannon, Case, Chiles, Church, Cook, Cranston, Curtis, Dole, Domenici, Dominick, Eastland, Ervin, Fannin, Fong, Fulbright, Griffin, Gurney, Hansen, Haskell, Helms, Hollings, Hruska, Huddleston, Humphrey, Inouye, Jackson, Johnston, Long, Magnuson, McClellan, McGovern, McIntyre, Metcalf, Mondale, Montoya, Nelson, Nunn, Packwood, Pastore, Pearson, Pell, Percy, Proximire, Randolph, Roth, Saxbe, Scott, Pa., Scott, Va., Sparkman, Stevens, Stevenson, Symington, Taft, Talmadge, Tower, Weicker, Williams, and Young.

NAYS—16

Brooke, Eagleton, Gravel, Hart, Hartke, Hatfield, Hatahaway, Hughes, Kennedy, Mansfield, Mathias, Moss, Muskie, Ribicoff, Schweiker, and Tunney.

NOT VOTING—11

Bentsen, Biden, Clark, Cotton, Goldwater, Javits, McClure, McGee, Stafford, Stennis, and Thurmond.

So the resolution (H.J. Res. 636) was passed.

Mr. McCLELLAN. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. MOSS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to appropriately renumber the sections in the joint resolution.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. McCLELLAN. Mr. President, I move that the Senate insist on its amendments and request the conference with the House of Representatives thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MONDALE) appointed Mr. McCLELLAN, Mr. MAGNUSON, Mr. PASTORE, Mr. BIBLE, Mr. McGEE, Mr. EAGLETON, Mr. CHILES, Mr. YOUNG, Mr. HRUSKA, Mr. COTTON, and Mr. CASE conferees on the part of the Senate.

SUPPLEMENTAL APPROPRIATIONS, 1973

Mr. MANSFIELD. Mr. President, I ask that a message at the desk from the House of Representatives on H.R. 9055 be laid before the Senate.

The PRESIDING OFFICER (Mr. MONDALE) laid before the Senate a message from the House of Representatives on H.R. 9055, an act making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes, which was read twice by its title.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 10 minutes on the pending bill, which had passed the Senate once before, was vetoed, and was repassed by the House of Representatives with the Indochina amendment in it which the Senate agreed to on the bill just passed, the time to be equally divided between the distinguished Senator from Arkansas (Mr. McCLELLAN), the manager of the bill, and the distinguished Senator from North Dakota (Mr. YOUNG), the ranking Republican member.

The PRESIDING OFFICER. Without objection, it so ordered. Who yields time?

Mr. McCLELLAN. Mr. President, I yield myself 1 minute. I know of no amendments to be offered to the bill. No one has suggested to me that any amendments will be offered. As far as I know, the bill is ready for third reading and passage.

I yield 2 minutes to the Senator from North Dakota.

Mr. YOUNG. Mr. President, I do not believe any further discussion is necessary. It is a clean bill that was vetoed, with the so-called Cambodian amendment added to it.

We have practically all of the other appropriation bills pending, so if any Senators have amendments, they can attach them to the remaining bills.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and read the third time.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. McClellan. I yield back the remainder of my time.

Mr. Young. I yield back my time.

The Presiding Officer (Mr. Mondale). All remaining time having been yielded back the question is, Shall the bill pass?

Mr. Pastore. I ask for the yeas and nays.

The yeas and nays were ordered.

The Presiding Officer. The bill having been read the third time, the question is, shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. Robert C. Byrd. I announce that the Senator from South Dakota (Mr. Abourezk), the Senator Texas (Mr. Bentsen), the Senator from Wyoming (Mr. McGee), and the Senator from New Hampshire (Mr. McIntyre) are necessary absent.

I further announce that the Senator from Ohio (Mr. Clark) and the Senator from Delaware (Mr. Biden) are absent on official business.

I also announce that the Senator from Mississippi (Mr. Stennis) is absent because of illness.

I further announce that, if present and voting, the Senator from Iowa (Mr. Clark) would vote "nay."

Mr. Griffin. I announce that the Senator from New Hampshire (Mr. Cotton) is absent because of illness in his family.

The Senator from Vermont (Mr. Stafford) is necessarily absent.

The Senator from Idaho (Mr. McClure), and the Senator from New York (Mr. Javits) are absent on official business.

Also, the Senator from Arizona (Mr. Goldwater), the Senator from South Carolina (Mr. Thurmond), and the Senator from Ohio (Mr. Saxbe) are necessarily absent.

If present and voting the Senator from New York (Mr. Javits), the Senator from Vermont (Mr. Stafford), and the Senator from South Carolina (Mr. Thurmond) would each vote "yea."

The result was announced—yeas 72, nays 14, as follows:

[No. 263 Leg.]

YEAS—72

Aiken, Allen, Baker, Bartlett, Bayh, Beall, Bellmon, Bennett, Bible, Brock, Brooke, Buckley, Burdick, Byrd, Harry F., Jr., Byrd, Robert C., Cannon, Case, Chiles, Church, Cook, Cranston, Curtis, Dole, Domenici, Dominick, Eastland, Ervin, Fannin, Fong, Fulbright, Gravel, Griffin, Gurney, Hansen, Haskell, Helms, Hollings, Hruska, Huddleston, Humphrey, Jackson, Johnston, Long, Magnuson, McClellan, McGovern, Metcalf, Mondale, Montoya, Moss, Nelson, Nunn, Packwood, Pastore, Pearson, Pell, Percy, Proxmire, Randolph, Roth, Scott, Pa., Scott, Va., Sparkman, Stevens, Steveson, Symington, Taft, Talmadge, Tower, Weicker, Williams and Young.

NAYS—14

Eagleton, Hart, Hartke, Hatfield, Hathaway, Hughes, Inouye, Kennedy, Mansfield, Mathias, Muskie, Ribicoff, Schweiker, and Tunney.

NOT VOTING—14

Abourezk, Bentsen, Biden, Clark, Cotton, Goldwater, Javits, McClure, McGee, McIntyre, Saxbe, Stafford, Stennis, and Thurmond.

So the bill (H.R. 9055) was passed.

Mr. McClellan. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. Mansfield. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Madam President, this cutoff was included in the second supplemental for fiscal year 1973 (P.L. 93-50) and was signed into law by President Nixon. In that case, the funding cutoff occurred roughly 16 years after the first American advisers entered what was then Indo-China.

We have been in Somalia for nearly a year. By way of our action today, we are setting an absolute outside limit of March 31 of next year on our involvement there. While the amendment I am proposing allows the President the opportunity to come back to Congress which he has anyhow, to seek an extension of that time, unless circumstances that I cannot envision occur between now and March 31, I cannot imagine such an extension being either requested or approved by the Congress.

So while the President can come back and request more time and money, more time and more funds will be given only if Congress approves the request.

So, Madam President, the Senate is playing a very important and proper role here today in exercising authority that the Framers of the Constitution reserved exclusively to the Congress—the power of the purse, to be found in section 9 of Article I of the U.S. Constitution—to effect policy in this most vital area of deciding when and for how long to send our Nation's sons and daughters over the far-flung corners of the globe to bear arms in hostile situations.

There has been a migration of responsibility for committing United States forces to combat from Washington to New York—the migration of responsibility has gone from Washington to New York—over the period of the Somalia intervention, particularly since last March, when the United Nations assumed authority for an expanded nation-building role there. The Senate has been cut out of those decisions, but not any longer. Thus, U.N. Security Council Resolutions, No. 814 and No. 837 of March 26, 1993, and June 6, 1993, respectively, which obligated U.S. forces to support the U.N. policy of nation-building and to hunt down and engage in a series of murderous exchanges with one warlord, committed the United States without the approval of the American people and without so much as a tip of the hat from the Senate. In addition, the command and control arrangements in Somalia between United Nations forces, with 4,000 Americans, under a United Nations commander, and United States Quick Reaction Forces under United States command, became confused and inept.

This amendment, first, attempts to end any confusion about who commands American men and women in uniform in the context of the Somali operation—only an American commander can order our forces into combat, period, not a United Nations commander—that is all over once this amendment becomes law—or a third country commander flying a United Nations flag, regardless of whether he has a wheelbarrow full of Security Council resolutions. Nobody in America elected the United Nations Secretary General to be our Commander-in-Chief. It seems clear that the current United Nations Secretary General has manipulated the use of American combat forces to engage in a personal vendetta with a Somali warlord. That was not any policy that this body signed up to, and it has resulted in 29 dead and 170 wounded American soldiers, and 1 hostage, who has now been released. So, this amendment repudiates that practice.

Second, this amendment approves a self-defense mission for United States forces in Somalia, and only in the context of the limited function of safeguarding humanitarian shipments out of Mogadishu to needy recipients. This amendment does not approve—does not approve—an expanded military operation to take on Aideed or any other warlord, to disarm the fighting factions, or to engage in search and destroy missions which will end up burying more American dead. We certainly can and should be aggressive and proactive in defending our own fighting men and women, and if there are indications that we are being targeted, we do not have to wait for the arrival of incoming bullets. But, there is a wide difference between aggressive self-defense and engaging in an expanding urban guerrilla war in Mogadishu. The humanitarian mission has essentially been successful and ended last March, but I do understand that some 10 convoys of aid pass through the port and airfield each day, and the administration would like to try to get replacement contractors and third country forces—India, Egypt, Korea and others—to assume that role. While those replacements are sought, found, and put into place over the next couple of months, our forces need to have the security while living and operating in an urban environment where they have become targets. According to a recent report in Time magazine, the Somali people have a history of guerrilla warfare, and so this amendment does not include a mandate to engage in search and destroy missions in their home ground of Mogadishu. The security of our forces while replacements are found is an important mission for the short run—but, this does not mean that we will stay beyond next March 31, if no one else will assume that protective role. Our humanitarian mission was successful. It is over.

The Pentagon seems to think it needs substantial new forces, armor, 100 tanks and armored personnel carriers and nearly 6 more months in Somalia. The President's report—and here it is—this is the report that was sent to the Congress in response to an amendment which I offered to the Defense authorization bill in September. This is the report I hold it in my hand. It was supposed to have been here tomorrow, October 15.

Incidentally, today is October 14, the day on which the Battle of Hastings was fought in the year 1066, when William I of Normandy defeated and killed Harold Godwinson II, a pretty important day to us Anglo-Saxon Americans. Regrettably, there is too much talk in terms of hyphenated Americans, but it was a decisive battle.

That was a day when one of the 15 decisive battles of the world was fought—15 decisive battles, according to Sir Edward Creasy, an English historian. He listed 15 decisive battles of the world up until 1850; the Battle of Hastings was one of them.

The President's report indicates that some 3,000 additional U.S. Army combat personnel will be put on the ground in Modagishu. This is a number somewhat larger than the 1,700 troops announced by the President last week. In addition, we are introducing long-range artillery into the theater, something that members of the Appropriations Committee were informed had been earlier rejected by the Pentagon because of the inevitable extensive collateral damage that such weapons cause. These new infusions of additional troops and additional types of weapons do lead to some questions about the planning that is going on by the Pentagon. Why? The justification for this buildup and duration has not been overly persuasive. It appears to be overkill. The American people want us out of Somalia in short order, so it is an exercise in Orwellian doublespeak to say we have to get further in to get out. We want out, not in. How far in does the Pentagon want to go before it goes out? We are adding hundreds of more American targets in a hostile urban environment. Maybe that is somehow going to make our force more secure, but I am far more interested in seeing a drawdown, not a buildup. In is not out, and therefore, a definite time limit through a funding limitation will ensure that, despite this double-jointed logic, out is the direction in which America is going.

This amendment does not support a mission for our forces of nation-building. We are not giving everything that the United Nations wanted. We are only giving a little of what the President wanted in this report. That is an open-ended snake pit, a grandiose, beguiling swamp. Let no one assume that a cease-fire between warring factions is the beginning of a process of building a nation out of scratch in the Horn of Africa. That is not our affair. We have better things to do. We saw enough of that in Lebanon when we tried to help create a political solution among warring factions, and our troops stood by in a mission impossible, known as "presence," until they were finally run ignominiously out of town.

So, national reconciliation—a nice, high-sounding phrase—is off the table so far as this amendment is concerned. The missions are deliberately crafted narrowly, in this amendment. It is a carefully drawn amendment and the missions are deliberately crafted narrowly, and specifically omit the more general political missions that are outlined in the President's report.

We are all pleased that the American and Nigerian hostages were released today. But we have to be concerned that there may be more prisoners taken in the future. Mogadishu has been repeatedly characterized by administration officials as essentially a "lawless" city. We need to make it crystal clear that America will not leave its people behind, and, therefore, all efforts, diplomatic and military, should be made for the express purpose of securing the early safe release of any living Americans being detained before we depart Somalia. It should be clear to all the warring parties in Somalia that the hostage game is not one we want to play and not one that will bring the Somalis any advantage.

The original operation, begun last December by President Bush, was to last a month or two. We have now been there 10 months. This amendment limits the American mission to a humanitarian one, with appropriate protection of our forces. While we do not want to micromanage the tactical details that are the appropriate prerogative of the President, it is rather puzzling as to why the Pentagon has insisted that we stay another 6 months. I am gratified that the President is emphasizing that March 31 is the absolute end-date and that he will make every effort to terminate our involvement substantially earlier. I have been given very strong assurances by the President in a letter I received from him today that he will make every effort to withdraw our forces as soon as feasible in advance of that date. Surely, the amendment provides plenty of time, more than enough time, to complete the transition of the humanitarian mission to other nations, if other nations are willing to assume that responsibility. If they are unwilling to do so over the next few months, that should not affect our expeditious withdrawal.

The President has provided a report outlining American humanitarian and protective missions and roles which, in essence, this amendment endorses. It endorses some. It does not endorse all.

I commend the President for providing this report earlier than the outside date of October 15. He did that at my request. I thought it would be helpful in devising my amendment, and it was helpful. I used some of it as guidelines in the amendment, some of it I did not use. He was able to expedite the submission of the report in order for it to be timely for the debate on this important measure.

This is the appropriate bill on which to debate our policy in Somalia, because it highlights the importance of the power of the purse—the ultimate arrow in Congress' quiver—to effect the policy of the Nation in such weighty matters as wars and deployments of American forces. The Framers of the Constitution were well aware that the power of the purse was the key to the power of this institution, and we cannot guard the American people and it too closely.

It is the power that the Constitution grants exclusively to the Congress in Section 9 of Article 1 of the United States Constitution. Read it. It does not double speak. It is clear. It is plain.

It is the key to a healthy system of checks and balances.

The President has stated unequivocally in his report that the "U.S. will complete the transition of its military logistics support to U.N. civilian contractors and other nations' logistics units no later than March 31, 1994" and that "U.S. combat forces will also be withdrawn no later than that date."

Those are the words in the report.

The missions and roles endorsed by my amendment are limited missions and roles. The amendment does more than focus and narrow the missions endorsed for our forces in Somalia. It also provides an endpoint, March 31, unless extended by Congress—not by the United Nations, not by the executive branch, but by Congress—beyond which funds are no longer available for those missions and that American presence in Somalia. It is important to set such a date because we here in this body share the ultimate responsibility of sending the sons and daughters of those people who are watching through the TV camera to defend the Nation's honor, to protect our Nation's interests, and in many cases never to come back alive—a very sobering, solemn responsibility.

The duration of a mission, therefore, is a crucial responsibility of this body which I believe must be accepted and decided.

I said weeks ago, I said we are going to vote. We are going to have to take a stand. It is our responsibility. We owe it to the people of the United States, and if I have anything at all to do with it, this Senate is going to vote. And we are going to.

The President is entitled to a consensus, one way or another, on Somalia policy, and it is my hope that this amendment will help draw this body together in support of a basic policy thrust that is well written out in this amendment.

Mr. President, there is a large, bold-letter message here for the United Nations and for those in this city or any other city who think the credibility and future of America will increasingly be represented through the United Nations.

There is no substitute—none—for Congress taking the responsibility and for the administration taking the responsibility for any deployments or actions that this Nation undertakes. Never have we surrendered and never will we surrender that authority to the United Nations or any other body; never.

That is what the people expect of us. They do not expect us to shirk this most fundamental of our responsibilities, and we have been shirking it; not a peep being said around here; nothing. We continue to read that the United Nations was planning more and more exploits, and that we were planning to develop some new policy at the U.N. which was going to be called "assertive multilateralism." We did not buy onto that.

We are not elected to shirk this most fundamental of our responsibilities, the safety and the welfare of our people, and the judicious, careful, prudent, well-conceived use of our military forces.

This issue has forced all of us to stand up. Now we are taking a stand. We are debating it; something we should have been doing months ago; stand up to the constitutional responsibility we have to address the issue of American involvement in hostilities abroad.

This debate over the Somalia intervention is just what the Framers had in mind in constructing the checks and balances of our Constitution and we are today exercising those congressional powers.

The War Powers Act has never worked. It is unworkable. I have said that before. Senator NUNN, chairman of the Armed Services Committee, has said it before, and others have said it. But this is the Constitution at work. That is the way it ought to be done. Let the Constitution work.

This is so important because without the exercising of congressional powers, they will eventually wither and die on the vine. The end product should be a new consensus over our policy toward Somalia, there should be no doubt about it—through a sharing of responsibility between the two branches, exactly as the architects of our constitutional scheme envisioned two centuries ago.

I commend President Clinton highly for his recognition—his recognition—of the legitimate exercise of congressional authority over funding. It is as plain as the nose on your face. Read it. There it is. Section 9, Article I, of the Constitution.

So I commend him for recognizing the legitimate exercise of congressional authority over funding to effect policy—that is a recognition which is refreshing after more than a decade of chief executives who rejected, on the basis of their counsel, the exercising of our constitutional scheme, and rejected the congressional claim to the power over the purse. There are those who want to give that power over the purse to the President—any President, Democratic or Republican. Not me, not to any President. If it is going to be given to the President, let the American people do it through an amendment to the Constitution.

In turn, by providing the President the flexibility to put into effect the policy of this Nation toward Somalia, in the most practical way, we recognize his authority as Commander in Chief to effectively implement a policy of consensus—and that is what we are going to develop, a consensus in this body, one way or the other—that is in the best interests of the Nation, as approved by Congress.

Madam President, I reserve the remainder of my time.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER (Mr. ROBB). The Senator from Arizona is recognized.

Mr. MCCAIN. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 10 minutes.

Mr. MCCAIN. Mr. President, this amendment authorizes no further funds for United States operations in Somalia, except those funds needed to support a prompt and orderly withdrawal of our forces from that country in a manner most consistent with the safety of United States personnel. Let us make it perfectly clear: "In a manner most consistent with the safety of U.S. personnel."

Their withdrawal may take a month to accomplish, maybe 2. But it certainly will not take 6 months. There is no date certain in our amendment, but our amendment will not permit United States forces to do anything else in Somalia other than organize their withdrawal. This means no warlord hunting, no nation building, no law and order establishing, no other missions whatsoever that have not been authorized by Congress.

Mr. President, our mission in Somalia is over. It is time to come home. Our mission in Somalia was to feed 1 million starving Somali who needed to be fed. It was not an open-ended commitment. It was not a commission of nation building, not warlord hunting, or any of the other extraneous activities which we seem to have been engaged in.

I do not lightly impose on the foreign policy prerogatives of the President of the United States, but in this case I feel that Congress must. Is there a Member of this body who can tell me with any degree of confidence that the situation which ensues following the withdrawal of U.S. forces 6 months from now will be any less chaotic than the situation which may ensue following our withdrawal 1 or 2 or 3 months from now?

Will waiting until March 31 constitute anything more than 6 months of U.S. troops hunkering down in enclaves? Will Aideed or somebody else either lay low until we leave or start bringing Americans under mortar fire?

Mr. President, can anyone seriously argue that another 6 months of United States forces in harm's way means the difference between peace and prosperity in Somalia and war and starvation there? Is that very dim prospect worth one more American life? No, it is not.

If the President of the United States cannot say, "Here is what we are fighting for in Somalia, that more Americans may perish in service to the goals, and here is why it is worth that price," then, Mr. President, we have no right—no right—to ask Americans to risk their lives in any further misadventures in Somalia.

The loss of American lives in combat is always a tragedy no matter how worthy or necessary the cause, but when those lives are lost to a mission which does not serve the national security interest of the United States, which has no firm or clearly defined purpose, which has not been well planned or well explained to the American people, then the loss of those American lives is not only tragic, it is needless.

Sadly, these are the circumstances in which the United States finds itself today as it flounders about in Somalia in search of a reason to justify our presence there.

Mr. President, there will be people who take the floor tonight who will say that we did not utter a peep in the previous times, in the time of the tragedy that took place with the helicopter shot down and the tragic loss of American lives. I point out, Mr. President, that on August 2, I gave a speech to this body where I said:

> Mr. President, I am calling today for President Clinton to come to the Congress and the American people and explain what our goals and strategy in Bosnia and Somalia are.

I went on to say:

> I want to emphasize that Americans are not ready to watch people get massacred if they can prevent it. An open-ended military commission in the region, such as in Somalia, is something that the American people will not support.

I went on to say again, on August 7, basically the same thing. Mr. President, again, in September, on September 9.

There are some of us who saw this coming, Mr. President. It is very, very disheartening to note that we were right.

Mr. President, I want to talk about another circumstance, because there is a lot of talk about another Vietnam and another debacle in which the United States may find itself. I was a new Member of the other body in September of 1983 when a resolution was before the House of Representatives concerning approval of the United States' involvement in Lebanon. That resolution supporting the United States' sending of combat troops to Lebanon was overwhelmingly voted favorably by both Houses of Congress. At that time, I gave a very brief speech and I will quote from it again:

> I have listened carefully to the explanations offered for our involvement in Lebanon. I do not find them convincing. The fundamental question is: What is the United States' interest in Lebanon? It is said we are there to keep the peace. I ask, what peace? It is said we are there to aid the government. I ask, what government? It is said we are there to stabilize the region. I ask, how can U.S. presence stabilize the region?

I went on to say:

> What can we expect if we withdraw from Lebanon? The same as will happen if we stay. I acknowledge that the level of fighting will increase if we leave. I regretfully acknowledge that many innocent civilians will be hurt. But I firmly believe this will happen in any event. What about our allies and our worldwide prestige? We should consult with our allies and withdraw with them in concert, if possible—unilaterally, if necessary.
>
> I also recognize that our prestige may suffer in the short term, but I am more concerned with our long-term national interests. I believe the circumstances of our original involvement have changed, and I know of four American families who share this view. I am not calling for an immediate withdrawal of our forces. What I desire is as rapid a withdrawal as possible. I believe the longer we stay, the more difficult it will be to leave. I am prepared to accept the consequences of our withdrawal.

I am prepared to accept the consequences of our withdrawal from Somalia, Mr. President. I think it might be well for us to recognize in this body the kind of danger that our American fighting men and women are in. They are in enclaves in Mogadishu. They do not control the roads and highways around them. We are at the whim of the now general leader Aideed—who we used to call fugitive outlaw Aideed a short time ago, when we had $25,000 bounty on his head. Now we are negotiating with him; we are at his whim.

If they choose to launch mortar rounds in the enclaves that our troops are in in Mogadishu tonight they can do so. I do not like to place the lives of young American men and women in that kind of a situation.

Military people tell me that they can be out in 1 or 2 months, that the orderly, safe withdrawal can be carried out in 1 or 2 months. Let us say for argument's sake that it would be the beginning of December or even the end of December.

Mr. President, I think Senators should ask themselves the following question when they vote on this amendment and the Byrd amendment: If the worst case scenario ensues, that sometime between the time we could have withdrawn and the March 31 date young Americans are wounded or killed, whose responsibility is it? Whose responsibility?

In conclusion, I would like to remind our President of the criteria for U.S. participation in U.N. missions which he outlined at the United Nations. He said the criteria for U.S. participation in U.N. missions was: Is there a real threat to international peace? Does the mission have a clear objective? Can an end point be had? And how much does the mission cost?

The President identified the end point. He, however, is unable to answer the questions which seemed so important just weeks ago. The President should match political rhetoric with action. By his own criteria, it is time for our troops to come home from Somali; not 6 months from now, but now.

We need not withdraw our forces so hastily that the withdrawal compromises the security of our troops. We may need to deploy additional forces in the period preceding withdrawal to protect the present force. We do not need to keep Americans in harm's way for 6 additional months in service to a mission which no one can rationalize as important to our security, or even explain in terms that can be understood by the American people.

Our mission in Somalia is completed. We fed the starving there. We undertook a humanitarian mission in Somalia. We achieved an honorable success.

Originally we did not have a national security interest involved in our Somalia policy. However, due to the poorly conceived, poorly explained and poorly implemented U.N.-U.S. policy of recent months, we eventually acquired one. His name was WO Michael Durant. Thankfully, Warrant Officer Durant is again a free man. With his freedom and the last compelling purpose to remain in Somalia resolved, let us now commence an orderly withdrawal from Somalia before we acquire any new national interests during our further misadventures there.

Mr. WARNER. Mr. President, will the Senator yield for a question?

Mr. McCAIN. On the Senator's time I am glad to yield.

Mr. WARNER. I thank the Senator.

I ask the distinguished Senator from West Virginia for not to exceed 3 minutes for the purpose of a question.

Mr. BYRD. I yield 3 minutes to the Senator.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 3 minutes on time chargeable to the Senator from West Virginia.

Mr. WARNER. Mr. President, no one disputes the credentials of this distinguished American to address this difficult issue. It has been my privilege to be a friend and colleague of the Senator from Arizona for years, as well as his father's.

I ask the Senator this question because I was touched when he said the blood would be on our hands if his amendment were not adopted.

My question to the Senator is, if his amendment is adopted, and it is perceived in any of the hundred places in the world as a cut-and-run decision, less than a strong stance by America for its people, it will be a terrible problem. We have embassies, 120-plus, the world over, and many military facilities, and they are enclaves, basically, behind fences. The United States does not control the roads and the access routes. U.S. diplomats, soldiers, and civilian employees must move out of those embassies. They must go to their homes in distant places. We have soldiers, sailors, airmen, and marines stationed all over the world, many of them living on the local economy. And the Senator well knows there are dangerous spots in this world and there are individuals who would love to shoot down our Americans in the hopes that they would leave. If they see that America will cut and run if they shoot down Americans, it would be a terrible message for us to send, and would put Americans abroad at increased risk.

I ask my good friend, how does this amendment affect those serving courageously in both uniform and civilian roles throughout the world?

Mr. McCAIN. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator is recognized for up to 30 seconds?

Mr. McCAIN. Mr. President, my answer to the Senator from Virginia is; the same way it impacted our abilities to defend our citizens after we withdrew from Beirut, after we saw it became a debacle, not at all. We are the Nation that won the cold war. We are the Nation that won operation Desert Storm. We are the Nation that people know can retaliate. They also know, when we continue to pursue missions that have no goal, have no purpose, and have no strategy except, to get enmeshed in some open-ended commitment called nation building, preservation of law and order, if we keep that up we will be the laughing stock of other nations of the world.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. McCAIN. Mr. President, I yield 10 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for up to 10 minutes from the time chargeable to the Senator from Arizona.

Mr. GRAMM. Mr. President, I want to begin my remarks by taking up where this last exchange left us, because I think that there is a very good lesson of history that we can learn from Ronald Reagan. As a person who loves our former President, I often look to him for guidance, and I think in this particular case there is a perfect example.

Who here, who served in 1983, does not remember that terrible day when 241 marines were killed in a barracks in Beirut? It was a terrible tragedy, and all over the country people pointed the finger at Ronald Reagan.

Now, Ronald Reagan could have said, "We cannot cut and run." He could have said, "The prestige of the United States of America is on the line." He could have come up with a thousand and one justifications as to why we were there and why he needed another 6 months to find a really good excuse.

But thank God Ronald Reagan basically said that we made a mistake, and he withdrew from Lebanon. I submit that it took more courage and it took more leadership to withdraw from Lebanon in the face of that terrible disaster than it would have taken to have found a good excuse to ask for 6 months to stumble around to find a justification for what happened.

I think we ought to remember President Reagan's courage in this debate.

Mr. President, we have before us two proposed policies; the policy offered by Senator BYRD on behalf of much of the leadership of the Senate, and a policy offered by Senator McCAIN on behalf of several of our Members.

The policy offered by Senator BYRD basically says the Senate approves the use of United States Armed Forces in Somalia, and then it outlines two uses: United States military logistical support services to the United Nations forces and, two, United States combat forces in a security role and as an interim force protection supplement to U.N. units. And it sets a limit in terms of funding of March 31. Then it says that funds may be obligated beyond March 31, 1994, to support noncombat personnel to advise the U.N. command in Somalia.

In short, while Senator BYRD is absolutely right that he is using the power of the purse that the Founding Fathers gave to the Congress, not to the President, this amendment by Senator BYRD is an endorsement of the Clinton administration policy and a commitment to that policy.

The amendment offered by Senator McCAIN is as straightforward as an amendment can be. It says:

> No funds may be obligated for support of operations of United States Armed Forces in Somalia except to support the prompt and orderly withdrawal of all United States Armed Forces in Somalia in a manner most consistent with the safety of United States personnel.

One policy is a commitment to what the President has asked in terms of staying 6 more months. It sets a limit on the ability of the President to go beyond that, but it also allows Americans to stay in advisory roles. That is the Byrd amendment.

The McCain amendment says we should protect Americans while they are there and bring them home as soon as possible, consistent with a withdrawal that is undertaken in a way to make Americans as safe as they can be while they are there and during the withdrawal.

Mr. President, we went to Somalia on December 9 with a clearly defined objective under a timeframe that should have been more tightly defined. I urged President Bush to take the position that we would go in, establish order, open the lines of transportation for food, and bring the troops home before the President went home on January 20.

Clearly, the initial objective was humanitarian and it was broadly supported. We understand that and nobody disputes it.

But nobody disputes the fact that mission was over by June. I have not heard one Member of the Senate and I have not heard one member of the administration who has said that the initial purpose of going there—humanitarian relief—was not finished by June. But what happened in June and July and August and September and now in October? What happened is that by staying after the mission was done, we took up other missions.

Like a vacuum in nature, if you do not provide it leadership, somebody else does. And what happened in Somalia is the U.N. provided leadership when we seemed to have no program, no mandate, and no mission, and the United Nations basically pushed us into a new mission that was not part of our original objective. And we have all seen the cost of that mission.

So we are now down to a decision. The President says, "Give me 6 more months." But does the President say what he is going to do in 6 months? Basically, the President has assured us that, if we let him keep troops in Somalia for up to 6 more months, Americans will not be out in a combat role, but holed up in compounds. My question, and the question of the Senator from Arizona, is: If we are going to be holed up in these compounds, why are we there at all? Why not take our people out of danger by bringing them home?

Well, I think the answer is that there is no reason in the world that we should not bring our troops home.

The McCain amendment does not set a time limit. It simply says, bring the troops home as quickly as possible consistent with their safety. Is that not what the American people want? When your telephone rings off the wall, is that not what people are saying on the other end of the line? Is that not the message we are hearing from all over America? Does anybody believe there is a clearly defined objective that the President now has in Somalia? Are we not talking about 6 months to save face and to find a justification?

Well, let me tell you why I am not going to support that 6 months. Let me tell you why I want to be on record for the McCain amendment.

Yesterday morning, I visited with a young woman, Deanna Joyce, a woman about the age of my eldest son, who is a junior in college.

And I have to say, Mr. President, that she was poised. She wore her husband's dog tags and her husband's Purple Heart.

She came to see me to thank my office for some very small things we had done to help her, as every office in the Senate does to help people when something bad happens to them. Her husband, Sgt. Casey Joyce, had been killed in Somalia. He was buried as a hero at Arlington Cemetery on Friday.

I thought how ironic it was that she was thanking us when I should be thanking her—and America is thanking her—for the sacrifice she made.

But, basically, the decision I reached in talking to her was I cannot see what we are doing in Somalia or what we are going to achieve in the next 6 months. I cannot see how it can justify more of the kind of sacrifice that young lady has made. It seems to me that is the real question.

Most of us here are not like the distinguished Senator from Arizona, or our distinguished colleague presiding in the chair, or the distinguished Republican leader. Most of us have never been in combat, have never really been at any risk in our lives.

But when we set a policy, we put people at risk. I supported American policy in Panama and Grenada. I supported our policy in Desert Storm. And in responding to that policy, I saw sacrifice, but it was sacrifice that I could justify.

I ask the Senator for 2 additional minutes.

Mr. McCAIN. I yield 2 additional minutes to the Senator.

The PRESIDING OFFICER. The Senator is recognized for 2 additional minutes.

Mr. GRAMM. Mr. President, the relevant question here is this: can we justify more funerals of young Americans over the next 6 months based on a policy that none of us can define, a policy that the President and the administration and all of his advisers cannot describe? Is it worth one more American funeral to be in Somalia for 6 more months?

I say no. That is why I am for the McCain amendment.

We have a very simple choice. Is it worth risking more precious American lives to stay for 6 more months in Somalia, stumbling around, looking for a mission? And I think the answer to that question is as clear as any answer has been to any question in the years that I have served in the U.S. Congress. The answer is clearly "no."

The McCain amendment is a simple policy. It says we did what we went there to do. We did it proudly. And then we made a mistake. We stayed and got into ill-defined missions to which we were not committed.

The President said today in a statement that it was a mistake letting the United Nations dictate a mission to us; that our policy has been wrong.

But the paradox is that the President clearly did not learn anything from the mistake, because now he is asking us to give him 6 more months to stay in Somalia with no clearly defined mission.

The amendment of the distinguished Senator from Arizona says we did our job; we did it proudly. We helped feed a hungry people. They are not hungry anymore.

We did the job. We did it well. Now it is time to come home.

The amendment of Senator McCAIN gives us that opportunity. I urge my colleagues to simply look at the choice and to decide that enough is enough. It is time to bring our people home.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. WARNER. Mr. President, I ask the distinguished Senator from West Virginia to yield me less than 3 minutes.

Mr. BYRD. I yield the Senator 3 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 3 minutes with the time chargeable to the Senator from West Virginia.

Mr. WARNER. Mr. President, I would like to pose a question to my distinguished colleague from Texas. The future security arrangements of our Nation are highly dependent on the ability of our Nation to form coalitions with other nations to go in and perform the missions as determined by the President of the United States, and in this instance two Presidents—President Bush and President Clinton. These coalitions are the future for the security arrangements in many, many instances. We must be a stable, reliable partner now if we expect other, nations to join us in the future.

What is the impact of the McCain amendment on the credibility of a future President when he encourages other nations to join in a new mission? In my judgment, you seriously damage the credibility of this country in its ability to form future coalitions if we were to adopt the McCain amendment.

Mr. GRAMM. Will the Senator give me 1 minute?

Mr. McCAIN. I yield a minute to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 minute on the time of the Senator from Arizona.

Mr. McCAIN. If there are further questions, because there are many people who wish to speak, I hope they will get time from the Senator from West Virginia for the answers as well.

Mr. BYRD. Mr. President, I am not going to give——

Mr. McCAIN. You do not have to, Mr. Chairman, but then I will ask he not ask questions.

Mr. BYRD. Very well.

Mr. GRAMM. Let me respond by saying that we carry out foreign policy, we protect American freedom, and we promote our international goals with the sacrifice of precious American life. And if we abuse that right, we undercut the support of our own people for our own policy. It can never be prudent to throw away American lives and undercut the support of the foundation of American democracy and American reliability, which is the support of our own people. It can never be prudent to squander that capital.

That is why great Presidents do not commit American lives unless our clear interest is at stake. There was a mistake made here, and I am willing to say some of the mistake was in the Bush administration. But clearly the big mistake was in not declaring victory and coming home in June.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. BYRD. Mr. President, I yield 6 minutes to the distinguished Senator from Rhode Island [Mr. PELL].

The PRESIDING OFFICER. The Senator from Rhode Island [Mr. PELL], is recognized for 6 minutes on time chargeable to the Senator from West Virginia.

Mr. PELL. Mr. President, I thank the principal originator of the amendment, Senator BYRD.

I rise in support of Senator BYRD's amendment on Somalia which I am cosponsoring. This amendment largely reflects President Clinton's policy on Somalia recently elaborated in the President's "Report to the Congress on U.S. Policy in Somalia," received by the Senate yesterday.

This amendment, like the President's plan, makes the right choice regarding Somalia. The short-term increase in our troop strength will enable us to bring our combat forces home by March 31, 1994, by demonstrating America's firm resolve to protect our troops who are assisting the United Nations' humanitarian activities.

At the same time, I must oppose Senator McCAIN's amendment. By withdrawing our troops precipitously and abandoning out humanitarian mission, we risk endangering our allies and all that we have achieved to date in Somalia.

Senator BYRD's amendment incorporates the President's well considered timetable for ending our involvement in Somalia. By withdrawing our forces by March 31, 1994, the United Nations will have had sufficient time to assess its mission, secure alternative logistic services and to adjust the U.N. command to operate without U.S. combat support. I agree with the President's statement this morning that, "we have to maintain our commitment to finishing the job we started. It is not our job to rebuild Somalia as a society or its political structure. The Somalis have to do that for themselves—but we have to give them enough time to have a chance to do that, to have a chance not to see the situation revert to the way it was before the United States and the United Nations intervened to prevent the tragedy late last year."

I have long advocated a refocusing of our mission in Somalia. I believe the administration's announced shift from targeting Aideed to pressing a political solution will allow us to complete our job in Somalia. I am pleased that the President has modified the U.S. mission to one of protecting our troops and our bases, securing the roads and the port area; keeping the flow of food, people, and supplies moving; and holding fast against those who cut off relief supplies and attack peacekeeping forces.

We have already seen some significant gains in Somalia from this redirection of our operations. U.S. Army Ranger Michael Durant and a Nigerian trooper were unconditionally released today by General Aideed. Last Saturday, Aideed declared a unilateral cease-fire that continues to hold in Mogadishu. I am encouraged by these developments. I believe that they have opened the door to a negotiated settlement.

With the return of Ambassador Oakley to Somalia as the President's Special Envoy, we are working with the Presidents of Ethiopia and Eritrea, as well as leaders of other regional African nations to work out a political process that they would manage. In addition, we will be aiding the United Nations in deploying additional forces from other nations to replace American troops in Somalia.

In conclusion, Senator BYRD's amendment is the most responsible response to concerns about the nature and extent of our commitment in Somalia. It defines the limits of the mission, the timetable for its completion, and provides an appropriate interval for the United Nations to find replacements for U.S. combat forces. I urge my colleagues to support Senator BYRD's amendment and to vote to table Senator McCAIN's amendment.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. How much time does the distinguished Senator wish?

Mr. BOREN. May I have 7 minutes?

Mr. BYRD. I yield 7 minutes to the distinguished Senator from Oklahoma [Mr. BOREN].

The PRESIDING OFFICER. Senator BOREN is recognized for up to 7 minutes on time chargeable to the Senator from West Virginia [Mr. BYRD].

Mr. BOREN. Mr. President, I thank the Chair and my distinguished colleague from West Virginia.

First, I want to commend him and those of the leadership and others who have worked with him to craft this amendment. It has been put together in a very responsible way. Time has been given for additional consideration of views so we could reach a consensus as broad as possible in the Senate, and try to speak clearly on this particular issue. I commend the Senator from West Virginia for taking the time and having the patience to try to form that kind of consensus.

I commend him also for his sensitivity, which I have heard him express not only in public but in private, of the need to carefully consider each and every situation and every possible scenario and outcome whenever we have under consideration the sending of young Americans in harm's way, particularly when we were considering whether or not to commit the Armed Forces of this country into a situation where casualties and deaths might result.

I have heard him speak passionately in private, around the Cabinet Room in the White House, not only during the course of this administration but previous administrations. He has always been a thoughtful voice, making sure that we think very, very carefully about our responsibility for the risk of American lives.

Let me say I am concerned about the current situation. While I support the Byrd amendment, I want to also make clear I think we have to be very careful we do not draw the wrong lessons from what has happened in Somalia and we do not overreact with emotion.

I am glad this amendment as now phrased would allow by Presidential request for the extension of the deadline if necessary. I am very concerned about us setting a date certain because I worry that other nations and all parties involved, once they know the United States has a plan of action with a definite timetable, will themselves begin reacting in accordance with it. We may see a move by other nations to begin withdrawing their troops before we have a chance to withdraw our troops. We may see the multinational action begin to fall apart because of a knowledge, with some certainty, as to what we are going to do.

So I suppose, if I had any preference, I certainly have a preference tonight for the Byrd amendment as opposed to the McCain amendment. My preference would be for us to not legislate at all. I believe it is best and wisest for this country to be able to have the kind of conversations and consultations and real conversations—not formal ones or those that are in form only, not in substance—between the executive branch and the legislative branch so that when it comes to speaking in public, we can speak with one voice for this country and that is the voice of the Commander in Chief.

We cannot have 535 Commanders in Chief. We cannot write laws that will take into account every possible situation that might arise because no one—no one—is able to predict the future in every possible scenario that might take place. Therefore, I believe that we have to leave certain discretion in the hands of the President of the United States, the Commander in Chief.

It is appropriate that we have had this debate. And this debate has certainly, I think, focused the attention of the Nation and of the administration clearly on the problem at hand in Somalia. But I hope that we will think long and hard before we further proceed down the slippery slope of micromanagement of foreign policy, which is best left in the hands of the President as long as we can do so, as long as he will listen to the voices in Congress, as long as he will hear the concerns, as long as he will react to them—then I believe we are best served by allowing the President the greatest possible flexibility in dealing with these situations.

What are the lessons that we should have learned from what happened in Somalia?

Senator PELL and Senator LEVIN and I were, I believe, the first Members of the United States Congress to visit Mogadishu after the landing of the Marines. We were there some 4 days after the landings. The Marines were still sleeping on the ground. They were not yet in buildings. But the situation had already been secured. The shooting had stopped, and we were already well underway toward a process of some of the arms being laid down so that the emergency food supplies could be delivered.

Why? Because we had a clear sense of mission; we understood our purpose. Ambassador Oakley, General Johnston, the Marine commander, and others, understood exactly what they were to do, and they did it well. They understood that they were there to provide humanitarian relief. They were there not to take sides in a civil war nor to support one faction over another nor to engage in hostilities on behalf of one group or another. Ambassador Oakley was very careful never to meet with one of the leaders of warring factions alone, but always to meet with them together so that they would all know we were being evenhanded, and they were receiving the same message from all of us.

Unfortunately, after Ambassador Oakley retired from that post, and after General Johnston left, others, and then under United Nations leadership, began to follow a very different path. We began to veer away from our mission. It is very clear that policymakers in Washington were not carefully enough monitoring the situation, and they allowed our military forces to be used in behalf of a mission that was not our original mission or purpose, and that mistakenly involved us into choosing sides and involved us in getting involved in activity on behalf of one side in what was basically a civil war in that country among more than just two factions.

That was the mistake. The lesson we should learn from that is if we are going to participate in multilateral actions, we cannot afford to say now that other nations are involved, we no longer have a responsibility ourselves to make sure that the policy is right, that we are doing the mission, and that the lives of our own military personnel are secure. That is where the mistake was made.

If we are going to be involved in multilateral actions, we ought to make sure that it stays on course, that it stays true to its mission, and that while others may be helping in the carrying out of that mission—troops from other nations, leaders of the United Nations, and others—that we still have the prime responsibility for the safety of our own troops and the use of our own resources to follow the mission that we have agreed to participate in.

That is the lesson we should draw from it. We should not draw the lesson, however, that we should never participate in multilateral actions. That would be a serious mistake. We see so many situations in the world in which the American people—and let us remember when we saw the scenes of the starving children in Somalia, the American people were saying: "Something must be done." Now, if we are only left with two options—doing nothing in a situation like that; or doing it all by ourselves, with the United States being policemen for the world, risking only American lives and spending only American taxpayers' dollars—what a terrible choice we are given. Very often because of the fact that neither of those choices is acceptable, we are frozen into inaction.

We cannot go it alone, and at the same time we simply cannot afford to allow that sort of suffering to continue.

I ask the distinguished chairman if he might grant me 2 minutes to conclude?

Mr. BYRD. Would you do with 1? I am already oversubscribed 43 minutes.

Mr. BOREN. I am glad to do it.

So I think it would be a mistake, Mr. President, for us to leave this situation or this debate with the conclusion that we should reject multilateralism and be left only with the choices of the United States doing it alone or the United States doing nothing in this situation.

We should also learn that we will be in a stronger position if we adopt the proposal of U.N. troops training together and working together so they understand common military doctrine; they can work together and already have a working relationship if these situations should come again.

So let us draw the right lessons; let us learn from the mistakes we made; let us hold to a constant course of action. But let us not micromanage foreign policy and military policy nor tie the hands of the President nor reject out of hand any multilateralism in the future.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. BYRD. Does the Senator from Illinois wish to proceed?

Ms. MOSELEY-BRAUN. Yes, I do, for 7 minutes.

Mr. BYRD. I yield 7 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for up to 7 minutes, the time chargeable to the Senator from West Virginia.

Ms. MOSELEY-BRAUN. Mr. President, I am here to speak in favor of the Byrd amendment to define the circumstances of the withdrawal of our troops from Somalia.

We are in a period of redefining our foreign policy. Our goals used to be simple and straightforward: To contain communism and minimize the nuclear threat from the Soviet Union. Today, we face the challenge of redefining our military and strategic objectives precisely because that war was won. We have gone from looking at the world through a bipolar lens—one which was bad for the Soviet Union and its allies and was good for the United States and our allies—to looking at the world through a kaleidoscope—with ambiguity and shades of gray.

I believe, and the President has stated, that American foreign policy should follow our values. I supported the humanitarian mission in Somalia because I believed that mission, securing the flow of humanitarian assistance to halt mass starvation, followed the very best American values.

In this new world of instability, there are long-term objectives important to our foreign policy and which must be measured when the United States considers its national interests. We must maintain a healthy U.S. economy. We must maintain the security of our Nation and our allies. We must maintain the highest standards for the protection of human rights. And we must encourage democracy.

In short, we must ask ourselves which international crises require U.S. attention, and when we will commit American resources. During the cold war, there were some very tough decisions to make. We sometimes went to the brink, and decisionmaking was full of high tension. Ironically, in the post-cold war world, we find we have to make decisions that are even more complex, because they are ambiguous and because it is sometimes harder to discern the right and proper course.

I believe, Mr. President, that a partnership with the United Nations is an important element of how we should respond to this new, diverse agenda. With Operation Restore Hope, the efforts of the United Nations to protect human rights and to support and preserve democracy were consistent with our national interests. As such, Operation Restore Hope was not only a noble undertaking, it was also in keeping with our specific national interests. Again, in this world of instability, cooperation and coalition with the rest of the world is appropriate and called for.

Mr. President, the Somalian conflict is an age-old civil war. What distinguishes it from other civil wars, and what made the American people support the United States mission there, was that the military leaders on all sides of that conflict were withholding food as a military tactic, and that is unacceptable and beyond bounds. There are over 300,000 people dead. Children have been hurt the most, and this is a real tragedy because it is the future of Somalia that paid the highest price.

The United States went to Somalia to stop these casualties, and it was the right thing to do. Humanitarian aid is the right thing to do. In Somalia, we had an interest in seeing the starvation cease. We had an interest in sending a very clear signal that using civilian casualties as a mechanism of fighting a war was unacceptable. The problem arose in recognizing when that humanitarian mission had been achieved.

The Somalian conflict is probably typical of future conflicts in this post-cold war world. The United Nations will be called on time and time again to keep peace between combatants in civil wars. That is the scenario in Somalia; it is the scenario in Bosnia. This is a new and different role for the United Nations, and it will create demands on member nations that require us to think differently about our national interests when we address these conflicts.

I believe that we should support the United Nations intervention when our core values are at stake, which touch on our long-term strategic interests.

I support Senator BYRD's amendment and applaud his leadership for two essential reasons: First, because the mission in Somalia changed without explicit recognition of that change. There was no control mechanism or planning in place so that a specific decision could be made which acknowledged and supported the change from a humanitarian mission. Second, because when the U.S. military takes on a new mission with the potential for violence and the loss of life, Congress must be involved. Our Nation's founders expected Congress, as the people's representatives, to play a critical role in deciding when our forces would be put in hostilities abroad.

The Byrd amendment, and his leadership here, is consistent, I believe, with our responsibility to protect the Constitution and the role of this body.

For any tyrant to take heart from our action here would show, in my opinion, a singular misunderstanding of the structure of our constitutional form of government. We must be vigilant in the protection of our Constitution and of our obligation to the men and women who serve in our Armed Forces. But no one should take heart from this action other than to recognize that Senator BYRD and those who support this amendment are doing so, I believe, in the finest tradition of the balance of powers in this constitutional government. We are exercising our responsibilities under the Constitution not to allow our soldiers to be put in harm's way without debate, and subsequently congressional approval, of a clearly stated mission.

I want at this time to offer my personal condolences to the families of the American soldiers who have died there. Their sons have paid the ultimate price for our country, and I am sure we all recognize that. But they were part of an important and noble mission that is unique in history, and they saved hundreds of thousands of lives. We have done a wonderful thing for the Somali people, and I think all Americans can and should take pride in that. But the Byrd amendment says our troops must leave Somalia unless the Congress approves an extension. I believe this is an eminently reasonable course, and I urge my colleagues to support it.

I thank the Chair.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. McCAIN. Mr. President, I yield 10 minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey [Mr. BRADLEY] is recognized for up to 10 minutes on the time chargeable to the Senator from Arizona.

Mr. BRADLEY. Mr. President, I rise in support of the amendment offered by the distinguished Senator from Arizona. Before speaking on the amendment, I would like to add my voice to those who are welcoming the release of the captives held by General Aideed, especially Michael Durant, but also the Nigerian U.N. soldier, and my condolences to the families of those who died in Somalia, in particular the two New Jersey soldiers who lost their lives in service to their country.

Mr. President, I have opposed the continued presence of American troops in Somalia absent a clear and compelling framework for their involvement. The question is not one of cutting and running in response to casualties or even cutting and running in slow motion as the March 31 date could imply. The question is one of principle and common sense. In the post-cold-war world, we must only commit our troops and resources in support of achievable and well-understood goals.

Last week, after the loss of American troops, people called for the resignation of Secretary Aspin. When they asked me, I said, no, I do not think he should resign. The problem was not a failure of execution of policy. It was, rather, a failure in the formulation of policy. A series of ad hoc decisions, divorced from any overall strategy, led our troops into an ill-defined, poorly planned, and open-ended mission. First, there was humanitarian relief, then peace enforcement, which developed into nation building. That in turn evolved into a bloody power struggle for control of Mogadishu. We have in this ad hoc way been brought to a stark choice: either we pour in tens of thousands of troops necessary to root out recalcitrant warlords and impose a political structure on Somalia or we withdraw as quickly as possible.

Those are the two choices. The first option, deeper commitment, is a nonstarter. We do not have vital national interests in Somalia, either strategic interests or economic interests, that would justify the expense of that first option in lives or resources, nor, I might say, do we have the public support for such a step. That leaves only the second option, to bring our troops home as soon as possible consistent with an orderly departure.

Unfortunately, Mr. President, the administration has chosen neither of these realistic options—neither increasing military force and seeking to pacify nor leaving as soon as possible.

Instead, it has opted for a middle course. The administration plan keeps American troops on the ground and at risk but provides far too little force to pacify Mogadishu door by door, block by block. Indeed, Secretary Christopher has said that "to carry out a military solution to this problem would require people, time, and money beyond all reasonable expectations."

Mr. President, many Somali-Americans that I have talked to want Americans to remain in Mogadishu not for 6 months but until the job is done. Beyond the humanitarian mission, they want us to be there for one purpose, to root out General Aideed. They argue that only that will establish the situation for the long run, but clearly such an effort under U.S. leadership will cost many more U.S. lives and as of tonight I know of no one who advocates that position.

At the same time, I believe the administration plan leaves too little time for political efforts to bear fruit. Even the President, when he announced his policy, acknowledged that it had only a "reasonable chance" of success. Given the history of Somalia, and the failed efforts of the past 10 months, I am not convinced that 6 more months will make any difference in establishing a political structure or even sufficient space for Somalis themselves to come to an agreement.

Mr. President, whether we leave on March 31 or January 1 or February 1, I doubt Somalia will be any different 9 months after we leave. Let me repeat that. Whether we leave on March 31 or January 1 or February 1, I doubt Somalia will be any different 9 months after we leave.

The amendment of the Senator from Arizona accepts the reality of the situation and provides for a "prompt and orderly" departure from Somalia. Frankly, I would have preferred specifying an early date certain for cutoff of funds. However, Senator MCCAIN has clarified in his remarks that "prompt and orderly" means much less than 6 months requested by the administration. "Prompt and orderly" means as soon as possible. And on this basis I support the amendment.

Some argue that prompt withdrawal would damage America's credibility. I believe the opposite is true. Recent history has taught us that America's credibility is based on an ability to define and pursue genuine national interests and not by stamina or hunkering down.

Just think of Beirut. Our credibility was damaged while our men were pinned down at the Beirut airport on another vague, open-ended humanitarian mission. Our credibility recovered after we had the wisdom to withdraw.

Mr. President, to argue that to leave makes Americans into targets worldwide, I believe, is faulty logic. Does anyone believe that by leaving January 1 instead of April 1 terrorists on the West Bank or in Turkey or the Basque country will be encouraged? I find that assertion stretches the imagination.

Only a well-planned and well-executed antiterrorist policy will deter terrorists.

If sustaining casualties means we have to stay no matter how confused and poorly planned a mission, then we can never leave a place as long as we are sustaining casualties. If we hesitate to leave because at some point somewhere, someone might read our leaving as weakness, then our foreign policy has lost any flexibility and we could be pinned down at place after place after place around the world.

What a narrow, reactive view of the world and our role. What a very cold war style view. We do not decide. They decide, and we react.

Mr. President, some argue that our departure would damage the United Nations. It is true that the experience surrounding Somalia has wounded the United Nations. The U.N.'s ability to mount and sustain a peace enforcement mission has been called into question clearly, but the source of the United Nations difficulty lies in its ill-defined, poorly planned and open-ended mission that it took upon itself. The United Nations difficulty lies in trying to perform a peace-enforcement mission with the resources and skills appropriate to a peacekeeping mission.

The United Nations is an important pillar of the post-cold-war international order. No question about that. It has proved its value in peacekeeping. But the tools necessary for peace enforcement conducted in a hostile environment are very different. We realize that now. The United Nations must learn from its mistake as well. We and the United Nations will need to apply these lessons as we view the situations around the world that pop up, whether it is in Haiti or if we are asked to negotiate a negotiated settlement in the former Yugoslavia. Learn the lesson of Somalia.

Mr. President, we are not debating here tonight a choice between solving Somalia and abandoning Somalia. We are debating America's interests. It is in America's interest to withdraw our forces as soon as possible. If we began our withdrawal today, it could be done in an orderly fashion in 2½ months, January 1.

So a March 31 deadline would mean that we stay 3 months longer than necessary. It is not in America's interest to extend our exposure on the ground at an unacceptable cost in blood, treasure, and credibility.

So I say let us support America's interests, cut off the funding, and bring our soldiers home.

Mr. STEVENS. Mr. President, may I ask my friend, Senator BYRD, for time?

Mr. BYRD. How much time does the Senator need?

Mr. STEVENS. Not more than 5 minutes. I do not think I will use that much.

Mr. BYRD. I yield 5 minutes to the Senator.

The PRESIDING OFFICER. The Senator from Alaska [Mr. STEVENS] is recognized for 5 minutes.

Mr. STEVENS. I thank the Chair.

Mr. President, I want to thank the distinguished chairman of the Appropriations Committee, the Senator for West Virginia, for courtesies to this Senator during the preparation of his amendment to the Defense appropriations bill.

The President pro tempore has given the views of this Senator much consideration, and I appreciate the modifications he made to his amendment.

I have asked to be a cosponsor for this amendment, because I believe Senator BYRD has tried to strike an appropriate balance between the need to protect our military personnel in Somalia, and to ensure the United Nations has sufficient time to prepare for the departure of United States forces.

The release of WO Michael Durrant lifts a serious burden from the military and the President in formulating our withdrawal schedule from Somalia.

Mr. President, early this week I joined four other Senators in a 2 hour classified discussion with Gen. Joseph

Hoar, commander in chief of the Central Command.

General Hoar is charged with direct responsibility for the United States military forces now deployed to Somalia.

I want to begin my remarks by thanking General Hoar for his candor and frankness in our meeting.

Many of the issues raised by the Members at this session were complex and charged with emotion—General Hoar handled all matters with directness and thoughtfulness.

Regardless of one's views on our mission in Somalia, this debate should make clear that the Senate has the utmost respect for, and confidence in, General Hoar's conduct of military operations in and around Somalia.

I cannot but believe that if his counsel had been heeded throughout this operation, many of the concerns expressed by Senators today might not have emerged.

Today's debate must not leave any doubt in the minds of the men and women of the military of the support and pride felt by Members of the Senate for their performance in Somalia.

Our efforts today serve to establish the framework for the continued United States role to end the starvation and other crises that have afflicted Somalia.

As this amendment makes clear, the United States mission to Somalia, as supported by the Senate earlier this year, was a success in ending the mass hunger and instability that existed in Somalia through December 1992.

This mission became more complicated as the priorities of the United Nations shifted from immediate humanitarian assistance to broader nation-building goals.

These new parameters entangled United States military forces in a situation far different from that assumed when forces were deployed by President Bush to Somalia in December.

I commend President Clinton for his statements last week that refocus our immediate Somalia policy toward humanitarian assistance priorities.

The adoption by the Congress of the Byrd amendment will not conflict with the principals outlined by the President.

This amendment mandates that the Congress take formal action to support the continued presence of United States military forces in Somalia past March 31, 1994.

This Senator helped lead the fight to authorize the use of military force in the Persian Gulf 2 years ago.

I am not reluctant to vote for U.S. military actions, if such policies are consistent with our national interests, and there is public support for such engagements.

At this time, I believe the United States interests in Somalia have been fulfilled by the cessation of the famine crisis, and the pacification of most of Somalia outside Mogadishu.

The issue today is the orderly transfer of these responsibilities from U.S. military forces to a U.N. authority.

It is my judgment that transfers could take place under either Senator BYRD'S amendment or Senator MCCAIN'S amendment. I do not support tabling Senator MCCAIN'S amendment. There are adequate protections for our military forces and for the protection of those engaged in our humanitarian efforts in Somalia—so I will vote against tabling the McCain amendment.

I believe it is reasonable, if not essential, that the United States be prepared to step forward, and take on the tough assignments, on behalf of the international community.

This Nation has accepted that burden in the past, and I am proud of the job done by our military forces in Korea, the Sinai, in Panama, in Desert Storm, and in Somalia.

United States commitments in these matters cannot be unlimited though, and subject to the agendas of institutions not accountable to the American people, whose sons and daughters must undertake those missions.

The stark spending reductions for the Department of Defense proposed by the administration further limit our ability to sustain prolonged overseas deployments, absent support from our allies.

The Senate provided $444.7 million for U.N. peacekeeping operations in the recently passed Commerce-Justice-State Appropriations bill.

If the United States is going to provide such sums to the United Nations, there must be some capacity for the United Nations to assume these responsibilities once the military situation is stabilized by American forces.

If either amendment is adopted, I believe we will have provided the Secretary General ample time to assemble forces from other U.N. members to replace the American contingent.

The willingness of other states, particularly in Africa, to take the lead with the United Nations on working for future settlements in Somalia will be a test of the United Nations process.

For the United States to engage in future U.N. peacemaking and peacekeeping operations, this transition in Somalia must be a success—without a prolonged United States presence.

The Constitution places clear responsibility on the Congress to declare war, and provide funds for the military.

It equally charges the President with responsibilities as Commander in Chief and for foreign relations.

The amendment proposed by the chairman of the Appropriations Committee does not cross that line between congressional interferences and responsibility for foreign military activities.

This Senator would support a request to extend United States forces in Somalia, if the military commanders believe there is a necessary function to protect American personnel, or if any Americans are detained or held hostage by elements in Somalia.

But that is an issue for the Senate to consider in the future, based on the success of Ambassador Oakley in brokering a peaceful transition in Somalia.

I know each of us is heartened by Ambassador Oakley's willingness to return to Somalia, to continue his work.

Mr. President, I want to talk about the role of the Senate. Last evening I asked for and took home the Congressional RECORD for September 8 and 9 because yesterday I was bothered by the fact that we had an opportunity to prevent the deaths that occurred in Mogadishu.

This issue was raised, and was raised quite pointedly for us by Senator BYRD on September 8. I remember listening to his argument then, and saying to the Senator he was right on and we should stay together.

He pointed out to us then, and I quote from his statement:

> The U.N. sand castle is crumbling fast in Mogadishu. We have been focusing our efforts on chasing down one of the worst of the gang leaders, Aideed, in the hope that if he is removed from the scene, then peace will come to Mogadishu. That is a fond hope, Mr. President, but I fear an unrealistic one. Can we really think that removing just one man will transform the political landscape, and at that point we can think of drawing down the operation? Will not others, Aideed's present lieutenants or other clan leaders, step into his place?

The Senator from West Virginia went on to make a case.

By September 8 or 9, we had not really listened, but a group got together and decided that the Senator's amendment, his original amendment, which said that within 30 days from the date of the act—that was the authorization bill for defense—no funds would be able to be obligated to support operations of the Armed Forces in Somalia unless it was authorized by law by that time.

The Senate urged Senator BYRD to change that. What we ended up with was a report that would come out on October 15.

Last night that bothered me, as I said. I went back and read the statements that he made. It is an interesting thing because Senator BYRD pointed out at that time he was not a Johnny-come-lately. He reminded us that in 1983, before the Beirut incident, he had offered an amendment to limit that deployment. It was tabled, and in its place was an extended 18-month period. As a matter of fact, within 24 days after Senator BYRD's amendment was tabled, we had the problem in Lebanon with a great many young men losing their lives.

I found it interesting that Senator MCCAIN was the other Senator involved there. Strangely enough, a new Congressman in 1983 had the same motivation. He came forward and offered an amendment in the House on Lebanon. It too was defeated over there. He raised the question in 1983. He joined Senator BYRD on September 9 and 8, as a matter of fact. But on September 9, Senator McCAIN supporting Senator BYRD said this:

> Mr. President, a date certain is necessary for many reasons. We should not commit U.S. forces to any military mission in the post-cold war era without a national consensus, and this can only come from congressional review of such a commitment.
>
> Second, we must be extraordinarily careful in submitting U.S. forces to U.N. command, or any foreign command, especially when the objective of the United Nations may not be our objective and the U. N. command may have uncertain organizational effectiveness.
>
> Third, I think we all realize that we have drifted from the use of force to secure humanitarian relief to an open-ended effort at peace enforcement and nation building.

You know, last night when I read that, I said why did we not listen, Mr. President? If there is anything I hope the Senate is listening to now, it is the fact that when these issues come up we ought to take time to debate them and understand them and resolve them; resolve the role of the Senate, the role of the Congress before these tragedies occur.

I think it is unfortunate that we end up in this situation because of the parliamentary maneuvering. My prepared statement touches on that a little bit. But here we have two men who have been foresighted in dealing with the power of Congress with regard to foreign deployments, particularly in a post-cold war period. We end up by supporting one or the other.

My point, Mr. President, is that these two Senators have brought to us an issue that requires—requires—the Senate to think and to slow down a little bit. We spent all day yesterday waiting for revision of the amendment, and today we are going to finish this in 4 hours. To me that is wrong.

It is wrong because we need to take time in the Senate once again to be a debating group, to think out loud, and to have the American public know that we are willing to take action when we have the power to take it.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. With the authority of the Senator from Arizona, I yield 4 minutes to the distinguished Senator from Montana, [Mr. BURNS].

The PRESIDING OFFICER (Mr. ROCKEFELLER). The Senator from Montana.

Mr. BURNS. I thank my friend from the State of Washington.

Mr. President, I rise today to support the amendment by the distinguished Senator from Arizona and to speak regarding the President's decision to send more troops to Somalia and to commit troops until March 1994, without a clear mandate from the American people or the United States Congress.

Let me say up front that I supported the decision to stop the starvation in Somalia with Operation Restore Hope. The situation was so bad at that point that only the United States could put together a relief effort with the amount of force necessary in the limited amount of time available. Americans are known for their compassion, and I am proud that we chose to save the women and children, maybe a million total people, when we had the chance.

But when the United Nations took over the operation, the danger level rose substantially, and I became much more concerned, as many Americans did. It turned out that we were right. On October 4, during a 15-hour battle 13 soldiers were lost and 78 wounded. The bodies of American servicemen were dragged through the streets of Mogadishu. It is pretty clear now that this is no longer a humanitarian mission.

This operation has broken down into a long string of mistakes. First, many of our troops are under the command of the United Nations. We have to get out from underneath the command of the United Nations—that was obvious when it took 7 hours for a rescue effort on our downed choppers. That is why I am also cosponsoring my friend Senator NICKLES' amendment to restrict the funding of combat troops under U.N. command.

Now, the President wants to send 4,000 more troops to Somalia. Compared to the more than 20,000 troops we came in with, this is nothing. I disagree with the decision not to pull out at this point, but if you do go in, do it right. Four thousand troops are just not going to make a difference in a hostile city of over a million people.

Most important, I believe that it is time that the administration establish at least a plan of withdrawal. The President has given us March 31 as a date, which in my opinion is about 6 months too late, but I really want to hear how they are going to get all our people out. I was glad to hear that the hostage, Michael Durant, had been released, but in case that happens again, this amendment has a provision to allow us to stay.

I am willing to stand with the President when he is right, and sometimes even when he may be a little bit wrong. But right now he is dead wrong. We do not cut and run when we get hit, but when we have no call to be somewhere and they make it clear we are not wanted, then we should learn from Vietnam. I think that without a mandate or a mission, we have to get our people out of there now.

I do not want to tie the President's hands, so I am willing to go along with my friend from Arizona's concept of not having a firm date. I want to allow the Pentagon exactly as much time as it takes to nail down the situation, secure our prisoners, and get out in an orderly way. I have heard that this would be about mid-January according to military experts, but more importantly it is as soon as possible. I think that this measure is the bare minimum the Senate can expect, and I urge my colleagues to support it.

I want to thank publicly the President pro tempore of this body, for I, like Senator STEVENS, had thoughts way back on September 8 and 9, too. And I went to Senator BYRD at that time and I said, "Offer the amendment, and we will pass it." But as all good statesmen do, he chose the route of a statesman and now comes back as a statesman with his amendment.

I supported Operation Restore Hope, and I say to America that our mission is over.

If one looks at the amendment as offered by Senator McCAIN, there is no time here. But I am going to support it, because it says that the President has to put forth a plan and withdraw the troops using the safety of those troops, and also with the judgment of the rest of the forces that are there. I agree with my friend from Virginia who said that we must take into consideration the people that are there that we have partnered up with in this operation, that they have to be considered, too. I think that would be part of the withdrawal from Somalia.

So I support what Senator McCAIN is doing here, and I also want to congratulate my friend from West Virginia, who first brought us into focus—made this group focus on what we were doing in Somalia. I congratulate him for that. But we do not have a mission there. We have our only prisoner, we think. There may be one missing in action, but we will try our hardest to take care of that problem. But America has told us that once the mission is over—and I agree with my friend from New Jersey, that in 9 months we probably will not recognize Somalia any different than it was before we went there.

So it is time to bring them home, and that is what Senator McCAIN's amendment says. It is very simple. "No funds appropriated or otherwise made available in this or any other act to the Department of Defense may be obligated for support of the operations of United States Armed Forces in Somalia, except as provided for in subsection (b)," and it says: "to support the prompt and orderly withdrawal of all United States Armed Forces from Somalia in a manner most consistent with the safety of United States personnel."

Nobody is just going to jump up and pack up without having some consideration of our friends that are there. We could write a book. I could go back to fifties when we were in the operations of Korea. I can remember when troops pulled out there, and it caused a little thing called the Chosen Reservoir. And I served in the Marine Corps with folks who walked out of that because somebody just chose to pull stakes and leave a flank completely exposed, and I remember what we paid for that terrible mistake.

Everything has to be kept in perspective here. This is a very straightforward amendment. It says: Mr. President, take the action. I appreciate what both of these men are doing. I support the McCain amendment, and I appreciate the President pro tempore for awakening the conscience and good sense of this body.

I yield the floor.

Mr. THURMOND addressed the Chair.

Mr. BYRD. How much time does the Senator wish?

Mr. THURMOND. About 5 minutes.

Mr. BYRD. I yield the Senator 5 minutes. I am overextended considerably on time.

Mr. THURMOND. Mr. President, I rise to co-sponsor the Byrd-Mitchell-Dole Resolution on Somalia. This resolution represents a solid consensus of the Senate leadership and Members responsible for national security and foreign policy. It clarifies the mission and command and control arrangements in Somalia. American troops will remain under the operational control of American commanders, and their actions will be limited to the original humanitarian relief operation, and to protecting U.S. and U.N. personnel. It will put an end to chasing warlords and nation building. Of primary concern to the Senate and the American people, this resolution will bring about an orderly withdrawal of U.S. forces by March 31, 1994.

The main difference between this resolution and the one proposed by the distinguished Senator from Arizona, with whom I have worked on the Armed Services Committee and for whom I have the highest regard, is the date. His resolution blocks funds for operations in Somalia except to support the prompt and orderly withdrawal of all U.S. forces—by implication, immediately. A lesser difference is that Senator MCCAIN'S resolution makes no provision for a residual noncombat element to remain in an advisory role to a continuing U.N. presence, or to protect U.S. diplomatic facilities, as does Byrd-Mitchell-Dole.

The clear intent of the McCain amendment is to bring about an instantaneous withdrawal. I have always sympathized with those who want an early withdrawal, and have stated so many times. The humanitarian mission has been accomplished, and I see no good national purpose in keeping out soldiers in danger. But at the same time I feel it is not in the national interest to beat a hasty retreat, nor to appear as if we are being thrown out by a gang of bandits and warlords.

The Commander in Chief and military commanders in the field need to have flexibility when troops are engaged and lives are at stake. Even those who want an instant pull-out must understand that instant in a situation like this can amount to a lengthy period. General Hoar of United States Central Command and overall commander of United States combat troops in Somalia, has told the Armed Services Committee that if he got the order to withdraw today, it would take many weeks to carry it out. His forces cannot just pull up stakes, march on board ship, and sail home. Troops must be pulled back from the outlying regions, equipment must be marshalled, weapons and gear packed, ships and airplanes brought in. Above all, security has to be maintained. That means a staged withdrawal, with security elements being established to protect each withdrawing element. A withdrawal in the face of possible attack is the most difficult of all military maneuvers. In a case like this, excessive haste could mean further losses. That possibility convinces me that a March 31 deadline for our departure is not unreasonable.

I yield to no one in my regard for the magnificent achievement of our men and women in uniform—in Somalia and elsewhere. As I said on a previous occasion in this Chamber, they are the best in the world, well-trained, well-motivated, brave, disciplined, and obedient. They go and fight where we ask them to go. They give the Nation their service and sacrifice—sometimes even unto death. That gift is not to be taken lightly, nor abused. Our servicemen know they may have to go into danger. But at the same time they must be able to trust that their Government is committed to their safety.

Having said that, Mr. President, I must also say that we in the Senate, especially members of the military oversight committees, have an obligation to balance our regard for our servicemen with other requirements. I can assure my colleagues that we share the outrage of the American people at the way the Somali operation has been mishandled, and at the desecration of our dead. But we have to act on information not available to the public—information from the intelligence community, from the Joint Chiefs of Staffs, and from our commanders in the field.

Mr. President, we have acted on such information and in our best judgment in drafting this resolution. I believe we have also acted in the best interests of our military personnel in Somalia and in the national interest. I believe this resolution is a reasonable and commonsense approach to a terribly difficult and complex situation—an approach all Members can support. I urge the Senate to support it.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Washington.

Mr. GORTON. Mr. President, I yield 7 minutes to the distinguished senior Senator from New Hampshire.

Mr. SMITH. Mr. President, I ask the Chair to inform me when I have 2 minutes remaining.

Mr. President, I rise today to offer some personal comments and observations regarding the situation in Somalia.

First of all, I express my great relief for the release of Michael Durant in Mogadishu. As my colleagues know, Michael and his family are from Berlin, NH. He has been in our thoughts and prayers every moment since he was wounded and taken prisoner on October 3. Our prayers have been answered. Michael is now in safe hands and is receiving treatment for his injuries. I pay tribute to Michael and his family for their courage in the face of such adversity. They have been remarkable. I look forward to that day in the very near future when New Hampshire can join with Michael's family in welcoming him home to the Granite State.

I express personal condolences to the families of those killed in Somalia as well of those who were wounded.

Mr. President, many of my colleagues have spoken eloquently on the subject of Somalia over the past few weeks. I have listened to their comments carefully. I have also listened to the statements of the President, and the briefings by Secretary Aspin, Secretary Christopher, and Representatives of the Joint Staff.

My analysis of the Somalia situation and the rationalizations provided by the Clinton administration concerning our involvement there have led me to one inescapable conclusion: the United States is pursuing a tragic and fatally flawed policy in Somalia, and the Byrd amendment simply allows that policy to continue.

Mr. President, I recognize that the dynamics of our involvement in Somalia are very complicated, and from the outset, let me say that I supported President Bush's initiative to provide humanitarian relief to the hundreds of thousands of Somalis who where dying of starvation last winter. I did not take this position lightly. Indeed, just as with many Americans, I was uncomfortable with the prospect of committing U.S. troops to an operation that was purely humanitarian, not military, in nature, and the precedent this would set for future situations.

However, as outlined by President Bush, Operation Restore Hope was clearly defined and of limited duration. The deployment included four primary mission objectives: First, to secure major air and seaports, installations and food distribution points; second, to open and free passage of relief supplies; third, to provide security for convoys and relief supplies; and fourth, to assist United Nations and nongovernmental organizations in providing relief under U.N. auspices.

In announcing the United States intervention on December 4, 1992, President Bush stated, and I quote:

> Our mission has a limited objective—to open the supply routes, to get the food moving, and prepare the way for a U.N. peacekeeping force to keep it moving. This operation is not open-ended. We will not stay longer than is absolutely necessary.

I supported President Bush's initiative, as defined, and believe the operation was largely successful in meeting the established goals. Accordingly, it is my belief that the United States should have withdrawn its troops from Somalia last spring when the relief operation culminated. We had fully achieved our mission objectives; it was time to go home.

Yet, somewhere along the line this spring, the Clinton administration fundamentally altered the scope and mission of United States involvement in Somalia. Whereas the Bush initiative was humanitarian in nature, the Clinton policy evolved into nation building, disarming warlords, and policing cities. In fact, at the same time that we were supposed to be bringing our troops home, the administration began committing those troops to a more volatile, unorthodox mission. The results have been disastrous.

Mr. President, as they say, hindsight is 20-20, and it is very easy to be a Monday morning quarterback on policy issues. But the Clinton policy in Somalia has been, and continues to be, deeply flawed. The issue before Congress today is whether we should perpetuate this flawed, dangerous policy or act within our constitutional jurisdiction to correct the situation. I believe we must take action to correct the situation.

Let me make clear at this point that I recognize and support the authority of the President to establish and conduct foreign policy. He is the Commander in Chief of our Armed Forces and we should respect his authority. However, the Congress also has very clear and compelling responsibilities in this area. It is appropriate that we should have this debate.

Mr. President, in reviewing the evolution of United States policy on Somalia, it is clear that during the spring and early summer of this year the Clinton administration changed the mission of United States Forces and significantly escalated our military involvement. Whereas the Joint Chiefs of Staff wanted to move U.S. troops over-the-horizon and out of the immediate city areas, the U.N. sought to personalize the mission into a manhunt for Aideed. For unknown, and certainly ill-advised reasons, the administration sided with the U.N. against the Joint Chiefs, and tasked U.S. Rangers to hunt down and apprehend Mr. Aideed. As a result, the cycle of violence between warring factions and the U.N. forces escalated, bringing more and more U.S. troops into harms way.

It is important to emphasize that this changed mission was never endorsed by the Congress and does not have the support of the American people. The initial Somalia mission, endorsed by the Congress, was humanitarian in nature. But since May, the mission has been military-oriented. And during the period from May until the present, 25 American soldiers have been killed in action and 159 wounded. I simply ask my colleagues, for what purpose or mission did these brave Americans give their lives? Ask yourself that question. Does anyone really know why we are in Somalia today, what our objectives are, and what the rules of engagement for military forces are? What did these men die for? What were they wounded for? Did they die for Somalian people who have been shooting them in the streets of Mogudishu?

The sad truth is that the administration has not identified a legitimate mission for United States troops in Somalia. There are no strategic interests at stake. There is no clearly defined military objective; nor is there a definition of, or timetable to achieve, success. Although the administration recently set March 31 as the deadline for withdrawal of U.S. Forces, the mission remains as murky as ever and it is clear that the deadline is driven by public relations pressure more than anything else. And the deployment of an additional 1,700 combat troops hardly changes the tactical situation which confronts United States forces in Somalia. In fact, it merely sends more troops in harm's way without clarifying the mission or changing the rules of engagement. This is simply unacceptable.

I want to elaborate of this point, because the majority of the American public is not aware of the geographic and tactical military challenges confronting United States troops in Somalia. In fact, I have no doubt that they would be outraged to learn of the lack of attention and support which has been provided to our troops.

Mr. President, the United States Forces in Somalia are largely holed-up in their Mogadishu basing areas, surrounded by hostile militiamen loyal to Aideed. Whenever they leave their secure bases they are vulnerable to ambush. And contrary to initial guidelines, the U.S. quick reaction force that was to be on call for emergency operations is actually operating in the streets of Mogadishu on a daily basis, while the U.N.-commanded forces in charge of logistics, intelligence, and communications are hunkered down. Additionally, there have been persistent reports that the U.N. command structure has been infiltrated by Aideed loyalists, and that U.N. troops sympathetic to Mr. Aideed are compromising sensitive operational information.

Perhaps most disturbing has been the revelation that General Montgomery, our on-scene commander in Mogadishu, was denied in his request for additional armored vehicles to protect United States troops in Somalia. As a result, it took rescue forces some 9 hours to arrive on the helicopter crash scene October 3 when U.S. troops came under heavy attack. The United States lost 17 American soldiers and 87 wounded that day. Speaking as one Senator, I find it unconscionable that the policymakers in the Pentagon would deny our troops the tools to defend themselves, particularly after allowing them to become vulnerable in such an untenable tactical situation. I intend to investigate this matter thoroughly once we have resolved the immediate dilemma in Somalia.

Mr. President, I recall that during the Presidential campaign, then-candidate Clinton pledged that, if elected, he would focus like a laser beam on domestic issues. Certainly, there is much here at home that demands our attention. But when American troops are deployed in harm's way, the Commander in Chief, and his administration, must remain engaged. Unfortunately, this has not been the case in Somalia. The administration has not provided the necessary oversight or support for our troops. And the administration has failed to apply lessons learned in Vietnam, the gulf war and Lebanon to the situation in Somalia.

Vietnam taught us that incrementalism is a recipe for disaster. The gulf war demonstrated that massive, decisive military force wins conflicts and minimizes casualties. And Lebanon provided tragic and compelling proof of the dangerous inherent to peacekeeping and nation-building efforts. Yet the administration has disregarded these fundamental and painfully expensive lessons and floundered incrementally into a terrible pandoras box in the Horn of Africa.

The Lebanon analogy is extremely relevant to the situation we are facing today in Somalia. While Somalia is not fractured along religious and political lines to the extent that Lebanon is, there is a political dimension to the clan fighting and factional power struggles that draws an alarming similarity. A United States-led multinational peacekeeping force entered Lebanon in the early 1980's with the best of intentions, determined to suppress violence and human suffering without becoming entangled in underlying political disputes. They were welcomed by the Lebanese people, temporarily. However, over time, resentment against foreign troops grew and the peacekeepers became unwilling players in Lebanon's internal power struggles.

The result was tragic; 241 American soldiers were killed in a terrorist bombing attack against the United States compound in Beirut.

We are seeing this same disturbing trend in Somalia. Whereas U.S. troops were once cheered in Mogadishu, today they are jeered. And just as we saw in Lebanon, the longer that multinational forces remain deployed in Somalia, the more they are viewed by local factions not as impartial purveyors of humanitarian aid, but as meddling foreigners out to advance their own agenda. With the Clinton administration's decision to personalize the conflict into a war against Aideed, this perception has become reality. As a result, United States and multinational forces have been repeatedly targeted for reprisals. A total of 29 Americans soldiers have now been lost, and 170 wounded. It is time for this operation to end.

Mr. President, the administration has outlined its plan to remain in Somalia until March 31. In my opinion, this is unacceptable. With the release of Michael Durant, we have accounted for all of our servicemen in Somalia. There is simply no justification for continued U.S. military involvement in the Horn of Africa. We should bring our troops home as safely and expeditiously as possible.

The PRESIDING OFFICER. The Chair advises the Senator has 2 minutes remaining.

Mr. SMITH. I thank the Chair for reminding me of that.

I am pleased to join with my friend from Arizona, Senator MCCAIN, in offering this amendment to initiate a prompt and orderly withdrawal of U.S. Armed Forces from Somalia. I do not believe that it is appropriate to set an arbitrary date for bringing our troops home, and I certainly do not believe that we should remain in Somalia through next March. We should begin the withdrawal process now and get our troops home as quickly and safely as possible, so that they can spend a much deserved holiday season with their families.

For those who support the administration's March 31 deadline, I would respectfully ask, "What is our mission in Somalia?" What purpose is served by leaving U.S. soldiers in harm's way for another 6 months in some far away conflict that does not affect U.S. interests and has no consensus for participation here at home?" This is unacceptable. It is unconscionable.

The U.S. military serves to protect our freedom and national security. It is not a law enforcement agency to be subcontracted out whenever and wherever the U.N. sees fit. We have no national interests at stake in Somalia, no clearly defined military mission and rules of engagement, and no consensus for involvement here at home. Aideed and his supporters are not worth a single drop of American blood. Twenty-nine of our finest soldiers have already made the ultimate sacrifice in this misguided intervention. We should withdraw our troops from Somalia, and we should begin the transition now.

Those who claim the McCain amendment would have us cut and run should look again.

The United States of America has gone to Somalia in a humanitarian way and helped feed starving people. The mission is complete. That is not cutting and running. That is doing a job and leaving honorably. It is the policy that is the mistake.

In closing, I want to once again pay tribute to Michael Durant and his family for their courage and composure during this terrible ordeal. The thoughts and prayers of the Nation have been with you, and the news of Michael's release was an inspiration for us all.

I also want to express my profound respect and appreciation to Ambassador Oakley for his efforts in negotiating the release. Ambassador Oakley has done yeoman's work on this issue and the Nation owes him a debt of gratitude.

Some voices were saying we should not negotiate with Aideed. Aideed deserves a great deal of credit for the yeoman work he did in bringing home the prisoner of war.

I would just say to my colleagues think very carefully about this vote. Think very carefully about it. The McCain amendment is the right way to go.

We are all people of a different generation. We are much older than those young kids who are fighting and dying in Somalia. We must not lose touch with these American heroes who will go on to a battlefield for us any time because that is what they are paid to do. And they do it well, they do it so well.

History will record this debate. We will look back on the McCain and Byrd amendments no matter how we vote and analyze them in hindsight. But a soldier who loses his life cannot look back, and his family can only look back at that funeral. Let us not have any more funerals. Let us not have any more funerals. Let us get out, and the McCain plan is a good way to do it. We now have negotiated the release of our prisoner. Our mission has been accomplished and our dead have been accounted for. Let us go home.

Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. MCCAIN. Mr. President, I yield 5 minutes to the Senator from California, [Mrs. BOXER].

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank the Senator for yielding me time. I thank him and Senator BYRD for their incredible contribution to ending the violence against our American troops in Somalia.

Mr. President, I am not truly happy with these choices that we have. I have spoken to the good Senator from West Virginia about this. I felt his initial plan with a date for withdrawal set at February 1 was the best option.

So tonight, I plan to vote in favor of the McCain amendment, and if that is tabled, I plan to vote in favor of the Byrd amendment.

Mr. President, in my campaign for the Senate last year, I said that the end of the cold war gave us a tremendous opportunity to refocus our spending priorities and put more resources into our own people.

It is, as the saying goes, a "new world order." The Soviet empire is no longer. But the end of the cold war does not mean there are no more challenges to American leadership and democracy. There are situations of conflict and turmoil that require our response.

The crisis of hunger and famine in Somalia last year was one of those situations. When the American people saw the face of starvation—and we will never forget those haunting pictures, and we saw people crying out for our help—we all responded. It was a very, very clear mission. Operation Restore Hope made sense, and the American people and the Congress supported it.

In large measure, it has been a success. Outside Mogadishu, the crisis has eased, the famine has ended, and the violence has subsided.

But in the past few months, we have seen another face of Somalia. This is not the face of starving children but the face of warring clans an internal political fights that we did not create and we cannot solve by military force. This new face of Somalia has led to some frightening images: our young people brutalized by the fighting, and one even taken captive. Thank God that tonight he has been released.

We cannot establish peace by force, Mr. President. We cannot do that in Somalia or, frankly, in any other place in the world. We can and should respond militarily if our national interests are directly imperiled and if those interests are spelled out clearly by our President, understood by the American people, and debated here in these Halls of Congress. And that is why Senators BYRD and MCCAIN deserve so much credit, because we are debating it here where it belongs.

Of course, we should continue to react to crises like the famine and the hunger in Somalia. But a humanitarian mission that intentionally places or leaves our forces in combat situations is no longer humanitarian and it must end as quickly as possible.

In addition, the Somalia situation raises questions about the use of U.N. peacekeeping activities. I believe the U.N. forces should do what they did traditionally: keeping the peace in a country where all sides have agreed to cease armed conflict—not to become the instruments of a forced peace.

So, as we remember the faces, Mr. President, that moved us to action last December, I implore my colleagues also to look at the many faces of America; to look at what is happening to our children, Mr. President, 25 percent of whom are poor.

We have already spent $1 billion in Somalia. But if we try to increase spending for these children of America—to vaccinate them, to help them, to educate them, to stop the violence—we would argue endlessly over just a few million dollars.

So that is a new face of this debate that we need to consider tonight. It is a face that demands immediate attention.

I ask my colleagues to look at this photograph

It is a face of a child in America who is sleeping, homeless, in a car.

So when we think of the faces in this debate—the faces of the starving in Somalia, the faces of the warlords, the clansmen, and we think of the faces of our American service men and women who are over there—I urge Senators to think of these faces, too.

I thank the Senator from Arizona for yielding me this time.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield 5 minutes to the distinguished Senator from Illinois [Mr. SIMON].

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I thank Senator BYRD.

I rise in support of the Byrd amendment and in opposition to the amendment offered by my friend from Arizona.

I heard Senator BOREN speak earlier this evening. He made two points: One I agree with; one I do not agree with.

The first point was, he wished there were no date in here at all. Frankly, I would prefer that. I would prefer no date and having the President of the United States assure us and assure the American people that we are going to get out as quickly as we responsibly can. I think that would be better. But that is not the alternative now.

The second point made by our colleague from Oklahoma was that we should not be acting on this; we should place confidence in the President.

I have confidence in the President, but I think the senior Senator from West Virginia has properly called our attention to the fact that this is a congressional responsibility. We have the responsibility to act.

What I like about the Byrd amendment is that it points out the flaw of our obsession with trying to capture General Aideed. That is what went wrong. Almost all of our casualties are as a result of that effort to capture General Aideed.

Of the 4,500 Americans who are in Somalia right now, most of them are not carrying guns. Twenty-eight hundred are technicians, helping to see that water gets to people, doing the basic things that are needed in Somalia.

Ninety-eight percent of Somalia is free of strife and, temporarily, even the other 2 percent is free of strife. And I hope that continues.

The great threat to the world today—unlike 10 years ago, when the great threat was world communism and nuclear annihilation—the great threat today is instability. And the question we have to ask, whether in Somalia or any other place, is: Does it add to stability or does it detract from stability? I suggest that a precipitous withdrawal from Somalia sends the wrong signals, not only in Somalia, but in much of the rest of the world.

We are not living in a world that is risk free. That is not going to change if we get out of Somalia tomorrow. I think we also have to say to our constituents whose sons and daughters are enlisting in the armed forces that the risks, ironically, while for the world, we do not risk annihilation as we once did not many years ago, the risks for those going into the armed services are likely to be somewhat greater than they were in years past.

After asking 27 nations to come into Somalia, we cannot suddenly depart and not expect those 27 nations to do the same. And then you return to the chaos that we prevented.

I think history will judge that one of our finest moments in this century as a Nation was when we saved 2 million people from starving in Somalia. It would have been the greatest mass starvation since the Irish famine of the 1840's. And, to George Bush's credit, he made the decision to go there.

There is one other aspect to all of this, and that is public opinion. I am sure in Illinois, in West Virginia, in Delaware, and in Maine, public opinion right now would be on the side of the McCain amendment.

One of the things that we have to do as leaders, that the President has to do, is to convince public opinion that a course is right.

When people served in the Senate for most of the history of this country, they were not elected as we are elected. In 1787, when they put the Constitution together, they said, "We don't want the United States Senate to be too responsive to public opinion." This was long before you had polls and all the kinds of scientific endeavors that we have today.

I think we have to, on occasion, stand up.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SIMON. If I may ask, could I have 2 additional minutes?

Mr. BYRD. I say to the Senator, I have 143 minutes promised and I have less than 50 minutes to give.

I yield the Senator 1 minute.

Mr. SIMON. All right.

Mr. President, we sometimes have to stand up to public opinion. I think this is one of these occasions where we have to lead. When we have a chance to explain to the public why it is important that we fulfill our mission, I think the public understands.

The agencies that are working there—31 American agencies providing relief—are unanimous in believing we should not stop our mission over there.

I ask unanimous consent, Mr. President, to have printed in the RECORD the statement of Oxfam America, which is typical of the statements. It says, among other things:

> Oxfam America, like many Somalis, believes that a continued impartial U.N. peacekeeping role is extremely important to prevent the return of chaos and starvation in Somalia.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[Oxfam America Policy Statement, October 1993]

SOMALIA

Oxfam America is deeply concerned about the escalating level of violence in Mogadishu as well as the overall direction of the United States and United Nations policy in Somalia.

The rise in both civilian and military casualties in recent months is the result of misguided policies based on an aggressive military approach. At a time when the United Nations should be building upon the Addis Ababa agreements to disarm the militias and to establish a process leading to a democratic transitional government, it is narrowly focusing on the capture of a single militia leader.

Oxfam America, like many Somalis, believes that a continued impartial UN peacekeeping role is extremely important to prevent the return of chaos and starvation in Somalia. However, the solution to Somalia's problems is ultimately political and not military. Additional troops are not the answer. The UN must rethink its strategy and refocus on urgent political and humanitarian tasks. Outside of Mogadishu the Somali people are working across clan lines to rebuild their country-physically and politically. The United States and the United Nations should actively support these initiatives.

Oxfam America calls upon President Clinton and the U.S. Congress to work to change the United Nation's policy and operations in Somalia. UN policy in Somalia must:

1. Directly involve the Somali people in every aspect of rebuilding their country from identifying needs and setting priorities to allocating resources and implementing specific programs and projects. The Somali people have the will and the capacity to rebuild. The UN, World Bank, the US and aid organizations must develop a consultative process with the Somali people in order to build on the knowledge, wisdom and experience which already exist within the country.

2. Support efforts of clan elders and other elements of Somali society to reconcile clan disagreements and to rebuild participatory government structures from the community to the national level. The objective should be

to marginalize the militia leaders by supporting the Somali people in establishing a national political framework that reflects a broad consensus. The UN should support traditional processes of dialogue and should not seek to impose its own solutions, preferences, or timetables.

3. To restore its credibility in Somalia, the UN must: Clarify its mission to the Somali people; involve experienced Somalis in top decisionmaking roles in UNOSOM; establish a dialogue with clan elders, women, professionals, religious leaders, intellectuals, poets, musicians and other elements of Somali society; support tangible rehabilitation projects to meet health, education, water and other needs through local communities and Somali organizations; and create paying jobs for young people and engage them in rebuilding their community.

4. End the UN's military pursuit of General Aideed. This strategy is futile and counterproductive. The UN's obsession with Aideed is causing heavy casualties, fueling anti-American sentiment and heightening Aideed's popularity. If Aideed is caught and tried, conflict with his Habargadir sub-clan will only intensify. Negotiations should be conducted with Aideed through intermediaries to reduce the level of violence and to reach a political resolution of the current crisis.

5. Reverse the increasing militarization of the UN's role in Somalia. The UN Operation in Somalia (UNOSOM) should be restructured to emphasize political and humanitarian tasks over military objectives with a corresponding reallocation of human and financial resources. The introduction of additional military personnel sends the wrong signal. Experienced Somalis should be involved in setting UNOSOM's priorities and programs.

6. Work with traditional clan leaders to implement a simultaneous disarmament plan for the militias. Disarmament is the highest priority of the Somali people and is a prerequisite for peace, stability and national reconstruction. However, the UN has failed to initiate the disarmament plan mandated to it under the agreements at the March conference in Addis Ababa. The UN should also support demobilization and demilitarization plans worked out among clan leaders. The experience of the Borama conference in Somaliland may provide a useful model for other regions. In Somaliland demobilization and demilitarization were begun without UN assistance. However, UN resources are now needed for housing and retraining. Unfortunately, the UN has so far declined to support this effort.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SIMON. I thank the President. I thank my colleague from West Virginia.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. I yield 4 minutes to the Senator from Indiana [Mr. Coats].

Mr. COATS. Mr. President, I want to begin by thanking the Senator from West Virginia [Mr. BYRD], for his dogged persistence in pursuing this issue. We would not be on the floor this evening, we would not be voting on this issue, we would not be having this policy debate were it not for the Senator's efforts, and I thank him for that.

I am one who believes we must be very careful to preserve the prerogative of the Executive to speak for the United States. We need to speak with one voice because we cannot and should not have 535 Secretaries of State or Secretaries of Defense.

However, in this instance I think it is important to remember that, first of all, Senator BYRD correctly defines the constitutional role of Congress. Our Founding Fathers knew, and every President needs to understand, that we cannot ultimately succeed in our foreign policy with military intervention without the support of the American people as expressed through their elected representatives. That is why this debate this evening is critical.

Second, this administration has left us little choice because it has created a policy vacuum. A specifically defined mission by the Bush administration for humanitarian relief for starving Somalis, a mission which was supported and endorsed by this Senate on February 4, 1993, in Senate Resolution 45, has somehow evolved and changed to a United Nations-directed mission of nation rebuilding, police force training, clan uniting, democracy-establishing policy.

This has not been a policy as a result of a conscious decision or action on the part of this administration. It is a policy that has evolved through inattention, lack of focus, and perhaps inexperience on the part of the President and his national security team.

Now, finally, and tragically, partly as the result of American deaths, we have reached a consensus. We have agreed that the mission was humanitarian, that the mission was successful, it has succeeded, and now is the time to bring our troops home.

Our commanders tell us that we can withdraw these troops and bring them home perhaps by the end of the year. Would it not be great to have them home for Christmas? No United States soldier should stay in Somalia 1 minute longer than is necessary to ensure his or her safe removal. To stay longer than that subjects them to needless risk of injury or loss of life. When our vital interests are at stake, when our mission is defined, when we employ our military forces and resources in a manner that maximizes our chances of success and minimizes risks to American men and women in uniform, and when we understand and accept the risk, then the risk of thousands of American lives may be justified. But when our vital interests are not at stake, when our mission is not defined, then the loss of one American life is too great a price to pay. I cannot support any proposal that needlessly risks one more American life in Somalia. For that reason I support the McCain amendment, which promptly and in an orderly fashion withdraws our U.S. troops.

I thank the Senator from Arizona for his foresight in offering this amendment. I trust my colleagues will not risk one American life 1 minute longer than is necessary now that our agreed-upon mission in Somalia is completed.

The PRESIDING OFFICER. Who yields time?

Mr. McCAIN. Mr. President, I yield 4 minutes to the Senator from Maine [Mr. COHEN].

The PRESIDING OFFICER. The Senator from Maine.

Mr. COHEN. Mr. President, in response to my friend from Illinois, I might say that I have not taken a poll on this issue. I have not counted the mail on this issue. Most of the newspaper editorials that I have read have endorsed the President's policies to date. My own decision rests on a personal assessment of the situation in which we find ourselves in Somalia.

I think the debate, as we indicated, is long overdue. Senator BYRD, I think, deserves our commendation for the contribution he has made to forcing this debate. And I must say that while we are casting some stones upon the administration for failure to adopt a clear-cut policy, we in Congress must also accept our share of the responsibility because we did, indeed, pass on resolutions that supported the deployment of our forces to Somalia for what were then described as limited purposes. And we have been rather indifferent or negligent in not following up and maintaining the kind of oversight that is necessary to make sure that the original purpose did not get enlarged to something beyond what we were supporting initially.

When we make the decision to send forces to other lands, there are two reasons we do so: National security interests and humanitarian. I recall the debate very well, how passionate it was, on the national security issue when we talked about going to Kuwait. We knew that Saddam Hussein had engaged in rape and pillage and development of chemical weapons, biological weapons—possibly even nuclear weapons were within his reach. Here was a man who threatened to stand astride the oil fields of the Middle East. And we were able to pass a resolution supporting the President by just 5 votes.

This does not involve national security interests on the part of the United States. It involves humanitarian interests. It seems to me there is a rule we ought to remember. You cannot fight your way into a civil war. First, you have to have a cessation of hostilities. The goal must be clear. It must be achievable. The risk to our forces must be minimal. And the end of the tunnel has to be built before we pass through its entrance.

That was not the situation in this particular case. We entered the tunnel without seeing the end of the tunnel, without having it even constructed. I must say that my opinion changed rather dramatically following a briefing that we had last week, where I discovered that there was very little in the way of coherent planning, contingency planning to take into account the kind of devastation that could be wreaked upon our forces.

Peacemaking is quite different, as I mentioned earlier today, from peacekeeping. Peacekeeping does not mean we are choosing sides. Peacemaking indeed involves the picking of winners and losers, and that appears to be what we have done with regard to General Aideed.

In considering whether to authorize the continued deployment of United States troops in Somalia, we must ask what will be any different come March 31 or February 1 or even December 31?

When all the rhetoric is stripped away, the President's proposal is designed to protect American prestige and credibility by creating a decent interval between the tragic events of last week and our inevitable departure. But it is based on at least three fallacies.

The first is that near-term U.S. withdrawal can only be interpreted as "cutting and running" under fire, producing irreparable damage to America's credibility. The second is that, to the extent that a near-term U.S. departure would be seen as cutting and running, the world would be fooled by a few months delay. The third is that we have the power to create such a decent interval.

With regard to the first fallacy, America does not need to prove to anyone that she has the will and capability to place its soldiers on the line when the effort was worth the cost. We did it in Kuwait, in Panama, in the Gulf reflagging operation, in Grenada, and in many other instances. And we are doing now, as we speak, in and over Iraq, in and over the former Yugoslavia, and in numerous other hot spots. And we stand prepared to do it tomorrow—where and when appropriate.

Any damage to our credibility, and there will be some, will result not from our withdrawal from Somalia but from having allowed ourselves to be drawn into a new military mission that was not thought through; not endorsed by the Congress; not understood by the public and, perhaps, not even by the President; and, therefore, not one to which we were really committed. We will do more to bolster our credibility by admitting our error and setting forth policies to prevent it from recurring, than we will by multiplying our mistake by staying the misguided course.

The fact is that, contrary to the second fallacy, to the extent our credibility will be damaged, this will occur whether we leave in the near future or in a few months. Those, whether friend or foe, who believe we are fleeing under fire are not going to change their opinion because we hang on for 12 more weeks.

The third fallacy is that we could even create such a decent interval. While Aideed might lie low for a few months, it is reasonable to believe that in the weeks preceding our scheduled withdrawal he will stage attacks on our forces. To do so would enhance his prestige among many Somalians and set the stage for his final drive for power once we have departed. It would also put us back in the dilemma we face today in which withdrawal in the wake of attacks will be perceived by some as fleeing under fire. What will we do then, extend our stay in few months longer to try, once again, to create a decent interval?

He need not stage large-scale attacks inflicting many casualties. Just a few sniper victims, perhaps one remote-controlled landmine, perhaps one more American soldier being dragged through the streets. And then, on March 15 or March 31, we will be right back where we are today in terms of worrying about our prestige and credibility.

Unless we can credibly threaten to stay indefinitely or wage a war to neutralize Aideed's militia, he—not we—will hold the power to determine whether we will have a decent interval. And there is no reason to think that this war-hardened, politically astute, power-hungry clan leader will be so generous as to accommodate us.

In his 1984 speech proposing six major tests to be met before using military force, Secretary Weinberger emphasized the need for the Government to be candid with the American people if public support is to be obtained for the use of military force. I do not believe that the Administration's proposed meets this test.

We are told that remaining in Somalia possibly through the end of March is necessary to provide time for the Somalis to reach a peaceful, political reconciliation. We are told that we must remain possibly through the end of March to provide time for other countries to come forward to replace our troops. Both these justifications strain credulity.

Aideed has chosen to fight because this is the best means for him to improve his position in the Somali power struggle. There is little reason to believe that anything that we might do in the next 6 months, short of waging war on Aideed's militia, would alter that calculus.

According to press reports this week, a United States intelligence analysis produced in July concluded that removing Aideed from Mogadishu and ending his influence in Somalia "are necessary conditions for restoring order and beginning a process of political reconciliation. There is no reason to believe that he can ever be anything but a treat to peace in Somalia." I have not seen this intelligence analysis and I do not know if the press report is accurate, but it certainly corresponds with common sense. As the same press report quoted Mark Lowenthal, a longtime CRS senior specialist and sometimes State Department official, as saying:

> What has changed politically in Somalia now that suddenly makes it possible to reach agreement with this man? The answer is nothing. His goal is to be supreme in Somalia, and he's going to fight for that.

Senior administration officials themselves have said as much. Last week Secretary Aspin stated:

> The purpose of the six-month deadline is to give everybody a chance to make something work * * *. We give them a fair shot, and that's all we're obligated to do. If it doesn't happen by then, it doesn't happen by then.

This is what is sometimes referred to as preparing the public for unpleasant news.

Perhaps the most candid statement of the issue was offered this week by William Raspberry, a columnist who does not specialize in foreign policy but who can see through official obfuscation. Raspberry put it this way:

> Aideed is as close as anyone is likely to become in the near future to being the political and military leader of Somalia.
>
> This raises what is for many Americans an unthinkable possibility: that the end of chaos and the ascendancy of Aideed may be the same thing.

This may be an ugly reality, but our choices are to do what is necessary to change reality or to accept it. Denial of reality should not be an option, yet that seems to be the basis of the administration's proposed policy.

As for the argument that we must remain to provide time for other countries to send troops to replace ours, are we to ignore the fact that the French, the Belgians, and the Swedes are planning to withdraw by mid-January?

While some other countries are providing additional troops, there is little reason to believe that these will be sufficient to replace our forces, especially given the difference in quality between our forces and their. This is not to question the dedication or bravery of those countries' troops, but it is another reality that the proposed policy seems to want to deny.

Mr. President, I intend to vote for the McCain amendment, and I urge my colleagues to do the same.

Mr. President, I simply want to commend once again Senator BYRD and Senator MCCAIN for raising this issue.

I urge the support of the McCain amendment.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, how much time does the Senator from Kentucky need?

Mr. MCCONNELL. Mr. Chairman I had hoped for 10 but I will take whatever.

Mr. BYRD. I yield to the Senator 5 minutes. I have twice as much time requested as I have. But he was here and requested earlier. I yield him 5 minutes.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. I thank my friend from West Virginia and want to join the chorus of congratulations to him for insisting that this debate finally occur. Hindsight, of course, is always 20/20, but we should have had this debate in May. The humanitarian mission clearly ended in May. The resolution that we adopted supporting the humanitarian mission arguably expired at that time. Something else developed after that period, something else rather foreign to us, something else not authorized by us. It has been downhill since then, from the loss of Pakistani lives to the loss of journalists, to the loss of precious United States lives as well.

I think it is safe to say that this creeping multilateralism, which has taken over American foreign policy at least since May, died in the streets of Mogadishu a couple of weekends ago. This has been an important learning experience for all of us. This is not just about Somalia.

This is about how America should operate in the post-cold war period. What we are learning here, Mr. President, is how to clearly define our interests in this period. As speaker after speaker on both sides of this issue tonight have said, our national security interests must clearly be involved before we put our troops on the ground.

The narrow issue before us tonight is simply how do you leave? We are leaving, we all agree on that. The only narrow issue before us tonight is how do you leave? Reasonable people can differ, as Senator MCCAIN sees it one way, Senator BYRD and myself and others see it another way in terms of how best to depart. But we are leaving, and we are leaving because this mission should not have been allowed to evolve into what it became after May.

So I think it is safe to say, Mr. President, there is little or no chance that the Congress would approve putting American troops on the ground in Bosnia, let us say. I think you can forget that because it is very difficult for most of us to conclude that America has a national security interest in Bosnia.

No. 2, Haiti. My own view at this particular juncture is that we probably do have a national security interest in Haiti. It is very close to our shores. Unhappy Haitians come to America uninvited. Clearly, that is a place that requires our attention and, hopefully, the President will give it more attention in the coming weeks.

But let us try to learn about what happened to us in Somalia. How did we get to where we are? We failed to define and protect U.S. interests. We allowed the U.N. to define the agenda using our troops to implement their plan. It was not a lack of armor, it was a lack of a U.S. policy that lost American lives.

For several months, the President and his advisers have laid out a game plan emphasizing multilateralism—multilateralism. They thought this was a terrific idea earlier in the year. I do not think they think that anymore. And if they do not think it anymore, then we have gained something by this debate. In developing a strategy to share costs and share the burden of responsibility, we did not exercise leadership and we did not link our participation to direct American unilateral interests.

We succeeded in the gulf, as we all know, because the United States forged a coalition, the United States developed the tactics and the U.S. led a multilateral force into battle. The gulf was not some encounter group soliciting the views of our allies and mulling over multilateral options.

In Somalia, at least since May, we allowed the U.N. to set the agenda. We substituted their interests for our interests. Each step of the way, the United States encouraged the U.N. to take a dominant role. As under Secretary Tarnoff pointed out, this approach was "different not by accident but by design." They really wanted to do this, Mr. President. A few months ago, they thought this was a terrific idea. Multilateralism was going to be the new twist on foreign policy of this administration.

We are paying the price for multilateralism in Somalia. If not for Somalia, we would have paid the price in Bosnia and, hopefully, that has now been averted because of the important lesson that we are learning here tonight in this much-needed debate.

So let me conclude, Mr. President, by saying that we are leaving, we are leaving. The only issue here tonight is how we leave and, in my judgment, the Byrd amendment better defines the proper exit for the United States in this most unfortunate experience in Somalia, at least since May. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. MCCAIN. Mr. President, I yield 8 minutes to the Senator from Washington, Mr. GORTON.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, the Nation which won the cold war, the Nation which has been most responsible for such peace and order and democracy in the world today, the most powerful Nation in the world, the United States of America, has a unique and special responsibility to utilize its immense military power only in pursuit of vital national interests. It should do so only after the most sober and careful consideration of the consequences of its action. And that consideration, at the very least, should include the definition of clear and attainable goals and the provision of means more than adequate, to attain them decisively and promptly, and in a way which permits a termination of the adventure.

Regrettably, in a disorderly world, there are likely to be a number of such incidents and such challenges in the 1990's. It seems clear to me that the United States will more likely be willing and able to meet those challenges if it also chooses to decline any such challenge in which those criteria are not met.

None of the considerations which I and others have outlined is present in Somalia. I differ from some of those on this side of this debate in believing that those considerations were not even present in December when President Bush began, with very limited purposes, for entry into Somalia.

But whatever the answer to that question, they clearly ceased to be present in March or April or May when our troops' primary function shifted from feeding starving people to building a quasi-democracy in Somalia.

We must realize that the result of this debate, whichever of the two resolutions is adopted by the Senate, is likely to be a greater degree of chaos in Somalia after our leaving than was the situation there before our good-will entry in December of last year. But that chaos, Mr. President, is every bit as likely if we leave at the end of March, as it is if we leave in the middle of November, for here, tonight, we are engaged in an extraordinarily narrow debate. There is no question about our leaving. The only question is when.

Reports about the reaction of our troops in Somalia to the President's change of mission are fascinating. Some of our troops are frustrated because they want to avenge the death of their colleagues and see that we capture the bandit Aideed. Others agree with our statements here that there was no purpose worthy of risking their lives from the very beginning. But I will warrant, Mr. President, that there are no troops who believe it appropriate to hunker down inside a handful of fortresses for 6 months, unthreatened only by the grace of the bandit Aideed's willingness to engage in a unilateral cease fire.

The question before us tonight—a narrow question—is which of the two alternative resolutions risks fewer American lives? The answer to that question is obvious. The McCain resolution risks fewer American lives over a shorter period of time.

To this point, for better or worse, our venture in Somalia has been purely a Presidential adventure, first under President Bush, and then under President Clinton. Once we adopt a resolution tonight—and this is particularly true if we adopt the Byrd resolution—it is a Senate venture. It then becomes our responsibility for these lives from now until March 31 of next year. The Senate was not in on the takeoff of this flight, but we are joining in midflight, and will be in on the landing, even if it is a crash.

What possible gain, I ask, can there be by risking 6 more months of potential casualties, both woundings and deaths? Will we be more believable if we hang around for 6 more months and then are succeeded by chaos, than if we leave today? Again, that question answers itself.

The Weinberger criteria, and their demand for a vital national interest, for public support, for a course of action pursued with enough strength so that it can clearly be successful, for a clear beginning, a clear middle, and a clear end, were good when he was Secretary of Defense and are good today. I regret to say that President Clinton was not paying attention to those or to any similar criteria when he allowed his control over a narrow mission to slip away from him. We pray that he has learned that lesson, and we expect that he probably has. But the test for responding to an invitation to intervention must meet those tough and brutal criteria.

Somalia failed at the beginning. Somalia fails today. In this life, courage often is found in admitting error and acting accordingly. Courage here and now with respect to Somalia lies in admitting this error and in leaving promptly and completely. The only method by which we can learn that lesson, the only method by which we can strengthen ourselves for really vital challenges is by passing the McCain amendment.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield to the distinguished Senator from Kansas [Mrs. KASSEBAUM] 3 minutes.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, for those in our Armed Forces who served in Somalia and gave their lives and for those in the Armed Forces who are still serving there, I think it is important for us to remember—and I believe we would all agree on this—that through extraordinary compassion and a large measure of skill and courage our Armed Forces saved nearly 1 million lives. We agreed in Congress to a resolution of support for sending our troops after 300,000 lives had been lost. As the Senator from Kentucky [Mr. MCCONNELL] said, we are coming home. That is not the question. But it is how we come home.

The Senator from Arizona [Mr. MCCAIN] is one who knows well the terror and tragedy and strength of our Armed Forces and has given I think some thoughtful reasons for his proposal.

I believe it was very unfortunate for the President to announce a date certain for our withdrawal. I think it is a mistake, Mr. President, to ever announce a date certain because it takes away leverage one might need. Unfortunately, the policy that was announced by the President to reinforce our troops in Somalia at the same time we will withdraw them at a date certain is both self-contradictory and self-defeating. Reinforce and withdraw is like upping the ante and yet announcing you will fold.

A marker for withdrawal I think is a serious error.

On the other hand, Mr. President, I believe it is important to support the amendment put forward by Senator BYRD and others that does narrowly define the mission and then say we leave. We will have completed the basic security which always was our mission in Mogadishu under the narrowly defined circumstances, and we will leave in a way in which we will say we have completed the mission and completed it with pride.

It is difficult to say from the comfort of the Senate in addressing the horrible and tragic conditions that do exist in Mogadishu what is best to do. But I really believe that it calls upon us to be supportive of the efforts in leaving the right way as the President has said and as Senator BYRD and others have acknowledged.

I yield the floor.

The PRESIDING OFFICER (Mr. DASCHLE). The Senator's time has expired.

Who yields time?

Mr. BYRD. Mr. President, the Senator from Vermont had asked for 20 minutes. I give him 7 minutes.

I thank the Senator.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. I thank the Senator. It is an honor to follow the eloquent statement of my colleague from Kansas, with which I wish to agree. I would also like to shift the concentration on withdrawal to the broader aspects of our world leadership and the advantages they may provide to us.

Mr. President, I want to make sure the American people appreciate fully the critical nature of our debate today and the implications it carries for America's role in future international conflicts. I ask my colleagues to step back for a moment and put this debate in perspective. It is natural that we are concentrating on the serious negative problems which have recently arisen in Somalia. But we must keep in mind the larger picture and the positive aspects of world leadership.

After decades of carrying the heaviest burden for defending Europe and East Asia, staying ahead of the Soviet military buildup and beating back Communist advances in many areas of the Third World, America is now in a position to reap the advantages of being the undisputed world leader. And the toll that these burdens have taken on our economic health requires that we seize the opportunities before us. With undisputed world leadership comes incredible opportunity—for American business, for cultural exchange, and for projection of our basic values such as primacy of the rule of law, respect for human rights and environmental preservation. The only way to maintain and improve our current standard of living is to expand our exports, to find new markets abroad and compete more successfully with a growing field of capable competitors.

Only through expansion of our economy will we be able to finance the badly needed reforms to our educational system, improvements to our basic infrastructure and a renewed attack on the poverty that has crept into an ever greater number of American households in the past decade. We have paid a heavy price to become the world leader; we would be foolish not to step forward and reap the benefits of that effort.

We must recognize, however, that the post-Communist world carries dangers as well as opportunities, and that addressing both requires us to clarify the threats to our national interest and to develop an adequate response for challenges less clearcut than those we faced in the past. We must be able to answer the most pertinent question raised before we send American personnel into potential hostilities: Why must we place our young people in harm's way in countries where we have no obligation or direct national interest.

The formative event for America's role abroad over the past half century was World War II, where the line between good and evil was very clearly drawn and the threats to our national security were very obvious. Haunted by our failure to back the League of Nations, we enthusiastically supported the creation of the United Nations, even offering to host it. As the undisputed leader of the free world, we found ourselves locked in what seemed to be a struggle to the death with communism. As the Soviet Union targeted nuclear warheads on American cities, the threat to the United States became more real and more immediate than at any time in our recent past. That threat, and the ongoing reality of Soviet attempts at ideological expansion through proxy wars, colored our assessment of all conflicts around the world, and we had a very clear measuring stick for our strategic national interest.

As the Berlin Wall came down, so too our yardstick for national security began to crumble. With the dissolution of the Soviet Union in January 1992, we found ourselves the undisputed leader of a world that was in some ways safer, yet was also chaotic and, if anything, more conflictual than the bygone world constrained by the superpower competition. The changes continue to be revolutionary—Eastern Europe wants to join NATO, the Salvadorans have negotiated an end to their civil war, South Africa is throwing off the oppressive mantle of apartheid, the former Soviet republics want our help in constructing democracies, and the Israelis and Palestinians have signed a peace accord. At the same time, these positive developments are shadowed by the rise of religious fundamentalism and ethnic nationalisms, which bear the seeds of conflict between and within states. "Ethnic cleansing" has entered the vocabulary, in chilling echo of another term, "final solution" and the horrors it represented.

If the end of the superpower confrontation unleashed pent-up forces leading to strive in many areas, it also unblocked some of the paths to multilateral cooperation, particularly through the United Nations, in dealing with such situations. More than a third of all U.N. peacekeeping operations mounted over the last 40 years have been put together in the last three years. And these operations have been called upon to perform very diverse jobs in many different circumstance, with varying degrees of success.

Somalia is among the most recent multilateral operation, and the questions it has provoked are typical of what we will face time and again as we must decide whether to address or to try to ignore the turmoil which surrounds us in the world today. The origin of the current debate lies only partly in the expansion of United States missions in Somalia as the U.N. mandate there broadened. We moved from a humanitarian mission to one also embracing political reconciliation among contending Somali factions. There was little or no criticism of this at the time. Indeed, it was a logical step implied from the very beginning of our humanitarian efforts in that country. U.S. forces went into Somalia with broad public support for their mission to provide security for international relief operations blocked by anarchy and the collapse of order in that country. That is, they went in prepared to use military force against those who might seek to interfere with food relief. Let us not forget that, when the Marines landed, they deployed in full combat gear by amphibious landing. In actuality, our efforts were initially unopposed and all breathed a sigh of relief that diplomatic efforts combined with a decisive show of force had dissuaded the Somali warlords from challenging our efforts. Few questions were raised about why U.S. troops were there.

It was prudent and logical for the international community, with U.S. support, to pursue the creation in Somalia of a long-term political consensus. Without such a consensus, we faced the possibility of renewed outbreaks of lawlessness which could bring on an armed confrontation with U.S. and U.N. forces. And without a political structure in place, any relief effort was guaranteed to fail the moment military forces departed and anarchy resumed.

The real untold story of this debate is the success of the U.N. operations in the majority of the country. Nowhere in the press do you see accounts of the bountiful harvest in Somalia, the lively market places, the development of local governing boards, the slow but steady progress in training a reliable Somali police force and the long-anticipated resumption of functioning courts. These things are going on every day, and the majority of the warlords are slowly coming to realize that they have more to gain by being part of a peaceful resolution of Somalia's problems than from ongoing civil strife and anarchy.

Only Muhammed Aideed has chosen a different path. When he began to fear that any new political consensus would erode his own power, he set out to disrupt the operation, ultimately resorting to lethal attacks on U.N. peacekeepers. And the U.N. mandate thereupon was expanded to provide, in effect, for his apprehension. That was where the problems began, as the United Nations—and the United States, at its behest—diverted efforts and manpower towards an urban guerrilla conflict where the prospects of success were dubious and the costs in lives, both United States and Somali, were bound to be significant. The shocking deaths of our valiant soldiers in an unfortunate attack upon Aideed's forces has caused the public to demand the immediate withdrawal of our forces, a sentiment echoed by some on this floor.

It was those casualties, more than the evolution of the U.N. mandate, that catalyzed this debate, and which last week led to panicked calls in this body for an immediate U.S. withdrawal. Simply put, Somalia has become an issue not because our role there was misplaced but because it has begun to take a toll. The amendments being contemplated to seek to lower that toll by paring back the U.S. mission. The fundamental issue thus is whether Somalia is worth the cost to us, and, above all, the cost in the lives of our soldiers.

The question is one that has recurred whenever U.S. forces have been involved in conflicts where there was no threat to U.S. territory and the impact in terms of our national interest, while it might be real, was neither direct nor immediate. In such circumstances it has been difficult to sustain popular support or political consensus in this country—a truth which became painfully clear during the Vietnam war. As the war dragged on, doubts began to arise. Was this a war against communism or a civil war? Were we viewed as defenders of freedom or as heirs to French colonialism? Antiwar and antidraft sentiment burgeoned. Many young men, rationalizing that the war was neither just nor justified by our national interest, fled the country. The nation became deeply divided.

The All-Volunteer Army was a response to that experience. It was an attempt to meet public concerns by ensuring that any U.S. forces committed to conflict would be those who had taken up the profession of arms by choice. Thus ended the strong arguments against forcing young personnel to go into war through the draft where the threat to the national security interest was less than patently manifest to all in the form of direct aggression against the United States or its closest allies.

Nonetheless, the debate has arisen once more with the end of the cold war and the advent of new kinds of challenges—and potential U.S. involvement—in situations related not to confrontation with another superpower or even its proxies, but to the maintenance of stability in troubled Third World areas. Desert Shield and Desert Storm sparked vigorous discussions about the national interest and the placing of our personnel into harm's way in areas outside the reach of our traditional alliances. However, the gross actions of Saddam Hussein, combined with an awareness of the critical role of oil and reliable energy supplies to the security and well-being of the Western World, set the stage for public support which firmed up as our efforts achieved an overwhelming victory with minimal casualties.

The Persian Gulf war demonstrated that there are no other nations with the same ability to rally the international community. If we do not take the lead in these situations, it is quite likely that there will be no coordinated international response. Iraqi aggression also exemplified the fact that in the post-cold-war world, threats to our national security need not be direct to be dangerous. Resources of great importance to us and our allies were put at risk, but our nation was never directly threatened. While there has been no other multilateral military campaign of the scope of the gulf war, the number of international peacekeeping missions has increased dramatically the last few years.

Now we are debating Somalia—with many questioning whether we should place the lives of our personnel at risk in a distant land which, on its surface, bears little relevance to our own vital interest as a nation. The same question can and has been raised with regard to other international operations, such as in Cambodia, Haiti, or Bosnia.

The United States cannot act as the world's policeman. But at the same time, we can ill afford to ignore many of those trouble spots. The threats to our long-term security and well-being no longer derive primarily from the immediate risk of military aggression directed at us or our closest allies. Rather, they arise from the corrosive effects of international scourges from which we cannot isolate ourselves and whose prolonged impact is no less dangerous for being less dramatic. A partial list would include the proliferation of weapons of mass destruction in the Third World, international narcotics trafficking, terrorism, rising economic nationalism, and massive population movements of refugees and illegal migrants. Each of these problems has and will affect our long-term economic prosperity, social fabric, and security. And each is created or aggravated by upheavals and armed strife abroad which displace people, destroy economies, and break down law and order. We cannot afford an ostrich-like indifference to such events simply because they may occur in areas outside our traditional sphere of vital military interest or because action on our part entails real costs.

In Somalia, the immediate consequence of a precipitous United States withdrawal, if undertaken under artificial deadlines unrelated to the situation on the ground, could well be a collapse of the U.N. effort which would throw Somalia back into anarchy and put millions of people again at risk of mass starvation. We cannot leave immediately because the United Nations has not had an adequate chance to replace us, nor have the Somalis had a reasonable opportunity to end their strife. It was barely a year ago that the spectacle of hundreds perishing every day, and the imminence of death on an even more massive scale, aroused the conscience of the American people and the world community. We witnessed the carnage every day in our living rooms on television—and we felt compelled to act. How will we respond—how can we live with ourselves as a nation—if we are witnesses to such horrors again in a few months, knowing full well that they arose in part from our abdication of responsibility? Would we feel compelled to reenter Somalia—and would our conduct now sow the seeds of guilty recrimination and a divisive debate a few months hence?

But the consequences of precipitate United States action would far transcend Somalia and our relationship to that country. A collapse of the U.N. operation there would be devastating to our efforts to engage the wider international community, through the U.N. or other mechanisms, in the business of maintaining global stability and security. While the United States must retain the ability to act unilaterally when necessary, broader international commitment to peacekeeping and peacemaking can serve our interests by spreading the burden more widely. Equally important, it can contribute to the sense of international community on the one hand and self-restraint on the other which is essential if we are to dampen or prevent conflict in the first place. We are more than ever in need of such cohesive elements in a world where the end of communism and of superpower confrontation has decentralized the world power structure and unleashed pent-up forces of nationalism and ethnic strife.

We want other nations to assume more of the burden of international peace. To have them do so, they must believe that they can rely on our commitments when we make them. Twenty-seven other nations joined us in Somalia at our urging, and many have taken casualties as well. What example do we set for them, and for future attempts at concerted international efforts, if the world superpower—to whom all look for leadership—abandons an operation in mid-stream when the going gets tough?

This is why I see this debate as critical in defining the role America will play in the future. The consequences of our action here may be felt for years to come. Let's look to the future for a moment and see what lessons we can take away from this difficult experience, and it may help focus our decisions today.

First, we must accept the fact that there will be situations where U.S. leadership and U.S. participation are essential. At the same time, one of the benefits of being the world leader is that we can call on other nations pick up a fair share of the international "duties," such as peacekeeping, conflict resolution and development assistance. Many of the recent successful United Nations and regional peacekeeping operations have required only a minimum of United States participation in the form of personnel on the ground—Cambodia being a prime example. One of the most efficient ways we can keep our own defense-related costs down is to leverage our participation in these operations to the maximum extent possible. Even in Somalia, United States troops comprise less than one quarter of all UNOSOM forces.

We need to work more toward regional solutions to regional problems. While we are likely to play a pivotal role in devising a solution to many of these problems, we need not take the lead in all cases. In many instances, neighboring countries or leaders are able to facilitate political solutions in a manner that a superpower cannot. They also have a greater incentive to contribute to the frontline troops to peacekeeping or even peacemaking efforts designed to maintain stability and avoid chaos in their own neighborhood. With encouragement and logistical support from the United States, these efforts can play a much greater role than they currently do. The ECOWAS peacekeeping effort in Liberia is an example of successful regional cooperation and leadership in peacekeeping. With the encouragement of the United States, Nigeria took the lead in assembling a regional military presence. Now that a peace agreement has been signed, we are providing the logistical support necessary to supplement the Nigerian troops with those of other African nations who will conduct the disarmament and monitoring missions. Central America provides several examples of successful regional leadership efforts that led to negotiated solutions to protracted conflicts.

As the confrontation with Aideed has escalated, it has become all the more imperative that we involve regional leaders in the search for a political solution. President Isaias Afewerki of Eritrea has offered his good offices, as have Presidents Mubarak of Egypt and President Meles Zenawi of Ethiopia. We are reminded that military might alone cannot solve many of these problems, and that world leadership sometimes hampers our ability to play a mediating role. I am pleased that President Clinton has now decided to place greater emphasis on this option for dealing with Aideed, and hope that we take away this lesson for future conflicts.

It is important that we examine and debate the other options available for participation in peacekeeping operations. It has been proposed that we make greater use of Article 43 of the U.N. charter for peacekeeping operations. Article 43 allows member nations to place military forces at the disposal of the United Nations on an open-ended basis for use in the maintenance or restoration of international security. While I am intrigued by this idea, there are many practical problems with its implementation, not the least of which is that public opinion, both here and internationally, is not yet ready to place soldiers at the disposition of the United Nations and a permanent U.N. military command structure. And the United Nations has yet to prove itself capable of managing such an expansion in its mandate. For now, U.N. peacekeeping or peace enforcement operations will remain ad hoc responses to particular crises, and their military command structures—whether or not under direct U.N. authority—will rely upon the regular officer personnel of contributing states.

In this context, I urge my colleagues to consider another option, a proposal that I am formulating to designate certain U.S. military units as all-volunteer units specially trained for service in international peacekeeping situations. They would be comprised of personnel who specifically elect to serve with those units in multinational forces which may deploy in areas outside our traditional sphere of vital national interest—and in circumstances our service men and women may not normally anticipate when they join the regular All-Volunteer Force. Those personnel would receive special training for the unique nature of peacekeeping or peacemaking duty and for the particular demands that arise when working as part of a multinational force. Creating specialized volunteer units would remove any doubt that military personnel participating in such operations do so out of a free and fully informed commitment to those types of missions. This could ease the task of achieving the political consensus in this country which is necessary if the United States is to play a responsible role in such efforts and remain steady under fire.

Each of us wrestles with the burden of the responsibility of voting to put American personnel in harm's way, and rightly so. Such a decision should never be taken lightly. Nor should we shy away from pursuing those policies that we know are in our long-term best interest because they carry with them an element of danger and risk to American lives. As I have said, the long range consequences of inaction or precipitous withdrawal from a situation that has suddenly turned dangerous can be much more costly and much more difficult to resolve. My proposal would give the President the option of using an American force that was specifically designed and psychologically prepared for such special assignments. I believe this would generate greater support for such undertakings among the Armed Forces and the American public. And it would prevent us from having to send anyone into a dangerous situation who had not specifically volunteered for such assignments.

In conclusion, let me reiterate that we must not act hastily here, nor under the sole influence of the emotional events of the past couple weeks. We have all been terribly saddened and moved by the TV footage of sufferings and dead American servicemen. Yet, we must not let the lives that have been lost be in vain. It has taken us two decades to shake off the Vietnam syndrome. We must not let insufficient political resolve create a credibility gap that haunts us for the coming decade.

I fully understand the difficult nature of these decisions and I sympathize with many of the anxious and angry feelings of my constituents, many of whom have friends and relatives serving in Somalia. But let us take the long view here. We owe it to the American people and particularly to our men and women in uniform to do what is in the ultimate best interest of our Nation.

The end of the cold war—and our unrivaled leadership in the new era—have given us a unique opportunity to strengthen our economy and improve our own society through trade and engagement with a world more open than ever before to our commerce and our ideals. Our participation in efforts to maintain international security represents an investment in keeping that world open as a forum of cooperation on which to build a new prosperity for ourselves and our children. It would be a tragedy if, by refusing to make that modest investment, we let slip our chances at the very moment of victory over totalitarianism and reversed much of what we ardently sought and spectacularly achieved during a half century of struggle. We must not lose this opportunity to have a peaceful world with increasing opportunity to enhance our Nation's economic prosperity.

Mr. McCAIN. Mr. President, I yield 8 minutes to the Senator from Colorado, one of the few who had the foreknowledge that the disaster was going to befall us.

The PRESIDING OFFICER. The Senator is recognized for 8 minutes.

Mr. BROWN. Thank you, Mr. President. I want to thank the distinguished Senator from Arizona whose leadership on this issue is an inspiration to all of us as well as is the example of his life.

Mr. President, last December I spoke out in opposition to President Bush's decision to send troops to Somalia. It was not a partisan view at that point. It is not a partisan view now. But it is one of deep concern for what I believe to be the interests of our country.

I opposed our deployment of troops because we did not have a clear mission. That mission has not been spelled out clearly even today.

I opposed our deployment of troops because we did not express a clear commitment to stand behind those troops. Tragically that failure has led to the unnecessary death of U.S. soldiers.

I called for hearings in December. Initially I was turned down. I called again for hearings and wrote the chairman of the Foreign Relations Committee. He accommodated us by arranging for hearings. When the administration called and asked that they not have to testify, and not have to spell out their policy—perhaps it was inconvenient, perhaps it was embarrassing—but the administration asked not to testify. And the Foreign Relations Committee canceled the hearings when the administration did not come. They did not subpoena witnesses. They did not ask to find out the facts and the policies. But they canceled the hearing. And no open hearings have been held to spell out the policy with senior administration officials as witnesses.

Several hearings have been scheduled before the Foreign Relations Committee with the Secretary of State, and several or more have been canceled in recent weeks. Perhaps we will have one next week. But the simple fact is we did not do our job as a Government to spell out why we were there, what the mission was, and what we were going to do to protect our troops. We did not ask the committees of this Congress to do their job—which is our job under the Constitution. The failure that we talk about tonight is a failure of both the executive and legislative branches.

Mr. President, the mission is finished. Mr. President, the starving have been fed. The crops have been planted. The distribution has been set up and our hostage, perhaps most importantly right now, our hostage has been returned. The mission is done.

I have heard tonight distinguished Members say that the question now before the body is how we leave, not whether we leave. Mr. President, let me as sincerely and as forcefully as I can say I disagree. I believe the issue is much different than how we leave. I believe the issue is fundamental and goes to the very core of the obligation that we have to the people who put the uniform of this country on and who risked their lives. What kind of a commitment do we have to those who serve our country? I believe they will do what we ask of them. They will go where we tell them. They will even risk their lives.

Some may recall a beautiful letter that President Bush read from a young man who lost his life in Kuwait. Somehow he sensed that his life was on the line the next day, and he wrote his parents. He talked about the pride he had in serving his country. How can we forget the obligation we have to those who put their very lives on the line? Yes. They do what we say. They will go where we tell them. But it does not end there because their obligation is not just to us. We have an obligation to them. I believe that obligation is clear. It is whenever we risk their lives and put them on the line, we at least have the obligation to tell them what their mission is.

We have not done it in Somalia. We have not done it in other places around the world. It is important to tell our men and women in uniform the mission because we will not know when the mission is completed if we do not define it.

Second, I think we have an obligation to stand behind them, not stand behind them if it is politically convenient, not stand behind them unless our prestige might be injured, but stand behind them—just as they take the duties we impose upon them.

We have not done it. The commander of the troops in the field asked for armored personnel carriers. It was not because of a change in the mission. It was the mission that the President had given them, and that this country had voted for in the United Nations. It was a mission to cut off arms and supplies and to go after Aideed. There was no denying that was the mission. The Commander in the field said to do that mission he must have armored personnel carriers, and that he had to have tanks. The Secretary of Defense turned down the request in spite of the recommendation and the request of the field commander. He turned his back on the safety of American troops in the field and in combat. I believe that is wrong. I believe that breaks the obligation we have to our men and women.

We ought to be smart enough to learn from the past. In Lebanon we sent troops into harm's way and did not even give them bullets for their guns. And the enemy broke through our barricades, drove a truck into the barracks and killed several hundred Marines who were asleep. Whose fault was it? It was not the fault of the people on guard duty. They were denied bullets for their guns. That is wrong. It is wrong because we did not fulfill our obligation to stand behind them and to protect them and defend them.

In Vietnam, we originally set up a base in Da Nang. I know because I went there to set it up originally. The plan was to put a base in Da Nang, put in supply lines into the interior, and physically block the Ho Chi Minh Trail, and force the North Vietnamese invaders to fight a confrontational battle where we could win. A battle in which our superior air power, artillery, and other advantages would give us a clear victory and cut off the flow of infiltrating Vietcong.

We spent the wealth of our Treasury to build the bases. We spent the lives of our men to defend them. We spent the lives of our troops to build the roads. Then the politicians in Washington, because they thought it was inappropriate, canceled the project. We put American lives on the line. Then we canceled the project that could have cut off the infiltration of enemy.

As a forward air controller, I flew in the I Corps area. The area I was in was fairly safe, but occasionally we would run across enemy troops. The rules were set by civilians in the Pentagon. They said we had to have approval from just about everybody and their cousin before we could fire back. To identify the enemy, we had to fly low enough to draw their fire. Even after they had fired on us, sometimes it took 2 hours to get approval to respond. Let me tell you. When you are in hot pursuit of an enemy that has fired on you, 2 hours is too long. One time it took over 12 hours. The enemy was simply gone.

Americans in Vietnam put their lives on the line. The politicians in Washington—in Congress and the Pentagon and the White House—designed the system that made it impossible to succeed and sometimes even to defend themselves.

Some here have taken troops to Hanoi in the quest for more information about our POW's from Vietnam. One thing you will notice when you go to Hanoi. It is much like the French left it in 1954. What is significant about that? That is where they had their supplies. The harbor at Haiphong, the supply depots in those areas and some of the key bridges, not all, were put off limits. You see, they fired on us and we could not fire back.

That was the decision of the politicians in Washington. They put the troops in the field but did not stand behind them to protect them.

Some now say it would be embarrassing to withdraw. Perhaps it would. In Vietnam it was embarrassing to withdraw, and we could not do it because it would embarrass the political leadership. It was also politically impractical to decide to win, so what did our political leaders do? They took the easiest course; they did not make a decision. They let Americans bleed and die without a strategy and the equipment necessary to win. Because it embarrassed the political leadership, they left our men on the line undefended, unprotected, and without a winning strategy. It happened in Lebanon, and is now happening in Somalia.

How many times do we have to leave our troops out to dry before we learn our lesson? Do not commit military forces without a clear mission and a willingness to stand behind them. If you are not willing to do it, do not send them overseas and take their lives. Some have asked, "How do we get out?" With all the strength I can muster, I can tell you that is not the question.

Our mission is done. We have finished our mission. The only question remaining is this: Will political concerns be more important to us than the lives of the men and women who serve our country? Everyone knows that if they stay, they risk losing their lives. Ask yourselves, for what? This is not just a vote about policy. This is not just a vote about convenience. It is not a vote about ego. This is a vote about whether you stand behind the men and women who give their lives to serve this country and defend the Statue of Liberty and hold the torch of freedom high. It is a question about whether or not we fulfill our obligation to those who risk their lives for this country.

Mr. President, the mission is done. Let us bring those who love this country home.

Mr. BYRD. Mr. President, I yield 3 minutes to the Senator from Missouri.

Mr. DANFORTH. Because American troops are now in Somalia and Ambassador Oakley is on the scene, I will vote against undercutting our Commander in Chief. I will vote against the McCain amendment and for the so-called leadership amendment. In so doing, I want to make it clear that I am not happy with the performance of this administration. I do not believe that the administration has clarified the extent to which it has moved beyond the humanitarian mission to a more political mission in Somalia.

In my judgment, the President's policy on whether or not we are involved in so-called nation building is an incoherent policy. In the President's letter today to Congress, the President says:

> The U.S. military mission is not now, nor was it ever, one of nation building.

But, in the same paragraph, the President says:

> What the United States is doing there is providing for a limited period of time logistics support and security so that humanitarian and political efforts of the United Nations and others can have a reasonable chance of success.

Then in the following paragraph, the President says:

> We cannot leave immediately because the United Nations has not had an adequate chance to replace us, nor have the Somalis had a reasonable opportunity to end their strife.

Then, in the President's reports to the Congress today, similar statements are made. He says:

> We are not involved in nation building.

And then, a few paragraphs later, he says:

> The pressure of our presence will help make it reasonably possible for the Somali people, working with others, to reach agreements among themselves so that they can solve their own problems and survive after we leave.

Mr. President, the position of the President of the United States is that we are involved in nation building, and we are not involved in nation building. This is not policy, it is gibberish. It must be clarified by the President of the United States. I do not approve of the policy, but because our troops are in place, and he is Commander in Chief, and he is headed out of Somalia, I hope, I will vote against the McCain amendment.

Mr. McCAIN. Mr. President, I thank the Senator from Missouri for a very strong argument in favor of my amendment.

I yield to the Senator from Iowa for 4 minutes.

Mr. GRASSLEY. Mr. President, I, for one, appreciate the fact that Congress is finally getting around to it's constitutional responsibility of debating our lack of policy in Somalia. Two soldiers from Iowa, Sgt. Matthew Rierson and Pfc. Matthew Anderson, have already lost their lives. If nothing else, perhaps this debate will help focus the administration on determining exactly what its policy is.

Unfortunately, our efforts in Somalia have dramatically changed. In the beginning, it was a humanitarian mission. Then, it suddenly became a U.N. sponsored hunt for General Aideed. And how, it has become a conflict for credibility, where we seem to be putting "pride" above "principle."

A few weeks ago, I was one of seven who voted against Senator BYRD's modified resolution, because I supported the original amendment that would have required the President to articulate his Somalia policy, or defend it. The original Byrd amendment should not have been modified.

Now we know that many mistakes have been made in Somalia and the lack of policy has led to disarray. The President's greatest mistake was turning over policy and command to the United Nations. The Congress' greatest mistake was letting President Clinton get away with it.

Even so, there are those who argue we have to cooperate with the President on Somalia. Well, I agree we have to work with the President, but mere cooperation is what got us here in the first place.

Now, tragic events have stepped in and have forced Congress and the President to go where they dared not go before. The deaths of 17 American soldiers, who were ill-equipped, ill-informed and left to the direction of a misdirected United Nations, has been quite sobering. And the American people want answers.

Of course, aides to the President have attempted to reassure us all by promising that "we're learning from our mistakes." Well, that's my point. No on-the-job training.

My constituents in Iowa are not reassured, and they're questioning the basic decision-making ability of this administration. Is it really up to the job? Many of them agree with retired Army colonel, Larry Joyce, whose son James was killed on October 3 in a firefight. Colonel Joyce struck a chord when he stated, "we've got 'a bunch of amateurs' running our policy in Somalia."

It's very difficult to argue with Colonel Joyce, especially in light of the conflicting and confusing statements coming out of the administration. Beyond the disastrous briefing that secretaries Christopher and Aspin attempted to give Congress last week, I still see mostly confusion.

What's our policy? It seems to change daily. The President said we're going to de-personalize the operation. But, Admiral Howe, the U.N. representative, as well as Secretary Aspin say a reward is still on General Aideed's head.

Secretary Christopher has backpeddled from his former pronouncements on nation-building. And Secretary Aspin has said our military objectives are "deliberately vague." This is supposed to keep Aideed off balance. But, it is the administration that is tripping all over itself.

As a result, America has fallen off of the high road. But, the President wants to stay this course, at least until March 31st. Even that date is slipping. However, the deadline that the President promised seems to be slipping already.

And, the problem regarding this administration's lack of understanding, or some would say lack of competence, can be seen beyond Somalia. We have just witnessed a major setback for our policy in Haiti. And for an administration that is learning from its mistakes, it is more than a little disturbing that Secretary Aspin stated last Sunday morning that there was no threat to our lightly armed troops going to Haiti. By the end of the same day, a violent mob had prevented our troops from even landing.

It almost seems like a pattern of ineptitude is developing. As an article in the Washington Post put it:

> Back to back crises for the Clinton administration in Somalia and Haiti have had one critical element in common: Key resolutions governing deployment of U.S. troops moved through the U.N. security council with little public debate or indication that Washington had assessed the potential risks to American soldiers.

Mr. President, it is past time for this administration to get its act together. And, that does not mean patching together policies a few days after a catastrophe. The American people demand more, and our soldiers deserve better.

Mr. President, it is time to bring our soldiers home in an orderly and expeditious manner. Before some slippery March 31 deadline.

Of course, even though Warrant Officer Durant has been released, we have to do everything we can to make sure that any soldiers that may be missing in action are accounted for, it is irresponsible to carry on a war that has become a conflict for credibility.

Americans have proven over and over that they are ready and willing to sacrifice for national security interests. But, the administration has acknowledged that there are no such interests at stake in Somalia.

Americans are also willing to sacrifice to help others in need. But in Somalia, we have sacrificed enough, and we have accomplished our noble goal of saving the starving people.

So, I will be supporting Senator MCCAIN's amendment to end our involvement in Somalia in an expeditious and honorable way.

Mr. President, it is time for America to get back up on the high road, and it is up to us in the Congress to help President Clinton get us there. A vote for Senator MCCAIN's amendment is a vote in this direction.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield 4 minutes to the distinguished Senator from Rhode Island, Mr. CHAFEE.

Mr. CHAFEE. Mr. President, I wish to join in the tribute that has been paid here tonight for our military forces who are serving in Somalia. I am proud of them, as we all are, and we are certainly proud of their families, likewise.

As to the amendment before us, the Byrd amendment, I believe we should withdraw from Somalia, but I think we ought to do it on our own schedule. Nonetheless, the President has stated that we ought to be out by March 31, and that is what the amendment says, and I can understand why it says that. However, I do believe it would be better if we had left the date uncertain, although I seek an early withdrawal, but I do not think we should tell the opposition exactly what we are going to do.

Therefore, I would vote for the Byrd amendment.

Now, Mr. President, as for the McCain amendment, I believe that is a big mistake. I think if the McCain amendment were adopted, it would show to the world that the way to get the Americans out of any location is to kill some American soldiers. All over the world, there are terrorists that want Americans out, whether it is in South Korea or whether it is Colombia or Armenia or hundreds of other locations.

Certainly, this is not what the Senator from Arizona believes will be the result. Obviously, no one can question his integrity and his patriotism.

But I do believe, if this amendment is adopted, that American soldiers and marines throughout the world will become targets, because I believe the signal that will be made clear is that America will pull out if some Americans are killed. Therefore, I think this is an unfortunate amendment. I believe it should be defeated.

I thank the Chair.

Mr. MCCAIN. Mr. President, I yield myself 30 seconds.

Mr. President, in case the Senator from Rhode Island has forgotten history, we lost 40,000 people killed in Korea, and we are still there. The reason is the difference between Korea and Somalia. And the difference between Korea and Beirut is we had a mission and reason to be there, and we are still there.

I yield 4 minutes to the Senator from Delaware, Mr. ROTH.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. Mr. President, last week I came to the floor to explain why I believe American troops must be withdrawn from Somalia. I outlined the criteria that I believe must be met before leaders of any nation send their young men and women into combat. This is not a new position for me. I stood firmly behind these same principles—these same criteria—when I opposed sending our troops into Lebanon in 1982.

Let me repeat those criteria now:

First, we must know what vital interests are at stake. It is never easy to commit troops into action, but it is justified and warranted when the security of America is in question. However, when the vital interests are those of a coalition of nations of which we are a part, such as NATO, we must be in agreement concerning to what degree we are willing to commit our forces and resources.

Second, we must know who the enemy is and what kind of threat the enemy poses to our security forces.

Only in this way can we be certain that our soldiers are properly equipped and able to carry out their objective.

Third, there must be a plan about how the mission in which we are engaged can be brought to a successful conclusion in the most efficient and effective manner possible. Our men and women should never be in harm's way even a day longer than is absolutely necessary.

Fourth, American interests under any circumstances, should never be subservient to the interests of any international coalition without the consent of Americans.

I might also add two other conditions that I believe must be met before we commit our service men and women into combat. One, we must be certain that no other policy, or policies, can bring about the same desired result or solution to the crisis. And the benefits of the action must justify the costs and sacrifice.

We never met these criteria when American Marines were deployed to Lebanon. That is why I opposed that action from the start. And now as we look back on the dark moment when many of those brave young men eventually lost their lives in the barracks bombing, we all realize how important it must be to meet these criteria.

Mr. President, let us learn from history, before—once again—the hour grows too late. Our mission in Somalia today does not meet these criteria. It was a mission of mercy that took them from their homes to serve the starving people of Somalia. That mission was accomplished. Now their lives are in danger for what amounts to little more than an agenda set by the United Nations. It has nothing to do with America's strategic interests. It has nothing to do with our Nation's security. Our soldiers do not have a clear idea of who their enemy is. Neither do we. And they are certainly in harm's way far longer than they ought to be.

Far too much time has been wasted debating a possible mandated date for the withdrawal of our troops from Somalia. We should be debating principle, not dates. If the United States national security interests are at stake in Somalia, then our troops should stay there until those interests have been secured.

If, on the other hand, there are no United States interests at stake in Somalia, then our forces should be withdrawn with all appropriate speed.

We all know that this Nation has no vital interests in Somalia.

That is why I support the McCain amendment prohibiting the use of funds for United States military operations in Somalia.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield 5 minutes to the Senator from Massachusetts [Mr. KERRY].

Mr. KERRY. Mr. President, before the time is yielded—I had asked previously for more time. I do not want to be different from anyone else, but the leader had suggested we might be asking for more time before yielding down. I want to understand if that is the case.

Mr. BYRD. Why does not the Senator go with 5? If he needs more, I will see if I can be helpful.

Mr. KERRY. I thank the distinguished leader.

Mr. President, I support the amendment that is offered by the Senator from West Virginia, and I intend to oppose the amendment offered by the Senator from Arizona.

I believe that the amendment offered by the Senator from West Virginia offers the most reasonable and the most sensible choice to the United States and that, in fact, the amendment offered by the Senator from Arizona poses a choice which is contrary to the best interests of the United States of America.

When the President announced his chosen course of action last week, some people in this body suggested that we ought to bring the troops home sooner, and that there was no longer any reason to stay in Somalia.

Events of the last few days seem to indicate that they were wrong. The President's policy is working today, Michael Durant and the Nigerian peacekeeper who have been held hostage were released by Aideed's forces. Aideed has entered into a unilateral cease-fire and is now talking about participating in a political solution.

Indeed, if colleagues will take the time to look beyond the southern portion of Mogadishu, if you look beyond an area that is simply about 10 square miles, you will find that most of what we set out to do is being accomplished—not yet fully accomplished, but extraordinary gains have been made throughout Somalia.

The Senator from Arizona and others now want to withdraw immediately and say to the United Nations, to the Somali people, to the families of soldiers who have already given their lives, that that effort was wasted. They want to say to the rest of the world that the United States is willing to walk away from its own successes as well as from its own obligations.

Mr. President, a lot of our colleagues have come to this Senate chamber and said that we do not have any interests in Somalia. I disagree with that. The United States of America has important national interests in the mission in Somalia—and a mission, I might add, that is going to terminate. This is not a debate about whether or not this will ever end. It is going to end.

The amendment of the Senator from West Virginia sets a date for termination. It will end. The President has made it clear it will end. The American people have made it clear it will end, and I do not think there is any doubt about it: American participation will end.

The question is, How do you do it? You do it in a way that is sensible, rational, supportive of our goals, and most importantly, supportive of the sacrifices already made by the American soldiers who went there.

Mr. President, I have said that we have important national interests in this mission. So what are they? Let me list them very quickly. First, the United States has the same interest today that brought us to Somalia in the first place—the overriding humanitarian interest in seeing that the Somali people do not fall prey to another cycle of life-threatening famine and civil war.

I would remind my colleagues that this Nation responded to the television images of starving Somalis. They motivated us to say that a humanitarian mission in Somalia is something that fits into the spectrum of United States interests. We are not a nation that sits idly by when literally hundreds of thousands of people on the face of this planet are being wiped out by chaos and civil strife and famine.

And so we responded, as we should have, under a Republican President, without few Republican voices suggesting that it ought to be otherwise. And we went in.

If we pull out summarily, those very same images could return within months. What will we say to the American people, "Oh, this was OK the first time around but we were not really serious in our humanitarian purpose; this crisis somehow does not rise to the same level of compelling international interest and national interest that led us to go in the first place."

We went in to pave the way for the delivery of relief supplies. That mission is not yet completed because there is no guarantee that those supplies will continue to flow after we leave.

Second, we have a critical national interest in demonstrating the credibility of our commitments to the international community. Through our representative to the United Nations, by our vote in the Security Council, the United States of America endorsed and agreed to the expansion of the U.N. operation in Somalia. We could have vetoed, but we did not.

Now many of us in Congress would agree that that vote was wrong. I believe it was wrong. Nevertheless, we as a nation, are committed.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KERRY. Mr. President, I would ask if it is possible to have 3 more minutes.

Mr. BYRD. Mr. President, I yield 3 more minutes to the Senator.

Mr. KERRY. Mr. President, as we learned during the Vietnam war, any policy which puts American soldiers in harm's way can only be sustained if it is based on a strong national consensus. We did not have that when this vote was taken at the United Nations. But I think, because of the effort of the Senator from West Virginia and because of the decision of the President of the United States, we do have a consensus today and it is a consensus that the word of the United States ought to mean something.

I believe that our credibility and ability to perform effectively in the international arena will be affected by the way in which we withdraw from Somalia.

The amendment offered by the Senator from West Virginia reflects the fact that we should leave in a way that does not impair our capacity to be effective in the future.

Third, we have a vital national interest in defending our reputation as a nation that can stay the course in an international humanitarian effort. We should not cut and run in a way that would undermine the humanitarian goals of the U.N. mission in Somalia, or in a way that would only return us to the very situation that brought us there in the first place.

To do so, Mr. President, would send a signal to other would-be Aideeds in Haiti, Bosnia, or other parts of the world that the United States in this new world order, whatever it may be, is not the superpower, that it is not prepared to lead, that it is not prepared to stand by the word it has given.

A policy of cutting and running now would have far-reaching consequences. Mr. President. We might not pay the price in Haiti tomorrow. We might not pay the price in Bosnia. But history has proven that some despot, some future authoritarian Fascist will understand the message—that the United States is fickle—and we will pay the price down the road, when there is sufficient disorder on this planet that civilized nations together decide that they must do something about it. And it will cost us more in money and more in bloodshed than the simple response that the President of the United States has on the line today.

Finally, Mr. President, we have a national interest in ensuring that the United Nations fulfills its potential as a peacekeeping/peacemaking institution. Somalia is the first test of the United Nations in the post-cold-war period. The United States of America, as the world's only superpower, cannot undo 50 years of effort, billions of dollars of expenditure to build a United Nations that can find peaceful resolution to problems.

I respectfully submit to my friends that we should not create a Somalia syndrome after spending 20 years to try to undo the Vietnam syndrome.

The President has set a date for withdrawal and the Senate and the Congress should have the courage to stand by our word and to stand by the President.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. MCCAIN. Mr. President, I yield 3 minutes to the Senator from Alaska, Senator MURKOWSKI.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Mr. President, I thank the Chair.

I rise in support of the amendment offered by the Senator from Arizona [Mr. MCCAIN] and the Senator from Texas [Mr. GRAMM] and ask unanimous consent that I may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, in contrast to the compromise offered by the leadership, this amendment comes to the right conclusion. The U.S. mission is complete. It is time for our troops to come home. The McCain amendment provides that U.S. troops will come home in an orderly fashion and as soon as possible.

The original mission, as we know, was humanitarian. We fed the starving people in a time of crisis and we accomplished our mission. We closed the emergency relief food distribution stations. But somewhere along the line, Mr. President, the mission changed from humanitarian to an ill-defined, poorly planned, and open-ended U.S. mission of nation building.

This changed mission meant U.S. troops, under U.N. command, were being used in the front lines of a personal battle against the warlord Aideed. The results of this involvement, which was not approved by this Congress, were tragic. Eighteen lives were lost in the firefight and many were wounded, including a young man, Terry Maddox, from Alaska.

I have talked to his father, John Maddox. He said:

> My son was trained as a warrior, but he was put in a position of peacekeeping with women and children in the surrounding area and he was unable to defend himself.

Mr. President, thankfully, that young man is going to survive. Thankfully, we have got our hostage, Michael Durant, back home safely.

But no further lives, Mr. President, should be endangered when there is not legitimate U.S. interests at stake. Let the United Nations handle the issue of nation building.

What do the people of the United States think of this debate tonight?

I think we should reflect a little bit on where we are. We are talking about pulling out. The McCain amendment says pull out now. The other amendment by the leadership suggests that we should pull out by March 31.

The public knows only one thing, Mr. President: We have made a decision to pull out. Now, there is a question of accountability and the public wants to hear about that.

It is hard to find out around here just who is accountable. Who made the decision for the humanitarian mission to move to a nation-building mission? Not the Congress.

Who made the decision to turn down the military's request for tanks and armored carriers to provide the reinforcements for our troops? Congress did not make that decision, but somebody did.

So far, we have 29 dead, we have 159 wounded. We have spent $1.15 billion. That is what we have in Somalia today.

So let us stand up for what the true U.S. interests are Mr. President, and not stand up to cover our mistakes. And that is what we have made here, a mistake. Let us get out as soon as practical and go on with the obligation which we have as a superpower. And let this also serve as a lesson to this administration to consult with the Congress when appropriate, such as when the mission our troops are sent to support changes.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MURKOWSKI. I thank the Chair and I thank my colleague from Arizona.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield 5 minutes to the Senator from Pennsylvania [Mr. SPECTER].

Mr. SPECTER. Mr. President, I thank the distinguished President pro tempore.

Mr. President, in my view, the pending resolution by Senator BYRD is the least undesirable of all the alternatives.

I think that action by the distinguished Senator from West Virginia has been very beneficial in focusing attention by the President and by the Congress on our very severe problems in Somalia.

Last month, when Senator BYRD offered an amendment which would have compelled withdrawal from Somalia within 30 days unless specifically authorized by Congress, I spoke in favor of that amendment. That was a tough-medicine amendment. I thought the critical part there was to have authorization by the Congress if in fact our troops were to remain in Somalia.

This country learned a bitter lesson in Vietnam, that we cannot fight a war without the support of the American people. And the first line indication of the views of the American people come from our representative democracy in the Congress. So that when action was called for by the Congress before continued presence of our troops, I thought that was on the right track.

When Senator BYRD modified his amendment to call for a report by October 15 or we would be out by November 15 unless authorized by Congress, and that was only a sense-of-the-Congress resolution and not binding, I thought that was at least a step in the right direction, although not as forceful and as desirable as the first amendment he had originally offered. That has compelled the President to come forward, finally, with a report to the Congress on United States policy in Somalia. It has compelled the President to focus and try to write our policy down. As he has written it down, I do not think it has come out very clear or very forceful. But of all the alternatives remaining, it is still the least undesirable.

I say that because the institution of the Presidency is involved in our debate tonight in a very fundamental way. If a defeat on the budget would have brought down this President, or would have severely damaged this President, it is my view that a defeat on his current policy as articulated in this document would severely damage the institution of the Presidency. The problem with what the United States has done so far is it has been irresolute, uncertain, and if we cut and run now it will be an act that is very hasty. The resolution proposed by Senator BYRD and others is a measured resolution and the President's policy, while not perfect, clear, or forceful, it is not unreasonable.

I use the expression "not unreasonable" in some slight distinction from being reasonable, because it is still preferable to the resolution offered by our distinguished colleague from Arizona, Senator McCAIN. As I listened to Senator BROWN, and have heard Senator McCAIN, I hear a very strong view forged out of the turmoil and pain of Vietnam. I served during the Korean war, stateside, so I do not have their experience in Vietnam.

I think the debate which has taken place last month and tonight is a very useful thing in our democracy. In supporting Senator BYRD's resolution—I read the polls as we all do and know that runs counter to public opinion, but I believe if all America could hear our debate and read the documents and listen to the discussions which we have in small groups, that there might be a different view, a different public opinion. But our job in the Senate and our job in the Congress is to provide leadership. We do not need to respond to public opinion polls. In our representative democracy we have to figure out what is the best as we see it.

There are two significant deficiencies, as I see it, in the current Presidential policy. One of those deficiencies as he articulates it, is the policy of depersonalizing U.S. motives away from Mohammed Aideed.

Mr. President, I ask the distinguished Senator from West Virginia for 2 additional minutes, as I see the gavel about to fall.

The PRESIDING OFFICER. Does the Senator from West Virginia yield 2 additional minutes?

Mr. BYRD. I yield the Senator 2 additional minutes.

Mr. SPECTER. As I was saying, there are two significant disadvantages, as I see it, in the President's policy. One is that he has depersonalized the mission away from Mohammed Aideed, I think that is indeed regrettable because Aideed is a war criminal. It would be highly desirable to be able to take him into custody and try him as a war criminal. But on this state of the record the price is too high.

I think it is also undesirable, as others have expressed, to set a date of withdrawal, as it gives our opponents a target to avoid the problem. But I daresay, if something were to happen on the verge of March 31, on the 20th or 25th, that policy could be modified. The Senate and the House will be in session. We could act to correct that record.

Mr. President, I think it ought to be noted according to figures provided by President Clinton as of October 6, 1993, there were 28,603 troops in Somalia and somewhat less than 5,000 U.S. troops. On the President's representation, other troops will be dispatched from Pakistan, Egypt, Nepal, and India.

Mr. President, I ask unanimous consent to have a table indicating the UNOSOM force contributors as of October 6 printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. SPECTER. In conclusion, while the alternatives all appear to be undesirable, I cast my vote in support of a Presidency, and in favor of the resolution by Senator BYRD.

EXHIBIT 1

ANNEX IV.—UNOSOM FORCE CONTRIBUTORS

[As of October 6, 1993]

	Number of troops	Type of forces	Location
Australia	30	Logistics Staff	Mogadishu
Bangladesh	948	Infantry/Signal	Mogadishu
Belgium	952	Infantry	Chisimayu
Botswana	247	Infantry	Baardheere
Canada	4	Staff	Mogadishu
Egypt	539	Infantry	Mogadishu
France	1,117	Infantry	Oddur
Germany	1,727	Engineering/Logistics.	Beledweyne
Greece	110	Medic/Logistics	Waajid
India	3,606	Infantry/Logistics	Beledweyne
Ireland	80	Transportation	Mogadishu
Italy	2,663	Infantry	Jalalaqsi
Kuwait	138	Infantry	Mogadishu
Malaysia	870	Infantry/Military Police.	Mogadishu
Morocco	950	Infantry	Balli Doogle
New Zealand	43	Air Transportation	Mogadishu
Nigeria	614	Infantary	Beledweyne
Norway	130	HQ Staff	Mogadishu
Pakistan	5,003	Infantry	Mogadishu
Romania	236	Field Hospital	Mogadishu
Saudi Arabia	678	Infantry	Mogadishu
South Korea	502	Engineer/Infantry	Mogadishu
Sweden	148	Medical	Mogadishu
Tunisia	142	Infantry	Mogadishu
Turkey	320	Infantry	Mogadishu
United Arab Emirates.	663	Infantry	Mogadishu
United States	2,781	Logistics	Mogadishu
Zimbabwe	894	Infantry	Baidoa
Force HQ	297		
Prvt Mrshl	143		
SSG	63		
Subtotal	26,645		
U.S. QRF	1,358		
U.S. Rangers	600		
Total	28,603		

The PRESIDING OFFICER. The Chair informs the Senator that the Senator from Arizona has 25 minutes, the Senator from West Virginia has 17.

Mr. McCAIN. Mr. President, I yield 3 minutes to the Senator from Texas [Mrs. HUTCHISON].

Mrs. HUTCHISON. Mr. President, as an outsider at the time, I watched the debate of the U.S. Senate on whether to send American troops to participate in Desert Storm. I thought it was the Senate's finest hour. Each person spoke from the heart, seemingly without partisan pressure, and each person made the decision of his or her conscience. All of the views then, as all of the views tonight, are sincere and have merit. My decision is to support Senator McCAIN.

The United States sent forces into Somalia originally to undertake a mission that was humanitarian in nature and limited in scope. Unfortunately, this policy changed and our military was converted to a police role by the United Nations. On September 9, the Senate spoke forcefully to the President. By a vote of 90 to 7 we said we would like a report by October 15 on our mission to Somalia. And if you plan to have U.S. troops there beyond November 15, Congress should authorize such extension.

Unfortunately, before the report was due events escalated, as many Senators feared would happen. We must clearly see that our mission in Somalia is finished; successfully accomplished. Only one mission remains, for our troops to be brought safely home along with the remains of every soldier who has been killed. The mission for the United Nations may continue without U.S. troops. Attempts to make peace between warring clans should be pursued with sincerity, but without U.S. military intervention. This is a civil conflict and must be treated as such.

Now is the time to correct our course as it pertains to United States military presence in Somalia. Now is the time to bring our troops home. I support the amendment of our Vietnam war hero, Senator McCAIN, because I believe nothing will change between now and March 31 except more American lives will be in jeopardy. There is no mission in Somalia worth that price.

I yield the remainder of my time to the Senator from Arizona.

Mr. McCAIN. I yield 4 minutes to the Senator from Idaho [Mr. KEMPTHORNE].

Mr. KEMPTHORNE. Mr. President, fact: The mission in Somalia is accomplished. The humanitarian aid has been delivered. The starving has been stopped.

Unfortunately, the mission has been changed now. We now have a situation where we have put U.S. troops into combat mode. We put them into a fugitive manhunt, including a U.N. bounty of $25,000 on the head of Aideed. We have done this, it is sad to say, considering that when we were on a humanitarian mission we had 25,000 troops in Somalia. Then we drew them down to 4,000. Then they were committed to the combat mode. We did this when our military leaders were denied the request to have additional armor.

Last week I spoke to a soldier who was in Germany in a U.S. military hospital. He had been evacuated after one of the fire fights that had taken place in Somalia. This was his second tour in Somalia. And he told me, he said, "The first tour there was humanitarian. But the second tour is crazy."

He said, "Senator, if they are healthy enough to now fight us then it's time to go home."

Mr. President, these are the words of a 19-year-old, a young man from Idaho who speaks wisdom beyond his years, and I appreciate what Jesse Long said.

Somalia has a long history of clan warfare and of civil war. The idea that leaving American troops in Somalia for 6 more months in any way is going to alter or change the Somali history or culture is ridiculous. Those 6 months though, Mr. President, may change in a deadly way the lives of American soldiers who are left there in an unjustified situation.

When the U.S. interests are at stake, then I will support the use of U.S. military power, as was the case in Desert Storm, knowing full well that casualties may occur. But the United States has no national interest in the civil war in Somalia.

To all of the United States troops who have been serving in Somalia, I commend them for a job well done and for a job completed. It is time now to bring these troops home. The McCAIN-GRAMM amendment states that we will now have a prompt, safe withdrawal of the U.S. troops now. I commend Senator McCAIN for his record in the armed services of the United States because it is a record of courage.

Mr. President, I also would like to acknowledge the Senator from West Virginia because I believe with all my heart that he has been the conscience on making us aware of our role in Somalia from the very outset.

I urge my colleagues to support the McCAIN amendment. It calls for the withdrawal of the American troops now because the mission is accomplished. Thank you, Mr. President.

The PRESIDING OFFICER (Mr. LEVIN). Who yields time?

Mr. BYRD. I yield myself 5 minutes.

Mr. President, I thank all of my friends on the other side of the question. They have been very generous and kind, considerate, courteous, and I appreciate what they are trying to do. My heart and sympathy are with them.

But let us take a look at the amendment. Let us see what it says:

> Funds may be appropriated or otherwise made available for continued operations of United States Armed Forces in Somalia to support the prompt and orderly withdrawal of all United States Armed Forces from Somalia in a manner most consistent with the safety of United States personnel.

What does prompt mean? Who is going to decide whether it is prompt? Is a month being prompt? Is 2 months being prompt? Is 3 months being prompt? What is being orderly? Who is to make the decision? Who is to question it?

There is no date whereby this has to come to an end, and the President, as Commander in Chief, I say to my friends on my right here, they can contact the President—"Mr. President, this says to be prompt." "Well," he says, "I'm being prompt." Who is going to question him? Who is going to prove him wrong?

There can be just as many people killed under the amendment by Mr. McCAIN as can be killed under mine because there is no end point in the McCAIN amendment. None. It sounds good. "Shall support a prompt and orderly withdrawal." Who is not for that? I am for prompt and early withdrawal, too, but I am trying to put an end point on it. I have a date on it, and I have the teeth of the purse string.

So we are authorizing the President to proceed no longer than March 31. Then you have to come back and you have to get the authorization of the Congress. So there is an anchor to which we can tie to. There is none in this amendment. None.

So do not be fooled into thinking that if this amendment were to be adopted and were to become law, the men would get home sooner. They might be longer than March 31 because who is to decide? The court is not going to step in and say to the President, "Well, it says prompt, so you spent 6 weeks, you're too late. You have to get them out." The court is not going to get into that. Congress is not going to get into it. Congress is going to have to act again if this becomes law and final. The Congress will have to put a deadline to really mean business.

Mr. President, let me say what my amendment does not do. My amendment, as cosponsored by myself and others, does not include nation-building. It does not include national reconciliation. It does not include disarming the clans. It does not include search and destroy operations. It does not include policing the lawless city of Mogadishu.

The amendment which I have offered narrows the mission and is specific about the mission. Here is what it is:

> The Senate approves the use of United States Armed Forces in Somalia for the following purposes—

And there are two. Two.

> (i) The protection of United States personnel and bases.

Who has any quarrel with that? The second one:

> The provision of assistance in securing open lines of communication for the free flow of supplies and relief operations. . . . .

That is it. There are two paragraphs that define and describe the second purpose, which I just read.

So it is very narrow. This amendment I have offered does not include some of the tasks that the President lays out in his report. Here is one of the tasks he includes in his report:

> Keep the pressure on those who originally cut off relief supplies and attacked our people.

My amendment does not specify we do that. So my amendment narrows the mission. There is a cutoff date.

I would like to have said February 1. I would prefer to have said December 1. That is impracticable. We may not be in session. I would like to say January 1. That is impracticable for the same reason. February 1 I would like to have done. But we have 99 other Senators. We have a President. And he has a right to state his position, and he did. He has cooperated with us. He sent up the report earlier than he really had to under the previous amendment. Here is a President who is showing some sense of cooperation with the Congress. He is interested in cooperating with the Congress. He has demonstrated that. I called him on the phone: "Can't you send us up the report earlier than the 15th?" "I'll try to do that," and he did.

Let me read a letter that he wrote dated October 14:

> Dear Mr. Chairman: I understand you intend to offer an amendment to the FY '94 Defense appropriations bill to maintain funds for our mission in Somalia, if needed, up to the March 31, 1994, date proposed by the Joint Chiefs of Staff. As we have discussed on more than one occasion—

That means he and I.

> I recognize that you believe U.S. forces should be out of Somalia sooner than March 31 and it was typically courteous of you to call me in advance of proposing a February 1, 1994, withdrawal date. I, too, would like to end our deployment as soon as possible consistent with completing our mission in Somalia. While we have set March 31, 1994, as the outer limit for fulfilling our mission, I certainly will order the withdrawal of U.S. forces sooner if at all feasible.

That is a commitment.

> It is my understanding that your amendment providing funds until March 31 is designed to provide needed flexibility but that it remains our common goal to use no more time than absolutely necessary to complete our tasks in Somalia and bring our troops home. Thank you for working with the administration in a cooperative spirit to bring us to common ground on this important issue.

That is a strong commitment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. I yield myself 2 additional minutes.

That is a strong commitment, and it shows a desire on the part of this President to cooperate with the Congress. And while I would like to have had an earlier date than March 31, there is a need for cooperation between the President and the Congress, and so I have tried to provide flexibility for the President. But I have also said, look, Congress has the power of the purse and no more money after the 31st. If there is, you have to come back and ask for it, and you get it if the Congress authorizes it.

Now, the President recognizes that. This is the first President in at least the last dozen years who has recognized that Congress has the power of the purse. He recognizes it. He does not question it. And to me, that is like a breath of fresh air from the Allegheny Mountains.

So here we have in this amendment a firm grasp on an anchor. Whenever you say the first of the fiscal year is October 1, everybody knows what that means. So we have a date.

There are those who would like to have certain criteria to which to anchor on. You cannot do that because some will say the criteria have been met. Some will argue with that. That is arguable, but a date is not arguable. So we set a date. There is no date in the amendment by Mr. MCCAIN. Let me say again, just as many can die under this amendment as can under the one I have, because this amendment by Mr. MCCAIN does not mean January 1. It does not mean February 1. It just says as promptly as—I will read it again.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. BYRD. I yield myself 1 additional minute.

* * * to support the prompt and orderly withdrawal of all United States Armed Forces from Somalia in a manner most consistent with the safety of United States personnel.

"The prompt and orderly withdrawal." When is prompt? What date? What date is it? What date on the calendar? What date on the calendar does this mean the men will be out? November? Who can say for sure? December? Will they be home by Christmas? What does prompt and orderly mean? Does it mean January? Does it mean February? It may mean next December, a year from now.

If the President says, "I am doing the best I can," who can say he is not? There is nothing—there is no anchor here. So I urge Senators not to vote for the McCain amendment. And I say that with the greatest of respect to my friend, Mr. MCCAIN, the greatest of respect.

I ask unanimous consent that the letter from the President be printed in the RECORD, and I also ask unanimous consent, Mr. President, to include in the RECORD letters that I have written to the President on February 26, July 15, and September 24.

In those letters, I have urged the President to get authorization from the Congress in any actions that we take in Bosnia or in Somalia. I have urged that he get authorization by the Congress so that he will not have to walk the dark road alone. I have urged that as early as February.

So I ask unanimous consent that those letters be printed in the RECORD together with the responses.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON APPROPRIATIONS,
Washington, DC, September 24, 1993.

THE PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: Reports in the media and from officials of your Administration indicate that the parties to the Bosnia conflict may be on the verge of reaching an agreement to end the hostilities. Yesterday, a number of Senators and I had a very useful exchange of views on the situation there with your national security team, and I commend you for seeking to establish meaningful and early consultation with the Congress on the implications for U.S. policy.

I have made my own position clear on the need for a sharing of responsibility on this important decision between the Executive branch and the Congress, and I delivered a detailed exposition of my views on the Senate floor this past Wednesday. I attempted, in my remarks, (enclosed) to outline a series of questions and issues which I believe should be explored and addressed by your Administration in the context of any decision to deploy U.S. forces to implement any peace accord that is reached. Not only do I think it necessary and wise for you to seek Congressional support for your policy, but, by the same token, the Congress should accept its share of responsibility for whatever policy is formulated.

Secretary of State Warren Christopher, during yesterday's meeting, indicated that the Administration would "welcome a resolution on this subject" by the Congress. I applaud your stated position that Congress should approve of any deployment of forces in advance, but I also think that it is important that, if you decide to seek Congressional authorization, you provide a detailed policy rationale in the form of a requested legislative authorization. By providing such a detailed legislative proposal, you will be best assured that the Congress will debate and determine its position on your specific policy and all of its elements.

Again, I appreciate your willingness to engage the Congress on this matter in a way which is best calculated to thoroughly debate and decide the nation's policy on this very important question.

Sincerely,
ROBERT C. BYRD.

COMMITTEE ON APPROPRIATIONS,
Washington, DC, July 15, 1993.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: As you develop your new policy on peacekeeping operations under the United Nations, there are several issues that have become increasingly important from the perspective of the Senate.

First, from a funding standpoint, after discussion with your ambassador to the United Nations, Ms. Madeleine Albright, I attempted to secure some $293 million in FY 1993 Appropriations funds for U.N. Peacekeeping Operations in the context of the recently passed Supplemental Appropriations bill, H.R. 2118. Although the funds were to pay for U.S. past due assessments for U.N. peacekeeping operations which have been generally supported in the Congress, there was little or no support from my colleagues in either chamber for this effort. Despite the high priority your Administration has placed upon paying the United States' share of peacekeeping bills, I feel it is doubtful that a political consensus exists to pay the escalating costs of the large U.N. operations underway. The soaring costs of the U.S. share of U.N. peacekeeping—escalating from a total of $140.5 million at the end of 1991 to $464 million last year, to some $753 million appropriated or requested this year—will be increasingly difficult to support.

While our difficult budget situation may be partly to blame for Congressional reticence to support the costs of current U.N. peacekeeping operations, there is also a question as to the authority under which the U.N. is operating in committing U.S. forces to peacekeeping operations. Of particular concern would be future commitments of U.S. forces to U.N. peace enforcement operations where the consent of the disputing parties has not been secured. Such deployment begs all of the well known questions regarding Congressional approval for introducing U.S. forces into situations of actual or imminent hostilities.

In each specific situation, I believe it would be wise to secure the consent of the Congress through formal authorizations of approval. In this way, the costs and possible casualties involved in such operations would have been thoroughly considered prior to the commitment of U.S. forces. While the U.N. has provided and will certainly continue to provide many invaluable services for the world community, when deploying peacekeeping forces under Chapter VI of the Charter, both (1) the escalating costs of such operations and (2) the additional risks which would be assumed in deploying peace enforcement forces under Chapter VII argue for the development of a clear consensus between the Administration and the Congress on the circumstances under which U.S. forces would be committed. This consensus-building exercise is all the more important in light of the testimony of a high-ranking official of your Administration yesterday that "we anticipate that in the future, many U.N. operations will involve elements of peace enforcement. * * * In many cases, as Somalia all too clearly indicates, the world community will not be prepared to wait for the consent of the parties before acting." Prior Congressional approval would seem necessary and prudent before the U.S. participates in or financially supports such operations.

I hope that these thoughts will be of some help as you continue to develop a national policy on this very important matter.

With kind regards, I am

Sincerely,
ROBERT C. BYRD,
Chairman.

COMMITTEE ON APPROPRIATIONS
Washington, DC, February 26, 1993.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I am concerned over the Administration's proposal to begin an operation involving airdrops of food and medical supplies into Bosnia. As I understand the operation, based on press reports, the initial airdrops would take place from a high altitude and without fighter protection, occur without the active participation of our European allies, last for an unknown duration, and involve unknown subsequent steps. It is not entirely clear to me what the purposes of the operation are, and what effects are intended on the negotiations scheduled to resume next week under the mediation of former Secretary of State Cyrus Vance. Nevertheless, the inauguration of this operation, as the first military initiative of your Administration, inevitably carries important weight both from the standpoint of the process of consultation with the Congress and the role of the United States in foreign affairs during your tenure.

While it may be argued that the provision of food and medicine over undesignated but presumably widespread areas, to reach all sides of the ethnic conflict in Bosnia, is a gesture of humanitarianism, it is, nevertheless, a commitment involving the use of military forces, and carries risks and unknown consequences. Given the long-term history and nature of the conflict in that region, therefore, this step will inevitably be viewed as a major new policy departure with unclear ramifications for American personnel and prestige. At this stage in your Presidency, an expansive attitude toward very full consultation with the Congress will pay important dividends.

While it may well be that you will eventually achieve a consensus on proceeding the attendant risks seem to argue that the commitment embodied in this action be endorsed early on by the Congress. A shared commitment, of course, will provide shared responsibility for all possible consequences of the operation.

In addition, Mr. President, the role of the United States in the progression of the Bosnia conflict, given the history of the Balkans and in this century, is one which I think merits full and careful debate in the Senate. I believe it may be appropriate for you to stimulate and lead in the development of such a debate. There are questions of affordability, the sustainability of public support for certain actions, and the role of the allies and the United Nations, that would profit from a thorough public airing. While the plight of those peoples is of legitimate concern, we cannot afford to walk down the dark street of the Balkan conflict without a full understanding of the consequences and the acceptance of responsibility for each specific new action by the broad American body politic. I am especially concerned that you not walk down that dark road alone. Our experience in Lebanon during the administration of President Reagan illustrated the impossibility of sustaining American involvement in that region when public support abruptly evaporated after the destruction of the Marine barracks and heavy loss of American life. The result has been the total loss of any U.S. influence there from that time through today.

Thank you for your consideration of my concerns on this very important matter.

With best wishes, I am

Sincerely,

ROBERT C. BYRD.

THE WHITE HOUSE,
Washington, DC, October 14, 1993.

Hon. ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I understand you intend to offer an amendment to the FY 94 Defense Appropriations bill to maintain funds for our mission in Somalia, if needed, up to the March 31, 1994 date proposed by the Joint Chiefs of Staff.

As we have discussed on more than one occasion, I recognize that you believe U.S. forces should be out of Somalia sooner than March 31, and it was typically courteous of you to call me in advance of proposing a February 1, 1994 withdrawal date.

I, too, would like to end our deployment as soon as practical, consistent with completing our mission in Somalia. While we have set March 31, 1994 as the outer limit for fulfilling our mission, I certainly will order the withdrawal of U.S. forces sooner if at all feasible. It is my understanding that your amendment providing funds until March 31 is designed to provide needed flexibility, but that it remains our common goal to use no more time than absolutely necessary to complete our tasks in Somalia and bring our troops home.

Thank you for working with the Administration in a cooperative spirit to bring us to common ground on this important issue.

Sincerely,

BILL CLINTON.

Mr. BYRD. Now, Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Five minutes. The Senator from Arizona has 18 minutes and 10 seconds.

Mr. McCAIN. Mr. President, I yield myself 1 minute. I would like the same length of time that the Chair extended to the manager of the amendment.

Mr. President, I will be brief. First of all, the distinguished chairman of the Appropriations Committee did not note that there are no funds allowed for any other operations in my amendment.

The distinguished chairman of the Appropriations Committee should know that prompt, means now. Prompt, means now. Everybody knows it does not mean 6 months, which his amendment talks about. Everybody knows. I would urge him to talk to any military expert, and they will tell him it is a matter of weeks. I would like to leave it to the military. But they know it is a matter of weeks and not a matter of 6 months, which the chairman's amendment envisions.

I would also like to point out that the chairman's amendment puts us in a very dangerous position, a very, very dangerous position, because in it it says that the Armed Forces of the United States shall be used for the following purposes:

The provision of assistance in the securing of open lines of communication for the free flow of supplies and relief operations.

I suggest that the chairman get a briefing from the military and he will find out that our people are sitting in enclaves surrounded by Aideed's people. The roads are mined, and in order to achieve the goal that the chairman envisions in his amendment, the provision of assistance in securing open lines of communication for the free flow of supplies, we are going to lose a lot more people, Mr. President. We are going to lose a lot more people if this amendment is adopted.

Mr. President, I yield 4 minutes to the Senator from South Dakota [Mr. PRESSLER].

Mr. PRESSLER. Mr. President, I join the many speakers paying tribute to my friend, Senator BYRD, who brought us here this evening. We would not be having this debate were it not for his leadership. I am going to vote for the McCain amendment, but I do not know if we are debating the differences in these amendments so much as we are crying out for a clear definition of U.S. foreign and military policy to be carried out by our State Department, Defense Department, and White House.

In my judgment the management of our foreign policy by the State Department and the Defense Department is quite frankly, a mess. I do not usually use such harsh terms, but from an organizational point of view, both departments have recently had difficulty at the top levels establishing who is reporting to whom. The Defense Department has a we-they mentality with the military. The Defense Department has said that they are in the process of learning lessons, but the military has already learned these lessons and has told them what they are.

I would say that from the point of view of the soldiers in the field, they deserve a clearer definition of what our foreign policy is and what our military objectives are.

I, too, was a soldier, one who served in Vietnam. I served two tours of duty in the Army as a lieutenant, and was honored to wear the uniform of this country. I felt then that our missions were not clearly defined. U.S. soldiers have a unique characteristic, if one of them is captured, we go to great lengths to recover them. Our soldiers want to do good. They want to distribute food. They are not an army that is known for brutality. The troops in the field do a good job. But they need clear leadership from Washington. This debate is putting the United States Senate on record that not only in Somalia or Haiti, but anywhere in the world, we want the White House, the State Department, and the Defense Department to be organized and to have a distinct chain of command so that they are able to define our foreign policy. If they can accomplish this, then our fine soldiers can go and do what they are supposed to do, and do it with definition.

It is difficult to come right out and say that the State Department, the Defense Department, and the White House are stumbling around formulating policy, but that is exactly what is happening. Perhaps the Congress is also equally guilty. But tonight we are trying to define that policy. We are trying to force the establishment of clearly defined objectives before we put troops into a country.

I support the amendment of my colleague, Senator McCAIN, to withdraw our troops from Somalia as quickly as possible. We are down to quibbling over two amendments, however, I think we are doing something more profound than that. We are in effect, asking for a definition of foreign policy and military policy by the White House, the Defense Department, and the State Department. We are asking the Executive Branch to understand who is reporting to whom and to state what our objectives are.

We do have responsibilities around the world. However, we also have great responsibilities in our own country. I am proud to represent the State of South Dakota, where we have a number of problems with our economy, in agriculture and on our Indian reservations. When I am in Washington, I live in the District of Columbia, where we have immense problems, where we could well use troops in certain areas of the city, and where we could use a great deal of improvement in the quality of life of many people.

Our taxpayers are overburdened. It is our responsibility to proceed cautiously.

It was my privilege to visit eight African countries last spring. Tribal quarrels have been going on since the 14th century; they will continue long after I am gone; and our troops are not going to be able to settle them.

But if we do send troops overseas, we need a defined, clear policy from our State Department, our Defense Department, and our White House. That is what we have not gotten. Perhaps, more than anything else, this debate tonight is crying out for that policy.

I am sure that our troops in the field, who are so good natured and so dedicated and who want to do the right thing, are looking for this kind of leadership from us.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. McCAIN. Mr. President, I yield 3 minutes to the Senator from New Jersey [Mr. LAUTENBERG].

Mr. LAUTENBERG. Mr. President, soon the Senate will be voting on our future role and mission in Somalia.

I agree that we were right to go to Somalia last year.

When President Bush decided to send United States troops into Somalia on a narrow, humanitarian mission, he had my support. Ten months ago, America saw a tragedy of epic proportions. We saw hunger. We saw starvation. We saw children die as flies crawled across their faces. We saw people, thin as sticks, walking in a daze across a desert searching for food. Hundreds of thousands of lives were lost. Millions more were at risk.

We knew we could help. There was food rotting on the docks. There were doctors willing to administer care. There were relief workers anxious to tend to people in need. But the political unrest and physical danger and lack of equipment made it impossible to get the aid to the people who needed it.

In the finest American tradition, we responded. We are a compassionate nation. We help others. We went to establish a secure environment for humanitarian relief operations in Somalia. We accomplished that mission. Lives were saved. Hope was restored. A part of our humanity was redeemed.

We did the right thing when we went into Somalia.

But because both America and the international community made some bad decisions while we were there, I also agree with the President's decision that we must withdraw. I believe that should be sooner, rather than later because staying longer subjects our troops to significant risk with a limited chance of success.

Our troops are in danger every day that they stay in Somalia: the political mission they were wrongly asked to undertake makes it almost inevitable that they will be attacked again. We have no vital national interest at stake which would justify that risk. We have accomplished our initial mission of getting food and medicine to the Somalis. We cannot build a government for the Somali people with our military. Indeed, our military presence makes it harder to achieve that goal because our military is perceived as having a commitment to impose a design on the people of Somalia. Let troops perceived as truly neutral accept the responsibility of keeping the peace. We cannot do it.

Mr. President, our success in meeting our original humanitarian goal led us to do more: over the past few months we drifted from our original mission in Somalia. We went there to ensure the delivery of food supplies. But our soldiers were told to take sides in the power struggle between rival war lords, clans, and political factions. Our military was given a mission of enhancing nation building. Now our forces remain deployed, in part, to advance the process of political reconciliation.

Those are not military missions, Mr. President. They are political missions.

The process of national reconciliation is up to Somalian people. They need to have the will to work out their political differences. Our military cannot do that for them and should never have been asked to try. We can't use military force to encourage people to reconcile political differences if they lack the will.

But we did.

And now we are paying the price.

Our forces are no longer seen as humanitarians; they are viewed as political operatives. They are no longer seen as honest brokers; they are characterized as agents with an agenda.

And as such, they are a target. A target that has been hit—29 of our young people were killed in combat. A target that—no matter what we might say about a return to a neutral role—will always be there.

And that is why we should not be there for another 6 months.

Mogadishu is a lawless, gun-infested area. More than a million people live in the urban area, and our soldiers are vulnerable to snipers and attacks. And since their mission now is a threat to Aideed and other warlords, they have been attacked. And they may be attacked again.

Our military are trained for combat. But in urban Mogadishu, the military does not and cannot know who the enemy is. There are a million people there. To protect their own lives, our soldiers need to put the lives of innocent civilians in jeopardy. That is not why we sent troops to Somalia. But it is what they are now being asked to do. And as they do it, the local leadership can and has and will use their very presence to inspire public fear and anger.

So I want our troops out of Somalia as soon as possible in an orderly fashion.

Mr. President, in this context we cannot use military means to secure political and social goals. If the Somali people have the will to resolve their political differences, they will. If they lack the will, staying longer and risking greater loss of life does not make sense. We will gain nothing.

That does not mean that we, as a nation, have to withdraw from Somalia. Far from it. The United States should support nation-building in Somalia—but through diplomatic rather than military means. In that context, the administration took an extremely positive step forward sending Ambassador Oakley to the region to redouble diplomatic efforts.

I do not agree with those who seek isolation and withdrawal from international affairs. But, I do not believe that, given the risk involved and the low probability of succeeding through military means, that our soldiers should be asked to stay in Somalia. Our diplomats should stay with the mission. Our soldiers should come home.

Mr. President, the danger of the mission in Somalia was brought home last week when the lives of two young New Jerseyans were lost. Last Thursday night, I joined with the family and friends in a memorial service for Jamie Smith from Long Valley in Morris County. On Monday, I attended the funeral of Dominick M. Pilla.

As I joined the families and friends in grieving for these two soldiers, I thought about our military mission in Somalia. I searched for a sound and convincing reason to keep our young troops in harm's way for 6 more months. As I watched the faces of the grieving family, teachers, priests, and friends, I could think of no convincing reason nor see any prospect of success that justified the risk to thousands of young men and women like Jamie Smith and Dominick Pilla.

Mr. President, knowing the danger our troops face in Somalia, I cannot, in good conscience, support keeping them there for another 6 months. We should ensure their earliest possible orderly withdrawal.

Mr. President, I support the McCain amendment. I thought a long time about what I want to do, and I came out very clearly where people from New Jersey that I had some contact with last week have come out.

Mr. President, I served, like many of my colleagues here, in a combat theater during war, and I never saw any families who lost a member of their family say, "Listen, let us go home. Let us cut. We have had enough of this. We want to go home."

What I heard them say in those days was, "We are going to stay and finish the job."

Last week, Mr. President, I was at two funerals of two young men, both serving in the same Ranger unit where the attack took place a week ago Sunday. Both their fathers had served in Vietnam; very patriotic, very loyal supporters of this country's needs. One of them lost a leg in Vietnam in the same unit, the same Ranger unit in which his son died just last week.

What they said, Mr. President, is that it is time to go home. They said;

> This mission is complete, as far as we are concerned. We have done what we had to do. We are proud to have our son serve. But we do not want to see anybody else's son taken with a mission that is ill defined.

They are not interested in nation building. They are not interested in policing. They are not interested in dealing with rogue bands of rebels, with more weapons at times than our own troops have.

So, Mr. President, I listened very carefully to the Smith family and the Pilla family. Young Jamie Smith died serving his country as he wanted to do. Dominick Pilla, the same thing. And both their parents, father and mother, said to me, "Senator, it is time to quit. It is time to bring our people back."

I do not want us to run helter-skelter from the assignment, not at all. But it has to be prompt.

Mr. President, we have to conclude this action just as quickly as we possibly can. No date, but a definite target, and the target is bring our people back just as quickly as we can possibly do it with safety and regard for an orderly process.

Mr. CRAIG. Mr. President, we face a grave decision today—one that has far reaching consequences, especially for those United States personnel that are in harm's way in Somalia.

When we first sent Americans to Somalia, the previous administration outlined a very clear mission and objective—stabilize the situation so that famine relief efforts could go forward. I supported the humanitarian relief effort. It was effective, we had a mission and our troops were under U.S. control.

Mr. President, since then we have diverted from our original mission into an ambiguous situation, leaving our troops vulnerable. The shift from famine relief to government building has been without clear direction, and we have seen dire results in the recent loss of American lives.

I do not savor the action that I feel must be taken at this time. The President, as commander in chief, should be allowed to lead. However, the Congress also has a responsibility in the use of U.S. forces. And it is now time for the Congress to fulfill that obligation.

Let me be clear, Mr. President. My decision on this issue was reached under the same guidelines as past decisions I have had to make on the use of U.S. troops as a Member of the Senate and the House of Representatives. It has long been my position to oppose the use of U.S. forces without a clearly defined mission and achievable objective that serves the interests of this Nation.

I have not seen those criteria met in this particular instance. Therefore, I cannot support the continued deployment of American troops in Somalia any longer than is necessary to ensure their safe return, as well as the return of any prisoners of war or personnel missing in action.

Another issue we must address is assigning U.S. combat troops to foreign commanders as a part of United Nations operations. Mr. President, this is an action that I cannot support. The greatest military leaders in the world wear American uniforms. When American lives are on the line, they deserve the best. They should be under U.S. command and in the service of our Nation's interests.

A new office at the assistant secretary level called, democracy and peacekeeping, has been created by Secretary of Defense Les Aspin. It is my understanding that this position will be responsible for developing policies on peace enforcement. This suggests to me that the administration, as part of our national security strategy, intends to increase our participation in international operations. I am concerned about the precedent set in Somalia and the track that may result from this action.

At this time, Mr. President, this Senator is not prepared to expand our role in the U.N., in this direction. It would lead the United Nations from the traditional role of peacekeeping into the area of peacemaking. And, again, when American personnel are being used, they should be under American leadership.

Mr. President, it is time to let our military leaders lead our troops.

It is time to let them lead our troops home.

Mr. President, I have cosponsored the McCain amendment, and I urge my colleagues to add their support.

I support the McCain amendment. It is now time to bring our men home. Our mission is complete.

Mr. McCAIN. Mr. President, I yield 4 minutes to the Senator from Utah [Mr. HATCH].

Mr. HATCH. Mr. President, I rise to speak in favor of the McCain amendment.

It is easy sometimes to think about the use of force in impersonal terms—the clash of state interests, the credibility of U.N. actions, the enforcement of collective security resolutions, and so forth.

Those are important, but I have never been able to think about the use of American force solely in those terms. I see it much more personally: I lost my only brother in the Korean war. I know what is means to have a loved one return not to accolaids but to mourning.

Twenty-nine American families have experienced this same loss as a result of the Somalia operation. Another 158 Americans have been wounded. We all share their pain.

Because I know what American troops and their families experience when U.S. forces are deployed in combat, I apply some strict tests for the use of force. None of these has been met in the Somalia operation.

First, vital or critical U.S. interests must be at stake. We must not ask our sons and daughters to shed their blood for peripheral concerns.

In Somalia, we had an interest in preventing mass starvation that justified sending United States forces provided that Somali factions were committed not to engage in hostilities against our troops. But we did not—and do not—have an interest in staying on and trying to stabilize the politics of Somalia by military means against urban guerrillas.

Second, U.S. forces must be tasked with a clearly defined military mission. I listened closely to President Clinton's speech and read his report. Apart from keeping roads open for delivery of food relief, I found nothing but vague generalities about putting pressure on Somali factions to give Somali a chance to pull itself together.

Third, the President and Congress must send a force capable of achieving the goal with overwhelming force. In Somali, President Clinton shifted the mission from humanitarian relief to nation-building without reconfiguring our forces to achieve that much more ambitious mission.

It is unconscionable to ask that American forces remain in Somalia when they are not equipped or configured to achieve a mission other than to defend themselves.

The McCain amendment provides the President with the flexibility needed to bring our forces home with honor and without endangering the safety of American troops. There is no honor in keeping our troops in Somalia in pursuit of an ill-defined mission or in continuing to put our troops at risk for no important interest of the United States.

Mr. President, I lost my only brother in war. I take war seriously. But in the conflict in which he died, the United States had vital U.S. interests at stake, had defined a clear military mission, and had deployed a force capable of achieving the mission.

None of those conditions are met in Somalia. We achieved our humanitarian mission. We have repatriated our captured soldier. We should turn over the political problems of Somalia to the United Nations. We must bring our troops home as quickly as possible.

Mr. President, I want to compliment the distinguished Senator from West Virginia for the leadership he has provided for these many months and the advice he has given to the President. He is a very wise man.

But I stand here tonight to support the McCain amendment. Mr. President, if the McCain amendment passes, the President knows he has to bring those boys home. And he knows he has to do it now.

Mr. President, my family and I know what it is like to have the military come and tell the family that our brother, my parents' son, my only brother, was killed in the line of action. We were proud that he gave that service because he did it in the strategic, economic, and vital interests of our country. The program was well defined. People knew what was happening. He fought for us and died for us for a real reason.

If any of these young people die over there after this date, it is not going to be for a cleanly defined reason or political objective. When President Bush sent forces that were sized and configured to deliver food relief in the context of little armed resistance, he did what was right. We all supported him. President Clinton shifted this mission to nation-building and establishing security in Somalia. However, the President did this without changing the composition of our forces to achieve these much more ambitious objectives.

However, the President did this without changing the composition of our forces to achieve these much more ambitious objectives.

That failure to match ends and means prompted me to say earlier in the debate last week that it is amateur hour in foreign policy. Despite his eloquence, the President still has failed to define the military mission in Somalia that the present forces are capable for achieving. He only spoke in vague terms about using our presence in Somalia.

While I want to support this administration in foreign affairs, I am extremely skeptical about any proposal for committing U.S. forces to impose such ill-defined goals. Anyone who places U.S. forces into harm's way must define that mission in terms of controlling territory, destroying enemy forces, and must deploy overwhelming force to achieve those ends. Apart from keeping roads open in Somalia, nothing in Clinton's remarks approached that kind of specificity.

Mr. President, we now have Michael Durant back, and within a short time he will be on his way to Germany for health care and for recuperation. I grieve for those families, those 29 boys who have been killed over there, as well as for the families of the 158 Americans that have been wounded.

In conclusion, I believe that the McCain language is far better. It gives flexibility to the President. But it also tells the President the time is up. It tells him he has to remove our troops from Somalia. It tells the President that we are not willing to risk the loss of Americans in an ill-defined mission that lacks focus or a sense of purpose.

I am happy to support the distinguished Senator from Arizona. I commend him for the fight he has waged here this evening.

Mr. SIMPSON. Mr. President, I rise to speak on behalf of the amendment offered by Senator BYRD, and against the amendment offered by my colleague Senator MCCAIN from Arizona.

Mr. President, my decision regarding this vote is not taken lightly, nor is it taken without proper reflection upon the particular insight Senator MCCAIN brings to these matters—expertise born of his own experience. When we want to take due account of how our decisions affect the safety of the American soldier, we should always carefully consult with Senator JOHN MCCAIN.

I can safely say that no one in this Chamber fails to attach the proper gravity to this vote, and to its implications for our military personnel in Somalia and around the world. It is testimony to the very real dilemma that we face, that those who oppose Senator MCCAIN's position include individuals of such stature in these matters as Senators BOB DOLE, ROBERT BYRD, SAM NUNN, and JOHN WARNER.

If we are to make this decision with a clear understanding of what we are doing, I think it is important that we review where the two sides agree and where there is disagreement.

We agree, it seems to me, that we need to withdraw from Somalia. Let it be understood that both of the alternatives before us provide for the termination of our mission there. It was Senator BYRD, after all, who first argued so eloquently against the open-ended, limitless nature of our mission in Somalia. He would not be the principal sponsor of this amendment if it did not provide for the proper definitely of the mission and its conclusion.

I also think we agree that there is much that is worthy of criticism in how the mission has been conducted to this point. This was not the mission contemplated or authorized by the Congress last year. The United Nations, over a period of months, has redefined the mission, twisting it into an unrecognizable form, aiming toward unattainable goals. They did it with the mistaken acquiescence of the administration, and with far too little attention from this Congress.

No one on either side of this debate is casting a vote of approval for that ever-changing definition of our mission in Somalia, nor is anyone casting a vote of approval for the many tactical and strategic mistakes which have been made along the way.

What is at issue here is not whether we terminate this mission, but how.

What is at issue here is not whether we wish to withdraw from Somalia "as soon as is practicable"—for that is a part of both of the amendments before us. What is at issue is how we might best assist the President in achieving that goal.

I think that is important to remember. President William Clinton is the Commander in Chief of our Armed Forces, and he faces a thorny problem right now. Perhaps it is partially of his own making. But he has to deal with it. He has given us his plan for withdrawal, and requested the latitude provided by a final deadline of March 31. The fuzzy objective of nation-building is no longer a part of the mission of U.S. forces there, and we are now there only to secure military facilities, protect military personnel, and secure the delivery of relief, during such time as is necessary to prepare for our exit.

I personally hope that the President is able to evacuate our troops before March 31. But I am unwilling to force an earlier date on him, a date prescribed for all the world, including our enemies, to see. The Commander in Chief of our Armed Forces should be able to carry out his plans for withdrawal without hostile forces knowing precisely the extent to which he has been unwillingly restricted by congressional mandate.

I have watched many Republican Presidents see their prospects for military success dissipated by Congresses which chipped away at the President's flexibility in military command. I hope that we can do better for President Clinton. We may not approve of all of his actions to this point, but in my view, we further diminish his hopes for an orderly and safe conclusion to this if we force him into a mode of action which he might not otherwise see fit to authorize. We are not handing him a blank check—we are setting a finite limit on this mission. But that limit ought to be consistent with the flexibility that is deemed necessary to carry it out properly.

It is hard to cast this vote. Our gut instincts tell us to get out of Somalia, now. And we will get out. But withdrawals are not conducted by gut instincts. Withdrawals involve securing the fates of the captured and the missing; withdrawals involve complex movements of supplies and troops; they often require arrangements for relieving forces; and sometimes withdrawals require feints and deceptions.

Our President needs to have all such options at his disposal. So when we fulfill our congressional responsibility by defining the limits of this mission, let us also help the President fulfill his responsibilities by allowing him the flexibility he deems necessary to command.

I will, therefore, support the amendment offered by Senator BYRD. I support it because it will provide for the return of our troops, and more importantly, because I believe that it offers the best chance for the President to provide for their safe return. I thank my colleagues and I yield the floor.

Mr. MACK. Mr. President, Americans everywhere were pleased and thankful to learn that Michael Durant has been freed in Somalia, and that he can receive the medical attention he was denied while in captivity. Even as we rejoice in Chief Warrant Officer Durant's release, we remember and honor the supreme sacrifice of the men who gave their lives so far from home.

In recent days, we have seen a disturbing trend in this administration's attempts at foreign policy. In Somalia, serious questions about missions and objectives led to loss of American lives. In Haiti, our Navy was denied entry to the port because a group of street thugs barred the way.

I am concerned that we are seeing the Carterization of foreign policy with this administration: sending our troops into troubled regions given only vague goals, week principles and half-hearted commitments. Our brave young men and women who answer the call to serve their country deserve better.

Not only was Chief Warrant Officer Durant taken hostage, but the corpses of American servicemen were desecrated and dragged through the streets of Mogadishu. Our forces have come under increasing fire, and they have even been denied by the administration the military equipment and support they need to defend themselves.

Last year, President Bush sent troops to Somalia for the specific mission of helping distribute food to starving Somalis. That mission was successfully completed. Apparently, President Clinton now has some vague hope for establishing a stable political structure in Somalia. I have grave doubts about the chances of success for this new objective.

I have called for the withdrawal of American forces from Somalia because the situation there has become intolerable. With the return of Michael Durant, there is little reason for American forces to remain there any longer. We need not worry about world opinion, or having our status as the planet's leading superpower called into question: we won the cold war, and we demonstrated the effectiveness of our fighting forces for all the world to see during Operation Desert Storm. I cannot understand how anyone could risk the lives of American servicepeople based on an irrational fear of how it might look to outsiders.

We should end America's involvement in Somalia and learn an important lesson: when the formulation and execution of foreign and military policy founders; it costs American lives.

When we send troops into harm's way, they should go with a specific mission, clearly defined goals based on sound principles, and unequivocal military support from the administration. That has not happened in Somalia. Even worse, I see no sign of it happening any time soon.

Therefore, I feel compelled to support the amendment of my distinguished colleague from Arizona, Senator McCAIN. It recognizes that the time has come to bring our troops home, and does so in a way that guarantees that the safety of our forces is the top priority.

Mr. ROCKEFELLER. Mr. President, I want to express my support for the amendment offered by my senior colleague, Senator BYRD, the Majority Leader, Senator MITCHELL, the Republican Leader, Senator DOLE, and others. I think we all owe a debt to Senator BYRD for the leadership he has shown in defining this issue for the Senate and the United States as a whole. The simple question he has raised before this body is this: what is America doing in Somalia; how do we get the job done and then get our troops home?

This resolution states very clearly what America's policy should be in Somalia. It makes it clear that American troops should have the means necessary to defend themselves and American citizens, that our forces should not leave until all missing service people are accounted for and prisoners released and that we should encourage the United Nations and other countries to assume a greater share of the burden of finding a peaceful settlement to the crisis in Somalia.

The resolution also makes it clear that almost all American troops will be removed from Somalia no later than March 31, 1994, unless an extension is requested by the President and authorized by Congress, and that while there such troops will be under U.S. command, not that of the United Nations.

It is deeply disturbing to see the way the situation in Somalia, and in Mogadishu specifically, has evolved. America first sent troops to Somalia to feed its starving people, and in that mission we have been extremely successful. Thousands of lives have been saved due to the heroism, dedication, and abilities of our service people. However from the beginning, no long-term solution to the situation which precipitated the crisis was put forward, and since the United Nations was given control in May of this year, the situation has quickly deteriorated.

Quite simply, the United Nations lost its way, particularly in shifting its emphasis from humanitarian relief, for which it was properly equipped and managed, to military action that has emphasized the capture of General Aideed.

President Clinton inherited a tinder box, and while fires have been lit that have tragically cost American lives, the resolution we are now considering should help damp those flames, and with the proper attention and care, their eventual extinction.

I agree that we must work to get our American forces out of Somalia as quickly as possible. However, what we cannot do is cut and run. A precipitous pull-out would destabilize the region, and send a dangerous signal to the whole world. To run in the wake of an attack would give a green light to terrorists and violent dictators around the world to attack our troops, our embassies and our citizens. What has happened in Haiti over the past few days may be an example of that.

This debate raises again one of the central dilemmas of American foreign policy in this century—reconciling the conflict between our desire to do the "right" thing internationally and the reality that our efforts are often unwelcome and invariably more expensive than expected.

It is perhaps a tribute to the basic good-heartedness of Americans that our first response to tragedy, whether it is the natural disaster of flood, earthquake, or famine, or the self-inflicted wounds of political unrest or civil war, is to help alleviate the suffering and restore order.

Sometimes we conclude the need for help calls for more than money or food. It requires an American presence. Once there we often find the situation is more complicated than the pictures of starving children, mourning widows, or devastated homes we see on television. And when the cost of our help begins to be measured in American lives, our open hearts begin to close.

That is where we find ourselves in Somalia, and these are the issues we have struggled with as we have watched the tragic events in Bosnia. This debate is about America's response to adversity, and the signal we send about American strength and commitment in the wake of setback. However, this debate will not have a lasting impact if we cannot also use it to lay down some principles for future cases. Let me suggest some principles we ought to consider as we are confronted with these situations and with public demands for action in the future.

First, we should not limit our analysis to what we see in the media. Human suffering is a terrible thing, and television brings it to us nightly in its most graphic forms. But those pictures cannot and should not be a basis for making policy. They force us to debate and decide, but not necessarily to act.

Second, we must evaluate what American involvement can realistically accomplish. Though our motivation may be emotional, our calculations must be practical.

Third, we should thoroughly prepare for all contingencies, including the worst case. Murphy's Law operates internationally just as it does here at home. It is clear from Somalia that we were not well-prepared for all possibilities, and we have suffered the tragic consequences.

Fourth, we should not be seduced by multilateralism. Multilateral approaches, particularly under U.N. auspices, are attractive because they spread responsibility and cost and give the appearance of unity. However, as we are discovering painfully, those appearances can be facades. In the end it is the President as Commander in Chief who is responsible for American lives, and he cannot pass that responsibility on to others.

Finally, we should look to the long term. American intervention may make us all feel better, but that is not what foreign policy is about. It is about protecting the U.S. national interest over the long term. In some situations, that will inevitably require us to say, as we have said so far with respect to Bosnia, that there is nothing we can contribute without paying a greater cost.

As in all activities in which our Nation engages, both at home and abroad, we must look realistically at what the situation is, what our desired goal is, and what we can do to accomplish it. I came to this debate with an open mind. The facts and painful realities have been laid out on the table. While I do not like what I see when I look at the crisis in Somalia, I think that this resolution is the best response to a dangerous situation.

For the long term, we will continue to have the opportunity, if not responsibility, of looking at the world's tinder boxes ready to erupt and engulf entire regions if not continents, and place our actions in that context. The post-cold-war world lacks the simplicity of its predecessor. It is not going to explode in one apocalyptic night, but it threatens to shatter into a thousand pieces over a thousand nights. We remain the world's leader and cannot deny that responsibility; this situation reminds us of the difficulties and challenges we face in performing that role in a changing world.

Mr. LIEBERMAN. Mr. President, since late in 1991, the American people and all of us in the Congress have watched events in the ravaged land of Somalia with great empathy for the suffering of the people there and great concern over the path that events have taken. We are now clearly at a crossroads of American interest and involvement; we must be sure to think through the dilemma which confronts us with great care for the consequences of our choices will be profound for the people of Somalia, America, and the world.

The history behind Somalia's current crisis is troubling. Had we the ability to turn back the clock, perhaps we could have prevented the starvation of hundreds of thousands with more prudent actions by the world community 20 years ago when cold war competition led to the influx of arms which today enables the local warlords to punish their own people and confront the United States and U.N. forces in Somalia. But we cannot change what has already occurred. We must recognize that today's involvement by the United States and the United Nations stems most directly from the disruption of food production and distribution caused by the conflicts of rival warlords in the wake of the collapse of a negotiated truce in November 1991. The suffering which fell upon the people of Somalia was not an act of God brought on by drought or environmental disaster; it was an act of men driven by greed and the desire for power with no regard for their fellow Somalis.

By the end of 1992, nearly 7 percent of Somalia's population had starved to death. Human suffering and mass starvation resulting from dislocation caused by war, unfortunately, have been encountered too many times in human history. But the conditions of Somalia in 1991 and 1992 were unusual. People were starving simply because warring tribal leaders and marauding thugs were preventing food from being produced and distributed. The Somalia Government collapsed and lawlessness prevailed. There were no police; no courts; no law; no order.

These conditions made the situation uniquely suited for consideration by the U.N. Security Council. The country lacked any semblance of national government and, with the end of the cold war, no major external power had a political or economic stake there. Thus, when the Security Council in early 1992 began to deal with the issue, it faced a humanitarian problem in its purest form. No one argued that it was necessary to await an appeal from the government involved, because there was no government. Because non-governmental humanitarian relief organizations were unable to perform the tasks which they had set themselves unless they received protection from the bandits and warlord militias, the U.N. decided it was essential to provide such protection. In April 1992 the Security Council arranged for 500 soldiers to be sent to Somalia and by September 1992 troops from Pakistan answered the call and began arriving. But the United Nations had underestimated the task which these soldiers faced; they were too few in number and inadequately equipped to provide the needed military shield for the distribution of food. Mass starvation continued through the summer and fall of 1992 with nearly 1,000 Somalis dying each day.

These were the circumstances then which caused President Bush in December 1992 to send United States troops into Somalia, to lead an international force authorized by the Security Council under Chapter VII of the U.N. Charter. Not all Americans agree with President Bush's decision to use U.S. military forces to respond to this humanitarian disaster. Reasonable and proper questions were asked about what American national interests were at stake in Somalia to warrant risking any American lives there. In an era of increasing chaos and decreasing American military capability, some asked if the United States could afford to respond to tugs of the heart by following a policy of global benevolence when national interests were not threatened. These questions require thoughtful consideration as events in Somalia go on and future humanitarian challenges loom on the horizon. It is clear that what propelled President Bush and most Americans to want to enter Somalia had little to do with traditional definitions of national interest and much to do with a powerful determination not to stand by and watch a million of our fellow human beings to starve to death.

Within a matter of weeks after the introduction of United States forces in Somalia, sufficient security was established for the distribution of food throughout the country. As order was restored, the problem of mass starvation was brought to an end. United States forces in Somalia recognized that disarming all of the armed bands in the country would be an almost impossible task and so they insisted only that armed vehicles be garaged; the hope was that intimidation alone would restore order.

In most parts of Somalia this policy worked. Tens of thousands of Somali farmers have returned to their farms and the 1993 crop is expected to meet most local food requirements. Some order has been restored to areas of the country in which about 85 percent of the people of Somalia live. Further, efforts are underway to reconstitute government from the ground up by bringing all elements of Somali society into a process which had been dominated by the warlords since 1991 when the old government fell. This so-called nation-building is being tried not just for the fun of it, but because it is the best way to avoid a return to the factional conflict and mass starvation that brought us into Somalia.

Early this year, however, it became evident that one of the warlords, Mohammed Farrah Aideed, was not willing to give up the power he had attained through his ruthless and criminal acts. He refused to participate in any meaningful truce negotiations and, in fact, continued to seek to disrupt the efforts of U.N. forces by criminal and terrorist attacks in his home territory of south Mogadishu. Aideed seems to have a core of supporters of between 500 and 1,000 in a total population in Mogadishu of about 1 billion. He has between 5,000 and 10,000 supporters throughout the country. Using classic terrorist tactics and exploiting women, children, and other innocent civilians as cover and unwitting implements of his violence, Aideed has defined U.N. efforts to bring law, order, and sanity to Mogadishu. Aideed's ability to evade capture and to continue to act against U.N. forces has won him more followers as the local David who has taken on the mighty U.N. Goliath.

From the beginning of the United Nations involvement, most planners recognized that the humanitarian mission could succeed only if some semblance of law and order were restored although I doubt that most of the American people, let alone most Members of Congress, fully understood this. It was an ironic result of the early success at bringing order and feeding the masses that we came to believe this task would be easily accomplished, a viable government would rise up to take over the U.S. and U.N. forces, and all U.N. forces would be able to go home. Because our motivation was to end the suffering and address the humanitarian concerns which had cost some 300,000 Somalis their lives, we allowed ourselves to believe that we would have the support of all elements in Somalia and that we could achieve our noble goals without cost to American and other U.N. forces. The events of recent days which led to the deaths of 12 Americans and 3 Malaysians and the capture of one American have reminded us of the harsh reality that our involvement in Somalia—no matter how noble—is not cost free. It is critical to understand that the accomplishment of our humanitarian goals always involved risk to our military personnel; otherwise the Red Cross and not the U.S. Armed Forces could have handled this assignment.

And so we find ourselves at a crossroads. In the days and years ahead, and in the debate which will continue in this body, we must attempt to find ways to balance our vital national interests with the pull to do "good things" around the world—whether in Somalia, Haiti, Bosnia, or any of the myriad of other repositories of chaos and suffering which will flare up in the years ahead.

In the near term, we must trust our heads and not the ache in our hearts which comes from despair over the pictures we have seen so recently on our TV screens. Were we to withdraw our forces in short order, as some thoughtful and concerned Americans are proposing, there would be profound implications for Americans currently serving their country abroad and for young Americans who might be deployed at some future time to protect American interests. We must not allow power hungry warlords, or rogue bandits to believe that the way to change American policy is to do as Aideed has done and capture or kill our soldiers so that the American people will question our decisions, fold up our tents, and head for home. A policy of immediate withdrawal from Somalia dishonors the memories of those humanitarian heroes who have died there to save millions of lives and puts at risk the lives of all future American servicemen and women. We must not let our desire for immediate relief from this dilemma to jeopardize our ability to act responsibly and safely in the future. We must not make foreign policy by the latest pictures on our television screens, for those pictures will surely change as they have in this crisis. We must steer our course by a more steady understanding and upholding of America's principles and interests.

We must consider what will happen both to Somalia and to the U.N. effort there if we pull out precipitously. Even some of those who advocate rapid withdrawal seem to agree that chaos, starvation, and suffering will return unless there is a quick political settlement which is very unlikely. The situation in rural areas beyond Mogadishu, where conditions have improved greatly and the beginning of a viable government is struggling to grow, will likely revert to its pre-1993 state with deprivation and starvation returning. The impact on other U.N. forces would be significant. What country which currently has troops as part of the U.N. coalition in Somalia, will remain if the United States abandons hope for the situation and withdraws our forces? Whether we like or not, we are now in a position in Somalia and elsewhere where we must act like the superpower we are. As President Clinton said last week, we went into Somalia for the right reason, and must get out in the right way.

Thus, I support the Presidents' decision of last week to reinforce our troops in Somalia so that we can make an orderly and reasonable departure from this troubled land. I am heartened that the administration believes it can finish the tasks it has laid out for itself in a reasonable time period. But I am distressed that we risk setting a dangerous precedent by proclaiming a firm departure date. Such deadlines, if their use were to become commonplace, would enable opponents of U.S. policy simply to bide their time and wait us out. The President said on October 7th that our task was to give "Somalia a reasonable chance" of finding a political solution to its problems, and he was right.

The debate which the Congress and the public are now engaged in is a critical one for all of us. It will help chart the future course of U.S. foreign policy. I have listened with great care to the wise and thoughtful remarks of my colleagues and I share their desire to find reasonable answers to the questions which underlie this debate and our future involvement in global crises: What are U.S. national interests in this changed world? What is it we want the U.N. to be able to do in situations like Somalia? What are the shortfalls in the U.N.'s capability to act effectively? Can the United States help so that the U.N.'s chances of succeeding are even better in the next crisis? What innovative solutions might be considered to establish ready, available, and adequately trained and equipped forces for situations which might require them? How can the United Nations fund and manage its resources most effectively and efficiently?

As I watched the horrifying pictures of dead United States soldiers being dragged through the streets of Mogadishu, I felt fury that our efforts to protect and feed the starving people of Somalia were being rewarded with such barbarity. Yet I also recalled what President Kennedy said in challenging a generation of Americans to service:

> For of those to whom much is given, much is required. And when at some future date the high court of history sits in judgment on each of us * * * our success or failure * * * will be measured by the answers to four questions: * * * were we truly men of courage * * * of judgment * * * of integrity * * * of dedication?

When the high court of history writes the chapter on these tumultuous closing years of the twentieth century, what do we want it to say about the path the United States chose when it reached this crossroads on Somalia, with no clear road signs to follow? Through calm and reasoned discussion and debate, and thoughtful policy, not reflexive panic, we must determine the path which best protects our national interests and values without forcing us to spill our blood and resources in endless and fruitless quests. If we fail these contemporary tests of courage, judgment, integrity, and dedication, it will not just be the people of Somalia who will suffer. All of us will, as well.

I will therefore vote for the Byrd amendment and against the McCain amendment. Those votes best express the views I have stated here.

Mr. BOND. Mr. President, the situation in Somalia has reached a critical stage. Last month, the Senate told the President that we wanted an explanation of his policy in Somalia and that we wanted him to seek our approval. And last week's events underscored the need for the President immediately to take those actions.

Finally, last week, the President came before the American people and provided a rationale for why we are in Somalia—why we didn't get out when we finished what we went there to do, which was to keep people from dying of starvation.

He deserves credit for finally coming forward and explaining his position—although it is tragic that it took the deaths of 17 American soldiers and intense pressure from Congress to force him to focus on Somalia.

And, although I am pleased the President has finally addressed Somalia, I do not believe he gave an adequate explanation of policy. For example, he did not address the issue of why he changed the mission in Somalia without explaining either to Congress or the American people why he was doing so; and he failed to explain why he turned over both policymaking and the command of our troops to the United Nations.

Not only did he fail to explain his reason for turning over control to the United Nations, but when it became apparent that the American people rejected U.N. control, he attempted to sidestep responsibility for his own decision by criticizing U.N. decisionmaking.

I suspect the reason that the President has not been forthcoming on his policy in Somalia is because he doesn't really have one. In fact, I believe that the President and his advisors were so intent on focusing on health care and other politically expedient domestic issues, that they essentially ignored the minor issue of Somalia; and even believed that they could pawn it off on the United Nations and make it Boutros Boutros-Ghali's problem.

The disarray in the President's Somalia policy is further illustrated this week as we have seen the administration begin to pursue a new African Option under which he is trying to push off his Somali problem onto neighboring countries—an idea which may have some merit, but which appears to have come out of nowhere in the past few days.

In fact, after having read the report which he sent to Congress yesterday, I am even more convinced that the President's so-called Somalia policy was thrown together over the weekend. It goes on at length, for example, about the need to allow a 6-month period for diplomatic efforts to work. But there have been no serious ongoing diplomatic efforts for the past 6 months since we pulled out the bulk of our troops—there were no efforts until last week. The fact is, the President squandered the past 6 months when he could have been working to get our troops out. Instead of working to get our troops out, he turned over their command to the United Nations and forgot them.

I have to admit that I am torn over the issue before us today. On the one hand, I believe the President made a fundamental mistake earlier this year when he changed the mission of our forces in Somalia from humanitarian relief, to removing the existing warlords and installing a new government. On the other hand, I have no desire to undercut President Clinton. He is our Commander in Chief, and I believe we should try to support him whenever possible in military and foreign policy matters. It won't do us any good to do otherwise.

When President Bush sent troops to Somalia last year, it was for a decent and honorable reason—to feed starving people; to end the famine that was killing dozens of innocent children each day.

By all accounts, that mission was a tremendous success. People are no longer dying of starvation, crops are growing in the fields—we solved the problem that we set out to deal with. It was the kind of mission that the United States does well and does selflessly. And when it was done, we should have come home.

Instead, President Clinton, without explanation and without seeking the concurrence of Congress, fundamentally changed the mission of our troops in Somalia. Instead of feeding people, we were suddenly embarked on a mission of nation-building or installing a government, or whatever you want to call it. And then, in what clearly was a mistake in judgment, the President and his advisors—in conjunction with the United Nations—set out on a vendetta against Mohamed Aideed.

And in perhaps his greatest error of judgment, the President agreed to put our troops under control of the United Nations and under command of foreign leaders. That is simply not acceptable.

We had the opportunity to see what a flawed concept this was almost from the start when arguments between commanders developed and when contingents from some nations refused to follow orders they had been given.

To make matters worse, our troops were not equipped for this new mission. They were light infantry units, without the armor and heavy weapons they needed to deal effectively with Aideed's well-equipped guerrilas.

I would take just a moment to discuss that point. The commander on the ground—General Montgomery, supported by General Hoar, the commander of Central Command and General Powell, last month requested that armor be sent to support his troops. Apparently that request was denied by Secretary of Defense Aspin because he was concerned about backlash from Congress. If that is the case, then the Secretary has much to answer for. When we deploy our men and women to combat overseas, then we have an obligation to support them with every weapon and piece of equipment they need. Certainly, the administration would have faced questions from Congress had they sent tanks and armored personnel carriers, but they should have come up here and answered those questions, not denied U.S. soldiers the weapons they needed simply to avoid having to face the music. Secretary Aspin has accepted responsibility for his decision; however, once the current situation is resolved, it deserves further attention. We need to determine how the decision was made, if Secretary Aspin was directed by the White House to deny heavy weapons, and if the decision was based solely on military need or on public relations concerns. I hope the Armed Service Committee will hold hearings on this issue to determine exactly what transpired.

Of course, all of this is merely background for the situation we face today. The fact is that the President's tragic mis-steps and inattention earlier this year have gotten us into the mess we now face. Wishing it away will do no good, we must deal with it. Easy as it would have been to have withdrawn in the Spring when our original humanitarian mission was complete, we did not do that and now we must find a solution.

Although I am pleased the President laid out his plan for the American people last week, I must say that I do not think he did an adequate job of explaining his policy. Further, I believe he compounded his problems by wrongly setting a specific date by which U.S. troops will leave.

First, the President did not clearly state what our troops will be doing in Somalia for the next 6 months. Although he set forth four vague missions, he did not indicate how they will be implemented. For example, he did not say whether his third goal of keeping "pressure on those who cut off relief supplies and attacked our people" means we will continue to hunt Aideed or not. Complicating the problem has been a series of contradictory statements from administration officials and U.N. aides as to what Mr. Clinton meant.

As another example, his goal of making it possible for the Somali to solve their problems when we leave is open to all kinds of interpretation. The bottom line, however, is that the Somali have been fighting for decades before we arrived and are almost certain to go on fighting long after we leave. Our presence for a few more months will make little difference one way or the other.

The bottom line is that his four vague goals for Somalia leave open the possibility of a wide range of missions for U.S. troops, many of which would not be appropriate or which could get us involved even further in Somalia's internal conflict.

Second, the President has not explained why we are quadrupling our force in Somalia, or how doing so will help us to get out more quickly. There may very well be a valid reason for increasing our forces as we prepare to withdraw, but he owes Congress an explanation.

Third, the President erred by setting a specific date by which we will withdraw, thereby giving General Aideed and other warlords an invitation to sit back and wait us out so that they can triumph without further confrontation with a superior U.S. military. Under such circumstances, Aideed's weekend call for a ceasefire was predictable as simply a commonsense action.

Mr. President, I am deeply troubled by the situation we are in today. Throughout the time I have served in this body, I have tried very hard to support the President of the United States when he deployed troops overseas. I believe it is important for all Members of Congress to strive to do so whenever possible. For example, last month when the President pro tem offered his amendment to withdraw troops, despite the fact that I strongly agreed with his arguments, I felt that I could not support it because it would have undercut the President's ability to act as Commander in Chief. Since then, however, the President has illustrated to me—and I believe to the majority of Congress and the American people—that he does not have a clear-cut plan for Somalia, and that we do have a responsibility to challenge him on this issue.

President Clinton has made it extremely hard to support him. He has committed troops who were on a humanitarian mission to deadly combat, he has put U.S. troops under foreign command, he has allowed bureaucrats at the United Nations to use our military to pursue their own personal campaign against General Aideed, and the Secretary of Defense has denied the commanders in the field the armor they felt they needed for the job. All of this without either seeking to explain his reasoning, or coming to Congress and seeking our concurrence. It almost seems as if he is so intent on avoiding becoming enmeshed in a foreign policy issue over which he was willing to abdicate control to the United Nations.

And his foreign policy actions in other parts of the world do little to engender confidence in his abilities. At the very same time that he is backpedaling to recover from his missteps in Somalia, he appears to be going down a similar road in Haiti. There, as in Somalia, the United States prepared to commit United States troops in support of a U.N. goal which does not appear to have been well-planned or well-thought-out. In fact, our troops were sent there over the objection of senior Pentagon officials.

Our troops came very close to deploying in a country in conflict without having the weapons or equipment needed to defend themselves. One can only imagine what could have happened if our troops had been allowed to land in Haiti and then had faced opposition from better armed soldiers and private attaches.

Again, the administration appears not to have put much thought into its policy in Haiti or into the deployment of American soldiers. It's bad enough that he has managed to turn General Aideed—a second-rate thug, at best—into an international figure who stood up to the mighty United States; now he has managed to confer that status on Raoul Cedras, an even less impressive thug in an even smaller country.

I am sorry to say that it appears to have taken this administration only 9 months to squander most of the gains in international prestige and leadership made over the past 12 years.

And, of course, we still have hanging over our heads the President's promise to deploy 25,000 American soldiers to Bosnia—an open-ended commitment that history would indicate points to almost certain failure and likely disaster.

I think it is also worth noting that the President is deploying these troops all over the world at the same time that he is embarking on a major downsizing of our military forces. The recently-released Bottom-Up Review will severely scale back our combat forces—especially the number of Army combat divisions and Air Force fighter wings—the very troops we deploy in times of crisis.

The President's proposed force is intended to allow us to deal with two nearly simultaneous regional crises. I do not believe it provides adequate forces to meet that goal, but that is a debate for another time. What is important to note, however, is that we certainly will not be able to deal with two major regional contingencies if a large number of our forces are tied up around the world in open-ended peacekeeping missions around the world under U.N. command. That is an issue that we need to focus on, and one which the President has a responsibility to address.

Tonight we face two amendments—one offered by the President pro tempore which calls for United States troops to be used only for humanitarian and self defense, and assures that our troops remain under United States control while they remain in Somalia; and a second, which says funds can only be used for withdrawal of United States troops.

I am very sympathetic to the goals of the Senator from Arizona. There is nothing I would like to see more than our troops coming home in time to celebrate a happy and safe holiday season with their families. And regardless of our action on either of these amendments, I hope that they are home in time do so—there is no reason for them to stay longer.

But despite my desire to see our troops home as quickly as possible, I do not believe we can tie the hands of the Commander in Chief—regardless of how much he may have mishandled the situation—by limiting the purposes for which we can spend funds.

I have to say that I do not think the alternative is perfect either. The amendment offered by the distinguished President pro tempore sets a specific date for withdrawal, and that troubles me. In balance, however, it sets forth a better set of circumstances under which we will make our withdrawal; and it leaves an opportunity for the President, in conjunction with Congress, to deal with unforeseen circumstances. For that reason, I will support it over the McCain amendment.

Let me add that, in my opinion, the Senator from West Virginia deserves the thanks of the American people for his efforts to focus attention on this issue. He focused on it before last weekend's tragic events brought it back to the forefront of public debate; and he strove to get the President and his advisers to concentrate on a critical issue which it is clear they were doing their best to ignore.

Instead of setting a specific date, Mr. President, I believe we should outline the goals we intend to accomplish, and once those goals are accomplished we should leave. Since it is clear to me that we have accomplished the original goal for which we went to Somalia in the first place; and that the additional goals the President has pursued—nation-building and capturing Aideed, are flawed—it seems to me that we should be able to leave rather quickly. By setting a date, however, we invite new trouble.

As I stated above, for example, setting a specific date invites Aideed and others to wait us out—to lie low, hide their weapons, and make accommodating statements knowing that in 6 months, or 3 months we will be gone.

Setting a specific date also raises other problems. For example, what if a few days before we are set to leave, Aideed captures several American prisoners, or kills more American soldiers, or declares himself a dictator—do we still leave or do we change our plan?

Or, just as likely, what if a few days beforehand, all of our allies decide to withdraw their troops? Already we have heard from France and Italy that they wish to withdraw their troops before the end of the year. The President's plan is to replace our troops with those of our allies—would he feel obligated to leave our troops there beyond the March 31 date to avoid the anarchy that he says will descend if we withdraw our troops immediately?

The list of problem questions goes on and on.

What it comes down to, Mr. President, is that we need to get out of Somalia as quickly as possible—we've accomplished what we set out to do and it's time to bring our troops home. But we need to leave in a way that makes sense, and that means not setting a specific date by which troops will be withdrawn or funds cut off. The Byrd amendment allows us to do that.

Mr. DURENBERGER. Mr. President, I rise in support of the amendment by Senator BYRD, and to comment on recent events in Somalia.

I will vote for Senator BYRD's amendment. I will vote for it not because I believe it is the place of the Senate to dictate to the President a specific withdrawal date, but because I believe that we need a deadline.

Operation Restore Hope was a success. There were no battle casualties. We fed thousands of starving Somali. We stemmed the tide of famine. And we withdrew most of our troops, because the job was all but completed and we won.

And now, the sooner we get our troops out of Somalia, the better—both for our military and for the future of Somalia. Because the sooner the United States withdraws, the sooner the Somalis are forced to address the question of their political future.

There is a basic reality in Africa that we must realize and accept: every country needs a stable leader. In Somalia, that may be General Aideed, or it may be someone else, but that is an issue for the Somalis to decide, not the United Nations, and certainly not the United States.

Over the past couple of years, there has been some significant political progress in several East African nations.

I met recently with President Isaias of Eritrea, a fascinating young man with a remarkable history, who this past year has overseen the transition of Eritrea to independence after a 30-year war with Ethiopia. Just a few months ago in May, 98 percent of Eritrea's voters voted in favor of independence. A constitution is being drafted, and a formerly rebel movement is learning how to govern and setting about the business of national reconstruction.

In Uganda, President Museveni has brought stability out of chaos, represented most vividly by Museveni's predecessors, Milton Obote and Idi Amin. When Museveni came to power as an army general, the country was engaged in civil war, gross domestic product had fallen dramatically, and inflation was at about 300 percent annually.

Museveni's government has liberalized Uganda's economy significantly—abolishing State monopolies and lifting price controls. Uganda now has one of the brightest economic futures in Africa. And although multi-party elections have yet to be held, there is considerable movement toward a new constitution and general elections in 1994.

This past June in Burundi, 2.8 million voters went to the polls to elect Melchior Ndadaye president in the country's first ever multiparty elections. Former President Buyoya, who also gained power as an army general through a military coup in 1987, succeeded at bringing reconciliation in Burundi after years of ethnic rivalry between the majority Hutus and the minority Tutsis, and presided over the drafting of a new constitution.

In order to stand for election under the new constitution, Buyoya resigned from the military, and gracefully accepted his defeat following the election. Now he is leading a Freedom Foundation to encourage economic development in his country.

A good friend of mine from Minnesota and a leader in the national youth service movement, Jim Kielsmeier, has recently gone to Kenya to begin work for the establishment of a Somalia Reconciliation and Development Corps. This African-led project seeks to reverse the cycle of poverty, despair and anarchy in Somalia by refocusing small groups of Somali youth on their historical heritage. The vision of this project is to demonstrate that needs can be met, lives can be invested, new leaders can be trained, and a nation can be rebuilt—one community at a time.

Also, we many times forget the hard work and many successes of the NGO's that have been working in Somalia a lot longer than the United States military. Several humanitarian organizations, including World Vision, the Red Cross, Doctors Without Borders, and the Minneapolis-based American Refugee Committee, as well as many others, have been on the front lines of this crisis. The individuals involved with these organizations know a lot more about Somalia and the humanitarian crisis there than any of us in the United States Senate.

These stories offer models for the people of Somalia, and they offer leaders who understand and have been where the Somali are now. Many East African leaders have been urging an East African conference on Somalia, and an African solution to the unrest there. We have to take advantage of this leadership and experience—because I am convinced that the key to the future of East Africa, and indeed all of Africa, is leadership.

A recent editorial written by William Raspberry in the Washington Post provides the best description I have seen on the situation in Somalia. Allow me to quote Mr. Raspberry briefly. He states:

> The preoccupation with capturing (or killing) the elusive Aideed obscures two things worth paying attention to. The first is that Aideed is as close as anyone is likely to become in the near future to being the political and military leader of Somalia.

He goes on to comment:

> This raises what is for many Americans an unthinkable possibility: that the end of chaos and the ascendency of Aideed may be the same thing.
>
> In retrospect, we should have seen—and taken into account—such a possibility from the outset of our humanitarian intervention.

The essay concludes:

> We've done well in Somalia, and we've done good—much of it of a lasting nature.
>
> * * * * *
>
> Frustration over a guy we can't catch and anger over the desecration of two dead soldiers are a poor basis for making policy.

Mr. President, that is the bottom line, and it is something we must consider as we address one more question concerning this crisis: What happens if—once the United States forces have withdrawn—the situation in Somalia further deteriorates to the point it was at a year ago? Before Operation Restore Hope, hundreds of thousands were at risk of starvation.

What do we do if it happens again?

Mr. President, I recognize that this may not be a very popular position, but it is nevertheless the view of this Senator that in such a situation, the United States must be prepared to once again open supply lines so that humanitarian organizations can get their job done.

Remember—we succeeded the first time. Our original mission in Somalia was well-defined and successfully fulfilled. Our military accomplished it in quick order. We have every right to be proud of that achievement.

And if it is necessary, we must do it again. What we emphatically must not do is set a costly and unrealistic mission in Somalia in an attempt to avoid that contingency.

We dealt with it in the past. We can deal with it again. The humanitarian situation is no excuse for the creation of a United States quagmire in Somalia. Mr. President, I urge my colleagues to support the Senator from West Virginia, and vote in favor of this amendment.

Thank you, Mr. President. I yield the floor.

Mr. LEVIN. Mr. President, many of us have spoken within the last month about the need to clarify the mission of United States forces in Somalia. Our goal had become blurred and our purpose had become fuzzy since the initial U.S. mission was launched to secure the delivery of humanitarian assistance.

We said we needed clarity and a plan for removal of our troops soon. We said we wanted the Congress to have the opportunity to authorize that plan. The Senate and House both passed a resolution seeking those two things.

Now we have a plan. And soon we will have a vote on authorizing that plan.

President Clinton last week addressed the Nation directly. He made our purpose clear and he established the context as well. His first priority, as it should be, is to protect our troops and give them the tools they need to defend themselves.

The President made it explicit that their mission is to protect our troops and our bases. They are to: "Keep open and secure the roads, the port and the lines of communications that are essential for the United Nations and the relief workers to keep the flow of food and supplies and people moving freely throughout the country so that starvation and anarchy do not return."

The President dispatched Ambassador Oakley back to Somalia to help in this diplomatic process, and there are hopeful signs that he may achieve some success, and that hostilities have decreased in the last few days. We are all grateful that the American helicopter pilot who had been held captive was released today and will be home soon.

The President said he would aim to complete this mission and have all American troops, except non-combat-support personnel, out of Somalia by March 31, The President also indicated it might be possible to withdraw before that date.

This is a balanced approach which recognizes our responsibility as a world leader and the limits of our resources. It will allow for a reasonable chance for us to fulfill our original mission of humanitarian aid without saddling us with an open-ended commitment to rebuild a nation.

I am gratified to see that Senators from both sides of the aisle have worked together to craft the amendment offered by Senator BYRD, by the Majority leader, the Republican leader and others. I believe it authorizes the same kind of balanced approach that President Clinton outlined. It is said the mission should be limited, and the withdrawal of United States forces from Somalia should be expeditious but not precipitous.

The President recognized the strong case for not cutting and running, and so does the Byrd amendment. The Byrd amendment avoids the signal to potential adversaries that they can target American troops in order to defeat the policy objectives of the United States.

United States credibility internationally is also on the line in Somalia. In the long term, a precipitous pullout in Somalia might threaten any ability of the United States to forge effective coalitions in response to aggression whether the coalition is NATO, ad hoc coalitions like we created in the gulf war, or through the United Nations.

I believe that the President made a convincing case and that the American people basically agree that we must leave Somalia, but not precipitously. We must leave in a way that establishes a reasonable chance for Somalia to avoid slipping back into anarchy, chaos and famine. We must leave Somalia in a way that avoids a larger crisis in the crucial effort to create a secure world after the cold war. Yes, we must leave Somalia, but as part of a plan where other nations, including African nations, contribute the resources and people to leave a securer environment there.

The debate has moved significantly from where it was just one week ago, when the dominant call was in the United States to immediately precipitously withdrawn. The amendment of Senator BYRD establishes a limited range of time in which we can complete our goals and complete an orderly withdrawal of our forces. The President and his military advisers have indicated that, in their best military judgment, the time between now and March 31 gives us a reasonable chance to achieve the objectives he has set out.

The world after the cold war finally has a chance to act together, and Somalia is one of the first places that we are trying after the cold war—we must not be the country that fractures that effort. As Gen. Colin Powell said about Somalia, "It will be very unwise for us to suddenly pull our troops out. It would be devastating to our hopes for the new world order."

We should not be in every coalition, but we need coalitions to be created and we need coalitions to work. In the future, we may have to face down a terrorist state that threatens the world with nuclear or chemical weapons. How are we going to convince other nations to join us then, if we precipitously withdraw from commitments now that we have freely entered into?

Mr. ROBB. Mr. President, I agree with my colleague from Arizona that the United States has little if any strategic, economic, or enduring political interest in Somalia, and there is no question that getting our U.S. forces out as soon as possible has enormous popular appeal. I am uneasy, however, with the limitation that the McCain amendment places on the President's role as Commander in Chief, as well as with the message it may send about U.S. resolve as the world's only remaining superpower.

Because the President also recognizes America's limited interest in Somalia, I believe the leadership's compromise amendment would reach much the same result as the McCain amendment. Our troops will be home as soon as it is possible to bring them home responsibly. And I hope and expect it will be much sooner than the March 31 deadline. But the integrity of the Commander in Chief's role would remain intact. To be completely honest, I'd prefer not to announce any self-imposed deadline for U.S. withdrawal, and I'd prefer not to legislate at all in this instance.

I believe in bringing our forces home as soon as possible from Somalia. But I want to do so on our terms, not General Aideed's. I believe that the leadership amendment allows us the tactical flexibility to withdraw in an orderly and secure fashion, at the appropriate time. The leadership amendment strikes the better balance between expedience and constitutional duty, and I will support it.

Mr. DODD. Mr. President, last week the President spoke to the Nation about the United States military mission in Somalia and the objectives and scope of that operation. I rise to express my support for the views the President has articulated, and to urge my colleagues not to abandon this vital multilateral peacekeeping effort.

Mr. President, I want to take this opportunity to commend the collective effort to put together a measure on Somalia that commands broad-based support from both sides of the aisle. This is about as controversial an issue that you can deal with in the area of foreign policy. Coming to some agreement on this issue has no doubt been a difficult task. But those who have fashioned the proposal that brings us together this evening deserve our applause and accolades.

I especially want to commend the distinguished President pro tempore, Senator BYRD, the distinguished majority leader, Senator MITCHELL, the distinguished minority leader, Senator DOLE, and the many other Members of this body who lent their contributions to this effort. They remind us that we have no higher obligation, as a parliamentary body and indeed as a Nation, than to fully assess the issues at stake in Somalia when the lives of the men and women in our military are on the line.

Mr. President, the American people are perplexed and angry over the situation in Somalia, and it is easy to understand why. Ten months into what we were told would be a brief humanitarian mission, nearly 30 Americans have lost their lives and scores have been wounded in the streets of Mogadishu.

What's more, many Americans believe the original humanitarian effort has been completed. On the streets of Somalia, children are no longer starving. Food supplies are no longer being stolen. Disease and malnutrition are no longer visible on every corner. Many now fear the mission has been transformed into one that includes nation-building and other tasks which they did not envision and for which they did not give their consent.

Mr. President, the American people ask, and rightfully so, a number of important questions: Why are we in Somalia? What are our objectives: How do we intend to accomplish those objectives? They want to know what American interests are at stake in the political future of Somalia, and whether it is necessary to send American men and women into harm's way in order to protect those interests.

These should not be questions that we shy away from or turn our backs on and ignore. We have come too far, we have sacrificed too many precious American lives, to pretend that we do not have an obligation to explain in a clear and coherent manner why we are in Somalia. And if we cannot explain this operation to the American people, in simple and compelling terms, then we ought not to remain there a moment longer.

In view of this heavy obligation upon us today, it would be easy for us to fold up our tent and call on the President to bring our forces home. It would be easy for us to conclude that we have no compelling interest in Somalia, or that we do not have the patience or the wherewithal to explain that interest to the American people. But in my view, that would be a tragic mistake.

It would be a mistake because despite all the difficulties and mishaps that have taken place along the way—and there have been many—the fact remains that the world has a compelling interest in the peacekeeping mission in Somalia. And we have a compelling interest in remaining involved in that effort. I hope we will have the courage to fix what is wrong with the operation in Somalia, without destroying everything that is right about it.

At the outset, Mr. President, we ought to take a moment to remind ourselves just how we got involved in Somalia in the first place. After the overthrow of General Siad Barre in January 1991, the factions that had collaborated in his overthrow turned on each other in a violent and ruthless civil war. This conflict quickly brought about a disruption in food and medical relief efforts, a paralysis of the Somali Government, and a complete breakdown of Somali society.

By the end of 1992, more than 300,000 Somalis had died as a result of violence, famine, disease, and malnutrition, and up to one and a half million more were at risk. Most of the victims, as is usually the case, were innocent children. Surely we all remember the wrenching human drama that was played out every night on the evening news: Scenes of children lying in the dirt with their bellies distended, too weak to eat or drink, too weak to even brush the flies and the maggots off their faces.

Last December, moved by the pictures of this endless human suffering, the U.N. Security Council adopted resolution 794, authorizing the use of military force to provide a secure environment for humanitarian relief operations in Somalia. The next day, on December 4, Operation Restore Hope went into action. Within a few weeks, some 25,000 United States soldiers had moved into Mogadishu and the other major population centers of Somalia, opening up food supply lines and allowing relief agencies to once again do their work.

By the end of March, Operation Restore Hope had lived up to its name. The bitter factional fighting had been greatly reduced. Schools were beginning to reopen; shops and markets were beginning to take customers again; courts were beginning to reconvene. Hunger and disease no longer loomed over the country like a black plague. In short, Somalia was beginning to look like a nation once again.

In late March, building on these early signs of success, all of the major Somali factional leaders convened at a peace conference in Addis Ababa, Ethiopia. After 13 days of talks, these leaders—including Mohammed Farah Aideed of the Somali National Alliance—agreed to establish a transition council made up of 74 representatives from all aspects of Somali society. This transitional council was designed to serve as a temporary national assembly until elections could be held and a new constitution could be drafted—a process that was expected to take up to 2 years.

This peace conference was built on a foundation on mutual suspicion and unfortunately, the plan that was agreed to has yet to be implemented. But it proved that the leaders of the various factions in Somalia are willing to discuss a peaceful settlement, and to engage in the give-and-take of political negotiation and dialog.

More important, it demonstrated that it was possible for the U.N. and regional leaders to gain at least a measure of trust, if not necessarily the lasting good will, of all the parties involved.

With this peace conference under way, the U.N. Security Council decided it was time to move to the next stage in Somalia. On March 26, the Security Council adopted resolution 814, which called for the U.N. to provide assistance to the people of Somalia in "rehabilitating their political institutions and economy and promoting political settlement and national reconciliation." It also called on the U.N. to "assist the people of Somalia to promote and advance political reconciliation, through broad participation by all sectors of Somali society."

Finally, the resolution called for the expansion of the United Nations Force, known by the acronym UNOSOM II, in order to help support these political goals. This force, which would be made up of about 5,000 U.S. troops and roughly 20,000 additional troops from over two dozen nations, would have the explicit authority to take military action to disarm military factions and maintain the existence of a secure environment.

For many observers, including the United States, this resolution was the logical extension of the original humanitarian effort. It recognized that the initial humanitarian gains would all go for naught without the development of adequate political institutions. Indeed this effort would be similar to efforts the United Nations had already undertaken in nations like Namibia and Cambodia, where democratic elections were held under United Nations auspices.

Unfortunately, even though this resolution was supported by the United States in the Security Council, the resolution and its consequences received little attention and public debate. The House of Representatives did vote, on May 25, for a resolution approving the participation of U.S. forces in support of the UNOSOM II mission. Regrettably, U.S. participation in this expanded mission was never considered on the floor of this Chamber. As long a United States forces did not seem to be in jeopardy in Somalia, there appeared to be little reason to do so.

Once the outlines of this expanded United Nations mission had been agreed to by the Security Council, Operation Restore Hope came to an end on May 4, and formal authority for the continuing mission was turned over to the United Nations. It is here that events took a disturbing downward turn.

Exactly how things went wrong, during those months of April, May, and June, will probably never be known. As many observers have taken pains to point out, one can identify a number of diplomatic blunders that were made by the U.N. team in dealing with General Aideed and his supporters.

These missteps, they say, caused Aideed to come to the conclusion that the United Nations was attempting to marginalize him at the expense of his arch-enemies. For their part, U.N. officials say they were motivated by the fact that Aideed is a ruthless warlord who will stop at nothing to preserve and expand his power.

But one thing is clear, Mr. President: That important basis of trust between the faction leaders and the United Nations—a basis of trust that had been painstakingly built over a number of months—most convincingly and definitively broke down. And it was not a very long time after that until the well-known events of June 5, when Aideed's forces attacked a group of Pakistani peacekeepers and opened a new phase of hostilities in Somalia.

Unfortunately, instead of learning from its mistakes, the United Nations proceeded to compound its errors. At the insistence, of Jonathan Howe, the retired United States admiral serving as the United Nations special representative in Somalia, the United Nations placed a $25,000 bounty on the head of Aideed and embarked on a series of military missions to capture

Aideed and his followers. In fact, according to an article in Sunday's edition of the Washington Post, an attack by U.S. forces on facilities belonging to Aideed on July 12, had the explicit mission of killing the warlord and his high command.

This string of United Nations and United States-led attacks put the United States and its allies on a collision course with Aideed. Unfortunately, the United Nations had neither sufficient manpower nor equipment to effectively carry out this mission. At the same time, the United Nations command structure severely underestimated the depth of support for Aideed among the thousands of people in his Haber-Gedir subclan. This deadly combination helped lead to this disastrous events of October 3, when more than a dozen U.S. soldiers were killed while trying to capture supporters of Aideed in Mogadishu.

The tragic and untimely deaths of these United States soldiers raised widespread debate across the United States about the scope of the United Nations mission in Somalia and the continued United States participation in that mission. Unfortunately, in the first few days after that incident, United States officials were unable to provide a clear justification of the mission or adequately describe its goals. Many believed the time to pull out from Somalia had arrived.

This set the stage for President Clinton's address to the Nation last Thursday. I believe the President did a very capable and creditable job in explaining why we are involved in Somalia and what we intend to accomplish in that mission. He made it clear that U.S. forces would have the equipment necessary to do the job they had been called on to do, and that they would not remain indefinitely. He reminded us of the importance of supporting this expanded humanitarian mission and of not backing down when these efforts are challenged.

Most important, the President made it clear that General Aideed would no longer be the military target of our mission in Somalia, and that the United States and the United Nations would stress a diplomatic solution to the problem.

While it is too early to make any long-term predictions, this important change in strategy appears to have had a significant impact on the situation in Somalia today.

The U.S. envoy, Robert Oakley, has been engaged in dialog with members of the Aideed clan in an effort to resume the negotiations that had broken off after last March. Hostilities between the U.S. and U.N. Forces and forces loyal to General Aideed have subsided. Most important, the U.S. serviceman taken hostage last week, CWO Michael Durant, has finally been given his long-sought release.

Mr. President, it is unclear whether we will be able to put the Genie back in the bottle—whether it will be possible to go back to the agreement of March 28, in Addis Ababa and revive the dialog toward national reconciliation. Perhaps in the end this effort will fail, as so many others have failed in Somalia before.

But at the very least, the progress that has been made over the last few days—and indeed, ever since the landing of the Marines 10 months ago—suggests we ought to be prepared to give it a try.

That means we should support the use of United States Forces, acting in concert with those of the United Nations, to promote the continuation of humanitarian relief supplies and to support the process of political reconciliation in Somalia. If we want to avoid a repeat of the terrible conditions that we witnessed just a year ago, there is simply no other possible alternative.

Mr. President, as we look back over the events of the last 10 months, we must be prepared to give the American people simple and straightforward answers about our involvement in Somalia. Why are we still there? What are our objectives and how will we accomplish them? And what are the vital American interests at stake?

Mr. President, the reason we are still in Somalia today is the same as it was when we went to Somalia in the first place—because Americans saw the suffering of the people of Somalia, and because Americans are a people that care.

And make no mistake about it, if we don't give the Somalis the chance to build decent political institutions to protect them from the warlords and the killers, in the end we will have accomplished nothing except to prolong their misery. The famine and the disease and the human deprivation will surely start up again when the last U.S. soldier has departed.

Our objectives in Somalia are exactly the objectives that were set out in U.N. Security Council Resolutions 794 and 814: To work with the United Nations to provide a secure environment for the provision of humanitarian relief supplies and to help begin the process of political reconciliation that is so urgently needed in Somalia today.

We will do this by working with the existing leaders of Somalia, not by pursuing them into every dark corner and blind alley of Mogadishu.

Finally, the American interests at stake in Somalia are the very same interests that have been articulated in this Chamber so many times since the end of the cold war: The establishment of a new international order, of a law among nations, where multilateral cooperation is the rule and no longer the exception. And now that promising but elusive vision has met its first test in the barren desert land of Somalia.

The United Nations has assumed responsibility for a mission that rivals any other it has undertaken in history. It has sought to bring an end to decades of interclan violence and hatred and to build political institutions in a land that has know little but chaos. Many aspects of the United Nations mission deserve credit and praise; in other areas, these efforts have fallen visibly short.

And so the question to us in this Chamber is as follows: Do we come to the conclusion that the United Nations is simply not ready to assume the obligations of the new international order? Or do we acknowledge the U.N.'s weaknesses and set out to try and correct them?

Do we cling to the notion that we in the United States will never be able to trust them in the United Nations? Or do we come to the realization that the United Nations is us—and acknowledge our responsibility to help make it the capable and effective institution it ought to be?

All around the world, Mr. President, even as we speak, U.N. Forces are helping to keep the peace and to protect the lives of innocent civilians. In Cambodia and Yugoslavia. In the western Sahara and Mozambique. In Lebanon and the Golan Heights. And in the future we will come to rely on the United Nations even more. But what kind of credibility will these forces and these vital missions have if we refuse to stand by them when they are under challenge, as they are today in Somalia?

So Mr. President, this is our stake in the peacekeeping mission in Somalia. We can choose to stand by the United Nations as it seeks to turn a temporary humanitarian miracle into a lasting political solution. Or we can turn our backs on this mission and limit our participation when we are needed most.

President Clinton has made his choice. He has told us he believes the United States should stick with the United Nations and with the United Nations effort in Somalia. Now the choice falls to the Members of this body this evening. I hope we have the courage to make the right one.

Mr. BYRD. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from West Virginia has 4 minutes 55 seconds; the Senator from Arizona has 4 minutes 20 seconds.

Mr. BYRD. Mr. President, let us take a look again at this language in the distinguished Senator's amendment. I call attention to the phrase "prompt and orderly withdrawal." What does it mean?

Webster, let us see what Webster says about orderly:

> Orderly. Arranged or disposed in a neat, tidy manner or in a regular sequence; 2, observant of or governed by system or method; 3, characterized by or observant of law, rule,

or discipline; law-abiding; 4, pertaining to or charged with the communication or execution of orders.

Let us take that fourth one, "pertaining to or charged with the communication or execution of orders." Who is going to decide that? The military. The Commander in Chief. That would be an orderly withdrawal. It was the military that advised the President that a prudent date would be March 31. That was the military advice to the President.

I tell you, my colleagues, you are hitching the tail to a kite that is a vanishing phantom, you are shooting in the dark, in that direction, in that direction, and you cannot see it.

What is a prompt withdrawal? I ask again, is it November? Is it December? Congress is not going to be around in December. Is it January. Congress is not going to be around in January. When is a prompt withdrawal? Tell us. Tell us when a prompt withdrawal is.

If I had been offering this amendment, Mr. President, I would have set a date. I have already explained why I would not set December, because Congress would not be here and would be shamed into coming back. The President would call us back. I would not have set January 1 for the same reason. The President would call us back.

How would we look being brought back by the President the first of January because he has run out of money, and he is in real trouble, and he needs an extension? OK, February 1. I explained that.

I say, Mr. President, that the President recognizes the fact that the Congress is an equal branch of the Government. He accepts the reality that Congress has the power of the purse. He may be the Commander in Chief, yes, according to article II of the Constitution; he is the Commander in Chief of the Army and Navy and the militia. But suppose he does not have any army, suppose he does not have any navy—Congress has the power to raise and support armies, to provide and maintain navies. So it is this power of the purse, and my amendment uses that and anchors it to a clear date.

So, my friends, do not be misled by this amendment. It will not get our men out any earlier than the amendment I have offered, and there is no guarantee that it will get them out as early as March 31. Mr. President, the Senator from Georgia has some questions. How much time is left?

The PRESIDING OFFICER. The Senator from West Virginia has 47 seconds.

Mr. BYRD. I ask unanimous consent that each side may have an additional—how much time?

Mr. McCAIN. Five minutes.

Mr. BYRD. I ask unanimous consent that each side may have an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. I yield to the Senator from Georgia.

Mr. NUNN. Mr. President, I thank the Senator from West Virginia for his leadership on this matter. I think that this debate is long overdue. The Congress of the United States has a duty and obligation under the Constitution to speak to the issues of possible war and peace when our troops are involved.

Mr. President, I rise in support of the Byrd amendment, because I believe it offers the best path out of Somalia.

The issue before us is not whether we are going to get out of Somalia. The issue is when are we going to get out of Somalia? Even more important, how we are going to get out of Somalia? But even more important than that is, what we are going to do for the rest of the time we are in Somalia? I think the proponents of the McCain amendment acknowledge that we are going to be there for at least a couple more months.

Mr. President, I think it is important, too, because all of us on both sides of this debate are concerned about the safety of our military forces and the safety of our citizens, and I think also the safety of our allies, who have been there with us, side by side, at our request in many instances. Lest we forget our allies, I think we should all remember that we are going to be calling on these allies again to come with us in other places around the world. And if we want some credibility left with them, the question of how we get out is important.

To the question of our military forces, Mr. President, if you listen to this debate, you might forget that we have military forces all over the world. Last year, we had military forces deployed, at one time or the other, in 62 countries in the world—62. We continually have military forces all over the world. Those forces' lives are at stake, also. What we do in Somalia affects the lives of the military forces wherever they are in the world.

We are in an age of communication. All you had to do was look at the sight in Haiti the other day with people running around on the dock talking about "another Somalia, another Somalia." They know what is going on in Somalia. They know the reaction here. The last thing we need is for the word to go out that the way you get America to leave any country is to kill a few people. That is the last thing we need.

So we have to get out. The question is whether we get out in a way consistent with the safety of all of our people around the world, and certainly including, but not limited to, those military forces in Somalia.

Mr. President, the Byrd amendment speaks to the mission. The Byrd amendment does what we should have done a long time ago, either in the executive branch or in the Congress. It tells our military forces what we expect them to do while they are in Somalia. It also tells them what we do not expect them to undertake. It makes it absolutely and abundantly clear that they are not there for an ill-defined mission any longer. If this passes, they will be there with a clarity of mission, a mission that does not include nation building, that does not include disarmament. This will be a United States mission. It will not be the broad U.N. political mission.

Mr. President, I think it is important that we also remember that we are in an alliance here. It is not a smoothly working alliance. All the forces there do not fight as well as the U.S. forces—in fact, none of them do. Yet, these are our allies. The Pakistanis lost 24 people in one military engagement. With the tragedy of a last week, which really tore our hearts apart here in this country, with American troops being killed and wounded, we certainly did not have the kind of backup plan we needed.

Mr. President, we should not forget who came to the assistance of the U.S. forces and helped them. It was the Pakistanis and Malaysian forces with tanks and armored personnel carriers, that perhaps we should have had there. I think we should have. But we did not. What are we going to do if we pass the McCain amendment, whether we are there 30 days or 60 days or 90 days or 6 months? What happens if there is an attack on the Pakistani forces, the ones who came to our assistance a week ago?

The way I read the McCain amendment, we would not be authorized to come to their aid, to help them.

What happen if the Malaysians come under attack? Are we going to be able to help them under the McCain amendment? I do not think so.

We are going to be over there and we are going to say we, the United States, are concerned about absolutely nothing but protecting our own forces and getting out. We are not going to help our allies who helped us. We are not going to ensure that they are not attacked. We are not going to think about the next mission that we may undertake in an alliance. We are not going to think about the effect on our NATO Allies. We are not going to think about the effect on the South Koreans, and places all over the world where we rely on allies to not only support us but to fight side by side with us.

Mr. President, we have had an alliance called NATO for the last 40 years. It is not a perfect alliance. We have done more than our share, in my opinion. We have sacrificed a lot of American money and some American lives.

But we have had allies. America has never had anymore than 30 or 40 percent of the military forces on the ground and most of the time it has been 25 percent.

Do we plan to go it alone in the future? Are we going to go it alone all over the world? Are we going to have no allies? If we are, then forget them. Do not even mention them in the amendment. Pass the McCain amendment with no mention of allies, no mention of them being deployed, no mention of them helping us, no mention of them coming to our aid.

Mr. President, that is not the way we are going to be able to perform in the future. Sure, we are a superpower, but we need allies. We need allies in Asia. We need allies in Europe. We need allies in any kind of conflict other than right here next to our own shores. And we all know we have interests all over the world.

Mr. President, I believe our departure must be orderly. I think we need to get out, but we have to get out in a way that considers American troops that are deployed all over the world, and the signal it sends regarding those troops. And also we have to get out considering our obligations to our allies.

Somalia is not the last place in the world where we will be deploying troops. I hope we have learned lessons, Mr. President. It is very clear under the Byrd amendment as to what the mission is and what it is not.

The Byrd amendment makes it clear that the United States military mission in Somalia is protecting United States military and allied forces and to assist in the protection of the delivery of humanitarian relief supplies. As Senator BYRD has said, it sets a date for withdrawal.

Mr. President, I think under these circumstances, with the President already having set the date, that is appropriate. Under most circumstances, I do not agree in setting a date for military withdrawal. Under most circumstances, what I believe we should do is have clarity of mission, give our forces a mission. We did not do it in Somalia. The executive branch did not do it. The United Nations kept enlarging the mission. We in the Congress were silent. We in the Congress were silent.

We should give them a mission, and we should tell them we are going to back them with everything we have until they accomplish that mission. If we are not willing to do that, they should not be deployed.

We cannot afford to put U.S. forces everywhere there is a humanitarian problem. Of course, our hearts are touched when we watch television images, but when it comes to American military missions we have to lead with our heads and not our hearts.

America is the only residual superpower in the world. We cannot get involved in peripheral conflicts all over the world. If something happens in Korea, Southwest Asia, or Europe, or any other place where we have a strategic interest, we have to respond. If we have troops deployed all over the world in one small conflict after another, we will not be able to perform our truly essential tasks. The bedrock of American military power is not the Army, Navy, Air Force, and Marine Corps, but rather the people back home.

The most important thing coming out of this Somali experience is the important lesson that the people back home have to be informed.

So clarity of mission is not simply a signal to the United Nations, although it is that. It is not simply a signal to our military commanders although it is that. The clarity of the mission that is set forth in the Byrd amendment is a strong word to the American people. The American people have to support the military deployments or they will never be successful.

We must remind ourselves that Somalia is devoid of any vital, strategic, or economic interest to the United States. It is one thing to place our military forces at risk on behalf of vital or strategic interests; on behalf of purely humanitarian interests, however, we should refuse to place them in significant jeopardy. Yet this is what we have done in Somalia, by allowing military objectives to dominate the humanitarian and political aspects of the mission. Last December, our troops were cheered when they came to Somalia; later, they were jeered, mortared, and ambushed. A week ago last Sunday a U.S. Army Ranger company was decimated in south Mogadishu, suffering almost 100 dead and wounded.

How did all of this come about? How could what began as so seemingly an innocent mission as feeding a starving people end up in spasms of bloody urban warfare? How did CNN television footage of starving Somali children come to be supplanted by footage of dead American soldiers being desecrated by howling mobs of well-fed Somalis?

Mr. President, I believe the answer lies in the failure of the United Nations, including the United States, to maintain a reasonable relationship between political and humanitarian ends and military means in Somalia. The United Nations persuaded the United States to carry out with our military forces an expanded political, agenda, after we had drastically reduced our military forces in Somalia. Last December the United States entered Somalia with a large and well-armed military force of 25,000 troops to perform the seemingly narrow mission of ending mass starvation. Along the way, however, we found out something about the situation in Somalia—something which is true in many and perhaps most failed states. We discovered that the underlying cause of starvation in Somalia lay more in the absence of effective central political institutions and its resulting anarchy then it did in such traditional culprits as bad harvests and decrepit transportation infrastructures. There was food in Somalia last December—on the docks at Mogadishu and elsewhere, but its distribution to the interior was being blocked or stolen by warring Somali clans.

We and our United Nations allies—and the United Nations Secretary General—therefore concluded that changes in Somalia's political landscape would have to be undertaken under United Nations auspices if the threat of mass starvation was to be permanently removed as a feature of Somali life. Accordingly, the agenda was expanded to embrace the creation of effective national political institutions, including a national police force of some kind, and the disarmament of the clans. Not surprisingly, the clan warlords did not take kindly to the idea of disarmament, and when U.N. forces demonstrated their seriousness against Aideed and his clan, they were met with violent resistance. Aideed's men attacked a force of Pakistani peacekeepers, killing 24 of them. In response, the U.N. in effect declared war on Aideed personally, with U.S. Rangers ending up being the chief manhunting instrument, invading areas of Mogadishu where Aideed and his henchmen were thought to be. This in turn led to the bloody Sunday of October 3.

While all this was going on, however, a large contraction in U.S. military power was taking place. The mission had been expanded while the flexible and mobile component of U.S. forces had been substantially reduced. By early October of this year, U.S. forces had plummeted to less than 4,000 troops—from a high of 25,000 during the first phase of our intervention. They were barely able to protect themselves in their compounds, much less conduct urban counter-guerrilla operations.

Mr. President, recent tragic events prompted an abrupt change in the administration's policy in Somalia to one of an orderly departure in a reasonable period of time. The U.S. casualties of October 3 and the subsequent desecration of American soldiers killed in action, have understandably saddened and outraged public and congressional opinion. Our hearts go out to the families and friends of those who were killed, wounded, and captured.

Anger and disgust, however, are dangerous foundations upon which to formulate our policy in Somalia. Mr. President, the first thing we must do is keep our wits about us. Tonight we have a choice between two amendments—the McCain amendment which calls for an immediate withdrawal with no consideration of mission or obligations to allies, and the Byrd amendment, which clarifies and narrows our mission and provides for an orderly withdrawal.

Mr. President, I believe our departure should be orderly, and carried out in a way that is fair to the other countries participating in the U.N. enterprise in Somalia, many of whom we asked to join us in Somalia. By setting a departure date of March 31 rather than requiring their immediate withdrawal, we provide our allies ample time to make their own decisions. We also buy enough time for political discussion in Somalia, and therefore increase—at least on the margins—the possibility of fostering a political settlement acceptable to all the clans.

I believe the administration's new policy, which President Clinton and key Cabinet members unveiled on October 7, was a strong step in the right direction of bringing our military objectives into line with our military means. The administration has also revived the diplomatic track in Somalia, a track which had been allowed to wither in the face of preoccupation with capturing Aideed.

With respect to United States reinforcements now being sent to Somalia let me say, first of all, that the events of October 3 in south Mogadishu dictated a rapid and significant augmentation of our forces already in Somalia. While one can debate the precise scope and nature of the reinforcements announced on October 7, we simply cannot ignore the fact that our forces already in Somalia could no longer adequately defend themselves, much less gain the tactical initiative over Aideed's forces. Regardless of the political issues at stake, no American soldier, sailor, airman, or marine, wherever he or she may be deployed, should be deprived of the maximum possible tactical protection. We should have learned this critical lesson 10 years ago in Beirut.

Mr. President, the administration has declared that the purpose of sending reinforcements to Somalia is to protect United States Forces already in Somalia and to enable them to complete their mission—not to escalate the war against Aideed. The Byrd amendment refines that declaration by defining the mission in such a way to focus our forces in Somalia on the original humanitarian mission. The Byrd amendment makes it clear that our troops will be carrying out the narrower U.S. mission, not the broader U.N. political agenda.

The President has also made it clear that our withdrawal from Somalia will be an orderly one—not a hasty retreat. This is very important, because, as I have said, we have forces elsewhere overseas that are deployed in harm's way. We have, moreover, certain obligations to other U.N. member states in Somalia. Whatever we do between now and our departure from Somalia, we need to give the U.N. and the over twenty other participating countries time enough to make and implement their own decisions about what to do in Somalia.

Mr. President, I myself would have preferred a re-narrowing of our military mission to permit a departure as the mission is completed, rather than set an arbitrary deadline. However, I view this amendment's setting of a funding deadline as endorsing what the President has already committed himself to do. I believe that it is important that this amendment not be perceived as setting a precedent for Congress' setting a date for completion of military missions, whose duration is usually unknowable in advance. I see this as the Congress' asserting its right to approve clear and unambiguous missions for our military forces. I believe that it is important for the Congress to be brought in on the act before a narrow mission is greatly expanded. I believe that the accomplishment of the mission should be what drives the withdrawal of our forces, once they are committed. And as I noted earlier we should back our forces with everything they need once they are committed under a clear military mission.

With respect to the critical issue of clarifying the United States military mission in Somalia, which, in my view, is the core of the Byrd amendment, I believe that the President's speech on October 7 and subsequent administration statements were encouraging. The ambitious objectives of disarming the clans and of creating political stability at the national level in Somalia may not be inherently missions impossible, but they are in any event unachievable with the relative paucity of military forces on hand today and this will continue even after all our re-enforcements arrive.

Mr. President, this amendment makes it clear that the U.S. military mission does not not include national reconciliation, nor the broad mission of disarming the clans, nor any other mission not essential to the performance of the humanitarian mission. Mr. President, the Byrd amendment confines the United States military mission in Somalia to protecting United States military and allied forces in Somalia, and to assisting in the protection of the delivery of humanitarian relief supplies. If the United Nations wishes to continue to pursue the more ambitious aims of disarmament and national reconciliation, so be it. We should not participate in any military operations for such purposes, and we should convey that that narrowing definition of the mission in no uncertain terms to both or own military commanders and U.N. Secretary-General Boutros Boutros-Ghali.

Let me close, Mr. President, by reiterating where I believe we are in Somalia and where we are going with the leadership amendment.

First, we have no security or economic interests in Somalia.

Second, the President has outlined an orderly withdrawal in a reasonable period of time in a way that facilitates promising diplomatic initiatives and permits our allies in Somalia to adjust to our departure.

Third, in the interim, I believe it is essential to refine further exactly what is—and is not—the United States military mission in Somalia. The administration has taken a good first step in that direction, but further steps are needed. The Byrd amendment does this by specifying the confinement of that mission to protecting our own forces and those of our allies and the delivery of humanitarian relief supplies.

Mr. President, I urge my colleagues to vote to table the McCain amendment and to vote for the Byrd amendment.

Mr. President, I would like to pose just a couple of questions that I think are very important questions to my friend from West Virginia.

I am concerned about the date, and I want to make certain that if the Byrd amendment passes, that we all understand the President's authority and what he could do in certain circumstances that we cannot now foresee with clarity.

Mr. President, I would ask the distinguished chairman of the Appropriations Committee two questions.

One question relates to a situation wherein United States forces may be attacked—and I hope that does not happen, because I hope they are out of there before March 31—may be attacked as they are leaving Somalia. Let us say they are attacked on March 29 or March 30 and are unable to depart by March 31 because they are in the middle of some kind of conflict.

Specifically, my question is whether the provision in the Byrd amendment that authorizes the obligation of funds beyond March 31, 1994, to protect American citizens would authorize the President to use United States Armed Forces in such numbers as may be necessary to protect those forces and to ensure their safe withdrawal from Somalia subsequent to March 31, 1994, under the scenario I have presented?

Mr. McCAIN. Regular order.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. Mr. President, I ask unanimous consent each side may have an additional 5 minutes.

Mr. WALLOP. I object.

The PRESIDING OFFICER. Is there objection?

Mr. WALLOP. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BYRD. Mr. President, I do not believe there is anything in the time agreement that says we cannot have a long quorum call. The Senator from Georgia has asked a very pertinent question. I think he is entitled to an answer. I hope the Senator will not object and let me answer.

Mr. WALLOP Mr. President, reserving the right to object, I would say to my friend that 4½ hours has been enough time to ask questions. We can ask questions and ask questions and ask questions. Does anyone believe another mind is going to be changed yet tonight?

Mr. BYRD. The Senator has a right to ask questions.

Mr. WALLOP. I withdraw the objection, but I will not agree to another request. This is typical absurdity of the Senate.

The PRESIDING OFFICER. Is there objection? If not, it is so ordered.

There are an additional 5 minutes to each side.

Mr. BYRD. Mr. President, there may be a good many typical absurdities of the Senate, and we will go into those another time.

In response to the Senator's question, there are three clauses in the amendment which bear on this issue. In addition to the general constitutional power available to the President, if American forces come under attack any time before March 31, 1994, the President can come back to the Congress, seek an extension of the time, and Congress may authorize such an extension. If the troops come under attack on the last day of the time permitted for them to remain in Somalia, March 31, there is another proviso, which permits the expenditure of funds beyond March 31 "to support a limited number of U.S. military personnel sufficient only to protect American diplomatic facilities and American citizens."

This clause would, therefore, allow money to be expended in event of eruption of hostilities.

Lastly, the next-to-last clause in the amendment provides that: "The President should ensure that at all times United States military personnel in Somalia have a capacity to defend themselves and American citizens."

Thus, I think these three clauses cover the contingency of hostilities that might erupt at the very last moment on March 31.

Of course, we expect and the President has indicated that he intends to have all of our forces out of Somalia well before the deadline and funding cutoff, and I would not expect the contingency raised by the distinguished Senator from Georgia to arrive.

Lastly, there is inherent constitutional power available to the President to act in an emergency so that if all else fails we would certainly expect him to take action under his inherent emergency powers which are well settled under the Constitution.

Mr. President, speaking of the inherent powers of the President, I have had the occasion to read Madison's notes on the Constitutional Convention a number of times.

The original draft had the words "make war" in it, meaning that the Congress should have the power to make war. And delegate Pinckney—I do not know, and it is not made clear, whether it was Charles Pinckney or Charles Cotesworth Pinckney of South Carolina, but Charles Pinckney thought that the power to make war should not be lodged in the legislature because the House was too numerous and the body did not meet the year-round. They only met once a year, and he raised a question as to what would happen in the event of an attack on the United States. Pierce Butler suggested that the power to make war should be lodged in the Executive. Whereupon, Madison and Elbridge Gerry offered an amendment jointly to change the word "make" to "declare" so that Congress had the power not to make war but to declare war.

Therefore, in the notes we are told that Madison and Gerry by moving to insert "declare" and striking out "make war" left to the Executive "the power to repel sudden attacks."

Nobody questions the President's inherent power to act in an emergency to repel sudden attacks on Americans anywhere in the world. He has that inherent power. Congress would not question that power. The American people would not question that power. To the contrary, we would expect him to act and we would impeach him if he did not. So he has that inherent power.

Mr. NUNN. I thank the Senator for that very clear explanation.

My final question is: If we have a United States prisoner in Somalia or missing in action and March 31 rolls around, or if we have 5 or 10, as I read the Senator's amendment, it anticipates that and provides for that. Perhaps the Senator would like to comment on that, because I think it is important.

Mr. BYRD. I can do that in 1 minute.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. I ask unanimous consent to speak for 1 minute, and the other side have an additional minute.

Mr. McCAIN. Reserving the right to object, I will not agree to a further extension of this debate.

Mr. BYRD. The Senator has been very kind thus far.

Mr. MITCHELL. Mr. President, I yield 2 minutes of my leader time to the Senator.

Mr. BYRD. I thank the majority leader.

In the event hostages are taken between now and March 31, 1994, or that there are missing in action unaccounted for, the last clause of the amendment covers that contingent. It provides, "That United States Armed Forces should remain deployed in or around Somalia until such time as all American service personnel missing in action in Somalia are accounted for, and all American service personnel held prisoner in Somalia are released."

Thus, the amendment clearly provides that United States forces, in whatever numbers are appropriate for the situation, may remain beyond the deadline in and around Somalia after the March 31 date in the event of new hostage taking or missing in action.

Mr. President, I thank the distinguished Senator from Georgia for raising these very pertinent and appropriate questions.

Mr. NUNN. I thank the Senator for his informative answers. I appreciate it.

The PRESIDING OFFICER. Who yields time?

Mr. McCAIN. I yield 6 minutes to the Senator from New York [Mr. D'AMATO].

Mr. D'AMATO. Mr. President, first of all, let me take this opportunity to say that there has been one among us, actually two among us, but one in particular, who I would like to commend for being ahead of the curve—certainly not political—and for raising the question as it related to the abdication of our responsibility as a Congress, our abdication of our responsibility as a nation to the United Nations, allowing our troops to be used as mercenaries; acquiescing, placing them in the most dangerous of positions and saying little if anything, and that is Senator ROBERT BYRD.

Having said that, I commend him for bringing this to our attention, but I have to say, most respectfully—and I say respectfully—that it is time to bring our boys home and bring them home now, and stop this nonsense about whether we are going to imperil them throughout the world.

That is a lot of claptrap. I never heard a more eloquent argument than the senior Senator from Georgia in terms of supporting Senator McCain's amendment.

What do you mean we, talking about we are going to imperil and jeopardize our people in other areas? Are you suggesting by that argument that we are not going to give them the support that they would be entitled to and that they were denied in this area?

We have seen that tragedy and we have seen the politics of it. We have seen the Secretary of Defense come out with feeble, inane answers—politics he calls it.

Yes, Mr. Aspin, there was politics—your politics, your abdication of our responsibility when you said we were worried that there would be a backlash in the Congress.

I want to know what Senator, what Congressman would dare deny a commander 4 tanks, 14 Bradleys. Is there anyone here? Because if you would, stand and tell me now.

You think it is sufficient to say, "Had I known then what would happen, I would have made a different answer?"

You tell me, as Secretary, who overrules, yes, Colin Powell, not once, twice, and maybe even three times?

You tell it to Congress. Who has been more derelict than all us, every one of us? Where were we? Read Madeleine Albright's March 26 comments commending the United Nations in their new goals. Twenty-eight thousand troops with firepower, with tanks, sent to feed starving Somalians; withdrawn to 4,000 with no tanks and no support and no mission clearly defined. And the United Nations saying, "Get Aideed," and our generals saying, "No, no, no, no. Do not do it."

You want to cover this up? Go ahead. Sweep it under the rugs. Talk about partisanship. Talk about politics.

What about the men we deserted? And we deserted them and we continue to desert them. Bring them home now. Talk about this namby-pamby, how will we be looked upon? Stand up and vote for your country, vote for what is right.

We were wrong. We abdicated our responsibility. And it is about time that the old boy network understood it and stopped this nonsense.

Is that why we were sent here? I thought we were sent here to stand up for what is right; not what is political, what is right.

I will tell you what the McCain amendment says. It says prompt and orderly withdrawal of all U.S. Armed Forces now—prompt and orderly.

And I have to tell you, I read this message, the report to the Congress on U.S. policy from our President, October 13. Why do you not read it? How many of my colleagues have read it? Because I will tell you, if you read page 4, "Neither the United States nor the United Nations seeks to dictate a political outcome to Somalia. We will support a Somalia solution to Somalia's problems."

That is the President of the United States. I am not going to tell you in detail about when I spoke to a young lieutenant, but I will tell you that this administration is desperately attempting to keep those young men who were pinned down not for 6 hours or 8 hours or 9 hours but one for 13 hours.

I was invited to meet with him. He did not know that the acting head of Walter Reed said, no, I could not come out there. He was a young lieutenant from Rochester, NY.

He said to me: "Senator, at 1700 I was hit. That is about 5 p.m. on the 3rd of October. I was wounded. I was shot. They did not evacuate me until 6 a.m. the next day."

That was not 6 hours or 8 hours or 9 hours. It was 13 hours later.

Those young men are not permitted to speak because, I will tell you why, there are people who do not want the Nation to hear just what took place. He told me there were thousands.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. McCAIN. Mr. President, I yield an additional minute to the Senator from New York.

Mr. D'AMATO. There were thousands who surrounded him. And those 100-plus, 96 out of the 100 who were wounded or killed, he said 12-year-old boys were throwing hand grenades at him, women with automatic weapons. And he said, "Senator, I knew we did not have the tanks to come and get us." And it was the Malaysians who finally came with their tanks.

Let me say, if we read the President's statement to us on page 33, he concludes by saying: "Our mission from this day forward is to increase our strength, do our job, bring our soldiers out and bring them home. Thank you and God bless you."

I agree with him. I do not agree it is to increase our strength, but I do agree it is to bring our boys home.

Let us support Senator McCAIN's resolution because it is the right thing to do. Not the politically expedient thing—because it is right and just, and because it is a testimony that we understand where we have failed. And let us pledge from this point on, never to be expedient again; to stand up for our young men and women wherever they are throughout this world.

The PRESIDING OFFICER. Who yields time?

Mr. DOLE. Mr. President, I yield 2 minutes of my leader time to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, it is time for cool heads and sound judgment. It is time for America to present a united front. It is time for the Congress and the President to speak with one voice.

I support the Byrd amendment because it achieves that result. And I salute the leaders on both sides. This has been one of the finest debates in my 14 years of service in the U.S. Senate, primarily because of the strong leadership, both on behalf of the Byrd amendment and by our dedicated colleague on the other side of this issue, Mr. McCAIN.

This is the opportunity for the Senate to be counted on, directing this Nation in a course of action that has been laid down by our President as the Commander in Chief under the Constitution. Under the Byrd amendment, we exercise our responsibility in a manner to protect the safety and welfare of our men and women in uniform in Somalia tonight and those who will arrive in the weeks to come, and to disengage them with honor and credit to this country—and to bring them home safely.

Again, I commend Senators DOLE, MITCHELL, and BYRD for their leadership on this amendment and was pleased to work with them in drafting it and to cosponsor it.

This amendment will allow the Congress and the President to present a united front to the world on this difficult issue. America speaks with one voice.

The amendment defines the mission of the United States Armed Forces in Somalia. The mission is two-fold: first, to protect United States personnel in Somalia, and second, to assist in humanitarian operations by providing logistical support to the United Nations and security for humanitarian operations.

The amendment also will allow a safe and orderly withdrawal of United States forces from Somalia. This must occur by March 31, 1994, unless Congress extends that date by enactment of another law. Unless such a new law is enacted, after March 31, 1994 only very small numbers of United States troops can remain in Somalia—limited to Marine security detachments at United States diplomatic facilities, troops necessary to protect American citizens if they get into trouble, and noncombat personnel assigned to the U.N. commander's staff to provide advice.

This amendment provides that the U.S. commanders will have command and control of U.S. combat troops. This leaves the President free—as he has requested—to give U.N. commanders control of U.S. logistics troops, but does not allow him to give the United Nations control of U.S. combat troops. This preserves the principle of U.S. unity of command over U.S. combat troops, which is necessary for their protection.

As a former Secretary of the Navy, and with service during two wars in the Navy and Marine Corps myself, I want to emphasize that this amendment focuses on the safety and protection of the troops in the field. The amendment provides that the President should ensure that our troops can defend themselves and other American citizens. The amendment provides that United States forces should stay in Somalia until the United States has recovered any prisoners of war and accounted for anyone missing in action. We are all extraordinarily thankful that our Army helicopter pilot who was captured, Warrant Officer Durant, has been released and returned to American forces.

By supporting the broad outlines of the President's recently announced plan, and by providing for a safe and orderly withdrawal, this amendment preserves the credibility of the United States. This is not a cut-and-run policy; we will be completing our mission and withdrawing in an orderly fashion.

The bipartisan amendment lets the President get the job done, preserves U.S. credibility in world affairs, and lets the United States present a united front in its foreign policy.

I ask unanimous consent to have the following legal opinion on United States forces in Somalia by the Department of Defense General Counsel of December 5, 1992, that supports the Nunn-

Byrd colloquy be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, DC, December 5, 1992.

Memorandum for the Secretary of Defense.
Through: The Deputy Secretary of Defense.
From: David S. Addington.
Subject: Legal Authority for Somalia Relief Operations.

The Chairman of the Joint Chiefs of Staff has presented for your approval an order to the Commander in Chief of the Central Command (CINCCENT) to execute humanitarian relief operations in Somalia, which will include authority to use force if necessary to overcome resistance to safe and effective delivery of humanitarian relief. The order would implement the President's direction to you to conduct such operations. It is my legal opinion that the order is lawful.

The United States has the authority to employ the U.S. Armed Forces as contemplated by the order under a treaty and the laws of the United States concerning support for the United Nations and providing for the conduct of disaster relief activities. The President, as the commander in chief under the Constitution, may exercise this authority of the United States as contemplated by the order.

In addition to the President's constitutional powers as commander in chief, two basic lines of authority and funding exist for the conduct of the Somalia relief operations: (1) the UN Charter, UN Participation Act, and defense appropriations acts and (2) disaster relief statutes, including defense appropriations acts. The President may also have available various other authorities that could be brought to bear in appropriate circumstances in support of the Somalia relief operations.

UN CHARTER, UN PARTICIPATION ACT, AND DEFENSE APPROPRIATIONS ACTS

The United Nations Charter is a treaty to which the United States is a party. Chapter VI of the Charter provides for the UN Security Council to address through pacific means situations the continuance of which are likely to endanger the maintenance of international peace and security. Chapter VII of the Charter provides for the UN Security Council to address threats to the peace, breaches of the peace and acts of aggression, including in specified circumstances taking "such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security." (Art. 42) Under Article 25 of the Charter, "[t]he Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter."

On January 23, 1992, acting under Chapter VI of the Charter, the UN Security Council adopted Resolution 733 calling upon all States "to contribute to the efforts of humanitarian assistance to the population in Somalia." With the determinations of the Secretary of State dated August 20, 1992 under Section 7 of the UN Participation Act (22 U.S.C. 287d-1) and Executive Order 10206, the U.S. Armed Forces have been and may continue to be used to implement Resolution 733 as a service to the UN, and Department of Defense funds may be used to fund such action. Operation and maintenance funds used for that purpose count against the overall limitation of $100 million on use of operation and maintenance funding under the UN Participation Act set by Section 9158 of the Department of Defense Appropriations Act, 1933 (Public Law 102-396). By memorandum of August 29, 1992, the Deputy Secretary of Defense authorized CINCCENT to provide support to the UN for UN disaster relief in Somalia under the UN Participation Act within specified funding limitations.

Acting under Chapter VII of the Charter, on December 3, 1992 the UN Security Council adopted Resolution 794, authorizing states to use all necessary means (i.e., including force) to establish as soon as possible a secure environment for humanitarian relief operations in Somalia. Chapter VII and Article 25 of the UN Charter, as a treaty, constitute the supreme law of the land under the Constitution and have the effect in this situation of a request to the United States to undertake a military mission, which the President has directed the Secretary of Defense to execute with the U.S. armed forces. Thus, defense appropriations may be used for employment of the U.S. armed forces for this mission in relation to Chapter VII of the UN Charter. *See, Opinion of Acting Comptroller General to Acting Chairman, U.S. Civil Service Commission*, 32 Comp. Gen. 347 (1953) (". . . existing appropriations of Departments or Agencies are available to defray the expenses of additional duties imposed upon them by proper legal authority.")

The Secretary of Defense has flexibility in the Somalia relief operation to determine when elements of the U.S. Armed Forces are proceeding in relation to Chapter VI authority and Section 7 of the UN Participation Act (i.e., the noncombatant authority) and when they are proceeding in relation to Chapter VII authority (excluding Article 43, which the Department of Defense is not acting under in this situation) to use all necessary means (i.e., including force).

DISASTER RELIEF STATUTES

With or without UN Security Council action under Chapters VI or VII of the UN Charter, the U.S. Armed Forces may engage in disaster relief activities authorized by law to the extent of available appropriations. Such statutory authorization for disaster relief activities necessarily includes those security measures required to ensure safe and effective delivery of disaster relief. The guiding statutory limitation with respect to funding is Section 1301 of Title 31 of the U.S. Code, which provides that "appropriations shall be applied only to objects for which the appropriations were made except as otherwise provided by law."

The Department of Defense may use the $25 million appropriated in Section 8105A of the Department of Defense Appropriations Act, 1992 (Public Law 102-172) "for the unanticipated costs of disaster relief activities of the Department of Defense and the military services overseas," at least $60 million available under the "Operation and Maintenance, Defense Agencies" heading of the Department of Defense Appropriations Act, 1993 (Public Law 102-396) for "the global disaster relief activities of the Department of Defense;" and the not to exceed $25 million for the CINC initiatives fund account under the "Operation and Maintenance, Defense Agencies" heading of the Department of Defense Appropriations Act, 1993 (Public Law 102-396). The Department of Defense also has available $28 million appropriated under the "Humanitarian Assistance" heading of the Department of Defense Appropriations Act, 1993 (Public Law 102-396) and Section 2551 of Title 10 of the United States Code as enacted by Section 304 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484). It must be emphasized that there are other planned uses for all these funds, so that use of them for Somalia relief operations would require the Department of Defense to forego alternative planned uses for the funds. It should be noted as well that portions of the amounts cited above already have been obligated.

CONCLUSION

For the foregoing reasons, it is my legal opinion that you may lawfully approve the execute order the Chairman of the Joint Chiefs of Staff has presented for your approval.

It should be noted that the U.S. armed forces always may defend themselves and expend for that purpose operation and maintenance funds appropriated to the Department of Defense.

To keep the Congress informed as a matter of comity and to avoid any unnecessary executive-legislative debate concerning the scope and constitutionality of the War Powers Resolution, the Executive Branch may wish to transmit promptly to the Congress a written description of the Somalia relief operation.

Mr. McCAIN. Mr. President, I yield 4 minutes to the Senator from Texas.

The PRESIDING OFFICER (Mr. MATHEWS). The Senator from Texas.

Mr. GRAMM. Mr. President, tonight we have heard calls from our colleagues saying, "Do not bring American troops home because if we bring them home we are saying to the world, 'If you want to drive America out, just kill an American.'"

In World War I and World War II, tens of thousands of Americans died. Thousands of brave young Americans lie in graveyards all over Europe and we are still in Europe, and we are still ready to fight in Europe. Every Member of this body would support fighting there to protect American interests. We lost 40,000 brave young Americans in Korea, and we are still in Korea, and we are still ready to fight in Korea because America's interests have been threatened and are still threatened in Korea.

Our interests are not threatened in Somalia. We went to Somalia to do a job and we did it, but then we stayed around and got involved in a poorly defined mission, and Americans have died as a result. We have to ask ourselves if it is worth putting Americans in jeopardy for 6 more months? Is it worth one more American life to save face—and I am not sure whose face we are talking about—to have Americans holed up in stockades, afraid to go outside because of mines, or because someone might be shot and killed? What is the logic of keeping them there 6 more months while the President stumbles around, trying to find a policy?

We have to answer a simple question. Senator NUNN touched on it; I want to conclude my remarks on it.

Our greatest national security asset is the support of the parents and spouses of our warriors and their willingness to make sacrifices. Let us not squander that willingness on a war that does not represent America's interests. What are we going to achieve in 6 months of staying in Somalia that is worth one American life? Will 6 months bring democracy to Somalia? When we leave after 6 months, will things be any different than they are today? If we leave today, if we pass the McCain amendment, maybe one American will not be dead who might otherwise have died.

Finally, Senator NUNN asked if we would stay in Somalia if 5 or 10 Americans are taken hostage by the 31st of March.

Mr. President, it is exactly because we do not want more Americans taken prisoner that we need to adopt the McCain amendment. This is a simple choice.

The Byrd amendment endorses the Clinton policy. It is a clear and absolute endorsement of that policy. If you are for that policy, you ought to vote for the Byrd amendment. But if you want to bring the troops home, declare victory, say our men and women did a good job and bring them home safely, you want to vote for the McCain amendment.

I believe if the American people could vote, that the McCain amendment would pass overwhelmingly.

I yield the remainder of my time.

Mr. BYRD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Arizona.

Mr. MCCAIN. I yield 1 minute to the Senator from Louisiana.

Mr. JOHNSTON. Mr. President, Senators were given 6-year terms in part to resist the emotions of the moment. I am prepared to do that, and other Senators here are, I believe, prepared to resist whatever public opinion is. But if we are to go against public opinion in our States in this country, we ought to have a reason. We ought to be able to articulate to our constituents what it is we are trying to accomplish in Somalia. And I cannot do that because the administration has not told me what that purpose is with clarity and with force.

We have heard our colleagues tonight talk about the funerals they have been to. If we are going to look into the faces of a family which has either lost or might lose a son or a daughter in Somalia, it ought to be for a good purpose. If you can define that purpose, then I say vote for an extension of time. If you cannot, you ought to vote for the McCain amendment.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Arizona.

Mr. MCCAIN. I yield myself such time as I may use.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, just a couple of small items, and I intend to be brief, and then conclude. I do not intend to use all my time.

First of all, I want to thank the distinguished chairman of the Appropriations Committee for causing this issue to be debated, I think in an extremely courteous and a very illuminating fashion. Without his participation, I do not think this would have taken place tonight. I know I speak for all my colleagues in expressing my appreciation to him.

I would also like to thank the majority leader and the Republican leader for allowing a fair parliamentary procedure. I am very grateful for that. I think anyone who observed this debate would allow that our views, those of us supporting my amendment, were adequately ventilated.

The distinguished chairman of the Appropriations Committee had some trouble with the word "prompt." Webster's International Dictionary says prompt means "responding instantly or done immediately without delay."

The distinguished chairman may have trouble understanding what prompt means, but the American people will understand very well. If this amendment is passed, it will be done. They will respond instantly, and do it immediately, without delay. That is what the American people want. They want prompt withdrawal of our troops.

The distinguished chairman of the Armed Services Committee painted a rather cataclysmic, doomsday scenario if we left. I am fascinated to know why that same doomsday scenario did not prevail when we left Beirut after a similar missionless, rudderless tragedy because the United States got into a place where they should not have been. And we got out quickly. We did not decide to wait 6 months.

The fact is, we should also be aware of the tactical situation on the ground in Mogadishu. Our brave fighting men and women are in enclaves. We are at the whim and mercy of the warlord Aideed. If he chooses tonight to launch a mortar attack or rocket attack on our people, there will be death and injury.

And for the life of me, I cannot understand why we are willing to leave our troops, our fighting men and women without a mission in such a situation.

Finally, Mr. President, I hope that every Member of this body asks himself or herself the following question before they vote tonight: We all know what promptly means. We know it means sometime around December or January we could have all of our troops out in a prompt and orderly withdrawal. If there is an occasion between January and the end of March where American lives are lost, where conflict takes place and we see another tragedy ensue, on whose hands rests the blood of American troops? Please ask yourself that question.

Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. All time has been yielded.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. DOLE. Mr. President, I think I have yielded 2 minutes of my leader time to the Senator from Virginia.

The PRESIDING OFFICER. The Senator has 8½ minutes of leader time remaining.

Mr. DOLE. Mr. President, these are all very troubling debates when you are talking about young men and women who certainly deserve the thanks, the gratitude, and the prayers, as do their families. So I think right up front we ought to make certain we stress our appreciation to the men who are in Somalia and the 73,000 Americans who are scattered around the world in these kinds of operations; 73,000.

I want to also commend the distinguished Senator from West Virginia, who probably recognized this problem earlier than the rest of us, and also the Senator from Arizona. This has been a good debate. I do not think there are probably 15 days worth of difference in the two amendments, maybe 30, maybe 10, maybe less. And I will insert in the RECORD the letter I received from the President. I am certain the majority leader received an identical one. He says March 31 is the outer limit. He wants to order withdrawal of forces as soon as feasible. And I believe the President of the United States. He is our President.

So I suggest to my colleagues—and I have been scolded by some for supporting the President in this instance. I have been debating these kinds of issues a long time. In fact, I was standing on the floor in 1970 debating the Cooper-Church amendment. I offered an amendment that we would not cut off funds as long as there were prisoners in Laos or Cambodia, and I lost, 54 to 36. Senator THURMOND, Senator STEVENS, and Senator HOLLINGS voted with me. We lost. At that time, the distinguished Senator from Arizona was a prisoner of war somewhere in Vietnam.

But I felt then, as I felt in the gulf crisis—and we had a lot of serious debate on the gulf crisis, and I guess we could have asked ourselves the same question, those of us who voted to support President Bush, and it was very heated debate, do we have blood on our hands? Because we did, I think, the right thing in the gulf, because after that vote, the offensive started and Americans lost their lives and Americans were wounded. But, again, I believe the President of the United States had more information than I had, and I believe he was correct and I believed he wanted to do the right thing for America. I think that is true today.

I do not like a date. I told Senator BYRD I did not like a date. I think you can fix up the McCain amendment so it might be more acceptable. A lot of people do not like dates. I think it ties the President's hands. It certainly makes it more difficult. In effect, you telegraph what you are going to do to the other side. So I do not like a date. Senator BYRD says we have to have a date.

But we also have provisions there that say Congress can extend, if we need to extend, and there are other conditions, as pointed out by the Senator from Georgia in a colloquy with the Senator from West Virginia.

So I believe overall the Byrd amendment certainly supports the President's view, which I think is appropriate. We do have a plan now. It is an American plan, not being dictated by the United Nations. The President has listened to Congress. He was under a lot of pressure from Republicans and Democrats in the House and Senate and Americans all across the country to change direction, and he changed direction. He believes we will be out of there before March 31.

Make no mistake about it, we are leaving Somalia, whether it is tonight or tomorrow or next week or next month. So what is the debate all about? Well, are they going to leave 5 days earlier, 10 days earlier, or 15 days earlier? And nobody wants to see one more American killed or wounded. War is very difficult. Some know it firsthand, some have learned it from patients, some have learned it other ways. I think, in effect, we have been engaged in a combat situation in Somalia—some of our troops have—and there were shortcomings.

But it seems to me we ought to table the McCain amendment, notwithstanding the good efforts made by my colleague, Senator MCCAIN. I do think we send a signal: All you have to do if America shows up is fire a few shots and we are out of there. There are going to be other times we are going to be called upon, particularly when we have troops already there. I do not think we ought to send anybody to Bosnia unless Congress authorizes it. I even have concerns about Haiti, and I will have amendments on both of these areas. At least the President ought to certify before we send any troops to Haiti, but we should not send anybody to Bosnia unless Congress authorizes it. That is my view.

But in Somalia the troops are there. They are American forces; they are our neighbors; they live in our States; they deserve our protection. And in my view, the President of the United States is obligated and is willing and will do all he can to protect every American life, as he said as recently as yesterday.

So we have a choice: I think probably the easy vote is to vote for the McCain amendment. You can go home and say, "Oh, I voted to leave tomorrow." Forget what has happened in Somalia. Leave Somalia. I would like to leave Somalia thinking we have done some good in that part of the world, that we saved hundreds of thousands of lives because of America's leadership. We have saved lives, and it has cost some lives. Maybe it is not worth one American life, particularly if it is somebody you know or if you attended some memorial service, as I have in Kansas for three young men in the 1st Division.

But, on the other hand, America is a great power and we have a great future, and we are going to have problems from time to time. They should not be dealt with on a partisan basis. I think there was some partisanship in the gulf crisis, but once we made the decision, everybody closed ranks and we had the total support of the Congress. That is what should happen tonight.

Let us have the votes. Let us see what happens. I hope some who vote for the McCain amendment, if it is tabled, will then vote for the Byrd amendment because I say, I do not see that much difference.

Let me say, we would not be on this floor tonight if it were not for the Senator from West Virginia. So the parents and the others owe a debt of gratitude to one Senator who did not sleep through the summer and who called it to our attention earlier than, I might say, my colleague from Arizona.

So as one who has been in these debates for about 20 some years—in fact, I ended up voting for the Cooper-Church amendment, but we had a filibuster for 6 weeks. We would not let them vote until the fund cutoff date had passed because it seemed to me we were depriving the Americans the protection we all talked about tonight, and we said we were going to cut off funds even if there were prisoners in Laos and Cambodia, which I thought was a big mistake. I supported my President, and I did the same in the gulf, and I do the same tonight.

Mr. President, I ask unanimous consent that the letter from the President to me be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, DC, October 14, 1993.

Hon. ROBERT DOLE,
Republican Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: I understand you intend to join in sponsoring an amendment to the FY 94 Defense Appropriations bill to maintain funds for our mission in Somalia, if needed, up to the March 31, 1994 date proposed by the Joint Chiefs of Staff.

I share your belief that we should end our deployment as soon as practical, consistent with completing our mission in Somalia. While we have set March 31, 1994 as the outer limit for fulfilling our mission, I certainly will order the withdrawal of U.S. forces sooner if at all feasible. It is my understanding that the Senate amendment providing funds until March 31 is designed to provide needed flexibility. But it remains our common goal to use no more time than absolutely necessary to complete our tasks in Somalia and bring our troops home.

Thank you for working with the Administration in a cooperative spirit to bring us to common ground on this important issue.

Sincerely,

BILL CLINTON.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. Mr. President and Members of the Senate, last year, President Bush made the decision to send 25,000 American troops to Somalia because the people of that country faced widespread starvation in the midst of civil conflict. His decision enjoyed broad support in the country and in the Senate. Without a single dissenting vote, not one, the Senate supported the President's decision.

America has responded before to the plight of starving people and we did so again in the case of Somalia. President Bush called the U.S. response Operation Restore Hope, and hope was restored. Americans went to a country where nearly 350,000 people had died in the preceding year and a million more faced imminent starvation. Americans saved those people from an almost certain death.

In March of this year, as President Bush had originally made clear, American troops began to return home as the forces from other nations replaced them and took up the task. That process continued until American forces went from more than 25,000 to less than 5,000. Forces from more than 20 other countries replaced Americans and took up the humanitarian effort of keeping the food and medical relief lines open.

This summer, the violence that had been a major cause of the earlier starvation erupted again in the capital city of Mogadishu. It is important that we recognize and remember what Americans did with the help of forces from many other nations in Somalia. A million people who would otherwise have starved to death were saved. A million people still depend entirely on relief supplies for food, but that food is getting through thanks to the efforts of Americans and others.

That successful effort at humanitarian relief has been eclipsed by the recent violence, but it is a fact of history. Now, the attacks on the U.N. forces, which began this summer and reached a crisis in the last week, have caused many Americans to question our mission in Somalia. And that is understandable.

The Byrd amendment answers the question concisely, clearly, in a way that all can understand. The American mission is to provide humanitarian relief and to withdraw in a manner that permits the relief effort to continue after our departure.

We cannot decide Somalia's future. That is their decision. Americans have given Somalis and others in the region a chance to achieve a resolution, but that work must be theirs, not ours.

It is understandable that many Americans feel strongly that violence against our troops is reason enough to leave, and leave with no other consideration. The fact is that whatever we do tonight, Americans are soon going to leave Somalia. But we want other nations to assume more of the burden of international peacekeeping. This is not the last time we will be confronted with this question. We should permit the withdrawal of Americans and their replacement by others in the orderly fashion that has been going on for most of this year to continue to its conclusion. In that way, the work of humanitarian relief that has been accomplished by Americans will not be destroyed.

But if in fact a withdrawal occurs right now of all Americans, then the only certainty is that everything that has been done for the past year will have been in vain. The relief effort will have been destroyed and the international effort to provide some kind of medical and food assistance will abruptly end.

What will then have been served and what will have been the meaning and purpose of the effort there and the death of those Americans who so tragically lost their lives there? That is the question we must ask ourselves.

Mr. President and Members of the Senate, let me conclude with just a few comments on the McCain amendment. It is very clear and must be acknowledged that the intent of the amendment is a prompt withdrawal—as soon as possible. But no one here, no one alive can now say when that will be if that amendment is passed. The decision is left to others in circumstances which no one here can now foresee. It might be next week and precipitate some of the consequences which I have suggested. But it might not be until January. It might not be until March. It might not be until June. No one can say for sure. Clearly, it is intended to be prompt, but no one can say when it will occur.

So if you vote for the McCain amendment, what you are saying is you want Americans out promptly, but you are not saying when that will be. You are entrusting that judgment entirely to others and to circumstances which no one can now foresee.

The Byrd amendment provides a certainty of withdrawal. It is very clear that there is a strong intention by the President to withdraw prior to March 31. But under no circumstances except extreme emergencies, which have been discussed here, can it go beyond March 31. And it provides for that withdrawal to be in an orderly fashion, in a way that will permit the effort that has gone on so far to continue with the work of other nations.

We are not there alone. More than 20 other countries have people there. We value American lives. It is a tragedy that an American has been lost. But let us not send a message out here that the deaths of 23 Pakistani soldiers means nothing, that the death of people from other nations means nothing. Obviously, it does not mean as much to us as our own people, but the loss of any life is a loss.

Mr. President, I want to conclude and comment on one statement that was made earlier. It was said that those who vote for the Byrd amendment are doing so out of political expediency. That was an unfortunate statement. It could just as easily be said, perhaps even more easily said, that those who are voting for the McCain amendment are doing so out of political expediency because that is clearly the popular sentiment now. But that has not been said and it should not be said.

The fact is every Senator must make his or her own judgment on this matter. But each of us should do so without any assault on the motives of those who disagree. This is a serious matter. It is an emotional matter. It is a matter that has gripped the attention of Americans all across this country.

Let us give each other credit for trying to do what is best for our country even though we disagree.

I categorically reject the suggestion that a vote for the Byrd amendment is a vote for political expediency. I intend to vote for the Byrd amendment and to vote to table the McCain amendment. I do not charge anyone who supports the McCain amendment with political expediency. I respect the vote of every Member of this Senate.

So, Mr. President, I believe that the Byrd amendment represents a responsible course of action for our country in a very difficult and emotional circumstance.

I urge each of my colleagues to vote for that amendment, and to vote to table the McCain amendment.

Mr. President, I yield the remainder of my time.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I move to table the McCain amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, upon disposition of the amendment of Senator McCAIN the Senate will vote on or in relation to Senator BYRD's amendment.

The question now occurs on the motion of the Senator from South Carolina to lay on the table the amendment of the Senator from Arizona. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mrs. FEINSTEIN] is necessarily absent.

I further announce that, if present and voting, the Senator from California [Mrs. FEINSTEIN] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 61, nays 38, as follows:

[Rollcall Vote No. 313 Leg.]

YEAS—61

Akaka
Baucus
Biden
Bingaman
Bond
Boren
Breaux
Bryan
Bumpers
Byrd
Chafee
Cochran
Danforth
Daschle
DeConcini
Dodd
Dole
Domenici
Durenberger
Exon
Ford
Glenn
Graham
Harkin
Heflin
Inouye
Jeffords
Kassebaum
Kennedy
Kerrey
Kerry
Leahy
Levin
Lieberman
Lugar
Mathews
McConnell
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murray
Nunn
Packwood
Pell
Pryor
Reid
Riegle
Robb
Rockefeller
Sarbanes
Sasser
Shelby
Simon
Simpson
Specter
Thurmond
Warner
Wellstone
Wofford

NAYS—38

Bennett
Boxer
Bradley
Brown
Burns
Campbell
Coats
Cohen
Conrad
Coverdell
Craig
D'Amato
Dorgan
Faircloth
Feingold
Gorton
Gramm
Grassley
Gregg
Hatch
Hatfield
Helms
Hollings
Hutchison
Johnston
Kempthorne
Kohl
Lautenberg
Lott
Mack
McCain
Murkowski
Nickles
Pressler
Roth
Smith
Stevens
Wallop

NOT VOTING—1

Feinstein

So the motion to lay on the table the amendment (No. 1043) was agreed to.

The PRESIDING OFFICER. The question now occurs on amendment No. 1042 offered by the Senator from West Virginia [Mr. BYRD].

Mr. DOLE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mrs. FEINSTEIN] is necessarily absent.

I further announce that, if present and voting, the Senator from California [Mrs. FEINSTEIN] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 76, nays 23, as follows:

[Rollcall Vote No. 314 Leg.]

YEAS—76

Akaka
Baucus
Bennett
Biden
Bingaman
Bond
Boren
Boxer
Breaux
Bryan
Bumpers
Burns
Byrd
Campbell
Chafee
Cochran
Cohen
Conrad
Coverdell
Danforth
Daschle
DeConcini
Dodd
Dole
Domenici
Dorgan
Durenberger
Exon
Faircloth
Ford
Glenn
Graham
Harkin
Hatch
Heflin
Hollings
Hutchison
Inouye
Jeffords
Johnston
Kassebaum
Kennedy
Kerrey
Kerry
Lautenberg
Leahy
Levin
Lieberman
Lugar
Mathews
McConnell
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murray
Nunn
Packwood
Pell
Pryor
Reid
Riegle
Robb
Rockefeller
Sarbanes
Sasser
Shelby
Simon
Simpson
Specter
Stevens
Thurmond
Warner
Wellstone
Wofford

NAYS—23

Bradley
Brown
Coats
Craig
D'Amato
Feingold
Gorton
Gramm
Grassley
Gregg
Hatfield
Helms
Kempthorne
Kohl
Lott
Mack
McCain
Murkowski
Nickles
Pressler
Roth
Smith
Wallop

NOT VOTING—1

Feinstein

So the amendment (No. 1042) was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, in addition to the comments I made earlier, I still have a few concerns. First, President Clinton did not put an end to the confusion over our mission in Somalia this morning. He said that he opposed police action by U.S. forces, but added that the U.N. resolution which calls for apprehending those responsible for attacks on the U.N. "ought to be pursued." In addition, the report issued yesterday revealed that 3,000 new combat troops would deploy to Somalia—not the 1,700 President Clinton spoke of last Thursday.

Today will probably not be the last time this body debates Somalia. The President pro tempore is right in his assertion that the Senate should have been involved much earlier. We should have debated this issue when the United States voted for nation building at the United Nations in March, and when the United States voted in favor of police operations in June.

Indeed, we probably should have had a more extensive debate over what the original mission of "providing a secure environment" means since it was included in Senate Joint Resolution 45 which was passed overwhelmingly by this body on February 4, 1993.

Nevertheless, with the passage of the Byrd amendment today, the Congress has fulfilled its role, and has helped put American foreign policy back where it belongs—in American hands.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the following amendments be the only floor amendments remaining in order to H.R. 3116, the Department of Defense appropriations bill, and that they be subject to relevant second-degree amendments where applicable.

Mr. President, I sent the list to the desk and ask that it be incorporated in the agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the agreement follows:

Ordered, That during the further consideration of H.R. 3116, the Department of Defense Appropriations Bill, the following amendments be the only floor amendments remaining in order to the bill, and that they be subject to relevant second degree amendments, where applicable:

Bingaman, Relevant.
Bingaman, Stockpile.
Bingaman, Uranium mill workers study.
Bond, Levee repairs.
Bradley, Aircraft procurement.
Bradley, Army National Guard.
Breaux, Cargo preferences.
Breaux, Mission recorder.
Brown, Bosnia.
Brown, Cargo preference.
Brown, SOS/Hearings on Somalia.
Brown, Tax treatment of combat pay.
Brown, Troop deployment.
Brown, Troop deployment.
Bumpers, $84 m from BMD—LDs.
Byrd, Relevant.
Byrd, Relevant.
Coats, Relevant.
Coats, Relevant.
Coats, Somalia.
Dodd, U.S. policy in Haiti.
Dole, Bosnia.
Dole, Crown Heights.
Dole, Haiti.
Dole, Helping hands.
Dole, Relevant.
Domenici, Budget caps.
Exon, SoS commercial disputes Saudi Arabia.
Feinstein, Relevant.
Gorton, Somalia.
Graham, Haiti.
Gramm, Relevant.
Gramm, Relevant.
Grassley, C-17 progress payments.
Grassley, Military pay equity.
Gregg, Relevant.
Hatfield, Relevant.
Heflin, Relevant.
Helms, Report from Secretary of Defense/Peru.
Inouye, Relevant.
Inouye, Relevant.
Kennedy, Relevant.
Kennedy, Relevant.
Lautenberg, National Board Rifle Practice.
Levin, Peacekeeping.
Lott, Relevant.
Lott, Ship defense.
Mack, ARPA nuclear proliferation.
McCain, Relevant.
McCain, Relevant.
McCain, Somalia.
Metzenbaum, Relevant.
Metzenbaum, Relevant.
Mitchell, Relevant.
Mitchell, Relevant.
Moynihan, Intelligence budget.
Nickles, Foreign command of U.S. troops.
Nunn, Mentor-protege.
Nunn, Relevant.
Nunn, Relevant.
Reid, Low level flight training.
Stevens, Block Russian aid if SS-25 missiles still produced.
Stevens, Relevant.
Thurmond, Relevant.
Warner, Methanol plant ship.

MORNING BUSINESS

Mr. FORD. Mr. President, I now ask that there be a period for morning business with Senators allowed to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO DR. D. WOODS THOMAS

Mr. COATS. Mr. President, I would like to take this opportunity to pay tribute to one of my esteemed constituents, Dr. D. Woods Thomas. Dr. Thomas, a former Executive Director of the Board for International Food and Agricultural Development and an administrator at Purdue University, passed away recently.

We remember Dr. Thomas for his professional achievements, in particular his appearances before the Foreign Relations Committee in the 1970's and 1980's, his efforts as the first Executive Director of the Board for International Food and Agricultural Development, and his over 40 years of service to Purdue University.

We recognize Dr. Thomas especially for his participation in a 250-student Purdue-Vicosa, Brazil, 20-year institution building project. The project flourished into a 10,000-student Federal university, during which he was named Director of International Programs in Agriculture at Purdue University.

Dr. Thomas' other numerous accomplishments include his tenure as director of international education and research at Purdue University, a member of the directors council at Purdue University, chairman of graduate department of agricultural economics committee, and vice president Midwest Universities Consortium for International Activities. He also received an award for distinguished service in international agriculture from the Association of U.S. University Directors of International Agricultural Programs, a commendation from the Board for International Food and Agricultural Development and the U.S. Agency for International Development, and an award for outstanding public service from the Governor of Indiana, to name a few. We commemorate Dr. Thomas' distinguished career, his awards, as well as his many publications throughout his career.

William Frederick Johnson, a member of the Board for International Food and Agricultural Development support staff, posed this question in a poem he wrote for Dr. Thomas' retirement reception: "Setting forth the confusion of new freedom, with no border, or trained hands to govern; wherefore the Crusade of Learning? Lost to the masses and forgotten, would the Crusade's message be?" Dr. Thomas brought order to confusion, purpose to mere intention, and competent leadership to the issue of developing nations. His work will not be forgotten, but the responsibility to continue his efforts is on our shoulders. Mr. President, we honor Dr. D. Woods Thomas for a lifetime of achievements. He will be greatly missed.

WILLIAMS COLLEGE BICENTENNIAL

Mr. KERRY. Mr. President, here in the Nation's Capital we find our attention and our energy devoted to a wide variety of issues with both short- and long-term impact on the future of the United States. Today I want to pay tribute to an action taken 200 years ago—the founding of Williams College in Williamstown, MA, in 1793. The centerpiece of the college's bicentennial celebration was the Bicentennial Convocation this past Saturday, October 9, 1993, when delegates from more than 30 colleges and universities around the country convened in Williamstown, a small New England town nestled in the beautiful Berkshire mountains, to celebrate the college's rich history of distinguished education. It is with great pride that I can tell you that Williams College began in 1793 as a fragile experiment in the education of farm boys and has now evolved into a national leader in undergraduate teaching and research.

So how was Williams started? The last will and testament of Colonel Ephraim Williams, a soldier in the King's army who died in the French and Indian War, left $9,297 for the establishment of a free school in what was then called West Township, provided that the town was renamed Williamstown and that it was declared permanently a part of Massachusetts rather than New York State. On June 22, 1793, the Commonwealth of Massachusetts granted a charter to Williams College, making it the second institution of higher learning in the Commonwealth and the sixth in New England.

Today, it is easy to travel to Williamstown and its neighboring communities. However, in 1821, the then-distant location nearly led to the college's failure when Williams College president Zephaniah Swift Moore—convinced that the school was not viable in its location in the Purple Valley—left with much of the student body to found another college to the southeast in the Connecticut Valley. This school, Amherst College (located in Amherst, MA), still competes with Williams in one of the most heated of American collegiate rivalries. The Reverend Edward Dorr Griffin can be credited with the survival of the college after this setback. As its new president in 1821, he drew upon the college's reputation for religious conservatism to collect much-needed funds. Today Griffin Hall honors his lasting contribution to the college.

Through the 1800's, Williams developed into the typical New England small liberal arts college with a reputation for moral soundness, enthusiastic students, a devoted faculty, a loyal body of alumni, and a location in a picture-perfect small New England town. In fact, many college graduates active in the alumni organizations of their alma maters probably do not realize that in 1821, responding to Moore's departure from Williams, a group of alumni met in Williamstown to resolve that crisis and founded the first Society of Alumni in this country.

Teachers and teaching are what has always distinguished Williams as an institution of higher learning. In the 19th century, the college rose to national academic prominence under the legendary Mark Hopkins—a Williams professor from 1830 to 1887 and president of the college from 1836 to 1872. Hopkins was known as a professor and a college administrator who was determined to make the student the center of the educational experience. To this day much of the life and atmosphere of the college is shaped by the students. For example, long before it became fashionable to do so, the college abolished fraternities in the 1960's. Williams admitted women in the 1970's—thus doubling the size of the school to its present student body of 2000—and in the 1980's it diversified its student body to reflect the Nation's changing demographics. Notably, in recent years, the college's academic reputation has been honored by U.S. News and World Report which often has named Williams the top liberal arts college in the country.

It is no surprise that Williams has provided this country with a number of devoted and accomplished alumni who have excelled in a broad range of fields. For the record, I have included a list of more than 80 distinguished Williams alumni, many of whom have served in public office. These are but a fraction of the more than 33,000 alumni that have graduated from the college during its existence. I might note that this list includes Arthur Levitt who currently is serving in the Clinton administration as Chairman of the Securities and Exchange Commission.

We need only pick up the national newspapers each morning to be reminded of how quickly the world and world politics change in the 1990's—an earthquake in India, war in Bosnia, peace in the Middle East, political upheaval in Russia. Likewise, here in the United States, our political agenda is always full, whether it be the budget, taxes, health care, or the plight of America's cities. It is refreshing to take a few moments away from these complex and sometimes controversial domestic and foreign issues to pay tribute to an institution which is neither complex or controversial—Williams College. For 200 years Williams successfully has gone about the business of providing quality education for thousands of students. It has proven itself to be a leader among the giants of this country's liberal arts institutions, and I hope its steady influence will continue to be felt throughout this country in he years and decades ahead.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

A SELECTIVE LIST OF NOTABLE WILLIAMS ALUMNI

Herbert Allen, 1962, CEO of Allen & Company.

William Bennett, 1965, former secretary of education.

Michael Beschloss, 1977, writer.

Donald Beyer, 1972, lieutenant governor of Virginia.

Stephen Birmingham, 1950, writer.

Edgar Bronfman, 1950, CEO of Seagrams, Inc., and president of World Jewish Congress.

Janet Brown, 1973, executive director of Commission on Presidential Debates.

Sterling Brown, 1922, poet.

William Cullen Bryant, 1814, poet.

Robert Buck, 1961, director, Brooklyn Museum.

James MacGregor Burns, 1939, political historian.

Arne Carlson, 1957, governor of Minnesota.

Henry Catto, 1952, U.S.I.A. director and former ambassador to Great Britain.

Allison Davis, 1924, sociologist.

E. Mandell de Windt, 1943, former CEO of Eaton Corp.

Sanford Dole, 1867, governor of Territory of Hawaii.

Alfred Driscoll, 1925, governor of New Jersey.

Dominick Dunne, 1949, writer.

Stephen Field, 1837, U.S. Supreme Court justice.

William Finn, 1974, composer.

Gary Fisketjon, 1976, editor.

Stanley Foster, M.D., 1955, led successful fight to rid world of small pox.

John Frankenheimer, 1951, film director.

Ulrich Franzen, 1942, architect.

Max Gail, 1965, actor.

James Garfield, 1856, U.S. president.

Keith Griffin, 1960, former president of Magdalen College, Oxford.

A.R. Gurney Jr., 1952, playwright.

G. Stanley Hall, 1867, father of American psychology.

Richard M. Helms, 1935, former C.I.A. director and ambassador to Iran.

Tao Ho, 1960, architect.

Mark Hopkins, 1824, educator.

Philip Hoff, 1948, former governor of Vermont.

Mark Hopkins, 1824, educator.

Henry Hoyt, 1849, governor of Pennsylvania.

Kristine Karlson, 1985, world rowing champion.

Elia Kazan, 1930, director and writer.

Takayuki Kimura, 1964, director of cultural affairs, Japanese Ministry of Foreign Affairs.

William Klopman, 1943, former CEO of Burlington Industries.

Thomas Krens, 1969, director of Guggenheim Museum.

John Lane, 1966, director of San Francisco Museum of Modern Art.

Bernard Lanvin, 1958, president of Lanvin Perfumes.

Herbert Lehman, 1899, New York State governor and U.S. senator.

Arthur Levitt, 1952, former chairman of American Stock Exchange.

Stephen Lewis, 1960 president of Carleton College.

Roger Mandle, 1963, deputy director of National Gallery.

David Marash, 1964, Nightline correspondent.

John McCoy, 1965, CEO of Bank One.

Jay McInerney, 1976, writer.

Charlotte Neuville, 1973, clothes designer.

Leigh Perkins, 1950, president of Orvis Co.

Earl (Rusty) Powell, 1966, director of National Gallery.

Richard Repp, 1957, master of St. Cross College, Oxford.

T. Hedley Reynolds, 1942, president of University of New England.

Robert Rich, 1963, president of Rich Products Corp.

David Ruder, 1951, former chairman of Securities and Exchange Commission.

John Sayles, 1972, film director and writer.

Michael Scanlan, 1953, president of University of Steubenville.

Charles Seymour, 1890, governor New York.

Walter Shipley, 1957, president of Chemical Bank.

Joseph Sly, 1902, governor of Massachusetts.

Hedrick Smith, 1955, author, columnist, television commentator.

Stephen Sondheim, 1950, composer.

Edson Spencer, 1948, former chairman of Honeywell, Inc.

Herbert Stein, 1935, economist.

George Steinbrenner, 1952, New York Yankees owner.

Bruce Sundlun, 1942, governor of Rhode Island.

Nathanial Tallmadge, 1814, governor of Wisconsin.

Telford Taylor, 1928, chief prosecutor at Nuremburg Trials.

Lester Thurow, 1960, economist, writer.

John Toland, 1936, writer.

J. Kirk Varnedoe, 1967, director of painting and sculpture, Musuem of Modern Art.

Francis T. Vincent, 1960, former baseball commissioner.

Gilbert Walker, 1854, governor of Virginia.

Sydney Walsh, 1983, actress.

Richard Warch, 1961, president of Lawrence University.

Preston Washington, pastor, Memorial Baptist Church, Harlem.

Emory Washburne, 1817, governor of Massachusetts.

Charles Webb, 1961, author of The Graduate.

Charles Williams, 1800, governor of Vermont.

William Williamson, 1804, governor of Maine.

Fred Wiseman, 1951, producer of film documentaries.

James Wood, 1963, director of Art Institute of Chicago.

REPORT BY THE NATIONAL COMMISSION TO ENSURE A STRONG, COMPETITIVE AIRLINE INDUSTRY

Mr. PRESSLER. Mr. President, I rise today to discuss the August 19 report issued by the National Commission to Ensure a Strong, Competitive Airline Industry. As my colleagues know, this 15 member Commission appointed by the President and Congress earlier this year, was asked to study the financial health and competitiveness of our Nation's airline and aerospace industries. The Commission has offered a reasonable, fair-minded report. Most important, the Commission's report contains a number of compelling proposals for innovative policy and systemic changes, all intended to make our country's air transportation system more efficient and better able to serve the flying public. I have looked forward to the Commission's report, as have many of my congressional colleagues.

With only 90 days in which to work, this bipartisan Commission was well served by its chairman, former Virginia Governor Gerald Baliles. The testimony of hundreds of witnesses was heard, bringing before the Commission wide ranging and detailed perspectives of the unique and dire problems faced by the aviation industry. I commend the Commission for their efforts in consolidating these diverse viewpoints in a balanced report.

In light of the concerns raised by the President and Congress regarding the challenges faced by the airline industry, the appointment of this Commission was welcomed by nearly all. So, too, are its findings. Congress and the Clinton administration owe it to the American people to take a look at what the experts and concerned citizens are telling us about the problems faced by the industry and, most important, how those problems can be best resolved. I have urged the chairmen of both the Commerce Committee and the Aviation Subcommittee to immediately schedule hearings designed to review the Commission's findings. The Aviation Subcommittee chairman has informed me that hearings will be scheduled in the next few weeks. I commend him for his action and look forward to working with him on these hearings. I have also learned that President Clinton, recently, met with members of the Commission to discuss the administration's view of the report. I am hopeful that the administration will quickly package their own set of proposals, based on the Commission's report, so that the Aviation Subcommittee can begin to consider legislative solutions to the many problems affecting our airline industry.

Mr. President, we cannot afford to let the Commission's valuable insights slip by, lost in a sea of discarded studies. The issue addressed in the report affect not just the airline industry but the airline consumer, in communities large and small. In fact, an issue of great concern to South Dakota's air travelers is the Essential Air Service [EAS] program, which provides funding assistance for commercial flights to small cities and towns. The EAS program ensures that citizens in these areas have access to quality service. The EAS program has come under attack recently in the Vice President's report on reinventing government. The report concluded that the subsidization of commercial flights to rural areas of our country is wasteful and should be discontinued. I wholeheartedly disagree with such a misguided conclusion. Interestingly, this recommendation comes in stark contrast to the best wisdom of Governor Baliles and his fellow Commissioners who, after studying the issue closely for 3 months, concluded that the EAS system is a necessary component of nationwide air service. The Commission called for full funding of the EAS program so that it can fulfill its mission for citizens in States like South Dakota.

Mr. President, the EAS issue and the others raised by the Commission are critical. I urge my colleagues not to ignore this extremely significant report.

Toward that goal, I would like to speak briefly about a few issues other than the EAS program that are ripe for debate. The report contains many sound ideas. However, to be fair, there also are flaws in this report, flaws that I fear could adversely affect the safety of our skies. Those flaws arise out of the Commission's well-intentioned but faulty economic and technological study that was conducted, in my judgment, to the exclusion of safety issues.

For example, the Commission has proposed that the Federal Aviation Administration review possible increases in operational limitations in high density airports, raising them to what is described in the report as the "highest practicable limits." However, there is virtually no mention of the effect this and similar action would have on our Nation's already strained air traffic control system. Frankly, Mr. President, I get nervous when talk of increased airport capacity is not coupled with a discussion on the need for increased hiring, training, and supervision of air traffic controllers. Yes, the Commission does indirectly address this need when it calls for full funding of our Nation's airport system. However, as we all know, money is not always the answer. We must look beyond simply increasing the FAA's budget as the answer to any safety implications that result from changes in our Nation's aviation industry. I say we owe at least that much to the American people.

Additionally, Mr. President, we must look at how the Commission's recommendations would impact service to small cities and towns, like those in my home State of South Dakota. I have already discussed the importance of EAS. Yet even with the EAS, small communities are often underserved by commercial aviation. In fact, just last month, American Airlines informed me they would be discontinuing service to Sioux Falls, thereby contributing to what I fear to be the slow but inexorable decline of service to rural areas of the country. This announcement was particularly frustrating. Not long ago, the members of the South and North Dakota delegations assisted in obtaining additional slots for flights out of Chicago's O'Hare to destinations in the Dakotas. Now they are pulling out. Yet, they still hold those valuable slots that were to be used for the express purpose of servicing a region of the country that can ill-afford any loss of vital air routes. I have written to Mr. Robert Crandall, chief executive officer of American Airlines, expressing my concerns about his airlines's pullout. Mr. Crandall has written back and stated his willingness to make the slots at O'Hare available to any carrier interested in serving the Sioux Falls community. I ask unanimous consent that immediately following my remarks, the letter be entered into the RECORD. When the Aviation Subcommittee holds hearings, I hope that the chairman will invite Mr. Crandall so that he may offer suggestions on how the airlines can meet the long-term air transportation needs in my State and other rural States across the country. (See exhibit 1.)

That issue aside, the paramount issue as we consider ways to improve the health of the airline industry is air transportation safety. Commenting on what the Commission perceived as excessive safety regulations in the airline industry the report states "The U.S. air transportation system is the safest in the world—so safe that it can be extremely expensive to achieve even small, incremental improvement in safety through the imposition of new rules and procedures." It is just this attitude that I was struck with when, early this year, the Aviation Subcommittee held a hearing on the relationship between the FAA and the National Transportation Safety Board [NTSB] and the FAA's responsiveness to the latter's safety recommendations. At that hearing specific attention was focused on the FAA's response to known failures of the Hartzell propeller, a type of propeller commonly used in general aviation. As my colleagues know, it was that propeller that is thought to be the key cause of the crash that recently took the life of South Dakota's governor and several of its leading citizens.

The explicit premise of the Commission's statement is that commercial aviation is as safe as it can be and that anyone calling for increased regulatory vigilance would be doing so on the already weakened backs of the struggling and overburdened domestic airlines. I do not agree with this premise. I am not suggesting that overregulation is nonexistent. I believe there are regulations that impose unnecessary costs on the industry. But frankly we must recognize that this country's air transportation system can and must be made safer. Mr. President, I and other concerned Members of Congress, can be regulatory nitpickers or safety nuts and, at the same time, still be sensitive to the costs of regulations on the industry.

Unfortunately, the Commission gives the opposite impression when it states: "Neither Congress nor Federal agencies know the magnitude of the total costs they impose on airlines and, indirectly, on travelers. Ad hoc and organized special interest groups create pressure to craft regulatory measures which may be driven purely by the perceived 'crisis du jour' without regard for the cumulative impact of such costs." It is also unfortunate that agencies like the National Transportation Safety Board, a congressionally created watchdog agency with decades worth of distinguished service, is implicated by the Commission's language as being yet another group responding to and promoting whatever is the crisis of the day.

Mr. President, let me point out that I am the first person to understand the value of reduced government regulation. Small and large businesses in this country struggle to survive the onslaught of mandates and regulations that come from Congress. In my view, it is the role of government to guide and lend a hand occasionally, not to dictate to an individual struggling to make a go of it in their chosen business. But I draw the line when it comes to transportation safety initiatives. It is with regard to aviation security and safety that I will be one of the most zealous advocates of government oversight, intervention and, especially, regulation to the extent necessary. Just as it is the role of the Federal Government to provide for national security, so too it is incumbent upon all of us in the Congress, along with the President, to be ever vigilant with regard to the safety of our traveling public.

Just as in a natural disaster, an airplane crash can take in an instant the lives of hundreds of people, all of whom relied on the industry and the government to ensure that their flight was as safe as possible. I am not suggesting, Mr. President, that such oversight be conducted in an economic vacuum. Cost benefit analysis is a necessary tool with which to review the imposition of safety regulations. Such review, however, is fruitless in the face of such a stunning lack of regard for those of us who actually believe that the skies and airports of our country can be made safer.

Consequently, while admonishing the Commission's members to rethink their views on the need for increased safety measures, I would like to be among the first to embrace many of their ideas and call for immediate hearings to address each and every one of the proposals contained in the report. Through hearings, we can best determine how to proceed with legislation to deal with the numerous problems hindering the aviation industry, all the while never forgetting safety. I look forward to working with my colleagues, the administration, and the industry in this critical endeavor.

EXHIBIT 1

AMERICAN AIRLINES,
DALLAS/FORT WORTH AIRPORT, TX,
September 15, 1993.

Hon. LARRY PRESSLER,
U.S. Senate, Washington, DC.

DEAR LARRY: I can certainly understand your concern about the loss of American's service to Sioux Falls. I can assure you that there are few decisions more troubling for me than to close stations, lay off employees and reduce the reach of our system. Unfortunately, the economics of our service of Sioux Falls have been simply dreadful.

During the 15 months which have elapsed since we initiated service, we have lost approximately $5 million and we see little that can be done to make the route profitable. As you know, we are in direct competition with United in the Sioux Falls-Chicago market; more importantly, Northwest offers eight roundtrips a day between Sioux Falls and Minneapolis. Since Sioux Falls-Minneapolis is a shorter distance than Sioux Falls-Chicago, Northwest can better afford low load factors on flights feeding its Minneapolis hub than can we on the much longer stage length we must fly to feed our Chicago hub.

More to the point, despite continuing efforts we have not been able to shift significant amounts of traffic from either Northwest or United nor do we think the market is large enough to support service by three carriers. In that respect, it is clear we made an error by entering the market in the first instance.

The economics of this particular route unfortunately mirror our system operating results. During the last three years, we have lost more than $1 billion. As a consequence, we have cut our capital spending by about $9 billion, grounded approximately 40 aircraft and laid off thousands of employees. Although we had originally hoped to purchase 150 Fokker-100s—the small jets we use in our converted Chicago slots—we will now take no more than 75 and if we could reduce that number further we would.

Worst of all, perhaps, the outlook for the future is not bright. I am attaching a copy of a letter we sent all our employees last week, in response to a rather apocalyptic article which appeared in The New York Times Sunday magazine. The unhappy truth is that in today's airline industry, only the low-cost provider can succeed and to date, at least, our employees have not seen fit to acknowledge that reality. Thus, we must go about the business of withdrawing from those markets in which some combination of low prices, weak demand, and high costs make us non-competitive.

As you have quite properly reminded me, you were most helpful to us in helping to persuade the DOT to a more effective use of Chicago slots. Thus, it seems to us that we have a clear obligation to you and your constituents and in recognition of that obligation, we stand willing to provide slots to any other carrier—exclusive of Northwest or United—who might wish to serve Sioux Falls-Chicago. Of course, we shall expect that carrier, whoever it might be, to work with us to use times which are reasonably convenient for both companies; the important point, however, is that we do feel a sense of obligation to you and the constituents you represent and we wish to honor that obligation.

Larry, once again, I am sorry that we cannot continue serving Sioux Falls—we'd like to, but just can't afford it!

Kindest regards,

R.L. CRANDALL,
Chairman and President.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt stood at $4,403,484,617,386.01 as of the close of business yesterday, Wednesday, October 13. Averaged out, every man, woman, and child in America owes a part of this massive debt, and that per capita share is $16,452.12.

PRESIDENT CLINTON'S HELPFUL CLARIFICATION OF U.S. PEACEKEEPING OBJECTIVES

Mr. PELL. Mr. President, this morning, President Clinton held a press conference to discuss United States objectives in Somalia and Haiti. In the process, he also provided a very helpful clarification of what the administration's approach is to U.N. peacekeeping in general in light of the Somalia experience.

In Somalia, the President said:

> We have to maintain our commitment to finishing the job we started. It's not our job to rebuild Somalia as a society or its political structure. The Somalis have to do that for themselves * * * but we have to give them enough time to have a chance to do that, to have a chance not to see the situation revert to the way it was before the United States and the United Nations intervened to prevent the tragedy late last year.

I share that view, and I also welcome the President's statement that enforcement of the U.N. resolution calling for the arrest of people suspected of being involved in the June 6 assassination of 24 Pakistani peacekeepers should never have been allowed to supplant the political process that was ongoing before the United States transferred effective control of operations in Somalia to the United Nations in May.

President Clinton correctly observed that the administration's initiative over the past week to revitalize the diplomatic aspect of the U.N.'s mission in Somalia has already paid dividends: Attacks on United States and other U.N. peacekeepers have ceased and today U.S. CWO Michael Durant and a Nigerian peacekeeper were released.

At the same time, President Clinton made it clear that there was no deal with Aideed and that the U.N. resolution on the assignment of responsibility for the June 6 murders must be enforced. He cautioned, however, that:

> We cannot afford to have any police work that we were asked to do as part of the U.N. mission be transformed into a military endeavor that, in effect, made many people believe that there was no longer a diplomatic initiative going on in Somalia.

I applaud President Clinton for taking the necessary actions to redirect a peacekeeping operation that had lost its way.

As some who worked on peacekeeping issues at the 1945 San Francisco Conference, I was pleased by President Clinton's statement that "U.N. peacekeeping is important and I still believe that America can play a role in that." He then went on to cite the U.N. operation in Cambodia as a model for future operations—"they worked through the politics of Cambodia by, in effect, creating a process in which the local people had to take responsibility for their future. If we are going to do that kind of work, we ought to take the Cambodian model in Somalia and every place else." That is sound advice.

On Haiti, President Clinton made it clear that the 200 Seabees that he called back from Haiti were not sent as peacekeepers or peacemakers. Instead, they were sent to train Haitian military officers to rebuild the country. In that mission, the Seabees were helping to implement the Governors Island agreement that the Haitian military signed. The Haitian military then reneged on that agreement, and President Clinton said "I pulled the boat out of the harbor to emphasize that the Haitian parties themselves who were still there in Haiti are responsible for violating the Governors Island agreement." So this was by no means a cut-and-run action.

President Clinton emphasized that it is U.S. policy to insist on the implementation of the Governors Island agreement. He pointed out that when he took office Haitians wanted to come to the United States because they thought nobody would stick up for the democratic process in Haiti. "We have made an effort to try to change that, and I assure you that my determination there is as strong as ever."

Finally, the President was asked to comment on criticism that U.S. foreign policy has been run in a naive and disorganized way. President Clinton responded very persuasively, stating that "on the biggest issues affecting the future and the security of the United States, we have a good record." He cited, in this connection, policy regarding Russia, the Middle East, Asia, nonproliferation and the G-7 meeting. President Clinton was correct when he said:

> We are living in a new world. It's easy for people who don't have responsibilities to use words like "naive." * * * I think that in this new world we make a pretty good beginning and clearly on the things that affect us most.

I would agree, and I believe that if the President makes more appearances like the one today, he will silence the critics. It was an excellent performance, and I commend the President for his frankness, clarity, and sense of commitment.

CELEBRATING BICENTENNIAL OF INDUSTRIAL REVOLUTION

Mr. PELL. Mr. President, on October 14 through October 17, representatives of the Amber Valley Borough Council of England will be visiting the Blackstone Valley in Rhode Island to celebrate the 200th anniversary of the successful operation of a textile factory that started our industrial revolution.

To all those involved in this celebration I extend my sincere greetings. I also would like to encourage my colleagues in the Senate and, in fact, citizens throughout the Nation to reflect on what is being celebrated.

Samuel Slater emigrated from the Amber Valley during the later part of the 1700's. He was an able and dedicated apprentice in the fledgling textile manufacturing concerns of that region. A solid career was doubtless before him, but he had an adventurous spirit as well as confidence in his talent, and he came to a new but weak nation.

He was invited to Rhode Island by Moses Brown, a prominent Quaker leader, who wanted to invest his capital in a manner that would benefit his fellow citizens. Their efforts succeeded, and that success marked the beginning of the industrial revolution in the United States.

In 1973 they began operations in a new building, a structure elegant in its modesty, which is still standing on the banks of the Blackstone River in Pawtucket, RI. That building is now the Slater Mill Museum.

Thus, 1993 is the 200th anniversary of industrial manufacturing in a factory building in the United States.

Today the United States is the world's greatest industrial power, but that leadership is being challenged. The Blackstone Valley, again, is in the forefront—exploring the means to maintain excellence and to provide the sound economic base on which people depend.

The watchword and the theme in the Blackstone Valley is cooperation and people working together. The goal is a second industrial revolution.

The people of the Blackstone Valley recognize the beauty of their environment and the importance of their history. They are justly proud to be a manufacturing region, and they see manufacturing in their future.

They prove that the values of environmental protection, historical preservation, and manufacturing are not necessarily antithetical—that doing one thing does not preclude the other.

There is a grave tendency in the United States to pit one value against another, to regulate manufacturing to protect the environment, to limit new building to preserve historic resources. The Blackstone Valley suggests that synergy rather than enervating conflict is possible.

In the Blackstone Valley, community leaders are bringing work force training, industrial development, historical preservation, and environmental protection into concert. Tourism in the valley is based on seeing where manufacturing has thrived.

We in Congress have recognized the historical importance of the Blackstone Valley by creating a national heritage corridor there. One of the beauties of the Corridor Commission is that it establishes a means of coordination among Federal agencies and between levels of government. It, too, is a model which others are following.

So in congratulating those involved in this bicentennial celebration in the Blackstone Valley, we should welcome their appropriate veneration for the past, their enthusiasm for the present, and their optimism for the future.

TIBET, MALAYSIA SINGAPORE, HONG KONG, CHINA (SICHUAN PROVINCE, XIAN, SHAANXI PROVINCE, BEIJING, AND SHANGHAI) AND CINCPAC

Mr. PRESSLER. Mr. President, for 3 weeks in August 1993, I traveled to Malaysia, Singapore, Hong Kong, Tibet and four cities in China, and visited with the Commander in Chief of American Forces in the Pacific [CINCPAC].

The principal purpose of this trip was to examine the economic miracles of East Asia. Economic miracles is an apt description. Even in the hinterland of China, more than 1,000 miles from Shanghai, it is difficult to sleep because the arc lights from the all-night construction projects shine in the windows. Airline tickets are almost impossible to obtain on short notice. Highway traffic congestion doubles the time it takes to get anywhere over just a few years ago. Infrastructure, from transportation to communications, is stretched to the maximum. An annual economic growth rate of 13 percent spread over 1.2 billion Chinese cannot be adequately described; it must be experienced.

Unfortunately, the United States runs a trade deficit with every country I visited in Asia. Officials of those countries suggested that American businessmen are not selling hard enough or that the United States is somehow in decline. American businessmen point to trade barriers and outright theft of intellectual property. For example, American entertainment firms won't receive any royalties from the pirated videos of "Jurassic Park" openly on sale in the capital of Malaysia. An American lawyer in China complained that Chinese authorities pursue policies that discourage foreign imports.

Some farsighted companies established their presence in the East Asia region decades ago and are reaping the benefits now. However, if the United States is going to reduce its trade deficits with the countries of the region, it must be through participation in major infrastructure projects, including telecommunications, road construction and airport design, and export of more agricultural products.

I also covered the issues of national defense and human rights. The Chinese military build-up, the threat of a resumption of nuclear testing, and arms proliferation to anti-democratic regimes are of wide concern to the United States.

Human rights issues appeared most prominently in Tibet, a country occupied by the Chinese army and controlled by the Chinese police. Even the most casual observer can feel the oppression and resentment in the air. I asked an old Bhuddist monk if there should be a free and independent Tibet. With little to lose, he gave a long, undoubtedly eloquent answer which the Chinese police translator reduced to one word: "No." Yet the Tibetans remain undaunted. Pictures of His Holiness, the Dalai Lama, Tibet's spiritual and temporal leader, adorn every temple and monastery I visited in Tibet, even though the Nobel Laureate is in exile in India and has not seen his native country in over 30 years.

Undoubtedly, the United States remains the preeminent nation of interest for the people of East Asia. It is the country they most wish to visit, and where they want their children to be educated. I detected a widespread affection for the American people as well as an appreciation for the role we have played in ensuring regional peace and stability.

COMMANDER IN CHIEF PACIFIC

Adm. Charles R. Larsen, Commander in Chief of American Forces in the Pacific [CINCPAC] gave a briefing on the role and mission of the U.S. Pacific Fleet, explaining that the fleet is responsible for the area from Hawaii to the Persian Gulf. It is composed of 235 ships, 1,900 Navy and Marine Corps aircraft, 38 shore installations and 280,000 personnel. While the United States intends to reduce troop strength in Western Europe by about 100,000, the Asia-Pacific region will be relatively unscathed. This reflects the perceived need for a forward deployed military presence in the Western Pacific in the face of threats from North Korea and other anti-democratic regimes. Admiral Larsen, who had appeared on my statewide cable TV show when he was Superintendent of the United States Naval Academy, is originally from Sioux Falls, SD and a graduate of Washington High School.

MALAYSIA

In Kuala Lumpur I met with Prime Minister Dato' Seri Dr. Mahathir Mohamad, Finance Minister Dato' Seri Anwar Ibrahim, Minister of International Trade and Industry Datuk Seri Rafidah Aziz, Defense Minister Datuk Seri Najib Tun Razak, Foreign Minister YB Datuk Abdullah bin Haji Ahmad Badawi, and Bank Negara Governor Tan Sri Jaafar Hussein. Most of our discussions centered on the Asia Pacific Economic Cooperation and the East Asia Economic Caucus, both designed to promote increased trade among Pacific rim nations. Mr. Shannon Garry of my Aberdeen, SD office, who accompanied me on this trip, met with Chris Langholz, Regional Director of the U.S. Feed Grain Council, to discuss increasing sales to the region.

The Malaysians also are concerned about the Chinese military buildup on two groups of potentially oil-rich islands in the South China Sea called the Spratley and Paracel Islands. A number of countries in the region have staked territorial claims to the islands and there already have been several naval clashes between the Chinese and the Vietnamese.

SINGAPORE

The high point of the visit was a meeting with former Prime Minister Lee Kuan Yew. A world class statesman and highly respected for his role in the creation of modern Singapore, the former Prime Minister's talk ranged from the past to the distant future. He was just 19 when the Japanese invaded and occupied Singapore in 1942. He said, "You cannot describe the total darkness which fell over us." He indicated that this searing experience markedly shaped his political thinking and he contrasted the "brutal, ruthless actions" of Imperial Japanese forces of the times with the restraint of American military power today. "You are different," he said repeatedly.

While in Singapore I also met with Prime Minister Goh Chok Tong, Minister of Information and the Arts George Yong-Boon Yeo, Minister of Foreign Affairs Wong Kan Seng and Minister of Defense Yeo Ning Hong for discussions of economic and security affairs.

Singapore has one of the largest contingent of resident American businessmen in Southeast Asia. I met with the US–ASEAN [Association of South East Asian Nations] Business Council. I also met with Mr. David P. Conner, Country Corporate Officer for Citibank to discuss his firm's business in Singapore and its credit card operations in South Dakota.

HONG KONG

I met twice with Mr. Gordon Wu, Managing Director of Hopewell Holdings. Mr. Wu, a Princeton-trained architect and property developer, is now the biggest investor in China. His current project is the construction of a six lane toll road from Hong Kong to the city of Guangzhou [better known as "Canton"] in China 65 miles away. Eventually the toll road will link Canton with Macao to the southeast and Wuhan in Central China. He also is bidding for a number of coal-fired power plants to serve the booming South China coast. While in Hong Kong I also met with Mr. William Warwick, Chairman of AT&T China and Mr. Arthur Kobler, International Public Affairs Director-Asia/Pacific for AT&T Hong Kong regarding their firm's China business.

July 1, 1997, the day Hong Kong reverts to Chinese control, was on everyone's mind and I met with Acting Governor David Ford and Legislative Councillor Martin Lee regarding China's commitments to the British Government and the people of Hong Kong.

CHENGDU, SICHUAN PROVINCE, CHINA

Sichuan, at more than 100 million persons, is China's most populous province and is located in Western China. I participated in economic discussions with Governor Xiao Yang, visited an irrigation project in the countryside, and attended the swearing in ceremony of the first American Peace Corps Volunteers in China.

The swearing in ceremony was one of the most moving events of my entire trip. Not only was the enthusiasm of the volunteers evident, it was equally clear that their Chinese hosts were very pleased to have them. The eighteen volunteers will be teaching English at prinvincial-level colleges and technical schools throughout the province.

TIBET

The Chinese military occupation of Tibet has been the subject of increasingly serious international debate since at least 1987. However, perhaps reflecting its remoteness, there have been few Congressional visitors. My purpose in visiting Tibet was to get a first hand understanding on the daily life of the people. Given the importance of religion in the lives of the Tibetan people, I visited the principal temples and monasteries and spoke to officials and religious leaders. I went to the biggest market in Lhasa, the capital, to see what the average person would buy or sell. I went into the countryside. Since the Chinese police were unwilling or unable to arrange for a visit to any farm or village, at one point I stopped the car and walked out into a field to watch a Tibetan farmer do his fall plowing. As yaks are only semi-domesticated, the Tibetans use a cross between a yak and cow called a "dzo" as we would have used oxen in times gone by.

My impressions were mixed. The mountainous countryside is beautiful. The physical monuments built by the Tibetan people over centuries are impressive, although many still showed the destruction made by rampaging Chinese mobs during the Cultural Revolution of 1966 to 1976. The country is clearly run by the Chinese, for the Chinese. The telephone and electric lines run for miles alongside the roads skipping over Tibetan villages but carefully servicing the cinder-block housing where the Chinese military and civilian authorities live and work.

XIAN, SHAANXI PROVINCE, CHINA

Xian, formerly known as Changan, was the old imperial capital of China before it was moved to Beijing. It is the capital of Shaanxi province and an industrial city in its own right. I met with Vice Governor Xu Shan Lin to discuss aircraft production and development. One of China's largest aircraft plants is in Xian and American aircraft manufacturers are deeply engaged in various coproduction deals with the Chinese.

BEIJING, CHINA

While I was in China, the Clinton Administration announced sanctions against a number of Chinese defense trading companies for exporting ballistic missile parts to Pakistan. Since control of weapons of mass destruction and their means of delivery is a particular concern of mine, I stopped in Beijing to hold a news conference on the subject. It was carried by the AP, UPI, Reuters, and the Voice of America. TV clips of the interview were widely shown in Hong Kong and other parts of Asia.

SHANGHAI, CHINA

Shanghai is China's largest city and its leading commercial center. I visited the Pudong development area across the river from the main downtown area and met with Vice Mayor Sha Lin. According to the United States Consulate in Shanghai, investment in Shanghai has skyrocketed. More projects were approved in the first ten months of 1992 than in the previous twelve years combined. The pace is quickening and 1993 may see a 100% increase in new project approvals over 1992. This was confirmed by American businessmen I met in Shanghai. I also met with officials of the American Studies Center at Fudan University. In the wake of the Tienanmen massacre in 1989 American financial support for their new building was halted and it stands half completed.

WARNINGS FROM TIJUANA ON NAFTA

Mr. HOLLINGS. Mr. President, I have just returned from a working visit to Tijuana, Mexico, where I spent a full day on Monday visiting working class neighborhoods surrounding the foreign-owned assembly plants—the well-known maquiladoras. I was frankly shocked by the pervasive, abject poverty in the vast colonias I visited. These colonias, or slums, are home to men, women, and children who labor in the nearby plants. The juxtaposition is striking: impressive, modern, first-world factories scattered like islands amidst a sea of thrown-together, third-world hovels and houses.

I had the honor of talking to many of the workers who live in these colonias. They are good people—hard-working and proud. I will say it plainly, that I felt ashamed as an American to see the many American plants in Tijuana and to witness the brazen exploitation which is at the root of the maquiladora system: exploitation of desperate Mexican workers and gross exploitation of the Mexican environment.

I have not seen such abject poverty since I exposed malnutrition in South Carolina a quarter century ago in a series of what came to be known as "hunger tours." The difference is that the poverty and squalor I saw in Mexico were far worse than what I saw in South Carolina in the late 1960s. In Tijuana, scarcely half the living quarters have plumbing, only one third have fresh water, and one fourth lack electricity. Sewerage is all but non-existent. Human waste flows in gutters in the streets.

For some two decades, foreign companies have offered Tijuana and other Mexican border cities a false promise. They have said, let us build our plants in your city, let us pock-mark your landscape with toxic waste dumps, let us hire your people for disgracefully low wages, and in return we will give you jobs and, in time, a middle class and the basis for democratic government.

Mr. President, that promise of rising wages and growing middle class has proved utterly false. Far from rising, wages in the maquiladoras are significantly lower than they were a decade ago. The sprawling slums of Tijuana, Cuidad Juarez and Nogales make a mockery of this promise of middle-class prosperity.

Yet, now, the North American Free-Trade Agreement dares to peddle the very same false promises, only on a broader scale. Again, there is the promise of a growing middle class and democratic reform. But it is a lie. In truth, what NAFTA would accomplish—at best—is to turn all of Mexico into one big duty-free maquiladora zone. It would produce the same exploitation of Mexican labor, the same environmental rape, the same cementing of the corrupt political status quo in Mexico.

I spoke with City Counselman Gonzales of Tijuana, who sees nothing to be hopeful about in NAFTA. Well acquainted with the false promises of the maquiladoras, he has no truck with the similar promises now used to sell NAFTA. And ordinary people I talked to are no less skeptical and realistic about what NAFTA really means for their country. As they see it, NAFTA would further enrich the governing oligarchy while perpetuating and reinforcing the wage slavery of ordinary Mexicans.

Of course, it is not just the Mexican people who are being sold false promises about NAFTA. The American people, too, are being misled. Supporters of NAFTA claim that it will create a large middle class in Mexico that will, in turn, be a rich consumer market for United States products. The bitter realities of today's Tijuana put the lie to these bloated claims. How is a Mexican laborer earning $60 a week in a foreign-owned plant going to purchase an American refrigerator, much less an American automobile? Under NAFTA, the United States will export jobs, not consumer goods, to Mexico.

And, with 2 million teenage Mexicans entering the work force each year, there will be an inexhaustible supply of desperate people seeking low-wage employment in the foreign-owned factories. Initially they are grateful for $60-per-week employment in the modern plants. But they quickly see the dead-end, exploitative realities of their jobs. Not surprisingly, these workers soon flee the maquiladoras in search of higher paying jobs in the United States.

A Johns Hopkins study determined that the average length of employment in maquiladoras is a mere 18 months. This exposes one more false claim of the pro-NAFTA crowd—the idea that NAFTA will create jobs south of the border which, in turn, will keep Mexicans in Mexico. Nonsense. Foreign plants in Mexico give workers skills and rising expectations which, combined with extremely low wages, give Mexicans powerful new incentives to head northward illegally in search of higher wages.

Visitors to southern California are keenly aware of the pressures pushing Mexicans northward out of the maquiladora zone. Ninety percent of illegal Mexican immigrants to the United States cross the border just south of San Diego. The highways south of San Diego are marked with yellow signs warning motorists to watch out for illegal immigrants crossing the road. Here in the east we have deer crossing signs. In the Midwest they have cow crossing signs. In southern California they have yellow signs with black silhouettes of immigrant families on the run. This, too, is the future of the United States if NAFTA becomes law.

Mr. President, I spoke of the maquiladora plants in Tijuana as glistening islands amidst a sea of human poverty and squalor. There are other islands dotting Tijuana's landscape—an archipelago of toxic waste dumps that blight the city and its surroundings. I visited one such site—chock full of waste lead and zinc—near a residential neighborhood, but I left quickly as my eyes watered and my nostrils burned. These are Superfund sites without the Superfund. They are lethal slag heaps and cesspools of toxic chemicals that will stand as the maquiladoras' permanent legacy in Tijuana.

Mr. President, this is the shameful reality in Tijuana today. And there are profound lessons in Tijuana for the Senate as we consider the North American Free Trade Agreement. NAFTA is, in essence, the maquiladora system writ large. It will spawn the same exploitation of labor, the same destruction of the Mexican environment. As under the maquiladora system, investment spurred by NAFTA will reward and enrich the current political and economic elites—the ruling oligarchies in Mexico City and in the provinces—while leaving the Mexican masses in a state of wage bondage and poverty. NAFTA will simply broaden and expand the maquiladora status quo. At the same time, it will bolster the antidemocratic political status quo in Mexico—the PRI's hammerlock grip on the government and electoral process.

Mr. President, the United States does indeed have a profound responsibility vis-a-vis Mexico. We have a national interest and a humanitarian interest in spurring economic growth and opportunity south of our border. However, I return from Tijuana more convinced than ever that NAFTA is the dead wrong approach. I am more convinced than ever that genuine change—change toward free markets and free elections in Mexico—can best be achieved through creation of a Common Market of the Americas.

Unlike the narrowly drawn NAFTA—which seeks an immediate shotgun marriage of two radically clashing economies—the Common Market of the Americas would be premised on a broad vision for the United States and our neighbors that encompasses not just economics and trade, but also political and social reform. We must seek a partnership of equal democratic nations sharing a common commitment to political freedom and free markets.

Pointing to the European experience, Lester Thurow of MIT argues that free trade agreements don't work but common markets do. From the 1960s through the 1980s, rich nations of northern Europe faced a similar challenge in integrating three undemocratic, underdeveloped nations—Spain, Portugal and Greece—into the Common Market. As a precondition to Common Market membership, the Council of Europe required these nations to adopt fundamental reforms to their political and economic systems. All three countries succeeded in shucking off their authoritarian governments and liberalizing their economies.

This is precisely the course we must follow with Mexico prior to consummation of a Common Market for the Americas. Let us not create more Tijuanas. Let us insist on fundamental democratic and economic reforms aimed at narrowing the gross disparity in income levels, labor standards, environmental safeguards and civil liberties north and south of the border. This will create the conditions for a United States-Mexican marriage that all of us can be proud of.

NAFTA or a common market. The choice is ours. And we do have a choice.

NATIONAL BIBLE WEEK

Mr. ROTH. Mr. President, November 21–28, 1993 marks the 53d anniversary of the nonsectarian observance of National Bible Week, sponsored by the Laymen's National Bible Association. I am proud to serve as Congressional Co-Chairman of National Bible Week this year, along with Representative EARL HUTTO of Florida. I am pleased to follow in a long tradition of Congressional support for National Bible Week.

In 1940, the founders of the Laymen's National Bible Association were spurred into action by the rise of godless ideologies of the far right and the far left in Europe and Asia. They felt that if these notions were accepted in the United States of America, they would threaten to undermine the very fabric of our national life. The founders of the Laymen's National Bible Association reasoned that an awareness of America's heritage and a renewed commitment to the religious qualities that are at the core of the American way of life were needed in the fight to counter such ungodly values. They organized a committee which later became the Laymen's National Bible Association, the group responsible for the first National Bible Week in 1941. That year, and each year since, the observance of National Bible Week has served to remind Americans of the importance of Bible reading and study. National Bible Week also heightens awareness of the Bible's role in the building of our great country.

The year, as every year, it is important to remind all Americans of the Bible's significance to individuals and to the history, life and culture of our nation. We too soon forget the influence of the Bible on the development of our nation's values and institutions. Millions of Americans have sought and continue to seek comfort, hope and guidance from the Bible.

The sponsors of National Bible Week ask that all Senators alert their constituents to observe National Bible Week and to encourage the reading of the Bible. I ask all my Senate colleagues and the American people for a renewed commitment to helping the nation regain a sense of moral awareness and spiritual identity through personal daily reading of the Bible.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to Executive Session to consider the following nominations:

Calendar 376. James T. Laney, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

Calendar 425. James E. Hall, to be a member of the National Transportation Safety Board;

Calendar 429. Diane Blair, to be a member of the Board of Directors of the Corporation for Public Broadcasting;

Calendar 451. Jean C. Nelson, to be an Assistant Administrator of the Environmental Protection Agency;

Calendar 452. Robert W. Perciasepe, to be an Assistant Administrator of the Environmental Protection Agency;

Calendar 453. Elliott Pearson Laws, to be Assistant Administrator, Office of Solid Waste, of the Environmental Protection Agency;

Calendar 454. Lynn R. Goldman, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency;

Calendar 455. Doris Meissner, to be Commissioner of Immigration and Naturalization;

Calendar 456. Donald Richard Wurtz, to be Chief Financial Officer, Department of Education; and

Calendar 457. Eli J. Segal, to be Chief Executive Officer of the Corporation for National and Community Service.

I further ask unanimous consent that the nominees be confirmed, en bloc, that any statements appear in the RECORD as if read, that upon confirmation, the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

James T. Laney, of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

NATIONAL TRANSPORTATION SAFETY BOARD

James E. Hall, of Tennessee, to be a member of the National Transportation Safety Board for the term expiring December 31, 1997.

CORPORATION FOR PUBLIC BROADCASTING

Diane Blair, of Arkansas, to be a member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 1998.

ENVIRONMENTAL PROTECTION AGENCY

Jean C. Nelson, of Tennessee, to be an Assistant Administrator of the Environmental Protection Agency.

Robert W. Perciasepe, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

Elliott Pearson Laws, of Virginia, to be Assistant Administrator, Office of Solid Waste, of the Environmental Protection Agency.

Lynn R. Goldman, of California, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency.

DEPARTMENT OF JUSTICE

Doris Meissner, of Maryland, to be Commissioner of Immigration and Naturalization.

DEPARTMENT OF EDUCATION

Donald Richard Wurtz, of California, to be Chief Financial Officer, Department of Education.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Eli J. Segal, of Massachusetts, to be Chief Executive Officer of the Corporation for National and Community Service. (New position)

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Edwin R. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:30 p.m., a message from the House of Representatives, announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 218. Joint Resolution designating October 16, 1993, and October 16, 1994, each as "World Food Day."

H.J. Res. 265. Joint Resolution to designate October 19, 1993, as "National Mammography Day."

The message also announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 92. Joint Resolution to designate the month of October 1993 and the month of October 1994 as "National Down Syndrome Awareness Month."

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 2517. An Act to enable the Secretary of Housing and Urban Development to demonstrate innovative strategies for assisting homeless individuals, to develop the capacity of community development corporations and community housing development organizations to undertake community development and affordable housing projects and programs, to encourage pension fund investment in affordable housing, and for other purposes.

At 3:59 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2632. An Act to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1994.

The message further announced that the House has passed the following joint resolution, with amendments, in which it requests the concurrence of the Senate:

S.J. Res. 21. Joint Resolution to designate the week beginning September 19, 1993 as "National Historically Black Colleges and Universities Week".

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 14, 1993 he had presented to the President of the United States, the following enrolled bill:

S. 1508. An Act to amend the definition of a rural community for eligibility for economic recovery funds, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1631. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10–115 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC–1632. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10–117 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC–1633. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10–119 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC–1634. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10–120 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EC–1635. A communication from the Board Members of the Railroad Retirement Board, transmitting, pursuant to law, a report for fiscal year 1993; to the Committee on Governmental Affairs.

EC–1636. A communiciation from the Assistant Secretary (Legislative Affairs), Department of State, transmitting, pursuant to law, a report relative to properties to be transferred to the Republic of Panama; to the Committee on Armed Services.

EC–1637. A communication from the Board of Directors of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the Republic of the Philippines; to the Committee on Banking, Housing and Urban Affairs.

EC–1638. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation within five days of enactment; to the Committee on the Budget.

EC–1639. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation within five days of enactment; to the Committee on the Budget.

EC–1640. A communication from the Deputy Associate Director for Compliance (Royalty Management Program), Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC–1641. A communication from the Chief Financial Officer of the Nuclear Regulatory Commission, transmitting, notice relative to the mixed waste that has been generated at NRC facilities during the period October 6, 1992 through October 5, 1993; to the Committee on Environment and Public Works.

EC–1642. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report on the Clean Lakes Demonstration Program; to the Committee on Environment and Public Works.

EC–1643. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report of certification relative to the Board for International Broadcasting; to the Committee on Appropriations.

EC–1644. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the Aircraft Deicing Study; to the Committee on Commerce, Science and Transportation.

EC–1645. A communication from the Deputy Associate Director for Compliance (Royalty Management Program), Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC–1646. A communication from the Deputy Associate Director for Compliance (Royalty Management Program), Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC–1647. A communication from the Deputy Associate Director for Compliance (Royalty Management Program), Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC–1648. A communication from the Assistant Secretary (Legislative Affairs), Department of State, transmitting, pursuant to law, notice of a Presidential Determination relative to the Loan Guarantees to Israel Program; to the Committee on Foreign Relations.

EC–1649. A communication from the Assistant Legal Adviser (Treaty Affairs), Department of State, transmitting, pursuant to law, a report of the texts of international agreements and background statements; to the Committee on Foreign Relations.

EC–1650. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10–121 adopted by the Council on September 21, 1993; to the Committee on Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. MOYNIHAN, from the Committee on Finance:

George Munoz, of Illinois, to be an Assistant Secretary of the Treasury.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following executive reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary:

Deborah K. Chasanow, of Maryland, to be United States District Judge for the District of Maryland;

Pierre N. Leval, of New York, to be United States Circuit Judge for the Second Circuit;

Christopher Droney, of Connecticut, to be United States Attorney for the District of Connecticut for a term of four years;

Peter J. Messitte, of Maryland, to be United States District Judge for the District of Maryland;

Leonie M. Brinkema, of Virginia, to be United States District Judge for the Eastern District of Virginia;

Paul Edward Coggins, of Texas, to be United States Attorney for the Northern District of Texas for the term of four years;

Henry Lawrence Solano, of Colorado, to be United States Attorney for the District of Colorado for the term of four years;

Jon Ernest DeGuilio, of Indiana, to be United States Attorney for the Northern District of Indiana for the term of four years;

Peggy A. Lautenschlager, of Wisconsin, to be United States Attorney for the Western District of Wisconsin for the term of four years;

Thomas Paul Schneider, of Wisconsin, to be United States Attorney for the Eastern District of Wisconsin for the term of four years;

Emily Margaret Sweeney, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years; and

Michael Rankin Stiles, of Pennsylvania, to be United States Attorney for the Eastern District of Pennsylvania for the term of four years.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BINGAMAN:

S. 1542. A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to award grants to improve wastewater treatment for certain unincorporated communities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MACK (for himself, Mr. BREAUX, Mr. INOUYE, Mr. D'AMATO, Mr. STEVENS, Mr. LOTT, Mr. LIEBERMAN, Mr. MCCAIN, Mr. JEFFORDS, Mr. COATS, Mr. NICKLES, Mr. THURMOND, Mr. JOHNSTON, Mr. SHELBY, Mr. SIMON, Mr. DECONCINI, Mr. SMITH, Mr. HATCH, Mr. KERRY, Mr. CAMPBELL, Mrs. FEINSTEIN, and Mrs. HUTCHISON):

S. 1543. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit for qualified cancer screening tests; to the Committee on Finance.

By Mr. DODD (for himself, Mr. JEFFORDS, Mr. SARBANES, Mr. MOYNIHAN, Mr. BRADLEY, and Mr. RIEGLE):

S. 1544. A bill to assist in implementing the Plan of Action adopted by the World Summit for Children; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. LIEBERMAN):

S. 1545. A bill to authorize appropriations for environmental research, development, and demonstration for fiscal years 1994 through 1996, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ROCKEFELLER (for himself, Mr. DECONCINI, Mr. GRAHAM, and Mr. DASCHLE):

S. 1546. A bill to amend title 38, United States Code, to revise certain administrative provisions relating to the United States Court of Appeals, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BAUCUS:

S. 1547. A bill to reauthorize and amend title XIV of the Public Health Service Act (commonly known as the "Safe Drinking Water Act"), and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself, Mr. LUGAR, and Mr. FEINGOLD):

S. 1548. A bill to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair producers receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SASSER (for himself, Mr. WARNER, and Mr. MOYNIHAN):

S.J. Res. 143. A joint resolution providing for the appointment of Frank Anderson Shrontz as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. SASSER (for himself, Mr. WARNER, and Mr. MOYNIHAN):

S.J. Res. 144. A joint resolution providing for the appointment of Manuel Luis Ibanez as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN:

S. 1542. A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to award grants to improve wastewater treatment for certain unincorporated communities, and for other purposes; to the Committee on Environment and Public Works.

UNINCORPORATED COMMUNITY WASTEWATER TREATMENT ACT OF 1993

• Mr. BINGAMAN. Mr. President, today I am introducing along with Congressman STEVEN SCHIFF, a bill which would help meet the needs of certain small, semirural communities. These are communities that are slightly too large to qualify for existing Federal rural water grants for construction of wastewater facilities, but are too small, too poor, and unable to finance these projects through loans or other alternative financing mechanisms.

I am particularly concerned about unincorporated communities near urban centers which face a unique combination of environmental, financial, and governmental problems. Households in these areas traditionally have relied on septic systems to meet sewage needs. With urban growth these communities have expanded. Septic systems which once were adequate can no longer accommodate the increasing density. Yet these communities lack the tax base and governmental structure needed to fund needed infrastructure improvements. They face high system costs per household due to their relatively low density, a high percentage of residents with lower incomes, and lack of access to grant programs intended for very small, rural communities.

The South Valley, an unincorporated area in Bernalillo County adjacent to Albuquerque, NM, is an example of a community I am concerned about. It is a semirural community of 4,100 households experiencing recent growth. Original homes were constructed with onsite water wells and septic tanks. However, increasing density, a combination of soil characteristics, and a very shallow water table now make the area susceptible to ground water contamination.

State and local governments are already contributing to finding solutions to problems such as in the South Valley. But these funds alone cannot meet all needs. Moreover, homeowners in the area have already borne the costs of constructing and operating the existing septic systems. I believe that the Clean Water Act must be amended to include a special grant program for small, unincorporated communities facing extreme hardship in treating their sewage.

I ask unanimous consent that the full text of the bill be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1542

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Unincorporated Community Wastewater Treatment Act of 1993".

SEC. 2. FINDINGS.

Congress finds that—

(1) as of the date of enactment of this Act, there is a severe lack of wastewater treatment facilities in small, semi-rural, unincorporated communities in the United States;

(2) the lack of facilities is leading to the pollution of rivers and ground water in the area; and

(3) the pollution presents a potential threat to the public health of the communities referred to in paragraph (1).

SEC. 3. GRANTS TO UNINCORPORATED COMMUNITIES.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 as section 520; and

(2) by inserting after section 518 following new section:

"SEC. 519. GRANTS TO UNINCORPORATED COMMUNITIES.

"(a) DEFINITIONS.—As used in this section:

"(1) CONSTRUCTION.—The term 'construction' has the same meaning provided in section 212(1).

"(2) NON-METROPOLITAN AREA.—The term 'non-metropolitan area' means an area no part of which is within an area designated as a metropolitan statistical area by the Office of Management and Budget.

"(3) TREATMENT WORKS.—The term 'treatment works' has the same meaning provided in section 212(2).

"(b) AUTHORIZATION FOR GRANT AWARDS.—Notwithstanding any other provision of law, the Administrator is authorized to award a grant for wastewater treatment to an unincorporated community (without regard to whether the community is located in a metropolitan statistical area) for a wastewater treatment project that serves a population—

"(1) of 20,000 or fewer residents; and

"(2) with a median household income that is less than or equal to 110 percent of the median household income for non-metropolitan areas of the State in which the community is located.

"(c) USE OF GRANT.—A grant awarded under this section may be used for 1 or more of the following activities:

"(1) The acquisition or construction (including planning, design, repair, extension, improvement, alteration, or reconstruction) of a treatment works or any portion or any associated structure of a treatment works (including any associated collection line or interceptor sewer, notwithstanding any limitation otherwise imposed with respect to the provision of assistance for the line or sewer).

"(2) The acquisition of land, or any easement or other right-of-way, with respect to which the recipient of the grant is not the owner at the time of the acquisition, that is necessary to carry out the construction or operation of the treatment works referred to in paragraph (1).

"(3) The final disposal of residues resulting from the treatment of water or waste.

"(4) The disposal of wastewater by surface or underground methods (or both).

"(5) The disposal of wastewater through recycling or reclamation (or both).

"(d) COST-SHARING.—

"(1) FEDERAL SHARE.—The Federal share of a grant described in subsection (a) shall not exceed 75 percent of the total cost of the project that is the subject of the grant.

"(2) NON-FEDERAL SHARE.—Payment of the non-Federal share of a grant described in subsection (a) may be satisfied by any combination of public or private funds or in-kind services. The non-Federal share may include public funds authorized or expended for the project that is the subject of the grant during the period beginning on the date that is 3 years before the date of enactment of the Unincorporated Community Wastewater Treatment Act of 1993.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Environmental Protection Agency, to carry out this section, such sums as may be necessary for each of fiscal years 1994 through 2000.".•

By Mr. MACK (for himself, Mr. BREAUX, Mr. INOUYE, Mr. D'AMATO, Mr. STEVENS, Mr. LOTT, Mr. LIEBERMAN, Mr. MCCAIN, Mr. JEFFORDS, Mr. COATS, Mr. NICKLES, Mr. THURMOND, Mr. JOHNSTON, Mr. SHELBY, Mr. SIMON, Mr. DECONCINI, Mr. SMITH, Mr. HATCH, Mr. KERRY, Mr. CAMPBELL, Mrs. FEINSTEIN, and Mrs. HUTCHISON):

S. 1543. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit for qualified cancer screening tests; to the Committee on Finance.

CANCER SCREENING INCENTIVE ACT OF 1993

• Mr. MACK. Mr. President, for years Members of Congress have called for a health care strategy based upon preventive medicine. It's time we stop talking and do something about it.

Along with my friend and colleague, Senator BREAUX, and 21 bipartisan cosponsors, I am today introducing legislation to assist all Americans in the fight to prevent the 526,000 deaths which will occur in this year alone from complications associated with cancer. The American Cancer Society estimates that of the 1.1 million Americans diagnosed with cancer this year, approximately 100,000 deaths could be avoided through early detection and prompt treatment.

Our bill, the Cancer Screening Incentive Act of 1993, provides a tax incentive for all Americans, and particularly low-income, uninsured, and underinsured Americans, to take advantage of early detection procedures available, thereby saving lives and reducing the long-term private and Federal health care costs associated with treating cancer.

The key element of this legislation is to provide a refundable tax credit of up to $250—depending upon income level—for each taxpayer, their spouse and dependents. For taxpayers whose income exceeds the 15-percent marginal tax rate, the credit would be up to $200 per eligible individual.

Certain qualifying procedures such as mammograms, Pap tests, and colon screening examinations have been identified. The Secretary of Health and Human Services, in consultation with cancer research and prevention organizations, would develop the guidelines by which taxpayers may utilize the cancer screening tax credit. This will include other qualifying procedures, as well as any appropriate age and frequency restrictions.

As you know, Mr. President, cancer knows no socioeconomic boundary. Studies show that low-income Americans are at a greater risk for developing cancer and dying from cancer than middle- and upper-income Americans. These individuals are also least likely to have health insurance which covers early detection tests. Under our bill, individuals whose household income is no more than 150 percent of the Federal poverty threshold would receive early detection exams at no cost to the patient. Medical providers would be eligible for tax credits at a reimbursement rate to be determined by the Health Care Financing Administration.

The need for Americans to take advantage of the medical technology to detect cancer at an early stage is irrefutable. For example, in the time it takes me to complete this statement, at least one American will die from complications associated with cancer. One in nine women will develop breast cancer.

This year, approximately 1.1. million people will be diagnosed with cancer. Of these, 78,000 will come from my home State of Florida. As a matter of fact, Florida has the highest per capita rate of new cancer cases in the United States. It is also a grim fact that Florida has the third highest rate of death from cancer of all States and U.S. territories.

Mr. President, we are making significant progress. At the beginning of this century, few cancer patients had any hope of survival. In the 1930's, fewer than one in five Americans was alive 5 years after treatment. Today, 468,000, or about 40 percent of all patients who get cancer this year will be alive 5 years after diagnosis. Even more significantly, the American Cancer Society estimates that approximately 100,000 lives could be saved this year through early detection and prompt treatment.

Mr. President, this bill recognizes that early detection is the key to saving lives. In saving lives, it will also save the catastrophic costs to individuals and families associated with treatment of cancer. On an individual basis, the few dollars spent on prevention will save the thousands required to treat cancer in later stages. It is indeed tragic when any life is lost, but it is even more tragic when the death could have been prevented.

This bill is not a panacea. Research education, early detection, and prompt treatment are the keys to saving lives. But I believe this legislation sends a clear signal to all Americans that Congress believes in the importance of preventive health care and that we want to encourage them to take health care into their own hands.

Cancer touches each of our lives in a very different, personal way. Most of us, I would venture to say, have either had a relative die of cancer or have had a close family friend die of cancer.

For me, the motivation to become involved in the fight against cancer is a very personal one. In my family, my mother, my wife, our daughter, my brother, and I have all had cancer. It was the death of my brother Michael in 1979 which first motivated me to become involved.

I come from a large family of eight children, and we were all very close. Michael and I were close in age, and we attended grade school, high school, and college together. We were fraternity brothers at the University of Florida. Following undergraduate school, Michael attended the University of Florida School of Law.

During the last year of law school, Michael noticed a mole on his head one day as he was combing his hair. He went to the doctor, and it was diagnosed as a malignant melanoma. But the cancer did not stop him. He want on to graduate No. 1 in his class with high honors. He want on for the next 12 years making his own special mark in Florida.

My brother Dennis and I spent the last 30 days of Michael's life in his hospital room in Atlanta. That experience had a major impact upon my life in two very significant ways. First, it made me ask myself what life is all about. What's my purpose in life? In what areas should I be involved to make my life more meaningful? For me, it turned out to be my involvement in politics, where I could make an impact and do something to help my fellow man. And I would suggest that each of my colleagues is here with that same kind of feeling, that same kind of motivation.

The other thing which happened as a result of Michael's death was trying to find a way to have an impact in America's fight against cancer. Naturally, the first thing I did was to try to better educate myself about this disease. I've had the opportunity to travel throughout my State to meet with cancer experts.

I've been to Shands Teaching Hospital at the University of Florida in Gainesville, Jackson Memorial Hospital in Miami, the H. Lee Moffitt Cancer Center in Tampa, the All Childrens' Hospital in St. Petersburg, and many other outstanding facilities throughout the State. I've met with researchers at the National Cancer Institute, the Lombardi Cancer Center here in Washington, and Harlem Hospital Center in New York, where Dr. Harold Freeman is making remarkable progress in the African-American community. It has been a remarkable experience to meet these dedicated men and women.

It was during one of those trips to Florida that I receive a telephone call from my physician who asked me to come back to Washington. They had discovered that a mole they had recently removed was, in fact, a melanoma which may be malignant. On my flight back to Washington, my thoughts were of my younger brother and what he had gone through. It brought home the recognition of the problems that families face in dealing with cancer. I knew something had to be done. I raise that story to make a point—a point that is clear to all of us—the importance of early detection and prompt treatment.

Had it not been for my personal experience and the experience of meeting with cancer experts, I might not have noticed the spot on my side. I might not have detected it early. And I, too, might have been a victim of this horrible disease. But, because of early detection and prompt treatment, I don't have to worry about it any longer. I am living proof that early detection saves lives.

It was just 2 years later when I returned from a rafting trip in Colorado that my wife, Priscilla, came to me and said, "Sit down, Connie, we need to talk." When she told me she had discovered a lump in her breast through self-examination, the first thought that went through my mind was, "I am going to lose her."

I thought of Michael. I thought of what life would be like to live without Priscilla by my side. But because she knew the importance of early detection and the proper way to administer a breast self-exam, she is alive today. She underwent a mastectomy, chemotherapy, and reconstruction surgery. And, today, she spends a great deal of her personal time educating women about the importance of breast cancer prevention and early detection.

Mr. President, early detection is the heart of this legislation. By providing a tax incentive for Americans to take advantage of early detection procedures, tens of thousands of lives can be saved each year. The American Cancer Society supports this legislation as "* * * a new and promising approach to making cancer early detection tests more available to all Americans." It also has the support of the American Medical Association, the Susan G. Komen

Breast Cancer Foundation, and a variety of professional, business, and labor organizations.

Congress has long advocated early detection and preventive medicine. It's time to quit talking and do something about it.

Mr. President, I ask unanimous consent that the following Senators be added as original cosponsors of the bill: Messrs. BREAUX, INOUYE, D'AMATO, STEVENS, LOTT, LIEBERMAN, MCCAIN, JEFFORDS, COATS, NICKLES, THURMOND, JOHNSTON, SHELBY, SIMON, DECONCINI, SMITH, HATCH, KERRY, Mrs. FEINSTEIN, Mr. NIGHTHORSE-CAMPBELL, and Mrs. HUTCHISON.

I further ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1543

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cancer Screening Incentive Act of 1993".

SEC. 2. FINDINGS.

The Congress finds:

(1) Studies have shown that early detection and screening for cancer can reduce cancer morbidity by as much as 50 percent for certain types of cancer.

(2) Of the 1.17 million Americans diagnosed with cancer in 1993, the American Cancer Society estimates that 100,000 deaths could be avoided through early detection and prompt treatment.

(3) Physicians report that concern about the costs of early detection procedures is one of the main reasons for hesitating to order such procedures.

(4) Many low-income Americans lack comprehensive health insurance coverage and the majority of existing health insurance policies do not adequately cover the costs of cancer early detection and screening procedures.

(5) Socioeconomically disadvantaged Americans are disproportionately affected by cancer in terms of incidence and mortality.

(6) Demographic forecasts predict that the elderly population will double by the year 2020. Since cancer mortality and incidence rates rise dramatically with age, cancer prevention in the elderly population will become increasingly important.

SEC. 3. CANCER SCREENING CREDIT.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 35 as section 36 and by inserting after section 34 the following new section:

"SEC. 35. CANCER SCREENING TEST CREDIT.

"(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this subtitle for the taxable year expenditures paid or incurred during the taxable year for any qualified cancer screening test which is included in the list under subsection (c) and which is not compensated by insurance or otherwise, as follows:

"(1) ELIGIBLE INDIVIDUAL.—In the case of an eligible individual, the amount of the credit allowable under this subsection shall not exceed—

"(A) $250, or

"(B) $200 in the case of a taxpayer with taxable income for the taxable year in excess of the maximum rate of taxable income to which the 15-percent rate applies under the applicable table under section 1.

"(2) QUALIFIED CANCER SCREENING PROVIDER.—In the case of a qualified cancer screening provider, the amount of the credit allowable under this subsection shall be an amount equal to the product of—

"(A) the lower of—

"(i) the usual and customary charges for qualified cancer screening tests, or

"(ii) the rate of payment established by the Health Care Financing Administration for qualified cancer screening tests,

multiplied by—

"(B) the number of qualified cancer screening tests provided without charge during the taxable year to qualifying low-income individuals.

"(b) DEFINITIONS.—For purposes of subsection (a)—

"(1) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means an individual who is—

"(A) the taxpayer,

"(B) the taxpayer's spouse, or

"(C) any individual for whom the taxpayer is allowed an exemption under section 151.

"(2) QUALIFIED CANCER SCREENING PROVIDER.—The term 'qualified cancer screening provider' means a medical practitioner, facility, hospital, laboratory, or similar institution licensed under State law to provide 1 or more qualified cancer screening tests.

"(3) QUALIFYING LOW-INCOME INDIVIDUAL.—The term 'qualifying low-income individual' means an individual—

"(A) whose income level does not exceed 150 percent of the official poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981) applicable to a family of the size involved, and

"(B) with respect to whom identifying information is maintained.

"(c) QUALIFIED CANCER SCREENING TESTS.—

"(1) IN GENERAL.—For purposes of this section, the Secretary, after consultation with the Secretary of Health and Human Services and cancer research and prevention organizations, shall publish, not later than December 31, 1993, and annually thereafter, a list of cancer screening tests which qualify for the credit allowable under this section.

"(2) CANCER SCREENING TESTS.—The list of cancer screening tests which qualify under this section shall include at least the following tests:

"(A) Physical breast examination and mammogram for female breast cancer.

"(B) Digital rectal examination, proctosigmoidoscopy, and blood stool test for colon and rectum cancer.

"(C) Rectal examination for prostate cancer.

"(D) Pap test for uterine cancer.

"(E) Pelvic examination for ovarian cancer.

"(d) IDENTIFYING INFORMATION.—No credit shall be allowed under this section unless the qualified cancer screening provider maintains, to the satisfaction of the Secretary, adequate records regarding the name and address, date of testing, and type of test provided with respect to each qualifying low-income individual with respect to whom a credit is claimed."

"(b) COORDINATION WITH DEDUCTIONS FOR MEDICAL EXPENSES.—Section 213(f) of such Code (relating to coordination with health insurance credit under section 32) is amended—

"(1) by inserting "and the amount (if any) of the cancer screening test credit allowable to the taxpayer for the taxable year under section 35(a)(1)" before the end period; and

"(2) by inserting "AND CANCER SCREENING TEST CREDIT UNDER SECTION 35" in the heading after "SECTION 32".

"(c) CLERICAL AMENDMENT.—The table of sections for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 35 and inserting:

"Sec. 35. Cancer screening test credit.
"Sec. 36. Overpayments of tax."

"(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1993.•

• Mr. JEFFORDS. Mr. President, breast cancer is characterized as an epidemic. Indeed, as we observe Breast Cancer Awareness Month, we have to look at the figures straight on. One hundred and eighty thousand women in the United States will be diagnosed as new breast cancer cases this year alone. Forty-six thousand will die.

In my small State of Vermont, 1,000 women will be diagnosed as new breast cancer patients this year, and of these 125 will die. I have recently heard from 10,882 Vermont citizens who have signed a petition to President Clinton calling on him to take the lead in finding a comprehensive cure for the deadly affliction.

The Cancer Screening Incentive Act of 1993, which I am pleased to cosponsor today with Senator MACK, won't provide a comprehensive cure. But it should greatly enhance access to precautionary screening procedures to detect cancers early, breast cancer among them. I cosponsored this bill in 1991, and I understand it now has 26 cosponsors. This is progress—albeit too slow.

The tax credit provisions of the Cancer Screening Incentive Act of 1993 might not be necessary when we get our act together and pass comprehensive health care reform. Until then, however, action on the cancer front is imperative.•

By Mr. DODD (for himself, Mr. JEFFORDS, Mr. SARBANES, Mr. BRADLEY, and Mr. RIEGLE):

S. 1544. A bill to assist in implementing the plan of action adopted by the World Summit for Children; to the Committee on Foreign Relations.

WORLD SUMMIT FOR CHILDREN IMPLEMENTATION ACT OF 1993

• Mr. DODD. Mr. President, I reintroduce legislation that I first introduced in the last Congress—the World Summit for Children Implemention Act of 1993—legislation that is long overdue. This urgent appeal can no longer be ignored. It is time for the United States to aggressively address the plight of children in this country and around the world.

This singularly important act enables the United States to join with the majority of countries that have already ratified the international convention on the rights of the child, and work together to implement a plan of action to enhance the lives of children.

Children on every continent are victims of poverty, disease, war, abuse or neglect—and are unable to protect themselves. Thirty-five thousand children die each day from malnutrition and easily preventable diseases. If access to vitamin A is not increased, an estimated 2,000,000 children face blindness in the 1990's and tens of millions more face increased risk of infection and death.

The sad plight of children has caught the attention of communities around the world. In 1990, heads of state convened at an extraordinary world summit on behalf of children. The summit adopted a plan that called for international cooperation and commitment in a heroic effort to protect the lives of children, diminish their suffering, and enhance their futures. The World Summit for Children targeted specific goals to be met through global commitment by the year 2000. These goals include cutting child deaths by at least one-third, halving mortality and child malnutrition, providing all families access to clean water, safe sanitation, and family planning services.

The U.S. Government participated in the World Summit for Children and signed the declaration and plan of action adopted at the summit. However, as a nation we have not yet fulfilled our pledge to the world's children. This act, which I now introduce, addresses the specific goals of the world summit and implements a U.S. plan of action of behalf of children both home and abroad. This legislation supports our commitment and helps to secure for children the long overdue level of protection and security which is essential to their survival and healthy development as they grow into the next generation of nations.

Children must be a high priority on our agendas, especially when it comes to allocating our Nation's resources. The World Summit on Children Implementation Act authorizes additional funding for programs essential for decreasing child illness and mortality around the world by the year 2000. The goals of this implementation act include the child survival fund, mainly for low-cost, high-yield measures such as oral rehydration therapy.

The plan of action adopted at the world summit aims to reduce mortality rates for children under 5 years of age by at least one-third. This goal can be attained simply by consolidating gains that have already been made, and by pursuing new goals and effective programs. New efforts should be focused on community based primary health care and health education services which directly benefit the poorest of the poor, rather than large scale infrastructure projects whose direct effects are lost on those who would benefit from them the most.

Malnutrition, which is currently the underlying cause of death in a large majority of childhood diseases, is preventable at low cost. Child survival activities, such as vitamin A costs only a few cents; yet its deficiency has resulted in widespread blindness and mortality in children around the world.

As of 1992, nearly 5 million women of childbearing age and over 1 million children were infected with HIV. This tragic number will continue to increase dramatically until prevention and control efforts are successfully implemented. This legislation permanently authorizes the International AIDS Prevention and Control Fund, and requires the President to promote, encourage, and undertake community-based prevention, care and control programs related to HIV and AIDS.

Basic primary education, early childhood development activities, and programs to achieve literacy are essential to increasing children's potential both at home and abroad. In this country, the Head Start Program have established an impressive record in providing preschool-age children from low-income families access to services that address fundamental educational, social, nutritional and health needs. The potential of these programs remains largely untapped, however. Presently, Head Start programs serve only about one-third of eligible children between 3 and 5 years of age. The Federal Government should continue its commitment made in the 1990 Head Start reauthorization to the goal of serving all eligible children.

The bill also recognizes the plight of child refugees world wide. Refugee assistance programs are desperately needed to curb the rampant growth of the number of refugees and displaced persons that has grown dramatically over the last decade. Sadly, more than half of all refugees are children.

The sad plight of children is a tragedy and it is also a very real and growing problem. Clearly, all of us in this chamber face significant challenges if we are to secure the protection and basic care that are these children's rights. But we must rise to this challenge. it is time for us to go beyond the easy pro-child rhetoric that has been a poor substitute for action to improve the lives of our children. In a time of fiscal constraint we need to act with utmost consideration and comprehension. But help delayed for a developing child, is often help too late; the consequences of child neglect and abuse are unforgiving. Children are the defenseless victims. We in this Chamber have the responsibility and the means to act on their behalf. It is time for aggressive action on our part.

The welfare of our children represents a crucial legacy for the future. Yet our legacy is dying before our eyes. The United States must not pass up this opportunity to join the world community in saving and improving the lives of millions of children across the globe. We all need to dedicate ourselves to this issue with utmost compassion, urgency and determination.

• Mr. JEFFORDS. Mr. President, it is my distinct honor to join Senator DODD as an original cosponsor of the World Summit for Children Implementation Act of 1993.

We all know we face daunting challenges today on both the domestic and international fronts. Domestically, we must come to grips with comprehensive health care reform, with renewed education and retraining opportunities for people of all ages, with the effort to provide our people with appropriate jobs and to improve standards of living. Internationally we find ourselves facing a whole new political order of nations, global competition, and growing disparities in wealth and health that threaten world stability.

As the world, and the United States, try to cope with these challenges we must keep in mind that our children will be the primary benefactors if we are successful and the principle victims if we fail. Children are the only real promise of the world and whatever else we accomplish or attempt to accomplish they must be our first priority. The well-being, safety, and education of the world's children come first. What does reforming the world matter if we lose our children in the process?

The World Summit for Children, convened in September 1990 with 159 nations participating, including our own, set the ground rules for nations to follow to rally the world to the aid of children. The WSCIA–1993 represents a blueprint of the United States to use to achieve the goals of the Summit.

Internationally, the WSCIA–1993 would shift funds within the U.S. foreign assistance budget to meet the needs of children without an overall increase in foreign aid spending. Specifically it would increase allocations for child survival, basic education, vitamin A and other micronutrients, UNICEF, AIDS prevention and care, refugee assistance, and family planning.

Domestically, the bill will once again support funding for WIC, a program I have always felt critical to our long-term health reform efforts, and for Head Start, a program of proven success in improving the education of our very young learners.

Clearly WSCIA–1993 has the priorities straight. I call upon all our colleagues to get their priorities straight and vote for it. The children need and deserve no less. Our children and the world's children.•

• Mr. MOYNIHAN. Mr. President, each effort we make to ensure that children enjoy good health and education is an investment in the future. The plan of action adopted by the World Summit for Children in 1990 outlines specific goals that the summit participants agreed to try to achieve by the year 2000. These include reducing child deaths by at least one-third, halving maternal mortality and child malnutrition, providing all children access to a basic education, and providing all families access to clean water, safe sanitation, and family planning services.

These goals are most worthy but implementing these goals requires international cooperation. It also requires a special commitment at home. We need to work to ensure the health of children in this country. We need to reduce the U.S. infant mortality rate and the incidence of low birthweight.•

By Mr. ROCKEFELLER (for himself, Mr. DECONCINI, Mr. GRAHAM, and Mr. DASCHLE):

S. 1546. A bill to amend title 38, United States Code, to revise certain administrative provisions relating to the U.S. Court of Appeals, and for other purposes; to the Committee on Veterans' Affairs.

COURT OF VETERANS APPEALS IMPROVEMENT ACT OF 1993

• Mr. ROCKEFELLER. Mr. President, as chairman of the Committee on Veterans' Affairs, I am introducing today S. 1546, the proposed Court of Veterans Appeals Improvement Act of 1993, a bill to revise certain provisions relating to the U.S. Court of Veterans Appeals. I am enormously pleased that three of my colleagues on the committee have joined me as original cosponsors of this important measure—Senators DENNIS DECONCINI, BOB GRAHAM, and TOM DASCHLE. This bill would make improvements in the Veterans' Judicial Review Act, the legislation that created the Court of Veterans Appeals in 1988.

BACKGROUND

Mr. President, the Veterans' Judicial Review Act of 1988 [VJRA] was the culmination of the tireless work of many individuals in Congress for over a decade. Since the passage of the VJRA at the end of the 100th Congress, the Committee on Veterans' Affairs has continued its legislative efforts to ensure that the court is able to operate under its mandate as efficiently as possible, and in a manner that is fair to veterans and other appellants.

Mr. President, legislation enacted to improve the operation of the Court of Veterans Appeals includes the Court of Veterans Appeals Judges Retirement Act, Public Law 101-94, which created a retirement system for Court of Veterans Appeals judges comparable to the plans available to other Federal judges; Public Law 102-82, which made miscellaneous administrative and technical improvements in the operation of the court; section 502 of the Federal Courts Administration Act of 1992, Public Law 102-572, which allowed the application of the Equal Access to Justice Act to cases before the Court of Veterans Appeals; and section 801 of the Veterans Health Care Act of 1992, Public law 102-585, which allows the Judicial Conference of the United States to review judicial conduct or disability actions taken by the court with respect to the judges of the court.

Three of the four provisions in the bill being introduced—sections 2 through 4—were included in S. 2974 in the 102d Congress, which was reported by the Committee on Veterans' Affairs on September 15, 1992, and passed by the full Senate on October 1, 1992.

CONFIRMATION OF CHIEF JUDGE OF THE COURT

Mr. President, section 2 of the bill would clarify the process for filling the position of chief judge of the court. Currently, under section 7254(d) of title 38, United States Code, when the position of chief judge is vacant, the associate judge senior in service assumes the role of acting chief judge, unless the President designates another associate judge to serve in that position. This provision was enacted in Public Law 101-94 for the purpose of avoiding any unnecessary disruption when the chief judge position becomes vacant.

Section 2 of the bill acknowledges the importance of the position of chief judge by clarifying that the appointment of any individual by the President to serve in the position of chief judge, including any sitting associate judge, must only be with the advice and consent of the Senate. Under current law, it is clear that if the President appoints an individual not on the court to be chief judge, that the appointment would be subject to Senate confirmation. However, current law does not address directly the question of whether the President's appointment of an associate judge—who has been confirmed by the Senate for that position—to be the chief judge requires Senate confirmation. I believe that in this situation the Senate should have the opportunity to consider the nominee's qualifications specifically with respect to the position of chief judge. The position carries with it responsibilities other than judicial responsibilities—duties that concern the administration of the court's budget and personnel system, as well as public representation of the court. I believe these special, additional responsibilities expected of the chief judge and the importance of the position warrant Senate approval of the President's appointment. Therefore, section 2 would require Senate confirmation of any individual selected by the President to serve as chief judge of the Court of Veterans Appeals.

FILING DATE FOR NOTICE OF APPEAL TO THE COURT

Mr. President, section 3 of the bill would provide that an appeal to the Court of Veterans Appeals is timely filed if it is postmarked—rather than actually received by the court—by the statutory deadline. Currently, section 7266(a) of title 38 requires that an appeal to the court must be filed within 120 days after the date on which the Board of Veterans' Appeals mails its decision. Under rule 4 of the court's rules of practice and procedure, the court must receive the notice of appeal by the 120th day of that filing period. The court has issued a series of decisions dismissing the appeal in cases in which the notice of appeal was postmarked within the 120-day time limit, but the court did not receive the notice of appeal within that period.

I believe that the court's interpretation of the statutory requirement is unduly restrictive and complicated. In effect, rule 4 gives those individuals who live closer to Washington, DC, where the court is located, more time to perfect their appeals than those who do not. Not only is the claimant who lives at a greater distance likely to receive the BVA decision later, but that claimant will also be forced to mail his or her notice of appeal earlier than the claimant who lives in closer proximity to Washington, DC. Problems inevitably occur with mail delivery; even when the claimant mails the notice of appeal well in advance of the 120th day, delays in the mail can cause the notice to arrive at the court after the 120-day deadline has expired. The court's rule makes the appellant's preparation of the appeal more difficult than is necessary; the appellant must take into consideration and anticipate possible mail delays. Particularly in light of the fact that the majority of the appellants do not have representation before the court, this rule seems unnecessarily complicated and restrictive.

Mr. President, the rules of the Tax Court, also an article I court located in Washington, DC, require that the appeal be postmarked by the statutory filing deadline set forth in section 7502 of title 26, United States Code. Also, under section 4005(b)(1) of title 38, VA's internal appellate procedure requires that a notice of disagreement initiating an appeal to the Board of Veterans' Appeals be postmarked within the 1-year filing period.

Mr. President, the Court of Veterans' Appeals acted appropriately and within the scope of its authority when it adopted rule 4. However, I believe that in order to be fair to all appellants, the postmark date on the notice of appeal must be considered the filing date for purposes of determining whether or not an appeal was filed in a timely manner. Therefore, section 3 of the bill would amend section 7266(a) of title 38 to require that a notice of appeal be deemed received by the court on the date of receipt by the court if it is delivered, or on the date it is postmarked if it is mailed.

MODIFICATION OF COURT OF VETERANS' APPEALS JURISDICTION

Mr. President, section 4 of the bill would amend section 402 of the VJRA to modify the basis of the jurisdiction of the Court of Veterans' Appeals. Under current law, the court's jurisdiction is limited to cases in which a notice of disagreement [NOD] was filed on or after the date of enactment of the VJRA, November 18, 1988. A notice of disagreement is a written communication filed by a claimant expressing dissatisfaction or disagreement with a decision made by a VA regional office, medical center, or clinic, and initiates an appeal to the Board of Veterans' Appeals. Section 4 would modify the court's jurisdiction to cover cases in which the NOD was filed prior to November 18, 1988, and the BVA issued a final decision on or after that date. This change would ensure that all cases decided by the BVA on or after the date of the VJRA's enactment could be reviewed by the court.

At the time the VJRA was enacted, the reason for using the date of the NOD for jurisdictional purposes was to avoid immediately overburdening the court—before the court began functioning—with cases that already had been decided by the BVA. However, the court now has been operating for 4 years and has had a full complement of seven judges for nearly 3 years. Therefore, the possibility of overloading the court's docket before it was fully functioning is no longer a concern. Accordingly, I believe that it now makes sense to expand the jurisdiction of the court to include the authority to review all cases in which the BVA issued a final decision on or after the date of enactment of the VJRA. This slight modification of the court's jurisdiction would be consistent with the VJRA's original intent to prohibit old cases from being brought before the court. It also is consistent with the logical expectations of many veterans that all BVA decisions issued after the enactment date of the VJRA could be appealed to the court. Many veterans were left disappointed and disillusioned when, after the final passage of the VJRA, they realized that the provisions of the law did not allow them to receive court review of their BVA decisions.

Under the amendment, appellants who would become eligible to appeal under this change would be allowed 6 months to file an appeal with the court following notification by VA of this opportunity. This provision is necessary because the claimants now eligible for court review of their cases under this amendment would not have been able to file a notice of appeal with the court within the 120-day filing period.

ATTORNEYS' FEES PAID DIRECTLY BY VA OUT OF PAST-DUE BENEFITS

Mr. President, section 5 of the bill would overrule a Court of Veterans Appeals decision in *Matter of Fee Agreement of Smith*, 4 Vet. App. 487 (1993), on the issue of attorneys' fees paid directly to the attorney by VA from past-due benefits awarded to the appellant. Under current law, section 5904(d) of title 38, an attorney can receive payment for representation before the court directly from VA out of a retroactive benefit award. However, for this provision to apply, two requirements must be met: First, the total fee may not exceed 20 percent of the total amount of any past-due benefits awarded to the appellant; and second, under the fee agreement, the fee must be contingent upon whether or not the claim is ultimately resolved in favor of the appellant. Section 5 would clarify that the statute allows payment of attorneys' fees directly by VA only in cases where the total amount of the fee is contingent upon the appellant prevailing.

Under section 5904(d), an attorney has the distinct benefit of receiving the fee for representation directly from VA out of any retroactive benefit award the appellant receives. In a successful case, the attorney is assured of actually receiving payment of the fee, and relieved of having to confront any collection difficulties. However, the benefit comes with a price; the statute requires that any agreement calling for this direct payment must provide that the fee is to be paid on a contingency basis. In other words, the appellant must prevail in order for the attorney to receive payment.

In the Smith case, however, the court held that the statutory provision applied even though the fee agreement in that case required the appellant to pay a fixed fee and also provided that an amount would be paid directly by VA out of any retroactive award the appellant might receive. Thus, the agreement did not provide for a true contingency fee, but rather a hybrid fee—a partially fixed, partially contingent fee. A true contingency fee agreement does not require payment of any fixed fee.

Mr. President, section 5 would amend section 5904(d) to clarify that if a fee agreement requires direct payment to the attorney from VA, the total amount of the fee must be contingent upon whether or not the appellant's claim is successfully resolved.

CONCLUSION

Mr. President, this legislation would allow the Court of Veterans Appeals to fulfill more effectively its responsibility under the VJRA and ease certain unnecessary restrictions on potential appellants. I intend to bring this legislation before the committee at a mark up later this month and look forward to working with my colleagues on the Senate and House Veterans' Affairs Committees on this measure. I pledge to do all I can to see it enacted as soon as possible. I urge all of my Senate colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1546

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Court of Veterans Appeals Improvement Act of 1993".

SEC. 2. CONFIRMATION OF CHIEF JUDGE.

Section 7253(b) of title 38, United States Code, is amended by striking out "The judges" and inserting in lieu thereof "The chief judge and the associate judges".

SEC. 3. MAILING OF NOTICES OF APPEAL TO THE COURT OF VETERANS APPEALS.

(a) IN GENERAL.—Section 7266(a) of title 38, United States Code, is amended to read as follows:

"(a)(1) In order to obtain review by the Court of Veterans Appeals of a final decision of the Board of Veterans' Appeals, a person adversely affected by such decision shall file a notice of appeal with the Court within 120 days after the date on which notice of the decision is mailed pursuant to section 7104(e) of this title.

"(2) An appellant shall file a notice of appeal under this section by delivering or mailing the notice to the Court.

"(3) A notice of appeal shall be deemed to be received by the Court as follows:

"(A) On the date of receipt by the Court, if the notice is delivered.

"(B) On the date of the United States Post Service postmark stamped on the cover in which the notice is posted, if the notice is mailed.

"(4) For a notice of appeal mailed to the Court to be deemed to be received under paragraph (3)(B) on a particular date, the United States Postal Service postmark on the cover in which the notice is posted must be legible. The Court shall determine the legibility of any such postmark and the Court's determination as to legibility shall be final and not subject to review by any other Court.".

(b) APPLICATION.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to notices of appeal that are delivered or mailed to the United States Court of Veterans Appeals on or after that date.

SEC. 4. AVAILABILITY OF REVIEW BY COURT OF VETERANS APPEALS.

(a) AVAILABILITY.—Section 402 of the Veterans' Judicial Review Act (38 U.S.C. 7251 note) is amended by striking out "in which a notice of disagreement" and all that follows through the end of the section and inserting in lieu thereof "in which the Board of Veterans' Appeals makes a final decision under section 7104 of title 38, United States Code, on or after November 18, 1988.".

(b) EFFECTIVE DATE.—(1) The amendment made by subsection (a) shall take effect as of November 18, 1988, and apply to cases in which the Board of Veterans' Appeals makes a final decision under section 7104 of title 38, United States Code, on or after that date.

(2)(A) Notwithstanding paragraph (1), a person referred to in subparagraph (B) shall be entitled to obtain review by the Court of Veterans Appeals of a final decision referred to in clause (ii) of that subparagraph if the person files a notice of appeal with the Court of Veterans Appeals with respect to that decision not later than 180 days after the notification date referred to in subparagraph (C).

(B) Subparagraph (A) applies to a person who—

(i) filed a notice of disagreement with the Board of Veterans' Appeals before November 18, 1988; and

(ii) received a final decision by the Board on the matter subject to the notice of disagreement on or after such date.

(C) The Secretary of Veterans Affairs shall, to the maximum extent practicable, notify each person referred to in subparagraph (B) of the eligibility of the person to file a notice of appeal with the Court under subparagraph (A). The date of such notification shall be deemed to be—

(i) the date of such notification, in the case of actual notification; or

(ii) the date of the postmark stamped on the cover in which the notification is posted, if the notice is mailed.

SEC. 5. CLARIFICATION OF PAYMENT OF ATTORNEY FEES UNDER CONTINGENT FEE AGREEMENTS.

Section 5904(d)(2)(A) of title 38, United States Code, is amended to read as follows:

"(A) A fee agreement referred to in paragraph (1) of this subsection is one under which the total amount of the fee payable to the attorney (i) is to be paid to the attorney by the Secretary directly from any past-due benefits awarded on the basis of the claim, and (ii) is contingent on whether or not the matter is resolved in a manner favorable to the claimant.''.●

By Mr. BAUCUS:

S. 1547. A bill to reauthorize and amend title XIV of the Public Health Service Act, commonly known as the Safe Drinking Water Act, and for other purposes; to the Committee on Environment and Public Works.

SAFE DRINKING WATER ACT AMENDMENTS OF 1993

Mr. BAUCUS. Mr. President, today I introduce legislation that will revise and improve the Safe Drinking Water Act.

Safe drinking water is a fundamental right. For nearly two decades, the Safe Drinking Water Act has guaranteed this right to the people, while guiding Federal, State, and local officials in their efforts to provide clean and pure water.

PROBLEMS WITH SAFE DRINKING WATER ACT

In the past several years, however, serious problems with the law have surfaced. On one hand, it is not effective enough in guaranteeing water safety. People continue to get sick from unsanitary water. This occurs in both small rural towns and large cities, like Milwaukee.

At the same time, it is imposing a regulatory burden on State and local officials that many find overwhelms their financial and technical resources. And compounding this problem, the Safe Drinking Water Act does not provide Federal financial aid to communities.

COMPLIANCE PROBLEMS IN SMALL COMMUNITIES

The horns of the dilemma are sharpest for small drinking water systems. While systems serving under 3,300 people serve only a small proportion of our people, they make up about 87 percent of the 58,000 community water systems in our country.

For example, of the roughly 900 community water systems in Montana, some 400 serve fewer than 125 people. Small systems usually cannot take advantage of the economies of scale in treatment technology. And since there is no Federal financial assistance to go with the regulations, improvements in small systems make household water rates rocket skyward like Old Faithful.

Further, many State and local officials argue that on top of the financial burden the Safe Drinking Water Act imposes, the drinking water program has become a regulatory and administrative quagmire. Monitoring standards are too complicated for many system operators. States lack the money and trained personnel to effectively manage the program.

And unnecessary requirements, such as the stipulation that EPA regulate 25 new contaminants every 3 years, means that EPA, the States, and the water systems cannot always devote their money and people to the problems they know are the worst.

Mr. President, we have ignored these problems for so long that the drinking water program is threatened with collapse. We cannot let that happen. We must have a truly effective way to protect our drinking water supply, and the bill I am introducing today is an effort to give us one.

REFORMS TO EASE COMPLIANCE AND REDUCE REGULATORY BURDEN

First, we will reduce the regulatory burden the law has created, paying special attention to small communities.

For example, the bill eliminates the requirement that EPA set drinking water standards for 25 new contaminants every 3 years. Instead, it directs EPA to review the health effects of a limited number of unregulated contaminants in drinking water, and regulate them only when they pose a public health problem. And it will reduce monitoring requirements for many systems that do not detect contaminants.

Second, the bill makes the States true working partners with EPA, and gives them the resources and the authority to do the job. It also puts more emphasis on preventing contamination of drinking water in the first place, and makes enforcement more effective and consistent with other environmental laws.

Third, a financial base for drinking water projects is critical. Safe drinking water will never be a reality for many communities unless there is adequate Federal funding. Thus, my bill establishes drinking water loan funds, building on the administration's request and our experience with the Clean Water Act's revolving loan funds. It authorizes $600 million in fiscal year 1994 and $1 billion annually in future years.

The bill also includes a new element to let States forgive repayment of loans where that is necessary to assure that household costs do not exceed 1.5 percent of median household income.

SPECIAL PROVISIONS FOR SMALL COMMUNITIES

The bill also has provisions that will help small communities provide safe drinking water. It gives States the authority and resources to work with small water systems on their unique problems. States would prepare overall plans to manage drinking water systems serving fewer than 3,000 people.

Each State would then work with the small system on specific compliance program to help them develop ways to consolidate with neighboring systems or find better sources of raw water. If those actions are not practical, the program would let them use treatment technology geared to small system needs.

The ultimate objective is to provide safe drinking water for all communities, even if financial or management limitations mean that it may take a little longer for some systems.

RADON PILOT PROGRAM

Finally, the bill proposes a new approach to radon in drinking water. This can pose a serious health threat. But most radon comes into a home from soil gas, not drinking water. Therefore, it seems well suited to integrated risk management.

The bill sets two standards for radon. The first is as close to the no-health-effect level as possible. The second is equivalent to exposure from outside air. A State drinking water system could choose to meet the second standard if it implemented a program to reduce radon in indoor air.

This proposal will be the starting point for a constructive discussion of alternative approaches to public health regulation. It is a good faith effort to respond to the special public health challenge posed by radon gas. It will test whether flexibility to attain the greatest degree of public health protection at the lowest cost will work on the ground.

CONCLUSION

The current Safe Drinking Water Act has problems which demand immediate attention. It does not allow for needed flexibility and does not provide any financial assistance to those whose job it is to supply safe water.

The result is that communities are falling out of compliance and citizens are not guaranteed that their water is safe to drink. These problems are too important for business as usual. Therefore, I plan to hold hearings on this bill later this month. And I will do all I can to report it to the full Senate this fall.

This effort must be based on consensus. That is the only way to achieve timely changes in the law and the financial aid many systems need to assure safe drinking water. I look forward to working with my colleagues, in particular Senator CHAFEE as ranking Republican on the Environment and Public Works Committee, and the administration, as the bill moves ahead.

Mr. President, I ask unanimous consent that a detailed summary of the bill and a copy of the bill be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1547

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Safe Drinking Water Act Amendments of 1993".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references.
Sec. 2. Findings.
Sec. 3. State revolving loan funds.
Sec. 4. National drinking water regulations.
Sec. 5. Small public water systems.
Sec. 6. Enforcement of drinking water regulations.
Sec. 7. Control of lead in drinking water.
Sec. 8. Radon in drinking water and indoor air.
Sec. 9. Point of use devices.
Sec. 10. Drinking water supply protection.
Sec. 11. Emergency powers.
Sec. 12. Tampering with public water systems.
Sec. 13. Drinking water research, education, and certification.
Sec. 14. State drinking water program funding.
Sec. 15. Records and inspections.
Sec. 16. Federal agencies.
Sec. 17. Citizen's civil action.
Sec. 18. Other amendments.

(c) REFERENCES TO TITLE XIV OF THE PUBLIC HEALTH SERVICE ACT.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title XIV of the Public Health Service Act (commonly known as the "Safe Drinking Water Act") (42 U.S.C. 300f et seq.).

SEC. 2. FINDINGS.

Congress finds that—

(1) safe drinking water is essential to the protection of public health;

(2) the Federal Government needs to assist communities in the financing of drinking water treatment and related projects;

(3) small drinking water systems need additional technical assistance and information from State and Federal agencies in the development and implementation of coordinated plans for the provision of safe and affordable drinking water;

(4) the existing process for the assessment and regulation of additional drinking water contaminants needs to be improved and revised to provide for more extensive participation from interested parties;

(5) States play a central role in the implementation of safe drinking water programs and States need increased financial resources to ensure the prompt and effective development and implementation of drinking water programs; and

(6) there is substantial noncompliance with requirements of title XIV of the Public Health Service Act (commonly known as the "Safe Drinking Water Act") (42 U.S.C. 300f et seq.) and Federal and State agencies need additional authorities to ensure the implementation of the Act.

SEC. 3. STATE REVOLVING LOAN FUNDS.

(a) ESTABLISHMENT OF STATE LOAN FUNDS.—The title is amended by adding at the end the following:

"PART G—RESERVED

"PART H—STATE REVOLVING LOAN FUNDS

"SEC. 1481. GENERAL AUTHORITY.

"(a) CAPITALIZATION GRANT AGREEMENTS.—The Administrator shall offer to enter into an agreement with each State to make capitalization grants to the State pursuant to section 1482 (referred to in this part as a 'capitalization grants') to establish a drinking water treatment State revolving loan fund (referred to in this part as a 'State loan fund').

"(b) REQUIREMENTS OF AGREEMENTS.—An agreement entered into pursuant to this section shall establish, to the satisfaction of the Administrator, that—

"(1) the State has established a State loan fund that complies with the requirements of this part;

"(2) the State loan fund will be administered by an instrumentality of the State that has the powers and authorities that are required to operate the State loan fund in accordance with this part;

"(3) the State will deposit the capitalization grants into the State loan fund;

"(4) the State will deposit all loan repayments received, and interest earned on the amounts deposited into the State loan fund under this part, into the State loan fund;

"(5) the State will deposit into the State loan fund an amount equal to at least 20 percent of the total amount of each capitalization grant to be made to the State on or before the date on which the grant is made to the State;

"(6) the State will use funds in the State loan fund in accordance with an intended use plan prepared pursuant to section 1484(b);

"(7) the State has in effect legal authority adequate to prevent the formation of nonviable public water systems beginning not later than January 1, 1996; and

"(8) the State and loan recipients that receive funds that the State makes available from the State loan fund will use accounting, audit, and fiscal procedures that conform to generally accepted accounting standards, as determined by the Administrator.

"(c) ADMINISTRATION OF STATE LOAN FUNDS.—

"(1) IN GENERAL.—The authority to establish assistance priorities and carry out oversight and related activities (other than financial administration) with respect to financial assistance provided with amounts deposited into the State loan fund shall remain with the State agency that has primary responsibility for the administration of the State program pursuant to section 1413(a).

"(2) FINANCIAL ADMINISTRATION.—A State may combine the financial administration of the State loan fund pursuant to this part with the financial administration of a State water pollution control revolving fund established by the State pursuant to title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) if the Administrator determines that the grants to be provided to the State under this part, together with loan repayments and interest deposited into the State loan fund pursuant to this part, will be segregated and used solely for the purposes specified in this part.

"SEC. 1482. CAPITALIZATION GRANTS.

"(a) GENERAL AUTHORITY.—The Administrator may make grants to capitalize State loan funds to a State that has entered into an agreement pursuant to section 1481.

"(b) FORMULA FOR ALLOTMENT OF FUNDS.—

"(1) IN GENERAL.—Subject to subsection (c), funds made available to carry out this part shall be allotted to States that have entered into an agreement pursuant to section 1481 in accordance with a formula that is the same as the formula used to distribute public water system supervision grant funds under section 1443 for fiscal year 1994.

"(2) OTHER JURISDICTIONS.—Each formula established pursuant to paragraph (1) shall reserve not less than 0.5 percent of the amounts made available to carry out this part for a fiscal year for providing capitalization grants to jurisdictions, other than Indian Tribes, referred to in subsection (e).

"(c) RESERVATION OF FUNDS.—

"(1) INDIAN TRIBES.—

"(A) IN GENERAL.—For each fiscal year, prior to the allotment of funds made available to carry out this part, the Administrator shall reserve 1 percent of the funds for providing financial assistance to Indian Tribes pursuant to subsection (e).

"(B) USE OF FUNDS.—Funds reserved pursuant to subparagraph (A) shall be used to address the most significant threats to public health associated with public water systems that serve Indian Tribes, as determined by the Administrator in consultation with the Commissioner of Indian Affairs.

"(C) NEEDS ASSESSMENT.—The Administrator, in consultation with the Commissioner of Indian Affairs, shall, in accordance with a schedule that is consistent with the needs survey for assessments conducted pursuant to section 1485(c), prepare a biennial survey and assess the needs of drinking water treatment facilities to serve Indian Tribes, including an evaluation of the public water systems that pose the most significant threats to public health.

"(2) PUBLIC HEALTH EMERGENCIES.—

"(A) IN GENERAL.—For each fiscal year, prior to the allotment of funds made available to carry out this part pursuant to subsection (b), the Administrator shall reserve 1 percent of the funds to provide financial assistance to respond to public health emergencies under section 1442(b).

"(B) ALLOTMENT OF UNUSED FUNDS.—On the last day of each fiscal year, the Administrator shall allot any funds that were reserved pursuant to subparagraph (A) but not expended in the fiscal year to the States on the basis of the same ratio as is applicable to sums allotted under subsection (b).

"(d) ALLOTMENT PERIOD.—

"(1) PERIOD OF AVAILABILITY FOR FINANCIAL ASSISTANCE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the sums allotted to a State pursuant to subsection (b) for a fiscal year shall be available to the State for obligation during the fiscal year for which the sums are authorized and during the following fiscal year.

"(B) FUNDS MADE AVAILABLE FOR FISCAL YEAR 1994.—The sums allotted to a State pursuant to subsection (b) from funds that are made available by appropriations for fiscal year 1994 shall be available to the State for obligation during each of fiscal years 1994 through 1996.

"(2) REALLOTMENT OF UNOBLIGATED FUNDS.—The amount of any allotment that is not obligated by a State by the last day of the period of availability established by paragraph (1) shall be immediately reallotted by the Administrator on the basis of the same ratio as is applicable to sums allotted under subsection (b). None of the funds reallotted by the Administrator shall be reallotted to any State that has not obligated all sums allotted to the State pursuant to this section during the period that the sums were available for obligation.

''(e) DIRECT GRANTS.—The Administrator is authorized to make grants for the improvement of public water systems of Indian Tribes, the District of Columbia, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Republic of Palau, pending ratification of the Compact of Free Association (formerly part of the Trust Territory of the Pacific Islands).

"SEC. 1483. ELIGIBLE ASSISTANCE.

''(a) IN GENERAL.—The amounts deposited into a State loan fund, including any amounts equal to the amounts of loan repayments and interest earned on the amounts deposited, may be used by the State to carry out projects that are consistent with this section.

''(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—The amounts deposited into a State loan fund shall be used only for providing financial assistance for—

''(1) capital expenditures for a project that will facilitate compliance with national primary drinking water regulations issued pursuant to section 1412;

''(2) capital expenditures for a project that will facilitate the consolidation of public water systems or the use of an alternative source of water supply;

''(3) capital expenditures for a project that will upgrade drinking water supply, treatment, and distribution systems;

''(4) capital expenditures for a project that will facilitate water conservation;

''(5) capital expenditures for a project that will implement a local or State source water protection program under section 1427 or 1428;

''(6) providing capital for loans by a drinking water system or State to low-income customers of a drinking water system for mitigation of radon in the air indoors;

''(7) the purchase of land that is necessary for a treatment facility; and

''(8) capital expenditures for the development of a drinking water system to replace a private drinking water supply if the water poses a significant threat to public health.

''(c) ELIGIBLE PUBLIC WATER SYSTEMS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a State loan fund may provide financial assistance only to community water systems and public and nonprofit noncommunity water systems.

''(2) PRIVATELY OWNED SYSTEMS.—Before providing financial assistance to a privately owned system pursuant to this paragraph, the State shall ensure that the assistance is secured with an appropriate amount and type of financial collateral.

''(d) TYPES OF ASSISTANCE.—Except as otherwise limited by State law, the amounts deposited into a State loan fund under this section may be used only—

''(1) to make loans, on the condition that—

''(A) the interest rate for each loan is less than or equal to the market interest rate, including an interest free loan;

''(B) annual principal and interest payments on each loan will commence not later than 1 year after the completion of the project for which the loan was made and each loan will be fully amortized not later than 20 years after the completion of the project;

''(C) the recipient of each loan will establish a dedicated source of revenue for the repayment of the loan; and

''(D) the State loan fund will be credited with all payments of principal and interest on each loan;

''(2) to buy or refinance the debt obligation of a municipality or an intermunicipal or interstate agency within the State at an interest rate that is less than or equal to the market interest rate;

''(3) to guarantee, or purchase insurance for, a local obligation if the guarantee or purchase would improve credit market access or reduce the interest rate applicable to the obligation;

''(4) as a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the State if the proceeds of the sale of the bonds will be deposited into the State loan fund;

''(5) as a source of revenue or security for the payment of interest on a local obligation, if the payment from the State loan fund does not reduce the effective interest rate of the obligation by more than 2.5 percentage points; and

''(6) to earn interest on the amounts deposited into the State loan fund.

''(e) CONSISTENCY WITH PLANNING REQUIREMENTS.—

''(1) IN GENERAL.—Beginning with fiscal year 1998, no loan or other financial assistance shall be provided from a State loan fund for any project that serves a public water system serving fewer than 3,300 individuals and that is not recommended in a State drinking water supply plan for small drinking water systems approved pursuant to section 1415(a).

''(2) CONSISTENCY WITH COMPLIANCE PROGRAM.—No loan or other financial assistance shall be provided from a State loan fund for a project that serves a public water system that serves fewer than 3,300 individuals if the project is not consistent with a small system compliance program developed pursuant to section 1415(b), if any.

''(f) ASSISTANCE FOR DISADVANTAGED COMMUNITIES.—

''(1) DEFINITION OF DISADVANTAGED COMMUNITY.—As used in this subsection, the term 'disadvantaged community' means the service area of a public water system with respect to which the average annual residential drinking water charges for a user of the system (referred to in this subsection as 'average annual residential user charges') is an amount greater than 1.5 percent of the median household income for the service area or will be an amount greater than 1.5 percent of the median household income for the service area if no subsidy is provided to the system pursuant to this subsection.

''(2) LOAN SUBSIDY.—Notwithstanding subsection (d)(1), in any case in which the State makes a loan pursuant to subsection (d)(1) to a disadvantaged community or to a community that the State expects to become a disadvantaged community as the result of a proposed project, the State may forgive an amount of the principal of the loan not to exceed the amount of forgiveness required to ensure that the average annual residential drinking water user charges for the service area of the public water system that is the subject of the loan do not exceed 1.5 percent of the median household income for the service area.

''(3) TOTAL AMOUNT OF SUBSIDIES.—For each fiscal year, the total amount of loan subsidies made by a State pursuant to paragraph (2) may not exceed 20 percent of the balance of the fund, calculated on the first day of the fiscal year.

"SEC. 1484. STATE LOAN FUND ADMINISTRATION.

''(a) ADMINISTRATION, PLANNING, AND TECHNICAL ASSISTANCE.—Each State that has a State loan fund is authorized to expend from the State loan fund a reasonable amount—

''(1) not to exceed 4 percent of the capitalization grant made to the State, for the costs of the administration of the State loan fund; and

''(2) not to exceed the greater of $500,000 or 10 percent of the capitalization grant made to the State, for technical and financial management assistance to public water systems that serve fewer than 3,300 individuals, including assistance for—

''(A) the development of small public water system management plans pursuant to section 1415(a); and

''(B) the development of small system compliance programs under section 1415(b).

''(b) INTENDED USE PLANS.—

''(1) IN GENERAL.—After providing for public review and comment, each State that has entered into a capitalization agreement pursuant to this part shall, prior to receiving a capitalization grant under section 1482, prepare a plan that identifies the intended uses of the amounts deposited into the State loan fund of the State.

''(2) CONTENTS.—An intended use plan shall include—

''(A) a list of the projects to be assisted in the first fiscal year that begins after the date of the plan, including a description of the project, the terms of financial assistance, and the size of the community served;

''(B) a description of all projects for which a public water system sought financial assistance for the fiscal year and the annual user charges of the system;

''(C) the criteria and methods established for the distribution of funds;

''(D) a description of projects expected to be assisted in the 2 fiscal years following the fiscal year for which a list was prepared under subparagraph (A); and

''(E) a description of the financial status of the State loan fund and the short-term and long-term goals of the State loan fund.

''(3) USE OF FUNDS.—An intended use plan shall provide, to the extent practicable, that first priority for the use of funds be given to public water systems that are in violation of a national primary drinking water regulation and in which residential water system rates are the highest percentage of median household income.

''(4) CONSOLIDATION.—An intended use plan shall ensure that no assistance under this part for a project other than the consolidation of public water systems is provided to a public water system for which consolidation is identified as a goal in a small public water system management plan developed pursuant to section 1415(a) or otherwise determined by the Administrator to be appropriate.

"SEC. 1485. STATE LOAN FUND MANAGEMENT.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this part, and annually thereafter, the Administrator shall conduct such reviews and audits as the Administrator considers appropriate, or require each State to have the reviews and audits independently conducted, in accordance with the single audit requirements of chapter 75 of title 31, United States Code.

''(b) STATE REPORTS.—Not later than 1 year after the date of enactment of this part, and annually thereafter, each State that administers a State loan fund shall publish and submit to the Administrator a report on the activities of the State under this part, including the findings of the most recent audit of the State loan fund.

"(c) DRINKING WATER NEEDS SURVEY AND ASSESSMENT.—Not later than 2 years after the date of enactment of this part, and every 4 years thereafter, the Administrator shall submit to Congress a survey and assessment of the needs for facilities in each State eligible for assistance under this part. The survey and assessment conducted pursuant to this subsection shall—

"(1) identify the needs for projects or facilities eligible for assistance under this part on the date of the assessment (other than refinancing for a project pursuant to section 1483(d)(2));

"(2) identify the needs for eligible facilities over the 20-year period following the date of the assessment;

"(3) identify the population served by each public water system that has a project eligible for assistance; and

"(4) include such other information as the Administrator determines to be appropriate.

"(d) EVALUATION.—The Administrator shall conduct an evaluation of the effectiveness of the State loan funds through fiscal year 1996. The evaluation shall be submitted to Congress at the same time as the President submits to Congress, pursuant to section 1108 of title 31, United States Code, an appropriations request for fiscal year 1998 relating to the budget of the Environmental Protection Agency.

"SEC. 1486. ENFORCEMENT.

"The failure or inability of any public water system to receive funds under this part or any other loan or grant program, or any delay in obtaining the funds, shall not alter the obligation of the system to comply in a timely manner with all applicable drinking water standards and requirements of this Act.

"SEC. 1487. LABOR STANDARDS.

"(a) IN GENERAL.—The Administrator shall take such action as is necessary to ensure that all laborers and mechanics employed by contractors or subcontractors of treatment works for which financial assistance is provided under this part shall be paid wages at rates not less than the prevailing rates for the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor in accordance with the Act entitled 'An Act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes', approved March 3, 1931 (commonly known as the 'Davis-Bacon Act') (40 U.S.C. 276a et seq.).

"(b) AUTHORITY AND FUNCTIONS.—With respect to the labor standards described in subsection (a), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 Fed. Reg. 3176) and section 2 of the Act of June 13, 1934 (48 Stat. 948, chapter 482; 40 U.S.C. 276c).

"SEC. 1488. REGULATIONS AND GUIDANCE.

"The Administrator shall publish such guidance and issue such regulations as are necessary to carry out this part, including guidance and regulations to ensure that—

"(1) each State commits and expends funds from State loan funds in accordance with the requirements of this part and applicable Federal and State laws; and

"(2) the States and eligible public water systems that receive funds under this part use accounting, audit, and fiscal procedures that conform to generally accepted accounting standards.

"SEC. 1489. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to the Environmental Protection Agency to carry out this part $600,000,000 for fiscal year 1994 and $1,000,000,000 for each of fiscal years 1995 through 2000.".

(b) DEFINITIONS.—Section 1401 (42 U.S.C. 300f) is amended—

(1) in paragraph (14), by adding at the end the following new sentence: "The term includes any Native village, as defined in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c))."; and

(2) by adding at the end the following new paragraphs:

"(15) The term 'community water system' means a public water system that—

"(A) serves at least 15 service connections used by year-round residents of the area served by the system; or

"(B) regularly serves at least 25 year-round residents.

"(16) The term 'noncommunity water system' means a public water system that is not a community water system.

"(17) The term 'nonviable public water system'—

"(A) means a public water system that the Governor of a State determines is unlikely to attain compliance with the requirements of this Act on a sustained basis; but

"(B) does not include a public water system that the Governor determines will substantially improve existing conditions that pose a threat to public health.".

SEC. 4. NATIONAL DRINKING WATER REGULATIONS.

(a) IDENTIFICATION OF CONTAMINANTS.—Paragraph (3) of section 1412(b) (42 U.S.C. 300g–1(b)(3)) is amended to read as follows:

"(3)(A) The Administrator may publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for any contaminant that the Administrator determines may have any adverse effect on human health and that is known or anticipated to occur in public water systems in a concentration or frequency that indicates a public health concern. The Administrator shall not be required to complete action under subparagraph (B), (C), or (D) prior to promulgating a national primary drinking water regulation for a contaminant.

"(B)(i) Not later than 3 years after the date of enactment of the Safe Drinking Water Act Amendments of 1993, the Administrator shall publish in the Federal Register a list and assessment of not fewer than 15 unregulated contaminants that, on the basis of the adverse health effects that may result from the contaminants and the occurrence of the contaminants in public water systems, the Administrator determines present the greatest public health concern. Not later than 3 years after the date of publication of an initial list pursuant to this clause, and every 3 years thereafter, the Administrator shall publish, pursuant to this clause, a list and assessment of not fewer than 7 contaminants. At the time of the identification of any contaminant pursuant to this subparagraph, the Administrator shall identify such additional research concerning health effects as is necessary to ensure appropriate control of the contaminant.

"(ii) Not later than 1 year prior to publication of a list pursuant to this subparagraph, the Administrator shall publish in the Federal Register a proposed list and a summary of information concerning the health effects and occurrence of contaminants proposed to be listed pursuant to this subparagraph and any contaminants considered for inclusion on the list established under this subparagraph that the Administrator has not proposed to be listed.

"(iii) Not later than 180 days after publishing a proposed list pursuant to clause (ii), the Administrator, in conjunction with the National Drinking Water Advisory Council, shall hold a public hearing to hear comments on the list of contaminants proposed pursuant to clause (ii). The Council shall submit to the Administrator a report recommending any changes to the proposed list along with any dissenting views of members of the Council. Each hearing conducted pursuant to this clause shall be open to the public and each person submitting comments on the list proposed pursuant to clause (ii) shall be invited to attend the hearing.

"(C)(i) Not later than 2 years after a contaminant has been listed pursuant to subparagraph (B), the Administrator shall publish a health assessment for the contaminant that contains a summary of the research on the adverse health effects that are likely as a result of the occurrence of the contaminant in public water systems.

"(ii) The Administrator may, after providing notice in the Federal Register, delay the date of publication of the health assessment required under clause (i) for a period not to exceed 2 years, if the Administrator determines that additional research is necessary to fully determine the adverse health effects that may result from the contaminant.

"(iii) Each health assessment required under clause (i) shall be reviewed by the Science Advisory Board established under section 8 of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365) prior to publication.

"(D)(i) At the time a health assessment for a contaminant is published under subparagraph (C), the Administrator shall—

"(I) propose a maximum contaminant level goal and a national primary drinking water regulation for the contaminant; or

"(II) publish a determination that the contaminant does not meet the criteria established in subparagraph (A) and a national primary drinking water regulation for the contaminant will not be proposed.

"(ii) A determination published pursuant to clause (i)(II) shall be considered to be a final agency action for purposes of section 1448.

"(E) Not later than 18 months after the date on which the Administrator proposes a national primary drinking water regulation for a contaminant pursuant to subparagraph (D), the Administrator shall publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for the contaminant.

"(F) The Administrator shall publish a health advisory pursuant to subsection (f) for any contaminant listed under subparagraph (B) for which the Administrator determines, pursuant to subparagraph (D)(i)(II), that a national primary drinking water regulation is not necessary not later than 1 year after the date of the determination.

"(G) To ensure adequate occurrence data for purposes of this paragraph, the Administrator shall establish a data base on the occurrence of unregulated contaminants in public water systems and shall ensure that the data base is available to the public in readily accessible form. Information in the data base shall include—

"(i) such monitoring information on unregulated contaminants collected by public water systems that serve more than 10,000 individuals as is required by the Administrator;

"(ii) monitoring information from representative sampling among public water systems that serve fewer than 10,000 individuals collected by the Administrator or by the States; and

"(iii) such other monitoring information collected from public water systems as the Administrator shall require.

"(H)(i) Except as provided in clause (ii), if in a petition signed by 7 or more Governors of States, the Governors request the Administrator to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for a contaminant, the Administrator shall publish the goal and promulgate the regulation not later than the date that is 2 years after the receipt of the petition.

"(ii) The Administrator shall not be required to carry out clause (i) with respect to a contaminant if, prior to the date specified in clause (i), the Administrator publishes a determination in the Federal Register that—

"(I) the contaminant does not result in adverse effects on human health as the result of the presence of the contaminant in public water systems; or

"(II) the concentration or frequency of occurrence of the contaminant in public water systems does not constitute a public health concern.

"(iii) A determination by the Administrator not to promulgate a national primary drinking water regulation for a contaminant pursuant to clause (ii) shall be considered to be a final agency action for purposes of section 1448.".

(b) Drinking Water Standard Review and Compliance Periods.—

(1) Review period.—The first and second sentences of section 1412(b)(9) (42 U.S.C. 300g–1(b)(9)) are each amended by striking "3" each place it appears and inserting "6".

(2) Compliance period.—The first sentence of section 1412(b)(10) (42 U.S.C. 300g–1(b)(10)) is amended by striking all after "effect" and inserting "on a date to be determined by the Administrator that shall be not later than 3 years after the date of promulgation of the regulations.".

(3) Extension.—Section 1416(b)(2) (42 U.S.C. 300g–5(b)(2)) is amended—

(A) in subparagraph (A), by striking all after "but" and inserting the following: "not later than 2 years after the date of granting of the exemption if the appropriate official of the public water system establishes, to the satisfaction of the State, that—

"(i)(I) the system cannot meet the standard without capital improvements and the improvements cannot be completed within the compliance period specified in section 1412(b)(10);

"(II) in the case of a system that needs financial assistance for the necessary improvements, the system has obtained the assistance, or the needed financial assistance is identified in an intended use plan developed pursuant to section 1484(b) and the assistance is reasonably likely to be available within the period of the exemption; or

"(III) the appropriate official of the system has entered into an enforceable agreement to consolidate with another public water system or the system is scheduled to be consolidated with another system pursuant to a small system compliance program developed pursuant to section 1415(b) within the period of the exemption; and

"(ii) the appropriate officials of the system are taking all practicable steps to meet the standard."; and

(B) by striking subparagraphs (B) and (C).

(4) Small system compliance programs.—

(A) Subsections (a) and (b) of section 1416 (42 U.S.C. 300g–5 (a) and (b)) are amended by inserting "or an approved small system compliance program requirement" after "treatment technique requirement" each place it appears.

(B) Section 1416(a) (42 U.S.C. 300g–5(a)) is amended by striking "or from both".

(c) Monitoring Requirements.—

(1) In general.—Section 1412(b) (42 U.S.C. 300g–1(b)) is amended by adding at the end the following new paragraph:

"(12)(A) The Administrator may modify a national primary drinking water regulation promulgated under this section to remove the monitoring requirements for public water systems that have not detected the contaminant that is the subject of the regulation if the systems subject to the requirements have completed at least 2 rounds of monitoring and—

"(i) the contaminant has been detected in fewer than 5 percent of all of the public water systems and the contaminant level exceeds the maximum contaminant level for the contaminant in fewer than 0.5 percent of all of the public water systems; or

"(ii) the contaminant has not been detected at a level exceeding 75 percent of the maximum contaminant level for the contaminant in any of the public water systems.

"(B) The Administrator may modify a national primary drinking water regulation to remove the monitoring requirements applicable to public water systems with surface water supplies or to systems with ground water supplies, if the systems meet the conditions described in subparagraph (A).

"(C) Nothing in this paragraph is intended to be interpreted, construed, or applied to limit the authority of the Administrator or a State to maintain drinking water monitoring requirements for a specific public water system or to take enforcement action with respect to the elements of a national primary drinking water regulation other than the monitoring requirements.".

(2) Small system monitoring.—Section 1445(a)(1) (42 U.S.C. 300j–4(a)(1)) is amended—

(A) by designating the first and second sentences as subparagraphs (A) and (B), respectively; and

(B) by adding at the end the following new subparagraph:

"(C) With respect to monitoring requirements for cancer causing contaminants, the Administrator or a State that has primary enforcement responsibility pursuant to section 1413(a) may modify the requirements to provide that any public water system that serves a population of fewer than 10,000 individuals shall not be required to conduct additional quarterly monitoring for a specific contaminant if monitoring for any 1 quarter conducted after the date of enactment of this subparagraph for the contaminant fails to detect the presence of the contaminant in the water supplied by the public water system.".

(d) Health Advisories.—Section 1412 (42 U.S.C. 300g–1) is amended by adding at the end the following new subsection:

"(f)(1) The Administrator may publish a health advisory consisting of scientific documents describing the probable health effects of a contaminant for which no maximum contaminant level or treatment technique has been established under a primary drinking water standard.

"(2) A health advisory published under this subsection shall provide background and related information to drinking water professionals in a form that will assist the professionals in the safe and effective operation of public water systems.

"(3) A health advisory published under this subsection shall not be enforceable under this Act.

"(4) Subsection (e) shall not apply to a health advisory published under this subsection.

"(5) A health advisory published under this subsection shall not be subject to review by the Office of Management and Budget.".

(e) Substitution of Sulfate.—Section 1412(b)(2) (42 U.S.C. 300g–1(b)(2)) is amended by adding at the end the following new subparagraph:

"(E) Notwithstanding any requirement for the Administrator to take action by the date specified in subparagraph (B), the Administrator may, not later than 1 year after the date of enactment of this subparagraph, publish regulations pursuant to this paragraph for a contaminant in lieu of sulfate if the Administrator determines that the regulation of the contaminant in lieu of sulfate will result in greater protection of public health.".

SEC. 5. SMALL PUBLIC WATER SYSTEMS.

(a) In General.—

(1) Small system management.—Section 1415 (42 U.S.C. 300g–4) is amended to read as follows:

"SEC. 1415. SMALL PUBLIC WATER SYSTEMS.

"(a) Small System Management Plans.—

"(1) In general.—Each State with primary enforcement responsibility pursuant to section 1413 shall, not later than October 1, 1997, and every 3 years thereafter, submit to the Administrator a State drinking water supply plan for the effective and coordinated management of public water systems that serve fewer than 3,300 individuals.

"(2) Requirements for plans.—Each plan submitted pursuant to this subsection shall, with respect to public water systems that serve fewer than 3,300 individuals—

"(A) identify each system and describe the characteristics of the system, including the treatment provided to drinking water and any protection of the drinking water source;

"(B) identify each system that has an exemption granted pursuant to section 1416;

"(C) describe projected population changes in the service area of each system during the 20-year period beginning on the date of submission of the plan and identify each system for which a substantially increased supply of water or treatment of water will be needed;

"(D) establish criteria for identifying a nonviable system and identify each system that meets the criteria;

"(E) identify opportunities for physical and administrative consolidation of systems to improve drinking water quality and reduce user cost, including a ranking of systems giving the highest priority to the consolidation of nonviable public water systems;

"(F) identify opportunities for the development of alternative supplies of raw water;

"(G) establish criteria for assessing the financial capability of systems for the purposes of determining management options under paragraph (6);

"(H) identify financing needs of systems and assess the extent to which these needs will be met by State loan funds established under part H; and

"(I) identify opportunities for more cost-effective monitoring of drinking water, including compositing of samples and testing by a State laboratory.

"(3) Identification by state.—On the basis of the review and assessment of the status and condition of small water systems pursuant to paragraph (2), the State shall as part of the plan identify, for each system that is in violation of (or is expected to violate) a maximum contaminant level, 1 of the following management approaches:

"(A) Compliance with the maximum contaminant level, based on a finding that the system has the financial and management capacity to comply with the maximum contaminant level, taking into account the availability of financial assistance through a State drinking water loan fund or the Rural Development Administration.

"(B) The development of an individualized compliance program that implements consolidation, alternative water supply, alternative small system technology, or other system restructuring pursuant to subsection (b).

"(4) RANK AND SCHEDULE FOR COMPLIANCE PROGRAMS.—With respect to systems for which a compliance program is to be developed, each State plan shall—

"(A) rank systems, giving priority to systems with respect to which drinking water poses the greatest threat to public health;

"(B) specify a schedule for the development of not less than ⅓ of compliance programs not later than the date that is 5 years after the date of submittal of the plan; and

"(C) specify a schedule for the development of all compliance programs not later than the date that is 10 years after the date of submittal of the plan.

"(5) COMPLIANCE WITH MAXIMUM CONTAMINANT LEVELS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), each system that is required to comply with a maximum contaminant level shall comply by the date that is 3 years after the date of approval of the plan submitted pursuant to this subsection.

"(B) REDUCED PERIOD OF COMPLIANCE.—If the period of compliance established under a drinking water regulation is less than 3 years, the period of compliance under subparagraph (A) shall be the period specified in the drinking water regulation.

"(6) PUBLIC HEARINGS CONCERNING PLANS.—Each State shall provide for public review and comment on plans submitted pursuant to this subsection and shall, at a minimum, provide for a public hearing on the plan not later than 90 days prior to the submission of the plan to the Administrator.

"(7) REVIEW OF PLANS.—

"(A) IN GENERAL.—The Administrator shall review each plan submitted pursuant to this subsection. Not later than 90 days after receipt of the plan, the Administrator shall approve or disapprove the plan.

"(B) PLAN APPROVAL.—The Administrator shall approve a plan if the plan is consistent with the requirements of the subsection. If the Administrator disapproves a plan, the disapproval shall specify necessary modifications or revisions to the plan. The State shall make the modifications or revisions not later than 30 days after receipt of notice of the disapproval.

"(C) FAILURE TO MODIFY PLAN.—If a State fails to make modifications or revisions to a plan pursuant to subparagraph (B), the Administrator may withhold from the State from funds made available to the State pursuant to section 1484(a)(2), such sums as the Administrator determines to be appropriate.

"(D) The approval of a plan pursuant to this paragraph shall not constitute a necessary condition for consolidation of public water systems.

"(b) SMALL SYSTEM COMPLIANCE PROGRAMS.—

"(1) IN GENERAL.—Each State shall, in cooperation with small public water systems identified pursuant to subsection (a)(3)(B), develop compliance programs for the systems to ensure the effective management and operation of the systems.

"(2) GOALS FOR COMPLIANCE PROGRAMS.—

"(A) IN GENERAL.—Each compliance program referred to in paragraph (1) shall provide for compliance with maximum contaminant levels to the maximum extent practicable.

"(B) SMALL SYSTEM TECHNOLOGY.—A compliance program may provide for small system technology identified in guidance issued pursuant to section 1412(b)(13) if the technology provides the greatest degree of public health protection consistent with the financial and management capability of the system. In determining the financial and management capability of a system, the appropriate official of a State shall take into consideration the expected availability of financial assistance through a State drinking water loan fund or the Rural Development Administration and the cost savings associated with reasonably available opportunities for physical or administrative consultation.

"(C) PROHIBITION.—A compliance program may not provide for small system technology that would result in an unreasonable risk to public health.

"(3) REQUIREMENTS FOR COMPLIANCE PROGRAMS.—Each compliance program developed by a State for a small public water system pursuant to this subsection shall—

"(A) describe the system characteristics, source of raw water, service area, compliance history, and financial condition;

"(B) identify options for the effective management and operation of the system including—

"(i) the consolidation of the system in physical or administrative terms;

"(ii) the development of alternative sources of raw water; and

"(iii) the treatment of an existing or alternative source of raw water, including a treatment identified in small system technology guidance;

"(C) identify measures needed to ensure the long-term quality of a source of raw water;

"(D) identify administrative and management requirements necessary to ensure the effective operation of the system;

"(E) select a final option from among options identified in subparagraph (B);

"(F) include a financial plan that is sufficient to ensure the implementation of the compliance program; and

"(G) include such engineering designs and specifications as are necessary to commence the implementation of the compliance program.

"(4) SCHEDULE FOR IMPLEMENTATION.—Each compliance program developed pursuant to this subsection shall be implemented as expeditiously as practicable, but not later than 3 years after the date of submittal of the compliance program to the Administrator.

"(5) PUBLIC PARTICIPATION.—Each State or public water system shall provide for public participation in the development of a compliance program under this subsection and shall, at a minimum, provide for a public hearing to hear comments on any option selected pursuant to paragraph (3)(E).

"(6) REVIEW BY ADMINISTRATOR.—Each State shall provide a copy of each compliance program to the Administrator on completion of the program. The Administrator may disapprove a compliance program if the program is not consistent with the requirements of this Act or poses an unreasonable risk to public health. If the Administrator disapproves a compliance program for a public water system, the system shall comply with maximum contaminant levels not later than 3 years after the date of the disapproval.".

(2) CONFORMING AMENDMENTS.—

(A) Section 1411 (42 U.S.C. 300g) is amended by striking "sections 1415 and 1416" and inserting "section 1416".

(B) Section 1412(b) (42 U.S.C. 300g-1(b)) is amended—

(i) in paragraph (7)(A), by striking ", but the Administrator may grant a variance from any specified treatment technique in accordance with section 1415(a)(3)";

(ii) in paragraph (7)(C)(ii), by striking "In lieu of the provisions of section 1415 the" and inserting "The"; and

(iii) in paragraph (8), by striking the second and third sentences.

(C) Section 1448(b) (42 U.S.C. 300j-7(b)) is amended by striking "a variance or exemption under section 1415 or 1416" and inserting "an exemption under section 1416".

(b) SMALL SYSTEM TECHNOLOGY GUIDANCE.—

(1) IN GENERAL.—Section 1412(b) (42 U.S.C. 300g1(b), as amended by section 4(c), is further amended by adding at the end the following new paragraph:

"(13)(A) At the same time as the Administrator publishes a national primary drinking water regulation pursuant to this section, the Administrator shall publish guidance describing various treatment technologies associated with the contaminant that is the subject of regulations and that are appropriate for systems serving fewer than 3,300 individuals.

"(B) The guidance published pursuant to this paragraph shall identify the effectiveness of the technology, the cost of the technology, and any other characteristics of the technology that the Administrator determines to be relevant. The Administrator shall include in the guidance low-cost technologies and may include technologies that may not result in attainment of a maximum contaminant level.

"(C) The Administrator may not include in the guidance published under this paragraph any technology that would pose an unreasonable risk to public health.".

(2) EXISTING REGULATIONS.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall issue small system technology guidance for contaminants regulated by drinking water regulations published at 54 Fed. Reg. 27486 on June 29, 1989, 56 Fed. Reg. 3526 on January 30, 1991, 56 Fed. Reg. 30266 on July 1, 1991, and 57 Fed. Reg. 31776 on July 17, 1992, under title XIV of the Public Health Service Act (42 U.S.C. 300f et seq.).

(3) EXTENSIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, no public water system serving fewer than 3,300 individuals shall be required to comply with any maximum contaminant level or treatment technology specified in a regulation identified in paragraph (2) until the date that is—

(i) the termination date of the compliance period established in State small system management plan developed pursuant to section 1415(a)(5) of title XIV of the Public Health Service Act (as amended by section 5); or

(ii) the end of the compliance period established in a small system compliance program pursuant to section 1415(b)(4) of such title (as amended by section 5).

(B) EXCEPTION TO EXTENSION.—The extension provided by subparagraph (A) shall not apply to any public water system that—

(i) is in compliance with a maximum contaminant level;

(ii) has installed treatment technology to comply with a maximum contaminant level; or

(iii) is subject to a court order to comply with a maximum contaminant level.

(C) ADDITIONAL EXCEPTION.—The extension provided by subparagraph (A) shall not apply to any contaminant addressed in the regulations referred to in paragraph (2) (except for the regulations referred to in subparagraph (D)) if the contaminant was regulated prior to 1986.

(D) APPLICABILITY OF REGULATIONS.—In the case of regulations published at 54 Fed. Reg. 27486 on June 29, 1989, the extension provided by subparagraph (A) shall only apply to noncommunity public water systems.

SEC. 6. ENFORCEMENT OF DRINKING WATER REGULATIONS.

(a) IN GENERAL.—Part G of the title (as amended by section 3) is further amended to read as follows:

"PART G—ENFORCEMENT

"SEC. 1471. PROTECTION OF PUBLIC WATER SYSTEMS AND GENERAL PROHIBITION OF CONTAMINATION OF DRINKING WATER SOURCES.

"(a) GENERAL PROHIBITION ON CONTAMINATION.—Notwithstanding any other provision of this title, the failure to comply with any applicable requirement of this title, any regulation promulgated pursuant to part B or E, or any requirement imposed pursuant to part B or E shall be unlawful.

"(b) DEFINITION.—As used in this part, the term 'applicable requirement of this title' means—

"(1) a requirement of section 1412, 1414, 1415, 1416, 1417, 1419, 1428, 1445, 1447, 1463, 1464, or 1471;

"(2) a regulation promulgated pursuant to a section referred to in clause (i);

"(3) a requirement imposed pursuant to a section referred to in clause (i); or

"(4) any requirement of, or permit issued, under—

"(A) an applicable State program for which the Administrator has made a determination that the requirements of section 1413 have been satisfied; or

"(B) an applicable State program approved pursuant to any other provision of part B.

"SEC. 1472. CIVIL ENFORCEMENT.

"(a) IN GENERAL.—

"(1) ACTIONS BY THE ADMINISTRATOR.—Whenever, on the basis of any information available to the Administrator, the Administrator finds that any person—

"(A) has violated any applicable requirement of this title; or

"(B) has failed to comply with any order issued under part B by the Administrator or by a State with primary enforcement authority pursuant to section 1413 or by a State pursuant to a program approved pursuant to any other provision of part B,

the Administrator shall issue an order requiring the person to comply with the requirement, regulation, schedule, permit or State order pursuant to this subsection, issue a penalty order assessing an administrative penalty pursuant to subsection (c), commence a civil action in accordance with subsection (d), or notify the person and the State of the finding.

"(2) ORDERS.—If, during the period beginning on the date that is 31 days after the Administrator provides notice to the State of the finding the State has not commenced appropriate enforcement action, the Administrator shall—

"(A) issue an order requiring the person to comply with the requirement, regulation, schedule, or permit pursuant to this subsection;

"(B) issue a penalty order proposing an administrative penalty pursuant to subsection (c); or

"(C) or commence a civil action in accordance with subsection (d).

"(3) COMPLIANCE.—Compliance with a requirement of a small system compliance program carried out pursuant to section 1415(b), an exemption issued pursuant to section 1416, or any schedule or requirement imposed pursuant to section 1415(b) or 1416 shall, for the purposes of this section, be considered as compliance with section 1412.

"(b) ADMINISTRATIVE COMPLIANCE ORDERS.—

"(1) SERVICE.—If a compliance order or notice under subsection (a) is issued to a corporation, a copy of the compliance order or notice shall be served on any appropriate corporate officers.

"(2) REQUIREMENTS.—A compliance order issued under subsection (a) shall—

"(A) be served by personal service;

"(B) state with reasonable specificity the nature of the violation; and

"(C) specify a reasonable time for compliance that takes into account the nature of the violation.

"(c) ADMINISTRATIVE PENALTY ORDERS.—

"(1) VIOLATIONS.—

"(A) IN GENERAL.—If the Administrator makes a finding pursuant to subsection (a) that a person (other than a Federal agency) has violated a requirement referred to in subsection (a)(1)(A) or has failed to comply with an order referred to in subsection (a)(1)(B), the Administrator may issue a penalty order assessing a class I civil penalty or a class II civil penalty under this subsection against the person.

"(B) CLASS II CIVIL PENALTY.—If the Administrator makes a finding pursuant to subsection (a), that a Federal agency has violated a requirement referred to in subsection (a)(1)(A) or has failed to comply with an order referred to in subsection (a)(1)(B), the Administrator may issue a penalty order assessing a class II civil penalty under this subsection against the Federal agency.

"(C) CLASS I ASSESSMENT PROCEDURES.—Before issuing an order assessing a class I civil penalty under this subsection, the Administrator shall provide the person to be assessed the penalty with written notice of the proposal of the Administrator to issue the order and the opportunity to, not later than 30 days after the date of receipt of the notice, request a hearing on the proposed order. The hearing shall not be subject to sections 555 and 556 of title 5, United States Code. The hearing shall provide a reasonable opportunity for the person to be heard and present evidence.

"(D) CLASS II assessment procedures.—

"(i) IN GENERAL.—Before issuing an order assessing a class II civil penalty under this subsection, the Administrator shall—

"(I) act in the same manner for, and in accordance with the same provisions of law applicable to, the assessment and collection of civil penalties after notice and opportunity for a hearing on the record in accordance with section 554 of title 5, United States Code;

"(II) provide public notice of, and reasonable opportunity to comment on, the proposal to issue the order; and

"(III) in the case of a request for a hearing by the appropriate official of a Federal agency that is the subject of a proposed penalty order, give prompt public notice of the request.

"(ii) PROCEDURES.—The Administrator may issue rules for discovery procedures in class II hearings under this subsection. Any person who comments on a proposed assessment of a class II penalty under this subsection shall be given notice of any hearing held under this section and of the order assessing the penalty. In any hearing concerning a class II penalty held pursuant to this subsection, the person shall be provided a reasonable opportunity to be heard and present evidence.

"(2) CLASSES OF PENALTIES.—

"(A) CLASS I.—A class I civil penalty assessed under paragraph (1) shall be in an amount not to exceed $10,000 per day per violation, except that the maximum amount of a class I civil penalty referred to in the preceding sentence shall not exceed $25,000. A class I penalty order issued pursuant to subsection (c), other than an order issued upon consent, shall become final not later than 30 days after the order is issued. An order issued upon consent pursuant to this subsection shall become final on the issuance of the order.

"(B) CLASS II.—A class II civil penalty assessed under paragraph (1) shall be in an amount not to exceed $10,000 per day per violation, except that the maximum amount of a class II civil penalty assessed under paragraph (1) shall not exceed $200,000. A class II penalty order issued pursuant to subsection (c), other than an order issued upon consent, shall become final unless, not later than 30 days after the order is issued along with written notice of an opportunity to request a hearing, the person who is the subject of the order requests a hearing.

"(3) DETERMINING AMOUNT.—In determining the amount of a penalty assessed under this subsection, the Administrator shall take into account the seriousness of each violation, the economic benefit (if any) resulting from the violation, any history of similar violations including violations that are not part of the then current action, any good-faith efforts to comply with applicable requirements before the initiation of the action, the economic impact of the penalty on the violator, and such other matters as justice may require.

"(4) EFFECT OF ORDER.—

"(A) LIMITATION ON ACTIONS UNDER OTHER SECTIONS.—An action taken by the Administrator under this subsection shall not affect or limit the authority of the Administrator to carry out the enforcement of this title; except that any violation—

"(i) with respect to which the Administrator has commenced and is diligently prosecuting a penalty action under this subsection; or

"(ii) for which the Administrator has issued a final order not subject to further judicial review and the violator has paid a penalty assessed under this subsection,

shall not also be the subject of a civil penalty action under subsection (d) or, in the case of a class II civil penalty, under section 1449.

"(B) APPLICABILITY OF LIMITATION WITH RESPECT TO CITIZEN SUITS.—The limitations described in subparagraph (A) concerning civil penalty actions carried out pursuant to section 1449 shall not apply with respect to any violation with respect to which—

"(i) a civil action under section 1449 has been filed prior to commencement of a penalty action under this subsection, or

"(ii) notice of an alleged violation of this title has been given in accordance with section 1449 prior to the commencement of an action carried out pursuant to this subsection and an action is filed pursuant to section 1449 with respect to the alleged violation before the date that is 120 days after the date that the notice is given.

"(5) EFFECT OF ACTION ON COMPLIANCE.—No action by the Administrator under this subsection shall affect the obligation of any person to comply with—

"(A) any requirement of section 1471 or any other provision of this title;

"(B) any regulation promulgated pursuant to this title;

"(C) any schedule or other requirement imposed pursuant to this title; and

"(D) any requirement of or permit issued under—

"(i) an applicable State program for which the Administrator has made a determination that the requirements of section 1413 are satisfied; or

"(ii) an applicable State program approved pursuant to any other provision of this title or any order issued by the Administrator pursuant to this title.

"(6) JUDICIAL REVIEW.—

"(A) IN GENERAL.—Any person against whom a penalty order is issued under this subsection, except upon consent, may obtain review of the order—

"(i) in the case of the assessment of a class I civil penalty, in the United States District Court for the District of Columbia Circuit or in the district court in the district in which the violation is alleged to have occurred; or

"(ii) in the case of the assessment of a class II civil penalty, in the United States Court of Appeals for the District of Columbia Circuit or for any other circuit in which the person resides or transacts business,

by filing a notice of appeal with the court during the 30-day period beginning on the date the penalty order becomes final and simultaneously sending a copy of the notice by certified mail to the Administrator and the Attorney General. The Administrator shall promptly file in such court a certified copy of the record on which the order was issued. The court shall not set aside or remand the order unless the court finds that there is not substantial evidence in the record, taken as a whole, to support the finding of a violation or that the assessment by the Administrator of the penalty constitutes an abuse of discretion. The court may not impose an additional civil penalty for the violation that is the subject of the assessment by the Administrator unless the court finds that the assessment constitutes an abuse of discretion by the Administrator.

"(B) JUDICIAL REVIEW.—Notwithstanding section 1448(a)(2), a class I penalty order issued under subsection (c) shall be subject to judicial review only under subparagraph (A)(i).

"(7) COLLECTION.—If any person fails to pay an assessment of a civil penalty—

"(A) after the order making the assessment has become final, or

"(B) after an action brought under paragraph (6) a court has entered a final judgment in favor of the Administrator,

the Administrator shall request the Attorney General to bring a civil action in an appropriate district court to recover the amount assessed (plus interest at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be). In the action, the validity, amount, and appropriateness of the penalty shall not be subject to judicial review.

"(8) SUBPOENAS.—The Administrator may, in connection with administrative proceedings under this subsection or in connection with investigations conducted pursuant to this title, issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, or documents. In case of contumacy or refusal to obey a subpoena issued pursuant to this paragraph and served to any person, the district court of the United States for any district in which the person is found, resides, or transacts business, on application by the United States and after notice to the person, shall have jurisdiction to issue an order requiring the person to appear and give testimony before an administrative law judge or the Administrator or to appear and produce documents before an administrative law judge or the Administrator (or both). A failure to obey an order of the court issued pursuant to the preceding sentence may be punished by the court as a contempt of the court.

"(d) CIVIL ACTIONS.—

"(1) IN GENERAL.—A civil action commenced by the Administrator pursuant to this section shall be for appropriate relief, including a permanent or temporary injunction against any person who—

"(A) has violated any applicable requirement of this title; or

"(B) has failed to comply with any order issued under this title by the Administrator or by a State with primary enforcement authority pursuant to section 1413.

"(2) JURISDICTION.—An action under this subsection may be brought in the district court of the United States for the district in which the defendant is located, resides, or is doing business, and the court shall have jurisdiction to restrain any applicable violation and to require compliance with a requirement referred to in subparagraph (A). The court may enter such judgment as the protection of public health requires.

"(3) PENALTIES.—Any person who—

"(A) has violated any applicable requirement of this title; or

"(B) has failed to comply with any order issued under this title by the Administrator or by a State with primary enforcement authority pursuant to section 1413,

shall be subject to a civil judicial penalty in an amount not to exceed $25,000 per day for each violation.

"(4) DETERMINATION OF AMOUNT OF PENALTY.—In determining the amount of a civil penalty assessed pursuant to paragraph (3), the court shall consider the seriousness of each violation, the economic benefit (if any) resulting from the violation, any history of similar violations including violations that are not part of the then current action, any good-faith efforts to comply with applicable requirements before the initiation of the civil action, the economic impact of the penalty on the violator, and such other matters as justice may require.

"(e) STATUTORY CONSTRUCTION.—Nothing in this section is intended to be construed to limit the authority of the Administrator to take enforcement action against a Federal agency under any other provision of this title.

"SEC. 1473. CRIMINAL ENFORCEMENT.

"(a) NEGLIGENT VIOLATIONS.—Any person who negligently violates any applicable requirement of this title shall, upon conviction, be punished by a fine or imprisonment for a period of not more than 1 year (or both), as provided in title 18, United States Code.

"(b) KNOWING VIOLATIONS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), any person who knowingly—

"(A) violates any applicable requirement of this title; or

"(B) has failed to comply with any order issued pursuant to section 1431,

shall, upon conviction, be punished by a fine or imprisonment for a period of not more than 5 years (or both), as provided in title 18, United States Code.

"(2) MULTIPLE CONVICTIONS.—With respect to a violation committed by a person after a first conviction of the person for any violation specified in paragraph (1), the maximum punishment for the person upon conviction shall be doubled with respect the amount of a fine and the length of imprisonment.

"(c) KNOWING ENDANGERMENT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), a person who knowingly—

"(A) violates any applicable requirement of this title;

"(B) fails to comply with any order issued pursuant to section 1431; and

"(C) in the course or connection with the act of the violation places any other person in imminent danger of death or serious bodily injury,

shall, upon conviction, be punished by a fine or imprisonment for a period of not more than 15 years (or both), as provided in title 18, United States Code.

"(2) ADDITIONAL PROVISIONS.—

"(A) KNOWING CONDUCT.—For the purposes of this subsection—

"(i) in determining whether a defendant who is an individual knew that the conduct of the defendant placed another person in imminent danger of death or serious bodily injury—

"(I) the defendant is responsible only for actual awareness or actual belief that the defendant possessed; and

"(II) knowledge possessed by a person other than the defendant but not by the defendant may not be attributed to the defendant,

except that in proving the possession by the defendant of actual knowledge, circumstantial evidence may be used, including evidence that the defendant took affirmative steps to shield the defendant from relevant information; and

"(ii) it is an affirmative defense to prosecution that the conduct charged was consented to by the person endangered and that the danger and conduct charged were reasonably foreseeable hazards of—

"(I) an occupation, a business, or a profession; or

"(II) medical treatment or medical or scientific experimentation conducted by professionally approved methods and such other person had been made aware of the risks involved prior to giving consent.

"(B) PREPONDERANCE OF EVIDENCE.—A defense referred to in subparagraph (A)(ii) may be established pursuant to subparagraph (A) by a preponderance of the evidence.

"(C) DEFINITIONS.—As used in this subsection:

"(i) IMMINENT DANGER.—The term 'imminent danger' means the existence of a condition or combination of conditions that could reasonably be expected to cause death or serious bodily injury unless the condition (or combination of conditions) is remedied.

"(ii) SERIOUS BODILY INJURY.—The term 'serious bodily injury' means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

"(d) FALSE STATEMENTS; MONITORING.—

"(1) IN GENERAL.—Any person who knowingly—

"(A) makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file any notice, application, record, report, plan, or other document filed or required to be maintained pursuant to part B or E (regardless of whether the Administrator or a State enforces the requirements);

"(B) fails to make a report required under part B or E; or

"(C) falsifies, tampers with, renders inaccurate, fails to install, maintain, or utilize any monitoring device or monitoring or treatment method required to be maintained or carried under part B or E (including any regulation or order issued by the Administrator or any State pursuant to this title), shall, upon conviction, be punished by a fine or imprisonment for a period of not more than 2 years (or both), as provided in title 18, United States Code.

"(2) Multiple convictions.—With respect to a violation committed by a person after a first conviction of the person for any violation of part B or E, the maximum punishment specified in paragraph (1) shall be doubled with respect to the amount of a fine and the length of imprisonment. With respect to a violation committed by a person who carries out an illegal activity that is punishable under this section with respect to which the purpose is to conceal or cover up a violation of part B or E, the maximum punishment specified in paragraph (1) shall be doubled with respect to the amount of a fine and the length of imprisonment.

"SEC. 1474. EFFECT OF ENFORCEMENT ACTION ON COMPLIANCE WITH OTHER APPLICABLE LAWS AND REGULATIONS.

"No action by the Administrator or any other official of the Federal Government pursuant to this title is intended to have any effect on the obligation of any person to comply with each law (including each regulation), permit term, or other requirement that applies to the person pursuant to Federal law.

"SEC. 1475. STATE AUTHORITY TO ADOPT OR ENFORCE LAWS.

"Nothing in this title is intended to diminish any authority of a State or political subdivision of a State to adopt or enforce any law (including any regulation) concerning drinking water regulation or public water systems, except that no State or local law referred to in this section may relieve any person of any requirement that is applicable to the person under this title.

"SEC. 1476. CONSOLIDATION INCENTIVE.

"(a) In General.—An owner or operator of a public water system may submit to the State in which the system is located (if the State has primary enforcement responsibility pursuant to section 1413) or to the Administrator (if the State does not have primary enforcement responsibility) a plan for—

"(1) the physical consolidation of the system with 1 or more other systems;

"(2) the consolidation of significant management and administrative functions of the system with 1 or more other systems; or

"(3) the transfer of ownership of the system to a private entity that may reasonably be expected to improve drinking water quality.

"(b) Requirements for Plans.—A plan submitted pursuant to this subsection shall—

"(1) specify a schedule of steps related to the consolidation or transfer of ownership that shall be completed not later than 2 years after the date of submission of the plan;

"(2) describe such measures as are necessary to ensure that the public water system will consistently meet the requirements of this Act; and

"(3) describe any then current violation or any anticipated future violation of this Act.

"(c) Review of Plan.—

"(1) In general.—The State shall review a plan submitted pursuant to this subsection and shall approve each plan that is consistent with the requirements of this Act.

"(2) Approval by administrator.—The State shall provide an approved plan to the Administrator. The plan shall be considered to be approved by the Administrator unless the Administrator disapproves the plan not later than 90 days after receiving the plan.

"(3) Withdrawal of approval.—The State or the Administrator may withdraw the approval of a plan on the basis of a substantial failure by an owner or operator to comply with a schedule established under paragraph (2).

"(d) Consequences of Approval.—If the State and the Administrator have approved a plan pursuant to subsection (c)—

"(1) no enforcement action conducted pursuant to this part shall be commenced prior to the completion date specified in the schedule established pursuant to subsection (b)(1); and

"(2) any violation identified in the approved plan shall not be the subject of an enforcement action conducted pursuant to this part prior to termination of the schedule.".

(b) Public Notice and Notice to State.—Section 1414 (42 U.S.C. 300g–3) is amended—

(1) by striking subsections (a) and (b);

(2) by redesignating subsection (c) as subsection (a);

(3) in subsection (a) (as so redesignated)—

(A) in the first sentence—

(i) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(ii) in paragraph (2), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(iii) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(iv) by inserting "(1)" after "(c)"; and

(B) by striking the second sentence and all that follows through the end of the subsection and inserting the following new paragraph:

"(2)(A) The Administrator shall, by regulation, prescribe the form, manner, and frequency for giving notice under this subsection.

"(B) Regulations issued under this subsection shall specify notification procedures for each violation that has the potential to cause serious adverse effects on human health. Each notice of a violation provided under this subparagraph shall—

"(i) be distributed as soon as practicable after the violation, but not later than 24 hours after the violation;

"(ii) be provided to appropriate broadcast media;

"(iii) be published in a newspaper of general circulation serving the area not later than 1 day after the distribution of a notice pursuant to clause (i), or the date of publication of the next issue of the newspaper;

"(iv) provide a clear and readily understandable explanation of—

"(I) the violation;

"(II) any potential adverse effects on human health;

"(III) the steps that the public water system is taking to correct the violation; and

"(IV) the necessity of seeking alternative water supplies until the violation is corrected; and

"(v) be provided to the State agency that has primary enforcement responsibility pursuant to section 1413 and to the Administrator.

"(C) Notice of violations other than violations identified under subparagraph (B) shall be—

"(i) provided not less frequently than annually and published in a newspaper of general circulation serving the area; and

"(ii) provided to the State agency that has primary enforcement responsibility pursuant to section 1413 and to the Administrator.

"(D) Not later than January 1, 1996, and annually thereafter, each State that has primary enforcement responsibility pursuant to section 1413 shall publish an annual report on public water system compliance in the State and submit the report to the Administrator.

"(E) Not later than July 1, 1996, and annually thereafter, the Administrator shall submit to Congress an annual report summarizing and evaluating reports submitted by States pursuant to subparagraph (D) and making recommendations concerning the resources needed to improve compliance with this title.";

(4) by redesignating subsection (d) as subsection (b); and

(5) by striking subsections (e) through (g).

(c) Technical Amendments.—

(1) Section 1416(b)(3) is amended by striking "1414" and inserting "1472 or 1473".

(2) Section 1463 (42 U.S.C. 300j–23) is amended by striking subsections (c) and (d).

(3) Section 1441 (42 U.S.C. 300j) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(d) Statutory Construction.—Nothing in this section is intended to alter any administrative proceedings for enforcement (including administrative proceedings for the issuance and enforcement of orders) initiated before the date of enactment of this section (including the procedures applicable to the enforcement proceedings in effect on the day before the date of enactment of this section).

SEC. 7. CONTROL OF LEAD IN DRINKING WATER.

(a) Fittings and Fixtures.—Section 1417 (42 U.S.C. 300g–6) is amended by adding at the end the following new subsection:

"(e) Lead Plumbing Fittings and Fixtures.—

"(1) In general.—Not later than 2 years after the date of enactment of this subsection, the Administrator shall issue regulations to establish a health-effects based performance standard that establishes minimal leaching levels of lead from new plumbing pipes, fittings, and fixtures that convey drinking water.

"(2) Consequences of failure to meet requirements.—If the requirements of paragraph (1) are not met—

"(A) by the date that is 4 years after the date of enactment of this subsection, no person may import, manufacture, process, or distribute in commerce a plumbing fitting or fixture that contains more than 7 percent lead by dry weight;

"(B) by the date that is 5 years after the date of enactment of this subsection, no person may import, manufacture, process, or distribute in commerce a plumbing fitting or fixture that contains more than 6 percent lead by dry weight;

"(C) by the date that is 6 years after the date of enactment of this subsection, no person may import, manufacture, process, or distribute in commerce a plumbing fitting or fixture that contains more than 5 percent lead by dry weight; or

"(D) by the date that is 7 years after the date of enactment of this subsection, no person may import, manufacture, process, or distribute in commerce a plumbing fitting or fixture that contains more than 4 percent lead by dry weight.".

(b) Enforcement.—Section 1417(a) (42 U.S.C. 300g-6(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "Any" and inserting "No person shall use any"; and

(ii) by striking "which is used"; and

(B) in the matter following subparagraph (B), by striking "shall be" and inserting "which is not"; and

(2) in paragraph (2)(A), by inserting after "Each" the following: "owner or operator of a".

SEC. 8. RADON IN DRINKING WATER AND INDOOR AIR.

(a) Radon in Drinking Water.—Part B (42 U.S.C. 300g et seq.) is amended by adding at the end the following new section:

"SEC. 1418. RADON IN DRINKING WATER.

"(a) Regulations for Radon in Drinking Water.—Notwithstanding any other provision of this Act or any other Federal law, on the date that is 1 year after the date of enactment of this section, the Administrator shall promulgate national primary drinking water regulations for radon.

"(b) Radon Standard.—

"(1) Maximum contaminant level.—The regulations promulgated pursuant to subsection (a) shall specify a maximum contaminant level goal and a maximum contaminant level determined pursuant to section 1412(b).

"(2) Alternative program.—Notwithstanding the requirements of section 1412(b), the regulations promulgated pursuant to subsection (a) shall—

"(A) specify an alternative contaminant level that poses a health risk that is equivalent to the health risk associated with the national average radon level in outdoor air, taking into consideration risks from inhalation, ingestion of radon in drinking water, and episodic uses of drinking water;

"(B) specify a period of compliance of 3 years; and

"(C) specify minimum conditions for alternative compliance programs carried out pursuant to subsection (c).

"(c) Alternative Compliance Programs.—

"(1) In general.—A public water system may comply with the alternative contaminant level specified in subsection (b)(2) if the system is—

"(A) implementing an alternative compliance program approved pursuant to this subsection; or

"(B) located in a State that is implementing a program to reduce radon in indoor air and is receiving State grant assistance for the program pursuant to section 306 of the Toxic Substances Control Act (15 U.S.C. 2666).

"(2) Program submittal and review.—

"(A) Submittal of program.—The appropriate official of a public water system referred to in paragraph (1) that proposes to carry out an alternative compliance program referred to in such paragraph shall submit a program to the State agency that has primary enforcement responsibility pursuant to section 1413 or another appropriate State agency designated by the Governor, not later than 18 months after the date of promulgation of the regulations under subsection (a).

"(B) Public review and comment.—The appropriate official of the public water system shall provide opportunity for public review and comment on the program prior to the submittal of the program to the State pursuant to subparagraph (A) and shall provide to the State a summary of public comments concerning the program.

"(C) Review by state.—

"(i) In general.—Not later than 180 days after the date of submittal of the program, the appropriate official of the State shall review and approve the program if the program is consistent with the requirements of this section.

"(ii) Review by administrator.—The Administrator shall, at the request of a State, review and approve a program submitted to the State pursuant to this subparagraph.

"(3) Educational material.—Each alternative compliance program referred to in paragraph (1)(A) shall provide for the distribution to each residential customer, not later than 1 year after the approval by the State of the program and every 5 years thereafter, educational material concerning radon that describes—

"(A) the health threats posed by radon;

"(B) the sources of radon (including soil gas and drinking water);

"(C) the level of radon in the drinking water provided by the public water system that is the subject of the program;

"(D) measures to reduce the levels of radon in the air indoors; and

"(E) radon testing and mitigation services offered by—

"(i) the public water system; and

"(ii) persons who do business in the service area and who are certified by the Administrator as proficient in conducting radon testing or mitigation.

"(4) Testing for radon in indoor air.—

"(A) In general.—Each alternative compliance program referred to in paragraph (1)(A) shall provide for testing of radon in indoor air in not less than 50 percent of the residences of residential customers served by the public water system as expeditiously as practicable, but not later than 5 years after the date of approval of an alternative compliance program pursuant to this subsection.

"(B) Requirement for testing.—Testing for radon in indoor air conducted pursuant to this paragraph shall be conducted by a person certified as proficient in conducting testing for radon in air by the Administrator.

"(5) Notification.—Each public water system with a program approved by a State under this subsection shall notify each person who is certified by the Administrator as proficient in radon mitigation and known to provide radon mitigation services in the service area of the system of the approval of the program, the service area of the system, and the obligation to report, pursuant to subsection (d), to the public water system any radon mitigation projects in the service area.

"(6) Radon new construction standards.—Each program developed pursuant to this section shall include the adoption, prior to submittal of the program, of enforceable mechanisms requiring compliance with radon new home construction standards established by the Administrator pursuant to section 304 of the Toxic Substances Control Act (15 U.S.C. 2664) for each new home to be served by the public water system that is the subject of the program beginning on the date that is 2 years after the date of adoption of the mechanisms.

"(7) Assessment and evaluation.—

"(A) Submittal of assessments.—Each public water system with a program approved by a State pursuant to this subsection shall provide an assessment and evaluation of program implementation to the State not later than 5 years after the date of approval of the program, and every 5 years thereafter.

"(B) Program disapproval.—In any case in which a State or the Administrator determines that a public water system has not fully complied with the requirements of this subsection, the State or the Administrator shall—

"(i) notify the public water system of the determination; and

"(ii) disapprove the alternative compliance program not later than 1 year after providing notice pursuant to clause (i), unless the system takes sufficient corrective action.

"(C) Compliance.—A public water system for which an alternative compliance program is disapproved shall comply with the maximum contaminant level for radon (as determined by the regulations promulgated under subsection (a)) not later than 3 years after the date of disapproval by the Administrator.

"(8) Role of state.—

"(A) Program responsibilities.—A State may assume some or all of the responsibilities of carrying out an alternative compliance program approved pursuant to this subsection.

"(B) Prohibition.—No Federal grant assistance provided to a State pursuant to title III of the Toxic Substances Control Act (15 U.S.C. 2661 et seq.) may be used to carry out alternative compliance programs for public water systems.

"(d) Notice of Radon Mitigation.—

"(1) In general.—Each person who is—

"(A) certified by the Administrator as proficient in radon mitigation; and

"(B) notified by a public water system pursuant to subsection (c)(7),

shall provide the public water system with a notice of any work conducted at a residence within the service area of the public water system.

"(2) Suspension of certification.—If the Administrator finds that a person who is certified by the Administrator as proficient in radon mitigation has failed to comply with this subsection, the Administrator may suspend the certification of the person.

"(e) Report.—

"(1) In general.—Not later than 7 years after the date of enactment of this subsection, the Administrator shall submit a report to Congress that assesses and evaluates the implementation of the regulations promulgated pursuant to subsection (a).

"(2) Contents of report.—The report shall—

"(A) identify the number of public water systems that are in violation of a maximum contaminant level or alternative contaminant level established pursuant to the regulations;

"(B) identify the number of programs of public water systems approved by a State pursuant to this subsection and the number of States receiving grant assistance under section 306 of the Toxic Substances Control Act (15 U.S.C. 2666);

"(C) evaluate the implementation of the public water system and State programs; and

"(D) estimate the overall change in radon exposure attained as a result of alternative compliance programs and State radon programs.

"(f) Residential Customer Defined.—As used in this section, the term 'residential customer' means a customer of a public water system that occupies a residence other than an apartment located above the first story of a building.".

(b) RADON TESTING AT TIME OF HOME SALE.—

(1) IN GENERAL.—Title III of the Toxic Substances Control Act (15 U.S.C. 2661 et seq.) is amended by adding at the end the following new section:

"SEC. 312. RADON TESTING AT TIME OF HOME SALE.

"(a) PROHIBITION.—Notwithstanding any other provision of law, beginning on the date that is 60 days after the date on which the Administrator issues regulations pursuant to subsection (b), no Federal agency shall provide a loan, loan guarantee, or other financial assistance relating to the financing of a residence located in an area identified by the Administrator as a high-risk radon area unless the sale of the residence is conducted in compliance with the regulations issued pursuant to subsection (b).

"(b) REGULATIONS.—Not later than 2 years after the date of enactment of this section, the Administrator shall issue regulations requiring testing for radon in indoor air at the time of sale of a residence located in a high-risk radon area.

"(c) TESTING.—The regulations issued pursuant to subsection (b) shall specify minimum standards and methods for radon tests and shall require that individuals conducting testing and test devices be certified by the Administrator pursuant to section 305. The regulations shall identify procedures to prevent tampering with test devices.

"(d) REPORTING.—The regulations issued pursuant to subsection (b) shall require that, not later than 10 days prior to the date of purchase of a residence, a person who proposes to purchase the residence shall be provided with—

"(1) the results of any radon test of the residence; and

"(2) background information on the health threat posed by radon.

"(e) HIGH-RISK RADON AREAS.—The regulations promulgated pursuant to subsection (b) shall describe high-risk radon areas identified by the Administrator pursuant to this title.

"(f) RESIDENCES.—The regulations issued pursuant to subsection (b) shall define the types of residential structures for which tests for radon are required.

"(g) EXISTING TEST.—The regulations issued pursuant to subsection (b) shall provide that, in any case in which a radon test has been conducted for a residence pursuant to the regulations, no additional retesting is required.

"(h) PREEXISTING TESTS.—The regulations issued pursuant to subsection (b) shall provide that any radon test conducted prior to the date of promulgation of the regulations shall be considered to meet the requirements of a test for radon for the purposes of the regulations if the test was conducted in a manner that is substantially comparable to a test conducted in accordance with the requirements of subsection (c).

"(i) FEDERAL AGENCY DEFINED.—As used in this section, the term 'Federal agency' means an Executive agency, as defined in section 105 of title 5, United States Code, and includes the Postal Service and any agency of the legislative or judicial branch of the Federal Government, and any federally chartered secondary mortgage institution.".

(2) CONFORMING AMENDMENT.—The table of contents in section 1 of the Toxic Substances Control Act (15 U.S.C. prec. 2601) is amended by inserting after the item relating to section 311 the following new item:

"Sec. 312. Radon testing at time of home sale.".

SEC. 9. POINT OF USE DEVICES.

Part B (42 U.S.C. 300g et seq.), as amended by section 8, is further amended by adding at the end the following new section:

"SEC. 1419. POINT OF USE DEVICES.

"(a) IN GENERAL.—The Administrator shall establish a program to determine the effectiveness of water treatment devices designed to—

"(1) remove contaminants installed in a residence at the point of water use; and

"(2) ensure that consumers are provided with appropriate information about the devices at the time of sale.

"(b) SUBMISSION OF INFORMATION BY MANUFACTURERS.—Not later than 1 year after the date of enactment of this section, the Administrator shall issue regulations requiring each manufacturer of a water treatment device intended to be installed at the point of water use to submit to the Administrator such information on the effectiveness and functions of the device as the Administrator determines is necessary to carry out this section.

"(c) PROVISION OF INFORMATION TO CONSUMERS.—Not later than 3 years after the date of enactment of this section, the Administrator shall issue regulations establishing minimum requirements for information to be provided to consumers prior to the purchase of water treatment devices installed at the point of water use, including—

"(1) the efficiency of removal of contaminants or classes of contaminants, including the efficiency of a device compared to other comparable devices;

"(2) the period of effectiveness of the device and the rate of degradation of treatment efficiency, if any; and

"(3) those contaminants for which the Administrator has published a national drinking water standard under section 1412 that are not removed from drinking water by the device.".

SEC. 10. DRINKING WATER SUPPLY PROTECTION.

(a) IN GENERAL.—Section 1427 (42 U.S.C. 300h-6) is amended—

(1) by striking the section heading and inserting the following new section heading:

"SEC. 1427. DRINKING WATER SUPPLY PROTECTION AREAS.";

(2) by striking subsections (a) and (b) and inserting the following new subsections:

"(a) PURPOSE.—The purpose of this section is to support and assist the establishment of programs for the protection of water supply areas.

"(b) DEFINITION OF SUPPLY PROTECTION AREA.—As used in this section, the term 'water supply protection area' means an area that contains ground water or surface water that—

"(1) is the principal source of supply to a public water system;

"(2) if contaminated, would create a significant hazard to public health; and

"(3) satisfies the criteria established pursuant to subsection (d).";

(3) in subsection (c)—

(A) in the first sentence—

(i) by striking "State";

(ii) by striking "critical aquifer" and inserting "water supply"; and

(iii) by striking "selection of such area for a demonstration program" and inserting "approval of an application for the designation of the area"; and

(B) by striking the last sentence;

(4) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking "1986" and inserting "1993";

(B) by striking "critical aquifer" each place it appears and inserting "water supply";

(C) by striking "aquifer" each place it appears and inserting "water supply"; and

(D) by striking "ground" each place it appears;

(5) in subsection (e)—

(A) by striking "demonstration";

(B) in paragraph (1), by striking "critical aquifer" and inserting "water supply"; and

(C) by striking "critical" each place it appears;

(6) in subsection (f)—

(A) by striking "ground" each place it appears and inserting "drinking";

(B) by striking "underground" each place it appears;

(C) by striking "critical" each place it appears; and

(D) by adding at the end of the subsection the following new paragraph:

"(3) A comprehensive management plan developed pursuant to this subsection may also propose modifications of otherwise applicable monitoring requirements of national primary drinking water regulations. Any proposal made in the plan for alternative monitoring requirements shall identify specific pollution prevention measures to be implemented that allow for an alternative monitoring program.";

(7) by striking subsection (g) and inserting the following new subsection:

"(g) ACTIVITIES INVOLVING FEDERAL AGENCIES.—

"(1) FEDERAL AGENCY ACTIVITIES.—In the case of a water supply protection area within a State for which an application is approved pursuant to subsection (i), each activity or development project carried out by a Federal agency within the area shall be carried out in a manner that is, to the maximum extent practicable, consistent with the approved application and plan referred to in subsection (e)(2).

"(2) FEDERAL LICENSEE AND PERMITTEE ACTIVITIES.—In the case of a water supply protection area for which an application is approved pursuant to subsection (i), each applicant for a required Federal license or permit to conduct an activity within the area shall provide in the application to the licensing or permitting agency a certification from the planning entity that the proposed activity is consistent with the comprehensive management plan of the applicant.

"(3) PRESIDENTIAL EXEMPTION.—The President may exempt any Federal project or development project from the requirements of this subsection if the President determines that the exemption is in the paramount interest of the United States.";

(8) by striking subsections (i) and (j) and inserting the following new subsections:

"(i) APPROVAL OR DISAPPROVAL.—

"(1) IN GENERAL.—Not later than 120 days after the receipt of an application under this section, the Administrator shall approve or disapprove the application.

"(2) DETERMINATION BY THE ADMINISTRATOR.—The Administrator shall approve or disapprove an application on the basis of a determination that—

"(A) the water supply protection area meets the criteria established under subsection (d);

"(B) the application meets the requirements described in subsection (e); and

"(C) there are adequate legal authorities and financial resources to ensure effective implementation of the comprehensive management plan required under subsection (e)(5).

"(3) SUBMISSION TO THE GOVERNOR.—If the Administrator disapproves an application, the Administrator shall submit to the Governor a written explanation of the reasons for the disapproval of the application.

"(4) RESUBMISSION OF APPLICATIONS.—An applicant may modify and resubmit any application that is disapproved.

"(j) GRANTS.—

"(1) IN GENERAL.—The Administrator may make grants to applicants that propose to develop an application pursuant to subsection (c).

"(2) CONDITIONS FOR GRANTS.—A grant made pursuant to this subsection shall be made on the conditions that—

"(A) the applicant provides not less than 20 percent of the costs of developing the application; and

"(B) a grant to an applicant is made for not more than 3 consecutive years."; and

(9) in subsection (n)—

(A) in the first sentence—

(i) by striking "carry out this section" and inserting "make grants pursuant to subsection (j)"; and

(ii) by inserting after "$17,500,000" the following:

"1992-2000 .... $20,000,000."; and

(B) by striking the last sentence.

(b) CONFORMING AMENDMENT.—Section 1424 (42 U.S.C. 300h-3) is amended by striking subsection (e).

(c) STATE WATER SUPPLY PROTECTION PROGRAM.—Section 1428 (42 U.S.C. 300h-7) is amended—

(1) by striking the section heading and inserting the following new section heading:

"SEC. 1428. STATE PROGRAMS TO PROTECT WATER SUPPLY AREAS.";

(2) in subsection (a)—

(A) by striking "wellhead" each place it appears and inserting "water supply"; and

(B) by striking "well" each place it appears and inserting "source";

(3) in subsections (b) and (c), by striking "wellhead" each place it appears and inserting "water supply";

(4) by striking subsection (d) and inserting the following new subsection:

"(d) PROGRAM REVISION.—

"(1) SUBMISSION.—The Governor of a State may submit to the Administrator a new or revised program to protect water supply areas within the jurisdiction of the State from contaminants that may have adverse effects on human health.

"(2) APPROVAL BY THE ADMINISTRATOR.—The Administrator shall approve a new or revised water supply protection program submitted pursuant to this subsection if—

"(A) the program is consistent with the requirements of paragraphs (1) through (6) of subsection (a);

"(B) the program was developed in accordance with the public participation requirements of subsection (b);

"(C) the State has enacted such legal authority as is sufficient to protect drinking water within each water supply area in the State in accordance with this section; and

"(D) the legal authorities established under subparagraph (C) are reasonably likely to be implemented.

"(3) DEFINITION OF LEGAL AUTHORITY.—As used in this subsection, the term 'legal authority' means a State statute, county or municipal ordinance, or other enforceable authority that is sufficient to prevent the location of new sources of contaminants identified pursuant to subsection (a)(3) within each water supply area in the State and to control the release of contaminants from existing sources within the water supply area, including such penalties for violations of the authority as the Administrator determines to be adequate.";

(5) subsection (e) is amended to read as follows:

"(e) WATER SUPPLY PROTECTION AREA DEFINED.—As used in this section, the term 'water supply protection area' means the surface and subsurface area surrounding a water supply, including a surface water source or wellhead area, that supplies a public water system through which contaminants are reasonably likely to move toward and reach the water supply.";

(6) subsection (g) is amended by—

(A) striking the first sentence; and

(B) striking "wells" and inserting "supplies";

(7) in subsection (h)—

(A) by striking "(h) FEDERAL AGENCIES.—Each" and inserting the following:

"(h) ACTIVITIES INVOLVING FEDERAL AGENCIES.—

"(1) FEDERAL AGENCY ACTIVITIES.—Each";

(B) by striking "The President may" and inserting the following:

"(3) PRESIDENTIAL EXEMPTION.—The President may";

(C) by inserting after paragraph (1) (as so designated) the following new paragraph:

"(2) FEDERAL LICENSEE AND PERMITTEE ACTIVITIES.—In the case of a water supply area within a State for which a program is approved pursuant to subsection (d), each applicant for a required Federal license or permit to conduct an activity within the area shall provide in the application to the licensing or permitting agency a certification from the State that the proposed activity complies with the enforceable policies of the program of the State and that the activity will be conducted in accordance with the approved program."; and

(D) in paragraph (1) (as so designated) by inserting after "a State program" the following: "approved pursuant to subsection (d)"; and

(8) in subsection (k)—

(A) by striking the first sentence and inserting the following new sentence: "For each fiscal year, the Administrator may make a grant to a State with a program approved pursuant to subsection (d) to carry out the program. The amount of each grant may not exceed 50 percent of the costs of carrying out the program."; and

(B) by adding at the end the following:

"1992-2000 .... $20,000,000.".

(d) FEDERAL WATER POLLUTION CONTROL ACT GRANT ELIGIBILITY.—Section 319(h) of the Federal Water Pollution Control Act (33 U.S.C. 1329(h)) is amended by adding at the end the following new paragraph:

"(13) WATER SUPPLY PROTECTION AREAS.—Notwithstanding any other provision of this section, funds made available to carry out this subsection may be used to carry out a project consistent with a water supply protection area comprehensive plan approved pursuant to section 1427(i) of title XIV of the Public Health Service Act (commonly known as the 'Safe Drinking Water Act') (42 U.S.C. 300h-6(i)) or a State water supply protection program approved pursuant to section 1428(d) of such Act. The funds shall be used in the same manner as provided for use of funds under this section, and be subject to the conditions that apply under this section.".

SEC. 11. EMERGENCY POWERS.

Section 1431 (42 U.S.C. 300i) is amended to read as follows:

"SEC. 1431. ACTIONS AUTHORIZED AGAINST IMMINENT AND SUBSTANTIAL ENDANGERMENT TO HEALTH OR AN UNDERGROUND SOURCE OF DRINKING WATER.

"Notwithstanding any other provision of this title, the Administrator, on receipt of information that a contaminant that is present in or is likely to enter a public water system or an underground source of drinking water may present an imminent and substantial endangerment to the health of individuals, and after providing notice to appropriate State and local officials, may take such actions as the Administrator may consider necessary in order to protect the health of the individuals. The actions that the Administrator may take may include—

"(1) issuing such orders as may be necessary to protect the health of individuals who are or may be users of the public water system (including travelers) or to restore or protect the public water system, including orders requiring the provision of alternative water supplies by persons who caused or contributed to the endangerment; and

"(2) commencing a civil action for appropriate relief, including a restraining order or permanent or temporary injunction.".

SEC. 12. TAMPERING WITH PUBLIC WATER SYSTEMS.

(a) TAMPERING.—Section 1432(a) (42 U.S.C. 300i-1(a)) is amended to read as follows:

"(a) TAMPERING.—No person shall tamper with, attempt to tamper with, or make a threat to tamper with a public water system.".

(b) TAMPER DEFINED.—Section 1432(d) (42 U.S.C. 300i-1(d)) is amended to read as follows:

"(d) TAMPER DEFINED.—As used in this section, the term 'tamper' means—

"(1) the introduction or addition of—

"(A) any element, compound, solution, or substance designated as a hazardous substance pursuant to section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9602);

"(B) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 U.S.C. 6921);

"(C) any toxic pollutant listed under section 307(a) of the Federal Water Pollution Control Act (33 U.S.C. 1317(a)); or

"(D) any imminently hazardous chemical substance or mixture, with respect to which the Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act (15 U.S.C. 2606),

into a public water system so as to endanger public health except if the introduction is by an employee or authorized agent of a public water system and is carried out in conjunction with the normal duties of the employee or agent for the purposes of treatment of water or as a requirement for compliance with any Federal, State, or local law (including any regulation), or in response to a public health emergency; or

"(2) the interference with the proper operation or function of a public water system if the person who causes the interference is recklessly indifferent to the harm that the interference may cause to any person; or

"(3) removing water from a public water system through a pipe or device outside the public water system and returning water to the public water system, except in any case in which a pipe or device is totally within the control of 1 or more public water systems.".

SEC. 13. DRINKING WATER RESEARCH, EDUCATION, AND CERTIFICATION.

Section 1442 (42 U.S.C. 300j-1) is amended—

(1) by redesignating paragraph (3) of subsection (b) as paragraph (3) of subsection (d) and moving such paragraph to appear after paragraph (2) of subsection (d);

(2) by striking subsection (b) (as so amended);

(3) by redesignating subparagraph (B) of subsection (a)(2) as subsection (b) and moving such subsection to appear after subsection (a);

(4) in subsection (a)—

(A) by striking paragraph (2) (as so amended) and inserting the following new paragraph:

"(2) In carrying out this title, the Administrator is authorized to—

"(A) collect and make available information pertaining to research, investigations, and demonstrations with respect to providing a dependably safe supply of drinking water, together with appropriate recommendations in connection with the information; and

"(B) make available research facilities of the Agency to appropriate public authorities, institutions, and individuals engaged in studies and research relating to this title."; and

(B) by adding at the end the following new paragraph:

"(12) There are authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 1994 through 2000.";

(5) in the first sentence of subsection (c), by striking "eighteen months after the date of enactment of this subsection" and inserting "2 years after the date of enactment of the Safe Drinking Water Act Amendments of 1993, and every 5 years thereafter";

(6) in subsection (d) (as amended by paragraph (1))—

(A) in paragraph (1), by striking ", and" at the end and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting "; and";

(C) by adding after paragraph (3) (as redesignated by paragraph (1)) the following new paragraph:

"(4) develop and maintain a system for forecasting the supply of, and demand for, various professional occupational categories and other occupational categories needed for the protection and treatment of drinking water in each region of the United States."; and

(D) by adding at the end the following new sentence: "There are authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 1994 through 2000.";

(7) by striking subsection (e) and inserting the following new subsection:

"(e)(1) The Chief Operator of a public water system and any laboratory conducting tests pursuant to this Act, and such additional personnel as may be designated by the Administrator, shall be required to be certified as proficient pursuant to this section by a State that has a certification program that is approved by the Administrator.

"(2) The requirement referred to in paragraph (1) shall become effective on the date that is 4 years after the date of enactment of the Safe Drinking Water Act Amendments of 1993, unless—

"(A) the State extends the effective date pursuant to paragraph (3); or

"(B) the State has proposed to develop a small system compliance program for the system, in which case the effective date shall be the date that is 3 years after the date of completion of the compliance program.

"(3) The State may extend the effective date of the requirement referred to in paragraph (1) for a period of not to exceed 3 years on a system-specific basis if the Administrator determines that, with respect to a system, adequate opportunity to seek certification did not exist during the period described in paragraph (2).

"(4) Each certification of proficiency issued by the appropriate official of a State under this section shall be granted to the individual that receives the certification and shall not be granted to the public water system where the individual is employed.

"(5) A certification of proficiency issued under this section shall be effective during the 5-year period beginning on the date of certification. An individual may be recertified on termination of the 5-year period (and on termination of each subsequent 5-year period) if the individual complies with inservice training and related education requirements for the certification.

"(6) Nothing in this section is intended to be construed to prevent a State from requiring more frequent certification than is specified in paragraph (5).

"(7) Not later than 1 year after the date of the Safe Drinking Water Act Amendments of 1993, the Administrator shall publish guidelines specifying minimum standards for certification of the proficiency of operators and other appropriate personnel by a State pursuant to this subsection.

"(8) Not later than 2 years after the date of enactment of the Safe Drinking Water Act Amendments of 1993, the Administrator shall publish a public water systems operator's manual that describes essential knowledge and skills of—

"(A) a Chief Operator; and

"(B) such additional personnel as the Administrator determines appropriate to receive operator proficiency certification.

"(9)(A) Beginning on the date of publication of the guidelines under paragraph (7), the Governor of a State may submit to the Administrator, in such form as the Administrator may require, a certification program under this section.

"(B) The Administrator shall review and approve or disapprove a program submitted pursuant to this paragraph not later than 90 days after the submittal of the application. The Administrator shall approve the application on the basis of a determination that—

"(i) the State certification program will be consistent with the guidelines published pursuant to subsection (b);

"(ii) the State has committed to implement the program by not later than 1 year after the date of approval of the application; and

"(iii) the State agrees to provide to the Administrator such information concerning the program as the Administrator may request.

"(C) In any case in which the Administrator disapproves a program, the Administrator shall provide to the State a written statement of the reasons for disapproval. The State may, not later than 90 days after receipt of the statement of the Administrator, submit to the Administrator such modifications to the application as may be necessary. Not later than 30 days after receipt of the revised application, the Administrator shall approve or disapprove the revised application.

"(D) A State may establish a certification requirement in addition to the requirements established pursuant to this section."; and

(8) in subsection (g) by amending the third sentence by striking "1987–1991" and inserting "1994–2000".

SEC. 14. STATE DRINKING WATER PROGRAM FUNDING.

(a) PUBLIC WATER SYSTEM SUPERVISION PROGRAM.—Section 1443(a) (42 U.S.C. 300j–2(a)) is amended—

(1) in paragraph (3)—

(A) by striking "A grant" and inserting "(A) Except as provided in subparagraph (B), a grant"; and

(B) by adding at the end the following new subparagraph:

"(B) For fiscal year 1997, and each fiscal year thereafter, a grant made under paragraph (1) shall cover not more than 50 percent of the costs of the grant recipient (as determined under regulations of the Administrator) in carrying out, during the 1-year period beginning on the date the grant is made, a public water system supervision program. A State may use funds collected as a result of a fee program established under section 1444(a) to match Federal assistance only to the extent that the funds are in excess of amounts provided by the State pursuant to subparagraph (A) for fiscal year 1994.";

(2) in paragraph (7), by adding at the end a period and the following new flush sentence: "For the purpose of making grants under paragraph (1), there are authorized to be appropriated such sums as are necessary for each of fiscal years 1992 and 1993 and $100,000,000 for each of fiscal years 1994 through 2000."; and

(3) by adding at the end the following new paragraph:

"(8) If the Administrator assumes the primary enforcement responsibility of a State water system supervision program, the Administrator may reserve from funds made available pursuant to this subsection, an amount equal to the amount that would otherwise have been provided to the State pursuant to this subsection. The Administrator shall use the funds reserved pursuant to this paragraph, in combination with fees collected pursuant to section 1444, in such manner as to ensure the full and effective administration of a public water system supervision program in the State.".

(b) STATE GROUND WATER PROTECTION GRANTS.—Section 1443 (42 U.S.C. 300j–2) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

"(c)(1) The Administrator may make a grant to a State for the development and implementation of a State program to ensure the coordinated and comprehensive protection of ground water resources within the State.

"(2) Not later than 1 year after the date of enactment of the Safe Drinking Water Act Amendments of 1993, and annually thereafter, the Administrator shall publish guidance that establishes procedures for application for State ground water protection program assistance and that identifies key elements of State ground water protection programs.

"(3)(A) The Administrator shall award grants to States that submit an application that is approved by the Administrator. The Administrator shall determine the amount of a grant awarded pursuant to this paragraph on the basis of an assessment of the extent of ground water resources in the State and the likelihood that awarding the grant will result in sustained and reliable protection of ground water quality.

"(B) The Administrator may also award a grant pursuant to this paragraph for innovative programs for prevention of ground water contamination proposed by a State.

"(C) The Administrator shall, at a minimum, ensure that, for each fiscal year, not less than 1 percent of funds made available to the Administrator by appropriations to carry out this subsection are allocated to each State that submits an application that is approved by the Administrator pursuant to this subsection.

"(D) The Administrator may not award a grant under this subsection to a person who is not a State.

"(E) No grant awarded by the Administrator may be used for a project to remediate ground water contamination.

"(4) The awarding of grants by the Administrator pursuant to this paragraph shall be coordinated with the awarding of grants pursuant to section 319(i) of the Federal Water Pollution Control Act (33 U.S.C. 1329(i)) and the awarding of other Federal grant assistance that provides funding for programs related to ground water protection.

"(5) The amount of a grant awarded pursuant to paragraph (1) shall not exceed 50 percent of the eligible costs of carrying out the ground water protection program that is the subject of the grant (as determined by the Administrator) for the 1-year period beginning on the date that the grant is awarded. The State shall pay a State share to cover the costs of the ground water protection program from State funds in an amount not less than 50 percent of the cost of conducting the program.

"(6) Not later than 3 years after the date of enactment of the Safe Drinking Water Act Amendments of 1993, and every 3 years thereafter, the Administrator shall evaluate the State ground water protection programs that are the subject of grants awarded pursuant to this subsection and report to Congress on the status of ground water quality in the United States and the effectiveness of State programs for ground water protection.

"(7) There are authorized to be appropriated to the Environmental Protection Agency $20,000,000 for each of fiscal years 1994 through 2000.".

(c) STATE DRINKING WATER PROGRAM FUNDING.—Section 1413(a) (42 U.S.C. 300g–2(a)) is amended—

(1) in paragraph (4), by striking "and" at the end;

(2) in paragraph (5), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(6) is providing funding that, in combination with Federal grant assistance received pursuant to section 1443(a), is sufficient to ensure the full and effective administration of the public water system supervision program of the State.".

(d) FEDERAL FEE PROGRAM.—Section 1444 (42 U.S.C. 300j–3) is amended to read as follows:

"SEC. 1444. FEDERAL DRINKING WATER PROGRAM FEE.

"(a) ESTABLISHMENT.—

"(1) GENERAL AUTHORITY.—The Administrator shall establish a Federal program for the collection of fees from public water systems in a State to support the costs of administration of the public water system supervision program in the State. Beginning on the first day of fiscal year 1997, the Administrator shall collect fees under this section with respect to a State if the State does not have primary enforcement responsibility for public water systems within the State pursuant to section 1413(a).

"(2) AMOUNT OF FEES.—If the Administrator is authorized to collect fees under paragraph (1), the Administrator shall assess each public water system of the State that serves more than 3,300 individuals. The amount of a fee collected pursuant to the preceding sentence shall be not greater than $0.005 per 100 gallons of water billed by a system, and shall, in combination with Federal grant funds reserved by the Administrator that otherwise would have been provided to the State, is sufficient to ensure the full and effective administration of the public water system supervision program of the State.

"(b) PUBLIC DRINKING WATER SYSTEM SUPERVISION FUND.—

"(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the 'Public Drinking Water System Supervision Fund' (referred to in this paragraph as the 'Fund'), consisting of—

"(A) such amounts as are appropriated to the Fund under paragraph (2); and

"(B) any interest earned on investment of amounts in the Fund under paragraph (4).

"(2) TRANSFERS TO FUND.—There are appropriated to the Fund amounts equivalent to amounts collected as fees, and interest on the fees, and received in the Treasury under this section.

"(3) EXPENDITURES FROM FUND.—On request by the Administrator, the Secretary of the Treasury shall transfer from the Fund to the Administrator such amounts as the Administrator determines are necessary to carry out the activities for which fees are collected under this section.

"(4) INVESTMENT OF FUNDS.—

"(A) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet then current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

"(B) ACQUISITION OF OBLIGATIONS.—For the purpose of investments, obligations may be acquired—

"(i) on original issue at the issue price; or

"(ii) by purchase of outstanding obligations at the market price.

"(C) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

"(D) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

"(5) TRANSFERS OF AMOUNTS.—

"(A) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

"(B) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

"(c) STATE LOAN FUNDS.—

"(1) IN GENERAL.—For any fiscal year for which the amounts made available to the Administrator from the Fund established under subsection (b) are less than the total amount deposited in the Fund during the preceding fiscal year, the Administrator may reserve from funds made available pursuant to section 1489 the difference between the amounts.

"(2) USE OF FUNDS.—The Administrator may use the amount reserved pursuant to paragraph (1) for the administration of the public water system supervision program of States for which fees were collected pursuant to subsection (a) during the preceding fiscal year.".

SEC. 15. RECORDS AND INSPECTIONS.

(a) IN GENERAL.—

(1) RECORDS.—Subparagraphs (A) and (B) of section 1445(a)(1) (42 U.S.C. 300j–4(a)(1)) are amended to read as follows:

"(A) Each person who (as determined by the Administrator)—

"(i) is a supplier of water;

"(ii) is or may be otherwise subject to a primary drinking water regulation prescribed pursuant to section 1412 or an order issued pursuant to section 1441;

"(iii) is or may be subject to any other provision of part B or this part; or

"(iv) is a grantee,

shall establish and maintain such records, make such reports, conduct such monitoring, and provide such information as the Administrator may reasonably require to assist the Administrator in carrying out the activities described in subparagraph (B).

"(B) The activities described in this subparagraph are as follows:

"(i) Issuing regulations pursuant to this title.

"(ii) Determining whether a person has acted or is acting in compliance with part B or this part.

"(iii) Determining the injunctive or penalty relief appropriate for any violation of part B or this part.

"(iv) Administering a program of financial assistance under this title.

"(v) Evaluating the health risks of unregulated contaminants and advising the public of the risks.

"(vi) Carrying out any other responsibility of the Administrator under this title."

(2) FACTORS FOR CONSIDERATION.—Section 1445(a)(1) (42 U.S.C. 300j–4(a)(1)), as amended by section 4(c)(2), is further amended by adding at the end the following new subparagraph:

"(D) In requiring the owner or operator of a public water system to conduct monitoring pursuant to this subsection, the Administrator may take into consideration the size of the population served by the public water system and the contaminants likely to be found in the drinking water of the public water system.".

(b) AUTHORIZATION.—Section 1445(a)(8) (42 U.S.C. 300j–4(a)(8)) is amended by striking "$30,000,000 in the fiscal year ending September 30, 1987" and inserting "$35,000,000 for each of fiscal years 1994 through 2000".

(c) INSPECTIONS.—Subsections (b) and (c) of section 1445 (42 U.S.C. 300j–4 (b) and (c)) are amended to read as follows:

"(b)(1) The Administrator, or the authorized representative of the Administrator (including an authorized contractor acting as a representative of the Administrator), on presentation of appropriate credentials to any person who is or may be subject to—

"(i) a national primary drinking water regulation prescribed pursuant to section 1412;

"(ii) any requirement to monitor an unregulated contaminant pursuant to subsection (a); or

"(iii) any other requirement of part B or E, or to a person in charge of any of the property of a person referred to in clause (i), (ii), or (iii) (or the senior employee present at the site), is authorized to enter any establishment, facility, or other property of a person referred to in clause (i), (ii), or (iii).

"(2) The Administrator or an authorized representative of the Administrator may enter an establishment, facility, or other property pursuant to paragraph (1)—

"(A) in order to determine whether a person has acted or is acting in compliance with part B or this part, including for this purpose, inspecting, at reasonable times, of records, files, papers, processes, controls, and facilities; or

"(B) in order to test any feature of a public water system, including the raw water source of the system.

"(3) The Administrator or the Comptroller General of the United States (or any authorized representative designated by the Administrator or the Comptroller General of the United States) shall have access for the purpose of audit and examination of any record, report, or information of a person or grantee that—

"(A) is required to be maintained under subsection (a); or

"(B) is pertinent to any financial assistance provided pursuant to this title.

"(c) Any person, who is subject to any provision of part B or this part (including a person that the Administrator determines may be subject to a requirement of part B or this part), shall—

"(1) comply with the requirements of subsection (a);

"(2) allow the Administrator or the authorized representative of the Administrator to enter and make determinations and test and take samples pursuant to paragraphs (1) and (2) of subsection (b); and

"(3) allow the Administrator, the Comptroller General of the United States or authorized representative of the Administrator or the Comptroller General of the United States to have access to, audit, and examine records, reports, and information pursuant to subsection (b)(3).".

(d) DRINKING WATER COOLERS.—Section 1445 (42 U.S.C. 300j–4) is amended by adding at the end the following new subsection:

"(f) INFORMATION REGARDING DRINKING WATER COOLERS.—The Administrator may use the authorities of this section in carrying out part F. With respect to the application of this section to persons subject to part F, a person who manufactures, imports, sells, or distributes drinking water coolers or component parts of drinking water in interstate commerce shall be considered a supplier of water.".

SEC. 16. FEDERAL AGENCIES.

Subsections (a) and (b) of section 1447 (42 U.S.C. 300j–6 (a) and (b)) are amended to read as follows:

"(a)(1) Each Federal agency shall be subject to, and comply with, all Federal, State, interstate and local substantive and procedural requirements, administrative authorities, and process and sanctions respecting the provision of safe drinking water in the same manner, and to the same extent, as any nongovernmental entity is subject to, and shall comply with, the requirements, authorities, and process and sanctions.

"(2) The Federal, State, interstate, and local substantive and procedural requirements, administrative authority, and process and sanctions referred to in paragraph (1) include all administrative orders and all civil and administrative penalties or fines, regardless of whether the penalties or fines are punitive or coercive in nature or are imposed for isolated, intermittent, or continuing violations.

"(3) The United States hereby expressly waives any immunity otherwise applicable to the United States with respect to any requirement, administrative authority, or process or sanction referred to in paragraph (2) (including any injunctive relief, administrative order or civil or administrative penalty or fine referred to in paragraph (2), or reasonable service charge). The reasonable service charges referred to in this paragraph include fees or charges assessed in connection with the processing, issuance, renewal or amendment of permits, variances, or exemptions, review of plans, studies, and other documents, and inspection and monitoring of facilities, as well as any other nondiscriminatory charges that are assessed in connection with a Federal, State, interstate, or local safe drinking water regulatory program.

"(4) No agent, employee, or officer of the United States shall be personally liable for any civil penalty under this subsection with respect to any act or omission within the scope of the official duties of the agent, employee, or officer.

"(5) An agent, employee, or officer of the United States shall be subject to a criminal sanction (including a fine or imprisonment under this subsection). No department, agency, or instrumentality of the executive, legislative, or judicial branch of the Federal Government shall be subject to a sanction referred to in the preceding sentence.

"(b)(1) The President may waive compliance with subsection (a) by any department, agency, or instrumentality in the executive branch if the President determines waiving compliance with such subsection to be in the paramount interest of the United States.

"(2) No waiver described in paragraph (1) shall be granted due to the lack of an appropriation unless the President has specifically requested the appropriation as part of the budgetary process and Congress has failed to make available the requested appropriation.

"(3) A waiver under this subsection shall be for a period of not to exceed 1 year, but an additional waiver may be granted for a period of not to exceed 1 year on the termination of a waiver if the President reviews the waiver and makes a determination that it is in the paramount interest of the United States to grant an additional waiver.

"(4) Not later than January 31 of each year, the President shall report to Congress on each waiver granted pursuant to this subsection during the preceding calendar year, together with the reason for granting the waiver.".

SEC. 17. CITIZEN'S CIVIL ACTION.

(a) IN GENERAL.—Subsections (a) through (c) of section 1449 (42 U.S.C. 300j–8 (a) through (c)) are amended to read as follows:

"(a)(1) Except as provided in subsection (b), any person may commence a civil action on behalf of the person—

"(A) against any person (including a Federal agency, to the extent permitted by sections 1447 and 1472) who is alleged to have violated (if there is evidence that the alleged violation has been repeated by the person) or to be in violation of any requirement of part B or this part (including any regulation issued pursuant to this title);

"(B) against any Federal agency that is alleged to have violated (if there is evidence that the alleged violation has been repeated by the person) or to be in violation of any order issued under this title by the Administrator;

"(C) against any Federal agency that fails to pay a penalty assessed by the Administrator pursuant to section 1472(c)(1)(B) within 1 year after the effective date of the final order; and

"(D) against the Administrator, if a failure of the Administrator to perform any act or duty under this title that is not discretionary with the Administrator is alleged.

"(2) Each United States district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce in an action brought under this subsection any requirement under this title (including any requirement under a regulation issued under this title) or any order issued under this title by the Administrator to a Federal agency. The enforcement by the court may include ordering—

"(A) the Federal agency to pay the penalty assessed pursuant to section 1472(c)(1)(B), or order relief pursuant to section 1428; and

"(B) the Administrator to perform an act or duty described in paragraph (1)(D), and to impose any appropriate civil penalties pursuant to section 1472.

"(b)(1) No civil action may be commenced—

"(A) under subsection (a)(1) concerning a violation of a requirement prescribed under this title (including any requirement under a regulation issued under this title)—

"(i) prior to the termination of the 60-day period beginning on the date the plaintiff gives notice of the violation to—

"(I) the Administrator;

"(II) any alleged violator of the requirement; and

"(III) the State in which the violation occurs, or has occurred;

"(ii) if the Administrator, or the Attorney General, has commenced and is diligently prosecuting, a civil action in a court of the United States to require compliance with the requirement, except that in any such action in a court of the United States any person may intervene as a matter of right;

"(iii) if a State has commenced prior to the notification required by this subsection, and is diligently prosecuting, a civil action in a court of the United States to require compliance with the requirement, except that in any such action in a court of the United States any person may intervene as a matter of right; or

"(iv) if the Administrator has commenced, and is diligently prosecuting, an action pursuant to section 1472(a) against a Federal agency, or with respect to which the Administrator has issued a final order and the violator has paid a penalty pursuant to section 1472(c); or

"(B) under subsection (a)(1)(D), before the termination of the 60-day period beginning on the date the plaintiff gives notice of the action to the Administrator.

"(2) The notice required by this subsection shall be given in such manner as the Administrator shall prescribe by regulation.

"(c) In any action under this section, the Administrator or the Attorney General, if not a party, may intervene as a matter of right at any time in the proceedings. A judgment in an action brought pursuant to this section to which the United States is not a party shall not have any binding effect upon the United States.".

(b) SERVICE OF COMPLAINT.—Section 1449 (42 U.S.C. 300j–8) is amended by adding at the end the following new subsection:

"(f) Whenever any action is brought under this section in a court of the United States, the plaintiff shall serve a copy of the complaint on the Attorney General and the Administrator. No consent judgment shall be entered in an action in which the United States is not a party during the 45-day period beginning on the date of receipt of a copy of a proposed consent judgment by the Attorney General and the Administrator. A judgment in an action under this section to which the United States is not a party shall not have a binding effect on the United States.".

SEC. 18. OTHER AMENDMENTS.

(a) DEFINITION OF PUBLIC WATER SYSTEM.—Section 1401(4) (42 U.S.C. 300f(4)) is amended by adding at the end the following new sentence: "The term does not include any noncommunity water system that does not provide water for human consumption if bottled water is provided for human consumption, and there are posted such signs prohibiting the drinking of water from the system as the Administrator determines are appropriate.".

(b) ANNUAL REPORT.—Section 1450 (42 U.S.C. 300j-9) is amended by striking subsection (h).

(c) STATE PRIMARY ENFORCEMENT RESPONSIBILITY.—Section 1413(a) (42 U.S.C. 300g-2(a)), as amended by section 14(c), is further amended by striking paragraph (1) and inserting the following new paragraph:

"(1) has adopted drinking water regulations that are no less stringent than the national primary drinking water regulations promulgated by the Administrator under subsections (a) and (b) of section 1412 not later than 2 years after the promulgation of the national regulations by the Administrator;".

(d) JUDICIAL REVIEW.—Section 1448(a) (42 U.S.C. 300j-7(a)) is amended—

(1) in paragraph (2), by inserting "final" after "any other"; and

(2) in the second sentence, by striking "or issuance of the order" and inserting "or any other final Agency action".

(e) REPORT TO CONGRESS ON PRIVATE DRINKING WATER.—Section 1450 (42 U.S.C. 300j-9) is amended by adding at the end the following new subsection:

"(j) The Administrator shall conduct a study to determine the extent and seriousness of contamination of private sources of drinking water that are not regulated under this Act. Not later than 3 years after the date of enactment of this subsection, the Administrator shall submit to Congress a report that includes the findings of the study and recommendations by the Administrator concerning responses to any problems identified under the study.".

SUMMARY—SAFE DRINKING WATER ACT AMENDMENTS OF 1993

TITLE

This Act may be cited as the "Safe Drinking Water Act Amendments of 1993".

FINDINGS

The Congress finds that State and local governments need financial and technical assistance in complying with the requirements of the Safe Drinking Water Act and that the Act needs to be reviewed and revised to reduce the regulatory burden on drinking water systems, especially small systems, while assuring safe drinking water.

STATE LOAN FUNDS

(a) General Authority.—The Administrator may enter into a capitalization grant agreement with a State where a State establishes a loan fund and agrees to conditions including providing a 20% State match, use of loans in compliance with an intended use plan, enactment of authority to prevent the establishment of new nonviable systems, and proper financial management.

The authority to establish priorities for loans is to remain with the State agency implementing the drinking water program. A State may consolidate management of drinking water and clean water loan funds provided that funding remains separate.

(b) Capitalization Grants.—The Administrator may make capitalization grants to States with capitalization grant agreements starting in FY 1994. Funds are to be allocated pursuant to the PWSS grant formula. In addition, 1% is reserved for indian tribes and 1% is reserved for public health emergencies. Indian tribes, territories, and the District of Columbia may receive direct grants.

(c) Eligible Assistance.—Projects eligible to receive loan assistance are capital expenditures for:

Compliance with national primary drinking water regulations;

Consolidation of systems and use of an alternative source of water supply;

Water conservation;

Construction and restoration of drinking water supply, treatment, and distribution systems;

Projects to implement a plan for protection of water supplies;

Assistance to drinking water systems for providing loans to low income customers to mitigate radon in indoor air;

Purchase of land needed for a treatment facility but not land for source proection; and

Replacement of private wells where they present a significant health threat.

Drinking water systems eligible for assistance are community water systems (whether publicly or privately owned) and public and nonprofit noncommunity water systems. Types of assistance are:

Loans (provided that interest rates do not exceed market rates, that repayments start 1 year after project completion, that there will be a dedicated source of revenue, and that repayment is made in 20 years);

Refinancing of an obligation incurred before the date of enactment;

Guarantee of a market loan or purchase insurance for such a loan;

A source of revenue or security for a State obligation related to the loan fund; and

A source of revenue or security for the payment of interest on a local obligation provided that the payment from the fund does not reduce the effective interest rate of the obligation by more than 2.5%.

No loan or other assistance is to be made to a small system (i.e. under 3,300 persons) after 1998 unless it is consistent with a State plan for small drinking water systems and a small system compliance program if such a program has been developed.

The State may assist disadvantaged communities through forgiveness of loan principal. A disadvantaged community is any community where an average residential user is paying or is expected to pay rates greater than 1.5% of median household income. The amount of loan forgiveness is limited to the amount needed to keep drinking water rates below 1.5% of median household income. The total amount of the loan subsidy in a fiscal year may not exceed 20% of the balance of the fund.

(d) Administration.—Each State may reserve up to 4% of the capitalization grant for administration of the fund. A State may also reserve the greater of $500,000 or 10% of the State capitalization grant for technical and financial management assistance, including development of compliance programs, for systems serving fewer than 3,300 persons.

Each State is to develop an intended use plan for the fund on an annual basis. The plan is to establish a priority list for projects and assess the financial condition of the fund. The plan is to provide that first priority be given to systems needing to comply with national primary drinking water regulations and for which the residential user rates are the highest percentage of median household income. Also, no assistance is to be given to a system for which consolidation is expected except to facilitate the consolidation.

(e) Loan Fund Management.—The Administrator is to provide for annual audits of funds. States are to report activities of the fund on an annual basis. The Administrator is to conduct a drinking water needs assessment for all eligible projects within one year and every four years thereafter. The Administrator is to submit to Congress an evaluation of the loan funds in early 1998.

(f) Labor Standards.—The requirements of the Davis Bacon Act shall apply to any project funded by State loan funds.

(g) Authorization.—There is authorized to be appropriated $600 million in FY 94 and $1 billion in each fiscal year 1995–2000.

NATIONAL DRINKING WATER REGULATIONS

(a) Identification of Contaminants.—General authority is established to promulgate drinking water standards for contaminants that may have any adverse effect on human health and that are known or anticipated to occur in public water systems in a concentration or frequency that indicates a public health concern.

Within three years of the date of enactment, the Administrator is to identify not fewer than 15 unregulated contaminants which pose the greatest threat to public health and for which a drinking water standard may be developed. Within three years of the initial identification, and every three years thereafter, the Administrator is to identify an additional seven contaminants.

The Administrator is to propose contaminants for identification one year prior to identification. Six months after proposal of contaminants, the Administrator and the National Drinking Water Advisory Council are to hold a public hearing on the proposed contaminants. The Council is to submit recommended changes to the Administrator.

Two years after the identification of a contaminant the Administrator is to publish a health assessment of the contaminant. A health assessment may be delayed 2 years if additional health effects research is needed and shall be reviewed by the Science Advisory Board.

At the time the health assessment is published, the Administrator shall either propose a drinking water standard or determine not to propose a standard. If a standard is proposed, a final standard is to be promulgated within 18 months of the health assessment/proposed standard. A nonenforceable health advisory is to be published for any contaminant for which no standard is promulgated.

The Administrator is to develop a data base of information on the occurrence of unregulated contaminants in drinking water. To reduce monitoring burdens, the Administrator is to collect monitoring information from only a representative sample of such systems.

In response to a petition from 7 Governors for the development of a standard for a contaminant, the Administrator shall publish a drinking water standard for a contaminant not considered in the listing process unless the Administrator determines that the standard does not meet the criteria for establishment of a standard.

(b) Drinking Water Standard Compliance and Review.—The Administrator is to set compliance deadlines in each drinking water regulation at a period of not more than 36 months, rather than 18 months as in current law.

In addition, authority for exemptions/extensions of compliance schedules is clarified and the period of an exemption is changed from 3 to 2 years.

The Administrator is to review existing drinking water standards not less than every 6 years, rather than 3 years as in current law.

(c) Monitoring Requirements.—The Administrator may modify a drinking water regulation to remove monitoring requirements for systems not detecting a contaminant if the contaminant is detected in less than 5% of systems and exceeds the standard in less than 0.5% of systems or the contaminant has not been found at a level exceeding 75% of the standard.

For systems serving less than 10,000 persons, the Administrator or the State may waive the requirement to conduct quarterly monitoring if a contaminant is not detected in an initial test.

(d) Health Advisories.—The Administrator is authorized to publish health advisories on contaminants not subject to a drinking water standard in order to provide timely information to assure the safe and effective operation of a public water system.

(e) Sulfate.—The Administrator is authorized not to regulate sulfate if another contaminant is regulated in place of sulfate.

SMALL PUBLIC WATER SYSTEMS

(a) State Small System Management Plans.—Each State is to develop a plan by October 1997 and every three years thereafter for the coordinated management of public water systems serving less than 3,300 persons.

States may use up to $500,000 or 10% of drinking water loan funds each year to develop State small system plans and individual compliance programs called for in the plans.

Key elements of plans include:

Establish criteria for determining when systems are not viable and identify nonviable systems;

Identify opportunities for physical and management consolidation of systems;

Identify alternative sources of water supply; and

Identify financing needs of small systems.

Based on review and assessment of the status and condition of small water systems, the State is to include in the plan the assignment of each system not expected to comply with drinking water regulations to one of two groups:

Systems with which the State will work to develop an individualized compliance program implementing consolidation, alternative water supply, alternative small system technology, or other system restructuring;

Systems which are to comply with the maximum contaminant level for a specific regulation (e.g. do not need a compliance program because they have the financial and management capacity to meet the maximum contaminant level, taking into account funding from State loan funds and the Rural Development Administration).

The plan is to list systems in priority order based on the public health risk caused by drinking water contaminants found in each system. The plan is also to include a schedule for the development of the first one-third of all compliance programs over the following five year period and development of all compliance programs within 10 years.

In the case of systems which are to meet a maximum contaminant level, the system is to be in compliance within the compliance period established in the regulation beginning from the date of final approval of the plan.

States are to provide for public review and comment on the plans and the Administrator shall review and approve the plans.

(b) Small System Compliance Program.—States are to work with individual systems to develop small system compliance programs.

A compliance program is to determine and design a specific program for system consolidation or development of raw water supply (including a financial plan and engineering designs and plans) and may also identify measures needed to assure the long-term effective management of the system.

Programs are to provide for compliance with maximum contaminant levels to the extent practicable and may provide for the implementation of small system technology identified in guidance published by the Administrator. A compliance program is to provide for small system technology which provides the greatest protection of public health consistent with the financial and management capability of the system, taking into account funding from the State loan funds and the Rural Development Administration. A compliance program shall not provide for small systems technology which would result in an unreasonable risk to public health.

Compliance programs are to be implemented not less than three years after the date of approval of the program. States may grant a 2 year extension to finish implementation of a program.

Compliance programs are to be considered at a public hearing and the Administrator may disapprove a program which is not consistent with the Act or which poses a threat to public health.

(c) Small System Technology Guidance.—The Administrator is to publish small system technology guidance in conjunction with any drinking water regulation. Guidance is to identify various small system technologies and the effectiveness and cost of each technology.

In addition, within two years of the date of enactment, the Administrator is to publish guidance on small system technology for compliance with Phase II, Phase V, or Surface Water Treatment regulations. In the case of a small system not in compliance with such regulations, compliance is stayed until the date which is:

No more than three years after the date of submittal of a State small system plan; or

The compliance date established in a compliance program.

The extended compliance period applies only to noncommunity systems in the case of the Surface Water Treatment Rule.

ENFORCEMENT

A new Part is added to the Act consolidating and streamlining enforcement functions and creating the following enforcement powers consistent with other environmental statutes.

(a) General Prohibition of Contamination.—A failure to comply with any provision of this title is unlawful. This authority is consistent with authority of the Clean Water Act.

(b) Civil Enforcement.—The amendment would provide consistent administrative enforcement authority for violations of the Act. Administrative enforcement authority is similar to that provided in the Clean Water Act and includes compliance only orders and administrative penalty authority of up to $10,000 per day with a cap of $200,000. In addition, consistent civil judicial enforcement authority for key provisions of the Act is provided at $25,000 per day per violation.

(c) Criminal Enforcement.—The amendment would provide consistent penalties for criminal violations of key provisions of the Act and make the provisions consistent with the criminal enforcement provisions of the Clean Water Act.

(d) Consolidation Initiative.—In order to encourage the physical and administrative consolidation of systems, a system may seek protection from penalties for an existing compliance problems or expected problems for a period of 2 years after consolidation or sale. The consolidation or sale must be outlined in a plan approved by the State and the Administrator.

(e) Public Notice and Notice to State.—The requirements for public notice of violations of drinking water regulations with the potential to have an adverse effect on health are strengthened. Reporting of violations which are less significant is reduced from quarterly to annually. States are to provide annual reports on compliance to the Administrator and the Administrator is to provide a summary of the State reports to the Congress.

CONTROL OF LEAD IN DRINKING WATER

Within two years of the date of enactment of this Act, the Administrator is to issue regulations to establish performance standards for maximum leaching levels of lead from new pipes and fixtures that convey drinking water. Lead leaching levels are to be reduced from 7% four years after the date of enactment to 4% seven years after the date of enactment. In addition, a violation of the ban on use of lead solder is made an enforceable violation of the Act.

RADON IN DRINKING WATER

The Administrator is to promulgate a drinking water regulation for radon not later than 12 months after the date of enactment. The regulation is to specify a maximum contaminant level goal and maximum contaminant level based on existing authorities of the Act.

In addition, the regulation is to specify an alternative contaminant level for radon in drinking water at a level at which the risks equal to the risk associated with radon in outdoor air, after consideration of the risks of ingestion and episodic uses of drinking water. A drinking water system may comply with the alternative contaminant level if;

The system implements an alternative compliance program to reduce radon in the air indoors; or

The system is located in a State with is implementing an indoor air radon program and is receiving grant assistance under the Indoor Radon Abatement Act.

Minimum radon reduction measures to be implemented under an alternative compliance program are;

Distribution of radon educational material to all customers;

Testing of radon in indoor air for not less than 50% of residential dwellings within five years of program approval;

A commitment to require that new homes connected to the water system comply with new construction radon prevention standards beginning two years after program approval.

Alternative compliance programs are to be approved by the State. Systems are to provide assessments to program implementation to the State every five years and the State may withdraw approval of a program not being implemented. The Administrator is to submit a report to Congress evaluating radon programs not later than 7 years after the date of enactment.

Beginning two years after the date of enactment, no Federal agency or other entity is to assist in the financing of a residence located in a high risk radon area, as determined by the Administrator, unless a radon test has been completed for the residence and the prospective buyer has been notified of the results of the test. Retesting of residences is not required.

POINT OF USE DEVICES

The Administrator is to establish a program to determine the effectiveness of point of use drinking water treatment devices. The Administrator is provided with authority to request data on treatment of devices and to require provision of information to consumers on device effectiveness.

DRINKING WATER SUPPLY PROTECTION

The existing sole source aquifer and wellhead protection programs are expanded to provide protection of sources of drinking water, including surface water sources.

Drinking water systems are authorized to develop applications for the designation of a water supply protection area. The application is to describe the area, designate a planning entity, include a hydrological assessment, and provide a comprehensive plan for the management of the area, including a schedule for implementation of protection measures.

A State may develop a statewide program of measures to complement local efforts to protect water supplies. The existing authority for development of State wellhead protection plans (which expired in 1989) is renewed and expanded to cover surface water sources. State programs are to include specific, new legal authority for protection of water supplies in State.

Public water systems and States are given several incentives to develop water supply protection programs.

A public water system or State source protection plan may propose modifications to drinking water monitoring requirements. Proposed monitoring modifications are to be justified by pollution prevention measures called for in source protection programs.

Once a public water system or State source protection program is approved, all Federal agency activities and other activities requiring a license or permit are to be carried out in a manner consistent with the program. A Presidential exemption is provided.

In addition, State drinking water loan funds and funds made available for implementation of State nonpoint pollution control plans under section 319 of the Clean Water Act may be used to support implementation of source protection programs.

An authorization of $20 million is provided for grants to drinking water systems for development of source protection programs; a 20% match is required. An authorization of $20 million is provided for grants to States for development of State source protection programs; a 50% match is required.

EMERGENCY POWERS

The requirement that the Administrator find that a State or local authority has not acted to protect the health of persons and the requirement to consult with State and local authorities prior to emergency action are eliminated. The Administrator is required to notify State and local authorities prior to emergency action are eliminated. The Administrator is required to notify State and local official before taking emergency action.

TAMPERING WITH PUBLIC WATER SYSTEMS

Existing prohibitions on tampering with public water systems are revised to reflect consolidated enforcement authority. In addition, the definition of tampering is expanded to clarify contaminants and the circumstances under which addition of pollutants to drinking water constitutes tampering and to provide that use of drinking water in other devices (i.e., "cross-connections") is tampering.

DRINKING WATER RESEARCH, EDUCATION, AND CERTIFICATION

The general research authorities are clarified and an authorization of $20 million is provided.

Existing authority for making grants to assist in emergency situations relating to water systems is retained but the funding authorization is deleted and replaced by authority for the Administration to reserve 1% of loan funds for emergencies. Funds are to be reallotted to State loan funds if not used.

A report to Congress on the long term availability of drinking water supply, submitted in 1988, is to be revised two years after enactment of these amendments and every five years thereafter.

Various authorities relating to education and training are consolidated and a new authorization of $10 million per year is added for this purpose.

New authority is established for the approval by the Administrator of State programs for certification of operators of public water systems. Each year is to have a certified operator 4 years after the date of enactment or 3 years after the date of completion of a small system compliance program, whichever is later. EPA is to publish guidelines setting minimum standards for certification within one year of enactment.

The existing authority for assistance to small public water systems is retained and the authorization is extended to the year 2000 at the existing level of $10 million.

STATE DRINKING WATER PROGRAM FUNDING

The authorization for State grants for management of drinking water programs is increased from $40 million to $100 million for each year to the year 2000 and the State match for Federal grant funds is increased in FY 97 and thereafter from 25% to 50%.

In addition, new authority is established for grants to States for development of ground water protection programs. The Administrator is to establish application procedures and key elements of State programs in annual guidance. States are to provide a 50% match for grant funds. An authorization of $20 million per year is provided.

Each State implementing a drinking water program is to ensure sufficient funding for the effective administration of the program. Where grant funds are not sufficient to administer the program effectively, the State is to provide additional funds from State fees or other sources.

Beginning in fiscal year 1997, the Administrator is to assume implementation of a drinking water program in any State where the program is not effectively implemented or adequately funded. The Administrator may use State grant funds to implement the program in a State and may collect fees from drinking water system in the State to provide additional funds as are needed. A Federal fee shall apply to each drinking water systems in the State serving more than 3,300 persons and shall not exceed one-half cent per hundred gallons of water provided.

Federal fees are to be deposited into a special fund in the Treasury. In any year in which sufficient funds for Federal program implementation are not appropriated from the fund, the Administrator may use up to 5% of the funds appropriated for the State drinking water loan funds for program implementation.

RECORDS AND INSPECTIONS

Existing authority for monitoring and inspections is clarified. Existing authorization of $30 million to carry out monitoring is extended to the year 2000. Authorities related to inspections are revised to eliminate the requirement to provide written notice to a system and to a primacy State of an inspection, to indicate that contractors may be authorized representatives of the Administrator, and to clarify the requirement that a person in charge of a water system be present at an inspection.

FEDERAL AGENCIES

The Federal facilities provision of the Act is amended to clearly waive the United States' sovereign immunity and to allow citizens and States to seek penalties for all violations of the Act by Federal facilities.

Existing authority for a Presidential exemption to compliance is expanded to cover any Federal agency, rather than just the Department of Defense. A waiver is limited to one year with a one year extension. Lack of appropriation is not a basis for a waiver unless the President requested the funding. The Administrator is to provide annual reports to the Congress.

CITIZEN'S CIVIL ACTION

The existing authority for citizen suits for violations of the Act is expanded to include penalties and strengthened. The prohibition against suits in the case of past violations is revised to allow suits where there is evidence that the violation has been repeated.

Citizens are authorized to bring suit in cases where a Federal agency is not complying with the Act or fails to pay a penalty under the Act and where the Administrator fails to perform a nondiscretionary duty. Conditions for commencement of citizen's actions are specified.

OTHER AMENDMENTS

The definition of public water systems is amended to clarify that the term does not include noncommunity water systems which do not provide water for human consumption if bottled water is provided for human consumption and signs are posted prohibiting the drinking of water from the system.

A requirement in section 1450 for an annual report on the activities of the Administrator to implement the Act is deleted.

States are allowed 2 years, rather than 18 months as under current law, to adopt drinking water regulations no less stringent than those established by the Administrator.

Judicial review authorities are clarified to eliminate pre-enforcement review of administrative orders.

The Administrator is to conduct a study of the extent and seriousness of contamination of private sources of drinking water not regulated under this Act and, within 3 years of the date of enactment, provide a report to the Congress describing the findings of the study and recommendations for needed actions.

ADDITIONAL COSPONSORS

S. 289

At the request of Mr. REID, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 289, a bill to amend section 118 of the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes.

S. 297

At the request of Mr. STEVENS, the name of the Senator from Utah [Mr.

BENNETT] was added as a cosponsor of S. 297, a bill to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

S. 368

At the request of Mr. BUMPERS, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of S. 368, a bill to amend the Internal Revenue Code of 1986 to provide a capital gains tax differential for individual and corporate taxpayers who make high-risk, long-term, growth-oriented venture and seed capital investments in startup and other small enterprises.

S. 455

At the request of Mr. HATFIELD, the names of the Senator from Colorado [Mr. CAMPBELL] and the Senator from Washington [Mr. GORTON] were added as cosponsors of S. 455, a bill to amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

S. 482

At the request of Mr. BOREN, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 482, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to furnish outpatient medical services for any disability of a former prisoner of war.

S. 732

At the request of Mr. KENNEDY, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 732, a bill to provide for the immunization of all children in the United States against vaccine-preventable diseases, and for other purposes.

S. 1111

At the request of Mr. KERREY, the names of the Senator from North Dakota [Mr. CONRAD] and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 1111, a bill to authorize the minting of coins to commemorate the Vietnam Veterans' Memorial in Washington, D.C.

S. 1191

At the request of Mr. MACK, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 1191, a bill to provide a fair, nonpolitical process that will achieve $65,000,000,000 in budget outlay reductions each fiscal year until a balanced budget is reached.

S. 1287

At the request of Mr. BENNETT, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 1287, a bill to reform the operations of Congress.

S. 1350

At the request of Mr. INOUYE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1350, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

S. 1408

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. 1408, a bill to repeal the increase in tax on Social Security benefits.

S. 1415

At the request of Mr. PRYOR, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 1415, a bill to amend the Internal Revenue Code of 1986 to clarify provisions relating to church pension benefit plans, to modify certain provisions relating to participants in such plans, to reduce the complexity of and to bring workable consistency to the applicable rules, to promote retirement savings and benefits, and for other purposes.

S. 1439

At the request of Mr. LIEBERMAN, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 1439, a bill to provide for the application of certain employment protection laws to the Congress, and for other purposes.

SENATE JOINT RESOLUTION 91

At the request of Mr. SPECTER, the names of the Senator from Indiana [Mr. COATS], the Senator from Nevada [Mr. REID], and the Senator from California [Mrs. BOXER] were added as cosponsors of Senate Joint Resolution 91, a joint resolution designating October 1993 and October 1994 as "National Domestic Violence Awareness Month."

SENATE JOINT RESOLUTION 132

At the request of Mr. BURNS, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of Senate Joint Resolution 132, a joint resolution designating the week of October 17, 1993, through October 23, 1993, as "National School Bus Drivers Safety Week."

SENATE JOINT RESOLUTION 134

At the request of Mr. BIDEN, the names of the Senator from Virginia [Mr. WARNER], the Senator from Texas [Mrs. HUTCHISON], the Senator from Vermont [Mr. LEAHY], the Senator from Kansas [Mr. DOLE], the Senator from Maine [Mr. MITCHELL], and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of Senate Joint Resolution 134, a joint resolution to designate October 19, 1993, as "National Mammography Day."

SENATE JOINT RESOLUTION 137

At the request of Mr. LEAHY, the names of the Senator from Maine [Mr. COHEN], the Senator from Idaho [Mr. CRAIG], the Senator from California [Mrs. FEINSTEIN], the Senator from Hawaii [Mr. INOUYE], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Tennessee [Mr. MATHEWS], the Senator from Michigan [Mr. RIEGLE], the Senator from Alabama [Mr. SHELBY], the Senator from South Carolina [Mr. THURMOND], the Senator from Utah [Mr. HATCH], the Senator from Montana [Mr. BURNS], and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of Senate Joint Resolution 137, a joint resolution designating October 16, 1993, and October 16, 1994, each as "World Food Day."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the names of the Senator from Vermont [Mr. JEFFORDS], the Senator from Mississippi [Mr. COCHRAN], the Senator from Montana [Mr. BAUCUS], and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE JOINT RESOLUTION 141

At the request of Mr. SARBANES, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Pennsylvania [Mr. WOFFORD], and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of Senate Joint Resolution 141, a joint resolution designating October 29, 1993, as "National Firefighters Day."

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

BUMPERS (AND OTHERS) AMENDMENT NO. 1027

Mr. BUMPERS (for himself, Mr. SASSER, Mr. DORGAN, Mr. WOFFORD, and Mr. FEINGOLD) proposed an amendment to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; as follows:

On page 27, strike lines 13–14 and insert in lieu thereof the following: "$2,972,906,000, to remain available for obligation until September 30, 1996: *Provided*, That of the funds appropriated in this paragraph, $1,028,596,000 shall not be obligated or expended for procurement or advance procurement of Trident II missiles unless the President has certified to Congress that the other signatories to the START treaty have rejected a United States proposal to the Joint Compliance and Inspection Commission that "detubing" be accepted as an option for eliminating SLBM launchers under START II.

INOUYE AMENDMENT NO. 1028

Mr. INOUYE proposed an amendment to amendment No. 1027 proposed by Mr. BUMPERS to the bill H.R. 3116, supra; as follows:

Before the period add the following: "or until the President had certified to Congress that such course of action would not be in the national interest".

INOUYE AMENDMENT NO. 1029

Mr. INOUYE proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 91, beginning on line 11, delete the text of section 8051 and insert in lieu thereof the following: "Notwithstanding any other provision of law, a qualified Indian tribal or Alaska Native Corporation which enters into a joint venture with a qualified small business concern shall not be denied the opportunity to compete for and be awarded a procurement contract to supply a product under the program provided for by section 2323 of title 10, United States Code, solely because the Indian tribal or Alaska Native Corporation is not the actual manufacturer or processor of the product to be supplied.".

McCAIN (AND OTHERS) AMENDMENT NO. 1030

Mr. McCAIN (for himself, Mr. D'AMATO, Mr. SMITH, and Mr. LAUTENBERG) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. Notwithstanding any other provision of this or any other Act, the total amount obligated or expended for procurement under the SSN-21 attack submarine program may not exceed $4,673,371,000.

McCAIN (AND ROTH) AMENDMENT NO. 1031

Mr. McCAIN (for himself and Mr. ROTH) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. (a) None of the funds appropriated by this or any other Act may be obligated for procurement of a third submarine under the SSN-21 attack submarine program or for advance procurement for such submarine.

(b) None of the $540,200,000 available to the Department of Defense for preservation of the industrial base for submarine construction in accordance with Public Law 102-298 may be obligated or expended for any purpose until—

(1) the Secretary of Defense submits to Congress a report containing—

(A) the funding requirements for each of fiscal years 1995, 1996, 1997, 1998, 1999, and 2000 for the proposed third submarine under the SSN-21 attack submarine program and the proposed New Attack Submarine and a statement regarding whether the necessary funding is provided for in the future-years defense program required by section 221(a) of title 10, United States Code, to be submitted to Congress in 1994;

(B) the acquisition objective, mission requirements, projected total program cost, projected total development cost, projected total procurement cost, and estimated total per-unit cost for the New Attack Submarine (all such costs to be computed and expressed on the basis of the actual dollar amount to be expended at the time expended);

(C) a comparison (with each other) of—

(i) the costs associated with procuring an additional SSN-688 submarine as the production bridge at Electric Boat Division of General Dynamics Corporation;

(ii) the costs associated with procuring an additional SSN-688 submarine as the production bridge at Newport News Shipbuilding and Drydock, Incorporated;

(iii) the costs associated with procuring a third submarine under the SSN-21 attack submarine program as the production bridge at Electric Boat Division of General Dynamics Corporation; and

(iv) the costs associated with procuring a third submarine under the SSN-21 attack submarine program as the production bridge at Newport News Shipbuilding and Drydock, Incorporated;

(D) an assessment of the costs associated with delaying procurement of an additional submarine until 1998 without providing a production bridge at either Electric Boat Division of General Dynamics Corporation or Newport News Shipbuilding and Drydock, Incorporated; and

(E) an assessment of the costs and feasibility of meeting operational requirements and sustaining the industrial base for submarine construction by carrying out either a program that combines overhaul and upgrade of existing SSN-688 submarines or a program for development and production of the New Attack Submarine instead of procuring a third submarine under the SSN-21 attack submarine program; and

(2) the Congress, in an Act, other than an appropriations Act, enacted after the date of receipt of the report referred to in paragraph (1), has specifically authorized the expenditure of the $540,200,000 made available to the Department of Defense for preservation of the industrial base for submarine construction in accordance with Public Law 102-298.

LEAHY AMENDMENT NO. 1032

Mr. INOUYE (for Mr. LEAHY) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 32, line 21, before the period at the end insert the following: ": *Provided*, That of the funds appropriated under this paragraph, $4,500,000 shall be available for replacement of the TER-9A ejection rack for F-16 fighter aircraft".

WOFFORD (AND SPECTER) AMENDMENT NO. 1033

Mr. INOUYE (for Mr. WOFFORD for himself and Mr. SPECTER) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, below line 9, insert the following:

SEC. 8142. (a) No funds appropriated under this Act may be obligated or expended for the purpose of establishing the Antler Military Operations Area, Pennsylvania, for the purpose of conducting aerial combat training operations until the date of the submittal to congressional defense committees of the report referred to in subsection (b).

(b)(1)(A) The Secretary of Defense, in consultation with the Administrator of the Environmental Protection Agency and the Administrator of the Federal Aviation Administration, shall submit to the congressional defense committees a report on the effect of low-level aircraft training operations of the Department of Defense on the proposed Antler Military Operations Area, Pennsylvania.

(B) The Secretary shall submit the report not later than 6 months after the date of the enactment of this Act.

(2) The report under this subsection shall include the following:

(A) An assessment of the effect of the training operations referred to in paragraph (1) on—

(i) the environment of the areas of, and in the vicinity of, the proposed Antler Military Operations Area, including a detailed assessment of the effects of the noise generated by such operations on the environment of such areas;

(ii) the economy of such areas; and

(iii) the health and safety of persons living in and around such areas.

(B) A description of the number of aircraft flights per month that the Secretary anticipates will occur in the proposed Antler Military Operations Area.

(C) A description of the number and duration of such flights per month that the Secretary anticipates will occur at or below a level that is 500 feet above the highest ground level of the proposed Antler Military Operations Area.

(c) In this section, the term "congressional defense committees" means the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives.

INOUYE AMENDMENT NO. 1034

Mr. INOUYE proposed an amendment to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, insert:

SEC. . Notwithstanding any other provision of law, within 30 days from the enactment of this Act, the Department of the Navy shall select and take possession of either LCU-1540 or LCU-1549 from the General Services Administration: *Provided*, That the Navy shall modify or have modified the selected vessel utilizing commercial standards that meet United States Coast Guard certification requirements as safe to operate in open ocean as a cargo vessel: *Provided further*, That upon completion of all modifications and certification by the United States Coast Guard, the Navy shall immediately transfer title of the vessel, at no cost, to the government of American Samoa: *Provided further*, That of the funds appropriated in this Act in title II, Operation and Maintenance, Navy, $1,500,000 shall be available for this purpose: *Provided further*, That notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa.

DOMENICI AMENDMENT NO. 1035

Mr. INOUYE (for Mr. DOMENICI) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 48, line 22, after Kentucky, add the following: ": and that one multistate region shall include the State of New Mexico:".

SASSER (AND OTHERS) AMENDMENT NO. 1036

Mr. SASSER (for himself, Mr. LEAHY, Mr. SIMON, Mr. WOFFORD, Mr. CONRAD, Mr. FEINGOLD, and Mrs. BOXER) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the end of the title of general provisions, insert the following:

SEC. . Not later than January 1, 1994, the Secretary of Defense shall submit to Congress a report on steps that can be taken by the United States to achieve greater cooperation from allies of the United States and international organizations for the support of the costs involved in development and production of Theater Missile Defense systems.

(b) The Congress shall establish by law for each fiscal year (beginning with fiscal year

1995) the level of new obligational authority (stated as a single dollar amount) for research, development, test, and evaluation and for procurement for Theater Missile Defense programs of the Department of Defense for that fiscal year.

(c)(1) Not more than 80 percent of the amount established pursuant to subsection (b) for any fiscal year may be provided from amounts appropriated to the Department of Defense from the general fund of the Treasury, and no appropriation may be made to the Department of Defense for any fiscal year which would cause the total amount appropriated for that fiscal year for research, development, test, and evaluation and for procurement for Theater Missile Defense programs of the Department of Defense to exceed 80 percent of such amount.

(2) Any additional funds for research, development, test, and evaluation and for procurement for Theater Missile Defense programs for any fiscal year for which an amount has been established pursuant to subsection (b) shall be derived from the Theater Missile Defense Cooperation Account under section 2609 of title 10, United States Code, as added by subsection (e).

(3) The President may waive the limitation in paragraph (1) and the requirement in paragraph (2) to the extent that the President determines appropriate in the national security interest of the United States.

(d) It is the intent of Congress that, except as provided in subsection (e), the percentage of the cost of development and production of Theater Missile Defense systems that is borne by the United States, and the percentage that is borne by allied nations and international organizations, should incrementally shift over the fiscal years after fiscal year 1995 so that the percentage actually borne by the United States in later fiscal years is significantly less than the maximum of 80 percent provided for under subsection (c).

(e) The financial contribution requirements established for allied nations in the administration of this section shall not apply to any foreign nation that, as of the date of the enactment of this Act, is paying at least 20 percent of the total cost of the contracts in existence under a theater missile defense interceptor system program being carried out on such date in cooperation between that foreign nation and the United States.

(f)(1) Chapter 155 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2609. Theater Missile Defense: acceptance of contributions from allies; Theater Missile Defense Cooperation Account

"(a) ACCEPTANCE AUTHORITY.—The Secretary of Defense may accept from any allied foreign government or any international organization any contribution of money made by such foreign government or international organization for use by the Department of Defense for Theater Missile Defense programs.

"(b) ESTABLISHMENT OF THEATER MISSILE DEFENSE COOPERATION ACCOUNT.—(1) There is established in the Treasury a special account to be known as the 'Theater Missile Defense Cooperation Account'.

"(2) Contributions accepted by the Secretary of Defense under subsection (a) shall be credited to the Account.

"(c) USE OF THE ACCOUNT.—(1) Funds in the Account are hereby made available for obligation for research, development, test, and evaluation, and for procurement, for Theater Missile Defense programs of the Department of Defense, subject to annual limitations provided by law in total obligations for such purpose.

"(d) INVESTMENT OF MONEY.—(1) Upon request by the Secretary of Defense, the Secretary of the Treasury may invest money in the Account in securities of the United States or in securities guaranteed as to principal and interest by the United States.

"(2) Any interest or other income that accrues from investment in securities referred to in paragraph (1) shall be deposited to the credit of the Account.

"(e) NOTIFICATION OF CONDITIONS.—The Secretary of Defense shall notify Congress of any condition imposed by the donor on the use of any contribution accepted by the Secretary under the authority of this section.

"(f) REPORTING REQUIREMENT.—Not later than 30 days after the end of each quarter of each fiscal year, the Secretary of Defense shall submit to Congress a report on the contributions accepted by the Secretary under this section during the preceding quarter.

"(g) ANNUAL AUDIT BY GAO.—The Comptroller General of the United States shall conduct an annual audit of money accepted by the Secretary of Defense under this section and shall submit a copy of the results of each such audit to Congress.

"(h) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2609. Theater Missile Defense: acceptance of contributions from allies; Theater Missile Defense Cooperation Account.".

(g) Section 2609 of title 10, United States Code, as added by subsection (f), shall take effect as of October 1, 1993.

SPECTER (AND OTHERS) AMENDMENT NO. 1037

Mr. SPECTER (for himself, Mr. WOFFORD, and Mr. LAUTENBERG) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. (a)(1) The Comptroller General shall carry out a study of the cost-effectiveness to the Navy of the utilization of nuclear-powered aircraft carriers and nuclear-powered submarines.

(2) The study shall include—

(A) a comparison of the life-cycle cost of nuclear-powered aircraft carriers and nuclear-powered submarines with the life-cycle cost of conventionally powered aircraft carriers and conventionally powered submarines, as the case may be;

(B) a comparison of the cost of procuring nuclear-powered aircraft carriers with the cost of carrying out the service-life extension or complex overhaul of existing conventionally powered aircraft carriers;

(C) a comparison of the projected cost to the Navy of operating a fleet of aircraft carriers utilizing no homeports located at foreign overseas installations with the projected cost of operating such a fleet utilizing both foreign overseas homeports and homeports located in the United States;

(D) an assessment of the effect on the projected costs referred to in subparagraph (C) of—

(i) the plan, if any, of the Navy for the location of a homeport for a nuclear-powered aircraft carrier in the Western Pacific region in the event of the retirement of all conventionally powered aircraft carriers in the fleet; and

(ii) restrictions imposed by foreign nations on utilizing installations located in such nations as homeports for nuclear-powered aircraft carriers, and on the operation of such carriers in the waters of such nations;

(E) an assessment of the number of aircraft carriers required by the Navy in order to meet operational requirements for a continuous presence of aircraft carriers in three overseas regions simultaneously in the event that foreign nations prohibit the utilization of locations in such nations as homeports for nuclear-powered aircraft carriers;

(F) an assessment of the refueling including any complex overhaul of the fueling system and nuclear propulsion system required for the nuclear-powered aircraft carriers of the fleet through 2010, including—

(i) a schedule for such refueling;

(ii) the cost of such refueling; and

(iii) the cost of disposing of the waste generated by such refueling;

(G) a detailed description of all programs of the Department of Defense and of the Department of Energy relating to nuclear propulsion systems for naval ships (including surface ships and submarines) that utilize such systems; and

(H) a detailed estimate of the costs associated with processing or otherwise disposing of nuclear fuel and other nuclear material (including nuclear waste) from the existing nuclear-powered fleet of ships (including surface ships and submarines) of the Navy.

(3) In determining the life-cycle costs associated with nuclear-powered aircraft carriers and nuclear-powered submarines for the purposes of the study under this subsection, the Comptroller General shall take into account the cost of processing or otherwise disposing of nuclear fuel and other nuclear material (including nuclear waste) removed from such aircraft carriers and submarines.

(b) The Comptroller General shall submit to the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives a report on a study carried out under subsection (a) not later than 6 months after the date of the enactment of this Act.

SPECTER (AND OTHERS) AMENDMENTS NOS. 1038–1039

Mr. SPECTER (for himself, Mr. WOFFORD, and Mr. LAUTENBERG) proposed two amendments to the bill H.R. 3116, supra; as follows:

AMENDMENT NO. 1038

At the end of the title of general provisions, insert the following:

SEC. . (a) It is the sense of Congress that—

(1) the Secretary of Defense should not prohibit any military installation described in subsection (b) from bidding on or performing Department of Defense contracts for overhaul services or for depot-level maintenance of material for the Armed Forces that are awarded using competitive procedures;

(2) performance of such a contract by such a military installation should not affect the schedule for closure of the installation;

(3) such a contract should not be entered into for the performance of work at such an installation if the time necessary for performance of the contract extends beyond the date established for closure of the installation or if the performance of the contract at the installation would otherwise affect the schedule for closure of the installation; and

(4) such a contract awarded to a military installation should be terminated for default

if the contract is not completed on or before the completion date provided in the contract.

(b) A military installation referred to in subsection (a) is a military installation that (1) has been approved for closure subject to the provisions of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), (2) is in the process of implementing a conversion or reuse strategy for the installation to take effect upon closure, and (3) has received some funds from the Department of Defense for the purpose of implementing the conversion or reuse strategy.

AMENDMENT No. 1039

At the end of the title of general provisions, insert the following:

SEC. . It is the sense of the Congress that operators of industrial facilities at military installations closed after the date of the enactment of this Act should be permitted to qualify as offerors for (1) proposed Department of Defense contracts for overhaul services for the Armed Forces, and (2) proposed Department of Defense contracts for depot-level maintenance of material for the Armed Forces.

SPECTER (AND WOFFORD) AMENDMENT NO. 1040

Mr. SPECTER (for himself and Mr. WOFFORD) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, below line 9, insert the following:

SEC. 8142. (a) No funds appropriated under this Act may be obligated or expended for the purpose of carrying out low-level aircraft training operations with respect to the Antler Military Operations Area, Pennsylvania, until the date of the submittal to congressional defense committees of the report referred to in subsection (b).

(b)(1)(A) The Secretary of Defense, acting through the Deputy Under Secretary of Defense for Environmental Security and in consultation with the Administrator of the Environmental Protection Agency and the Administrator of the Federal Aviation Administration, shall submit to the congressional defense committees a report on the effect of low-level aircraft training operations of the Department of Defense on the proposed Antler Military Operations Area, Pennsylvania.

(B) The Secretary shall submit the report not later than 6 months after the date of the enactment of this Act.

(2) The report under this subsection shall include the following:

(A) An assessment of the effect of the training operations referred to in paragraph (1) on—

(i) the environment of the areas of, and in the vicinity of, the proposed Antler Military Operations Area, including a detailed assessment of the effects of the noise generated by such operations on the environment of such areas;

(ii) the economy of such areas; and

(iii) the health and safety of persons living in and around such areas.

(B) A description of the number of aircraft flights per month that the Secretary anticipates will occur in the proposed Antler Military Operations Area.

(C) A description of the number and duration of such flights per month that the Secretary anticipates will occur at or below a level that is 500 feet above the highest ground level of the proposed Antler Military Operations Area.

(c) In this section, the term "congressional defense committees" means the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives.

BUMPERS (AND OTHERS) AMENDMENT NO. 1041

Mr. BUMPERS (for himself, Mr. SASSER, Mr. METZENBAUM, Mr. WOFFORD, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the end of line 9 on page 157, insert the following new section:

"Notwithstanding any other provision of this bill, the amounts appropriated for the program in support of the intelligence community of the Federal Government for the National Foreign Intelligence Program shall be reduced by $300,000,000; and the amounts appropriated for the programs in support of the intelligence community of the Federal Government for the Tactical Intelligence and Related Activities Program shall be reduced by $100,000,000."

BYRD (AND OTHERS) AMENDMENT NO. 1042

Mr. BYRD (for himself, Mr. MITCHELL, Mr. DOLE, Mr. PELL, Mr. LUGAR, Mr. NUNN, Mr. THURMOND, Mr. WARNER, Mr. STEVENS, Mr. BROWN, Mr. LEAHY, Ms. MOSELEY-BRAUN, and Mr. EXON) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the end of the Committee amendment which appears on page 8, lines 12 through 17, strike "environment" and insert the following: "environment: *Provided further*, That the Senate finds that—

"(1) the United States entered into Operation Restore Hope in December of 1992 for the purpose of relieving mass starvation in Somalia;

"(2) the original humanitarian relief mission in Somalia had the unanimous support of the Senate, expressed in Senate Joint Resolution 45, passed on February 4, 1993;

"(3) the original humanitarian mission was being successfully accomplished by United States forces, working with forces of other nations, and an expanded mission was assumed by the United Nations on May 4, 1993 pursuant to United Nations Resolution 814, of March 26, 1993;

"(4) neither the expanded United Nations mission of national reconciliation, nor the broad mission of disarming the clans, nor any other mission not essential to the performance of the humanitarian mission has been endorsed or approved by the Senate;

"(5) the expanded mission of the United Nations was, subsequent to an attack upon United Nations forces, diverted into a mission aimed primarily at capturing certain persons, pursuant to United Nations Security Council Resolution 837, of June 6, 1993;

"(6) the actions of hostile elements in Mogadishu, and the United Nations mission to subdue those elements, have resulted in open conflict in the city of Mogadishu and the deaths of 29 Americans, at least 159 wounded, and the capture of American personnel; and

"(7) during fiscal years 1992 and 1993, the United States incurred expenses in excess of $1.1 billion to support operations in Somalia: *Provided further*, That the Senate approves the use of United States Armed Forces in Somalia for the following purposes—

"(i) The protection of United States personnel and bases; and

"(ii) The provision of assistance in securing open lines of communication for the free flow of supplies and relief operations through the provision of—

"(I) United States military logistical support services to United Nations forces; and

"(II) United States combat forces in a security role and as an interim force protection supplement to United Nations units; *Provided further*, That funds appropriated, or otherwise made available, in this or any other Act to the Department of Defense may be obligated for expenses incurred only through March 31, 1994, for the operations of United States Armed Forces in Somalia: *Provided further*, That such date may be extended if so requested by the President and authorized by the Congress: *Provided further*, That funds may be obligated beyond March 31, 1994 to support a limited number of United States military personnel sufficient only to protect American diplomatic facilities and American citizens, and noncombat personnel to advise the United Nations commander in Somalia: *Provided further*, That United States combat forces in Somalia shall be under the command and control of United States commanders under the ultimate direction of the President of the United States: *Provided further*, That the President should intensify efforts to have United Nations member countries immediately deploy additional troops to Somalia to fulfill previous force commitments made to the United Nations and to deploy additional forces to assume the security missions of United States Armed Forces: *Provided further*, That—

"(A) captured United States personnel in Somalia should be treated humanely and fairly; and

"(B) the United States and the United Nations should make all appropriate efforts to ensure the immediate and safe return of any future captured United States personnel: *Provided further*, That the President should ensure that, at all times, United States military personnel in Somalia have the capacity to defend themselves, and American citizens: *Provided further*, That the United States Armed Forces should remain deployed in or around Somalia until such time as all American service personnel missing in action in Somalia are accounted for, and all American service personnel held prisoner in Somalia are released".

McCAIN (AND OTHERS) AMENDMENT NO. 1043

Mr. McCAIN (for himself, Mr. GRAMM, Mr. GORTON, Mr. SMITH, Mr. D'AMATO, Mr. ROTH, Mrs. HUTCHISON, Mr. WALLOP, Mr. COATS, Mr. FAIRCLOTH, Mr. PRESSLER, Mr. CRAIG, Mr. MACK, Mr. BROWN, Mr. HATCH, Mr. KEMPTHORNE, Mr. NICKLES, Mr. BURNS, and Mr. MURKOWSKI) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . PROHIBITION ON THE USE OF FUNDS FOR UNITED STATES MILITARY OPERATIONS IN SOMALIA.

(a) PROHIBITION.—No funds appropriated or otherwise made available in this or any other Act to the Department of Defense may be obligated for support of operations of United States Armed Forces in Somalia except as provided for in subsection (b).

(b) EXCEPTIONS.—

(1) funds may be appropriated or otherwise made available for continued operations of United States Armed Forces in Somalia to support the prompt and orderly withdrawal of all United States Armed Forces from Somalia in a manner most consistent with the safety of United States personnel.

(2) funds may be appropriated or otherwise made available for continued operations of United States Armed Forces in Somalia in the event that American prisoners of war have not been returned to United States authorities and Americans missing in action have not been accounted for.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources.

The hearing will take place Tuesday, October 19, 1993, at 9:30 a.m. in room 366 of the Senate Dirksen Office Building in Washington, DC.

The purpose of the hearing is to receive testimony from Corlis Moody, nominee to be Director of the Department of Energy's Office of Economic Impact and Diversity, and Richard Stallings, nominee to be the Nuclear Waste Negotiator, Office of Nuclear Waste Negotiator.

For further information, please contact Rebecca Murphy at (202) 224-7562.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BUMPERS. Mr. President, I would like to announce that a hearing has been scheduled before the Subcommittee on Public Lands, National Parks and Forests.

The hearing will take place on Wednesday, October 27, 1993, beginning at 2 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills currently pending before the Subcommittee:

S. 589 and H.R. 1348, to establish the Quinebaug and Shetucket Rivers Valley National Heritage Corridor, and for other purposes;

S. 1332, to designate a portion of the Farmington River in Connecticut as a component of the National Wild and Scenic Rivers System, and for other purposes; and

S. 1380 and H.R. 2650, to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers System.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, anyone wishing to submit a written statement is welcome to do so by sending two copies to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510.

For further information regarding the hearing, please contact Dionne Thompson of the subcommittee staff at (202) 224-5925.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BUMPERS. Mr. President, I would like to announce that a hearing has been scheduled before the Subcommittee on Public Lands, National Parks and Forests.

The hearing will take place on Wednesday, November 3, 1993, beginning at 2 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills currently pending before the Subcommittee:

S. 297, to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs;

S. 455, to amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes;

S. 761, to amend the "unit of general local government" definition for Federal Payments in lieu of taxes to include unorganized boroughs in Alaska;

S. 1047, to convey certain real property located in Tongass National Forest to Daniel J. Gross, Sr., and Douglas K. Gross, and for other purposes; and

H.R. 1134, to provide for the transfer of certain public lands located in Clear Creek County, Colorado, to the United States Forest Service, the State of Colorado, and certain local governments in the State of Colorado, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, anyone wishing to submit a written statement is welcome to do so by sending two copies to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510.

For further information regarding the hearing, please contact Kira Finkler of the subcommittee staff at (202) 224-7933.

SUBCOMMITTEE ON WATER AND POWER

Mr. BRADLEY. Mr. President, I would like to announce for the public that a field hearing has been scheduled before the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources to receive testimony on the contemporary needs and management of the Newlands project in Nevada, a Bureau of Reclamation project.

The hearing will take place Monday, November 8, 1993, beginning at 8 a.m., in the Reno-Sparks Convention Center, 4590 S. Virginia Street, Reno, NV.

Due to the limited time available at the hearing, witnesses may testify by invitation only. However, anyone wishing to submit written testimony to be included in the printed hearing record is welcome to do so. Those persons wishing to submit written testimony should mail five copies of the statement to the Subcommittee on Water and Power, U.S. Senate, 304 Dirksen Senate Office Building, Washington, DC, 20510-6150.

For further information, please contact Dana Sebren Cooper, counsel for the subcommittee at (202) 224-4531 or Ann Goshorn at (202) 224-6836.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce that the Committee on Energy and Natural Resources' hearing on nuclear safety assistance to Russia and Eastern Europe has been rescheduled.

The hearing, originally scheduled for Tuesday, November 2, 1993, at 9:30, will now take place on Thursday, October 28, 1993, at 2. It will be held in room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE., Washington, DC.

For further information, please contact Sam Fowler of the committee staff at 202-224-7569.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON FOREIGN RELATIONS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Thursday, October 14, 1993, at 5 p.m. to receive a closed briefing on the situation in Haiti.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. in executive session to consider agenda items.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, October 14, 1993.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, October 14, 1993, to hold a hearing on the nominations of Jo Ann Harris to be Assistant Attorney General and Eduardo Gonzalez to be Director of the U.S. Marshal Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Thursday, October 14, 1993, at 3:30 p.m. to receive a closed briefing on the situation in Russia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Thursday, October 14, 1993, at 3 p.m. to hold ambassadorial nomination hearings on: Mr. Leslie M. Alexander, of Florida, to be Ambassador to Mauritius, and to serve concurrently as ambassador to the Federal and Islamic Republic of the Comoros; Mr. Robert Gordon Houdek, of Illinois, to be Ambassador to Eritrea; and Mr. David P. Rawson, of Michigan, to be Ambassador to the Republic of Rwanda.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources' Subcommittee on Employment and Productivity be authorized to meet for a hearing on S. 1361, School-to-work Opportunities Act, during the session of the Senate on Wednesday, October 14, 1993, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on biomedical ethics in U.S. public policy, during the session of the Senate on Wednesday, October 14, 1993, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON MINERAL RESOURCES DEVELOPMENT

Mr. FORD. Mr. President, I ask unanimous consent that the subcommittee on Mineral Resources Development and Production of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., October 14, 1993, to receive testimony on S. 1170, a bill to amend the Mineral Leasing Act to provide for leasing of certain lands for oil and gas purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

DAVID CLARKE INAUGURAL COMMENTS

• Mr. HARKIN. Mr. President, I recently had the opportunity to attend the inauguration of the new chairman of the District of Columbia Council, Dave Clarke. As my colleagues know, Dave Clarke was elected to fill the term left vacant by the tragic death of the previous chairman, John Wilson. The election of Dave Clarke will, I think, help this city heal from the loss of John Wilson, and bring a new burst of leadership for the District of Columbia, a city that has suffered too long from crime, poverty, and the interference of Congress in its internal affairs.

In his inaugural statement, Dave Clarke challenged us all to do better. His inaugural statement was very powerful, and I would commend it to my colleagues. I would therefore ask that his statement appear in the RECORD.

The statement follows:

INAUGURAL COMMENTS OF CHAIRMAN DAVID A. CLARKE, SEPTEMBER 27, 1993

To my colleagues, Mayor Kelly and former Mayor Washington, Delegate Norton, my friend whom I met when I was Chairman before, Senator Tom Harkin, Senator Pendleton, former chairs Arrington Dixon and Sterling Tucker, and my friends and fellow citizens, I thank you for being here.

I want to especially thank Chairman John Ray for the leadership he gave as Chair during this difficult period.

Today is not an occasion for celebration; it is unfortunately an occasion of regret. None of us wanted to be here today, but life goes on and so do our problems.

In fact, we are facing many serious problems. Our expenditures are exceeding our revenues. Our debt is so large that we are spending over $300 million a year to pay it off. Our unfunded pension liability is now over $4 billion and will, at current rates, grow to over $9 billion in 11 years.

To those who are dodging bullets in their neighborhoods like we read about in the paper this morning, the budget means little. Their very lives are at stake. While the rate of many crimes has gone down, homicides have gone up.

I am reminded of Isaiah's vision of his beloved Jerusalem. He wrote early:

"How the faithful city has become a harlot, she that was full of justice.

"Righteousness lodged in her, but now murderers.

"Your silver has become dross, your wine mixed with water.

"Your princes are revels and companions of thieves.

"Everyone loves a bribe and runs after gifts.

"They do not defend the fatherless, and the widow's cause does not come to them."

But Isaiah later wrote of a vision of hope:

"If you take away the midst of you the yoke, the pointing of the finger, and speaking wickedness.

"If you pour yourself out for the hungry and satisfy the desire of the afflicted.

"Then shall your light rise in the darkness and your gloom be as the noonday.

"And the Lord will guide you continually, and satisfy your desire with good things and make your bones strong.

"And you shall be liked a watered garden, like a spring of waters whose waters fail not.

"And your ancient ruins shall be rebuilt.

"You shall raise up the foundations of many generations and shall be called the repairer of the breach, the restorer of streets to live in."

How do we like Isaiah get from the gloom of the problems which beset us to the hope of which he spoke.

In my campaign, I laid out some proposals.

I spoke of the need for fair downsizing through a process to identify that which is essential and that which is not essential and moving personnel from nonessential positions into essential positions.

I spoke of the need to involve the public more in the decisions to engage new debt.

I spoke of a formula to share the responsibility for resolving the unfunded pension liability although its creation was chiefly the responsibility of the Congress when it ran the city.

I spoke of the need to enforce the Assault Weapons Manufacturing Strict Liability Act to hold the merchants of death responsible for the death and destruction which their products are causing in our city.

I spoke of encouraging economic development programs to be coordinated with the development of educational curricula so that we can produce graduates for jobs and jobs for graduates.

I am ready to get started. I could offer you a lot of detail, but I did that during the campaign. Some said an excruciating amount of detail. This is not the occasion for a rerun of a stump speech.

I can say this. All that I have promised and can do and all that any of these people on the Council or the Mayor can do alone will not be enough. We must cooperate if anything substantial is to be done.

Further, it cannot be done without the soul of our people.

Crises can be the occasion of falling apart. They can result in divisiveness, in scapegoatism, in NIMBYism—all efforts to blame somebody else for our problems.

However, our crises can be the occasion of people coming together. Our city has done it before; we can do it again. We survived the colonial days of the last part of the 18th century and the first part of the 19th century when human beings were chattels to be bought and sold. We survived the reconstruction period when Boss Shepherd drove the city into bankruptcy. We survived the Jim Crowism which used Boss Shepherd's excesses to put us under a three-commissioner form of government which we endured for a century.

We have it within ourselves to conquer our current problems as well. Take a moment, stop looking at me, and look around the room at each other. We are black. We are white. We are yellow. We are brown. We are old. We are young. We are rich and not so rich. We are male. We are female. We are straight. We are gay. We are African, European, Latin, and Asian. We are from every corner of the world.

Yet in this most political of cities, our goals are similar, and, if we are all given and take a part, we can realize those goals together. In our own city, we have the capacity to realize the American dream.

To do that, we must look beyond this chamber and the halls of government which they represent. We must look to the very soul of our city and of our people.

We cannot just pay our taxes and vote. That is not enough. We must do more.

As businesses, we cannot just buy our licenses and pay our fees. We must seek to hire the unemployed, and particularly those from the District of Columbia where our businesses are operating.

In the face of crime, we cannot just board up our houses, and we definitely cannot resort to arming ourselves as has happened in other jurisdictions. We must put on the orange and red hats, be courageous, go outside and join our neighbors and the police and reclaim our streets.

We must be parents to our own children, but we must be willing to reach out and touch someone else's child who may be without the benefit of the parents that we are.

We must be a good neighbor, but we must welcome to our neighborhoods new people who may be different than what we have been used to.

Throughout history, it has been shown that people have within their souls the resources to respond to crises far more than their governments.

Moses stood up to Pharoh. Daniel stood up to Darius and was put into the den of lions. Meshach, Shadrach, and Abednego stood up to Nebuchadnezzar and were put into a furnace of fire. And Jesus stood up to Pilate and was nailed to a cross. In our own time, Mahatma Ghandi stood up to the British crown, Martin Luther King stood up to the United States, and just this week Nelson Mandela proved victorious over the apartheid government of South Africa.

Each of these persons drew on resources beyond government and their victories were far greater than those which could be achieved by any government. Many of them were in conflict or contrast with government and we live in a democracy where cooperation with government may be more possible. But the important thing is that they brought forth resources from their very souls which were needed to resolve the problems they faced.

I accept the challenge to do that myself. I challenge each of my colleagues, I challenge the Mayor, and yes, Senator HARKIN, I even challenge the United States to do so too.

Thank you.●

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, as of the close of business Wednesday, October 6, the Federal debt stood at $4,404,063,184,112.24, meaning that on a per capita basis, every man, woman, and child in America owes $17,145.84 as his or her share of that debt.

CANCER SCREENING INCENTIVE ACT OF 1993

● Mr. D'AMATO. Mr. President, I rise today to join my colleagues, Senators MACK and BREAUX, in introducing the Cancer Screening Incentive Act of 1993. This life-giving legislation will make early cancer detection tests available to every American.

Despite recent advances in our war against cancer, this horrible disease remains the second leading cause of death in the United States. The American Cancer Society estimates that, in 1993, 46,300 women will die of breast cancer and 183,000 new cases will be diagnosed. Of the 248 million Americans now living, approximately 85 million—or 1 in 3—will eventually have some form of cancer.

These figures underscore the vital importance of early cancer detection and treatment. Procedures such as mammography, the Pap test, and fecal occult blood tests make it possible to identify and treat cancers before they spread. The American Cancer Society estimates that, through expanded early detection and treatment, 84,000 cancer deaths could be avoided in 1993 alone.

Unfortunately, far too few Americans receive appropriate early cancer detection tests. In 1987, only 25 percent of women over 50 reported having a mammogram within the preceding 2 years. The Healthy People 2000 Report, issued in 1990 by the Public Health Service, urges increased use of mammogram screening so that at least 60 percent of women over 50 receive such tests every 2 years by the year 2000. In addition, the report calls for a 13-percent increase in the use of Pap tests, and an 85-percent increase in fecal occult blood testing by the year 2000.

The Cancer Screening Incentive Act of 1993 will help us reach these goals by offering a refundable tax credit of up to $250 against the costs of certain cancer screening procedures. For those who fall outside the 15-percent marginal tax rate, our bill provides a credit of up to $200. Our bill will also increase access to cancer screening among low-income Americans by ensuring that individuals whose family income is below 150 percent of the poverty level receive cancer screening procedures at no cost. Medical providers who offer tests to these individuals would be eligible for a modest tax credit at a rate to be determined by the Health Care Financing Administration.

No American should be denied access to early cancer screening procedures simply due to their cost, or because of lack of adequate health insurance. The enactment of the Cancer Screening Incentive Act of 1993 will remove, for all Americans, the barriers to these lifesaving procedures. I encourage my colleagues to join in the support of this important legislation, and I urge its immediate passage.●

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

BIOMEDICAL RESEARCH DAY

Mr. FORD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from and the Senate proceed to the immediate consideration of House Joint Resolution 111, a joint resolution relating to Biomedical Research Day; that the joint resolution be read a third time, passed; that the preamble be agreed to; that the motion to reconsider be laid upon the table and any statements relative to the passage of this item appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 111) was ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

MIDDLE EAST PEACE FACILITATION ACT OF 1993

Mr. FORD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on (S. 1487) a bill entitled "Middle East Peace Facilitation Act of 1993."

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Middle East Peace Facilitation Act of 1993".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Palestine Liberation Organization has recognized the State of Israel's right to exist in peace and security; accepted United Nations Security Council resolutions 242 and 338; committed itself to the peace process and peaceful coexistence with Israel, free from violence and all other acts which endanger peace and stability; and assumed responsibility over all Palestine Liberation Organization elements and personnel in order to assure their compliance, prevent violations, and discipline violators;

(2) Israel has recognized the Palestine Liberation Organization as the representative of the Palestinian people;

(3) Israel and the Palestine Liberation Organization signed a Declaration of Principles on Interim Self-Government Arrangements on September 13, 1993, at the White House;

(4) the United States has resumed a bilateral dialogue with the Palestine Liberation Organization; and

(5) in order to implement the Declaration of Principles on Interim Self-Government Arrangements and facilitate the Middle East peace process, the President has requested flexibility to suspend certain provisions of law pertaining to the Palestine Liberation Organization.

SEC. 3. AUTHORITY TO SUSPEND CERTAIN PROVISIONS.

(a) IN GENERAL.—Subject to subsection (b), the President may suspend any provision of law specified in subsection (d). Any such suspension shall cease to be effective on January 1, 1994, or such earlier date as the President may specify.

(b) CONDITIONS.—

(1) CONSULTATION.—The President may exercise the authority provided in subsection (a) only if the President certifies to the relevant congressional committees.

(2) PRESIDENTIAL CERTIFICATION.—The President may exercise the authority provided in subsection (a) only if the President certifies to the relevant congressional committees that—

(A) it is in the national interest of the United States to exercise such authority; and

(B) the Palestine Liberation Organization continues to abide by all the commitments described in paragraph (4).

(3) REQUIREMENT FOR CONTINUING PLO COMPLIANCE.—Any suspension under subsection (a) of a provision of law specified in subsection (d) shall cease to be effective if the President certifies to the relevant congressional committees that the Palestine Liberation Organization has not continued to abide by all the commitments described in paragraph (4).

(4) PLO COMMITMENTS DESCRIBED.—The commitments referred to in paragraphs (2) and (3) are the commitments made by the Palestine Liberation Organization—

(A) in its letter of September 9, 1993, to the Prime Minister of Israel;

(B) in its letter of September 9, 1993, to the Foreign Minister of Norway; and

(C) in, and resulting from the implementation of, the Declaration of Principles on Interim Self-Government Arrangements signed on September 13, 1993.

(c) EXPECTATION OF CONGRESS REGARDING ANY EXTENSION OF PRESIDENTIAL AUTHORITY.—The Congress expects that any extension of the authority provided to the President in subsection (a) will be conditional on the Palestine Liberation Organization—

(1) renouncing the Arab League boycott of Israel;

(2) urging the nations of the Arab League to end the Arab League boycott of Israel; and

(3) cooperating with efforts undertaken by the President of the United States to end the Arab League boycott of Israel.

(d) PROVISIONS THAT MAY BE SUSPENDED.—The provisions that may be suspended under the authority of subsection (a) are the following:

(1) Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) as it applies with respect to the Palestine Liberation Organization or entities associated with it.

(2) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note) as it applies with respect to the Palestine Liberation Organization or entities associated with it.

(3) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 5202).

(4) Section 37 of the Bretton Woods Agreement Act (22 U.S.C. 286w) as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund. As used in this paragraph, the term "other official status" does not include membership in the International Monetary Fund.

(e) RELATION TO OTHER AUTHORITIES.—This section supersedes section 578 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103–87).

(f) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—As used in this section, the term "relevant congressional committees" means—

(1) the Committee on Foreign Affairs, the Committee on Banking, Finance and Urban Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

Mr. FORD. Mr. President, I move the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDING THE NATIONAL WOOL ACT OF 1954

Mr. FORD. Mr. President, I ask unanimous consent that the Agriculture Committee be discharged from further consideration of S. 1548, a bill relating to a 2-year phaseout of the wool and mohair program, and that the Senate then proceed to its immediate consideration, that the bill be deemed read three times, passed and the motion to reconsider laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 1548) was deemed read the third time and passed, as follows:

S. 1548

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SUPPORT PRICE FOR WOOL AND MOHAIR.

Section 703 of the National Wool Act of 1954 (7 U.S.C. 1782) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

"(a) Subject to subsection (b)(3), the Secretary of Agriculture shall, through the Commodity Credit Corporation, make loans and payments to producers of wool and mohair through December 31, 1995.";

(2) in subsection (b)—

(A) in paragraph (2), by striking "1997" and inserting "1995"; and

(B) by striking paragraph (3) and inserting the following new paragraph:

"(3) No loans, purchases, or payments shall be made for the 1996 and subsequent marketing years, except that loans and payments for the 1995 marketing year shall be paid in 1996."; and

(3) by adding at the end the following new paragraph:

"(4)(A) Through December 31, 1995, the Secretary shall offer to wool and mohair producers recourse loans under terms and conditions that are prescribed by the Secretary, except that the loans shall be administered at no net cost to the Federal Government.

"(B) A producer who fails to repay a loan made under subparagraph (A) by the end of the following marketing year shall be ineligible for a loan under this Act for that marketing year and subsequent marketing years.".

SEC. 2. REDUCTION IN PAYMENTS.

Section 704(a) of the National Wool Act of 1954 (7 U.S.C. 1783(a)) is amended by inserting after the first sentence the following new sentence: "In the case of each of the 1994 and 1995 marketing years, the payments shall be 75 and 50 percent, respectively, of the amount otherwise determined under the preceding sentence.".

SEC. 3. ELIMINATION OF WOOL AND MOHAIR PROGRAMS.

(a) IN GENERAL.—Effective December 31, 1995, the National Wool Act of 1954 (7 U.S.C. 1781 et seq.) is repealed.

(b) APPLICATION.—The repeal made by subsection (a) shall apply to both the wool and mohair programs.

(c) PROHIBITION.—Effective beginning December 31, 1995, the Secretary of Agriculture may not provide loans or payments for wool or mohair by using the funds of the Commodity Credit Corporation or under the authority of any law.

SEC. 4. REMOVAL OF PRICE SUPPORT REFERENCES.

(a) Section 702 of the National Wool Act of 1954 (7 U.S.C. 1781) is repealed.

(b) Section 703 of such Act (7 U.S.C. 1782) is amended—

(1) by striking the section heading and inserting the following new section heading:

"SUPPORT PRICE FOR WOOL OR MOHAIR";

(2) in subsection (b)(1)(i), by striking "such price support" and inserting "the support price"; and

(3) in subsection (d), by striking "price support" and inserting "support under this section".

(c) section 704 of such Act (7 U.S.C. 1783) is amended—

(1) by striking the section heading and inserting the following new section heading:

SEC. "SEC. 704. PAYMENTS.";

and

(2) in subsection (a), by striking "If payments are utilized as a means of price support, the" and inserting "The".

(d) The first sentence of section 706 of such Act (7 U.S.C. 1785) is amended by striking "price support operations" and inserting "operations under this Act".

SEC. 5. LIABILITIES OF PRODUCERS.

A provision of this Act may not affect the liability of any person under any provisions of law as in effect before the effective date of the provision.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. FORD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on (H.R. 2493) a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 164 to the bill (H.R. 2493) entitled "An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 1994, and for the other purposes.".

Resolved, That the House agree to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 29 to the aforesaid bill, with an amendment as follows:

In the matter proposed by the Senate amendment, insert after "operations" the following: ", except for marketing year 1993".

Mr. FORD. Mr. President, I ask unanimous consent that the Senate concur in the amendment of the House to the Senate amendment to the House amendment to the Senate amendment No. 29, to the bill, H.R. 2493, with the above occurring without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELIMINATING THE WOOL AND MOHAIR SUBSIDY

Mr. KERRY. Mr. President, I am here today both to declare satisfaction that we have prevailed over at least one special interest and to express my frustration that our victory could not be secured immediately.

Just over 2 months ago Congress and the President enacted an historic bill that will cut $500 billion from the deficit—the largest deficit reduction in the history of our Nation—through a program of shared sacrifice. Senators who voted for that package—which contained some features that all of us dislike—risked their political futures in order to do right by future generations. And we were roundly attacked by those who refused to join us in his historic effort but—from the sidelines—accused us of not doing enough. These critics hide behind the rhetoric of tough choices in order to avoid actually doing anything that might offend their parochial interests.

For me, the wool and mohair subsidy has come to symbolize this allegiance to vested interests. Many of the most vociferous critics of President Clinton's plan—who claim he has not cut enough—are the ones who have worked behind the scenes to ensure that sheep, goats, and a few of their owners do not have to sacrifice as much as the remainder of the Nation to bring down our mammoth deficit.

And although we—not they—have won, they have succeeded in delaying the will of the American people and the majority of the Senate. Senator BRYAN and I offered an amendment to the budget reconciliation bill in August. Our amendment was supported by the majority of Senators but failed on a technicality. Then, an amendment we offered to the Agriculture appropriations bill won—in two separate votes. When the Senate-House conference committee stripped the amendment and reinstated the subsidy, we followed with an amendment to an amendment that the conference had reported in disagreement—an unusual move—which won again. But in the House, in response to pleas from the wool and mohair industries, the subsidy was reinstated yet again! Finally tonight, Mr. President, we believe the Senate once again will terminate the program. But in order to assure that we will do so, we have had to agree to a phase-out of the program over the next 3 years.

I am extremely proud of the fact that, as a result of our efforts, the taxpayers will be saved $500 million over the next 5 years. But I am extremely frustrated that they are not saved the full $900 million that would have been saved if our initial amendment had become law.

The wool and mohair subsidy, despite being ridiculed in the New York Times, the Washington Post, and other editorial pages across the Nation; despite being cited by Vice President GORE's Reinventing Government Task Force as a wasteful program; despite four votes in the Senate to eliminate it; despite the fact that its stated purpose is to maintain a supply of wool and mohair for strategic purposes which no longer exist; despite the fact that mohair is now used only for the decorative braids on military uniforms—the wool and mohair subsidy almost survived. And, despite all our efforts, the best that can be accomplished will find ranchers continuing to receive some taxpayer dollars through fiscal year 1996 to raise goats.

Mr. President, I guess you might say that the American taxpayer has been fleeced yet again by the special interests.

Mr. President, most Americans know that there is much, much more that must be done to eliminate the colossal deficit which places a huge tax, without representation, on our children and their children. They are tremendously frustrated with what they see as our inability to eliminate even the smallest and least defensible programs.

Even if they are aware of the $250 billion in specific cuts which were included in the President's budget, they know that his budget necessarily included only those cuts the administration was able to identify in its early days in office, when the budget was developed, and—more important—which survived the Byzantine wheeling and dealing that takes place during the congressional budget process.

They know—and they are absolutely right—that there are many programs beyond those cut in the President's budget that have outlived their original purposes but which are staunchly defended by the entrenched interests that benefit from the programs. There are many others that never served a legitimate national interest but were initiated only to satisfy powerful political constituencies.

That is the reality, Mr. President, and when we deny it we succeed only in making people cynical about their elected officials. Our constituents see these programs ridiculed on "Sixty Minutes" and on the evening news. And they feel ridiculed themselves—because it is their hard-earned money that pays for these programs. The amounts may not matter as much as the idea that the Government is careless with tax dollars.

We owe it to the American people to rout out these programs as a logical follow-on to the President's budget.

Mr. President we thought we had taken a modest step forward when we first won a majority vote in the Senate to kill this program. But we underestimated the ability of the special interests to work the system—even in the case of a subsidy which is indefensible except from a narrow parochial perspective.

I am stumped. If it is so difficult to kill this program, Mr. President, how do we take on the really tough ones? How do we control entitlement programs? How do we reorient defense priorities? How do we discontinue failed research projects?

And what am I to make of my colleagues who say that the President hasn't done enough but who fight to protect the rights of goats?

Our political system is structured to make change difficult. The Founding Fathers wanted to avoid swings in policy. As long as the economy was growing, perhaps it was not too destructive to ignore failed programs and simply add programs that we hoped would work better. However, in these times of climbing deficits and strangling interest rates, we cannot afford to continue to fund wasteful programs when we have so many current priorities and our resources are so inadequate to fund them.

This subsidy illustrates this problem plainly. Children in our inner cities go without health care and decent education while the Federal Government pays ranchers liberally to grow goats.

Obviously, we cannot ask others to make sacrifices and refuse to make them ourselves. I introduced a bill that would make cuts in a variety of programs including several important to Massachusetts. Senator BRYAN introduced the amendment to terminate the Wool and Mohair Program although there are wool producers in his State. The madness must end. And to end it, we each must be willing to vote to eliminate programs that we know are not in the national interest.

Mr. President, I have accepted the proposal contained in the bills on which the Senate is about to act tonight. But I want my colleagues to be on notice: If for some reason this compromise does not succeed in terminating this wasteful program—if the House does not accept our compromise or if it somehow is liberalized at a later date—then I will do everything in my power to eliminate the subsidy immediately and finally. Every bill before the Senate will be a potential target.

I also want to urge my colleagues to reflect on the long, slow death of the wool and mohair subsidy and take this opportunity to resolve that together we will change the system that makes responsible budgeting so difficult. Mr. President, for the sake of the taxpayers of this Nation, we can overcome the special interests to cleanse our Federal budget of programs and expenditures that can no longer be justified. It will not be easy, but it is necessary—and, each time I see another of my colleagues take a stand to cut yet another wasteful program, I know that it is possible.

WOOL AND MOHAIR PRICE SUPPORT PROGRAM

Mr. PRESSLER. Mr. President, I strongly oppose efforts to abolish the Wool Act. I urge my colleagues not to be misled. The Wool and Mohair Price Support Program is not costing the taxpayers money. I find it difficult to understand the purpose of pursuing legislation that would deprive thousands of Americans of their means of living. That would be the result should this bill pass.

The Wool and Mohair Price Support Program is vital to the survival of 4,000 South Dakota sheep growers. Without the Wool Act, South Dakota could lose up to one-third of its sheep producers. Nationally, loss of the Wool Act would force up to 30 percent of sheep producers out of business in just 12 months. That is 25,000 farm families.

And, that is just the immediate impact. Such a loss of family farmers, would result in the unprecedented sale of sheep and lambs. Producers still in business would see prices plummet. Their collateral base would shrink and possibly jeopardize their financial standing. Few producers can afford such a loss with the currently depressed sheep and lamb prices.

Mr. President, just look at what has happened to the market prices since the Bryan amendment passed the Senate on September 23, 1993. Market lamb prices have dropped as much as $3 and bids are unavailable on cull ewes in most of the country. Breeding ewe prices have dropped $10. Flock dispersal in the next few months will further drive down the price of stock ewes. Anticipated losses could exceed $150 million.

The effects in South Dakota, should the Wool Act be abolished, would be devastating. Butte County would lose $1.9 million. Harding County would lose nearly $1 million. Meade County would lose nearly $500 thousand. The livelihoods of the 1,500 sheep and lamb producers in these counties could be ruined.

The livelihoods of more than 4,000 South Dakota sheep and lamb producers would be ruined. Nearly $9 million would disappear from the agricultural economy. Small businesses would be put in jeopardy. In some cases the safety and soundness of rural banks would be put at risk. This lost income likely could lead to higher taxes to pay for education and community services. The $9 million could easily reach $50 million as lost farm dollars ripple through my State's economy. One can just imagine the effects nationwide. The U.S. sheep industry contributes $6.7 billion to the national economy. This would be put at risk should we abolish the Wool Act.

The hardest hit would be our young farmers and ranchers. There are many producers who have just started ranching on their own. They lack the collateral base and credit history of those who have ranched for 20 or more years. These young ranchers are more dependent on the incentive payments under the Wool Act. For many of them, the incentive payments account for 30 percent of some of their income. Take the payments away and these young farmers do not cash-flow. Without the ability to cash flow, these ranchers would be denied the credit necessary to continue ranching. They are agriculture's future. Yet they are the ones this body is forcing off the land. And for what? Absolutely nothing.

Mr. President, this is just another example of the antirural bias that is becoming more obvious in Congress. This bias is beginning to gain attention throughout the country. It is getting very obvious and disturbing in South Dakota. I ask unanimous consent for an article from the Yankton Press and Dakotan be inserted in the RECORD at this point.

ANTI-RURAL BIASES ARE GROWING MORE OBVIOUS IN CONGRESS

Some of the anti-rural sentiment in Washington is finally being called what it is. And it should concern everybody in South Dakota and Nebraska as urban-oriented lawmakers squeeze our agricultural sector.

After a recent Senate vote to kill wool and price supports, Sen. Larry Pressler said that the vote is "anti-west," and, "will hurt the livelihood of 4,000 sheep and lamb producers in our state alone."

Many "town" people and a few farmers might say that it's just too bad if subsidized farmers are in trouble without price supports. But the problem is deeper.

Worldwide—and we are in a worldwide market—ag products are subject to varying government supports. It's not a free market. Examples could easily fill this page.

There may be reasons for dumping this particular program, although it's doubtful that our urban cousins looked into the economics. After all, it only affects a few farmers.

Pressler noted that this one vote could take nearly $9 million from South Dakota alone, and have as much as $50 million in total economic impact on the state.

But anti-rural and anti-west sentiments in Congress are only a part of what South Dakotans should be noticing.

Cable television's "Discovery Channel," trusted by viewers for its documentaries has "Green" ads to promote itself. In a current one, it notes that cattle grazing on otherwise unused public lands is evil since ranchers are damaging the grass while paying tiny grazing fees.

Says who? Well, somebody. It's never mentioned, of course, The evil of cattle grazing is shown as a fact—a fact like the sun will rise tomorrow.

Again, most South Dakotans don't think much about grazing fees in the boondocks of our state. Relatively few ranches are affected. And who cares if a few more farmers and ranchers sell out this year because the Clinton White House and Washington urban bureaucrats add fees against a specific Senate vote on the issue?

If a Republican administration had imposed higher fees contrary to the declared will of Congress, newspapers nationwide would be raising cain. Yet even in South Dakota, Nebraska, Wyoming and other states where the economy is affected, there has scarcely been a peep.

Pressler's comments on wool probably are seen by urban-oriented media people as politics for home folks.

But catch Democrats Senator Tom Daschle or Representative Tim Johnson and others on an off day. You just may hear the same comments, with perhaps a different political spin, but the same foundation.

Eastern and "town" South Dakotans may think they're immune, or they don't even see an economic threat.

But folks on the coasts think we're all raping the beauty of "Dances with Wolves Dakota," their potential summer vacation playground of land diseased by farming.

As eastern South Dakota has helped to kill jogging, mid-summer vacation spots, so urban America is working to "save" the rest of the state and region, one step at a time.

Think not? Ask affected farmers about "wetlands" laws Missouri and Niobrara River federal projects.

And watch the big squeeze as the state's tax revenues shrink along with our ag sector.

$6.7 BILLION

From ranch to retail, that's the amount the U.S. sheep industry contributes annually to the national economy. $6.7 billion—that's about $53 for every man, woman and child in the civilian work force today. Here's how the sheep industry makes its contributions:

Jobs: 350,000 people work in sheep and sheep-related industries.

Lamb production: $619.6 million is generated by the purchase of lamb in grocery stores and other retail outlets; $1.12 billion is generated by the purchase of lamb in hotels, restaurants and institutions; $78.8 million is generated by the processing and sale of pelts and other lamb products such as sausage casings.

People who truck, feed and process lambs earn money along the way.

Wool production: $2.86 billion comes from the production and sale of wool clothing and other types of apparel such as mittens and socks.

Wool processing generates income for truckers, people who work in textile and apparel plants and others who handle the wool as it moves from the sheep to the final fabric or clothing product.

Lamb and wool exports: $25.2 million is generated by the export of live sheep from the U.S. to other countries; $22.4 million is generated by the export of wool and wool products; $137.2 million comes from the export of wool fabric; $437.6 million is generated by the export of wool clothing and other types of apparel.

Exports generate income for people who work for U.S. manufacturers, people who load ships in U.S. ports and other people involved in the shipping business. In addition, economists say exports have a multiplier effect on the economy which generates an additional $1.43 billion for the U.S. economy from the above exports.

Lanolin production: Lanolin is an important product taken from the wool when it is processed. Lanolin is used in everything from hand lotion to shampoo and hair conditioner to shaving cream and makeup.

$12.8 million is generated annually by the processing and sale of lanolin at the wholesale level.

You can find evidence of the sheep industry everywhere. Baseballs are stuffed with wool. Medicines are made from sheep byproducts. Stearic acid from sheep can be found in antifreeze, and other sheep products are used in asphalt. And that's just a few of the items that come from sheep.

The sheep industry and $6.7 billion. Where would we be without it?

Mr. President, the Wool Act enables American farmers to compete in the international marketplace on a level playing field. The European Community pays major subsidies to its sheep producers. Consider the following: United Kingdom subsidies total $30 per sheep and French subsidies total $25 per sheep. Australia subsidizes its sheep industry with a program that costs more than $1 billion. Canada also subsidizes its sheep producers. Abolishing the Wool Act would leave the U.S. sheep industry unable to compete in the heavily subsidized world market. This should not be permitted to happen.

Mr. President, the benefits of the Wool and Mohair Price Support Program are many. In the West, sheep are raised on land that would not otherwise be economically productive. Sheep and goat grazing helps control noxious weed problems without the use of expensive and damaging chemicals. The program also supports surrounding communities and is vitally important for rural development.

Mr. President, those of us who live in the West are being attacked on all fronts. Burdensome restrictions and higher costs are being placed on users of Federal lands. Private property rights are under attack. Higher grazing fees are being proposed. Thousands of jobs are at risk due to timber cutting reductions. Ranchers are unable to protect their income source—livestock—from predators. And now we are considering abolishing the Wool Act.

We should not pull the rug out from under our sheep producers. For what purpose? No money would be saved. The deficit would not be reduced. Farm families would be destroyed. Young ranchers would be denied an income. Jobs would be lost. Not one beneficial result would be achieved.

Mr. President, if reforms are to be made in this program, let us hold hearings and receive the input of those who would be most affected. Listen to producers on how to improve the current program—don't abruptly throw them out.

I urge my colleagues not to abolish the Wool Act.

Mr. CRAIG. Mr. President, today the Senate is taking important action on a significant agricultural program, the Wool and Mohair Program. As we all know, there has been much discussion over the years regarding this and other agricultural programs and the Wool and Mohair Program has been singled out for discussion during these past few weeks.

It is very easy for some of us to take the sharp knife and cut individual programs in the name of fiscal responsibility. I have worked continually since I have come to the Congress supporting cutting a broad spectrum of programs. This is the right thing to do. It is essential if we are to address the excessive budget deficit.

However, when discussing the total elimination of a program there are several aspects that must be considered. What will the impact be on the lives of those involved directly in the program and can we find a way to lessen that impact? If money is saved, where will the savings go?

Those of us representing wool and mohair producing States have attempted, over the past few weeks, to address the human and animal concerns of the participants in the Wool and Mohair Program while also speaking to the budget responsibility we all share. I believe, Mr. President, we have achieved such a compromise.

Having said that, I believe it is important all Senators understand what will be the impact of our action here today.

The money that was going to wool and mohair producers will not be saved. The budget deficit will not be reduced as a result of our action today on the Wool and Mohair Program. The money, and I might add it is not directly appropriated money but excise tax money, will go to another Federal program. For example the Congress is in the process of increasing spending in fiscal year 1994 by $81 billion over the fiscal year 1993 expenditures.

I must remind my colleagues that when we view the agricultural programs of the United States we must also consider what American agriculture is providing our people in relation to the rest of the world. No other country in the world spends as little on food as does the United States, 9.8 percent of disposable income. All other countries spend more than 10 percent: In France, for example, it is 15.9 percent; Germany 20.2 percent; Italy 18.8 percent; and Greece 31.3 percent.

The wool and mohair amendment to the Department of Agriculture appropriations bill that passed the Senate on July 26, 1993, would not only have eliminated the program this year but would have made that action retroactive to eliminate the 1993 payment. This action did not consider the potential impact either on animals or on humans. By retroactive elimination of this program, it left many wool growers with the potential of being unable to feed animals or recover them from the range before winter. This was unreasonably harsh in its impact. Even the most severe critic of the program would not promote such a vindictive approach to dealing with the budget deficit. Even the base closing process allows for orderly phaseout. The compromise we have accepted today allows that for our wool and mohair producers.

This does not mean that there will not be a negative impact on agriculture by our action here today. There will be a serious disruption in this segment of American agriculture. And make no mistake about it, lives will be irretrievably disrupted. This is unfortunate, but apparently unavoidable.

Mr. President, much has been said and much more could be said regarding this issue. I believe it is important to caution the Senate regarding such actions. It is imperative that we carefully examine all the impacts on the lives of our citizens before taking such drastic actions.

NATIONAL WOOL ACT OF 1954

Mr. SIMPSON. Mr. President, those of us from States whose economies depend heavily on a strong domestic wool industry know about the cost-efficiency of this program. We know that unlike other agriculture subsidy programs, this program pays for itself. We also know that this is not some dinosaur from the cold war era. Yes, it is an agriculture subsidy program no different from the rest of the many other programs which subsidize American agriculture. The only great difference is that the payments here are generated from a tariff on imported goods.

Therefore, it is naive to argue that funds from this program could be used to reduce the deficit when that same argument is not used against other agriculture programs which do not even have an independent funding source from import tariffs. This Senator is ready to take a good cold hard look at all of these programs, and not just the ones that are targeted by opponents whose arguments sound pretty good on the surface, and generate good press about fiscal responsibility, but cannot withstand closer scrutiny.

However, the arguments that I would make on the merits of the program have already been heard in this Chamber. They have also been heard in the House. If there is one thing that we in this arena know, it is political reality. Unfortunately, the political reality here is that this particular program has been targeted, and the program as it now exists does not have the support of a majority in either Chamber of Congress. Therefore, as a matter of basic fairness to those people whose livelihoods depend on this program, we have to try to achieve some manner of equity and fairness in view of that political reality. Equity and fairness does not mean eliminating this program retroactively. Equity and fairness does not mean killing this program by a harsh amendment to an appropriations bill. We know that the Senator from Nevada has notified all of us of his intention to offer an amendment to the Agriculture appropriations conference report which would eliminate this program in its entirety. So those of us who support the program have limited options.

When the House considered this conference report, they looked at what the Senate had done—a retroactive termination of the program. As a matter of fairness, the House unanimously reinstated the payments for this fiscal year. They did it on the basis of my friend, Chairman DE LA GARZA's promise to immediately introduce legislation which would drastically reform this program.

On the floor, Chairman DE LA GARZA said that Members could look at his legislation, and if they were not satisfied with the changes, they could seek to reject them or eliminate the program in its entirety. He is a special warrior in this cause. He is great to work with, and I have always admired him. He is also an excellent vote counter and more than anyone else, understands the political realities facing this program. He knows that unless it is radically altered, there are not sufficient votes to ensure its survival.

It is only fair that the authorizing committees of both Houses have the opportunity to examine this program first. In very rapid time, the Senate Agriculture Committee has come up with a bill which would provide for a phaseout of the program. It also provides for recourse loans. I have had the opportunity to work on and examine this legislation and to learn how Wyoming producers feel about it. I certainly know for a fact that they are not thrilled or excited about this particular legislative language. It is a dagger to the heart. However, I do believe that they understand that this may be the last chance at a legislative product this year.

Chairman DE LA GARZA will have a great deal to say about future legislation in this industry. I think the best thing that can be said about this particular resulting legislation is that it reflects a concept which accurately reflects the total realities of the current political climate. Furthermore, it ensures that those producers who depended on this fiscal year's payments and borrowed money in anticipation of those payments will not be harmed. Most importantly, it eliminates the hanging threat of an amendment by the Nevada Senator to simply kill off this program in its entirety.

I want to assure Chairman DE LA GARZA that I will work with him and other interested Members of both parties to enact wool program legislation that is fair, equitable, and affordable and I greatly look forward to that opportunity.

Mr. DASCHLE. Mr. President, I support S. 1548, to reinstate incentive payments to wool and mohair producers for the 1993 marketing year, and to continue a limited wool incentive program through the 1995 marketing year. While I disagree with many of my colleagues who think the Wool Act is an antiquated program that should be eliminated, I do commend them for agreeing to allow a gradual phaseout of the program, which should give producers some time to adjust for the changes.

As you know, last month during consideration of the fiscal year 1994 Agriculture appropriations bill, the Senate passed an amendment authored by Senators DICK BRYAN and JOHN KERRY that would have repealed the National Wool Act, and retroactively eliminated payments already owed to producers for this year's production. The amendment would have unfairly eliminated incentive payments for wool already grown, shorn, and sold in 1993, and totally eliminated the wool program in future years.

I feel strongly that, at a minimum, Congress has a responsibility to follow through the price support commitment we have already made to producers for their 1993 production of wool. This bill adequately addresses that problem. It also allows producers to continue to receive payments for the 1994 and 1995 marketing years, albeit at a reduced level. In 1994 producers will be eligible to receive 75 percent of their normal incentive payments, and in 1995 the payments will be reduced to 50 percent.

Unfortunately, beginning in 1996 the wool incentive payments will be prohibited. I oppose this part of the legislation because I think the decision to eliminate the Wool Act is based upon misconceptions about the cost and operation of the program, and not its merits. However, I will support this bill because it is the best alternative available, and it gives those of us who represent wool and mohair producers time to fashion a workable program that is acceptable to a majority of Congress.

NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK

Mr. FORD. Mr. President, on behalf of the majority leader, I ask that the Chair lay before the Senate a message from the House on Senate Joint Resolution 21, a joint resolution relating to the National Historically Black Colleges Week.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Amendments:

Page 1, line 3, strike out "September 19, 1993" and insert: "September 18, 1994.".

Amend the title so as to read: "Joint resolution designating the week beginning September 18, 1994, as 'National Historically Black Colleges and Universities Week'.".

Mr. FORD. Mr. President, I move that the Senate concur en bloc in the amendments of the House.

The motion was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

WORLD FOOD DAY

NATIONAL MAMMOGRAPHY DAY

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate proceed en bloc to the immediate consideration of House Joint Resolution 218 and House Joint Resolution 265, just received from the House; that the resolutions be read a third time, passed; that the preambles be agreed to en bloc; that the motion to reconsider be laid upon the table en bloc; and that any statements relative to the passage of these items appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the joint resolutions (H.J. Res. 218 and H.J. Res. 265) were deemed read the third time and passed.

INTERNATIONAL RESCUE COMMITTEE

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Senate Concurrent Resolution 47, a concurrent resolution to recognize the International Rescue Committee for its humanitarian work; that the resolution be agreed to; that the motion to reconsider be laid upon the table; and that any statements thereon appear in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the concurrent resolution (S. Con. Res. 47) was agreed to, as follows:

S. CON. RES. 47

Whereas the International Rescue Committee, which this year is marking the sixtieth anniversary of its founding, is a beacon of hope for the world's refugees, displaced by war, civil insurrection, ethnic conflict, political and religious persecution and famine;

Whereas in crisis after crisis—in Europe, Central America, Africa, and Asia—the field staff of the International Rescue Committee is often the first relief support on site to ease the suffering of refugees by stablizing health conditions with critically needed sanitation, health care, and medical assistance;

Whereas the programs of the International Rescue Committee are also concerned with improving the quality of life for refugees by preparing them for a productive future through educating children and building new skills among adults;

Whereas often and whenever possible, programs implemented by the International Rescue Committee are ultimately turned over to the refugees themselves after they have been well trained by International Rescue Committee staff and volunteers;

Whereas the International Rescue Committee was founded in 1933 as a nonsectarian response to the increasing horrors of Nazi Germany;

Whereas as the need for humanitarian assistance expanded, so has the International Rescue Committee's commitment to refugees;

Whereas throughout the world, from Bosnia to Somalia, from Cambodia to El Salvador, the International Rescue Committee continues to aid refugees with medical assistance, shelter, food, skills-training;

Whereas the International Rescue Committee also helps in repatriation or resettlement to assist refugees in starting their life anew;

Whereas in its sixty years of service, the International Rescue Committee has not only provided for victims of brutality and for those suffering from natural disasters with services essential for survival and the means to rebuild their lives, but also has given them reason to have renewed optimism in the compassion and goodwill of their fellow human beings; and

Whereas October 15, 1993, the sixtieth anniversary of the founding of the International Rescue Committee, is an appropriate day on which to give recognition to the International Rescue Committee for its great humanitarian endeavors: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That on the occasion of the sixtieth anniversary of the founding of the International Rescue Committee, the Congress hereby recognizes the International Rescue Committee for its great humanitarian endeavors.

The PRESIDING OFFICER. If there is no objection, the preamble is agreed to.

COMMENDING THE MAJORITY LEADER AND REPUBLICAN LEADER

Mr. SIMPSON. Mr. President, as we wait just a moment here, let me thank the majority leader and our leader for the work on the issue of the Somalian situation. I believe they exhibited remarkable patience. And I commend also Senator BYRD for his work, Senator THURMOND, Senator WARNER, and Senator MCCAIN for his energy. I thought it was a very thoughtful and serious debate. I commend those who have worked so long and hard to get their positions stated, and I am pleased we were able to resolve it in that fashion.

I thank my friend from Kentucky.

Mr. FORD. I thank my friend from Wyoming. Let me associate myself with his remarks. This has been one of those days, hopefully, we will look back on with distinction where we debated and debated forthrightly, I believe. The Senate worked its will. The two leaders came together, as the Senator says, with patience and hard work and now we go forward to be sure that America stays strong and we do those things that are necessary in the best interests of the future of this great Nation.

SCHEDULE

Mr. MITCHELL. Mr. President, and Members of the Senate, I have discussed the schedule for the next several days with the distinguished Republican leader and the managers of the bill, the Senators from Hawaii and Alaska, and I believe that we can make the most progress on the bill and accommodate the largest number of Senators by the following schedule.

The Senate will be in session and on this bill tomorrow, Friday, beginning at 10:30 a.m. We expect several amendments to be offered and debated, but there will be no rollcall votes tomorrow. The votes on those amendments which are offered and debated tomorrow will be scheduled to occur beginning at 6 p.m. on Monday.

Then, on Monday the Senate will come in and return to this bill at 10:30 a.m., and we expect several amendments to be offered that day. Several Senators have indicated they will be here to offer their amendments. Those votes will be scheduled to occur on Monday immediately following the votes on those amendments to be debated tomorrow.

So, Senators should be aware that the Senate will be in session considering amendments to the pending bill tomorrow, beginning at 10:30, and through the day, and Monday, from 10:30 a.m. until 6.

At 6, the Senate will vote on all amendments for which votes have then been ordered. That is likely to be several votes beginning at 6 p.m. on Monday. Then, after those votes occur, the Senate will remain in session on Monday evening to make further progress on this bill. It is my hope, and that of the managers, that we will be able to complete action on this bill on Tuesday.

Mr. President, I also want to say that there may be some conference reports on other appropriations bills that will be available. If we have a series of rollcall votes on Monday we may attempt to have those votes included in the list of votes that will occur on Monday.

We have several conference reports which I am advised will not take a lengthy time for consideration, but on which one or more Members have requested rollcall votes. So Senators should be aware that votes on those conference reports are also possible on Monday evening, beginning at 6.

So, while there will be no votes tomorrow or during the day on Monday, it is likely that there will be several votes beginning at 6 p.m. on Monday and the Senate will stay in session after those votes to try to make progress to put us in position to finish this bill on Tuesday.

I thank all my colleagues for their patience. It has been a very long day and we had what I think was a very informative debate on an important matter. We have disposed of a large number of amendments today. I hope that sets the stage for completion of action on this bill by Tuesday.

Mr. President, I yield the floor.

ORDERS FOR FRIDAY, OCTOBER 15, 1993

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business, it stand in recess until 10:30 Friday, October 15; that following the prayer the Journal of proceedings be deemed approved to date; the time for the two leaders reserved for their use later in the day; that the Senate then resume consideration of H.R. 3116, the Department of Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10:30 A.M. TOMORROW

Mr. FORD. Mr. President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 1:21 a.m., recessed until Friday, October 15, 1993, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 14, 1993:

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

JOHN DAVID HOLUM, OF SOUTH DAKOTA, TO BE DIRECTOR OF THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY, VICE RONALD FRANK LEHMAN II, RESIGNED.

GOVERNMENT PRINTING OFFICE

MICHAEL F. DIMARIO, OF MARYLAND, TO BE PUBLIC PRINTER, VICE ROBERT WILLIAM HOUK, RESIGNED.

DEPARTMENT OF LABOR

BERNARD E. ANDERSON, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE CARI M. DOMINQUEZ, RESIGNED.

DEPARTMENT OF STATE

K. TERRY DORNBUSH, OF GEORGIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

EDWARD ELLIOTT ELSON, OF GEORGIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO DENMARK.

MARC CHARLES GINSBERG, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE MOROCCO.

THOMAS L. SIEBERT, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SWEDEN.

SIDNEY WILLIAMS, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

DEPARTMENT OF LABOR

J. DAVITT MCATEER, OF WEST VIRGINIA, TO BE ASSISTANT SECRETARY OF LABOR FOR MINE SAFETY AND HEALTH, VICE WILLIAM JAMES TATTERSALL, RESIGNED.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

REAR ADMIRAL WILLIAM L. STUBBLEFIELD FOR APPOINTMENT IN THE GRADE OF REAR ADMIRAL (LOWER HALF), WHILE SERVING IN A POSITION OF IMPORTANCE AND RESPONSIBILITY AS DEPUTY DIRECTOR, OFFICE OF NOAA CORPS OPERATIONS, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

REAR ADMIRAL JOHN C. ALBRIGHT FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL (LOWER HALF), WHILE SERVING IN A POSITION OF IMPORTANCE AND RESPONSIBILITY AS DIRECTOR, PACIFIC MARINE CENTER, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, UNDER THE PROVISIONS OF TITLE 33, UNITED STATES CODE, SECTION 853U.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 593, 8218, 8351, AND 8374, TITLE 10, UNITED STATES CODE:

To be major general

BRIG. GEN. JOHN R. HAACK [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.

IN THE ARMY

THE FOLLOWING NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. WILLIAM G. PAGONIS [redacted] U.S. ARMY.

IN THE COAST GUARD

THE FOLLOWING OFFICERS OF THE U.S. COAST GUARD FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL:

RUDY K. PESCHEL
GERALD F. WOOLEVER
RICHARD D. HERR
JOHN W. LOCKWOOD
NORMAN T. SAUNDERS
JAMES C. CARD

THE FOLLOWING OFFICERS OF THE U.S. COAST GUARD FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL (LOWER HALF):

JOHN D. SPADE
DOUGLAS H. TEESON II
EDWARD J. BARRETT
ROBERT C. NORTH
TIMOTHY W. JOSIAH

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR PROMOTION IN THE REGULAR ARMY OF THE UNITED STATES TO THE

GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 611(A) AND 624:

To be permanent brigadier general

COL. EDWIN P. SMITH [redacted]
COL. NEIL N. SNYDER II [redacted]
COL. MARK R. HAMILTON [redacted]
COL. EMMITT E. GIBSON [redacted]
COL. ROBERT D. SHADLEY [redacted]
COL. CHARLES R. VIALE [redacted]
COL. GEORGE F. CLOSE, JR [redacted]
COL. DALE R. NELSON [redacted]
COL. JOSEPH E. ODER [redacted]
COL. MICHAEL W. ACKERMAN [redacted]
COL. BOYD E. KING, JR [redacted]
COL. JOHN M. LE MOYNE [redacted]
COL. MICHAEL L. DODSON [redacted]
COL. JOHN J. RYNESKA [redacted]
COL. ROY E. BEAUCHAMP [redacted]
COL. RICHARD A. BLACK [redacted]
COL. JOHN B. SYLVESTER [redacted]
COL. JAMES P. O'NEAL [redacted]
COL. THOMAS W. GARRETT [redacted]
COL. JOHN D. THOMAS, JR [redacted]
COL. JAMES E. SHANE, JR [redacted]
COL. JOHN G. MEYER, JR [redacted]
COL. JOSEPH M. COSUMANO, JR [redacted]
COL. ROBERT B. FLOWERS [redacted]
COL. ROBERT R. IVANY [redacted]
COL. MICHAEL T. BYRNES [redacted]
COL. DAVID S. WEISMAN [redacted]
COL. RALPH G. WOOTEN [redacted]
COL. JULIAN H. BURNS, JR [redacted]
COL. ROBERT T. CLARK [redacted]
COL. CHRISTOPHER C. SHOEMAKER [redacted]
COL. KEVIN P. BYRNES [redacted]
COL. JOHN M. MCDUFFIE [redacted]
COL. GREGORY A. ROUNTREE [redacted]
COL. LARRY J. LUST [redacted]
COL. PETER C. FRANKLIN [redacted]
COL. DAVID L. GRANGE [redacted]
COL. KENNETH R. BOWRA [redacted]

CONFIRMATIONS

Executive nominations confirmed by the Senate October 15, 1993:

NATIONAL TRANSPORTATION SAFETY BOARD

JAMES E. HALL, OF TENNESSEE, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR THE TERM EXPIRING DECEMBER 31, 1997.

DEPARTMENT OF STATE

JAMES T. LANEY, OF GEORGIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOREA.

CORPORATION FOR PUBLIC BROADCASTING

DIANE BLAIR, OF ARKANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 1998.

DEPARTMENT OF EDUCATION

DONALD RICHARD WURTZ, OF CALIFORNIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF EDUCATION.

ENVIRONMENTAL PROTECTION AGENCY

JEAN C. NELSON, OF TENNESSEE, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

ROBERT W. PERCIASEPE, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

ELLIOTT PEARSON LAWS, OF VIRGINIA, TO BE ASSISTANT ADMINISTRATOR, OFFICE OF SOLID WASTE, OF THE ENVIRONMENTAL PROTECTION AGENCY.

LYNN R. GOLDMAN, OF CALIFORNIA, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

ELI J. SEGAL, OF MASSACHUSETTS, TO BE CHIEF EXECUTIVE OFFICER OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF JUSTICE

DORIS MEISSNER, OF MARYLAND, TO BE COMMISSIONER OF IMMIGRATION AND NATURALIZATION.

EXTENSIONS OF REMARKS

CRS REPORT ON HAMAS

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. SCHUMER. Mr. Speaker, I attach for the interest of my colleagues a revised edition of a report on the Hamas organization written by Congressional Research Service entitled "Hamas: The Organizations, Goals and Tactics of a Militant Palestinian Organization."

This report was previously issued under the misleading title, "Hamas: Freedom Fighters or Terrorists?" and diluted the avowedly terrorist nature of the organization.

This seemed especially inconsistent with our own policy particularly when this year, for the first time, Hamas was included in the State Department's list of terrorist groups issued in April 1993.

After inquiries by myself and the Anti-Defamation League, a human relations organization that combats anti-Semitism, and all forms of bigotry and discrimination, CRS gave assurances that the report would be revised.

I am gratified to note that CRS revisions addressed all the points brought to their attention by the Anti-Defamation League in its analysis of the report. The result is a more indepth and accurate characterization of both the Hamas organization and U.S. policy.

This revised report reflects the high standard of the work Members of Congress have been able to consistently count on from the Congressional Research Service.

HAMAS: THE ORGANIZATION, GOALS, AND TACTICS OF A MILITANT PALESTINIAN ORGANIZATION

ORIGINS OF THE MOVEMENT

Hamas had its beginnings in 1967 as a wing of the Muslim Brotherhood.[1] In 1978, the same organization was registered with Israeli authorities as a nonprofit, religious organization under the name, "al Mujama," under the leadership of Sheikh Ahmad Yassin, who was also head of the Muslim Brotherhood in Gaza.[2] At first, the new organization spent most of its time promoting Islamic views and winning support for the Islamic movement in Palestinian institutions, universities and mosques.[3]

Hamas, as it is currently organized, was founded in December 1987 just when the intifada (uprising) in the occupied territories was starting. The Hamas agenda is based largely upon the principles of Islamic fundamentalism that were gaining momentum throughout the Arab world at that time. The goal of the founders was to become directly involved in the intifada and ultimately gain control of the Palestinian movement and bring it more in line with fundamentalist Islamic thought. Most observers believed that the outbreak of the intifada was a spontaneous event and the Hamas founders were just one of many Palestinian opposition groups, including the PLO, that were vying to gain control of the demonstrations.

Hamas success in winning quick support among the Muslim population of the Gaza Strip and the West Bank was due in large part to its Islamic origins and its earlier activities as a religious and charitable institution. One observer tells how reports and instructions were often announced over mosque loudspeakers.[4] The Israeli embassy says that, within a week of its publication in August 1988, the Hamas covenant was posted in mosques throughout the territories.

Part of the reason for Hamas success in gaining popular support may have been frustration among Palestinians living in the West Bank and Gaza stemming from the PLO's inability to make headway toward a solution of the "Palestinian problem." Muslims in particular were attracted to Hamas because of its identification with the Islamic fundamentalist movement which set it apart in many ways from the PLO.

SIZE AND ORGANIZATION

Little specific information has been made public about the actual size and organization of Hamas. Its supporters and sympathizers are estimated in the tens of thousands. It is generally known that the organization is structured along functional lines, with sections dedicated to military, religious, informational, and security activities, but the actual numbers of people assigned to any of the sections is not a matter of public knowledge. The command and control structure apparently took several years to finalize and was then changed because of losses of personnel and intense Israeli surveillance and security sweeps. Hamas has maintained its status as a religious and charitable organization. Its involvement with educational and social activities qualifies Hamas to receive donations required by Islamic law from the Muslim community (zakat). The Jordanian government allows Hamas to maintain offices in Amman and operate openly as a foreign political organization.[5]

Hamas is reputed to be a more efficiently run organization than the widely dispersed and heavily structured PLO with its organizational overhead and diverse activities. The Hamas share of religious donations is rising in relation to the PLO. According to some sources, a large amount of money is coming from devout Muslims in Saudi Arabia and the Gulf states who used to contribute to the PLO before it sided with Iraq during the Gulf war.[6] Hamas also supported Iraq in the war but was much less conspicuous because it was so closely identified with the Palestinian population in the territories. Hamas wisely avoided open confrontation with Saudi Arabia and the Gulf states.

The military wing of Hamas is known as the Izz al Din Qassam Brigades, the force behind most of the violence and killings attributed to Hamas. The cells operate under the control of four or five relatively independent geographical commands. An Israeli journalist who follows Hamas closely estimates that the full time membership of the Qassam cells may be as few as 60 to 100 due to arrests and deportations over the past two years.[7] That estimate seems low in view of the wide pattern of Hamas attacks, but the secrecy of the Qassam cells make it very difficult to determine actual numbers. The cells are also thought to have become more proficient in disguising their operations and the size of their memberships.

Perhaps more important than the actual size of Hamas is the amount of support it has gained in the occupied territories. One observer tried to determine the level of popular support from the results of elections for seats on the councils of professional organizations such as engineers, doctors, lawyers, UN agencies, and the chambers of commerce for Hebron and Ramallah. During the 1990–92 period, Hamas candidates won an average of 30 percent of the seats in those elections which approximates estimates made on the basis of polls conducted by Arab newspapers and independent observers.[8]

Hamas is still making a strong showing in these elections, though it has sustained some personnel losses resulting from arrests and deportations. A report by Reuters in May 1993 said that Hamas won 10 seats compared to 16 for the PLO in an election held by a 5,000 member professional union in Gaza. Such elections are watched as indicators of public support because general or municipal elections are banned. Hamas usually has the backing of the Muslim Brotherhood in these elections. An Israeli author who follows the situation believes that Hamas has also been the beneficiary of alliances with other Islamic groups "that neither identify with nor support it."[9] Estimates of overall support for Hamas are much higher in Gaza where the Muslim population is stronger in its support for the Islamic groups.

DIFFERENCES BETWEEN HAMAS AND THE PLO

Hamas has significant differences with the PLO. The ideology of Hamas is a synthesis of pan-Arab Islamic religious ideals and Palestinian nationalism. Hamas states its intent to establish an Islamic state in Palestine and its covenant draws heavily upon Islamic ideology and Quranic verses. The PLO charter, on the other hand, is a secular document with a call to Palestinian nationalism. Senior PLO officials have said that they will install a western style democratic form of government in an independent Palestine.[10]

Both charters say that Israel must be forced from all of what was known as "Palestine" prior to 1947 (the 1922 League of Nations mandate included what is now Israel, Jordan, and the occupied territories; the British later changed this to exclude the Kingdom of Jordan east of the Jordan River), and that armed force is the only way to bring that about—Hamas uses the term "jihad" or religious war.[11] However, in late 1989, the PLO changed its position in regard to a Palestinian state and expressed willingness to accept a state comprising the West Bank and Gaza in confederation with Jordan and the continued existence of Israel. It has since been negotiating indirectly with Israel on the basis of land for peace and UN Security Council Resolutions 242 and 338. Willingness to negotiate with Israel over territory is probably the most significant difference between the PLO and Hamas. It is possible, though by no means clear, that differences

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Footnotes at end of article.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

over the form of government could be negotiated.

Hamas relies heavily upon its use of violence. This is clear from the content of pamphlets regularly distributed throughout the occupied territories since the first month of Hamas existence. The pamphlets include statements such as: "increase attacks with knives, grenades, and guns against the cowardly Jews in their houses and turn the day into darkness and the nights into intolerable hell * * * view every Jewish settler as a target to be killed, whose blood and money are for the taking."[12]

Palestinians in the West Bank apparently favor the PLO over Hamas, but Hamas' popularity among Gaza's 750,00 Palestinians has grown over the past five years to a point where Hamas has seriously challenged the PLO for popular support. On several occasions armed clashes have broken out between followers of the two factions in that area. Most observers believe that should Hamas supplant the PLO as spokesman for the Palestinians in the territories, it would mean the end of the peace talks with Israel and open warfare between Hamas and Fatah.[13]

ATTEMPTS AT COMPROMISE

The PLO apparently believes that it has reason to feel threatened by Hamas because of the appeal of its fundamentalist Islamic ideology. On occasion, the PLO has attempted to settle its differences with Hamas or coopt the organization. Soon after the intifada started, Arafat attempted to include Hamas in a United National Command (UNC) formed by the PLO to exercise overall control of the uprising.[14] Sheikh Yassin made a counter demand that Hamas be allotted a large share (reportedly 40 percent) of the seats on the Palestinian National Council and other governing bodies of the PLO. Hamas also insisted that the PLO change its platform to conform with the Hamas charter.

There have been periodic reports of agreement and cooperation between Hamas and the PLO, but it appears that their differences may be too wide to bridge. Apparently, there has been some cooperation at the tactical level, if reports are true that Hamas and PLO activities collaborated in several attacks on Israelis and Palestinians in the territories, but the attacks might also have been independent actions by local activities. Mohammed Nazal, a Hamas leader and its representative in Amman, Jordan, said recently that differences between the secular PLO and the fundamentalist Hamas are irreconcilable.[15]

Hamas has apparently staked much of its reputation on the fate of the peace talks, apparently believing that a breakdown or perceived failure of the talks would propel Hamas into the leadership of the Palestinian movement. It is also possible that signs of a breakthrough in the talks could foster changes in the Hamas position if it hopes to play a part in forming a government on the Palestinian side. Arab newspapers have reported that Hamas is already considering changes to its charter that would moderate its position regarding the talks and other issues between it and the PLO. These reports may well be premature in view of the continued hardening of the Hamas position and reports that it has threatened Palestinian delegates to the negotiations. Hamas argues that the representatives have no authority to speak for the Palestinian people.

TERRORIST TACTICS

There is no single definition of terrorism acceptable to all. Most definitions include, but are not limited to the following elements: the calculated use of violence or the threat of violence against civilians and civil operations to achieve political goals through fear, intimidation, or coercion. It usually involves a criminal act, often symbolic in nature and intending to influence an audience beyond the immediate victims.

Hanas argues that it is at war with Israel and that its attacks have all been against military targets in Israel and the occupied territories. However, according to Israeli reports and U.S. press accounts, the victims of attacks claimed by Hamas have included not only uniformed soldiers but also Israeli civilians (some women and children), off-duty military and police personnel, and Palestinian civilians. The U.S. State Department concluded that: "various elements of Hamas have used both political and violent means, including terrorism, to pursue the goal of establishing an Islamic Palestinian state in place of Israel."[16] In February, 1989, Hamas claimed responsibility when two Israeli soldiers were kidnapped and murdered in separate incidents while hitchhiking home from their posts in southern Israel. The body of one was recovered. More recently, December 13, 1992, an Israeli border guard, Nissim Toledano, was kidnapped near his home in Lod. The kidnappers claimed to be members of the Al Qassam brigade of Hamas and demanded the release of Hamas leader, Sheikh Yasin, from prison in exchange for the sergeants's release. The Sheikh made a public plea for the soldier's release, but the body of the victim was discovered two days later.[17] Recent attacks claimed by Hamas against crowded civilian buses and random citizens at work or near their homes indicate that Hamas no longer attempts to argue that it attacks only military targets. On July 1, 1993, Hamas openly claimed responsibility for an attack against a Jerusalem public bus in which two women were murdered.

Hamas maintains that evidence linking it with the attacks is often no more than pamphlets found in the pockets of the perpetrators when they were killed or captured, sometimes days later, or that blame was affixed solely on the basis of inflammatory Hamas inspired graffiti on the walls near the scene of the attack. In the month before the borders were closed between Israel and the territories in March, 1993, fifteen Israeli civilians were killed in violent attacks by Palestinian Arabs. Pamphlets printed and distributed by Hamas found in the pockets of the persons who committed the crimes clearly urged the attacks. One pamphlet dedicated certain days "to stabbing settlers to avenge the blood of the martyrs killed by the (Israeli) special units." Another urged Muslims to consider settlers and other Jews as targets "which should be terminated."

Hamas also admits to having executed Palestinians accused of collaborating with Israeli authorities. A transcript of a training film allegedly made last summer by the Qassam Battalions tells how Hamas operatives kidnapped Palestinians accused of collaboration and then forced confessions before executing them.[18] The film quotes a member of the al Qassam brigade as having said that any Palestinian who helps Israel against other Palestinians is "more of an enemy than Israeli soldiers." In June 1992, Amnesty International confirmed that 172 Palestinians "were killed, apparently by other Palestinians, some after being tortured; most were suspected of being collaborators with the Israeli authorities."[19] The State Department says that nearly 200 Palestinians were killed by other Arabs in the occupied territories in 1992, as opposed to 140 in 1991. However, the State Department made no attempt to assign responsibility to specific groups.[20]

A SHIFT IN U.S. POLICY

In Mach 1993 the State Department announced that it had broken off informal contacts with Hamas representatives in Amman, Jordan. Media reports said that State Department policymakers believed that a limited dialogue with Hamas and fundamentalist organizations in other countries might add to knowledge of such organizations and possibly help solve crises like the stalemate over the Israeli deportation of suspected Hamas activists in December 1992. It came as a surprise to most that such contacts were taking place, in view of U.S. policy toward terrorism. State Department spokesman Richard Boucher announced that talks would be suspended with "people associated with Hamas." Mr. Boucher said that U.S. embassies maintained a variety of contacts with people to discuss the development of political Islam and Islamic currents in the Islamic world. He said that the talks with Hamas had not been a political dialogue, only contacts.

Events in the past year brought international terrorism more sharply to the attention of the American public. An illegal alien shot a number of CIA employees on their way to work at CIA headquarters in the Virginia suburbs of Washington, D.C. and then the New York Trade Center was bombed in February 1993. Americans were shocked that terrorism had come to the United States and that some immigrant groups in this country had ties to radical organizations overseas, particularly the Middle East. While there has been no public evidence that Hamas was involved in either the shooting or the bombing, the incident came on the heels of an Israeli warning several months earlier that Hamas was directing its operations in the occupied territories from command and control centers in the United States.[21] The series of events prompted congressional hearings on the terrorist threat. In related actions, bills were introduced in both Houses that would statutorily identify Hamas as a terrorist organization and prohibit any of its officers from entering the United States.[22]

The United States has taken a strong stand against Hamas because of its use of violence and its opposition to U.S. interests in the Middle East. There is added concern on the part of U.S. policymakers because of reports that Hamas is receiving support from Iran and is collaborating with its Lebanese client, Hizbullah.[23] The Hamas representative in Iran denied the PLO allegation that it had received $30 million from Iran in 1992, but he acknowledged Iranian assistance to "Palestinian groups." There are few particulars about Hamas collaboration with Hizbullah; the inference is that Hamas militants have been given refuge in southern Lebanon where they receive training and support from Hizbullah guerrillas. The accumulation of evidence was persuasive enough to convince the State Department to add Hamas to its list of groups known to use terrorist means, issued in April 1993.[24]

FOOTNOTES

[1] Article two of "The Covenant of the Islamic Resistance Movement," published August 18, 1988, uses the phrase "wing of the Muslim Brotherhood." Some observers believe that Hamas is actually the military wing of the Muslim Brotherhood, noting that Hamas members that have been deported from Israel are working closely with the Muslim Brotherhood in surrounding countries, collecting funds and recruiting new members from the larger organization.

[2] Sheikh Yasin was arrested in 1983 on weapons charges and later released. He was arrested again in 1989 for his alleged connection with the killings of several Israelis. He is still in prison.

[3] "*Jane's Intelligence Review*" reports that in its initial stage, Hamas was actively promoted by the Shamir government in the hope that the Islamic organization would help weaken or undermine support for the PLO. ["*Jane's Intelligence Review*": "Hamas: An Assessment" by Paul Wilkinson, July 1993, pp. 313–14.]

[4] See Clinton Bailey: "*Hamas the Fundamentalist Challenge to the PLO*," The Washington Institute for Near East Policy, Research Memorandum number nineteen, April 1992. p. 2.

[5] "*Patterns of Global terrorism: 1992*," op. cit.

[6] See for example a report in the Washington Post, "Global Network Provides Money, Haven," August 3, 1993. p. A1.

[7] See Ehud Ya'ari, "The Metamorphosis of Hamas," "The Jerusalem Report," January 14, 1993. p. 25.

[8] Bailey, op. cit.

[9] Ehud Ya'ari: op. cit. p. 24.

[10] Jamal Khashoggi in al Hayat, April 23, 1993.

[11] The word "jihad" is an Arabic word meaning to exert effort. The effort need not be violent. The noun form of the verb has come through usage to mean "holy war."

[12] (Hamas leaflet 65, November 1990).

[13] (Fatah, The Popular Front for the Liberation of Palestine, The Democratic Front for the Liberation of Palestine, and the Palestine Communist Party).

[14] The UNC was to include all of the main constituent factions of the PLO See Baily, Op. cit., pp. 10–11.

[15] Nasrawi, Salak. "Hamas Reconciliation Breaks Down." Associated Press, April 3, 1993.

[16] "Patterns of Global Terrorism: 1992," op. cit., p. 37.

[17] It was in response to this murder that Israel deported to Lebanese territory 415 Palestinians in December, 1992, most of them linked to Hamas.

[18] New York Times, April 16, 1993. p. A31.

[19] Washington Post, July 10, 1992. p. A14.

[20] "Patterns of Global Terrorism: 1992," op. cit., p. 18.

[21] The FBI denied the thrust of the Israeli allegations about the command and control structure within the United States, but, according to a State Department official, Hamas has been openly involved in propaganda and fund raising activities in this country.

[22] Identical bills submitted by Congressman Deutsch (H.R. 1279) and Senator D'Amato (S. 503) would amend the Immigration and Nationality Act to provide that members of Hamas be considered to be engaged in a terrorist activity and ineligible to receive visas and thereby excluded from admission into the United States.

[23] Hizbollah is a terrorist organization widely believed to have been responsible for the bombing of the Marine barracks and the U.S. Embassy in Lebanon in the mid-1980's and for the subsequent kidnapping and imprisonment of American citizens in that country.

[24] "Patterns of Global Terrorism: 1992," op. cit., p. 37.

REAL REFORM FOR REAL PEOPLE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. STARK. Mr. Speaker, the health care reform debate officially began on September 22 when President Clinton presented the administration's plan to Congress and the Nation. The debate will likely continue for months, focusing on cost, delivery, access, providers, and any number of other weighty issues. These are all important, but health care reform is really about people—families facing serious illness, individuals who fear losing their health insurance, or the millions who have no health insurance at all.

Mr. Speaker, the difficult task before Congress is to develop and enact legislation that encompasses the goals of universal coverage and cost control, but in simpler terms—it is to alleviate the fears and burdens of families like Tom and Kate Miles of Lusby, MD. The Miles family and the countless others across the Nation like them, take this health care reform debate out of the abstract. Their pain and anxieties are real and as we discuss market-based approaches, global budgets, and employer mandates—we must not forget Tom and Kate Miles and families all across the country just like them.

Most of my colleagues no doubt have received letters or heard the stories of real people like the Miles family. These individual stories remind us that we seek meaningful health reform to control costs so that we can provide more people with better health care.

LUSBY, MD, AUGUST 31, 1993.

Congressman PETER STARK,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN STARK: I hope that you will take the time to read this letter, and be able to help our family. My name is Kate Miles, my husband Tom is a Sheet Metal Mechanic, and we have two children—Kimberly 10, and Robert 9.

Seven years ago when Robert was 2½ years old, he started having seizures. At times over the years he has had in excess of two hundred multiple types of seizures per day. Robert has been on every anticonvulsant medicine on the market, all have been unsuccessful at controlling his seizures. Due to the effect of the seizures on the brain, Robert is mentally retarded and at times unable to walk or talk.

At the time Robert first became ill my husband was a first year apprentice with the Sheet Metal Workers Local 100. Our insurance coverage with the union was 80 percent coverage with the 20 percent to be paid by the member. This coverage we were soon to discover is adequate if you are not suffering from a catastrophic illness.

During the first three months of Rob's illness we were unable to keep him out of the hospital for more than two weeks at a time. During that period we accrued in excess of $250,000 worth of medical bills, thus our share was $40,000.

As we were a struggling young two income family making $20,000 per year we applied for assistance, only to be denied—because we were, "just over the maximum income allowed." Thus we were turned over to medical collections.

To make matters worse, after six months the insurance company stopped paying for an RN to come into the house to take care of Robert, so I was forced to quit working.

It was at that time it became impossible for us to pay our mortgage and foreclosure proceedings were started. Fortunately, we sold the house in time and took all the equity to pay off the medical bills.

We then had to find a place we could afford, now that we were a one income family—thus a move to the Eastern Shore of Maryland. The move required Tom to spend four hours on the road each day going to and from work.

Robert's illness made him uninsurable because he now had a preexisting condition, and we became all too aware of how important it was for Tom to keep his job. We knew if he lost his job or if his grades in the apprenticeship program were not passing, Robert would lose his insurance coverage.

After the move more admissions followed, and again the bills started mounting. It was at that time that we applied for Children's Medical Services. Finally we were accepted for something. They agreed to pay the balance remaining on all bills—after the union had paid, on services pertaining only to Epilepsy. If it weren't for this organization we probably would of been homeless, due to having a child who suffers from a catastrophic illness.

Like most programs of this type, Children's Medical Services requires yearly renewal. We recently moved to a new home, one that is wheelchair accessible. Our renewal came due and we were denied services based on our income being in excess of the $22,000 per year maximum.

We could make ten times that amount and it would not be enough. The union has paid out several million dollars on Robert already. Children's Medical Services only pays on Epilepsy related services, they are not Robert's only problems.

Robert has chronic ear infections, upper respiratory infections, and pneumonia, all requiring several trips to the pediatrician's office per month. We just purchased a special wheelchair for Robert at a cost of $3,000. He needs new leg braces, cost $2,000. He requires physical and occupational therapy, weekly lab work, as well as his anti-convulsant medicines that run approximately $150 every ten days.

As if we don't have enough to worry about, we have recently been informed that Robert has used up $150,000 of his $250,000 of Major Medical in just six years. Robert is not going to be eligible for Medical Assistance for another nine years when he is eighteen. At the rate he is using his insurance, it is unlikely that it will last another nine years.

Due to a weak economy, Tom has been forced to work a four day work week for the past eleven months. To make matters worse, last month the Sheet Metal Workers Local 100 Health and Welfare Fund reduced and eliminated many of the benefits. We are now required to pay 50 percent of the Major Medical. Due to Robert's preexisting condition Tom is locked into his job, even if his employer cuts him back to a three day work week. The problems are never ending.

Robert does not have a terminal illness, the bills will not stop tomorrow or even the next year. We don't have much to look forward to.

Thus is the reason for this letter. There are thousands of families out there just like us, we meet them every time Robert is in the hospital. They are losing a roof over their heads because they have a child who has suffered a catastrophic illness. The government requires you to become completely dependent on them before they will give you any assistance.

These children want nothing more than to be healthy, nor do their parents want their child to be sick. We would welcome a normal life for our children where you can take trips together, instead of one that requires daily worry if your child will be admitted to the hospital and how you will pay for it.

This isn't fair to the children of families like us, they deserve better than this. Up until now there has been no help or even recognition of this terrible burden on our families, we have fallen through the cracks too many times. Time is running out, can you please help our families?

We feel that there should be some type of National Catastrophic Health Care Assistance program set up. It is our hope that you and the members of the task force will recognize this need in our country and incorporate this into your health care reform bill.

Sincerely,

MRS. KATE MILES.

LABOR REPRESSION IN CUBA

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. GUTIERREZ. Mr. Speaker, the deteriorating human rights situation in Cuba continues to demand the attention of men and women of good will everywhere. With the collapse of the Soviet Empire it became possible for the United Nations to begin to look in depth at Cuba. But to date, the Cuban Government has denied entry to the country to Ambassador Carl-Johan Groth, the United Nations Commission on Human Rights special rapporteur for Cuba.

Several human rights leaders are in prison for their work on behalf of human rights, but several Cuban independent human rights organizations, functioning under great difficulty in Havana, continue to call for help from the international community.

I would like to bring to the attention of the House a recent memorandum smuggled out of the island about labor repression and the firing and punishment of thousands of Cuban workers. It was prepared by Rafael Gutierrez Santos, leader of the independent Union sindical de Trabajadores de Cuba—Labor Union of Workers of Cuba. Gutierrez Santos was released a few weeks ago from the notorious State Security Headquarters in Havana where he spent several months undergoing interrogation for his union work.

The denunciation was sent to the American labor movement, and to Freedom House, that translated it and made it available to me.

The statement prepared in Havana follows:

LABOR REPRESSION OF ALMOST 100,000 WORKERS IN ALL OF CUBA

La Union Sindical de Trabajadores de Cuba (labor union of workers of Cuba) independent union denounces and condemns the labor repressions employed against the workers by the so-called Organs of Labor Justice of Base. They applied these measures according to the anti-labor Decree law 132. During the period of seven months Sept-March 1993 almost 100,000 disciplinary sanctions were imposed on Cuban workers. They were: public warnings—10,022; fines of up to 25% of salary—3,358; suspension of up to 30 days—1,069; transfers for a year to another job—3,060; transfers pending assignment of a new position—850; firings—3,657; other measures—368.

We can see an increase of labor repression against the workers who are tired of the fact that their salaries do not amount to anything, of the great number of work centers and factories that have been closed, of the constant blackouts, of the black market, of the low standard of living, and of galloping inflation. The workers do not show either interest or motivation towards their employment because they earn only three or four dollars a month according to the underground market.

All of the above, together with the policy of betrayal by the official unions who serve as the foreman of the workers, results in a daily increase in the dissatisfaction of the workers. They are irritated by the continuing problems for which there are no solutions; and the government does not offer either short- or long-term answers.

The Labor Union of Workers of Cuba expresses its solidarity with these workers and condemns the arbitrary measures that seek to please the government and to injure these heads of households. We invite all workers to become members of our union.

For the executive of La Union Sindical de Trabajadores de Cuba

RAFAEL GUTIERREZ SANTOS,
President.

ELIZABETH "LIBBY" BRENNAN HONORED FOR PROVIDING 40 YEARS OF GOOD NEWS

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to a very special member of the greater Wilkes-Barre community, Ms. Elizabeth H. "Hibby" Brennan. Ms. Brennan will be honored on October 14 by the community she has served for more than four decades as the social editor of the Sunday Independent newspaper.

Libby has often stated, "I had one of the most enjoyable jobs anyone could have. My work was to dispense good news." As Libby went about her task of reporting the joyous happenings of the Wyoming Valley, she especially enjoyed following the happenings of the local children as they made their way into the world and made their mark, each in their own way.

Libby watched our valley change over the years after World War II and chronicled the accomplishments of each generation. Although she spent some time covering the cotillions and teas of the 1950's; Libby, a graduate of Penn's prestigious Wharton School of State and Local Government, was no stranger to the political scene and her list of political interviews reads like a world-class "who's who." Libby has interviewed some of the most renowned figures of her time, from the Kennedys to Barbara Bush, from David Brinkley to Audrey Hepburn—Libby's list of luminaries is endless.

Mr. Speaker, I am pleased to have this opportunity to speak about the outstanding career of this loved and respected journalist. We are honoring Libby Brennan, who has chronicled the lives of the people of Wyoming Valley for 40 years, in an effort to thank her for her contribution and insight into who we are. I am proud to be included in the list of her many friends and admirers.

"TRUST" IN THE MILITARY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. GILMAN. Mr. Speaker, I commend to my colleagues the following article by Al Santoli which appeared in today's Washington Times. Mr. Santoli, a distinguished combat veteran and author, raises a number of issues relating to the quality of our military forces which deserve our consideration. As we consider the future policy for U.S. participation in U.N. and other multilateral peace keeping missions, Mr. Santoli's article is particularly relevant to that debate.

Accordingly, I request that the full text of Al Santoli's article, "The Destruction of the U.S. Military," be printed at this point in the RECORD:

[From the Washington Times, Oct. 14, 1993]

THE DESTRUCTION OF THE U.S. MILITARY

(By Al Santoli)

We are witnessing the rapid destruction of the U.S. military.

The arduous post-Vietnam rebuilding of a carefully designed, all volunteer force demonstrated its professionalism and integrity with quick-strike operations in Panama and Kuwait. That achievement is now becoming unglued in the halls of the Pentagon and the State Department. A new generation of defense Department "whiz kids" and politically-sensitive generals and admirals seem to have forgotten a primary lesson of the Vietnam era: The key ingredient for quality military service is "trust."

To maintain a dedicated defense force, young people in uniform must believe that our political and military leaders will not waste their lives on foreign battlefields for ill-defined reasons. It was a frightening omen in late summer that President Clinton vacationed at the home of Robert McNamara, the Vietnam-era secretary of defense whose over-reliance on statistics and technology led to the decline of the American military in Vietnam. At the same time, Mr. McNamara's former protege, Les Aspin, was refusing to send a handful of tanks to protect American forces in Mogadishu for fear of negative political spin in Congress.

Similar to the Joint Chiefs of the early 1960s, who years later condemned Mr. McNamara's "gradual escalation" policy in Vietnam, Gen. Colin Powell and his deputies refrained from publicly expressing their concern about Mr. Aspin's life-threatening policy decision—which resulted in the decimation of a U.S. Ranger company and elite Delta Force operatives—during numerous congressional testimonies. Nor did Gen. Powell express this concern at press conferences upon his retirement.

Today, in place of a Kennedyesque "New Frontier," there is a "New World Order." Our once-proud military people are being psychologically worn down in ill-conceived "nation-building" missions and humiliated by gangs of thugs in Mogadishu and Port-au-Prince. In addition, there are plans to send 25,000 U.S. troops to the killing fields of Bosnia. Soon, U.N. peacekeepers will be sent to Rwanda and South Africa. And U.S. Marine forces in California have been given notice, that they will be sent into the breach of civil war in Sudan, in what is officially being called a "CENTCOM Humanitarian Mission" for early 1994.

The Somalia operation thus far has cost more than $1.5 billion, even before a U.S. aircraft carrier task force—which costs millions in fuel alone—was sent. In mid-1993, the expense of the Somalia operation nearly caused the Marine Corps to go broke. It was prevented by some quick scrambling by Pentagon budgeters to reimburse the Corps with funds from other depleted programs.

Marine Corps leaders privately worry that although they have been able to maintain their force structure, they lack a budget to support it. Cutting the Army in half from 20 to 10 divisions (salvaging just two active-duty light infantry divisions) will cause Marines to be increasingly deployed. This not only creates additional stress on Marines' families, but it will cost much of the Corps' limited budget and deny necessary training for quality performance, ultimately costing lives.

During Desert Shield, the Army called up three Reserve mechanized infantry and armor brigades for active duty. After six months of intensive training and testing, none of these units were qualified for deployment. Given the speed and intensity of today's conventional battlefields, it is impossible for a Reserve combat brigade that trains one weekend per month and at most two weeks during the summer, to be able to survive a real-world conflict without a high number of casualties.

Almost surrealistically, the Army brass has agreed to permit 15 National Guard and Reserve brigades to become "rapid deployment units." Under the Pentagon's "win-hold-win" strategy for fighting two simultaneous major crises (such as in the Middle East and the Korean peninsula), limited active duty forces would fight one war, while out-of-shape reserves would be asked to "hold" the second front against a tenacious aggressor armed with massive conventional and chemical weapons. Given the likelihood of mass casualties, where would the U.S. replacement forces for either front come from?

Policy wonks must realize that we may never see another conflict like Desert Storm. If our soldiers and marines become over-extended and worn down by numerous U.N. "nation-building" fiascos, they will not have the fighting spirit to perform well if our national security should become truly jeopardized.

In recent months, I have spoken to numerous young officers and sergeants who are bailing out of the military because of their lack of trust in their civilian and military leadership. They don't want to be "wasted." For the sake of our national security, we cannot afford to lose those quality future leaders.

In my book "Leading the Way," Marine Corps Col. Wes Fox, a Medal of Honor recipient in Vietnam, knowingly states: "Young Marines need to know that their leaders' first thought has been their well-being. They will then charge up the enemy's gun barrel for you in a moment's notice and never ask why. Marine volunteers put on the uniform knowing that moment might come. They aren't saying, 'Hands off, don't get me killed.' They're saying, 'Don't waste me.'"

INLAND EMPIRE PRAISES CITIZENS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. BROWN of California. Mr. Speaker, it is with great pride that I rise to pay tribute to a group of exceptional women who reside in California's 42d Congressional District which I represent. The people of the Inland Empire have chosen these women as citizens who have made outstanding contributions to the community. A luncheon will be held in their honor on October 25 at the Radisson Hotel in San Bernardino.

Mr. Speaker, I would not like to recognize Jane Boggess, Betty Bogan, Lois Carson, Linda Warsaw Champin, Deborah Cooper, Virginia De Blasio, Estella Delgado, Maryette Ferre, Linda Fry, Marielena Garcia, Helen Herd, Margaret Hill, Lynn Hirtz, Bonnie Johnson, Cheryl Karns, Anita Lewis, Lenore Schon, Judith Valles, Juvenille Villar, and Beatrice Watson.

All of these women share a commitment to creating better neighborhoods, workplaces, schools, and an improved living environment for the Inland Empire. They serve as role models in their careers and in their service to the community. It is impossible to count the number of lives that have been touched by these woman as a result of the outstanding leadership they have displayed in the Inland Empire. I am sure that each person who has known them is grateful for their involvement. They are an inspiration to us all.

TRIBUTE TO ELEANOR YOUNG

HON. DICK ZIMMER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. ZIMMER. Mr. Speaker, I rise today in recognition of the retirement of Eleanor Young, a resident of Rocky Hill, NJ. Eleanor is a member of the Church World Service, an international relief, development, and refugee resettlement agency, which performs a myriad of good works for the homeless and hungry.

Since 1975, Eleanor has coordinated and organized the Church World Service's clothing drive. She is credited with collecting and distributing nearly 2 million pounds of clothing to the needy. In addition, she raised nearly $860,000 for processing funds and the purchase of blankets for the homeless.

From 1975 to 1990, Eleanor also served as office administrator of the CWS office in Rocky Hill. She has provided many Church World Service leaders with materials, films, and videos that have enabled New Jerseyites to raise more than $10 million over the 15-year period. Upon culmination of her work, Eleanor was the recipient of the regional director's exceptional performance award in recognition of her fine work at CWS.

Mr. Speaker, Eleanor Young serves as an inspiration to us all. With her deep commitment and boundless energy, she has managed to make a big difference in many lives of people who at one time or another needed her help.

I would also like to congratulate the New Jersey Church World Service/CROP organization on its 20 anniversary today and wish them many more anniversaries in the future.

TAIWAN DESERVES U.N. MEMBERSHIP

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. COX. Mr. Speaker, I rise today to encourage my colleagues to support Taiwan's request to reenter the United Nations. As we know, the Republic of China was a founding member of the United Nations, but withdrew from the United Nations in 1971. Over the last 23 years, the ROC has fully supported U.N. activities, and now is calling for readmission to the United Nations.

Taiwan has reaffirmed its peaceful intentions toward mainland China. The ROC assures us that it does not intend to interfere with mainland China's relations with other countries.

It is therefore my hope that mainland China will not oppose Taiwan's request for membership in the United Nations. The ROC's 21 million people deserve representation in the world body. Their rights and privileges as citizens of the world should be honored and protected.

Mr. Speaker, I am happy to support the Republic of China's interest in returning to the United Nations, and also would like to extend my congratulations to the Republic of China on Taiwan on the 82d national day of its founding. U.N. membership would be an appropriate way for the international community to recognize Taiwan's growing role in the global society of the 21 century.

A TRIBUTE TO THE REVEREND ROBERT L.T. SMITH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. THOMPSON of Mississippi. Mr. Speaker, I stand today to pay tribute to the late Rev. Robert L.T. Smith of Jackson, MS. He was a human rights activist, businessman, and mentor to many community leaders. Reverend Smith served as pastor of Oak Grove Missionary Baptist Church in Hinds County for more than 50 years. He motivated and organized church leaders within the General Missionary State Baptist Convention of Mississippi to encourage voter registration and to participate in nonviolent confrontations with local authorities during the segregation era.

Reverend Smith devoted time and financial support to a variety of civic and educational projects, including the NAACP. During the 1960's, he frequently provided bail money for students from Tougaloo College and other students arrested in civil rights demonstrations. In 1960, he became the first black congressional candidate from Mississippi since Reconstruction. His candidacy helped lead to the founding of the Mississippi Freedom Democratic Party and encouraged others to file landmark lawsuits to help African-Americans win political office. Rev. Smith worked closely with Dr. Aaron Henry, Mississippi NAACP president in challenging the FCC license of WLBT-television station that helped African-Americans become owners in the broadcasting industry in Mississippi and across the Nation.

Reverend Smith was also instrumental in the formation of various business ventures. He helped to form the State Mutual Federal Savings & Loan Association in 1955, which was the first African-American owned financial institution in Mississippi in modern times. He also served as a board member and officer of this institution for many years.

Reverend Smith was a charter member of Mississippi Action for Progress [MAP], the second largest community-based Head Start Program in Mississippi and served as a board member from 1967 to 1991. MAP currently serves hundreds of disadvantaged children and brings thousands of dollars into Mississippi annually.

Reverend Smith was also listed in Newsweek magazine as one of "100 Most Influential Blacks in America" as well as being honored by the Mississippi Legislature for outstanding civic leadership. Reverend Smith was the widower of Annie Louise Mason Smith, to whom he was married for 65 years. He was the father of three sons and six daughters.

PLUGGING THE HOLES IN MANAGED COMPETITION

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. STARK. Mr. Speaker, we have begun the most important and far-reaching challenge that any of us are likely to face in our legislative careers—health care reform. The administration has unveiled a comprehensive plan to reform and restructure our health care system. And recently a bipartisan group of our colleagues introduced the Managed Competition Act of 1993. The two proposals have a number of similarities. Most notably, both rely on the untried and unproven theory of managed competition which was developed in Jackson Hole, WY by medical industry groups, large insurance companies and health maintenance organizations.

The bipartisan group on health reform says managed competition will control health spending, primarily by relying on market forces, creating regional health authorities, and expanding the use of HMO-type organizations. Listening to them, you might believe we can have it all, without much change or sacrifice.

It sounds good and it is reassuring to hear that we can have real health care reform with a little tinkering here and there, but it's not realistic. According to a Congressional Budget office report released in July, the managed competition approach actually would increase spending by $214 billion. Controlling the costs of health care and providing equal access for everyone will require change.

Most Americans embrace the goals of universal coverage and cost control and we finally have an administration that is compassionate and committed to health care reform. It would be a shame to miss this opportunity, but it would be even worse not to get it right.

An article in the September 15th edition of the Journal of the American Medical Association [JAMA], concludes that major modifications will be required if managed competition is to control health expenditures and provide access to quality health care for everyone. The article is entitled, Holes in the Jackson Hole Approach to Health Care Reform. I urge my colleagues to read the following excerpts from the article:

[From JAMA, Sept. 15, 1993]

HOLES IN THE JACKSON HOLE APPROACH TO HEALTH CARE REFORM

(By Thomas Rice, PhD; E. Richard Brown, PhD; and Roberta Wyn, MPH)

Managed competition is synonymous with market-oriented health care reform. Those who coined the phrase, the Jackson Hole Group, have been identified, incorrectly, by the *New York Times* as the brain trust for the Clinton administration's reform proposal. Many medical industry groups have participated in developing the Jackson Hole version of managed competition, including major insurance companies, the American Medical Association, the Pharmaceutical Manufacturers Association, and large health maintenance organizations (HMOs). About the only significant interest groups that have not expressed support for the concept are those representing consumers. In this article, we critically assess the Jackson Hole Group's proposal to control health spending and provide access to quality health care.

Boiled down to its fundamentals, the Jackson Hole approach to managed competition requires three major changes in the US health insurance system. First, regional insurance purchasing cooperatives (HIPCs) are formed to manage the marketplace for health care coverage, especially for small firms and individuals. Second, employers and HIPCs contribute the same amount of money for coverage regardless of which plan a consumer chooses. This provision requires limiting the tax excludability of health benefits to the rate charged by the least costly qualified health plan, so that premium payments above that level would be with after-tax dollars. Third, to level the playing field among all health plans, new rules make it more difficult for plans to avoid enrolling high-risk individuals.

THE JACKSON HOLE APPROACH WILL NOT CONTROL HEALTH CARE EXPENDITURES

Jackson Hole advocates argue that their approach to health care reform will help control health care expenditures by making consumers more cost-conscious purchasers of health insurance and health care services. The Jackson Hole approach assumes that savings will be generated largely through greater enrollment in HMOs. Providers, in turn, will have to compete among themselves to be selected as members of health plans by charging less and/or providing services in a cost-effective manner.

There are three reasons, however, why the Jackson Hole approach is unlikely to succeed in controlling US health care expenditures: (1) consumers—particularly high users—will continue to purchase expensive health plans; (2) greater enrollment in HMOs will provide few savings; and (3) providers will continue to have considerable bargaining power in their dealings with health plans.

CONSUMERS WILL CONTINUE TO PURCHASE RICH BENEFIT PACKAGES

One of the central assumptions in this approach is that consumers will not readily spend their own (after-tax) dollars to purchase relatively expensive health care coverage. Embedded in this argument are two suppositions: consumers are responsive to premium differences among plans, and many will be satisfied with the minimum required set of benefits. Neither of these assumptions is likely to be true.

The economic evidence on how responsive consumers will be to differences in premiums is embodied by the economic concept of the price elasticity of demand for health insurance. This is defined as the percentage of change in the amount of insurance purchased divided by the percentage of change in premiums. Admittedly, previous research on these elasticities provides only indirect evidence concerning the Jackson Hole approach because the latter is likely to result in a different set of insurance choices for consumers.

The literature reports a great deal of uncertainty concerning the magnitude of the price elasticity of demand for health insurance. . . .

Thus, although consumers would be expected to respond somewhat to premium differences when choosing their health plans, the magnitude of this response does not appear to be particularly great.

Even if consumers as a whole were responsive to premium differences, this still might not result in substantial cost savings. This is because the people most likely to respond to premium differences are those who are relatively low users of service. One percent of the U.S. population is responsible for a full 30% of health expenditures; 2% account for 41%; and 10% are responsible for 72%. High users, who tend to have significant health problems, are likely to have a much stronger interest in staying with their current physicians. As a result, they would not be easily swayed to switch health plans even with the prospect of lower premiums. This is especially true of a switch to a group or staff model HMO—the health plan of choice for the Jackson Hole Group—where the patient is locked into the plan's own provider panels.

High users of health services will also be inclined to purchase plans with more comprehensive benefits, further undermining the Jackson Hole strategy to control total health spending. Alternatively, if benefits were completely standardized so that health plans could not include any extra types of benefits—as some Jackson Hole advocates, such as Enthoven, recommend—individuals could purchase supplemental policies (not unlike current Medigap insurance, which is owned by 70% of the elderly) to cover any gaps and, possibly, cost-sharing requirements.

No direct evidence is available to indicate the extent to which the public will wish to purchase benefits above the basic plan. The only research that sheds much light on this issue comes from the RAND Health Insurance Experiment.[7] Although the experiment covered almost all services, copayments were required. Participants were asked whether they wished to purchase supplemental insurance that covered all or part of their out-of-pocket expenses; 60% said they would. There was also a substantial amount of adverse selection; families that anticipated facing higher health expenditures were much more likely to want to purchase supplemental coverage.

Under managed competition, the development of new technologies is likely to create further upward pressures on the benefits package. Although very discretionary and perhaps experimental services would not be covered, they could be obtained either by purchasing a more comprehensive health plan or by paying for these services directly with out-of-pocket dollars. Over time, however, consumers and providers will insist that many expensive new technologies and services be included in the basic plan for the simple reason that someone else will be paying the lion's share of the costs. Examples could include the dramatic—an acquired immunodeficiency syndrome vaccine or a drug treatment that slows the loss of mental capacity or even reversed Alzheimer's disease—or the more pedestrian, such as ultrasonograms with better resolution.

The types of pressures that will be faced by government can be seen by examining the extent of state-mandated health benefits. State governments had enacted more than 730 mandated health insurance benefits by 1988. The same interest groups that were able to get state mandates approved are almost certain to fight hard to make sure that their particular type of coverage is included in any basic plan.

GREATER ENROLLMENT IN HMOS WILL DO LITTLE TO CONTROL EXPENDITURES

A common thread in the writing of the Jackson Hole Group and other advocates of managed competition is the reliance on groups or staff model HMOs. But there are several reasons why greater enrollment in HMOs will do little by itself to control health care expenditures. First, most people moving into HMOs will join independent practice associations (IPAs). In 1990, about 60% of individuals in HMOs were enrolled in individual or network model IPAs, and this trend is becoming more pronounced.

Between 1988 and 1990, 77% of HMO enrollment growth was accounted for by individual or network IPA plans. Available evidence concerning the cost-containing potential of IPA is mixed. Although recent findings reported in JAMA from the Medical Outcomes Study do report some cost savings, most other analysts, including the Congressional Budget Office, have found little evidence of savings.

Second, consumers who join group or staff model HMOs tend to be healthier; for such persons, managed care offers the fewest cost savings because they have less potential to need large volumes of services.

The Jackson Hole approach attempts to deal with any remaining problems of selection bias by "risk adjusting" contributions. That is, plans with sicker enrollees will get higher payments, although these proposals are silent on exactly what the formula would look like. Many efforts have been made to find factors that are good predictors of future utilization; one study reviewed more than 40 such efforts published through 1985. Factors examined include sociodemographic factors, some clinical and self-assessed health measures, daily activity limitations, and prior utilization and costs.

Third, although HMOs cost less than fee-for-service plans for a particular array of benefits, they have not been successful in controlling the rate of increase in health care expenditures. This has been shown to be the case consistently for the last 30 years.

Finally, in most parts of the country there is not a sufficient population base to support adequate HMO competition. Kronick et al., recently conducted an analysis that assumed that three competing health plans were necessary to ensure minimally adequate competition in an area. They found that only 42% to 63% of the population lives in areas that could support three or more HMOs. Jackson Hole proponents argue that in the majority of rural areas, managed competition would work through the use of flexible health plan arrangements (e.g., competition among small primary care facilities or among primary care providers). But they do acknowledge that there are settings, and in fact whole states (e.g., Wyoming and Montana), where the approach may not work and would need to be replaced by a "managed cooperation" approach.

PROVIDERS WILL CONTINUE TO HAVE CONSIDERABLE BARGAINING POWER

One of the linchpins of the Jackson Hole approach is that health plans will have considerable leverage over providers. Because it is assumed that plans that are too costly will not be chosen by consumers, the only way for plans to survive is to exercise strong bargaining power over provider groups. And since being a member of a health plan is the only game in town, providers will have to play ball or else lose most of their business. This scenario may not be realistic, however, for the following reasons.

First, if providers join multiple plans—which purportedly will be allowed under the Clinton administration's proposal—then plans will continue to have little effective bargaining power.

The second problem is that providers may respond to the formation of HIPCs by consolidating into larger practices to obtain countervailing market power. This appears to be what has occurred in Minnesota.

THE JACKSON HOLE APPROACH WILL NOT ENSURE ACCESS AND QUALITY

Advocates of the Jackson Hole approach argue that it will improve access and quality of care for several reasons: universal coverage would be assured, with the poor and near-poor receiving subsidies toward purchasing health coverage; insurers would no longer be permitted to deny coverage or charge more to people in poor health; more people would be offered a choice of health plans than currently have such a choice; and the poor could receive coverage from the same plans as the nonpoor. Quality would also improve as plans compete with each other to provide the best product, medical outcomes, and satisfaction per premium dollar. This kind of competition would be facilitated by requiring plans to disseminate information about these outcomes to prospective and current enrollees.

Conversely, it can be argued that access and quality problems would persist under managed competition. By relying on price competition among plans and providers, access and quality could be jeopardized through the segmentation of the market into two tiers. One tier would be composed of lower-income enrollees who, for economic reasons, were forced to join the least costly plan in an area; the other tier would include almost everyone else. A discussion of these issues follows.

LIMITED ACCESS FOR LOW-INCOME PEOPLE

Capping employer payments and government subsidies to health plans at the rate charged by the lowest-cost certified plan in an area would, in practice, restrict the lower-income population to these basic plans. This is not so much a problem in the existing programs that Jackson Hole advocates frequently point to—the Minnesota State employees program, CalPERS, the FEHBP, and other large public-sector employers—because nearly all employees in these groups are paid sufficient wages to afford some choice. The same cannot be said for people employed in low-wage occupations or industries.

Low-income persons are likely to have a difficult time finding plans in which they can enroll because few plans may choose to market themselves at the most affordable basic plan rates. This has been the experience with managed care in the Medicaid program. A recent survey found that only 22% of HMOs were participating in the Medicaid program; low participation rates by plans are due mainly to low premiums paid by Medicaid, discontinuous Medicaid eligibility of enrollees and marketing problems.

In addition, people who can afford only a basic plan may have poorer access to health services and poorer quality care compared with more affluent persons. Although all plans would be required to provide a comprehensive benefit package, enrollees in basic plans may find it difficult to obtain many of the services that are covered by the plan. The more limited economic base of low-cost plans would restrict their ability to match the fees paid by higher-cost plans. Many providers would refuse to contract with low-cost plans, relegating enrollees in basic plans to a limited-access and sometimes lower-quality market niche similar to the situation in which Medicaid patients find themselves.

Plans would also vary in their access to specialty care and expensive technologies. More expensive plans, which middle- and upper-income people would have the resources to choose, are likely to provide somewhat easier or more timely referrals to specialists. Lower-cost plans, to which lower-income people would be limited, would be more likely to restrict use of such services even when they are necessary and effective or contract with specialists who are less experienced and less skilled.

These practices would be especially detrimental for persons with disabilities or chronic conditions who have low incomes and cannot afford more than the basic plan premiums. Most persons with disabilities have a "narrow margin of health" that "must be carefully maintained if medical problems are to be avoided." If inadequately or improperly managed, such conditions may deteriorate rapidly and result in otherwise avoidable hospitalization, as well as time lost from work or school, increased disability, or even death. Prompt access to a primary care practitioner who is knowledgeable about the multiplicity of factors that accompany a disability and that influence the person's health status is essential in order to avert major medical problems and rapid decline in functional ability.

The risks of such delays are likely to be higher in basic plans, due to the combination of financial incentives of capitation payment (which make each referral a cost to the plan) and the limited market choice of plans that may be available at the basic plan premium. There is considerable evidence, from research findings and anecdotal accounts, that low-income persons with chronic conditions do not fare well in managed care plans, such as HMOs. Primary care case management involves a physician or other practitioner coordinating care for a person, but it also makes the case manager the gatekeeper to control use of expensive services. The HMOs are likely to emphasize the gatekeeping role; they may delay or withhold referrals to specialists and other services that would cost the plan money out of its pool of prepaid premiums. Although specialty care and expensive procedures are undoubtedly overused, simply tightening the reins on utilization—whether by restrictive practices in HMOs or by imposing deductibles and coinsurance in fee-for-service plans—reduces use of appropriate and effective services, as well as inappropriate care. The greater need for services by people with chronic health problems often leads to considerable friction between them and their managed care plan.

POTENTIALLY POORER QUALITY HEALTH SERVICES

Jackson Hole advocates assume that HIPCs would be the guardians of both access to health services and the quality of plans and services. Health plans must agree to report medical outcomes and other quality assessment data to the HIPC and the public. Such information can assure the quality of plans and medical care provided by plans only if the HIPCs have a strong interest in monitoring and enforcing standards and if the covered population has effective market choice among competing health plans.

An HIPC's costs would be determined by the new capita cost of the basic plan; its total financial liability would be limited to this per capita premium multiplied by the number of persons in the area. The quality of care and access available in basic plans would likely be secondary to their costs. Enforcing quality standards depends on the HIPC identifying those plans that do not comply and, for those that fail to improve, being willing to use a "club"—freezing the errant plan's enrollments or premium rates or terminating the plan's contract with the HIPC. But for the HIPC to be willing to terminate contracts with the lowest-cost plans would require the HIPC to pay a higher basic plan premium, a policy they would be more likely to adopt for a politically influential constituency than for the lower-income population that will predominate in the lowest-cost plans.

It is possible to pressure public agencies to take seriously the needs of enrolled populations. Oregon's Medicaid managed care program has avoided several of these problems through more rigorous enforcement of standards. But vigilant oversight is not the rule when it comes to low-income communities.

THE OVERALL IMPACT OF THE JACKSON HOLE APPROACH

We have described a number of specific problems with the Jackson Hole approach. Here, we provide a broader and more dynamic picture of how consumers, employers, and government are likely to be affected by the implementation of this model. The scenario we envision would look like the following:

For all of the reason discussed herein, the system will result in little if any savings in health care expenditures. (This conclusion is not just ours but also that of the Congressional Budget Office, which has stated with regard to the Conservative Democratic Forum's managed competition proposal [HR 5936], that "after a few years, [the bill] would leave national health expenditures at approximately the same level they would reach otherwise. Although expenditures are likely to continue to rise at the same rate as in the past, government's ability to subsidize health care purchases for the poor and near-poor probably cannot rise as fast as the overall increase in health care premiums. As a result, a major gap will quickly emerge between the plans being offered.

The lowest-cost plans in an area will tend to be ones that are the least desirable but which are the only ones affordable for the poor and near-poor. They will have limited provider networks that may be geographically inconvenient, provide only the most basic services required, provide the least choice of physicians and hospitals, make it difficult to obtain specialist care and new technologies, and have the least thorough quality assurance programs. We thus anticipate segmentation of the market for health plans and health services, with more costly plans providing more accessible and often better-quality services for their enrollees—in short, a continuation of two-tier medicine under the Jackson Hole approach.

By offering more prestigious physicians and hospitals higher payment rates than low-priced plans could afford and by making state-of-the-art technologies and services accessible, health plans that cater to the more affluent population would put upward pressure on health care prices and expenditures. Providers would tend to restrict their services to particular market niches, with most hospitals and physicians preferring to serve patients whose plans pay the higher rates and offer the most opportunity to provide state-of-the-art medicine. This pressure driving up the costs of more expensive plans will, in turn, drag up the costs of basic plans because they must buy services and labor from the same markets as the more expensive plans.

Such a scenario will have a number of undesirable consequences for consumers, employers, and government. Most consumers will see their out-of-pocket payments toward premiums continue to rise quickly. Since employer and government contributions would be linked to the lowest-cost plans, those opting for the higher-tier plans will have to pay for them with their own, after-tax dollars. Although this is one of the purposes of Jackson Hole reforms, the originators of the concept believe that included among the cheaper plans will be the Kaiser Permanentes of the world—high-quality, low-cost group or staff model HMOs. In contrast, we believe that such plans will end up competing for more affluent patients, leaving the poor and near-poor in plans that may skimp on quality.

This financial burden on those choosing to opt out of the cheapest plans will not only increase over time, it is likely to be very unpredictable. Because employer and government contributions will be tied to the lowest-cost plan in an area, out-of-pocket premiums for higher-end plans may jump wildly from year to year, depending on the vagaries of what one plan in a particular area decides to charge for basic coverage. If a plan lowballs its price to try to increase its market share, two things could happen: it may not provide what it promises to the less affluent people who choose that plan, and it will result in a ballooning of out-of-pocket premiums for everyone else living in that area.

Employers and government are also likely to be burdened under this scenario because they will find it difficult to control their own health care spending. As all health expenditures continue to rise, employer and government health spending would be pulled up. This will result in strong pressures to increase their contribution levels to the basic plans so that (1) the quality of the basic plans is acceptable, and (2) those who choose more expensive plans will not have to pay as much in out-of-pocket premiums. Such a dynamic would require increased taxation for subsidies or add to the deficit. It also would undermine employers' desires to stem rising health spending.

This dynamic results in large part from Jackson Hole advocates' heavy reliance on making people cost-conscious consumers of health plans in order to control the growth of health spending. Advocates propose to limit employers' contributions and the tax excludability of health benefits in order to make consumers bear an increased share of the cost for choosing health plans that are more expensive than the lowest-cost plan. Relying on enrollees' cost consciousness is a fundamentally weak strategy, in part because people, especially those who are in poorer health, are likely to buy additional coverage to protect themselves from excessive costs when they need health services. In addition, the intense focus on controlling patients' demand for health services avoids addressing supply-side factors that are necessary to control the upward spiral of health spending. The central role of providers in stimulating demand for health services is a critically important focus for effective efforts to control expenditures—and it is a focus that is largely absent in the Jackson Hole approach.

CONCLUSIONS

This critique has focused on the potential problems of the Jackson Hole Group's managed competition proposal. Major modifications would be required to address these criticisms. Some of these—for example, imposing a global budget on HIPCs, limiting the amount of supplemental insurance consumers need and are allowed to buy, and regulating new investment in facilities and expensive equipment—would control expenditures more effectively. Others—such as subsidizing low-income people to purchase higher-cost plans—would enhance access to quality care. Some—such as capping the differential between the highest- and lowest-cost plans in an area or prohibiting plans from charging premiums in excess of a uniform rate set (or negotiated) and paid by the HIPC—would control expenditures and improve access.

The proposal by President Clinton's Task Force on National Health Care Reform incorporates some basic elements of managed competition but, wisely in our opinion, reportedly departs from the Jackson Hole approach in important ways. Among other departures from the Jackson Hole model, the President's proposal may include global budgets, allow HIPCs to be more aggressive negotiators with health plans and providers, and allow state options for all-payer rate setting and single-payer systems.

Any health care reform proposal, if it is to succeed as policy, must effectively control expenditures while improving access to health services and taking steps to enhance quality of care. At the same time, it will need to restructure health care financing in ways that are uniquely suited to the institutional and cultural complexities of American society while garnering enthusiastic popular support that can pressure a Congress, torn in different directions by special interests, to enact the reform. This is a tall order for any reform, and, in our analysis, the Jackson Hole approach does not meet the test.

TRIBUTE TO THE UKRAINIAN AMERICAN CLUB

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. GUTIERREZ. Mr. Speaker, I rise today to pay tribute to the Ukrainian American Club, which is the oldest existing Ukrainian club in the city of Chicago. I commend this ethnic organization for committing themselves to help people of Ukrainian ancestry assimilate into the American way of life while preserving their unique cultural identity.

The Ukrainian people have undergone many hardships in their mother country that forced them to emigrate to this country. In their hearts, the Ukrainian people desire to be free.

However, due to imprisonment, tyranny, and genocide, the freedom they have must be monitored by their fellow Ukrainian-Americans that have already come to America.

It is a sad fact of history that between 1932 and 1933, between 7 and 10 million people starved to death in Ukraine because of forced collectivization and grain seizures from the rural population by the government of the former Soviet Union. Unfortunately, it was not until rather recently, in 1990, that the central committee of the Communist Party of Ukraine acknowledged that the famine was artificially created by Stalin's policies.

Just this week, the House passed a resolution expressing the sense of Congress that the 60th anniversary of the Ukraine famine of 1932–33 should serve as a reminder of the brutality of Stalin's repressive policies toward the Ukrainian people.

An organization such as the Ukrainian American Club of Chicago is an excellent example of the type of outstanding community leadership that helps to provide a better life for every person of Ukrainian ancestry in our area.

This club, originally established in 1936, seeks to promote active involvement in education, community organizing, leadership, and pride in the United States. This organization also promotes the importance of religion in the lives of Ukrainian-American people.

Mr. Speaker, I would also like to commend the dedication and commitment to all Ukrainian-Americans of the club's president, Mr. John Horodecki and wish him and his membership continued success as an organization serving Ukrainian-Americans.

RECOGNITION OF DARES VIGIL

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. BONIOR. Mr. Speaker, today, October 14, 1993, the Domestic Assault Rape Elimination Services [DARES] of Port Huron, Michigan is sponsoring their First Annual International Candlelight March and Vigil.

Because domestic violence victimizes millions of Americans and threatens all levels of our society, it is important to recognize it as a major social issue. Nationally, 3 to 4 million women become victims each year. In a single year, the DARES shelter services of St. Clair County, MI, provided safe haven to nearly 900 adults and children for over 3,000 nights.

On any given day or night, the folks at the DARES shelter services are devoted to meeting the needs of people who have no place to turn. But they also support initiatives designed to treat, prevent and educate everyone about this serious social problem. Tonight's vigil and march are an example of just two ways they are helping raise our community's awareness.

While we all look forward to a day when the DARES' services will be unnecessary, we must support their efforts in the interim. And so as the first Candlelight Vigil and March takes place in Port Huron tonight, I urge my colleagues to join me in expressing concern for the problem and hope for a future where everyone can feel safe in their home and neighborhood.

THE TOWING VESSEL NAVIGATIONAL SAFETY ACT OF 1993

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. TAUZIN. Mr. Speaker, I rise today to announce the introduction of H.R. 3282, The Towing Vessel Navigational Safety Act of 1993.

On October 12, the Subcommittee on Coast Guard and Navigation held a hearing to investigate the causes of two towing vessel accidents. The first occurred on May 28, 1993, when the towboat, *Chris*, hit the Judge Seeber Bridge in New Orleans, causing the bridge to collapse and resulting in the death of a 31-year-old woman and her unborn child. The second accident occurred on September 22, 1993, when the towboat, *Mauvilla*, hit the Big Bayou Canot Bridge in Mobile, AL, derailing Amtrak's Sunset Limited passenger train and causing the tragic loss of 47 lives. The subcommittee's investigation of the Amtrak Sunset Limited tragedy resulted in the prompt introduction of this bill.

It is obvious from the investigation of the Amtrak Sunset Limited tragedy that the operator of the towboat *Mauvilla* was lost in the fog when he hit the Big Bayou Canot Bridge. It was disturbing to learn that the *Mauvilla's* operator was attempting to navigate the tug without the benefit of a marine chart of the area being transited. But, it was unacceptable to learn that Federal regulations did not require the *Mauvilla's* operator to have a chart of the area on the vessel. For that matter, Federal regulations neglect to require towboats to be equipped with a compass, a radar, a fathometer, or any other navigational tool.

I introduced H.R. 3282 to require all towing vessels to carry the basic navigational tools which the vast majority of safe, responsible, towboat operators already consider as standard equipment. These tools include marine charts, navigational publications, a compass, a radar, and a fathometer. The bill will also ensure that licensed towboat operators can demonstrate proficiency using these tools.

The subcommittee's investigation raised questions about the adequacy of Federal marine casualty reporting requirements. H.R. 3282 will amend reporting requirements to ensure that the law requires a vessel operator who collides with, and damages, a bridge to immediately inform the Coast Guard of the accident. Prompt reporting to the Coast Guard of the Big Bayou Canot Bridge collision may have saved lives.

H.R. 3282 was written to support the Secretary of Transportation's announcement that he has directed the Coast Guard to review the adequacy and effectiveness of its manning and licensing requirements for the operation of towing vessels. The subcommittee encourages the Coast Guard to work closely with the towing vessel industry in reviewing manning requirements. H.R. 3282 requires the Secretary to report the findings of his review to the Congress.

Finally, H.R. 3282 looks to fundamentally improve safety and commerce on our inland waterways. The bill requires the Secretary of Transportation to report to Congress on the feasibility of establishing a differential global positioning satellite [DGPS] navigational system on our inland rivers. DGPS uses the same technology that allowed our troops to find their way, with pinpoint accuracy, through the IRAQI desert—even at night or during sand storms. The Coast Guard is applying DGPS technology to improve navigation in our coastal waters. This bill encourages the Coast Guard to adapt DGPS for use on our inland waterways as well.

The Amtrak Sunset Limited derailment was primarily caused by the human error of an individual towboat operator. Legislation can never eliminate the possibility of human error. We all make mistakes. However, this tragic accident was also caused by a system that failed to minimize the probability of human error. The Towing Vessel Navgiational Safety Act of 1993 attempts to address the areas where the system failed, so that we might avoid a similar tragedy in the future.

REMARKS OF JANE HARMAN ON H.R. 3167

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Ms. HARMAN. Mr. Speaker, I agree with California's Governor Pete Wilson that passage of this legislation is critical to our State's 1.5 million unemployed. I submit Governor Wilson's letter for the RECORD.

SACRAMENTO, CA, OCTOBER 8, 1993.

Hon. JANE HARMAN,
House of Representatives, Washington, DC.

DEAR JANE: In early September, I wrote the President asking for his support for an extension of the federal Extended Unemployment Compensation (EUC) program. As you are aware, this program ended October 2, 1993, leaving thousands of Californians with no assistance beyond their 26 weeks of regular unemployment insurance (UI). I understand that the President supports the extension but that issues surrounding financing have caused delays in Congress.

As you know, California is faced with severe job losses which have been aggravated by its disproportionate share of military base closures and other defense related cutbacks. As of late September, one third of all UI payments made to California claimants were under the EUC program.

As I pointed out in my earlier letter, California employers cannot bear the cost of increased taxes to support a state extension of unemployment benefits. With California's current economic climate, any tax increase could result in further job loss and would hinder job creation. Job growth is key to helping California recover from this recession and the defense cutbacks.

I urge your assistance on this important matter. Relief is needed for the 1.5 million unemployed in California.

Sincerely,

PETE WILSON,
Governor.

H.R. 3123, RURAL ELECTRIFICATION LOAN RESTRUCTURING ACT

HON. ROD GRAMS

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. GRAMS. Mr. Speaker, the Nation's rural electric cooperatives are the only segment of the utility industry to voluntarily develop a means test to determine eligibility for low-interest loans from the Rural Electrification Administration. H.R. 3123 reflects the nearly 1,000 member-owned electric cooperative's attempt to reduce their dependence on Federal assistance.

By comparison, the Nation's private power companies and municipal-owned utilities, which receive far larger Federal subsidies, continue to protect their Federal assistance.

While H.R. 3123 is a good measure, it doesn't protect rural electric cooperatives from municipal-owned utilities and private power companies who can lay claim to the very best loads served by the cooperatives. If Congress is going to increase the co-op's cost of money, then it should enforce provisions to protect those territories from municipal and private power companies who seek to enrich themselves at the expense of the rural electric cooperatives.

Loss of co-op territory is a major problem not only in Minnesota, but across the Nation. I again urge my colleagues to develop legislation to enact long-overdue territorial protection for the Nation's rural electric cooperatives.

TRIBUTE TO ANGELA RUSSO-ROPER

HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. KLEIN. Mr. Speaker, I rise to pay tribute to an unselfish and charitable woman, Angela Russo-Roper. Ms. Russo-Roper has chosen to dedicate herself to making northern New Jersey a better place to live.

Ms. Russo-Roper was born in Paterson, NJ, and began her education in the schools of Paterson. She went on to continue her education at Seton Hall University in South Orange, NJ, for her bachelors and law degrees.

Although most students are overwhelmed with heavy courseloads at both the undergraduate and graduate level, Ms. Russo-Roper found time to do extensive volunteer work for the Legal Services Clinic as well as many other organizations. Presently, despite a hectic schedule, she continues to assist the needy and gives her time to worthy causes.

For her valued service to the community, Ms. Russo-Roper is being honored by the Joseph M. Pizza Civic Association. I join with the organization and my colleagues in praising Ms. Russo-Roper, a good neighbor and citizen, for her dedication to the people of northern New Jersey.

IN TRIBUTE TO RINGWOOD, NJ

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mrs. ROUKEMA. Mr. Speaker, I rise today to pay tribute to the residents of the Borough of Ringwood, NJ who are celebrating the 75th year of the incorporation of the borough. The borough will celebrate their Diamond Jubilee with a month of activities, the highlight of which will be a "Great Day" at the Ringwood State Park.

The Ringwood area was first inhabited by the Leni-Lenape and Minsi Indians who utilized the area as a hunting and fishing ground. Dutch and English settlers arrived in the early 1700's.

Ringwood is perhaps best known for its contribution to the iron industry over the years. In 1742, the Ogden family of Newark erected a furnace and became the first mass producers of iron in the region. Ringwood was also the home of Robert Erskine, F.R.S., a Scottish engineer who was appointed geographer and surveyor general by Gen. George Washington in 1777. Erskine produced upwards of 250 maps which were used in the Revolutionary War effort.

Ringwood remained a major supplier of iron for almost 200 years supplying shot for the French and Indian War and iron for the Civil War, the U.S. Capitol Dome, and the Brooklyn Bridge. The mines were eventually sold to the U.S. Government for possible use during World War II. They were eventually closed in 1957.

Nestled in the woods of the Highlands region of northern New Jersey, Ringwood remains a tightly knit community of historic significance and natural beauty. Its reservoirs provide recreational enjoyment to local residents and supply drinking water for over one-quarter of the State's population.

Mr. Speaker, there is an old Scottish proverb that says when there is harmony in the community there will be stability in the nation. And when there is stability in the nation there will be peace in the world. Ringwood's Diamond Jubilee Celebration has been planned and executed by a group of dedicated volunteers who have committed themselves to providing a fitting remembrance for their friends and neighbors. Their efforts have brought a sense of harmony to the community Ringwood. I ask my colleagues in the House to join with me in wishing the citizens of Ringwood all the best for a successful celebration and another prosperous 150 years.

SAVINGS IN AMERICA

HON. LARRY LaROCCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. LAROCCO. Mr. Speaker, the subject of the low rate of savings by Americans is one which I have addressed on this floor. I intend to continue to raise this issue as a matter of sound public policy.

The October 11 edition of the Wall Street Journal reinforced my concern in an article entitled "America's Low Savings May Blight Its Future." The article concluded with this statement: "Clearly, America's low saving rate must rise, and its huge budget deficits must fall. Otherwise, the country faces trade and investment problems for years to come." I submit the article for the RECORD.

AMERICA'S LOW SAVINGS MAY BLIGHT ITS FUTURE

(By Henry F. Myers)

At the recent annual meeting here of the National Association of Business Economists, two major addresses made clear the trouble lying ahead if the U.S. doesn't come to grips with its low saving rate and the way that problem underlies the country's trade deficits.

Many Americans cite the trade deficits, as much as anything else, as proving that the U.S. can't compete against many foreign rivals and should turn more protectionist to preserve its own industry. Are they right?

Not according to Robert T. Parry, president of the Federal Reserve Bank of San Francisco. "I do not think the trade deficit is due to lower wages, superior technology and 'unfair' trade practices abroad," he stated.

Comparative wage rates aren't the problem, he said, especially in view of the dollar's decline against other currencies since the mid-1980s. "Between the 1985 peak in the dollar and 1992," he explained, "U.S. unit labor costs rose at only 1% per year, while costs in Japan, France, Germany, Korea and Taiwan, for example, all rose at roughly 10% annually." Meanwhile, he added, "U.S. productivity had continued to keep pace and even exceed that in much of the rest of the world."

And as for trade barriers abroad, Mr. Parry noted that "between 1981 and 1987, when the deficit was at its peak, the deterioration in our trade position was pervasive," spread uniformly across so wide a range of goods that only "an unlikely conspiracy" could have caused such slippage. He added that "the Japanese market has become somewhat more open—not more closed" and that "even if existing foreign restrictions on U.S. exports were completely removed, most estimates suggest we'd reduce our trade deficit by only modest amounts." Successful pressure to open up specific foreign markets would tend mostly to shift the location rather than the amount of the trade deficits.

But if America's trade deficits, which include investment flows, can't be blamed on a slump in U.S. competitiveness, why do they persist—apart from the fact that the U.S. economy is temporarily stronger and thus importing more than its rivals?

The problem, Mr. Parry said, is that national saving—the sum of personal and business saving minus government deficits—lags behind investment.

The saving-investment imbalance was also deplored by Martin Feldstein, a Harvard economist and president of the National Bureau of Economic Research. "A trade deficit," he told the NABE meeting, "is not an indication that a nation has low productivity or low-quality products. It is an indication that the domestic investment rate is high relative to the rate of saving." The "basic accounting identity," he added, is "that the trade deficit equals the excess of investment over saving. . . . We inevitably have a trade deficit if we as a nation spend more on investment than we save to finance that investment." The trade deficit provides the capital to pay for the extra investment.

Mr. Feldstein observed that Mexico's trade deficit, running more than 6% of gross domestic product, "is a sign of vigor," reflecting "the strong rate of investment in the Mexican economy and the willingness of foreign investors to finance that investment." By contrast, the U.S. trade deficit is due to a very low saving rate. "In recent years," Feldstein noted, "the U.S. net national saving rate has been an incredibly low 3% of GDP. Without a capital inflow, net investment would be limited to the same 3% of GDP, not enough to keep up with the growth of the labor force."

Moreover, he said, industrial countries tend "to return to trade balance or near trade balance. While temporary changes in the national savings rates are generally offset" by international capital flows, even the huge sums now sloshing around global markets won't permanently bridge America's saving/investment gap.

Noting that "the net saving of a country tends to stay in the country where it originates," Mr. Feldstein added that the "differences in saving rates among countries that persist for a decade or more cause corresponding changes in domestic investment."

So, Mr. Feldstein concluded, America's real problem in the 1990s "is not the possibility that the current trade deficits will grow but rather the risk that the combination of a continued low saving rate and a small trade deficit will keep investment exceedingly low." The U.S. could finance its low investments in recent years because the commercial-real-estate glut has slowed building, but Mr. Feldstein warned of a possible capital shortfall when construction rebounds.

Mr. Parry praised "the current plans for reduced federal budget deficits" as a step "in the right direction" because they will tend to raise the national saving rate by reducing government "dissaving." But will government deficits drop enough or private saving increase enough to meet America's future investment needs without a continuation of huge trade deficits that are setting off political discord at home and abroad?

In a recent commentary, Mickey D. Levy, chief financial economist at Nations-Bank, wrote that the Clinton budget plan "will reduce the [budget] deficit—although not as much as projected"—but it also "will reduce private saving" through higher taxes "and not materially raise the national rate of saving." And because it doesn't change "the rising share of federal outlays for consumption-oriented entitlement programs," Mr. Levy believes "its impact on private investment will be neutral at best."

Clearly, America's low saving rate must rise, and its huge budget deficits must fall. Otherwise, the country faces trade and investment problems for years to come.

TRIBUTE TO AIPAC

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to the American Israel Public Affairs Committee [AIPAC] of Illinois as they prepare to convene a major community event in the city of Chicago on Monday, October 18.

At a time when destructive voices in America are rising up to antagonize and divide people along racial, class, and gender lines, AIPAC is continuing its 40-year mission of fellowship and dialog by bringing together more than 400 of its members and friends with the Illinois congressional delegation in an informal setting where ideas may be exchanged and a mutual sense of common ground may be found.

I applaud the important work of AIPAC to support the preservation of the State of Israel, a mission which has been greatly enhanced in recent weeks thanks to the historic agreement negotiated by Israeli Prime Minister Yitzhak Rabin and PLO Chairman Yasser Arafat. After witnessing the breathtaking signing of the peace accord and historic handshake between these two world leaders, I am optimistic about the opportunity for permanent peace in the Middle East and, hopefully, throughout the rest of the world. My hope is that the leadership that AIPAC and other organizations of good will have shown throughout the years might now begin to be turned inward and be focused on Chicago. All of us must address the very real problems we face today of senseless violence, poverty, decay, and a general feeling of hopelessness that pervades key parts of our community, especially among our young people.

I look forward to continuing to work with AIPAC and others to bring another kind of lasting peace to the streets of Chicago. I trust that AIPAC's October 18 event will be a welcome respite en route to that goal.

MARITIME MAGIC II CELEBRATES THE ENROLLMENT OF THE 100,000TH YOUTH INTO ITS PROGRAM

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mrs. BENTLEY. Mr. Speaker, my fellow colleagues, I rise today to commemorate the Living Classrooms Foundation for the enrollment of the 100,000th youth in its program. On October 16, 1993, the foundation will be holding Maritime Magic II, which celebrates this milestone in the organization's short history.

In a time when our inner cities are plagued with crime and violence, and role models are in short supply, it is refreshing to know the Living Classroom Foundation is filling in many gaps that society has left void. It has established a variety of education and job training programs which have created a positive future for indigent youth. I am proud to say the Living Classroom Foundation has lived up to its goal of changing the lives of at risk and disadvantaged children by teaching them hands-on skills and a sense of self worth.

An excellent example of the Living Classroom Foundation's many accomplishments is the 9-month Fresh Start Program. Through the Fresh Start Program, teenagers are trained in marine industry trades such as boat carpentry, motor repair and boat handling.

Charles Spann, a recent graduate of Fresh Start, now has direction in his life and is able to pass along his new sense of confidence and self-esteem to others. At age 15, Mr. Spann was charged with multiple drug offenses and sent to Charles Hickey School Correctional Center. The only role models in his life were drug dealers who paraded the streets with their fancy clothes and cars. Through the Fresh Start Program, he was taught marketable skills, and learned how to work as part of a team. In a Baltimore Sun interview, he says, "It was the people and close-knittedness, it was like a little family" that transformed him.

After graduation from the Fresh Start Program, Mr. Spann was named president of Tico Enterprises, a subsidiary of Living Classrooms, in which Fresh Start graduates can hone their vocational skills while learning about business and gaining a sense of empowerment. In less than a year, this organization has built a floating dock for the Baltimore City Rowing Club, restored and resold a number of donated boats and sold thousands of soap dishes through recycled wood. Mr. Spann since has met President Clinton, traveled to Canada to promote 250 Body Shop franchise owners and has appeared on television news shows. In another Baltimore Sun article, Juvenile Services Secretary May Ann Saar says of Mr. Spann, "He is a living example of the fact that it doesn't matter how far down the road a youngster goes. If you work with him and find the right combination of things that mean something to him, you're going to be changing his life".

Through its innovative hands-on education and job training, the Living Classroom Foundation has provided a positive role model for our Nation's youth. They have steered many youngsters in the direction of success and helped them make a meaningful and successful impact on our society. The Living Classrooms Foundation should be proud of its many accomplishments.

Mr. Speaker, my fellow colleagues, I congratulate the Living Classroom Foundation on the Maritime Magic II celebration in recognition of the enrollment of the 100,000th youth in its program.

GOVERNMENT NEEDS BETTER MONEY MANAGEMENT

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. EVERETT. Mr. Speaker, I would like to share a recent letter from one of my constituents, Charles H. Grafton of Newton, AL. Mr. Grafton, I think, very accurately pinpoints the source of our Federal red ink problem. It is not a shortage of tax revenues but a lack of Federal fiscal management skills which is bringing down this country.

Every person I speak with agrees that in their lifetime things have progressively grown worse. Education, jobs, crime, health care, quality of life, all have grown worse with time. If you listen to the politicians their single solution to all of these problems is more money.

With each passing year, we give more and more of our hard earned dollar and see fewer and fewer results. How can this be? What exactly is going wrong? Why doesn't the more money theory work? It's simple, lack of money is not the problem, the poor management of it is.

There has to come a time when we stop taxing and start managing. This is an absolute must. There are only one hundred pennies in each dollar. The government is taking more than fifty of them now and steadily figuring ways to take more. What happens when they are finally getting all one hundred. You say that will never happen. I say, have you seen a year go by that they have not figured a new way to get some more out of your pocket?

I asked an accountant if he could name a single tax that was not eventually passed on to the consumer. He could not. I then asked why we had the tax system we have rather than a straight, flat rate income tax? He thought for awhile and finally came to this conclusion. "It is true that all taxes eventually are passed on to the consumer and it does seem to make more sense to have a flat rate income tax rather than the complicated tax structure we endure today.

"However, if this were the case, every citizen would then be able to see exactly what his or her tax liabilities actually are and no one in government wants you to know that."

With this in mind it then seems that the entire tax structure is merely a facade which has been constructed over the years to enable politicians to creatively remove more money from your pocket while making you believe it is coming from someone else.

The facts are there for all to see, whether you want to believe them or not is up to you. Politicians must be made to understand that we can no longer afford their money wasting management of our government. We are fast approaching the point where there will be nothing left in the earned dollar to tax. When this happens who knows what the end result will be?

TRIBUTE TO PROF. RALPH W. JOHNSON ON THE OCCASION OF HIS 70TH BIRTHDAY

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. McDERMOTT. Mr. Speaker, I rise in recognition of Prof. Ralph W. Johnson, who celebrated his 70th birthday on October 11, 1993. I would like to pay tribute to this extraordinary man on that very special day, and I want to share with my colleagues some of the outstanding contributions that Professor Johnson has made to Seattle, the State of Washington, and our Nation.

Ralph Whitney Johnson is a lifelong public servant, teaching and advocating on behalf of environmental matters and the causes of Native Americans. A distinguished member of the faculty of the University of Washington Law School since 1955, Professor Johnson has influenced literally thousands of students who took his Water Law and Federal Indian Law courses. He also has served as a visiting professor at Harvard and UCLA Law Schools, among others.

He has served with distinction on numerous commissions and panels, including the National Academy of Sciences, the National Science Foundation, the National American Indian Court Judges Association, and the National Center for State Courts. He has acted as chief consultant to the U.S. Senate Committee on Interior and Insular Affairs, and as consultant to the U.S. Senate Select Committee on Indian Affairs, to Federal, tribal, and State court judges associations, and to the States of Washington and Alaska on both environmental and Native America matters.

Professor Johnson is a prolific author. His works include coauthorship and editorship of the seminal Indian law treatise, Cohen's Handbook of Federal Indian Law—1982, and coauthorship of Cleaning Up Europe's Waters, Justice Douglas & the Indian Cases, and Ocean & Coastal Law. He has authored countless articles and reports, including several influential studies of the public trust doctrine and its role in contemporary water law. His work often has put him on the cutting edge of policy developments in environmental and Indian law.

Ralph remains an inspiration to his students at the University of Washington Law School, who respect his genuine dedication to the subjects he has pursued as a scholar. Professor Johnson is an avid skier and fly fisherman, and a member of the American Alpine Club. On the occasion of his 70th birthday, on October 11, 1993, friends and family gathered to honor him for his years of commitment, integrity, and leadership in teaching and public service.

In conclusion, I hope that each of my colleagues will join me in congratulating Ralph Whitney Johnson on his 70th birthday and commending him for his immeasurable contributions to the preservation of our environment and the rights of Native Americans. He is a mentor and model to all who share his commitment to justice. May we continue to benefit from his good counsel for many years to come.

THE FOB LOOPHOLE

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. SOLOMON. Mr. Speaker, this morning's Wall Street Journal carried an editorial entitled "The FOB Loophole." FOB stands for Friend of Bill.

The editor's proceed to point out the antibusiness, and pro-Hollywood provision in the President's budget.

As many will remember, the President's budget contains a provision limiting the deductibility of compensation exceeding $1 million paid to chief executive officers. However, as the Journal points out, the tax only applies to business executives and not to entertainers or athletes.

"Viewing business as an inherently suspect enterprise and business people as potential looters, if not watched closely, Mr. Clinton's tax code wades into the market for executive salaries." Where is the fairness?

The President's budget and his politics show that a lot of Hollywood celebrities and far fewer chief executives are certifiable friends of Bill.

[From the Wall Street Journal, Oct. 14, 1993]

THE FOB LOOPHOLE

It somehow caught our eye that Barbra Streisand will pick up $20 million for two days' work at the MGM Grand Casino in Las Vegas. We've never objected to anyone collecting what the market thinks she or he is worth, but we do recall that Ms. Streisand is a certified Friend of Bill. And we somehow doubt this will provoke a denunciation of "greed" of the sort the President and his wife have leveled at doctors, insurers and drug manufacturers. Indeed, Ms. Streisand and similarly situated FOBs enjoy a privileged position under the new tax code Mr. Clinton has imposed as penance for the Greed Decade.

Certainly $20 million in loot qualifies her as "rich," and thus she'll be called upon to pay her "fair share." But at least MGM Grand Inc. gets to deduct her compensation as an ordinary business expense, taking her $20 million off its gross receipts before paying taxes on whatever net is left. That's presumably because in the moral universe of the Clinton tax code, warbling tunes for Vegas high rollers qualifies as work of redeeming social value.

For certain more suspect lines of employment, pay can no longer be deducted as an ordinary cost of business, at least if over a year it adds up to 1/20th of what Ms. Streisand takes for a couple hours of work. MGM Grand can deduct whatever it decides to pay her, but it can't deduct more than $1 million of whatever it pays its top five executives.

As it happens, these folks don't make anything like what Ms. Streisand does. President and CEO Bob Maxey has base pay of $525,000 a year, and Chairman Fred Benninger gets $610,000. You could argue that it's different because they set their own salaries, but they don't. They report to a board dominated by majority shareholder Kirk Kerkorian, not known as a blushing-violet negotiator.

What Mr. Clinton's tax law really means is that Mr. Kerkorian can be more generous with Ms. Streisand than with Mr. Maxey or Mr. Benninger. Or if you turn it around with a few envelope-back calculations, Ms. Streisand gets a lower true tax rate on what Mr. Kerkorian has to shell out.

On her MGM earnings, she will face something like an effective tax rate of 39.6%, and give Mr. Clinton's tax collectors about $8 million. If Mr. Kerkorian decided an executive was worth $20 million gross, the combined corporate and personal tax on this amount would come to some $12 million, an effective rate of 60%.

Despite everything, Mr. Clinton understands that companies must be able to offer competitive salaries for executives, and thus permits a loophole for "performance-based" compensation. So there's no special penalty for stock options. Mr. Maxey holds options on 160,000 MGM Grand shares, and Mr. Benninger holds 150,000. It's doubtful that they make anything like Ms. Streisand's yearly compensation, let alone hourly rate, for success in increasing shareholder value.

So let's take a moment to deconstruct: Viewing business as an inherently suspect enterprise, and business people as potential looters if not watched closely, Mr. Clinton's tax code wades into the market for executive salaries. It is prima facie evidence of corruption or social grossness if managers earn too much, though we're not exactly sure how the moral fault line came to be precisely a million dollars.

Happily, the former Governor of Arkansas has divined a way to keep business leaders from resting on their duffs, by harnessing their "greed" for socially constructive ends. But no such special scrutiny is needed for someone who makes more than a million serenading lounge lizards or hitting baseballs.

We're not sure we understand the morality here. What we do understand is that a lot of Hollywood celebrities, and far fewer chief executives, are certifiable FOBs.

THE LIMITATION OF THE DENIAL OF EXECUTIVE COMPENSATION—H. CON. RES. 118

(Introduced by Representative Gerald B.H. Solomon)

The President's budget provision limits the deductibility of compensation exceeding $1 million paid to chief executive officers.

However, this new tax preference applies only to the chief executive officers and the four other highest compensated officers in publicly held corporations and not to any other highly compensated individuals.

President Clinton, himself, claimed that the intent of this proposal is "to encourage corporations to focus more clearly on their compensation policies and to shift business spending from excess pay to investment."

Formulating law in response to public scrutiny and criticism is poor public policy and ignores both the policy implications and the budget realities of economic legislation. Furthermore, it is a blatant attempt to further entangle class warfare with the federal tax code.

This limitation provision directly penalizes the business and corporate sector of our economy while leaving the entertainment and athletic industries unscathed.

Tax laws such as this seek to restrain that sector of the economy that reinvests its funds, creates new jobs and spurs economic growth. Corporate executives are far more likely than entertainers like Modanna and professional athletes under George Steinbrenner to invest their compensation in stocks and other economically productive investments.

In response to this affront to business and to tax fairness, I have introduced a Sense of the Congress resolution stating that if this provision must be a part of the budget that it should be expanded to include athletes and entertainers.

If this anti-growth, anti-jobs measure must be part of the President's budget proposal, it should at least be applied in an equitable manner.

This will eliminate this tax preference for Hollywood and the athletic industry and hit those portions of the high income category more likely to engage in superfluous spending than in in job creation.

CUBA'S STATUS ON THE LIST OF STATE SPONSORS OF INTERNATIONAL TERRORISM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. HAMILTON. Mr. Speaker, on May 13, 1993, I wrote to Secretary Christopher concerning the placement of Cuba on the list of state sponsors of international terrorism. Specifically, my questions centered on what evidence existed of Cuban support for international terrorism meriting its inclusion on the list of state sponsors of international terrorism.

On October 6, 1993 I received a reply from the Department of State. The text of the correspondence follows:

COMMITTEE ON FOREIGN AFFAIRS,
May 13, 1993.

Hon. WARREN H. CHRISTOPHER,
Secretary of State, Department of State, Washington, DC.

DEAR MR. SECRETARY: I am writing to follow up on my letter of February 26, 1993, regarding the annual determination of countries which support international terrorism.

Subsequent to your response of March 26, 1993, the Committee staff was briefed by representatives of the Office of Combatting Terrorism on the rationale for the inclusion of the six countries currently on the list of state sponsors of international terrorism pursuant to section 6(j) of the Export Administration Act. I have read a summary of the briefing and would like to know what is the evidence regarding Cuba's support for international terrorism which lead you to the conclusion that Cuba supports international terrorism and should remain on the 6(j) list.

Therefore, I would request that the Department provide to the committee in writing, in a classified form if necessary, all evidence of Cuban support for international terrorism which was used in determining that Cuba should remain on the 6(j) list in 1993.

Thank you for your attention to this request.

With best wishes.

Sincerely,

LEE H. HAMILTON,
Chairman.

U.S. DEPARTMENT OF STATE,
Washington, DC, October 6, 1993.

Hon. LEE H. HAMILTON,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I am writing in response to your May 13 letter in which you requested evidence of Cuban support for international terrorism which was used in determining that Cuba should remain on the list of "State Sponsors of Terrorism". I regret the delay in responding to you, but I wanted to ensure that you received a helpful response.

As you know, Cuba was placed on the list in March, 1982 when Havana significantly increased aid to terrorist groups in the region. At this time, we have not been able to determine to our satisfaction that the Government of Cuba is committed to ending support for terrorism. Placement on the Terrorism List is not limited to acts of terrorism or direct support thereof, but also to support to and safehaven for groups which engage in terrorism. The decision to keep Cuba on the list was based on the following factors:

Castro publicly announced in January 1992 that Cuba would no longer provide direct financial assistance to guerrilla movements, but has not renounced political support for these groups. Reports indicate that Cuba continues to host militants for study and training.

We believe Cuba continues to harbor Latin American terrorists. Reports as recently as April 1993 indicate that active members of Latin American terrorist groups reside in Cuba. One report indicates that Chilean terrorists, who escaped from prison in Chile in 1990, were in Havana.

Offices of guerrilla groups like the Revolutionary Armed Forces of Colombia (FARC) and the Colombian National Liberation Army (ELN) continue to operate in Havana.

There is also no indication that terrorists given safehaven in Cuba as early as 1982 have left.

Cuba continues to maintain contact with Latin American guerrilla groups who have used terrorism.

Although Cuba has adhered to UN-mandated sanctions against Libya, it has not moved to limit Libyan diplomatic representatives, as required by mandatory UNSC resolutions.

Only when we are satisfied that all forms of Cuban support for international terrorism have ceased will we be in a position to recommend to the President to exercise his statutory recision authority in accordance with the advance Congressional notification procedures of the Anti-Terrorism and Arms Export Amendment Act of 1989 (P.L. 101-222).

I hope the above information is helpful to you. Please feel free to contact me again if I can be of further assistance.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary, Legislative Affairs.

GREATER MCFARLAND, CA, CHAMBER OF COMMERCE HONORED

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. DOOLEY. Mr. Speaker, I rise today in recognition of the Greater McFarland, CA, Chamber of Commerce.

The Greater McFarland Chamber of Commerce was officially incorporated by the State of California in 1990 as a nonprofit organization to further business enterprise. It was organized to advance the general welfare and prosperity of the greater McFarland area so that its citizens and all areas of its business community would prosper. It has continued to grow and meet the needs of the area's economy.

The Greater McFarland Chamber of Commerce will be holding its first annual awards banquet on October 16, 1993. During the banquet it will be honoring some of its finest citizens, including: Chuck Torres, Citizen of the Year; Luther Atwell (L.A. Tire) and Maria Chaevz (Maria's Pizza), business award winners; Jerry Davis and Don Davis of Alina Farms, Agriculture Award; Paul Henderson, McFarland Beautiful Award; and Urpal Hines, Pioneer Award.

I would like for the U.S. House of Representatives to recognize and congratulate these honorees and all members of the Greater McFarland Chamber of Commerce for their hard work and dedication. They embody the free-enterprise spirit that is essential for all American communities to grow and prosper.

CASEY JONES' WHISTLER MUSEUM AND PARK

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. CALLAHAN. Mr. Speaker, I rise today to bring to the attention of my colleagues the restoration of one of the last remaining pre-Civil War railroad structures in the southeast. This structure, the Mobile and Ohio Railroad Machine Shop, is the centerpiece for the development of the Casey Jones' Whistler Museum and Park in Prichard, AL. The historical significance of the museum and park is twofold. During the Civil War, Union troops destroyed most of the railroad stations in the South. Somehow, the M&O Railroad structure, which was built in 1851, escaped destruction and is one of only three still standing today. In addition, Casey Jones, the famous railroad engineer, lived in what is now the Whistler Historic District of Prichard and was baptized at St. Bridget's Catholic Church on Main Street. You will recall that Casey Jones gave his life in a train crash of the Cannonball Express to save his passengers and crew.

Development of the Casey Jones' Whistler Museum and Park is one of the many projects undertaken by Mayor Jesse Norwood to infuse new life and economic development for Prichard, a city hit hard by unemployment and poverty. I commend Mayor Norwood, the city council, and all the citizens of Prichard for their efforts to promote pride in their community.

THE PRESIDIO CONVERSION

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Ms. PELOSI. Mr. Speaker, today I am introducing legislation to develop an improved process for moving the Presidio Army Base toward its conversion to a national park, and in the direction of greater self sustainability.

The Presidio, by law, is required to become part of the adjacent national park, the Golden Gate National Recreation Area [GGNRA], which is the most visited park in the entire national system.

This legislation is intended as a first step toward addressing my concerns about reducing the costs to the Federal Government associated with this conversion. It would expand the authority of the Secretary of the Interior to negotiate leases beyond the existing authority included in the Concessions Act and the Historic Preservation Act. By granting the Secretary of the Interior the additional authority to obtain tenant leases, the generation of revenues by Presidio facilities would be expedited.

This expanded leasing authority would also create the foundation for a longer-term financing mechanism, such as a public benefit corporation, to take effect. Both the transitional and longer-term authorities are intended to reduce the need for Federal appropriations for the Presidio. The sooner we can move forward with these authorities, the sooner we will reach this goal.

I believe the Presidio conversion process will create a national model for innovative implementation of former military bases to civilian use, and in this case a very high public use. The remarkable natural and cultural features of the Presidio make it a worthy partner in the national park system:

The largest urban park in the United States with almost 20 million visitors annually—7 times as many as Yosemite—.

A 200-year military past, dating from 1776, offering the finest collection of military architecture in the country.

A national historic landmark, with over 400 historic buildings.

The world's only biosphere reserve designated in an urban area.

Adjacent to the largest marine sanctuary in the world.

Many rare and endangered species of plant and animal life.

A park that is accessible to diverse urban populations that are often unable to visit more remote national parks.

The Presidio conversion presents our Nation with an excellent opportunity to advance the concepts of global cooperation and resource stewardship where intensive public use by visitors from around the world will offer the potential to present programs to audiences of unprecedented diversity. I look forward to working with my colleagues to realize this important goal for the Presidio, as an outstanding national model of defense conversion.

The House, in a vote on July 15, expressed its support for the Presidio. I hope you will join me in supporting this legislation which will allow the Presidio to generate revenues from its facilities and achieve greater self sufficiency.

GAO REPORT: "RECENT DEVELOPMENTS IN FOREIGN EXCHANGE MARKETS"

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. LEACH. Mr. Speaker, the General Accounting Office [GAO] has just released a report on new developments in the foreign currency exchange markets. I requested this GAO study a little more than a year ago after the European currency markets were traumatized by a precipitous decline in the value of the British pound. This decline cost billions of dollars to European treasuries and struck a major blow to the European Community's move toward economic and monetary integration.

In my request to the GAO, I expressed concern over the efficacy of governmental intervention in the foreign exchange markets, especially since it is public funds at risk when central bankers and treasuries buy and sell currencies. I also requested the GAO to assess the role speculators played in precipitating the European crisis and the question of whether the currency markets were becoming less stable, perhaps to the point of posing a threat to the international financial system.

The general thrust of GAO's research findings is that market forces rule today's currency markets, and that while intervention in limited circumstances may be feasible, governments should be chary to bet their treasuries on fixing the exchange rates of their currencies at unrealistic values. While risks exist, the GAO concluded that the currency market is not a "house of cards."

GOVERNMENT INTERVENTION

With regard to the efficacy of government intervention, the report notes that in the long term the international currency market has become too large, too global, too unregulated, and too technologically sophisticated to be successfully manipulated by governments. Instead, "fundamental forces in national economies, as reflected in interest rates, inflation rates, current account balances, international capital flows, and economic growth rates, determine exchange rates."

As evidenced in last year's European exchange rate mechanism (ERM) crisis, when foreign governments, a la the British, put pride above market forces, private sector money managers, a la George Soros, not unnaturally take advantage of circumstance, and raid the Exchequer. In fact, the press reported that last fall the Bank of England spent $15 billion in its unsuccessful defense of the pound sterling. The Bank of England's loss was private bankers' gain. With the subsequent devaluations of the Spanish peseta, Italian lira, French franc, and Portuguese escudo, investment banks, and money center commercial banks appear to have discovered a new source of income which inverts their relationship to government. Instead of paying taxes on profits to treasuries, they now, in effect, also tax those finance ministries which out of political hubris have the temerity to speculate in currency markets.

Despite the European experience, the GAO report does not rule out totally the value of government intervention in the short run. Some market participants told the GAO that governments may want to intervene to calm disorderly markets caused by dramatic events, signal confused markets when there are conflicting indicators of economic fundamentals, burst speculative bubbles, or provide needed liquidity during market crises. However, the GAO cautions that success in "influencing exchange rates depends on other parts of a government's macroeconomic policy."

While the GAO carefully has kept open the policy option of public intervention, there is no denying the circumstance that currency markets have gotten so large that no treasury is sufficient to guarantee successful position taking. The rationale for intervention weakens with each passing year, and governments of all capitals, including the United States, have no choice but to be increasingly modest in assessing policy options.

RISKS IN THE CURRENCY EXCHANGE MARKETS

As the report notes, the trading volume of foreign exchange has exploded. Last year more than $880 billion in currencies were traded daily, an increase of more than 40 percent from 1989. The rapid growth is the result of a number of developments, including an increase in trading participants and the advent of new financial instruments.

Despite these developments, the GAO report sounds no clarion alarm about potential dangers in the foreign currency market. According to the GAO,

> Recent studies by the International Monetary Fund and G-10 confirm the observations we heard from some market participants that, while there are issues that need to be pursued, the foreign exchange market is not a "house of cards."

However, two potential risks in the international currency markets are cited by the GAO: customer and counterparty credit risk and payment settlement risk. The Federal Reserve has expressed concern about the latter, particularly the risk that delays in settlement of accounts on currency trades could trigger defaults by large traders.

The Group of 10 report cited by the GAO also details the kinds of risks present in today's market. Two weeks after I sent my letter to the GAO, Secretary of the Treasury Nicholas F. Brady requested a similar report from the deputies of the G–10 countries. This report was issued in April 1993 and expressed a number of prudential concerns with today's currency markets, including counterparty credit risk.

> * * * the Deputies are concerned that other developments may have added elements of risk to the environment. With more large participants in financial markets, and more extensive interactions between different participants, problems that have the potential to develop into systemic difficulties can originate from a wider range of financial firms. With the expansion of off-balance-sheet transactions, the creditworthiness of counterparties has become less transparent. . . . With the increased availability of derivative instruments, financial positions that straddle a number of markets have become more prevalent, which has raised the potential for a liquidity problem in one market to spill over into others with possible systemic consequences. With the spread of high-speed communications networks between financial markets around the globe, the potential for large and rapid market reactions to new information has increased considerably which in turn may have reduced significantly the time available for national authorities to formulate their own reactions.

To address these concerns the deputies recommend that individual financial institutions revise and strengthen their internal controls to minimize excessive positions.

It is important to observe that one reason why no financial meltdown occurred last fall with the ERM crisis was that it was sovereign governments which took the hit as opposed to private sector actors. As noted in the G–10 study, significant problems might have arisen if several large institutions had suffered large losses.

It is my concern that if problems develop in the currency marketplace, it is a good bet that they will be less likely to stem from the major firms operating in the mainstream, than from firms that are new entrants or operating at the fringes of the market. Any regulation in the currency area must be premised on the assumption that all market participants are not equal in sophistication, integrity, or internal capital reserves and that distinctions must inevitably be made between prudential and less prudential actors. Just as well-run well-capitalized financial institutions have a powerful case for considerable deregulation today, poorly run, poorly capitalized institutions demand significant, if not draconian oversight.

ROLE OF SPECULATION

With regard to speculation, the report notes that while speculators take more risks and leverage their capital more highly than other traders, it is difficult to distinguish speculative trades from others. The GAO found both market participants and academicians who believe that, instead of making the currency markets more risky, speculation may actually dampen market volatility and expand market liquidity.

However, as one who represents an agricultural constituency, which includes some of the most sophisticated agribusinesses in the world, I would stress that no one knows better than the farmer the fine line between hedging and speculating and the ease with which this line can be crossed.

Human nature being what it is, the prospect of destabilizing speculation in the foreign currency markets should not be ruled out. Financial markets and the risks involved change rapidly. New products are introduced every day and it is often difficult for private sector participants as well as policy makers in government to judge new risks adequately.

While currency trading has become a new, and badly needed, source of profits for large international banks, it could become more problematic if new, less-sophisticated entrants attempt to play leveraged games with other peoples' money. It is therefore crucial, at a minimum, that bank regulators assure that the 1980's S&L circumstance, where profit was privatized and loss socialized, not be allowed to repeat itself in federally insured financial institutions.

SUMMARY

In summary, Mr. Speaker, the GAO report would appear to confirm the proposition that the United States has no particularly unique resource capacities nor clairvoyance to outwit the private sector and like all governments should be skeptical of attempts to manipulate the long-term value of the dollar through buying and selling currencies. The currency market is too big and government war chests too small to dictate exchange rates.

While Congress and Federal regulators do need to stay alert to new risks in this market, particularly as they relate to derivative products, the other significant GAO finding is that the international trading system gains certain benefits from a vibrant currency market and is not at this stage overly threatened by currency speculation. Market participants may if they speculate mistakenly be burned, but the system itself is viewed as flexible enough to withstand rather rigorous buffeting.

The GAO has presented Congress an optimistic assessment of circumstances as they exist today. One can only hope that it is right. But I must confess to lingering doubt. Given the magnitude of the market, its growth rate, and the rapid development of new financial instruments, often of a leveraged variety, it stretches credulity not to believe that mistakes of greed, corruption, and negligence won't increase in currency trading, with the consequences of any mistakes becoming magnified with each passing day.

What follows is the GAO report:

[General Accounting Office, September 1993]

INTERNATIONAL FINANCE; RECENT DEVELOPMENTS IN FOREIGN EXCHANGE MARKETS

(Report to the Hon. Jim Leach, Ranking Minority Member, Committee on Banking, Finance and Urban Affairs, House of Representatives)

GENERAL ACCOUNTING OFFICE,
Washington, DC, September 24, 1993.

Hon. JIM LEACH,
Ranking Minority Member, Committee on Banking, Finance and Urban Affairs, House of Representatives.

DEAR MR. LEACH: As you requested, we reviewed emerging issues in foreign currency exchange markets. This report summarizes the briefings we gave you and your staff. Specifically, in this report we discuss (1) developments in the foreign exchange market, (2) the economics of foreign exchange rate determination, (3) the role of speculation in foreign exchange trading, (4) the efficacy of government intervention to influence exchange rates, and (5) the European Exchange Rate Mechanism (ERM) crisis in September 1992.

BACKGROUND

Exchange rates can be thought of as the "price" of one currency expressed in terms of another currency. Since the Bretton Woods system of fixed exchange rates collapsed in the early 1970s, major industrial nations have relied primarily on market forces to set the value of their currencies on foreign exchange markets. In these markets, investors, and businesses conducting international commerce, buy and sell currencies primarily through a network of banks and brokers. While investments in foreign currencies (or securities denominated in foreign currencies) can be long term, there are substantial short-term movements of funds in response to actual and expected exchange rate changes.

Governments and central banks still try to influence their currencies' exchange rates as part of their economic policies. For example, 11 European countries have coordinated exchange rate management under the ERM, as part of economic integration within the European Community.[1]

RESULTS IN BRIEF

Foreign exchange currency trading has grown tremendously in the last decade because of the globalization of financial markets and increased international commerce and investment. While fundamental economic forces determine long-term exchange rates, the complexity and variability

SCOPE AND METHODOLOGY

Our work required research into numerous sources concerned with foreign currency exchange markets. We reviewed academic research on exchange rates and foreign exchange markets published in economic and financial literature, particularly analyses of recent developments. Our description of the foreign exchange market and events surrounding the ERM crisis are based upon recent studies by groups including the International Monetary Fund, the Bank for International Settlements, and the deputies of the Group of Ten (G–10).[2] (See bibliography.) We also talked to U.S. officials at the Treasury Department, the Board of Governors of the Federal Reserve System, and the Federal Reserve Bank of New York. We interviewed several foreign exchange traders from commercial banks, an investment bank, and a brokerage firm to understand the perspective of market participants; however, we did not randomly sample market participants.

We did our work from January to May 1993 in accordance with generally accepted government auditing standards.

DEVELOPMENTS IN THE FOREIGN EXCHANGE MARKET

The foreign exchange market has changed over the past decade, becoming much bigger and more complex. Such market changes include (1) trading volumes that grew over 40 percent, to $880 billion a day between 1989 and 1992; (2) faster reactions to events; (3) new participants, including

These changes result from the globalization of financial markets and increased international commerce and investment, including fewer international capital

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Footnotes at end of article.

controls, new technology, and reduced government regulation. Historically, foreign exchange trading was primarily based on commercial transactions, i.e., international trade flows, which tended to generate steady offsetting demands for an supply of a country's currency. Today this trading is being overshadowed by trading based on international financial transactions, which may generate more variable demands that move quickly in one direction or another in response to news.

FOREIGN EXCHANGE ECONOMICS

Despite abundant academic research, there is no definitive explanation of what really determines short-term exchange rate movements; the foreign exchange market is far too complex and unpredictable. Much market behavior at any given moment is based on participants' market expectations, which can be influenced by intangibles such as politics, rumor, and group psychology.

Still, the literature shows a consensus among academics, policymakers, and market participants that, over the long term, fundamental forces in national economies, as reflected in interest rates, inflation rates, current account balances, international capital flows, and economic growth rates, determine exchange rates. The confluence of all these powerful forces can create dramatic changes to exchange rates, as the 1992-1993 ERM crisis showed. Furthermore, government actions (discussed in a following section) are unable to dominate the foreign exchange market in the long term; government exchange rate policy must take these market forces into account in order to set realistic objectives.

ROLE OF SPECULATION AND RISK

While speculation and risk are important to the efficient functioning of financial markets, they are always areas of concern to policymakers. Speculators are said to take more risks and leverage their capital more highly than other traders, but the foreign exchange market cannot

Financial instruments, including derivatives, are often considered "risky," and are used by speculators. But the use of currency derivatives can add liquidity to the foreign exchange market, allow flexible trading (sometimes at lower cost), and can be a form of insurance for users. Derivatives permit a transaction to be divided into particular components of risk. Some derivatives link foreign exchange market trading to other financial markets such as debt and equities. As financial products, they are sources of income for providers. While newer derivatives constitute the fastest-growing segments of the foreign exchange market, highly leveraged types, such as currency futures and options, form only a small proportion of total trading.[4]

Derivatives allow market participants greater flexibility to isolate and hedge specific risks associated with a change in a currency's value. These instruments give market participants the ability to tailor their risk portfolios when investing internationally. Academic researchers and market participants believe that these instruments dampen volatility (except in the most extreme market situations) and have a calming influence by increasing market liquidity, although there is not sufficient research to support or refute this opinion.[5]

The market participants we talked to told us they do not consider the foreign exchange market any "riskier" today than years ago, despite all the changes. However, some told us their concerns focus on improving management of customer and counterparty credit risk, and improving settlement systems, i.e., payment transfer systems, between participants. Recent studies by the International Monetary Fund and G-10 confirm the observations we heard from some market participants that, while there are issues that need to be pursued, the foreign exchange market is not "a house of cards."

GOVERNMENT INTERVENTION CAN ACHIEVE ONLY SHORT-TERM OBJECTIVES

Governments have used a variety of actions to influence the exchange rate of their currency by affecting its supply and demand. These actions have generally meant (1) establishing capital controls; (2) managing interest rates; or (3) conducting interventions in foreign exchange markets, that is, purchasing or selling currencies in the market.[6] None of these actions make exchange rate management an easy policy option for most governments. In particular, many argue that (1) capital controls restrict the freedom of markets to operate efficiently, (2) either raising interest rates or inflating the money supply can have adverse effects extending beyond the parts of the economy directly affected by exchange rates, and (3) government intervention may not be effective in all cases. In general, U.S. authorities have thus been reluctant to try to manage dollar exchange rates.

Traditional economic research held that governments could influence exchange rates only by affecting economic fundamentals. However, we found that some recent academic research (using newly available daily intervention data) indicates that, by modifying market participants' expectations, sterilized intervention can affect markets for the short term—that is, weeks or perhaps months.[7] Although this recent empirical research is not definitive, it raises the possibility that conventional wisdom about sterilized intervention may need to be modified to reflect possible effectiveness in influencing short-term exchange rate movements.

This new academic research does not mean U.S. authorities should become "pro-interventionist," however. Intervention must still have clear and reasonable short-term objectives to be effective. Furthermore, strategies to manage short-term exchange rates must often include international coordination.

While the foreign exchange market is now too big for any such government actions to resist economic fundamentals for very long, government intervention can play a limited role as part of broader coordination on macroeconomics policy. Some market participants we

Intervention strategy remains a highly judgmental undertaking, and success is always uncertain. In evaluating the effectiveness of government intervention, it is important to look at intended policy outcomes and not focus on the increases or decreases in a nation's foreign currency reserves. Championing profitability as the primary measure of success in foreign exchange policy may encourage authorities to take aggressive market positions and actually speculate with a country's reserves, rather than manage them prudently.

MARKET FUNDAMENTALS CREATED ERM PRESSURES

ERM membership committed countries to maintain fixed but adjustable exchange rates as a step toward achieving European monetary integration.[9] However, a crisis occurred in September 1992 when changes in market demand of tremendous size and speed forced some countries to withdraw from the ERM and to devalue their currencies.[10] Market participants reported trading volume 2 to 3 times normal. The dynamics of the ERM crisis paralleled those that the United States faced in the early 1970s when the Bretton Woods fixed exchange rate system broke apart, and the value of the dollar was first allowed to float.

The ERM crisis was precipitated by a series of events, including the Danish rejection of the Maastricht Treaty and anticipation of a similar outcome in

The enormous movement of investors to sell or hedge their currency holdings forced several European authorities to try to maintain their exchange rates through (1) massive interventions, (2) large interest rate increases, and/or (3) increased capital controls. Examples of each action included the following: (1) Germany purchased British pound sterling and Italian lira equivalent to over $40 billion in September 1992, and while the Bank of England's foreign currency reserves dropped $3.1 billion, to $37.1 billion, the press reported that Great Britain had spent $15 billion to defend the pound sterling; (2) Italy raised its official discount interest rate and allowed overnight interest rates to reach 36 percent; and (3) Spain required domestic banks to deposit funds in the Bank of Spain equal to new foreign currency positions.

These actions were not successful, and the British pound sterling and Italian lira were withdrawn from the ERM. Other currencies, like the Spanish peseta and the Portuguese escudo, were devalued against other ERM currencies.

The 1992 crisis has affected market participants' behavior, making them more cautious. The crisis, together with subsequent events, particularly the summer 1993 attack on the French franc, has prompted policymakers to make changes to the ERM. These changes allow currencies to fluctuate within wider bands relative to a basket of European currencies before governments take actions to influence exchange rates.

One long-term outcome of the ERM crisis may be changes to investment flowing between certain European countries. Spanish and Italian financial markets had previously benefited from increased capital flows associated with investors' belief that ERM membership had eliminated most exchange rate risk. Market participants have since revised their perceptions of the risk.

Both authorities and market participants have pointed out that the foreign exchange market was able to handle the huge volume of currency transactions during the ERM crisis. While there were some irregularities, there was no breakdown in trading as in the 1987 U.S. stock market crisis. Generally, participants were still able to buy, sell, or hedge their currency holdings, though some obviously lost money, and trading costs were high.[12]

One U.S. official told us that because the United States does not restrict movement of the dollar as the ERM countries do for their currencies, such violent adjustments to the dollar were unlikely. Also, dramatic attempts to defend exchange rates are less likely to be needed outside of a "fixed" rate system.

AGENCY COMMENTS

We discussed the results of our work with officials at the Treasury and the Board of Governors of the Federal Reserve System. They concurred in our analysis and suggested several clarifications that we included.

As you requested, we plan no further distribution of this report until 30 days after its issue date, unless you publicly announce its contents earlier. At that time, we will send copies to the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, the Federal Reserve Bank of New York, and other interested parties. We will make copies available to others upon request.

Please contact me on (202) 512–4812 if you or your staff have any questions concerning this report. The information in this report was developed by James McDermott, Assistant Director; Adam Cowles, Evaluator-in-Charge; and Jane Li, Daniel Coates, and Richard Krashevski, Senior Economists.

Sincerely yours,
ALLAN I. MENDELOWITZ, Director,
International Trade, Finance, and Competitiveness.

FOOTNOTES

[1] Belgium, France, Germany, Italy, Luxembourg, the Netherlands, Denmark, Ireland, the United Kingdom, Spain, and Portugal (that is, all the European Community members except Greece) have participated in the ERM.

[2] The countries constituting the G–10 participated in the General Agreements to Borrow—originally Belgium, Canada, France, Germany, Italy, Japan, the Netherlands, Sweden, the United Kingdom, and the United States. Switzerland joined in 1984, making the number in fact 11 countries, but the name remains G–10 by convention.

[3] Many of these new financial instruments are "derivatives." Derivatives are financial contracts whose value depends on the values of one or more underlying assets. Currency derivatives build on traditional "spot" (i.e., immediate delivery) contracts. Derivative types include traditional forward and swap contracts, as well as futures and options. They are traded both over the counter (e.g., dealer to dealer) and on organized exchanges.

[4] Currency futures and options equalled approximately 5 percent of foreign exchange market activity in 1992, according to the Bank for International Settlements.

[5] GAO is currently conducting a study of derivatives, the related risks, how users manage these risks, and the role of government regulators.

[6] Governments can affect the value of their exchange rates by buying or selling their country's currency in international markets. These actions result in changes to the money supply in the country and can have macroeconomic effects (for example, changes in the rate of inflation). Interventions like this are referred to as "unsterilized" interventions. Attempting to avoid these macroeconomic consequences, countries can conduct "sterilized" interventions in the foreign exchange market. A sterilized intervention takes place when the change in the money supply caused by the intervention is offset by some other government action (for example, buying or selling domestic bonds). Under conventional wisdom, sterilized intervention is thought to have a minimal effect on exchange rates.

[7] See Kathryn M. Dominguez and Jeffrey A. Frankel, *Does Foreign Exchange Intervention Work?*, Institute for International Economics (Washington, DC: Sept. 1993).

[8] The massive European government intervention in the 1992 ERM crisis had this effect, even though the intent was to maintain the fixed relationship between the currencies.

[9] Currencies were allowed to fluctuate within narrow but adjustable bands relative to a basket of European currencies.

[10] The crisis was generally isolated to European currency trading and did not spread to other financial markets nor to other currencies.

[11] The Maastricht Treaty establishes a framework for further economic and monetary integration of European Community members.

[12] Bid-ask price spreads widened to 5 to 10 times normal for intra-ERM exchange rates during the crisis; a wider spread indicated that traders were charging more and were less willing to trade because of greater volatility and reduced liquidity in the market.

IN HONOR OF DOMENIC STALA

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. BILIRAKIS. Mr. Speaker, I rise today to pay tribute to a man of deep courage and commitment, a man born to serve his country and born to lead his community, and my friend—Domenic Stala.

As a member of my Veterans Advisory Council, he was a trusted counselor on veterans issues. The entire State of Florida lost a tireless advocate for the rights of veterans when Domenic recently passed away.

Domenic earned each and every one of his golden years—I won't say retirement because he never really stopped working. He could easily have decided to simply enjoy himself and shut out the rest of the world. That might have been what someone else would have done, but not Domenic.

He was an active member of the Air Force Sergeants Association since the 1970's. He was a charter member and past president of the Air Force Sergeants Blue Dolphin Chapter 527, which just celebrated its 17th anniversary.

He was one of the first presidents of division 5, which includes Florida, Puerto Rico and the Panama Canal Zone. In this capacity, Domenic also served as a member of the international executive council of the Air Force Sergeants Association.

He was instrumental in setting up the Eagle Scout commendation program through the international chapter in response to a recommendation from his Blue Dolphin chapter. Through this program, Eagle Scouts receive a certificate of recommendation from the international chapter for outstanding achievement and exceptional leadership ability in obtaining the rank of Eagle Scout.

While Domenic was very ill in his last years, I never saw him allow his enemy—bone cancer—the upper hand. That just wasn't his way.

Not very often do people with the generosity of spirit of Domenic come along. For so many years, I had the privilege to call him my friend—and I always will. To say he will be sorely missed just isn't enough.

My heart goes out to his family and we all take comfort in the fact that ours were among the many lives he touched in such a special way.

IN HONOR OF FORT BENNING, GA., THE HOME OF THE INFANTRY

HON. MICHAEL A. "MAC" COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to pay tribute to Fort Benning located in Columbus, Muscogee County, Georgia, in recognition of their 75th anniversary. This year Fort Benning received an award as the best large installation in the U.S. Army Communities of Excellence Competition. No installation in America is more deserving of such an award.

Fort Benning is known as the Home of the Infantry. Since 1919, when its first Infantry School class graduated, soldiers from Fort Benning have been among the best trained in the world. The motto of the Infantry School which is based at Fort Benning is "Follow Me" and few soldiers in American history have been more worthy of the phrase than the distinguished soldiers from Fort Benning. Dwight D. Eisenhower, George S. Patton, Norman Schwarzkopf, and Colin Powell each served at Fort Benning, just to name a few. They are indicative of the hundreds of thousands of men and women who have served our Nation with dignity and valor due to their training at Fort Benning.

Fort Benning has a long history of protecting American freedoms abroad. Today United States Army Infantry and Ranger units are stationed in Somalia and Bosnia as peacekeepers. Reports indicate that at least six Rangers from Fort Benning have been killed in

From World War I, to Desert Storm, to Somalia, Fort Benning has provided the U.S. Army with the most well-prepared troops in the world. Fort Benning is presently the home for the U.S. Infantry School, the 29th Infantry Regiment which is recognized as one of the oldest units in the U.S. Army, the 3d Brigade of the 24th Infantry Division, the 34th Medical Battalion, the 36th Combat Engineer Group, the Army Infantry Training Brigade, the 11th Infantry Regiment and the 75th Ranger Regiment, the U.S. Army Marksmanship Unit, Ranger School, Airborne School, the Henry Caro Non-commissioned Officer Academy, and various other important elements. Each unit receives training in the latest battle techniques and trains with the most advanced military equipment the United States has to offer. I have personally witnessed some of the training at Fort Benning. It is tough, but when the troops leave that installation they are ready for any challenge they are forced to face. Soldiers trained at Fort Benning are prepared to lead in any situation, true to their motto, "Follow Me."

The contribution Fort Benning has provided to this Nation is beyond compare. I am glad to honor the dedication service of Fort Benning's commanders, officers, and enlisted personnel. I also honor the Columbus community that has for 75 years provided support for this installation.

TRIBUTE TO THE FELLOWSHIP MISSIONARY BAPTIST CHURCH AND REV. CLAY EVANS ON THEIR 43D ANNIVERSARY

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. RUSH. Mr. Speaker, it is with great pleasure that I rise today to honor my old friends, Rev. Clay Evans and the Fellowship Missionary Baptist Church, who will be celebrating their 43d anniversary together this Sunday, October 17, 1993. I have known Reverend Evans for many years, and his teachings and words of prayer have never failed to inspire me.

Reverend Evans has been active in Chicago for over four decades and has served in several organizations that have come to define the civil rights movement in Chicago. Besides establishing the Fellowship Missionary Baptist Church in 1950, Reverend Evans was also the founding National Board Chairman for Operation PUSH from 1971 through 1976. He currently serves as National Board Chairman Emeritus. In addition, Reverend Evans is the host of a weekly radio and television program, "What a Fellowship", that reaches listeners and viewers from more than 10 States, and also serves as president of the Broadcast Ministers Alliance of Chicago. His weekly sermon has become a cornerstone for Chicago's faithful.

Mr. Speaker, we, in Chicago, have shared some extraordinary experiences with Reverend Evans and the Fellowship Missionary Baptist Church, and I urge my colleagues to join me in extending to Reverend Evans and the Fellowship Missionary Baptist Church family our sincerest best wishes on this important day.

DUNDALK FREE METHODIST CELEBRATES FIFTIETH ANNIVERSARY

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mrs. BENTLEY. Mr. Speaker, my fellow colleagues, I rise today to congratulate the Dundalk Free Methodist Church upon the celebration of its 50th anniversary.

I consider the role of the church in our community to be of utmost importance. The foundation upon which our Nation is grounded is dependent on its very existence, and is symbolic of the constitutional freedoms we possess. So it is with great respect and admiration that I commend the parishioners and people of the Dundalk Free Methodist Church. Through their faith, charity, and reverence for God, they have made this small community a better place to live.

Fifty years ago, Rev. L.H. Kelley, the pastor of the Edgemere Church, had an urgent desire to see a church established in the Dundalk area. He was able to secure the support of his people, and held the first meeting in Dundalk on October, 1943. Since that date, this growing missionary church has shown a compassion for needy and hurting people, beginning in historic Dundalk and spreading to other parts of the world. This was evident when a group of four church youth participated in a recent mission trip to Mexico. On this mission, through their inspiration and the caring grace of God, they were able to reach many underprivileged persons. At home, the church opens its facility to several support groups. Programs such as TOPS [Take Off Pounds Sensibly] and Narcotics Anonymous have helped hundreds of people with their problems.

The Free Methodist Church is a place where you can make new and lasting friends who care about others. Through the able leadership of Pastor Nathan A. Prouty, the church has witnessed many significant accomplishments. In 1993, Dundalk, Maryland was showcased when the church hosted the 55th annual session of the Maryland-Virginia conference of the Free Methodist Church. Hundreds of followers were brought together, where they exchanged ideas about the problems that plague our society and how to heal them.

Through their many hospital visitations, church members have enriched the lives of many ill people when it was needed most. Prayer support and Sunday School classes have taught moral values to our children and kept them away from negative influences. Regular weekly events for children and teens are held, encouraging them to take an active role in community functions.

The last 50 years have seen many renovations to the church, including a new stained glass window, new carpeting, a public address system and central air conditioning, but its strong concern and compassion for others has remained the same.

Mr. Speaker, my fellow colleagues, it is with great pleasure that I congratulate the Dundalk Free Methodist Church on this momentous occasion.

REGARDING U.S. POLICY ON ASSISTING PRESIDENT JEAN-BERTRAND ARISTIDE

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. DELLUMS. Mr. Speaker, it is with great sadness that I rise to join my honorable colleague, the gentleman from New York, MAJOR OWENS, to address the just reported news of the assassination of Haiti's Minister of Justice, Guy Malary, in Port-au-Prince.

I wish I could also say that it was unexpected, but I cannot; those of us who are familiar with military takeovers know that it is rare for the perpetrators of such coups to relinquish their power willingly. Although at this moment we do not know who the assassin was or his connections, in my opinion such action is further evidence of a resistance to the return to power of President Aristide. I believe that this assassination and the greeting given the U.S.S. *Harlan County* in Port-au-Prince are strong indicators of the situation facing Haiti.

I am reassured that the administration is committed to the principle that a democratic government in Haiti is in the best interest of the United States and that President Aristide is the legitimately elected leader of his country.

It may be helpful to review why we, the United States established its present firm support of President Aristide. He received, in a free and fair election, 67 percent of the ballot; his closest political rival received 11 percent. In recognition of this election and in a firm rejection of the illegal, military coup which subverted the elected government of President Aristide, the United States brokered and supported the deliberations which led to the July 1993 Governors' Island Agreement. It is important to remember that the Haitian military gave assurances that the return of President Aristide to Haiti as the legitimate elected head of the government would be accepted.

The military regime is in gross violation and are reneging on the formal acceptance of the Governors' Island Agreement.

It is incumbent that we recommit ourselves to working with the United Nations to reimpose the strongest possible multilateral sanctions against Haiti until the appropriate return of President Aristide to Haiti. The sanctions should be imposed against the present military regime and their supporters who benefit from the status quo. Specifically, the sanctions should prohibit: trade with Haiti, especially the shipment of vital supplies, such as oil; landing rights to traffic from Haiti; the issuance of visas to members of the governing junta and their supporters; and freezing of all pertinent foreign bank accounts by members of this group.

We embrace the desires of the people and the leaders of the Caribbean to have their own freely elected government. An essential part of Haiti's history is that the people there have fought for over 200 years to free themselves first from slavery, and then from dictators. Sovereignty is vitally important to the people of Haiti. I think it is critical to utilize the knowledge and influence of political leaders in the Caribbean, such as Michael Manley, former Prime Minister of Jamaica, and to work with these leaders to develop a plan to assist the people of Haiti politically, to rid themselves of the military and reinstall the rightful head of government.

I need to reiterate that the sanctions must be imposed and enforced multilaterally, through the United Nations, and that any nation that violates these sanctions should themselves suffer severe punitive action.

It is essential that we state clearly that should sanctions be violated, that the United States would request that the United Nations establish a naval blockade to enforce these sanctions.

I thank my colleagues for considering these points and ask you to join me in working with our President to adopt these points in support of our principal goals in Haiti.

TRIBUTE TO JOHN HUME

HON. FRANK McCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. McCLOSKEY. Mr. Speaker, As chairman of the Friends of Ireland, I rise today to commend John Hune, leader of the Social Democratic Labour Party in Northern Ireland, for his years of dedication to seeking peace in that troubled land.

John Hume has recently completed a series of discussions with Gerry Adams, leader of Sinn Fein, the political wing of the Irish Republican Army.

John Hume's express purpose in these talks was to end the violence in Northern Ireland and build a lasting permanent peace. Over the years, he has faced death threats and attacks from extremists and his willingness to persevere in the cause of peace is testament to his courage, conviction, and ultimately his faith in humanity.

John Hume has recently briefed the Government of Ireland and I have included a copy of the Taoiseach's statement for the RECORD.

A leader of the Friends of Ireland, whose membership includes almost a quarter of the

House of Representatives representing Irish-American constituencies of both Catholic and Protestant heritage, I know the Members of this body join me in praying for peace to come to Northern Ireland.

No lasting settlement can occur in Northern Ireland without the active involvement of both the Catholic and Protestant traditions and communities.

John Hume has taken a bold step in the service of peace. His character and dedication to non-violence should be an inspiration to us all. I call upon the political leadership in Northern Ireland and the British and Irish Governments to continue to seek a lasting and just peace.

JOINT STATEMENT BY THE TAOISEACH, MR. ALBERT REYNOLDS, T.D. AND THE TÁNAISTE, MR. DICK SPRING, T.D.

The Taoiseach, Mr. Albert Reynolds, T.D., and the Tánaiste, Mr. Dick Spring, T.D., this morning met the leader of the SDLP, Mr. John Hume, who briefed them on the position reached to date in his discussions with the leader of Sinn Fein, Mr. Gerry Adams.

The Taoiseach and the Tánaiste took the opportunity to express their deep appreciation of the work done by John Hume over the years in the cause of peace.

The Taoiseach and the Tánaiste believe that the highest political priority must be given to establishing a basis for a just and lasting peace and a permanent cessation of all violence. They will accordingly evaluate carefully the position conveyed to them, and consult with the Government, with a view to ensuring that it can make a very important contribution towards building a consensus for peace. It would be their intention to take full account of it, and decide how best to continue their efforts in their discussions with the British Government for the achievement of the objective of peace on this island.

By definition, this work will require much patient effort and preparation. The Government will not be elaborating in further detail for the moment. A period of reflection, assessment and discussion is now necessary, and the Government believe that in the interests of peace the need for confidentiality should be respected.

The ultimate goal of all parties committed to a peaceful approach must be to reach a lasting political settlement, which can only be achieved on the basis of the widest political dialogue and participation, with the consent of the people living in Ireland, both North and South.

TRIBUTE TO ILLINOIS MARINE HELICOPTER PILOT

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. MICHEL. Mr. Speaker, I would like to bring to the attention of my colleagues Marine Pilot, Capt. Mark D. Rullman, formerly of Morton, IL., who died September 7, 1993, in a helicopter crash during a routine night training helicopter flight from Twenty-nine Palms, CA.

Captain Rullman served in Operation Desert Storm as an AH–1W pilot in the HMLA squadron. He will be buried at Arlington National Cemetery.

At this time, I would like to insert an article by Jennifer S. Johnson of the Peoria Journal Star, with my deepest condolences to Marine Captain Rullman's family and friends.

EX-MORTON MAN KILLED IN CRASH

(By Jennifer S. Johnson)

A training accident Tuesday night involving two helicopters at a Marine Corps base in California left all four pilots dead, including a 30-year old man originally from Morton.

Marine Capt. Mark D. Rullman, formerly of Morton, and his colleagues were found about midnight after the AH-1W Cobra helicopters failed to return from a routine night systems instructor flight that involved the use of night-vision goggles, the Marine Corps said.

A search-and-rescue team was dispatched to search for the missing aircraft at about 10:30 p.m. Wreckage from both helicopters was found in the desert about 22 miles northwest of the Expeditionary Airfield of the Marine Corps Air Ground Combat Center, Twenty-nine Palms, Calif. from which the aircraft had taken off.

Rullman and the other three pilots, Marine Lt. Col. Dennis Nelson, 40, of Southport, Fla; Marine Lt. Col. Lee Lenderman, 42, of Athens, Ga.; and Army Capt. Phillip Curtin, were the only crew aboard the helicopters at the time of the accident.

A board of officers has been established to investigate the accident.

Rullman's parents, David and Anne Rullman of Dunlap, said their son had been stationed at the Marine Corps Air Station in New River, N.C. He had been sent to the base in California for one month's training.

Rullman had been a weapons training instructor whose squadron served seven months in Operation Desert Storm on the USS Nassau. He joined the Marine Corps after graduating from Kent State University in 1986.

He attended Morton High School through his sophomore year, when his family moved to Ohio.

Although Rullman will be buried at Arlington National Cemetery in Arlington, Va., his family is having a memorial service locally for him Monday at St. Thomas Church, 904 E. Lake St., Peoria Heights.

MARK RULLMAN

MORTON.—Memorial services for Capt. Mark David Rullman, 30 of the Marine Corps Air Station New River, N.C., formerly of Morton who was pronounced dead at 8:30 p.m. Tuesday, Sept. 7, 1993, will be at 4 p.m. Monday at St. Thomas Catholic Church in Peoria Heights. Burial will be in Arlington National Cemetery in Washington, D.C.

He died from injuries suffered in a helicopter collision during a routine training exercise at the Marine Corps Air Ground Combat Center in Twentynine Palms, Calif.

He was born Nov. 5, 1962, in Landstuhl, Germany, to David C. and Anne O'Brien Rullman.

Surviving are his parents of Dunlap: one sister, Karen, and one brother, Brien, both of Chicago.

He attended Morton High School. In 1986, he graduated from Kent State University in Ohio where he was commissioned as an officer in the Marine Corps.

He was an AH-1W pilot in the HMLA Squadron which served for seven months in Desert Storm on the USS Nassau.

Arrangements are by Arlington Funeral Home in Arlington, Va.

Memorials may be made to Kent State University scholarship fund.

HAITI—SPINNING OUT OF CONTROL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. CONYERS. Mr. Speaker, the assassination today of Haiti's Minister of Justice, Guy Malary, indicates that the protection of U.S. citizens, the return of democracy in Haiti and the protection of human rights there, is about to vanish. Without an immediate and effective response by the international community, including the placement of military U.S. troops in Haiti, the gains of the Governors Island accords may be irreversibly lost.

Just before the assassination, President Clinton warned that it would be a "grave error" to impede the return of democracy with physical violence against President Aristide or his ministers. The defiant act of assassinating the minister responsible for creating a civilian police force critical to a conversion to a civilian government, is not only a rebuke to human rights and democracy, but also to the United States and the international community.

The situation is quickly spinning out of control and any assurances of safety for U.S. citizens, or the civilian government is nonexistent. The first obligation of the United States must be to ensure that U.S. citizens are protected from lawlessness and military-sponsored violence. In addition, we should be prepared to support the U.N. mission with peacekeeping troops until democracy and human rights return to the shores of Haiti.

THE COLLEGE FINANCIAL AID PROTECTION ACT OF 1993

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 14, 1993

Mr. TOWNS. Mr. Speaker, today I am introducing The College Financial Aid Protection Act of 1993, which will remedy a grave error in the Justice Department's antitrust policy and practice. As some may recall, I introduced this bill in the previous Congress.

In 1991, the Justice Department filed suit against eight colleges (Harvard, Brown, Cornell, Columbia, Dartmouth, the University of Pennsylvania, Princeton, Yale, and MIT). The suit charged these institutions of higher education with violations of the antitrust laws by meeting to discuss financial aid for students who had been admitted to more than one of the participating schools. These institutions meet every spring to reach a common calculation of students' needs and offer the same or similar percentage of financial assistance toward tuition and fees. For four decades, this system accomplished the widely advanced and publicly championed policy of assuring admission based on merit and dispensing financial aid based on need.

However, the Department of Justice, the Federal entity responsible for enforcing the law in the public interest, decided that these discussions rank with breaking up insidious cartels and monopolies which we have harmed commerce and industry. Once the Justice Department filed suit, seven of the eight colleges (all except MIT) decided that it would be in their best interest to sign a consent decree instead of waging a protracted legal battle. The consent decree binds the colleges to end this cooperative arrangement.

This tuition discussion group, called the overlap group, is not a violation of the letter or the spirit of the law. In a normal antitrust case, businesses secretly and discretely collude to fix prices, terms, or other conditions incident to the scale or distribution of a product or service. These collusive tactics force consumers to pay more than the free market would dictate. The purpose of the antitrust laws has always been to spur legitimate competition based on the merit of the product or service or the ingenuity of the businessman. In this fair fight, the consumers' choice is the determining factor in the success or failure of an enterprise. Ultimately, this competition brings about the best deal for the consumer in price, quality, and availability of goods. The controlling rationale is that the consumer benefits by ceasing any unfair practice which adversely affects the competitive process.

The Court of Appeals understood this point and ruled against the Department of Justice's position. At this time, the Department of Justice is considering whether to accept the decision of the Appellate Court or to appeal. It seems to me, that this is a monumental waste of financial and human resources. In this case, the practice which the Justice Department finds abhorrent has benefitted the educational consumer—better known as the student—for over 40 years. The colleges have engaged in a socially propitious policy ensuring that tuition discounts are available to enable low- and moderate-income students to attend the college of their choice.

If this consent decree is not overturned, the educational process will be open to bidding wars and the financial aid process will be turned upside down. Universities will dispense academic scholarships via the same dubious mercenary contest which currently controls collegiate athletic awards. After determining amounts of aid to be awarded, the universities will shop for meritorious students like they currently shop for star athletes. Universities with larger endowments will outbid colleges with smaller endowments for the best students. We will create a Nation in which the best and the brightest students will be lumped together at the biggest and the richest universities. Diversity of thought and opinion will be lost. The social, economic, and cultural interchange will not be an available item in the marketplace of ideals.

Once tuition becomes the pivotal issue, poor and middle-class students will be unable to choose a college based on course offerings, intended area of concentration or any academically based factor. The sole issue will be price. We will no longer be able to encourage young people to attend the college of their choice. Instead we will have to tell them to attend the college that bids the most and offers the best deal.

I introduce this bill to remedy this unwise, unmerited, and unprecedented interpretation of the law. I urge my colleagues to join me in assuring the continuation of financial aid access for poor and middle-income students by cosponsoring the College Financial Aid Protection Act of 1993.

SENATE—*Friday, October 15, 1993*

(Legislative day of Wednesday, October 13, 1993)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the Honorable BEN NIGHTHORSE CAMPBELL, a Senator from the State of Colorado.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Be subject one to another * * *.—Ephesians 5:21.

God our Father who hast "set the solitary in families," we pray for our families this morning. Far too often they are subordinate to most other priorities—if not intentionally, certainly in practice.

As we devote ourselves to the demanding schedule of the Senate when in session, may we devote ourselves to our loved ones. Grant that this weekend will be a time of family healing, reconciliation, and restoration. May our spouses and children enjoy the sense of being appreciated—being important—being loved and cared for.

In Jesus' name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 15, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN NIGHTHORSE CAMPBELL, a Senator from the State of Colorado, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CAMPBELL thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

The Senator from Maine is recognized.

SCHEDULE

Mr. MITCHELL. Mr. President, Members of the Senate, the Senate will today resume consideration of the Department of Defense appropriations bill.

It is expected that several amendments will be offered and debated. There will be no rollcall votes today. If rollcall votes are necessary on any of the amendments taken up today, they will be scheduled to occur beginning at 6 p.m. on Monday.

The Senate will return to session at 10:30 a.m. on Monday to resume consideration of this bill in a similar circumstance. That is, several amendments will be offered and debated, and any votes that are required will be scheduled to occur at 6 p.m. on Monday.

There may also be votes at that time on Monday on appropriations conference reports, if any are available for final action at that time.

Following the votes which will occur beginning at 6 p.m. on Monday—and at this time it is not possible to state precisely how many there will be, but it is anticipated that there will be more than one—following those votes, the Senate will continue in session as we attempt to make further progress on this bill.

It is my hope that we will be able to complete action on this bill by Tuesday. And then, as I have stated, it is my intention to proceed to crime legislation. We also will try to fill in with whatever conference reports are available.

Finally, the House is to take up today the unemployment compensation extension bill, and it is my hope that, if and when that matter is received from the House, we can act on it as promptly as possible.

Mr. President, the managers are present. I want to thank them for their patience and diligence. The Senate was in session until early this morning. I thank the Senators from Hawaii and Alaska for being here today, ready to work, and to continue action on this bill.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3116, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

Mr. INOUYE addressed the Chair.

The ACTING PRESIDENT pro tempore. The business now pending before the Senate is the first committee amendment, as amended.

The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, I ask unanimous consent that the committee amendments on page 8, beginning on line 12, on page 22, beginning on line 7, and on page 53, beginning on line 13, be considered and agreed to en bloc.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The committee amendments on page 8, beginning on line 12, on page 22, beginning on line 7, and on page 53, beginning on line 13, were agreed to en bloc.

Mr. INOUYE. Mr. President, I move to reconsider the vote by which the committee amendments were agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I ask unanimous consent to be recognized as though in morning business for a short period.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

● **This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.**

RECOGNITION OF BREAST CANCER AWARENESS MONTH

Mr. STEVENS. Mr. President, in the past I have discussed new developments in prostate cancer research and treatment and urged American men to be screened regularly for the disease, especially as they get older.

As we mark National Breast Cancer Awareness Month, I urge American women to follow the guidelines of the National Cancer Institute for breast cancer screening and ask my colleagues to support Federal funding for breast cancer research and treatment.

Before this decade ends, tens of thousands of American women will die from breast cancer, despite the fact that screening for the disease could have saved many of their lives.

I join my colleagues in the Senate Cancer Coalition to urge all Americans to participate in the fight against the disease.

Every American, both men and women, should know the facts about breast cancer. According to the Cancer Research Foundation of America:

One in nine women will develop breast cancer;

Four out of five women who get breast cancer have no family history of the disease;

Early detection is the best way to save the lives of breast cancer victims;

A mammogram can find cancer up to 2 years before a woman might feel a lump; and

The National Cancer Institute recommends that every woman over the age of 40 get a mammogram every 1 or 2 years; after 50 the Institute recommends annual mammograms.

We know that economic, geographic, or knowledge barriers often prevent women from available themselves of lifesaving screening technology or regular visits to a physician.

The Breast and Cervical Cancer Mortality Prevention Act of 1990 was a major step toward solving this problem. It makes early detection screening tests for breast and cervical cancers available to all low-income women, particularly American Indians, Alaska Natives, and African Americans.

But we still have a long way to go.

Despite strides in research and a greater awareness of symptoms and screening, our Nation's breast cancer mortality rate has not diminished significantly. In my own State of Alaska, with a population of about 500,000, 59 women died of breast cancer in 1987 and 1988—the last year for which complete figures are available. Last year, from early statistics, it appears that approximately the same number of women died of this terrible disease.

National data for 1990 indicate that only one-third of America's women age 40 or older received a mammogram last year.

Mr. President, a comprehensive, coordinated public health approach is necessary to reduce the breast cancer mortality rate. A national infrastructure is essential to support the complex elements necessary to guarantee all women access to high quality screening and followup services.

I urge my colleagues to support the conference committee's recommendation of $78 million for breast and cervical cancer prevention activities.

Women as consumers, health professionals, volunteers, members of community organizations and as State and Federal policymakers, all play a vital role in successful cancer control. Collectively, this network has the skills and resources to enable all women to benefit from lifesaver screening technology.

But it is up to all of us—men and women—to work to ensure that the mechanisms are in place for effective detection, treatment, and recovery programs. To protect themselves, women can schedule mammograms, get regular checkups, and help with self-examination according to the National Cancer Institute guidelines.

But men with wives, sisters, mothers, and daughters, have a stake, too, in more effective breast cancer screening and new research and development. By working together, we can reduce breast cancer mortality through early screening. With increased research let us hope that some day soon an effective cure for this terrible disease will be found.

TRIBUTE TO OSCAR DYSON OF KODIAK, AK

Mr. STEVENS. Mr. President, Oscar Dyson, a pioneer of the modern commercial fishing industry in Alaska, marks his 80th birthday this week.

Together with his wife Peggy, Oscar has pioneered and guided the fisheries off Alaska over these past 40 years. An excellent fisherman and a consummate statesman of the fisheries world, Oscar has helped ensure that our fisheries remain a renewable resource.

Known to many of his colleagues as "the old man of the sea," Oscar epitomizes the true Alaska fisherman. He cares deeply about our resource. He understands that Alaskans—particularly our fisherman—are the stewards of our oceans. Through public service and his personal life, Oscar works hard to protect our fisheries.

An Alaska resident for more than 50 years, Oscar first came to the great land to build runways with the Corps of Engineers, and survived the bombing of Dutch Harbor by the Japanese during World War II.

After the war, he fished for salmon and halibut out of Seldovia and king crab out of Homer. His was the first king crab boat in the Bering Sea.

Forty-one years ago Oscar moved to Kodiak, where he still resides.

Through the years from his Kodiak base, Oscar has fished for salmon, halibut, king crab, shrimp, pollock, and Pacific cod.

In 1971 Oscar's vessel, the *Peggy Jo*, made the first-ever commercial delivery of pollock and Pacific cod to a shore-based processing plant. That was the beginning of an industry that now employs thousands of Alaskans and other Pacific Northwest residents.

Mr. President, as our Alaska fishery grew, Oscar purchased with nine other Kodiak fishermen one of the first floating processors in the Togiak herring fishery. It is now the largest herring fishery in Alaska. Later, with those partners, he bought the shore-based processing plant, Star of Kodiak.

Alaskans have benefited from Oscar's commitment to public service. He has devoted thousands of volunteer hours to ensure the best for Alaska's fisheries and for Kodiak citizens.

Along with serving on the Alaska Board of Fisheries for 13 years, on the Kodiak City Council for 10 years and on the advisory board of Kodiak Community College for 3 years, he was a member of the North Pacific Fishery Management Council, appointed by the Secretary of Commerce. Oscar has also been a member of the U.S. delegation to many international fisheries treaty negotiations.

Since 1981, during the time that the part of Kodiak has consistently been one of the top three U.S. ports for fisheries landings, Oscar has been a member of the Kodiak Port Operations Advisory Board. The port has expanded considerably during Oscar's tenure on the board.

Oscar once noted that his most important achievement had nothing to do with the fishing industry. His greatest accomplishment, he said, was when he met his wife Peggy and began the start of a beautiful friendship and love affair.

Just as Oscar has led our fishermen in catching and processing fish and in the many battles our fishermen have had to fight through the years, Peggy has led those same men and women safely home, often through hazardous conditions, as the radio voice of the weather.

When Peggy's voice comes over the airwaves the boats listen. And she listens back, day in and day out. She learns what the weather is where they are, what news they have to share, and even, on some sad occasions, she has heard a boat's last message.

Together, Oscar and Peggy continue to make a major impact on the fishing world in Alaska. They are, indeed, the keel of Kodiak's—and Alaska's—fishing fleet.

Mr. President, with the residents of Oscar Dyson's home town, Kodiak, and his colleagues in ports all along our Alaska coast, I congratulate Oscar, and thank him for a lifetime of service to our State, to our Nation, and to the fishing industry.

The PRESIDING OFFICER (Mr. DECONCINI). The Senator from Kentucky is recognized.

Mr. FORD. Mr. President, I would like to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kentucky is recognized.

LETTER OF APPRECIATION FROM STAFF TO SENATOR DENNIS DECONCINI

Mr. FORD. Mr. President, I have a letter that was sent to me from some staff members, and I would like to read a line or two from that letter. It reads:

DEAR SENATOR FORD:

Since Senate rules prohibit staff from speaking on the Senate floor, we are asking you to read the attached letter to Senator DeConcini. We are very proud of our boss and would like our thoughts to be part of the permanent Congressional Record.

Thank you for your assistance.

This letter was signed by all members of the Presiding Officer's staff.

Mr. President, I would like to read the letter to you that will be included in the CONGRESSIONAL RECORD.

OCTOBER 15, 1993.

Senator DENNIS DECONCINI,
U.S. Senate, Washington, DC.

DEAR DENNIS: We wanted to let you know how much we appreciate working for you. Many of us have been with you since the beginning of your Senate career, and while the staff has evolved over the years, some things remain constant.

We believe it is rare to have a boss who cares so much about his staff—not just as a collective body, but as individuals first. You treat each of us with respect and trust, and never forget to thank us for a job well done. When personal emergencies arise, you are genuinely concerned.

Your policy of promoting within the office has given us confidence, encouragement, and numerous opportunities. You have also provided countless interns, legislative fellows, and volunteers the chance to learn about and participate in the congressional process that is so important to you.

We are happy that your decision to retire was made with yourself in mind, because we know how hard you work on behalf of others. To us and your many friends you will always be a considerate, conscientious, and caring person who is dedicated to making government work for the people.

We look forward to helping you achieve your goals in the coming months, and wish you Godspeed when your Senate career ends and new horizons open to you.

Sincerely,

THE STAFF OF SENATOR DECONCINI.

Anne Marie Abruscato, Cindy Balmuth, Ignacio Barraza, Tara Bedford, Cliff Blaskowsky, Sally Brown, Shannon Brown, Dennis Burke, Matt Burnham, Nancy Carkci, Tim Carlsgaard, Cybele Cobb, Matt Collins, Carrie Coxon, John Dekoker, Louis DeLeon, Barry Dill, Doug Ferry, Jane Fisher, Bruce Flinn, Bonnie Fricks.

Angela Gabusi, Carlos Galindo-Elvira, Tim Gearan, Margo Gillman, Marie Grijalva, Irene Hamburger, Ginger Harper, Mary Hawkins, Constance Herron, Lisa Hewitt, Heather Hopkins, Sally Isaly, George Israel, Avis Jackovich, Lisa Kane, Ariel Kaplan, Gene Karp, Lynn Kimmerly, Allan Litovsky, Janis Long.

Missy Lopez, Judy Leiby, Patty Lynch, Mary Magner, Mary Mahoney, Lardyn Marcus, Derick Mains, Nick Mansour, Bob Maynes, Sharon McGee, Jenna Morgan, William Morlan, Patrick Murphy, Pam Nolan, Mike O'Leary, Mary Jane Perry, Morgan Reed, Darcy Renfro.

Jamie Ridge, Karen Robb, Kathleen Sakelaris, Bobbie Schorr, Traci Siegel, Beatrice Smith, David Steele, Matt Stout, Jim Streetman, Cele Swensen, Charlie Taylor, June Tracy, Virginia Turner, Mike Vanderburgh, Duane Vincent, Chip Walgren, Carol Walker, Jeanette White, Eduardo Ivan Zapier.

The PRESIDING OFFICER. The Chair thanks the Senator from Kentucky and is grateful for the Senator's involvement.

It would be breaking the spirit of the rules here to comment, but I knew there was a reason I was called here this morning and I could not figure it out.

Mr. FORD. I say to the Chair, there are not many things you do not know, but I think this morning you did not know about this. And all of us are grateful, as is your staff. We know your staff and we work with our staff. We understand their dedication. It has always been something that rubbed off on others.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I further ask unanimous consent to speak as in morning business for 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

OLDER AMERICANS WANT TO WORK

Mr. GRASSLEY. Mr. President, today I would like to draw attention to an article in a not so recent issue of a publication called Rural Electrification. It was written by Elizabeth Hudson. It was entitled, "Working Late: Today's Older Americans Don't Want To Be Idle."

This article, however, from a magazine that is probably 3 or 4 years old, is just as applicable today as it was when it was written. The article drives home the point that we have approximately 29 million people in this country who are 65 or older, a number which continues to grow. Although many of these older people want to retire, many do not. Survey research has been showing this for some time. A survey of retirees conducted 10 years ago for the American Association of Retired Persons found that one-third of those surveyed would prefer to be working. Some want to work or to volunteer their skills in order to keep active or to contribute to their communities. Others must work because their Social Security and other pension benefits do not enable them to maintain a decent standard of living. This is particularly the case for older women, many of whom are displaced homemakers.

The article led me to reflect on the importance of continuing our efforts to make it possible for older workers to work as long as they are able and willing to do so. Creating a situation in which this is possible, I believe, is good public policy. It will benefit individuals by making it possible for them to gain additional income, by keeping them productively involved in the society around them and, consequently, keeping them healthier longer, and I will bet, from the standpoint of Medicare costs, save a lot of taxpayers' money.

It would benefit the larger society by helping to relieve the strain on our public and private retirement systems by keeping more workers available in a period during which it is widely expected that there will be shortages of younger workers and by making available for everyone's benefit the diverse skills of older workers.

In fact, Mr. President, I think it is safe to say that this emphasis represents more than just wise public policy. We, in fact, desperately need as a society to embrace the idea that people are going to have to do more to provide for themselves in retirement. We here in the Congress need to continue eliminating the disincentives to employment of older workers and, indeed, to provide incentives for their continued employment. This is not changing any policy. Anybody who wants to retire ought to be able to do that. I am only saying that there are in our public policies disincentives to employment that, as a matter of fairness, as well as economic good, ought to be eliminated.

The article in Rural Electrification was, of course, about a very narrow program we have, the Green Thumb Program. The Green Thumb Program is supported through title V of the Older Americans Act, the Senior Community Service Employment Program. The goal of title V is to provide employment for low-income older people.

Green Thumb does outstanding work in providing work for low-income, rural older people. Unfortunately, the Older Americans Act title V program has been supporting only about 62,000 jobs annually. Even though title V and the older worker component of the Job Training Partnership Act do good and much needed work for older low-income workers, with the resources now available to them and the resources which realistically will be available to them in the future, they will not even begin to scratch the surface of the older worker problem that we have in this country.

I do not pretend to say that this can be solved by passing more legislation. I think, more importantly, it takes some of the disincentives out of our present private sector.

If we are going to achieve the goals for older workers outlined in the preamble to the Older Americans Act and move toward a continued employment policy for older workers, we need to concentrate our efforts where the jobs are—with the main line small and large businesses in our country.

Unfortunately, we are still operating in the context of a long established national retirement policy which encourages people to retire at a relatively early age. This policy has been partly the result of Federal law, partly the result of informal but powerful consensus with respect to older workers, partly the result of age stereotypes and age discrimination.

The centerpiece of our national retirement policy is, of course, the Social Security Act of 1935. This retirement program, the Old Age and Survivers Insurance Program, has provided perhaps the major incentive in public policy to retire early.

Certainly the Roosevelt administration, when it launched the Social Security Act in 1935, did not think of it in those terms. Rather, in the depression years of the 1930's, older unemployed people were among the most needy and the Social Security program was well designed to assist them economically.

I think it can also be argued, however, that the Social Security Act ultimately did have the effect of helping older workers to get out of the work force. This was particularly the case after individuals were permitted to retire at 62. Large percentages of eligible population have taken advantage of this opportunity even though the benefit they receive is reduced compared to what they would receive if they continued to work to age 65.

It is further the case that the rules of the program have required since its inception that, once an individual has retired, any earnings over a stipulated level would cause that individual's Social Security benefit to be reduced. This provision serves to penalize those older Social Security recipients who wish to work while also drawing their Social Security benefits. Social Security statistics indicate that many beneficiaries deliberately hold their earnings below the limit to avoid losing any Social Security benefits.

The Social Security Act also held to establish 65 as the age of so-called normal retirement in the American work force so that employers and employees would consider that age as kind of a magic time when a worker should, in fact, be out of the work force as the time when, in other words, it was mandatory to retire.

Until recently, also the pension law has been construed to permit employers to cease accruing pension credits for workers who chose to work after 65. Although it is the case that many employers did continue to credit the work of their 65-year-old workers toward pension, many employers did not. Thus, many older workers encountered a disincentive to continue employment after age 65.

Finally, older workers, by which I mean workers over the age of 45, are discriminated against in the labor market to a greater degree than mature workers who are younger than 45. At that age, the statistics show that workers begin to experience more frequent periods of unemployment and are out of work longer when unemployed than people below age 45. This age discrimination problem only gets worse as a person gets older.

Unfortunately, enforcement by the Equal Employment Opportunity Commission of the Age Discrimination in Employment Act of 1967 has been less than adequate in recent years. This was most dramatically revealed just in the last couple of years when it came to light the Commission had allowed the statute of limitations to lapse on some 900 age discrimination appeals, thus effectively eliminating the opportunity of those workers to seek redress for the grievance which brought them to the Commission in the very first place.

We have made some recent progress in dismantling the retirement policy in recent years, Mr. President, in reducing the disincentives caused by public policy which get in the way of continued employment of older Americans.

Under the terms of Public Law 98–21, as an example, we are going to gradually increase the age by which an individual first becomes eligible for full Social Security benefits to age 67. And this is going to start in the year 2000. There has been some talk more recently, maybe based on budgetary reasons, that that ought to be triggered in even before the year 2000, but presently it is 2000.

This change in Public Law 98–21 also involves an increase in the benefit reduction which will be experienced by those who retire at age 62. When the new retirement age for full benefits is fully phased in, a worker could still retire on reduced benefits at this age of 62. But the benefit at age 62 would be equal to 70 percent of full benefit to be available at age 67 rather than 80 percent of the benefit available at age 65 as is the case under current law.

The Congress has amended the Age Discrimination in Employment Act five times since it was enacted in 1967. I am proud to have been an author of an amendment to eliminate—I think we did this in 1984—a loophole in the law which permitted American companies employing American citizens abroad to escape coverage of this very important Civil Rights Act.

In the 1978 amendments, the Congress raised the retirement age to 70 and then took a very important step forward when it amended it again in 1986 to eliminate mandatory retirement altogether except for a phase-in elimination for police and fire workers and tenured faculty.

Mr. President, 644,000 workers enrolled in pension plans may benefit from this change in pension accrual if they choose to work past the age of 65.

On another occasion, I joined several other Senators and Congressmen in calling to the attention of the Internal Revenue Service the inappropriateness of provisions contained in the EEOC draft versions of the regulations with respect to workers who had worked past the age of 65 prior to the enactment of that legislation. The draft EEOC regulations stipulated that work after age 65 done prior to the enactment of the legislation could not be counted for pension credits. I understand that the Internal Revenue Service, which as I mentioned was to be lead agency in the development of such regulations, has ruled that such workers will receive pension credits for such employment.

Statistics collected for the American Association of Retired Persons show that 275,000 people nationwide may benefit by as much as $3 billion in the aggregate from this change in pension accrual.

The Social Security earnings limit has been raised so that benefits will be reduced less for what the older workers aged 65 to 70 earn above the earnings limit amount.

Legislation is being introduced which I have cosponsored to eliminate the earnings test altogether. This bill would raise the cap on earnings for such beneficiaries and eventually it would drop the cap altogether. Were this bill to pass, it would eliminate at least one incentive not to work or to reduce the amount when one does work.

Currently, as I noted earlier, approximately 900 age discrimination cases filed with the EEOC have lapsed due to the statute of limitations. Obviously, more needs to be done. While we have made considerable progress in recent years, we can do more. To some extent, of course, the developing shortage of younger workers will cause the market to retain older workers longer, and to provide incentives for them to continue working.

But we cannot leave it entirely to the market to keep older workers in the labor force if they voluntarily want to be there. In a sense, as we make progress in eliminating the public policy disincentives to work confronting older workers, the remaining problems are subtle and more difficult to deal with. It becomes relatively more important to confront negative stereotypes about older workers. It becomes relatively then more important to insist that older workers are not discriminated against on the basis of age; that they are evaluated solely on the basis of their ability to perform.

A survey of older adults conducted by Louis Harris & Associates revealed that 78 percent of those surveyed believe that most employers discriminate against older workers, making it hard for them to maintain gainful employment.

Sixty-one percent of employers surveyed by William Mercer, Inc., thought that older workers are discriminated against. I do not think that there is much doubt that age discrimination remains a major problem.

We need to encourage programs such as worker equity programs being undertaken by the AARP. This project is oriented to mainline employers where the vast majority of jobs happens to be. The project analyzes the effects of growing numbers of older workers in the country. It assists older people with their career decisions. It promotes in the employer community the benefits of employing older workers, and it tries to eliminate age discrimination in the workplace.

Insofar as we eliminate public policy obstacles to continued employment of older workers, we are going to need to have more programs like AARP's Older Workers Program, that calls to the attention of employers the benefits of employing older workers, that counters unrealistic negative stereotypes about those older workers, and that makes eliminating age discrimination of the highest priority.

In another 20 years or so, baby boomers who were born after World War II will be at the Social Security retirement age. Scholars estimate that between the years 2010 and 2030, the percentage of older workers in our country may become 20 percent or more of our Nation's population.

Keeping competent, knowledgeable, hardworking, older people in the labor force, especially given that many of them want to continue working beyond normal retirement age, should be a very highest priority of public policy and of our society.

I yield the floor.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WOFFORD). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I ask unanimous consent that the pending amendment be set aside for the purpose of offering an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1044

(Purpose: To prohibit the use of funds for a service academy preparatory school test program)

Mr. McCAIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. McCAIN] proposes an amendment numbered 1044.

Mr. McCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the title of general provisions, insert the following:

SEC. 1. (a) Notwithstanding any other provision of law, none of the funds appropriated by this Act or any other Act, or otherwise made available, to the Department of Defense may be obligated to carry out a test program for determining the cost effectiveness of transferring to the private sector the mission of operating one or more preparatory schools for the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy.

Mr. McCAIN. Mr. President, this amendment prevents expenditures of taxpayers' money from any programs, Department of Defense or otherwise, that would be diverted for any service academy preparatory schools pilot program.

Mr. President, we have a very difficult time allocating all of our taxpayer dollars to the much-needed programs that are already in existence. This would prevent the Department of Defense from wasting taxpayers' money by conducting a test program to determine the effectiveness of using private preparatory schools as an alternative to the service-operated schools. Mr. President, as you may be aware, the service academy preparatory schools are currently implementing many cost-saving initiatives recommended by the GAO, the Department of Defense, and the American Council on Education.

Let me point out, Mr. President, that the service academy preparatory schools are absolutely vital in helping prepare women, enlisted personnel, and minority candidates, especially African-American males, for the service academies who otherwise would not have the opportunity. Fifty-two percent of all African-American midshipmen at the Naval Academy went through the Naval Academy Preparatory School. At the Air Force Academy, 50 percent of all African-American cadets at the Air Force Academy went through the Air Force Academy Preparatory School. At West Point, 33 percent of all African-American cadets went through the Military Academy Preparatory School.

The superintendents of these service academies have stated to me that these rates of minority cadets and midshipmen could not be maintained if they had to rely on private preparatory schools. In a recent briefing in my office, the GAO stated to me, after a thorough study, that they recommend delaying any test program on preparatory schools until a revised baseline reflecting several cost-saving initiatives is completed in order to permit a more meaningful comparison. Furthermore, the GAO has acknowledged that the services are taking major steps to reduce costs based on recommendations by the services, GAO, and the American Council on Education.

The GAO has stated that current cost-saving initiatives by the services will reduce costs to the preparatory schools by one-half of what they originally reported to Congress. In recent data provided to me, service academy preparatory school costs are right in line with private preparatory school tuition. This amendment would simply implement the recommendation of the General Accounting Office, that is to delay any test program until further study and a revised baseline is completed.

Mr. President, I am not going to take long on this amendment, because I have had an opportunity to discuss it with the distinguished managers of the Defense appropriations bill. But the fact is that one of our goals in our military service is to provide an opportunity for all Americans to become officers, as well as enlisted, in our services. Mr. President, the primary source of officers in the military is through the three service academies. The cadets and midshipmen who graduate from the service academies comprise the core of the officer ranks.

The preparatory schools provide an opportunity for minorities—men and women—to attain entrance into the service academies, which is available nowhere else. Mr. President, I am not sure you can quantify that in dollars and cents. I am not sure how you put it into a computer and analyze that an African-American male officer is worth *X* dollars, or an African-American female officer is worth *Y* dollars, or a Hispanic male or female officer is worth *Z* dollars. But I do know that, in society, we can have a much more effective military by having as nearly an equal representation as possible of minorities in the officer rank as we do in enlisted ranks.

Mr. President, even though the GAO has recommended a delay in any test program because of cost analyses, there is something that is more important here, and that is providing an opportunity for minority men and women who wish to serve our country, should be encouraged to do so. Why is that, Mr. President? We all know that many minorities are not afforded a high school education that nonminorities are.

These preparatory schools give them the background, training, and education in order to compete and achieve the test scores so that they can be accepted into our three service academies. I am proud to be a third generation graduate of the Naval Academy. I am not proud of the fact that there was only one African-American in my class of over 900 graduates. I am not proud of the fact that there were only three Hispanic graduates in my class of over 900 graduates. I am pleased to see that the service academies are giving tremendous emphasis and the highest priority to the recruitment and induction of minority Americans into our service academies. Furthermore, I believe, as does the superintendents of the three service academies, that this amendment will prevent an erosion of their continued effort to do so.

Mr. President, I ask for a voice vote on this and yield my time.

Mr. INOUYE. Mr. President, I am pleased to speak on behalf of both managers on this measure. We concur fully with the intent of this measure, and we will be most pleased to accept the amendment.

Just one question: Is this one of those on the approved list that was set forth in the consent agreement last evening?

Mr. MCCAIN. The list of amendments that I had submitted?

Mr. INOUYE. Yes.

Mr. MCCAIN. Yes.

Mr. INOUYE. Mr. President, I urge adoption of this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1044) was agreed to.

Mr. MCCAIN. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCAIN. Mr. President, I would like to take a moment to thank my colleague from Hawaii. He is a living example of the service that all Americans can provide to our country. I know of his keen interest and sensitivity to providing opportunities for all Americans. He represents a large number of great Americans who have served our country with distinction and honor.

I would also like to thank the Senator from Alaska, who represents Native Alaskans, and he has done everything in his power to see that they have the opportunity to enter the service academies. I thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. AKAKA). Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I have notified the managers of the bill, plus I have notified our colleagues, that it is my intention to offer an amendment to the Department of Defense appropriations bill that would limit—or basically prohibit—U.S. combat troops from participating in a combat situation under the control of the United Nations under a foreign commander unless authorized by Congress.

I notified the chairman of the subcommittee of this when we had the subcommittee markup. I notified the committee when we had the full committee markup. Both times Senator INOUYE, as chairman, requested that I withhold introducing that amendment until we came to the floor.

I am prepared to offer that amendment. I seek the counsel of the chairman of the subcommittee, if it is his preference to do that today or his preference to do that Monday? I will certainly abide by his wishes.

Mr. INOUYE. Mr. President, if the Senator will yield, the Nickles amendment is an important one. In fact, I would say that this amendment is one of the most important that the Senate will consider as we progress on this defense appropriations bill. It involves our relationship with the United Nations. It involves congressional involvement and authorization for the use of combat forces overseas. It involves the United Nations itself. Because of the importance of this amendment I would most respectfully suggest that we bring this matter up as the first order of business on Monday at 10:30, because at that time most of our colleagues will be available to participate in the debate.

At this moment, as we all know, there are four conferences going on, on appropriations measures and others, there are about three hearings being held, and other leadership conferences relating to this measure. As a result, the Chamber is empty. In fact, we apologize to those who have come from far-away States to be with us today to listen in on the debates, but today is a working day for most of my colleagues in committee rooms and conference rooms.

As a result, I suggest that this matter be brought up on Monday, when I know that more of our colleagues will be available to participate and listen to the Senator's remarks. This measure is a very important one and I am certain the members of the Foreign Relations Committee, the members of the Armed Services Committee, and I would think members of the Select Committee on Intelligence would like to be present when the Senator lays down the amendment and presents his argument.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. I will be happy to abide by the Senator's wishes. I wonder could we enter into unanimous-consent agreement that this amendment will be taken up at 10:30 on Monday?

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

UNANIMOUS-CONSENT AGREEMENT

Mr. INOUYE. Mr. President, I ask unanimous consent that when the Senate convenes on Monday next at 10:30, the first order of business will be the amendment offered by the Senator from Oklahoma [Mr. NICKLES].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I must thank my colleague from Hawaii for not only his accommodation, but I happen to agree with him. I think this is an important amendment. I also wish to compliment the Senator from Hawaii, as well as the Senator from Alaska, for their leadership in putting together this bill. The Defense appropriations bill is certainly one of the most important legislative items we will consider this year.

I also wish to congratulate and compliment my colleagues who participated in the debate last night on both resolutions dealing with Somalia. I think the leadership given by Senator BYRD, as well as Senator MCCAIN, as well as the speeches that were made last night, were some of the best I have had the pleasure of witnessing and participating in since I have been in the Senate.

Again, I thank my friend and colleague from Hawaii for his leadership and I look forward to debating this amendment. Again, I hope that my colleagues will look at this amendment because it is an important amendment. It deals with U.S. combat troops under United Nations, under foreign command. It would prohibit that unless authorized by Congress. That is an important principle.

Again, I thank my friend and colleague, the chairman of the subcommittee, and the ranking member, for their accommodation.

Mr. INOUYE. Mr. President, may I make an inquiry? Will you consider a time limitation?

Mr. NICKLES. I will be more than happy to agree to a time limit. I think we will need at least a couple hours. I have been informed that one Member at this point is not willing to enter into a time agreement, and possibly will be—and my guess is he will be—

willing to enter into a time agreement in the future.

Mr. INOUYE. We can discuss that on Monday?

Mr. NICKLES. Yes.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada [Mr. REID].

AMENDMENT NO. 1045

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. INOUYE, proposes an amendment numbered 1045.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with. This amendment is being offered on behalf of myself and the manager of the bill, Senator INOUYE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following:

"SEC. . It is the sense of the Senate that—

"(a) the Secretary of the Air Force consider the comments of the appropriate representatives of the Duck Valley Reservation of the Shoshone-Paiute Tribes in making decisions on use of airspace above such reservation;

"(b) the interests of the Duck Valley Reservation of the Shoshone-Paiute Tribes receive the appropriate consideration under any pending or future National Environmental Policy Act process involving airspace over Duck Valley Reservation; and

"(c) to the extent practicable, airspace used for military training flights below 15,000 feet above ground level over the Duck Valley Reservation shall be over uninhabited areas of the reservation."

The PRESIDING OFFICER. Is there objection to setting aside the committee amendments?

Mr. REID. I ask unanimous consent that the committee amendments be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, in the early part of the 1800's, a group of trappers traveled into the northeastern part of the State of Nevada. Their purpose, of course, was to go along the little river there to see what they could find in the way of beaver, mink, and other types of pelts. They never returned. No one knows what happened to them.

But as a result of that journey of those trappers from the State of Hawaii, that area has been known since then as "the place that the Hawaiians went" and, in fact, after that, the whole area has been named after the trappers from Hawaii. The name is now Owyhee. So in the State of Nevada, we have a place that is named after people who came from the Islands of Hawaii.

Mr. President, the river is named Owyhee. There is a town named Owyhee. It is an interesting place but, more importantly, for the purposes of this discussion, it is the Duck Valley Reservation of the combined Shoshone/Paiute Tribe. It, by national standards, is a small reservation that saddles the Idaho and Nevada border. But, by Nevada standards, it is a large reservation. It is the second-largest reservation in the State of Nevada, with about 1,200 enrolled members.

The reservation, like many of the Indian reservations in the western part of the United States, is on very desolate, barren, remote land. That is what we gave the Indians; not the choicest lands, but really those areas far removed from population centers. And, generally speaking, the lands were not the best.

This reservation comprises almost 300,000 acres—a lot of land. As I have indicated, only 1,200 people live in that whole area. It is a small, square piece of land about 20-miles long and 20-miles wide.

Through the Treaty of Fort Boise in 1864, and the Bruneau Treaty 2 years later, which was signed by certain bands of Shoshone and Paiute Indians and the territorial Governor of Idaho, a man by the name of Caleb Lyons, this land was set aside as a reservation. Of course, the reservation was to have certain sovereign rights.

What are sovereign rights to the Indians? That, Mr. President, is something we are still debating. This reservation was only formed after the U.S. Cavalry, the U.S. Army, failed to wipe out this band of Shoshone/Paiutes at a place called Sihwiyo.

There was a story told by a Duck Valley medicine man named Powonto who, at the time he told the story in 1962, was 104 years old. He told the story he remembered of a day in 1866 when the white man came to wipe out his people. Not, Mr. President, to have them move someplace else, not to take them into slavery, but to kill all of them. He said:

> My people were camped at Sihwiyo, which means "Willows in a Row," repairing our equipment and digging wild potatoes. It was morning when the soldiers rode over the hill to the west of the willows. They came shooting, but our braves held them off while our people withdrew under the rimrock to the east. There a stand was made until nightfall. A council was held and it was decided to pull out to the water in the canyon. A trail was to be left so that soldiers would follow. An ambush was planned. Our braves would be positioned so as to keep the soldiers from the water. We would force them to withdraw.

A rarity in the history of the conflicts between the Indians and the white man. The Indians won. Powonto's people were successful in surviving this onslaught.

This is far removed from that beautiful part of Nevada. By Eastern standards, with the lush meadows and high trees, it might not be much. By the standards of Hawaii, the namesake of this place, it might not be much to look at, unless you are from Nevada. That is where I was raised, and to me it was beautiful.

I was in Owyhee about a month ago. It is a well-managed, well-run tribe. The Native Americans who live on that reservation attempt to live a quiet, mostly pastoral life. The little Owyhee River runs through there. They are able to grow some things.

The purpose of this amendment, Mr. President, is to bring to the attention of the U.S. Senate a wrong that is being committed to these people in a remote part of the United States in the State of Nevada.

As I have indicated, this area was formed as a result of the Indians being forced to live there. They survived onslaught after onslaught. They want to live a quiet, peaceful life. It is 100 miles to Elko, NV, the only real city that is nearby. They are out in the middle of nowhere.

What this amendment does is tell the Senate that these Native Americans are not being treated fairly. Why? There is a military base in Idaho, Mountain Home Air Base. These airplanes have gotten progressively more dangerous, more annoying, more bothersome, and they are destroying the way of life of these people.

I do not know how many people have ever seen a jet aircraft flying at 600 miles an hour 100 feet off the ground coming at you. It is a real experience. It happens in Owyhee on the Duck Valley Reservation all the time. This reservation has been bombarded with the roar of low-flying jets, jolted by literal window-breaking sonic booms. Flights, as I have indicated, come out of Mountain Home Air Base in Idaho. Military airspace covers the whole reservation.

Not only do these low-level flights disrupt the lifestyle of the tribes, but they are dangerous. Cattle have been spooked. I had one of the tribal leaders tell me that this used to be a great place for hunting sage hen. Not anymore. They are gone. Sage hens may not be very smart, but they know they do not want to live in a place where there are jets flying 100 feet off the ground.

Ranchers have lost control of their horses. They have been thrown off their horses.

I repeat for the second time, windows have been broken by sonic booms in houses and in schools. Often things are knocked off the walls. In fact, when I first brought this to the floor, 15 windows in reservation buildings had been broken by sonic booms. The Air Force is to fly at least 4 miles outside of town, but they do not do this. They fly over the town, the little, tiny town of Owyhee. Children are frightened by these flights. Adults are frightened. Children are just more honest. They admit it. They cry.

Mr. President, I am not being overly dramatic. I am just telling you the facts that have been related to me by people in Owyhee.

The tribal chairman has personally witnessed flares being dropped from aircraft at or near his town, certainly on the reservation. The flares cause fires that can easily get out of control. They have not, but they could. And one reason they have not is the area is quite arid and there is not much that grows in most places. But it is only a matter of time until something happens worse than has happened.

As I indicated, the sage hen population used to be in the thousands and tens of thousands. They now are lucky to see a sage hen. This is not something that they do for sport. The sage hen, Mr. President, was a game bird that they hunted for food. The eagle population, same decrease.

Culture, property, and safety of the tribes is threatened by military operations in its airspace. And it is not like in another area of Nevada—we have been through this before. We had an area called Dixie Valley where the Navy was having low overflights. What we did there is we bought them out. The U.S. Government bought out all these farmers in Dixie Valley.

Where do the Indians go? This is their land. You cannot buy out an Indian reservation. It is not like the people living there can just sell their land and move.

The reason, Mr. President, I mentioned the battle that was described by the 140-year-old man, Powonto, is they believe in a spiritual sense that these are sacred grounds, and they do not want these airplanes booming over them.

The tribes do not have the option, as I have indicated, of selling out. The tribes have been fighting for over 100 years to be free and to live the life that they have come to love in this remote part of America.

They have fought in the armed services of the United States. If you go to the tribal headquarters there, that is one of the things you will see on the walls—how they look up to those Native Americans from this tribe who have gone into the military. They have pictures on the wall.

I wish to make sure that everyone understands this amendment. In the spirit of compromise, this is different than the one that was, for example, in the Democratic policy bulletin and the one I have talked something about. This is a sense-of-the-Senate amendment that does not stop overflights on the reservation, even though it should, but urges that the Air Force sit down with the tribe and work out an arrangement acceptable to both sides.

Now, how could anyone oppose this? How could anyone in good conscience say that the Air Force should not sit down with the tribe and work out an arrangement acceptable to both sides? It does not appear that the Indians are overreaching. I personally think we would be better off having an amendment just to stop the overflights at a certain height. But in the wisdom of the chairman of this subcommittee, someone for whom I have great respect, who is chairman of the Indian Affairs Committee and my friend, I followed his advice and counsel and we have this now in a sense-of-the-Senate resolution. I hope the arrangement will include an agreement by the Air Force not to fly over inhabited areas of the reservation.

Remember, no one lives most places on these 300,000 acres. So all the Indians are concerned about is the place where they live and an area that they consider sacred because that is where this battle about which I talked was fought.

My amendment encourages this. This does not force the Air Force to do anything. I think this is the least we can do to provide these fine people, who live on this reservation, a chance to provide input on what happens over their own land. I am sure it can be worked out with no problem. These are reasonable people.

Powonto's people were successful that day way back in 1866 in making the soldiers withdraw, but the soldiers are still coming. However, they are more powerful this time.

So I urge my colleagues to support this sense-of-the-Senate amendment which encourages the Air Force just to consider comments by the tribe on the use of airspace over the reservation and urges the Air Force "to the extent practicable" to fly over uninhabited areas when they are below 15,000 feet.

Now, 15,000 feet is not very high, and the sense-of-the-Senate resolution does not even ask the Air Force if they are higher than 15,000 feet to stay away from the little town.

It is a reasonable request, a request the Air Force ought to accept. In fact, it is so reasonable one might ask why I even have to offer the amendment?

I have spoken with the Air Force. I guess evidently they want to retain their ability to buzz schools and houses and adults and children and these sacred lands of these Indians. One of the answers the Air Force gives is, "We will pay for the broken windows." Generous.

Mr. President, that is not the point. The point is this is not a financial issue. It is a quality-of-life issue. I am told that the military already can fly over cities and towns at 1,000 feet, but the fact is they do not. Citizens simply would not stand for it, anywhere. Why should these native Americans stand for it?

When is the last time anyone in this Chamber had any F-15 fly over them at 100 feet or 1,000 feet or over their homes? It does not happen to us. It only happens to them. It happens to the native Americans at Duck Valley. It happens to them not at 1,000 feet, as I mentioned, but at 100 feet.

Why would the Air Force want to keep doing that?

Once again, this is only a sense-of-the-Senate resolution urging the Air Force to consider comments by the tribe.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi, Mr. COCHRAN, is recognized.

Mr. COCHRAN. Mr. President, I rise to thank the managers of the bill for agreeing to set over to a time certain the amendment that Senator NICKLES and I will be offering with respect to the deployment of U.S. troops under U.N. command and control and for the participation of U.S. forces in any kind of standing international army or reaction force controlled by the United Nations. We will be discussing that on Monday.

There was one other item that I considered offering an amendment to address, but I decided not to offer it.

As a member of the subcommittee which drafted this bill, along with the distinguished Senator from Hawaii and Senator STEVENS, with whom I discussed this issue and who has voiced his own concerns, I am very concerned about the increasing requests that the committee is receiving from the administration for appropriations to fund activities that really are not traditional defense functions.

For example, when Secretary Aspin the other day was before our committee for the final year-end assessment of the needs of the Department of Defense for the fiscal year that has just now begun, he talked about a category of new functions that will be funded, through this subcommittee presumably, and administered by the Department of Defense. This category of functions was described by the Secretary as new initiatives. We heard his testimony and saw the list graphically displayed. Peacekeeping was on the list, democratization was another, building new democracies, and environmental security was another.

Defense for democracy was another phrase that was used by the Secretary. There is also a new administration official who has been identified as having the responsibility to administer these programs at the Assistant Secretary level, an Assistant Secretary for Defense for Democracy and Peacekeeping.

The other day we also observed a news conference when the Secretary displayed a new MRE package designed for humanitarian relief put together with $8½ million of funds from the Department of Defense to provide humanitarian and food assistance for persons in other countries who were presumably victims of disasters or famines or other tragedies.

I am not suggesting that we ought not to respond in a very sensitive way to the needs that we see around the world that evoke the kind of humanitarian reaction that we all feel as Americans. We have traditionally responded with generosity and with action to help others in need. What I am concerned about is having the Department of Defense, though, as the lead department or the lead agency using national defense dollars for these purposes.

The reason I say that is that we see the defense budget being reduced year after year after year. This year we had an allocation of only $240 billion, or thereabouts, $240.4 billion to be exact, allocated to our committee under the 602(b) budget allocation procedure.

If we, right off the top of that, subtract the funds needed for all of these other activities, these so-called new initiatives, and all the rest that the new Defense Department is embarking upon, that are new financial obligations, you would reduce by about $5 billion the amount available for military functions. Instead of being able to build a ship or to train our fighting forces, or to equip them with the equipment needed to protect themselves when they are in combat, or do the traditional military things that make us a capable and competent nation from a security standpoint, we are adding to the problems we already have given our military commanders, who are having to already make do with less. We are adding to the problems of the administrators of the defense programs because we are further eroding the buying power of the defense appropriation dollar with new initiatives that are not traditionally, and should not now be, the responsibility of the Department of Defense.

I am suggesting these items be included in an amendment to strike next year, which I may very well offer to give the Senate an opportunity to express itself on this issue. Why not have the new meals, ready-to-eat vegetarian MREs designed to help those who have special dietary problems—because of natural disasters or famine —why not have those prepared by the Department of Agriculture?

We have a Food-for-Peace Program that was started back in the 1940's. It is now called the Food for Progress Program. Why cannot that be funded through the Department of Agriculture? All of the other food assistance programs are funded in that way. Why have the Defense Department assume this new responsibility?

I presume DOD has been authorized to do this, but I do not recall any discussion about any such authority—new authority for the Department of Defense to provide food aid with specially packaged food products.

If we embark on this entire new scheme of using defense personnel and defense dollars in nondefense activities, we are going to continue to put more pressure on our military forces and make it that much harder to respond to legitimate security threats, and to deal effectively with aggression wherever it may occur that threatens our security interests. That is the point.

I am hoping that we look carefully next year as we proceed through our bill, and ask our ourselves questions such as, why is there an Urban Youth Program funded in this bill? Why is there a Youth Conservation Corps program funded in this bill? Why should we provide up to $1 billion a year, which I am told will be needed for all these new initiatives? From 1995 to 1999 I am advised that the Department of Defense will be asking this subcommittee to put in its bill approximately $1 billion a year to continue the new initiatives program.

There is a foreign assistance program and an agency for foreign assistance at the Department of State, appropriately so. There are diplomatic offices all over the world helping to extend the policies of the United States through diplomatic channels by Foreign Service officials whose responsibility it is to help build democracies and to help encourage democratic reforms and the establishment of compatible forms of government. That is a function of the Department of State, not the Department of Defense.

We do not need a Secretary of State within the Department of Defense to carry out a duplicative kind of program that costs $1 billion a year. So I am concerned, and I know others are, and I know the chairman of the subcommittee is. Under his leadership, and the leadership of Senator STEVENS, this subcommittee has said "no" to some of this.

If you look on page 99 of this subcommittee's report:

> Promotion of Democracy. In keeping with Senate action on the 1994 Defense authorization bill, the committee denies funding for this program.

I congratulate and salute the leadership of our subcommittee for this decision.

> Peacekeeping. The committee has denied funding any unidentified peacekeeping costs requested by the Department.

So what you are seeing is the Department and the administration, in its budget, has requested funding for an open-ended peacekeeping function. But this subcommittee said no.

Nonetheless, there are some identifiable peacekeeping expenses that are funded in this bill, and we need to ask the question: How much of this is really defense activity? How much of this is really military activity?

Here is something called disaster relief in the report. We do provide, for example, in this bill for $45 million. What we do each year is provide to a cash reserve fund, a defense emergency response fund, money to be used in natural and other disasters by the Department of Defense to respond—as it is called on to respond—in those situations. Cash balances, according to our report, available for disaster relief amount to $95 million. So we technically are reducing that fund by $50 million. It is another example of additional activities that are not really military activities which our military forces are required to carry out.

Here is a provision in the report on the same page for humanitarian assistance. For humanitarian assistance, there is $48 million in this bill. I might say that the administration did not really request that in its budget. It was added to provide Kurdish relief in the Middle East. We cannot argue with the need. We cannot argue with the fact that we would like to respond in a sensitive way. But I worry that it is being taken from the money that is allocated in the budget to defense. That is the point.

We go through this allocation process of deciding how much goes to nondefense activities in those areas under the jurisdiction of the subcommittees, and how much goes to the Department of Defense under the jurisdiction of this Subcommittee on Defense Appropriations; and we are all given a limited amount of money—$240 billion this year for this subcommittee. And then, we are requested by the administration, and we appropriate, almost $5 billion out of that limited allocation for purposes other than defense.

Look at the first sentence of our report—and we ought to be guided by this, and I know others on the subcommittee, including the chairman, agree with me on this. Our purpose is well stated in the first line of this committee report. It reads:

> The purpose of this bill is to make appropriations for the military functions of the Department of Defense.

We are getting pushed, we are getting pressured, and we are condoning the spending of funds for nonmilitary purposes at the Department of Defense. I hope as we approach the bill next year, we take a harder look and we do what we have done already in some parts of this bill and "just say no."

Mr. INOUYE. Mr. President, will my distinguished colleague yield?

Mr. COCHRAN. I am happy to yield to the distinguished chairman.

Mr. INOUYE. Mr. President, the matter that is being discussed by the Senator from Mississippi is a very important one. It is true that we are spending more than $5 billion in defense funds for activities which are not traditionally military. Unfortunately, these funds are being taken out of operation and maintenance—the very source of funds that are necessary to maintain the readiness of our troops. This is where moneys for unit training, division training, brigade training will be found. This is where funds for gasoline will be found. This is where funds for health are found.

In the last 3 years, we have had a reduction in O&M funds, a steady drawdown of funds. But the activities that the Senator from Mississippi speaks of have been going up, while the rest of the O&M account has been going down. And the matter that the Senator has brought to the Senate's attention, I believe, requires not just casual study, but intensive and serious consideration.

For example, the bill before us includes $2.2 billion to clean up bases that we have just closed. Mr. President, I think we should keep in mind that this is just the beginning. We estimate very conservatively that to clean up the bases we have scheduled for closure—as most of the bases have not closed yet; they are scheduled for closure—will cost in excess of $25 billion. And unless something is done, this will come out of the operation and maintenance fund.

In addition to that, we are appropriating $2.1 billion in this bill to clean up, environmentally, the bases that are operational at this moment. So for activities that could very well be under the auspices of the Environmental Protection Agency, defense funds are being spent for $4.3 billion.

So I can pledge to the Senator from Mississippi that I will do everything possible to bring this matter to the highest authorities of our Government, to determine whether we can come out with a much more rational distribution of funds. I realize that there are gray areas, but there are some that are precise.

For example, why should defense now be saddled with the cleanup of bases that are no longer theirs? They are closed. They are now going to be passed on to cities and to States and to private citizens. I think that should be the responsibility of the EPA.

So the Senator has brought up something that has concerned me for some time now, and I can assure him that we will do something about it.

Mr. COCHRAN. Mr. President, I thank the distinguished manager of the bill very much. I offer him my cooperation and assistance in helping to identify ways to ensure that the purpose of this bill is carried out, and that we make sure that the scarce funds that are allocated for defense, as we are downsizing the military, are used only for military purposes.

I yield the floor.

Mr. CRAIG. Mr. President, I am pleased to see that the Senator from Nevada is still on the floor, because I might want to engage him in questions in a few moments in relation to a sense-of-the-Senate amendment that he has just brought before the Senate.

This is an amendment of considerable concern to me, and it should be to all of us who are concerned about readiness and defense. I say that because this amendment has the potential of having substantial impact on the readiness of the Air Force as it relates to a new mission that is well underway and that aircraft are arriving for at Mountain Home Air Force Base in Idaho. I am talking about the new composite wing.

I know what the Senator from Nevada is attempting to do, but I also know the Duck Valley Indian Reservation very well. I am on it at least once a year. I meet with these Indians because most of them come my way into Idaho to do their commerce. As a result, although they are not constituents of mine, they are certainly economic constituents, and we have a working relationship.

The relationship the Duck Valley Indian Reservation has had with the Air Force and the existing airspace that would be potentially impacted by what the Senator from Nevada is attempting to do in his sense-of-the-Senate resolution is a relationship that has been going on since World War II. It is not new, nor is it different in the fact that there are and have been for a long while low-level flights over portions of the Duck Valley Indian Reservation as it relates to the Sailor Creek Bombing Range that is a good many miles away from that particular reservation.

But it is of concern, as we talk about the new composite wing and a potential new training area and us allowing our Air Force to be ready to be allowed to make certain types of sorties, and these are mostly all electronic, but they do require low-level flights for purposes of readiness.

FAA is our national caretaker of the airspace that we are talking about here. I see that the sense-of-the-Senate resolution deals only with military flights. Of course, they are the most abundant of the flights of that area, but it is in a national airway. There is substantial overflight of the reservation, partly because of its size. It is a fairly sizable piece of property. Yet I think that the Reid amendment could circumvent current codified methods of restricting current airspace access through the FAA.

Do we want to do that? Are we going to start arbitrarily stepping out with a variety of national reservations or restricted areas that we have in our country for certain purposes and suggest that each one has a unique and separate air floor as it relates to certain types of flights that might occur over the airspace of that particular reservation, whether it is reservations of native Americans, whether it is a wilderness area, whether it is a national park?

If we were to do that, we are talking about literally hundreds of millions of acres of land, and especially in the States where I come from and where the Senator from Nevada comes from, in the Great Basin area of our country, which is one of those areas of the last remaining open spaces that the Air Force finds extremely desirable, and appropriately so, to do their training and practicing. Because it is not congested with the commercial flights of a Los Angeles or a San Francisco or a Denver, or other areas that are becoming increasingly congested.

Interestingly enough, I know the Senator from Nevada and certainly I have been very enthusiastic in promoting that the Air Force and the Navy remain in our States because we are States of open spaces, because our ability to offer them appropriate training airspace is much more abundant than other States.

Of course, when we talk about base closures and those kinds of considerations, one of the reasons that Mountain Home Air Force Base, that this affects—by the way, it does not affect an air base in the Senator's State; it affects an air base in this Senator's State.

But that is why we were able to convince the Base Closure Commission that the Mountain Home Air Force Base in Idaho was one that ought to receive new missions, because it had phenomenal airspace and air quality, and we could expand the roles and not infringe upon the rights or the airspace of others.

This is an issue that I think is extremely important and ought to be considered in this debate. This ought not be just an up-or-down, easy kind of thing, one-person debating, that it is not of importance to anyone else, because it is of importance to a major and growing air base and a mission and the ability of airmen to perform that mission under the appropriate training conditions. That is part of what is in this debate.

Now, I will tell you that coupled with this expansion of a training range and a current training range is an ongoing process today, and we all know what it is. When we use public lands and we change the nature of the activity going on on those public lands, NEPA requires us to do an environmental impact statement. That environmental impact statement is underway. The Indians of the Duck Valley Indian Reservation have been consulted in that. The Air Force, by their open admission, have a working relationship with the Indians of Duck Valley and will continue to expand that working relationship.

I, the Governor of the State of Idaho, and others, have encouraged them to do so. The reason we do that is because it is important to recognize as you expand or change the nature of use of public lands, you recognize not just the environmental impact but the people impact that the Senator from Nevada is addressing today in his sense-of-the-Senate resolution.

One of the things that is interesting and important to the record is Mountain Home Air Force Base is in the Second Congressional District. For 10 years, I represented the First Congressional District so I did not have a lot of direct relationship with this air base. But having become a U.S. Senator, representing the entire State, that relationship has developed over the years.

One of the things that I thought I might start receiving once I became a Senator were phone calls and letters from Idaho citizens who found their lives impacted in a negative way by the presence of the air base, by the overflight, by the kind of training that has to occur by the nature of the mission of the base. Now I have been a Senator for 2½ years, and not once during that time have I received a call from a constituent suggesting that overflights or low-level flights were a problem to themselves or to their families.

There were only three complaints made to the base commander last year, and the base commander immediately moved to solve the problem.

What I think Senators ought to understand is that our Air Force is doing exactly what we want them to do. They are being extremely good neighbors to the Indians, the citizens of the State of Nevada, the citizens of the nation of the Duck Valley. They are being what we want them to be and what we constantly told them to be.

They search out areas where there are little inhabitants for their training flights, and their practices are within the confines of the airspace that they are already limited to.

What the Senator's amendment has the potential of doing—and I say that because it is a sense of the Senate, and I understand that—is funneling forces over limited routes, a 10-nautical-mile gap, if you will, to the training range, creating undue congestion and possibly risking pilot safety, craft safety, all of those kinds of things that now need not be worried about by our airmen as they fly their missions over the current ranges that are available and the expanded ranges that are more than likely to occur in the next few years with the expansion of the mission itself and more aircraft coming on board.

I want to work with the Senator from Nevada, and over three times in the last 3 weeks I told this to the Senator, that I will work with him after we get an environmental impact statement, but let us see where the Air Force wants to go first. We now know they are good neighbors. The facts are there. I do not think the Senator checked those facts, but we did check those facts, and we have ongoing relationships with this air base, and they move very, very quickly to solve any kind of problem that occurs between them and the civilian population. They have a phenomenal reputation in that area.

Can we not wait until we have an environmental impact statement? I have tendered in good faith to the Senator from Nevada a very cooperative relationship to assure that the citizens of the nation at Duck Valley are properly treated.

Those are the issues at hand. Those are some of the things that we ought to be concerned about when we consider this kind of an amendment.

It is not just of light impact. It has the potential of tremendously restricting the capability of an air base with an expanded mission, a mission that we found extremely valuable in Desert Storm. In fact, it was the mission's concept that grew out of Desert Storm, the mission's concept of a composite wing. Instead of taking weeks and weeks to assemble a composite wing ready to go in harm's way, we now, as a nation, decided that we would assemble one in peacetime to be trained.

Mountain Home Air Force Base was one of those areas selected to be the home base of the composite wing. And the Duck Valley area and parts of Nevada and parts of eastern Oregon and parts of Idaho became the training range, out on the edge of the Great Basin Area of the Western States, for this new mission.

So I think it is important that the record show that this is an issue of great importance, not something to be taken lightly.

That 15,000 feet is a phenomenal floor, and clearly unnecessary, even over inhabited areas. But we ought to be sensitive to inhabited areas, and the Air Force is.

The Senator, by his own admission, recognizes that even cities today across this country would not inflict this kind of a floor in airspace for our Air Force. And yet they respect metropolitan areas; they fly around them; they fly high over them. And this is what they tried to do in cooperation with the Duck Valley Reservation.

So let me close by suggesting that there is an EIS being worked out today that will be out for public reaction in the very near future. But clearly the congressional delegation from Idaho has continued and continues to extend full cooperation to the Senator from Nevada so that we can work cooperatively together.

It is highly possible that, with this expanded training range and its capabilities, airmen stationed in his State of Nevada will want to come north to Idaho and northern Nevada to use this training range. It is a national asset.

The Air Guard in Idaho immediately called me when they heard of this concern, because they will be the ones that will be the ultimate managers of the training wing, and they will be the ones faced with the complexity of trying to deal with a very irregular airspace if the Congress chose to enforce this kind of a sense and the Air Force felt it necessary to comply with it.

Well, I believe those are the facts. I think it is important that the record show that there is potential for tremendous impact to current and future missions and our readiness, and that we need to be very careful in our risk of setting precedent that we would arbitrarily choose overflight floors of airspace over restricted areas of this Nation when we have agencies that, through the public process today, reach out and make those determinations that are appropriate and adequate, both for military and commercial air flights.

And that is where this issue ought to rest, consistent with what we see our mission to be, consistent with the national purpose, consistent with the citizens of Duck Valley Indian Reservation and what may or may not be sacred land, but what clearly is their right as a nation. Those are all important things.

The environmental impact statement soon to be out will talk about the sensitivity in low-level flights to wildlife. We are concerned about that. We are not breaking out windows. We want to be concerned that low-level flights do not impact the mountain sheep that are out there, the sage hen that was talked about by the Senator from Nevada—the sage hen, by the way, that is increasing rapidly in numbers in the very flight areas that the Senator has talked about. Nevada Fish and Game and Idaho Fish and Game argue that those numbers have increased.

It was not a relation to low-level flights. The numbers declined several years ago as a relation to coyotes and predation, not in the air but from the ground.

And we also know that on other air bases—and certainly the Senator from Nevada has numerous training ranges across his State, and I notice that he chose not to put limits on any of those—but wildlife, under certain circumstances, can and does abound on those training ranges, unless they are where actual live bombing goes on, and we have decided to sacrifice certain areas for that purpose.

But that is not the kind of training range we are talking about here. We are talking about primarily—and, with the expansion of the range, almost exclusively—electronic activity, which is the nature of the current and new training technique.

Well, I believe it is important that we expand our understanding of the Senator's amendment. It is not just a simple approach. It is an increasingly complicated problem. It does bind the hands of an Air Guard in Idaho and in Nevada. They will use this range in time. Some of them do today. It could well bind the hands of an expanded mission at the Mountain Home Air

Force Base, a mission that this Congress sees as increasingly valuable to the readiness and the defense of this Nation.

It is with those concerns that I offer this information today.

You know, I honestly do not know whether I ought to oppose this amendment. But I do think this Senate ought to be very, very cautious in arbitrarily—and I repeat, arbitrarily—choosing, across this Nation, flight floors on certain kinds of reservations instead of allowing a process that is well-defined today—and that is underway, in this instance, today—but is being prejudged by the Senator from Nevada.

Those are really the issues at hand here, important issues that I think this Senate needs to deal with.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Hawaii [Mr. INOUYE].

Mr. INOUYE. Mr. President, I rise at this moment in my capacity as chairman of the Senate Appropriations Subcommittee on Defense, and also as chairman of the Senate Committee on Indian Affairs, because I believe that this issue touches upon my responsibilities as chairman of these two respective committees.

I would like to congratulate my colleague from Nevada for bringing this matter to the attention of the Senate. I believe that the approach he has taken is a reasonable one and is deserving of the support of this body.

Accordingly, if I may be permitted, I would like to ask that my name be added as a cosponsor of the amendment.

Mr. President, this amendment does not mandate the U.S. Air Force to do anything. This is a sense-of-the-Senate amendment. All it says is that we Members of the U.S. Senate call upon the Air Force to consider the concerns of the Shoshone/Paiute Tribe; just to listen to them and take into consideration their concerns when plans are made for flight training. It does not say that the Air Force must stop.

Mr. President, I am concerned about readiness, concerned to the point where I have consistently supported men and women in uniform to a point where my constituents have questioned my loyalty to my State.

The State of Hawaii is one of very few where we permit the military to drop ordnance—bombs. We have firing ranges. We have target ranges where we permit our Air Force to drop bombs, and we permit our artillery men to shoot the heavy cannons. You do not see this in other State.

But, in order to maintain the readiness of our force, the people of Hawaii have said, "Yes; even if these grounds are sacred, we would permit this." In fact, until recently, a whole island was a target island, an important island.

We took the people out of that island to permit the bombing. So I take no back seat when it comes to maintaining readiness of our forces. I believe the people of Hawaii have stood tall in this area.

In this case, if I may now put on my cap as chairman of the Indian Affairs Committee, a little background might be necessary to understand our relationship with Indian people.

Although it is very difficult for most Americans to comprehend this, Indians are sovereign. The Constitution of the United States recognizes the sovereignty of Indian nations. Our Founding Fathers, over 200 years ago, were very sensitive to this. The laws of the United States have repeatedly upheld this constitutionally. And, as part of the constitutional relationship between our Government and the many governments of Indian nations, we entered into 800 treaties with Indian nations—albeit most of these treaties were forced upon the Indians. They had no choice. Most of these treaties had guns backing them up. But they were treaties between one sovereign, the United States, and the other sovereign, the Indian nation—800 treaties.

These treaties were presented to our predecessors in the U.S. Senate because the law says it must be ratified by the Senate. Of the 800 treaties, 430 were ignored by this body. Our predecessors ignored these treaties that were signed by the President of the United States. But we insisted that the Indians live up to their commitment. We ratified 370. Of the 370 treaties we ratified, we violated provisions in every single one of them; every single one. We were consistent.

These treaties are sacred documents. We have had treaties with France and Germany and Japan and Israel and all the countries of the world. Today we insist upon the sanctity of these treaties, and we criticize countries that might violate provisions in them.

The treaties were, for the most part, documents that involved land. Keep in mind that at one time these lands that we call the United States of America were owned by the Indians. They were here long before we came along. But because of the might of the United States and because of the generosity of the Indians, they decided that 500 million acres of land would suffice for their tribes. So these treaties were drafted.

I hope some of my colleagues will take the time to read some of these treaties. They are beautiful documents.

> As long as the Sun rises in the east and sets in the west, and as long as the waters flow from the mountains to the rivers, this land is yours.

That was 500 million acres of land. Today the Indians own less than 50 million acres of land. Somewhere along the line we found gold in some of these lands, we found oil in others, and at gunpoint we took it away.

At one time, anthropologists say, there were over 10 million Indians residing in these United States. Today we have less than 2 million.

These statistics are significant because in every other ethnic group there is an increase. In any other ethnic group there is an increase. Only with the Indians there is a decrease. I would not want to reiterate the history of our relationship, but it is a messy, miserable, shameful chapter in our history.

In the case we are discussing now, the Shoshone-Paiute, these lands that they have were forced upon them. They are not lands of great color and great foliage. These were the leftover lands that no one else wanted at that time, and we told the Shoshone-Paiutes: Go there. And they have been living there for nearly 150 years. But in that period they have cared for the lands. They have buried their ancestors. They have established their religious centers, and certain sites have become sacred, just as we build cathedrals and synagogues and mosques in the United States. All it says here is that, "In that small strip of land, we would like you to consider our concerns when you make your flight patterns."

I do not think they are asking for too much. I cannot imagine the Air Force buzzing the National Cathedral. It is unthinkable. Or buzzing the city of Washington. We make flight patterns for that purpose. That is all they are asking for. They are not saying, and we are not telling the U.S. Air Force, "You may not fly." We are saying, "Listen to the Indians. Listen to their concerns."

I think that is a reasonable approach. I say reasonable because originally the Senator from Nevada, for good reasons, had drafted a bill that would have mandated and required the Air Force to stop their flying. I suggested this might affect the readiness of the Air Force and it might concern the placement of the base. So he came up with this most reasonable compromise, just to make certain that our Air Force would sit down with the Indians and seriously take into consideration their concerns.

I hope the U.S. Senate will unanimously adopt this, because what is involved here is a very sacred trust. Because of the sovereign nature of Indians, because of the treaties we have adopted with the Shoshones, there is an important trust relationship that exists between the Indians and the Government of the United States. We are part of the Government of the United States. And that trust relationship says, because you have given us all your lands, because you have sacrificed all your sacred lands, we will make certain that you can live a good life on this land. I think there is a treaty obligation involved in this.

So I hope the United States Senate will consider this and give this unanimous support. I can assure my colleagues, as chairman of this subcommittee I would oppose any move on the part of any Senator that would jeopardize the readiness of our forces. This is a pledge that we have made in this committee. And I do not believe that this amendment in any way will jeopardize the readiness of our forces.

I am certain that after discussions, decisions will be reached where training can be held, low-level flying can be held, because there is a lot of acreage of uninhabited areas.

This may appear to be a very simple amendment. This may appear to be just a sense of the Senate, but I agree with the Senator from Idaho, it is an important amendment because it involves our relationship with sovereign people. It involves our trust relationship, and it involves treaty obligations. I think it is about time we did something right as far as our relationship goes.

A final word. Because I am chairman of the Defense Appropriations subcommittee, I would like to put a footnote because today we speak of men and women who put on the uniform to stand in harm's way in our behalf. Throughout our history, millions of men and women have done that. A footnote of statistics: Of all the ethnic groups in the United States, whether they be German, Irish, Chinese, Vietnamese, or what have you, on a per capita basis, more Indians have put on the uniform of this country of ours and more Indians have given their lives for the people of the United States.

It is a strange thing, with all the misery and with all the mistreatment, they love this country.

The least we can do now is to show our concern and our love for them. So I hope that we can support this measure.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada [Mr. REID].

Mr. REID. Mr. President, I want to extend my appreciation to the Senator from Hawaii for joining in this sense-of-the-Senate resolution and especially for his profound remarks relative to the history of the native Americans with this body.

This sense-of-the-Senate resolution says as follows:

(a) the Secretary of the Air Force consider the comments of the appropriate representatives of the Duck Valley Reservation of the Shoshone-Paiute Tribes in making decisions on use of airspace above such reservation,

(b) the interests of the Duck Valley Reservation of the Shoshone-Paiute Tribes receive the appropriate consideration under any pending or future National Environmental Policy Act process involving airspace over Duck Valley Reservation, and,

(c) to the extent practicable, airspace used for military training flights below 15,000 feet above ground level over the Duck Valley Reservation shall be over uninhabited areas of the Reservation.

It is as simple as that. Certainly, as the Senator from Hawaii, the manager of this bill, said, this is not going to jeopardize training. All it does is have the Air Force sit down and talk to the native Americans and get their input. That is not asking too much. We owe that to those people.

As far as my friend from Idaho saying that there are bases in Nevada, of course there are bases in Nevada. The finest naval training flight facility in the world is at Fallon. The greatest air fighter, air training facility in the world is at Nellis Air Force Base. But frankly, Mr. President, my friend was wrong. There are many restrictions flying out of Nellis and flying out of Fallon, as far as where they can go, what they can do. We are not asking for this. We are asking the Air Force to sit down and talk. It is reasonable. It should be done.

I hope, as my friend from Hawaii said, that everyone in the Senate will vote for this.

Parliamentary inquiry, Mr. President. It is my understanding the yeas and nays have been ordered on this matter, and it is also my understanding that the votes are going to be Monday; is that right?

Mr. INOUYE. Mr. President, if the Senator will yield, I ask unanimous consent that at the hour of 7 p.m. on Monday, the Reid amendment will be the first amendment to be voted upon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I would like to take a little time this afternoon to extend my thanks to the Senator from Nevada [Mr. REID], and the chairman of the Defense subcommittee, Senator INOUYE, for putting language and dollars into this bill that will allow the National Guard to be used to bolster our understaffed border patrol.

I first wrote to Attorney General Janet Reno on June 29 and asked her to look at the possibility of utilizing the National Guard in this capacity. Then on August 17, I traveled with Attorney General Reno and Senator DIANNE FEINSTEIN to the Mexico-California border to be briefed by officials on the problem, to view this problem myself and to speak with National Guard personnel who were assisting in the drug enforcement area.

What I saw when I got there were hundreds and hundreds of people waiting to run across the border from Mexico into California. What I was shown there were thousands and thousands of forged documents which are used by the smugglers.

Then on September 22, I met with Maj. Gen. John Conway of the National Guard bureau and talked to him about devising a plan, modeled after the current counterdrug program, that would supplement our border patrol with National Guard men and women.

Today, again, I want to thank Senators REID and INOUYE for working with me to include funding for this important provision in the 1994 Defense Appropriations Act.

We need to be clear when we are talking about the issue of illegal immigration. It may seem like restating the obvious, but when we talk about stopping the influx of undocumented immigrants, we are not talking about restricting legal immigration. There is a difference between illegal immigration and legal immigration. I, myself, am a first generation American on my mother's side.

I know that this Nation was built upon the dreams of immigrants who traveled here from all over the world. I know that immigration is what makes this Nation great; it is what weaves together the fabric that we call America.

We need to shed the extreme rhetoric on both sides of this illegal immigration debate and focus on the issue at hand. The issue is enforcement of our laws. We already know that the illegal immigration problem is a critical one, and the Congress has enacted comprehensive laws to address it. These laws are clear, and today I am offering a plan to strengthen our ability to enforce them.

For over 100 years, the Federal Government has had control over U.S. immigration policy. These policies are written, administered, and funded by the Federal Government with the understanding that immigration has critical implications for our economy and our national security.

In 1952, we passed the Immigration and Nationality Act and created the legal framework of our current immigration system. Chapter 12 of title VIII governs immigration and nationality and makes it perfectly clear what is legal and what is not. This chapter specifically identifies the conditions for entering the United States, conditions for working and remaining here, and conditions for becoming a citizen.

More recently, the Immigration Act of 1990 established new guidelines for those individuals who legally enter this country. We have set up a system where the vast majority of those who may enter are family members seeking reunification with other family members.

By placing family reunification at the centerpiece of our policies, we are saying a lot about the family friendly nature of our immigration laws. We are saying that families are the foundation of a healthy nation; that they serve as buffers to help ease the cultural and psychological transition that often accompanies immigration, and that they provide the critical support that enables our immigrant children to contribute to the work force, reach beyond their grasp and live the American dream.

To preserve legal immigration and all its contributions, we must also recognize and respond to the challenges and difficulties posed by illegal immigration. In 1986, after more than 15 years of concern and deliberation, Congress passed the Immigration Reform and Control Act. The expressed intent of this act was to stop the influx of illegal immigrants, regain control over our borders and ensure that U.S. jobs continue to go to U.S. citizens and to those who are legally here.

Acknowledging that the most common reason for illegal entry into the United States was the prospect of work, Congress instituted employer sanctions as an essential enforcement mechanism to curb illegal immigration.

Specifically, the Immigration Reform and Control Act of 1986 makes it "unlawful for a person or other entity to hire, or to recruit or refer for a fee, for employment in the United States an alien who has not entered the United States legally or whose immigration status does not permit employment."

Mr. President, the act makes the point perfectly clearly. Employers should not be able to use one hand to take jobs away from U.S. citizens and those who are here legally and the other hand to entice illegal immigrants toward work that is often exploitive. We do not need to go any further than the San Diego border to realize we haven't provided the resources needed to back up these laws. Just look at the statistics. Every night of the week, the San Diego Border Patrol unit apprehends up to 2,000 illegal immigrants, and an estimated 3 million people illegally cross the United States-Mexico border each year. Between 200,000 and 300,000 of these entrants become permanent inhabitants. By some estimates, California is home to approximately 1.3 million illegal immigrants, more than 50 percent of all the undocumented immigrants living in America.

We must understand that our laws do not mean anything if we do not give the Immigration and Naturalization Service [INS] the tools it needs to effectively enforce those laws.

On August 4, 1993, the House Committee on Government Operations issued a report highlighting enforcement deficiencies at the INS. I wish to read just a few sentences directly from this report:

> The enforcement functions of INS have suffered substantially from the failure of the executive and legislative branches to provide adequate staff to do the job. Despite increases in funding for the Border Patrol, the portion of Border Patrol agent time devoted to Border Patrol activities actually decreased from 71 percent to 60 percent between 1986 and 1991. In the opinion of the General Accounting Office, the border patrol has "lost control of the southwest border in part because of staffing shortages."

We must listen to those who are on the front lines. We need to listen to Gus DeLaVina, the chief of the U.S. Border Patrol in southern California. This past Monday he was quoted in the San Diego Union as saying, "I could guarantee 90 percent control of this border if we had the proper backup."

Congress has studied the problem, heard the experts, listened to the people who are on the lines. Now it is time for us to offer innovative solutions to strengthen the enforcement of our laws.

As I explained on July 29, when I first offered my plan, the National Guard is already utilized for purposes ranging from national disaster relief to drug interdiction and from customs operations to local law enforcement. We now have the opportunity to put these fine men and women to work helping our Border Patrol officers stem the flow of illegal immigration. We know that our Border Patrol officers are spread too thin. In California, we only have 200 Border Patrol agents patrolling the 200-mile border at any given time. As of September 18, nationally we had 3,993 Border Patrol officers; 1,247 of these officers were assigned to California.

But, when we look at the activity breakdowns of our Border Patrol agents, we find that far too few of them are actually assigned to interdict undocumented immigrants.

We know that we need to expand the capability of our Border Patrol. In an ideal world, we would simply increase the number of those officers. But, we all understand the budgetary constraints facing America today. We know that we need to reinvent Government and find ways to do more with less. By utilizing the National Guard as a force multiplier to the Border Patrol, we will be able to do just that.

Our Counter Drug Program offers an instructive model for the pivotal role that the National Guard could play in stemming illegal immigration activities.

Many have asked me, "Senator, what do you think the National Guard could do?" While it will eventually be up to the Governor to offer a specific plan on what they would do, I want to give you some of the elements that I believe should be included in the Border Patrol Program.

First, separate letters from a State's Governor and Attorney General should be submitted to the Secretary of Defense. These letters should confirm that they have reviewed the submitted plan and found it to be in compliance with State law.

Second, each State should specify the specific mission it wants the Guard to perform. In the Counter Drug Program the Guard has provided ground reconnaissance and surveillance, aerial reconnaissance and surveillance, aerial photography, aerial interdiction, cargo inspection, aerial transportation, maintenance support, training, and administrative support when this support would free up someone to perform their law enforcement duties.

The Guard could fill many of these roles in their efforts to supplement the Border Patrol. They could offer administrative support and free up those officers who are now behind a desk to get to the border where they are needed. They could provide engineering support like building fences. They could map the border. They could offer transportation assistance for prisoners.

Again, we have Border Patrol agents, Madam President, who are supposed to be on the border to stop illegal immigration, but they are driving a carload of illegal immigrants back to the other side of the border. They could be relieved by a National Guard driver.

They could perform cargo inspections in order to detect the illegal immigrants who are smuggled here in the back of trucks, and they could survey and monitor the border at both check points and noncheck points.

In each of these roles, they are serving as force multipliers, freeing up our Border Patrol officers to more effectively do their jobs.

Third, a State's plan should detail the cost and the number of people assigned to each mission.

Fourth, the plan should clearly delineate the Border Patrol's strategies, goals and objectives and include a memorandum of understanding outlining the cooperation needed between the National Guard and the Border Patrol in order to meet these goals.

Fifth, there should be a clarification of the chain of command.

And sixth, there should be a statement outlining the parameters of the Guard's authority.

While including the 6 points that I have outlined today, the BOXER National Guard plan must give the States the opportunity to design a program to make it work. As California debates these questions, it is critical for us to work together and devise solutions. That is why I am calling for the formation of a working group involving my staff in California, Senator FEINSTEIN's staff, the San Diego Members of Congress, the Border Patrol, the National Guard and appropriate Federal agencies. It is my hope this group will be able to help California create a plan that supplements our Border Patrol, helps California control her borders, and thus restores the confidence of Californians that illegal immigration is under control.

Madam President, in conclusion, I wish to again thank the chairman of this subcommittee for being so helpful to those of us who are confronting this problem of illegal immigration. Certainly, everyone knows that he and I and those of us who are moving forward with this proposal realize the great value of legal immigration. But, at the same time, we realize that there could be a tremendous backlash against legal immigration if we do not stem this flow of illegal immigrants into our country.

I believe that as we move this proposal forward, allowing the Governor of our State and any other State that wishes to use the National Guard to draw up a plan with those of us who are interested in it and work together, we will see that we can turn the tide on this problem and once again people in this country will have confidence that we have control over our borders and over illegal immigration.

My thanks again to Senator REID and Senator INOUYE.

I yield the floor.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER (Mrs. MURRAY). The Senator from Hawaii.

Mr. INOUYE. I thank my dear friend from California. I wish to commend and congratulate her for bringing this matter to our attention. As a grandson and a son of immigrants, I am a bit sensitive to immigration, and I believe that her proposal is right on target.

I appreciate that very much.

Mrs. BOXER. I thank the chairman very much. I am, too, a daughter on my mother's side of a first generation American. My father was the only one of nine children born in America. I know the greatest of our country is this fabric that we put together. But if we do not control this illegal problem, we are going to see an immense backlash.

I again thank the chairman for his kind words.

ORDER OF PROCEDURE

Mr. INOUYE. Madam President, I ask unanimous consent that the consent that was granted on the Reid amendment be vitiated.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. INOUYE. Madam President, I have several measures that have been cleared and approved.

AMENDMENT NO. 1046

Mr. INOUYE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside, and the clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUYE], for himself, and Mr. STEVENS, proposes an amendment numbered 1046.

Mr. INOUYE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 12 of the bill, line 27, after the word "installations", insert the following: ": *Provided further*, That of the funds appropriated under this heading, $1,000,000 shall be made available only for use by the Office of the Secretary of Defense for the exploitation of captured Iraqi Government documents relating to the Kurds and other minorities of northern Iraq: *Provided further*, That the funds in the preceding proviso may be made available for personal service contracts of Arabic-language linguists and may be exempt from competitive bidding requirements: *Provided further*, That of the funds appropriated under this heading, $1,000,000 shall be made available only for the Defense Mapping Agency to evaluate and procure available imagery photographs and materials from successor states of the former Soviet Union: *Provided further*, That the Director of the Defense Mapping Agency shall report to the congressional defense committees the availability of such imagery materials, priorities for acquisition and the process for the dissemination of such materials to Federal agencies, State and local authorities, academic institutions, and the private sector not later than March 15, 1994".

Mr. INOUYE. Madam President, this amendment relates to Iraqi documents that were captured during Operation Desert Storm. These documents relate to the Iraqi treatment of Kurds. It also relates to the Defense Mapping Agency and the use of photographs that were taken over the old Soviet territory.

I hope that the Senate will agree to the amendment.

Mr. STEVENS. Madam President, I am, too, pleased to support this as a cosponsor of this amendment by the Senator from Hawaii.

It has only recently come to my attention that the imagery photograph documents available through the Russian and Soviet archives are now being made available, and some of them I think will have substantial interest in our State and local governments because they are images that were taken by the Soviets in the days that they were preparing to be our aggressor. But I am led to believe they are very high quality. They are a type of information particularly taken from the perspective of the Soviet satellites that would be of great interest to our people.

So I am pleased to join my friend. I thank him for being willing to include that portion of this amendment also.

IRAQ SECRET POLICE DOCUMENTS PROJECT

Mr. PELL. Mr. President, as the Senate debates the Defense appropriations bill, I would like to take a moment to discuss an ongoing project of tremendous interest to the Senate.

To summarize briefly, shortly after the conclusion of the Persian Gulf war, the Kurds and other minorities in northern Iraq rose up in rebellion against Saddam Hussein. Though the rebellion was defeated, the Kurdish leadership managed to secure vast quantities of files from Iraqi secret police headquarters. These documents paint an extraordinary and undeniable picture of efforts by the regime under Saddam Hussein to commit genocide against the Kurds.

The Kurdish leadership, in cooperation with the U.S. Department of Defense, arranged to have the documents transported to the United States. Two such transfers have occurred—the second just this past August—and there are more than 18 tons of Iraqi secret police documents in the United States.

These documents are currently being translated, sorted, and cataloged by a group of researchers from Middle East Watch, an independent human rights organization, and the U.S. Department of Defense. The purpose of this research is twofold: First, the documents will be used as evidence against the Saddam Hussein regime for war crimes or crimes against humanity; and second, they will be used as source material for historians and scholars of Iraq.

Mr. President, I note the presence of the distinguished chairman of the Senate Foreign Relations Subcommittee on Near East and South Asia, Senator MOYNIHAN. I know that Senator MOYNIHAN has a keen interest in this project and I wonder if he would like to comment?

Mr. MOYNIHAN. I thank the distinguished chairman of the Foreign Relations Committee, Senator PELL. I have followed this project with great interest indeed, and would add to the chairman's comments only a word or two about the significance of the documents and the work of the researchers.

First, these documents will provide the core of an approach to the behavior of Saddam's regime—that Saddam Hussein has engaged in criminal conduct. His activities are violations of clear law established by international conventions to which Iraq is a party.

Second, the documents provide graphic evidence of Iraqi atrocities; there is no doubt of their veracity as they were written, signed and filed by agents of the Iraqi secret police. If properly exploited, these documents could prove that Saddam Hussein engaged in crimes against humanity and war crimes. This will send a clear message that as long as the Saddam Hussein regime remains in-place, Iraq will remain an international pariah.

Third, I wish to commend the researchers from Middle East Watch and the Department of Defense for the work they have completed. Their painstaking efforts have been accomplished despite scarce resources. The Department of Defense has provided linguists for the project from the various service branches. However, I know that there is a sore need for the Department of Defense to augment this contingent by contracting for the personal services of professional linguists. Moreover, the entire project could be completed more rapidly if these contract employees were not subject to the competitive bidding requirements. In most instances I strongly support competitive bidding. In this instance, I do not.

Finally, I wish to express my appreciation to the chairman of the Foreign Relations Committee, Senator PELL, for his strong and capable leadership on this project. He has gone well beyond the call of duty to ensure that this project succeeds.

Mr. President, I see the distinguished chairman of the Defense Appropriations Subcommittee, Senator INOUYE. Does the chairman support providing the Department of Defense the resources and flexibility to facilitate this project?

Mr. INOUYE. I thank the chairman of the Near East and South Asia Subcommittee, as well as the chairman of the Foreign Relations Committee. As the Senators may recall, because of my deep concern regarding Iraq's militarily offensive activities in the Middle East, 5 years ago I proposed a blockade on Iraq. Unfortunately, that measure failed because of jurisdictional objections. This concern remains just as strong, if not stronger, today. Therefore, I will be pleased to assist the Foreign Relations Committee on this project by introducing an amendments to H.R. 3116, the Defense appropriations bill, that provides $1,000,000 in available operation and maintenance, defensewide, funds to exploit captured Iraqi Government documents relating to the Kurds and other minorities of northern Iraq.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1046) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Madam President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1047

(Purpose: To express the sense of the Senate regarding unresolved commercial disputes in Saudi Arabia)

Mr. INOUYE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUYE], for Mr. EXON, proposes an amendment numbered 1047.

The clerk will report.

Mr. INOUYE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. . It is the sense of the Senate that the Government of the United States and the Government of Saudi Arabia should work diligently and without delay to resolve satisfactorily the outstanding commercial disputes identified in the Department of Commerce letter; date May 27, 1992: *Provided*, That not later than February 1, 1994, the Secretary of Defense, after consultation with the Secretary of State and the Secretary of Commerce, shall submit a report to the Congress on the status of the process for the resolution of commercial disputes in Saudi Arabia and the prognosis for any of the disputes which remain unresolved.

Mr. INOUYE. Madam President, this is a sense-of-the-Senate amendment urging the Governments of the United States and Saudi Arabia to resolve certain disputes. We have studied this matter. We find no objection to it. We urge its acceptance.

Mr. STEVENS. Madam President, it is my understanding that these reflect similar concerns that were expressed by the Senator from Nebraska last year. I have no objection to that.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1047) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF PROCEDURE

Mr. INOUYE. Madam President, I ask unanimous consent that the Somalia amendment of Senator GORTON which was part of the list submitted last evening be crossed out.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DECONCINI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DECONCINI. I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MISSING VICTIMS OF WAR IN THE FORMER YUGOSLAVIA

Mr. DECONCINI. Mr. President, it is difficult to comprehend the immeasurable depths of despair and agony felt by the individual victims of the war in the former Yugoslavia, let alone the wide scale on which the population of this region shares the resulting emotional scars. To be forced to surrender your house and possessions for which you worked hard for many, many years; to be expelled from the village and area which you and your family have called home, perhaps for several generations; to learn of and even witness loved ones being brutalized and killed, sometimes by people you knew as neighbors; to have all of this happen so senselessly is unimaginable.

But it has happened, daily for more than 2 years, to victims of aggression in the former Yugoslavia, Croatia, and Bosnia and Herzegovina in particular.

Life can never be the same for these people. With time, some will hopefully be able to put the past behind them as best they can and move on, when, and if, this violent tragedy finally concludes. Among those who are least likely to make such a recovery, however, are those with loved ones who are counted not among the dead or the homeless, but the missing. Thousands of people are unaccounted for.

Recently, the Helsinki Commission, which I chair, was visited by a few such people, women from the Croatian city of Vukovar, which fell to Yugoslav military and rebel Serb units after months of bombardment in November 1991. Some of these women already knew of dead sons and other relatives, but they also had missing sons, sons who disappeared during and after the siege. Some of the missing were injured in combat, and were therefore among the hundreds hospitalized in Vukovar when the city fell. While some believe that they are among those buried in mass graves discovered near Vukovar, others believe they still may be held in detention somewhere in Serbia. The truth is: nobody knows for sure. These women from Vukovar visited Arlington National Cemetery, which evoked in them the painful realization that they could not even know their loved ones were dead and claim their remains for proper burial.

I think it appropriate and useful, Mr. President, to forget for a moment that these women and their sons are not Americans, and to ignore whether these were Croats, or Serbs, or Bosnian Moslems. Let us instead try to imagine their personal grief, and note that more people are feeling, not imagining, that grief every day, now especially in Bosnia and Herzegovina.

Many people, including here in the Senate, have, like myself, realized for a long time that this should have been stopped, should be stopped now, and could have been stopped by the international community a long, long time ago if there was just the will and the backbone of that community to step forward. The international community failed to stop it and, in my view, is not even sufficiently committed to an effort to prosecute those who we know, often by name, and are available in the international society now for apprehension, as responsible for these crimes, and little or nothing is happening toward them. The innocent victims of the Yugoslavia war deserve justice, but they must first and foremost be told what happened to their loved ones.

Therefore, I call upon the authorities at Belgrade, Serbia, to reveal the fate of those thousands of missing persons about whom they must have some information, including those who disappeared in Vukovar. I urge President Clinton to ensure that our State Department and the United Nations raise this at the highest levels with the Serbian leaders and that it not be forgotten in the peace process that is going on now regarding the former Yugoslavia.

THANKS

Mr. DECONCINI. Madam President, on another subject matter, I want to thank my staff for the surprise this morning delivered to me through my good friend from Kentucky, the majority whip, Senator FORD, in the letter of thanks for my leadership or employment with them.

The feeling is very mutual. I have been blessed in my career in the Senate and before as a prosecutor and in other positions having people who were willing to give of themselves time and time again, far more than was ever demanded by me.

I take great pride that they give me some credit for that, but I give the particular credit to people who have worked for me in the years past for that dedication not only personal to me and loyal to me but to the job and to the performance of public service, and that is doing things for people and not expecting a thank you or any gratification for it except the satisfaction that that is our job.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1048

(Purpose: To provide for a study of the effects of working in uranium mills on the health of uranium mill workers)

Mr. INOUYE. Madam President, I ask unanimous consent that the pending amendment be set aside, and I send to the desk an amendment authored by Senator BINGAMAN and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUYE] for Mr. BINGAMAN, proposes an amendment numbered 1048.

Mr. INOUYE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

On page 8, line 17, between "environment" and ";" insert the following: "; *Provided further*, That of the funds appropriated in this paragraph, $500,000 shall be available only for a study of the effects of uranium milling, including exposure to radon chemicals and uranium, on the health of those individuals employed in uranium mills in the southwestern United States during the period beginning on January 1, 1947 and ending on December 31, 1971".

Mr. BINGAMAN. Madam President, this amendment would authorize a study on the health effects of uranium milling, which was conducted in the Southwestern United States—primarily on or near the Navajo Nation in Arizona, New Mexico, and Colorado, from the late 1940's to 1971.

The Radiation Exposure Compensation Act of 1988 (Public Law 100-321), as amended by the fiscal year 1991 Defense Authorization Act, authorizes compensation for claims related to radiation exposure to: First, documented veterans; second, employees of uranium mines, and third, on-site participants in atmospheric nuclear tests who contracted certain disease as a result of exposure to radiation.

Uranium mill workers were not included in the act, despite the fact that they were also exposed to radiation. The Senate Labor and Human Resources Committee has received testimony from members of the medical profession, researchers, and residents of the southwestern United States and former uranium millworkers indicating that many of the men who worked in uranium mills between 1940 and 1971 may have suffered radiation-related illnesses similar or identical to those suffered by uranium miners and members of the two other classes already covered under the act.

This amendment would mandate a study of the health effects of workers employed in uranium mills between 1940 and 1971. These workers contributed to the national security of the United States at the height of the cold war. They risked their health and their lives without realizing or being told that they were at risk in any way. Many of these men were members of the Navajo Nation, who like the uranium miners and the code talkers before them, gave their lives for the benefit of all Americans.

Peterson Zah, president of the Navajo Nation, has worked on this issue for the past 20 years. At a Labor Committee field hearing in Shiprock, NM, on June 5, 1993, he made a compelling statement on the need to conduct this study and extend to the dedicated millworkers the apology offered by the United States to the uranium miners and down-winders.

My belief is that this study will point to a causal relationship between working in uranium mills and the radiation-related disease specified in the Radiation Exposure Compensation Act. If so, I intend to try to amend the act to cover this class of workers, many of whom are now elderly and seriously ill.

At this moment, however, we simply do not have the scientific basis and medical facts necessary to determine the full extent of the problem and the best manner in which to address this issue. This is because uranium millworkers have never been adequately studied.

I hope this study can be conducted promptly, by whomever the Army Surgeon General deems best qualified to conduct such a study.

Mr. INOUYE. Madam President, this matter relates to uranium deposits. The managers have studied the measure. We find no objection. We ask that it be accepted.

The PRESIDING OFFICER. Is there further debate?

Mr. STEVENS. There is no objection.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1048) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1045

Mr. INOUYE. Madam President, the managers of this measure, together with the Senators from Idaho, have given the amendment submitted by Senator REID of Nevada careful consideration. After such consideration, we find no objection. We ask that it be considered at this time and accepted by the Senate.

Mr. STEVENS. Madam President, this is a sense-of-the-Senate resolution and, as such, it sets forth the matters that should be considered by the Air Force. As a sense-of-the-Senate resolution, I find no objection to it.

The PRESIDING OFFICER. The yeas and nays have been ordered. It will take unanimous consent to vitiate the yeas and nays.

Mr. INOUYE. I ask unanimous consent that they be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 1045) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS TO AMENDMENT NO. 1044

Mr. STEVENS. Madam President, I send to the desk a list of Senators who have requested to be cosponsors of the McCain amendment, which was adopted earlier today. I ask that they be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list follows:

COSPONSORS OF AMENDMENT NO. 1044

Mr. SARBANES.
Ms. MIKULSKI.
Mr. CHAFEE.
Mr. PELL.
Mr. CAMPBELL.
Mr. BROWN.
Ms. MOSELEY-BRAUN.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. INOUYE. Madam President, I ask unanimous consent that the Senate proceed to executive session and that the Committee on Commerce, Science, and Transportation be discharged of the following nomination:

John D. Spade, for appointment to the grade of rear admiral (lower half) in the U.S. Coast Guard.

I further ask unanimous consent that the Senate proceed to immediate consideration, and that the nominee be confirmed, that any statements appear in the RECORD as if read, that upon confirmation, the motion to reconsider be laid upon the table, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

IN THE COAST GUARD

The following officer of the U.S. Coast Guard for appointment to the grade of rear admiral (lower half):

John D. Spade

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDER FOR THE RECORD TO REMAIN OPEN

Mr. INOUYE. Madam President, on behalf of the majority leader, I ask unanimous consent that the RECORD remain open today until 3:30 p.m. for the introduction of legislation and statements.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

AMENDMENT NO. 1049

Mr. STEVENS. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. COATS, proposes an amendment numbered 1049.

Mr. STEVENS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 26, line 12, before the period, add: ": *Provided further*, That of the funds appropriated under this heading, $18,000,000 shall be available only for heavy armor modification for the high-mobility multipurpose wheeled vehicle".

Mr. STEVENS. This is an amendment to earmark partial funds already in the bill for the upgrading of the Humvee vehicle in a more heavily armored state.

Mr. INOUYE. I have no objection.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1049) was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. On Senator COATS' behalf, I ask the other two amendments reserved for him be stricken from the list.

The PRESIDING OFFICER. Without objection, it is so ordered. Without objection the pending amendment is set aside.

AMENDMENT NO. 1050

(Purpose: To clarify the eligibility for assistance for certain levees)

Mr. INOUYE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUYE], for Mr. BOND, proposes an amendment numbered 1050.

Mr. INOUYE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. Notwithstanding any other provision of law (including any regulation), with respect to the public sponsor of a primary levee located in the area that was affected by major, widespread flooding in the Midwest during 1993 and that was designed for a 5-year flood or a higher level flood, the eligibility of the public sponsor of the levee to receive assistance through the levee rehabilitation assistance program of the Army Corps of Engineers shall not be affected by the status of participation (or lack of participation) of the public sponsor in the program. A public sponsor of a levee who becomes eligible to receive assistance under the program pursuant to the preceding sentence may, not later than September 30, 1994, submit an application to participate in the program.

Mr. INOUYE. Madam President, this amendment has been approved by both managers. It relates to the flooding, recent flooding in the Midwest.

Mr. STEVENS. Madam President, there is no objection to this amendment.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1050) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, if the Senator will yield to me for just a moment?

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, as managers we still have over 50 amendments to have considered on this bill on Monday. It was expressed to us last evening that both the majority and minority leaders wish us to finish this bill on Monday.

We, at the request of the leadership, will be here at 10:30. It will soon be announced on Monday morning. There is an amendment ready to proceed on then. But we urge Senators who have reserved the right to submit amendments to come to the floor and be ready to offer them; furthermore, to consider a time agreement so we might complete our task as requested by the leadership.

I thank my friend.

THE U.S. SUBMARINE INDUSTRIAL BASE AND THE "SEAWOLF" SUBMARINE

Mr. WARNER. Madam President, yesterday, during debate on the amendment by Senator McCAIN to prohibit funding for the third *Seawolf* submarine, my good friend from Connecticut, Senator DODD, stated that our country's capacity to build submarines today was down to one shipyard, namely the yard located in his home State at Groton, CT.

While I joined with my friend, Senator DODD, in opposing the McCain amendment, which was tabled by a vote of 52-47, I cannot allow Senator DODD's incorrect assertion about our Nation's submarine building capacity to go unanswered.

Newport News Shipbuilding, a division of Tenneco, Inc., is located in my home State of Virginia and is a premier designer and constructor of nuclear-powered submarines. In its 106-year history, Newport News Shipbuilding has designed and constructed nearly every type of combatant ship used by the U.S. Navy during that period. In August of this year, Newport News Shipbuilding christened the U.S.S. *Toledo*, a 688-class submarine, the 50th nuclear submarine built by the yard to be christened. Today, there are six more 688-class submarines under construction at Newport News Shipbuilding to be delivered to the Navy.

Newport News Shipbuilding plays a critical role in our nuclear Navy, as the lead design yard for both the 688-class and the *Seawolf* submarines, and it is involved in the design of the new attack submarine, often referred to as the *Centurian*. Furthermore, Newport News Shipbuilding is the Nation's only shipyard capable of designing and constructing nuclear-powered aircraft carriers.

I look forward to the expeditious authorization of the next *Nimitz*-class aircraft carrier, CVN-76, which has been recommended by the Clinton administration in the Department of Defense's Bottom-Up Review, and which is fully funded in this bill. By moving forward soon on this carrier, the Navy has estimated that we can save $200 million of taxpayers' money on the overall cost of that ship. I hope the Congress will support doing so.

OFFICE OF ECONOMIC ADJUSTMENT

Mr. KEMPTHORNE. Is the senior Senator from Alaska aware of the fact that the Navy will close its last two training reactors located at the Idaho National Engineering Laboratory and, as a result of this action, around 500 permanent Navy personnel and 500 sailors who come to Idaho for training for 6 months at a time along with 300 contractor employees will leave the Idaho Falls area?

Mr. STEVENS. Yes; I am aware of the fact that the Navy has decided to close its training reactors in Idaho.

Mr. KEMPTHORNE. Does the Senator agree that the loss of around 1,333 jobs will have a significant economic impact in Idaho Falls which has a population of around 45,000 people and a work force of around 24,000 people?

Mr. STEVENS. Yes; I believe that level of job loss, as a direct result of defense downsizing, will have a significant economic impact in the Idaho Falls area.

Mr. KEMPTHORNE. Is the ranking member of the Defense Appropriations Subcommittee aware of the good work being done by the Office of Economic Adjustment in the Department of Defense as it helps communities plan for economic adjustments as a result of defense job losses?

Mr. STEVENS. Yes; I know that the Office of Economic Adjustment has helped many communities reorient their economies in the wake of base closures, defense cuts and job losses. In fact, the bill now before the Senate includes an additional $10 million for the OEA to help it assist more communities as we continue to reduce the size of our defense economy.

Mr. KEMPTHORNE. Is the Senator from Alaska aware that the Office of Economic Adjustment cannot legally help a community unless it determines a defense action will cause significant economic impact in a community?

Mr. STEVENS. Yes; I am aware that a determination of a significant economic impact is required before the OEA can offer a community its expertise and experience with defense conversion.

Mr. KEMPTHORNE. Is the distinguished ranking member of the Defense Appropriation Subcommittee aware that the Office of Economic Adjustment is not certain that it can make a determination of significant economic impact as it relates to Idaho Falls and the shut down of the Navy training reactors?

Mr. STEVENS. No; I was unaware that the OEA was unsure that it could help Idaho Falls. I will say, however, that when this legislation was drafted, it my understanding that the Congress' intent was to assist communities such as Idaho Falls.

Mr. KEMPTHORNE. The senior Senator from Alaska surely knows that the OEA essentially provides its expertise and experience, and very modest sums of money, to help communities with defense conversion efforts. What I am trying to say is that the people of Idaho Falls are not looking for a Government handout but rather we would like the Federal Government to contribute its experience with defense conversion to the economic diversification effort in Idaho Falls which is known as the Initiative 2000.

Mr. STEVENS. I agree the OEA should lend its defense conversion expertise to the people of Idaho Falls.

Mr. KEMPTHORNE. Does the Senator from Alaska agree that although some Department of Energy jobs will be lost as a result of this action, it is the Navy's decision to close its training reactors and it is the Navy jobs that will be lost that will cause the significant economic impact in eastern Idaho? And clearly, is it not an act of the Department of Defense that will cause this economic impact?

Mr. STEVENS. Yes, I agree that it is clearly a Department of Defense action that is causing this job loss in the area of Idaho Falls?

Mr. KEMPTHORNE. Would the ranking member of the Appropriations Subcommittee agree to seek report language during conference to clarify the Congress' view that the OEA should help communities such as Idaho Falls?

Mr. STEVENS. I can assure the Senator from Idaho that I will do my best to include report language encouraging the OEA to help the Idaho Falls area in the conference report on the fiscal year 1994 Defense appropriation bill.

Mr. INOUYE. I agree that we need to look carefully at this issue during our conference to make sure that the Office of Economic Adjustment tries to assist communities such as Idaho Falls.

MORNING BUSINESS

SOMALIA

Mr. ROTH. Madam President, like all Americans, I have been deeply troubled by the bloodshed and loss of life in Somalia, especially of our own brave young soldiers who were sent to that country on a mission of mercy. The terrible events of last week, the vagueness of the mission which has placed our troops in harm's way, and the confusing and rapidly changing set of policies adopted by the White House on Somalia all raise serious questions about this mission. They also raise questions about America's broader role in the post-cold war world, about the types of operations we should undertake with and under the auspices of the United Nations, and about the sorts of operations the United Nations should itself undertake. The debacle in Haiti only inflames doubts.

It is tragic that it has taken the deaths of so many Americans to focus attention on these questions. But until last week, the administration simply was not paying attention to Somalia. As the Washington Post reported on Saturday, it was not until the President returned from a trip to California, two days after our soldiers were killed, that he asked, according to an aide, "Why didn't I know this was happening?"

Today, I have come to the floor to help make sure we do not ask that same question about another policy involving the United Nations the administration has adopted. Over the summer, President Clinton announced that the United States would back Japan and Germany in their bids to become permanent members of the U.N. Security Council, bids which the Prime Minister of Japan and the Foreign Minister of Germany reaffirmed in their speeches at the opening of the U.N. General Assembly last month in New York.

Now as I stated as long ago as 1989, in principle, elevating Japan and Germany to permanent membership status remains a worthy long-term goal. After all, both Bonn and Tokyo exercise as much or more global influence through their economic clout than most of the current permanent members. Moreover, if the United Nations is to better play its critical role in the post-cold war world, the Security Council, as the U.N. body chiefly responsible for matters of peace and security, must better reflect the post-cold war power structure. And since the establishment of the United Nations half a century ago, the Security Council's permanent membership has not been altered.

But while Japan and Germany have attained levels of economic strength that would appear to warrant their gaining permanent membership, both nations remain politically incapable of carrying out all the obligations that such membership entails and reluctant to make the changes necessary to gain those capabilities. For historical reasons, neither country interprets its constitution as permitting it to play a full role in so-called blue helmet noncombat peacekeeping operations, let alone in the more muscular sort of operations against determined aggressors which may well become more typical of U.N. missions in the future.

Obviously, sovereign nations have every right to interpret their constitutions in any manner they wish. But if constitutional interpretation stands in the way of a country's obligations as a permanent member of the Security Council, then I believe that country's status in the United Nations should not be so elevated. Otherwise, the Security Council would surely be placed in an untenable position: Tokyo and Bonn would be able to vote in favor of U.N. military operations which could endanger the lives of American, British, and French troops, but in which their own forces could play no part. In short order, the Security Council's ability to act would be crippled. Japan and Germany should also recognize the extent to which their international prestige would be damaged. One need only recall the outcry over the inability of Japan and Germany to provide personnel for the gulf war effort to understand the depth of feeling that would arise in this kind of situation.

I am troubled that the Clinton administration seems unconcerned by these issues, and that it has lent its support to Japanese and German aspirations for permanent membership without defining the terms of American support. In response to a letter I sent the White House on this subject, President Clinton stated simply that he was "confident that leaders in both Tokyo and Bonn understand the link between global power and influence on one hand, and responsibility on the other."

Madam President, I am not so confident. If Japan and Germany did understand that link, why are they pressing for permanent membership before being capable of fulfilling all the responsibilities that attend such membership? Why, before coming to the United States, did Prime Minister Hosokawa state in the Diet that his government would never authorize the Japanese Self-Defense Forces to join the military phase of any peacekeeping mission? Why, after the Prime Minister's U.N. speech, did Chief Cabinet Secretary Takemura say that, should Japan be accepted as a permanent member, his country "should not go beyond the framework of the constitution" in making international contributions? And why, during his General Assembly speech, in a reference to the necessity of the United Nations resorting to force on certain occasions, did Foreign Minister Kinkel say that Germany's "contribution to the United Nations will continue to be of a mainly political and economic nature"?

I believe the United States must make its position clear to Japan and Germany and delineate precisely what it is that we expect of both countries as they benefit from our backing in their efforts to gain permanent membership. And I believe Japan and Germany must make their own positions clear over which responsibilities they are prepared to fulfill—and which they are not prepared to fulfill—should they actually become permanent members of the Security Council. In an era in which the United Nations is assuming an ever more critical role, it is crucial that we know, and discuss openly, how the United Nation's core authorities over issues of peace and security may be affected by such a change in the Security Council. And in the case of Japan, which is only now just beginning to come to terms with its behavior during World War II, that discussion must take into account the very serious concerns of its Asian neighbors.

I stress again, I have long favored the principle of making Japan and Germany permanent members of the Security Council. To be effective, that body must reflect the world we live in today, not the one we lived in 50 years ago when the permanent membership roster was established. But to make the changes in the United Nations that need to be made, Tokyo and Bonn must first eliminate the self-imposed barriers that prevent them from meeting the responsibilities of permanent membership. Once those barriers have been removed, then Japan and Germany will deserve our full support.

SOMALIA

Mr. DURENBERGER. Madam President, I rise to comment on last night's vote on the Byrd amendment, and on the overall situation in Somalia.

I voted for Senator BYRD's amendment. I did this not because I believe it is the place of the Senate to dictate to the President a specific withdrawal date, but because I believe that we need a deadline.

Operation Restore Hope was a success. There were no battle casualties. We fed thousands of starving Somalis. We stemmed the tide of famine. And we withdrew most of our troops, because the job was all but completed and we won.

And now, the sooner we get our troops out of Somalia, the better—both for our military and for the future of Somalia. Because the sooner the United States withdraws, the sooner the Somalis are forced to address the question of their political future.

There is a basic reality in Africa that we must realize and accept: every country needs a stable leader. In Somalia, that may be General Aideed, or it may be someone else, but that is an issue for the Somalis to decide, not the United Nations, and certainly not the United States.

Over the past couple of years, there has been some significant political progress in several East African nations.

I met recently with President Isaias of Eritrea, a fascinating young man with a remarkable story, who this past year has overseen the transition of Eritrea to independence after a 30-year war with Ethiopia. Just a few months ago in May, 98 percent of Eritrea's voters voted in favor of independence. A constitution is being drafted, and a formerly rebel movement is learning how to govern and setting about the business of national reconstruction.

In Uganda, President Museveni has brought stability out of chaos, represented most vividly by Museveni's predecessors, Milton Obote and Idi

Amin. When Museveni came to power as an army general, the country was engaged in civil war, gross domestic product had fallen dramatically, and inflation was at about 300 percent annually. Museveni's government has liberalized Uganda's economy significantly—abolishing state monopolies and lifting price controls. Uganda now has one of the brightest economic futures in Africa. And although multiparty elections have yet to be held, there is considerable movement toward a new constitution and general elections in 1994.

This past June in Burundi, 2.8 million voters went to the polls to elect Melchior Ndadaye President in the country's first ever multiparty elections. Former President Buyoya, who also gained power as an army general through a military coup in 1987, succeeded at bringing reconciliation in Burundi after years of ethnic rivalry between the majority Hutus and the minority Tutsis, and presided over the drafting of a new constitution. In order to stand for election under the new constitution, Buyoya resigned from the military, and gracefully accepted his defeat following the election. Now he is leading a Freedom Foundation to encourage economic development in his country.

A good friend of mine from Minnesota and a leader in the national youth service movement, Jim Kielsmeier, has recently gone to Kenya to begin work for the establishment of a Somalia Reconciliation and Development Corps. This African-led project seeks to reverse the cycle of poverty, despair and anarchy in Somalia by refocusing small groups of Somali youth on their historical heritage. The vision of this project is to demonstrate that needs can be met, lives can be invested, new leaders can be trained, and a nation can be rebuilt—one community at a time.

Also, we many times forget the hard work and many successes of the NGO's that have been working in Somalia a lot longer than the United States military. Several humanitarian organizations, including World Vision, the Red Cross, Doctors Without Borders, and the Minneapolis-based American Refugee Committee, as well as many others, have been on the front lines of this crisis. The individuals involved with these organizations know a lot more about Somalia and the humanitarian crisis there than any of us in the United States Senate.

These stories offer models for the people of Somalia, and they offer leaders who understand and have been where the Somalis are now. Many East African leaders have been urging an East African conference on Somalia, and an African solution to the unrest there. We have to take advantage of this leadership and experience—because I am convinced that the key to the future of East Africa, and indeed all of Africa, is leadership.

A recent editorial written by William Raspberry in the Washington Post provides the best description I have seen of the situation in Somalia. Allow me to quote Mr. Raspberry briefly. He states:

> The preoccupation with capturing (or killing) the elusive Aideed obscures two things worth paying attention to. The first is that Aideed is as close as anyone is likely to become in the near future to being the political and military leader of Somalia.

He goes on to comment:

> This raises what is for many Americans an unthinkable possibility: that the end of chaos and the ascendancy of Aideed may be the same thing.
>
> In retrospect, we should have seen—and taken into account—such a possibility from the outset of our humanitarian intervention.

The essay concludes:

> We've done well in Somalia, and we've done good—much of it of a lasting nature.
>
> * * * * *
>
> Frustration over a guy we can't catch and anger over the desecration of two dead soldiers are a poor basis for making policy.

Madam President, that is the bottom line, and it is something we must consider as we address one more question concerning this crisis: What happens if—once the United States forces have withdrawn—the situation in Somalia further deteriorates to the point it was at a year ago? Before Operation Restore Hope, hundreds of thousands were at risk of starvation.

What do we do if it happens again?

I recognize that this may not be a very popular position, but it is nevertheless the view of this Senator that in such a situation, the United States must be prepared to once again open supply lines so that humanitarian organizations can get their job done.

Remember, we succeeded the first time. Our original mission in Somalia was well-defined and successfully fulfilled. Our military accomplished it in quick order. We have every right to be proud of that achievement.

And if it is necessary, we must do it again. What we emphatically must not do is set a costly and unrealistic mission in Somalia in an attempt to avoid that contingency.

We dealt with it in the past. We can deal with it again. The humanitarian situation is no excuse for the creation of a United States quagmire in Somalia.

I ask unanimous consent that a letter I sent last week to President Clinton be inserted following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, October 7, 1993.

Hon. BILL CLINTON,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In response to your speech this afternoon outlining U.S. policy regarding Somalia, I am writing to offer my thoughts on this matter.

The U.S. military mission in Somalia, as outlined by President Bush late last year, was to create a secure environment for the delivery of humanitarian aid. It is my understanding that this mission is substantially completed, resulting in an end to the famine that has ravaged that country.

The remaining problems of the Somali people, including internal civil unrest and the absence of any viable civil authority, are not amenable to a U.S. or a U.N. imposed solution.

I believe that our policy should reflect this reality. There should be an orderly withdrawal of U.S. forces from Somalia. However, our withdrawal should begin now and should not take an extensive period of time. Sending additional troops to Somalia can only be justified in the context of supporting an orderly withdrawal of troops already in Somalia. Additionally, I question whether U.S. forces cannot be withdrawn prior to the March 31, 1994 deadline referred to in your speech.

Yesterday, I had the privilege of meeting with a number of African presidents who are visiting the United States. After speaking specifically with President Ndadaye of Burundi and President Issaias of Eritrea, I strongly believe that the only way to a lasting solution for the unrest in Somalia will be accomplished through the efforts of Africa's leaders.

Additionally, there are other leaders in Africa, many of whom I consider friends, who can promote reconciliation between the adversaries in Somalia and help restore order much faster and with greater understanding of the problems in this region that the United States or the United Nations. We *must* take advantage of this available experienced leadership.

As always, I appreciate your consideration.

Sincerely,

DAVE DURENBERGER,
U.S. Senator.

GOP HEALTH CARE PLAN

Mr. SIMPSON. Madam President, last month 23 Republican Senators introduced our health care reform outline in a press conference led by my friend, Senator JOHN CHAFEE from Rhode Island. This document was the result of examining these complex issues every Thursday morning over the past 3 years. I want to commend this very dedicated man Senator CHAFEE, for all of his hard work and diligence over the past years. He has been a tireless leader on health care issues for all of us. We are not an easy group to manage and keep on track, and Senator CHAFEE has done an extraordinary job in coming up with a proposal that we can all support. I would also like to acknowledge his magnificent staff headed by Christy Ferguson. She is most patient and professional. They have all done a tremendous job of keeping us focused on our objectives through this long and difficult process.

We believe the primary goal of reform should be to give all Americans an equal opportunity to influence the cost of quality of health care they receive. The centerpiece of any reform plan must not be government micromanagement. Instead, we believe it is the rules by which insurers, purchasers, and providers operate must be changed in order to put all three on equal footing.

Our proposal has two distinct parts. The first part reforms the system to improve the efficiency of health care while holding costs down. All of these reforms can be done immediately. Under these reforms, we would help small businesses and individuals by setting up purchasing groups for them to join to purchase their health care coverage. In this way, small employers would be able to exercise their marketplace purchasing power just as large employers do today.

The second part of our plan would phase in coverage for those persons who cannot afford care, but we are ineligible for Medicaid or Medicare. These persons would receive vouchers financed only as savings are realized through cost reduction reforms. We see this as our pay-as-you-save approach. This type of approach would tie implementation to savings instead of increasing taxes and making major program reductions to finance our proposal. Our savings would come from reducing the combined average rate of growth in Medicare and Medicaid from 12 percent to 7 percent over 6 years. In order to reduce the growth rate in the Medicare program, among other things, we would increase the part B coinsurance and means test the part B premium under Medicare.

I want to make it perfectly clear that when we are talking about making reductions in the Medicare and Medicaid programs—that we are not talking about cuts in these programs. We are talking about reducing the rate of increases in these programs. When you take a program such as Medicare that expanded at the rate of 29 percent last year and only allow the program to increase at the rate of 20 percent per year—it is absolutely absurd—nay stupid—to call this a cut in the program. Under our proposal, to contain costs in order to expand coverage to the uninsured, we need to slow the horrendous rate of growth in these entitlement programs.

Finally, I want to emphasize my main concern about health care reform which is as to just how any of these plans will work in rural and frontier areas. Our proposal would allow States the flexibility to design their own plans based on their own constituents' needs. Federal grants would be available to assist in building infrastructure and the delivery of health care to populations in medically underserved areas. Both of these provisions are very important to frontier States such as Wyoming that desperately need assistance in developing the needed infrastructure to provide access to health care for all of our constituents. Managed competition will not work in Wyoming because we do not have the needed infrastructure and number of providers that is needed to promote competition in the marketplace. The lack of primary care physicians is also addressed in the Republican plan by the establishment of a health care training consortia demonstration project, which would pool graduate Medicare education funds and allow experimentation in educational circles as to methods of changing the physician-specialty mix. National Health Service Corps funds would also be expanded under our proposal. Wyoming is in critical need of all types of primary care providers, including physicians, nurse practitioners, and physician assistants. Therefore, additional investments in health care training and education, particularly for primary care providers, is especially needed and worthwhile in medically underserved areas such as Wyoming.

In conclusion, the Republican proposal and that of the Clinton administration have considerable similarities. We all agree on the goals of universal coverage, containing escalating health care costs, and preserving the quality of our health care system. We look forward to working with the President and Mrs. Clinton in the spirit of bipartisan cooperation to achieve these goals for the good of all Americans.

STATEMENT ON THE NOMINATION OF DIANE D. BLAIR

Mr. HOLLINGS. Madam President, last evening the Senate confirmed the nomination of Diane Blair to be a member of the Corporation for Public Broadcasting [CPB]. Ms. Blair has been a leading participant in the efforts to improve educational television and civil rights. I am pleased that the administration has nominated someone who has experience in the field of public broadcasting and who has demonstrated a commitment to public service.

The CPB continues to face several significant issues in the coming years. As new technologies become cheaper and more accessible, they also present new opportunities for the CPB to expand its mission. Direct-to-home satellite television, video compression, and new standards for digital transmission all require the CPB to remain at the leading edge of scientific and market advances.

In addition, the CPB must recognize the needs of our current educational system. We are all concerned that more than 90 million of our citizens remain illiterate. The ability to read is essential for becoming a happy and productive member of our society. We all must take responsibility for this problem, and public broadcasting can play an important role in addressing it.

Finally, the CPB must make greater efforts to comply with the spirit and intent, as well as the letter, of the amendments to the CPB authorization bill passed in the last Congress. After many detailed and productive discussions with Senators on both sides of the aisle last year, Congress agreed that the decisionmaking process within the CPB must be opened to greater public input and review. It is appropriate for the taxpayers of this country to have an opportunity to review the activities of the CPB and to provide their views in an open setting on how the CPB should spend the money that Congress appropriates to it. Only in this way can public broadcasting truly be responsive to the needs of the local community. I intend to continue to work with the CPB to ensure that it meets these goals.

STATEMENT ON THE NOMINATION OF JIM HALL

Mr. MATHEWS. Madam President, I am pleased that the Senate has confirmed Jim Hall.

I would like to pay my respects and thanks to 19 of my colleagues on the Commerce, Science, and Transportation Committee who passed on to this body with recommendation the nomination of James E. Hall to the National Transportation Safety Board. I also would like to express respects and thanks to my distinguished but dissenting colleague from South Dakota, who expressed his reservations but nonetheless wished Mr. Hall well in his new responsibilities.

I, too, believe capable men and women should serve on such an important body. That is precisely why I introduced Mr. Hall to the committee and endorsed his nomination. Mr. Hall's skills at solving problems, organizing efforts, creating coalitions, and producing results have served the citizens of Tennessee well.

I have known Jim Hall for 20 years. Over those two decades he has shown uncommon executive ability that we need in Government and on the NTSB in particular. He is a manager, an organizer, and policy foreman of exceptional ability. Jim Hall will be adroit at conducting NTSB's independent investigations and adept at forming policies to promote the safety and efficiency of American transportation.

It's true that Jim Hall cannot fly an airplane. And although Jim Hall often has surprised me with his many skills, I would be astonished to learn he can dismantle and reassemble a locomotive. Or, for that matter, that he's the grand master of arcane technical details that come before the Board.

But Jim Hall was not being interviewed for a technical staff position. Mr. Hall has been chosen by President Clinton to join four other Presidential appointees to set policy and guidelines for transportation safety.

Jim Hall is not an engineer, but he developed a solid waste plan for the

State of Tennessee. The doubters said the project would never come to life. But he pulled together a coalition of local officials, environmentalists, and businesses, and fashioned compromise out of controversy. Today, 59 Tennessee counties have solid waste management programs for the first time. He also participated in planning and implementing the largest road construction program in our State's history.

Jim Hall is not a professional educator. But in 1989 he organized teachers, parents, and civic leaders from 600 Tennessee communities and incorporated their contributions into a statewide comprehensive education reform program.

Jim Hall is not a social worker, nor a probation officer, nor an authority on juvenile justice, either. Yet he organized and managed the redesign of Tennessee's drug enforcement, drug treatment, and drug education programs. He was the principal architect of efforts to reform and modernize a juvenile justice program.

A few weeks ago Attorney General Reno called his program a model for the Nation. That will be said about many of the programs and policies that emerge from the National Transportation Safety Board through Jim Hall's leadership and service.

STATEMENT ON THE NOMINATION OF JAMES E. HALL

Mr. FORD. Madam President, I had the opportunity to chair the confirmation hearing for James E. Hall to be a member of the National Transportation Safety Board, on August 2, 1993. Since I have known Jim's family for many years, it has been a very pleasant experience to assist in his confirmation.

Jim Hall is a native of Signal Mountain, TN. He has been involved in Tennessee politics for many years. Most recently he has served as chief of staff to Senator HARLAN MATHEWS. Many of my colleagues have had the opportunity to get to know Jim in the 10 months Senator MATHEWS has served in the Senate.

From January 1987 to December 1992, Jim was the executive assistant to Gov. Ned McWherter and director of State planning for the State of Tennessee. In this position he had the opportunity to work on transportation and safety issues.

Also in his career he served as a legislative assistant to Senator Albert Gore, Sr., and for 2 years was general counsel to the Senate Intergovernmental Relations Subcommittee.

He is a Vietnam veteran and earned the Bronze Star. He attended the University of Tennessee and received an L.L.B. degree from the University of Tennessee College of Law in 1967.

I want to share Jim's background with my colleagues, in that I believe his law background and government experience will be an important asset to the National Transportation Safety Board. Many times important recommendations of NTSB do not get the attention of the public or policymakers. I believe Jim has the ability to raise the level of NTSB actions. His background in senior levels in State and Federal Government make him ideal for the role of communicating the actions of the NTSB to the legislative and executive branches of Government.

I am delighted to have someone on the NTSB that I consider a friend. I know that Jim will be an excellent addition to the NTSB. I look forward to working with him in his new role. I am convinced that President Clinton made an excellent choice in appointing Jim Hall to the NTSB.

STATEMENT ON THE NOMINATION OF DR. JAMES T. LANEY

Mr. NUNN. Madam President, I am delighted today to speak to the nomination of an outstanding American and an outstanding Georgian, Dr. James T. Laney, to be the United States Ambassador to the Republic of South Korea.

In my 20 years in the U.S. Senate, I have had the privilege of introducing many remarkable people to this body, but I can think of none more accomplished nor more uniquely suited for the task for which he has been nominated than Dr. Laney.

Jim Laney has distinguished himself at every endeavor during a long and varied career, from his days as a high school football player in Memphis to his years in United States Army Intelligence in Korea—as an honor student at Yale, a young teacher at Vanderbilt Divinity School, visiting professor at Harvard, dean of the theology school, president of Emory University, as well as in the board rooms of international corporations.

He and his wonderful wife, Berta, also found time to have 5 children and 14 grandchildren.

Jim's national prominence in education is evidenced by his service as chairman of the United Board of Christian Higher Education in Asia, on the executive committee of the Yale University Council, and as chair of Harvard Divinity's Board of Overseers. He earned three degrees from Yale and, in addition, he received a fellowship from the Woodrow Wilson Center for International Studies. In 1991, he was named to the Carnegie Endowment National Commission on America and the New World.

As president of Emory University for the past 16 years, Dr. Laney has led its rise from a regional university to a major teaching and research institution.

Two years ago, the president of Yale University said of Dr. Laney:

> When the history of higher education in the latter part of this century is written, I am certain that it will be a consensus view that no university president presided over a university so improved during his tenure as Jim Laney at Emory.

He concerned himself not only with the endowment and the quality of the faculty and research facilities but with the moral education of his students, with the condition of their souls, as he puts it, "the education of the heart." He said, "Emory is not just about making doctors and lawyers. It is about making human beings."

Major new programs with worldwide impact have been created during Dr. Laney's years at Emory—the Carter Center, the School of Public Health, innovative exchanges with Russia, Eastern Europe, Korea, Japan, and the United Kingdom. Jim was personally involved, with President Carter, in creating the Atlanta project to address the human problems of the inner city.

With the startling changes in the world over the past 5 years, the Korean Peninsula remains one of the areas in the world that poses both a grave danger and an important opportunity. As United States Ambassador to South Korea, I am confident that Dr. Laney will help our Nation meet these challenges.

Among his special qualifications at this period of our Nation's history is the fact that he is a native of Arkansas and speaks the same dialect as our President.

Most importantly, Dr. Laney also speaks fluent Korean, is well versed in that country's affairs and its history, and has many friends there.

His ties go back 46 years, to his service in United States Army Intelligence in South Korea in 1947 and 1948. Dr. Laney returned in 1959 to teach at Yonsei University. He has maintained his close ties with Korea and Korean friends over the years, and returned often to lecture at various universities.

Jim Laney will bring to the post of Ambassador to the Republic of South Korea a deep knowledge and sensitivity to the history, culture, and people of Korea.

As an alumnus and a trustee of Emory, I have watched the progress of my school under his leadership with pride. I am torn between my desire to keep this strong and visionary leader at Emory and my desire to encourage him to offer his long experience and many talents to our Nation.

I have come down on the side of our Nation, and I am pleased that the Senate will confirm the nomination of Dr. Laney by unanimous consent.

CELEBRATING BICENTENNIAL OF INDUSTRIAL REVOLUTION

Mr. PELL. Madam President, on October 14 through October 17, representatives of the Amber Valley Borough Council of England are visiting the Blackstone Valley in Rhode Island to celebrate the 200th anniversary of the successful operation of a textile factory that started our industrial revolution.

To all those involved in this celebration I extend my sincere greetings. I also would like to encourage my colleagues in the Senate and, in fact, citizens throughout our Nation to reflect on what is being celebrated.

Samuel Slater emigrated from the Amber Valley during the later part of the 1700's. He was an able and dedicated apprentice in the fledgling textile manufacturing concerns of that region. A solid career was doubtless before him, but he had an adventurous spirit as well as confidence in his talent, and he came to a new but weak nation.

He was invited to Rhode Island by Moses Brown, a prominent Quaker leader, who wanted to invest his capital in a manner that would benefit his fellow citizens. Their efforts succeeded, and that success marked the beginning of the industrial revolution in the United States.

In 1793 they began operations in a new building, a structure elegant in its modesty, which is still standing on the banks of the Blackstone River in Pawtucket, RI. That building is now the Slater Mill Museum.

Thus, 1993 is the 200th anniversary of industrial manufacturing in a factory building in the United States.

Today the United States is the world's greatest industrial power, but that leadership is being challenged. The Blackstone Valley, again, is in the forefront—exploring the means to maintain excellence and to provide the sound economic base on which people depend.

The watch word and the theme in the Blackstone Valley is cooperation and people working together. The goal is a second industrial revolution.

The people of the Blackstone Valley recognize the beauty of their environment and the importance of their history. They are justly proud to be a manufacturing region, and they see manufacturing in their future.

They prove that the values of environmental protection, historical preservation, and manufacturing are not necessarily antithetical—that doing one thing, does not preclude the other.

There is a grave tendency in the United States to pit one value against another. To regulate manufacturing to protect the environment, to limit new building to preserve historic resources. The Blackstone Valley suggests that synergy rather than enervating conflict is possible.

In the Blackstone Valley community leaders are bringing work force training, industrial development, historical preservation, environmental protection into concert. Tourism in the valley is based on seeing where manufacturing has thrived.

We in Congress have recognized the historical importance of the Blackstone Valley by creating a national heritage corridor there. One of the beauties of the Corridor Commission is that it establishes a means of coordination among Federal agencies and between levels of government. It too is a model, which others are following.

So in congratulating those involved in this bicentennial celebration in the Blackstone Valley, we should welcome their appropriate veneration for the past, their enthusiasm for the present, and their optimism for the future.

B'NAI B'RITH

Mr. SASSER. Madam President, I rise today to pay tribute to a century and a half of service to humanity. For 150 years the leaders and members of B'nai B'rith have worked tirelessly in accordance with those principles which are most deeply and profoundly human. Here in the United States and throughout the world, they have championed the causes of freedom, democracy, and universal human dignity.

In New York, on this day in 1843, the 12 founding members of B'nai B'rith began by each donating $5 to a fund established to benefit widows and orphans. In the 150 years since, what they started has grown into the world's oldest and largest international Jewish organization. B'nai B'rith was America's first international service organization, and remains today the largest Jewish organization in the United States.

Begun in the United States to help unify Jews of widely diverse backgrounds from throughout the Diaspora, B'nai B'rith has membership totaling 500,000 in 51 countries. Their mission—service to the Jewish people and to the total community—has indeed become global. Since the founding of its Anti-Defamation League in 1913, B'nai B'rith has fought intolerance, anti-Semitism, and prejudice worldwide.

Today, we commend the 150 years of devotion which has established an unsurpassed tradition of service to humanity. We do this knowing, indeed thankful, that their work all continue.

MARILYN PAULA SEICHTER HONORED

Mr. LIEBERMAN. Madam President, it is with great pride that I rise today to recognize the magnanimous achievements and contributions of my friend, Marilyn Seichter. Marilyn is being honored by her many friends and admirers at a special tribute dinner on October 21, 1993, in my hometown of New Haven.

Marilyn is renowned for her outstanding career as a lawyer in Connecticut. After receiving a bachelor of arts degree in 1967, and a juris doctorate in 1970 from the University of Connecticut, Marilyn has distinguished herself as one of the State's most talented legal minds. Since being admitted to the Connecticut Bar in 1970, she has been extremely active in the American and Connecticut Bar Associations. Not only was Marilyn president of the Connecticut Bar Association [CBA] from 1989 to 1990, she also served as president of the New England Bar Association from 1991 to 1992.

At the same time, she has been an active member of scores of important committees within the CBA, such as the Family Law Section Executive Committee, Women and the Law Committee, Federal Practice Committee, and the Judiciary Committee. In addition, she has been involved in a number of American Bar Association committees such as marriage and family counseling and conciliation, Young Lawyers Planning Committee, and the Mediation and Arbitration Executive Committee.

Aside from practicing law, Marilyn has shared her wealth of knowledge and experiences as a teacher at St. Joseph's College, Manchester Community College, and Hartford College. She has also lectured at various conferences on topics ranging from family law to legal malpractice.

Marilyn personifies a spirit of volunteerism and civic-mindedness that many admire, but few possess. She is a member of a number of commissions and advisory boards within Connecticut. She currently sits on the Commission on Recommendation for Admission to the Connecticut Bar and the Connecticut Center for Judicial Education Advisory Committee. At a time when many Americans are faulted for their lack of concern for others, Marilyn Seichter stands out as a shining example of charity and benevolence.

Madam President, the people of Connecticut are proud of Marilyn Seichter's professional and community activism. Her dedication and accomplishments in the legal profession are exceptional and are surpassed only by her unselfish commitment to enhancing the quality of life of her friends and neighbors. I ask that my colleagues join me in saluting this very special woman. She is a true friend.

HONORING JOHN MACDOUGALL

Mr. DURENBERGER. Madam President, I rise today to pay my respects to a truly distinguished member of the Minnesota broadcasting community.

John MacDougall, known as the "Kindly Curmudgeon" of radio and TV station KSTP in the Twin Cities, passed away last Wednesday in St. Louis Park. He will be greatly missed in Minnesota, because his voice and personality were a part of our daily lives for over three decades.

He was a true broadcasting legend, having provided the voice for commercials on historic network programs like

"Your Show of Shows" and "Colgate Theater" before becoming KSTP's top newscaster three decades ago.

But he was more than a broadcaster and a newsman—he was a friend to me and to the whole Minnesota community. I ask my colleagues to join me in commemorating his life—and expressing our condolences to his family on his passing.

I ask unanimous consent that an article about John MacDougall from the Pioneer Press Daily be included in the RECORD at the conclusion of my remarks.

The article follows:

[From the Pioneer Press Daily]

BROADCASTER JOHN MACDOUGALL, 68, KSTP'S "KINDLY CURMUDGEON," DIES

(By Julio Ojeda-Zapata)

The "Kindly Curmudgeon of KSTP" has died.

John R. MacDougall, 68, a veteran radio and television broadcaster who was KSTP-TV's top newscaster in the 1960s and held several other jobs with the company, died of cancer Wednesday at Methodist Hospital in St. Louis Park.

He had worked as KSTP-AM's public affairs director until only a week before his death.

"He was a broadcaster from the old days, a great man," said KSTP-AM producer Loren Davis. "On the surface he was gruff and grouchy, but you knew he was a puppy dog underneath."

MacDougall, a Minneapolis native, attended the University of Minnesota and worked on the university radio station.

He served in the Army during World War II, working as an announcer for the Munich-based Armed Forces Overseas Network. After the war, he worked for two years in Twin Cities broadcasting before moving to New York.

There, he provided the voice for commercials on such network programs as "Your Show of Shows," which starred Sid Caesar and Imogene Coca, and "Colgate Theater." He appeared in live and filmed commercials for companies such as American Home Products, Camel Cigarettes and Sterling Drug.

He also worked as an instructor in radio and television at New York University, and wrote a widely used broadcasting textbook.

MacDougall's arrival at KSTP Radio and TV was trumpeted in a full-page news release in January 1960.

"He joins the top team of Johnny Morris and Dick Nesbitt and is an integral part of the 'big 3' in Twin Cities news, weather and sportscasting—both in rating and popularity—a trio to be known as MacDougall-Morris-Nesbitt," the press release said.

The company also praised MacDougall's expertise in "hi-fi" and remarked that the broadcaster had recorded, edited and narrated an RCA Christmas album with his own tape-recording and stero equipment.

But MacDougall, once called KSTP-TV's "big gun," lost his job in the early 1970s when Hubbard family management began newsroom purges in an attempt to regain newscast dominance in the Twin Cities market, according to news accounts.

After leaving the station, MacDougall operated his own advertising business until he returned to broadcasting in the fall of 1979 with two five-minute "drive-time" newscasts a day on the Gopher State Radio Network. The broadcasts were hard to hear in the Twin Cities, but were carried by more than 60 stations throughout Minnesota.

MacDougall later returned to KSTP-AM, working as a broadcaster and news director.

"His favorite pastime was work," said his sister, Ruth Elizabeth Ross, of Plymouth. "He enjoyed mentoring young hopeful broadcasters."

He is survived by daughters Mia Hottran, Catherine Mahnke and Meghan Moreno, sons Thomas and Steven, and seven grandchildren, all of Glendora, Calif.; sister Ruth Elizabeth Ross of Plymouth; brother Douglas of Anoka, and two nieces.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Madam President, as of the close of business yesterday, October 14, the Federal debt stood at $4,407,559,751,803.59, meaning that on a per capita basis, every man, woman, and child in America owes $17,159.45 as his or her share of that debt.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1651. A communication from the Director (Office of Personnel Management), Federal Bureau of Investigation, transmitting, pursuant to law, a report on the New York Demonstration Project; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-306. A joint resolution adopted by the Legislature of the State of Washington; to the Committee on Environment and Public Works.

"HOUSE JOINT MEMORIAL 4013

"Whereas, The Washington State House of Representatives and Senate recognize that the permanent loss of jobs in natural resource-based industries has gravely and irreversibly impacted the coastal economies of Pacific and Grays Harbor counties and parts of Jefferson and Clallam counties; and

"Whereas, The loss of timber-related jobs has created a further erosion of jobs in coastal communities which presently do not have alternative employment opportunities; and

"Whereas, Hard-working families are losing their homes, automobiles, and other possessions and are going without adequate food, critically needed medical care, educational, and social services previously earned with wages from their jobs; and

"Whereas, The loss of sales tax, property tax, and other local revenues by local coastal communities resulting from the devastating economic dislocation is accompanied by a heavy additional burden placed on public services provided by local police, prosecutors, public health, and social service providers that manifestly precludes local government from financing an economic recovery program; and

"Whereas, In 1991 the federal government received an estimated one hundred forty-three million dollars in general tax revenue, exclusive of social security and unemployment insurance taxes, from Pacific and Grays Harbor counties; and

"Whereas, In 1991 the State of Washington received an estimated seventy-seven million dollars in general fund taxes from the two-county area; and

"Whereas, Implementation of the Coastal Economic Recovery Plan will provide jobs and improve the coastal economy so that at the end of ten years the federal government tax revenues will increase from one hundred forty-three million dollars a year to two hundred five million dollars and the Washington State general fund revenues will increase from seventy-seven million dollars a year to one hundred thirteen million dollars over the ten-year period; and

"Whereas, The millions of dollars monthly spent by the federal and state government for public assistance, unemployment compensation, medical assistance, food, retraining, and other social service programs can be sharply reduced through implementation of the coastal economy which emphasizes tourism, outdoor recreation, and commercial and sports fishing;

"Now, Therefore, Your Memorialists respectfully pray that the federal government invest, along with the State of Washington, in a Coastal Economic Recovery Plan by funding the following elements of the plan:

"(1) Habitat restoration jobs, including Olympic peninsula, Grays Harbor and Willapa Bay drainages. The primary beneficiaries of the work will be wild stocks of salmon: Fifty million dollars;

"(2) Federal share of new coastal hatcheries including wild stock supplementation facilities: Seventeen million five hundred thousand dollars;

"(3) Federal share of coastal tourism infrastructure facilities: Twelve million dollars;

"(4) Federal funding of educational facilities at Grays Harbor College for Dislocated Timber Workers: Five million dollars; and

"(5) Federal share of coastal transportation facilities for tourism and outdoor recreation: Ten million dollars.

"*Be it resolved*, That copies of this Memorial be immediately transmitted to the Honorable Bill Clinton, President of the United States, the president of the Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington."

POM-307. A joint resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary.

"ASSEMBLY JOINT RESOLUTION NO. 45

"Whereas, Immigrants are an emerging population, growing and thriving in California and the United States; and

"Whereas, Immigrants constituted one-third of the population growth in California in the 1980's; and

"Whereas, There is a need to manage state population growth in order to effectively achieve resource management; and

"Whereas, Some segments of California's population have used emotion and scapegoating to target the immigrant population as the reason for economic strain in California; and

"Whereas, The anti-immigrant sentiment across the nation has resulted in the introduction of more than 20 bills into the California Legislature, most of which have been defeated because they were based on bad public policy; and

"Whereas, The introduction of many of those bills has promoted immigrant bashing in California, making all immigrants and, in the end, all Latinos and Asians, subject to scapegoating for the state's negative economic status; and

"Whereas, Immigrants deserve respect for the prosperity, growth, and cultural diversity they have brought to California and the nation as a whole; and

"Whereas, Immigrants, both documented and undocumented, are an integral part of the United States economy, as reported in the July 13, 1992, issue of Businessweek which revealed that while immigrants earned $240 billion and paid $90 billion in taxes, they received a comparatively scant $5 billion in public assistance which went primarily to refugees, not to undocumented immigrants who are ineligible to receive welfare; and

"Whereas, It is more productive to address the issue of illegal immigration with viable solutions rather than to become a casualty of the anti-immigrant hysteria; and

"Whereas, It is imperative that the several states work with the federal government to ensure enforcement of immigration laws; and

"Whereas, It is necessary to ensure that the immigration process is fair, eventually leading to citizenship and providing all people living within our borders with the right to vote and be represented; and

"Whereas, It is important to outline a fair, equitable, and fiscally responsible plan that will curtail illegal immigration, while ensuring that these efforts do not translate into discrimination against people of color and continuing to protect the economic base of the United States; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact the following measures:

"(a) Conduct a study to determine the impact of imposing a $1 to $2 toll on any person who crosses a border into the United States, regardless of his or her legal status or the method used to enter the country, with half the amount raised being distributed to those states which absorb the majority of immigrants at the same rates currently used to disburse State Legalization Impact Assistance Grant (SLIAG) funds and being used to promote and facilitate job training for work force development and citizenship processing for permanent residents, and the remaining half being entrusted to the federal government for discretionary disbursements, including enhancing enforcement of United States borders.

"(b) Enforce the United States border more effectively by thoroughly reforming federal border control agencies and increasing the number of border patrol agents. Any increase in the number of border patrol agents should, however, follow a thorough reform of the border control agencies since, as demonstrated following the 1986 border patrol increase, an increase in the number of border patrol agents will not, by itself, end the flow of undocumented immigrants. Although an increase in the number of border patrol agents may result in more frequent and increased detention of immigrants, the immigrants invariably attempt to return as soon as they are returned to their country of origin.

"(c) Increase the amount of fines, terms of imprisonment, and other penalties imposed on those persons who smuggle illegal immigrants into the United States, especially those who endanger the lives of their human cargo. Also, apply the federal Racketeer Influenced and Corrupt Organizations Act (RICO) and asset forfeiture laws to seize any vehicle or property used to transport and harbor illegal immigrants.

"(d) Consolidate the hearing process for federal trials of illegal immigrants accused of crimes so that criminal trials and deportation hearings are merged. Also, appoint an individual or commission in border states to oversee this process of consolidation, to ensure that police and judicial authority remain separate, and to ensure that border patrol officers are properly trained to adhere to regulations and uphold human rights.

"(e) Extradite illegal immigrants who are convicted of felonies to their countries of origin so that they may serve their prison sentences outside the United States, thereby eliminating the cost of their incarceration to taxpayers. In California, for example, more than $250 million per year (approximately $22,000 per inmate) is spent to house, feed, and provide health care to undocumented immigrants incarcerated in state prisons.

"(f) Overhaul the political asylum process by toughening the criteria for asylum and restricting the benefits available to refugees, while retaining humanitarian standards. Under existing law, refugees are not only allowed to work immediately, but they are also eligible for permanent resident status after only one year and are eligible to apply for various federal assistance programs, including the Aid to Families with Dependent Children (AFDC) program. Also, prohibit United States Customs inspectors and Immigration and Naturalization Service officers from making deportation decisions in order to ensure separation of police and judicial authority, and develop a better computer system to track refugees and others in the United States on visas since a substantial portion of illegal immigration is a result of overstayed visas.

"(g) Prohibit noncitizens from carrying firearms.

"(h) Reorganize the present health care system. The United States must strive to eliminate abuse of the health care system, while continuing to perform its duty to serve those who need assistance. A national health care standard should include the California standard of providing treatment to undocumented immigrants on an emergency basis only. The federal government should create health care models to help study the various methods of correcting institutional flaws in the health care system and, in the end, ensure that the process is equitable and does not promote discrimination.

"(i) Restructure the equation used to disburse revenue among federal, state, and local governments for immigration purposes. Of the $4.3 billion in revenue generated by all immigrant groups in Los Angeles County in the 1991–1992 fiscal year, approximately $2.6 billion, or 60 percent, went to the federal government; $1.2 billion, or 29 percent, went to the state government; $350 million, or 8 percent, went to other local entities; and $139 million, or 3 percent, went to Los Angeles County.

"(j) Work with the President of Mexico, the country from which California receives the bulk of its undocumented immigrants, to understand and effectively deal with those factors which lead to illegal immigration and to implement economic development plans in those Mexican states from which the majority of illegal immigrants arrive, namely, Baja California, Durango, Guanajuato, Jalisco, Michoacan, and Zacatecas.

"(k) Follow through with State Legalization Impact Assistance Grant (SLIAG) funding to complete the amnesty process so that the United States may eventually redirect its resources to perform functions that will progress the citizenship process for the 5.2 million permanent residents in need of naturalization as follows:

"(1) Assign one person in Washington, DC, to address the issues of citizenship and SLIAG funding and to ensure that the funds are being appropriated properly and that amnesty recipients who need to be naturalized become citizens of the United States. There are 3.2 million amnesty recipients nationwide, with 1.7 million in California alone. In total, there are 5.2 million permanent residents in California who need to become voting citizens. Currently, the Immigration and Naturalization Service can process only 60,000 recipients per year. At that rate, it will take 87 years to help process permanent residents to become citizens.

"(2) Ensure that the remaining $812 million in SLIAG funds are allocated to the several states on October 15, 1993, as agreed in the Federal Fiscal Year 1993 Appropriations Conference Report so that those funds may be made available to any immigrant who needs to be naturalized.

"(3) Permit the several states to use those funds for services through September 19, 1996, in recognition of the annual reductions and deferrals of SLIAG allocations and the enormous unmet need for educational services.

"(4) Continue to require the several states to use at least 10 percent of their annual SLIAG allocations for educational services necessary to complete the naturalization process; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the United States House of Representatives, and each Senator and Representative from California in the Congress of the United States."

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1549. A bill to amend the Act establishing Golden Gate National Recreation Area to provide for the management of the Presidio by the Secretary of the Interior, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN:

S. 1550. A bill to make systematic and comprehensive reductions in Federal spending and eliminate wasteful spending while preserving the ability of the Federal Government to meet its responsibilities; to the Committee on Governmental Affairs.

By Mr. DECONCINI:

S. 1551. A bill to provide for the use of Department of Defense golf courses by the general public, and for other purposes; to the Committee on Armed Services.

By Mr. WARNER:

S. 1552. A bill to extend for an additional two years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial; to the Committee on Energy and Natural Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1549. A bill to amend the act establishing Golden Gate National Recreation Area to provide for the management of the Presidio by the Secretary of the Interior, and for other purposes; to the Committee on Energy and Natural Resources.

PRESIDIO LEGISLATION

• Mrs. FEINSTEIN. Mr. President, today I am introducing, with my colleague Senator BOXER, legislation that expands the leasing authority of the Secretary of the Interior regarding the facilities at the Presidio in San Francisco, CA.

The Presidio of San Francisco has been in continuous operation as a military facility since 1776, and has a proud history. The United States Sixth Army, while stationed at the Presidio, has been an important and welcomed fixture in the San Francisco Bay area. In 1989, the Defense Base Closure and Realignment Commission recommended that the Presidio be closed as a military facility.

Because of legislation passed by Congress in 1972, which this bill would amend, the property at the Presidio will become a part of the Golden Gate National Recreation Area, under the jurisdiction of the National Park Service when the base finally closes as a military facility next year. I look forward to the Presidio being a great example of a successful military base conversion. The National Park Service has been working diligently to develop a general management plan which will be a blueprint for the future of the Presidio as a national park. This plan is to be released later this month.

The purpose of this legislation is to provide the Secretary of the Interior the ability to make the transition from a military base to a national park a successful one, as well as economically viable. The Presidio is home to a great deal of natural beauty as well as a great number of historic buildings. This legislation provides the Secretary of the Interior interim authority to lease these facilities for the purposes that will be outlined in the general management plan. The long-term goal will be the passage of additional legislation that will establish a public-benefit corporation, under the jurisdiction of the Secretary of the Interior, to manage the buildings at the Presidio.

The Presidio provides an unprecedented opportunity to develop an exciting center for educators, environmental organizations, community leaders, and scientists within the National Park System. Additionally, this legislation, by allowing the Secretary of the Interior the ability to enter into lease agreements, provides a significant opportunity for the National Park Service to offset the cost of this facility to the taxpayers.

This is another step in a long process, but I look forward to continuing to work with the National Park Service to make the Presidio a truly unique and precious addition to the National Park System.•

By Mr. LIEBERMAN:

S. 1550. A bill to make systematic and comprehensive reductions in Federal spending and eliminate wasteful spending while preserving the ability of the Federal Government to meet its responsibilities; to the Committee on Governmental Affairs.

THE FEDERAL SPENDING AND DEFICIT REDUCTION ACT OF 1993

• Mr. LIEBERMAN. Mr. President, today I am introducing the Federal Spending and Deficit Reduction Act of 1993.

This legislation outlines more than $100 billion in spending cuts and deficit reduction over the next 5 years according to CBO estimates. That amount—more than $100 billion—exceeds the total spending cuts actually identified in the Budget Reconciliation Act.

Although we included $250 billion in spending cuts in the Reconciliation Act, many of the hard decisions to implement that legislation lie ahead. This bill faces some of those decisions head on. It details specific items in the budget that I believe should be curbed.

This legislation is not aimed at one particular area of the budget. I haven't taken the approach that all budget savings must come from defense or from mandatory spending or from some other single source. Instead, it touches many areas of the budget. In fact, savings are derived from each of the four major budget categories: defense spending, domestic spending, international aid, and mandatory spending.

The world we live in has undergone dramatic changes in the last decade. We live in a world today where Government resources are more limited and are more strained, one where many of the Defense Department strategies of the last four decades apply no longer, one where the agriculture sector has become so efficient that massive Government assistance dating from the New Deal must be questioned.

Any business man or woman will tell you that the biggest mistake a company can make is to get stuck comparing this year to last year and to build strategies using last year as the base. They will tell you that long-term planning requires new thinking, shedding the old thought processes, not simply planning for a 5- or 10-percent change over last year. After all, a 5-percent improvement with a terrible year as its base is still 95 percent unacceptable.

Therefore, the time has come for us to reexamine the manner in which the Government does its business. We must not assume that because we did something last year—or 50 years ago—that we must do the same thing and do 5 percent more of it this year. First, we must question whether the Government should be engaged in a program or activity at all. If we in Congress determine that the program or activity is an appropriate one for the Federal Government, then we must reexamine the goal of the program and how to best reach that goal, even if it requires heading down a totally new path. But if we determine that a program or activity is no longer necessary, we must not shrink from our responsibility to eliminate it.

That can be very hard to do, but that's our job. I understand that something like 25 percent of today's Fortune 500 companies were not on that list a mere 25 years ago. That means that a quarter of the companies on Fortune's list in the 1960's are no longer on it. Though mergers and acquisitions account for some of those no longer present, others apparently failed to adapt to changing times. The market is full of examples. The fax machine simply killed the telegram for the most part. Word processors rendered typewriters obsolete. Highways and airlines reduced the railroad industry, which once included the largest companies in the country, to a significantly smaller industry. Shopping centers moved downtown America out of town. But too often the Federal Government continues to do the same old thing, year after year, because that's the way it's always done it. That mentality must change.

One of the problems with the Government is that once a program or activity is created, terminating it, regardless of its lack of merit, is extraordinarily difficult because that program or activity will have some constituency with a vested interest in its continuation. And that constituency will exert every pressure it can muster and exert to keep taxpayer subsidies flowing. I don't want to beat up on the agriculture sector, but it does offer one example. Certainly, we must do all we can to help stabilize agricultural markets, but most agriculture programs were put in place during the Great Depression when a much larger portion of the population lived off of the land, when farms were much smaller, and when production, technology, storage, transportation, and distribution were not nearly as sophisticated as today. I would favor even more sweeping reforms of many of those programs, but this bill only includes provisions that represent a realistic approach to what can be achieved.

In the last Congress, I cosponsored legislation to do precisely what Vice President GORE's National Performance Review has now begun; that is, to take a serious look at how the Government operates and how it can do better. A mere year ago, that bill attracted only a handful of cosponsors. However, last year's national elections taught Congress an important lesson. People from coast to coast demanded that we in the Government accept responsibility for the Government machinery and that we make it work. Consequently, this year has brought us not only the National Performance Review but also several pieces of supportive legislation, including a bill that Senator KERREY and I authored, to examine the manner in which the Government manages itself. Our legislation anticipated that political pressures could undermine the best of ideas, so we attempted to provide the vehicle for implementing the hard choices that lay ahead. Therefore, we proposed the creation of a commission that would package a bundle of hard choices and force us to vote on the package as a whole without being able to take it apart brick by brick. Certainly, that will be the challenge facing the National Performance Review as it undertakes the task of implementing its recommendations. In my view, there comes a time when we in Congress have a responsibility to step back, take a look at the big picture, and make some big changes. Clearly, the American public thinks that time is now. And, so do I.

When I began this process approximately 6 months ago, I decided that the entire Federal budget should be scrutinized. So this bill reduces Government support for programs as varied as highway demonstration projects, delivery of electricity, use of public lands, communications networks, Federal employee benefits, and some pieces of the Federal health care system. It reexamines the manner in which the military manages its business. It directs the State Department to reexamine programs with similar missions and to coordinate them within the framework of a consistent foreign policy. It eliminates or reduces support for longstanding Federal programs that are no longer needed and which survive merely because of bureaucratic inertia or special interest pressures.

The public sees the Congress as the puppet of special interests, and Congress is criticized—rightly so, in many instances—for not being able or willing to make the hard decisions.

Recent polls show that 72 percent of Americans believe that the Federal Government wastes—and I quote—"a great deal." Let me repeat that statistic: 72 percent of the American public believes that the Federal Government spending involves a great deal of waste. Only 2 percent believe that the Federal Government does not waste very much. And that's less than the 3 percent who are not even sure.

The polls also find that the average respondent pegged the amount of Government waste in the Federal budget at 37 percent. That's an incredible number, 37 percent. It's more than the entire defense budget. More than all medical spending. More than all that we spend on Social Security or on all domestic spending. Clearly, the pundits have created some impressions that are not entirely true, but by the same token, there's enough wrong to recognize a need for an overhaul.

So, it's time for us to step up to the plate and make some hard choices. This bill makes a responsible effort. Many of the programs I propose eliminating or curtailing were put in place four or five decades ago. Since then, the world changed, needs have shifted, yesterday's policy justifications are no longer applicable, but most of the programs remain.

It is irresponsible for us not to look at every program 20 or 30 years old and ask, What is its mission? Has it accomplished it mission? Do we still need it? Is there a better way?

For each item in this legislation, I asked those questions, and determined that the original intent no longer applies, that the need no longer exists, or that there is a better way to accomplish the intended mission.

I suppose what surprised me the most about the process of preparing this legislation was discovering how many of our spending programs were born before many of us in this Chamber could even vote. I question how many of us would support many of these same programs if they were to be introduced today as new legislation. Yet, entrenched as they are, we continue to support them year after year on the grounds that if they were necessary decades ago, they must still be necessary today. It's time to clean house and weed the garden. We know that. We simply need the collective political courage to do it.

When I started this detailed review of various budgetary items earlier this year, my list was somewhat longer, but the Reconciliation Act contained approximately $40 billion in spending cuts I was intending to include in this bill. Even so, this legislation proposes more than $100 billion in deficit reduction. Vice President GORE's NPR recommendations could, according to estimates, result in Federal Government savings of an additional $108 billion. I am very supportive of that process and look forward to participating in implementing as many of those proposals as possible. The American voter has demanded and deserves no less.

I invite my colleagues to join me and the American people in this quest for a better, more responsive government.

Mr. President, I ask unanimous consent that a summary of the bill be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF LIEBERMAN DEFICIT REDUCTION PROGRAM

This summary of the provisions contained in Senator Lieberman's Federal Spending and Deficit Reduction Act of 1933 contains estimates of cost savings. Those estimates are based upon estimates prepared by the Congressional Budget Office in February, 1993 in its annual compilation of spending and revenue options as required by P.L. 93–344. In several cases the savings do not match precisely with the original CBO estimates because this legislation itself varies somewhat from the CBO suggestions. In addition, various provisions contained in the original draft passed the Congress while this bill was being prepared, so those sections are not included in this final bill.

All estimated savings are approximations based upon CBO baselines.

Sec. 101. Focus Missile Defense Efforts on Theater Defenses and limit SDI primarily to R&D (5-year savings: Approximately $38 Bil).

President Bush's SDI program was intended to provide comprehensive coverage of the US from intercontinental missile attacks by 1997 at an anticipated cost of $39.4 billion over the next five years. That initiative would have abrogated the 1972 ABM treaty, requiring renegotiation. This proposal would reduce funding for 1994–1998 to $3.3 billion per year (or approximately $18 billion over five years) and would provide funds for the development of theater defenses, R&D of ABM-compliant SDI, and related overhead and R&D. It would comply with the ABM treaty, be ready within approximately 10 years, and save more than $20 billion.

The second aspect of this provision would focus most funding for ballistic missile defenses on theater (less-than-inter-continental range) missiles. This option would not reduce the budget for theater missiles but would decrease the total budget for the National Missile Defenses (NMD) program from $39 billion to $22 billion over five years. This option would limit the NMD program to research, effectively delaying deployment of a national missile defense system until the middle of the next decade.

Sec. 102. Scale back DOE's weapons production and maintenance activities to support an arsenal of 4,000 warheads (5-year savings: Approximately $5.5 Bil).

Reducing the US nuclear arsenal to 4,000 warheads would save more than $2 billion per year. With this inventory limit, DOE would satisfy START while being able to economize its operations. This would reduce warhead production by two-thirds and also would permit DOE to shut down certain unneeded reactors resulting in an immediate savings alone of $200 million.

Sec. 103. Reduce DOE's nuclear research and development (5-year savings: Approximately $1.2 Bil).

Nearly $2 billion of the DOE's funding goes to weapons RD&T. A 10-percent reduction in RD&T through 1996 and a 40-percent reduction beginning in 1997 would save $700 million a year. This option is consistent with the Energy and Water Development Appropriations Act of 1993 which mandates a temporary ban on nuclear testing.

Sec. 104. Use early retirement incentives to reduce military personnel (5-year savings: Approximately $2.9 Bil).

Accelerating the drawdown of the armed services' use of early retirement incentive for those with 15–19 years of service produces savings in long-term retirement costs. Otherwise, those personnel would wait several years until they were eligible for normal retirement and slow the promotion of more junior personnel. This program would expire in 1995 to avoid an entrenched view of retirement after 15 years.

Sec. 105. Revamp military family housing. (5-year savings: Savings could reach $2.3 Bil. but are not included in these totals. Requires study.)

DOD provided housing costs $11,000 per year which is more expensive than cash housing allowances which average $7,000 per year. The percentage seeking housing is expected to increase from 30 to 35 percent over the next four years. Most DOD housing is almost 50 years old, much of which soon will require replacement or revitalization. This option requires the Secretary of Defense to examine options for reducing the cost of military family housing because private sector costs appear to be lower than government costs. Depending upon the Secretary's decisions, savings could total $2.3 billion.

Sec. 106. Reduce and reshape DOD civilian work force (5-year savings: Approximately $11.4 Bil).

Since 1982, the Department of Defense the ratio of military personnel to civilian personnel has dropped from 2.1 military employees for each civilian employee to 1.9 to 1. The current trend indicates that the ratio is expected to decline further to 1.8 to 1 by 1994. During that same time, pay scales have increased one full grade level. Savings would accrue if the ratio returned to 2.0 to 1 and if the grade creep were reversed through atttrition and a partial hiring freeze. This provision anticipates that the 2.0 to 1 ratio can be achieved by September 30, 1997.

Sec. 107. Consolidate and downsize DOD's recruiting process (5-year savings: Approximately $1.3 Bil).

DOD spends $2 billion and devotes 30,000 work-years at 6,600 recruiting stations, resulting in an average of 10 active recruits and 21 reserve recruits per recruiter. This proposal requires the Defense Department to introduce efficiencies to operate its recruiting effort to achieve the same level as the 1984–89 level when the average was 14 active recruits and 27 reserve recruits per recruiter.

Sec. 108. Reduce federal subsidies for non-necessity merchandise (5-year savings: Approximately $2.1 Bil).

The merchandise sales system, originally established to assure access to merchandise at remote bases and now available to a wide range of beneficiaries, currently provides an average price reduction of 25 percent compared with civilian prices. Savings would result from a gradual reduction of approximately one-quarter the benefit with subsidy reductions directed at non-necessities. Various protections built into this provision give the Secretary the authority to assure that these subsidy reductions cause no hardship.

Sec. 109. Assign additional peacetime duties to military personnel (5-year savings: Approximately $ 1.8 Bil).

Approximately 250,000 civilian and 190,000 military personnel provide operating support (medical, engineering, maintenance) at military bases. Savings would result from shifting 10,000, or 4 percent, of the civilian positions to military personnel. The Secretary has the discretion to assure that any changes do not detract from the military skills required of military personnel.

Sec. 110. Increase support of U.S. forces by host nations (5-year savings: Approximately $ 5.0 Bil).

In 1991, the U.S. entered burden sharing agreements with Japan (75 percent of costs excluding salaries) and South Korea (33 percent of costs excluding salaries). This provision anticipates similar savings by applying a similar model, based upon burden sharing range achieved with other host nations, subject to the discretion of the Secretary of Defense, to other countries where U.S. armed forces are stationed.

Sec. 201. Eliminate redundant foreign affairs activities in State Department (5-year savings: Approximately $ 0.7 Bil).

Various new, small subagencies have evolved at the State Department. Given the end of the Cold War, many of these subagencies and their missions may not be as critical in the new world order. This provision gives the Secretary of State the authority to assess the real needs of the State Department, to consolidate those subagencies along harmonized lines of authority, and to eliminate funding for redundant and no longer necessary subagencies and activities. This would return funding of State Department activities to the 1984 level, during the middle of the Cold War before costs began creeping upward, after adjusting for inflation. This provision would save tax dollars while making State Department operations more efficient. This estimate assumes half the savings that CBO indicated were possible.

Sec. 301. Reduce deficiency payments to farmers participating in USDA commodity programs by lowering target prices (5-year savings: Approximately $22.4 Bil).

Feed grain producing farmers may participate in federal commodity programs and receive deficiency payments for the difference between the market price of a crop and a target price. Reducing target prices by 6 percent per year would save $22 billion over five years. This would increase the degree to which farmers respond to market prices rather than to government benefits. Farm income would not fall as much as would outlays because some farmers would choose not to participate in commodity programs. These farmers, released from the program requirement of leaving acreage idle, could generate income from additional production. Financial payments to needy farmers would be preferable to deficiency payments, which go mostly to large, usually wealthy farmers.

Sec. 302. Raise the proportion of each farmer's base acreage ineligible for deficiency payments from 15 percent to 35 percent (5-year savings: Approximately $7.3 Bil).

Feed grain producing farmers may participate in federal commodity programs and receive deficiency payments for the difference between the market price of a crop and a target price. This difference is multiplied by the program yield assigned to the farm, times "payment acres". Payment acres equal 85 percent of the farm's crop acreage base. Reducing payment acres to 65 percent of the farm's crop acreage base would reduce program spending by $7.3 billion over five years. It would also encourage farmers to make planting decisions in response to market conditions rather than in anticipation of the benefits provided by farm programs.

Sec. 303. Reduce costs for the dairy price support program by requiring producer contributions (5-year savings: Approximately $0.9 Bil).

The incomes of dairy producers are protected through minimum price supports and import quotas. On a practical level, these supports are often implemented by the federal government through direct purchases from producers. Those supplies are often used for nutrition programs and foreign assistance, and therefore, do not interfere with market forces. Instead of cutting price supports, many dairy producers favor these assessments as a way to maintain the price supports. This option fractionally increases the assessments levied on dairy farmers' production. Compared to adjusting in price support programs, this option is straightforward and relatively easy to administer.

Sec. 304. Reform milk marketing orders (5-year savings: Approximately $1.1 Bil).

Milk marketing orders were first enacted in the 1930s to aid dairy farmers by stabilizing supplies and prices in more than 40 separate regions around the country. Their original purpose was to dampen price swings in certain hard-to-reach areas when long-distance transportation was prohibitively expensive. Regional producers may petition the Secretary of Agriculture for a regional restriction on production who administers a vote by the regional producers and then allocates the production quotas if the producers vote in favor of the restriction. In the last sixty years, improved transportation systems and new technologies have significantly reduced the underlying reasons for the original legislation. Eliminating these pricing regulations would better regulate milk production and reduce government intervention in the market at a time when fluid milk makes up a much smaller part of the food market than it did half a century ago.

Sec. 305 and 306. Eliminate federal support programs for wool, mohair, and honey (5-year savings: Approximately $0.7 Bil).

This provision would eliminated federal programs that provide support to producers of wool, mohair, and honey, saving $760 million over five years. The wool and mohair programs were originally implemented after World War II to encourage production when wool was considered a strategic material. Wool and mohair are no longer strategic materials. This option would also eliminate $60 million over 5 years of subsidies to honey producers because price supports are no longer necessary for the fulfillment of the program's original objective of encouraging crop pollination.

Sec. 321 and 322. End the federal crop insurance program and replace it with standing authority for disaster assistance (5-year savings: Approximately $1.9 Bil).

Less than half of the nation's eligible acres are insured against disaster by the Federal Crop Insurance Corporation (FCIC). Because so few farmers have disaster insurance, Congress has been encouraged to enact laws providing disaster assistance. This option would eliminate the FCIC and replace it with federal disaster assistance, thereby saving $2.4 billion over five years.

Sec. 331. Eliminate Agriculture Trade & Development Act of 1954 Title I Sales and Title III Grants (5-year savings: Approximately $3.3 Bil).

These grants were enacted when the lack of foreign exchange convertibility limited exports of surplus commodities. While this program financed 33 percent of all agricultural exports in the 1950s, today it supports only 2 percent. Those receiving these commodities are unlikely to become commercial customers. Disposing of surpluses in the affected commodities is no longer a problem. In fact, many lesser developed countries which purchase these commodities resell them to generate currency. Consequently, experts suggest that this is not an efficient program. Humanitarian and emergency feeding programs would be unaffected.

Sec. 332. Eliminate interest rate subsidies provided by the REA (5-year savings: Approximately $0.7 Bil).

The Rural Electrification Administration (REA) provides and guarantees low-interest loans to electric and telephone utilities that serve rural areas. The REA played a great role in the original electrification of rural

America, but most critics see it as having outlived its usefulness. Raising the interest on the direct loans it provides and charging lenders a 1-percent origination fee on new guarantees could reduce outlays by $660 million from 1994–1998.

Sec. 333. Streamline the operation of farm agencies' field offices (5-year savings: Approximately $0.5 Bil).

The Department of Agriculture (USDA) has four agencies whose local field offices, used to administer farm programs, extensively overlap. This highly decentralized operational structure is inefficient and costly. Collocation and consolidation of USDA field offices plus resource sharing could allow administrative funding to be cut by up to $500 million over the 1994–1998 period.

Sec. 401. Eliminate below-cost timber sales from national forests (5-year savings: $0.2 Bil).

The Forest Service manages federal timber sales from 119 national forests in the national system at a net profit in 1992 of $100 million. Seven of the nine Forest Service regions are operating at a huge loss. This provision eliminates below cost timber sales in several regions so that the federal government can reduce these losses.

Sec. 402. Reduce federal support for Tennessee Valley Authority activities (5-year savings: Approximately $0.6 Bil).

The Tennessee Valley Authority (TVA) receives $135 million of federal support annually for its stewardship of its lands. Eliminating many of the activities supported by federal funds and increasing the funding from nonfederal sources could reduce outlays by $580 million for the 1994–1998 period. Because TVA's stewardship activities are necessary to support its power system, these costs should be borne by users of this power, saving the government $70 million a year.

Sec. 403. Debt repayment for hydroelectric power projects (5-year savings: Approximately $1.0 Bil).

The government is required to recoup the $19 billion it spent constructing hydroelectric projects. The remaining debt is $14 billion. Requiring DOE to repay this debt with fixed annual principal and interest payments would increase Treasury receipts by over $1 billion over five years. Even though this would increase electricity prices for the consumers involved, rates in the Pacific Northwest, the area most affected by this option, would still rank among the nation's lowest.

Sec. 404. Improve pricing for commercial uses of public lands (5-year savings: Approximately $0.2 Bil).

The federal government is often undercompensated for the commercial services its offers on the 700 million acres of US land it owns. Increasing grazing fees to fair market value would increase federal receipts by $80 million over the 1994–1998 period. Increasing water sales to farms of over 960 acres to fair market value would increase receipts by $75 million over five years. This option appropriately shifts the cost of these services from all taxpayers to only the actual commercial beneficiaries of the services.

Sec. 501. Reduce funding for unused and noneconomic highway demonstration projects (5-year savings: Approximately $3.5 Bil).

The federal government will provide $96 billion in highway grants to states during 1994–1998, with $6 billion of that figure obligated to projects earmarked in the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and in annual appropriations bills. Congress could save approximately $3.5 billion over 5 years by amending ISTEA to eliminate contract authority for demonstration projects that states are not implementing and refraining in the future from funding them through appropriations bills. Funding such demonstration projects encourages construction that neither states nor the DOT regard as being of primary importance. This provision would not be effective until March, 1994 so that it would not interrupt projects currently being considered.

Sec. 601. Impose a royalty on certain communications users of the radio spectrum (5-year savings: Approximately $5.1 Bil).

Although the FCC already charges user fees to cover the cost of the licensing process, radio spectrum license holders profit from using this scarce public resource without compensating the public. Installing a royalty of 4 percent of gross revenues on new licensees subject to the spectrum auction provisions would raise an estimated $5.1 billion between 1994–1998. Many licensees earn higher-than-average profits through their use of this public resource, and royalties would not affect the economic efficiency of service providers.

Sec. 602. Impose user fees on the inland waterway system (5-year savings: Approximately $2.2 Bil).

Under current law, the federal government recoups only part of the cost of this nation's inland waterways, and does so with a fuel tax. Imposing user fees high enough to fully recover construction, operation, and management costs would reduce the federal deficit by $2.2 billion over five years. In addition, reducing subsidies to water transportation should improve resource allocation by leading shippers to choose the most efficient transportation route rather than the most heavily subsidized one.

Sec. 701. Prefund the government's share of federal retiree's health insurance (5-year savings: Approximately $11.6 Bil).

Upon retirement, 85 percent of federal workers continue their employer provided health insurance. These costs are not recognized until after retirement (i.e., pay-as-you-go) so that actual annual costs are understated. This proposal resembles the changes the private sector is now being required to publicly report. Prefunding would result in interest income and a more accurate reporting of government costs and obligations.

Sec. 702 and 703. Change vacation leave and overtime practices for certain managers and supervisors (5-year savings: Approximately $0.1 Bil).

Approximately 8,000 members of the federal government's Senior Executive Service (SES) are permitted to accumulate leave without a cap. Most federal employees are permitted to accumulate no more than 240 hours of leave with any excess accumulation expiring. This provision would apply the same rules to the SES as to other federal employees for leave accumulation. It would specifically not apply to administratively uncontrollable overtime for managers and supervisors engaged in criminal investigations.

Sec. 801. Charge a fee for Supplemental Medical Insurance claims that are not billed electronically (5-year savings: Approximately $0.6 Bil).

Less than half of almost 600 million claims and more than 1.1 billion items under Medicare's Supplemental Medical Insurance are submitted on paper rather than electronically each year. Medicare would provide the software at cost and reduce reimbursements by $1 for each item not billed electronically. This would cut costs and speed processing.

Sec. 802. Capture foreign import rents on textiles, apparel, and sugar (5-year savings: Approximately $15.5 Bil).

The U.S. imposes quotas on various imports to protect domestic producers. The quotas increase the price of imports in the U.S. above the marginal cost of producing them overseas, creating an economic rent. The U.S. government negotiates quotas for U.S. goods with foreign governments. Foreign governments sell these quota allotments to exporters in their countries. This proposal suggests that the U.S. government auction the quotas so that it, rather than foreign governments, capture those economic rents created by quotas. In addition to recapturing the quota rents from the foreign countries, the prices at which the quotas sell would provide information necessary for Congress to better calculate tariff rates.

Sec. 901. Permit departments and agencies to retain half of their annual budget savings for innovation fund to be used to improve debt collection and technology and to provide bonuses for employees who generate savings ideas (5-year savings: Approximately $10.0 Bil).

The National Performance Review, the Progressive Policy Institute and David Osborne in his writings on "Reinventing Government" suggest that empowering governmental departments, agencies, and personnel could result in meaningful efficiencies and savings. This suggestion follows an NPR recommendation that departments and agencies be permitted to retain half of their fiscal year savings for placement into an Innovation Fund. Those funds could then be used for debt collection, technology improvements, and efficiency bonuses for employees who generate the ideas that result in savings. Osborne estimated that this could result in $10–20 billion in savings per year or $50 to $100 billion over five years. This estimate is more conservative, based on 10 percent of that amount.

ALREADY INTRODUCED

S. 432. Streamlining government operations 5-year savings: Approximately $25 billion.

Economic analyst Robert Shapiro suggests that a 3-percent budget cut for the operations of all federal agencies and departments would force an increase in productivity similar to private industry and would save more than $2 billion per year. Similarly, an underlying principle of the Lieberman government streamlining bill, S. 432, is that across the board efficiencies both in government operations and by government contractors could result in significant savings. Excluding federal disbursements for interest on the debt, Social Security, pensions, and non-Medicaid means tested mandatory spending, which do not lend themselves to operational efficiencies, federal spending is approximately $700–800 billion. A 3-percent savings through operational efficiency could result in annual savings of more than $20 billion per year. In an effort to be conservative, this proposal estimates that one-fourth of that amount should be attainable. This legislation was directed at the same issues addressed by the NPR and estimates savings approximately one-fourth of NPR's estimate of savings that could be achieved by implementing its recommendations.

Summary—JIL budget cut list

[In billions of dollars]

Section and description	*Estimated 5-yr savings*
101: Focus missile defense efforts on theater defenses and limit SDI primarily to R&D	38.0
102: Scale back DOE's weapons production and maintenance activities to support an arsenal of only 4,000 warheads	5.5
103: Reduce DOE's nuclear R&D	1.2
104: Use early retirement incentives to reduce military personnel	2.9
105: Revamp military family housing	0
106: Reduce and reshape DOD civilian work force	11.4
107: Consolidate and downsize DOD's recruiting process	1.3
108: Reduce Federal subsidies for non-necessity merchandise	2.1
109: Assign additional peacetime duties to military personnel	1.8
110: Increase support of U.S. forces by host nations	5.0
201: Eliminate redundant foreign affairs activities in State Department	.7
301: Reduce deficiency payments to farmers participating in USDA commodity programs by lowering target prices	22.4
302: Raise the proportion of each farmer's base acreage ineligible for deficiency payments from 15 percent to 35 percent	7.3
303: Reduce the costs for the dairy price support program by requiring producer contributions	.9
304: Reform milk marketing orders	1.1
305 and 306: Eliminate Federal support programs for wool, mohair, and honey	.7
321 and 322: End Federal crop insurance program and replace it with standing authority for disaster assistance	1.9
331: Eliminate Agriculture Trade & Development Act of 1954 title I sales and title III grants	3.3
332: Eliminate interest rate subsidies provided by REA	.7
333: Streamline the operation of farm agencies' field offices	.5
401: Eliminate below-cost timber sales from national forest	.2
402: Reduce support for TVA activities	.6
403: Debt repayment for hydroelectric power projects	1.0
404: Improve pricing for commercial uses of public lands	.2
501: Reduce funding for unused and noneconomic highway demonstration projects	3.5
601: Impose a royalty on certain communications users of the radio spectrum	5.1
602: Impose user fees on the Inland Waterway System	2.2
701: Prefund the Government's share of Federal retirees' health insurance	11.6
702 and 703: Change vacation leave and overtime practices for senior managers and supervisors	.1
801: Charge a fee for supplemental insurance claims that are not billed electronically	.6
802: Capture foreign import rents on textiles, apparel, and sugar	15.5
901: Permit departments and agencies to retain half of their annual budget savings for innovation fund to be used to improve debt collection and technology and to provide bonuses for employees who generate savings ideas	10.0
Total	159.3
Already introduced—S.432: Government streamlining savings from increased operational efficiency	25.0
In Reconciliation Act of cosponsored:	
Use IRS to identify unreported income of households receiving rent subsidies	1.7
Charge royalties and holding fees for hardrock mining on Federal lands (S. 257)	.6
Replace guaranteed student loans with direct loans	6.7
Extend expiring provisions for Medicare as secondary payer	3.9
Auction licenses to use new electromagnetic	3.5
Continue existing user fees (customs, nuclear reg. patent & trademark, vessel tonnage, rail safety) included in Budget Act of 1990	4.5
IRS enforcement improvement	20.0
Total	40.9
Total savings from legislation listed above	225.2•

By Mr. DECONCINI:

S. 1551. A bill to provide for the use of Department of Defense golf courses by the general public, and for other purposes; to the Committee on Armed Services.

MILITARY FAIRWAY FAIRNESS ACT OF 1993

Mr. DECONCINI. Mr. President, I am introducing a bill today which addresses a well-known perk open only to those in the military. I am sure most of the Members of this body are familiar with the legislation I sponsored last Congress and again this year on this subject. That legislation eliminates many of the special privileges available to Government employees, including the exclusive use of military golf courses by military personnel.

During last year's Presidential campaign, the media, the executive branch, and the Congress devoted a great deal of time berating the outrageous and exorbitant costs incurred at public expense by senior Government officials for special privileges such as gyms, dining rooms, Government aircraft and vehicles for personal business, and medical benefits. As a result, we made some changes. In the Senate, we started paying for the use of the gym and now pay an annual fee for medical services.

One of the first acts President Clinton took upon taking office was to cut back the use of private limousines, fleet vehicles for senior Government officials, and use of Government aircraft for personal use. Clearly, President Clinton heard the message of the American public in the last election that business as usual could not continue. While I applaud the actions taken by President Clinton, I do not feel they went far enough.

I have spent a great deal of time looking at military golf courses. On military bases across the country military personnel have exclusive use of golf courses on base. The number of golf courses on military bases totals 176. Opening these courses to the public and charging reasonable fees for use, these courses could bring in a substantial amount of revenue for the General Treasury. According to a formula devised by Golf Digest magazine, this could total just under $100 million per year.

Golf is the fastest growing major participant sport in America. The number of amateur golfers in the United States has increased 40 percent in the past 5 years from 19.9 million to 27.8 million. In order to meet the expected demand, the game must open more than one new golf course per day every day between now and the year 2000. What would be better than to meet the demand, provide opportunity for private industry, provide the public with more golf courses and generate funds to reduce the deficit.

The Department of Defense should not be in the business of running and maintaining golf courses. Since I became interested in this issue DOD has refused to be forthcoming on revenues generated by their golf courses. As a result, I have gone to the experts at Golf Digest for their estimates. I have a formula which demonstrates how these courses can easily send money back to the Treasury. The formula is based on information provided by Golf Digest magazine. It assumes 18-hole green fees of $15 and a cart rental fee of $10. In addition, there would be a cost of $75,000 for professional management of the course, and $350,000 in annual course maintenance costs.

Golf Digest estimates that if a course generates 35,000 rounds per year it would have a total net income of $250,000. In this area, the two courses at Andrews Air Force Base easily exceed that number with a total of 90,000 rounds per year. So if we take the estimated 200 18-hole military golf courses and multiply it by $500,000—for 45,000 rounds of golf—you could generate almost $100 million net income.

It wasn't long ago that we debated the Budget Reconciliation Act. Virtually every member of this body said they wished the Budget Agreement called for additional spending cuts. This legislation would raise additional revenue for deficit reduction without cutting services, or eliminating the use of these courses for the military. There would be an exception for golf courses at facilities or installations outside the United States or any within the United States designated by the Secretary of Defense as a remote or isolated location. Further, the bill requires that all military golf courses be open to the public. This bill would not take this perk away from military personnel but would only remove their exclusive use by military personnel. The Secretary of Defense may subsidize fees for active and retired military personnel and give priority use of the golf courses to these individuals. The fees for nonmilitary shall be based on rates consistent and competitive with the rates in the relevant local community.

In order to ensure that activities currently funded by the existing fees collected continue, the amendment would permit 10 percent of the gross revenues generated from these golf courses to be retained by the base from which those funds are derived. These funds could then be used for morale, welfare, and recreation purposes on each base, including the operation and maintenance of golf courses. The remainder would be deposited in the general fund and used only for deficit reduction purposes. It is unclear how much revenue is currently collected for the morale, welfare, and recreation fund from the existing fee structure, but I believe that the 10 percent provided in this legislation would not only meet the current level of revenue raised for the MWR fund, but exceed it.

As I stated earlier, many in this body have rightfully argued for more spending cuts and further deficit reduction. This legislation represents a real opportunity to reduce the deficit and does not result in a loss of the opportunity for military to play golf on their own courses.

Mr. President, the time is ripe for this legislation. It is consistent with the goals and objectives of Vice President GORE'S National Performance Review and will result in real additional revenue to the Federal Government.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1551

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Fairway Fairness Act of 1993".

SEC. 2. USE OF DEPARTMENT OF DEFENSE GOLF COURSES BY THE GENERAL PUBLIC.

(a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2246. Department of Defense gold courses: use by the general public

"(a) LIMITATION.—Except as provided in subsection (b), each golf course equipped, owned, operated, or maintained at a facility or installation of the Department of Defense shall be open to use by the general public.

"(b) EXCEPTION.—Subsection (a) does not apply to a golf course at a facility or installation outside the United States or at a facility or installation inside the United States at a location designated by the Secretary of Defense as a remote and isolated location.

"(c) USE OF GENERATED REVENUES.—(1) Not more than 10 percent of any gross revenues generated during a fiscal year from the operation of a golf course to which subsection (a) applies may be retained by the operator of the golf course. Any such gross revenues that are retained under this paragraph may be used only to maintain such course or to support morale, welfare, or recreation activities of the military personnel at the facility or installation. Any such gross revenues generated during a fiscal year that are not retained under this paragraph shall be deposited in the General Fund of the Treasury and used only for Federal budget deficit reduction.

"(2) The Secretary of Defense shall annually submit to the Congress a report that identifies in detail how the revenues retained under paragraph (1) have been expended.

"(d) FEES.—The Secretary of Defense may subsidize for active and retired military personnel any fees imposed by the Secretary for the use of the golf course and give priority access to the golf course for such personnel. Fees imposed for nonmilitary persons for the use of the golf course shall be based on rates that are competitive with golf fee rates in effect in the relevant local community.

"(e) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.".

"(b) CLERICAL AMENDMENT.—the table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

"2246. Department of Defense Golf courses: use by the general public.".

By Mr. WARNER:

S. 1552. A bill to extend for an additional 2 years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial; to the Committee on Energy and Natural Resources.

BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL

Mr. WARNER. Mr. President, today I am introducing legislation to extend for 2 years the authorization for the Black Revolutionary War Patriots Memorial to commemorate the valuable contributions of more than 5,000 African-Americans who served this Nation during the Revolutionary War.

The Black Revolutionary War Patriots Foundation, as the sponsor of the memorial, is authorized by the Congress to design and construct a memorial in Constitution Gardens on the National Mall to honor slaves and free black persons who sacrificed their lives and joined our Nation's fight for independence.

The project's authorization will expire on October 27, 1993. The Congress must provide a 2-year extension so that there can be for the first time a depiction of the consistent role of African-Americans in the making of American history.

The Black Revolutionary War Patriots Foundation has made significant progress since it was first authorized in 1986 to raise funds and commission a design to capture this untold story of our American heritage. The location in Constitution Gardens has been approved and the conceptual design of the memorial has been reviewed by the National Capital Planning Commission and the Fine Arts Commission.

The project has encountered some delays due to fundraising difficulties. The memorial is estimated to cost $6 million to construct.

To overcome these delays, the Patriots Foundation has made major changes in their organization, hired a proven fundraising organization, and obtained significant financial support from General Motors Corp. to underwrite the administrative costs so that all donations will be dedicated to constructing the memorial.

Mr. President, I have been associated with this project since its inception because it is a significant chapter in the formative year's of our young democracy that is known to few Americans. I am committed to the memorial's completion and believe the extension I propose today will allow the foundation to accomplish its mission.

I recognize that others may offer an alternative proposal to ensure the completion of this project. I welcome all approaches and believe each option should be reviewed thoroughly by the appropriate committee.

My objective in introducing this legislation today is simply to ensure that this memorial becomes a reality so that all Americans will learn of the pivotal role played by free blacks and slaves during our American Revolution.

Mr. President, I ask unanimous consent that the text of my legislation be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 10(b) of Public Law 99-652, the legislative authority for Black Revolutionary War Patriots Foundation to establish a commemorative work (as defined by such Public Law) shall expire at the end of the nine-year period beginning on the date of enactment of such authority.

ADDITIONAL COSPONSORS

S. 11

At the request of Mr. BIDEN, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 11, a bill to combat violence and crimes against women on the streets and in homes.

S. 235

At the request of Mr. ROTH, his name was added as a cosponsor of S. 235, a bill to limit State taxation of certain pension income, and for other purposes.

S. 401

At the request of Mr. CAMPBELL, the names of the Senator from Idaho [Mr. KEMPTHORNE] and the Senator from Kentucky [Mr. MCCONNELL] were added as cosponsors of S. 401, a bill to amend title 23, United States Code, to delay the effective date for penalties for States that do not have in effect safety belt and motorcycle helmet safety programs, and for other purposes.

S. 439

At the request of Mr. COATS, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 439, a bill to amend the Solid Waste Disposal Act to permit Governors to limit the disposal of out-of-State solid waste in their States, and for other purposes.

S. 486

At the request of Mr. HEFLIN, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 486, a bill to establish a specialized corps of judges necessary for certain Federal proceedings required to be conducted, and for other purposes.

S. 833

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 833, a bill to amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for nurse practitioners, clinical nurse specialists, and certified nurse midwives, to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 993

At the request of Mr. KEMPTHORNE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 993, a bill to end the practice of imposing unfunded Federal mandates on States and local governments and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations.

S. 1437

At the request of Mr. LAUTENBERG, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 1437, a bill to amend section 1562 of title 38, United States Code, to increase the rate of pension for persons on the Medal of Honor roll.

S. 1478

At the request of Mr. PRYOR, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of S. 1478, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to ensure that pesticide tolerances adequately safeguard the health of infants and children, and for other purposes.

SENATE JOINT RESOLUTION 130

At the request of Mr. KEMPTHORNE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of Senate Joint Resolution 130, a joint resolution designating October 27, 1993, as "National Unfunded Federal Mandates Day."

SENATE JOINT RESOLUTION 134

At the request of Mr. BIDEN, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of Senate Joint Resolution 134, a joint resolution to designate October 19, 1993, as "National Mammography Day."

SENATE JOINT RESOLUTION 141

At the request of Mr. SARBANES, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of Senate Joint Resolution 141, a joint resolution designating October 29, 1993, as "National Firefighters Day."

SENATE CONCURRENT RESOLUTION 31

At the request of Mr. DODD, the names of the Senator from Vermont [Mr. JEFFORDS] and the Senator from Maine [Mr. COHEN] were added as cosponsors of Senate Concurrent Resolution 31, a concurrent resolution concerning the emancipation of the Iranian Bahai community.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

MCCAIN (AND OTHERS) AMENDMENT NO. 1044

Mr. MCCAIN (for himself, Mr. SARBANES, Ms. MIKULSKI, Mr. CHAFEE, Mr. PELL, Mr. CAMPBELL, Mr. BROWN, and Ms. MOSELEY-BRAUN) proposed an amendment to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; as follows:

At the end of the title of general provisions, insert the following:

SEC. . (a) Notwithstanding any other provision of law, none of the funds appropriated by this Act or any other Act, or otherwise made available, to the Department of Defense may be obligated to carry out a test program for determining the cost effectiveness of transferring to the private sector the mission of operating one or more preparatory schools for the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy.

REID (AND INOUYE) AMENDMENT NO. 1045

Mr. REID (for himself and Mr. INOUYE) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, insert the following:

"SEC. . It is the sense of the Senate that—

"(a) the Secretary of the Air Force consider the comments of the appropriate representatives of the Duck Valley Reservation of the Shoshone-Paiute Tribes in making decisions on use of airspace above such reservation;

"(b) the interests of the Duck Valley Reservation of the Shoshone-Paiute Tribes receive the appropriate consideration under any pending or future National Environmental Policy Act process involving airspace over Duck Valley Reservation; and

"(c) to the extent practicable, airspace used for military training flights below 15,000 feet above ground level over the Duck Valley Reservation shall be over uninhibited areas of the reservation."

INOUYE (AND STEVENS) AMENDMENT NO. 1046

Mr. INOUYE (for himself and Mr. STEVENS) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 12 of the bill, line 17, after the word "installations", insert the following: ": *Provided further*, That of the funds appropriated under this heading, $1,000,000 shall be made available only for use by the Office of the Secretary of Defense for the exploitation of captured Iraqi Government documents relating to the Kurds and other minorities of northern Iraq: *Provided further*, That the funds in the preceding proviso may be made available for personal service contracts of Arabic-language linguists and may be exempt from competitive bidding requirements: *Provided further*, That of the funds appropriated under this heading, $1,000,000 shall be made available only for the Defense Mapping Agency to evaluate and procure available imagery photographs and materials from successor states of the former Soviet Union: *Provided further*, That the Director of the Defense Mapping Agency shall report to the congressional Defense committees the availability of such imagery materials, priorities for acquisition and the process for the dissemination of such materials to Federal agencies, State and local authorities, academic institutions, and the private sector not later than March 15, 1994.".

EXON AMENDMENT NO. 1047

Mr. INOUYE (for Mr. EXON) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. . It is the sense of the Senate that the Government of the United States and the Government of Saudi Arabia should work diligently and without delay to resolve satisfactorily the outstanding commercial disputes identified in the Department of Commerce letter; date May 27, 1992: *Provided*, That not later than February 1, 1994, the Secretary of Defense, after consultation with the Secretary of State and the Secretary of Commerce, shall submit a report to the Congress on the status of the process for the resolution of commercial disputes in Saudi Arabia and the prognosis for any of the disputes which remain unresolved.

BINGAMAN AMENDMENT NO. 1048

Mr. INOUYE (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 8, line 17, between "environment" and ":" insert the following: ": *Provided further*, that of the funds appropriated in this paragraph, $500,000 shall be available only for a study of the effects of uranium milling, including exposure to radon chemicals and uranium, on the health of those individuals employed in uranium mills in the southwestern United States during the period beginning on January 1, 1947 and ending on December 31, 1971".

COATS AMENDMENT NO. 1049

Mr. STEVENS (for Mr. COATS) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 26, line 12, before the period, add: ": *Provided further*, That of the funds appropriated under this heading, $18,000,000 shall be available only for heavy armor modification for the high-mobility multipurpose wheeled vehicle".

BOND AMENDMENT NO. 1050

Mr. INOUYE (for Mr. BOND) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. Notwithstanding any other provision of law (including any regulation), with respect to the public sponsor of a primary levee located in the area that was affected by major, widespread flooding in the Midwest during 1993 and that was designed for a 5-year flood or a higher level flood, the eligibility of the public sponsor of the levee to receive assistance through the levee rehabilitation assistance program of the Army Corps of Engineers shall not be affected by the status of participation (or lack of participation) of the public sponsor in the program. A public sponsor of a levee who becomes eligible to receive assistance under the program pursuant to the preceding sentence may, not later than September 30, 1994, submit an application to participate in the program.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, October 15, 1993, at 10 a.m. to hold an ambassadorial nomination hearing on Mark Hambley, to be Ambassador to Lebanon.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on "The Health Security Act: American Businesses and Workers Respond," during the session of the Senate on Friday, October 15, 1993, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Subcommittee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, October 15, 1993, at 10:30 a.m. to hold a hearing on current developments in the Middle East.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATION AND GOVERNMENT INFORMATION

Mr. INOUYE. Mr. President, I ask unanimous consent that the Governmental Affairs Subcommittee on Regulation and Government Information be authorized to meet during the session of the Senate on Friday, October 15, 1993, at 9:30 a.m. to hold hearings on the subject of international telemarketing fraud.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

FACES OF THE HEALTH CARE CRISIS

• Mr. RIEGLE. Mr. President, I rise once again in my continuing effort to put a face on the health care crisis in America. Today I want to tell the story of Randy Hubbard from Taylor, MI. Randy owns his own company and saw his health insurance premiums shoot up dramatically. As a result, he was forced to drop his coverage and risk not being covered in the event of a medical emergency.

Randy began his own business in 1987 on his own time while he continued to work full-time as an automotive engineer with Batten Engineering. He was insured through his employer at the time. In June 1990, when he was laid off from Batten, he began paying $115 a month for medical coverage through the COBRA option. At this point he was devoting himself full-time to his own business, Race-Tech Engineering, which develops automotive products.

When his COBRA benefits ran out in November of 1991, Randy joined the National Association of Private Enterprise [NAPE] and purchased health insurance, through a plan they offered, for $152 a month. One year later, Randy's monthly premiums rose 20 percent to $182 per month. Six months later they rose an additional 16 percent to $211 per month. Over an 18-month period his premiums had risen 39 percent.

Randy simply could not afford this increase and had to drop his coverage. He was uninsured for 4 months until he joined an HMO through the local chamber of commerce, at a cost of $148 per month.

Randy is extremely fortunate that he did not have a health care emergency while he was uninsured. He was forced to take that risk because he could not afford health insurance.

We need to make health insurance more affordable for all Americans, including entrepreneurs such as Randy Hubbard. Our citizens deserve the peace of mind that guaranteed coverage can bring. I will continue to do everything I can to work with my colleagues and President Clinton and First Lady Hillary Rodham Clinton to reform our health care system and provide access to affordable health care for all Americans.•

KARY B. MULLIS: SOUTH CAROLINA'S 1993 NOBEL LAUREATE

• Mr. HOLLINGS. Mr. President, I rise to congratulate Kary Mullis on winning the 1993 Nobel Prize in chemistry. Truth be told, Mullis' childhood friends and public school teachers in Columbia, SC, knew long ago that he was destined for brilliant achievements as a scientist. At Hand Junior High and Dreher High School, from which he graduated in 1962, he was surrounded by top-notch science teachers and supercompetitive peers. It was an atmosphere of academic excellence that distinguished Hand and Dreher as Columbia's elite secondary schools, and which produced a number of renowned scientists in addition to Mullis.

Mr. President, to attain the Nobel Prize is a great distinction for an individual, and reflects also on the quality of his upbringing and schooling. The prize is Kary Mullis' but forgive me for also feeling pride as a South Carolinian. I note that Kary Mullis was awarded the prize for inventing a technique for creating millions of clones of scarce DNA samples. I only wish we could find a way to clone scientists of Kary Mullis' caliber—as well as the superb schools that made his achievements possible.•

DEATH OF MORGAN P. HARDIMAN

• Mr. D'AMATO. Mr. President, I ask unanimous consent that additional remembrances of Morgan P. Hardiman, whose funeral was last Friday, be printed in the RECORD as follows:

THE WORDS OF MICHAEL T. KINSELLA, CHIEF OF STAFF

How do we know in the healthy vigor of enthusiastic youth that a friend and companion will falter too soon to a fatal end—cut short in career and challenge by a distant and distressing ailment?

How do we cope with the sudden decline of body and frame, when the mind continues acute and keen pursing truth and faith in a puzzling world?

How do we answer the probes of sentiment and doubt, of what could have been and should have been in the face of what reality presents with finality and utmost consequence?

Only with love and respect for what and who we know our friend to be can we satisfy the anguish any being must feel at the passing too soon of such a man.

A fighter, convinced in virtue, by what is right; an advocate, committed even to unpopular but needed reform; an achiever, proven by worthy challenge and deserved success; a man of humor, honor and umbrage, capable of outrage steeped with conscience; we honor him and miss him dearly.

The only tribute worthy of the name is a conviction to do more; to do it better; to do it sooner than later—to do it with a full devotion of heart and mind; to do it for it is right and it is what Morgan would have done.

By our actions we remember him and he endures. That is memory. That is respect. That is love. He would want it no other way.

MORGAN P. HARDIMAN—EULOGY BY REV. JOSEPH A. SOBIERAJSKI, S.J.

Chief among the things that the Book of Wisdom teaches is that God's ways are not our ways nor are ours His. That is particularly true when it comes to death. For even among Christians who hold as a central belief of faith that life, real life, comes only by first passing through death. It is difficult. Very difficult for us to deal with the palpable loss that we feel when someone that we love dies—especially when we see in that person a goodness. A concern. A compassion which has made a real difference in our lives. And when death comes at a time that we would consider the "prime" of life it is even more difficult and confusing.

I suspect that many of you who come here today feel that confusion at Morgan's death—a relatively young man, a man of intelligence, imagination, and compassion, a man, we would say, with a future. But I can assure you that Morgan did not share your confusion with you. Not at least in the last weeks of his life. For during those last weeks he knew with an ever growing confidence in his heart, what all of us should be lucky enough to learn, and that is very simply that he was loved by God, precious in God's eyes, and secure in knowledge that whatever happened he would be cared for and embraced by that God.

Please don't get me wrong—Morgan in no way thought of himself as a saint—he was well aware of how far he fell short of what he might be. But what he was taught by his family as a child, and what my fellow Jesuits at Regis High School, and Boston College subversively made part of his consciousness, and what John tells us in our second reading this morning—that "he"-"we" are children of God. And that a loving, patient parent never gives up, never loses hope in us.

What Morgan came to understand so deeply and so confidently, not about himself, but about God did not happen overnight—it was a seed long since planted in his heart and his soul. A seed that took root and became a conscious or unconscious guide for him during his life and work. In today's Gospel from Matthew, the Beatitudes, we hear how we as human beings are called to respond to God's love. Morgan incorporated those Beatitudes into his life—he was a man that was able to see beyond self, and act on what he saw, knew and believed. From tutoring poor kids as a teenager at Regis, to the work that he did in Spanish Harlem during his days at NYU, to his deep conviction on the hill that something had to be done about the human destruction caused by drugs—about the need for education and rehabilitation as well as enforcement, to the genuine interest and concern he showed for his family and friends—always there to listen, to give advice (wanted or unwanted) all without judgment or condemnation. The Beatitudes were part of his life. They were his response to God's gift of himself in the people that made up his life. In those people as well as in the arts, drama, opera, Morgan found the beauty of God was never far from him.

His brother Jerry told me the other day that in his last weeks, Morgan saw real parallels between his own life and the narrator in Francis Thompson's poem "The Hound of Heaven." And from my last conversation with him, I know that to be true—Morgan saw himself as a man persuaded by God. What he saw, I know that he would like us to see too. Undoubtedly he saw himself in the opening lines of that poem:

I fled him, down the nights and down the days,
I fled him, down the arches of the years;
I fled him, down the labyrinthine ways
of my own mind; and in the midst of tears
I hid from him, and under running laughter.

But he also confidently knew himself and his relationship with God in these lines near the close of the poem:

Whom wilt thou find to live ignoble thee
Save Me, save only Me?
All which I took from thee I did but take,
Not for thy harms,
But just that thou might'st seek it in My arms.
All which thy child's mistake
Fancies as lost, I have stored for thee at home;
Rise, clasp My hand and come!

And Morgan "clasped" God's hand.

All of us gathered here today come as family, friends, associates who knew Morgan in different ways on different levels, and we each come with our own memories. For those closest to him they are personal and sacred memories of times shared in both the best and the worst of time, memories of laughter and of tears. We come with a sense of grief and a sense of loss that should not and cannot be denied. If Morgan were able to do so, however, I think that he would offer one last bit of advice welcomed or not, and that would be to "celebrate"—to celebrate not only his new life, but to celebrate that you and I as well as Morgan are loved by God. He would say, "Don't flee from that love—let it embrace you, and allow yourself to respond to it in kind."•

JOHN McKISSICK: AMERICA'S WINNINGEST FOOTBALL COACH

• Mr. HOLLINGS. Mr. President, I rise to salute yet another remarkable milestone in the career of Coach John McKissick of Summerville High School in South Carolina. When his Green Wave football team trounced its opponent 42–0 last Friday night, Coach McKissick celebrated his 406th victory—more wins than any other coach in the history of high school, college, or professional football.

Coach McKissick is one of those remarkable people about whom it is impossible to use too many superlatives. He was national coach of the year in 1980, and has won nine South Carolina State titles. Of far more importance, he has won the respect and affection of the Summerville community for his extraordinary service on and off the field for more than four decades. To the people of Summerville, he is beloved, first and foremost, as a teacher and role model. Across the years, he has coached more than 1,100 young men, teaching them not just the mechanics of football, but also discipline, teamwork, and loyalty.

Amos Alonzo Stagg could have been talking about John McKissick when he said, "No coach ever won a game by what he knows; it's what his player have learned." His greatest talents are as a teacher. Certainly, no one would claim that Summerville has won year after year on sheer raw talent. The critical difference has been John McKissick's skills at sharpening, improving, and motivating his players.

Mr. President, I salute Coach McKissick's singular achievement, as well as his more than four decades of distinguished public service in the Summerville community. I wish him all the best as he strives toward his next 406 wins at Summerville High School.•

PROGRAM

Mr. INOUYE. Madam President, on behalf of the majority leader I would like to announce that on Monday, votes will begin at 7 o'clock on matters that have been debated during the morning and afternoon hours. I concur with the vice chairman of the committee in that we will have to be here on time, at 10:30, to bring up the amendments, consider them, and resolve them. Otherwise we will be on this measure for the rest of the week.

We should also keep in mind that on Thursday next, the continuing resolution will expire. It may require the Senate and the Congress to act again to restore that. Otherwise this Government is out of business.

ORDERS FOR MONDAY, OCTOBER 18, 1993

Mr. INOUYE. Madam President, on behalf of the majority leader I ask unanimous consent that when the Senate completes its business, it stand in recess until 10:30 a.m., Monday, October 18; that following the prayer, the Journal of proceedings be deemed approved to date; the time for the two leaders be reserved for their use later in the day, that the Senate then resume consideration of H.R. 3116, the Department of Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10:30 A.M., MONDAY, OCTOBER 18, 1993

Mr. INOUYE. With that, Madam President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 2:45 p.m., recessed until 10:30 a.m., Monday, October 18, 1993.

CONFIRMATIONS

Executive nomination confirmed by the Senate October 15, 1993:

U.S. COAST GUARD

THE FOLLOWING OFFICER OF THE U.S. COAST GUARD FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL (LOWER HALF):

JOHN D. SPADE

HOUSE OF REPRESENTATIVES—*Friday, October 15, 1993*

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, O gracious God, that the lofty words we recite in our proclamations may find a home not only in our words but in our deeds. May the idea of justice find fulfillment in equitable treatment of all people; may the idea of unity and common purpose find fulfillment in understanding and respect; may the concept of honor find its achievement in esteem toward others, and may our belief in grace be expressed in a more civil spirit between every person. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. GALLEGLY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GALLEGLY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 226, nays 145, not voting 62, as follows:

[Roll No. 506]

YEAS—226

Andrews (ME)
Andrews (NJ)
Applegate
Archer
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bilbray
Bishop
Bonior
Borski
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Castle
Clayton
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
Derrick
Deutsch
Dicks
Dixon
Dooley
Durbin
Edwards (CA)
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (TX)
Hamburg
Hamilton
Harman
Hastert
Hastings
Hayes
Hefner
Hilliard
Hoagland
Hochbrueckner
Holden
Houghton
Hughes
Hutto
Inglis
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kingston
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Margolies-Mezvinsky
Matsui
Mazzoli
McCloskey
McDermott
McHale
McInnis
McKinney
McNulty
Meehan
Meek
Menendez
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Murtha
Myers
Natcher
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pombo
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Slaughter
Smith (IA)
Smith (NJ)
Spratt
Stark
Stenholm
Strickland
Studds
Stupak
Swett
Swift
Tanner
Tejeda
Thompson
Thornton
Thurman
Torricelli
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—145

Allard
Armey
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Burton
Buyer
Callahan
Calvert
Camp
Canady
Clay
Coble
Collins (GA)
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Huffington
Hutchinson
Hyde
Inhofe
Istook
Jacobs
Johnson (CT)
Kim
King
Knollenberg
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Machtley
Manzullo
McCandless
McCollum
McCrery
McHugh
McKeon
McMillan
Meyers
Mfume
Mica
Michel
Molinari
Moorhead
Murphy
Nussle
Oxley
Packard
Paxon
Petri
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Snowe
Spence
Stearns
Stump
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—62

Abercrombie
Ackerman
Andrews (TX)
Bachus (AL)
Baker (LA)
Bateman
Bentley
Bevill
Blackwell
Boucher
Brewster
Brooks
Brown (CA)
Bunning
Chapman
Clement
Conyers
DeLauro
Dellums
Dingell
Edwards (TX)
Engel
Fields (TX)
Hall (OH)
Hinchey
Hoyer
Hunter
Johnson, Sam
Kasich
Klug
Kolbe
Kyl
Laughlin
Livingston
Manton
Markey
Martinez
McCurdy
McDade
Moran
Morella
Nadler
Neal (NC)
Oberstar
Orton
Parker
Pelosi
Penny
Ridge
Sanders
Skelton
Slattery
Solomon
Stokes
Sundquist
Synar
Tauzin
Torres
Towns
Washington
Wilson
Young (AK)

□ 1033

Mr. GRAMS changed his vote from "yea" to "nay."

Mr. ZELIFF changed his vote from "present" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ORTON. Mr. Speaker, during rollcall vote No. 506 on approving the Journal, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. BATEMAN. Mr. Speaker, I missed rollcall vote 506 due to my participation in meetings on the Defense Authorization Act for fiscal year 1994. For the record, had I been present I would have voted:

Rollcall 506, "yea."

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. GEPHARDT). The Chair now recognizes the gentleman from Texas [Mr. BONILLA] for the purpose of leading the House in the Pledge of Allegiance.

Mr. BONILLA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER pro tempore (Mr. GEPHARDT). The Chair will take requests for 1-minute speeches later today.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 111. Joint resolution designating October 21, 1993, as "National Biomedical Research Day";

H.J. Res. 218. Joint resolution designating October 16, 1993, and October 16, 1994, each as "World Food Day"; and

H.J. Res. 265. Joint resolution to designate October 19, 1993, as "National Mammography Day."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 29 to the bill (H.R. 2493) "An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to a bill and joint resolution of the Senate of the following titles:

S. 1487. An act entitled the "Middle East Peace Facilitation Act of 1993."

S.J. Res. 21. Joint resolution to designate the week beginning September 19, 1993, as "National Historically Black Colleges and Universities Week."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 537. An act for the relief of Tania Gil Compton;

S. 760. An act for the relief of Leteane Monatsi;

S. 1548. An act to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair producers receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes; and

S. Con. Res. 47. Concurrent resolution to recognize the International Rescue Committee for its great humanitarian endeavors.

UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1993

The SPEAKER pro tempore. The unfinished business is the de novo vote on the adoption of House Resolution 265.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 239, noes 150, not voting 44, as follows:

[Roll No. 507]

AYES—239

Abercrombie
Andrews (ME)
Andrews (NJ)
Applegate
Archer
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Boehlert
Bonior
Borski
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Camp
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Dicks
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Greenwood
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Margolies-Mezvinsky
Matsui
Mazzoli
McCloskey
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Mfume
Michel
Miller (CA)
Minge
Moakley
Mollohan
Montgomery
Morella
Murphy
Murtha
Natcher
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Regula
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Spratt
Stark
Strickland
Studds
Stupak
Swett
Swift
Tanner
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torricelli
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wyden
Wynn
Yates

NOES—150

Allard
Armey
Bachus (AL)
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehner
Bonilla
Burton
Buyer
Callahan
Calvert
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
Deal
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fowler
Franks (CT)
Gallegly
Gekas
Gilchrest
Gillmor
Goodlatte
Goss
Grams
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hutchinson
Hutto
Inglis
Inhofe
Istook
Jacobs
Johnson (GA)
Johnson, Sam
Kasich
Kim
King
Kingston
Knollenberg
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Menendez
Meyers
Mica
Miller (FL)
Mineta
Mink
Molinari
Moorhead
Nadler
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Rowland
Royce
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Talent
Taylor (MS)
Taylor (NC)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Wolf
Woolsey
Young (FL)
Zeliff
Zimmer

NOT VOTING—44

Ackerman
Andrews (TX)
Baker (LA)
Boucher
Brewster
Brooks
Brown (CA)
Bunning
Clement
Conyers
Dingell
Engel
Fawell
Fields (TX)
Hunter
Hyde
Klug
Kolbe
Kyl
Laughlin
Manton
Markey
Martinez
McCurdy
McDade
Moran
Myers
Neal (NC)
Oberstar
Orton
Parker
Pelosi
Penny
Ridge
Skelton
Slattery
Stokes
Sundquist
Synar
Tauzin
Torres
Towns
Washington
Young (AK)

☐ 1050

The Clerk announced the following pairs:

On this vote:

Mr. Brooks for, with Mr. Synar against.

Mr. Dingell for, with Mr. Baker of Louisiana against.

Mr. Stokes for, with Mr. Kolbe against.

Mr. Andrews of Texas for, with Mr. Hyde against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FAWELL. Mr. Speaker, I was unavoidably detained this morning and did not vote on rollcall No. 507, the rule for consideration of the bill to extend the emergency unemployment compensation program. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. ORTON. Mr. Speaker, during rollcall vote No. 507 on H.R. 265 I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. VOLKMER). Pursuant to House Resolution 265 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3167.

□ 1051

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes with Mr. MFUME in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read for the first time.

The gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 30 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in strong support of H.R. 3167, the Unemployment Compensation Amendments of 1993. This bill extends the authorization for new claims under the emergency unemployment compensation, or EUC program. It also lays the groundwork for a new emphasis on reemployment within our Nation's unemployment compensation system.

Overall, the bill is deficit neutral. In fact, it would reduce the deficit over the 5-year budget period by $24 million.

The bill would extend the authorization for new claims under the EUC program by 4 months—from October 2, 1993 to February 5, 1994. Depending on unemployment rates in each State, either 7 or 13 weeks of benefits would be provided to new claimants of emergency benefits. According to the Congressional Budget Office, this extension will cost $1.1 billion in fiscal year 1994.

A total of 250,000 unemployed workers are expected to exhaust regular State unemployment benefits in October. This number is as high today as it was when the EUC program was first enacted in November of 1991. In total, about 1 million workers are expected to benefit from this extension over its 4-month life. The assistance we provide for these 1 million unemployed workers will, in many cases, mean the difference between scraping by or plunging into poverty.

Last Friday's unemployment report should have dispelled doubts some may have about continuing emergency benefits. Not only did the national unemployment rate remain at 6.7 percent, but the number of workers out of work longer than 26 weeks held at 1.7 million, some 300 thousand more than when the program was first enacted.

The bill before us today starts down the road to reform. It includes an administration proposal to identify workers who have lost their jobs permanently and refer them to intensive job search assistance early in their unemployment. This provision will help long-term unemployed workers find jobs faster. It also translates directly into permanent budget savings, $764 million of which is scored over the 5-year budget period, because fewer weeks of benefits will be paid to these workers.

Some have raised questions whether the savings from this worker profiling provision are "real." I can assure all of my colleagues that they are based on rigorous evaluations of State demonstration projects. Perhaps former Secretary of Labor Elizabeth Dole's press release announcing the results of the evaluation of New Jersey's pilot project is convincing. Secretary Dole said:

> Project services significantly reduced the length of dislocated workers' unemployment spells and increased their earnings by an average of nearly $500. The project also reduced unemployment benefit payments to workers offered services by more than $100 per person, on average.

Some also have asked how the administration can reap such savings if it does not spend substantial additional sums on job search assistance too. The administration has replied that it can do the job with existing resources and additional appropriations already passed for fiscal year 1994 for the Economic Dislocation and Worker Adjustment Assistance Program.

Based on the research evidence, I believe the administration can fulfill its promise, and I am willing to give them that opportunity.

The final major provision of this bill would increase, for a 3-year period, the so-called "3-year sponsor-to-alien deeming period" to 5 years under the Supplemental Security Income Program. Since October 1980, the income and resources of aliens' sponsors have been considered in determining eligibility and payment amount under the SSI program. As a result of this provision, sponsored aliens would not be able to obtain full SSI benefits for 2 additional years. The provision raises $330 million over fiscal years 1994 through 1996.

This sponsor-to-alien deeming provision will be effective on January 1, 1994, except it would not apply in the case of individuals who are eligible for SSI for December 1993—or whose eligibility is suspended but not terminated—and whose 3-year deeming period ended prior to January 1994. Thus, people who apply for SSI benefits on or after January 1, 1994, and individuals on the SSI rolls—because their sponsors' deemed income and resources do not make them ineligible—whose 3-year deeming period has not ended by January 1, 1994, would come under the 5-year rule.

In this bill, the Committee on Ways and Means acted to address a continuing problem of unemployment, but also took a significant step toward reforming unemployment compensation programs. I recognize that we have more work to do to meet the challenges of the current economy, and look forward to working with the administration as they develop their worker adjustment assistance and other proposals.

Mr. Chairman, 1 million workers are waiting for our assistance. I urge my colleagues to vote for this bill and give these workers the help they need.

Mr. Chairman, I reserve the balance of my time.

Mr. ARCHER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. BLILEY], to speak out of order.

(By unanimous consent, Mr. BLILEY was allowed to speak out of order.)

TRIBUTE TO PHYLLIS TROY

Mr. BLILEY. Mr. Chairman, I rise today to recognize a woman of great character, of great endurance, and—luckily for me—of much patience; for today marks the 40th anniversary of service on Capitol Hill for my scheduler, Phyllis Troy.

When Phyllis first came to the Hill, Eisenhower was in the White House, cars had fins, and Elvis Presley really was alive. Her bright smile and southern drawl would charm the socks off of any visitor to her Member's office. The long hours she spent there on behalf of the people of Richmond, VA were many and often times her hard work went unnoticed.

However, Mr. Chairman, this did not dissuade her from doing her job and doing it well.

When I was elected to the House in 1980, Mr. Chairman, I was told I was to acquire three things: Phyllis, an office, and a parking place—in that order. As a freshman Member in those early days, she proved to be an invaluable resource to me and the staff—and she continues that valiant service.

Today, Phyllis continues to be a student of the old school. The computer on her desk serves as "an expensive paperweight" as she prefers her typewriter; she still takes short-hand faster than I can get the words out of my mouth; and, if anyone should ask me for an appointment, I simply say, "Have you cleared it with the boss?"

Mr. Chairman, 40 years of service is hard to sum up in a 1 minute speech, but I want the record to show every Member of this institution that in my office is a perfect example of dedication, duty, and determination—and her name is Phyllis Troy.

And, so to you, Phyllis, I tip my hat and say to you something you may not hear often enough—and that is: Thank you. I thank you for your devotion, my wife thanks you for getting me home on time, and the staff surely thanks you for keeping me humble.

If, as they say, life begins at 40, then here's to the beginning of our next 40 years.

□ 1100

Mr. ARCHER. Mr. Chairman, I yield myself as much time as I may consume.

Nearly 2 years ago, Congress enacted the Emergency Unemployment Compensation Program as a temporary plan for giving federally financed benefits to the long-term unemployed. At the time, the national unemployment rate was 6.9 percent and had been rising.

Congress and the President were concerned about nationwide unemployment levels. The response was a temporary program to make Federal benefits available in all States.

Today, we are considering legislation to extend that temporary program for the fourth time. However, while economic growth over the past year has been sluggish, the economy has indeed been growing.

This new extension is unwarranted. It's time to allow the underlying Federal and State matching extended benefit system to do its job.

The sense of nationwide economic distress that was used to justify creation of this program is no longer present.

After peaking at 7.9 percent in June 1992, the Nation's unemployment rate has been falling consistently since. The most recent level is September's rate of 6.7 percent. That's below what it was when Congress put in the first temporary program.

Before Members vote to extend it once again, consider what it has already accomplished. By the end of September, this temporary emergency program had provided approximately $25 billion in Federal assistance in 2 years.

But Congress did more than just extend benefits. We made permanent changes to the underlying unemployment compensation program that make it easier for State-based extended benefits to become available when a State's unemployment rate is high.

Yes, States must adopt this reform and must share in its costs with the Federal Government, but it's a responsible system for rendering extended assistance in States where unemployment is high.

The expired Federal program more than accomplished its goals.

Clearly, the Clinton administration itself was ambivalent about this extension.

Why else would they have waited until the 11th hour even to broach the subject with Congress, and then keep changing their proposal up until the last minute?

The majority leadership of the House was also obviously ambivalent. Why else let the program expire and then delay this effort to resuscitate it for more than 2 weeks after it has already ended?

The program had an explicit termination date of October 2, and yet there was no rush to consider legislation. In fact, it was allowed to expire when a group of Democrats insisted on cutting out a month of the extension in order to save welfare benefits for aliens.

That effort failed last night, so here we are this morning finally debating a fourth extension. This one is currently estimated to cost $1.1 billion—but who knows what the final cost will be?

I say that because the total of the previous estimates we were given put the cost of the initial program and its three earlier extensions at $15 billion through October 2. That program actually wound up costing $25 billion in that same period, $10 billion more than was estimated in the original projections.

Only about $12 billion of the tab was even intended to be paid for when the legislation was enacted by its proponents. The rest was deficit financed through emergency waivers of the budget law and passed on as a debt to our children and their children. I doubt that the estimates for this extension will prove to be any more accurate than earlier ones.

Important questions remain about the bulk of the financing in the bill. In order to generate the $764 million in entitlement savings from the worker profiling and job search programs, CBO estimates that $897 million in discretionary spending will be required to administer those programs.

Let me repeat that. In order to get the $764 million in projected entitlement savings, we will be forced to spend an additional $897 million in new spending to administer the program. That creates a net deficit.

In other words, the savings on the entitlement side are contingent on future appropriations that exceed the savings.

But the basic problem is with the extension itself. There still is long-term unemployment in some regions of the country. Yet, high unemployment is no longer a nationwide problem.

Many States now have unemployment rates below 6 percent, some with rates below 4 percent.

Extending this supposedly temporary nationwide program is clearly not necessary for addressing chronic or temporary regional high unemployment.

Ultimately, the responsibility for such a program must return to the State-based system legislated in the last Congress.

My thoughtful and respected colleague on the Ways and Means Committee, Mrs. JOHNSON of Connecticut, will offer an amendment today to address that issue diretly by limiting the benefits in this extension to States where unemployment exceeds 5 percent.

It's an excellent amendment that targets the Federal benefits where they are most needed. It should receive broad bipartisan support.

In my opinion, the nationwide economic crisis that may have justified this program has passed. We should allow it to expire before its evolution into simply another Federal welfare program. At some point, it is our responsibility to make the politically difficult decision of saving enough is enough.

Today is that day.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee [Mr. FORD], chairman of the Subcommittee on Human Resources of the Committee on Ways and Means.

Mr. FORD of Tennessee. Mr. Chairman, I thank the gentleman for yielding the time, our chairman of the full Committee on Ways and Means.

Mr. Chairman, I rise in full support of the EUC bill that is before the House today. The EUC Program, as Chairman ROSTENKOWSKI has talked about already, would extend for 4 months paying additional full benefits to workers who exhausted their regular State UI payments. New claims under the EUC program would be paid from October 7, 1993 through February 5, 1994.

It provides 13 additional weeks for 5 States in this country, and the remaining States that meet the guidelines of the formula would be qualified for 7 additional weeks. Individuals who qualify only before February 5, 1994 can collect the balance of their benefits, except that no benefits would be paid after April 30, 1994.

The legislation eliminates the EUC choice provision allowing certain claimants to choose to receive the higher of their regular State UI benefits or the EUC extension. Beneficiaries must have exhausted their regular State benefits before qualifying for the emergency unemployment compensation.

Over the past 2 weeks, in excess of 100,000 long-term unemployed persons, workers, have gone without. And if we fail to act today, roughly 650,000 workers will join over the next 2½ months those who have already exhausted their extended benefits.

This bill makes retroactive from October 1 benefits to be paid to the workers who are long-term unemployed in this country.

I certainly would urge my colleagues not only on this Democratic side of the aisle by my Republican colleagues also to join with us to pass this legislation, to say to the long-term unemployed in America that we are going to extend those benefits for you through February 5, 1994.

I urge my colleagues to do so, and to join with us to pass this legislation.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut, [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, the people we seek to help today would rather have a job than another extension of unemployment compensation benefits. Nonetheless, I believe that it is important that we pass this bill. In my home State of Connecticut, and in many other States, families are still hurting from the recession. This extension will allow families throughout the country to continue to pay their mortgage, take care of their responsibilities, and live as normal a life as possible until they find a job.

While we take this action today, we must consider what action to take tomorrow. First of all, we must take a serious look at the unemployment system itself. Passing short term extensions does help people, but we need to establish a mechanism where this body does not need to go through this debate every several months. I look forward to working with my colleagues to create a system which is fair, and provides people with the help they need.

We must also continue to seek solutions to the problems which have put so many families in such a difficult position. We must continue to work to stimulate our economy and create jobs.

We took a step in that direction with the conversion provisions included in the defense bill. But much more must be done to help not just the defense industry and its workers, but all sectors of our economy.

Mr. Chairman, in the last election, the watchword was "It's the economy, stupid." Today, that is still true. I urge my colleagues both to support this legislation today—and to go on working together toward an improved economic picture.

□ 1110

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Chairman, I rise in strong support of this bill. But I say to my colleagues, I wish we were not here today for this purpose. If the general unemployment rate were the whole story, we might not be; but here is the problem, and we all need to acknowledge it on both sides of the aisle.

While the general unemployment rate is down, structural unemployment remains a major problem. We simply cannot duck that.

In August, 267,000 people exhausted their State benefits. That means people are exhausting their State benefits at a higher rate than when we started the program. That is the problem.

The problem is that while aggregate unemployment is down a bit, there remains this persistent problem of the long-term unemployed. We must not turn our backs on that.

Well, it is said, "Let's use the Extended Benefits Program. Let it do the job."

Here is the problem in simple terms. In 1981, the Extended Benefits Program was changed to make it harder for States to qualify for benefits. Even with subsequent modifications, today, most States that can meet the general trigger of statewide unemployment of 6.5 percent cannot meet a second, stricter requirement in the law. That second provision requires the State's total unemployment rate—above 6.5 percent—to also equal or exceed 110 percent of the State's unemployment rate in either of the 2 prior years. So, it's not enough to have persistently high unemployment, a State must prove its unemployment rate is growing. We've made it nearly impossible for States to qualify for extended benefits. Among the States caught in this "catch-22" are Alabama, Connecticut, Florida, Idaho, Kentucky, Louisiana, my own State of Michigan, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, and Texas.

Even if these States want to use the 50 percent match available under the Extended Benefits Program, they cannot do so under the present law.

Now, we all agree we have to reform unemployment compensation. We have that responsibility. Some of us have been trying to do that for years, to connect unemployment with reemployment services.

I want an unemployment support system that goes beyond income maintenance. I want a system that helps people go back to work as soon as they can. But previous administrations have resisted—strongly resisted—such reforms of the unemployment compensation program.

This new administration says it wants to reform this system. Let us do it.

But while we work on these reforms, there is no use saying to people who are structurally unemployed through no fault of their own, "Go on the welfare system. Hit the streets. You are on your own." That is not responsible Government action.

The last thing these people want is welfare. I do not want to turn unemployment compensation into a welfare program. We need to reform it. While we are doing that, we have an obligation to continue to help people who are looking for work, who are the long-term unemployed.

We have spent billions already to support the structurally, long-term unemployed. Their need is greater now than when we first passed this emergency unemployment program 2 years ago. We can't turn our backs on these people and their families.

I worry that when we come back in January of 1994 whether we will have enough time to consider legislation to properly reform the unemployment compensation program before this emergency 4-month extension expires. At least let us meet our obligations today.

Mr. Chairman, I urge my colleagues to support this bill.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. SANTORUM] seek to control the time of the gentleman from Texas [Mr. ARCHER].

Mr. SANTORUM. I do, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, 13 days ago, the Emergency Unemployment Compensation Program expired, and for 13 days, action on a bill to extend this program has been held up.

As this House bickers over how to pay for this extension, thousands of my constituents laid off by IBM and other businesses which depend on IBM, are running out of unemployment benefits as they desperately try to find jobs. They are losing their homes and their bills are mounting.

These are people who have worked and paid taxes for their entire adult lives. They do not want charity, but they need our help. Surely, in a $1.5 trillion dollar budget we can find a way to come up with at least the $1.8 billion dollars needed to fund a 4-month extension.

Mr. Chairman, I have, in past weeks, urged action by the Ways and Means Committee. I have spoken to the Secretary of Labor, stressing the urgency of this extension for my constituents. And today, I implore my colleagues to support the legislation before us.

I have heard the arguments of the opponents of this extension. Yes, we are seeking to extend what was supposed to be a temporary program for the fourth time. Yes, it is expensive. And yes, the national unemployment rate has dropped below 7 percent for the last 2 consecutive months.

Mr. Chairman, I wish this was true in the Hudson Valley of New York. For years, the counties which I represent had the lowest unemployment rates in New York State. Despite this fact, I have supported each of the extensions of unemployment benefits which came before this House because I knew there were Americans who needed them. Today, the Americans who need these benefits live in my congressional district and I am asking my colleagues for the help that I, and my taxpaying constituents, gave their constituents in the past.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. COYNE].

Mr. COYNE. Mr. Chairman, I rise in support of House passage of H.R. 3167, legislation extending the Emergency Unemployment Compensation Program.

Unemployed Americans are looking to the Congress for help at a time when far too many have exhausted their regular unemployment benefits but are still unable to find a job. It is vital that the House act once again to reassure these Americans that their needs for emergency unemployment assistance will be addressed.

The facts are that there are still over 1.2 million Americans who have exhausted their regular unemployment benefits. While the economy has been improving since President Clinton took office, the national unemployment rate is still 6.7 percent, more than 12 million Americans are looking for work, and it is likely that many will not find employment before exhausting their regular unemployment benefits. These Americans need help from their elected representatives in the Congress.

H.R. 3167 provides that 13 weeks of extended emergency unemployment benefits will be available in States with regular unemployment rates of at least 9 percent, or States with an adjusted unemployment rate of 5 percent. The adjusted unemployment rate includes those Americans who have exhausted their regular unemployment rates. All other States with lower rates of unemployment will be eligible for 7 weeks of extended benefits. For example, residents of Pennsylvania would be eligible for 7 weeks of extended benefits since the most recent unemployment rate was 7.5 percent.

This extension bill is fully financed. The Ways and Means Committee has reported a number of reforms in the unemployment compensation program which will help to reduce the number of Americans who must seek extended benefits because of a lack of employment. This bill requires States to identify workers who, when they first file for unemployment benefits, are considered likely to exhaust their regular benefits. These workers would be required to participate in State job search assistance programs as a condition of receiving unemployment benefits. In addition, the U.S. Labor Department would be required to provide technical assistance to States in classifying workers who may require job search assistance.

Mr. Chairman, I strongly support passage of this emergency unemployment benefits extension bill. H.R. 3167 is needed and it is paid for. I urge my colleagues to vote for passage of this legislation.

Mr. SANTORUM. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. HOUGHTON], a member of the Committee on Ways and Means.

☐ 1120

Mr. HOUGHTON. Mr. Chairman, getting right to the point, I intend to vote for this bill, but, frankly, I do so holding my nose.

The cause is right. We sit around here; we are all employed. A lot of people out there are not, and clearly we have got to be conscious of that. Also, we are in a peculiar phase in the economy. Business is improving, but jobs are not. It is sort of a strange phenomenon going on out there—downsizing, total quality emphasis, minimizing contributed value, squeezing the working capital. So, the impact on jobs is severe, and we may not, frankly, have seen the end of it.

At a recent business council meeting in Williamsburg, the economists, in general, thought that the economy would continue to improve, and run on about a 3-percent increase in the latter part of this year and into 1994. But again this would not extend to increased employment. There are also some downside risks—higher taxes, health costs, and the slowing down of capital spending. But the bottom line for business is tight control on payroll, and corporate strategies focused on emphasizing cost reduction, not price increases. This again hurts the employment situation.

But I must say on the other hand, Mr. Chairman, what we are doing here is absolutely crazy, one short-term bill after another, as if we do not have the wit to think beyond 3 months. I ask my colleagues, "How do you run a $1.5 trillion institution on a 3-month time schedule?" Also, we have a deficit. We set a budget in place. We have a concept called pay as you go, and now we whisper, "whoops," we cannot make the figures come out right, so we will change the rules.

That does not make any sense. This is one bad way to run anything, and it seems to me that we appear as financial illiterates with other people's money.

Mr. Chairman, I reluctantly support this bill. There are people concerned out there, and we must attend to them. Although one should never say never, let me state that I will not do this again. It is unfair for anyone else out there paying their bills, trying to work, struggling to make ends meet to shoulder over and over again this type of responsibility. It is not right.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I rise in strong support of this legislation. A million unemployed workers need help, and we cannot turn our backs on them. But, Mr. Chairman, extending unemployment compensation, as vital as that is, does not get to the root cause of the problems of unemployment, a problem that we have not dealt with effectively.

In my view, Mr. Chairman, if we are going to deal seriously with that problem, we need to institute a real jobs program now which rebuilds America, rebuilds our infrastructure, builds the affordable housing we need and puts millions of workers back to work, and, second, we have got to stop the hemorrhaging of our manufacturing jobs, the downsizing, the jobs going to Mexico, to Singapore, to the Far East. We need a program which says to corporate America, "Reinvest in this country and not in cheap Third World labor."

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

Mr. SANTORUM. Mr. Chairman, I, too, yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

The CHAIRMAN. The gentleman from Ohio is recognized for 2 minutes.

Mr. TRAFICANT. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. SANTORUM] and the gentleman from Illinois [Mr. ROSTENKOWSKI] for yielding this time to me.

Mr. Chairman, I support the bill. The provisions that were included, crafted by the gentleman from Illinois [Mr. ROSTENKOWSKI] make it a better bill, much better. However, my colleagues, extending unemployment compensation will not cure America's jobs hemorrhage. In fact, the big news today is that everybody is cheering because the trade deficit dropped to 6.7 percent. Wow, that really sounds terrific. The trade deficit dropped and dropped to only $10 billion last month. That means we bought $10 billion more than we sold. Countries will not take our products, jobs are leaving, people are losing their jobs, and the American workers are back home knowing they are losing their jobs because of trade ripoffs. Congress does nothing but extend unemployment.

In fact, Mr. Chairman, our tax policies keep dumping taxes on American companies that are chasing them overseas, and our tax policies and our Tax Code rewards and gives tax breaks to American companies overseas. Beam me up.

Mr. Chairman, I say to my colleagues, "You will find America's jobs in our tax and trade policies, and we have a chairman with the power to do it. I would hope that he would look at it. We need that power now. We have had this free trade mentality, and I am for free trade if it is both ways. But look. America is looking for free trade with Mexico. Why not start with free trade with Japan and Europe?"

Mr. Chairman, I am tired of dumping more taxes on people. In fact, I say it is time to modify our Tax Code. Why an income tax? Why not reduce income taxes, couple it with a consumption tax? Every American will probably pay less taxes, and we can tax that underground economy instead of building prisons and giving health care to criminals who get shot on our streets.

I think it is time to look at that, Mr. Chairman. I ask my colleagues to address it.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. APPLEGATE].

Mr. APPLEGATE. Mr. Chairman, I thank the gentleman from Illinois [Mr. ROSTENKOWSKI] for his generosity in yielding this time to me.

Mr. Chairman, the administration wants to pass a North American Free-Trade Agreement. They want to make it easier for Communist China to send in their goods through a most-favored-nation status. They want to open up trade with Vietnam. They want to make it easier for Korean productivity and Thailand productivity to come into the United States.

When is it going to stop? To bring more goods into the United States than we are sending out is going to cost us jobs. Who is going to be left to buy the products if everybody is going to be making minimum wage?

America has lost millions of manufacturing jobs. We have the lowest number of manufacturing jobs in the United States of America since the 1960's. Yes, there is only 6.9 percent unemployment. But what kind of a job are these people holding? Minimum wage and low wage jobs. This unemployment compensation bill is going to be one that is going to help some of those people.

But Americans are losing their jobs. They do not want unemployment compensation. Americans do not want welfare. They do not want food stamps. They want jobs where they can house, clothe, and feed their families, and instead of sending more of these billions of dollars overseas to all these other countries in the world to help them build their economic base I say it is time that we spend the money to build our economic base and help our private enterprise to create the jobs.

Mr. Chairman, that is what Americans want. They want jobs. They do not want low-income jobs. And let me tell my colleagues this, Mr. Chairman:

The unemployed in this country vote, too.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, there are almost 2 million unemployed American workers whose unemployment insurance benefits have run out. A number that does not even include the tens of thousands who have lost hope, who are not even being counted anymore. And, in the weeks we have been debating this extension, 60,000 or more unemployed working people a week are running out of benefits.

As some of our colleagues have pointed out, this level of long-term unemployment is higher now than it was in 1991 when we passed the first emergency extension. We must pass this bill today and lend a hand to these working people.

These are men and women who have worked their entire lives. For many, wrenching economic dislocations have left them without the ability to work for the first time.

The emergency extension will give these workers the ability to continue to house and feed themselves and their families while they search for work. Unemployed workers need us to finish this debate and get this bill passed now. I urge my colleagues to vote to extend the emergency unemployment insurance program and cast a vote for our country's working men and women.

□ 1130

Mr. SANTORUM. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, I want to commend the chairman of the committee, the gentleman from Illinois [Mr. ROSTENKOWSKI], for the excellent work he has done on this bill, for bringing this bill to the floor of the House fully funded, extending benefits through the holidays to a period of time when in fact if we do need to address this issue, we will be here to do so, and for standing tall and supporting the committee. We saw the committee's unanimous support of this bill yesterday on the rule so we can have a vote to extend benefits for 4 months.

This is the fourth extension of the original extension, but there have been five extensions in total. For the first time now we have an extended-benefits program that is paid for with spending cuts. One was emergency funding, with just deficit add-ons. That was the last one. The first three were paid for with tax increases. This is the first one that is paid for with spending cuts, and it is paid for with reforms of programs that desperately cry out for reform.

This is the kind of thing we need to do more of on the floor of the House, examining our priorities and putting the money where the highest priority is and shifting money away from areas of lower priority. That is not to say that those areas are not important, but they are of lower priority.

So I commend the chairman of the committee again and I commend the committee for its fine work in coming forward with this bill. It is one that I will support enthusiastically.

There is an amendment coming up that I think will improve the bill even more, and that is an amendment that will be offered by the gentlewoman from Connecticut [Mrs. JOHNSON]. What the Johnson amendment will do is simply eliminate the States that have unemployment rates below 5 percent, which is considered by most economists to be full employment. It will eliminate benefits for those States with full employment. If the entire nature of this program is to provide emergency benefits, extended emergency benefits for areas of high unemployment, if that is the rationale for passing this program, it makes no sense to pass emergency extended benefits for people in South Dakota and Nebraska, where their unemployment rates are under 3 percent.

So I think what the gentlewoman from Connecticut [Mrs. JOHNSON] has aptly done in this amendment is again to do what the committee did in the first place. That is to target resources to the areas of the highest priority and take resources away from lower areas of priority.

So, again this is consistent with what the committee has done. It is consistent with good policy. It is consistent with the original intent of the emergency extended program, which is to target resources for very high areas of unemployment. So I rise in strong support of the Johnson amendment. In relating to the comments of the gentleman from Michigan [Mr. LEVIN] insofar as the EB program and trying to fix that program so we can get States to trigger on, I would note that there are two States, one of them Oregon, represented by the gentleman from Oregon [Mr. KOPETSKI], and the other State, Washington, represented by another member of the committee, the gentleman from Washington [Mr. MCDERMOTT], that have gone out and extended benefits, using the emergency trigger. When we passed this program in the last session of Congress, we did so with the intent that more States would trigger this program and provide extended benefits in States with very high areas of unemployment.

The irony of this whole situation is that by passing this program today, folks in Washington and Oregon will actually get shorter extended benefits, which is a tragedy for those people in those States and whose legislatures and Governors were responsible enough to deal with this problem in the use of the trigger mechanism that was put in law by the Congress in the last session.

So I think we desperately need to look at this program. We need to see what we can do to correct it, to encourage more States to do this and get involved in the emergency trigger without spending a whole lot more Federal dollars to get the encouragement. I think there are a lot of things we can do with the formula to accomplish this.

Finally, I would just like to say that we are now in day 16 of holding American workers hostage here on the floor of the House with this emergency benefit program. This bill and this rule that we passed this morning were before the Congress 16 days ago. This exact bill and these exact amendments were before us, and they were postponed. They were pulled from the calendar because of special-interest politics. For 16 days American workers who have exhausted their benefits between October 2 and now have been held hostage by political special interests here in Washington, DC.

I would just suggest that if that had gone on under a Republican-controlled Congress or a Republican President, the Members on the other side of the aisle would have been lining up screaming and hollering for something to be done. But not once, I might add, until last night's debate did any Republican come to the floor and demonstrate against that. We patiently waited and waited for this bill to come to the floor so we could do something about the unemployment situation, and all this time we did so, recognizing that in past unemployment extensions the other side of the aisle got up and demonstrated repeatedly about delays and how we could not delay.

Let me read some of these quotes. The gentlewoman from Connecticut said: "These unemployed individuals cannot afford to wait. Quite literally, when the benefits run out, time runs out."

The gentleman from California said: "The reason that we are moving ahead quickly is because there are 300,000 Americans each month that are going on the EUB program. Right now there are 150,000 Americans on this program, so we have to move quickly. There is just no question that this has to be done."

The gentleman from Virginia said: "Nearly 1.8 million jobless Americans risk losing their shield against financial disaster unless we act quickly on this legislation before us."

The gentleman from Illinois said: "There are Americans out there expecting us to act. We are beyond the gridlock that we faced for so long in this bill, and these Americans are expecting us to act."

We saw gridlock in action when political special interests outweighed American workers for the past 2 weeks. I would just ask, where were all these people in the past 2 weeks? Not only did we potentially delay this, we in fact did delay it for 2 weeks. We had States that ended their programs that are now going to have the additional cost of trying to find these people and pay them back benefits. The additional cost is going to be on States that are tightly strapped already for resources.

This was an irresponsible move. It was a move by the House leadership that I think should be pointed out to the American public.

Again I want to commend the chairman of our committee and others who stood up to that and made sure that the bill came to the floor as quickly as possible.

Mr. Chairman, I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. KOPETSKI].

Mr. KOPETSKI. Mr. Speaker, I commend the chairman of the Committee on Ways and Means for bringing this measure to the floor, a measure that will clearly help millions of Americans in their time of need.

The gentleman from Pennsylvania made a couple of comments that I want to respond to. We must keep in mind the historical perspective, that we would not have this extended emergency program but for the Democrats in the Congress who insisted 2 years ago that there was a problem in the economy, that there were unemployed people in this country who were exhausting their unemployment benefits, and who noted that at first the then President, President Bush, refused to even take note of it, and after months of fighting and hammering on the floor of this Congress we, the Democrats, passed this legislation.

The gentleman from Pennsylvania said that economists say that full employment is at 5 percent. Let me suggest to the Members that if you are unemployed, the unemployment rate is 100 percent.

We have a structural problem in this economy today that is not creating the jobs that we need. That is why I am in support of this bill and in opposition to the Johnson amendment. For the same reason that we need to support this bill, we need to defeat the Johnson amendment. There is a structural problem in the economy. It is a national problem, if not an international problem, and it is not a problem that any one State can fix. The exhaustion rate is 250,000 individuals per month, for a total of 1,750,000 individuals who have exhausted their benefits and are on this program.

□ 1140

This is just the individuals. This does not include the families affected by this program. The normal exhaustion rate, Mr. Chairman, of these benefits, is 28 percent. Today it is over 38 percent. So even if the State has a low unemployment rate, below 5 percent, many of these unemployed workers are structurally unemployed. They are not on a temporary layoff. They do not have a job that is going to come back to them.

A person on unemployment benefits is able to work, is willing to work, is seeking work, and the structural problem we have is there is no job for that person in this economy.

That is why we need to expand this program in every State. In every State these are people that want to work, but, because of our national economic problem, they are not able to find a job, and we need to help them out at the Federal level.

Mr. FAZIO. Mr. Chairman, I rise today in strong support of H.R. 3167, emergency unemployment compensation extension for the 1 million-plus American workers who will exhaust their regular unemployment benefits over the next 4 months. Passage of this bill ensures that unemployed workers who exhaust their 26 weeks of regular benefits after October 2 are eligible for further support.

Under the regular unemployment compensation program, unemployed workers are eligible for 26 weeks of unemployment compensation. But last year, as a result of the recession, Congress had to come to the aid of those workers who had exhausted these regular benefits by passing legislation that provided additional emergency benefits for eligible workers who were no longer covered by the regular program.

However, the national unemployment rate is still hovering at around 6.7 percent. Unemployment in the counties in my district is among the highest in California. In Glenn County, where the unemployment rate is 17 percent, over 1,700 workers are unemployed. As many as 3,500 Yuba County workers cannot find jobs, driving their unemployment rate up to 14.6 percent. Nearly 13 percent of the workers in Sutter and Tehama Counties—over 7,000 people—are unemployed.

Nationwide, there are over 8.5 million Americans who are victims of long-term unemployment—who are still looking for work. As many as 1.7 million of these people have been out of work for over 6 months and about 250,000 eligible workers continue to run out of regular unemployment benefits each month. In July, in California alone, nearly 50,000 people exhausted their regular State unemployment benefits and qualified for extended benefits. Over the past 8 months, over 408,000 Californians exhausted their regular benefits. And, when the emergency extension of unemployment benefits expired on October 2, it meant that they had nowhere to turn.

But this bill will once again extend the authority for emergency unemployment compensation benefits for new applicants, who will receive either 7 or 13 weeks of additional benefits, depending on the unemployment rates in their States. In California, where our total unemployment rate is 9 percent, new claimants will be able to file for an additional 13 weeks of emergency benefits.

American workers need these benefits. H.R. 3167 provides them and, at the same time, pays for itself. As our economy slowly comes back to life, H.R. 3167 enables us to once more reach out and do the right thing for the millions of American workers and families who are struggling to meet their basic, everyday needs. I urge my colleagues on both sides of the aisle to support its final passage.

Mr. FORD of Michigan. Mr. Chairman, I rise today to express my support for H.R. 3167, the Unemployment Compensation Amendments of 1993.

While our Nation's economy is gradually improving, thousands of people in my congressional district are still out of work, and unable to find even parttime employment. In September, the State of Michigan had 312,000 people who were unable to find jobs. While this is a long way from the nearly double digit unemployment rates we faced last year, we must not forget those families who, through no fault of their own, are facing the terrible uncertainty of yet another month of electric bills and mortgage payments without a paycheck. It is clear that an extension of emergency benefits is necessary to offer these families a helping hand until work becomes available.

The measure before us today extends the authorization for new claims of emergency benefits from its expiration date of October 2, 1993, to February 5, 1994. The extension will provide 7 or 13 weeks of extended benefits for workers who have exhausted their regular State benefits. States which have adjusted insured unemployment rates of at least 5 percent would be eligible for 13 weeks of extended benefits. The majority of States like Michigan, whose rate falls below this threshold, would be able to offer 7 weeks of extended benefits.

H.R. 3167 requires States to profile workers who apply for regular State benefits, and assist those workers with job search assistance.

The bill would reduce the deficit by $24 million over the next 5 years. This savings is achieved through two straightforward financing provisions: The institution of worker profiling, which will enable beneficiaries to find employment more rapidly, and by extending to 5 years from its current level of 3 years the amount of time that the income of the sponsors of legal aliens is taken into account in determining the alien's eligibility for supplemental security income [SSI] benefits.

Mr. Chairman, our economy is improving, but hundreds of thousands of Americans still need and deserve our help. The action we are taking today is the right one. I urge my colleagues to join me in supporting this much-needed legislation.

Ms. VELÁZQUEZ. Mr. Chairman, I rise today in support of extending emergency unemployment benefits that my constituents and people all across America so desperately need, however I support this particular measure with reluctance.

Before I proceed, I would like to give a brief overview of what has happened during the last 2 weeks. When the original version of the bill extending unemployment benefits first came to the attention of this Congress, the members of the Hispanic caucus, including myself, were outraged. The bill contained a provision that stated that funding for the extension of benefits would come from raising from 3 to 5 years the eligibility for aged, blind, and disabled legal immigrants to receive their supplemental security income.

We felt that this unfair and unjust provision subjects legal U.S. residents to blatant immigrant bashing. We should not, and need not, rob Pedro to pay Paul. In addition, by relieving the Federal Government from paying for SSI benefits, we transfer the burden of picking up the tab to our States. For example, the SSI benefits that would have been paid for by Uncle Sam will now be costing my State of New York $2 million. The provision also contributes to the anti-immigrant sentiment that is now running rampant in our country, and the members of the Hispanic caucus felt it was necessary that this language be removed. Legal immigrants should not be asked to solely bear the burden of financing unemployment benefits for the entire United States.

As a result of the efforts of the Hispanic caucus, the bill was brought to the House of Representatives yesterday without this biased financial provision, and it extended unemployment benefits until January 1, 1994. This extension would have given Congress until that time to find a new funding mechanism if additional benefits were needed beyond that point, and spared aged, blind, and disabled legal immigrants from having to suffer unfairly. The rule was sadly and regrettably defeated. Its defeat illustrates the insensitivity to Latino concerns and the anti-immigrant climate which permeates this Chamber and the country. Hence, once again I stand in front of you today.

Mr. Chairman, despite my objections, I realize the necessity for the extension of unemployment benefits, but I deeply regret that this extension will be achieved at the expense of our Nation's legal immigrants.

Mr. REED. Mr. Chairman, I rise in support of H.R. 3167, the Unemployment Compensation Amendments of 1993, legislation which would extend the emergency unemployment benefits program for 4 months.

It was my hope when the 103d Congress convened that we would act swiftly on the President's job-creating stimulus plan and get people back to work, but unfortunately this was not the case. Instead, we have now passed two bills which help out-of-work Americans keep their heads above water, not legislation which helps them get a job.

While this bill does not provide benefits for the long-term unemployed who have exhausted previous extensions of emergency unemployment compensation, it will help thousands of Rhode Island families to keep food in the refrigerator and clothe their children.

Although the recession may be statistically considered over, long-term unemployment remains too high—almost 1.75 million Americans are still without a job after 6 months of looking.

My State has the dubious distinction of having the highest number of unemployed workers who have been out of work for more than 6 months. According to the Center on Budget and Policy Priorities, 38 percent of Rhode Island's unemployed workers have been jobless for over 6 months.

Each week, I receive calls and letters from these individuals who want nothing more than to go back to work. They do not care about business cycles or corporate restructuring or how this bill is financed—they care about their families and getting back to work. If we cannot pass a bill to create jobs, then we must pass a bill that lessens the distress of these families.

We must do it now. The procedural wrangling of the past few days jeopardizes the slender lifeline of thousands and thousands of Americans. To sacrifice their well-being on the altar of ideological and procedural maneuvers is unacceptable.

Mr. Chairman, I urge my colleagues to join me in supporting this bill.

Mr. BORSKI. Mr. Chairman, I rise in support of H.R. 3167 to extend the Emergency Unemployment Compensation [EUC] Program, which is set to expire October 2.

Although the national unemployment rate has declined in recent months, it remains nearly as high today as it was in November 1991, when the EUC Program was established. In addition, the number of long-term unemployed, those exhausting their initial unemployment benefits, is higher today than when the program was initiated in 1991. Over the next few months, nearly 250,000 Americans will exhaust their initial unemployment benefits each month.

Mr. Chairman, we are no longer dealing with cyclical unemployment, where workers are temporarily laid off during a recession and return to their jobs when the economy improves. These people have been laid off permanently. They must find new jobs, often be retrained for a new skill, and enter a new field. Mr. Speaker, this takes time.

The basic unemployment insurance program is not meeting the needs of these people. We must extend emergency unemployment benefits to provide relief to these Americans whose lives and families have been seriously disrupted by the long recession and the restructuring of our economy. We have an obligation to assist these workers who, through no fault of their own, are still unable to find work.

H.R. 3167 will help these workers by providing an additional 7 or 13 weeks of unemployment benefits, depending on the level of unemployment in their State. This will enable many of these people to continue their mortgage payments, pay their rent or pay off school loans while they seek new jobs.

In addition, H.R. 3167 will provide necessary reforms to the basic unemployment compensation program. This legislation will enable States to assist permanently laid-off workers in establishing their own business and becoming self-employed. H.R. 3167 will also provide the option of short-time compensation to allow employers to reduce hours of employment for a large group of workers rather than laying off a smaller number of workers.

While H.R. 3167 will help in the short run, we must begin to look at making fundamental changes in the basic unemployment insurance program so that it can meet the changing needs of America's unemployed. We need to move from a system that temporarily reduces the financial strain of unemployment to a system that also helps Americans get back to work.

Ms. PELOSI. Mr. Chairman, I rise today in support of H.R. 3167, the Unemployment Compensation Program extension. This legislation will extend unemployment benefits for Americans who have been without work for more than 6 months and continue to seek reemployment.

Mr. Chairman, our Nation's economy is showing signs of recovery and job growth. Over 1 million private-sector jobs have been created since January—more than were created in the previous 4 years combined. This is good news, Mr. Chairman, and I commend the administration for its efforts to continue stimulating the economy.

While the unemployment rate has declined over the past year, the number of long-termed unemployed has increased during the recovery. It is these unemployed Americans and their families whom this bill seeks to aid—American workers who will have been without work for more than 6 months and are still looking for a job. The extension of compensation benefits will help these people immediately. The job search assistance program included in this bill will aid these people in the long term by helping them find new jobs.

This emergency extension bill is a fiscally sound initiative. The costs of the extension are offset by the results of the job search assistance program which will expeditiously move unemployed people back into the workforce.

I urge my colleagues to vote for this emergency extension of unemployment compensation and provide assistance to working Americans who are still experiencing hard times.

Mr. HOAGLAND. Mr. Chairman, this week, the House will vote on H.R. 3167, a bill to extend the Emergency Unemployment Compensation [EUC] Program for another 4 months. As I did in the Ways and Means Committee, I must again express my opposition to this extension.

To extend this program for just 3 more months will cost $740 million. These costs will be incurred immediately. To pay for this, changes will be made in the EUC program to realize savings over a 5-year period which may, or may not, materialize.

The savings would come from a new system of worker profiling where State unemployment insurance agencies must identify which claimants will likely exhaust their regular unemployment benefits and refer them to job search assistance. This will supposedly put more unemployed into the job search system quicker and result in new jobs before they need emergency benefits. Besides becoming an administrative nightmare, profiling assumes there will be jobs available that can be filled by these claimants. This overly optimistic funding mechanism is the kind of thing that the American public finds most distasteful about Washington. We cannot hide behind assumptions to reduce government spending or even to offset additional spending.

This is the fifth time we have voted to extend the EUC since the recession began in 1991. Does anyone remember the bill we passed last year that was going to fix the unemployment system once and for all and stop these endless extensions? Well, that bill changed the trigger mechanism to make it easier for States to release extended benefits funds. States were given the choice to stay with the old system in which extended benefits are released based on the percentage of those unemployed who are receiving unemployment benefits or go to a new system in which the release trigger is based on the total unemployment rate. This new extended benefits program is paid for equally by States and the Federal Government. During mark up of the bill in the Ways and Means Committee, we learned that only two States passed the necessary law to begin the new program. I am concerned that the reason more States have not done so is because those with high unemployment are betting that Congress will continue to extend the EUC, which is entirely federally funded.

All we are doing is creating another entitlement. The longer this program exists, the harder it becomes to end it and the more people begin to view the EUC as a right. We must remember that this is an emergency program, not a permanent one. This program was created to give the chronically unemployed a little help until the recession subsides. While there are still many people exhausting their regular unemployment benefits, the national unemployment rate is lower today than it was in 1991, when we first established the EUC. And in my State of Nebraska, we have an unemployment rate below 2.4 percent. What I hear Nebraskans say all the time is—cut Government spending. It is time to make tough choices.

Last year, Congress passed into law a bill to fix the system. We must force the States to establish that program and let it work. We must end some programs that, justified or not, cannot continue if we are to seriously talk about cutting the deficit.

Mr. FRANKS of Connecticut. Mr. Chairman, during the 1990's Connecticut has suffered from defense cutbacks, the real estate collapse, and the credit crunch, in addition to a damaging new income tax that took millions out of the pockets of Connecticut workers. Our unemployment rate, while down somewhat this year, was still 6.7 percent in July 1993. Waterbury's unemployment rate was 9.9 percent. As defense cutbacks continue, finding a job is still difficult for many of my constituents. For this reason, I will vote in favor of extending unemployment benefits for the long-term unemployed in my State.

However, it's time for Congress to take a greater look at why unemployment rates are not falling faster. New taxes and new regulations, the result of an indulgent Congress and a permissive President, are forcing businesses to reduce their work forces. President Clinton's tax plan, which I voted against in August, has the potential to eliminate millions of jobs from our economy. And how will raising gas taxes 4.3 cents a gallon help those who need to use their cars to apply for a job?

Rather than giving out more handouts, I want Congress to stop taxing the middle class and begin to repeal the regulatory burdens that are hindering progress in the American economy. The proper way to help people who are unemployed is to get them back to work in the market economy. Few people want to rely on the money of other taxpayers to pay their bills. Let's stop deceiving ourselves that we can continue these extensions forever. Americans need Congress to help U.S. industry create more jobs.

Mr. ROSTENKOWSKI. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the bill, modified by the amendments recommended by the Committee on Ways and Means now printed in the bill, is considered as an original bill for the purpose of amendment and is considered as read.

The text of the amendment in the nature of a substitute as modified, is as follows:

H.R. 3167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Unemployment Compensation Amendments of 1993".

SEC. 2. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) GENERAL RULE.—Sections 102(f)(1) and 106(a)(2) of the Emergency Unemployment Compensation Act of 1991 (Public Act 102–164, as amended) are each amended by striking "October 2, 1993" and inserting "February 5, 1994".

(b) WEEKS OF BENEFITS AVAILABLE DURING EXTENSION.—

(1) Subparagraph (A) of section 102(b)(2) of such Act is amended—

(A) by redesignating clause (vi) as clause (vii),

(B) by inserting after clause (v) the following new clause:

"(vi) REDUCTION OF WEEKS AFTER OCTOBER 2, 1993.—In the case of weeks beginning October 2, 1993—

"(I) clause (i) of this subparagraph shall be applied by substituting '13' for '33' and by submitting '7' for '26',

"(II) clauses (ii), (iii), (iv), and (v) of this subparagraph shall not apply, and

"(III) subparagraph A of paragraph (1) shall be applied by substituting '50 percent' for '130 percent'.", and

(C) by striking "or (iv)" in clause (vii) (as redesignated by subparagraph (A)) and inserting "(iv), or (vi)".

(2) Subparagraph (B) of section 102(b)(2) of such Act is amended by striking "and (iv)" and inserting "(iv) and (vi)".

(c) MODIFICATION OF FINAL PHASE-OUT.—Paragraph (2) of section 102(f) of such Act is amended—

(1) by striking "October 2, 1993" and inserting "February 5, 1994", and

(2) by striking "January 15, 1994" and inserting "April 30, 1994".

(d) CONFORMING AMENDMENTS.—Section 101(e) of such Act is amended—

(1) by striking "October 2, 1992" each place it appears in paragraph (1) and inserting "February 5, 1994", and

(2) by striking "(and is not triggered off under paragraph (1))" in paragraph (2) and inserting "after February 5, 1994,".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to weeks of unemployment beginning after October 2, 1993.

SEC. 3. MODIFICATION TO ELIGIBILITY REQUIREMENTS FOR EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) REPEAL OF DISREGARD OF RIGHTS TO REGULAR COMPENSATION.—Subsection (f) of section 101 of the Emergency Unemployment Compensation Act of 1991 (Public Law 102–164, as amended) is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to weeks of unemployment beginning after the date of the enactment of this Act; except that such repeal shall not apply in determining eligibility for emergency unemployment compensation from an account established before October 2, 1993.

SEC. 4. WORKER PROFILING.

(a) IN GENERAL.—

(1) ESTABLISHMENT OF PROFILING SYSTEM.—Section 303 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(j)(1) The State agency charged with the administration of the State law shall establish and utilize a system of profiling all new claimants for regular compensation that—

"(A) identifies which claimants will be likely to exhaust regular compensation and will need job search assistance services to make a successful transition to new employment;

"(B) refers claimants identified pursuant to subparagraph (A) to reemployment services, such as job search assistance services, available under any State or Federal law;

"(C) collects follow-up information relating to the services received by such claimants and the employment outcomes for such claimants subsequent to receiving such services and utilizes such information in making identifications pursuant to subparagraph (A); and

"(D) meets such other requirements as the Secretary of Labor determines are appropriate.

"(2) Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until he is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, he shall make no further certification to the Secretary of the Treasury with respect to such State.".

(2) CONFORMING AMENDMENT.—Section 304(a)(2) of the Social Security Act is amended by striking "or (i)" and inserting "(i), or (j)".

(b) PARTICIPATION REQUIREMENT.—Section 303(a) of the Social Security Act is amended—

(1) by striking the period at the end of paragraph (9) and inserting "; and", and

(2) by adding at the end thereof the following new paragraph:

"(10) A requirement that, as a condition of eligibility for regular compensation for any week, any claimant who has been referred to reemployment services pursuant to the profiling system under subsection (j)(1)(B) participate in such services or in similar services unless the State agency charged with the administration of the State law determines—

"(A) such claimant has completed such services; or

"(B) there is justifiable cause for such claimant's failure to participate in such services.".

(c) TECHNICAL ASSISTANCE.—The Secretary of Labor shall provide technical assistance and advice to assist the States in implementing the profiling system required under the amendments made by subsection (a). Such assistance shall include the development and identification of model profiling systems.

(d) REPORT TO CONGRESS.—Not later than the date 3 years after the date of enactment of this Act, the Secretary of Labor shall report to the Congress on the operation and effectiveness of the profiling system required under the amendments made by subsection (a) and the participation requirement provided by the amendments made under subsection (b). Such report shall include such recommendations as the Secretary of Labor determines are appropriate.

(e) CONFORMING AMENDMENT.—Section 4 of the Emergency Unemployment Compensation Amendments of 1993 (Public Law 103-6) is hereby repealed.

(f) EFFECTIVE DATES.—

(1) The amendments made by subsections (a) and (b) shall take effect on the date one year after the date of the enactment of this Act.

(2) The provisions of subsections (c), (d), and (e) shall take effect on the date of enactment of this Act.

SEC. 5. TECHNICAL AMENDMENT TO UNEMPLOYMENT TRUST FUND.

Paragraph (1) of section 905(b) of the Social Security Act is amended to read as follows:

"(b)(1) Except as provided in paragraph (3), the Secretary of the Treasury shall transfer (as of the close of each month) from the employment security administration account to the extended unemployment compensation account established by subsection (a), an amount (determined by such Secretary) equal to 20 percent of the amount by which—

"(A) the transfers to the employment security administration account pursuant to section 901(b)(2) during such month, exceed

"(B) the payments during such month from the employment security administration account pursuant to section 901 (b)(3) and (d).

If for any such month the payments referred to in subparagraph (B) exceed the transfers referred to in subparagraph (A), proper adjustments shall be made in the amounts subsequently transferred."

SEC. 6. EXTENSION OF REPORTING DATE FOR ADVISORY COUNCIL.

Section 908(f) of the Social Security Act is amended—

(1) in paragraph (1), by striking "2d year" and inserting "third year"; and

(2) in paragraph (2), by striking "February 1, 1994" and inserting "February 1, 1995".

SEC. 7. TEMPORARY INCREASE IN SPONSORSHIP PERIOD FOR ALIENS UNDER THE SUPPLEMENTAL SECURITY INCOME PROGRAM.

(a) INCREASE IN SPONSORSHIP PERIOD.—

(1) IN GENERAL.—Section 1621 of the Social Security Act (42 U.S.C. 1382j) is amended by striking "three years" each place such term appears and inserting "5 years".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 1994.

(b) REINSTATEMENT OF PRIOR LAW.—

(1) IN GENERAL.—Section 1621 of the Social Security Act (42 U.S.C. 1382j), as amended by subsection (a)(1) of this section, is amended by striking "5 years" each place such term appears and inserting "3 years".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 1996.

The CHAIRMAN. No amendment to the amendment in the nature of a substitute is in order except the amendments printed in House Report 103-269. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and is not subject to amendment.

Debate time on each amendment will be equally divided and controlled by the proponent and an opponent of the amendment.

It is now in order to consider amendment No. 1 printed in House Report 103-269.

AMENDMENT OFFERED BY MRS. JOHNSON OF CONNECTICUT

Mrs. JOHNSON of Connecticut. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. JOHNSON of Connecticut: At the end of section 2 of the bill, insert the following new subsection:

(f) LOW-UNEMPLOYMENT STATES NOT ELIGIBLE FOR EXTENSION.—No emergency unemployment compensation shall be payable in any State by reason of the amendments made by this section unless the average rate of total unemployment in such State for the period consisting of the most recent 3 calendar months for which data are published before the date of the enactment of this Act is 5 percent or greater.

The CHAIRMAN. The gentlewoman from Connecticut [Mrs. JOHNSON] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Mr. FORD of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. FORD] will be recognized for 10 minutes.

The Chair recognizes the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, a few short months ago, we passed a mammoth tax-and-spend package in which we said to the American people—these are the resources we need and these are the expenditures we must make to address America's needs over the next 5 years. Yet, here Congress is again having to raise new resources to address needs we knew about when the majority party constructed the budget package. So, since we are now breaking the budget rules and using incredibly optimistic assumptions to find money to pay for the extension in the out years, we should at least be prudent and responsibly minimize the cost of this extension. My amendment does this.

My amendment would simply exclude from the Emergency Extended Benefits Program people in States with less than 5 percent unemployment. When I say 5 percent unemployment, I am using the total unemployment figure, the most generous definition of unemployment and one that includes three groups: The insured unemployment, those looking for work but not qualified for benefits, and exhaustees. Based on the most recent data, this amendment would eliminate emergency benefits in 10 States—Delaware, Hawaii, Iowa, Nebraska, North and South Dakota, Utah, North Carolina, Wisconsin, and Indiana—and would save $75 million in 1994. All of these States, of course, will continue to qualify for the 6 months of benefits offered by current law. For extended benefits, Congress has always required higher rates of unemployment as a condition of providing extended or emergency benefits.

All of us understand that, for better or for worse, the various States have economies that are dramatically different. As we debate this issue on the floor today, for example, the unemployment rate is over 9 percent in California, about 7 percent in Connecticut, 5 percent in Wisconsin, and under 3 percent in Nebraska. Clearly, while California suffers from near-depression level unemployment, Wisconsin flourishes and Nebraska booms.

Now I ask you, Members of Congress, how can we possibly justify using Federal tax dollars to give emergency unemployment benefits to workers in a State with 3 percent unemployment? We can't. And our own work and votes demonstrate why.

Just 1½ years ago, Congress reformed the unemployment system. At that time we lowered the trigger granting people extended benefits. That is, when this body passed the Downey amendments to the Extended Benefits Program just last year, we set 6.5 percent as the trigger for extended benefits. We voted that total unemployment of less than 6.5 percent did not justify extended benefits. Therefore, it is fair to say that my choice of 5 percent provides a very generous line of demarcation.

Second, economists now tell us that around 5 percent unemployment is the result of normal, what is called frictional, forces operating in the economy. In other words, 5 percent unemployment is mainly attributable to turnover—people who quit their jobs, who are between jobs, or who are moving to a new area of the country. Levels below 5 percent result in businesses having difficulty finding employees, in labor shortages, and wage inflation. When Connecticut had 4 percent unemployment, supermarket managers were complaining to me that they could not find people to bag groceries. Manufacturers in my district had to put off plans to expand. The labor supply temporarily dried up. Thus, 5 percent unemployment is essentially full employment. So again we can see that the choice of 5 percent for triggering emergency benefits is very generous.

Another way to think about whether States with unemployment below 5 percent should receive emergency benefits is to examine the Nation's average unemployment rate in recent years. In the last quarter century, the average unemployment rate in the United States has been 6.4 percent. The average over the past decade is even higher—6.8 percent. The last time the Nation achieved an unemployment rate below 5 percent was 1973, two decades ago when we had an entirely different economy and very different demographics than we have today. In the last 20 years, the Nation has not had even a single month in which unemployment was below 5 percent.

These figures show that setting the trigger for emergency unemployment at 5 percent is extremely generous. Defining an emergency as a level of unemployment lower than any the Nation has experienced in 20 years is foolish, wasteful, and fiscally irresponsible.

We simply cannot justify using our tax dollars to extend unemployment compensation benefits in those States with unemployment below 5 percent; that is, in States with strong economies. To do so is to defy reason, logic, and historical evidence. Even worse, especially in this era of oppressive Federal deficits and public needs that outstrip public resources, giving emergency benefits to workers in States with strong economies shows the American people, yet again, that Congress cannot make responsible fiscal decisions and use tax dollars prudently, but is the prisoner of a one-size-fits-all mentality that squanders our resources.

A vote in favor of my amendment is a vote for the integrity of our unemployment system and a vote for fiscal sanity.

Mr. Chairman, I know this is a difficult vote for my colleagues because of the way the issue has been proposed. In the long run, if you cannot vote for my amendment, we will never achieve full funding for Head Start. We have tried to full fund Head Start for 5 years, and still have not made it, because the competing demands for the tax dollars are so great. We will never provide the fuel assistance that elderly and poor people in the Northeast need. We will never be able to meet the challenge of meeting the needs of our people at a time of constrained resources and extraordinary change. We must acknowledge what we have acknowledged consistently every year over the past history of our Nation, that extended benefits in a strong economy are inappropriate. People have an opportunity to get jobs when unemployment is 3 and 4 percent that they do not have when employment is higher.

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That has always been the assumption of the work of this Congress. It is always laying behind our fiscal decisions. In a time when resources are constrained and the needs of our Nation are enormous, I urge my colleagues to join with me to support an amendment that is simply fiscal sanity. I urge a "yes" vote on my amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. FORD].

Mr. FORD of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to my colleague who serves on the Committee on Ways and Means that has offered this amendment.

I am opposed to this amendment because long-term unemployed workers in low unemployed States have suffered the pain of unemployment just as much as those who live in those areas with State unemployment around 5 percent.

Mr. Chairman, in the past many of my colleagues have been strong advocates of local area triggers to deal with the problem of pockets of poverty and pockets of unemployment throughout the Nation. Perhaps we should consider this once again, but in the meantime, we should not cut off these benefits for States with unemployment of less than 5.3 percent.

It is nice to talk about, but there are 11 States or 10 States and the Virgin Islands that would be affected by this amendment. I do not think it is fair.

One of or colleagues on the Committee on Ways and Means, the gentleman from Florida [Mr. GIBBONS], indicated in the full committee a very clear and eloquent message that what happens in large States, when someone lives 300 or 400 or 500 miles from one part of the State where they might be faced with unemployment at 2 percent and pockets of high unemployment 400 miles away that are suffering with 8 to 9 percent of unemployment. It is not fair.

We have had an economic problem in this country. It is not fair at this point in time. If we want to look at the triggers once again, as we try to reform this whole area, that might be all right. But now we are faced with high unemployment in these 10 States as well as the Virgin Islands, as it relates to big States and it relates to pockets of high unemployment.

I would ask my colleagues to reject the amendment offered by the gentlewoman from Connecticut [Mrs. JOHNSON], and let us move forward and pass this unemployment compensation bill that we can send a bill to the Senate and we do not have to go to conference, maybe, and get this ball rolling and offer the unemployment compensation benefits to those who are in need of it.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, this body always fascinates me. It truly represents America. Members can look at things so differently, even two women from the same State with abutting districts.

I cannot reduce this debate on this amendment to facts and figures and arbitrary thresholds. If one is laid off in a State with 4.9-percent unemployment, it hurts just as much as if they were in a State with 5.1-percent unemployment. They have to address their obligations until they get another job.

What disturbs me most about this amendment is that it lacks the realities of life in America today. Downsizing is in. And often, that individual who is laid off is a woman 50 or over. Better to hire a younger worker. It costs less and they do not have to get into that pension benefit.

It is not easy to get a job when one is over 50. But at least if they have unemployment compensation, they can catch their breath. They can get organized. They can think about what they will do next. But it takes a long time to get that job, and they really need those extended unemployment compensation benefits.

This amendment is not well thought out. I really hope that my colleagues will defeat it. It does not make sense.

Mr. FORD of Tennessee. Mr. Chairman, I yield 1 minute to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, I had the opportunity recently to read a biography of Charles Dickens by Peter Ackroyd. I want to commend to the attention of the gentlewoman from Connecticut an observation made by an editorial in the London Daily News in 1870.

> In his pictures of contemporary life posterity will read more clearly than in contemporary records the character of 19th century life.

I would suggest that this amendment is a good example of 19th century life in Dickens' time, and I would suggest that with the Christmas season coming up, we might want to take a look at "A Christmas Carol."

Are there no poorhouses? Are there no workhouses for the poor? Do we not give alms?

Perhaps the gentlewoman would like to return to the era of Ebenezer Scrooge, to take people and put them into a category where they are dehumanized.

How anybody can come and say that someone is not 100 percent unemployed when they lack a job is beyond me.

An economist is somebody who has a job telling someone else what they do not have one. And when they can come up and give definitions about full employment meaning 5 percent of the people are disenabled from being able to pursue their unemployment chances with the unemployment insurance, then that truly is a picture of contemporary life. Yes, Victorian, Dickensonian life, not the kind of life that we need to lead in this time in this country.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Chairman, I thank the gentlewoman for yielding time to me.

I think, particularly after the last speaker, it is necessary for us to bring this debate back into the parameters in which we are debating. We are talking about what constitutes an emergency.

These extraordinary benefits are coming about in this bill because there exists emergencies in some parts of the country. Clearly, if we have got 4 or 5 percent unemployment in one State, that is not nearly as severe as when we have 6, 7, or 11 percent in another State. Obviously, 10 or 11 percent unemployment is an emergency; 4, 5 percent is not an emergency.

When we have 4 or 5 percent, we have got less people going after more jobs. There are more jobs out there. But when we have 11 percent, we have got more people going after less jobs. That is an emergency.

So let us not get carried away with Scrooge and the "Christmas Carol" and all these things. Let us get down to the hard facts.

We are here to legislate. We are here to be responsible. We are here not to give away tax dollars but to responsibly spend them.

That is the debate that we are talking about today. It is not talking about being hard-hearted. It is not talking about being a Scrooge. It is recognizing exactly the world as it exists today.

There are different conditions in different parts of the country. The amendment before us is a sound amendment. I would urge a "yes" vote on the Johnson amendment.

Mr. FORD of Tennessee. Mr. Chairman, I yield 30 seconds to the gentlewoman from Indiana [Ms. LONG].

Ms. LONG. Mr. Chairman, I rise in opposition to this amendment because if it is adopted, long-term unemployed individuals in my State of Indiana will be denied extended unemployment benefits.

This amendment tells some long-term unemployed individuals that while their neighbors across the State line may qualify, they will be denied the very same benefits.

Furthermore, there are serious questions regarding the way we calculate unemployment and that we are likely underestimating unemployment rates in some States, including my State of Indiana.

I am going to be voting "no" on this amendment, and I urge my colleagues to do the same.

Mr. FORD of Tennessee. Mr. Chairman, I yield 1 minute to the gentleman from North Dakota [Mr. POMEROY].

□ 1200

Mr. POMEROY. Mr. Chairman, I have not been here long. This idea implicit in this amendment represents one of the most misguided efforts I have seen since I got here. The emergency unemployment program is a family relief measure, not a State relief measure. If you are an unemployed sole provider, your household unemployment is 100 percent.

Mr. Chairman, should Congress deny emergency unemployment benefits to textile workers in North Carolina, longshoremen in Delaware, oilfield workers in North Dakota, and workers in seven other States, simply on the basis of where they live? If yes, then you should support the amendment sponsored by Representative JOHNSON of Connecticut.

However, if you believe, as I do, that all workers who have suffered long-term unemployment should be allowed equal access to emergency unemployment benefits, then you must vote "no" on the Johnson amendment.

Mr. Chairman, I am afraid that a statewide unemployment rate of less than 5 percent is far from a clean bill of economic health as the gentlewoman would suggest. In the case of North Dakota, we have already lost thousands of valued citizens who—in the face of chronic difficulties in agriculture and energy—have been forced to move away.

Depressed agriculture prices, a bust in the world oil market, 2 years of drought followed by this summer's floods have all contributed to serious economic dislocation. Mr. Chairman, I hope that the long-term unemployed people who have stayed in North Dakota and continue to look for work in our State will not be denied the same access to emergency unemployment compensation as workers in other States. We need these people to stay in North Dakota, find jobs in North Dakota and help grow our State's economy. Mr. Chairman, it is bad enough that North Dakotans have been forced to leave to leave our State in search of work—please do not force them to leave in search of Federal emergency unemployment benefits.

Mr. Chairman, the gentlewoman's amendment is a blunt instrument that would save a small sum of money only by arbitrarily denying many American families their rightful access to emergency unemployment benefits. The gentlewoman says that workers in North Dakota and nine other States do not deserve emergency unemployment benefits because the statewide unemployment rate is less than 5 percent. Now, in Connecticut, the State unemployment rate may tell the whole story—the individual county rates deviate by less than 2 percent from the State average of 6.6 percent. The picture is a little different in North Dakota. In Slope County, ND, the unemployment rate is 9.1 percent, in McHenry County it's 10.8 percent, Rolette County is 13.7 percent, in Benson County it's 14.6 percent—more than twice the rate of unemployment in Litchfield, County, CT, in the gentlewoman's district. In fact, 16 counties in my State have an unemployment rate of more than 5 percent. However, if Congress adopts the Johnson amendment, workers in these counties, the State of North Dakota, and nine other States would be ineligible for emergency benefits. The gentlewoman from Connecticut undoubtedly knows Connecticut, but she clearly knows nothing about North Dakota and some of the other States where her amendment would bar benefits.

Mr. Chairman, I would also like to point out that unemployed workers in

North Dakota are exhausting their regular unemployment benefits at a higher rate than workers in 37 other States. These numbers mean that unemployed workers in North Dakota are every bit as much in need of an emergency extension of benefits as workers anywhere in the country. If Congress adopts the Johnson amendment, we will slam the door on North Dakota families who have exhausted regular benefits just as readily as families in Connecticut.

Workers in 9 States are barred, and workers in 10 States are very close to the arbitrary limit.

Mr. Chairman, this amendment is unfair. The needs of the long-term unemployed in my State are no different from the needs of the unemployed in the district of each and every Member of this House. While this amendment would save some money, it would wreak untold hardship on struggling families in North Dakota and throughout the country. Emergency unemployment compensation is a household-relief package, not a state-relief package.

Mr. FORD of Tennessee. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. BARCA].

Mr. BARCA of Wisconsin. Mr. Chairman, this ill-conceived amendment would prevent many out-of-work Americans from receiving the same emergency unemployment benefits as their neighbors. If passed, this amendment would deny any access to thousands of hard-working citizens of this country who worked hard to qualify for their benefits and are in desperate need of emergency unemployment benefits.

The measure targets States such as Wisconsin and nine others where statewide unemployment is currently below 5 percent. This amendment fails to recognize that while the statewide percentage may be low, there are many regions in these States where unemployment is very high and in some cases double the statewide rate. This proposal has many other faults.

First, the amendment ignores the fact that, historically, unemployment declines between August and September. In addition, first-time claimants in Wisconsin have almost doubled in the last year—increasing from 35,970 through August 1992 to 60,586 as of August 1993. So the employment figures that the gentlewoman from Connecticut proposes to use may not be the most accurate gauge of the employment situation.

Second, the idea of terminating emergency benefits in States with less than 5 percent unemployment is not fair to dislocated workers from especially hard-hit industries. If you are a dislocated worker whose trade is no longer in demand, the fact that unemployment rates may be low is of no solace because you need retraining in order to find a new job. This policy of arbitrary exclusion punishes working families, who earned this benefit, simply because of where they live.

This proposal does not pass scrutiny when examined on a case-by-case basis. Take for example, the situation in the district I represent. Racine, WI, is a manufacturing-based city with an unemployment rate of 6.3 percent—well above the State's 5 percent rate. In Janesville and Beloit, the rate is also 6.3 percent. Is an unemployed assembly worker in any of these cities any less in need of benefits than a laid-off machine operator living in Connecticut, perhaps even in a county with a lower unemployment rate? Of course not.

Do we really want to refuse emergency unemployment compensation to out-of-work Americans just because of where they live?

American workers are still suffering from a sluggish economy damaged by years of inaction and inattention to growing a high-wage job base. I urge my colleagues to reject this unfair amendment and stand up for American workers, regardless of where they live because emergency unemployment compensation is a much needed relief for families in very difficult situations.

The CHAIRMAN. The Chair would remind the gentlewoman from Connecticut [Mrs. JOHNSON] that she has 1 minute remaining.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. Mr. Chairman, if there were any way to make a bad deal better, and I have said I would support this bill, it is to put realism in it. Here we are talking about these percentage figures. I have a county in the district I represent soaring toward 25 percent unemployment. There is where we need help. That is what we have to do.

However, why should the people that are holding onto jobs by their fingertips in that other 75 percent pour money into a State for unemployment that is below 5 percent? It does not make sense. I absolutely support the amendment of the gentlewoman from Connecticut [Mrs. JOHNSON].

Mr. FORD of Tennessee. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise to speak against this amendment. Let me share with the Members there may be reasons for having a threshold of 5 percent. Certainly there are studies that are indicating we will never have full employment, but this amendment is not needed. It is ill-conceived to make benefits available at the State level.

In my district I have 28 counties. Not one, not one is less than 5 percent. We have from 10 to 8 percent. If we are going to have a threshold, that threshold should be at the county level. This would be denying the very people we are wishing to get at, those over 5 percent.

Mr. Chairman, I urge my colleagues to vote against this bill. It is ill-conceived at the level it is proposed.

Mr. FORD of Tennessee. Mr. Chairman, I yield 30 seconds to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, what is unemployment? Unemployment is if you do not have a job. What difference does it make where you live? It makes no difference at all. What is the magic of 5 percent? None that I know of, especially in a State like Delaware, which is edging up over the 5-percent level.

The bottom line is that we should not support this amendment, that we should vote against it; that everybody who is unemployed, as has been stated here, is 100 percent unemployed.

If we want a fair system, maybe we should look at the States with the highest per capita income, and they could do more about it, which might affect some other States here. We should not punish the States with good economies, but have people who are unemployed and suffer as a result of that.

I urge a "no" vote on this amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if the Members want to have no trigger, then just have extended benefits unlimited, have an unemployment system that provides unemployment benefits unlimited and tax for it. Do it honestly, do it aboveboard.

If we are not going to tax for it and fund it responsibly, then we are going to have to set priorities, and we are going to have to recognize that people who live in States with 3 and 4 percent unemployment can get jobs, and people who want to produce in States with low unemployment, cannot hire, have to turn down orders.

Let us do it honestly and straight, either have extended benefits forever, for everyone, and tax and pay for it, or else stand by our old system that always required a higher trigger for emergencies.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. FORD] for 1 minute to close debate.

Mr. FORD of Tennessee. Mr. Chairman, I yield 30 seconds to the gentlewoman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in opposition to this amendment. Kansas does not fall below the 5 percent right now, but we are right at the 5-percent level. The areas that this amendment will affect are cities, urban cores within primarily rural States. For instance, in Wyandotte County in the State of Kansas, the unemployment rate is 8.7 and probably going up, although the level of the State is right at 5 percent.

Unemployment is unemployment, regardless of where one lives. The suffering is exactly the same. I rise in opposition to this amendment.

Mr. FORD of Tennessee. Mr. Chairman, I yield 30 seconds to the gentlewoman from Hawaii [Mrs. MINK] for closing arguments.

Mrs. MINK. Mr. Chairman, Congress must extend unemployment benefits, and it must extend these benefits on the basis of people being unemployed, not because of States that have no relevance whatsoever to this individual family suffering in agony. I plead with the Congress to reject this amendment.

In my own congressional district, which is heavily unemployed, although the statistics for Hawaii are just below 5 percent, I have 10 percent unemployment in one county, 12 percent in another, and these people cannot be left out of this extended benefit bill.

Mr. KIM. Mr. Chairman, I rise in support of the Johnson amendment stipulating that States with a 3-month average total unemployment of less than 5 percent be ineligible for this set of unemployment funds.

This is not an issue of helping Americans in high unemployment States while ignoring those in States with lower rates. I strongly believe we should be helping all American unemployed, regardless of the State in which they reside. Enactment of the Johnson amendment will not deny assistance to any unemployed American.

The Johnson amendment addresses the issue of who pays for additional benefits, the State or the Federal Government. States that are economically healthy do not need additional Federal assistance. The combination of low unemployment and growing economies should result in adequate funds being available in State unemployment insurance accounts. Why should the Federal Government, which is $4 trillion in debt and continues to have significant annual budget deficits, provide funds when the State already has enough in its own account?

California has one of the highest unemployment rates in the country—over 10 percent. For years, California has done more than its fair share in paying Federal taxes subsidizing unemployment benefits in most other States. Californians have always helped fellow Americans in need, whether they be the victims of Mississippi River floods or devastating east coast hurricanes like Andrew and Hugo.

Unlike many other States, California has not yet recovered from its prolonged recession. Continued base closings and defense cutbacks add further obstacles to economic recovery. My district continues to face very tough times. Unlike most other States, California will significantly and adversely feel the impact of the new 4.3-cent gasoline tax. California can no longer afford to subsidize better-off States. Did California get special Federal subsidies when its economy was stronger? No. Why should other States, especially when the Federal Government cannot afford it?

The Johnson amendment is a very responsible and fiscally sound effort to address this emergency situation. I repeat, it does not deny benefits to anyone. It simply requires rich States to pay for themselves and stops them from siphoning off scarce Federal funds from truly needy States like California. I urge my colleagues to join me in supporting the Johnson amendment.

The CHAIRMAN (Mr. MFUME) The question is on the amendment offered by the gentlewoman from Connecticut [Mrs. JOHNSON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mrs. JOHNSON of Connecticut. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 128, noes 277, not voting 33, as follows:

[Roll No. 508]

AYES—128

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Bartlett
Barton
Bentley
Bilirakis
Bliley
Boehner
Bonilla
Callahan
Calvert
Camp
Canady
Clinger
Collins (GA)
Combest
Condit
Cox
Crane
Cunningham
DeLay
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gingrich
Goodlatte
Goodling
Goss
Grandy
Greenwood
Hancock
Harman
Hastert
Herger
Hoagland
Hobson
Hoekstra
Hoke
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Johnson (CT)
Johnston
Kasich
Kim
King
Kingston
Knollenberg
Lazio
Lehman
Levy
Lewis (CA)
Lewis (FL)
Linder
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McInnis
McKeon
Mica
Michel
Miller (FL)
Molinari
Moorhead
Nussle
Packard
Paxon
Penny
Pickett
Pombo
Porter
Portman
Pryce (OH)
Quillen
Ravenel
Regula
Ridge
Rogers
Rohrabacher
Royce
Santorum
Saxton
Shaw
Shays
Shuster
Smith (MI)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Talent
Taylor (MS)
Thomas (CA)
Thomas (WY)
Upton
Vucanovich
Walker
Weldon
Young (FL)
Zeliff
Zimmer

NOES—277

Abercrombie
Andrews (ME)
Andrews (NJ)
Applegate
Bacchus (FL)
Baesler
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Byrne
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clyburn
Coble
Coleman
Collins (IL)
Collins (MI)
Cooper
Coppersmith
Costello
Coyne
Cramer
Crapo
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dixon
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Faleomavaega (AS)
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Grams
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Hastings
Hayes
Hefley
Hefner
Hilliard
Hinchey
Hochbrueckner
Holden
Horn
Hoyer
Hughes
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Leach
Levin
Lewis (GA)
Lightfoot
Lipinski
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Matsui
Mazzoli
McCloskey
McDermott
McHale
McHugh
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickle
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reed
Reynolds
Richardson
Roberts
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Spratt
Stark
Strickland
Studds
Stupak
Swett
Swift
Tanner
Taylor (NC)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Traficant
Tucker
Underwood (GU)
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates

NOT VOTING—33

Ackerman
Andrews (TX)
Baker (LA)
Bereuter
Boucher
Brooks
Bunning
Clement
Conyers
Dingell
Fields (TX)
Fowler
Klug
Kolbe
Kyl
Lloyd
Martinez
McCurdy
McDade
Oberstar
Orton
Pelosi
Romero-Barcelo (PR)
Schaefer
Skeen
Slattery
Stokes
Sundquist
Synar
Tauzin
Towns
Washington
Young (AK)

□ 1226

The Clerk announced the following pairs:

On this vote:

Mr. Baker of Louisiana for, with Mr. Dingell against.

Mr. Fields of Texas for, with Mr. Washington against.

Mrs. Fowler for, with Mr. Synar against.

Mr. Kolbe for, with Mr. Orton against.

Mr. GLICKMAN and Mr. QUINN changed their vote from "aye" to "no."

Messrs. DICKEY, SHAYS, and HUTTO changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 2, printed in House Report 103–269.

AMENDMENT OFFERED BY MR. SWIFT

Mr. SWIFT. Mr. Chairman, pursuant to the rule, I offer amendment No. 2.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SWIFT: At the end of the bill, add the following:

SEC. 8. TREATMENT OF RAILROAD WORKERS.

(a) EXTENSION OF PROGRAM.—

(1) IN GENERAL.—Paragraphs (1) and (2) of section 501(b) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102–164, as amended) are each amended by striking "October 2, 1993" and inserting "February 5, 1994".

(2) CONFORMING AMENDMENT.—Section 501(a) of such Act is amended by striking "October 1993" and inserting "February 1994".

(b) LENGTH OF BENEFITS DURING PERIOD OF EXTENSION.—Section 501(d)(2)(B)(ii) of such Act is amended by striking "on and after the date on which a reduction in benefits is imposed under section 102(b)(2(A)(iv)" and inserting "after October 2, 1993".

(c) TERMINATION OF BENEFITS.—Section 501(e) of such Act is amended—

(1) by striking "October 2, 1993" and inserting "February 5, 1994", and

(2) by striking "January 15, 1994" and inserting "April 30, 1994".

The CHAIRMAN. Pursuant to the rule, the gentleman from Washington [Mr. SWIFT] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Does the gentleman from Ohio [Mr. OXLEY] stand in opposition to the amendment?

Mr. OXLEY. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Ohio [Mr. OXLEY] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Washington [Mr. SWIFT].

Mr. SWIFT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of this amendment is very simple; it is a conforming amendment to provide railroad workers with the same additional extended unemployment benefits that this legislation provides to other workers. It is only logical that railroad workers should receive the same treatment and benefits that are provided to other unemployed workers.

The reason why benefits for rail workers must be added to this legislation is because they are covered by a separate program under the Railroad Unemployment Insurance Act. That act is within the jurisdiction of the Energy and Commerce Committee. As always, we have worked closely with the Ways and Means Committee and the Rules Committee to develop acceptable language which carries out the equitable principles I have just outlined and to make sure that railroad employees are not shortchanged.

Finally, I have received a letter from CBO stating that it estimates the cost of this amendment to be $500,000 in fiscal year 1994. The Railroad Retirement Board has agreed with that estimate. The railroad unemployment program is fully solvent, and financed solely by payroll taxes on railroad employers, so no general revenue funds are required to pay for extended rail benefits.

I have also received a letter from OMB stating that they have included rail workers' benefits in their cost estimates for the Emergency Unemployment Compensation Program. The OMB letter goes on to say that, the administration believes that rail workers should be included in the EUC extension.

I urge Members to support this equitable, necessary, conforming amendment.

□ 1230

Mr. OXLEY. Mr. Chairman, I yield myself such time as I may consume.

I rise to explain briefly the nature of the amendment offered here with respect to the Railroad Unemployment Insurance System.

This system of railroad unemployment insurance is completely separate from the State-Federal joint system of unemployment compensation that covers most American workers. The amendment being offered here today is essentially a temporary extension of the period for which railroad workers may draw unemployment benefits. The temporary extension parallels the changes contained in the underlying bill for workers covered by the regular Federal-State unemployment compensation system.

Because this amendment is essentially a conforming change for railroad workers, it is not, in my view, controversial. Because it is such a minor modification of the bill, the amendment should not affect members' overall position on the bill itself.

Mr. Chairman, I reserve the balance of my time.

Mr. SWIFT. Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I thank the gentleman for yielding this time to me.

I am greatly encouraged by this amendment and the fact that the gentleman is offering it today. I encourage my colleagues to accept it.

This is an amendment which the committee chairman and I have offered, and previously the House has accepted it because it has been included in the rule. Today we bring it up in the spirit of more open rules. We bring it up as an amendment on the floor.

It is very important for the Congress to accept this in order to provide equity for our unemployed men and women who work on the Nation's railroads.

Mr. Chairman, again I thank the committee chairman for offering the amendment.

Mr. OXLEY. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. SWIFT. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. SWIFT].

The amendment was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as modified, as amended.

The committee amendment in the nature of a substitute, as modified, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. SLAUGHTER) having assumed the Chair, Mr. MFUME, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and other purposes, pursuant to House resolution 265, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under this rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute, as modified, as amended, adopted by the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute, as modified, as amended.

The amendment in the nature of a substitute, as modified, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. ARCHER

Mr. ARCHER. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ARCHER. In its present form, I am, Madam Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ARCHER moves to recommit the bill, H.R. 3167, to the Committee on Ways and Means.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ARCHER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 302, noes 95, not voting 36, as follows:

[Roll No. 509]

AYES—302

Abercrombie
Andrews (ME)
Andrews (NJ)
Applegate
Bacchus (FL)
Baesler
Baker (CA)
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Bentley
Berman
Bevill
Bilbray
Bishop
Blackwell
Blute
Boehlert
Bonilla
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Cooper
Costello
Coyne
Danner
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dixon
Dooley
Doolittle
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastert
Hastings
Hayes
Hefner
Herger
Hilliard
Hinchey
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutto
Hyde
Inslee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lantos
LaRocco
Laughlin
Lazio
Lehman
Levin
Levy
Lewis (GA)
Lipinski
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Matsui
Mazzoli
McCloskey
McDermott
McHale
McHugh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Obey
Olver
Ortiz
Owens
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Porter
Poshard
Price (NC)
Quinn
Rahall
Rangel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Solomon
Spratt
Stark
Strickland
Studds
Stupak
Swett
Swift
Talent
Tanner
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Traficant
Tucker
Unsoeld
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Waters
Watt
Waxman
Weldon
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zimmer

NOES—95

Allard
Archer
Armey
Bachus (AL)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bilirakis
Bliley
Boehner
Brewster
Burton
Buyer
Callahan
Coble
Collins (GA)
Combest
Coppersmith
Cox
Cramer
Crane
Crapo
Deal
DeLay
Dickey
Dornan
Dreier
Duncan
Gingrich
Goodlatte
Goss
Grams
Grandy
Hancock
Hansen
Hefley
Hoagland
Hutchinson
Inglis
Inhofe
Istook
Johnson (GA)
Johnson, Sam
Johnston
Kingston
Knollenberg
Lancaster
Leach
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCrery
McInnis
McMillan
Mica
Miller (FL)
Nussle
Oxley
Packard
Payne (VA)
Penny
Petri
Pickle
Portman
Pryce (OH)
Quillen
Ramstad
Ravenel
Roberts
Rohrabacher
Roth
Rowland
Royce
Sensenbrenner
Shaw
Shays
Smith (MI)
Smith (OR)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Taylor (MS)
Taylor (NC)
Thomas (WY)
Valentine
Walker
Zeliff

NOT VOTING—36

Ackerman
Andrews (TX)
Baker (LA)
Bereuter
Boucher
Brooks
Bunning
Clement
Conyers
Cunningham
Dingell
Fields (TX)
Fowler
Jefferson
Klug
Kolbe
Kyl
Lloyd
Martinez
McCollum
McCurdy
McDade
Oberstar
Orton
Pelosi
Schaefer
Skeen
Slattery
Stokes
Sundquist
Synar
Tauzin
Towns
Washington
Wheat
Young (AK)

☐ 1256

The Clerk announced the following pairs:

On this vote:

Mr. Brooks for, with Mr. Baker against.

Mr. Bunning for, with Mr. Fields of Texas against.

Mr. Dingell for, with Mrs. Fowler against.

Mr. Oberstar for, with Mr. Kolbe against.

Mr. BREWSTER and Mr. PAYNE of Virginia changed their vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CUNNINGHAM. Madam Speaker, I was unavoidably absent for rollcall vote 509, on final passage of H.R. 3167, the unemployment compensation extension. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. CLEMENT. Madam Speaker, regrettably, official business in the Fifth District prevented me from being present today to vote on H.R. 3167, the Emergency Unemployment Benefits Extension Act.

If I had been present, I would have voted in favor of the passage of this important measure.

PERSONAL EXPLANATION

Mr. ORTON. Madam Speaker, during rollcall vote No. 509 on H.R. 3167 I was unavoidably detained. Had I been present, I would have voted "yea."

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2520, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1994

Mr. NATCHER. Madam Speaker, I ask unanimous consent that the managers may have until midnight tonight, October 15, 1993, to file a conference report on the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore (Ms. SLAUGHTER). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2519, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103–295) on the resolution (H. Res. 276) waiving points of order against the conference report to accompany the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Madam Speaker, I ask for this time to inquire of the distinguished majority leader the program for next week.

Mr. GEPHARDT. Madam Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the distinguished gentleman from Missouri.

Mr. GEPHARDT. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, obviously votes are finished for today. There will be no votes on Monday, but the House will meet at 12 noon to consider bills on suspension. The recorded votes on the suspensions will be postponed until Tuesday, October 19. The gentleman from Illinois [Mr. MICHEL] has the listing of those bills on the sheet.

On Tuesday, October 19, the House will meet at 11 a.m. Members should note that meeting time. We are meeting earlier on that day for the reason that we have a lot of business on that day because we have three appropriations conferences that we need to try to complete. The first vote will be expected about 1 p.m. on Tuesday.

Obviously, we have a number of appropriation conference reports that will be coming on the floor. On that day the three that Members can expect to come to the floor are energy and water, Veterans Affairs, and Commerce, Justice, and State.

Then the rest of the week we will be meeting at 10 o'clock, on Wednesday and Thursday, and possibly Friday, to finish with conference reports.

□ 1300

As the gentleman knows, the time on the continuing appropriation expires on Thursday and, therefore, we do need to try to get all of these done, if we possibly can, on Thursday, by Thursday.

If we cannot, then we will have to be here Friday.

Mr. MICHEL. Madam Speaker, on a motion to go to conference on Defense authorization, will that be up there sometime?

Mr. GEPHARDT. Madam Speaker, if the gentleman will continue to yield, that will be Tuesday.

Mr. MICHEL. And then that Biological Survey Act, further consideration of that probably and those other?

Mr. GEPHARDT. Madam Speaker, we will consult with the committee and Members on the other side about the availability of that bill. We have a number of items here that could be pieced into a schedule, if needed. But our real priority is the appropriation bills.

Mr. MICHEL. Madam Speaker, I thank the distinguished majority leader.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore (Ms. SLAUGHTER). Is there objection to the request of the gentleman from Missouri?

There was no objection.

HOUR OF MEETING ON TUESDAY, OCTOBER 19, 1993

Mr. GEPHARDT. Madam Speaker, I ask unanimous consent that when the House adjourns on Monday, October 18, 1993, it adjourn to meet at 11 a.m. on Tuesday, October 19, 1993.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

NOTIFICATION OF MEMBERS BY COMMITTEE ON RULES REGARDING FILING OF AMENDMENTS TO H.R. 1036

(Mr. MOAKLEY asked and was given permission to address the House for 1 minute.)

Mr. MOAKLEY. Madam Speaker, this is to notify Members regarding the Rules Committee's plans on H.R. 1036, legislation to amend the Employee Retirement Income Security Act of 1974 to provide that such act does not preempt certain State laws. The committee is planning to meet on the measure the week of October 18 to take testimony and grant a rule on the bill. In order to assure timely consideration on the bill on the floor, the Rules Committee is considering a rule that may limit the offering of amendments.

Any Member who is contemplating an amendment to H.R. 1036 should submit, to the Rules Committee in H. 312 in the Capitol, 55 copies of the amendment and a brief explanation of the amendment no later than 12 noon on Wednesday, October 20, 1993.

The committee appreciates the cooperation of all Members in this effort to be fair and orderly in granting a rule for H.R. 1036.

ADJOURNMENT TO MONDAY, OCTOBER 18, 1993

Mr. MOAKLEY. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

REDUCING SUBSIDIES AND ELIMINATING CERTAIN PROGRAMS UNDER THE NATIONAL WOOL ACT OF 1954

Mr. DE LA GARZA. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1548) to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair producers receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. ROBERTS. Madam Speaker, reserving the right to object, I will not object, and I yield to the distinguished chairman of the House Committee on Agriculture, the gentleman from Texas [Mr. DE LA GARZA], for the purpose of explaining to the House the nature of the bill.

Mr. DE LA GARZA. Madam Speaker, I thank the gentleman for yielding to me.

Madam Speaker, S. 1548 will provide for a 2-year phaseout of payments and repeal the authority for expenditures for the wool and mohair programs by December 31, 1995.

This legislation follows up on a commitment I made here on the House floor on September 30 to bring a bill before the House to end the permanent authorization for the wool and mohair programs.

Let me briefly explain to Members how we arrived at this point. There has been some confusion here in Congress and around the country about whether Congress has ended or not ended the wool and mohair programs.

Last night the other body approved and sent to the President the fiscal 1994 Agriculture appropriations conference report.

That conference report sent to the President includes language that terminates immediately all producer payments for the honey program. It also includes the amendment agreed to here in the House to provide full funding of the incentive payments for the 1993 crops of wool and mohair, but no funding for the 1994 crops.

Even long-time critics of these programs agreed with us that funding for the 1993 program should be allowed. This is only fair to those farmers and ranchers who secured operating loans this year based on the expectation of receiving Government incentive payments early next year.

However, the appropriations conference report only affects the 1-year appropriations bill. It does not affect the underlying, permanent authority known as the Wool Act.

That is why on September 30, I made a commitment here on the House floor—in a colloquy with Mr. ARMEY of Texas and Mr. ZIMMER—to bring legislation to the floor this year to amend the Wool Act and give Members of the House the opportunity to seek further reform.

The bill before us was also approved last night by the other body by voice vote. It is a separate bill to phase down wool and mohair incentive payments over the next 2 years, and repeal the entire Wool Act authority effective December 31, 1995.

I have reviewed this legislation today and consulted with other Members interested in the wool and mohair programs—including those who have producers in their districts as well as those who have advocated complete repeal of the programs.

Madam Speaker, I recognize there are some of my colleagues here and many agricultural producers who believe the current wool and mohair programs should be preserved. I share their frustrations with the often unfair criticisms leveled against these programs.

But I have also come to the conclusion it is time to settle this issue once and for all. It is time to move on and focus our attention on how we can construct agricultural policies to meet today's political and budget realities.

Madam Speaker, rather than keep the future of the wool and mohair programs in doubt over the next few weeks trying to develop a different reform bill, I believe we should move the Senate-passed legislation today.

This legislation appears to be a workable and acceptable compromise. It gives our Nation's 100,000 wool and mohair producers 2 years to adjust their operations and their financial arrangements in preparation for the end of the program. And at the end of 2 years this bill fully and completely repeals the Wool Act.

Madam Speaker, I support and urge passage of this legislation.

Mr. ROBERTS. Madam Speaker, continuing my reservation of objection, I am reminded of an old radio program, TV program called "Truth or Consequences." and in truth, all Government programs certainly need reform. That certainly includes agriculture program policy. But we must make sure the consequences are not really counterproductive and so, under my reservation, I yield to the gentleman who in the past has been one of the many Dr. Kevorkians of agriculture program policy here in the House. But instead of being Lizzie Borden and taking 40 whacks on the farm program, he now has a scalpel.

With a scalpel, he has agreed to what we consider to be true reform on the House Committee on Agriculture but in such a way that will allow farmers and ranchers time to adjust, to honor contracts, to make sure our banks and producers do not go bankrupt in the process.

Madam Speaker, I yield to the gentleman from New Jersey [Mr. ZIMMER].

Mr. ZIMMER. Madam Speaker, I thank the gentleman for yielding to me. I thank him for his generally kind remarks.

As the sponsor of the legislation that would have flatly and immediately repealed the wool and mohair legislation, I commend the chairman of the Committee on Agriculture and the ranking Republican member for devising a compromise that really accomplishes the objective without hardship to people who legitimately were relying on the policy of the Federal Government for many years in having this subsidy program.

It will be phased out. It will be terminated on a date certain, as a result of this legislation. I consider this legislation to be, in fact, redemption of the pledge that the gentleman made to the gentleman from Texas [Mr. ARMEY] and me on the floor of the House quite recently that we would have an opportunity to deal with the substance of the program. It has been dealt with in a fair way, I believe, and in a way that ultimately will benefit the taxpayers with a minimum harm and disruption to the ranchers who have been relying on this program for so many years.

I thank both of the gentleman for their role in this compromise that will save taxpayers hundreds of millions of dollars in the future.

Mr. ROBERTS. Madam Speaker, continuing my reservation of objection, I thank the gentleman for his commentary and for the opportunity for us to redeem ourselves on the Committee on Agriculture, which we will endeavor to do.

Madam Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1548

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SUPPORT PRICE FOR WOOL AND MOHAIR.

Section 703 of the National Wool Act of 1954 (7 U.S.C. 1782) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

"(a) Subject to subsection (b)(3), the Secretary of Agriculture shall, through the Commodity Credit Corporation, make loans and payments to producers of wool and mohair through December 31, 1995.";

(2) in subsection (b)—

(A) in paragraph (2), by striking "1997" and inserting "1995"; and

(B) by striking paragraph (3) and inserting the following new paragraph:

"(3) No loans, purchases, or payments shall be made for the 1996 and subsequent marketing years, except that loans and payments for the 1995 marketing year shall be paid in 1996."; and

(3) by adding at the end the following new paragraph:

"(4)(A) Through December 31, 1995, the Secretary shall offer to wool and mohair producers recourse loans under terms and conditions that are prescribed by the Secretary, except that the loans shall be administered at no net cost to the Federal Government.

"(B) A producer who fails to repay a loan made under subparagraph (A) by the end of the following marketing year shall be ineligible for a loan under this Act for that marketing year and subsequent marketing years.".

SEC. 2. REDUCTION IN PAYMENTS.

Section 704(a) of the Nation Wool Act of 1954 (7 U.S.C. 1783(a)) is amended by inserting after the first sentence the following new sentence: "In the case of each of the 1994 and 1995 marketing years, the payments shall be 75 and 50 percent, respectively, of the amount otherwise determined under the preceding sentence.".

SEC. 3. ELIMINATION OF WOOL AND MOHAIR PROGRAMS.

(a) IN GENERAL.—Effective December 31, 1995, the National Wool Act of 1954 (7 U.S.C. 1781 et seq.) is repealed.

(b) APPLICATION.—The repeal made by subsection (a) shall apply to both the wool and mohair programs.

(c) PROHIBITION.—Effective beginning December 31, 1995, the Secretary of Agriculture may not provide loans or payments for wool or mohair by using the funds of the Commodity Credit Corporation or under the authority of any law.

SEC. 4. REMOVAL OF PRICE SUPPORT REFERENCES.

(a) Section 702 of the National Wool Act of 1954 (7 U.S.C. 1781) is repealed.

(b) Section 703 of such Act (7 U.S.C. 1782) is amended—

(1) by striking the section heading and inserting the following new section heading:

"SUPPORT PRICE FOR WOOL AND MOHAIR";

(2) in subsection (b)(1)(i), by striking "such price support" and inserting "the support price"; and

(3) in subsection (d), by striking "price support" and inserting "support under this section".

(c) Section 704 of such Act (7 U.S.C. 1783) is amended—

(1) by striking the section heading and inserting the following new section heading:

"SEC. 704. PAYMENTS.";

and

(2) in subsection (a), by striking "If payments are utilized as a means of price support, the" and inserting "The".

(d) The first sentence of section 706 of such Act (7 U.S.C. 1785) is amended by striking "price support operations" and inserting "operations under this Act".

SEC. 5. LIABILITY OF PRODUCERS.

A provision of this Act may not affect the liability of any person under any provision of law as in effect before the effective date of the provision.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DE LA GARZA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

IN SUPPORT OF THE SELECTIVE SERVICE SYSTEM

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Madam Speaker, I rise today pertaining to a conference report that will come up on Tuesday, H.R. 2491, the Veterans Affairs, Housing and Urban Development conference report.

I would like to point out to my colleagues, I hope they will support an amendment in disagreement which the gentleman from New York [Mr. SOLOMON] and I will handle to support the Senate amendment which says that we must have the Selective Service System.

The House Subcommittee on Appropriations has eliminated funding for the Selective Service System. This is a serious mistake and certainly I would hope that on Tuesday that the House would overturn the committee and would vote for the Selective Service System.

Madam Speaker, I have 21 organizations, great, patriotic organizations, both military and veterans, that totally support saving this system.

The Selective Service System is an inexpensive insurance in case this country has an emergency down the line. We would not like to have this area of the Selective Service eliminated. This will come up Tuesday.

Madam Speaker, I include for the RECORD the list to which I referred.

ORGANIZATIONS THAT SUPPORT CONTINUATION OF THE SELECTIVE SERVICE SYSTEM

Air Force Association.
Air Force Sergeants Association.
American Defenders of Bataan and Corregidor.
The American Legion.
Amvets.
Association of the U.S. Army.
Catholic War Veterans.
Enlisted Association of National Guard.
Fleet Reserve Association.
Jewish War Veterans.
Marine Corps League.
Marine Corps Reserve Officers Association.
Military Order of the Purple Heart.
National Association for Uniformed Services.
National Guard Association of the U.S.
Naval Reserve Association.
Non Commissioned Officers Association.
Polish Legion of American Veterans.
Reserve Officers Association.
The Retired Officers Association.
Veterans of Foreign Wars.

□ 1310

FIRST YOU SAY YOU DO, THEN YOU DON'T

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Madam Speaker, the Clinton report to Congress relating to United States involvement in Somalia is before the Members today. Unfortunately, this document is a monument to doubletalk.

While President Washington cautioned against foreign entanglements, and Jefferson sought peace through strength, and Teddy Roosevelt cautioned, speak softly but carry a big stick, President Clinton has adopted the theme of an old tune.

"First you say you do, then you don't; then you say you will and then you won't." In the past 10 months he has helped the United States establish the credibility of a banana republic.

First we are nation-building, then we are not.

Next we are chasing Aideed, then we are not.

This week we are going into Haiti, then we are not.

Let me say that even if this administration is as the old tune says—"undecided now," this Congress has a responsibility to define what we as a nation are doing with our foreign policy.

Once again, I call on the chairmen of the Committees on Armed Services and Foreign Affairs to hold hearings to determine where our foreign and military policy has been, where we are now, and where we are going next.

HERE THEY GO AGAIN

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, Halloween is still 2 weeks away, but the big spenders at the White House just cannot wait to show us their holiday spirit. Unfortunately, it is mostly tricks and no treats. Remember the budget fiasco, the one that raised taxes $250 billion retroactively?

In order to secure that razor thin, one-vote margin to pass the largest tax hike in our history, the President pledged that he would offer spending cuts sometime later. That is the treat. But now we read that even as the administration struggles to bring forward a minimal package of spending cuts—$12 billion over 5 years—they are making plans to spend that money on new programs. That is real trickery. And it comes today directly from the President's own Budget Director, Leon Panetta, who tells us proposed savings will not be used to reduce the deficit after all, they will be used for new spending. Mr. Speaker, I say enough of Halloween surprises. We already have a $4.3 trillion debt in this country. We cannot afford this new trickery.

ORDER OF BUSINESS

Mr. KANJORSKI. Mr. Speaker, I ask unanimous consent that on October 15, 1993, the special order of the gentleman from Michigan [Mr. BONIOR] be transposed with the special order for the gentleman from Pennsylvania [Mr. KANJORSKI].

The SPEAKER pro tempore (Mr. COPPERSMITH). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CONCERN REGARDING THE CLINTON ADMINISTRATION'S POLICY TOWARD SOMALIA

(Mr. LIVINGSTON asked and was give permission to address the House for 5 minutes and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I am very concerned about the lack of consistency in the Clinton administration's policy toward Somalia. This lack of consistency questions both competence and candor.

Mr. Speaker, the evidence, and the words of Clinton administration officials, both prove that the administration has been pursuing an explicit policy of nation-building in Somalia. Yet on October 13, the President claimed in a signed report to Congress that "the U.S. military mission is not now nor was it ever one of 'nation-building.'"

This denial is a weak attempt to try to avoid responsibility for the dreadful effects of the nation-building policy, and of the ill-advised decision to take sides in Somalia's internal disputes.

Consider this history of events:

First, on March 26—well after the timeframe established by former President Bush for withdrawal of U.S. forces—the United Nations adopted Resolution 814, which the United States not only supported strongly but actually helped draft. That resolution expanded the U.N. mission to that of building political and judicial systems in Somalia, and pledged continued United States military support for that effort. In other words, the Clinton administration actually helped draft this nation-building policy which called for a continued U.S. military presence.

Republicans responded by adopting an April 1 Policy Committee resolution to bring all our troops home.

Second, on May 4, command officially was transferred from the United States to the United Nations. On May

10, U.S. troop strength stood at 4,220. U.S. troop numbers actually rose thereafter, to 4,421, by May 26—1 day after the House rejected the Republican-backed Roth amendment which would have pulled U.S. troops out by no later than June 30. On June 6, the Clinton administration backed U.N. Resolution 837, which called for the arrest and trial of those responsible for Pakistani deaths in Somalia—meaning, we now know, General Aideed.

The Clinton administration thereafter strongly supported the effort to track down Aideed, with Clinton's specific approval to send 400 Army Rangers for that purpose—even though Marine Corps Gen. Joseph Hoar specifically objected to turning our mission into a manhunt.

Third, on August 9, while traveling in West Virginia with the President, Press Secretary Dee Dee Myers said that "we went in there with a clear vision of humanitarian relief and nation-building. They're still in that process." In the same Washington Post article in which Ms. Myers was thus quoted, another administration official said that the U.S. already had succeeded in its original mission of securing famine relief efforts—in effect admitting that their current mission was different from the one outlined by President Bush.

Fourth, on August 27, Defense Secretary Aspin said in a speech that the nation-building mission began in May.

Fifth, by August 30, United States troop strength in Somalia had risen again, to 4,513—and by October 4, it had risen again, to 4,697. Despite all these troop number enhancements, Dee Dee Myers claimed the next day that "we've been in the process of drawing down U.S. troops there since May."

Mr. Speaker, those numbers just do not add up.

Sixth, the next day, the President tried to shunt responsibility to the United Nations for adopting the nation-building policy. "The U.N. shifted course," he said, "and said we ought to stay there until nation-building takes place." Thus, he disavowed his administration's actions in support of the resolution which called for nation-building, and in pursuit of that policy.

Now, after all that, the President tells us that the U.S. military mission was never one of nation-building. And what that demonstrates is that the same administration which said it will not let our troops "cut and run" from danger in Somalia, is more than willing to try to flee from responsibility for the policy that put those troops in harm's way in the first place.

The facts show that the Clinton administration acted explicitly to change our military mission to nation-building, yet now that the policy has led to more than 150 U.S. casualties, the administration wants to deny its role in the havoc which ensued.

The President should take responsibility, admit the mistake, and move on. Now that we have Officer Durant back from captivity, we should do what many of us said we should do months ago: declare victory over hunger in Somalia, and immediately begin an orderly process to pull every last United States soldier and marine out of that country.

□ 1320

UNITED STATES POLICY IN SOMALIA

The SPEAKER pro tempore (Mr. COOPERSMITH). Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, if I may pick up where the gentleman from Louisiana left off, I hope the million-plus Americans that follow the proceedings of this great Chamber, the world's leading parliament, are aware of the disarray that our foreign policy is in. Finally it is getting personal.

Former President George Bush, being the consummate gentleman that he is, said that he was going to implement a rule not to criticize, and the gentleman from Louisiana can join in on this if he wants to, that he is not going to criticize foreign policy for a year. He has lasted 9 months. He could not help it any longer, because they made it personal.

The Clinton administration at the highest level said their foreign policy shop is run better than the Bush operation. And in Bush's name, former three-star Air Force general, and twice the National Security Adviser to the President, Brent Scowcroft, is in today's paper saying, "I'm afraid that's just not so."

Let me tell you what I found out. For those Americans listening who do not understand what a National Security Board is, and it only grew up in recent time, I mean the last four or five Presidents, to advise a President, and it got big under Henry Kissinger, to advise a President what was happening around the world so that he was not relying totally upon the bureaucratic establishment of the State Department, mostly all good people, but sometimes they get clientitis for a certain country, and get their own agenda. After all, we had two Israeli policies for as long as I was here in my first 15 years.

This is coming to me from a former National Security member, senior uniformed officer. Now under Clinton every single admiral and general, Marine Corps, Army, Navy, Air Force, has been stripped out of the National Security Council. No matter how many degrees they have in geopolitical science, foreign affairs, they are all stripped out. Every colonel or Navy captain is gone from the National Security Council in the Old Executive Office Building, all stripped out. The only lieutenant colonels left are in the computer section, a technical job. They have all been replaced, and no real uniformed officers have any key policy advising roles over there.

They have been replaced by just what I predicted on this House floor in September and October 1992. They have been replaced by academics, all of the leftwing variety mostly, some of them hard left, all fuzzy academics who have never understood the military culture, who are antithetical in their belief to everything that took place under the Reagan and Bush years. All of them were against liberating Grenada. They have a different way of putting that, or of going after Noriega and of trying to turn Panama back into a democracy. All of them were ho, ho, Ho Chi Minh supporters during the Vietnam war, and that is why our foreign policy is in utter shambles.

Everything you said, Mr. LIVINGSTON, is correct on Haiti. That they would gun down their chief justice officer yesterday on the street, his wife standing next to his body crying, holding his wallet and his watch, and we wanted 200 Americans in there with only sidearms, their Berettas, no M-16 rifles.

And here's today paper, Bill Gertz's personally attacked a journalist for the Washington Times by Madam deLaski over at the Pentagon, and all of the reporters over there, most of them good liberals or moderates, very few conservatives, but they were all shaking their heads that a Pentagon spokesman person, particularly someone with no military background or foreign affairs background, like Madam deLaski, attacks directly a reporter, Bill Gertz, for getting information, which is his job as a reporter, out of two U.S. Senators about General Hoar, CINC commander in chief, Central Command, getting information that over in Somalia and all of the Middle East, that he wanted that armor, and does not want to go after Aideed.

Now here is the headline, Bill Gertz' story for today, page 1 story continuation, "Joint Chief Never Debated Granting Armor Request."

"Mr. Clinton said he was told by Mr. Aspin, 'There was no consensus among the Joint Chiefs that it should be done.'" They had not even been asked. They were out of the loop.

Gen. Gordon Sullivan is a good officer. He is not saying anything. But you can tell by his statements to some of our colleagues Monday, "I do what I'm told," that he resents being out of the loop.

We have no remains from two young sergeants, Matthew K. Anderson, and a black sergeant, Eugene Williams. No burial for their families from the crash of the helicopter, the UH-60 Black Hawk on September 25, no remains. The third body came back and had to go through DNA testing to identify it, another sergeant from the crash, Fernand Richardson.

So we got all 18 back from bloody Sunday, in the wee hours of Monday, we have all 146 from the entire gulf war. Every family had a casket, and had a ceremony. But remains were captured by the crowd and shredded in the streets back on September 25. We should have been ready for October 3.

That is why I am going to try to go to Mogadishu this week, and they said right in my face in the Pentagon that I have to fly commercial, and I resent that, being blocked from a C-5 nonstop flight to do my job.

Mr. Speaker, the small island nation of Haiti has enough problems for an entire continent. But Jean-Bertrand Aristide is not the answer to Haiti's troubles. Why we are putting our soldiers, not to mention our prestige, on the line to help restore this defrocked priest to power in Haiti is beyond me.

Let's be clear. Aristide is no friend of the United States and he is no friend of democracy, even though he was democratically elected. Lally Weymouth, a Washington Post foreign affairs writer, described Aristide as a "charismatic, extremely radical anti-American priest."

Before being overthrown, he not only abused democratic practices but condoned and encouraged violence—especially against his political opponents. The State Department's 1991 human rights report said that while under Aristide there were fewer instances of abuse by the military, "the government proved to be unwilling or unable to restrain popular justice through mob violence." The Catholic church was also a favorite target of the defrocked priest's most violent supporters.

Here is what Aristide said in encouraging his followers to engage in necklacing. He told a rally on September 27, 1991, that if they should see:

> * * * a faker who pretends to be one of our supporters * * * just grab him. Make sure he gets what he deserves * * * with the tool you have in your hands [the burning tire]. * * * You have the right tool in your hands * * * the right instrument. * * * What a beautiful tool we have. What a nice instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it.

Mr. Speaker, Aristide is not worth one drop of blood from one U.S. soldier. This is just another one of Clinton's feel-good missions that is going to end up getting U.S. soldiers killed.

You know, Clinton wrote in 1969 that he had come to loathe the military. And from Somalia to Haiti it looks like he still does.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 8, 1993.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: There is considerable concern within the U.S. Congress about your administration's plans to expand the role of U.S. military forces in United Nations peacekeeping missions. Much of the concern results from your administration's failure to clearly define the criteria used to determine when U.S. troops will be committed abroad.

On October 11, 1993, 200 U.S. servicemen and women will arrive in Haiti, with 400 more to follow later in October, to participate in a U.N. mission that is designed to prepare Haiti for the scheduled October 30 return of exiled President Jean-Bertrand Aristide. Because of our concern that U.S. military involvement in Haiti could result in a situation similar to Somalia, we request that you provide us with answers to the following important questions in order to clarify the reasons for your decision to commit U.S. troops to Haiti:

1. What are the vital national security interests that require the placement of United States forces in Haiti under the auspices of the United Nations?
2. What is the mission of the United States forces involved in the United Nations mission in Haiti and the estimated duration of that mission?
3. What is the exact size and composition of the United States forces involved in the United Nations mission in Haiti?
4. What is the estimated cost of this United Nations mission to the United States?
5. What is the precise command and control relationship between the United States forces and the United Nations?
6. What is the precise command and control relationship between the United States forces involved and the commander of the U.S. military command here in the United States?
7. To what extent will United States forces deployed to Haiti rely on non-U.S. forces for security and self-defense, and what is the ability of those non-U.S. forces to provide adequate security to the U.S. forces involved?
8. What are the "rule of engagement" for United States forces in Haiti?
9. What are the conditions under which the United States forces can be withdrawn from Haiti?

We know that you appreciate and understand our concerns about deploying U.S. forces abroad as part of a United Nations operation. We hope that you will provide us with a prompt reply to these important questions.

Thank you for your cooperation and for your attention to this matter.

Sincerely,

Robert K. Dornan, John T. Doolittle, Richard Pombo, Nick Smith, Paul Gillmor, Dana Rohrabacher, Tim Hutchinson, Rod Grams, Bill Archer, Jack Kingston, Richard Baker, Roscoe Bartlett.

Dan Burton, Jan Meyers, Bob Livingston, Gerald Solomon, Sam Johnson, Jim Ramstad, Chris Cox, Jim Bunning, Carlos Moorhead, Toby Roth, Tom Ewing, Randy "Duke" Cunningham.

Duncan Hunter, Ed Royce, Cass Ballenger, Elton Gallegly, Jon Kyl, Jim Saxton, Howard "Buck" McKeon, Dick Armey, Bill Goodling.

James Sensenbrenner, Wally Herger, John Duncan, Bob Inglis, Henry Hyde, Tom DeLay, Bill Baker, Spencer Bachus, C.W. Bill Young.

[From the Washington Times, Oct. 15, 1993]

JOINT CHIEFS NEVER DEBATED GRANTING ARMOR REQUEST

(By Bill Gertz)

The Joint Chiefs of Staff, according to defense officials, were not divided on the issue of sending armor to Somalia last month, as the president said he was told last week by Defense Secretary Les Aspin.

"The issue was never vetted by the chiefs," said a military official close to the chiefs.

President Clinton said Friday he asked the defense secretary to explain why tanks and armored vehicles were not sent to Somalia as requested by the U.S. commander in the East African nation and by two other generals.

Mr. Clinton said he was told by Mr. Aspin "there was no consensus among the Joint Chiefs that it should be done."

"And he normally relied on their reaching a consensus recommendation on an issue like that," Mr. Clinton told reporters on the South Lawn.

But military officials said the issue was never discussed by the Joint Chiefs as a group.

One military source familiar with the armor request said, "There was general agreement [among top military leaders] that something the commander requested should be granted."

Gen. Colin Powell, former chairman of the Joint Chiefs, on at least two occasions asked Mr. Aspin to send the armor.

Pentagon officials said the commander of U.S. forces in Somalia, Maj. Gen. Thomas N. Montgomery, on Sept. 8 sent a request for four tanks, 14 armored vehicles and several artillery pieces to Marine Gen. Joseph Hoar, commander of the U.S. Central Command, based in Florida.

Gen. Hoar deleted the artillery and forwarded the request to Gen. Powell, who went to Mr. Aspin with the plea.

Mr. Aspin said the request reached him Sept. 23 and he deferred sending the armor because he did not want it to appear that U.S. forces were escalating military operations. He said in retrospect he would have granted the request based on the heavy casualties taken in fighting in Mogadishu Oct. 3 with militia loyal to warlord Mohamed Farrah Aidid.

A total of 18 soldiers were killed, 77 wounded and three helicopters were shot down in the fighting. A rescue operation was delayed several hours because U.S. forces had to call on Pakistani and Malaysian armored forces for help.

"Gen. Powell did say this is what Gen. Montgomery wants," a Defense official said yesterday of the armor request in early September. "But the whole tenor of everyone was 'gosh, we know this is a tough one.'"

Meanwhile, Pentagon spokeswoman Kathleen deLaski declined to comment yesterday on reports that Gen. Hoar had opposed expanding the mission of U.S. forces to capture Gen. Aidid, but then was not given armored equipment he needed when ordered to do the job.

Ms. deLaski said disclosures of Gen. Hoar's comments at a closed Senate briefing were an attempt to "politicize" the issue.

"We have a very good working relationship with Gen. Hoar," she told reporters at a briefing. "He's been in a couple of times this week to see Mr. Aspin."

A Defense official, who requested anonymity, said later that Gen. Hoar and other Pentagon officials, including Mr. Aspin, opposed engaging in a hunt for Gen. Aidid using military forces when the United Nations ordered his arrest after the death of 24 Pakistani soldiers June 5.

Senior Clinton policymakers resisted efforts by the United Nations to expand military operations in pursuit of Gen. Aidid for two months before sending 400 Army Rangers on Aug. 25, the official said.

But after several Americans were killed when their vehicle was blown up by a remotely controlled mine, "the military leadership said the time has come to try this option"—sending the Rangers, the official said.

[From the Washington Times, Oct. 15, 1993]

BUSH AIDES REBUT CLINTON BRAGGING ON FOREIGN POLICY

(By Paul Bedard)

Bush administration officials yesterday rejected President Clinton's assertion that his foreign-policy operation is superior, charging that the White House foreign-policy shop is reactive, ineffective and confused.

Top national security aides to former President Bush suggested that the Clinton national security team is not abreast of world developments, such as the civil war in Somalia, and has fallen victim to changing policy every time the United States gets into a pickle, such as the challenge by Somali warlord Mohamed Farrah Aidid.

"It's not clear to me how they make decisions," said Brent Scowcroft, national security adviser to President Bush.

"The process has not delivered a consistent line on varying issues of foreign policy," he said in an interview.

Walter Kansteiner, Mr. Bush's Africa expert on the National Security Council, called Mr. Clinton's foreign policy "episodic" and on "autopilot."

"It's just unfortunate that they paint themselves into that corner and let it slip away that far before they address it. They could head off a lot of these foreign policy problems if they were on top of them," he said.

Their criticisms came just hours after Mr. Clinton told reporters at the White House that his foreign policy was as good if not better than that of former Republican Presidents Reagan and Bush.

"I've had people who were involved in the two previous administrations say that our national security decision-making process was at least as good as the two in the previous ones, perhaps better," said Mr. Clinton.

His statement was at odds with President Bush's view. Speaking at a San Antonio grade school this week, President Bush expressed concern that the Clinton administration took on a police job in Somalia without a mission plan.

"I just hope that we don't get that mission messed up now," said President Bush, whose administration rejected U.N. pressure to use U.S. troops to police the truce in Somalia.

Mr. Clinton said, "It's easy to second-guess."

At a morning news conference in the White House briefing room, Mr. Clinton said, "The truth is we're living in a new and different world, and we've got to try to chart a course that is the right course . . . while avoiding things that we cannot do or things that impose costs in human and financial terms.

"We have a good record," he said, adding that people who complain about his foreign-policy operation "because of what happened in Somalia last week have a pretty weak leg to stand on."

Mr. Clinton pointed to U.S. support of Russian President Boris Yeltsin and the signing of the Middle East peace deal as his foreign-policy successes.

But critics said Mr. Clinton's policy development is reactive and they point to the situation last week when Mr. Clinton said he needed a few days to draw up a policy for Somalia after the Oct. 3 shootout in Mogadishu between Gen. Aidid's forces and U.S. troops. The failed raid on an Aidid compound claimed the lives of 18 U.S. troops.

Army Chief Warrant Officer Michael Durant, who was captured in the clash, was released yesterday, prompting Mr. Clinton's news conference.

Experts, saying Mr. Clinton's foreign policy appears to sway when challenged, pointed to:

Gen. Aidid's capture of Warrant Officer Durant ended the U.S. hunt for the warlord.

Congress' challenge to send troops to Bosnia to aid in peacekeeping missions iced those plans.

And an angry Haitian gang's protest in a port city this week prompted recall of a troop ship.

Mr. Kansteiner said the Clinton White House also confused the policy in Somalia by endorsing three different policy tracks—one run by the United Nations that still calls for the capture of Gen. Aidid, a second run by the United States that would let Gen. Aidid join peace talks and a third set by neighboring African nations that could even result in Gen. Aidid becoming president of Somalia.

"They are crossing each other and at times contradicting each other," Mr. Kansteiner said of parallel policies.

"They've been back and forth," Mr. Scowcroft said, and that may be the product of a decision to "put foreign policy on the backburner."

Mr. Clinton's inability to settle on specific plans for Somalia, Haiti and Bosnia, meanwhile, "raises issues about whether the United States has thought through its role in the post-Cold War world," said Helmut Sonnenfeldt, a foreign-policy expert at the Brookings Institution.

To prevent future foreign-policy embarrassments, the White House is reviewing its policy-making process said a senior administration official.

AMERICAN FOREIGN POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. ROTH] is recognized for 5 minutes.

Mr. ROTH. Mr. Speaker, I have to agree with the gentleman from California [Mr. DORNAN]. What happened to our troops in Somalia was a disgrace.

But I want to point out what I think is a solution not only for Somalia or for Haiti, or for Bosnia. I think we have to have a plan. The gentleman mentioned before in his opening statement that the pundits are asking what kind of grade is Clinton getting in foreign affairs, or what kind of a grade is Bush getting and so on. I do not want to focus on that, although I will say this: Clinton is not even in the same league with Bush when it comes to foreign affairs. Everybody would have to agree with that. But I am not interested in the politics of it.

What I am concerned about here is that we are not guided today in foreign policy by any principle or any philosophy. It is all expediency. The problem with that is in a country like this you can only move ahead if you have the blessing of the people on the issues and the initiatives being taken by our leaders. Our Government can only function if it has the trust and confidence of the people. And you cannot get trust and confidence of the people if you are guided by expediency.

So I would say that for us we have to have certain principals where we are guided by a certain formula. And if foreign issues arise, and they fit into this formula, I think then we should be guided by that formula so we have a road map, so we have a procedure that we can follow. And I would say in considering our involvements overseas, whether we use U.S. troops, I think we have to ask ourselves consistently four questions.

Basically they are these: How is our national security, the national security of the United States threatened? That would be the first question. Second, we have to ask is there a clearly defined mission for our forces, so when we put our forces into Somalia, or as the gentleman here had mentioned, into Haiti, so that we have a mission for our troops, and so we know whether we have met our mission. Third, do our troops have a reasonable chance of success? There are some places in this world, no matter how much power we are going to apply, or how much treasures we are going to pour into that region, we are never going to be successful, because there is no chance of success. We do not have enough leverage in some parts of the world, and that is why we have to focus on this third question.

□ 1330

Is there a reasonable chance of success? Fourth, how are we going to get our troops out?

You know, the thing that has always amazed me is that American troops have been deployed to all parts of the world and we have never asked the question: How are we going to get them out? To me this is a blind foreign policy. We cannot go in that direction. We have got to have a criterion, a plan; we do not today. That is why we are facing all of these little disasters all over the world.

I think that these four questions are relevant. In fact the Secretary of State, himself, has enunciated four questions pretty much like this and we have to have a criterion for us when we are involved so that we can go to the American people or at least the President should be able to go to the American people and say that we are going into Somalia "but here is how I answer these four questions. Here is why we are going in. Here are the chances for our success. Here is our mission and here is how we are going to get our troops out." I think if the President, the Commander in Chief cannot explain that to the American people and to this Congress, then we should not be going into these areas because we are only going to take our Nation down the road to pain, terrific pain.

Mr. Speaker, I yield to the gentleman from California.

Mr. DORNAN. I thank the gentleman for yielding.

The gentleman and I joined the Committee on Foreign Affairs together years ago, back in 1980. The gentleman has been with him all these years but I switched over to the Committee on Armed Services.

Has the gentleman from Wisconsin [Mr. ROTH] been studying this Aristide? Did he come across the statement where Aristide praises necklacing, this former Catholic priest?

Mr. ROTH. I did not run across that statement, but there are a lot of things that I do not have a chance to read because we have been inundated by all this information.

But I will say this that I am concerned. We always say we are for democracy and we are, but if we have a democratically elected leader and it takes the U.S. forces to install him into power, there is something wrong with that. To me democracy means the people are on your side and the people elect you.

I have a question: Is this Aristide really loved by his people? What kind of democracy do they have?

Mr. DORNAN. He is an admirer of Castro, he is a Socialist.

Listen to this statement of the President in the White House press office yesterday:

> The truth is we are living in a new and different world and we've got to try to chart a course that is the right course while avoiding things that we cannot do or things that impose costs in human and financial terms. We have a good record because those people who are complaining because of what happened in Somalia last week have a pretty weak leg to stand on.

Is that what he is going to say to the 19 sets of parents and wives and children of those who lost their loved ones a week ago?

Mr. ROTH. Mr. Speaker, I just want to wrap this up by saying that to me these troops have names and faces and families. They are not just numbers. Even though they have all volunteered for the military service, their lives must never be squandered because some bureaucrat or politician in Washington wants to play the same old game of sticking America's nose into everybody else's business, regardless of whether it is important or not. And here in the Congress all I hear about troops is just facts, figures, numbers. No, these are human beings with names, faces, and families. And we cannot forget that.

JOBS, JOBS, JOBS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. KANJORSKI] is recognized for 60 minutes.

Mr. KANJORSKI. Mr. Speaker, I rise today to address what I consider to be one of the major domestic problems of the United States. As we hear all of the problems of the United States it would be wonderful if all of us could just concentrate on single-issue areas and solve those problems, but as my friends have just expressed, we are a dynamic Nation in dynamic times and we have to focus on many things.

What I would like to have the Congress focus on today is the problem that I hear most about from my constituents. It is a problem related to programs like NAFTA. Whether it is programs like retraining, programs of downsizing the defense industry; most Americans are asking the big question: Where are the jobs? When are we going to create the jobs? Are they going to be sufficiently good-paying jobs so that the American middle class can continue to prosper and exist?

What I am speaking of today is an initiative that I have undertaken with several of my colleagues in the House, the leadership and members of the administration to address ourselves to that major issue. What can America, what can the administration and what can we in the Congress do to create jobs for the American people who are in fear of the result that may occur if we adopt policies like NAFTA? I think that the only solution is that this administration and this Congress must focus and direct itself now, today, at creating the types of jobs Americans need across this land.

There are many Members of this House who would reconsider their position, their vote on NAFTA as it might come up, if they could go back to their constituents and indeed to all the American people and say, "We have taken positive, active interest in creating jobs to meet the needs of American workers and American industries and American prosperity in the future."

My initiative encompasses many contributions from many Members of this House over the last decade.

It would be remiss on my part not to recognize in particular the outstanding contributions made by the chairman of the Committee on Science, Space, and Technology, in this area, the gentleman from California [Mr. BROWN]. Over the years he has helped coalesce the technologies of the United States so that they can be better understood. The subcommittee chairman of that committee, the gentleman from North Carolina [Mr. VALENTINE], has also spent a great deal of effort in creating a bill, H.R. 820, which has now passed the House and is pending in the other body, which hopes to open up some of these new technologies to improve the competitiveness of the United States.

What my initiative does is build on what they have now contributed. It develops a comprehensive program so that we can meet the needs of American workers and we can use the one tool that we have left out in the American structure of our economy thus far, and that is utilizing the marketing and commercialization know-how of the private-enterprise system in America.

Mr. Speaker, since 1964 the United States of America has developed and researched more than 1.5 million new technologies. We have pending in progress right now the development of 140,000 new technologies and research and development programs.

Yet if a private businessman in America wants to find out where they are, how he can find out about them, what he can do, he has to come to a beltway consultant, a big-time expensive lawyer, and spend years of effort, time, and money to search out where the technologies are, what they do, how relevant they are to commercialization and then hope he can enter into an agreement with the U.S. Government or any of its departments, agencies, bureaus, national laboratories, or universities and then try to finance getting into business.

By that time he has spent years and millions of dollars and has created great frustration for himself and for the system.

The initiative I wish to suggest to the Congress has a multifaceted set of legs to it. Basically they are four.

What we have to do in the United States is be intelligent enough to organize a data base that encompasses all the technologies, patents, licenses, processes that the U.S. Government has spent $2 trillion on developing in the last 30 years, into one central data base where it is easily and user friendly, accessible to American business and entrepreneurs, particularly small- and medium- sized businessmen. Where businessmen can either enlarge their operation or start new businesses with modern emerging technologies to create greater wealth, and most of all, better and higher-paying jobs.

I have spoken with, and met with, the Department of Commerce over the last several months and they have indicated to me that they have the capacity to accomplish this goal of a centralized technology data base in about 1 year. So we can have a data base available where any one single individual, businessman, entrepreneur, or industry can find out everything that exists in the inventory of the United States in new technologies that might be helpful to him. This goal will be accomplished.

The next leg of what I propose is something we have never done before, and that is look to the private sector to learn how they market products in America. The private sector does not market products by hiding them, it does not market things by scattering them around to hundreds of agencies, 58 national laboratories, 1,600 colleges and universities, where it would take a lifetime to ferret out what is there.

Instead American business uses the modern methods of marketing and technology. One of the major legs of the technology development that we are talking about in this initiative is to create what I call the American technology network. It would be an organized and specialized network like Discovery, or CNN, or any of the commercial networks that are presently on the air. It would concentrate on developing sane, simple, and entertaining ways of presenting new ideas and new technologies ready for commercialization to the entire American population at their will.

□ 1340

For 24 hours a day, 7 days a week, 365 days a year, we could literally identify from the Federal inventory of patents, licenses and processes, and technology, the most likely 6,000 that could be immediately commercialized. We could put them in understandable, entertaining form in 1-minute, 3-minute, 5-minute intervals, that could be presented to the entire listening audience of the United States, not unlike C-SPAN which the House of Representatives takes part in its debate, where 7, 8, 10 million people at their will, at their election, could see what the American inventory is offering to the American people, the taxpayer money that has already been paid for this research and development and hopefully how they could access it easily and develop it into new businesses that would create the jobs we need in America.

We estimate that by creating The American Technology Network, we can in fact create enough new jobs to employ half a million people a year for the next 5 years. At that rate, including indirect jobs, we could actually create a million jobs a year in new technologies, new patents, things that are not even being worked on, but have been developed and have been paid for by American taxpayer money that are laying around the vaults of all the Departments, Agencies, and Bureaus of the Federal Government, the 58 national laboratories that are constantly the brain power of research and development of the American Government, and in hundreds of colleges and universities, ideas whose time has come and in some instances has passed, but should be developed and commercialized that presently are not being commercialized.

Together with the American Technology Network, a corporation known as the Technology Transfer Corporation could be created and authorized and contracted with the Department of Commerce to be the exclusive and sole agent of the U.S. Government in dispersing the contract arrangements that are necessary with entrepreneurs and businessmen across America who want to license this technology and start into business, creating a one-stop shopping operation. If you say a technology that interested you and you were in business or wanted to go in business, you could call a contracting officer in the Technology Transfer Corporation and that individual's job would be to enter into an agreement or try to find out whether you are capable of promoting that technology and using it, contract for it and get you started on the way and give you any technical assistance that the Government can offer to help you develop that business or that technology.

What would that encompass? It would be using the market system.

And would these be bureaucrats? No, they would not be bureaucrats. The Technology Transfer Corporation should be a private corporation.

Should the Government own part of it? Yes. That is the methodology by which we would get paid back if these technologies are successful in the marketplace, by taking as equity interest.

But first and foremost, the intention of this initiative is to make this technology available to the American people easily and readily so they can pull it up; first be excited by what they saw on the American Technology Network, then interfaced by their personal computers into the comprehensive data bank, receive any amount of information they need on what that technology calls for, make the depthful analysis that is necessary before they start their business, and then have one contracting officer who represents and is the agent for the U.S. Government to sell or negotiate the licensing of that technology to them.

Rather than spending half a million or a million dollars, success could be accomplished with little or very little money on the part of an entrepreneur or small businessman. They could then in a relatively short period of time of months rather than years acquire the rights to proceed with the development of that technology in a small business and they would be on their way.

The fourth leg of this proposal is a vehicle to help provide the venture capital money necessary by small businessmen and entrepreneurs to get their new businesses started.

It is a sin in this country that we are willing to create the Hungarian Fund for $400 million, the Russian Fund for $700 million with American taxpayers' money, with the intention of developing the economies of these foreign countries who have their needs, and yet we forget that American business, American entrepreneurs, American dislocated workers also have a need and have a right to capital access here in the United States to develop American products of research and development.

Right now the largest user of American technology and development and research happens to be the Japanese industrial market. Why? Because they have the specialists who live right here in Washington that search out the patents and the technologies and the processes that the U.S. Government develops at taxpayer expense, and they go through the process of licensing them or contracting for those processes from the U.S. Government and they take them back to their home country and develop them into worthwhile technologies and businesses that not only encourage and make money and wealth in the country of Japan, but are used to transport around the world, and indeed sell many of their products right here in the United States that were developed by Federal moneys right here in the United States.

What the financing vehicle would be is very simple. For a price of less than $3 billion a year we could underwrite a venture capital fund working in conjunction with the Technology Transfer Corporation that could make available a million dollars of venture capital to virtually any entrepreneur or small businessman in the United States who wants to get involved, expand his business or start a new business.

If we did that, that $3 billion could be leveraged to create a fund of $12 billion per year, because our experience with the Economic Development Administration was that for 25 percent of the risk covered, the Economic Development Administration could lend out four times the amount of money and not lose any money for the U.S. Government.

That means for the infusion of $3 billion of American capital, governmental taxpayers' money into the fund that would allow this expansion, we could create a pool of venture capital of $12 billion a year, and if you loaned out a million dollars to a venture capital organization or an innovator or small businessman or an entrepreneur, you could create 12,000 $1 million small businesses every year.

The mathematics in business says that for a venture capitalist who uses $1 million, he can create easily 20 high-paying jobs. I am not talking about $5, $6, or $7 an hour jobs. I am talking about $15, $20, $25 an hour jobs, good jobs.

If we created 12,000 new businesses a year with 20 jobs each, that is 480,000 new jobs in America. That is the direct jobs by the investment that would be made. The indirect creation of jobs would be at least a one-to-one ratio, another 480,000 jobs, for a grand total of 960,000 new jobs a year with new technology, creating new wealth and solving problems in new ways for America, making the country and the economy more wealthy, making the country respond and get back its capital that it has invested in research and development; but most of all, Mr. Speaker, creating those jobs that the average American asks about.

Everywhere I go in my district in the State of Pennsylvania or the United States, when we talk about NAFTA, when we talk about retraining programs, when we talk about downsizing the military and the defense industry and the job losses those activities will create or the need for retraining, the question is, where are the jobs we are going to retrain these people for? It is fun to retrain people, but to retrain them and not have a job for them is not a very successful thing for the government to do. Many people who go through retraining are frustrated to find out that they have been retrained for a job that does not exist.

What I suggest is that if we focus and mobilize our effort and create first of all a data bank of all the technologies that exist in the American inventory, the American Government inventory, make it accessible, make it public knowledge by marketing using the tool we Americans know best, American television, if anybody and everybody in America has an equal opportunity to find out what is available and what is for sale in the American inventory, and then we have a technology transfer corporation where an individual does not have to hire a Philadelphia lawyer and a Washington consultant to find out how to negotiate for it, but can talk to a single contract officer with the authority to act and simple user-friendly contracts and forms to develop a new business.

Then finally, Mr. Speaker, that corporation would be largely owned by the U.S. Government so that its success would return money back to the U.S. Government, so we could increase and continue the program indefinitely.

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After 5 years, Mr. Speaker, it would become a self-financing tool to help create new American research and development firms. It would reach out to the American workplace and out to the entrepreneurial spirits in America to create new jobs. Finally, we would have tools that could make all of us part of the package with American capitalism, with democratic capitalism. The American Government could have an equity interest in some of those businesses that would return a great deal.

But, forgetting all that and the potential profit to the government from that endeavor, the estimates and studies that we have run on this concept, if we are successful, would generate over 10 years $140 billion in new taxes to the Treasury of the United States. And for what cost? Just focusing, paying attention and doing what government does well: Fund research and development, encourage growth and exploration in the new ideas and fields, but then also, recognizing that the magic of America is in the private market, the private marketing concepts, and take the best tools of the private free enterprise system in America, and put them to work with government to accomplish this end.

Mr. ROTH. Mr. Speaker, will the gentleman yield?

Mr. KANJORSKI. I certainly will.

Mr. ROTH. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. KANJORSKI] for yielding, and I want to compliment him on his statement. He is one of those Members who is farsighted and prescient in this area, and we appreciate that because I think the thinking anew and acting anew, as I see his legislation, I think that is the step that we have to take.

I was impressed. The gentleman mentioned several times the word "focus," and I think that is important because we are too defocused many times here in the Congress.

When Greenspan: the gentleman is one of the Members here in the Congress who understands the Federal Reserve, and the economy and so on, when Greenspan was, Alan Greenspan, head of the Federal Reserve, was before our Committee on Banking, Finance and Urban Affairs, he mentioned that if we want jobs, then we have to focus, and he used the gentleman's word "focus" on entrepreneurs and risk takers, not to impede them.

Now the question I have for the gentleman is this, and it is a friendly question because I agree with him:

The Japanese are over here picking up all of our technology. We are spending money to produce it, and they are using it. Here in Washington 80 percent of all of our gross national product increase last year was due to trade, and, yes, we have got, for example, seven agencies that are dealing with trade. I mean it is so defocused. There is nowhere to go. Go to Commerce, go to Defense, go to Treasury—I mean seven different agencies; they are falling over each other's luggage at the Tokyo International Airport, and I think that we have got to get our policy more focused.

I think that we are having too much government and too many regulations, and I would ask the gentleman how his legislation would address that problem, unless he does not see that as a problem.

Mr. KANJORSKI. No, I see it as a great problem, and it is exactly the problem that we are trying to address. What exists right now in the technology transfer field in the United States is we have encouraged and made a mandate in Congress; as a matter of fact, in law, saying that you not only have to research, and develop and create these new technologies, but you must find a way to market them to the free market system so that it can take them on, and indeed some of the national laboratories have started to do this, some of the universities have started as well. The only problem is that every one of the 58 national laboratories have their own marketing program. Every one of the 1,600 colleges and universities that do research are called upon to develop their own marketing program. Every agency, bureau and department of the United States has its own marketing program.

The fact of the matter is, Mr. Speaker, the tool that I am suggesting will probably end up saving and costing less money to accomplish a more successful end result because we bring together all of that material that is out there, scattered in these many entities, and bring it into one data base, and, once it is in that data base, we have a marketing technique. It is the best of private sector marketing and we have one corporation to handle the licensing process to move it through quickly, and one effective financing vehicle to get the job done.

If I may answer to the gentleman from Wisconsin, we were just talking on the floor the other day about this issue with members of the Committee on Education and Labor. There are 124 retraining programs in the U.S. Government. It is a massive array. I ask:

> Why can't we start looking to the billions of dollars that we spend in this area, and, rather than requiring the average small or medium sized businessman to hire a consultant to find out how you get into the safe, they can't even find out how to get access to our retraining programs and, rather than doing that, why don't we simplify the process? Why don't we try to centralize it?

Now we cannot centralize everything down to one single entity, but we can certainly start on the process, knowing what we have to do, of creating one uniform base of information and then authorizing marketing techniques that are derived from the experience of the private sector, the way we reach people, and then central negotiating to be handled by one person rather than having the fractured elements of many, many agencies and bureaus having to deal and sign off or enter agency agreements, as we have now, causing terrible problems.

Mr. ROTH. Mr. Speaker, will the gentleman yield further?

Mr. KANJORSKI. I yield to the gentleman from Wisconsin.

Mr. ROTH. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding, and I do not want to be in any way confrontational here because I agree with what the gentleman is trying to do. I would just like to repeat or would like to mention an experience that I had a few short years ago.

I am very much concerned abut trade, like the gentleman is, for example, because, as the gentleman knows, we are living in a dynamic world economy, and we have got to be competitive in the area of trade. But from my experience here in the Congress, as the gentleman knows we have so many different departments: We have got the USTR, we got Commerce, we got Treasury—as the gentleman knows, all down the line, and what I and some of the other Congressmen and Senators want to do is to have one department on trade. You know, like you had mentioned, they get some focus so we can add more focus to it, but we could never get our departments together.

We went as far as the White House, and the President agreed with us, and then on a Friday morning, when the news conference was supposed to be held, why there was such a ruckus within the Departments themselves that even the President backed off, and my concern is, when we get the government involved, we get all these different entities involved, and we never get anything accomplished. This causes a lot of costs, a lot of money, causes a lot of friction and confrontation, and the job never gets done, and the Japanese and other countries are running off with the jobs and the technology, and my question basically with the initiative the gentleman is taking is:

What can we do to get some focus, to use the gentleman's word, some focus to what we are trying to do here in government, like have one department of trade, have one agency that works, for example, with small business and so on? As it is set up now, my good friend from Pennsylvania, I do not know who to go to in government. I go to 50, as the gentleman knows, different agencies. You keep on getting the runaround because there is nobody you can focus on.

Mr. KANJORSKI. As my good friend, Mr. Pogo, used to say, "I have met the enemy, and he is us." We, too, have this problem of jurisdiction within the Congress itself. Recently one of the leading members of this body who sat with me recently, said in order to come up with an idea and sell it sometimes it takes decades. That is unfortunate because we have to filter through all these jurisdictional areas and find out who we rob and whose jurisdictional we are into. What we have got to stop doing is thinking of how government operates and start approaching this problem how the man on the street, and the average American, the average entrepreneur and the average businessman need us to operate. We cannot do things totally and simplistically as we would like because we are protecting taxpayers' money, and we all have our fiduciary relationships that we are bound to keep, but there is no excuse at this time when we have every American asking if we are going to pass NAFTA, if it should pass, will that have an effect on the number of jobs, in the United States. Some people think it will. Some people think it will not. I do not know.

Quite frankly, Mr. Speaker, on NAFTA I would like to say that in the long term that policy may be the policy that is right for the United States 30 years from now. Our problem is the impact, in the short term, if there is a loss of jobs, particularly on the lower economic level and scale in this country. What are we going to do to assure those people that they will not be forgotten, and not forced into unemployment and a state of welfare for the rest of their lives? What are we going to do for the people who are talking about welfare reform? Bring these people off welfare to do what? We do not have the jobs for them. Why are we talking about the retraining programs taking unemployed people and retraining them for what if we do not have the jobs?

The important thing, it seems to me, is the Government has to do something, and what I suggest, and this answers the gentleman from Wisconsin's question, is we do what Government does well:

We have the capacity to put this information in a uniform integrated data base. We have funded these technologies and their development over the last 30 years. Now we are going to turn to the private sector and say that government will only be involved to get that information to you. It will be the contract agent to handle the marketing, the commercialization and distribution by contract, to these new entrepreneurs and businesspeople and encourage them to go on and do one thing further that a government bureaucrat would not do if we created this as a government program. It is to the interest of that corporation, since it is a private profit-driven entity, to see that these businesses are successful. If there are important ingredients that can be given to those people running the businesses, it is going to be in the interest of that corporation to do the right thing and give them the technical assistance they really need rather than government technology assistance which in many instances does not comport with the needs of the business community.

□ 1400

Mr. ROTH. I thank the gentleman again for indulging me and for yielding further.

The gentleman had mentioned, for example, that sometimes it takes decades for the government to get the right job done. You know the way I look at it is that in the world today we have this tremendous rapidity of change. Maybe government is no longer the answer. Maybe we have to ask completely different questions. Maybe what we need is less regulation, less government, smaller government, Maybe the only thing that government should do is protect our shores, deliver the mail, and stay the heck out of people's lives, and just let business and the people themselves find the solution to jobs. After all, the government really cannot create jobs.

I was interested yesterday, or the day before, in the Wall Street Journal they talked about health care. The gentleman mentioned health care. They had a huge maze, a diagram, of how the health care system is going to work. It is just unbelievable, the complexity and so on.

I think in the modern world we cannot have this type of complexity. Could it be that maybe the answer does not lie with the government and we should be scalding down government? Maybe we should be asking completely new questions in the era we are moving into. Maybe we are still asking questions of the old industrial age government, when we should be asking completely different questions, because the world has changed so much.

Mr. KANJORSKI. It is interesting, the gentleman from Wisconsin [Mr. ROTH] is a Republican, me being a Democrat, that you should ask me that question. I will answer.

I happen to agree that government has its role because ultimately it is the final protector of what people need protection from, whether it is environmental protection, labor protection, abuses, poisons, things like that. We have a role there.

The problem that has been made in government, whether it has been during the last 12 years of the three Republican administrations or it will be made in this administration, is that we have to approach it from a new angle.

Actually, I would recommend that you and I compliment the President in coming up with a new panel to reform and reinvent government. I think that is the right attitude to take. I do not think we can suggest to the American people we are going to have less government. But I think we can suggest to the American people that rather than dealing with the bureaucracy as it presently exists, we can peel it down and we can look at problem solving. Our first question is what is the problem, and is there a solution, and not always think that government is the final arbiter of what that solution should be. On the other hand, we should make sure that we do not so deregulate and take out of control anything so that the private sector can abuse the system. Because today, regardless of how we like to think of it, there really is not a totally free enterprise system. It is a moderately free enterprise system. We have monopolies that exist by virtue of their size or the domination of their field or by virtue of the fact that they control the technology of the area they are in. If these people were to go unchecked, they could wreak great havoc on the marketplace and on the rights of all American citizens, if the government did not stand in a position to protect them.

Mr. ROTH. If the gentleman will yield further, I thank the gentleman for yielding. I do not think the reinvention of government is the answer. I do not think that that is what the people are looking for. I think that the people are looking for less government.

Take a look at what is going on all over the world, whether it is in Japan, whether it is in Europe. Every country in the world seems to be downsizing, downscaling their government.

Mr. KANJORSKI. We are, too, Mr. ROTH.

Mr. ROTH. We are not downscaling government.

Mr. KANJORSKI. Under the proposals that the Vice President put forth, over the next 5 years we will cut down the employment of employees in the U.S. Government by a quarter of a million, 250,000 jobs. We are going toward deregulation of large areas. We are making government more user friendly.

Let me give you an example. Most recently the Comptroller of the Currency, Mr. Ludwig, in approaching the financial institution business in providing for how they comply with the new truth-in-savings disclosure law for bank savings accounts, rather than having each bank go through three inches of regulations that were propounded to accomplish that end, what he did is he had it reduced to a computer program and provided that computer program at cost to every bank which wanted it. So if they followed the program he provided them, they would be in compliance with the regulations, and they would not have to hire the lawyers and other people to study the compliance requirements.

Mr. ROTH. Well, if the gentleman will permit me to say, you and I have been around this race track a couple of times, and you are not going to see in reinventing government less people on the Federal payroll. I think you are going to see more people.

I mean this in a friendly way. I think you are going to see more people. The people in government today feel government is the answer. I feel government is not the answer. I think that is really the big debate. You never get to the basic argument.

Mr. KANJORSKI. I think you brought out a good point. I want to respond to it, because I hear so many people on your side of the aisle make that proposal. When the Founding Fathers structured the American Constitution, the American Government, there were only 3.5 million people in the United States in 13 Colonies. Today we have 50 States and 250 million people. Every year the population of the United States grows.

If the employees of the U.S. Government were not to grow in number, in fact you would have a lessening of government every year, because the population grows at a rate of 4 or 5 percent a year.

I think this idea to always say the government is bigger this year than it was last year is really a misstatement of reality, because this year the population of the United States is larger than it was last year, and every year in history it has been so. So, invariably, the number of people involved will grow to some extent.

I am not talking about numbers. I am not as worried about how many people we have doing things. What I am most worried about now is whether or not we have lost our vision as to applying the techniques that have already proved very successful in the American enterprise system.

It was proper that America make a major investment in research and development over the past 40 years. American Government, however, as currently structured is not the right tool to market that, contract for that, or give the assistance necessary to the private sector to use that research and development to create new jobs.

What I am saying is what our problem is, is we have trillions of dollars worth of new technology that is out there that is not being used. The answer to that problem will not come from government, because government does not understand how to market, does not have the incentive to market, does not have the success or failure attached to what you market successfully.

So we should turn to other agencies or an entity such as the free market system that have already had experience with and see how well it can function, and say, "Look, we in the government have made the investment in research and development. We now have these patents and licenses and processes. Let us turn them over to the free market system to put them out to the rest of the free market system, to develop and commercialize it."

Mr. ROTH. If the gentleman will yield further, I appreciate the gentleman allowing me to participate in his time here in this debate. That is very generous of him. I want him to know I appreciate that. I know the gentleman feels very deeply about this, as I do, because we have served on the same committees in the past.

The reason I say our government is too big is because when you take food, shelter, and clothing, as published by one of the think tanks here in D.C. the other day, 40 percent of an average person's income goes to food, shelter, and clothing.

What is really surprising is that Federal, State, and local governments take 40 percent of his money in taxes. So the average person in America today is paying as much in taxes as they are in food, shelter, and clothing.

Mr. KANJORSKI. That figure is incorrect, if I may respond.

Mr. ROTH. It is correct. Let me just conclude by saying why is the government getting too big? We have a Department of Agriculture. We have some 2,000 agencies here on the Federal level. We have the Department of Agriculture, one I like very much, incidentally, because I have the third largest dairy district in the Nation.

But in 1900, we had some 3,000 people working in the Department of Agriculture, and we had millions of farmers. Today we have millions fewer farmers, but do you know how many people we have working in the Department of Agriculture today? One hundred twenty-nine thousand. In 7 years, if we keep going in this direction, we will have more people working in the Department of Agriculture than we have single family farmers in America. That is why I say our government has gotten too big, way too big.

Mr. KANJORSKI. Let me take that as an example. If you listen to those raw figures and make that comparison, you could easily arrive at that conclusion. One, I would like to say when you say 40 percent of the average American's earning capacity goes to government, that is not correct. It is around 29 percent.

But, more importantly than that, we are next to last among the major industrial nations as to the amount of taxation the average worker pay toward the contribution of government at the Federal, State, and local area.

Now, let me address myself to your agriculture question, because I think it is very significant.

In 1850 in this country, unlike any other country in the world, including the Soviet Union just before its demise, it took one farmer to feed about 10 to 12 people. In the United States we took that ratio and needed a great number of farmers.

But we took the agriculture extension course. We took inventiveness and new technology. And through our land bank colleges out there, the agriculture colleges of America, we dispersed this information to the American farmer, to the point now where the American farmer feeds more than 100 citizens. Ten times as much productivity than the average farmer of the world.

☐ 1410

It is because American Government, using the private sector to disperse research and development information and new technologies and new methodologies to the people that do the production in this country, and we did it very well, we actually have lost the need for a great number of farmers in America. But I think to make the blanket indictment of the failure of American agricultural policy over a period of 100 to 150 years would be the greatest mistake we could make.

Quite frankly, if we can take the experience of dispersing research and development and new technologies in the agricultural field and apply it to increase productivity in the manufacturing and industrial and communications sectors of the United States, that is what is going to build jobs and wealth in America. It is that very program. Do we defend or do we need all those Government employees? No.

I suggest our former colleague, who is now Secretary of Agriculture, is going about a hard effort to downsize the Department of Agriculture. All I would say on that is, as we close some of those field offices, if I may, and I do not know if there are 1,200 or 12,000, but I hear the same thing in the back rooms of both parties here. I hear the complaints of the Members.

It is easy to stand here on the floor and say, let us cut expenditures. Let us cut departments. Let us cut Government. But then when you get your call from your local agriculture office and your farmer in your district, the membership seems to come on the floor and say something other than cut the number of Government employees.

You vote with me on closing those agricultural offices, and I will vote with you to close down some of the departments and agencies and downsize the Government. I think we will be working toward a common goal.

Mr. Speaker, I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. I want to congratulate him for his very strong remarks in support of the free market process.

I would say, first, as he mentioned, the level of taxation that the American people face at the Federal, State, and local level juxtaposed to other industrialized nations, it seems to me that we need to realize that there is a marvelous byproduct of that. And it is, in fact, the fact that we have the highest standard of living of those industrial nations.

So there is a real benefit from the fact that we do not have a level of taxation which is higher than those other countries. I think, frankly, it should be lower, from my perspective.

Let me just take on this agricultural issue. I come from a State which has undergone a great deal of economic difficulty recently. We have suffered from cuts in the defense and aerospace industries.

The largest industry in my State of California happens to be agriculture. One of the great things about agriculture in California is that with few exceptions, agriculture in California, unlike other parts of the country, relies on exactly what my friend from Pennsylvania has been talking about; that is, the free market.

We have a lower level of Government subsidization of agricultural products in the largest State in the Union, which has as its largest industry the agriculture industry. And I think that is what the gentleman from Wisconsin [Mr. ROTH] is referring to when he talks about the fact that there are more bureaucrats working at the Department of Agriculture than there are farmers in this country.

We need to recognize that bringing about a reduction there could be beneficial. I am not about to indict the entire agricultural system that is in this country. I recognize that there have been many benefits. But it is important for us to note that in the largest State in the Union, where we have agriculture as our largest industry and a very low level of Government subsidization, we have a great deal of success. I would hope that the Federal Government could learn from that experience.

I thank my friend for yielding to me.

Mr. KANJORSKI. In response I would say, I look forward to joining you, Mr. DREIER. I think you are eloquent in your argument, and I join the gentleman from Wisconsin [Mr. ROTH] and I suggest also particularly in the area of water and dairy subsidies that the gentleman from California and the gentleman from Wisconsin will join me in cutting those subsidies, because the private sector should have more to do with where the production is or what the cost of water is, rather than some guarantee that the farmers of Wisconsin or the farmers of California or the farmers of Pennsylvania gain some guaranteed benefit or cushion.

What we have to do is start cutting them loose and putting them in the private enterprise system where they can be competitive.

I look forward to watching your votes, as I will cast mine, for cutting agriculture expenditures and subsidies, particularly excessive water and dairy subsidies.

Mr. ROTH. Mr. Speaker, I think that the gentleman is correct. Our Government has gotten too big. That is exactly my argument.

But we have to do more than cut agriculture subsidies and other agencies. For example, the Department of Agriculture, in my opinion, does a much better job than most agencies. So we are using one. We could point to many, many others.

What I want to do is just distill this discussion we had here this afternoon down to one sentence. I think it is a fair summation.

Basically, what the gentleman on the other side of the aisle is saying is this, that America is great because Government programs are great. I am saying, America is great not because the Government is great. I am saying America is great because our people are industrious and because our people have a great deal of initiative.

America is great despite the Government programs, not because of the Government programs.

Mr. KANJORSKI. If I could respond, I hope no one that has listened to me, either yourself or anyone on C-SPAN, thinks that I am promoting further Government programs. What I am addressing is that I do not believe the Government is equipped to market or commercialize what patents and processes we have developed with our research and development to the private sector. What I am saying is, it is time that we in Government recognized that we should turn to the private corporations as the agency to disperse that information broadly across the country, that we should turn to an American technology cable network program that can market that technology across the country and that, in fact, the Government be smart enough to do what it does well and it had done well, fund research and development. And now use the private sector, together with the Government getting its return on its investment back, by using the private sector to market and help commercialize the research and development owned by the United States of America that right now lies fallow in our vaults around the Federal Government.

If we market that, we have a key to create the million new jobs a year and the 12,000 small new businesses a year we need to restore economic prosperity. In doing so we will use new technologies to create wealth, to create good-paying jobs, high-paying jobs, to help solve the opposition that occurs in this country when the average American worker sees a threat to his job, like NAFTA, without an apparent interest on the Government's part to show where new jobs will be created for those who have lost their jobs as a result of the treaty.

I thank the gentleman from Wisconsin [Mr. ROTH] and the gentleman from California [Mr. DREIER] for joining me on this.

Mr. Speaker, all I have to say is that in the next week we will be introducing into the Congress of the United States a bill which encompasses the four programs and processes that I have talked about today.

That is, the creation of a comprehensive database so that all the technologies, licenses, patents and processes owned or partially owned by the U.S. Government be centralized and standardized, be made user-friendly, and that we authorize the Secretary of Commerce to create and participate in the creation of a private corporation, driven by private market processes of profit and response and bottom-line consideration, to aggressively market in a multifaceted outreach program, including the use of the American technology network, to disperse the information of what we have to all of the American people so that they can become entrepreneurs or small businessmen and players in this system and, finally, that we authorize a technological transfer investment fund, to fiance commercialization of these technologies and to help underwrite the entrepreneurial capital and venture capital necessary to start 12,000 new businesses a year, so that we can create a million new jobs a year.

What I am talking about is the creation every year of 25 new, million dollar capitalized, small businesses in every congressional district in the United States.

If we could accomplish that, if when NAFTA comes up, and if that should pass or fail, but if it passes, at least most Americans would know that their Congress and their President had put into place a program to create the thousands of jobs necessary to make up for the potential loss that may occur under NAFTA.

□ 1420

COMMENDATIONS TO JOHN HUME, LEADER OF THE SOCIAL DEMOCRATIC LABOR PARTY IN NORTHERN IRELAND

(Mr. McCLOSKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLOSKEY. Mr. Speaker, as chairman of the Friends of Ireland, I rise today to commend John Hume, leader of the Social Democratic Labour Party in Northern Ireland, for his years of dedication to seeking peace in that troubled land.

John Hume has recently completed a series of discussions with Gerry Adams, leader of Sinn Fein, the political wing of the Irish Republican Army.

John Hume's express purpose in these talks was to end the violence in Northern Ireland and build a lasting permanent peace. Over the years, he has faced death threats and attacks from extremists, and his willingness to persevere in the cause of peace is testament to his courage, conviction, and ultimately his faith in humanity.

John Hume has recently briefed the Government of Ireland and I have included a copy of the Taoiseach's statement for the RECORD.

As leader of the Friends of Ireland, whose membership includes almost a quarter of the House of Representatives representing Irish-American constituencies of both Catholic and Protestant heritage, I know the Members of this body join me in praying for peace to come to Northern Ireland.

No lasting settlement can occur in Northern Ireland without the active involvement of both the Catholic and Protestant traditions and communities.

John Hume has taken a bold step in the service of peace. His character and dedication to nonviolence should be an inspiration to us all. I call upon the political leadership in Northern Ireland and the British and Irish Governments to continue to seek a lasting and just peace.

EMBASSY OF IRELAND,
Washington, DC, October 7, 1993.

JOINT STATEMENT BY THE TAOISEACH, MR. ALBERT REYNOLDS, T.D., AND THE TÁNAISTE, MR. DICK SPRING, T.D.

The Taoiseach, Mr. Albert Reynolds, T.D., and the Tánaiste, Mr. Dick Spring, T.D., this morning met the leader of the SDLP, Mr. John Hume, who briefed them on the position reached to date in his discussions with the leader of Sinn Fein, Mr. Gerry Adams.

The Taoiseach and the Tánaiste took the opportunity to express their deep appreciation of the work done by John Hume over the years in the cause of peace.

The Taoiseach and the Tánaiste believe that the highest political priority must be given to establishing a basis for a just and lasting peace and a permanent cessation of all violence. They will accordingly evaluate carefully the position conveyed to them, and consult with the Government, with a view to ensuring that it can make a very important contribution towards building a consensus for peace. It would be their intention to take full account of it, and decide how best to continue their efforts in their discussions with the British Government for the achievement of the objective of peace on this island.

By definition, this work will require much patient effort and preparation. The Government will not be elaborating in further detail for the moment. A period of reflection, assessment and discussion is now necessary, and the Government believe that in the interests of peace the need for confidentiality should be respected.

The ultimate goal of all parties committed to a peaceful approach must be to reach a lasting political settlement, which can only be achieved on the basis of the widest political dialogue and participation, with the consent of the people living in Ireland, both North and South.

JOB CREATION WITH THE NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 60 minutes.

Mr. DREIER. Mr. Speaker, I have taken out this time this afternoon to talk about an issue which continues to be hotly debated here in the Capitol and throughout the country. I am referring to the North American Free-Trade Agreement. I happen to feel very strongly that the North American Free-Trade Agreement is that one opportunity that we have to do exactly what my friend, the gentleman from Pennsylvania [Mr. KANJORSKI] was talking about just a few minutes ago; that is, create jobs.

In fact, most projections are that we will create 200,000 jobs within the first 2 years. We will create a tremendous number of jobs in the automobile industry, as we will dramatically increase the flow of exports from the United States into Mexico overnight. In the first year we are anticipating, the big three auto makers, that is, a 60-fold increase in the level of exports to Mexico in automobiles, and that will create many job jobs right here in the United States.

I recognize that as this debate has gone on on the North American Free-Trade Agreement, there is a great deal of passion that is excluded by many of my colleagues, Ross Perot, people in organized labor, over the prospect of losing jobs. Everyone can feel very strongly about the threat of job loss. I can certainly relate to that.

The fact of the matter is, we need to recognize that over the past several years, without a doubt, the one area of this economy that has created jobs has been in the export sector. We have been able to see those involved in the export sector gain a wage rate which is 17 percent higher than the wage rates that are there for people working in the nonexport sector.

Mr. Speaker, I think it is important for us to realize that if this House, which on November 17 will be casting a vote on the North American Free-Trade Agreement, chooses to say no to NAFTA, what happens is we will lose a tremendous number of jobs right here in the United States. Why? Because the tariff barrier which is so great today, preventing the flow of United States goods into Mexico, will be maintained and other countries, specifically Japan and countries in Western Europe, will seek to enter Latin America.

Mr. Speaker, I feel very strongly that the threat of losing jobs if we do not pass NAFTA is a very serious one. Think about the people today whose livelihoods depend on exports. There are thousands and thousands of people whose livelihoods depend on exports. In fact, 700,000 jobs here in the United States today depend on exports to Mexico alone.

There are many people who, as we have debated this issue, have said that flow of exports goes simply to the maquiladoras along the border. Yesterday our Labor Secretary, Mr. Reich, made it very clear. As high as 83 percent of the United States exports going to Mexico do not go to the maquiladoras, they go into Mexico as goods and services that are provided to the Mexican people.

As I listen to many of my colleagues decry the North American Free-Trade Agreement, it seems to me that we need to recognize that there are people who desperately want to defeat NAFTA. Mr. Speaker, the greatest opposition to NAFTA does not lie here in the United States, here in the Congress, among the American people. Mr. Speaker, the greatest opposition to the North American Free-Trade Agreement lies with the people in Japan and the people in Western Europe. I say that very simply, because if we defeat NAFTA, the people of Japan, who prevent us from selling our automobiles, and rice from my State of California, and other goods manufactured here in the United States, because of extraordinarily high tariffs and other barriers, want to be able to go to Mexico, utilize Mexico as an export platform so they can gain access to the tremendous 250 million consumers here in the United States.

It seems to me, Mr. Speaker, that we need to recognize that with NAFTA the rule of origin requirements will not allow the Western Europeans or the Japanese to utilize Mexico as an export platform. In fact, as Lee Iacocca, who is strongly supporting the North American Free-Trade Agreement, has said, the corks on the champagne bottles will be popping in Japan and Germany if the United States Congress defeats NAFTA.

I simply underscore that it is essential for us to realize that the most virulent opposition to the North American Free-Trade Agreement lies in the countries that did not allow us to sell our goods and services into their countries without a large tariff barrier.

Mr. Speaker, I yield to my friend, the gentleman from Arizona [Mr. COPPERSMITH], who has been working diligently on behalf of the North American Free-Trade Agreement.

Mr. COPPERSMITH. Mr. Speaker, I thank the gentleman for yielding to me. I also thank the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. Speaker, I will try to be brief. The gentleman has brought up a key point, which is who gains and who loses should there be no NAFTA. What many people have failed to recognize is that the North American Free-Trade Agreement gives American workers, American businesses, better access to the Mexican market. It gives us preferential access to the American market, essentially tariff-free.

As we have discussed other times, what we have now is essentially one-way free trade. United States tariffs are so low they present no barriers to Mexican goods coming up here, effectively. They are about 2 percent, 3 percent, sometimes even lower in particular sectors.

Mexican tariffs, on the other hand, are relatively significant, 2½ times the average United States tariff. Those tariffs will remain in effect for Japanese exports, for West German exports, for French exports, but they will come down for American exports.

The Mexican market is one of the fastest growing in the world. It is certainly one of the fastest growing in North America, as well. It is not enough for opponents to really rely on history, to look at where the growth had come from in the past. I think it is far more important that we look to the future and see where the growth will be in the future, where will the jobs of tomorrow come from, not the jobs of yesterday.

The jobs of tomorrow will be generally export jobs, and export to the most rapidly growing economies, those of the rapidly developing countries. The Mexican market is more or less closed to us now. It has been opened slightly with the 1987 economic reforms, but there are still significant barriers to our businesses selling their products in Mexico.

Bringing down those barriers locks in preferential access to that market for our producers, for our workers. It brings us access to where the jobs are going to come from in the future, the rest of this decade and the 21st century.

Mr. DREIER. I thank my friend for his contribution. Let me just say briefly, to be specific on some of those, I was mentioning earlier the automobile industry. Right now there is a 20-percent tariff on United States-made automobiles that are being exported to Mexico, creating a situation which allows us to sell no more than 1,000 automobiles a year, United States-made, into the Mexican market.

□ 1430

Mr. COPPERSMITH. That is fewer cars than we sell to Japan where the market is essentially closed to United States manufacturers. That is the effect of that 20 percent tariff right now.

On the other hand, the Mexicans have no problem or difficulty exporting cars made in Mexico back to the United States, because our tariff is so low.

Mr. DREIER. Exactly, a 2.2-percent tariff. And basically, as we look at this, the 20-percent tariff which they have today on our automobiles going in will drop down to zero as the 2.2-percent tariff that we have on theirs comes down to zero. The important thing that my friend has just said is that that 20-percent tariff remains for German and Japanese automobiles seeking to enter the Mexican market. And so what that says again is that there is a tremendous boost given to the American worker who has jobs today because of exports, and will continue to create more jobs in the area of exports in the future with the North American Free-Trade Agreement.

You know, we so often hear that the poor Mexican people cannot afford to buy any goods made in the United States because they have such a substandard of living. People who say this are looking at the Mexico of 10, 20, 30, 40, 50, 60 years ago. If you look at the growing middle-income wage earner in Mexico, it is one of the most dynamically growing middle classes in the world. And as we look at that, it is important for us to recognize there are 20 million people in Mexico who fall within that middle-income category, many of whom desperately want to have the chance to purchase United States-manufactured goods and services.

Let us look at the telecommunications industry, which has been a big and growing one there. We have all heralded the decision made by President Salinas a few years ago to privatize the telephone industry and the banking industry. We know companies like AT&T and others will benefit greatly. Why? Because of the exports of technologically advanced materials that have been developed right here in the United States to Mexico. Today, once again a tariff just like automobiles, 20 percent, and that tariff under NAFTA will go down to zero. And yet the tariff for Japanese telecommunications items and German telecommunications items will remain at 20 percent, meaning that the United States worker will have a great preferential treatment over the Japanese or the German worker as we look at this issue.

Mr. COPPERSMITH. Let me follow with two examples that are quite important to me and to my district, semiconductors and computers.

Right now the Mexican tariff on semiconductors is about 10 percent. The tariff on computers, where the semiconductors are largely used, is 20 percent. That tariff comes down to zero and gives our producers who are making those products preferential access to the rapidly growing Mexican market.

It is important, and there are many other examples, automobiles, semiconductors, computers, any other that we care to choose.

We had a discussion here last week where the debate was if NAFTA was a business deal, would you sign on to it. That is a business deal where really in effect we give up so little. We already have extremely low tariffs. Our tariff averages 2.2 percent for most of these products. They are extremely low. We have already given the Mexicans one-way free trade into the United States. We have already created a system where we risk losing jobs to the maquiladoras that essentially could be operated as export platforms. We already have environmental problems along the border because the Mexican infrastructure cannot keep up with the growth and with the environmental problems created by the maquiladoras, and where there are immigration pressures because people look for increased opportunities, whether it is along the borders at the maquiladora plants or in the United States.

We give up so little. We give up our problems. We give up extremely low tariffs. We give up a system of one-way free trade, and in exchange we get access to one of the fastest growing economies in the world.

Mr. DREIER. I thank my friend for once again talking about what I call the Sam Gibbons thesis of one-way free trade. Every time the distinguished chairman of the Trade Subcommittee stands up and talks about Mexico, he refers to the fact that for decades we have had one-way free trade with Mexico. They have had access to our markets, and yet we have not had access to theirs because of tariff barriers that exist. And it seems to me that as we look at our goals here, they clearly are to try and bring about a balance. We hear that things are inequitable, but the fact of the matter is the inequity lies on the American worker who today cannot produce goods that can be sold in Mexico without a tax. It is a tax on American workers, and American goods that are seeking to enter the consumer market in Mexico, which clearly is growing. In fact, the anticipation is that we will see a 15-percent growth in the consumer market in Mexico. It is today the 13th largest economy in the world, and the 10th largest consumer base there.

So while we get preferential access under NAFTA, the Japanese and the Germans do not. They still have those very high punitive tariffs on them. It stands to reason that this is a major victory, a major job creator, a major opportunity creator for the United States of America.

Mr. COPPERSMITH. I think the gentleman has raised a couple points that I want to follow on. One is that our competitors, our economic competitors, the ones from whom we have the most to fear, and the ones who really are competing with us for access to these markets, are the Japanese and the Europeans. And let us look at what they are doing. They are forming trading blocs. They are trying to form common markets or trading blocs as large as possible that give their industry and their workers and their service industries and their manufacturers preferential access within the trading bloc, to give themselves as large a base as possible. They have done that in Western Europe and the Japanese are seeking to do it in Asia. But when we try and do it in North America, to try and give our people preferential access to rapidly growing markets that naturally want to buy our products, it is hard to imagine, if you have not spent significant time overseas, how desirable American products are, and how much they want to buy them. We are somehow drawing back from that.

The second point is that it is really worse than just one-way free trade. The fact that anything Mexico makes can come in here with essentially no duty, but we are blocked from their market, it is worse than that, because I think the example the gentleman gave me was Tandy Corp. and IBM, and we are countenancing a system that actively gives American manufacturers an incentive to locate in Mexico, because from Mexico they can serve both the U.S. market with extremely low tariffs, as well as also the Mexican market which is closed to American exports. We are forcing people to move so that they can get access to a rapidly growing market under the current system.

NAFTA, by lowering the tariffs, removes that incentive. You will be able to serve the Mexican market with no tariff from the United States.

Mr. DREIER. My friend makes a very good point which deserves to be understood here. We so often hear from our constituents who say gosh, we should not pass NAFTA. What about all of those U.S. businesses that are fleeing to Mexico today. And we like to underscore, my friend and I, that that is without NAFTA. NAFTA is the best way to counter this. Why? Because contrary to the view that is out there, United States businesses locate in Mexico to take advantage of cheap labor so they can sell back to the United States, that is wrong. Seventy percent, let me say that again, 70 percent of the business that United States-owned companies that locate in Mexico do, is in the Mexican market, because as my friend from Phoenix has said, it is the only way that they can gain access to the Mexican consumer market without going through these huge tariff barriers. So when the tariff barriers come down, the incentive for United States businesses to move from the United States to Mexico will be eliminated.

Mr. COPPERSMITH. As the gentleman from Claremont has pointed out, if low wages were everything, then Haiti, and Bangladesh, and Burkino Faso would be getting all of the jobs. They clearly are not. There is more to this than just the absolute level of wages that is going on here, and it has to do with productivity, it has do do with access to markets, it has to do with many other factors. Wages alone are not determinative.

But even more so, the people who use the current status quo as an argument for saying look at these jobs moving to Mexico, you are right, because so many of those points are moving to access the rapidly growing Mexican market because that is where the growth is coming from in the future. But moreover, opposing NAFTA is defending the status quo. It is preserving the system that has given us this kind of job movement, that has created this one-way free trade, that has allowed these environmental problems to fester. And it keeps the economic stimulus for immigration high. The only way we can deal with those problems that the current situation has, that is the status quo and that will continue to get worse, is to change the way the United States and Mexican markets relate to each other by giving us two-way free market, by letting United States workers get preferential access to the rapidly growing Mexican market.

Mr. DREIER. My friend's distinguished tenure in the Foreign Service has obviously come out in his ability to spot different low-wage markets, low-wage spots throughout the globe.

Let me talk further if I could for just a moment about the opponents to NAFTA. As I said, there is no one more virulently opposed to the North American Free-Trade Agreement than the Japanese and the Germans. Why? Because they are not treated as well as the Americans, and I happen to think that is just fine, with the implementation of NAFTA.

But there is a cadre of people here in the United States who have opposed NAFTA. And interestingly enough, of the Big Five opponents to NAFTA, all of them have run for President of the United States, and all of them have been resoundingly defeated.

□ 1440

Now, when we hear the argument about "not this NAFTA, we want to bring about a different North American Free-Trade Agreement," I often say, "Yes, let us put together a North American Free-Trade Agreement that would have the support of these five people who are opposed to the North American Free-Trade Agreement." Of those five, let me see, I will name them for you: Pat Buchanan, Jesse Jackson, Ross Perot, Jerry Brown, and Ralph Nader. Those five people have run for President of the United States. Those five people join the Japanese and the Germans as opponents to the North American Free-Trade Agreement. It is an amazing blend of people who look at the world much differently but who have come together to defeat the North American Free-Trade Agreement, and it is clear that they are wrong.

Why is it that these people would join with the Japanese and the Germans in opposing the North American Free-Trade Agreement? It stuns me.

When you look at those who are supporters of the North American Free-Trade Agreement, all living former Presidents of the United States. All living former Presidents of the United States strongly support NAFTA.

Now we hear about all this money that has bought out support for NAFTA, bought off Members of Congress, bought off all these people. I point to former Presidents of the United States Jimmy Carter, Richard Nixon, Ronald Reagan, George Bush, Gerald Ford. These people are interested in the future of the country that they had the opportunity to lead. Democrat and Republican alike, they have come together and joined with President Clinton in support of the North American Free Trade Agreement.

I am a Republican and proud of it. I happen to disagree with President Clinton on most every issue, but I believe he is right when he has joined with all of the living former Presidents, who strongly support this agreement. So we have people who have actually served as Commander in Chief who support NAFTA. We have five former Presidents against five people who sought that opportunity: Ross Perot, Jesse Jackson, Jerry Brown, my former Governor in California, Pat Buchanan, and Ralph Nader, right down the line. These are people who oppose NAFTA.

I choose to support those who are recognizing from experience that they had as Commander in Chief that breaking down barriers is the wave of the future.

Now, my friend from Phoenix has referred to the fact that he cannot understand why people would not want us to have the opportunity for U.S. workers to take advantage of that, and he is right. People who oppose it are not recognizing that during the decade of the

1980's we have had a technological explosion which brought down the Berlin Wall, allowed satellite technology, cellular telephones, fax machines; all these technological advances to improve the standard of living and the quality of life for peoples throughout the world. We want to expand that by now reducing tariff barriers so that we can recognize that trade is not a zero-sum game. There are winners in the trade game. No one has to lose.

Mr. Speaker, I further yield to my friend.

Mr. COPPERSMITH. The gentleman mentioned that the five opponents, he said the fact that they shared in common was that they were unsuccessful candidates for President. I think it is also important that we know what they also share, that is that in this case they are defenders of the status quo, defenders of a system of one-way free trade, where Mexican products come here essentially unhampered and our products are more or less blocked from the Mexican market.

So they are also defenders of the problems that we have today that are essentially getting worse. The maquiladora problem that essentially can be used as an export platform, the environmental problems along the border, the immigration pressures and economic pressures leading to people moving from Mexico to the United States; all those problems are problems we face today under the current system. They will continue to get worse unless we change them, unless we get the courage to change. The gentleman said he was willing to stand with every living ex-President, as am I. I am also willing to stand with the ingenuity and productivity and the American work ethic of the American work force. I think we can compete with anyone, we can compete on any fair terms in the world. We are having problems now because we have an unfair tariff in Mexico. By reducing that to zero, you will just see how well the American worker will do.

Mr. DREIER. My friend is absolutely right. I think it is important to point out to supporters of the North American Free-Trade Agreement: Today we were all intrigued and pleased to hear that the Nobel Peace Prize is jointly being extended to Nelson Mandela and F.W. de Klerk of South Africa as they seek to bring about an end to apartheid, and freedom and opportunity for the people of South Africa. The world has recognized that while there are still problems there, the peace prize was given to them.

As we look at this trade issue, I think we should point to the fact that every single living winner of the Nobel Laureate for Economics strongly supports the North American Free-Trade Agreement. In fact, there are 12 of them, including Kenneth J. Arrow, James Buchanan, Gerard Debreu, Milton Friedman, Wassily Leontief, Merton Miller, Franco Modigliani, Paul A. Samuelson, Theodore W. Schultz, William F. Sharpe, Robert Solow, and James Tobin.

They have joined with 264 other economists who have strongly urged support, and one of the lines in the letter that they sent to President Clinton says, "Specifically, the assertions that NAFTA will spur an exodus of U.S. jobs to Mexico are without basis." I think that while yesterday the Harvard economist who happens to be our Secretary of Labor, Robert Reich, said that an economist is someone who did not have the personality to become an accountant, points to the fact that clearly economists are not always the most heralded around. But we need to recognize 264 of them joining with those Nobel Laureates in economics, we need to recognize that these people have closely looked at markets and the fact that the United States will gain in the area of job opportunities, and those people join with the former Presidents in strong support of it, against the AFL–CIO who join with Ralph Nader, Pat Buchanan, Ross Perot, Jesse Jackson, Jerry Brown, the gang of opponents who really are sticking their heads in the sand. As my friend says, they are trying to maintain the status quo which jeopardizes jobs right here in the United States.

Mr. Speaker, I further yield to the gentleman.

Mr. COPPERSMITH. The gentleman is right. I think the important thing in this debate is we look forward to where the jobs are coming from in the future. No one has done more to articulate that problem and point the way to solution than the Secretary of Labor, Robert Reich, who is a fervent supporter of the free trade agreement, even though, following his hip surgery replacement in December, it is not clear that he passes the domestic content rule.

So this may be an admission against interests, but I think it is important that my colleague from Claremont is standing here trying to convince our colleagues of the importance of the free trade agreement because there may be some on his side of the aisle who are unwilling to do the right thing simply because this is an initiative and a priority of this administration. That is the task that the gentleman has to carry.

I, in turn, on my side of the aisle, have to carry, to convince fellow Members to support our Nation's President because he is exactly right. It is not enough we look back to the past, that we lock ourselves into the problems that we have, that we eliminate the opportunity for continuing growth, for where the growth has come from, as the gentleman pointed out, is from exports. It is important that we focus on what is in the best interest of our Nation's future, not that may recapture a past that can never live again. Where the jobs are coming from, where the growth is coming from is clearly an expanded free trade, and if we just lower the barriers and let the American workers compete on an even basis and end this system of one-way free trade, I know we will grow and I know we will prevail.

Mr. DREIER. I thank my friend for that very helpful contribution.

I would like to close by simply saying that while there is this view that the passion is on the other side, the fear of losing jobs, I know that my friend joins me in being very concerned about the prospect of job loss if NAFTA is not passed.

That is why I urge my colleagues, Mr. Speaker, to support the North American Free-Trade Agreement, look at the details, look at the fact that we will lose jobs in the United States without the North American Free-Trade Agreement and that with the North American Free-Trade Agreement there is no doubt whatsoever that opportunity is going to be created for the American workers and for us to improve the standard of living on both sides of the border.

I hope very much that as November 17 approaches, that we will be able to prevail and provide what I think is the single most important job-creating vote that we will face in the 103d Congress.

□ 1450

CONFERENCE REPORT ON H.R. 2520

Mr. YATES submitted the following conference report and statement on the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes:

CONFERENCE REPORT (H. REPT. 103-299)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2520) "making appropriations for the Department of the Interior and Related Agencies, for the fiscal year ending September 30, 1994, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 8, 20, 21, 25, 29, 37, 40, 45, 48, 56, 60, 61, 63, 79, 83, 86, 92, 103, 104, 112, 119, 122.

That the House recede from its disagreement to the amendments of the Senate numbered 28, 31, 34, 36, 57, 58, 59, 64, 68, 70, 80, 91, 93, 96, 105, 106, 107, 108, 109, 110, 113, 114, 115, 116, and agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 4, 10, 12, 18, 23, 24, 27, 38, 39, 41, 42, 43, 49, 50, 51, 54, 62, 67, 69, 71, 72, 73, 74, 75, 76, 77, 81, 82, 84, 90, 95, 100, 101, 102, 111, 118, 120, 121, 123, 124, 125.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$12,122,000*; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$484,313,000*; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$73,565,000*; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$6,700,000*; and the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$9,000,000*; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$12,000,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$12,000,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$163,519,000*; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$162,092,000*; and the Senate agree to the same.

Amendment numbered 19:

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,061,823,000*; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: : *$42,585,000*; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$95,250,000*; and the Senate agree to the same.

Amendment numbered 30:

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$65,796,000*; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$169,436,000*; and the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$105,163,000*; and the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,490,805,000*; and the Senate agree to the same.

Amendment numbered 44:

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$166,979,000*; and the Senate agree to the same.

Amendment numbered 46:

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$81,907,000*; and the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$77,369,000*; and the Senate agree to the same.

Amendment numbered 52:

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$23,838,000*; and the Senate agree to the same.

Amendment numbered 53:

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$18,464,000*; and the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,394,000*; and the Senate agree to the same.

Amendment numbered 65:

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$168,107,000*; and the Senate agree to the same.

Amendment numbered 66:

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the sum named in said amendment insert: *$2,500,000*; and the Senate agree to the same.

Amendment numbered 78:

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows:

Delete the matter stricken and inserted by said amendment; and the Senate agree to the same.

Amendment numbered 85:

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$430,674,000*; and the Senate agree to the same.

Amendment numbered 87:

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$690,375,000*; and the Senate agree to the same.

Amendment numbered 88:

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$254,025,000*; and the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$206,800,000*; and the Senate agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$86,553,000*; and the Senate agree to the same.

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,645,877,000*; and the Senate agree to the same.

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$7,500,000*; and the Senate agree to the same.

Amendment numbered 99:

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$296,982,000*; and the Senate agree to the same.

Amendment numbered 117:

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the first section number named in said amendment, insert: *313*; and the Senate agree to the same.

Sidney R. Yates,
John P. Murtha,
Norman D. Dicks,
Tom Bevill,
David E. Skaggs,
Ronald D. Coleman,
William H. Natcher,
Ralph Regula,
Joseph M. McDade,
Jim Kolbe
(except for amendments Nos. 16, 17, 18, and 123),
Ron Packard
(except for amendments Nos. 16, 17, 18, and 123),
Managers on the Part of the House.

Robert C. Byrd,
J. Bennett Johnston,
Patrick J. Leahy,
Dennis DeConcini,
Dale Bumpers,
Ernest F. Hollings,
Harry Reid,
Patty Murray,
Don Nickles,
Ted Stevens,
Thad Cochran,
Mark O. Hatfield,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2520), making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on H.R. 2520 incorporates some of the provisions of both the House and the Senate versions of the bill. Report language and allocations set forth in either House Report 103–158 or Senate Report 103–114 which are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, $599,860,000, of which the following amounts shall remain available until expended: $1,462,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–6a(i)), and $69,418,000 for the Automated Land and Mineral Record System Project: Provided, That appropriations herein made shall be not available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors; and in addition, $15,300,000 for Mining Law Administration program operations to remain available through September 30, 1994, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final fiscal year 1994 appropriation estimated at not more than $599,860,000: Provided further, That in addition to funds otherwise available, not to exceed $5,000,000 from annual mining claims fees shall be credited to this account for the costs of administering the mining claim fee program, and shall remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment appropriates $599,860,000 for management of lands and resources instead of $604,415,000 as proposed by the Senate. The House did not include funds for this account. The amendment also derives $15,300,000 for mining law administration and $5,000,000 for the administration of the mining claim fee program from mining claim fees, and prohibits the destruction of healthy wild horses and burros as proposed by the Senate.

The decrease from the amount proposed by the Senate consists of $250,000 for oil and gas in energy and minerals development; $55,000 for preparation of land for disposal and sale in Oregon, $400,000 for land withdrawal reviews, and $1,000,000 for land exchanges, all in lands and realty management; $300,000 for the Rio Puerco watershed, NM, in soil, water, and air management; $300,000 for riparian management, $500,000 for threatened and endangered species habitat management, and $750,000 for general habitat management, all in wildlife habitat management; $50,000 for the Chacoan Outliers in cultural resources management; $50,000 for the bicycle trail between Glendale and Powers, OR, and $400,000 for general management activities, both in recreation resources management; and $500,000 for facilities maintenance.

The managers agree that $55,000 is available within funds for lands and realty management to allow the BLM to prepare for the disposal and sale of 1,500 acres of BLM-administered lands in order to compensate for the loss of local county tax revenues which results from the acquisition of the Wood River Ranch in the Klamath Basin, OR.

FIRE PROTECTION

The managers agree that within funds provided for Bureau of Indian Affairs presuppression activities $300,000 is to complete the fire fuel break project around Glenallen, AK.

CONSTRUCTION AND ACCESS

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of the sum named in said amendment, insert: *$10,467,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment appropriates $10,467,000 for construction and access instead of $10,817,000 as proposed by the Senate. The House made no such appropriation. The reduction below the amount proposed by the Senate consists of $250,000 for a low-water crossing below Pathfinder Dam., WY; and $100,000 for interpretation and visitor facilities at Forts Craig and Cummings, NM.

LAND ACQUISITION

Amendment No. 3: Appropriates $12,122,000 for land acquisition instead of $14,877,000 as proposed by the House and $8,177,000 as proposed by the Senate.

The management agrees to the following distribution of funds:

Book Cliffs, UT	$245,000
Cache Creek, CA	700,000
Central Valley Wetlands, CA	900,000
Cowiche Canyon Preserve, WA	400,000
Desert Tortoise Habitat	700,000
Garden Park Fossil Area, CO	500,000
Idaho Lands	1,450,000
McIntire Spring, CO	550,000
Morongo Canyons, CA	200,000
Pechanga Burial Grounds, CA	300,000
San Pedro NCA, AZ	1,000,000
Santa Rosas Mountains, CA	1,000,000
West Eugene Wetlands, OR	750,000
Wood River, OR	1,400,000
Inholdings	750,000
Acquisition Management	1,277,000
Total, Bureau of Land Management	12,122,000

The managers acknowledge that Uintah County, Utah, has established a policy of no net gain of Federal land and no net loss of private property within the county, as a means to ensure a stable and secure tax base. Therefore, the funds to be used to complete acquisition of the Cripple Cowboy Ranch in the Book Cliffs/Bitter Creek, UT area cannot be expended until the Bureau of Land Management (1) identifies a list of specific Federal acreage located throughout Uintah County, which is equal in value and equal in amount to the acreage involved with the full acquisition of the Cripple Cowboy Ranch, that will be exchanged to the county in a diligent and timely manner, and (2) has consulted with the Uintah County Commission.

OREGON AND CALIFORNIA GRANT LANDS

The managers agree that the Bureau of Land Management may reprogram funds within this account for watershed assessment and restoration, up to a maximum of $17,300,000. Within 60 days of enactment, the Department shall report to the Committees on Appropriations as to which programs were decreased to provide the watershed funds.

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal range-lands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,025,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93–153, to be immediately available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: Provided further, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides indefinite appropriations for range improvements; service charges, deposits, and forfeitures; and miscellaneous trust funds as proposed by the Senate. The House bill included no appropriations for these accounts.

The amendment also includes administrative provisions for the Bureau of Land Management as proposed by the Senate, amended to delete references to expenditures for Oregon and California Railroad and Coos Bay Wagon Road grant lands no longer required. The House had no similar provision.

U.S. FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

Amendment No. 5: Appropriates $484,313,000 for resource management instead of $492,229,000 as proposed by the House and $476,831,000 as proposed by the Senate.

The net change to the House position includes the following:

Increases:	
Bay estuary program coordination	$75,000
Platte River studies	196,000
Middle Rio Grande Bosque project	200,000
Alaska accident prevention, safety and survival training	300,000
Nevada Negotiated Water Settlement Act	100,000
Alaska refuge operations (transfer from NBS)	665,000
Alaska subsistence harvest	$250,000
Harvest information	250,000
Training	700,000
Philadelphia port of entry	100,000
Baltimore port of entry	200,000
Decreases:	
Endangered species:	
Prelisting	250,000
Listing	250,000
Consultation	1,500,000
Recovery	2,125,0009
Washington State ecosystems project	138,000
Chicago Wetlands Office	143,000
Bay estuary program:	
Puget Sound	69,000
San Francisco Bay	25,000
Long Island Sound/So. New England	100,000
Hydropower licensing/relicensing	125,000
Environmental contaminants	500,000
National Wetlands Inventory	1,100,000
Challenge Cost Share	250,000
Air quality activities	250,000
Habitat Management	800,000
Refuge operations and maintenance	375,000
Water rights	250,000
Maintenance	500,000
RESERVA	150,000
North American Waterfowl Management Program Coordination	$125,000
Fisheries stewardship	500,000
Interjurisdictional rivers	427,000
Space rental	1,000,000

The managers agree to the following:

1. Up to $100,000 within habitat conservation is available for model wetlands restoration at The Wilds, Ohio.

2. $400,000 is included within the recovery budget for Mexican wolf recovery programs.

3. The Service is to follow the guidance provided in House Report 103–158 regarding the innovative habitat conservation program in southern California.

4. None of the reduction for habitat management below the House level is specifically directed at Patuxent NWR, MD.

5. While $665,000 has been transferred back to refuge operations in Alaska from the National Biological Survey, the Service should continue to coordinate with the NBS on those activities which have been conducted for several years by the Alaska Research Center.

The managers urge the Fish and Wildlife Service to complete its review of the regulations governing the release and harvest of captive-reared mallards on State licensed regulated shooting areas. The Service should review all data bases on this issue, including its current study on duck release programs as well as other studies in progress, and present its findings to the Committees on Appropriations and other interested parties before considering any changes in regulations.

The managers recognize the importance of the Treaty Indian Catch Monitoring Program and the essential role of the U.S. Fish and Wildlife Service in providing technical assistance in support of this program for the collection and dissemination of Tribal commercial fisheries harvest data. The managers encourage the Service to do everything in its power to ensure the continued success of the Treaty Indian Catch Monitoring Program.

Amendment No. 6: Earmarks $2,500,000 for the National Fish and Wildlife Foundation as proposed by the House instead of $1,500,000 as proposed by the Senate.

Amendment No. 7: Deletes Senate provision earmarking $100,000 for the purpose of compiling and maintaining a database consisting of big game and small game population levels and hunter harvests in, and adjacent to, areas under consideration for wolf reintroduction. While not specifying a certain dollar amount, the managers urge the Service to compile this data within available funds consistent with the objectives identified in the Senate bill language and, in particular, to make use of data already available and to cooperate with State efforts already underway to establish a comprehensive big game database.

Amendment No. 8: Deletes Senate earmark of $40,000 for the research program relating to habitat and repopulation studies and possible interactions between wolves and mountain lions in and around Yellowstone National Park. This issue is addressed under the National Biological Survey.

CONSTRUCTION

Amendment No. 9: Appropriates $73,565,000 for construction instead of $53,209,000 as proposed by the House and $79,388,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Site	Description	Amount
Aransas NWR, TX	Office/residence replacement	$294,000

Site	Description	Amount
Bear River MBR, UT	Flood damage repair	$250,000
Bozeman Fish Tech Center, MT.	Fish contaminant building	1,160,000
Cape Romain NWR, SC	Replacement visitor center	1,550,000
Chehalis River, WA	River restoration	200,000
Crab Orchard NWR	Water tower rehabilitation	439,000
Eastern Shore of Virginia NWR, VA.	Complete visitor center	1,000,000
Hatchie NWR, TN	Handicapped fishing access	500,000
Hawaii Captive Breeding Facility, HI.	Endangered bird species	1,500,000
Hawaii Refuges, HI	Fencing	450,000
Kenai NWR, AK	Skilak Loop	2,000,000
Ketchikan Eco Services, AK	Replace dock facilities	1,350,000
Lake Ilo NWR, ND	Improve dam safety	9,280,000
Lower Truckee River, NV	Restore habitat	450,000
Makah NFH, WA	Road Rehabilitation	500,000
National Ed & Training Center, WV.	Training Center	21,280,000
Noxubee NWR, MS	Plan bridge replacement	800,000
Ottawa NWR, OH	Metzger Marsh dike	1,800,000
Ouray NWR, UT	Endangered razorback sucker	970,000
	Pelican Lake Pipeline	714,000
Pacific Institute of Natural Sciences, OR.		650,000
Pacific Island NWR, HI	Repair seawall	500,000
Panther Swamp NWR, MS	Replace 4 bridges	1,375,000
Prime Hook NWR, DE	Replace office/visitor center	342,000
Tensas NWR, LA	Access road	2,620,000
Togiak NWR, AK	Employee housing (3)	1,145,000
Trempealeau NWR, WI	Entrance road bridge	351,000
Upper Souris NWR, ND	High hazard dam	6,303,000
Walnut Creek NWR, IA	Refuge development	5,290,000
Wertheim NWR, NY	Building repairs	334,000
Wichita Mtns WR, OK	Grama Lake Dam	560,000
	Complete facility	600,000
	Waste water treatment system.	150,000
William Finley NWR, OR	Muddy Creek Bridge replacement.	130,000
Emergency projects		1,000,000
Dam safety inspections		594,000
Bridge Inspections		579,000
Construction management		5,540,000
Offset	Lake Elmer Thomas dam	−985,000
Total		73,565,000

No funds have been provided to the U.S. Fish and Wildlife Service for the pollution abatement facility at the Winthrop National Fish Hatchery, WA because this facility has been transferred to the Bureau of Reclamation.

The managers agree that the fiscal year 1994 appropriation ends the Federal contribution to the Pacific Institute of Natural Sciences.

The managers have provided an additional $1.5 million to the Service for Phase I of the captive propagation facility for endangered species in Hawaii. Since the Service has stated that this project is a high priority, the managers expect the Service to include the funds needed for operation of this facility and Phase II construction in the fiscal year 1995 budget and beyond.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken by said amendment, insert the following:

of which $1,800,000 shall be available as a grant from the United States Fish and Wildlife Service to Ducks Unlimited, Inc., for construction of the Federal portion of the dike and pumping station at Metzger Marsh: Provided, That notwithstanding any other provision of law a single procurement for the construction of facilities at the Walnut Creek National Wildlife Refuge, Iowa may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment restores House language stricken by the Senate regarding construction of a Metzger Marsh dike and pumping station at Ottawa NWR, OH and allows a single procurement to go forward for construction at Walnut Creek NWR, IA.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND

Amendment No. 11: Appropriates $6,700,000 for natural resource damage assessment instead of $7,260,000 as proposed by the House and $6,260,000 as proposed by the Senate.

LAND ACQUISITION

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $82,655,000 for land acquisition instead of $61,610,000 as proposed by the House and $76,204,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to the following distribution:

ACE River Basin, SC	$3,000,000
Alaska Peninsula NWR, AK	250,000
Alaska Refuges	3,000,000
Archie Carr NWR, FL	1,390,000
Back Bay NWR, VA	500,000
Balcones Canyonlands NWR, TX	3,000,000
Bald Knob NWR, AR	1,000,000
Bogue Chitto NWR, LA	500,000
Buenos Aires NWR, AZ	1,200,000
Cache River, AR	3,000,000
Canaan Valley NWR, WV	2,000,000
Cape May NWR, NJ	2,100,000
Chincoteague NWR, VA	500,000
Columbian Deer NWR, WA.	500,000
Connecticut River NWR (planning)	500,000
Cypress Creek NWR, IL	3,000,000
E.B. Forsythe NWR, NJ	4,500,000
Emiquon NWR, NJ	1,430,000
Grand Bay NWR, MS, AL	500,000
Grasslands (Gallo Ranch), CA	2,100,000
Grays Harbor NWR, WA	1,000,000
Great Swamp NWR, NJ	500,000
Kilauea NWR, HI	2,175,000
Lake Wales Ridge NWR, FL	2,000,000
Lower Rio Grande Valley NWR, TX	2,360,000
Lower Suwannee NWR, FL.	1,000,000
Marais de Cygnes, KS	400,000
Minnesota Valley NWR, MN	1,000,000
Pelican Island NWR, FL	1,220,000
Pettaquamscutt NWR, RI	750,000
Rachel Carson NWR, ME	2,000,000
Red Rock Lakes, MT	400,000
Sacramento River NWR, CA	3,000,000
San Francisco Bay NWR, CA	2,500,000
St. Marks NWR, FL	780,000
Sippewisset Marsh, MA	800,000
Stewart B. McKinney NWR, CT	1,600,000
Stone Lakes NWR, CA	1,000,000
Tensas NWR, LA	1,900,000
Trinity River NWR, TX	1,000,000
Tualatin NWR, OR	2,000,000
Two Ponds Wetlands, CO	1,800,000
Wallkill NWR, NJ	2,000,000
Inholdings	1,000,000
Acquisition management	8,500,000
Emergency/hardships	1,000,000
National Fish and Wildlife Foundation	5,000,000
Total, Fish and Wildlife Service	82,655,000

The managers agree that the $500,000 recommended for the implementation of the Silvio O. Conte Refuge Act of 1990 in the Connecticut River Basin will be used primarily to complete the planning process. The Conte refuge represents an opportunity for a new kind of wildlife refuge, one that emphasizes building on existing efforts to protect the ecosystem and on cooperative agreements between State, local, Federal agencies, private landowners, and nonprofit foundations and citizen organizations. The Department of the Interior should interpret the Connecticut River in the context of the region's cultural, geological and ecological history with the Fish and Wildlife Service and the National Park Service working in a coordinated fashion.

The appropriation for acquisition at E.B. Forsythe NWR, NJ is for tracts at Chestnut Neck, Reedy Creek, Stout Creek and Manahawkin in the Barnegat Expansion Area.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

Amendment No. 13: Appropriates $9,000,000 for the cooperative endangered species conservation fund instead of $9,571,000 as proposed by the House and $8,571,000 as proposed by the Senate.

NATIONAL WILDLIFE REFUGE FUND

Amendment No. 14: Appropriates $12,000,000 for the National wildlife refuge fund instead of $11,748,000 as proposed by the House and $13,748,000 as proposed by the Senate.

NORTH AMERICAN WETLANDS CONSERVATION FUND

Amendment No. 15: Appropriates $12,000,000 for the North American Wetlands Conservation Fund instead of $11,257,000 as proposed by the House and $13,257,000 as proposed by the Senate.

NATIONAL BIOLOGICAL SURVEY

RESEARCH, INVENTORIES, AND SURVEYS

Amendment No. 16: Appropriates $163,519,000 for research, inventories, and surveys instead of $163,604,000 as proposed by the House and $156,837,000 as proposed by the Senate.

The net change to the House position includes the following:

Increases:	
Restoration of House general reduction (species biology)	$600,000
Restoration of House general reduction (population dynamics)	600,000
Restoration of House general reduction (ecosystems)	2,500,000
Reno biodiversity initiative	1,500,000
Patuxent operations	400,000
Stuttgart, AR facility	90,000
Decreases:	
Genetics and systematics research	375,000
Endangered plant research	300,000
Population dynamics	300,000
Monitoring and inventory	500,000
Landscape functions	300,000
Large rivers	400,000
Southern forested wetlands	250,000
Ecological impacts of contaminants	250,000
Transfer to Bureau of Mines	400,000
Aquatic Gap Analysis	500,000

National Park Service inventories	$500,000
Socioeconomics evaluation	500,000
Technical Support Center	200,000
Administration	1,000,000

The managers agree to the following:

1. Every effort should be made to keep administrative costs at a minimum. The managers do not want potential savings from consolidation of Department of the Interior research functions to be eroded by a significant growth in overhead positions; particularly important is to control the number of positions and dollars associated with Congressional and Public Affairs.

2. Money for a waterfowl survey in the Yukon-Kuskokwim NWR, AK and for Alaska marine mammal management is included within the amount provided as proposed in the budget and by the House. The managers expect the National Biological Survey to continue these activities in coordination with the U.S. Fish and Wildlife Service.

3. The Survey is to allocate $40,000 for the research program relating to habitat and repopulation studies and possible interactions between wolves and mountain lions in and around Yellowstone National Park.

The managers have agreed to retain the Fish Farming Experimental Laboratory in Stuttgart, Arkansas, in the National Biological Survey. The managers are aware of concerns, however, that placing the Laboratory in the National Biological Survey may not be compatible with the Laboratory's legislative mandate under the Fish and Rice Rotation Act (P.L. 85-342). Because of this concern, the managers will reexamine at the end of 1994 whether the Laboratory should be located in the National Biological Survey or if the unique research mandate and mission of the Laboratory might be better served by moving the Laboratory to the Fish and Wildlife Service's Fishery Operations or to the Department of Agriculture.

Amendment No. 17: Earmarks $162,092,000 to remain available until September 30, 1995 instead of $162,177,000 as proposed by the House and $155,410,000 as proposed by the Senate.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows: *: Provided, That none of the funds under this head shall be used to conduct new surveys on private property unless specifically authorized in writing by the property owner*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree that funding for the National Biological Survey is provided only to the extent authorized by law and shall be used to continue ongoing research activities of the Department previously carried out by a variety of separate agencies within the Department. This provision is not intended to create or diminish any activity or power, whether express or implied. The funding is specifically limited in kind and scope to research and other activities expressly authorized by law.

While the managers support the goals outlined by the Secretary when he proposed creation of this new agency, i.e. to consolidate the collection and dissemination of biological information, concerns have been raised about the authorities of the new agency, particularly with respect to private property rights and the use of volunteers which should rightly be addressed through the authorizing process which is currently ongoing. The managers encourage the appropriate authorizing committees to act promptly to clarify the mission and responsibilities of this new agency. Language is also included requiring written permission of the property owner before conducting any new surveys on private property.

The amendment also deletes Senate language regarding use of volunteers and acceptance of lands, buildings, or equipment from public and private sources.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

Amendment No. 19: Appropriates $1,061,823,000 for operation of the National park system instead of $1,059,033,000 as proposed by the House and $1,063,335,000 as proposed by the Senate.

Changes to the Senate distribution of funds is as follows:

Increases:	
Resource stewardship:	
Special focus/new parks	$1,007,000
Work force professionalization	900,000
Prototype monitoring	100,000
System level research	100,000
Carlsbad Caverns NP, NM	150,000
Everglades NP, FL	500,000
San Francisco Maritime NHP, CA	350,000
Santa Monica Mountains NRA, CA	310,000
Visitor services:	
Big Bend NP, TX (airplane operations)	125,000
Guadalupe Mountains NP, TX	370,000
Chamizal NMEM, TX	132,000
Cuyahoga Valley NRA, OH	1,200.000
Allegheny Portage RR, PA	150,000
Ft. Necessity NB, PA	250,000
Johnstown Flood NMEM, PA	100,000
Fords Theatre	75,000
Special Focus/New Parks	136,000
Maintenance: Special focus/new parks	714,000
Park Support: Special focus/new parks	155,000
Decreases:	
Cultural resources cyclic maintenance	844,000
Regional cyclic maintenance	2,474,000
Regional repair and rehabilitation	2,906,000
Base increase (Park support)	600,000
Challenge Cost Share	1,000,000
Poverty Point NM, LA	212,000
Keweenaw NHP, MI	300,000

The managers agree that there is no specific earmark for the Santa Fe Trail within the increase for the National Trail System and there is no earmark for the New Jersey Coastal Heritage Trail.

Within the amounts provided are the following:

1. $350,000 for trails at Big South Fork NRA, TN.

2. $50,000 for picnic shelters at Bighorn Canyon NRA, WY, and

3. $40,000 for the Sterling Munro nature trail at North Cascades, NP, WA.

The managers are aware of the National Park Service's decision to remove the underground commercial concession operated facilities from the concessions contract at Carlsbad Caverns National Park. The managers encourage the Secretary to revisit this issue and to ensure that adequate opportunity will continue to be provided for public input on this decision. Among the factors that should be covered upon further review are: whether the lunchroom has a negative impact on the environmental integrity of the caverns, impact on the visitor experience, and consistency with 16 U.S.C. 20.

The managers agree to review funding for Keweenaw NHP, MI during consideration of the fiscal year 1995 appropriation.

Amendment No. 20: Strikes Senate language prohibiting the National Park Service from entering into concessionaire contracts that do not include a termination for cause clause. The House had no similar provision.

Amendment No. 21: Deletes Senate provision which reallocates two natural resource management positions for wolf reintroduction to improvement of the physical infrastructure of Yellowstone NP.

The managers expect that Yellowstone National Park will receive fair consideration in the allocation of the increased funds provided for park operations in fiscal year 1994. In allocating these resources, the Park Service should address the need for balance between funds for natural resource protection and visitor services. Any increases provided for natural resource activities should be targeted towards the protection and preservation of the significant natural resources which draw so many visitors to the first established national park, and not be used for activities associated with wolf reintroduction. At the same time, the park should seek to maximize the provisions of the recently enacted Budget Reconciliation legislation related to funding for fee collection activities.

NATIONAL RECREATION AND PRESERVATION

Amendment No. 22: Appropriates $42,585,000 for national recreation and preservation instead of $35,606,000 as proposed by the House and $43,844,000 as proposed by the Senate. The agreement also deletes the Senate earmark of $610,000 for the Roosevelt Campobello International Park Commission. Deleting this language in no way reduces the amount available to the Roosevelt Campobello International Park Commission.

Changes to the House position include increases of $250,000 for the National Center for Preservation Technology, $300,000 for International Park Affairs, $25,000 for the Maine Acadian Cultural Preservation Commission, $750,000 for the Native Hawaiian culture and arts program, $5,304,000 for the Wheeling National Heritage area, $400,000 for Steel Heritage Industry technical assistance and a decrease of $50,000 in grant administration.

The funding level includes $5,304,000 as proposed by the Senate, for the Wheeling project. These funds are made available subject to the passage of authorizing legislation, however, in the event authorizing legislation is not enacted prior to March 30, 1994, these funds will become available at that time. In the interim period, the Park Service may provide technical assistance funds only for the Wheeling project.

CONSTRUCTION

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates $201,724,000 for construction instead of $183,949,000 as proposed by the House and $191,136,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to the following distribution:

Acadia NP, ME	Restore carriage roads	1,327,000
Alaska Parks	Employee housing	5,433,000
Alaska Parks	Communication system	2,560,000
Allegheny Portage Railroad, PA.	Lemon House Rehabilitation	1,930,000
Biscayne NP, FL	Equipment, exhibits, trails	3,355,000
Blackstone River Valley NHC	Massachusetts/Rhode Island.	500,000
Blue Ridge Parkway, VA	Hare Mill Pond dam	450,000
Boston NHP, MA	Old South Meeting House	2,400,000
Boston NHP, MA	Dorchester Heights	700,000
Boston NHP, MA	U.S.S. Constitution Museum	1,900,000
Boston Public Library, MA	Rehabilitation	2,000,000
Chamizal NM, TX	Landscape, lighting	840,000
Chickamauga-Chattanooga NMP.	Road relocation	3,600,000
Chickasaw NRA, OK	Campground rehabilitation	1,420,000
Colonial NHP, VA	Jones Mill Pond dam	1,000,000
Coulee Dam NRA, WA	Boat launch	416,000
Crater Lake National Park, OR.	Campground expansion	150,000
Cuyahoga Valley NRA, OH	Krejci toxic waste cleanup	3,800,000
	Armington dam safety mods.	200,000
	Rehabilitate historic structures.	1,000,000
	Railroad track and bridges	2,000,000
Delaware Water Gap NRA, PA.	Raymondskill Falls Development.	450,000
	Bushkill Access	1,300,000
	Trail Development	195,000
Denali NPP, AK	Mountain rescue center	1,487,000
	Teklinika restrooms	2,200,000
Franklin D. Roosevelt Memorial, DC.		11,000,000
Gateway NRA, NY	Great Kills Bathhouse	7,150,000
Gateway NRA, NY	Reis Park	5,200,000
Gettysburg NMP, PA	Technical assistance	100,000
Grand Canyon NP, AZ	Employee housing	6,447,000
Great Basin NP, NV	Water system	250,000
Harpers Ferry National Historic Park.	Lower town	2,637,000
Hot Springs, AR	Flood Control	350,000
Ice Age Scientific Reserve, WI.	Exhibits	500,000
Independence NHP, PA	Rehabilitate utility system	15,100,000
Indiana Dunes NL, IN	Long Lake Wetlands Overlook.	125,000
James A. Garfield NHS, OH	Site, building restoration	1,311,000
Jean Lafitte NHP, LA	Various projects	925,000
John D. Rockefeller Parkway, WY.	Relocate Flagg Ranch	700,000
Kalaupapa NHP, HI		525,000
Lackawanna Heritage Park, PA.	Technical assistance	670,000
Lincoln Research Center, IL	Begin construction	3,000,000
Lincoln Home NHS, IL	Dubois House rehabilitation	709,000
LBJ Ranch NHS, TX	Exhibits	1,400,000
Martin Luther King, Jr. NHS, GA.	Visitor facilities	9,982,000
Mount Rainier NP, WA	Paradise water/sewer system.	1,230,000
Mount Vernon Bicycle Trail, VA.	Correct safety hazards	250,000
Natchez Trace Parkway, MS	Parkway construction	4,000,000
Natchez NHP, MS	Melrose	702,000
National Capital Parks, DC	Renovate White House utilities.	4,200,000
National Capital Parks, DC	Lincoln/Jefferson Memorials	5,318,000
National Center for preservation Technology, LA.	Building Rehabilitation	3,350,000
New England Conservatory, MA.	Jordan Hall	1,500,000
New River Gorge NR, WV		830,000
Northwest Alaska Parks	Interagency headquarters facility.	1,684,000
Pacific Northwest Region	Rehabilitation projects	1,844,000
Penn Center	Rehabilitation	500,000
Port Chicago NM, CA	Memorial fabrication/construction.	308,000
Salem Maritime NHS, MA	Various projects	2,120,000
Sequoia NP, CA	Replace Giant Forest facilities.	6,825,000
Stones River NB, TN	Trail connector	700,000
Thomas Stone NHS, MD	Main House restoration	1,000,000
Ulysses S. Grant NHS, MO	Restore historic structures	150,000
Upper Delaware Scenic & Rec Area.	Towpaths, trunkwalls	1,310,000
Upper Susquehanna Heritage, PA.	Technical assistance	50,000
War in the Pacific, GU	Monument	500,000
Weir Farm NHS, CT	Restore historic structures	395,000
Yosemite NP, CA	Maintenance/warehouse	4,890,000
Yosemite NP, CA	Employee housing	7,595,000
Emergency and Unscheduled		2,000,000
Housing rehabilitation		12,000,000
Planning		28,000,000
General Management Plans		6,600,000
Special resource studies		1,200,000
Strategic Planning Office		400,000
Offsets		−10,321,000
Total		201,724,000

For general management plans, the managers have provided $800,000 for the Presidio, CA as requested, $125,000 for Weir Farms NHS, CT, $100,000 for Organ Pipe NM, AZ, $80,000 for Brown v. Board of Education, KS, $81,000 for Great Egg Harbor, NJ, and $107,000 for Stones River NB, TN.

In the category special resources studies, the managers expect the following studies to be carried out: Southwestern Camino Real and Colonial Missions, TX, NM, Golden Gate NRA (Pacifica), Hudson Valley Greenway, Rutherford B. Hayes, Virginia City, MT, Atchafalaya Basin, LA, Underground Railroad, Route 66 and Cedar Valley. No Specific dollar amount is assigned to any one special resource study in this list. Priority should be given to completion of ongoing studies before initiating new studies proposed in the budget and not identified herein. Where the House and Senate have identified the same amount for a study, the conference agreement includes the amount as provided by both Houses.

Within the planning amount, the managers agree to:

Boston NHP, MA	$315,000
Crater Lake NP, OR	1,200,000
Glacier NP, MT (Chalet)	400,000
Jean Lafitte NPP, LA (Barataria levee)	100,000
Zion NP, UT (transportation plan)	360,000
Olympic NP, WA (Elwha dam)	2,800,000
Buffalo River, AR (boundary study)	200,000
Fort Necessity NB, PA	775,000
James A. Garfield NHS, OH	210,000
Thomas Stone NHS, MD	150,000
Cuyahoga Valley NRA, OH	515,000
San Antonio Missions NHP, TX (exhibits)	30,000

Within the money set aside for emergencies, $300,000 is for emergency repairs at the Glacier NP, MT chalets.

The managers are concerned about cost estimates in excess of $150,000,000 related to the removal of the Elwha dam. The Department of the Interior is urged to look at the ultimate benefits from removal of the dam to determine whether the money spent removing the dam would result in a better return for natural systems that spending the same amount of money on other natural resource restoration projects.

The managers understand that a land acquisition program for the San Antonio Missions National Historical Park is currently underway, and that the Park's visitor center is scheduled to be completed in July 1995. the managers urge the National Park Service to request funding for exhibits and media production at the Visitor Center as part of its fiscal year 1995 budget request.

The offset of $10,321,000 includes $4,100,000 from the Denali NP, AK hotel, $4,377,000 from the Keith Albee Theater restoration and $1,844,000 from A Walk on the Mountain.

The amount provided for Salem Maritime NHS, MA includes the following:

Central wharf site improvements	$1,360,000
St. Joseph's Polish Club rehabilitation	250,000
Armory visitor center audio visual equipment	235,000
Education programs outreach	75,000
Project administration/archeology	125,000
Technical assistance	75,000
Total	2,120,000

The managers are aware of a commitment by the Lassen Volcanic National Foundation to provide a 50% match of Federal funds for a visitors center at Lassen Volcanic National Park and will give every consideration to providing the Federal share in fiscal year 1995.

The managers request that the Park Service give consideration to the visitor facility needs at Fort Necessity NB, PA in the development of the fiscal year 1995 budget request.

The construction program of the National Park Service is of particular concern. Cost estimates continue to be unreliable. Projects seem to develop and expand with no thought given to the budget climate or their relationship to the overall mission within the National Park system. The priority system for rating park development projects is undecipherable and of no use to decisionmakers in weighing the merits of one project against another. The National Park Service needs to reconfigure its priority system so that more objective criteria are used and the overall needs of the system are taken into account. Further, while the managers appreciate the Park Service's commitment to high quality standards, these standards must be maintained within realistic fiscal constraints. The Park Service must begin looking at construction projects as we would our own budgets, i.e. is there a lower cost alternative that will serve the mission of the agency as well as the individual park unit. This issue is also addressed in Amendment No. 55.

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$4,377,000 to be derived from amounts made available under this head in Public Law 1201–512 as a grant for the restoration of the Keith Albee Theatre in Huntington, West Virginia, and $1,844,000 to be derived from amounts made available under this head in Public Law 102–381 for a pedestrian walkway and interpretive park (A Walk on the Mountain): Provided, That $2,000,000 for the Boston Public Library and $500,000 for the Penn Center shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: Provided further, That of the funds provided under this heading, not to exceed $350,000 shall be made available to the City of Hot Springs, Arkansas, to be used as part of the non-Federal share of a cost-shared feasibility study of flood protection for the downtown area which contains a significant amount of National Park Service property and improvements: Provided further, That notwithstanding any other provision of law a single procurement for the construction of the Franklin Delano Roosevelt Memorial may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18: Provided further, That for the purpose of performing an environmental impact statement (EIS) on the Paseo del Norte alignment, the National Park Service's proposed Calabacillas alternative road alignment, and any other alternative routes in association with the Petroglyph National Monument in Albuquerque, New Mexico $400,000 are to be allocated to the City of Albuquerque to perform the EIS, only in the event that the City of Albuquerque and the National Park Service reach* *mutual agreement, within 75 days of the date of enactment of this Act, on the conditions that must be met for the study, such funds to be derived by transfer from balances available in the "Land acquisition and State assistance" account, National Park Service: Provided further, That $1,500,000 for the New England Conservatory shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a upon designation as a National Historic Landmark*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment restores House language stricken by the Senate regarding the Boston Public Library, derives money for Penn Center from the Historic Preservation Fund, inserts a Senate provision regarding a Hot Springs, Arkansas flood study amended to include $350,000 rather than $450,000 as proposed by the Senate and inserts a Senate provision providing for a single procurement for the construction of the Franklin Delano Roosevelt Memorial.

The amendment also offsets the construction appropriation by $4,377,000 with funds appropriated in P.L. 101–512 for the Keith Albee Theatre, provides $1,500,000 for the New England Conservatory if it is designated a National Landmark and establishes conditions for transfer of $400,000 to the City of Albuquerque for an environmental impact statement for a road either through or in the vicinity of Petroglyph NM.

URBAN PARK AND RECREATION FUND

Amendment No. 25: Appropriates $5,000,000 for the Urban park and recreation fund as proposed by the House. The Senate had no similar provisions.

LAND ACQUISITION AND STATE ASSISTANCE

Amendment No. 26: Appropriates $95,250,000 for land acquisition and State assistance instead of $89,460,000 as proposed by the House and $95,587,000 as proposed by the Senate.

The managers agree to the following distribution:

Acadia NP, ME	$3,500,000
Alaska National Park Areas	1,500,000
Appalachian Trail	6,000,000
Big Cypress NP, FL	3,000,000
Big South Fork WSR, TN	1,500,000
Brown V. Board of Education NHS, KS	175,000
Cape Cod NS, MA	825,000
Everglades NP, FL	3,000,000
Gettysburg NMP, PA	1,000,000
Golden Gate NRA (Phleger), CA	5,250,000
Indiana Dunes NL, IN	1,000,000
Kalaupapa NHP, HI	600,000
Little River Canyon NP, AL	6,000,000
Martin Luther King Jr NHS, GA	1,000,000
Mary McLeod Bethune House NHS, DC	635,000
Monocacy NB, MD	2,000,000
National Park of Samoa	300,000
Nez Perce NHP, OR	300,000
Palo Alto NB, TX	500,000
Pecos NM, NM	500,000
Petroglyph NM, NM	3,500,000
Saguaro NM, AZ	6,000,000
Salt River Bay NHP, VI	3,000,000
Santa Monica Mtns NRA, CA	4,000,000
Inholdings, Emergencies, Hardships	3,865,000
Acquisition Management	8,247,000
Subtotal, Federal acquisitions	67,197,000
Assistance to States:	
Matching grants	24,750,000
Administrative expenses	$3,303,000
Subtotal, Assistance to States	28,053,000
Total, National Park Service	95,250,000

Money for the Appalachian Trail may be used for acquisitions in the Sterling Forest as long as it is in accord with the revised Appalachian Trail plan.

Paramount Ranch, Broome Ranch and properties in Zuma and Trancas Canyons, along the Backbone Trail and in Upper Topango Canyon are the only areas to which the $4,000,000 for Santa Monica Mountains NRA is to be applied.

ADMINISTRATIVE PROVISIONS

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows the National Park Service to recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time. The House had no such provision.

Amendment No. 28: Deletes House provision which limits overtime pay to any one individual employee of the United States Park Police to no more than $20,000 per year. The managers will continue to monitor overtime to assure that it is not excessive.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

With regard to the coastal program, the managers recommend $10,900,000. The differences from the House amounts are increases of $100,000 for Lake Pontchartrain pollution studies and $300,000 for coastal erosion and pollution studies in Hawaii, and decreases of $100,000 for fundamental studies and $300,000 for west central Florida erosion studies.

In addition to the funds specified in the coastal program for San Francisco Bay and the Florida Keys, the managers understand that funds from the marine portion of the program have also been allotted in support of these coastal studies for a total program of $1,600,000 in San Francisco Bay and $650,000 in the Florida Keys. These studies should be carried out according to the National Coastal Geology Program plan submitted to Congress earlier this year.

MINERALS MANAGEMENT SERVICE

LEASING AND ROYALTY MANAGEMENT

Amendment No. 29: Appropriates $193,197,000 for leasing and royalty management as proposed by the House instead of $192,897,000 as proposed by the Senate. There are two changes within the House-recommended amount. Environmental studies in the Outer Continental Shelf (OCS) lands activity are increased by $100,000 and Federal audits in the royalty management program are decreased by $100,000.

The managers agree that staffing reductions should not be applied to the Federal audit program and related activities, and expect the Minerals Management Service to ensure that contract buyout and buydown audits are addressed as quickly as possible. Staffing reductions also should be minimized in the environmental studies program. The managers suggest that the international program be examined for staffing reductions.

The managers do not object to the reprogramming of funds up to the Senate-recommended level for environmental studies from the OCS lands and general administration accounts to the extent such funds become available in fiscal year 1994. In particular, the headquarters OCS component should be reviewed as a potential reprogramming source.

Amendment No. 30: Earmarks $65,796,000 for royalty management activities instead of $65,896,000 as proposed by the House and $64,896,000 as proposed by the Senate.

OIL SPILL RESEARCH

Amendment No. 31: Appropriates $5,331,000 for oil spill research as proposed by the Senate instead of $5,681,000 as proposed by the House.

BUREAU OF MINES

MINES AND MINERALS

Amendment No. 32: Appropriates $169,436,000 for mines and minerals instead of $169,336,000 as proposed by the House and $171,584,000 as proposed by the Senate. The changes to the House position include increases of $200,000 in health, safety and mining technology for respirable dust control; $200,000 in environmental technology, abandoned mine reclamation, for constructed wetlands research; and, in mineral institutes, $200,000 for the generic center for respirable dust, $75,000 for the marine minerals technology center, and $125,000 for the National mine land reclamation center. The increases are partially offset by decreases of $500,000 in minerals and materials science for materials research at the Idaho National Engineering Laboratory and $200,000 in environmental technology, control of mine drainage and liquid wastes, for constructed wetlands research.

No new funding has been provided for Western arctic coal research. The fiscal year 1993 funding for arctic coal research has not been expended and is available for research in fiscal year 1994. The siting and permit issues which caused the delay in project initiation recently have been resolved by the Bureau. The managers expect the Bureau to budget for needed ongoing research on arctic coal mining in future fiscal years.

The managers are concerned that insufficient emphasis is being placed on acid mine drainage research within the Department. Acid mine drainage continues to be a major problem at active and abandoned mine sites. This year the managers have become aware of two major watershed problems caused by acid mine drainage; one involving the Casselman River in Pennsylvania and the other affecting the Pitt Creek watershed in Oklahoma. The managers expect the Bureau of Mines to provide technical assistance in each of these areas to help characterize the extent of the problem and identify alternative solutions. For Casselman River, the Bureau should work with the Casselman River Task Force which was established to address the acid mine drainage in that area. For Pitt Creek, the Bureau should work with all interested parties, including the University of Oklahoma which has done some research into the problem. The managers urge the Department to support the development of a systematic approach to acid mine drainage characterization and technology development research within the Bureau. Such an approach will be far superior to the current piecemeal approaches being explored on a site by site basis. The managers expect the Bureau's fiscal year 1995 budget to include a strategic long-range plan for acid mine drainage research, with sufficient funds to execute year one of that plan in fiscal year 1995.

The managers expect the Department to examine the coordination among the Bureau of Mines, the Minerals Management Service, and the U.S. Geological Survey on their marine minerals programs. In its March 1, 1994 report to the Committees on the advisability of transferring the marine minerals technology center to MMS, the Department should report on its plan to improve coordination and to ensure there is no duplication among the various marine minerals programs.

Amendment No. 33: Earmarks $105,163,000 to remain available until expended for research programs instead of $105,063,000 as proposed by the House and $107,311,000 as proposed by the Senate.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

ABANDONED MINE RECLAMATION FUND

There are two changes within the House-recommended amount for the abandoned mine reclamation fund. In the Federal reclamation program high priority projects in non-program States and on Federal and Indian lands are decreased by $250,000, and the rural abandoned mine program is increased by $250,000.

Amendment No. 34: Deletes House language stricken by the Senate requiring that 16 full-time equivalent positions are maintained in the Wilkes-Barre, PA field office.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Amendment No. 35: Appropriates $1,490,805,000 for operation of Indian programs instead of $1,492,650,000 as proposed by the House and $1,489,885,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of decreases of $2,300,000 for tribal priority allocations; $2,350,000 for non-recurring programs, including decreases of $300,000 for Cheyenne River Sioux prairie dog management (leaving $1,200,000) and $2,300,000 for water rights negotiation/litigation, and an increase of $250,000 for attorneys' fees; $1,600,000 under Area Office operations; including $1,500,000 for child protection centers and a $100,000 general reduction; and a net increase of $2,555,000 for other recurring programs, including increases of $1,000,000 for contract support, $1,400,000 for new tribes funding for the Catawba Tribe of SC, $250,000 for the Navajo Community College, and $905,000 for resources management, and a decrease of $1,000,000 for education facilities O&M; and a net increase of $1,850,000 for Central office operations, including decreases of $250,000 for land records management and a $300,000 general reduction, and increases of $75,000 for the Office of the Commissioner, $1,000,000 for emergency management improvements, $75,000 for CFO Act implementation, $200,000 for contract management, $300,000 for financial management, $200,000 for construction management, $200,000 for ADP support, $250,000 for education program management and $100,000 for the Joint Commission on Alaska Natives.

The net increase of $905,000 over the House for other recurring programs, resources management consists of the following changes from the House amounts:

Activity	*Change*
Irrigation O&M	+$300,000
Bison initiative	−100,000
Native American Fish & Wildlife Society	−50,000
Shellfish management	−200,000
Great Lakes Indian Fish & Wildlife Commission	−100,000
Chippewa-Ottawa Treaty Fisheries Mgt. Auth	−25,000
Pacific Salmon Commission	−100,000
Skagit Systems Cooperative	−$25,000
Timber-fish-wildlife	+100,000
Klamath conservation	+200,000
Summit Lake hatchery	+85,000
Bering Sea Fishermen	+800,000
Pyramid Lake Tribe	+20,000
Total	+905,000

The amount included for Bering Sea Fishermen includes $500,000 for upgrades of salmon restoration and hatchery enhancement facilities and $300,000 for salmon monitoring and research programs. No funds are included for fish handling equipment and facilities or for commercial marketing. The Fishermen's Association is encouraged to apply for business development grants or community economic development grants for these activities.

The managers have provided $20,000 for the Pyramid Lake Tribe for the payments of fees related to the tribe's water settlement. These funds are provided on a one-time basis only, and the managers expect that all future funds related to the settlement will be provided from the tribe's settlement funds.

The amount included for timber-fish-wildlife is one-time funding only, for tribal activities related to the Pacific NW Forest Plan in 1994. The base amount for this initiative will remain at the 1993 level.

The managers understand the need for all Federal agencies with jurisdiction over Washoe Indian Reservation lands to work with the Tribe to enter into cooperative agreements, make efforts to cross train officers and to make other arrangements necessary to improve law enforcement capabilities. Further, the Bureau of Indian Affairs should work with the Washoe Tribe to coordinate Federal assistance and ensure that much needed cooperative agreements are implemented promptly and properly.

The managers have agreed to a total funding level of $7,002,000 for the Division of Accounting Management under Central Office operations. The managers agree that the Bureau may fill the additional positions needed in the Division to the extent funds can be made available within this total, including funds from savings in other parts of the Division's budget, such as travel and contractual services. Total spending for the Division for the fiscal year should be carefully monitored so that it does not exceed the above amount.

The managers have agreed to a total of $91,223,000 for contract support, which includes $6,415,000 for the self-governance tribes. Bill language proposed by the Senate earmarking the total amount available in 1994 has been modified to authorize payments of contract support shortfalls from previous years, based on amounts agreed to by tribes and the Inspector General's Office. Since making these prior year payments will reduce the amount of funds available for fiscal year 1994 contract support costs, the Bureau is directed to allocate funding in such a manner throughout the year that all tribes will be treated the same if there is a shortfall in contract support funds by the end of the year. The managers remain very concerned about the continued growth in contract support costs, and caution that it is unlikely that large increases for this activity will be available in future years' budgets. It is also a concern that significant increases in contract support will make future increases in tribal programs difficult to achieve. The managers believe the Bureau should look at establishing a self-determination fund for new or expanded contracting in the 1995 budget. The Bureau should also work with the tribes on possible methodologies for establishing advance notification requirements for new contracting.

For education, daily attendance should be taken at Bureau-funded schools for the 1993–1994 school year. Daily attendance information should be consolidated at the agency/area level and reported to the Office of Indian Education Programs. The Bureau should submit quarterly reports which include monthly data on enrollment, daily attendance, and the attendance rate. Staffing statistics on instructional, support or administrative positions should be reported after the first and fourth quarters, and should include student-to-staff ratios. The Bureau should also submit by November 15, 1993 a list of schools whose student enrollment warrants an immediate review because of variances in student counts from the previous school year. Information should also include the schedule of ISEP (Indian School Equalization Program) reviews.

Statistical information should be provided on the number of students who transfer in or out of BIA-funded schools or non-BIA schools, or have dropped out. In order to track transferring students, the Bureau should use Social Security numbers, which are required as identification numbers in other Federally-funded programs. The initial quarterly report should be submitted in January, 1994.

The managers are aware of efforts by the Department and Bureau to review the ISEP formula. The managers expect the Department and Bureau to work closely together on this effort, and expect the Department and Bureau to submit a plan for the review prior to initiating any agreements with any non-Departmental entities. The plan should specifically identify all individuals involved and the costs for the review. Costs should include, among other items, travel, personnel, and contract/agreement costs. The managers have not provided any funding specifically for this purpose and expect that a reprogramming will be submitted if the total funds required for the review exceed $250,000.

School operations funding has been provided on the basis of the 185 schools included in the fiscal year 1994 budget request. Any additional schools for which the Bureau receives applications should be funded only after funding has been requested for those schools.

The managers agree that self-governance shortfall funds may continue to be used for planning grants, if needed, and the Lummi education project in 1994. The report requested by the Senate on staffing and funding by area, and levels of contracting, should be provided by April 1, 1994.

The managers have included an increase of $250,000 for attorneys' fees, and expect the Bureau to give priority consideration to a request for fees from Alaska Legal Services.

With regard to new tribes funding for the Tillie Hardwick tribes, and managers understand that the tribes have agreed on a distribution methodology, not based on population size.

The Catawba Tribe is expected to follow established procedures for obtaining funding for newly Federally-recognized tribes.

Within water rights negotiation funding, up to $480,000 is to be provided to the Skokomish Tribe for activities related to Cushman Dam, and up to $500,000 each is to be provided for the Klamath water rights adjudication and the Pyramid Lake economic development plan. Under real estate, $250,000 is provided to continue the Yurok Cadastral Survey.

Within water resource planning, $347,000 is included for the Muckleshoot Tribe.

With regard to trust funds management, the managers understand the Special Projects Team (SPT) has been incorporated into the Office of Trust Funds Management (OTFM). The managers intend for all staff of the SPT to report to and be under the supervision of the director of OTFM. The managers reiterate the importance of all personnel in the Department and the Bureau ensuring that all required notifications, consultations, and/or approvals are undertaken or received prior to proceeding with future organizational changes. With regard to systems development efforts, the managers expect the Department and Bureau to work with GAO to identify existing systems that could be used for trust funds management, rather than proceeding with any new systems development efforts.

The managers expect that $500,000 will be provided for activities of the Joint Reorganization Task Force and an additional $350,000 will be provided from Central Office funds in 1994 for continued development of the Tribal Budget System. Additional funds should be made available, if needed, to develop proposals aimed at streamling workload and moving resources to the tribe or agency level. Any excess funds from those budgeted for the Planning Office may be used for this purpose. The managers understand that the funding for the Task Force includes funding for travel and activities of members of the Task Force only. Funding for travel and other activities for participants of Task Force activities who are not members of the Task Force comes from funding provided to the various programs of the Bureau. The managers expect the Bureau to work with the Task Force in developing the preliminary assessment of funding levels and inequities, and methods of distribution for equity funding in the future. The managers approve the process recommended by the Task Force for moving programs from other recurring programs to tribal priority programs based on tribal requests.

The report on the plan to downsize Central Office operations of the Bureau shall be submitted to the Committees by April 1, 1994.

The Bureau should re-examine its plans for the gaming staff and where it should be located, in line with the revised Indian Gaming legislation.

Under education, if the Bureau is not able to use all of the budgeted funds for early childhood education, such funds should be used for other school operations activities, such as the ISEP formula or transportation, as needed.

The Bureau should not shift any uncollected operation and maintenance charges at the Wapato irrigation project onto fee lands to cover revenue shortfalls from other nonpaying land within the project. However, this does not preclude future operations and maintenance rate adjustments as may be determined necessary and consistent with applicable law, regulation and policy. The Department and Bureau should ensure that any rate adjustments are carried out in an equitable manner among all water users served by the project.

The managers agree that $200,000 is provided for the Summer Institute administered by the American Indian Law Center at the University of New Mexico.

Funding to complete the fire fuel break project around Glenallen, Alaska, is provided through the Bureau of Land Management fire protection program.

Within the funds provided for law enforcement under tribal priority allocations, transitional funding is provided for the Sac and Fox detention center.

Bill language has been included directing the Bureau to form a Joint Task Force with Alaska Natives and the State of Alaska to determine what role the Bureau should play with regard to Alaska's rural schools and Alaska Native education, and what other resources might be identified to assist the educational program of these schools. Among other issues, the task force, with the membership as specified in the Senate report, should look at ways of improving educational achievement, including the use of telecommunications technology, and initiatives aimed at cultural preservation, health education and parenting education.

Consistent with the Administration's efforts to reduce unnecessary administrative expenditures, the Bureau should closely monitor travel costs. The managers have not imposed a funding limitation on travel. However, the managers expect the Central Office program managers, area office directors, and agency directors to review carefully meeting agendas where travel is required to ensure that meetings are centrally located and attendance is limited to essential personnel. Meetings should be organized to limit the amount of time that attendees are away from their normal work assignments to avoid disruption in services provided by the Bureau. To the extent possible, travel should be restricted for programs where funding shortfalls may occur. The Bureau should submit a list of all nationwide or area-wide meetings or conferences planned for 1994 including location, number and description of attendees, and expected costs by November 1, 1993. An updated list, including actual costs incurred to date, should be submitted to the Committees by April 1, 1994.

Amendment No. 36: Provides $49,226,000 for housing and road maintenance programs as proposed by the Senate instead of $52,582,000 as proposed by the House.

Amendment No. 37: Provides $1,983,000 for litigation support as proposed by the House instead of $2,483,000 as proposed by the Senate.

Amendment No. 38: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following: *: Provided further, That of the amount appropriated under this head in Public Law 102-381, any unobligated balance as of September 30, 1993 related to the Alaska Native Claims Settlement Act shall remain available until expended and may be obligated under a grant to the Alaska Native Foundation for education, training, and technical assistance to Alaskan village corporations for reconveyance requirements*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The language will allow remaining fiscal year 1993 Alaska Native Claims Settlement Act funds, not to exceed $250,000, to remain available as a grant to the Alaska Native Foundation for assistance to Alaskan village corporations.

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert: *: Provided further, That not to exceed $91,223,000 of the funds in this Act shall be available for payments to tribes and tribal organizations for indirect costs associated with contracts or grants or compacts authorized by the Indian Self-Determination Act of 1975, as amended, for fiscal year 1994 and previous years.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have agreed to language which limits the amount for indirect costs associated with contracts, grants and compacts to $91,223,000, and provides this amount for such costs incurred in 1994 and shortfall amounts from previous years. This matter is discussed in more detail under Amendment No. 35.

Amendment No. 40: Deletes Senate proposed language which addressed eligibility of Alaska Native villages for Indian roads program funding. The House had no similar provision. Based on written and oral confirmation that the BIA has provided, the managers understand that certain road projects in Craig, AK are in fact eligible to seek funding as Indian roads.

Amendment No. 41: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which includes all Indian reservation roads identified in the 1990 BIA Juneau Area Transportation Study in the BIA system for distribution of highway trust fund formula funds in fiscal year 1994. The provision will expire when the new BIA formula is implemented. The managers intend for any road funds distributed to the Juneau Area under this provision, or to any other area, which cannot be obligated in fiscal year 1994 to be redistributed to other areas which can obligate the funds by the end of the fiscal year.

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for review and approval of reorganization proposals by the Task Force on Bureau of Indian Affairs Reorganization and the Committees on Appropriations. The House had no similar provision.

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds appropriated for tribally-controlled community colleges distributed prior to September 30, 1994 and invested under current law are deemed to be in compliance with Title III of the Tribally Controlled Community Colleges Assistance Act. The House had no similar provision.

CONSTRUCTION

Amendment No. 44: Appropriates $166,979,000 for construction instead of $172,799,000 as proposed by the House and $150,429,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of increases of $700,000 under tribal government for contract support, $180,000 under general administration for Cow Creek Band of Umpquas land acquisition, and $1,450,000 for Bennett Freeze housing improvements; and decreases of $2,000,000 under education for advance planning and design, $4,000,000 under public safety and justice for the Sac and Fox detention center, and a net decrease of $2,150,000 under resource management. This net decrease consists of increases of $1,900,000 for Colorado River tribes irrigation project, $200,000 for Hogback irrigation project, $650,000 for Walker River irrigation project, and decreases of $4,300,000 for the Navajo Indian irrigation project and $600,000 for the San Carlos irrigation project.

Of the amount provided for the Walker River project, $150,000 shall be used only for the tribal cost share of water monitoring by the U.S. Geological Survey.

The study requested in the House report on the possibility of establishing a construction/lease program and related legislative and administrative changes that would be required, should also address how the number of such facilities and related funding would be controlled were such a program to be implemented.

The managers have provided an additional $4,000,000, to allow completion of the Chinle detention center, and have agreed to funding of $4,000,000 included in the budget to allow the Sac and Fox detention center to begin construction in 1994. The Bureau should include funding to complete the Sac and Fox facility in the fiscal year 1995 budget.

The BIA should work with the State of Alaska Task Force on Rural Bulk Fuel Storage on issues related to aging fuel storage tanks in Alaska Native communities. The BIA should determine the ownership and responsibility for the storage tanks and submit a report on the cost of replacing the leaking tanks by October 1, 1994.

The managers have agreed to provide $1,450,000 for Navajo housing improvements in the Bennett Freeze area. The managers have approved this one-time funding earmark to address some of the most pressing needs in the Bennett Freeze area. The funds are to be used to make repairs and renovations to existing homes. In cases where a home is determined to be unsafe or too deteriorated to repair or renovate, a replacement home may be built and the existing structure demolished. The managers encourage the tribe and the BIA to complete a survey of the housing needs in the Bennett Freeze area and to incorporate the results of the survey into existing funding mechanisms through the Bureau and other Federal agencies. To the extent the needs in the Bennett Freeze area greatly expand the existing backlog, increased funds should be requested in future budget requests for existing programs.

The managers note that the Hopi Tribe has appealed the court decision on the Bennett Freeze. The inclusion of funds for housing repairs is not intended in any way to jeopardize or take a position on that appeal.

Amendment No. 45: Deletes Senate proposed language that would have made funds provided previously or hereafter for the Wind River Irrigation Project non-reimbursable. A Solicitor's opinion from April, 1992 confirmed that legislation dating to 1905 made construction costs for the project reimbursable, and the tribes involved should seek a review by the appropriate authorizing committees of whether this designation should be changed.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

Amendment No. 46: Appropriates $81,907,000 for administration of territories instead of $82,107,000 as proposed by the House and $81,457,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of $200,000 for American Samoa, $100,000 each from operations and construction grants.

Amendment No. 47: Provides $77,369,000 for technical and maintenance assistance, disaster recovery and grants instead of $77,569,000 as proposed by the House and $76,869,000 as proposed by the Senate. The decrease of $200,000 under the amount proposed by the House is discussed under Amendment No. 46.

Amendment No. 48: Provides $4,538,000 for the Office of Territorial and International Affairs as proposed by the House instead of $4,588,000 as proposed by the Senate.

Amendment No. 49: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which adds a reference to any subsequent legislation related to Commonwealth of the Northern Mariana Islands covenant grant funding. In the absence of authorizing legislation providing differently, the managers intend for all covenant grant funding in fiscal year 1994 to be used for capital development projects only, and none to be used for government operations, and all such funds shall be subject to the Northern Marianas providing appropriate matching funds as determined by the Secretary of the Interior. All capital improvement funding shall be subject to applicable Federal grant regulations. In addition, of the $27,220,000 included in the Act, $3,000,000 should be made available for the American War Memorial Park, pursuant to an agreement between the Northern Marianas and the Secretary of the Interior regarding a new monument, wayside exhibits and definition of the park entrance and boundaries, and after consultation with the American Battle Monuments Commission.

Amendment No. 50: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for the program of operations and maintenance improvement in the territories, the Northern Mariana Islands, Palau, and the Freely Associated States. The House has no similar provision.

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that disaster assistance funds may be used as non-Federal matching funds for Federal Emergency Management Administration grants. The House had no similar provision.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Amendment No. 52: Appropriates $23,838,000 for the Trust Territory instead of $24,038,000 as proposed by the House and $23,338,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of a decrease of $59,000 for Trust Territory administration and a net decrease of $141,000 for Republic of Palau operations, including an increase of $59,000 for the Weather Service and a decrease of $200,000 for the operations grant.

The managers agree technical assistance funds should be provided to Palau for political education and other costs related to the referendum scheduled for November, based on a request from the Government of Palau.

The managers understand additional funds of up to $700,000 may be required for the Koror-Babeldaob bridge project. If the Department agrees with the new estimates, there is no objection to reprogramming other available capital improvement funds to the bridge project.

Amendment No. 53: Provides $18,464,000 for operations of the Government of Palau instead of $18,605,000 as proposed by the House and $17,964,000 as proposed by the Senate. The decrease of $141,000 from the amount proposed by the House is discussed under Amendment No. 52.

DEPARTMENTAL OFFICES

OFFICE OF HEARINGS AND APPEALS

The Office of Hearings and Appeals is expected to review the recommendations associated with the Fish Alaska, Inc. equitable claim arising from Fish and Wildlife Service actions in the Togiak National Wildlife Refuge and report to the Committees no later than March 1, 1994.

ECOSYSTEM RESTORATION FUND

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $7,000,000 to an ecosystem restoration fund to implement the President's Forest Plan for "Jobs in the Woods" ecosystem restoration in Northern California, Washington, and Oregon. The appropriation provides that the Secretary may transfer these funds to the Bureau of Land Management, the United States Fish and Wildlife Service and the Bureau of Indian Affairs for implementation. The House made no such appropriation.

The managers direct that none of the funds be used for rural community assistance, as funds for that purpose are contained in Forest Service appropriations.

The managers further agree that in future budget requests, funds for activities covered by this account should be requested in the regular agency appropriations accounts.

The managers encourage the Department of the Interior to give consideration to initiating a Wildstock Restoration Initiative in the State of Washington within Fish and Wildlife Service activities in the Ecosystems Restoration Fund.

CONSTRUCTION MANAGEMENT

SALARIES AND EXPENSES

Amendment No. 55: Appropriations $2,394,000 for construction management instead of $2,494,000 as proposed by the House and $2,194,000 as proposed by the Senate.

Given the current budget climate, dollars will continue to be constrained for the foreseeable future. One continuing drain on the funds needed to operate and maintain the public lands and their facilities is the pressure to continue to develop new and in many cases needed visitor and other facilities. The managers are concerned about their ability to meet the growing operations needs and address the capital improvement needs on the public lands.

The managers recommend that a task force be established under the leadership of the Assistant Secretary for Policy, Management and Budget to review the Department's construction programs for BLM, FWS and the NPS. This team should include a representative from each of the three agencies as well as a representative from the Assistant Secretary's office. The managers recommend that the task force consider all options for restructuring the construction program including a consolidated approach to Department construction operations. This may include a recommendation that Denver Service Center operations be discontinued with more responsibilities handled in the regional offices or in the parks where appropriate. The team should also consider ways to build incentives into the system so that all parties, including Denver, the regions and the parks control project costs and scope. This may include the use of more localized architects and engineers and construction project managers.

In reviewing the construction programs the managers recommend the task force review methods of controlling the costs and scope of construction projects. Particularly with respect to larger projects, it may be feasible and advisable for the agencies to provide a range of alternatives for meeting the management objective. It is also recommended that the general management planning process be reviewed for it is at this point that many of the expectations for development first become established.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

Amendment No. 56: Appropriations $1,000,000 for the National Indian Gaming Commission as proposed by the House instead of $1,500,000 as proposed by the Senate.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Amendment No. 57: Deletes House provision prohibiting the use of funds in the Act for accepting and processing applications for patents and on patenting Federal lands under the general mining laws, as proposed by the Senate. Legislation dealing with this issue is under active consideration in the Congress.

Amendment No. 58: Deletes House provision providing exceptions to the limitations contained in Amendment No. 57, as proposed by the Senate.

Amendment No. 59: Deletes House provision prohibiting the use of funds for operation and support of Grazing Advisory Boards, as proposed by the Senate. Grazing Advisory Boards are addressed in Amendment No. 123.

Amendment No. 60: Deletes Senate provision which prohibited an increase in entrance fees at the Blackwater National Wildlife Refuge, Maryland. The managers understand that the Department has agreed not to increase these fees in fiscal year 1994.

The managers are aware of concerns that the proposed fee increases at Blackwater may have resulted in a fee level incompatible with fees charged at other nearby non-Federal facilities and may have had an adverse impact on visitation to the refuge. The managers expect the Fish and Wildlife Service to examine expanding the number of refuges in the fee collection program, implementing more effective methods of fee collection at refuges that are not recovering their expenses, or shifting the burden more to commercial users of the refuges, before considering proposals to increase entrance fees at Blackwater.

Amendment No. 61: Deletes Senate provision prohibiting the use of funds to implement an agreement between the Secretary of the Interior and Save Our Cumberland Mountains, Inc. (SOCM). The Secretary has assured the managers that the Department will not execute a new agreement with SOCM but will implement through directives, memoranda of understanding, and rulemaking those principles from the draft agreement needed to ensure sound government policy. The managers expect the Department and the Office of Surface Mining Reclamation and Enforcement to follow appropriate rulemaking procedures and to solicit and objectively consider the comments of all interested parties prior to implementing any policy changes. In particular, the States should be consulted fully on any changes to the operation and maintenance of the Applicant Violator System.

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter inserted by said amendment, amended as follows:

In lieu of the first section number named in said amendment, insert: *114*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment deems the holder of permit LP-GLBA005-93 to be a person who, on or before January 1, 1979, was engaged in adequately providing visitor services of the type authorized in the permit within Glacier Bay National Park.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST RESEARCH

Amendment No. 63: Appropriates $193,083,000 for forest research as proposed by the House instead of $192,983,000 as proposed by the Senate. Within this amount, there is an increase of $300,000 over the amount proposed by the House for resource analysis, for the Southwestern forestry research program; and a decrease of $300,000 under forest management research, for the Washington Forest Landscape Management Project.

INTERNATIONAL FORESTRY

Amendment No. 64: Deletes the International Forestry account as proposed by the Senate. This account is addressed under amendment No. 67.

STATE AND PRIVATE FORESTRY

Amendment No. 65: Appropriates $168,107,000 for State and private forestry instead of $148,955,000 as proposed by the House and $169,107,000 as proposed by the Senate. The increase over the amount proposed by the House consists of decreases of $1,000,000 for forest pest management, $2,478,000 for the stewardship program, $2,068,000 for stewardship incentives/tree planting, $1,000,000 to urban forestry, and $250,000 to Northern forest lands study; and increases of $1,000,000 for rural development in the Northeast and Midwest, $500,000 for seedlings and nurseries, $10,000,000 for community assistance and $5,000,000 for old growth diversification related to the Pacific Northwest Forest Plan, $6,948,000 for Forest Legacy, and $2,500,000 for the Columbia River Gorge Skamania Conference Center. In addition to the $1,000,000 reduction in pest management, the managers have also agreed to transfer $3,000,000 from pest suppression ($1,500,000 each from the Federal and cooperative programs) to fire protection within this account.

The earmarks contained in both the House and Senate reports for urban forestry and stewardship incentives are maintained, with the exception of $2,100,000 for the Metropolitan Greenspace Demonstration program.

The managers have agreed to additional funds for the seedlings and nurseries program, and encourage the State of Alaska to seek funds from this source for its genetics and tree improvement facilities.

Under special projects, $100,000 is provided to WOODNET and the Northwest Forest Products Consortium in Washington State, for purposes of continued development of a regional demonstration export assistance and diversification program in the pacific Northwest.

With respect to the Washington share of the funding for old growth diversification projects, these funds are to be provided through the Washington State Department of Trade and Economic Development—Forest Products Value-Added Program.

With regard to the Forest Legacy program, any political subdivision within New York State must agree to include itself, in order to participate in the program. A subdivision is defined as a village, city, town, or county.

The managers are aware of rural development efforts in the Hamakua, HI area and expect the Forest Service to consider any proposals from this program in the context of the rural development program, to the same extent consideration would be given to other rural development proposals using forestry.

Amendment No. 66: Modifies language proposed by the House to provide that a grant of $2,500,000 shall be provided to the Texas Reforestation Foundation from funds previously appropriated to the National Tree Trust. The House had proposed a grant of $3,000,000. Any such grant should be consistent with the overall program goals and objectives of the National Tree Trust.

INTERNATIONAL FORESTRY

Amendment No. 67: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which establishes an International Forestry account and appropriates $6,996,000. The House had included this account in a different location and included an appropriation of $11,996,000, which was stricken by the Senate in Amendment No. 64, previously discussed.

NATIONAL FOREST SYSTEM

Amendment No. 68: Deletes reference to Forest Service Law Enforcement as proposed by the Senate.

Amendment No. 69: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert the following: *$1,304,891,000, including not less than $55,552,000 for law enforcement*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment appropriates $1,304,891,000 for the national forest system instead of $1,237,272,000 as proposed by the House and $1,300,153,000 as proposed by the Senate, and includes language earmarking not less than $55,552,000 for law enforcement within this account.

The increase over the amount proposed by the House consists of increases of $5,957,000 for cooperative law enforcement, $9,633,000 for NFS drug control, $39,962,000 for NFS law enforcement, $9,300,000 for timber sales, and $12,017,000 for transfer of law enforcement funds; and decreases of $1,500,000 for trail maintenance, $1,700,000 for recreation management, $350,000 for wilderness, $350,000 for cultural resources, $3,150,000 for wildlife and fish (including $250,000 for neotropical migratory birds, $500,000 for wildlife habitat monitoring, $400,000 for inland fish management, $750,000 for TE&S species recovery and $250,000 for preventing listings, $800,000 for anadromous fish management, and a general reduction of $200,000), $500,000 for range management, and $1,700,000 for soil and water improvements.

Under timber sales, the managers have included $2,000,000 of the $4,000,000 increase proposed by the House for costs of converting all new timber sales to tree measurement in 1994. Additional funds for this purpose, up to the total of $4,000,000, are available within the contingency funds of $8,000,000 which were reduced by the House and which have been restored to the budget. The increase over the House for timber sales also includes an increase of $3,500,000 for harvest administration and a general reduction of $200,000.

Under the NFS law enforcement line item, the managers have included $888,000 transferred from the Construction account. Additional amounts that will be available to the law enforcement organization in 1994 are $8,497,000 from Fire protection and $2,632,000 from permanent appropriations. The total available for law enforcement in 1994 will be $66,681,000. The law enforcement funding from Fire protection should be transferred to the NFS law enforcement line item in the 1995 budget request, and the request should also indicate how much it is estimated will be made available from permanent appropriations for law enforcement each year. The managers have also agreed to increases over the budgeted amounts of $500,000 for the timber theft task force and $400,000 for criminal investigations.

With regard to the organizational structure for the law enforcement program, the managers direct the Forest Service to establish a separate, independent chain of command for the staff working on criminal investigation activities, with all levels of this organization (forest or region) reporting directly to the chief law enforcement officer in the Washington office, who will report directly to the Chief of the Forest Service. At no level of the organization (district, forest, or regional office) should criminal investigations personnel report to or be under the supervision of anyone other than the appropriate law enforcement supervisor. For the general law enforcement personnel, the organization will be as recently revised by the Forest Service to conform with the recommendations of the President's Council on Integrity and Efficiency. The managers reiterate the importance of maintaining complete investigative independence, and expect any personnel who fail to comply with the law or who interfere with criminal investigations to be disciplined appropriately. The managers also expect the Forest Service to impose severe penalties on any personnel who fail to refer potential criminal activities to the law enforcement or criminal investigations staff for determination of appropriate action. For oversight purposes, a copy of all criminal investigations initiated in the Forest Service should be provided to the Office of the Assistant Secretary for Natural Resources.

The funding recommended by the managers for the timber sales program is essentially the same as requested in the budget, with slight adjustments due to the shift to tree measurement sales. The managers have not included any specific distribution of the fiscal year 1994 timber sales program on a regional basis because of the considerable uncertainty that exists in the program at the present time. In allocating the resources provided, however, the Forest Service should be attentive to the areas where the greatest opportunity exists for sales to proceed, and taking into account such factors as current on-the-ground conditions, the need to comply fully with existing legal requirements, the certainty of the timber base as a result of legislation and land management plans, current market demand, and actual sale and harvest activity in each of the regions in recent years. No specific reductions are to be allocated to a forest solely on the basis of a below cost determination.

Some of the funds included in the budget for contingency costs associated with the need to bring the Forest Service organization to a size compatible with the decreased timber program are retained. These funds may be used to address market demand requirements in the event they are not needed for other purposes. In addition, the managers have included bill language providing the Forest Service with "early out" authority so that the need for costly reductions in force and relocations might be kept to a minimum. Savings resulting from use of these authorities are to be retained in the program in order to address the increased costs associated with tree measurement, ecosystem management, and watershed work.

With respect to below cost, the Forest Service should continue to implement the recommendations of the cost efficiency study in order to achieve cost savings in the program. The Service should engage in further review of the program with flexibility available in the different regions to consider alternatives to enhance the likelihood of achieving positive results, while remaining sensitive to the local and community impacts of the timber sales program. Ecosystem management, tree measurement, and other changes in the way of doing business on the national forests may increase the costs of the timber program without leading to a commensurate increase in timber values, which may affect the gain/loss calculation on forests nationwide. This situation increases the need for the Forest Service to become more proactive in its review process as it evaluates the potential costs and revenues of sales before investing large sums of money into timber sales preparation. The managers encourage the Administration to continue reviewing options for dealing with below cost sales while remaining responsive to these concerns. The managers do not direct or prohibit the Forest Service from considering the use of minimum bids in fiscal year 1994. However, if minimum bids are considered, the Forest Service should make every effort to minimize the organizational overhead costs included in such a rate, and should clearly link the bid rate with the direct costs associated with specific sales. Any consideration of minimum bids should also be responsive to the timber sale economics in different regions of the country, including terrain, species, values, and other factors.

With respect to the Pacific Northwest and the follow-up to the Forest Conference, funding is included for both the Interior Department and the Forest Service to engage in watershed assessment and restoration activities. Additional funds are provided in the State and Private Forestry account to deal with some of the community assistance aspects of the program. If additional needs are identified for fiscal year 1994, the Forest Service should comply with the Committees' reprogramming guidelines. This requirement includes any proposed use of the Secretary's transfer authorities. The primary focus for the watershed work should be on completing the necessary assessment work for the key watersheds. To aid in this effort, language is included allowing use of salvage funds for this purpose, up to a total of $26,000,000. These efforts are to be undertaken using the interagency team approach, involving other agencies as well as Forest Service Research and State and Private Forestry, and overhead costs are to be kept to a minimum. The Forest Service should report to the Committees on Appropriations no later than December 15, 1993, on the following issues related to watershed work: proposed methodology for allocating funds, accountability for expenditure of funds, how the costs of watershed work will be measured in comparison to base funding provided, and procedures to be used for monitoring.

In addition to the use of up to $26,000,000 from salvage funds for watershed assessment work, the managers have agreed to the retention of prior year language regarding uses of the salvage fund. No specific earmarks are provided, but attention should be given to the drought and forest health problems in the Eastside of Washington and Oregon, the Sierras, the Tahoe Basin, the Chugach NF, and the Francis Marion NF.

The specific language related to log scaling and tree measurement is discussed under amendment no. 81. The switch to tree measurement is for sales to be prepared in fiscal year 1994, and is not a direction that sales already prepared are to be reworked. The managers expect the Forest Service to continue to negotiate with the holders of long term contracts to switch to tree measurement sales for fiscal year 1995. In the event negotiations are not successful, the terms of the existing contracts would continue. The Forest Service should continue to engage in the necessary activities to ensure that its personnel are properly trained and certified in the quality and accuracy of the tree measurement system. This includes making sure that cruise design standards are in place, and that check cruise validations occur.

With respect to the Tongass NF, the managers estimate that the timber sales preparation level in 1944 will be between 280 million board feet, the House proposed level, and 420 million board feet, the level proposed by the Senate. The managers note there are contingency funds in the timber sales budget which can be drawn upon to prepare sales for the higher level, or whatever actual level is achieveable based on current market conditions and legal requirements. This preparation level combined with work to enhance the timber pipeline over the last three years is scheduled to bring the pipeline to about a three years' supply level in the Tongass NF.

With reference to the language in the House report regarding group selection in Region 5, the managers are unaware if the recent report on the Sierra range referred to has been subject to formal peer review by the scientific community. The managers understand there is not unanimity of support for group selection among the scientific, environmental, and industrial communities as there is not unanimity of support for the interim CASPO (California Spotted Owl) strategy. The managers understand that the Forest Service will continue to implement the CASPO strategy, adopted as an interim strategy by the Forest Service on March 1, 1993 for now, which in contrast to group selection was subject to peer review. The managers, however, expect Region 5 of the Forest Service to continue to consider and review fully innovative forest management practices as alternatives to the interim CASPO strategy which are generally consistent with the applicable principles of the Forest Conference and Administration's policies. The managers understand that one of the alternatives being considered through the EIS process is group selection.

Within the funds provided, there is $1,000,000 each in OR and WA to continue harvest cutting and silviculture demonstrations, and to initiate two new restoration projects in young stands, in conjunction with the Olympic Natural Resources Center. Within the $1,000,000 for OR, $750,000 is to continue the demonstration program on the Umpqua NF, which includes the Douglas Project among the partners; and $250,000 is to initiate the new demonstration project.

The managers understand that the $200,000 earmarked in both the House and Senate reports for studying the conversion of roads to trails will be used for such studies on as many forests as possible in Region 6, with the Gifford Pinchot NF being the first priority.

The managers are aware of concerns regarding the process used by the Forest Service in allocating funds among the various forests and regions, and are particularly troubled about reports that the funding levels for some forests have been reduced in order to fund other forests. While one forest is not to be funded at the expense of the others, with limited budgetary resources and changing policy direction, no forest can be guaranteed a funding level from one year to the next. These allocations must necessarily be made each year by the Forest Service. Although the Forest Service may take into consideration the funding levels provided in prior years in allocating its funds, as well as other appropriate factors such as the forest plans, the plans should not be the sole basis for allocating funds, since the budget assumptions of the plans are not necessarily consistent from one forest to the next. As the managers have stated previously, earmarks agreed to in final conference action are to be considered a part of the affected forest's base, unless identified to the contrary in the next year's budget.

FOREST SERVICE LAW ENFORCEMENT

Amendment No. 70: Deletes the separate appropriation for law enforcement as proposed by the Senate. This matter is discussed under Amendment No. 69.

CONSTRUCTION

Amendment No. 71: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$249,002,000, including road obliteration and watershed restoration*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment appropriates $249,002,000 for construction instead of $237,423,000 as proposed by the House and $264,795,000 as proposed by the Senate, and adds language authorizing use of the funds for road obliteration and watershed restoration. The increase over the amount proposed by the House consists of decreases of $888,000 for transfer to the law enforcement program under the National forest system account (including decreases of $15,000 from facilities and $873,000 from roads), and $10,000,000 for the watershed restoration program, leaving $20,000,000; and increase of $2,867,000 for facilities, $19,000,000 for road construction, (including increases of $3,000,000 for timber roads, $12,000,000 for purchaser construction support, $1,000,000 for recreation roads, and $3,000,000 for general purpose roads), and $600,000 for trails.

The increase for facilities includes the following changes from the amounts proposed by the House:

Project	*Change*
Wayne, NF Supervisor's Office	−$130,000
Recreation:	
Lewis and Clark visitors center, MT	+300,000
Columbia River Gorge Discovery Center	+1,186,000
Ocoee River	+1,840,000
Wayne NF, OH	−246,000
National Forests, TX	−665,000
Badin Lake, Uwharrie NF, NC	−250,000
Winding Stair Mountain	+785,000
Ketchikan, AK visitors center	+1,100,000
Seneca Rocks, WV visitors center	+3,147,000
Toiyabe NF, NV	+600,000
Wenatchee NF, WA	+$200,000
White Mountain NF, NH	+$400,000
El Portal visitors center, PR	−2,400,000
Cradle of Forestry, NC	−500,000
General reduction	−2,500,000
Subtotal	+2,867,000
Transfer to NFS law enforcement	−15,000
Total	+2,852,000

The remaining funds for the National Forests in TX are for the Boles Field and Boykin Springs projects. Of the funds for Badin Lake, $250,000 is for a water line to serve the recreation complex. Within the funds for the Toiyabe NF, up to $300,000 may be used for the Spring Mountain NRA management plan.

The managers have included $300,000 for planning and design of the Lewis and Clark visitors center, MT, and $228,000 is included, as requested in the budget, for planning the Hudson, NE education and learning center. The additional $600,000 earmarked in the Senate report for the Lewis and Clark center is not agreed to, and should be used for the projects for which these funds were originally budgeted. These funds are provided on the basis that they will be matched on a 50/50 cost-sharing basis from non-Federal sources. The managers also agree that the total scope of these two projects should be reduced, so that total costs for completing construction of these centers do not exceed $6,000,000 each. The managers have agreed that Federal funds will be provided on a 50/50 cost-sharing basis for completion of these projects, for a total estimate not to exceed $3,000,000 in Federal funds for each facility. It is the expectation of the managers that additional appropriations for these projects funds is available.

The managers have agreed that they will consider funding for new visitors centers in the future if such facilities are of reasonable scope and cost, on a 50/50 Federal/non-Federal cost-sharing basis. The managers are aware of the proposed Northern Great Lakes visitors center in WI, and the commitment from the WI State Legislature and Governor to provide 50 percent funding for the project. The Forest Service is expected to review any funding request for this facility in line with the above policy, and to include funding in the 1995 budget request or in a proposed reprogramming to the Committees in fiscal year 1994 if a decision is made to proceed with the project.

With regard to the comprehensive management plan revision for the Hell's Canyon NRA, the managers have earmarked $200,000 in the National Forest System account and $120,000 in the Construction account for the plan revision process in fiscal year 1994, which was budgeted for the Dug Bar recreation facilities construction. The managers encourage the Forest Service to proceed with the revision as expeditiously as possible. While the plan is being revised, the managers agree that up to $2,170,000 in construction funds including roads, facilities and trails may be spent in fiscal year 1994 for projects in the NRA, including road rehabilitation aimed at safety improvements and resource protection, and overlooks. The managers request the Forest Service to review, each project before proceeding to determine if it is a project which should be reexamined during the plan revision process. The Forest Service should not spend funds in 1994 for new recreation site development (excluding overlooks) or other facilities which might be reconsidered as part of the plan revision process.

The managers understand the budget contains $340,000 in facilities funds and $140,000 in trails funds for the Red Bluff Recreation Area, Mendocino NF, and the budget also contains $425,000 for Tahoe/Tallac, $5,613,000 for Mount St. Helens, $450,000 for Multnomah Falls, and $4,300,000 for Corney Lake.

The increase in trails consists of a general reduction of $500,000 and an increase of $1,100,000 for the Glendale to Powers, OR bicycle trail.

The managers have included $20,000,000 for comprehensive watershed restoration activities on the westside forests of Washington, Oregon and northern California, with funds to be distributed proportionately, based on the highest priority watersheds. The House had included $30,000,000 for these projects, and the Senate had included $17,000,000. The funds are to be used both for road projects, such as road closure, obliteration, revegetation and drainage improvements, and watershed projects such as riparian revegetation, erosion control, and slide stabilization. The first priority for these funds should be to secure key watersheds, and rehabilitation projects should be undertaken only when watershed inventory and analysis have been completed (funds for these assessments have been provided for under the salvage sales fund). Projects selected should be those with the greatest impact on factors limiting salmon spawning, rearing and holding habitat, and projects with the greatest long-term positive impact should be favored over those with short-term benefits.

As discussed under the National Forest System account, the managers expect that projects will proceed only after proper analysis and planning take place through an interagency team review. An interagency, interdisciplinary scientific review team should be established to review and approve any existing "off the shelf" projects, as well as new projects, to ensure projects selected will provide the most ecological benefits for the dollar. Projects in key watersheds in which inventory, long-range planning, and cost/benefit analysis have been completed should receive priority in allocating funds. The managers reiterate the examples of projects to receive priority consideration listed in the House report, including the Skagit River Wild and Scenic Management Area because of its scenic and ecological importance.

Within road construction funds, there is $562,000 for the Wayne NF, OH and $85,000 for the Bankhead NF, AL. Within trail construction funds, there is $700,000 for the Bankhead NF, AL, $120,000 for the Allegheny NF, PA, and $400,000 for the Wayne NF, OH.

Amendment No. 72: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$20,000,000 is for watershed restoration; $99,347,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides for $20,000,000 to be available for watershed restoration and $99,347,000 to be available for construction and acquisition of buildings and other facilities within the construction appropriation in 1994. The House had proposed $96,495,000 for facilities construction, and the Senate had proposed $97,867,000. Neither the House nor Senate had included an earmark for watershed restoration in the bill, although both had earmarked an amount for this purpose in the report accompanying the bill. The changes from the amounts proposed by the House for these activities are discussed under Amendment No. 71.

Amendment No. 73: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which provides $129,655,000 for construction and repair of forest roads and trails instead of $140,228,000 as proposed by the House and $166,928,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The changes from the amount proposed by the House are discussed under Amendment No. 71.

LAND ACQUISITION

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment that appropriates $64,250,000 for land acquisition instead of $56,700,000 as proposed by the House and $51,050,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to the following distribution:

Alpine Lakes Management Area, WA	$700,000
Appalachicola NF, FL	2,000,000
Appalachian Trail	2,000,000
Caribbean NF, PR	450,000
Chattooga WSR, NC, SC, GA	2,000,000
Cherokee NF, TN	550,000
Cleveland NF, CA	2,000,000
Colorado Wilderness Inholdings	1,250,000
Columbia Gorge NSA, OR, WA	1,000,000
Croatan NF, NC	500,000
Daniel Boone, NF, KY	2,000,000
Finger Lakes NF, NY	800,000
Flathead NF, MT	500,000
Francis Marion NF, SC	850,000
Gallatin NF, MT	3,000,000
Green Mountain NF, VT	3,000,000
Hoosier NF, IN	500,000
Kisatchie NF, LA	500,000
Lake Tahoe Basin, CA, NV	2,000,000
Little Beaver Creek W&SR, OH	2,200,000
Los Padres NF, CA	2,000,000
Mark Twain NF, MO	1,000,000
Michigan Lakes and Streams	500,000
Mount Baker-Snoqualmie NF, WA	1,300,000
Old Chief Joseph Grave Site, OR	(300,000)
Olympic NF, WA	1,000,000
Oregon Dunes NRA, OR	5,200,000
Osceola NF (Pinhook Swamp), FL	1,500,000
Ouachita NF, AR, OK	500,000
Ozark NF, AR	1,000,000
Pacific Northwest Streams	1,900,000
Roosevelt NF (Cherokee Park), CO	2,700,000
Salmon WSR, ID	1,700,000
San Bernardino NF, CA	1,000,000
Shawnee NF, IL	400,000
Superior NF, MN	300,000
Talladega NF, AL	300,000
Toiyabe NF, CA	1,000,000
Toiyabe NF, NV	2,200,000
Uwharrie NF, NC	500,000
Wayne NF, OH	500,000
Emergency, inholdings	1,750,000
Acquisition Management	$8,500,000
Total, Forest Service	64,250,000

The $500,000 for Croatan NF, NC does not commit the managers to future appropriations.

The managers expect the Forest Service to complete expeditiously the study mandated by the recently passed Colorado Wilderness Act of 1993 regarding inholdings in the Spanish Peaks planning area. Also the managers direct the Forest Service to provide the Committees on Appropriations a report on the status of all Forest Service wilderness inholdings, including information about the conflicts such inholdings pose for wilderness management.

The managers direct the Forest Service to use the Pacific Northwest Stream funds to support the highest priority projects within the region. The managers further expect that resources provided will be divided equitably between projects in Oregon and Washington.

The managers understand that the $2,200,000 in funding for land acquisition in the Toiyabe National Forest in Nevada will complete the purchase of the Fibreboard properties. The managers direct the funds to be used exclusively to conclude the Fibreboard acquisition in fiscal year 1994.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Amendment No. 75: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows: In lieu of the matter inserted by said amendment, insert: *and for timber sales preparation to replace sales lost to fire or other causes, and sales preparation to replace sales inventory on the shelf for any national forest to a level sufficient to maintain new sales availability equal to a rolling five-year average of the total sales offerings, and for design, engineering, and supervision of construction of roads lost to fire or other causes associated with the timber sales programs described above, and for watershed assessment activities: Provided, That notwithstanding any other provision of law, monies received from the timber salvage sales program shall be considered as money received for purposes of computing and distributing 25 per centum payments to local governments under 16 U.S.C. 500, as amended.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The language provides for the use of salvaged sale funds for timber sales preparation to replace sales lost to fire or other causes and to replace sales inventory on the shelf, and for the 25 per centum payments to local governments from salvage sales receipts. The language has been modified from prior years to include watershed assessment activities as an allowable use of the fund. The Forest Service may use up to $26,000,000 in salvage funds for watershed assessment activities. As discussed under Amendment Nos. 68 and 71, the primary focus for the watershed work should be to complete the assessment work for the key watersheds before proceeding with restoration projects on a piecemeal basis. These efforts are to be undertaken using the interagency team approach.

Amendment No. 76: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which deletes House language on the Shawnee NF and inserts Senate language prohibiting the use of funds for clearcutting or even aged management in hardwood stands on the Shawnee NF to the greatest extent possible and in accordance with the Shawnee NF plan.

Amendment No. 77: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *None of the funds made available in this Act shall be used for timber sale planning or scoping using clearcutting in the Quachita and Ozark-St. Francis National Forests in Arkansas, except for sales that are necessary as a result of natural disaster or a threat to forest health, or for maintaining or enhancing wildlife habitat, or habitat for endangered and threatened species, or for research purposes.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment changes language included in different forms by both the House and Senate to prohibit the use of funds for clearcutting in the Quachita and Ozark-St. Francis National Forests in Arkansas, with certain specified exemptions.

Amendment No. 78: Deletes House proposed language and Senate proposed language which would have prohibited the use of funds to alter the forest stand composition in the Ozark-St. Francis and Ouachita National Forests in Arkansas.

Amendment No. 79: Restores House proposed language which had been stricken by the Senate, which prohibits the use of funds in this Act to plan or conduct timber sales or build roads in three specified areas of the Chattahoochee NF, GA. Such activities will be deferred until a revision of the forest's land management plan, which will address possible designation of the three areas as wilderness or scenic areas, is completed.

Amendment No. 80: Strikes House language authorizing salvage sales in Regions 5 and 6 with certain conditions, as proposed by the Senate. This matter is addressed under Amendment No. 118.

Amendment No. 81: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

None of the funds available to the Forest Service in this Act shall be used to begin preparation of timber sales in fiscal year 1994 using the scaling method: Provided, That this limitation shall not apply to timber salvage sales: Provided further, That thinning sales may be prepared using the scaling method if determined by the Regional Forester to be the most effective means of achieving a stated environmental objective: Provided further, That this limitation shall not apply to sales prepared pursuant to existing timber contracts: Provided further, That any timber sales prepared during fiscal year 1994 which involve the use of the scaling method must be scaled by the Forest Service, or under contracts issued by the Forest Service and paid for using deposits by the timber purchaser.

Total outlays by the Forest Service pursuant to the cooperative work trust funds accounts (12–8028–0–7–302) shall not exceed $279,668,000 in fiscal year 1994.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment revises the House proposed language requiring new timber sales prepared in fiscal year 1994 to be prepared as tree measurement, or lump sum, sales, to add certain exceptions for salvage and thinning sales; and adds language proposed by the Senate as part of Amendment No. 124, which provides a cap on Knutson-Vandenberg (K-V) funds for fiscal year 1994, in the amount of $279,668,000.

With regard to the scaling language, in the case of the exceptions for salvage or thinning sales, the Forest Service is to scale the logs using its own personnel, or is to enter into contracts to provide scaling or weighing services for obtaining volumes of these sales. If contracts are entered into, the Forest Service is to require the timber purchaser to pay for these services by depositing funds into a cooperative account. In this manner, the Forest Service will have direct contract authority over the organization providing the scaling services.

Before any salvage or thinning sales are prepared as scaled sales, the Forest Service should issue policy guidance to all its regions as to how such sales will be defined consistently throughout the National Forest System. Once the policy guidance is issued, sales proposed to be categorized as salvage or thinning sales should be forwarded to the Regional Forester for review and compliance with the policy. The managers believe this step is necessary in order to prevent abuses in the way in which salvage and thinning are defined. The managers have provided the flexibility for the use of scaling in salvage and thinning sales this fiscal year, but if misuses of the definition occur, it is unlikely that this flexibility would be continued in future years. The managers also request a report be provided by April 1, 1994, with a final update after the end of the fiscal year, showing the volume contained in salvage and thinning sales by region for fiscal year 1993, and the volume of such sales by region for fiscal year 1994.

Amendment No. 82: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes reimbursement of the Agricultural Stabilization and Conservation Service for administration of the stewardship incentives program, not to exceed 10 percent of the program funding level. The House had no similar provision.

Amendment No. 83: Deletes Senate language providing a pilot program for land management stewardship end result contracts on certain national forests. The managers are aware of the progress made with these contracts, and expect projects under the pilot program to continue in fiscal year 1994. The Forest Service should complete the review requested in House report 103–158. In addition, if these pilot projects prove to be another tool to address ecosystem management objectives, the Administration should come forward with a legislative proposal for consideration by the relevant authorizing committees.

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The language allows the Forest Service to use appropriated funds to assist rural communities located both within and outside the boundaries of National forest system lands.

DEPARTMENT OF ENERGY

CONTRACTOR PAY FREEZE

The Administration submitted a budget amendment reducing requests for the various Department of Energy accounts for fiscal year 1994 by amounts estimated to be saved in implementing a one-year freeze on certain contractor salaries. In the case of Naval Petroleum and Oil Shale Reserves and Strategic Petroleum Reserves such reductions had already been considered and made. For energy conservation, fossil energy research and development, and the Energy Information Administration, reductions are being made that the managers believe in total more than offset the need for specific additional reductions for the pay freezes.

COORDINATION OF TECHNOLOGY DEVELOPMENT

The managers are aware of increased Federal efforts related to research, development, demonstration, and commercialization of fuel cells, alternative fuels, natural gas, coal, and electric and other vehicle technology and related infrastructure. The managers are concerned that these Federal efforts be well coordinated to avoid inefficient duplication. The managers expect the Secretary of Energy to ensure that within the Department of Energy, related programs are well coordinated and that technology transfer efforts of the national laboratories are coordinated through the relevant research and development programs. To ensure that these programs are coordinated with other Federal agencies, the managers expect the Secretary of Energy to seek to execute agreements with other Federal agencies which describe the respective responsibilities of the agencies involved in the programs. The Secretary should submit a report by April 1, 1994, on these efforts, both within the Department of Energy and with other agencies. Fiscal year 1995 budget material should include the level of both Department and other Federal efforts for each affected program.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Amendment No. 85: Appropriates $430,674,000 for fossil energy research and development instead of $433,163,000 as proposed by the House and $429,070,000 as proposed by the Senate. The net decrease below the amount proposed by the House consists of increases of $625,000 for coal technology export, and $2,000,000 for materials development, both in advanced research and technology development; $2,000,000 in direct liquefaction to begin support of bench-scale work using Exxon facilities; $1,750,000 for advanced concepts in pressurized fluidized bed combustion; $2,000,000 for work on externally-fired systems in advanced combustion technology; $850,000 to complete briquetting and coking facilities and operations at existing CTC facilities for coproducts production in coal gasification; $1,000,000 for the Oil Recovery Technology Partnership, $500,000 for thermodynamics research at the National Institute for Petroleum and Energy Research (NIPER), and $350,000 for continued work on the Gypsy field by the University of Oklahoma, all in advanced extraction and process technology; $2,000,000 for the reservoir class field program in light oil enhanced oil recovery; $500,000 for the new drilling technology initiative in gas resource and extraction; $350,000 to provide for light hydrocarbons to liquids research at the University of Oklahoma in gas utilization; $1,000,000 for the university consortium, and $1,000,000 for Morgantown Energy Technology Center (METC) work both in high efficiency gas turbine development in gas utilization; $250,000 for the UNDEERC jointly sponsored research program, in cooperative research and development; and $1,000,000 for renovation of METC Building 4 in facilities; and decreases of $250,000 in coal preparation, $9,000,000 from unobligated balances for generic bench-scale experimental units at Pittsburgh Energy Technology Center (PETC) in coal liquefaction; $1,114,000 for coprocessing research in direct coal liquefaction; $2,500,000 for advanced research in combustion systems; $500,000 for alternative fuels in combustion systems; $2,000,000 for the Illinois mild gasification facility in coal gasification; $500,000 for the California Oil and Gas Alliance in advanced extraction and process technology; $500,000 for the Illinois-Michigan gas atlas in gas resource and extraction; $500,000 for light hydrocarbons to liquids research in gas utilization; and $2,800,000 in molten carbonate fuel cells.

The managers agree that:

1. Funds for air toxics in flue gas cleanup are for the facility support described in the House report. If future plans to support Clean Air Act requirements contain additional incremental support for air toxics research above the $5 million, 5-year program in the House report, it should be carried out on a competitive basis, including such facilities as those at Southern Research Institute, if applicable.

2. That $625,000 in coal technology export is for initial implementation of section 1332 of the Energy Policy Act of 1992. The managers expect that the funding provided will be used by the Department to identify potential markets for clean coal technologies in developing countries and countries with economies in transition from nonmarket economies and to identify existing, or new, financial mechanisms or financial support to be provided by the Federal government that will enhance the ability of U.S. industry to participate in these markets. The Secretary is to report to the Appropriations Committees of the House and Senate within six months after the date of enactment of this Act on potential coal technology export markets and the financing mechanisms and/or levels of Federal government support necessary to assist U.S. industry participation in these markets. In addition, the managers expect the Secretary to consider input from U.S. industry in order to assess the potential for U.S. industry participation in the development of clean coal technology projects in the developing countries and countries with economies in transition.

3. That materials development research should be redirected and focused on anticipating and solving high temperature materials problems related to the more advanced fossil energy research and development programs such as Combustion 2000, hot particulate cleanup, and fuel cell activities. Materials development should be focused through a single integrated materials program that emphasizes broad industry and laboratory participation. Institutions and university/industry consortia with a foundation of background knowledge and experience in product design issues for these technologies, such as Argonne National Lab, Pennsylvania State University, West Virginia University, and the Cooperative Research Partnership which concentrates on the non-fuel uses of coal to produce coal derived carbon materials, should be given priority consideration in broadening the participation base.

4. In alternative fuels, the added funds above the budget may be used for either in-

house research or characterization of beneficiated fuels.

5. Including the $3,000,000 provided in this appropriation, the total amount appropriated to date for the Illinois mild gasification facility is $9,430,000.

6. The Oil Recovery Technology Partnership program should be expanded to include Lawrence Berkeley Laboratory. On this basis the Partnership activity would also contain $1,000,000 identified for the California Oil and Gas Alliance. The managers agree with the Senate report language on the operating processes of the Partnership, and these processes should also be applied to the California work as well while assuring a minimum of $1,000,000 for California projects in fiscal year 1994.

7. Funds provided in advanced extraction and process technology for Gypsy field work by the University of Oklahoma should be for a specific well-defined scope of work within an overall program for the field involving significant non-Federal funding.

8. The Department should plan to complete the Illinois-Michigan basin gas atlas in future years.

9. Within funds provided for molten carbonate fuel cells, no more than $1,000,000 is to be expended for work not related to stack development or demonstrations. The managers further agree that, if funds are provided in fiscal year 1994 to the Department of Defense for fuel cell demonstrations or research activity as is contemplated in the House-passed Defense appropriations bill, the Department must coordinate its efforts with the Department of Defense so as to minimize duplication and coordinate efforts to assure a program which efficiently uses government funds, particularly with regard to expensive demonstration activity.

10. Within the overall total for jointly sponsored research at UNDEERC, up to $500,000 may be used for studies of Alaskan energy service options, all of which must be matched on at least a 50-50 basis by non-Federal sources.

11. No funding is contemplated currently for a State-of-the-art version of the High Performance Power system in the research and development program.

12. No reports beyond the one recently issued by the General Accounting Office and the one requested in the fiscal year 1993 Senate report are required for the magnetohydrodynamics (MHD) program. MHD funds that would have been used for the report specified by the Senate should be used to assist in program close-out activities.

13. Requests for not more than $350,000 for follow-on funding for studies by the University of Oklahoma on the use of liquefied natural gas (LNG) as a fuel for the heavy trucking industry should be considered in the alternative fuels development activity in energy conservation.

Amendment No. 86: Deletes Senate proposed language concerning a procurement for a facility renovation at Morgantown Energy Technology Center (METC). The House had no similar provision.

The managers have recommended an increase of $1,000,000 in Amendment No. 85 to initiate demolition and begin environmental remediation required for health and safety renovations at METC's Building 4. The managers expect the demolition and renovation to begin in fiscal year 1994, and also expect the Department to include the additional $3,300,000 required for this high priority health and safety project in its fiscal year 1995 budget request.

ENERGY CONSERVATION

Amendment No. 87: Appropriates $690,375,000 for energy conservation instead of $702,825,000 as proposed by the House and $677,013,000 as proposed by the Senate. The net increase above the amount proposed by the Senate consists of increases of $500,000 for lighting applications at Lawrence Berkeley Laboratory, and $1,000,000 from an unspecified Senate reduction, both in the lighting and appliances activity in buildings; $1,000,000 for oil heating research in the heating and cooling equipment activity in buildings; $250,000 for advanced buildings in the residential sector, and $562,000 for retrofit technology research, both in the buildings system research activity; $1,000,000 for industrial waste utilization and conversion to continue existing projects, and $500,000 in industrial waste minimization, both in industrial wastes; $500,000 in industrial cogeneration; $500,000 for continuous fiber ceramic composites in industrial enabling materials; $2,000,000 for materials development in transportation; $500,000 for the Sandia Livermore Combustion Research Facility in the heat engine development activity in transportation; $1,000,000 for integrated resource planning in the utility sector; and $8,593,000 for low income weatherization grants; and decreases of $500,000 for metalcasting research in industrial materials processing; $500,000 for the ongoing PEM (proton exchange membrane) fuel cell program; and $500,000 for the on-board hydrogen storage PEM fuel cell program, both in electric and hybrid propulsion development in transportation; $250,000 for joint ventures in technical and financial assistance; $1,793,000 for training and technical assistance in weatherization; and $1,000,000 for demand-side management grants in the State energy conservation grant program.

The managers agree that:

1. The Department should encourage and cooperate with utilities and a nationwide utility consortium developing incentive programs for the development of high efficiency clothes washers similar to those programs previously developed for refrigerators. Several manufacturers are development such high efficiency products.

2. The Department of Energy should take advantage of all opportunities to incorporate the best available technologies for energy efficiency in any new or modified buildings, including those built by third parties and leased to the Department or its contractors. Particular emphasis should be placed on windows, lighting, sensors, heating and cooling systems, and automated energy management systems. The managers believe the Department should take every available opportunity to showcase technologies that have been supported by the Energy Conservation appropriation over the past several years.

3. No reductions in the industrial waste minimization program should be applied to the National Industrial Competitiveness through Energy, Environment, and Economics (NICE 3) activity.

4. Pursuant to authorizing legislation the metalcasting competitive research program is designed to raise the productivity of the metalcasting industry through research in materials and process technology. The dissemination of information and education activities based on such research and other advanced technologies on metalcasting should be extended to small and medium-sized casting companies. Accordingly, the solicitation for fiscal year 1994 funds must be for proposals which contain both research and dissemination and education activities that enable the results to be transferred in a manner accessible to these small and medium-sized metalcasting companies.

5. To the extent possible the integrated resource planning activity in the utility sector should include activities encouraging innovative State regulatory authority implementation of demand-side management techniques including participation in proceedings by weatherization program subgrantees as authorized by section 112 of the Energy Policy Act of 1992 (Public Law 102-486).

6. Funding for joint venture activities in the technical and financial assistance area is not for the solicitation of project proposals. This amount will allow detailed planning and more precise definition of activities to be funded under future potential project solicitations. No funding for such solicitation will be considered prior to presentation of more detailed program plans.

7. Distribution of the $3,000,000 originally provided in fiscal year 1992 for a weatherization incentive fund shall be as described in the Senate report.

Amendment No. 88: Earmarks $254,025,000 for energy conservation grant programs instead of $261,325,000 as proposed by the House and $248,225,000 as proposed by the Senate. The earmark consists of $206,800,000 for the weatherization assistance program, $18,310,000 for the State energy conservation program, and $28,915,000 for the institutional conservation program.

Amendment No. 89: Earmarks $206,800,000 for the weatherization assistance program instead of $213,600,000 as proposed by the House and $200,000,000 as proposed by the Senate.

Amendment No. 90: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment that earmarks $18,310,000 for the State energy conservation program instead of $18,810,000 as proposed by the House and $19,310,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The reduced earmark is based on actions agreed to in Amendment No. 87.

Amendment No. 91: Earmarks $19,366,000 for steel and aluminum research as proposed by the Senate instead of $18,091,000 as proposed by the House.

Amendment No. 92: Deletes Senate proposed language delineating items allowable for cost-sharing and providing for payback of government funds in steel and aluminum research, and specifying cost-sharing percentages and procedures for protection of proprietary information for battery and hybrid vehicle research. The House had no similar provision.

The managers direct the Department of Energy to continue steel and aluminum research under the same guidelines that have been in place since he inception of the program, and not to implement any changes to cost-sharing criteria or payback requirements without prior consultation with the appropriate Committees of Congress.

SPR PETROLEUM ACCOUNT

Amendment No. 93: Places an outlay ceiling of $75,580,000 on the use of funds from this account of oil acquisition in fiscal year 1994 as proposed by the Senate instead of $79,580,000 as proposed by the House.

ENERGY INFORMATION ADMINISTRATION

Amendment No. 94: Appropriates $86,553,000 for the Energy Information Administration instead of $86,053,000 as proposed by the House, and $86,953,000 as proposed by the Senate. The increase of $500,000 over the House is to begin preparation for the collection of greenhouse gas data.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Amendment No. 95: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which waives a thirty-day waiting period for a contract to conduct activities at the Department of Energy's research facilities at Bartlesville, OK. The House had no similar provision.

REVISION OF AMOUNTS FOR DEPARTMENT OF ENERGY

Amendment No. 96: Deletes a general reduction of $49,764,000 for Fossil energy research and development and a general increase of $24,873,000 for Energy Conservation contained in the House bill, as proposed by the Senate. Amounts for fossil energy research and development are addressed in Amendment No. 85, and amounts for energy conservation are addressed in Amendment No. 87.

DEPARTMENT OF HEALTH AND HUMAN SERVICES—INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

Amendment No. 97: Appropriates $1,645,877,000 for Indian health services instead of $1,652,394,000 as proposed by the House and $1,641,592,000 as proposed by the Senate. The changes to the House position include increases in hospitals and clinics of $1,400,000 in new tribes funding for the Catawba Tribe in South Carolina and $325,000 for the Tulsa, Oklahoma operating unit, and an increase in alcohol and substance abuse of $135,000 to fund the Gila River regional youth treatment center at 75 percent of need, consistent with the other regional treatment centers. The increases are offset by decreases in hospitals and clinics of $50,000 for improved health services for the Shoalwater Bay Tribe of Washington, $50,000 for AIDS treatment and $5,977,000, which is transferred to the facilities account, to bring operating units to 60 percent of the level of need funded. There are also decreases of $100,000 in mental health for the Bay Mills child sexual abuse treatment and prevention program, which leaves the funding for that program at the fiscal year 1993 level; $900,000 in community health representatives; $800,000 in direct operations; and $500,000 in contract support costs for new and expanded contracts funded through the Indian self-determination fund.

The managers agree that:

1. A total of $680,000 is to be made available for the Shoalwater Bay Tribe of Washington and should remain in the base for future budgets;

2. IHS should continue to work with the Mississippi Choctaw Tribe to ensure sufficient funds are provided for the tuberculosis program;

3. Funds allocated by the IHS to the Tulsa, Oklahoma clinic may be used for expanded lease space, consistent with the IHS lease priority system;

4. A portion of the California share of the increase above the budget request for contract health services may be used for the California contract health demonstration project to the extent the tribes in that area agree to such a use.

5. IHS should work with the Department of the Interior to review carefully contract support cost requirements, and report to the Committees on the results of that review, including any suggested improvements to the current procedures for estimating these costs; and

6. The IHS needs to work closely with the Bureau of Indian Affairs to develop a cost effective, integrated approach to dealing with child abuse in Indian country; the fiscal year 1995 budget request for each agency should make this program a high priority.

Amendment No. 98: Earmarks $7,500,000 for the self-determination fund instead of $8,000,000 as proposed by the House and $7,000,000 as proposed by the Senate.

INDIAN HEALTH FACILITIES

Amendment No. 99: Appropriates $296,982,000 for Indian health facilities instead of $296,997,000 as proposed by the House and $293,682,000 as proposed by the Senate. The changes in the House-recommended level include increases of $300,000 in new and replacement hospitals for planning of the Winnebago hospital in Nebraska; $5,977,000 which is transferred from the hospital and clinics account to bring operating units to 60 percent of the level of need funded; and, in outpatient care facilities, $708,000 for planning of the Second Mesa health center in Arizona and $500,000 each for site work at the Fort Belknap and White Earth health centers in Montana. The increases are offset by decreases of $7,000,000 in maintenance and improvement, $500,000 in dental units, and $500,000 in injury prevention.

The managers agree that:

1. The $5,977,000 transferred from hospitals and clinics should be placed in a new budget subactivity titled: "Facilities/Space for Increase in Level of Need Funded";

2. The $465,000 unobligated balance remaining from the Phoenix area regional youth treatment center project may be used for planning and construction of a satellite facility at an alternate site in Nevada in keeping with the original agreement for servicing that area; and

3. While there is no increase above the budget request for sanitation facilities, IHS should work with the tribes in the Navajo area and the Yukon-Kuskokwin region of Alaska to ensure the extraordinary needs in those areas are appropriately integrated in the sanitation deficiency priority system.

The managers are aware of several potential reprogramming needs within IHS, including funds to conduct feasibility studies and site surveys for projects awaiting placement in the facilities construction priority system, to purchase land for expansion of the Gallup Indian Medical Center, and to standardize hospital and clinic designs. The managers support these efforts and are ready to approve reprogrammings for them to the extent existing projects are completed at less than the originally estimated costs. The managers suggest that, in line with the Vice President's National Performance Review, IHS managers be empowered to make these funding realignments, with advance notification to the House and Senate Committees on Appropriations, and that the processing of these reprogrammings through the bureaucracy be accomplished in a matter of days rather than over several months as has been the norm in the past.

Amendment No. 100: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter proposed by said amendment amended as follows:

In lieu of the sum named in said amendment insert: *$300,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The amendment precludes the use of planning funds for the Winnebago Hospital in Nebraska until a program justification document has been approved. The House had no similar provision. The Senate had proposed $500,000 in planning funds and the managers have agreed to provide $300,000.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Amendment No. 101: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows the use of funds to renovate existing buildings to meet additional space requirements. The House had no similar provision.

Amendment No. 102: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by Title I of the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under Title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The amendment deletes a House provision, stricken by the Senate, requiring approval of staffing reductions by the Committees on Appropriations and inserts a provision permitting the transfer of funds from existing tribal contracts to self-governance compacts.

The managers stress that the necessary personnel resources must be made available to ensure that there are sufficient health professionals at each IHS hospital and outpatient facility. It is unrealistic to assume that IHS can provide needed staff with contract rather than in-house personnel. The managers expect the IHS to keep the Committees fully informed of any proposed personnel reductions or realignments following the established reprogramming procedures. Further, the managers encourage both the Department of Health and Human Services and the Office of Management and Budget to exempt the increased staff needed for new and expanded IHS facilities from the baseline on which government-wide staffing reductions are assessed. The managers also note that the vast majority of IHS personnel in high-graded positions are physicians and believe any staffing reductions in the higher graded positions should not be applied to physician and health professional positions.

DEPARTMENT OF EDUCATION—OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Amendment No. 103: Appropriates $83,500,000 for Indian education as proposed by the House instead of $83,405,000 as proposed by the Senate.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Amendment No. 104: Appropriates $26,936,000 for the Office of Navajo and Hopi Indian Relocation as proposed by the House instead of $28,436,000 as proposed by the Senate. Funding for housing improvements in the Bennett Freeze area is addressed under the Bureau of Indian Affairs in Amendment No. 44.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

Amendment No. 105: Appropriates $302,349,000 for salaries and expenses as proposed by the Senate instead of $302,083,000 as proposed by the House.

Amendment No. 106: Provides that $24,552,000 shall remain available until expended as proposed by the Senate instead of $27,579,000 as proposed by the House.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

Amendment No. 107: Appropriates $140,836,000 for grants and administration as proposed by the Senate instead of $137,228,450 as proposed by the House.

MATCHING GRANTS

Amendment No. 108: Appropriates $29,392,000 for matching grants as proposed by the Senate instead of $28,634,000 as proposed by the House.

Amendment No. 109: Earmarks $12,858,000 for challenge grants as proposed by the Senate instead of $13,187,000 as proposed by the House.

NATIONAL ENDOWMENT FOR THE HUMANITIES

The managers agree to the distribution of funds proposed by the House which includes $250,000 more for the National Heritage Preservation Program than proposed by the Senate. The Senate had included $250,000 more than the House for the U.S. Newspaper program.

ADMINISTRATIVE PROVISIONS

Amendment No. 110: Deletes House language which prohibits continuation of the President's Committee on the Arts and the Humanities as proposed by the Senate.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds appropriated to the Franklin Delano Roosevelt Memorial Commission in fiscal year 1993 shall remain available until expended. The House had no similar provision.

The managers also have provided $11,000,000 in the National Park Service construction account to continue construction of the memorial.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

PUBLIC DEVELOPMENT

Amendment No. 112: Appropriates $4,289,000 for public development as proposed by the House instead of $4,389,000 as proposed by the Senate.

TITLE III—GENERAL PROVISIONS

Amendment No. 113: Deletes House proposed language stricken by the Senate which would have prohibited the use of funds in this Act for any sale of unprocessed timber to be exported by the purchaser from Federal lands in the State of Texas.

Amendment No. 114: Deletes House-proposed provision establishing a monetary floor for payments from timber receipts to States for National Forests affected by decisions related to the Northern Spotted Owl, as proposed by the Senate. Such payments have been addressed in Public Law 103-66, the Budget Reconciliation Act of 1993.

Amendment No. 115: Deletes House-proposed provision establishing a monetary floor for payments to Oregon and California land grant counties, based on timber receipts, as proposed by the Senate. Such payments have been addressed in Public Law 103-66, the Budget Reconciliation Act of 1993.

Amendment No. 116: Deletes House provision, stricken by the Senate, which would have made the Speaker of the House a Regent of the Smithsonian Institution.

Amendment No. 117: Restores House-proposed provision on compliance with the Buy American Act which was stricken by the Senate and changes the section number.

Amendment No. 118: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter inserted by said amendment, amended as follows:

In lieu of the section number named in said amendment, insert: *314*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides for timber salvage sales in the Pacific Northwest on Forest Service and Bureau of Land Management lands, subject to existing environmental and forest management laws, and changes the section number.

Amendment No. 119: Deletes Senate provision prohibiting the use of funds to initiate projects with total cost in excess of $500,000 unless provided for in the budget justifications or in the appropriations bill and/or reports. The managers remain concerned about the explosion of new proposals which carry significant outyear cost implications, but which have not gone through the budget review process. While many of these types of proposals may be well-intentioned, they must be considered in the context of the overall budget. Available discretionary dollars will become more and more constrained in the years ahead, and it is imperative that parties interested in the programs funded in the bill understand that requests for additional funding will increasingly have to come at the expense of other projects in the budget, including base operational funds. At a time when many agencies are highlighting the constraints of the operational base, the managers believe it important that the linkage between these matters be recognized and understood.

Amendment No. 120: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter inserted by said amendment, amended as follows:

In lieu of the Section number named in said amendment, insert: *315*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment limits funding for sales of giant sequoias pending completion of a management implementation plan, and changes the section number.

Amendment No. 121: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter inserted by said amendment, amended as follows:

In lieu of the Section number named in said amendment, insert: *316*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment limits increases in government housing rental rates to no more than 10 per cent of the rental rates which were in effect on September 1, 1993.

Amendment No. 122: Deletes language proposed by the Senate which would have amended the Food, Agriculture, Conservation, and Trade Act of 1990 to provide a new definition of the term "rural community". The House had no similar provision. The language has been passed as a separate bill by both the House and the Senate, and it is not necessary to carry this provision in this Act.

Amendment No. 123: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 317. GRAZING.

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding the following new sections:

"SEC. 405. GRAZING FEES.

"(a) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of Agriculture shall annually establish grazing fees.

"(b) PHASE-IN.—The grazing fee for the grazing years 1994, 1995, and 1996 shall be as follows:

"(1) Grazing Fee for 1994=$2.39 per AUM

"(2) Grazing Fee for 1995=$2.92 per AUM

"(3) Grazing Fee for 1996=$3.45 per AUM

"(c) CALCULATION.—Beginning in the grazing year 1997, the grazing fee per AUM shall be equal to a $3.45 base value multiplied by the forage value index computed annually from data supplied by the National Agricultural Statistics Service, in accordance with the following formula:

"Grazing Fee per AUM=$3.45 Forage Value Index

"(d) DEFINITIONS.—For purposes of this section—

"(1) the term, 'Forage Value Index (FVI)' means the average estimate (weighted by AUMs) of the annual rental charge per AUM for pasturing cattle on private rangelands in the 17 contiguous Western States (Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming) divided by $8.67 (average for the years 1990, 1991, and 1992); and

"(2) the term 'Animal Unit Month (AUM)' means the amount of forage necessary for the sustenance of 1 cow or its equivalent for a period of 1 month.

"(e) INCREASES OR DECREASES.—Any annual increase or decrease in the grazing fee occurring after 1996 shall be limited to not more than 15 percent of the fee in the previous year.

"(f) LANDS AFFECTED.—Fees shall be charged for livestock grazing upon or crossing the public lands and other lands administered by the Bureau of Land Management and the National Forest System lands in the 17 contiguous Western States, excluding the National Forests in Texas, at a specified rate per animal unit month.

"(g) GRAZING AFFECTED.—The full fee shall be charged for each paying animal unit which is defined as each animal 6 months of age or over at the time of entering the public lands, or National Forest System lands, for all weaned animals regardless of age, and for such animals as will become 12 months of age during the authorized period of use. No charge will be made for animals under 6 months of age at the time of entering the public lands, or National Forest System lands, that are the natural progeny of animals upon which fees are paid, provided they

will not become 12 months of age during the authorized period of use, or for progeny born during that period.

"SEC. 406. RANGELAND REFORM.

"(a) REGULATIONS.—The Secretary of the Interior shall promulgate regulations to establish payment dates, late fee assessments, and service charges for the grazing fee established pursuant to section 405 of this Act and as provided for in section 4130.7-3 of title 43, Code of Federal Regulations.

"(b) EXECUTIVE ORDER.—Executive Order No. 12548 (43 U.S.C. 1905 note) shall not apply to grazing fees established after the date of enactment of this section.

"(c) PROPOSED DECISIONS AND APPEALS ON PERMITS OR LEASES.—The Secretary of the Interior shall issue regulations providing for decisions and appeals of final decisions on grazing permits or leases. Such regulations shall provide the following:

"(1) CHANGES IN LIVESTOCK MANAGEMENT PRACTICES.—After consultation, reductions of permitted use or changes in livestock management practices necessary to protect rangeland ecosystem health shall be implemented through a documented agreement or by decision of the authorized officer. Determinations regarding the ecological health of ecosystems or the actions necessary to achieve healthy ecosystems shall be based on the standards and guidelines promulgated pursuant to subsection (o), or monitoring, inventory, or other forage production data acceptable to the authorized officer.

"(2) OTHER CHANGES.—When the authorized officer determines that the soil, vegetation, or other resources on the public lands require protection because of conditions such as drought, fire, flood, or insect infestation, or when continued grazing use poses a significant risk of resource damage from these factors, after consultation with, or a reasonable attempt to consult with affected permittees or lessees, other interested parties, and the State having lands or responsible for managing resources within the area, the authorized officer shall close allotments or portions of allotments to grazing by any kind of livestock, or modify authorized grazing use. Notices of closure and decisions requiring modification of authorized grazing use may be issued as final decisions effective upon issuance or on the date specified in the decision. Such decisions shall remain in effect pending the decision on appeal unless a stay is granted by the Office of Hearings and Appeals.

"(d) WATER RIGHTS.—Subject to valid water rights existing on the date of enactment, no water rights shall be obtained for grazing-related actions on public lands except in the name of the United States.

"(e) SUBLEASING.—A leasing surcharge shall be added by the Secretary of the Interior to the grazing fee billings for authorized leasing of base property to which public land grazing preference is attached or authorized grazing of livestock owned by persons other than the permittee or lessee. The surcharge shall be in addition to any other fees that may be charged for using public land forage. Surcharges shall be paid for grazing use calculated in accordance with the following:

"(1) 20 percent of the grazing bill for the permitted grazing use that is attached to a leased base property by an approved transfer, or that was leased and attached to the base property of another party through an approved transfer.

"(2) 50 percent of the grazing bill for pasturing livestock owned by persons other than the permittee or lessee under a grazing authorization.

"(3) 70 percent of the grazing bill when base property is leased and a transfer has been approved and livestock owned by persons other than the permittee or lessee are pastured under a grazing authorization.

"(f) UNAUTHORIZED GRAZING USE.—

"(1) VIOLATIONS.—

"(A) Violation of section 4140.1(b)(1) of title 43, Code of Federal Regulations, constitutes unauthorized grazing use.

"(B) The authorized officer shall determine whether a violation is nonwillful, willful, or repeated willful.

"(C) Violators shall be liable in damages to the United States for the forage consumed by their livestock, for injury to public lands and other property of the United States caused by their unauthorized grazing use, and for expenses incurred in impoundment and disposal of their livestock, and may be subject to civil penalties or criminal sanction for such unlawful acts.

"(2) NOTICE AND ORDER TO REMOVE.—

"(A) Whenever a violation has been determined to be nonwillful and incidental, and the owner of the unauthorized livestock is known, the authorized officer shall notify the alleged violator that a violation has been reported, that the violation must be corrected, and how it can be settled, based upon the discretion of the authorized officer.

"(B) Whenever it appears that a violation exists and the owner of the unauthorized livestock is known, written notice of unauthorized use and order to remove livestock by a specified date shall be served upon the alleged violator or the agent of record, or both, by certified mail or personal delivery. The written notice shall also allow a specified time from receipt of notice for the alleged violator to show that there has been no violation or to make settlement under paragraph (3).

"(C) When neither the owner of the unauthorized livestock nor his agent is known, the authorized officer may proceed to impound the livestock under paragraph (3).

"(3) SETTLEMENT.—

"(A) The authorized officer shall determine whether the violation is nonwillful, willful, or repeated willful. Where violations are repeated willful, the authorized officer shall take action under section 4170.1-1(b) of title 43, Code of Federal Regulations. The amount due for settlement shall include the value of forage consumed as determined under subparagraph (B). Settlement for willful and repeated willful violations shall also include the full value for all damages to the public lands and other property of the United States, and all reasonable expenses incurred by the United States in detecting, investigating, resolving violations, and livestock impoundment costs.

"(B) For purposes of subparagraph (A), the value of forage consumed shall be determined as follows:

"(i) For nonwillful violations, the value of forage consumed as determined by the average monthly rate per AUM for pasturing livestock on privately owned land (excluding irrigated land) for the 17 Western States as published annually by the Department of Agriculture. The authorized officer may approve nonmonetary settlement of unauthorized use when the authorized officer determines that each of the following conditions are met:

"(I) Evidence shows that the unauthorized use occurred through no fault of the livestock operator.

"(II) The forage use is insignificant.

"(III) The public lands have not been damaged.

"(IV) Nonmonetary settlement is in the best interests of the United States.

"(ii) For willful violations, twice the value of forage consumed as determined in clause (i) of this paragraph.

"(iii) For repeated willful violations, three times the value of the forage consumed as determined in clause (i) of this paragraph.

"(iv) Payment made under this paragraph does not relieve the alleged violator of any criminal liability under Federal or State law.

"(v) Violators shall not be authorized to make grazing use on the public lands administered by the Bureau of Land Management until any amount found to be due the United States under this section has been paid. The authorized officer may take action under section 4160.1-2 of title 43, Code of Federal Regulations, to cancel or suspend grazing authorizations or to deny approval of applications for grazing use until such amounts have been paid. The proposed decision shall include a demand for payment.

"(g) RESOURCE ADVISORY COUNCILS.—

"(1) One or more resource advisory councils, as provided for in section 309, shall be established for the area within the jurisdiction of each Bureau of Land Management State Office to provide guidance on the management of public lands and resources.

"(2) The Secretary or a designee of the Secretary shall appoint not less than 10 nor more than 15 members to serve on each resource advisory council. One appointee of each resource advisory council shall be an official elected to a position in State or local government serving the people of the area for which the council is established.

"(3) A resource advisory council advises the Bureau of Land Management official to whom it reports regarding multiple use plans and programs for public lands and resources within its area.

"(4) A resource advisory council and its subcommittees shall meet at the call of the designated Federal officer and elect their own officers. The designated Federal officer shall attend all meetings of the council and its subcommittees.

"(5) Administrative support for a resource advisory council and its subcommittees shall be provided by the office of the designated Federal officer.

"(h) RANGE IMPROVEMENT FUND.—

"(1) With respect to public lands, in addition to range developments accomplished through other resources management funds, authorized range improvement may be secured through the use of the appropriated range improvement fund provided for by section 401 of this Act. One-half of the available funds shall be expended in the State and district from which they were derived. The remaining one-half of the fund shall be allocated, on a priority basis, by the Secretary or designee for on-the-ground ecosystem rehabilitation, protection and improvement.

"(2) All appropriated funds for range improvement are to be used for cost-effective investment in improvements that benefit all rangeland resources, including reparian area rehabilitation, improvement, and protection, fish and wildlife habitat improvement, wild horse and burro habitat management facilities, vegetation improvement and management, and livestock grazing management. The funds may be used for activities including the planning, design, layout, modification, and monitoring and evaluating the effectiveness of specific range improvement projects.

"(3) During the planning of the range development or range improvement programs, authorized officers shall consult affected permittees, lessees, and other interested parties.

"(i) RANGE IMPROVEMENT OWNERSHIP.—

"(1) With respect to public lands, any permittee or lessee may apply for a range improvement permit to install, use, maintain, or modify range improvements that are needed to achieve management objectives within his or her designated allotment. The permittee or lessee shall agree to provide full funding for construction, installation, modification, or maintenance. Such range improvement permit may be issued at the discretion of the authorized officer.

"(2) The permittee or lesses may hold the title to all temporary range improvements authorized as livestock handling facilities such as corrals and dipping vats and temporary, readily removable improvements such as troughs for hauled water. The authorization for permanent water developments, such as spring developments, wells, reservoirs, stock tanks, and pipelines, shall be through cooperative range improvement agreements to protect the public interest for multiple use of rangeland ecosystems. The United States shall assert its claims and exercise its rights to water developed on public lands to benefit the public lands and resources thereon.

"(3) Where a permittee or lessee cannot make use of the forage available for livestock and an application for nonuse has been denied or the opportunity to make use of the available forage is requested by the authorized officer, the permittee or lessee shall cooperate with the temporary authorized use of forage by another operator, when it is authorized by the authorized officer following consultation with the preference permittee or lessee.

"(4) A permittee or lessee shall be reasonably compensated for the use and maintenance of improvements and facilities by the operator who has an authorization for temporary grazing use.

"(5) The authorized officer may mediate disputes about reasonable compensation and, following consultation with the interested parties, make a determination concerning the fair and reasonable share of operation and maintenance expenses and compensation for use of improvements and facilities.

"(6) Where a settlement cannot be reached, the authorized officer shall issue a temporary grazing authorization including appropriate terms and conditions and the requirement to compensate the preference permittee or lessee for the fair share of operation and maintenance as determined by the authorized officer under subpart 4160 of title 43, Code of Federal Regulations.

"(j) MANDATORY QUALIFICATIONS.—

"(1) Except as provided in sections 4110.1–1, 4130.3, and 4130.4–3 of title 43, Code of Federal Regulations, to qualify for a grazing permit or lease on the public lands an applicant must own or control land or water base property, and must be—

"(A) a citizen of the United States or have properly filed a valid declaration of intention to become a citizen or a valid petition for naturalization;

"(B) a group or association authorized to conduct business in the State in which the grazing use is sought, all members of which are qualified under subparagraph (A); or

"(C) a corporation authorized to conduct business in the State in which the grazing use is sought.

"(2) Any applicant who currently holds or has previously held a Federal grazing permit or lease, either directly or indirectly, must be determined by the authorized officer to have a satisfactory record of performance.

"(3) The applicant and any affiliate must at the time of permit or lease issuance be determined by the authorized officer to be in substantial compliance with the terms and conditions of any Federal or State grazing permit or lease presently held and with the rules and regulations applicable to those permits and leases. The authorized officer may take into consideration circumstances beyond the control of the applicant or affiliate in determining whether the applicant and affiliate, if any, are in compliance with existing permit or lease terms and conditions and applicable rules and regulations.

"(4) Any applicant or affiliate who has had any Federal or State grazing permit or lease canceled for violation of the permit or lease within the 36 calendar months immediately preceding the date of application shall be deemed to have an unsatisfactory performance record.

"(5) In determining whether affiliation exists, the authorized officer shall consider all appropriate factors, including, but not limited to, common ownership, common management, identity of interests among family members, and contractual relationships.

"(6) Applicants shall submit an application and any other information requested by the authorized officer in order to determine that all qualifications have been met.

"(k) SUSPENDED NONUSE.—The Secretary shall promulgate regulations to remove references in existing regulations to long-term suspended nonuse.

"(l) PROHIBITED ACTS.—The Secretary shall promulgate regulations which would make violations of the Wild Horse and Burro Act, Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other Federal or State laws concerning conservation, protection of natural or cultural resources, and protection of environmental quality prohibited acts. Upon the expiration of appeal or review periods following a conviction for violation or an administrative finding of violation of these laws the authorized officer may consider cancellation or suspension of permits and leases when the violation occurred on public land or is found to be related to authorized grazing of public land.

"(m) RANGE IMPROVEMENTS.—Subject to valid rights existing on the date of enactment of this section, all rights to permanent improvements contained on or in public lands are vested in the United States.

"(n) CONSERVATION NONUSE.—The Secretary shall promulgate regulations to authorize persons or entities owning or controlling base property which is capable of serving as a base for livestock use of public lands to apply for up to 10 consecutive years of conservation use of a permit or lease, and up to 3 consecutive years of temporary nonuse.

"(o) STANDARDS.—The Secretary of the Interior shall develop standards and guidelines that establish minimum conditions for the protection of rangeland ecological health. These standards and guidelines shall be promulgated pursuant to the National Environmental Policy Act of 1969, and chapter 5 of title 5, United States Code, to the extent each is applicable. Permits and leases shall incorporate applicable standards and guidelines to ensure the proper management of public rangelands. These standards and guidelines shall provide for—

"(1) the restoration and protection of riparian values, such as healthy wildlife and fish habitat and diverse vegetation;

"(2) compliance with the Clean Water Act (33 U.S.C. 1251 et seq.);

"(3) compliance with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

"(4) restoration, maintenance, and improvement of ecosystem health, such as diversity, resilience, and sustainability.".

SEC. 318. USE OF FUNDS.

Except as provided by this Act, none of the funds made available to the Secretary of the Interior by this Act may be used to implement any grazing reform program, including a grazing fee increase, unless Congress has approved such program or fee increase. Nothing in this section shall prohibit the Secretary from promulgating regulations, modifying existing regulations, or taking other actions, as necessary, to implement the provisions of sections 405 and 406 of the Federal Land Policy and Management Act of 1976 as added by this Act.

SEC. 319. REPEAL.

Section 403 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1753) is repealed.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The original Senate amendment placed a moratorium on changes in grazing fees and changes in grazing management practices. The House had no similar provision.

The amendment agreed to by the managers provides for the following:

(1) Increases in grazing fees for public lands and National Forest System lands from the current level of $1.86 per animal unit month (AUM) to $2.39 per AUM in 1994; $2.92 per AUM in 1995; and $3.45 per AUM in 1996.

(2) After 1996 the grazing fee will be adjusted by a Forage Value Index defined in the law, subject to a maximum increase or decrease of 15% each year.

(3) grazing management reforms can only be implemented to the extent approved by Congress, including the following items:

(a) range management decisions on permits or leases are effective on the date of issuance, unless a stay is granted pending action on an appeal.

(b) all water rights accrue to the United States, subject to valid water rights existing upon enactment.

(c) the government will collect a surcharge of from 20 to 70 percent from permittees who sublease to third parties.

(d) unauthorized use violations are subject to either monetary or nonmonetary penalties.

(e) grazing advisory boards are replaced by resource advisory boards with broader representation.

(f) the use of range improvement funds is expanded.

(g) title to permanent range improvements accrues to the United States subject to valid rights existing upon enactment.

(h) permittees who have had a Federal or State permit or lease cancelled for violations may not obtain another permit for 36 months.

(i) suspended non-use on allotments is deleted as a concept.

(j) willful violations of certain environmental laws may be cause for cancellation of permits or leases, after expiration of appeal or review periods, if they affect public lands or are related to grazing on public lands.

(k) periods of non-use for conservation purposes are authorized.

(l) national standards are to be developed through the normal regulatory process.

Amendment No. 124: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 320. FOREST SERVICE SEPARATION PAY.—(a) In order to avoid or minimize the need for involuntary separations, effective for the period beginning upon the date of enactment of this Act through and including September 30, 1994, the Secretary of Agriculture, under such regulations and subject to such conditions as the Secretary of Agriculture may prescribe, shall have authority to offer separation pay to employees of the Forest Service to the same extent the Secretary of Defense is authorized to offer separation pay to employees of a defense agency in section 5597 of title 5, United States Code.

(b) In the event that an authority is enacted to offer separation pay or a voluntary separation incentive similar to such section 5597 of title 5, United States Code, but applicable to employees in the executive branch generally, the authority under subsection (a) shall terminate.

(c) Such payments may be made to employees who agree, during a continuous 90 day period designated by the agency head, beginning no earlier than the date of enactment of this Act and ending no later than September 30, 1994, to separate from service with the agency, whether by retirement or resignation.

(d) An employee who has received a voluntary separation incentive under this section and accepts employment with the Government of the United States within 2 years of the date of the separation on which payment of the incentive is based shall be required to repay the entire amount of the incentive to the agency that paid the incentive.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides authority to the Secretary of Agriculture to offer separation pay to employees of the Forest Service, in order to minimize the need for involuntary separations. Under the President's Forest Plan in the Pacific Northwest, as well as for other reasons in other areas of the country, the Forest Service will have to reduce the number of its employees significantly during fiscal year 1994, and without this authority, a large portion of the 1994 budget could be required for the costs of a Reduction-in-Force. With this authority, savings of $25,000,000 could be achieved, compared to the cost of a RIF. The language also provides that this authority will terminate when government-wide authority is enacted into law. The language also provides for full repayment of any payment received under this authority if the employee receiving the payment is reemployed with the Government within two years of the separation date.

Amendment No. 125: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 321. None of the funds provided in this Act may be used to implement the Bureau of Land Management/United States Forest Service comprehensive strategy for Pacific salmon and steelhead habitat (PACFISH) or to impose interim guidelines for such strategy in the Tongass National Forest: Provided, That nothing in this section shall be construed to enlarge or diminish minimum timber no harvest buffer zones required by the Tongass Timber Reform Act or to enlarge or diminish site-specific management prescriptions which increase no harvest fish stream buffer zones applied under the Tongass Land Management Plan and existing standards and guidelines of the Tongass National Forest.

And on page 52, line 21 of the House engrossed bill, H.R. 2520, strike "$150,000 on October 1, 1993, $250,000,000" and insert "$125,000,000 on October 1, 1993, $275,000,000".

The managers on the part of the Senate will move to concur in the amendment on the House to the amendment of the Senate.

The managers recognize that Alaska is the only State which has statutory minimum no harvest buffer zones on State, private, and Federal lands resulting from Federal and State laws. For this reason and because of the differences between the existing good condition of anadromous fish habitat in Alaska and other areas of the country, the managers have revised Senate proposed language to prohibit implementation of the PACFISH strategy in Alaska in 1994. The language also clarifies that this prohibition does not apply to any management prescriptions involving anadromous fish habitat under current standards and guidelines in the Tongass NF.

The managers recognize that more studies are needed prior to making any decisions on implementing the strategy in Alaska. The Forest Service therefore should proceed with stream analyses and studies and review procedures related to the PACFISH strategy in 1994 in order to study the effectiveness of the current procedures, such as buffer strips, and to determine if any additional protection is needed. The Forest Service should provide an interim report on studies conducted to date to the Appropriations Committees by April 1, 1994. Funding for such studies and analyses shall come from salvage funds identified previously for that purpose and other programs such as soil, water and air, and research.

The amendment also reduces the amounts of funds available for the fifth round of projects in the Department of Energy's clean coal technology account in fiscal year 1994 by $25,000,000 to $125,000,000. The funds are to be made available in fiscal year 1995.

APPLICATION OF GENERAL REDUCTIONS

The level at which reductions shall be taken pursuant to the Deficit Reduction Act of 1985, if such reductions are required in fiscal year 1994, is defined by the managers as follows:

As provided for by section 256(1)(2) of Public Law 99-177, as amended, and for the purposes of a Presidential Order issued pursuant to section 254 of said Act, the term "program, project, and activity" for items under the jurisdiction of the Appropriations Subcommittees on the Department of the Interior and Related Agencies of the House of Representatives and the Senate is defined as (1) any item specifically identified in tables or written material set forth in the Interior and Related Agencies Appropriations Act, or accompanying committee reports or the conference report and accompanying joint explanatory statement of the managers of the committee of conference; (2) any Government-owned or Government-operated facility; and (3) management units, such as national parks, national forests, fish hatcheries, wildlife refuges, research units, regional, State and other administrative units and the like, for which funds are provided in fiscal year 1994.

The managers emphasize that any item for which a specific dollar amount is mentioned in an accompanying report, including all increases over the budget estimate approved by the Committees, shall be subject to a percentage reduction no greater or less than the percentage reduction applied to all domestic discretionary accounts.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

New budget (obligational) authority, fiscal year 1993	$12,199,956,000
Budget estimates of new (obligational) authority, fiscal year 1994	13,617,688,000
House bill, fiscal year 1994	12,685,169,000
Senate bill, fiscal year 1994	13,346,699,000
Conference agreement, fiscal year 1994	13,388,038,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	+$1,188,082,000
Budget estimates of new (obligational) authority, fiscal year 1994	−229,650,000
House bill, fiscal year 1994	+702,869,000
Senate bill, fiscal year 1994	+41,339,000

Sidney R. Yates,
John P. Murtha,
Norman D. Dicks,
Tom Bevill,
David E. Skaggs,
Ronald D. Coleman,
William H. Natcher,
Ralph Regula,
Joseph M. McDade,
Jim Kolbe
(except for amendments Nos. 16, 17, 18, and 123),
Ron Packard
(except for amendments Nos. 16, 17, 18, and 123),
Managers on the Part of the House.

Robert C. Byrd,
J. Bennett Johnston,
Patrick J. Leahy,
Dennis DeConcini,
Dale Bumpers,
Ernest F. Hollings,
Harry Reid,
Patty Murray,
Don Nickles,
Ted Stevens,
Thad Cochran,
Mark O. Hatfield,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Ackerman (at the request of Mr. Gephardt), for today, on account of personal business.

Mr. Clement (at the request of Mr. Gephardt), for today, on account of official business.

Mr. Orton (at the request of Mr. Gephardt), for today, on account of official business.

Mrs. Fowler (at the request of Mr. Michel), for today, on account of family obligations.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Livingston) to revise and extend their remarks and include extraneous material:)

Mr. Bateman, for 60 minutes each day, on October 20 and 21.

Mr. Livingston, for 5 minutes, today.

Mr. Talent, for 60 minutes each day, on November 3, 10, 17, and 23.

Mr. Dornan, for 60 minutes each day, on November 17 and 23.

Mr. Dornan, for 5 minutes, today.

(The following Members (at the request of Mr. Kanjorski) to revise and extend their remarks and include extraneous material:)

Mr. Kopetski, for 60 minutes, today.

Mr. THORNTON, for 60 minutes, on October 20.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LIVINGSTON) and to include extraneous matter:)

Mr. COBLE.

Mr. BURTON of Indiana.

Mr. SOLOMON.

Mr. BILIRAKIS.

Mr. GILMAN in two instances.

Mr. FAWELL.

Mrs. BENTLEY in two instances.

Mr. BAKER of California.

Mr. GOODLING.

(The following Members (at the request of Mr. KANJORSKI) and to include extraneous matter:)

Mrs. MALONEY in two instances.

Mr. CLAY.

Mr. JACOBS.

Mr. BORSKI.

Mr. BROWN of California.

Mr. KANJORSKI.

Ms. DELAURO in two instances.

Ms. PELOSI.

(The following Members (at the request of Mr. DREIER) and to include extraneous matter:)

Mr. MENENDEZ.

Mr. MFUME.

Mr. KENNEDY.

Mr. DELLUMS.

Ms. SNOWE.

Mr. MAZZOLI.

Mr. HOCHBRUECKNER.

Mr. MCDERMOTT.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 537. An act for the relief of Tania Gil Compton; to the Committee on the Judiciary.

S. 760. An act for the relief of Leteane Monatsi; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2399. An act to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the Tribe, and for other purposes.

H.R. 2493. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes.

H.J. Res. 218. Joint resolution designating October 16, 1993, and October 16, 1994, each as World Food Day.

H.J. Res. 265. Joint resolution to designate October 19, 1993, as "National Mammography Day."

SENATE ENROLLED JOINT RESOLUTION

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 92. Joint resolution to designate the month of October 1993 as "National Down Syndrome Awareness Month."

ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Monday, October 18, 1993, at 12 noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee on Natural Resources. Senate Joint Resolution 78. An act designating the beach at 53 degrees 53'51"N, 166 degrees 34'15"W to 53 degrees 53'48"N, 166 degrees 34'21"W on Hog Island, which lies in the Northeast Bay of Unalaska, AK, as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska, on June 3 and 4, 1942 (Rept. 103-294). Referred to the House Calendar.

Mr. HALL of Ohio: Committee on Rules. House Resolution 276. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-295). Referred to the House Calendar.

Mr. HAMILTON: Committee on Foreign Affairs. H.R. 3225. A bill to support the transition to nonracial democracy in South Africa; with an amendment (Rept. 103-296 Pt. 1). Ordered to be printed.

Mr. HAMILTON: Committee on Foreign Affairs. H.R. 3000. A bill for reform in emerging new democracies and support and help for improved partnership with Russia, Ukraine, and other new independent states of the former Soviet Union; with an amendment (Rept. 103-297 Pt. 1). Ordered to be printed.

Mr. YATES: Committee of Conference. Conference report on H.R. 2520. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-299). Ordered to be printed.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. MINETA: Committee on Public Works and Transportation.

H.R. 881. A bill to prohibit smoking in Federal buildings; with an amendment; referred to the Committee on Government Operations for a period ending not later than November 12, 1993, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of the committee pursuant to clause 1(j), rule X (Rept. 103-298, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILMAN (for himself and Mr. SPENCE):

H.R. 3292. A bill to prohibit funding for the involvement of the United States Armed Forces in Somalia after January 31, 1994; jointly, to the Committees on Foreign Affairs, Rules, and Armed Services.

By Mr. ACKERMAN (for himself, Mr. YOUNG of Alaska, Mr. HOCHBRUECKNER, Mr. LEVY, Mr. MANTON, Mr. KING, Mr. FIELDS of Texas, Mr. BATEMAN, Mr. LIPINSKI, Mr. LAZIO, Mr. HEFLEY, Mr. STUDDS, Mr. HANSEN, and Mr. FISH):

H.R. 3293. A bill to prohibit the imposition of additional charges or fees for attendance at the U.S. Military Academy, the U.S. Naval Academy, the U.S. Air Force Academy, the U.S. Coast Guard Academy, and the U.S. Merchant Marine Academy; jointly, to the Committees on Armed Services and Merchant Marine and Fisheries.

By Mr. BARRETT of Wisconsin:

H.R. 3294. A bill to amend title XVIII of the Social Security Act to include services provided at any Federally qualified health center by interns and residents in a medical residency training program of a hospital in determining the amount of payment to the hospital under the Medicare Program for the costs of graduate medical education if the hospital incurs any of the costs of providing the services, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. BORSKI:

H.R. 3295. A bill to improve the ability of the Federal Government to prepare for and respond to major disasters, and for other purposes; jointly, to the Committees on Public Works and Transportation, Banking, Finance and Urban Affairs, and Armed Services.

By Mr. KENNEDY:

H.R. 3296. A bill to amend the National Housing Act to authorize the Secretary of Housing and Urban Development to insure mortgages given to secure loans that are made to refinance single-family homes having appraised values that are less than the outstanding principal obligations refinanced; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. MORELLA:

H.R. 3297. A bill to amend title 5, United States Code, to extend the treatment currently afforded to Federal judges under the Federal Employees Group Life Insurance Program to certain other judicial officials;

to the Committee on Post Office and Civil Service.

By Ms. WATERS

H.R. 3298. A bill to amend title XII of the National Housing Act to establish a national property reinsurance program to ensue the availability and affordability of property insurance in underserved areas; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PETE GEREN of Texas:

H.J. Res. 278. Joint resolution designating the week of March 21 through 27, 1994, as "National Long-Term Care Administrators Week"; to the Committee on Post Office and Civil Service.

By Mr. CONDIT (for himself, Mr. Roberts, Mr. Moran, Mr. Clinger, Mr. Pete Geren of Texas, Mr. Pombo, Mr. Barca of Wisconsin, and Mr. Goodling):

H. Res. 277. Resolution expressing the sense of the House of Representatives respecting unfunded mandates; to the Committee on Government Operations.

By Mr. KASICH (for himself, Mrs. Schroeder, Mr. Condit, Mr. Crapo, Mr. Lightfoot, Mr. Hall of Ohio, Ms. Waters, Mr. Ravenel, Mr. Abercrombie, Mr. de Lugo, Mr. Portman, Mr. Cramer, Mr. Filner, Mr. Kingston, Mr. Hoekstra, Mr. Ortiz, Ms. Pryce of Ohio, and Mr. Lipinski):

H. Res. 278. Resolution amending the Rules of the House of Representatives to permit Members, in specified circumstances, to vote by secure electronic device from their districts; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. GILCHREST introduced a bill (H.R. 3299) to clear certain impediments to the licensing of a vessel for employment in the coastwise trade and fisheries of the United States; which was referred to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 323: Mr. Levy.

H.R. 401: Mr. Gingrich.

H.R. 493: Mr. Franks of New Jersey, Mr. Baker of Louisiana, Mr. Skeen, and Mr. Franks of Connecticut.

H.R. 794: Mr. Meehan, Mrs. Johnson of Connecticut, Ms. Woolsey, Mr. Inhofe, and Mr. Machtley.

H.R. 796: Ms. Shepherd.

H.R. 825: Mr. Rangel.

H.R. 830: Mr. Gilchrest, Mr. McCrery, Mr. Regula, Mr. Thomas of California, and Mr. Smith of New Jersey.

H.R. 1056: Mr. Hutto, Mr. Shaw, Mr. Andrews of New Jersey, Mr. Sanders, Mr. Saxton, Mr. Manton, and Mr. Ravenel.

H.R. 1133: Mr. Barcia of Michigan, Mr. Porter, Mr. Castle, Mr. Romero-Barcelo, Mr. Hall of Ohio, Mr. Goss, Ms. Long, Mr. Klink, Mr. Torkildsen, Mr. Dellums, Ms. Harman, and Mr. Barca of Wisconsin.

H.R. 1322: Mr. Smith of Oregon, Mr. Deal, Mr. Fish, Mr. Hall of Texas, and Mr. Jefferson.

H.R. 1424: Mr. Wilson.

H.R. 1609: Mr. Rush.

H.R. 1627: Mr. Murphy.

H.R. 1889: Mr. Bishop.

H.R. 1924: Mr. Sanders.

H.R. 1938: Mr. Jefferson.

H.R. 1999: Mr. McNulty, Mr. Solomon, Mr. Gingrich, Mr. Machtley, Mr. Crapo, Mr. Orton, Mr. Cox, Mr. Barrett of Nebraska, Mr. Spratt, and Mr. Bereuter.

H.R. 2043: Mr. Neal of North Carolina.

H.R. 2226: Mr. Machtley.

H.R. 2292: Mr. Washington and Mr. Dellums.

H.R. 2308: Mr. Rush, Mrs. Schroeder, Mr. Duncan, Mr. Boehlert, and Ms. Woolsey.

H.R. 2415: Mr. Gallegly.

H.R. 2447: Mr. Boehlert, Mr. Gilman, Mr. Kopetski, and Mr. Reed.

H.R. 2727: Mr. Cardin.

H.R. 2884: Mr. Gillmor and Ms. Snowe.

H.R. 2953: Mr. Bliley, Mr. Fawell, Mr. Herger, Mr. Cox, and Mr. Portman.

H.R. 3024: Mr. Packard.

H.R. 3030: Mr. Schiff.

H.R. 3041: Mr. Klein.

H.R. 3084: Mr. Stupak and Mr. Jefferson.

H.R. 3125: Mr. Doolittle.

H.R. 3173: Mr. Murtha, Mr. Walsh, and Mr. McMillan.

H.R. 3208: Mr. LaFalce.

H.R. 3284: Mr. Cunningham, Mr. Solomon, Mr. Spence, Mr. Hunter, Mr. Goodling, Mr. Linder, Mr. Crane, Mr. Myers of Indiana, Mrs. Vucanovich, Ms. Dunn, Mr. Saxton, Mr. DeLay, Mr. Roberts, Mr. Allard, Mr. Porter, Mr. Ridge, Mr. Lightfoot, Mr. Bereuter, Mr. Hobson, Mr. Taylor of North Carolina, Mr. Coble, Mr. Quinn, Mr. Sundquist, Mr. Ewing, Mr. Hoke, Mr. Moorhead, Mr. Huffington, Mr. Everett, Mr. Callahan, Mr. Ravenel, Mr. Dornan, Mr. Schaefer, Mr. Houghton, Mr. Hancock, Mr. Doolittle, and Mr. McHugh.

H.J. Res. 113: Mr. Spence.

H.J. Res. 145: Mr. Gilman, Mr. Walker, Mr. Barrett of Nebraska, Mr. McCollum, Mr. Moorhead, Mrs. Vucanovich, Mr. Sundquist, Mr. Franks of New Jersey, Mr. Sensenbrenner, Mr. Baker of Louisiana, and Mr. Schiff.

H.J. Res. 205: Mr. Farr, Mr. Wynn, and Mr. Kleczka.

H.J. Res. 216: Mr. Bereuter, Mr. Franks of Connecticut, Mrs. Morella, Mr. Hutto, Mr. Payne of New Jersey, Mr. Applegate, Mr. Conyers, Mr. LaRocco, Mr. Ackerman, Mr. Dellums, Mr. Machtley, and Mr. Poshard.

H.J. Res. 242: Mr. Dingell, Mr. Cramer, Ms. Slaughter, Mrs. Lowey, Mr. Waxman, Mr. Spence, Mr. Foglietta, Mr. Saxton, Mr. Hutto, Mr. McDade, Mr. Torricelli, Mr. Dellums, Mr. Hochbrueckner, and Mr. Jacobs.

H.J. Res. 246: Mr. Abercrombie, Mr. Bilirakis, Mr. Johnson of South Dakota, Mr. Lightfoot, Mr. McCloskey, Mrs. Meyers of Kansas, Ms. Pelosi, Mr. Poshard, Mr. Ravenel, Mr. Reed, Ms. Roybal-Allard, Mr. Serrano, and Mr. Smith of Iowa.

H.J. Res. 256: Mr. Packard.

H.J. Res. 268: Mr. Flake, Mr. Jacobs, Mr. Pastor, Mr. Hefner, Mr. Torkildsen, Mr. Brown of California, Mr. Markey, and Ms. Kaptur.

H.J. Res. 272: Mr. Barca of Wisconsin, Ms. Brown of Florida, Mr. Hutto, Mrs. Morella, Mr. Mazzoli, Mr. Murtha, Mr. Quinn, Mr. Serrano, Mr. Callahan, Mr. Sisisky, Mr. Moran, Mr. Neal of North Carolina, Mr. Lipinski, Mr. Chapman, Mr. Sabo, Mr. Hochbrueckner, Mr. Price of North Carolina, Mr. Markey, Ms. Pelosi, Mr. Boucher, Ms. Byrne, Mr. Martinez, Mr. Durbin, Mr. Faleomavaega, Mr. Saxton, Mr. Meehan, Mr. Livingston, Mr. Gilman, Mr. Wolf, Mr. Kasich, Mr. Gordon, Mr. Olver, Mr. Walsh, Mr. Levin, Mr. Hughes, Ms. Molinari, Mr. Evans, Mr. Lantos, Mr. Pete Geren of Texas, Mr. Greenwood, Mr. Traficant, Mr. Poshard, Mr. Kleczka, Mr. Gekas, Mr. Dixon, Mr. Hobson, Mr. Peterson of Florida, Mr. Hefner, Mr. Kennedy, Mr. Towns, Mr. McCloskey, Mr. de la Garza, Mr. Bilirakis, Mr. Clement, Mr. McCollum, Mr. Natcher, Mr. Filner, Mrs. Kennelly, Mr. Hyde, Mr. McDade, Mrs. Meyers of Kansas, Mr. Klein, Mr. Ravenel, Mr. Swett, Mr. Smith of Oregon, Mr. Young of Alaska, Mr. Andrews of New Jersey, Mrs. Bentley, and Mr. Thompson.

H. Con. Res. 135: Mr. Deutsch, Mr. Barlow, and Mr. Fish.

H. Con. Res. 163: Mr. Hoekstra, Mr. Coble, and Mr. Walsh.

H. Res. 33: Mr. Frank of Massachusetts.

H. Res. 237: Mr. Bilirakis, Mr. Hyde, Mr. Portman, Mr. Roberts, Mr. Taylor of North Carolina, Mr. Torkildsen, and Mr. Young of Alaska.

H. Res. 239: Mr. Portman.

H. Res. 247: Mr. Packard and Mr. Gunderson.

DISCHARGE PETITIONS

Under clause 3 of rule XXVII, the following discharge petitions were filed:

Petition 7, October 14, 1993, by Mr. PETERSON of Minnesota on House Joint Resolution 146 has been signed by the following Member: Collin C. Peterson.

Petition 8, October 14, 1993, by Mr. PETERSON of Minnesota on House Resolution 125 has been signed by the following Member: Collin C. Peterson.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. SOLOMON on H.R. 493: Joe Skeen, Curt Weldon, Jan Meyers, Dan Burton, and Gary A. Franks.

Petition 3 by Mr. McCOLLUM on House Joint Resolution 38: Gary A. Franks.

Petition 4 by Mr. HOEKSTRA on House Joint Resolution 9: Joe Skeen, Doug Bereuter, Bill Barrett, David A. Levy, Peter T. King, Jan Meyers, and Ike Skelton.

Petition 5 by Mr. STEARNS on House Resolution 156: Michael N. Castle, Gary A. Franks, and Stephen Horn.

Petition 6 by Mr. SENSENBRENNER on H.R. 1025: George J. Hochbrueckner, Constance A. Morella, Peter G. Torkildsen, and Stephen Horn.

EXTENSIONS OF REMARKS

FREEDOM HOUSE AND HUMAN RIGHTS

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. MENENDEZ. Mr. Speaker, at the World Human Rights Conference this summer in Vienna, Austria, several dictatorial governments campaigned to reject officially the notion that human rights are universal in nature. The United States and other democracies took principled exception to this position and prevailed, as the final declaration of the Conference recognized formally that human rights cannot be conditioned to economic development, history, culture, or other considerations.

Freedom House, since its founding more than 50 years ago, is a distinguished organization that has been defending democracy and human rights everywhere and setting a standard for other human rights organizations throughout the world. I am pleased to bring to the attention of my colleagues in the House of Representatives and my constituents in New Jersey an article, "Ballots Over Bullets Ideology Sweeping World, With Some Exceptions," by Frank Calzon. Mr. Calzon is the Freedom House Washington representative and a longtime champion for human rights throughout the world. The article has been published in several newspapers, including the San Juan Star.

[From the San Juan Star, Sept. 10, 1993]

"BALLOTS OVER BULLETS" IDEOLOGY SWEEPING WORLD WITH SOME EXCEPTIONS

(By Frank Calzón)

At the recently concluded United Nations World Conference on Human Rights in Vienna, the Chinese government denounced Western insistence on a single standard for human rights.

The Chinese government's claims, which were supported by Havana and several other regimes, lost out at the insistence of Western democracies and several members of the former Soviet bloc.

The challenge to a single worldwide standard for human rights is less than credible, coming from governments known for their systematic violation of their citizens' most basic rights. And it brings to mind the discredited claims of the old imperial powers: France, Belgium, Great Britain, etc., which earlier in the century justified colonial rule by saying their colonies were not prepared to exercise the rights taken for granted at home.

What bothers the despots is the democratic tide engulfing the world, a veritable human rights revolution that is not limited to the former Communist bloc. The preeminence of "ballots over bullets," opened the way to transitions to civilian rule and the rule of law that have taken place in every region of the earth.

Indeed the powerless have recognized their power not only in Prague, but also in Moscow and Budapest, Buenos Aires and Manila. Even South Africa, with one of the most intractable political quandaries of our times, is in the midst of a serious search for a peaceful political settlement.

Who would have thought a few years ago that on the Fourth of July, Nelson Mandela and F.W. de Klerk would receive the Philadelphia Liberty Medal from the hands of the American president?

The dictators face a difficult predicament: While they argue that observance of fundamental rights must be conditioned by economics, tradition and culture, their instruments of repression and their tactics mirror one another. A hundred years ago, José Martí, the Cuban poet, wrote that "Tyranny is the same in all its shapes, even though sometimes it dresses in handsome names and grand deeds."

And if in the 19th century tyranny was the same, in the 20th century totalitarian regimes share more than their belief in Marxist dialectics. Thirty years ago, Jeanne Kirkpatrick wrote a book about worldwide communist tactics entitled, "The Strategy of Deception," in which she identified the communist desire for unlimited, permanent power and their elaborate schemes of deception.

Perhaps one story by Alexander Solzhenitsyn will illustrate the point. Solzhenitsyn tells how one day, during the time of the fiercest Stalinist repression, when thousands upon thousands were being shipped to the savage nightmare of the concentration camps, a fleet of freshly painted trucks appeared on the streets of Moscow in the very early hours of the morning.

Their mission: to round up the unfortunate on their long journey through the system of concentration camps known as the Soviet Gulag. The trucks' side panels bore bold signs: "Fresh Vegetables," "Meat," and "Bread." A Western correspondent promptly reported a welcome increase in the availability of fresh produce in the Russian capital.

A glimpse at the nature of Chinese communism is related by the novelist Bette Bao Lord, in her book "Legacies." Born in China and raised in the United States, she returned to China with her husband who had been appointed American ambassador to Beijing. She asked to visit relatives she had not seen in years, and after some delay was permitted to do so, accompanied by a foreign ministry escort.

Her uncle's apartment "was more spacious and much better furnished than all the others she had seen in China. His clothes were in excellent condition. So were those of the rest of the family. Everyone boasted of the good life. No one, however, seemed at ease." And Lord "began to think that her aunt . . . was a mite daft. She kept opening and closing drawers and losing her way in the three-room apartment . . . "

Lord says that she did not suspect the truth. "Ten years later, her aunt, who turned out to be most intelligent," told here that before her arrival, "hundreds of people who lived within sight of the route she would take from the airport had been ordered to clean, to paint, to parade in their finest as she passed. And moments before the plane landed, her uncle and his family had been issued new clothes, and snatched up and deposited in the apartment of a high-level cadre."

As soon as she left, Lord wrote, "they were returned to their shabby home and handed a bill for the clothes."

Most Cubans, North Koreans, Poles or Russians, could have projected the end of the story.

Some years ago, the Rev. Jesse Jackson visited Cuba, and to his credit, did more than join Castro at a Christian church in Havana. He urged Castro to release several political prisoners. As a gracious host, Castro approved Rev. Jackson's visit to a prison. A few days before the visit, the steel planks covering the cells and blocking the flow of air in the halls were removed and the walls of the halls he was going to be shown were painted.

Had Jackson gone through the wrong door, he would have seen another kind of prison.

The minister's visit also had a Marxist dimension—Groucho, not Karl. When he arrived, Jackson saw a group of political prisoners enthusiastically playing baseball. He was pleased to see that the prisoners had gloves, bats, and even uniforms.

But shortly after his arrival to the United States, one of the political prisoners who had been released to him provided additional details. Early in the morning on the day of Jackson's visit, the prisoners had been rounded up, given the sports equipment and uniforms, and ordered to start the game.

Unfortunately, due to delays in Jackson's schedule, by the time he arrived they were already in the 15th inning!

After the good minister left, the gloves, bats, and uniforms were quickly retrieved, ready for display again when a new foreign visitor of sufficient stature passed through Havana.

In today's global village, freedom and repression affect all of us. Though the final declaration agreed on at the Vienna conference held that states must observe the principles of human rights "regardless of their political, economic, and cultural systems," the assault on human rights from repressive regimes is certain to continue.

INTRODUCTION OF LEGISLATION TO EXPEDITE UNITED STATES WITHDRAWAL FROM SOMALIA, H.R. 3292

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. GILMAN. Mr. Speaker, today, along with Mr. SPENCE, the ranking Republican member of the Armed Services Committee, I am introducing legislation to require the withdrawal of United States forces from Somalia by January 31, 1994. This legislation is modeled after an amendment to the Defense appropriations bill offered this week by Senator BYRD. A modified Byrd amendment was adopted by the Senate last night, after agreement was reached to accept the President's target date of March 31,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

1994, for the withdrawal of United States forces from Somalia.

I commend the Senate, and particularly Senator BYRD, for confronting the Somalia issue head on. I cannot agree, however, that United States forces should remain in Somalia until March 31.

The President submitted a report to us earlier this week outlining his policy for Somalia. That report was required by the Gilman-Gephardt amendment to the Defense authorization bill adopted by the House last month.

The good news about that report is that it finally acknowledged what many of us have been saying for a long time: that United States policy in Somalia has been perilously off course.

For example, the report reiterated the target date of March 31 for withdrawing United States forces from Somalia first specified by the President in his address to the Nation last week. That date is a big improvement over the President's earlier timetable, which many of us had criticized as open-ended. In a September 3 response to some questions I had asked about U.S. policy, the State Department told me that, "Our goal is for the withdrawal of U.S. forces early in 1995," but that it was "too early to gauge the full extent to which General Aideed's attacks on U.N. and U.S. forces have affected the timing of the withdrawal of U.S. troops."

The report also reversed the drift from humanitarian to political objectives that has characterized administration policy in Somalia since last spring. Indeed, the report asserted that, "The United States goal in Somalia is humanitarian" and that, "At no time have United States forces been tasked with such missions as 'nation building.'" This is not true, of course. Let us recall what the United States representative to the United Nations said to the Security Council just 3 weeks ago: "My government has always seen the U.N.'s mission in Somalia as political in nature; helping the Somali people to reestablish their political structures and democratic institutions. Nothing is more important in Somalia than this political goal."

The good news, therefore, about the President's report is that it finally recognized that the administration's previous policy was leading us nowhere. The bad news is that the report offers no coherent rationale for keeping United States forces in Somalia until March 31.

The President makes clear that he thinks it would be disastrous for the United States to cut and run in Somalia right now. But then he promises that we will cut and run on March 31 even if there has been no political settlement in that country. In the meantime, we are more than doubling the level of United States forces in and near Somalia to demonstrate to the warlords that they can't push us around. And now we have entered a de facto cease fire and are exchanging prisoners.

General Aideed and the other warlords must find all this very amusing. Does anyone think General Aideed will make real concessions at the negotiating table when we have already announced that we're leaving in 6 months even if he doesn't meet our terms?

So why are we keeping our forces at risk in Somalia for another 6 months? I believe that it is for one of the oldest and most understandable of reasons: so that those who made the mistakes that brought us to where we are today do not lose face.

I submit that that is not a sound enough reason to put American service men and women at risk. Our forces should come home as expeditiously as possible, and they should be replaced by U.N. troops from other countries who will carry on the initial mission of getting food to the hungry.

I know of no reason why that process cannot be completed by January 31. That is the date I have specified in our bill for completing the withdrawal of U.S. forces. If the President finds that he need more time, our bill provides expedited procedures by which he can ask Congress to extend that date.

Congress has a responsibility to the American people to debate and vote upon administration policy in Somalia. I hope our bill becomes the vehicle by which we fulfill that responsibility.

Mr. Speaker, I insert the entire text of this bill at this point in the RECORD:

H.R. 3292

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. UNITED STATES ARMED FORCES IN SOMALIA.

(a) FINDINGS.—The Congress finds that—

(1) the United States entered into Operation Restore Hope in December of 1992, for the purpose of relieving mass starvation in Somalia;

(2) the original humanitarian mission was successfully accomplished by United States Armed Forces, and an expanded mission was assumed by the United Nations on May 4, 1993, pursuant to United Nations Security Council Resolution 814 of March 26, 1993;

(3) neither the expanded United Nations mission of national reconciliation nor any other mission not strictly humanitarian in nature has been endorsed or approved by the Congress;

(4) the expanded mission of the United Nations was, subsequent to an attack upon United Nations forces, diverted into a mission aimed primarily at capturing certain persons pursuant to United Nations Security Council Resolution 837 of June 6, 1993; and

(5) the actions of hostile elements in Mogadishu, and the United Nations mission to subdue those elements, have resulted in open conflict in Mogadishu and the deaths of 29 members of the United States Armed Forces.

(b) APPROVAL OF USE OF ARMED FORCES FOR CERTAIN LIMITED PURPOSES.—The Congress approves the use of United States Armed Forces in Somalia exclusively for the following purposes:

(1) The protection of United States personnel, citizens, and facilities.

(2) The provision of assistance in securing open lines of communication for the free flow of supplies and relief operations through the provision of—

(A) United States military logistical support services to United Nations forces; and

(B) United States combat forces in a security role and as an interim supplement to United Nations combat units for use in emergencies.

(c) COMMAND AND CONTROL OF US COMBAT FORCES.—United States combat forces in Somalia shall be under the exclusive command and control of United States commanders under the ultimate direction of the President of the United States.

(d) LIMITATION.—(1) Funds appropriated or otherwise made available in any Act to the Department of Defense may be obligated for expenses incurred only through the period ending January 31, 1994, for operations of United States Armed Forces in Somalia.

(2) The limitation contained in paragraph (1) shall not apply to any temporary deployment of United States Armed Forces in Somalia for the purposes of evacuating United States personnel or United States citizens from a situation of imminent danger.

(e) EXTENSION.—The period specified in subsection (d)(1) may be extended if so requested by the President and authorized by the Congress. In seeking such an extension, the President may submit only 1 request to the Congress under the preceding sentence.

(f) EXPEDITED PROCEDURES.—(1) For purposes of paragraph (2), the term "joint resolution" means a joint resolution the text of which is as follows: "That the period specified in section 1(d)(1) of the joint resolution entitled 'Joint Resolution to prohibit funding for the involvement of the United States Armed Forces in Somalia after January 31, 1994,' is hereby extended until the date specified in the request submitted by the President to the Congress pursuant to section 1(e) of that joint resolution.".

(2) A joint resolution described in paragraph (1) shall be considered in accordance with the procedures applicable to joint resolutions under section 212 of Public Law 99-500 and 99-591 (100 Stat. 3341-304).

TRIBUTE TO BANANAS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. DELLUMS. Mr. Speaker, I rise today to pay tribute to the accomplishments of Bananas in celebration of 20 years of service to the parents, child care providers, and communities of northern Alameda County, CA.

The name "Bananas" is unique and came about as the result of many women going bananas looking for child care. The founders of Bananas, Judy Calder, Betty Cohen, Arlyce Currie, and Jo Ellen Spencer had a vision to provide quality, accessible, and affordable child care for those who needed it. Bananas is a community-based group that provides invaluable information, referral, subsidies, and support services to countless parents and providers in northern Alameda County. Other services are vendor programs which help low-income northern Alameda County parents pay for child care, parent workshops, and support groups on a variety of topics related to work and family life. They have worked tirelessly for a national child care policy and national child care standards as well as serving as a model for a community-based organization that provides multiple services related to child care and parenting.

Bananas, a forerunner in child care information and services, has never waivered from its commitment to improve the quality of child care services in its local community, the State of California, and the country as a whole. They are acutely aware that the future of our country rests in the handle of our children.

My colleagues, as we move through our legislative functions to redirect this country's priority, let us look at Bananas as a model with its credible two decades of experience to set the direction of our priority—the health and well-being of our children.

LIGHTHOUSE, INC., CELEBRATES DRIVE FOR NEW HEADQUARTERS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues an important event which I attended in my district on October 5. That event was a cornerstone ceremony celebrating the construction of a new headquarters, the Lighthouse National Center for Vision and Aging.

Mr. Speaker, I am proud to represent a district that counts among its many assets the Lighthouse National Center for Vision and Aging. This important organization was established to promote the interest of older people with, or at risk of incurring, visual impairment. Every year, millions of older people develop eye conditions that lead to partial sight.

The Lighthouse National Center for Vision and Aging provides the Nation's largest clinical low vision practice serving nearly 2,000 patients every year. The construction of this new headquarters marks yet another stage in Lighthouse's remarkable growth. It will allow Lighthouse to continue to provide its low vision continuing education program and to serve specialists around the country with its Lighthouse low-vision products.

Because the Lighthouse National Center for Vision and Aging has helped so many older people overcome visual limitations, I would like to ask my colleagues to salute this organization for its special and important work and wish them the best in their new headquarters.

MILFORD COLUMBUS 500 COMMITTEE HONORS JIM AGRO

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Ms. DELAURO. Mr. Speaker, tonight the Milford Columbus 500 Committee will assemble to honor a man who has been a friend, a neighbor, and a leader in Milford: Jim Agro.

A lifelong resident of Milford, Joseph "Jim" Agro, his wife Sarah, and their children and grandchildren represent what many of us like to think of as the American dream. After serving in the U.S. Army Air Force during World War II, Jim returned to Milford and worked as a mason until he eventually established his own business, the Agro Construction Co.

In addition to being a local businessman, Jim has been an integral part of daily life in Milford in his contribution of time, energy, and spirit to the community. Through the years, he has coached athletic teams, led the area Boy Scouts, joined the New Haven County Home Builders Association as a charter member, and served 4 years as alderman. A lifetime parishioner of St. Mary's, Jim has provided the church with his time, his leadership, and his masonry talents on countless occasions.

One of Jim's most recent contributions has been to the Milford Columbus 500 Committee. The committee was originally established to prepare for the 500th anniversary of Columbus' arrival in the New World in 1992. The good work of the organization, like the vision of Columbus himself, continues long after its original goals were accomplished. This year, the committee established an annual scholarship program for collegebound residents of Milford. The vision of Christopher Columbus led our ancestors to this Nation. Here, our families were allowed to follow their own dreams. Today, the Milford Columbus 500 Committee is helping young residents of Milford discover what their dreams are through the power of education.

It is fitting that the Milford 500 Columbus Committee has chosen to honor tonight the contributions of a man who has himself achieved the American dream.

WHY DOESN'T THE MEXICAN GOVERNMENT EXTRADITE SUSPECTED FELONS OR TRY THEM UNDER MEXICAN LAW?

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. BROWN of California. Mr. Speaker, whether one is for or against or undecided about the pending NAFTA, there is no doubt that it carries policy implications far beyond just commercial considerations between the United States and Mexico. Fundamentally, it is about the rule of law within and across national borders and the responsibility of national governments to enforce national laws and uphold international treaty obligations.

In this context and as the NAFTA lobbying grows more intense, a couple of stark related facts give me real concern.

First, the Mexican Government has never allowed any Mexican national to be formally extradited to stand trial for a crime committed in the United States.

Second, according to United States Justice Department officials, the Mexican Government has prosecuted less than 50 percent of the felony cases that involve Mexican fugitives who are suspected of having committed crimes in Los Angeles County, even when United States law enforcement authorities have provided information to facilitate prosecutions in Mexico.

I urge my colleagues to read and reflect upon the following two columns that Mike Royko published this week. They express some common sense concerns and questions that our constituents are certain to put to us for answers. Sadly, I have not received any convincing answers from either the Mexican Government or from the NAFTA salesmen blanketing Capitol Hill.

[From the Chicago Tribune, Oct. 13, 1993]

MEXICAN FELONS JUST RUN FOR THE BORDER

(By Mike Royko)

Many Southern Californians, politicians included, are being accused of lacking sensitivity and humanity because they are fed up with the stream of Mexicans who pour across the border.

Most complain about the hundreds of millions of their tax dollars that are spent on schooling, medical care and law enforcement for the illegal aliens.

But there is a lesser-known problem, which I touched on in yesterday's column.

And that is the ease with which some of the illegal aliens literally get away with murder and other crimes. The process is simple: You murder someone, then dash back across the border of Mexico, and you're home free.

That's because the Mexican government appears to believe that our extradition treaty is a one-way street. They expect the United States to send them American criminals who have committed crimes in Mexico. And we do that.

But Mexico doesn't believe in extraditing Mexicans who have committed crimes in this country.

In yesterday's column, I described the case of Serapio Zuniga Rios, 29, who is accused of raping and almost killing a 5-year-old girl.

He ducked back to Mexico and is still at large, although Mexican authorities apparently knew where he could be found but did not grab him and ship him to California for trial.

But Rios is just one of many violent border-hoppers.

Recently a sampling of other crimes was put together by Sheriff Cois Byrd, of Riverside County. In each case, the suspected criminal went back to Mexico, safe from arrest and prosecution.

Here are thumbnail sketches of some of the crimes:

A man was robbed of $10,000. Then he was bound, gagged, set afire and burned to death. When police closed in on the suspected killer, he dashed for the border. As the report said: "Mexican authorities advised they would not extradite Mr. Marcos Garcia, as he is a Mexican national."

A woman accepted a lift home from a man she met in a bar. On the way, he raped her. When she jumped from the car to escape, the man ran her down with his car. She later died. The man headed for Mexico. California police contacted the Mexican police in the suspected killer's hometown. The Mexican police promised to question the man. The results? As the report said: "Investigators received a telephone call from a relative of the suspect. The relative said the Mexican police did contact the suspect and took him away for questioning. The suspect returned a short while later, explaining he bribed the police with 3 million pesos [$900] to let him go. The suspect fled to Mexico City."

A guy was waiting for his girlfriend outside of her home. An ex-boyfriend drove by. The ex-boyfriend was the jealous type and put five bullets into the new boyfriend. The report says: "The suspect fled to Vera Cruz, Mexico."

There was a poker game. One of the players was accused of cheating and there was a fistfight. The cheat lost. But he went home, got a gun, came back, and killed the guy who had punched him. The report says: "The suspect fled to Mexicali, Mexico."

Three men were shooting pool. They argued about the bets or some such thing. One of them left the bar angry. When the other two came out, the angry fellow was waiting and shot one of them to death. Says the report: "* * * Fled to Mexico and is believed to be in Guerraro."

The woman had borrowed $2,000. The two men came to collect. The woman said she didn't have the money and didn't know when she could pay. That made the men angry, so one of them shot her in the head. The report says: "Both are believed to have fled to Michoacan, Mexico."

Miguel is driving somewhere when he spots two men he believes recently stole something from him. Miguel is a man of action. He grabs his gun and blazes away at the car, killing both men. Report: "Believed to have fled to Juaregui, Mexico."

The list goes on and on. A man is killed because he tried to retrieve a stolen welding tool from a thief. Another is shot in a barroom brawl. A man doesn't like the way his sister is treated by her husband, so he kills the brother-in-law. Three boozers have a quarrel, and one of them is stabbed 24 times. A woman dumps her boyfriend, so he kills her. A woman chides her boyfriend for coming home drunk, so he shoots her and her sister and runs them over with his car.

And those are just some of the border-hopping criminals in only one California county.

Sheriff Byrd, sounding a bit frustrated, said in a letter to Congressman George E. Brown:

"The ability of offenders to flee to another country, * * * knowing that the crossing of a border is similar to entering a safe house, is not acceptable. * * * There should be no free zones where criminal offenders can hide from justice."

Mexican politicians and police don't agree, unless they want an American extradited. And they can get downright indignant when we want one of their criminally inclined citizens. When our narcs snatched a Mexican doctor, suspected of being involved in the murder of an American agent, Mexican politicians turned it into an international incident and insult.

But Rep. Brown is capable of indignation too. So he and several other congressmen have decided to use the timing of the NAFTA negotiations to call attention to the one-way extradition street. They argue that we can't trust Mexican politicians in a historic economic deal if we can't get them to ship us some murderers and rapists.

I don't know if that is a valid argument. But it might be effective. Most Americans aren't economists. But they know what rape and murder are. And what fairness is too.

[From the Chicago Tribune, Oct. 12, 1993]

Mexico Has Limits on What it Trades

(By Mike Royko)

If you listen to the economic experts who are in favor of the North American Free Trade Agreement, they seem to make a lot of sense.

But if you listen to the economic experts who oppose NAFTA, they seem to make a lot of sense.

That's the trouble with economic experts. You could probably find one who said both sides are wrong, and he'd make a lot of sense, too.

But after months of confusion, I've finally made up my mind, at least for the time being, which could be an hour or forever.

And my position has nothing to do with the arguments about the potential loss of jobs, the opening of new markets for exports, or any of the other widely debated points.

I am against NAFTA because of Serapio Zuniga Rios, 29, who is accused of being a really loathsome guy.

You've probably never heard of Serapio Zuniga Rios. I hadn't either, until a few days ago.

I was drowsily watching congressmen jabbering on C-SPAN, marveling that they get paid such handsome salaries and marvelous fringe benefits for making speeches so boring they would be barred by most Chicago taverns.

But then one of them got up and talked about Serapio Zuniga Rios.

It seems that this Rios fellow had been a migrant worker in California until about a year ago.

Then a terrible thing happened. A 5-year-old girl was kidnapped, sexually assaulted and left for dead. But she didn't die and the police say they have evidence that the crime was committed by Rios.

However, they couldn't arrest Rios because he scampered back to Mexico, his native land, before they could grab him.

Ah, but Rios was not too bright, He returned to his wife and family in Mexico and took a job driving a truck.

It wasn't that difficult tracking him down. The girl's family hired a private investigator, who slipped some money to Mexican cops and they pinpointed Rios' whereabouts.

So a request was made to have Rios arrested and extradited to this country so he could stand trial for the foul crime.

That seems like a reasonable request, right? Especially between neighboring countries that have so close a relationship.

We ship things back and forth all the time. We ship thousands of tourists and hundreds of millions of tourist dollars to Mexico. We ship American industry and jobs to Mexico.

In turn, Mexico ships tons of drugs and hundreds of thousands of illegal aliens, especially to southern California, where the assault took place.

So there shouldn't be any big deal about Mexico shipping us one accused sex fiend named Rios.

Ah, it isn't that simple.

True, we have an extradition treaty with Mexico. And if citizens of the United States commit criminal acts in Mexico, then run home, our government will send them to Mexico to stand trial. We have done that many times.

But despite the treaty, Mexico doesn't believe in sending Mexicans accused of crimes to this country.

Their position was explained by Bill Goold, an aide to Rep. George Brown, of California, who has been fighting to get Rios returned.

"There is a 1979 extradition treaty that says both countries are supposed to extradite those accused of 31 different felonies. There was a provision added later, for Mexico, that says either they extradite or prosecute the defendant in Mexican courts.

"But they're not doing either. Their position is that their constitution forbids extradition. But it's also a carry-over from the 'anti-gringo' legacy in Mexico. It is culturally unthinkable that any Mexican official would serve up a Mexican national to the United States. They have never extradited even one.

"We have extradited our citizens down there, handed people over to them. They've never given us anybody. The FBI in our region said they have dozens of cases involving Mexican nationals wanted for murder, aggravated assault and rape, and they can't get any help.

"But if we can't get them to cooperate with us in tracking down murderers and rapists, what confidence should American businesses have in the willingness and ability of Mexican officials to protect our interests?"

A reasonable question. You would think that if Mexico is so eager to get NAFTA approved that it has spent tens of millions of dollars lobbying our politicians, it could see its way clear to part with a few accused murderers and rapists.

So maybe the NAFTA agreement should be amended: For every job we let Mexico pluck from us, we expect one accused child rapist or murderer or other felonious type in return.

And maybe for every Mexican drug merchant the Mexican authorities arrest and convict, another job. For every shipment of dope the Mexican authorities intercept, another job.

I mean, what are a few murderers, rapists, and drug merchants among friends and neighbors?

TREASURY LAMENT

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. JACOBS. Mr. Speaker, I place in the Record poetry from the facile pen of the National Taxpayer's Union, Sid Taylor:

Treasury Lament

(By Sid Taylor)

Our national debt is climbing
The deficits increase
From too much featherbedding
And tax exemption grease.

Red ink is all around us
It's everywhere you look
Somebody stole our money
And we can't even find the book.

What's happened to our assets
We once were rich and free
We're now a Debtor Nation
There goes our Liberty.

We've "indexed" our pay and pensions
So, they're going through the roof
We're running out of money
Somebody made a "goof".

In foreign aid we stumbled
We gave away the farm
Our cash reserve has dwindled
We now face fiscal harm.

So, what is the solution?
We've got to close the till
Before our U.S. Treasury
Starts sliding down the hill.

Let's "de-index" our outlays
And cut out red-ink spending
Bring deficit spenders out of the haze
Then we taxpayers may again see Happy Days.

REINVENTING DUE PROCESS OUT OF EXISTENCE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. CLAY. Mr. Speaker, I wish to call to my colleagues attention the following article by David Levinson, a former chairman of the U.S. Merit Systems Protection Board, that recently appeared in the Washington Post. In the article, Mr. Levinson expresses his view that the National Performance Review has had the effect of placing unwarranted blame on Federal employees and his concern that the Federal Government not be reinvented at the expense of employees' due process rights. As the Congress begins the process of acting on the administration's proposals for reforming the Government, Mr. Levinson's concern will merit our continuing regard.

[From the Washington Post, Oct. 11, 1993]

A FEDERAL FIRING BRIGADE

(By Daniel R. Levinson)

The National Performance Review has announced an ambitious agenda to "reinvent government" by, among other things, revamping the personnel system to make it easier to fire poor performers. For those who have been around the block, this is a familiar refrain. In fact, only 15 years ago, the Civil Service Reform Act was passed to accomplish precisely the same thing. Is this reinventing government or just inventing one more version of the "blame game" that unfairly portrays the federal worker as the cause of the nation's ills?

Nobody is on record as declaring the CSRA perfect, but when it passed in 1978, it was hailed as the most significant change in the federal personnel system since the adoption of the original Civil Service Act of 1883. A main argument in support of it was that it would make it easier to discharge civil servants "for the right reason." Managers were given greater discretion to manage the work force, and a statutorily mandated procedure was established to rehabilitate or remove poor performers.

The National Performance Review complains that it takes a year on average to remove such an employee. Where that statistic comes from is a mystery, but the law certainly doesn't compel such a lengthy period. Current procedures are based on a performance appraisal system that is designed to give an employee with a performance problem a fair opportunity to improve. The lengths of improvement periods are determined by management, but can be as short as 30 days. if the employee still is performing under par, a federal agency can promptly impose a demotion or removal.

The performance review's recommendation to shorten the notice period for employees faced with such adverse actions from 30 to 15 days is especially lame. Notice periods aren't a barrier to more effective government; they make for a more effective government. Cutting the period in half would simply reduce the opportunity for the agency and the employee to consider whether the proposed action is necessarily the right one and explore alternative dispute resolution. And while most federal workers have appeal rights to the Merit Systems Protection Board, the rights are triggered only after the employee is already fired and on the street.

Even if the board's appeals process is thrown into the equation, the new concern about lengthy removal processes is misplaced. The great majority of board appeals are closed in less than three months, and further appellate review might take an additional few months. Is it so detrimental to efficiency to permit civil servants an opportunity for a hearing and decision by a neutral party, all of which occurs after the employee is already on unemployment?

The fact is that the Civil Service Reform Act was specifically designed to deal with the problem of poor performance, and the problem has turned out to be a good deal less significant than many people thought. Every year, the MSPB adjudicates thousands of federal employment disputes (from misconduct and whistleblowing to Hatch Act and retirement matters), and performance cases have never accounted for more than 3 to 4 percent of the caseload.

The National Performance Review has a massive agenda of change to promote, but its unwarranted focus on problem federal employees can only harm the very people who can make the change work. Instead of joining with federal workers, the performance review seeks to curtail workplace due process, a move that runs directly contrary to years of bipartisan consensus in the other direction.

The Civil Service Reform Act, in retrospect, marks only the beginning of what turned out to be a long-term trend toward enhancing federal worker rights. Since the mid-1980s, Democratic Congresses have passed and Republican presidents have signed legislation to extend due process for millions of civil servants in a governmentwide effort to ensure that federal workers would be protected from unjust personnel actions. If this sometimes slowed some agencies or programs, it was nevertheless considered an eminently sensible compromise in view of the public interest in having employees uncover fraud, waste and abuse, knowing that they could "blow the whistle" and not be subject to arbitrary firing by an enraged boss.

Nowhere is this kind of employee due process ethic to be found in the work of the National Performance Review. Congress and other interested in the proper functioning of the executive branch must not allow due process for federal employees to be reinvented out of existence.

TRIBUTE TO DR. DONALD WOODS THOMAS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. HAMILTON. Mr. Speaker, I rise to pay tribute to the late Dr. D. Woods Thomas for his many contributions and work in the international development field. He believes behind highly significant legacies in both his personal and professional lives. On the personal side he is survived by eight children. It is very unfortunate that he and his wife died this year and that they were unable to enjoy retirement with each other and their children. My sympathies go out to his family.

Dr. Woods was a distinguished professor and administrator at Purdue University. His career spanned almost four decades of eminent service in the international development arena. He played an important role in bridging the agricultural research and university communities with their international counterparts.

Among his many accomplishments are a number of firsts in which he was the first to serve in several key positions: dean of international agriculture at Purdue University; executive director of the Board for International Food and Agricultural Development [BIFAD] which was established under title XII amendment to the 1975 International Development and Food Assistance Act, as amended; chair of several international working groups of the National Association of State Universities and Land-Grant Colleges [NASULGC]; founding director of the Association of U.S. University Directors of International Agricultural Programs [AUSUDIAP], and recipient of its 1983 award for Distinguished Service to International Agriculture.

In addition, Dr. Woods published extensively on a wide variety of topics. He served on numerous boards and advisory groups, and was a consultant to a number of U.S. agencies—Department of State, U.S. Agency for International Development, U.S. Department of Agriculture, the National Academy of Sciences—foundations, the Brazilian Government, and the Organization of African Unity.

Following are two remembrances of Dr. Wood's contributions that I would like to submit for the RECORD. The first is a poem written on the occasion of his retirement entitled "The Wizard and the Seven Giants (An Ode to Title XII)." The second is a statement, issued in April after his death, by the Board for International Food and Agricultural Development and Economic Cooperation [BIFADEC], the successor to BIFAD which he so ably served.

THE WIZARD AND THE SEVEN GIANTS (AN ODE TO TITLE XII)

Once lived a famous Wizard, in the glacier plains and valleys of the Ohio,
Hard by the banks of the Wabash, Hallowed by Tecumseh's warriors, fallen in battles of yore.
Here dwells the Hoosier Wizard, as did his Sylvanian ancestors before.
Deeply schooled in the Citadels of learning,
No secrets to him denied, and brought fame to the Hoosier Wizard in all lands, far and wide.
Here came youth for his succor,
Came they his secrets to know;
Like him, a wise man and famous, they all wished to grow.
And it came to pass in the Councils of the Nation, the World's benefactor to be;
New laws, opening the doors of our Citadels of learning, and baring their secrets to see;
To all in this country and many, and kingdoms beyond freedom's Sea.
To launch the Crusade of enlightenment,
A Round Table of Seven was born;
Chairs for Giants of learning,
Seven were knighted to form.
The Hoosier Wizard carried the banner, and sounded the Clarion call,
Inviting people of all nations to fill our Citadel Halls:
To seek the knowledge offered, and learn the secrets lain hidden behind the sacred walls.
"Four Pillars of Wisdom," the Message of the Crusade read;
And creation of Citadels of learning,
Was the Grail, the First of the Pillars, they said.
The Crusade incited the people to action, in search of the Grail, they sped;
And in the wake of marching millions,
Icons and walls were shred.
Setting forth the confusion of new freedom, with no border, or trained hands to govern;
Wherefore the Crusade of Learning? Lost to the masses and forgotten, would the Crusade's message be?
For the Wizard, the Retreat was sounded, its plaintive notes rang forth;
It saddened his heart, and he wavered on entering retirement's door,
Then another note, not muffed,
The music of the Crusade's challenge came forth, and the Wizard heard the message, loud and clear once more.
Not lost in the masses, the Wizard said aloud!

The youth of the far off lands were awakened,
And into the Citadel Halls they poured, responding the Crusade's message, they came;
All searching for wisdom's hidden secrets;
And, like him, a Wizard, all wishing to be.
The heart of the Hoosier Wizard was gladdened;
His life-long dream come true,
As he stepped into the peace of Retirement;
What more in this World, could a good Wizard do?

(By William Frederick Johnson, 1-4-1993: BIFADEC, Wash. D.C. Dedicated to Dr. D. Woods Thomas, Purdue University, on the occasion of his retirement, January 15, 1993, and to the Title XII Amendment of the International Development and Food Assistance Act of 1975, as amended.)

BOARD FOR INTERNATIONAL FOOD
AND AGRICULTURAL DEVELOPMENT
AND ECONOMIC COOPERATION,
Washington, DC, April 29, 1993.

Dr. Donald Woods Thomas, former Executive Director of the BIFAD Support Staff of the U.S. Agency for International Development (USAID), died on April 15, 1993, at St. Elizabeth Hospital, near his home in West Lafayette, Indiana.

Dr. Thomas was preceded in death by his wife, Barbara, less than a month earlier. He is survived by eight children.

Dr. Thomas began his career at Purdue University in 1954 as an Assistant Professor of Agricultural Economics, after having earned his bachelor's master's and doctor's degrees from Pennsylvania State University. Among the positions he held at Purdue, he served as the first Dean of International Agriculture. Dr. Thomas retired from the Purdue faculty on December 31, 1992.

Of the projects he led, developing institutional capabilities in research, education, and extension in countries of Africa, Asia, and Latin America, he was proudest of the Federal University of Vicosa in Brazil, which he headed. He became fluent in Portuguese, and his "Brazil connection" continued throughout his life through student and faculty exchanges with Purdue University.

Dr. Thomas is remembered by the Title XII community as the first Executive Director of the BIFAD Support Staff from its inception in October 1976 through December 1979. Dr. Clifton R. Wharton, Jr., now Deputy Secretary of State, was Chairman of BIFAD at that time, and the two remained colleagues and close friends.

The Board for International Food and Agricultural Development and Economic Cooperation pays tribute to the memory of Dr. Donald Woods Thomas for his long service and leadership in and dedicated contribution to international development and especially to the participation of U.S. universities in international development activities.

RABBI MORRIS J. BLOCK HONORED FOR LIFETIME OF ACHIEVEMENT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mrs. MALONEY. Mr. Speaker, I am proud to rise today to bring to the attention of my colleagues an important event which will take place in Brooklyn on October 24. On that day, our community will mark the opening of Rabbi Morris J. Block Street in recognition of the rabbi's extraordinary work in founding the Brooklyn School for Special Children.

In 1962, under the dynamic and pioneering leadership of Rabbi Block, the Brooklyn School for Special Children opened it doors. Since that time, it has grown from a two car garage to encompass six facilities in separate locations throughout the great borough of Brooklyn.

The reason for its growth lies in the strength of Rabbi Block's vision. His commitment to ensure that developmentally disabled persons are recognized with dignity, love and concern has made all the difference to thousands of New York's children. Rabbi Block's work on behalf of special children of all kinds of backgrounds and ethnicities is an example of what is greatest about New York and our country. He has devoted his life to eliminating the enormous prejudices that special children face at all levels of our society.

By providing an opportunity for developmentally disabled children to reach their full potential, Rabbi Block has enriched our community immeasurably. That is why I would like to ask my colleagues to join me in applauding his efforts by recognizing the unveiling of Rabbi Morris J. Block Street.

DELAURO PAYS TRIBUTE TO MODEL HEALTH CARE PROGRAMS—MOBILE MAMMOGRAPHY VAN ACHIEVES ACCESSIBLE AND AFFORDABLE CARE

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Ms. DELAURO. Mr. Speaker, as the Nation focuses on health care reform, it is important to recognize programs, organizations, and people who are working to obtain our national health care goals: lowering costs of health care and broadening coverage so that all Americans can take advantage of the highest quality health care in the world. Through the leadership and initiative of residents of the Third Congressional District of Connecticut, south central Connecticut has many models worthy of recognition. Today, I want to honor one of these programs: The mobile mammography van of the Yale Comprehensive Cancer Center.

The mobile mammography van was established to give women of all income levels in Connecticut access to the health care that they deserve. Each year, breast cancer cuts short the lives of thousands of American women. While early detection through mammogram testing gives women a fighting chance against breast cancer, the high costs charged by hospitals have often made mammograms a luxury few women can afford.

Initiated in 1987 by the Yale Comprehensive Cancer Center with funding from the New Haven Foundation and the Connecticut Chapter of the American Cancer Society, the mobile mammography van travels throughout southern Connecticut 5 days a week. From Greenwich to Groton, 7,500 Connecticut women are tested annually.

As a nonprofit health care service with a full-time staff of only seven, the mobile mammography van maintains the lowest fee for mammograms in Connecticut. The van's advance schedule provides accessible service to companies, clinics, and individuals throughout southern Connecticut. Three days a month the van services low-income areas free of charge.

The results of this low cost preventive health service are already clear. During the first several years of operation, only one-third of the women utilizing the mobile mammography van had ever been tested before. After only 6 years, two-thirds of the women being tested have received mammograms previously—many through the van.

The mobile mammography van has taken southern Connecticut one step closer to our national health care objectives by providing affordable, accessible, and confidential health care. Advocating preventive care while maintaining low overhead, the mobile mammography van is working today to lower health care costs and provide quality care to all our citizens. I applaud the New Haven Foundation, the Connecticut Chapter of the American Cancer Society and the mobile mammography van of the Yale Comprehensive Cancer Center for presenting the women of Connecticut with an alternative to the high cost of mammography and the opportunity to lead longer, healthier lives.

IN HONOR OF THE 100TH ANNIVERSARY OF PERTH AMBOY HIGH SCHOOL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. MENENDEZ. Mr. Speaker, I rise today in honor of the 100th anniversary of Perth Amboy High School in Perth Amboy, NJ. Tonight, alumni and friends of Perth Amboy High will gather for the first of many events scheduled through next June to honor the school and its century of pride. Principal Ben J. Rotella, a graduate of the school and one of the chief organizers of the celebration, reports that graduates will be coming from as far as Washington State and California to attend tonight's homecoming reception.

Perth Amboy High Schools counts among its alumni two very distinguished former Members of the House of Representatives, Congressman Bernard J. Dwyer, who represented New Jersey's old sixth District for 10 years: and Congressman Edward J. Patten, who so ably served the residents of New Jersey's old 15th District for 18 years. Current city mayor Joseph Vas is another of Perth Amboy High School's most prominent graduates. Other famous alumni include the late New Jersey State Attorney General David T. Wilentz, who prosecuted the Lindbergh kidnapping case; Bruce Taylor, who played basketball with the New Jersey Nets; his brother Brian Taylor, a football player with the San Francisco 49ers; and Aldona Appleton, New Jersey's first woman judge, and founder of the State's Juvenile and Domestic Relations Court.

Through the years, Perth Amboy High School has been housed in four buildings—the

Thomas Mundy Peterson School on State Street; a building, since demolished, near Smith Street; the William McGinnis School, and the present school on Eagle Avenue, which opened in 1972. This year's celebrations include the creation of a mural in the school cafeteria by students in the advanced art class and the gifted and talented class which will depict these four buildings.

Since 1894, Perth Amboy High School has successfully graduated 108 classes, including classes which graduated during the 1930's, when commencements were held both in January and June. Tonight, graduates of the school who have settled all across the country will return home to celebrate this milestone at their alma mater. I therefore join with the residents of Perth Amboy and the friends and alumni of Perth Amboy High School in celebrating the successes of the past 100 years, and looking forward to the next 100 years of educational excellence.

TRIBUTE TO COACH VIRGIL WELLS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to an outstanding member of the community, Mr. Virgil Wells in honor of his 37 years as a teacher and football coach in the public schools of South Carolina.

Coach Wells received his early education in his native North Carolina, later receiving his undergraduate degree from Allen University in Columbia, SC.

In 1954, Coach Wells began his career at Mayo High School in Darlington, where he served continuously for 33 years. During his tenure, Coach Wells served as teacher, athletic director, head football coach, 33 years; basketball coach, 30 years, and baseball coach, 14 years; finally retiring in 1987.

One year into retirement, Coach Wells returned to coaching as head football coach at Wilson High School in Florence, SC after the death of Walter English, who had been one of his former players at Mayo. Four years later, he retired again on November 6, 1992, bringing to a close a 37-year coaching career.

During his coaching career, Coach Wells won more than 200 football games. For 18 consecutive years, Coach Wells' football, basketball, and baseball teams had winning seasons. In 1985, he was the South Carolina nominee for the National High School Football Coach of the Year.

In addition to his professional career, Coach Wells is devoted to his community. He is a member of Omega Psi Phi Fraternity, the Darlington Optimist Club, Florence Civitan Club, NAACP and Bethel A.M.E. Church, where he is a member of the steward board.

A devoted family man, Coach Wells is married to the former Juanita T. Richburg and is the father of one son, Virgil III, and two daughters, Vanessa Anita, and Vita Lorraine.

Few individuals have had such a tremendous and positive impact on the lives of so many young people. Coach Wells has been a mentor, teacher, counselor, and surrogate father to hundreds of young people. He is a true role model.

Mr. Speaker, I join the citizens of my district in honoring Coach Virgil Wells on a distinguished life of service to young people and to his fellow man.

THE SCIENCE EDUCATION CENTER: A NATIONAL TREASURE

HON. WILLIAM P. BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. BAKER of California. Mr. Speaker, I rise today to offer my congratulations on the 10th anniversary of the establishment of the Science Education Center at Lawrence Livermore National Laboratory.

I commend the laboratory's scientists, engineers, technicians, administrators, and others who contributed their personal time during this decade to help teachers and students throughout the Nation learn new scientific and technological skills.

The center, first of many sponsored by the U.S. Department of Energy, has consistently demonstrated the importance of making our schools the best they possibly can be. Future generations of Americans—and the Nation—will benefit from this laudatory effort.

Congratulations once again to the laboratory for its initiative in establishing the Science Education Center 10 years ago. May the next decade be equally as successful and fruitful for all those who have made the center truly one of the Nation's many educational jewels.

IN HONOR OF DOMENIC STALA

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. BILIRAKIS. Mr. Speaker, I rise today to pay tribute to a man of deep courage and commitment, a man born to serve his country and born to lead his community, and my friend—Domenic Stala.

As a member of my veterans advisory council, he was a trusted counselor on veterans issues. The entire State of Florida lost a tireless advocate for the rights of veterans when Domenic recently passed away.

Domenic earned each and every one of his golden years—I won't say retirement because he never really stopped working. He could easily have decided to simply enjoy himself and shut out the rest of the world. That might have been what someone else would have done, but not Domenic.

He was an active member of the Air Force Sergeants Association since the 1970's. He was a charter member and past president of the Air Force Sergeants Blue Dolphin Chapter 527, which just celebrated its 17th anniversary.

He was one of the first presidents of division 5, which includes Florida, Puerto Rico, and the Panama Canal Zone. In this capacity, Domenic also served as a member of the International Executive Council of the Air Force Sergeants Association.

He was instrumental in setting up the Eagle Scout Commendation Program through the international chapter in response to a recommendation from his blue dolphin chapter. Through this program, Eagle Scouts receive a certificate of recommendation from the international chapter for outstanding achievement and exceptional leadership ability in obtaining the rank of Eagle Scout.

While Domenic was very ill in his last years, I never saw him allow his enemy—bone cancer—the upper hand. That just wasn't his way.

Not very often do people with the generosity of spirit of Domenic come along. For so many years, I had the privilege to call him my friend—and I always will. To say he will be sorely missed just isn't enough.

My heart goes out to his family and we can all take comfort in the fact that ours were among the many lives he touched in such a special way.

TRIBUTE TO DANCE THEATER OF HARLEM

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. DELLUMS. Mr. Speaker, I rise today to pay tribute to the accomplishments of an institution that has positioned itself as an integral part of our society and as an institution that has been successful in its commitment to excellence in the areas of artistic expression and humanitarian outreach. It is with great personal pleasure that I extend my congratulations to the Dance Theater of Harlem for 25 years of superb work.

The Dance Theater of Harlem is the fruit of the dedication of two individuals—Arthur Mitchell and Karel Shook, and their passion for the art of dance. They wanted the dance world to rethink its reason for being. It opened up doors for artistic expression and urged an influx of unprecedented artistic achievements. The philosophies of Arthur Mitchell and Karel Shook have been ubiquitous in the Dance Theater's standards and commitment to excellence.

The Dance Theater of Harlem has positioned itself as a national and global ambassador of cultural exchange—perpetuating its mission of bringing people together through the international language of dance. It has demonstrated what can be achieved, when individuals, especially children, are afforded an equal opportunity to excel. Conditional to tour South Africa in 1992, Dance Theater of Harlem stipulated that all activities must be accessible to all, thereby making known their statement that racial barriers should cease.

Inasmuch as the Dance Theater of Harlem and myself occupy different spectrums of the same arena, our shared vision of equality, social justice, and peace have made our efforts one and the same. I am honored to join in the celebration of 25 years of the remarkable service of the Dance Theater of Harlem.

OFFICIAL BELARUS COMMEMORATION OF THE 50TH ANNIVERSARY OF THE DESTRUCTION OF THE MINSK GHETTO

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. GILMAN. Mr. Speaker, I want to take this opportunity to apprise my colleagues of a heartfelt and moving commemoration which will be taking place next week in Belarus. The Government of Belarus has proclaimed that the Jewish ghetto in Minsk, destroyed in 1943 by the Nazis, is to be the focus of a formal public commemoration conducted by the government. I want to express my appreciation and gratitude to the Government of Belarus for its commitment to remembrance of the Holocaust, and to preserving the memory of the hundreds of thousands of Jews from throughout Europe who were confined in the Minsk ghetto and who died at the hands of the Nazis and their henchmen.

Between October 19–22, 1993 events will be held commemorating the Jewish community, its confinement in the Minsk ghetto, and the ultimate liquidation of the ghetto and its inhabitants. A book and movie exhibit are anticipated as well as the opening of a retrospective exhibit at the Palace of Arts. The Museum of History of the Great Patriotic War will feature an exposition dedicated to the victims, and flowers will be laid at the Victory Monument and at the Khatyn memorial complex. The government has also scheduled an unveiling of a memorial board to the ghetto's victims at the site where the ghetto was liquidated, and the Republic's leadership will meet with former prisoners of the Minsk ghetto.

The Republic of Belarus has taken this commemoration very seriously, and has also scheduled a television broadcast of prayers for the Jews who perished, and on the final day of events has planned a public mourning meeting in commemoration of all Jews who perished on Belarus soil during the Holocaust.

Mr. Speaker, for many years the former Soviet Government refused to acknowledge the distinct pain, torture, and genocide suffered by Jews during the Holocaust. Places like Babi Yar did not note the uniquely Jewish nature of their killing fields. Therefore, the commemoration being conducted by Belarus next week not only deserves its proper recognition but also deserves our heartfelt appreciation.

Belarus expects to host representatives of major Jewish communities, public organizations, prominent officials from various nations as well as a host of mass media. The 400,000 Jews from Austria, Germany, Poland, Czechoslovakia, and other European states who perished in the Minsk ghetto will finally be remembered en masse by the new government and newly independent citizens of Belarus.

THE HOMEOWNER REFINANCING ASSISTANCE ACT OF 1993

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. KENNEDY. Mr. Speaker, today I am introducing legislation that will help middle class families refinance their homes even though their home values may have dropped below their outstanding mortgages.

The biggest investment most Americans will ever make is their home. Young families work hard and sacrifice for years to save enough money to make a downpayment. When they finally succeed, most Americans can feel confident that their home will provide them both with shelter and economic security for the future.

But today, the American dream of home ownership has become the American millstone for too many homeowners.

Thousands of homeowners, through simple bad luck, have found their property values plummeting and their hard-earned equity wiped out.

As if this was not a big enough blow, they are also being forced to pay interest rates that are two, three, or more points above today's market mortgage rates.

Meanwhile, bankers who want to help, who know and trust their customers, are prevented from doing so in this regulatory environment.

I believe it is time for the Federal Government to step up to the plate and provide a program to help the people who make up the backbone of our communities, the people who do the work, and pay the taxes.

That is why I am introducing legislation that will create a new Federal insurance program to let these homeowners refinance their mortgages and take advantage of today's low interest rates.

The program will work very simply.

The homeowner will go to his neighborhood bank and apply for a new mortgage. He will be required to buy private mortgage insurance to cover up to 95 percent of the mortgage amount. Then, he will get insurance from this new FHA program to cover the balance.

The results will be a more stable homeowner less burdened by debt, and more money in the hands of middle class consumers.

For example, if you are paying 11 percent on a $150,000 mortgage and can refinance that mortgage at 7 percent, you will save $430. If your rate is 10 percent, your savings will be $320.

This is significant money that will make a real difference in the lives of people working hard every day to pay their bills.

RONALD V. DAVIS HONORED FOR 13 YEARS OF LEADERSHIP SERVICE

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Ms. SNOWE. Mr. Speaker, it is with great pleasure that I rise today to give tribute to the hard work and accomplishments of a good friend Ronald V. Davis.

Ron, who is chairman of the board of The Perrier Group of America, Inc., has consistently been at the forefront of the bottled water market for the past 13 years. His leadership has helped bring Perrier to preeminence as America's most recognized brand of bottled water. Ron developed an organization that started from a single brand company to one which today is involved in the management of eight regional, domestic bottled water companies, as well as Perrier itself. These top-selling brands include Poland Spring, Arrowhead, Ozarka, Zephyrhills and Calistoga. Today the Perrier group leads the bottled water category, commanding almost 25 percent of industry sales.

Ron has also twice been president of the International Bottled Water Association. As president, he has unselfishly donated a tremendous amount of his time to helping the bottled water industry and its trade association reach its many achievements in the government relations, technical and public relations fields. In 1981, as president of the Council of Natural Waters, Mr. Davis was instrumental in the merging of the council with the American Bottled Water Association to form the International Bottled Water Association. In 1984, Mr. Davis was instrumental in strengthening IBWA's mandatory quality assurance inspections for members bottler plants, including the retention of the National Sanitation Foundation to conduct the plant inspections. Under Mr. Davis' presidency, IBWA established a voluntary industry code of advertising. In 1985, under Mr. Davis' presidency, the IBWA model code underwent extensive revision and expansion, including the expansion of the monitoring program for MCL's, establishment of a recall program and requirement to use dedicated equipment.

Prior to his position with Perrier, Ron worked for 10 years with the General Foods Corp. in sales and marketing positions. He received a degree in business administration from California State University at Fullerton and a master's in business administration from the University of Southern California. Ron currently resides in Greenwich, CT, with his wife and two children. He is active in many community health and charitable associations.

Mr. Speaker, as you can see, Ronald Davis is someone who is deserving of recognition for his accomplishments in the business world. This second term of his presidency culminates 13 years of leadership. I thank you for taking this time to recognize such a distinguished individual.

INTRODUCTION OF LEGISLATION TO REORGANIZE THE NATION'S DISASTER RELIEF PROGRAM

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. BORSKI. Mr. Speaker, today I am introducing legislation that would drastically overhaul the operations of the Federal Emergency Management Agency which spearheads the

Federal Government's disaster response and recovery effort.

The key to this bill is the merger of the different functions of FEMA, including those that were previously held in reserve solely for use in the case of a nuclear attack, to meet all types of disasters, whether natural or manmade. The cold war has ended and we can make much better use of these resources.

The Disaster Response and Recovery Act of 1993 is designed to provide quick action on disasters. We want rapid responses with coordination among Federal, State, local, and private agencies, with resources available as soon as they are needed and with a clear understanding of the mission and roles of the various agencies.

There is no question the groundwork for disaster response must be laid before the disaster is actually declared through long-term preparations and action in anticipation of a declaration.

Substantial changes are necessary to provide better preparation and coordination for disaster response. Under my bill, a new and revitalized FEMA will lead a coordinated, overall Federal effort, along with State and local officials and private relief agencies, to prepare our Nation to meet the effects of disasters of any kind.

The Subcommittee on Investigations and Oversight of the Committee on Public Works and Transportation has held several hearings during the last 2 years on FEMA's response to Hurricane Hugo, Hurricane Andrew, and other disasters. FEMA's response to those earlier disasters was simply inadequate. The new director, James Lee Witt, has recognized these problems and has responded to them with a forward-looking internal reorganization of FEMA but additional statutory changes are needed.

FEMA must be the lead Federal agency that takes the initiative on all types of disasters, helping State and local governments prepare response plans, coordinating with States on training activities, having disaster support teams prepared to respond immediately. The crucial part is the advance preparations—Federal, State and local agencies, as well as private organizations must know their roles and functions and all the necessary supplies and materials must be available.

With my proposal, significant amounts of resources will no longer be walled off from use in response to natural disasters because they are required for some potential, future attack on the United States. FEMA will truly be an all-hazards agency that uses all of the resources at its disposal for any type of disaster.

The bill calls for closer coordination between Federal and State officials. It requires FEMA to establish performance standards for State training and preparedness and requires an annual review by FEMA of the State's activities. In addition, the bill requires reports on the role of the National Guard, the fire service, and private relief agencies in disaster response.

I am also proposing a new $100 million annual program of disaster preparedness grants to States and a $100 million annual program of disaster mitigation grants to States.

DEDICATION OF YERBE BUENA GARDENS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Ms. PELOSI. Mr. Speaker, this week in San Francisco we are witnessing an urban renaissance through the opening and grand dedication of Yerba Buena Gardens. For an entire week, the city will have a nonstop festival of openings and dedications, along with presentations of dance, music, theater, visual art, literature, and film, celebrating the end of a journey which has lasted nearly 30 years.

Yerba Buena Gardens, the crown jewel of Yerba Buena Center, is proof that San Francisco hasn't lost its touch for grand public works projects. As Allen Temko, the Pulitzer Prize-winning architectural critic for the San Francisco Chronicle said, this is probably the finest array of cultural facilities and landscaped spaces yet to appear in an American city in the 1990's.

Yerba Buena Gardens consists of an Esplanade and the Center for the Arts. The Esplanade is a 5.5 acre urban park which includes an outdoor theater, sculptures, and whose centerpiece is a 50 foot-wide, 20 foot waterfall which also serves as a dramatic backdrop for a moving memorial to Martin Luther King, Jr. Behind the waterfall, 14 glass panels set in granite are inscribed with memorable quotations from Dr. King, and translated into 8 different languages to reflect the universal truth of his message of peace, equality, and freedom. On the upper level of the Esplanade is a Sister City Garden featuring distinctive flora from each of San Francisco's 13 sister cities.

The Center for the Arts consists of two buildings: A Center for the Arts Galleries and Forum and the Center for the Arts Theater, designed, respectively, by award-winning architects Fumihiko Maki and James Stewart Polshek. The center's founding mission is to promote cross-cultural understanding and mutual respect by celebrating the rich diversity of the global cultural landscape. Cutting edge and traditional, new and established, the center will be multidisciplinary arts institution devoted to change, experimentation, and debate.

This magnificent project was not, however, without its bumps in the road, course corrections, program changes, and community concerns. Yerba Buena Gardens began as an idea over 30 years ago beginning with the mayoral administration of George Christopher, and slowly took shape through the administrations of the late John Shelley, Joseph Alioto, the late George Moscone, DIANNE FEINSTEIN, Art Agnos, and Frank Jordan.

Throughout this time, the San Francisco Redevelopment Agency—its magnificent executive officers, project directors, project staff, and commissioners—helmed the project through countless changes, redesigns, and amendments. The success of Yerba Buena Gardens is a tribute to their skill, passion, and leadership.

Mr. Speaker, perhaps the San Francisco Examiner said it best: "Cities stay alive through new ideas. Yerbe Buena Gardens is an idea written into The City itself. Its existence will enhance the art of The City." On behalf of the Congress, I commend the city of San Francisco—the city that knows how—on the occasion of this remarkable achievement and model for our Nation.

PROGRESS IN MAURITANIA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. BURTON of Indiana. Mr. Speaker, the nation of Mauritania in northwest Africa is making progress in the economic and political spheres. A severe human rights problem is being addressed, and elections are steering the country toward democracy. Mauritania should be encouraged to continue along the proper path in these areas. The recent visit by Mauritanian Foreign Minister Moine resulted in very positive meetings and further cementing of ties between the Mauritanian and American peoples.

I commend to my colleagues' attention this statement by Albert Blaustein, Rutgers University law professor and noted constitutional expert, on the current developments in Mauritania.

MAURITANIA'S EMBRACE OF DEMOCRACY

(By Albert P. Blaustein)

I would like to acknowledge not only the new direction that Mauritania has been forging in democratic and economic reforms, but also the real progress that it has made along that path.

A number of developments over the past 2 years convince me that positive and irreversible changes are occurring that will bring real benefits to all of its people.

First, Mauritania now possesses a fully fledged democracy movement. Two years ago, it had a military government—now it has a popularly elected President, Senate and Assembly, and an independent judiciary. Two years ago, it had 1 political party, now it has 16. And 2 years ago, it had 1 (government-run) newspaper, now it has 31—some of which are extremely critical of the government. Further, there are now more than 36 trade unions that are free to organize workers without government or employer interference. And, according to the U.S. Department of State, there are now no political prisoners.

Just as encouraging is the spirit in which the democracy movement is taking place: all elections were held on schedule as originally announced; international monitors agree the elections were a true example of freedom of expression, press and movement; and municipal elections scheduled for 1995 have been voluntarily brought forward by the Government, since the Senate is reelected by municipal leaders.

Second, Mauritania is an increasingly active player on the international scene. In January 1993, it broke ranks with an Arab League boycott that included Egypt and Saudi Arabia to sign the chemical weapons ban treaty in New York. In addition, Mauritania was one of the first African nations to offer troops from United Nations peace-keeping forces in Somalia; the country has also served as a peace-broker between the Malian Government and the Taureg rebels, bringing both sides to the negotiating table while sheltering and feeding thousands of Taureg refugees that fled to Mauritania to escape the conflict. Furthermore, and very importantly, Mauritania has made great strides, together with Senegal, in returning life for the people who live along their border back to normal once again.

Mauritania is now actively seeking ways to improve its relations with the U.S. Peace Corps's activity in the country is greatly welcomed and appreciated, but Mauritania also needs and seeks the resumption of U.S. economic development assistance (food aid), and military assistance (especially the Coastal Security Program) and the scholarship program for Mauritanian university undergraduates to study in America.

I believe that Mauritania deserves more recognition of its achievements in democratic and economic reform from the United States, and I recommend that the U.S. investigate ways to actively support further progress in Mauritania.

FRANK TROTTA: ITALIAN AMERICAN SERVICE CLUB'S 1993 MAN OF THE YEAR

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to recognize and congratulate an outstanding citizen from the First Congressional District of New York. Frank Trotta, a lifelong resident of Bellport, NY, who is being honored this week by the Italian American Service Club of Brookhaven for his leadership and organizational skills in many community services. Mr. Trotta's contributions have made him an outstanding choice for the club's "Man of the Year" award for 1993.

Currently, Mr. Trotta serves as the mayor of the village of Bellport, a post he has been elected to by his community for the past 6 years. Mr. Trotta had also previously served as a village trustee for 6 years. Under his leadership, the first Bellport Village kids camp and senior citizen programs were established and well received. Mayor Trotta also oversaw major improvements in many of Bellport's recreational facilities; in particular, the Bellport County Club tennis and golf facilities. Mayor Trotta has been able to accomplish these worthwhile goals while maintaining a level tax rate for the past 10 years. In light of the current economic climate, this is a commendable act.

Frank Trotta has long been an advocate for the elderly. His business career included 15 years in the field of aging programs and services. In 1988 he founded the not-for-profit organization Senior Citizens Services which coordinated travel, employment and training programs and also a home meal delivery program for Long Island seniors. Most recently, he acquired Senior News Long Island, a publication with an islandwide circulation of 25,000 homes. Under two county administrations Frank Trotta served as director of Suffolk County Office for the Aging. In addition, he has served as executive director of the Nassau/Suffolk chapter of the Alzheimer's Association.

Frank Trotta has given his time and participated in various other community organizations including the Suffolk County Red Cross, Community Mediation Center of Suffolk County, Foster Grandparents of Suffolk County and Retired Senior Volunteer Program. Mayor Trotta exemplifies the mission of the Brookhaven Italian American Club, to provide community service to all walks of life.

It is with great pleasure that I join with the Italian-American Service Club, the family of Frank Trotta and the residents of my congressional district to honor and publicly thank this outstanding and caring citizen of our community.

CHARTING OUR FUTURE: COMMUNITY SUPPORT FOR FAMILIES AT RISK

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. MAZZOLI. Mr. Speaker, I wish to call to the attention of our colleagues a special conference entitled: "Charting our Future: Community Support for Families at Risk" which was held Monday, September 27, 1993, in my congressional district.

The conference was organized by my good friend, county judge/executive for Jefferson County, David Armstrong. He and members of his staff, recognizing that American families, particularly our young families, are in need of assistance, arranged this conference to examine possible solutions to the problems facing mothers, fathers, and children.

Under Judge Armstrong's able leadership, this conference had three phases: determining our destinations; creating and building successful approaches; and, consensus building.

Our families are the greatest treasure this Nation possesses, and our young families must be given all the social, financial, educational, and medical advantages necessary so they can flourish in the challenging and difficult years ahead.

The world is more complex than ever, and tomorrow it will be no less complex. The ideas and recommendations from this conference, Mr. Speaker, will assist all of us in designing programs to strengthen young American families.

Finally, I send special thanks to Donna Shalala, Secretary of Health and Human Services, for taking time from her hectic schedule to participate in the conference. We were honored to have one of her status and rank in our community, and her comments added weight and insight and power to the conference.

The young American family is our Nation's hope for the future. I am proud that we in Louisville and Jefferson County are committed to the family's security in the next century.

TRIBUTE TO PHYLLIS TROY

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. COBLE. Mr. Speaker, I would also like to rise in support of my good friend, TOM BLILEY, and recognize a woman of rare quality and unequaled merit—one Phyllis Troy.

During his tenure in the House, TOM BLILEY has been fortunate to have some very fine staff members work for him, but the spark of life—the commanding presence in his Rayburn office—has been and always will be his secretary and scheduler, Phyllis.

Coming to Washington when television was still a newfangled gadget, this fine lady had dedicated herself and her life's work to the Member of Congress from Richmond, VA. The people of this Virginia district may never know the hard work done on their behalf by this truly dedicated woman.

Mr. Speaker, I am here to tell you that as a gatekeeper and often protector of the boss, Phyllis Troy has no equal—she simply wrote the book on how to work on the Hill. Phyllis does not suffer fools easily—and I bear witness to the fact that if you want an appointment with the Virginia gentleman, you better be sure you are on the schedule and on time or you'll be on your way out the door.

During my years in Washington, Mr. Speaker, I have been fortunate enough to meet a great many people—Presidents, heads of state, Hollywood stars. But, I have yet to meet someone as engaging, someone as genuine, and someone as truly devoted as Phyllis Troy.

Tom Bliley is a fortunate Member of the House to have 40 years of experience to assist his office. All of us who work on Capitol Hill would do well to take a page from Phyllis Troy's handbook of public service—where honest, hard work earns you the respect and admiration of those around you.

Here's to another 40, Phyllis.

THE FRIEND OF BILL LOOPHOLE

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. SOLOMON. Mr. Speaker, yesterday morning's Wall Street Journal carried an editorial entitled "The FOB Loophole" which poignantly describes another inequity in the recently passed budget proposal.

As many are well aware, the 1993 budget contained a provision limiting the deductibility of compensation exceeding $1 million that is paid to chief executive officers. However, this tax provision only applies to chief executive officers and the four other highest compensated officers in publicly held corporations and not to any other highly compensated individual.

During the budget debate President Clinton, himself, claimed that the intent of this proposal was to encourage corporations to focus more clearly on their compensation policies and to shift business spending from excess pay to investment. However, formulating law in response to public scrutiny and criticism is poor public policy and ignores both the policy implications and the budget realities of fiscal legislation. Furthermore, it is a blatant attempt to further entangle class warfare with the Federal Tax Code.

Even beyond the economic ramifications of such a provision, this preference in tax liability is not even administered in a fair and equitable manner. As this editorial points out, Barbra Streisand, as an entertainer, will be taxed at a rate of 39.6 percent on the $20 million—$8 million in tax revenues—she received for her 2 days of work. In contrast, an executive at MGM with an annual gross salary of $20 million would be taxed at an effective rate of 60 percent—$12 million in tax revenue.

Tax laws such as this seek to restrain that sector of the economy that reinvests its funds, creates new jobs, and spurs economic growth. Corporate executives, as the editorial points out are more likely than entertainers like Madonna and professional athletes under George Steinbrenner to invest their compensation in stocks and other economically productive investments, thereby increasing shareholder value.

As the editor writes: Viewing business as an inherently suspect enterprise, and business people as potential looters if not watched closely, Mr. Clinton's Tax Code wades into the market for executive salaries. Many of my Republican colleagues and myself pointed out this unfair, pro-Hollywood tax provision earlier in the year—our concerns went unheeded—the Wall Street Journal now prints the results of this unfortunate reality. I commend the following article to your concerted attention.

THE FOB LOOPHOLE

It somehow caught our eye that Barbra Streisand will pick up $20 million for two days' work at the MGM Grand Casino in Las Vegas. We've never objected to anyone collecting what the market thinks she or he is worth, but we do recall that Ms. Streisand is a certified Friend of Bill. And we somehow doubt this will provoke a denunciation of "greed" of the sort the President and his wife have leveled at doctors, insurers and drug manufacturers. Indeed, Ms. Streisand and similarly situated FOBs enjoy a privileged position under the new tax code Mr. Clinton has imposed as penance for the Greed Decade.

Certainly $20 million in loot qualifies her as "rich," and thus she'll be called upon to pay her "fair share." But at least MGM Grand Inc. gets to deduct her compensation as an ordinary business expense, taking her $20 million off its gross receipts before paying taxes on whatever net is left. That's presumably because in the moral universe of the Clinton tax code, warbling tunes for Vegas high rollers qualifies as work of redeeming social value.

For certain more suspect lines of employment, pay can no longer be deducted as an ordinary cost of business, at least if over a year it adds up to 1/20th of what Ms. Streisand takes for a couple hours of work. MGM Grand can deduct whatever it decides to pay her, but it can't deduct more than $1 million of whatever it pays its top five executives.

As it happens, these folks don't make anything like what Ms. Streisand does. President and CEO Bob Maxey has base pay of $525,000 a year, and Chairman Fred Benninger get $610,000. You could argue that it's different because they set their own salaries, but they don't. They report to a board dominated by majority shareholder Kirk Kerkorian, not known as a blushing-violet negotiator.

What Mr. Clinton's tax law really means is that Mr. Kerkorian can be more generous with Ms. Streisand than with Mr. Maxey or Mr. Benninger. Or if you turn it around with a few envelope-back calculations, Ms. Streisand gets a lower true tax rate on what Mr. Kerkorian has to shell out.

On her MGM earnings, she will face something like an effective tax rate of 39.6%, and give Mr. Clinton's tax collectors about $8 million. If Mr. Kerkorian decided an executive was worth $20 million gross, the combined corporate and personal tax on this amount would come to some $12 million, an effective rate of 60%.

Despite everything, Mr. Clinton understands that companies must be able to offer competitive salaries for executives, and thus permits a loophole for "performance-based" compensation. So there's no special penalty for stock options. Mr. Maxey holds options on 160,000 MGM Grand shares, and Mr. Benninger holds 150,000. It's doubtful that they make anything like Ms. Streisand's yearly compensation, let alone hourly rate, for success in increasing shareholder value.

So let's take a moment to deconstruct: Viewing business as an inherently suspect enterprise, and business people as potential looters if not watched closely, Mr. Clinton's tax code wades into the market for executive salaries. it is prima facie evidence of corruption or social grossness if managers earn too much, though we're not exactly sure how the moral fault line came to be precisely a million dollars.

Happily, the former Governor of Arkansas has divined a way to keep business leaders from resting on their duffs, by harnessing their "greed" for socially constructive ends. But no such special scrutiny is needed for someone who makes more than a million serenading lounge lizards or hitting baseballs.

We're not sure we understand the morality here. What we do understand is that a lot of Hollywood celebrities, and far fewer chief executives, are certifiable FOBs.

100TH ANNIVERSARY, GRACE LUTHERAN CHURCH, RED LION, PA

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. GOODLING. Mr. Speaker, I would like to share with my colleagues a brief history of the Grace Lutheran Church in Red Lion, PA on its 100th anniversary.

In the fall of 1893, a missionary committee from the Lutheran Ministers Association of York County reported that Lutheran services were desirable in the town of Red Lion. Catherine Meyer provided a lot on which to construct a church and shortly thereafter the cornerstone was laid. On May 24, 1896, the building was dedicated by the first pastor, Harvey Berkey. A parsonage was soon added in an adjacent lot. The church continued to grow in membership and during the 1920's the church purchased a new parsonage for the minister, converted the old parsonage into Sunday school classrooms, and bought a Steinway piano. In addition, planning for a larger church began in 1923. With much anticipation the congregation moved into their new church in March 1933. Although the members were excited about the day's events, they were uncertain of the future due to the declared bank holiday. Since the addition of the new church various physical improvements have been made to the church and its property throughout the years. A number of church programs have also grown or developed, including the choir, various committees such as social ministry, and the youth group.

Throughout the church's history one can trace corresponding events in America. In the early 1900's, the church received plumbing and was wired for electricity. Services in 1918 made use of a World War I battle flag. The growing women's movement in the 1920's spurred the women of the congregation to form the Women's Missionary Society. A brotherhood organization made use of the revolutionary automotive to transport its members to distant meeting sites. A Boy Scout troop was chartered by the church as the Scout movement gained nationwide popularity. The church came together during the Great Depression and World War II when its families supported one another.

Besides instilling religious teachings to its congregation, the church provides invaluable contributions to the public. The spirit of giving, however, was not limited to the surrounding community. As early as 1897, the church donated two monetary gifts to the India Relief Fund. Members also have helped various organizations such as the Red Cross and the Salvation Army, donated money to victims of natural disaster, adopted families from foreign countries, collected clothes and food for the less fortunate, and raised money for hunger relief. The church also allows community groups such as the Girl Scouts, Alcoholics Anonymous, and the Historical Society to use its facilities.

The Grace Lutheran Church is the embodiment of traditional American values: Family, religion, and community services. Not only does it continue to fulfill its initial, and still much needed mission, but its history also provides a window on the development and history of the communities in York County, PA.

HOUSE OF REPRESENTATIVES—*Monday, October 18, 1993*

The House met at 12 noon and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 18, 1993.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O gracious God, from whom comes every good gift that is new every morning, may Your blessing be with us and every person. In spite of all the duties that are before us and the schedules that must be met, may we accept with thanksgiving the beauty and wonder and opportunities of this day. While we see so much struggle in the world, we see glory too; while we see so much pain and conflict, we see kindness and generosity too. May we be the people You would have us be, O God, and do the deeds of good will and understanding in our daily lives. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Mexico [Mr. RICHARDSON] please come forward and lead the House in the Pledge of Allegiance?

Mr. RICHARDSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2750, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, October 18, 1993, to file a conference report on the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

MAKING IN ORDER CONSIDERATION ON WEDNESDAY, OCTOBER 20, 1993, OR ANY DAY THEREAFTER, CONFERENCE REPORT AND AMENDMENTS IN DISAGREEMENT ON H.R. 2750, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that, notwithstanding the provisions of clause (2) of rule XXVIII, that it be in order at any time on Wednesday, October 20, 1993, or any day thereafter, to consider the conference report, amendments in disagreement, and motions to dispose of amendments in disagreement, to the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, and that the conference report, amendments in disagreement, and motions printed in the joint explanatory statement of the committee of conference to dispose of amendments in disagreement be considered as read when called up for consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

NAFTA—A ONCE-IN-A-GENERATION OPPORTUNITY

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, there are foreign policy crises and great international tension in Somalia and Haiti. Let us not create another crisis by rejecting the North American Free-Trade Agreement.

In recent weeks some Members have called for the rejection of this North American Free-Trade Agreement [NAFTA], in hopes that NAFTA could be renegotiated and then revisited by the Congress at another time.

Earlier this month, Mexico's President Carlos Salinas made his position on this issue very clear—if Congress fails to secure passage of NAFTA before the end of this year, the deal is off. No ifs, ands, or buts.

If NAFTA is defeated, an important economic and political window of opportunity will be lost for not just the United States, but the entire Western Hemisphere.

This was reaffirmed this weekend by a letter sent to President Clinton from the Presidents of 10 Latin American countries including Brazil, Ecuador, Paraguay, Peru, Uruguay, and Venezuela urging that NAFTA be supported by the United States.

President Salinas is right. The present agreement is the kind of opportunity that only presents itself once in a generation.

Contrary to what opponents say, if we nix this NAFTA, there will be little or no hope of renegotiating another deal later next year or for that matter in our lifetime.

While probably economically desirable, Mexico's nationalistic sentiment and historic mistrust of the United States will make any new deal politically impossible.

For this reason we owe it to ourselves to learn the facts about this NAFTA. This NAFTA is a good agreement.

This NAFTA will create—not eliminate—U.S. jobs.

This NAFTA will also help to strengthen American competitiveness vis-a-vis Europe and Japan.

So, let us not squander this unique opportunity. Let us pass this NAFTA and keep America No. 1.

FEARING FEAR

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, to paraphrase Franklin Roosevelt, the only thing we have to fear from NAFTA is fear itself.

The fear-mongers have had their day. They have painted this trade agreement in the bleakest, darkest, scariest terms.

But the bright light of truth takes away those fears.

NAFTA will not cause millions of jobs to flee to Mexico. NAFTA will stop the hemorrhaging of jobs to Mexico by eliminating the tariff incentive that companies currently have to move south of the border.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

By creating and expanding markets in Mexico, more than 200,000 jobs will be created in the United States thanks to NAFTA.

NAFTA will not hurt the environment. In fact, our only leverage to help Mexico implement their environmental laws comes with passing NAFTA.

Mr. Speaker, let us not fear fear any longer. Let's pass NAFTA and move on to a more productive era of relations with our neighbors.

LAUREL HEALTH SYSTEM OF WELLSBORO, PA—A MODEL HEALTH CARE DELIVERY SYSTEM FOR RURAL AREAS

(Mr. CLINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINGER. Mr. Speaker, while addressing the American Hospital Association's annual convention in August, Mrs. Clinton identified Laurel Health System of Wellsboro, PA, as a model health care delivery system for rural communities. Laurel Health System is a community-based, integrated health care network which has focused on providing preventive health care services to my constituents in Tioga County and surrounding areas since 1989.

Although flattered by Mrs. Clinton's recognition, Laurel CEO Bob Morris remains wary of the President's prescription for what ails our health care system. He is quick to point out that Laurel Health System was developed without additional Federal funds and in spite of Government interference.

According to the faint outline the White House has provided Congress, Mr. Morris has reason to be skeptical of the Clinton plan. It would create a new national health board to decide how much we can spend on health care; establish at least 50 politicized, regulatory State health alliances; grant sweeping new powers to the Departments of Labor, Treasury, and HHS; and cost $700 billion over the next 5 years.

As White House policymakers scramble to piece together a final version of the Clinton plan, I urge the President to take a good look at true market-based approaches to health care reform, and, as Bob Morris knows, the success of the Laurel Health System is attributed to community based decisions, not Federal decisions.

HEALTH CARE REFORM DOES NOT NEED BUREAUCRACY

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Wyoming. Mr. Speaker, I, too, want to talk a little bit about health care. I am for health reform. I think we need to reform this area. I think we need to make some changes that really deal with people's problems and changes that are doable, something that can happen.

Mr. Speaker, I am very pleased that the President and Mrs. Clinton have raised this issue to a top priority, but I am beginning to think that the proposals put forth by the administration are the greatest threat to the likelihood that nothing is going to happen. It is because it creates whole new levels of bureaucracy, it creates entitlements far beyond what we have imagined with no way of paying for them, and basically it is a price control program that will be laid on the system at the end.

Mr. Speaker, what we need to do is make some fundamental changes, the kind that we can make, and we can make this fairly simple, fairly easy. We can reform insurance, we can make it portable, we can make it that no one is denied because of prior experience, we can make it so it is noncancellable, we can do tort reform to do something about costs, we can change administrative costs, and we can have coverage for everyone in this country in the private sector.

So, Mr. Speaker, I am hopeful that we do not kill the idea by trying to rip it out by its roots and replace it with bureaucracy.

HAVE YOU SEEN THIS PLAN

(Mr. EVERETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, the Washington Post reports a recent poll found that 70 percent of Americans believe the President has not told the whole story on his health care plan.

□ 1210

Why should they not believe that? He did not tell the whole story when he made his speech on the budget. When they were asked how much they knew about the Clinton health care plan, only 17 percent said they knew a lot and 30 percent said they knew almost nothing at all about it.

Mr. Speaker, I say to my colleagues that that 30 percent must represent Congress because no one here has seen it. Weeks ago the President came to this very floor to address the Congress and the Nation to describe his health care plan. Now he just needs to find it.

The administration, Mr. Speaker, needs to halt its policy of pronouncement and pause, and of describe and delay. Mr. Speaker, we need to see that health care plan. We need to see it today.

PROTECT SOCIAL SECURITY'S RESERVES

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, Congress and the administration continue to irresponsibly spend the Social Security trust fund reserve to finance deficit spending. This abhorrent practice must be stopped now if we are to avoid a fiscal crisis of enormous proportions when the baby boom generation retires.

To that end, I have reintroduced legislation that would protect the reserve from Congress' profligacy, preserve it for future Social Security recipients and at the same time protect today's retirees.

Under the Porter plan, Social Security payroll taxes would be cut 1 percent each for employer and employee. The resulting revenues would be refunded annually and saved in mandatory, privately held IRA-type accounts established by all American workers which they would own, invest within established parameters and use to finance a retirement annuity to supplement their regular Social Security benefits. This plan would help ensure continuing, stable benefits for retirees, protect workers against horrendous payroll tax increases needed to finance future benefits, and boost personal investment and savings. At the same time, my plan would make vast amounts of new capital available to the private sector and spur business investment.

Mr. Speaker, the Porter plan is innovative entitlement reform which would strengthen our economy, protect today's Social Security retirees, and insure that tomorrow's have a Social Security system that is just as sound and secure as today's.

Mr. Speaker, I urge the Members to cosponsor H.R. 306.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. MONTGOMERY) laid before the House the following communication from the Clerk of the U.S. House of Representatives:

WASHINGTON, DC,
October 18, 1993.

Hon. THOMAS S. FOLEY,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, October 15, 1993 at 4:08 p.m. and said to contain a message from the President wherein he reports under section 8(b) of the Fishermen's Protective Act (Pelly Amendment) concerning Panama.

With great respect, I am,
Sincerely yours,
DONNALD K. ANDERSON,
Clerk, House of Representatives.
(By) W. RAYMOND COLLEY,
Deputy Clerk.

REPORT PURSUANT TO FISHERMEN'S PROTECTIVE ACT (PELLY AMENDMENT) CONCERNING BAN ON CERTAIN PRODUCTS FROM PANAMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103-151)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed:

To the Congress of the United States:

Pursuant to section 8(b) of the Fishermen's Protective Act of 1967, as amended (22 U.S.C. 1978(b)), generally known as the Pelly Amendment, I am notifying you that on August 18, 1993, in accordance with section 101(a) of the Marine Mammal Protection Act (MMPA), the Secretary of Commerce certified to me that a ban on the importation of yellowfin tuna and yellowfin tuna products from Panama has been in effect since December 22, 1992. This ban is the result of a finding by the Assistant Administrator for Fisheries, National Marine Fisheries Service, that Panama's marine mammal program was not comparable to that of the United States, as required by the MMPA.

By the terms of the MMPA, such certification is deemed to be a certification for the purposes of the Pelly Amendment, which requires that I consider and, at my discretion, order the prohibition of imports into the United States of any products from the certified country to the extent that such prohibition is sanctioned by the General Agreement on Tariffs and Trade. The Pelly Amendment also requires that I report to the Congress any actions taken under this subsection and, if no import prohibitions have been ordered, the reasons for this action.

After thorough review, I have determined that additional sanctions against Panama will not be imposed at this time. The Government of Panama is currently engaged in developing a marine mammal program that is comparable to that of the United States. The results of these efforts should be evident in an anticipated annual report and request for a finding of comparability for 1994 from Panama.

WILLIAM J. CLINTON,
THE WHITE HOUSE, *October 15, 1993.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Tuesday, October 19, 1993.

DESIGNATING "ARKANSAS BEACH" IN ALASKA IN COMMEMORATION OF DEFENSE OF THE ALEUTIAN ISLANDS DURING WORLD WAR II

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 78) designating the beach at 53 degrees 53'51"N, 166 degrees 34'15"W to 53 degrees 53'48"N, 166 degrees 34'21"W on Hog Island, which lies in the Northeast Bay of Unalaska, Alaska as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska on June 3 and 4, 1942.

The Clerk read as follows:

S.J. RES. 78

Whereas it is commonly overlooked that the Aleutian Islands are the only part of American territory in history to be invaded and overtaken by an enemy;

Whereas, during World War II, an Arkansas National Guard Regiment, the 206th Coast Artillery, served diligently and bravely on Hog Island, Unalaska;

Whereas the 206th Coast Artillery Regiment of Arkansas was guarding Dutch Harbor during the time of the Japanese attack;

Whereas, during the Japanese invasion of Dutch Harbor, three young soldiers of the 206th Coast Artillery Unit were killed;

Whereas the city of Unalaska, Alaska has passed Res. 92-28, designating the beach at 53 degrees 53'51"N, 166 degrees 34'15"W to 53 degrees 53'48"N, 166 degrees 34'21"W on Hog Island, Unalaska as "Arkansas Beach"; and

Whereas the State of Alaska has passed Sen. Con. Res. 37, as sent to the State Geographic Board, which names this beach "Arkansas Beach": Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the beach at 53 degrees 53'51"N, 166 degrees 34'15"W to 53 degrees 53'48"N, 166 degrees 34'21"W on Hog Island, Unalaska be named "Arkansas Beach" in commemoration of the 206th Coast Artillery Regiment and the men who served and died during the air attacks on Dutch Harbor, Unalaska on June 3 and 4, 1942.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from California [Mr. CALVERT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the Senate joint resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of Senate Joint Resolution 78 which designates a beach in Alaska as "Arkansas Beach" in recognition of the actions of the Arkansas National Guard during World War II.

In June 1942, Japanese forces launched an air attack on Dutch Harbor, in Alaska's Aleutian Islands. An Arkansas National Guard regiment, the 206th Coast Artillery, stationed at this location, fought valiantly in the defense of Dutch Harbor. Three members of the Arkansas National Guard lost their lives in this serious air attack on North America during a critical stage of World War II.

Because of the fierce resistance at Dutch Harbor, the Japanese were forced to divert forces which would have otherwise been allocated to the battle of Midway, where the U.S. victory was a major milestone in the war.

Senate Joint Resolution 78 naming the beach commemorates this Aleutian Island battle, at nearby Hog Island "Arkansas Beach" as a tribute to the Arkansas National Guard members who served and died during the attack on Dutch Harbor.

This resolution is not controversial. It passed the Senate by voice vote on July 21. A companion House resolution has been introduced by Representative THORNTON of Arkansas who has championed the effort to recognize the contributions of the Arkansas National Guard. In addition, the State legislatures of both Alaska and Arkansas have endorsed the naming of "Arkansas beach" to honor the guard and its members who served in the conflict.

Mr. Speaker, I urge my colleagues' support for the resolution.

Mr. Speaker, I wish to commend the gentleman from Arkansas [Mr. THORNTON] and the Arkansas delegation for their support of this resolution, and at the appropriate time I will yield time to the gentleman from Arkansas [Mr. THORNTON].

Mr. Speaker, I reserve the balance of my time.

Mr. CALVERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of suspending the rules and adopting Senate Joint Resolution 78. This legislation, reported with the unanimous consent of the Natural Resources Committee, would rename a beach on Hog Island, AK, "Arkansas Beach" in commemoration of the valiant efforts of the sons of Arkansas who defended American territory during the Japanese invasion of the Aleutian Islands in World War II.

Hog Island was defended by the men of the 206th Coast Artillery Regiment of the Arkansas National Guard, and three of their number gave the supreme sacrifice for the defense of the Aleutians. This past summer marked the 50th anniversary of the Japanese invasion of Alaska, designed as a feint to mislead CINCPAC—Commander in Chief, Pacific—away from the Japanese invasion of Midway Island. As all know, the battle of Midway proved to be a turning point in the war in the Pacific, and the diversion of Japanese resources to the Aleutian campaign contributed significantly to their resounding defeat at the hands of U.S. sailors and airmen.

It is only fitting, then, that with the support of the Alaska State Legislature, we rename this beach in Unalaska, AK, after the soldiers who defended the U.S. mainland. This legislation is of no cost to taxpayers, and is a small token of appreciation from a grateful Nation for their sacrifices.

I would be remiss if I did not mention the strong support this legislation has received from Congressman JAY DICKEY of Arkansas. As Arkansas' only member on the committee, he deserves the credit for stewarding this bill through under an expedited procedure. I urge the Members to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I commended the gentleman from Arkansas [Mr. THORNTON] earlier for his efforts on this issue, and I am sure that he has some unique observations to add to this process.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas [Mr. THORNTON].

Mr. THORNTON. Mr. Speaker, I thank the chairman of the subcommittee for bringing this measure forward, and I thank the gentleman from California [Mr. CALVERT] for his support of this commemorative resolution.

I rise in support of Senate Joint Resolution 78, which is identical to House Joint Resolution 201, which I introduced, with the cosponsorship of other members of the Arkansas and Alaska delegations on May 20, 1993.

Mr. Speaker, in 1812 U.S. territories were occupied for a time by a foreign power. This did not happen again for 130 years until 1942, when during the War of the Pacific, the Aleutian Islands of Attu and Kiska were occupied by the Japanese.

□ 1220

Mr. Speaker, my colleagues have mentioned the importance of this measure, but I must tell you that the Aleutian campaign is not remembered as the most important engagement of World War II, but from a historical perspective its significance is indisputable. During this campaign, in an attempt to distract American forces, the Aleutians were attacked by Japan at a time when Japan's resources could have been better deployed in the war-determining Battle of Midway. The Aleutian campaign was far more than a footnote in history.

Last year, many veterans from my home State of Arkansas attended a commemoration of the 1,700 members of the 206th Coast Artillery Regiment of the Arkansas National Guard who were given the responsibility of defending a part of the Aleutian chain of islands near Dutch Harbor. At this 50-year reunion, the citizens of Dutch Harbor and the State of Alaska decided it would be appropriate to rename the South Beach on Hog Island that was defended by this Arkansas National Guard unit to "Arkansas Beach."

Among those defenders were three Arkansans who made the supreme sacrifice for their country—Sgt. James Arthur Allen of West Helena, Cpl. John Falls Bowen of Altheimer, and Sgt. Cecil Kenneth Dix of Little Rock—but the sacrifice was shared by all who fought in adverse conditions against a greatly superior force.

On May 10, 1992, the State of Alaska honored their sacrifice by renaming the South Beach on Hog Island to "Arkansas Beach." We are asking today that the Congress of the United States recognize the valor of this National Guard force and the generous spirit of the people of Alaska who wish to commemorate these brave men.

From a technical standpoint this action is required so that all future maps may indicate that the South Beach is officially known as "Arkansas Beach" in honor of the brave Arkansans who fought there 50 years ago. In a larger sense, this action is appropriate so that heroism and sacrifice are applauded, not only when action is at center stage, but also when it occurs without much notice in out-of-the-way places like Hog Island, AK.

Sacrifice and valor are part of a seamless web which binds us together and transforms values, like freedom and security, from ideals into reality. I ask my colleagues to approve this resolution.

Mr Speaker, I thank the gentleman for yielding.

Mr. DICKEY. Mr. Speaker, I wish to stress today my strong support for Senate Joint Resolution 78, the Arkansas Beach resolution, which designates a portion of a beach in Alaska's Aleutian Islands as Arkansas Beach.

This resolution commemorates the Americans who gave their lives defending part of the only American Territory that was invaded by the Japanese—or any United States enemy—during World War II. Among those who made the ultimate sacrifice for their country during this part of the war were members of the Arkansas National Guard assigned to the 206th Coast Artillery Regiment.

The area was a small portion of the Aleutian Islands called "Hog Island" at Unalaska, AK. On June 3 and 4, 1942, the brave members of the 206th Coast Artillery unit were guarding Dutch Harbor, when the Japanese attacked by air. Three members of that Arkansas National Guard unit died on the beach during the attack.

The city of Unalaska and the State of Alaska have both adopted resolutions designating the Hog Island beach on which the men died as "Arkansas Beach."

Mr. Speaker, these three members of Arkansas National Guard gave the ultimate sacrifice—their lives—in order to preserve the ideals and principles of the Constitution. It is only fitting that they, and the others who served with them, be honored with this resolution.

Ms. LAMBERT. Mr. Speaker, I rise today to speak on a matter of great importance to the people in my home State of Arkansas. I join my esteemed colleagues, Representatives RAY THORNTON, JAY DICKEY, TIM HUTCHINSON, and DON YOUNG, in support of naming and dedicating a portion of the beach on Hog Island in Unalaska, AR, in honor of three Arkansans who died there during a Japanese air attack in World War II.

We propose naming the area Arkansas Beach in honor of Arkansans Sgt. James Arthur Allen, Cpl. John Falls Bowen, and Sgt. Cecil Kenneth Dix, who drowned on the south beach of Hog Island. These three Arkansans bravely served with the 206th Coast Artillery Regiment of the National Guard during the attack on Dutch Harbor June 3 and 4, 1942. Naming the beach would be a fitting tribute to these three men who gave their lives and to all 1,700 Arkansas guardsmen who served and fought at Dutch Harbor between August 1941 and late 1943.

Recognizing that the city of Unalaska and the State of Alaska have passed resolutions in support of naming this area Arkansas Beach, I hereby encourage my colleagues in the House of Representatives to join me in this final step toward honoring the Arkansans who served at Hog Island. This token of our respect and admiration is a small measure of recognition for those who died and those who served our country so valiantly.

Mr. HUTCHINSON. Mr. Speaker, I applaud the action of the Congress today in passing Senate Joint Resolution 78, honoring those brave Arkansans who defended American territory from Japanese attack during World War II. These heroes fought, and several died, defending just a tiny corner of the United States in the Aleutian Islands, but their contribution was much larger than the act of merely defending an outpost. they defended American soil itself during a crucial period in the war with Japan, and during the only time in this century when United States territory would come under foreign occupation.

The Alaska Legislature has already named the south beach of Hog Island in the Aleutian chain "Arkansas Beach" in honor of Sgt. James Arthur Allen, Cpl. John Falls Bowen, and Sgt. Cecil Kenneth Dix, who died during the Japanese attack on the island, and the other members of the 206th Coast Artillery Regiment of the Arkansas National Guard who served their country in the Aleutians. This resolution by the Congress rightly directs the Department of the Interior to designate the south beach of Hog Island "Arkansas Beach" on all relevant Federal records, in accordance with the action of the Alaska Legislature.

In so doing, we recognize that the heroism and selflessness of those who gave their lives during World War II is not confined to the dramatic and fateful battles of the pacific or the much-celebrated liberation of Europe, but is perhaps best illustrated by the quiet but dogged determination of three men far from home and outside the limelight, who gave their lives in a remote place with no expectation of glory.

Senate Joint Resolution 78 honors not just these heroes from my home State of Arkansas, but all those Americans who considered the cause of freedom to be higher than their own survival, whose love of country transcended even their love of life. In recognizing the bravery of those who fell at Arkansas Beach, we remember all 1,700 members of the Arkansas National Guard assigned the unromantic but important duty of defending the Aleutian chain from the forces of tyranny. I strongly support the passage of this legislation.

Mr. VENTO. Mr. Speaker, I commend the gentleman for his comments and his research on this matter, as well as his work in terms of bringing the measure to the floor for our action on this commemorative.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 78.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the Senate joint resolution was passed.

A motion to reconsider was laid on the table.

RED RIVER DESIGNATION ACT OF 1993

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 914) to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the national wild and scenic rivers system, and for other purposes, as amended.

The Clerk read as follows:

H.R. 914

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Red River Designation Act of 1993".

SEC. 2 FINDINGS.

Congress finds that—

(1) the natural, scenic, and recreational qualities of the Red River in Kentucky are unique and irreplaceable resources; and

(2) the majority of the Red River corridor is within the Red River National Geologic area, which contains sedimentary rock formations unique to Kentucky and the United States, and should therefore be preserved for public enjoyment.

SEC. 3. DESIGNATION OF RIVER.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

"( )(A) RED RIVER, KENTUCKY.—The 19.4-mile segment of the Red River extending from the Highway 746 Bridge to the School House Branch, to be administered by the Secretary of Agriculture in the following classes:

"(i) The 9.1-mile segment known as the 'Upper Gorge' from the Highway 746 Bridge to Swift Camp Creek, as a wild river. This segment is identified as having the same boundary as the Kentucky Wild River.

"(ii) The 10.3-mile segment known as the 'Lower Gorge' from Swift Camp Creek to the School House Branch, as a recreational river.

"(B) There are authorized to be appropriated such sums as are necessary to carry out this paragraph.".

SEC. 4. LIMITATION.

Nothing in this Act, or in the amendment to the Wild and Scenic Rivers Act made by this Act, shall be construed as authorizing any acquisition of any scenic easement that without the consent of such landowner would affect any regular use of relevant lands that was exercised prior to the acquisition of such easement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from California [Mr. CALVERT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 914, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 914 is a bill by the gentleman from Kentucky [Mr. ROGERS] that would designate two segments of the Red River in that Commonwealth of Kentucky as components of the National Wild and Scenic Rivers System.

These segments, known as the "Upper Gorge" and "Lower Gorge", are located in the Daniel Boone National Forest. They were studied by the Forest Service, which found them eligible and suitable for such designation, and in January of this year then-president Bush recommended that they be so designated.

The Red River Gorge area provides habitat for rare wildlife populations, and supporters a warm-water fishery. It is also noted for an impressive array of diverse wildflowers and is marked by "towering rock formations" and natural bridges and includes significant Native American cultural sites and provides notable opportunities for canoeing, hiking, and camping.

The Natural Resources Committee adopted some amendments to more closely conform the bill to the normal terms of the Wild and Scenic Rivers Act, and also an amendment by the gentleman from Utah [Mr. HANSEN], to reiterate the provisions of the Wild and Scenic Rivers Act that any scenic easements that the National Government might acquire on lands within the designated areas would not affect existing uses of the lands without the owners consent. Because 50 percent or more of the lands above the high-water mark on both sides of the affected segments are already owned by the United States, section 6(B) of the Wild and Scenic Rivers Act would itself generally prohibit use of condemnation to acquire fee title to lands within the segment boundaries.

Mr. Speaker, the gentleman from Kentucky should be commended for taking this initiative to further protect these special segments of the Red River. His bill, as reported from our committee, is a noncontroversial and desirable measure that deserves the overwhelming approval of the House.

Mr. Speaker, I reserve the balance of my time.

Mr. CALVERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 914 that was introduced by my good friend from Kentucky, Mr. ROGERS. This legislation would add two segments of Kentucky's Red River to the National Wild and Scenic Rivers System. Both these segments have been studied extensively by the Forest Service and recommended for designation.

H.R. 914 has already been described in detail by Chairman VENTO. I would only like to point out that although I support Mr. VENTO's intent in clarifying the condemnation language, I prefer the language in the original bill and in the Senate bill which placed a total ban on condemnation of private property.

Since over 50 percent of the lands within the river corridors are publicly owned, the Wild and Scenic Rivers Act prevents condemnation in fee. However, there is no limitation on condemning lands through scenic easements. Although the Forest Service has statistics that show it rarely uses condemnation, the threat of condemnation is the hammer that forces most small landowners into becoming willing sellers to the Federal Government. As a result, these people never show up in the agency statistics even though they have lost their property.

I thank Chairman VENTO and Mr. ROGERS for their fine work on this bill and am cautiously optimistic that the Senate language regarding condemnation will ultimately be enacted.

I urge my colleagues to support H.R. 914.

Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, I rise in support of H.R. 914, legislation I introduced to designate some 19 miles of the Red River in Kentucky as components of the National Wild and Scenic River System—making it the only Wild and Scenic River in the Commonwealth.

I want to thank the subcommittee chairman, Mr. VENTO for moving this bill to the House floor so quickly.

The Red River is one of America's most magnificent and unspoiled treasures.

The river links a strong and vibrant people to the land in a way that should be protected for generations to come.

The Red River is a unique place of solitude and magnificent splendor.

The cavernous overhanges, chimney rocks, towering cliffs, and natural bridges that line the upper gorge have long inspired hikers, campers, rafters, and outdoor enthusiasts from around the Nation.

Panoramic views of the palisades and cliffs attract over 300,000 visitors a year to the upper gorge with its extensive 45-mile trail network and prehistoric Indian rock shelters and artifacts.

In contrast, the lower gorge is noted for its tranquil waters, lush shoreline, aboundant wild flowers, and thick forests.

During the 19th century, the area was heavily logged. But the trees have grown back. And today, beech, oak, pine, birch, hickory, dogwood, and maple layer the thick forest canopy.

Mr. Speaker, for the people of Wolfe, Menifee, and Powell Counties the Red River is more than a unique archaeological and biological area—it is home to family farms and strong community ties.

The people of these counties have worked hard to protect the land.

This measure goes a long way to ensure that they will be equal partners at the table when it comes time to maintaining a strong rural economy.

The bill ensures that landowners can continue farming, grazing cattle, and working their land just as they are now.

And under the Wild and Scenic Rivers Act, landowners must be fully compensated for their holdings if they choose to sell to the Federal Government.

Mr. Speaker, unless there is a willing seller, the Government is powerless to condemn property along the Red River in fee title. That gives peace of mind to landowners along the river corridor and it is integral to the Wild and Scenic Rivers Act.

The long-term protection of the Red River Gorge will provide a promising economic future for the residents of this tri-county area.

Tourism is big business in Kentucky. And wild and scenic designation will allow for development of recreational facilities along the Red River.

Canoe excursions, guided tours, and interpretive centers will help support the local economy, promoting the Red River Gorge as the crown jewel of the Daniel Boone National Forest.

Finally, Mr. Speaker, I want to give special thanks to my ranking member Mr. HANSEN for his work to restore my language prohibiting condemnation on easements during committee markup of H.R. 914.

He has done outstanding work on this issue, and I am hopeful that we can restore that added measure of protection during conference action.

In all, Mr. Speaker, the legislation will go a long way to protect the Red River Gorge and the preserve the rich heritage of the land and the people for generations to come.

Mr. Speaker, I urge members to pass H.R. 914 and designate the Red River as a National Wild and Scenic River.

□ 1230

Mr. CALVERT. Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 914.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COMMEMORATING 60TH ANNIVERSARY OF THE INTERNATIONAL RESCUE COMMITTEE

Mr. LANTOS. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 47) to recognize the International Rescue Committee for its great humanitarian endeavors.

The Clerk read as follows:

S. CON. RES. 47

Whereas the International Rescue Committee, which this year is marking the sixtieth anniversary of its founding, is a beacon of hope for the world's refugees, displaced by war, civil insurrection, ethnic conflict, political and religious persecution and famine;

Whereas in crisis after crisis—in Europe, Central America, Africa, and Asia—the field staff of the International Rescue Committee is often the first relief support on site to ease the suffering of refugees by stabilizing health conditions with critically needed sanitation, health care, and medical assistance;

Whereas the programs of the International Rescue Committee are also concerned with improving the quality of life for refugees by preparing them for a productive future through educating children and building new skills among adults;

Whereas often and whenever possible, programs implemented by the International Rescue Committee are ultimately turned over to the refugees themselves after they have been well trained by International Rescue Committee staff and volunteers;

Whereas the International Rescue Committee was founded in 1933 as a nonsectarian response to the increasing horrors of Nazi Germany;

Whereas as the need for humanitarian assistance expanded, so has the International Rescue Committee's commitment to refugees;

Whereas throughout the world, from Bosnia to Somalia, from Cambodia to El Salvador, the International Rescue Committee continues to aid refugees with medical assistance, shelter, food, and skills-training;

Whereas the International Rescue Committee also helps in repatriation or resettlement to assist refugees in starting their life anew;

Whereas in its sixty years of service, the International Rescue Committee has not only provided for victims of brutality and for those suffering from natural disasters with services essential for survival and the means to rebuild their lives, but also has given them reason to have renewed optimism in the compassion and goodwill of their fellow human beings; and

Whereas October 15, 1993, the sixtieth anniversary of the founding of the International Rescue Committee, is an appropriate day on which to give recognition to the International Rescue Committee for its great humanitarian endeavors: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That on the occasion of the sixtieth anniversary of the founding of the International Rescue Committee, the Congress hereby recognizes the International Rescue Committee for its great humanitarian endeavors.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. LANTOS] will be recognized for 20 minutes, and the gentleman from Nebraska [Mr. BEREUTER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. LANTOS].

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the International Rescue Committee is marking the 60th anniversary of its founding. It has been a beacon of hope for the world's refugees, for people displaced by the war, civil insurrection, ethnic conflict, political and religious persecution and famine.

In crisis after crisis, Mr. Speaker, in Europe, in this hemisphere, in Africa and in Asia, the International Rescue Committee has attempted to ease the suffering of refugees by stabilizing their health conditions with critically needed sanitation, health care, and medical assistance.

This invaluable humanitarian organization has also been concerned about improving the quality of life for refugees by preparing them for a productive future through educating their children and building new skills among adults.

Throughout the globe, from Bosnia to Somalia and from Cambodia to El Salvador, the International Rescue Committee has provided aid to men and women and children with medical assistance, shelter, food, and skills training. It has also provided for victims of brutality, for those suffering from natural disasters, with services essential for their survival and with the means to rebuild their lives.

It has also given them reason to have renewed optimism in the compassion and good will of their fellow human beings.

This organization was founded in the early 1930's and concerned itself initially only with refugees from Hilter's

Germany. But its work has expanded, and it covers people of all faiths, all groups, all ethnic backgrounds, without any differentiation of any type whatsoever.

Last Thursday, Mr. Speaker, the Senate passed this resolution, and I urge my colleagues to do so here in the House, to recognize 60 years of humanitarian endeavors on the part of one of the finest organizations dealing with human suffering across the globe.

Mr. Speaker, I reserve the balance of my time.

Mr. BEREUTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as ranking minority member on the Subcommittee on International Security, International Organizations, and Human Rights, this Member rises in support for Senate Concurrent Resolution 47, commemorating the 60th anniversary of the funding of the International Rescue Committee. This is a straightforward resolution which the minority fully supports.

What we are in fact commemorating today is the dignity of the human spirit. This resolution commemorates the willingness of courageous men and women to come to the aid of the oppressed.

Founded in large part through the leadership of Albert Einstein in 1933 in response to the growing brutality and intolerance that was the hallmark of the fascist movement, the International Rescue Committee facilitated the escape of tens of thousands of Hitler's victims. Since that time, the IRC has consistently worked to help those displaced by war, political and religious persecution, famine, and disaster.

For six decades, the IRC has aided refugees around the globe—in Europe, Central and South America, Africa, and Asia. Wherever there has been suffering, the IRC has been in the forefront of providing assistance. In the Horn of Africa, for example, IRC doctors and field staff have been credited with easing the suffering of hundreds of thousands of displaced persons. During the height of the civil war in El Salvador, the IRC managed 23 health clinics and 7 nutrition centers.

The IRC has an extraordinary record of providing timely, cost-effective assistance. Indeed, a recent edition of Money magazine cited the IRC as the best managed major charity in the Nation, with 94.9 percent of the budget being spent directly on refugees. This is an extraordinary record that is also worthy of commendation.

Mr. Speaker, this Member would commend the Chairman of the Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON], and the ranking member, the gentleman from New York [Mr. GILMAN] for their support and help in expediting this resolution. This Member would especially congratulate and commend my friend, the distinguished gentleman from California [Mr. LANTOS], for introducing the House version of this resolution, and for working so effectively to insure its timely consideration. The passage of this resolution is certainly consistent with his deep and abiding commitment and interest in the field of human rights.

Mr. Speaker, House Concurrent Resolution 158, which this body was originally scheduled to consider and which is identical to Senate Concurrent Resolution 47, was adopted unanimously by the Committee on Foreign Affairs last Thursday. Consequently, this Member urges adoption of Senate Concurrent Resolution 47.

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Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume

Mr. Speaker, I want to thank my distinguished Republican friend, the gentleman from Nebraska [Mr. BEREUTER], the ranking Republican on the Subcommittee on International Security, International Organizations, and Human Rights of the Committee on Foreign Affairs, for his unflagging support for humanitarian endeavors across the globe.

I also want to thank the gentleman from Indiana [Mr. HAMILTON], the chairman of the Committee on Foreign Affairs, and the gentleman from New York [Mr. GILMAN], the ranking Republican, for their support in this endeavor.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from California [Mr. LANTOS] that the House suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 47).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LANTOS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on Senate Concurrent Resolution 47, the Senate concurrent resolution just concurred in.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

AUTHORIZING USE OF THE CAPITOL BUILDING AND GROUNDS FOR COMMEMORATING THE 200TH ANNIVERSARY OF LAYING OF THE CORNERSTONE OF THE CAPITOL

Ms. NORTON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 146) authorizing the use of the Capitol building and grounds for events to commemorate the 200th anniversary of the laying of the cornerstone of the Capitol.

The Clerk read as follows:

H. CON. RES. 146

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL BUILDING AND GROUNDS.

The Commission on the bicentennial of the United States Capitol (hereinafter in this resolution referred to as the "Commission") may use the Capitol building and grounds on October 23, 1993, or on such other date as the Speaker of the House of Representatives and the President pro tempore of the Senate may jointly designate, for events to commemorate the 200th anniversary of the laying of the cornerstone of the Capitol.

SEC. 2. TERMS AND CONDITIONS.

The events referred to in section 1 shall be free of admission charge to the public and arranged under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, the Commission is authorized to erect upon the Capitol grounds such stages, sound amplification devices, and other related structures and equipment as may be required for the events referred to in section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements, including the use of voluntary and uncompensated staff and services, as may be required to carry out the events referred to in section 1.

(c) REPRESENTATIONS.—The Architect of the Capitol shall take such actions as may be necessary to ensure that sponsors of the events referred to in section 1 do not make representations that such sponsorship in any way constitutes an endorsement by the Federal Government.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia [Ms. NORTON] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. PETRI] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 146 would ensure that this important event in American history is appropriately commemorated. To this end, Congress has already established a Commission on the Bicentennial of the United States Capitol. The Commission is to oversee activities that will honor this special 200th anniversary of the laying of the cornerstone of the Capitol Building and bring the event to the attention of the public. The Commission is chaired by the majority and minority leaders of the Senate and the House Speaker and minority leader. In conjunction with the anniversary celebration, the statue Freedom will be returned to the Capitol dome. While the restoration of this magnificent statue is not directly related to the anniversary of the Capitol cornerstone, congressional leaders decided to combine these two important and historic events.

The activities will be free of charge. They will be planned in cooperation with the Architect of the Capitol and the Capitol Police board. This celebration will mark a very special occasion in American history, and I urge adoption of House Concurrent Resolution 146. Doing so will make sure the celebration is successful and honors our proud history.

Mr. Speaker, I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 146, a resolution to authorize the use of the Capitol Grounds for the 200th anniversary of the laying of the cornerstone of the U.S. Capitol. This event, scheduled for October 23, 1993, will include the return of the Statute of Freedom to the top of the Capitol dome.

This statute, a 15,000 pound bronze, cast in the 1860's, has been atop the dome for 130 years. On May 9, 1993, the statute was removed by helicopter and placed in the east plaza for cleaning and restoration. This has been successfully completed, and the statute is ready for another 130 years of sentinel duty on the dome.

The ceremony Saturday will include the poet laureate, Rita Dove, who will deliver "Lady Freedom Among U.S." The bipartisan congressional leadership will take part in the ceremony as will the Chief Justice of the Supreme Court, William Rehnquist.

I urge my colleagues to support this resolution to allow this worthwhile event, which will be open to the public and free of charge.

Mr. Speaker, I urge enactment of this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MINETA. Mr. Speaker, I rise in support of House Concurrent Resolution 146 to authorize the Commission on the Bicentennial of the United States Capitol to use the Capitol Building and Grounds on October 23, 1993, for events to commemorate the 200th anniversary of the laying of the cornerstone of the building.

Distinguished guests, cannon salutes, and theatrical and musical entertainment will mark the bicentennial celebration this Saturday and the public is invited to take part in the festivities.

This 200th anniversary will be celebrated in conjunction with the helicopter airlift of the 19-foot Statue of Freedom back atop the Capitol dome. The statue, removed from its pedestal May 9, underwent its first restoration since it was crafted over 130 years ago.

Featured speakers for the day include noted author and historian, David McCullough, who will serve as the master of ceremonies and poet laureate, Rita Dove, who will deliver "Lady Freedom Among Us," written especially for the occasion. The Chief Justice of the U.S. Supreme Court, William H. Rehnquist, will be on hand to commemorate the Capitol as the first home of the Supreme Court. House and Senate leaders will also speak.

In addition to the honored guests, an historical reenactment of the laying of the cornerstone will occur and military bands will perform. The ceremony will conclude with a cannon salute for each of the 50 States and the District of Columbia.

Mr. Speaker, this is an historical event and I urge support for this resolution.

Ms. NORTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia [Ms. NORTON] that the House suspend the rules and agree to the concurrent resolution.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Concurrent Resolution 146, the concurrent resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

COMMUNICATION FROM LEONARD P. WISHART III, DIRECTOR, NON-LEGISLATIVE AND FINANCIAL AFFAIRS

The SPEAKER pro tempore laid before the House the following communication from Leonard P. Wishart III, Director, Non-Legislative and Financial Services, U.S. House of Representatives:

NON-LEGISLATIVE AND
FINANCIAL SERVICES,
Washington, DC, October 14, 1993.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that the Office of Finance has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,
LEONARD P. WISHART III,
Director.

COMMUNICATION FROM THE HONORABLE CHARLIE ROSE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Hon. CHARLIE ROSE, Member of Congress:

COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, October 14, 1993.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L of the Rules of the House that the Committee on House Administration has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

Sincerely,
CHARLIE ROSE,
Chairman.

COMMUNICATION FROM HON. TIM HUTCHINSON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Hon. TIM HUTCHINSON, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 14, 1993.

Hon. THOMAS FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L of the Rules of the House that I have been served with a subpoena issued by the Municipal Court of the City of Fort Smith, Arkansas.

After consultation with the General Counsel, I will notify you of my determinations as required by the Rule.

Sincerely,
TIM HUTCHINSON,
Member of Congress.

CONFERENCE REPORT ON H.R. 2750

Mr. CARR submitted the following conference report and statement on the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes:

CONFERENCE REPORT (H. REPT. 103-300)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2750) "making appropriations for the Department of Transportation and related agencies, for the fiscal year ending September 30, 1994, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 28, 37, 40, 42, 43, 58, 61, 63, 64, 81, 82, 83, 84, 85, 113, 115, 117, 123, 146, 152, 153, 161, 162, 165, 166, 169, 170, 173, 174, 178, 179, 181, 183, 184, and 187.

That the House recede from its disagreement to the amendments of the Senate numbered 18, 19, 20, 22, 24, 25, 39, 44, 49, 55, 69, 75, 76, 77, 78, 79, 80, 86, 87, 89, 94, 95, 96, 97, 105, 108, 112, 116, 119, 120, 121, 126, 141, 148, 151, 156, 157, 160, 164, and 167, and agree to the same.

Amendment numbered 27:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$2,570,000,000*; and the Senate agree to the same.

Amendment numbered 30:

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$327,500,000*; and the Senate agree to the same.

Amendment numbered 31:

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$95,300,000*; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$49,685,000*; and the Senate agree to the same.

Amendment numbered 34:

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$96,400,000*; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$22,600,000*; and the Senate agree to the same.

Amendment numbered 41:

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$4,580,518,000*; and the Senate agree to the same.

Amendment numbered 48:

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$198,000,000*; and the Senate agree to the same.

Amendment numbered 50:

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$1,690,000,000*; and the Senate agree to the same.

Amendment numbered 51:

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$468,856,000*; and the Senate agree to the same.

Amendment numbered 52:

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$168,475,000*; and the Senate agree to the same.

Amendment numbered 57:

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the sum named in said amendment insert: *$12,800,000*; and the Senate agree to the same.

Amendment numbered 59:

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the sum named in said amendment insert: *$6,400,000*; and the Senate agree to the same.

Amendment numbered 62:

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$48,236,000*; and the Senate agree to the same.

Amendment numbered 65:

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$12,011,000*; and the Senate agree to the same.

Amendment numbered 66:

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$2,435,000*; and the Senate agree to the same.

Amendment numbered 67:

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$17,000,000*; and the Senate agree to the same.

Amendment numbered 68:

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$44,420,000*; and the Senate agree to the same.

Amendment numbered 71:

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$225,000,000, to remain available until expended*; and the Senate agree to the same.

Amendment numbered 72:

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$546,700,000*; and the Senate agree to the same.

Amendment numbered 90:

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$48,125,000*; and the Senate agree to the same.

Amendment numbered 91:

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$92,250,000*; and the Senate agree to the same.

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$24,090,000*; and the Senate agree to the same.

Amendment numbered 99:

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: *$800,000 for the Cleveland Dual Hub Corridor Project; $9,500,000 for the Boston, Massachusetts to Portland, Maine Commuter Rail Project;* ; and the Senate agree to the same.

Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$40,000,000*; and the Senate agree to the same.

Amendment numbered 101:

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$39,000,000*; and the Senate agree to the same.

Amendment numbered 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: *$62,500,000 for the New Jersey Urban Core;* ; and the Senate agree to the same.

Amendment numbered 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$170,000,000*; and the Senate agree to the same.

Amendment numbered 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$3,600,000*; and the Senate agree to the same.

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert; *$15,500,000*; and the Senate agree to the same.

Amendment numbered 109:

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following; $36,700,000 for the Pittsburgh Busway Projects; *$65,000,000 for the New York Queens Connection Project;* and the Senate agree to the same.

Amendment numbered 110:

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$3,000,000*; and the Senate agree to the same.

Amendment numbered 111:

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert; *$83,500,000*; and the Senate agree to the same.

Amendment numbered 114:

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert; *$3,000,000*; and the Senate agree to the same.

Amendment numbered 118:

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following; *$2,800,000 for preliminary engineering only for the Twin Cities Central Corridor Project; $23,500,000 for the Maryland Commuter Rail Project;* and the Senate agree to the same.

Amendment numbered 129:

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert; *$10,765,000*; and the Senate agree to the same.

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: *Kentucky Corridor B and West Virginia Corridor L*; and the Senate agree to the same.

Amendment numbered 131:

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert; *$57,000,000*; and the Senate agree to the same.

Amendment numbered 132:

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

CUMBERLAND GAP TUNNEL PROJECT

For expenses necessary for the Cumberland Gap Tunnel Project, as authorized by section 1069(c) of Public Law 102–240, $6,000,000.

And the Senate agree to the same.

Amendment numbered 135:

That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$1,600,000*; and the Senate agree to the same.

Amendment numbered 136:

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$9,800,000*; and the Senate agree to the same.

Amendment numbered 137:

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$3,200,000*; and the Senate agree to the same.

Amendment numbered 138:

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$2,500,000*; and the Senate agree to the same.

Amendment numbered 139:

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert:

MANASSAS BATTLEFIELD BYPASS

For 75 percent of the expenses necessary for the Manassas Battlefield highway projects, as authorized by section 10004(d) of Public Law 100–647, $3,000,000.

And the Senate agree to the same.

Amendment numbered 144:

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$6,279,000*; and the Senate agree to the same.

Amendment numbered 145:

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$19,376,000*; and the Senate agree to the same.

Amendment numbered 147:

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$16,927,000*; and the Senate agree to the same.

Amendment numbered 168:

That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of "SEC. 330." named in said amendment, insert: *SEC. 329.*

And the Senate agree to the same.

Amendment numbered 171:

That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 333. None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the "Buy American Act").

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 23, 26, 29, 33, 35, 36, 45, 46, 47, 53, 54, 56, 60, 70, 73, 74, 88, 92, 93, 106, 122, 124, 125, 127, 128, 133, 134, 140, 142, 143, 149, 150, 154, 155, 158, 159, 163, 172, 175, 176, 177, 180, 182, 185, and 186.

BOB CARR,
RICHARD J. DURBIN,
MARTIN OLAV SABO,
DAVID E. PRICE,
RONALD D. COLEMAN,
THOMAS M. FOGLIETTA,
WILLIAM H. NATCHER,
FRANK R. WOLF,
TOM DELAY,
RALPH REGULA,
JOSEPH M. MCDADE,
Managers on the Part of the House.

FRANK R. LAUTENBERG,
ROBERT C. BYRD,
TOM HARKIN,
BARBARA A. MIKULSKI,
ALFONSE M. D'AMATO,
PETE V. DOMENICI,
MARK O. HATFIELD,
ARLEN SPECTER,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

CONGRESSIONAL DIRECTIVES

The conferees agree that Executive Branch propensities cannot substitute for Congress' own statements concerning the best evidence of Congressional intentions—that is, the official reports of the Congress. Report language included by the House that is not changed by the report of the Senate, and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

PROGRAM, PROJECT AND ACTIVITY

During fiscal year 1994, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to funds provided for the Department of Transportation and related agencies, the terms "program, project and activity" shall mean any item for which a dollar amount is contained in an appropriation Act (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. In addition, the reductions made pursuant to any sequestration order to funds appropriated for "Federal Aviation Administration, Facilities and equipment" and for "Coast Guard, Acquisition, construction, and improvements" shall be applied equally to each "budget item" that is listed under said accounts in the budget justifications submitted to the House and Senate Committees on Appropriations as modified by subsequent appropriation Acts and accompanying committee reports, conference reports, or joint explanatory statements of the committee of conference. The conferees recognize that adjustments to the above allocations may be required due to changing program requirements or priorities. The conferees expect any such adjustment, if required, to be accomplished only through the normal reprogramming process.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $1,173,000 for the Immediate Office of the Secretary. The House bill contained no similar appropriation.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $481,000 for the Immediate Office of the Deputy Secretary. The House bill contained no similar appropriation.

OFFICE OF THE GENERAL COUNSEL

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $7,667,000 for the Office of the General Counsel. The House bill contained no similar appropriation.

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides $150,000 for the payment of legal expenses of certain former employees of the White House Travel Office.

Office of the Assistant Secretary for Transportation Policy

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $2,410,000 for the Office of the Assistant Secretary for Transportation Policy. The House bill contained no similar appropriation.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $8,000,000 for the Office of the Assistant Secretary for Aviation and International Affairs. The House bill contained no similar appropriation.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $2,826,000 for the Office of the Assistant Secretary for Budget and Programs, including not to exceed $60,000 for official reception and representation expenses. The House bill contained no similar proposition.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$2,100,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $2,100,000 for the office of the assistant secretary for governmental affairs instead of $2,225,000 as proposed by the Senate. The House bill contained no similar appropriation.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, $27,066,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $27,066,000 for the office of the assistant secretary for administration instead of $33,794,000 available until expended proposed by the Senate. The House bill contained no similar appropriation.

The conference agreement includes the following changes to the budget request:

Travel: hold to fiscal year 1993 level	–$15,000
Hold training/executive development to fiscal year 1993 level	–40,000
New cost accounting standards development	–250,000
Financial data analysis	–50,000
On-site financial management activities	–4,000
Delete travel for information resource management reviews	–7,000
Secretary's mess	–140,000
DAFIS research and development	–6,417,000

Advanced automation system oversight.—The conferees have adopted the Senate language concerning oversight of the Federal Aviation Administration's advanced automation system (AAS). However, the conferees are aware of concerns about cost overruns, schedule delays and the potential for conflict of interest in FAA's monitoring and management of this program. Therefore, in order to achieve an independent, ongoing oversight of the AAS program, the conferees direct the Department of Transportation Inspector General to monitor the program on a continuous basis and report as frequently as necessary to the Office of the Secretary on these issues. As a matter of routine, these reports should also be provided to the House and Senate Appropriations Committees.

OFFICE OF PUBLIC AFFAIRS

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$1,355,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,355,000 for the office of public affairs instead of $1,338,000 as proposed by the Senate. The House bill contained no similar appropriation.

EXECUTIVE SECRETARIAT

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$900,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $900,000 for the executive secretariat instead of $901,000 as proposed by the Senate. The House bill contained no similar appropriation.

CONTRACT APPEALS BOARD

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $602,000 for necessary expenses of the Contract Appeals Board.

OFFICE OF CIVIL RIGHTS

Amendment No. 13: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $1,430,000 for the Office of Civil Rights as proposed by the Senate. The House bill contained no similar appropriation.

Consolidation of civil rights offices.—The conferees do not agree with the consolidation of all civil rights activities as proposed in the report of the House Committee on Appropriations. However, the conferees expect the department to study this proposal further, to determine whether such action would be beneficial in the future.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $934,000 for the Office of Small and Disadvantaged Business Utilization and provides that funds available for the Minority Business Resource Center may be used for business opportunities related to any mode of transportation.

OFFICE OF INTELLIGENCE AND SECURITY

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$1,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,000,000 for the office of intelligence and security instead of $1,214,000 as proposed by the Senate. The House bill contained no similar appropriation.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$9,232,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes funding as proposed by the Senate plus additional funding for departmental accounting and financial information systems research and development activities. The House bill contained no similar appropriation.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION

OPERATIONS AND RESEARCH

Amendment No. 17: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the first sum named in said amendment, insert: *$4,700,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $4,700,000 for operations and research of the office of commercial space transportation instead of $4,990,000 as proposed by the Senate. The House bill contained to similar appropriation. The conference agreement also provides that $1,500,000 of the funds shall remain available until expended, and that up to $200,000 in user fees for regulatory services may be credited to this appropriation, as proposed by the Senate. The House bill contained no similar provision.

WORKING CAPITAL FUND

Amendment No. 18: Limits obligations for the working capital fund to $93,000,000 as proposed by the Senate instead of $92,220,000 as proposed by the House.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 19: Appropriates $33,423,077 in liquidating cash as proposed by the Senate instead of $15,540,000 as proposed by the House.

Amendment No. 20: Limits obligations to $33,423,077 as proposed by the Senate instead of zero as proposed by the House.

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that none of the funds in this Act shall be available for payments to air carriers in the forty-eight contiguous states for service points located less than seventy highway miles from the nearest large or medium hub airport, or that require a per passenger subsidy greater than $200, unless such point is greater than 210 miles from the nearest large or medium hub airport, as proposed by the Senate. The House bill contained no similar provision.

Subsidy elimination criteria.—The conferees have adopted the Senate proposal which makes ineligible for federal subsidy those communities in the 48 contiguous states located fewer than 70 highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of $200, except for points greater than 210 miles from the nearest large or medium hub airport. The conferees note that the communities listed in the Senate report that would be eliminated under this recommendation are simply illustrative. The conferees are aware of concerns expressed by a few of the communities contained in the Senate's list, and recognize that a community may fall outside the 70 mile radius based on the most current mileage data, or that average daily enplanements may have increased and per passenger subsidies decreased dramatically since last year. In these cases, such communities may have been listed in the Senate report that would not necessarily lose service. The conferees expect the Department of Transportation, to the extent possible, in determining which communities are to be eliminated from the program to use current data and to afford communities threatened with the loss of essential air service subsidies time to comment and a process that enables them to refute the findings of the Department, if necessary.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

Amendment No. 22: Appropriates $300,000 for the cost of direct loans as proposed by the Senate instead of $180,000 as proposed by the House.

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that of the amount appropriated for direct loans, $120,000 shall be derived from unobligated balances of the Office of Small and Disadvantaged Business Utilization. The House bill contained no similar provision.

Amendment No. 24: Provides a limitation on gross obligations for the principal amount of direct loans of $7,500,000 as proposed by the Senate instead of $4,500,000 as proposed by the House.

Amendment No. 25: Appropriates $400,000 for administrative expenses to carry out the direct loan program as proposed by the Senate instead of $220,000 as proposed by the House.

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that of the amount appropriated for administrative costs, $180,000 shall be derived from unobligated balances of the Office of Small and Disadvantaged Business Utilization. The House bill contained no similar provision.

COAST GUARD

OPERATING EXPENSES

Amendment No. 27: Appropriates $2,570,000,000 for Coast Guard operating expenses instead of $2,555,695,000 as proposed by the House and $2,590,083,000 as proposed by the Senate.

The conference agreement includes the following changes to the budget request:

Mass transit subsidy benefit	−$1,217,000
Headquarters and field operations, maintenance and administration	−4,000,000
Vessel identification system (VIDS)	−135,000
Shore facility construction follow-on	−769,000
Information resource management	−1,900,000
"Work/life" initiatives	−1,750,000
Uninspected fishing vessel inspection program	−187,000
Supplies and materials	−2,500,000
Oil spill cleanups—federally funded	−1,000,000
Drug interdiction activities	−9,000,000
Recruiting	−866,000
Coast Guard Academy	−600,000
Loran Station Kargaburun, Turkey	−1,700,000
Headquarters administration	−2,800,000
C–130 operating costs	−1,177,000
Retained personnel resources	−3,270,000
Personnel account adjustment	−4,000,000
Permanent change of station allowance	−850,000
Marine environmental protection follow-on	−80,000
Air Station Washington, D.C.	−1,232,000
Non-pay cost of living adjustment	−2,897,000
Bonus cuts (PMRS)	−935,000
Container inspection program	+1,836,000
Marine inspection program	+1,282,000

Information resource management.—The conferees direct that, in administering the $1,650,000 funding increase provided for information resource management above the fiscal year 1993 level, the Coast Guard carry out all expenditures anticipated under the budget request relating to the marine information safety and law enforcement (MISLE) project.

Container inspection and marine inspection programs.—The conference agreement provides half year funding for the 76 billets associated with the container inspection program and 33 billets associated with the marine inspection resources initiative. Consistent with usual budgeting procedures, the conferees expect these billets to be annualized in the Coast Guard's fiscal year 1995 budget request.

East Tawas, Michigan search and rescue station.—The conferees do not agree with the direction of the House to close the search and rescue station in East Tawas, Michigan.

Air Station Washington, D.C.—The conferees have reduced the budget request for the operation and maintenance of Air Station Washington, D.C. by $1,232,000 instead of $3,935,000 as proposed by the Senate, and have agreed under amendment number 36 that any proceeds from the sale of aircraft VC–11A should be credited to the "Acquisition, construction, and improvements" appropriation and utilized for the procurement of global positioning system equipment for Coast Guard aircraft. The conferees are aware of a proposal to transfer an executive aircraft from the Air Force's existing inventory to the Coast Guard. The conferees do not agree with the Senate direction explicitly requiring the sale of the VC–11A and VC–4A aircraft. Instead, this decision is left up to the Department of Transportation and the Coast Guard. However, the conferees assume that the sale of VC–11A will take place if an Air Force aircraft is transferred to the Coast Guard. Consistent with the Coast Guard's currect aircraft deployment plans, the conferees understand that the VC–4A aircraft will be used as a logistics aircraft operating out of Air Station Miami. The conference agreement includes funding for operation and maintenance of the VC-4A out of Air Station Miami, and for the VC-11A or another aircraft to meet that requirement, to be operated out of Andrew Air Force Base, Maryland.

Amendment No. 28: Limits the number of Coast Guard aircraft on hand at any one time to 223 as proposed by the House instead of 221 as proposed by the Senate.

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That of the funds provided under this head, not less than $6,000,000 in work currently scheduled to be conducted at the Coast Guard Yard is to be awarded based upon a competitive solicitation of both public and private shipyards: Provided further, That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement requires $6,000,000 in work scheduled for the Coast Guard Yard to be conducted after a competition between public and private shipyards. The House bill required that $8,000,000 in vessel maintenance and overhaul work will be competed. The Senate bill contained no similar provision. In addition, the agreement includes language proposed by the Senate requiring the Coast Guard to reduce both military and civilian employment levels for the purpose of complying with Executive Order 12839. The House bill contained no similar provision.

Coast Guard Yard.—The conference agreement opens $6,000,000 of work scheduled to be performed at the Coast Guard Yard to a competitive solicitation of both public and private shipyards. The managers intend this solicitation to be undertaken by the Coast Guard as a pilot project to identify whether cost efficiencies may be achieved. The managers recognize the high quality of work performed at the Yard, which recently won the Commandant's Quality Award, and emphasize that the Yard remains fully eligible to bid for this work.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Amendment No. 30: Appropriates $327,500,000 for Acquisition, construction, and improvements instead of $310,700,000 as proposed by the House and $354,690,000 as proposed by the Senate. The conferees also approve reprogrammings totaling $8,400,000, which result in overall program resources of $335,900,000 for fiscal year 1994.

A table showing the distribution of this appropriation by project as included in the fiscal year 1994 budget estimate, House bill, Senate bill, and conference agreement follows:

COAST GUARD
FISCAL YEAR 1994
ACQUISITIONS, CONSTRUCTION, AND IMPROVEMENTS
(Dollars in thousands)

	FY 1994 ESTIMATE	HOUSE BILL	SENATE BILL	CONFERENCE AGREEMENT
I. VESSELS				
A. ACQUIRE VESSELS AND EQUIPMENT:				
1. Survey and design-cutters and boats	$500	$500	$500	$500
2. Seagoing buoy tender (WLB) replacement	45,000	9,000	41,490	30,900
3. Coastal buoy tender (WLM) replacement	1,700	1,700	1,350	1,350
4. 47-ft. motor lifeboat (MLB) replacement	1,000	1,000	....	.....
5. Buoy boat (BUSL) replacement	1,500	1,500	750	750
6. Polar icebreaker follow-on	3,700	3,700	3,700	3,700
7. Configuation management	3,400	3,400	2,000	2,000
8. Shipboard command and control system	3,600	3,600	2,500	2,500
9. Surface ship radars	5,600	5,600	2,200	4,400
10. FT4A gas turbine logistics support	3,000	3,000	3,000	3,000
11. Polar class replacement main propulsion monitoring and control system (MCAM)	3,000	3,000	3,000	3,000
B. REPAIR, RENOVATE OR IMPROVE EXISTING VESSELS AND SMALL BOATS:				
1. 210-ft, medium endurance cutter (WMEC)--Major maintenance availability (MMA)	43,200	43,200	43,200	43,200
C. REPROGRAMMINGS:				
1. Mackinaw rehabilitation to WLB program			(1,100)	(1,100)
2. Motor lifeboat acquisition to WLB program			(710)	.....
3. Icebreaker RIP project to WLB program			(4,700)	(4,700)
TOTAL	115,200	79,200	103,690	95,300
II. AIRCRAFT				
1. Operation Bahamas turks and Caicos (OPBAT)-helicopter--Phase IV	55,200	10,200	55,200	40,000
2. Traffic alert and collision avoidance system (TCAS)-Phase II	4,200	4,200	4,200	4,200
3. Global positioning system installation-Phase IV	1,800	2,000	800	1,400
4. Aircraft cockpit voice/flight data recorders-Phase IV	1,500	1,500	785	785
5. HH-65 helicopters/HU-25 fixed wing simulator upgrade	1,300	1,300	1,300	1,300
6. Austere logistics aircraft purchase	3,400	3,400	....	....
7. HH-65 helicopter-transmission gearbox upgrade	4,500	4,500	2,000	2,000
TOTAL	71,900	27,100	64,285	49,685
III. OTHER EQUIPMENT				
1. Systems to automate and integrate logistics (SAIL)	6,600	6,600	2,800	2,800
2. Defense logistics modernization	3,900	3,900	2,400	2,400
3. Differential global positioning system	6,600	6,600	6,600	6,600
4. Buoy replacement project	1,000	1,000	....	....

COAST GUARD
FISCAL YEAR 1994
ACQUISITIONS, CONSTRUCTION, AND IMPROVEMENTS
(Dollars in thousands)

	FY 1994 ESTIMATE	HOUSE BILL	SENATE BILL	CONFERENCE AGREEMENT
5. Communication stations automation-Phase III	2,000	2,000	2,000	2,000
6. Resource information system for health services program	3,200	3,200	....	1,900
7. Personnel management information system/joint uniform military pay system II-Phase III	1,200	1,200	1,200	1,200
8. Vessel traffic services (VTS) 2000	27,600	6,600	20,200	12,600
9. Vessel traffic services (VTS) upgrade and expansion project	4,400	4,400	4,400	4,400
10. Marine information for safety and law enforcement (MISLE)	5,300	5,300	4,600	4,600
11. Conversion of application software--Phase I	2,000	2,000	2,000	2,000
12. Vessel traffic services equipment replacement projects	3,000	3,000	3,000	3,000
13. Minor AC&I automated information system projects	1,900	1,900	....	1,000
TOTAL	68,700	47,700	50,200	44,500
IV. SHORE FACILITIES AND AIDS TO NAVIGATION				
A. SHORE-GENERAL:				
1. Survey and design of various shore projects	13,000	13,000	12,300	12,300
2. Minor AC&I shore construction projects	8,000	8,000	8,000	8,000
B. SHORE-AIR STATIONS:				
1. Aquadilla, Puerto Rico--Air Station Borinquen drive-through rinse rack/fuel farm	6,300	6,300	6,300	6,300
2. Air Station Miami, Florida upgrade--Phase II	8,200	8,200	....	....
3. Air Station Sitka, Alaska--aids to navigation support building	3,000	3,000		3,000
C. SHORE-SUPPLY CENTERS/SUPPORT CENTERS/COAST GUARD YARDS:				
1. Support center San Pedro, California--medical/dental building	4,500	4,500	4,500	4,500
2. Coast Guard Yard Curtis Bay, Maryland--ship handling facility-Phase I	5,000	5,000	5,000	5,000
3. Support center Kodiak, Alaska--community center	1,500	1,500	1,500	1,500
4. Support center Kodiak, Alaska--cold storage facility	4,600	4,600	4,600	4,600
5. Support center Seattle, Washington--reconstruct pier 37	10,000	10,000	....	....
6. Support center Elizabeth City, North Carolina--realign perimeter road	2,800	2,800	2,800	2,800
D. SHORE-PERSONNEL SUPPORT FACILITIES:				
Public family quarters	22,000	22,000	21,500	22,000
E. SHORE-GROUPS/BASES/STATIONS/MSOs:				
1. Group North Bend, Oregon--medical/dental building	2,900	2,900	2,900	2,900
2. Communications are master station Atlantic--Portsmouth, Virginia-expand transmitter building	4,400	4,400	4,400	4,400

COAST GUARD
FISCAL YEAR 1994
ACQUISITIONS, CONSTRUCTION, AND IMPROVEMENTS
(Dollars in thousands)

	FY 1994 ESTIMATE	HOUSE BILL	SENATE BILL	CONFERENCE AGREEMENT
3. Group Port Angeles, Washington--medical/dental building	3,300	3,300	3,300	3,300
4. Station Provincetown, Massachusetts--replace wave barrier	1,300	1,300	....	....
5. Natchez, Mississipi--replace mooring facility	3,100	3,100	500	500
F. TRAINING CENTERS:				
1. Training center Cape May, New Jersey--enlarge child development center	2,000	2,000	2,000	2,000
2. Training center Cape May, New Jersey--modify recruit barracks-Phase II	3,900	3,900	3,900	3,900
3. Training center Cape May, New Jersey--renovate enlisted unaccompanied housing	3,900	3,900	3,900	3,900
G. AIDS TO NAVIGATION FACILITIES:				
1. Waterways short range aids projects	4,000	4,000	4,000	4,000
2. Overseas loran closure	1,500	1,500	1,500	1,500
H. REPROGRAMMINGS:				
1. Station East Tawas to Shore facilities & ATON	....	....	(700)	....
2. Portsmouth housing to Shore fac. & ATON	....	....	(500)	....
3. MSO Houston to Shore facilities & ATON	....	....	(2,600)	(2,600)
TOTAL	119,200	119,200	95,900	96,400
V. PERSONNEL AND RELATED SUPPORT				
Personnel and related support	39,000	37,500	40,615	41,615
TOTAL APPROPRIATION	414,000	310,700	354,690	327,500

Amendment No. 31: Provides $95,300,000 to acquire, repair, renovate or improve vessels, small boats and related equipment instead of $79,200,000 as proposed by the House and $103,690,000 as proposed by the Senate.

The conference agreement includes $30,900,000 in new budget authority and $5,800,000 from the reallocation of previous funding for the seagoing buoy tender (WLB) program. It is the conferees' understanding that this funding will be adequate to purchase one tender and provide for necessary program support in fiscal year 1994.

Amendment No. 32: Provides $49,685,000 to acquire new aircraft and increase aviation capacity instead of $27,100,000 as proposed by the House and $64,285,000 as proposed by the Senate.

The conferees recommend $40,000,000 for the Operation Bahamas, Turks, and Caicos (OPBAT) helicopter program—phase IV. This amount will provide for necessary spares and support and the purchase of the final two HH–60 helicopters. This will allow a total of ten helicopters for this effort. The administration has a review of the nation's drug interdiction effort underway. In light of this and the questions raised by many of the effectiveness of drug interdiction efforts overall, the conferees emphasize that this represents the final funding for the purchase of OPBAT helicopters.

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$44,500,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $44,500,000 for other equipment instead of $47,700,000 as proposed by the House and $50,200,000 as proposed by the Senate.

Amendment No. 34: Provides $96,400,000 for shore facilities and aids to navigation facilities instead of $119,200,000 as proposed by the House and $95,900,000 as proposed by the Senate.

The conference agreement includes $500,000 for the Natchez, Mississippi, mooring facility replacement project. In addition, the conferees direct that $2,600,000 of funds previously allocated for the marine safety office, Houston and no longer needed for that purpose be applied to the Natchez facility.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$41,615,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $41,615,000 for personnel compensation and benefits and related costs instead of $37,500,000 as proposed by the House and $40,615,000 as proposed by the Senate. The amount provided reflects a proper reallocation of $4,000,000 from the operating expenses account, offset by anticipated savings of $1,000,000. The conferees agree that the resources provided will support a level of approximately 670 full time equivalent personnel.

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert: *: Provided, That funds received from the sale of the VC–11A aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

(RESCISSION)

Amendment No. 37: Rescinds $20,000,000 of the funds appropriated in Public Law 102–388, as proposed by the House. The Senate had proposed no rescission.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Amendment No. 38: Appropriates $22,600,000 for environmental compliance and restoration instead of $22,100,000 as proposed by the House and $23,000,000 as proposed by the Senate. The reduction of $457,000 from the administration's request may be allocated at the Coast Guard's discretion.

ALTERATION OF BRIDGES

Amendment No. 39: Appropriates $12,940,000 for alteration or removal of obstructive bridges as proposed by the Senate instead of $5,940,000 as proposed by the House. The conference agreement assumes the allocation of funds as stated in the budget request.

The conference agreement restores funding for the Sidney Lanier Bridge in Georgia and the Chelsea Street Bridge in Massachusetts, which are both highway bridges. The House had deleted funding for these bridges, stating that highway bridges should be funded, if necessary, out of the Federal Highway Administration's bridge program funds, and not out of Coast Guard funds. The conferees have restored these funds in order to avoid sudden disruption to the two projects in question. However, the conferees agree that future federal funds for these and other highway bridges deemed to be an obstruction to maritime navigation will not be funded out of the "Alteration of bridges" appropriation. The conferees agree that the Coast Guard appropriation should be reserved for railroad bridges, which have no other form of federal financing.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Amendment No. 40: Appropriates $22,500,000 for research, development, test, and evaluation as proposed by the House instead of $25,000,000 as proposed by the Senate.

The conferees direct that, within the resources provided, $250,000 is to be made available for increased fire and spill response capability on the Columbia River in accordance with the guidance set forth in the Senate report.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

Amendment No. 41: Appropriates $4,580,518,000 for operations of the Federal Aviation Administration instead of $4,568,219,000 as proposed by the House and $4,584,584,000 as proposed by the Senate.

The conference agreement includes the following changes to the budget request:

Operation of Air Traffic Control System:	
Air traffic control streamlining program	+$8,300,000
Pay demonstration project	+11,800,000
NAS Logistics Support:	
Depot maintenance	+9,000,000
Maintenance of Air Traffic Control System:	
Contract maintenance	−21,123,000
In-house maintenance	+15,000,000
Castle AFB RAPCON takeover	−500,000
FAA Technical Center janitorial services	−40,000
Pay demonstration project	+2,500,000
Leased Telecommunications Services:	
General reduction due to budget constraints	−2,500,000
Direct user access terminal (DUATS)	+9,000,000
Aviation Regulation and Certification:	
Aviation safety inspectors	+2,500,000
Flight inspection flight hours	+2,500,000
Pay demonstration project	+700,000
Aviation Standards:	
Aviation medical examiner user fee offset	−400,000
Civil Aviation Security:	
General reduction due to budget constraints	−2,193,000
NAS Design and Management:	
Oversight of Capital Improvement Plan	−1,094,000
Administration of Airports:	
Congressional inquiries	−900,000
General reduction due to budget constraints	−3,000,000
Direction, Staff and Supporting Services:	
Reduction in headquarters overhead	−2,600,000
Administrative resources-civil rights	−300,000
Personnel Management and Training (Human Resource management):	
Executive-level training	−300,000
Mid-American Aviation Resource Consortium	+2,000,000
Vocation technical institution grants	+750,000
Headquarters Administration:	
Aviation Safety Journal	−95,000
FAA advisory committees—50 percent reduction	−445,000
Headquarters staffing reductions	−4,180,000
Accountwide adjustments:	
Job performance travel	−3,843,000
Contractual studies	−1,989,000
Employee involvement program	−1,163,000
Automation support contracts	−2,500,000
Bonus and award payments (PMRS)	−7,210,000
Aircraft operating support	−3,157,000

Headquarters administration.—The conferees agree that the staffing reductions of $4,180,000 include those position reductions stated in the House report except for the office of chief counsel, which is to be reduced by 11 positions instead of 21 as proposed by the House.

Suspected unapproved parts.—The conferees do not agree with the direction of the House requiring the FAA to initiate rulemaking regarding the regulation and licensing of brokers, distributors, resellers, and others engaged in the sale of aircraft parts and related materials. The House and Senate Appropriations Committees will continue to monitor the need for such regulation over the coming year.

Facilities for advanced training of maintenance technicians.—The conferees do not agree with the Senate's direction to allocate $1,000,000 for grants to vocational technical institutions for the acquisition or construction of facilities for advanced training of maintenance technicians for air carrier aircraft. Instead, the conference agreement provides $750,000 for this purpose, and reiterates the Senate direction that at least two competitive grants be awarded by July 1, 1994.

Diamond Head combined center/radar approach control (CENRAP).—The conferees agree with the Senate direction on this subject, except the FAA is not specifically directed to fund the program out of budget item 2A-19 as proposed by the Senate, but is instead expected to budget for that work subject to review and approval.

Rehire of former PATCO air traffic controllers.—The conferees agree that former PATCO air traffic controllers should be considered for rehire by the FAA on the same basis as all other persons similarly qualified for those positions. The Senate had proposed that former PATCO controllers be given a preference in hiring over others applying for employment as air traffic controllers.

Roswell, New Mexico airport study.—The conferees do not agree with the direction in the Senate report requiring Congressional approval of, and specifying certain criteria for, a cost study of air traffic service options at the Roswell, New Mexico airport. Instead, the conferees have included amended bill language as described in amendment number 175 which provides for the conduct of this study.

Illinois air service study.—The conferees agree that $250,000 is to be allocated to a study of air service in Illinois, as proposed by the House.

Amendment No. 42: Provides that, of the total amount appropriated for FAA operations, $2,294,500,000 is to be derived from the airport and airway trust fund as proposed by the House instead of $2,292,292,000 as proposed by the Senate.

Amendment No. 43: Provides that, of the funds available under this appropriation, $2,000,000 is only for the Mid-American Aviation Resource Consortium to operate an air traffic controller training program, as proposed by the House. The Senate bill contained no similar provision.

Amendment No. 44: Deletes language proposed by the House which would have prohibited the use of funds in this Act from implementing, executing, or enforcing 14 CFR 91.21 pertaining to the use of portable electronic devices on aircraft. The Senate bill contained no similar provision.

Amendment No. 45: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of "section 9199 of Public Law 91-508" named in said amendment, insert: *section 9119 of Public Law 101-508*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The provision prohibits the use of funds for pay raises or bonuses for FAA employees whose responsibilities include noise abatement policy functions, managing aircraft route design or changes, or responsibility for preparing, managing, or overseeing the environmental impact statement mandated by section 9119 of Public Law 101-508 until the final report on such impact statement is issued. The amendment of the House makes technical corrections to the language proposed by the Senate. The House bill contained no similar provision.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 46: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$2,120,104,000.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $2,120,104,000 for FAA facilities and equipment instead of $2,142,000,000 as proposed by the House and $2,162,578,000 as proposed by the Senate.

A table showing the distribution of this appropriation by project as included in the fiscal year 1994 budget estimate, House recommendation, Senate recommendation, and conference agreement follows:

FACILITIES AND EQUIPMENT
(IN THOUSANDS OF DOLLARS)

BUDGET LINE ITEM FY 94 PB	TITLE	FY 1994 PRESIDENT'S BUDGET TOTAL	FY 1994 HOUSE RECOM-MENDED	FY 1994 SENATE RECOM-MENDED	CONFERENCE AGREEMENT
	ACTIVITY 1. ENGINEERING, DEVELOPMENT, TEST, AND EVALUATION				
	A. EN ROUTE PROGRAMS				
1A01	AVIATION WEATHER SERVICES IMPROVEMENTS	23,335.0	20,335.0	23,335.0	19,351.0
1A02	ADVANCED AUTOMATION SYSTEM (AAS) (SEE 2A06 ALSO)	424,650.0	297,350.0	267,150.0	267,150.0
1A03	AUTOMATIC DEPENDENT SURVEILLANCE (ADS)	4,200.0	4,200.0	4,200.0	4,200.0
1A04	AERONAUTICAL DATA LINK (ADL) (SEE 2A09 ALSO)	1,700.0	1,700.0	1,700.0	1,700.0
1A05	VOICE SWITCHING AND CONTROL (VSCS) (SEE 2A14 ALSO)	61,500.0	61,500.0	61,500.0	61,500.0
	SUBTOTAL - EN ROUTE PROGRAMS	**515,385.0**	**385,085.0**	**357,885.0**	**353,901.0**
	B. TERMINAL PROGRAMS				
1B01	AIRPORT SURVEILLANCE RADAR (ASR) (SEE 2B01 ALSO)	3,000.0	0.0	3,000.0	1,000.0
1B02	RUNWAY STATUS LIGHT SYSTEM	2,000.0	2,000.0	2,000.0	2,000.0
1B03	TERMINAL ATC AUTOMATION (TATCA)	8,650.0	8,650.0	8,650.0	8,650.0
	TRANSIENT CREW SECURITY SYSTEM	0.0	2,000.0	2,000.0	2,000.0
	SUBTOTAL - TERMINAL PROGRAMS	**13,650.0**	**12,650.0**	**15,650.0**	**15,650.0**
	C. FLIGHT SERVICE PROGRAMS				
	SUBTOTAL - FLIGHT SERVICE PROGRAMS	**0.0**	**0.0**	**0.0**	**0.0**
	D. LANDING AND NAVIGATIONAL AIDS PROGRAMS				
1D01	MICROWAVE LANDING SYSTEM (MLS)	46,218.0	43,218.0	41,218.0	41,218.0
	SUBTOTAL - LANDING AND NAVIGATIONAL AIDS	**46,218.0**	**43,218.0**	**41,218.0**	**41,218.0**
	E. RESEARCH, TEST, AND EVALUATION EQUIPMENT AND FACILITIES				
1E01	INDEPENDENT OPER TEST AND EVAL (IOT&E) SUPPORT	4,250.0	4,250.0	4,250.0	4,250.0
1E02	FAA TECHNICAL CENTER FACILITY - TECHNICAL BUILDING LEASE	5,290.0	5,290.0	5,290.0	5,290.0
1E03	UTILITY PLANT MODIFICATIONS	1,660.0	1,660.0	1,660.0	1,660.0
1E04	NAS IMPROVEMENT OF SYSTEM SUPPORT LABORATORY	3,500.0	2,000.0	3,500.0	3,000.0
1E05	TECHNICAL CENTER FACILITIES	9,000.0	7,000.0	9,000.0	7,000.0
1E06	TECHNICAL CENTER R&D LABORATORY - ESTABLISH	3,500.0	0.0	3,500.0	3,000.0
1E07	CAMI INFRASTRUCTURE - MODERNIZATION	1,400.0	1,400.0	1,400.0	1,400.0
1E08	PRECISION AUTOMATED TRACKING SYSTEM	2,100.0	2,100.0	2,100.0	2,100.0
	SUBTOTAL - RESEARCH, TEST, & EVAL EQUIP AND FACILITIES	**30,700.0**	**23,700.0**	**30,700.0**	**27,700.0**
	ACTIVITY 1 SUBTOTAL	***605,953.0***	***464,653.0***	***445,453.0***	***438,469.0***
	ACTIVITY 2. AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT				
	A. EN ROUTE PROGRAMS				
2A01	LONG RANGE RADAR (LRR) PROGRAM - REPLACEMENT	20,417.0	20,417.0	20,417.0	20,417.0
2A02	ARSR-3 LEAP FROG PROGRAM	7,500.0	0.0	0.0	0.0
2A03	RADIO COMMUNICATION LINK NETWORK	15,500.0	15,500.0	12,500.0	10,500.0
2A04	NEXT GENERATION WEATHER RADAR (NEXRAD) - PROVIDE	53,600.0	36,600.0	53,600.0	53,600.0
2A05	ATC EN ROUTE RADAR FACILITIES IMPROVEMENTS	16,398.0	15,500.0	16,398.0	5,400.0
2A06	ADVANCED AUTOMATION SYSTEM (AAS)	31,100.0	31,100.0	21,000.0	26,000.0
2A07	EN ROUTE SOFTWARE DEVELOPMENT AND INTEG SUPPORT	10,600.0	0.0	8,000.0	7,000.0
2A08	CENTRAL WEATHER PROCESSOR (CWP)	1,400.0	1,400.0	1,400.0	1,400.0
2A09	AERONAUTICAL DATA LINK (ADL)	22,400.0	19,900.0	22,400.0	19,900.0
2A10	EN ROUTE AUTOMATION EQUIPMENT	4,000.0	4,000.0	4,000.0	4,000.0
2A11	OCEANIC SYSTEM DEVELOPMENT AND SUPPORT	27,000.0	25,282.0	27,000.0	25,282.0
2A12	ARTCC BLDG IMPROVEMENT/PLANT MODERN/SPACE EXPANSION	98,385.0	68,000.0	78,000.0	68,000.0
2A13	NADIN II ENHANCEMENTS - PROVIDE	8,500.0	7,600.0	8,500.0	7,600.0
2A14	VOICE SWITCHING AND CONTROL SYSTEM (VSCS)	171,000.0	64,400.0	146,000.0	146,000.0
2A15	REMOTE COMM FACILITIES (RCFs) - EXPANSION/RELOCATION	10,000.0	7,500.0	10,000.0	5,500.0
2A16	TRAFFIC MANAGEMENT SYSTEM (TMS)	23,600.0	16,200.0	19,200.0	16,200.0
2A17	DATA MULTIPLEXING NETWORK (DMN)	17,500.0	13,000.0	17,500.0	17,500.0

FACILITIES AND EQUIPMENT
(IN THOUSANDS OF DOLLARS)

BUDGET LINE ITEM FY 94 PB	TITLE	FY 1994 PRESIDENT'S BUDGET TOTAL	FY 1994 HOUSE RECOM-MENDED	FY 1994 SENATE RECOM-MENDED	CONFERENCE AGREEMENT
2A18	CRITICAL COMMUNICATION SUPPORT	2,000.0	2,000.0	2,000.0	2,000.0
2A19	EN ROUTE COMMUNICATIONS AND CONTROL FACILITIES	11,548.0	8,856.0	8,856.0	8,856.0
2A20	CENTROL FLOW CONTROL FACILITY RELOCATION	1,400.0	1,400.0	1,400.0	1,400.0
2A21	AIR GROUND COMM RADIO FREQUENCY INTERFERENCE (RFI)	5,000.0	3,000.0	5,000.0	2,000.0
2A22	MODERNIZE/UPGRADE CENTRAL ALTITUDE RESERV FUNC (CARF)	1,500.0	1,500.0	1,500.0	1,500.0
2A23	DISPLAY CHANNEL COMPLEX REHOST	10,800.0	0.0	2,000.0	2,000.0
2A24	LONG RANGE RADAR (LLR) - PROGRAM ESTABLISH	10,000.0	0.0	10,000.0	10,000.0
2A25	DOD BASE CLOSURE - FACILITY TRANSFER	7,600.0	7,600.0	0.0	7,600.0
2A26	PERFORMANCE MONITORING ANALYSIS	900.0	900.0	900.0	900.0
	SUBTOTAL - EN ROUTE PROGRAMS	**589,648.0**	**371,655.0**	**497,571.0**	**470,555.0**
B. TERMINAL PROGRAMS					
2B01	AIRPORT SURVEILLANCE RADAR (ASR)	44,300.0	44,300.0	44,300.0	44,300.0
2B02	TERMINAL DOPPLER WEATHER RADAR (TDWR)	5,800.0	5,800.0	5,800.0	5,800.0
2B03	MODE S - PROVIDE	10,100.0	10,100.0	10,100.0	10,100.0
2B04	DIGITAL BRIGHT RADAR INDICATOR TOWER EQUIPMENT (DBRITE)	8,000.0	0.0	6,000.0	3,600.0
2B05	PRECISION RUNWAY MONITORS (PRM)	27,000.0	26,450.0	20,000.0	22,000.0
2B06	AIRPORT MOVEMENT AREA SAFETY SYSTEM (AMASS)	13,100.0	13,100.0	13,100.0	13,100.0
2B07	MODE C INTRUDER (MCI) - EXPAND ARTS IIIA CAPACITY	2,500.0	2,500.0	2,500.0	2,500.0
2B08	SOUTHERN CALIFORNIA TRACON FACILITIES CONSOLIDATION	1,000.0	1,000.0	1,000.0	1,000.0
2B09	DALLAS/FORT WORTH METROPLEX PROGRAM	13,300.0	13,300.0	13,300.0	13,300.0
2B10	TERMINAL SOFTWARE DEVELOPMENT SUPPORT	7,400.0	7,400.0	7,400.0	7,400.0
2B11	CHICAGO TRACON RELOCATION	18,200.0	18,200.0	18,200.0	18,200.0
2B12	ARTS IIIE UPGRADES FOR SELECTED AIR TRAFFIC FACILITIES	23,600.0	23,600.0	15,600.0	17,300.0
2B13	REMOTE MAINTENANCE MONITORING SYSTEM (RMMS)	27,700.0	20,700.0	27,700.0	27,700.0
2B14	TERMINAL AIR TRAFFIC CONTROL FACILITIES REPLACEMENT	1,000.0	0.0	1,000.0	0.0
2B15	ATC TOWER/TRACON FACILITIES MODERNIZATION	25,212.0	25,212.0	19,212.0	20,200.0
2B16	EMERGENCY TRANSCEIVER REPLACEMENT	3,000.0	3,000.0	3,000.0	3,000.0
2B17	NEW DENVER AIRPORT ESTABLISHMENT	1,200.0	1,200.0	1,200.0	1,200.0
2B18	TERMINAL VOICE SWITCH REPLACEMENT (TVSR)	26,600.0	26,600.0	26,600.0	26,600.0
2B19	RADIO CONTROL EQUIPMENT (RCE)	14,900.0	14,900.0	14,900.0	14,900.0
2B20	TERMINAL COMMUNICATIONS IMPROVEMENTS	2,062.0	2,062.0	2,062.0	2,062.0
2B21	EMPLOYEE SAFETY FOR AIRPORT TRAFFIC CONTROL TOWERS	36,000.0	36,000.0	36,000.0	36,000.0
2B22	AIRPORT SURFACE DETECTION EQUIPMENT (ASDE)	12,600.0	26,600.0	26,600.0	26,600.0
2B23	ARTS IIIA MODE C CAPABILITY/VIDEO COMPRESSION	26,100.0	26,100.0	26,100.0	26,100.0
2B24	TERMINAL RADAR SYSTEMS - IMPROVE	9,395.0	9,395.0	9,395.0	9,395.0
	ATC TOWER STREAMLINING PROJECT	0.0	8,500.0	2,500.0	8,500.0
	SUBTOTAL - TERMINAL PROGRAMS	**360,069.0**	**366,019.0**	**353,569.0**	**360,857.0**
C. FLIGHT SERVICES PROGRAMS					
2C01	FLIGHT SERVICE STATION (FSS) MODERNIZATION	8,800.0	8,800.0	8,800.0	8,800.0
2C02	DIRECTION FINDER (DF) NETWORK PROGRAM	10,000.0	10,000.0	10,000.0	10,000.0
2C03	AUTOMATED SURFACE OBSERVING SYSTEM (ASOS)	29,900.0	19,900.0	29,900.0	19,900.0
2C04	WEATHER MESSAGE SWITCHING CENTER REPLACEMENT	3,600.0	3,600.0	3,600.0	3,600.0
2C05	DIGITAL ALTIMETER SETTING INDICATOR (DASI) REPLACEMENT	1,500.0	1,500.0	1,500.0	1,500.0
2C06	FSAS OP AND SUPPORT IMPLEMENTATION SYS (OASIS)	14,600.0	0.0	2,000.0	1,000.0
2C07	FLIGHT SERVICE FACILITIES IMPROVEMENT	3,426.0	3,426.0	3,426.0	3,426.0
	SUBTOTAL - FLIGHT SERVICE PROGRAMS	**71,826.0**	**47,226.0**	**59,226.0**	**48,226.0**
D. LANDING AND NAVIGATIONAL AIDS PROGRAM					
2D01	VOR / DME / TACAN NETWORK PLAN	15,100.0	15,100.0	10,000.0	9,000.0
2D02	APPROACH LIGHTING SYS IMPROVEMENT PROGRAM (ALSIP)	1,700.0	1,700.0	1,700.0	1,700.0
2D03	INSTRUMENT LANDING SYS (ILS) MK 1A, 1B, AND 1C REPLACEMENT	20,000.0	20,000.0	20,000.0	20,000.0
2D04	INSTRUMENT LANDING SYSTEM (ILS) ESTABLISHMENT	36,174.0	36,174.0	37,974.0	36,174.0
2D05	VISUAL NAVAIDS - ESTABLISH / EXPAND	6,310.0	6,310.0	6,310.0	6,310.0

FACILITIES AND EQUIPMENT
(IN THOUSANDS OF DOLLARS)

BUDGET LINE ITEM FY 94 PB	TITLE	FY 1994 PRESIDENT'S BUDGET TOTAL	FY 1994 HOUSE RECOM-MENDED	FY 1994 SENATE RECOM-MENDED	CONFERENCE AGREEMENT
2D06	LOW LEVEL WINDSHEAR ALERT SYS (LLWAS) UPGRADE	2,200.0	2,200.0	0.0	0.0
2D07	RUNWAY VISUAL RANGE (RVR) - ESTABLISH	3,000.0	3,000.0	3,000.0	3,000.0
2D08	ILS AND VISUAL NAVAID COMPONENT SPARING	5,000.0	5,000.0	5,000.0	5,000.0
2D09	ILS - FAA AIRPORT IMPROVEMENT PROGRAM FUNDED SYS	3,000.0	3,000.0	3,000.0	3,000.0
2D10	NAVIGATIONAL AND LANDING AIDS IMPROVEMENT	8,975.0	8,975.0	8,975.0	8,975.0
	SUBTOTAL - LANDING AND NAVIGATIONAL AIDS	**101,459.0**	**101,459.0**	**95,959.0**	**93,159.0**
E.	OTHER ATC FACILITIES PROGRAMS				
2E01	ALASKAN NAS INTERFACILITY COMM SYS (ANICS)	13,000.0	9,000.0	13,000.0	9,000.0
2E02	FUEL STORAGE TANK REPLACEMENT & MONITORING	9,000.0	9,000.0	4,700.0	9,000.0
2E03	FAA BUILDINGS AND EQUIPMENT	17,000.0	17,000.0	17,000.0	17,000.0
2E04	ELECTRICAL POWER SYSTEMS	7,000.0	7,000.0	7,000.0	7,000.0
2E05	AIR NAVIGATIONAL AIDS AND ATC FACILITIES	7,019.0	7,019.0	7,019.0	7,019.0
2E06	AIR NAVIGATIONAL FACILITIES AND ATC SYSTEM SUPPORT	9,000.0	9,000.0	5,000.0	5,000.0
2E07	LAND / EASEMENT PURCHASE FOR EXISTING AIRWAY FACILITIES	6,000.0	6,000.0	3,000.0	1,400.0
2E08	AIRCRAFT RELATED EQUIPMENT	12,000.0	0.0	7,000.0	6,000.0
2E09	FLIGHT INSPECTION AIRCRAFT PROCUREMENT	37,900.0	0.0	0.0	0.0
2E10	LARGE AIRPORT CABLE LOOP SUSTAINED SUPPORT	1,000.0	1,000.0	1,000.0	1,000.0
2E11	COMPUTER AIDED ENGINEERING GRAPHICS (CAEG) SYSTEM	1,500.0	1,500.0	1,500.0	1,500.0
2E12	SPECIAL USE AIRSPACE MANAGEMENT SYSTEM (SAMS)	3,000.0	3,000.0	3,000.0	3,000.0
	ATC FACILITIES CONSOLIDATION	0.0	75,000.0	0.0	0.0
	SUBTOTAL - OTHER ATC FACILITY PROGRAMS	**123,419.0**	**144,519.0**	**69,219.0**	**66,919.0**
	ACTIVITY 2 SUBTOTAL	***1,246,421.0***	***1,030,878.0***	***1,075,544.0***	***1,039,716.0***
ACTIVITY 3.	NON-AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT				
A.	SUPPORT EQUIPMENT				
3A01	ADP FACILITIES MANAGEMENT (CORN)	35,000.0	35,000.0	35,000.0	35,000.0
3A02	AIRPORT DATUM MONUMENT PROGRAM	1,500.0	1,500.0	1,500.0	1,500.0
3A03	NATIONAL AIRSPACE SYS (NAS) RECOVERY COMMUNICATIONS	6,800.0	6,800.0	6,800.0	6,800.0
3A04	NAS MANAGEMENT AUTOMATION PROGRAM	8,000.0	8,000.0	4,000.0	4,000.0
3A05	HAZARDOUS MATERIALS MANAGEMENT	12,750.0	12,750.0	12,750.0	12,750.0
3A06	AVIATION SAFETY ANALYSIS SYSTEM (ASAS)	20,000.0	20,000.0	10,600.0	18,000.0
3A07	OPERATIONS DATA MANAGEMENT SYSTEM	4,650.0	4,650.0	4,650.0	4,650.0
3A08	FAA EMPLOYEE HOUSING - PROVIDE	18,500.0	18,500.0	18,500.0	18,500.0
3A09	LOGISTICS SUPPORT SYSTEMS AND FACILITIES	5,000.0	5,000.0	5,000.0	5,000.0
3A10	TEST EQUIP - MAINT SUPPORT FOR REPLACEMENT EQUIP	9,000.0	9,000.0	9,000.0	9,000.0
3A11	RADIO FREQUENCY INTERFERENCE (RFI) VANS	2,000.0	2,000.0	2,000.0	2,000.0
3A12	ARTCC CHILD CARE FACILITIES	4,845.0	4,845.0	4,845.0	4,845.0
3A13	INTEGRATED FLIGHT QUALITY ASSURANCE	2,500.0	0.0	0.0	0.0
3A14	EXPLOSIVE DETECTION SYS- INSTALL, OPERATE, AND MAINTAIN	1,500.0	1,500.0	1,500.0	1,500.0
3A15	AIRMEN AND AIRCRAFT REGISTRY REPORTING SYSTEM	9,100.0	9,100.0	9,100.0	9,100.0
3A16	NATIONAL AVIATION SAFETY DATA CENTER	2,000.0	2,000.0	2,000.0	2,000.0
	SUBTOTAL - SUPPORT EQUIPMENT	**143,145.0**	**140,645.0**	**127,245.0**	**134,645.0**
B.	TRAINING, EQUIPMENT AND FACILITIES				
3B01	SIMULATION BASED TRAINING SYSTEMS	24,300.0	24,300.0	24,300.0	24,300.0
3B02	COMPUTER BASED INSTRUCTION (CBI)	7,650.0	7,650.0	5,000.0	4,100.0
3B03	AERONAUTICAL CTR TRAINING AND SUPPORT FACILITIES	6,600.0	6,600.0	6,600.0	6,600.0
3B04	NATIONAL AIRSPACE SYSTEM (NAS) TRAINING FACILITIES	6,100.0	6,100.0	6,100.0	6,100.0
	SUBTOTAL - TRAINING EQUIP & FACILITIES	**44,650.0**	**44,650.0**	**42,000.0**	**41,100.0**
	ACTIVITY 3 SUBTOTAL	***187,795.0***	***185,295.0***	***169,245.0***	***175,745.0***

FACILITIES AND EQUIPMENT (IN THOUSANDS OF DOLLARS)

BUDGET LINE ITEM FY 94 PB	TITLE	FY 1994 PRESIDENT'S BUDGET TOTAL	FY 1994 HOUSE RECOM-MENDED	FY 1994 SENATE RECOM-MENDED	CONFERENCE AGREEMENT
ACTIVITY 4. MISSION SUPPORT					
A. SYSTEM SUPPORT AND SERVICES					
4A01	SYSTEM ENGINEERING AND SUPPORT CONTRACT (SEIC)	121,157.0	110,000.0	110,000.0	110,000.0
4A02	LOGISTICS SUPPORT SERVICES (LSS)	12,000.0	12,000.0	12,000.0	12,000.0
4A03	HUMAN RESOURCE MGMT PLAN FOR NAS TRANSITION	1,700.0	1,700.0	1,700.0	1,700.0
4A04	MIKE MONRONEY AERONAUTICAL CENTER LEASE	13,200.0	13,200.0	13,200.0	13,200.0
4A05	IN-PLANT NAS CONTRACT SUPPORT SERVICES	5,400.0	5,400.0	5,400.0	5,400.0
4A06	TRANSITION ENGINEERING SUPPORT	48,274.0	48,274.0	48,274.0	48,274.0
4A07	NATIONAL AIRSPACE INTEGRATED LOGISTICS SUPPORT (NAILS)	7,000.0	7,000.0	7,000.0	7,000.0
4A08	FREQUENCY/SPECTRUM ENGINEERING	3,500.0	500.0	3,500.0	2,000.0
4A09	ACQUISITION OVERSIGHT	1,700.0	1,700.0	1,700.0	1,700.0
4A10	TECHNICAL SUPPORT SERVICES CONTRACT (TSSC)	64,900.0	64,900.0	64,900.0	64,900.0
4A11	FAA SYSTEM ARCHITECTURE	3,000.0	0.0	3,000.0	2,000.0
	SUBTOTAL - SYSTEM SUPPORT AND SERVICES	**281,831.0**	**264,674.0**	**270,674.0**	**268,174.0**
	ACTIVITY 4 SUBTOTAL	***281,831.0***	***264,674.0***	***270,674.0***	***268,174.0***
ACTIVITY 5. PERSONNEL AND RELATED EXPENSES					
5A01	PERSONNEL AND RELATED EXPENSES	202,000.0	196,500.0	201,662.0	198,000.0
	ACTIVITY 5 SUBTOTAL	***202,000.0***	***196,500.0***	***201,662.0***	***198,000.0***
	TOTAL, FY 1994 FACILITIES AND EQUIPMENT	***2,524,000.0***	***2,142,000.0***	***2,162,578.0***	***2,120,104.0***

Air traffic control facilities consolidation.—The conferees do not agree with House direction that the FAA prepare for a more vigorous consolidation of its air traffic control facilities, and the conference agreement deletes the $75,000,000 proposed by the House to begin implementation of an expanded consolidation effort. The administration's detailed facility consolidation plan has only recently been received, and will be reviewed to determine the need for greater consolidation in future years.

Advanced landing system.—The conferees are aware of efforts by the Department of Defense to develop and field a new generation, low cost, advanced landing system (ALS). The ALS has excellent potential as a dual use technology and the conferees encourage the FAA to continue to work with the Department of Defense to provide the necessary assistance to support the commercial viability of the ALS.

NEXRAD needs assessment.—Pursuant to its participation in the National Implementation Plan for the Modernization and Associated Restructuring of the National Weather Service (NWS), the FAA is responsible for installing new next generation weather radar (NEXRAD) systems in Alaska. The conferees are concerned about reports that Alaska may receive fewer NEXRADs than originally called for in the Weather Service plan. Therefore, the conferees direct the FAA administrator, in consultation with the FAA Alaska Region, the NWS Alaska Region, the Alaska Aviation Safety Foundation, the Alaska Air Carriers Association, the Aircraft Owners and Pilots Association, and the Alaska Volcano Observatory, to prepare a study on the adequacy and effect on aviation safety of installing fewer than nine NEXRADs in Alaska. The study shall include an examination and discussion of: Alaska's unique weather, terrain and size; regional volcanic activity and its effect on aviation safety; statewide reliance on air transport (including the per capita number of airmen, aircraft and airports, and the availability of alternate modes of transportation); current weather satellite and radar coverage of Alaska; air accident statistics for the state; the percentage of land expected to receive NEXRAD coverage in the contiguous 48 states compared to the percentage of land expected to receive NEXRAD coverage in Alaska after all FAA and NWS NEXRAD are installed; the number of NEXRADs to be installed in the contiguous 48 states in a geographic area equal in size to Alaska, explaining any discrepancy between that number and the number of radars to be installed in Alaska; and the relative merits of installing nine NEXRADs in Alaska versus seven such radars. The study may also examine any other matters any of the parties deem appropriate. The administrator shall submit his findings by April 1, 1994 to the Senate and House Committees on Appropriations.

The conferees do not agree with the Senate direction requiring the FAA to install nine NEXRAD systems in Alaska at designated locations and times. Instead, the conferees request the study on this issue described in the earlier paragraph and included in the bill under amendment number 180.

Terminal stand-alone radar training system (TSARTS).—The conferees agree with the Senate position that the FAA should make every effort to award the TSARTS contract to a qualified small and disadvantaged business (8(a) firm), rather than conduct a full and open competition as proposed by the House.

Precision runway monitor program.—The conferees do not agree with the Senate's direction that the Philadelphia International Airport be given priority consideration for the installation of a precision runway monitor system.

Nondirectional beacons.—The conferees do not agree with the Senate direction that nondirectional beacons be installed at certain sites in Alaska. It is the conferees' understanding that such equipment has already been installed at each of those locations, rendering additional direction unnecessary. The conferees, however, direct FAA to study the need to upgrade the existing equipment.

Des Moines Airport instrument landing system.—The conferees agree with the Senate direction that FAA accelerate its plans to upgrade the existing category I instrument landing system at the Des Moines, Iowa Airport to a category II configuration.

Aviation safety analysis system.—The conferees do not agree with the Senate direction that no further purchases be made of work stations for the aviation safety analysis system (ASAS) until quantity discounts are assured, mission need statements are prepared, and other justification is received. While the conferees expect the FAA to work diligently with the Senate Appropriations Committee to address its concerns with this program and reduce program costs, the conference agreement does not mandate specific administrative actions prior to further purchases of work stations or require individual mission need statements for each of the ASAS program elements.

Airway science.—The conferees agree with the Senate direction to provide $2,800,000 from unobligated balances of the airway science program to the University of North Dakota for initial operating costs of the distance learning project, but do not agree to the further direction that additional funding be provided to equip the receiving stations of the airway science network.

Amendment No. 47: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$1,922,104,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement makes $1,922,104,000 available for three years instead of $1,945,500,000 as proposed by the House and $1,988,488,000 as proposed by the Senate. This represents the funding available under budget activities 1 through 4.

Amendment No. 48: Provides that $198,000,000 is available for two years instead of $196,500,000 as proposed by the House and $201,662,000 as proposed by the Senate. This represents the funding available under budget activity 5.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 49: Appropriates $254,000,000 for research, engineering, and development as proposed by the Senate instead of $240,000,000 as proposed by the House.

A table showing the distribution of this appropriation by project as included in the fiscal year 1994 budget estimate, House recommendation, Senate recommendation, and conference agreement follows:

RESEARCH, ENGINEERING AND DEVELOPMENT (IN THOUSANDS OF DOLLARS)

	FY 1994 PRESIDENT'S BUDGET	FY 1994 HOUSE RECOMMENDED	FY 1994 SENATE RECOMMENDED	CONFERENCE AGREEMENT
Management and Analysis				
Management & Systems Analysis	$13,498	$13,498	$10,498	$10,498
Capacity & Air Traffic Management Technology				
Air Traffic Management Technology	6,372	4,071	6,372	6,372
Oceanic Automation Program	11,449	7,449	11,449	11,449
Terminal ATC Automation (TATCA)	15,191	15,191	15,191	15,191
Runway Incursion Reduction/Tower Automation	10,981	9,981	9,981	9,981
System Capacity, Planning & Improvements	11,159	11,159	11,159	11,159
Cockpit Technology	6,251	6,251	6,251	6,251
Vertical Flight Program	3,222	3,222	3,222	3,222
Modeling and Simulation	11,814	8,514	12,814	12,814
Future Airway Facilities Maintenance Technology	500	500	500	500
Subtotal	**76,939**	**66,338**	**76,939**	**76,939**
Communications, Navigation & Surveillance				
Communications	14,745	14,745	14,745	14,745
Navigation	17,930	16,330	20,930	20,930
Surveillance	3,000	3,000	3,000	3,000
Subtotal	**35,675**	**34,075**	**38,675**	**38,675**
Weather	1,908	1,908	1,908	1,908
Airport Technology	7,509	7,081	7,509	7,509
Aircraft Safety Technology				
Aircraft Systems Fire Safety	5,697	5,697	5,697	5,697
Aircraft Crashworthiness/Structural Airworthiness	4,112	4,112	4,112	4,112
Propulsion and Fuel Systems	2,784	2,784	2,784	2,784
Flight Safety/Atmospheric Hazards Research	3,226	3,226	3,226	3,226
Aging Aircraft	22,655	22,540	26,655	24,655
Aircraft Catastrophic Failure Prevention Research	2,701	2,701	2,701	2,701
Subtotal	**41,175**	**41,060**	**45,175**	**43,175**
System Security Technology				
Explosives/Weapons Detection	22,829	22,829	22,829	22,829
NAS Security	2,454	2,454	2,454	2,454
Aviation Security Human Factors	2,845	2,845	2,845	2,845
Aircraft Hardening	7,802	7,802	7,802	7,802
Subtotal	**35,930**	**35,930**	**35,930**	**35,930**
Human Factors/Aviation Medicine				
Flightdeck Human Factors	7,430	7,430	7,430	7,430
ATC Human Factors	5,808	5,808	5,808	5,808
Airway Facilities Maint. Human Factors	3,459	3,459	3,459	3,459
Flightdeck/ATC System Integration	4,342	4,342	4,342	4,342
Aircraft Maintenance Human Factors	1,984	1,984	1,984	1,984
Aeromedical Research	4,233	4,233	4,233	4,233
Undistributed Human Factors Increase	0	2,744	0	2,000
Subtotal	**27,256**	**30,000**	**27,256**	**29,256**
Environment and Energy	5,385	5,385	5,385	5,385
Innovative/Cooperative Research	4,725	4,725	4,725	4,725
TOTAL	***250,000***	***240,000***	***254,000***	***254,000***

Unleaded aviation fuels.—The conferees agree that, of the amount provided, at least $450,000 is to be allocated to further research on unleaded aviation fuels, as directed by the House.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 50: Limits obligations for grants-in-aid for airport planning and development, and noise compatibility planning and programs to $1,690,000,000 instead of $1,500,000,000 as proposed by the House and $1,800,000,000 as proposed by the Senate.

Specific projects.—The conferees agree to the specific allocations of funding for certain projects as referenced in the House and Senate reports. Locations and funding levels for these projects are as follows: O'Hare International Airport, Chicago, IL. ($9,400,000); Philadelphia International Airport, Philadelphia, PA. ($10,000,000); Luis Muñoz Marin International Airport, San Juan, PR. ($10,000,000); and Clarksburg/Benedum Airport, Clarksburg, WV. ($14,000,000). In addition, the conferees agree and direct that the project to extend runway 16 at Center Municipal Airport in Center, Texas be allocated $2,500,000 from discretionary funding provided under this head.

Airport priority lists.—The conferees agree that lists in Congressional Committee reports directing the FAA to give priority consideration to grant applicants regarding development at certain specified airports are neither effective at ensuring funding nor useful at identifying those airports with the highest need for federal assistance. Over time, these lists have grown so large that the FAA could not conceivably give all listed airports priority consideration, and many airports have been included on the lists without adequate analysis or review of their planned development projects. The conferees do not intend to continue such lists in future years, and will instead work with the FAA to further develop airport investment criteria, which provides a more sound basis for Congressional decisions on specific airport development projects.

Letters of intent.—The conferees agree with the Senate direction that the FAA award new letters of intent only after (1) scheduled LOI payments fall below 50 percent of AIP discretionary funding, and (2) FAA improves its ability to estimate the impact of airport development projects on systemwide capacity.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Amendment No. 51: Limits general operating expenses of the Federal Highway Administration to $468,856,000 instead of $462,961,000 as proposed by the House and $475,731,000 as proposed by the Senate.

The conference agreement includes the following amounts:

Program	Budget estimate	House bill	Senate bill	Conference agreement
Administrative expenses	254,907,000	296,501,000	254,207,000	252,707,000
Motor carrier safety	47,794,000		47,674,000	47,674,000
Contract programs:				
Highway research, development, and technology	42,700,000	40,700,000	47,219,000	42,525,000
IVHS research	100,810,000	86,310,000	91,300,000	90,300,000
Technology assessment and deployment	15,000,000	12,000,000	12,000,000	12,000,000
Long-term pavement performance	10,000,000	10,000,000	7,000,000	7,000,000
National Highway Institute	5,500,000	5,500,000	4,500,000	4,500,000
Rural technology assistance program	500,000	500,000	500,000	500,000
International transportation	800,000	500,000	400,000	400,000
Minority business	1,000,000	10,000,000	10,000,000	10,000,000
Rehabilitation of Fairbank building	950,000	950,000	1,250,000	1,250,000
Accountwide adjustment			−319,000	
Total limitation	488,961,000	462,961,000	475,731,000	468,856,000

Administrative expenses.—The conference agreement includes $252,707,000 for administrative expenses reflecting the following adjustments from the budget estimate:

Bonuses and awards	−$700,000
General reduction	−2,000,000
National pedestrian and bicyclist clearinghouse	+500,000

Motor carrier safety.—The conference agreement includes $47,674,000 for motor carrier safety with the reduction of $120,000 from the budget request to be applied to bonuses and awards.

Highway research, development, and technology.—The conferees recommend a total of $42,525,000 for highway research, development, and technology, to be allocated as follows:

Safety	$5,738,000
Materials	3,685,000
Pavements	7,259,000
Structures	4,860,000
Environment	4,080,000
Right-of-way	320,000
Policy	6,869,000
Planning	4,389,000
Motor carrier	5,345,000

For the pavements activity, the conferees recommend an increase of $500,000 above the budget estimate to be used to study the health aspects of crumb rubber modifiers as set forth in the Senate report.

For the structures activity, the conferees recommend a $1,000,000 increase above the budget estimate to be applied equally to a study of bridge construction techniques and the development of guidelines and training materials concerning health and safety issues of workers employed on bridge rehabilitation and restoration projects.

For the planning activity, the conferees recommend a net increase of $1,200,000 above the budget estimate, reflecting an increase of $1,500,000 for geographic information system development as set forth in the House report and a general reduction of $300,000, which still provides for 18.5 percent growth above the 1993 level.

For the motor carrier activity, the conferees recommend a net decrease of $2,655,000 from the budget estimate, reflecting the following adjustments:

General reduction	−$3,230,000
Development and testing of automated commercial vehicle roadside inspections	+425,000
Development of guidelines for inspection and maintenance of wheels and bearings	+150,000

Intelligent vehicle/highway systems.—The conference agreement includes a total of $90,300,000 for the intelligent vehicle/highway systems program to be allocated as follows:

Research and development	$28,300,000
IVHS operational tests	15,000,000
Commercial vehicle operations	10,000,000
Automated highway system	10,000,000
Advanced technology applications	15,000,000
IVHS program and systems support	12,300,000

Reflected in the research and development activity are adjustments of −$2,000,000 for the proposed transfer to the National Highway Traffic Safety Administration and +$950,000 to address institutional and political barriers to congestion pricing to be conducted by the Humphrey Institute.

The conferees expect that within the funds provided for commercial vehicle operations $2,000,000 will be made available for the commercial vehicle operations information system in Iowa.

Amendment No. 52: Provides that $168,475,000 of general operating expenses shall remain available until expended instead of $166,460,000 as proposed by the House and $173,850,000 as proposed by the Senate.

RAILROAD-HIGHWAY CROSSINGS PROJECTS

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the sum named, insert: *$30,262,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree that included within the funding recommended is $5,462,000 for the Lafayette, Indiana, and $4,800,000 for the Brownsville, Texas, railroad-highway crossings projects.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$17,590,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides an obligation limitation of $17,590,000,000 instead of $17,482,663,000 as proposed by the House and $18,020,000,000 as proposed by the Senate.

Discretionary bridge allocations.—The conferees direct that priority consideration be given to the following discretionary bridge projects:

Eastchester Creek, New York

23rd Street Viaduct, Denver, Colorado

State routes 1 and 9, New Jersey

Discretionary interstate maintenance allocations.—The conferees direct that priority consideration be given to the following discretionary interstate maintenance projects:

I-70/I-25 interchange, Denver, Colorado

I-66 interchange/route 234 bypass, Virginia

I-15/Forest Street interchange, Utah

Federal lands highways program.—The conferees direct that priority consideration be given to the following projects:

State route 600, Virginia

Steamboat Creek, North Umpqua Highway, Oregon

Foothills Parkway, Great Smoky Mountains National Park, Tennessee

State road 160, Pahrump, Nevada

Interstate discretionary.—The conferees direct that priority consideration be given to an interstate discretionary project on H-3 in Oahu, Hawaii.

Ferry boats and terminal facilities.—The conferees direct that priority consideration be given to the following ferry boats and terminal facilities:

Hatteras-Ocracoke Island, North Carolina

Pier and loading facility, Cape May, New Jersey

Passenger waiting facility, Penn's Landing, Pennsylvania

Parking and docks, Mukilteo and Edmonds, Washington

Timber bridge research and development program.—The conferees direct that priority consideration be given to the Eastern Neck Island Bridge, Maryland, project.

Scenic byways.—The conferees direct that priority consideration be given to the following scenic byways projects:

Tri-state highway 101, Washington, Oregon, and California

Holson Valley road, LeFlore County, California

Intelligent vehicle/highway systems corridors.—The conference agreement provides for the following allocation of funds for intelligent vehicle/highway systems:

Albuquerque, New Mexico (Sandia Labs)	2,000,000
Bronx/Northern Manhattan ATMS	2,400,000
Buffalo/Niagara Falls ATMS	2,000,000
Charlotte, North Carolina (CARAT)	6,000,000
Chicago, Illinois (Advance)	6,000,000
Gary-Chicago-Milwaukee corridor	2,500,000
George Mason University, Virginia	2,000,000
Houston, Texas, corridor	2,000,000
Johnson City, Tennessee	2,500,000
Minnesota (GuideStar)	6,000,000
Montgomery County, Maryland ATMS	1,000,000
New York State Thruway (electronic tolls)	6,400,000
Northeast corridor (MD to CT)	1,000,000
Oakland County, Michigan (Fast-Trac)	20,000,000
San Diego, California	5,000,000
Seattle, Washington (Snohomish)	1,500,000
Southeast Michigan (SMART)	4,500,000
State route 9, New Jersey (smart bus)	1,500,000
Toll road ETTM, Atlantic City, New Jersey	3,000,000
TRANSCOM, New York/New Jersey	2,200,000

(RESCISSION)

Amendment No. 55: Deletes centerheading as proposed by the Senate.

Amendment No. 56: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which adds a public law reference to the rescission proposed by the House.

BALTIMORE-WASHINGTON PARKWAY

Amendment No. 57: Appropriates $12,800,000 for the Baltimore-Washington Parkway instead of $16,000,000 as proposed by the House. The Senate bill contained no similar appropriation.

KENTUCKY BRIDGE PROJECT

Amendment No. 58: Appropriates $12,000,000 for the Glover Cary Bridge in Owensboro, Kentucky as proposed by the House. The Senate bill contained no similar appropriation.

BORDER HIGHWAY PROJECT

Amendment No. 59: Appropriates $6,400,000 for the border highway project authorized in Public Law 89-795. The House had proposed $8,000,000 for the border highway project. The Senate bill contained no similar appropriation.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended as follows:

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, as amended) and the National Traffic and Motor Vehicle Safety Act, $75,909,000, to remain available until September 30, 1996.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $75,909,000 for the general fund portion of the operations and research activities of the National Highway Traffic Safety Administration, instead of $74,221,000 as proposed by the House and no appropriation as proposed by the Senate.

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

Amendment No. 61: Deletes language proposed by the Senate which would have allowed funding for activities authorized by the Motor Vehicle Information and Cost Savings Act and the National Traffic and Motor Vehicle Safety Act to be derived from the highway trust fund. The House bill contained no similar language.

Amendment No. 62: Appropriates $48,236,000 for the highway trust fund portion of operations and research activities of the National Highway Traffic Safety Administration instead of $46,780,000 as proposed by the House and $128,311,000 as proposed by the Senate.

The conference agreement for operations and research (general fund and highway trust fund combined) includes the following adjustments to the President's budget request:

Rulemaking:	
New car assessment program side impact tests	−$600,000
Fuel economy studies	−801,000
Enforcement:	
Discretionary compliance increase	+100,000
Odometer fraud grants	−100,000
Highway safety:	
Reduction to growth in alcohol initiatives	−350,000
Limit growth in drug evaluation program	−1,200,000
Target occupant protection initiatives	−661,000
Limit emergency medical services	−364,000
Increase older driver research	+50,000
Limit growth in other research	−13,000
Delete computer demonstration	−100,000
Model accident records automation system	+1,000,000
Grant administration	−115,000
Research and analysis:	
Advanced driving simulator	−2,000,000
Traffic injury studies	+300,000
Data analysis program	−215,000
Limit growth in fatal accident statistics	−100,000
Limit growth in national accident statistics	−150,000
State data program	−200,000
General administration:	
Reduction to strategic planning	−75,000
Accountwide adjustments:	
Reduction to training	−19,000
Hold travel to fiscal year 1993 level	−24,000
Permanent change of station	−60,000
Reduction to awards and bonuses	−97,000
Printing and reproduction	−100,000
Computer support	−100,000

New car assessment program (NCAP) tests.—NHTSA has announced recently that it will utilize the Hybrid III test dummy solely in NCAP testing beginning with automobile model year 1996. Automobile model years 1994 and 1995 will be transitional years with NCAP tests conducted with either the Hybrid II or Hybrid III test dummy for non-airbag equipped seating positions depending on which dummy is designated by the manufacturer. The conferees agree that during this transitional period NHTSA shall disclose in its press releases and other materials releasing NCAP test results if the Hybrid II dummy is used in the preparation of NCAP data. This disclosure should be factual and consistent with the agency's overall efforts to make NCAP test results more understandable for consumers.

The conference agreement deletes $600,000 requested to initiate side impact tests in the NCAP. The conferees agree to reconsider this issue at a future date.

Discretionary compliance activities.—The conference agreement includes $100,000 over the budget request to be applied at the agency's discretion to safety compliance activities.

Drug evaluation and classification (DEC) program.—The conferees agree that NHTSA may determine the distribution of appropriated funds for the DEC program between research and development, systems support, training and public information and education. This distribution should be consistent with the conferees' desire that the program's management and training delivery functions be transferred expeditiously to the states.

Model accident records automation system, phase II.—The conferees agree that the $1,000,000 provided for the model accident records automation demonstration project shall be the final installment of federal support for this project. With the $1,000,000 provided in fiscal year 1993, the total federal contribution shall be limited to $2,000,000.

Lifesavers conference.—The conferees are impressed by the annual Lifesavers Conference on Highway Safety Priorities, a public-private sector cooperative effort which brings together national, state, community and volunteer traffic safety professionals to share information on programs and activities which save lives and reduce injuries on the nation's highways. The conferees expect NHTSA to continue to play a role in supporting these important annual conferences.

Regional operations staffing.—The conference agreement provides that not more than 93 full-time permanent positions and 95 full-time equivalent staff years in fiscal year 1994 shall be available for activities conducted in headquarters and the field related to NHTSA regional operations.

Civil rights office.—The conference agreement provides for the Office of Civil Rights as proposed by the Senate.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Amendment No. 63: Provides $5,153,000 for the administration of the section 402 program as proposed by the House instead of $4,800,000 as proposed by the Senate.

Amendment No. 64: Deletes language proposed by the Senate which would have specified certain costs associated with the administration of the section 402 program. The House bill contained no similar language.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

Amendment No. 65: Appropriates $12,011,000 for the office of the administrator instead of $14,865,000 as proposed by the House and $9,990,000 as proposed by the Senate.

The conference agreement includes the following changes to the budget request:

Hold travel & transportation of persons to the fiscal year 1993 level	−$39,000
Industry analysis of short-haul freight markets	−50,000
Reprogramming of unobligated balances	−1,100,000
Alaska Railroad environmental remediation/reprogramming	−1,900,000
Delete 4 positions and 4 FTEs	−300,000
Reduce bonuses and merit pay (PMRS)	−47,000

Intercity origin and destination survey.—The conferees agree that the Federal Railroad Administration, in conjunction with Amtrak, shall initiate an origin and destination survey of intercity rail passenger ridership.

Amendment No. 66: Provides $2,435,000 available until expended instead of $2,485,000 as proposed by the House and $1,435,000 as proposed by the Senate. This represents the level of funding provided for the Alaska Railroad and for contract support.

LOCAL RAIL FREIGHT ASSISTANCE

Amendment No. 67: Appropriates $17,000,000 for local rail freight assistance instead of $10,000,000 as proposed by the House and $20,000,000 as proposed by the Senate.

Project selection.—The conferees agree with the direction of the House that LRFA grant awards are to be based upon the results of benefit-cost analysis, other merit-based criteria, and statutory mandates, without regard to the number of awards in any particular state.

Specific projects.—The conferees agree that priority consideration should be given to grant applications from railroads listed in the House and Senate reports, provided the projects are of sufficient merit and rank high in benefit-cost analysis, with the exception of the project to rehabilitate rail line between Syracuse and Binghamton, New York. A loan guarantee has been provided for that project as described in amendments number 79 and 80.

RAILROAD SAFETY

Amendment No. 68: Appropriates $44,420,000 for railroad safety instead of $43,927,000 as proposed by the House and $44,434,000 as proposed by the Senate.

The conference agreement includes the following changes to the budget request:

Safety regulation/program administration:	
Provide one-half the requested increase in data management activities	−$214,000
Accountwide adjustments:	
Overtime costs	−50,000
Travel budget for training	−165,000
Reduce bonuses and awards (PMRS)	−67,000

Amendment No. 69: Provides $2,711,000 available until expended as proposed by the Senate instead of $1,357,000 as proposed by the House. This represents the level of funding provided for the automated track inspection program and for data management activities.

RAILROAD RESEARCH AND DEVELOPMENT

Amendment No. 70: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: ***$37,613,000***

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $37,613,000 for railroad research and development instead of $20,166,000 as proposed by the House and $17,113,000 as proposed by the Senate.

The conference agreement includes the following changes to the budget request:

Equipment, operations, and HAZMAT:	
Equipment and components	−$300,000
Operating practices	−100,000
Hazardous materials	−200,000
Track, structures and train control:	
Track and components	−100,000
Fiber-reinforced ties	+250,000
Maglev/high speed rail:	
Maglev research and analysis	+20,000,000
High speed rail safety:	
Reprogramming, 1992 HSR study	−500,000
R&D facilities:	
Transportation Test Center upgrades	+400,000
Administration:	
Reduce bonuses and awards (PMRS)	−3,000

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

Amendment No. 71: Appropriates $225,000,000 for the northeast corridor improvement program instead of $130,000,000 as proposed by the House and $250,000,000 as proposed by the Senate. All funds are made available until expended, as proposed by the Senate.

U.S. content of high speed trainsets.—The conferees do not agree with the Senate direction that Amtrak should establish a goal of at least 80 percent U.S. content for the acquisition of new high speed trainsets, and that Amtrak should advise the Congress prior to contract award if the corporation plans to deviate substantially from that goal. The conferees are unsure at this time what impact such a restriction could have on Amtrak's ability to achieve full and timely competition for this program. However, the conferees are in agreement on the general goal that Amtrak should seek to maximize the U.S. content of the new trainsets, at a minimum being consistent with provisions of the Buy American Act. The Department of Transportation is encouraged to review this issue with Amtrak, and set appropriate goals to ensure maximum U.S. job creation consistent with the goals of the overall program.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Amendment No. 72: Appropriates $546,700,000 in total funding for grants to the National Railroad Passenger Corporation (Amtrak), instead of $431,000,000 as proposed by the House and $559,580,000 as proposed by the Senate.

Amendment No. 73: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: ***$351,700,000***

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $351,000,000 to cover Amtrak's operating losses and labor protection costs as recommended by the Senate and, in addition, $700,000 to cover 35 percent of the estimated operating losses for a second 403(b) train to run between Raleigh and Charlotte, North Carolina. Amtrak was provided funding to support this service in the Department of Transportation and Related Agencies Appropriations Bill, 1992, and Amtrak was directed to support such service at that time. It is therefore the opinion of the conferees that from a funding standpoint, this is not new 403(b) service. Instead, it is continuation of service for which Amtrak has received funding since fiscal year 1992. The conferees further agree that Amtrak's contribution in support of this second 403(b) train should not exceed $700,000 in any one year.

Potential personnel reductions at Amtrak.—The conferees have provided the greatest amount of operating assistance possible for Amtrak given the severe budget restraints faced by the Congress. The conferees understand that Amtrak could face budget shortfalls as a result of the continued slowdown in Amtrak revenues and the amount of operating assistance provided. The carrier has indicated a need to lay off personnel to respond to the operating shortfall. The conferees have serious concerns about how any such layoffs will be implemented. A recent General Accounting Office report cited flaws and discrepancies in Amtrak's maintenance program. Nevertheless, Amtrak laid off substantial numbers of maintenance as well as safety-sensitive operating personnel. By contrast, according to testimony before the House Appropriations Committee, the management ranks were reduced only through attrition. It is the conferees intent that, to the maximum extent possible, any further reductions in force to the carrier be focused at the managerial level.

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$195,000,000, not to become available until July 1, 1994*,

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $195,000,000 for Amtrak capital improvements, and delays the availability of the full amount until July 1, 1994.

Amendment No. 75: Deletes language proposed by the House which would prohibit the Secretary of Transportation from making new loans or new loan guarantees authorized under 45 U.S.C. 602 during fiscal year 1994. The Senate bill contained no similar provision.

Amendment No. 76: Deletes language proposed by the House which would require no funds to be expended or reserved for expenditure pursuant to 45 U.S.C. 601(e). The Senate bill contained no similar provision.

Amendment No. 77: Deletes language proposed by the House which would require Amtrak to utilize the funding provided in this Act for operating losses only for certain specified categories of expenses. The Senate bill contained no similar provision. The conferees agree to defer any restrictions on the management of Amtrak's operating subsidy until the report of the General Accounting Office (GAO) on the adequacy of Amtrak's financial management practices and accounting systems is completed and reviewed by the Congress.

Amendment No. 78: Deletes language proposed by the House which would require Amtrak to maintain adequate information in its financial management systems to monitor and account for the specific uses of appropriated funds. The Senate bill contained no similar provision. According to Amtrak, such a provision would be an unreasonable burden and would be difficult to implement, given the current status of the Corporation's accounting system.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

Amendment No. 79: Provides up to $5,000,000 in loan guarantee commitments pursuant to section 511 of Public Law 94–210, as amended, as proposed by the Senate, instead of no new loan guarantee commitments as proposed by the House.

Amendment No. 80: Appropriates $250,000 for the cost of such loan guarantee commitments, as proposed by the Senate. The House bill contained no similar appropriation.

NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Amendment No. 81: Provides no obligation authority for national magnetic levitation (maglev) prototype development as proposed by the House instead of a limitation on obligations of $27,900,000 as proposed by the Senate. An appropriation of $20,000,000 has been included for maglev research and analysis activities under amendment number 70, "Railroad research and development".

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Amendment No. 82: Deletes liquidating cash appropriation of $27,900,000 proposed by the Senate. The House bill contained no similar appropriation.

HIGH-SPEED GROUND TRANSPORTATION

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Amendment No. 83: Restores limitation on obligations of $3,500,000 and liquidating cash appropriation of $4,000,000 for the high-speed ground transportation program proposed by the House and authorized in section 1036 of the Intermodal Surface Transportation Efficiency Act of 1991.

HIGH-SPEED GROUND TRANSPORTATION DEVELOPMENT

Amendment No. 84: Deletes limitation on obligations of $79,191,000 and appropriation from the general fund of $2,091,000 for the high-speed ground transportation development program proposed by the Senate. The House bill contained no such appropriation, but included funds for a similar program, to be derived from the highway trust fund, as described in amendment number 83.

High-speed ground transportation development.—The conference agreement does not provide funding for the administration's high speed ground transportation (high speed rail) initiative because the program is not yet authorized. This year, both the House and Senate Transportation Appropriations Subcommittees held hearings specifically on the topic of high speed rail transportation. As a result of these hearings, the conferees have a great appreciation for the merits of federal investment in high speed rail systems in those densely populated corridors where such an expenditure represents a sound transportation investment. In addition to providing improved passenger transportation options, such investment could yield substantial benefits in the area of energy conservation and environmental protection as well as opportunities for technology transfer generating expanded employment opportunities in the United States. However, the conferees cannot support an appropriation for a sizable new national program without the opportunity to review the specific statutory structure and intent of the program as stipulated in an enacted authorization. The conferees look forward to reviewing this authorization once it is enacted and will consider funding for the program, either in the context of a supplemental appropriations request for fiscal year 1994 or as part of the President's budget request for fiscal year 1995.

TRUST FUND SHARE OF HIGH-SPEED GROUND TRANSPORTATION DEVELOPMENT

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Amendment No. 85: Deletes liquidating cash appropriation of $77,100,000 out of the highway trust fund for the high-speed ground transportation development program proposed by the Senate. The House bill contained no similar appropriation.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

Amendment No. 86: Appropriates $21,295,000 for administrative expenses as proposed by the Senate instead of $19,569,000 as proposed by the House.

Amendment No. 87: Limits total budget authority for administrative expenses to $39,457,000 as proposed by the Senate instead of $37,731,000 as proposed by the House.

The conferees note that in the past the Congress has supported the efforts of several U.S. cities sponsoring international sporting events including the Pan-American games, the World University games and the Olympics. Such events present unique and extraordinary transportation management challenges for local transportation and public safety agencies. Accordingly, the conferees urge the FTA, using available set-aside discretionary authority, to provide sufficient funding to assist each sponsor in managing the transportation and safety-related aspects of hosting the 1994 World Cup soccer games to be held at nine different locations. FTA should give priority to requests for capital items that can be used on a continuing basis either at the venue site or at other sites under the jurisdiction of the applicant. Items in this category include rolling stock, electronic and other signs used for multilingual and other purposes, traffic control barriers, and congestion management equipment.

FORMULA GRANTS

Amendment No. 88: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$2,414,867,000*

and,

on page 26, line 13 of the House engrossed bill, H.R. 2750, delete "$1,324,916,000" and insert in lieu thereof *$1,284,916,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement limits total budget authority for formula grants to $2,414,867,000 instead of $2,404,867,000 as proposed by the House and $2,336,000,000 as proposed by the Senate. The conferees agree to provide $1,284,916,000 in new budget authority and a limitation on obligations of $1,129,951,000 for transit formula grants.

Amendment No. 89: Limits obligations for operating assistance to $802,278,000 as proposed by the Senate instead of $752,278,000 as proposed by the House.

TRANSIT PLANNING AND RESEARCH

Amendment No. 90: Appropriates $48,125,000 for transit planning and research instead of $37,000,000 as proposed by the House and $50,875,000 as proposed by the Senate.

Amendment No. 91: Limits total budget authority for transit planning and research to $92,250,00 instead of $76,125,000 as proposed by the House and $95,000,000 as proposed by the Senate.

The conference agreement distributes the funding as follows:

Metropolitan planning	$42,750,000
Rural transit assistance program	4,750,000
State planning and research program	8,750,000
Transit cooperative research program	8,750,000
National Transit Institute	3,000,000
National planning and research program	24,250,000

The conferees agree that within the national planning and research program $500,000 is for the team transit program of the Minnesota Metropolitan Transit Commission, $2,250,000 is for the phosphoric acid fuel cell bus technology development program, $1,000,000 is for continued research on the deployment of an inertial navigation system, and $6,250,000 is for phase 2 of the advanced technology transit bus program.

The conferees endorse the language in the House Committee's report that now is not the time to devote scarce budget resources to the suspended light rail technology program.

TRUST FUND SHARE OF TRANSIT PROGRAMS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

Amendment No. 92: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$1,195,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,195,000,000 for the trust fund share of transit programs, instead of $1,140,000,000 as proposed by the House and $1,076,133,000 as proposed by the Senate.

Amendment No. 93: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$1,129,951,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $1,129,951,000 from the mass transit account of the highway trust fund for formula grants instead of $1,079,951,000 as proposed by the House and $1,011,084,000 as proposed by the Senate.

Amendment No. 94: Provides $44,125,000 from the mass transit account of the highway trust fund for transit planning and research as proposed by the Senate instead of $39,125,000 as proposed by the House.

DISCRETIONARY GRANTS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

Amendment No. 95: Limits obligations for discretionary grants to $1,785,000,000 as proposed by the Senate instead of $1,707,425,000 as proposed by the House.

Amendment No. 96: Provides $357,000,000 for buses and bus related facilities as proposed by the Senate instead of $354,315,000 as proposed by the House. The conference agreement provides for the following distribution of funds:

Location	*Amount*
Albuquerque, New Mexico intermodal center	$1,750,000
Atlanta, Georgia	4,000,000
Camden, New Jersey facility	800,000
Cedar Rapids, Iowa	3,000,000
Charleston, South Carolina	4,000,000
Clark County, Nevada	2,500,000
Cleveland, Ohio	3,500,000
Corpus Christi, Texas	1,500,000
Dallas, Texas	4,000,000
Des Moines, Iowa	2,000,000
El Paso, Texas	5,000,000
Fairfax County, Virginia	6,000,000
Fuel cell buses	3,000,000
Kauai, Hawaii motorpool facility	1,750,000
Lake County, Ohio	2,000,000
Lane County Transit, Eugene, Oregon	2,000,000
Laredo, Texas	4,500,000
Las Vegas Valley, Nevada	4,500,000
Little Rock Arkansas transit transfer	2,100,000
Los Angeles, California Union Station Intermodal	8,000,000
Louisville, Kentucky	2,000,000
Miami, Florida	3,000,000
Milwaukee, Wisconsin	3,000,000
MTC, Minnesota	7,000,000
Nassau County, New York	12,000,000
New Orleans, Louisiana	5,000,000
Oklahoma City, Oklahoma	1,000,000
Orlando, Florida	2,500,000
Philadelphia, Pennsylvania—Erie Avenue	1,000,000
Philadelphia, Pennsylvania—Midvale garage	9,000,000
Pioneer Valley, Massachusetts	1,000,000
Rutland, Vermont multimodal facility	1,500,000
Sacramento, California	4,000,000
Salem, Oregon	3,800,000
Salt Lake City, Utah	3,000,000
San Francisco Bay area	3,000,000
San Juan, Puerto Rico intermodal facility	2,500,000
Santa Barbara, California	3,000,000
Seattle, Washington	4,700,000
Silver Spring, Maryland intermodal facility	1,500,000
Sioux Falls, South Dakota	2,400,000
South Amboy, New Jersey multimodal	500,000
South Bend, Indiana intermodal facility	3,100,000
Southeast Michigan (SMART)	5,000,000
St. Louis, Missouri	4,000,000
State of Illinois	17,000,000
State of Iowa	8,000,000
State of Maine	2,000,000
State of Missouri	8,000,000
State of North Carolina	12,000,000
State of Ohio	14,000,000
State of Oklahoma	5,000,000
State of Tennessee	8,000,000
State of Wisconsin	5,000,000
Tahoe Area Regional Transit System facility	2,100,000
Topeka, Kansas	8,000,000
Tucson, Arizona	1,500,000
Tulsa, Oklahoma	1,000,000
Wheeling, West Virginia intermodal facility	8,500,000
Williamsport, Pennsylvania	2,500,000
Unallocated	100,000,000
Total	357,000,000

The conferees agree that within the total for the state of Illinois is $1,900,000 for compressed natural gas buses and a fuel station in Springfield and $5,500,000 is for replacement buses and the Edwardsville transit center in Madison County.

Amendment No. 97: Provides $667,940,000 for new fixed guideway systems as proposed by the Senate instead of $593,050,000 as proposed by the House. The conference agreement provides for the following distribution of funds:

Project	*Amount*
Boston-Portland Commuter Rail	$9,500,000
Chicago Central Area Circulator	24,090,000
Chicago Circulator—prior year	(8,500,000)
Cincinnati Commuter Rail Project	1,350,000
Cleveland Dual Hub	800,000
Dallas South Oak Cliff	40,000,000
Dallas South Oak Cliff—prior year	(4,000,000)
Florida Tri-County Commuter	10,000,000
Hawthorne-Warwick Commuter	6,700,000
Houston Regional Bus Plan Program	39,000,000
Houston Regional Bus—prior year	(1,000,000)
Lakewood Freehold and Matawan	3,000,000
Los Angeles MOS–2 & MOS–3	170,000,000
Maryland Commuter Rail Project	23,500,000
Memphis Regional Rail Project	500,000
Milwaukee East-West Corridor—prior year	(3,000,000)
New Jersey Urban Core	62,500,000
New Orleans Canal Street	3,600,000
New York Queens Connection	65,000,000
Northeast Ohio Commuter Rail	1,000,000
Orange County Transitway	15,500,000
Orlando Streetcar Project	3,000,000
Pittsburgh Busway Projects	36,700,000
Pittsburgh Busway Projects—prior year	(5,000,000)
Portland Westside LRT Project	83,500,000
S.F. BART Extension/Tasman Corridor	28,200,000
Sacramento LRT Extension Project	1,000,000
Salt Lake City South LRT Project	3,000,000
Secretary's Discretion—prior year	(45,000,000)
South Boston Piers Transitway	10,000,000
South Boston Piers Transitway—prior year	(10,000,000)
South Jersey alternatives analysis	500,000
St. Louis METRO Link LRT Project	15,200,000
Twin Cities Central Corridor	2,800,000
Wisconsin Central Commuter	8,000,000
Total	667,940,000
Total—prior year	(76,500,000)

Amendment No. 98: Provides $24,090,000 for the Chicago Central Area Circulator Project instead of $55,000,000 as proposed by the House and $5,000,000 as proposed by the Senate.

Amendment No. 99: Provides $800,000 for the Cleveland Dual Hub Corridor Project and $9,500,000 for the Boston, Massachusetts to Portland, Maine Commuter Rail Project. The House proposed $1,600,000 for the Cleveland Dual Hub Corridor project only and the Senate proposed $14,500,000 for the Boston to Portland Commuter Rail Project only.

Amendment No. 100: Provides $40,000,000 for the Dallas South Oak Cliff LRT Project instead of $60,000,000 as proposed by the House and $38,720,000 as proposed by the Senate.

Amendment No. 101: Provides $39,000,000 for the Houston Regional Bus Plan Program of Projects instead of $40,500,000 as proposed by the House and $14,500,000 as proposed by the Senate.

Amendment No. 102: Provides $62,500,000 for the New Jersey Urban Core instead of $2,000,000 for alternatives analysis for the Kansas City South Corridor LRT Project as proposed by the House and $64,800,000 for the New Jersey Urban Core as proposed by the Senate.

Amendment No. 103: Provides $170,000,000 for the Los Angeles Metro Rail MOS–2 and MOS–3 Projects instead of $163,050,000 as proposed by the House and $190,000,000 as proposed by the Senate.

Amendment No. 104: Provides $3,600,000 for the New Orleans Canal Street Corridor

Project instead of $2,400,000 as proposed by the House and $4,800,000 as proposed by the Senate.

Amendment No. 105: Provides that funds for the New Orleans Canal Street Corridor Project may be used for preliminary engineering and environmental analysis as proposed by the Senate instead of for alternatives analysis only as proposed by the House.

Amendment No. 106: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

$1,000,000 for the Northeast Ohio Commuter Rail Project;

$500,000 for the South Jersey alternatives analysis;

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $1,000,000 for the Northeast Ohio Commuter Rail Project and $500,000 for the South Jersey alternatives analysis. The House proposed $1,000,000 only for the Northeast Ohio Commuter Rail Project and the Senate proposed $500,000 only for the South Jersey alternatives analysis.

Amendment No. 107: Provides $15,500,000 for the Orange County Transitway System Project instead of $13,000,000 as proposed by the House and $25,000,000 as proposed by the Senate.

Amendment No. 108: Deletes language included by the House limiting funding for the Orange County Transitway System Project to design only.

Amendment No. 109: Provides $36,700,000 for the Pittsburgh Busway Projects and $65,000,000 for the New York Queens Connection Project. The House proposed $50,000,000 for the Pittsburgh Busway Projects only and the Senate proposed $70,000,000 for the New York Queens Connection Project only. The funding provided for the New York Queens Connection Project is intended for necessary site acquisition and construction.

Amendment No. 110: Provides $3,000,000 for the Orlando Streetcar Project. The Senate proposed $3,800,000 for the Orlando Streetcar Project. The House bill contained no similar provision.

Amendment No. 111: Provides $83,500,000 for the Portland Westside LRT Project instead of $70,000,000 as proposed by the House and $99,000,000 as proposed by the Senate.

Amendment No. 112: Provides $1,000,000 for the Sacramento LRT Extension Project as proposed by the Senate instead of $1,500,000 as proposed by the House.

Amendment No. 113: Provides $28,200,000 for the San Francisco Airport BART Extension Project and the Tasman Corridor LRT Project as proposed by the House instead of $44,820,000 as proposed by the Senate.

Amendment No. 114: Provides $3,000,000 for the Salt Lake City South LRT Project instead of $2,000,000 as proposed by the House and $6,000,000 as proposed by the Senate.

Amendment No. 115: Provides that funding for the Salt Lake City South LRT Project be used only for preliminary engineering as proposed by the House instead of without restrictions as proposed by the Senate.

Amendment No. 116: Provides $15,200,000 for the St. Louis METRO Link LRT to Airport Project as proposed by the Senate instead of $19,600,000 as proposed by the House.

Amendment No. 117: Provides $10,000,000 for the Florida Tri-County Commuter Rail Project as proposed by the House instead of $12,000,000 as proposed by the Senate.

Amendment No. 118: Provides $2,800,000 for preliminary engineering only for the Twin Cities Central Corridor Project and $23,500,000 for the Maryland Commuter Rail Project. The House had proposed $3,200,000 only for the Twin Cities Central Corridor Project and the Senate had proposed $25,000,000 only for the Maryland Commuter Rail Project.

Amendment No. 119: Provides $8,000,000 for the Wisconsin Central Commuter Line Project as proposed by the Senate instead of $10,000,000 as proposed by the House.

Amendment No. 120: Deletes the word "and" as proposed by the Senate.

Amendment No. 121: Provides $3,000,000 for the Lakewood Freehold and Matawan or Jamesburg Commuter Rail Project as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 122: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides $6,700,000 for the Hawthorne-Warwick Commuter Rail Project. The House bill contained no similar provision.

Amendment No. 123: Deletes $3,150,000 for the Baltimore LRT Extensions Project proposed by the Senate. The House bill contained no similar provision.

Amendment No. 124: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *$1,350,000 for alternatives analysis for Cincinnati, Ohio Commuter Rail; and*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $1,350,000 for alternatives analysis for Cincinnati, Ohio Commuter Rail. The Senate proposed $1,850,000 for alternatives analysis for Cincinnati, Ohio Commuter Rail. The House bill contained no similar provision.

Amendment No. 125: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *$500,000 for Memphis, Tennessee Regional Rail Plan*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $500,000 for the Memphis, Tennessee Regional Rail Plan. The Senate proposed $600,000 for the Memphis, Tennessee Regional Rail Plan. The House bill contained no similar provision.

Amendment No. 126: Deletes House language which would have provided $50,000,000 to be allocated at the discretion of the Secretary of Transportation.

Amendment No. 127: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$10,000,000 shall be for the South Boston Piers Transitway, $8,500,000 shall be for the Chicago Central Area Circulator Project, $4,000,000 shall be for the Dallas South Oak Cliff LRT Project, $1,000,000 shall be for the Houston Regional Bus Plan Program of Projects, $5,000,000 shall be for the Pittsburgh Busway Projects, $3,000,000 shall be for the Milwaukee, Wisconsin East-West Corridor Project and $45,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The recommended distribution of $76,500,000 of prior year funds as provided in the House bill, the Senate bill, and the conference agreement follows:

Project	House bill	Senate bill	Conference
South Boston Piers Transitway	$26,500,000		$10,000,000
Milwaukee East-West Corridor		$4,000,000	3,000,000
Dallas/Ft. Worth RAILTRAN		3,200,000	
Chicago Circulator			8,500,000
Dallas South Oak Cliff LRT			4,000,000
Houston Regional Bus Projects			1,000,000
Pittsburgh Busway Projects			5,000,000
Unallocated/Sec'y discretion	50,000,000	69,300,000	45,000,000
Total	76,500,000	76,500,000	76,500,000

INTERSTATE TRANSFER GRANTS—TRANSIT

Amendment No. 128: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

INTERSTATE TRANSFER GRANTS—TRANSIT

For necessary expenses to carry out the provisions of 23 U.S.C. 103(e)(4) related to transit projects, $45,000,000, to remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $45,000,000 for Interstate transfer grants as proposed by the Senate and makes a technical change in the centerheading. The House bill contained no similar provision.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

Amendment No. 129: Appropriates $10,765,000 for operations and maintenance of the Saint Lawrence Seaway Development Corporation instead of $10,901,000 as proposed by the House and $10,265,000 as proposed by the Senate.

The conference agreement reflects a reduction of $150,000 from the budget estimate which is to be applied to travel mission expenses.

ADDITIONAL HIGHWAY PROJECTS

APPALACHIAN CORRIDOR IMPROVEMENT PROJECT

Amendment No. 130: Provides that appropriations made for the Appalachian corridor improvement project include both Kentucky Corridor B and West Virginia Corridor L instead of Kentucky Corridor B only as proposed by the House and West Virginia Corridor L only as proposed by the Senate.

Amendment No. 131: Appropriates $57,000,000 for the Appalachian corridor improvement project instead of $3,800,000 as proposed by the House and $62,200,000 as proposed by the Senate.

The conference agreement includes $3,000,000 for Kentucky Corridor B and $54,000,000 for West Virginia Corridor L.

CUMBERLAND GAP TUNNEL PROJECT

Amendment No. 132: Appropriates $6,000,000 for expenses necessary for the Cumberland Gap Tunnel Project instead of $10,000,000 for 80 percent of the expenses necessary as proposed by the House. The Senate bill contained no similar provision.

Amendment No. 133: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

LOCK AND DAM NO. 4 BRIDGE

For 80 percent of the expenses necessary for the Lock and Dam No. 4 bridge in Pine Bluff, Arkansas, $4,000,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $4,000,000 for the bridge project over Lock and Dam No. 4 in Pine Bluff, Arkansas. The Senate proposed $28,000,000 for the Pittsburgh Busway in this amendment and $5,000,000 for Lock and Dam No. 4 in amendment numbered 158. The House bill contained no provision for Lock and Dam No. 4. Funding for the Pittsburgh Busway is addressed in amendments 109 and 127.

MINEOLA GRADE CROSSING

Amendment No. 134: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

MINEOLA GRADE CROSSING PROJECT

(HIGHWAY TRUST FUND)

For 80 percent of the expenses necessary for the Mineola, New York grade crossing project, as authorized by Public Law 99–591, $7,800,000, to be derived from the Highway Trust Fund and to remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $7,800,000 to remain available until expended for the Mineola, New York grade crossing project from the Highway trust fund. The Senate proposed $7,800,000 for the Mineola grade crossing project from the general fund. The House bill contained no similar provision.

CONGESTION MITIGATION

Amendment No. 135: Appropriates $1,600,000 for the Syracuse, New York, congestion mitigation project. The Senate proposed $2,000,000 for the Syracuse congestion mitigation project. The House bill contained no similar provision.

CROSS WESTCHESTER EXPRESSWAY

Amendment No. 136: Appropriates $9,800,000 for the I–287 Cross Westchester, New York, expressway high occupancy vehicle lane project. The Senate proposed $15,000,000 for the Cross Westchester project. The House bill contained no similar provision.

SCHENECTADY BRIDGE

Amendment No. 137: Appropriates $3,200,000 for construction of the exit 26 bridge in Schenectady County, New York. The Senate proposed $4,000,000 for the Schenectady bridge project. The House bill contained no similar provision.

COLUMBIA GORGE HIGHWAY

Amendment No. 138: Appropriates $2,500,000 for the Hood River to Mosier connection project in Oregon. The Senate proposed $2,800,000 for the Columbia Gorge highway project. The House bill contained no similar provision.

MANASSAS BATTLEFIELD BYPASS

Amendment No. 139: Appropriates $3,000,000 for 75 percent of the expenses necessary for the Manassas Battlefield highway projects. The Senate proposed $3,200,000 for 80 percent of the necessary expenses for the Manassas Battlefield Bypass. The House bill contained no similar provision.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

HAZARDOUS MATERIALS SAFETY

Amendment No. 140: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the first sum named in said amendment, insert: *$12,600,000*

and,

In lieu of the second sum named in said amendment, insert: *$1,364,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $12,600,000 for hazardous materials safety activities instead of $12,721,000 as proposed by the Senate and no appropriation as proposed by the House. The agreement makes $1,364,000 available until expended, instead of $1,334,000 as proposed by the Senate, and provides that certain receipts may be credited to the appropriation.

The conference agreement includes the following adjustments to the President's budget request:

HAZMAT inspectors (+3 FTE)	+$139,000
HAZMAT information exchange	−50,000
HAZMAT specialist internship program	−10,000
Sanitary food safety	−75,000
Registration program administration	−100,000
Research and development	−36,000
Reduction to awards and bonuses	−39,000

Administrative FTE reductions.—The conferees expect the administrator of the Research and Special Programs Administration, in managing any administrative staffing reductions which may be necessary in fiscal year 1994, to accord the highest priority to maintaining the Congressionally-directed staffing levels for the Office of Hazardous Materials Safety.

AVIATION INFORMATION MANAGEMENT

Amendment No. 141: Appropriates $2,521,000 as proposed by the Senate instead of $2,533,000 as proposed by the House.

The conference agreement includes a reduction to the President's budget request of $12,000 for awards and bonuses.

EMERGENCY TRANSPORTATION

Amendment No. 142: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$842,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $842,000 instead of $915,000 as proposed by the House and $884,000 as proposed by the Senate.

The conference agreement includes the following adjustments to the President's budget:

Delete "modernization" study	−$50,000
Delete geographic information system	−69,000
Reduction to awards and bonuses	−4,000

Geographic information system.—The conferees have no objection if the Secretary wishes to fund the geographic information system out of base resources provided for the Office of Emergency Transportation.

RESEARCH AND TECHNOLOGY

Amendment No. 143: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$1,766,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,766,000 instead of $1,863,000 as proposed by the House and $1,781,000 as proposed by the Senate. The conference agreement includes the following adjustments to the President's budget:

Radionavigation plan cost sharing	−$100,000
Reduce research and development coordination	−85,000
Reduction to awards and bonuses	−12,000

Radionavigation plan cost sharing.—The conferees direct that the cost of developing the 1994 Federal radionavigation plan shall be shared by the modal administrations based on the Secretary's assessment of the primary civil users of the global positioning system.

Volpe National Transportation Systems Center.—The conferees agree that the Federal staff ceiling at the Volpe Center shall be 524 full-time equivalent staff years in fiscal year 1994. The conferees will reconsider increasing the staff ceiling at the Volpe Center next year after the Inspector General's ongoing audit of Volpe Center operations is completed.

PROGRAM AND ADMINISTRATIVE SUPPORT

Amendment No. 144: Appropriates $6,279,000 instead of $6,160,000 as proposed by the House and $6,283,000 as proposed by the Senate.

The conference agreement includes the following adjustments to the President's budget request:

Reduction to growth in information management	−$43,000
Reduction to training	−4,000
Reduction to awards and bonuses	−29,000

Civil rights office.—The conference agreement provides for the Office of Civil Rights as proposed by the Senate.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

Amendment No. 145: Appropriates $19,376,000 instead of $19,479,000 as proposed by the House and $19,146,000 as proposed by the Senate.

The conference agreement includes the following adjustments to the President's budget request:

Pipeline inspectors (+3 FTE)	+$168,000
Oil Pollution Act positions (+2 FTE)	+136,000
Inspector travel	+20,000
Reduce printing costs	−5,000
Inspector training at TSI	+54,000
Reduction to growth in research and development	−100,000
Contractor support for oil spill plan review	−252,000
State safety grants	+500,000

Reduction to awards and bonuses	−32,000

Pipeline inspector positions.—The conferees direct the administrator of the Research and Special Programs Administration to fill the three pipeline inspector positions as soon as possible after enactment of this Act.

Administrative FTE reductions.—The conferees expect the administrator of the Research and Special Programs Administration, in managing any administrative staffing reductions which may be necessary in fiscal year 1994, to accord the highest priority to maintaining the Congressionally-directed staffing levels for the Office of Pipeline Safety.

Amendment No. 146: Provides that $2,449,000 shall be derived from the oil spill liability trust fund as proposed by the House instead of $2,313,000 as proposed by the Senate.

Amendment No. 147: Provides that $16,927,000 shall be derived from the pipeline safety fund instead of $17,030,000 as proposed by the House and $16,833,000 as proposed by the Senate.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

Amendment No. 148: Limits budget authority to $11,000,000 as proposed by the Senate instead of $10,350,000 as proposed by the House.

The conference agreement includes the following adjustments to the President's budget request:

Planning and training grants	−$3,150,000
Technical assistance/monitoring	−100,000
Administration	−725,000
Emergency response guide	−250,000
HAZMAT worker training' grants	+250,000

Amendment No. 149: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which permits emergency preparedness funds to be available to the National Institute of Environmental Health Sciences in addition to the Secretary of Transportation. The House bill contained no similar provision.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

Amendment No. 150: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the first sum named in said amendment, insert: *$39,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $39,000,000 for the office of the inspector general instead of no funding as proposed by the House and $36,595,000 as proposed by the Senate, and provides that not more than $1,000,000 of the funding may be made available for the implementation of Public Law 101-576, as proposed by the Senate.

The conference agreement includes the following changes to the budget request:

CFO Act implementation	−$2,600,000
Administratively uncontrollable overtime	−54,000
Additional audit/investigative resources	+1,021,000
Reduce bonuses and awards (PMRS)	−73,000

TITLE II—RELATED AGENCIES

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

Amendment No. 151: Appropriates $44,960,000 as proposed by the Senate instead of $44,904,000 as proposed by the House.

Staffing allocation.—The conferees agree on the following distribution of this appropriation and staff year allocations:

Office	Staff Years	Amount
Commissioners and their offices	42	$4,786,000
Secretary	91	5,018,000
General Counsel	20	2,311,000
Proceedings	72	6,280,000
Hearings	5	477,000
Public Assistance	11	1,118,000
Economics	71	7,056,000
Tariffs	62	4,981,000
Compliance and consumer assistance	182	13,690,000
Managing Director	59	6,543,000
Offsetting collections	—	−7,300,000
Total	615	$44,960,000

Computer redesign.—The conference agreement provides $1,672,000 for the redesign of the ICC's data processing systems.

Reprogramming procedures.—The conferees expect the Commission to use normal reprogramming procedures should it propose to deviate by more than four percent from the staff year allocations or by more than four percent from the funding allocations listed above.

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

Amendment No. 152: Deletes provision proposed by the Senate which would limit annuity payments to the government of Panama to $50,000,000 until receipt of certification that the government of Panama has taken adequate action to enforce the provisions of Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78). The House bill contained no similar provision.

The conferees continue to be disturbed with the Government of Panama's enforcement record with Panamanian flag ships that have been found by the United States to be in violation of Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78). The conferees concern is based on a lack of demonstrated results over the last year. While the Government of Panama has apparently increased its enforcement activity, significant progress has yet to be made to ensure improved compliance.

Testimony by the U.S. Coast Guard before the Committee and confirmed by the report submitted by the Secretaries of State and Transportation, indicates that of the 50 violation cases forwarded to Panama by the U.S. in December 1992, a total of two ships were fined at minimal levels. Further, Panama acknowledged receipt of fewer than 20 of those 50 cases. While apparently some sanctions were issued against other vessels, Panama has failed to respond to inquiries by the United States Embassy regarding the details of these actions.

Although the Government of Panama has announced its intention to hire inspectors in foreign ports to improve compliance of Panamanian ships with MARPOL Annex V, the employment of overseas inspectors is a minimal responsibility belonging to all flag administrations and doe not represent an extraordinary effort. Moreover, the use of such inspectors by other flag administrations has not necessarily ensured adequate compliance by ships flying their flag. The conferees look forward to reviewing Panama's enforcement record over the course of the next year to see if the improved enforcement efforts reported by the Government of Panama yield meaningful results.

TITLE III—GENERAL PROVISIONS

Amendment No. 153: Restores House language that requires expenditures by the Panama Canal Commission to conform to the Panama Canal Treaties of 1977 and related implementing laws. The Senate bill contained no similar provision.

Amendment No. 154: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that allow the Secretary to plan for further development of the Volpe National Transportation Systems Center. The House bill contained no similar provision.

Amendment No. 155: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that provides that further planning for the development of the Volpe National Transportation Systems Center shall not alter the federal status of the center. The House bill contained no similar provision.

Amendment No. 156: Deletes the word "and" as proposed by the Senate.

Amendment No. 157: Provides not more than $1,050,000 for the Office of Intermodalism authorized by section 5002 of Public Law 102-240 as proposed by the Senate instead of $1,107,124 as proposed by the House.

Amendment No. 158: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *and $458,629 for the National Commission on Intermodal Transportation authorized by section 5005 of Public Law 102-240. Amounts for section 5002 and section 5005 of Public Law 102-240 shall be deemed necessary for administration under section 104(a) of title 23, United States Code; and*

(4) Notwithstanding subsection (a), the Secretary shall withhold from initial distribution the fiscal year 1994 Federal-aid highways obligation limitation set aside for Interstate Construction Discretionary projects: Provided, That the Secretary shall distribute only after August 1, 1994, such obligation limitation withheld in accordance with this section to those States receiving Interstate Discretionary allocations.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $458,629 for the National Commission on Intermodal Transportation and provides that the amounts for the Commission and for the Office of Intermodalism shall be considered necessary for administration under title 23 of the U.S. Code. In addition, the conference agreement requires the Secretary to withhold from obligation amounts set aside for Interstate Construction Discretionary projects until August 1, 1994.

The Senate proposed (1) deferring obligations on Interstate Construction projects; (2) providing $458,629 for the Commission on Intermodal Transportation; (3) providing $15,000,000 for expenses of the Symms National Recreational Trails Act; (4) providing $5,000,000 for Lock and Dam No. 4 in Pine Bluff, Arkansas; and (5) considering certain amounts necessary for administration under title 23 of the U.S. Code. The House bill contained no similar provision.

Amendment No. 159: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

(d) During the period October 1 through December 31, 1993, the aggregate amount of obligations under section 157 of title 23, United States Code for projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97-424, sections 1061, 1103 through 1109, 4008, and 6023(b)(8) and 6023(b)(10) of Public Law 102–240, and for projects authorized by Public Law 99–500 and Public Law 100–17, shall not exceed $302,551,350.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement limits first quarter obligations for certain programs to $302,551,350. The House bill contained a provision relating to the bonus obligation program. The Senate bill deleted the House provision and included language limiting first quarter obligations for certain programs in addition to placing certain activities under the obligation limitation for the Federal-aid highways program.

Amendment No. 160: Provides not to exceed $1,500,000 for Department of Transportation advisory committees as proposed by the Senate instead of $800,000 as proposed by the House.

Amendment No. 161: Restores House language which prohibits the Federal Aviation Administration from implementing a new weather graphics system. The Senate bill contained no similar provision.

Amendment No. 162: Restores House language which directs the Coast Guard to use $1,000,000 for research activities at the South Florida oil spill research center. The Senate bill contained no similar provision.

Amendment No. 163: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number "324", insert: *324A*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language which allows certain funds made available to the Federal Transit Administration for specified projects to be used for other section 3 projects after September 30, 1996.

Amendment No. 164: Deletes House language which would have prohibited the Research and Special Programs Administration from issuing a rulemaking pertaining to the labeling and marking requirements of oils packaged in bulk as proposed by the Senate.

Amendment No. 165: Restores House language which prohibits funds to entities that divert airport revenue to non-airport uses in violation of the Airport and Airway Improvement Act of 1982. The Senate bill contained no similar provision.

Amendment No. 166: Deletes Senate language which pertains to Interstate maintenance under the Federal Highway Administration Federal-Aid Highways Program. The House bill contained no similar provision.

Amendment No. 167: Deletes House language which would have prohibited the Federal Aviation Administration from using a limited liability corporation to conduct research. The Senate bill contained no similar provision.

Amendment No. 168: Restores House language which prohibits the withdrawal of slots from U.S. air carriers at O'Hare International Airport if such slots are to be allocated to foreign carriers and conforms section number. The Senate bill contained no similar provision.

Amendment No. 169: Deletes Senate language which would have limited the availability of highway funds under the 1982 and 1987 surface transportation acts to September 30, 1997. The House bill contained no similar provision.

Amendment No. 170: Restores House language which prohibits the use of funds for creating highway signs using the metric system. The Senate bill contained no similar provision.

Amendment No. 171: Restores with modifications House language requiring all entities receiving assistance under this Act to comply with the Buy American Act which was stricken by the Senate.

Amendment No. 172: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that tolls collected on bridges connecting Brooklyn and Staten Island can be collected only on vehicles exiting the bridge in Staten Island. The House bill contained no similar provision.

Amendment No. 173: Deletes Senate language which would have conditioned Coast Guard acquisition, construction and improvement funding for a given calendar quarter on the Commandant's submission of a quarterly report on major acquisition projects and specifies several criteria that such reports must satisfy. The House bill contained no similar provision.

The conference agreement does not include the statutory limitation carried in previous appropriations Acts making the availability of Coast Guard acquisition, construction, and improvement funds contingent upon the submission of quarterly acquisition reports. The conferees direct, however, that these reports continue to be submitted on the same schedule and in the same format as was mandated for fiscal year 1993. If this material is not received in the required format and timeframe, the statutory limitation will be reconsidered in a future appropriations measure.

Amendment No. 174: Deletes Senate language which specified that permitting requirements for federally funded intercity rail projects continue in effect. The House bill contained no similar provision.

The conference agreement does not include the Senate provision relating to the permitting requirements for the Northeast Corridor Improvement Project as this provision constitutes a permanent change in law which should be addressed by the appropriate authorizing committees. However, the conferees commend this important provision to the attention of the authorizing committees and hope that they will consider this measure in the very near future so no unnecessary delays are encountered as part of the New Haven-Boston electrification initiative.

Amendment No. 175: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 336. None of the funds provided in this Act shall be used to remote radar coverage from the Roswell, New Mexico, airport unless the Federal Aviation Administration shows a significant cost savings by remote radar coverage based upon a cost study applying (1) actual personnel staffing levels used at comparable facilities, and (2) the actual equipment costs based on integration with existing systems rather than acquisition of wholly redundant systems. The Federal Aviation Administration will report back to the House and Senate Committees on Appropriations with an appropriate study not later than December 31, 1993.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language which prohibits the Federal Aviation Administration from removing radar coverage from the Roswell, New Mexico, airport unless a cost study meeting certain criteria shows significant cost savings. The House bill contained no similar provision.

Amendment No. 176: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 337. Monies previously appropriated for the Chattanooga fixed rail project out of the section 3 "New Construction" account shall be made available for the Chattanooga electric vehicle project through the "Bus and Bus Facilities" account.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language which allows funds previously approved for a fixed rail project in Chattanooga, Tennessee, to be available for an electric vehicle project in that city as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 177: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 338. Funds previously appropriated for Project Breakeven in Portland, Oregon, may, upon application by Tri-Met to the Federal Transit Administration, be expended on the Westside Light Rail Project in the Portland metropolitan region.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes a provision which allows funds previously appropriated for Project Breakeven in Portland, Oregon to be transferred to the Westside Light Rail Project in the Portland metropolitan region as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 178: Deletes Senate language which would have amended the Railway Labor Act to extend its jurisdiction to the foreign operations of U.S. air carriers. The House bill contained no similar provision.

The conferees urge the authorizing committees with proper jurisdiction to report legislation during fiscal year 1994 clarifying that the Railway Labor Act extends to flight crew personnel, employed by U.S. air carriers, who are domiciled overseas and covered by a collective bargaining agreement.

Amendment No. 179: Deletes Senate language which would have provided $3,100,000 for a transit operating expense grant and $1,750,000 for a capital expense grant to the county of Kauai, Hawaii. The House bill contained no similar provision.

Amendment No. 180: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 339. The Administrator of the Federal Aviation Administration, pursuant to the Federal Aviation Administration's participation in the National Implementation Plan for the Modernization and Associated Restructuring of the National Weather Service, shall install seven standard Federal Aviation Administration redundant configuration NEXRAD radar systems, to provide coverage to each of the following areas in Alaska: Anchorage; Sitka; King Salmon; Middleton Island; Fairbanks; Nome; and Bethel: Provided, That the Administrator of the Federal Aviation Administration shall submit a study to the House and Senate Committees on Appropriations on the adequacy and effect on aviation safety of installing fewer than nine NEXRAD systems in Alaska.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language which requires the Federal Aviation Administration to install NEXRAD radars to cover specified locations in Alaska and to submit a study regarding the adequacy and effect on aviation safety of installing certain NEXRAD systems in Alaska. The House bill contained no similar provision.

Amendment No. 181: Deletes Senate language which expresses the sense of the Senate that each state motor vehicle department should require each applicant for a driver's license or identification card to establish his or her citizenship or residence status. The House bill contained no similar provision.

Amendment No. 182: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 340. (a) The Secretary of Transportation shall permit the obligation of not to exceed $4,000,000, apportioned under title 23, United States Code, section 104(b)(5)(B) for the State of Florida for operating expenses of the Tri-County Commuter Rail project in the area of Dade, Broward, and Palm Beach Counties, Florida, during each year that Interstate 95 is under reconstruction in such area.

(b) The Secretary of Transportation shall permit the obligation of not to exceed $9,000,000, apportioned under title 23, United States Code, section 104(b)(5)(B) for the State of North Carolina for capital improvements for their Rail Impact project in the Interstate 40/85 corridor from Raleigh to Charlotte during each year that Interstate 40/85 is under reconstruction in such area.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement allows the Secretary of Transportation to permit obligations of up to $4,000,000 for the rail impact project in Dade, Broward, and Palm Beach Counties, Florida and obligations of up to $9,000,000 for the rail impact project in the Interstate 40/85 corridor in North Carolina. The Senate has proposed such authority for the Tri-County Commuter Rail project in Florida. The House bill contained no similar provision.

Amendment No. 183: Deletes Senate language which expresses the sense of the Senate that Congress should not fund full production of the microwave landing system until the Federal Aviation Administration determines whether other alternatives are cost effective. The House bill contained no similar provision.

Amendment No. 184: Deletes Senate language which expresses the sense of the Senate regarding cost/benefit analyses for installations at joint-use civilian military airports and requires the Federal Aviation Administration to reevaluate the radar needs at the Cheyenne, Wyoming Airport. The House bill contained no similar provision.

Amendment No. 185: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number "348", insert: *341*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language which provides for a review of Federal Aviation Administration actions pertaining to the closing of certain flight service stations in Alaska as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 186: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number "349", insert: *342*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language which provides for the initiation of new state-supported Amtrak service under certain criteria. The House bill contained no similar provision.

Amendment No. 187: Deletes Senate language which would have amended the route of the high priority corridor from Indianapolis, Indiana, to Houston, Texas, on the National Highway System. The House bill contained no similar provision.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

New budget (obligational) authority, fiscal year 1993	$13,386,062,347
Budget estimates of new (obligational) authority, fiscal year 1994	14,268,309,569
House bill, fiscal year 1994	13,382,997,429
Senate bill, fiscal year 1994	14,047,902,429
Conference agreement, fiscal year 1994	13,897,150,429
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	+511,088,082
Budget estimates of new (obligational) authority, fiscal year 1994	−371,159,140
House bill, fiscal year 1994	+514,153,000
Senate bill, fiscal year 1994	−150,752,000

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF TRANSPORTATION						
Office of the Secretary						
Salaries and expenses		(65,782,000)		(65,195,000)	(65,195,000)	(+65,195,000)
Immediate Office of the Secretary	1,435,000	1,173,000		1,173,000	1,173,000	-262,000
Immediate Office of the Deputy Secretary	427,000	481,000		481,000	481,000	+54,000
Office of the General Counsel	7,000,000	7,867,000		7,817,000	7,817,000	+817,000
Office of the Assistant Secretary for Policy and International Affairs 1/	(8,733,000)					(-8,733,000)
Office of the Assistant Secretary for Transportation Policy	2,358,000	2,410,000		2,410,000	2,410,000	+52,000
Office of Assistant Secretary for Aviation and International Affairs	7,920,000	8,082,000		8,000,000	8,000,000	+80,000
Office of the Assistant Secretary for Budget and Programs	2,825,000	2,826,000		2,826,000	2,826,000	+1,000
Rescission	-237,000					+237,000
Office of the Assistant Secretary for Governmental Affairs	2,320,000	2,225,000		2,225,000	2,100,000	-220,000
Rescission	-303,000					+303,000
Office of the Assistant Secretary for Administration	31,268,000	33,989,000		33,794,000	27,066,000	-4,202,000
Office of the Assistant Secretary for Public Affairs 1/	(1,546,000)					(-1,546,000)
Office of Public Affairs	1,546,000	1,538,000		1,388,000	1,355,000	-191,000
Executive Secretariat	965,000	947,000		901,000	900,000	-65,000
Contract Appeals Board	590,000	602,000		602,000	602,000	+12,000
Office of Civil Rights	1,462,000	1,494,000		1,430,000	1,430,000	-32,000
Office of Essential Air Service 1/	(1,545,000)					(-1,545,000)
Office of Small and Disadvantaged Business Utilization	953,000	934,000		934,000	934,000	-19,000
Office of Intelligence and Security	1,265,000	1,214,000		1,214,000	1,000,000	-265,000
Subtotal, Salaries and expenses	61,794,000	65,782,000		65,195,000	58,094,000	-3,700,000
Transportation planning, research, and development	3,025,000	3,033,000		2,815,000	9,232,000	+6,207,000
Rescission	-285,000					+285,000
Office of Commercial Space Transportation: Operations and Research	4,275,000	5,190,000		4,990,000	4,700,000	+425,000
Rescission	-25,000					+25,000
Working capital fund	(93,000,000)	(93,108,000)	(92,220,000)	(93,000,000)	(93,000,000)	
Payments to air carriers (Airport and Airway Trust Fund):						
(Liquidation of contract authorization)	(38,600,000)	(38,600,000)	(15,540,000)	(33,423,077)	(33,423,077)	(-5,176,923)
(Limitation on obligations)	(38,600,000)	(38,600,000)		(33,423,077)	(33,423,077)	(-5,176,923)
Rental payments	130,000,000	149,605,000	149,605,000	149,605,000	149,605,000	+19,605,000
Minority business resource center program	700,000	700,000	400,000	400,000	400,000	-300,000
(Limitation on direct loans)	(7,500,000)	(7,500,000)	(4,500,000)	(7,500,000)	(7,500,000)	
Total, Office of the Secretary:						
New budget (obligational) authority	199,484,000	224,310,000	150,005,000	223,005,000	222,031,000	+22,547,000
(Limitations on obligations)	(38,600,000)	(38,600,000)		(33,423,077)	(33,423,077)	(-5,176,923)
Total	(238,084,000)	(262,910,000)	(150,005,000)	(256,428,077)	(255,454,077)	(+17,370,077)
Coast Guard						
Operating expenses	2,205,000,000	2,609,747,000	2,555,695,000	2,590,083,000	2,570,000,000	+365,000,000
Rescission	-7,000,000					+7,000,000
Emergency flood relief	10,000,000					-10,000,000
Defense activities	100,000,000					-100,000,000
(By transfer from DoD)	(253,000,000)					(-253,000,000)
Subtotal, operating expenses	2,315,000,000	2,609,747,000	2,555,695,000	2,590,083,000	2,570,000,000	+255,000,000
Acquisition, construction, and improvements:						
Vessels	92,450,000	115,200,000	79,200,000	103,690,000	95,300,000	+2,850,000
Aircraft	31,300,000	71,900,000	27,100,000	64,285,000	49,685,000	+18,385,000
Other equipment	56,565,000	68,700,000	47,700,000	50,200,000	44,500,000	-12,065,000
Shore facilities and aids to navigation	123,685,000	119,200,000	119,200,000	95,900,000	96,400,000	-27,285,000
Personnel and related support	36,000,000	39,000,000	37,500,000	40,615,000	41,615,000	+5,615,000
Rescission			(-20,000,000)		(-20,000,000)	(-20,000,000)
Subtotal, A C & I	340,000,000	414,000,000	310,700,000	354,690,000	327,500,000	-12,500,000
Environmental compliance and restoration	22,000,000	23,057,000	22,100,000	23,000,000	22,600,000	+600,000
Alteration of bridges	12,600,000	12,940,000	5,940,000	12,940,000	12,940,000	+340,000
Retired pay	519,700,000	548,774,000	548,774,000	548,774,000	548,774,000	+29,074,000
Reserve training	23,000,000	64,000,000	64,000,000	64,000,000	64,000,000	+41,000,000
(By transfer from DoD)	(50,000,000)					(-50,000,000)
Research, development, test, and evaluation	27,815,000	25,000,000	22,500,000	25,000,000	22,500,000	-5,315,000
Boat safety (Aquatic Resources Trust Fund)	32,250,000	32,250,000	32,250,000	32,250,000	32,250,000	
Total, Coast Guard:						
New budget (obligational) authority	3,292,365,000	3,729,768,000	3,561,959,000	3,650,737,000	3,600,564,000	+308,199,000
(By transfer from DoD)	(303,000,000)					(-303,000,000)
Total (net)	(3,595,365,000)	(3,729,768,000)	(3,561,959,000)	(3,650,737,000)	(3,600,564,000)	(+5,199,000)
Federal Aviation Administration						
Operations	4,538,000,000	4,576,000,000	4,568,219,000	4,584,584,000	4,580,518,000	+42,518,000
Rescission	-8,000,000					+8,000,000
Facilities and equipment (Airport and Airway Trust Fund)	2,350,000,000	2,524,000,000	2,142,000,000	2,162,578,000	2,120,104,000	-229,896,000
Rescission	-48,300,000					+48,300,000
Research, engineering, and development (Airport and Airway Trust Fund)	230,000,000	250,000,000	240,000,000	254,000,000	254,000,000	+24,000,000
Grants-in-aid for airports (Airport and Airway Trust Fund):						
(Liquidation of contract authorization)	(2,100,000,000)	(2,200,000,000)	(2,200,000,000)	(2,200,000,000)	(2,200,000,000)	(+100,000,000)
(Limitation on obligations)	(1,800,000,000)	(1,879,000,000)	(1,500,000,000)	(1,800,000,000)	(1,690,000,000)	(-110,000,000)

1/ H.R. 2118 transferred funds to other accounts.

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Aircraft purchase loan guarantee program	150,000	150,000	150,000	150,000	150,000	
(Limitation on borrowing authority)	(9,970,000)	(9,970,000)	(9,970,000)	(9,970,000)	(9,970,000)	
Total, Federal Aviation Administration:						
New budget (obligational) authority	7,061,850,000	7,350,150,000	6,950,369,000	7,001,312,000	6,954,772,000	-107,078,000
(Limitations on obligations)	(1,800,000,000)	(1,879,000,000)	(1,500,000,000)	(1,800,000,000)	(1,690,000,000)	(-110,000,000)
Total	(8,861,850,000)	(9,229,150,000)	(8,450,369,000)	(8,801,312,000)	(8,644,772,000)	(-217,078,000)
Federal Highway Administration						
Limitation on general operating expenses	(398,000,000)	(488,961,000)	(482,961,000)	(475,731,000)	(468,856,000)	(+70,856,000)
Highway-related safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	
(Limitation on obligations)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	
Railroad-highway crossings projects	3,664,000		12,828,000		30,262,000	+26,598,000
Federal-aid highways (Highway Trust Fund):						
Emergency flood relief	175,000,000					-175,000,000
(Limitation on obligations)	(15,326,750,000)	(18,398,000,000)	(17,482,863,000)	(18,020,000,000)	(17,590,000,000)	(+2,263,250,000)
Rescissions			(-3,624,140)	(-3,624,140)	(-3,624,140)	(-3,624,140)
(Exempt obligations)	(2,677,000,000)	(2,117,008,750)	(2,117,008,750)	(2,117,008,750)	(2,117,008,750)	(-559,991,250)
(Liquidation of contract authorization)	(19,000,000,000)	(18,000,000,000)	(18,000,000,000)	(18,000,000,000)	(18,000,000,000)	(-1,000,000,000)
Right-of-way Revolving Fund (Highway Trust Fund) (limitation on direct loans)	(42,500,000)	(42,500,000)	(42,500,000)	(42,500,000)	(42,500,000)	
Motor carrier safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(65,000,000)	(68,000,000)	(68,000,000)	(68,000,000)	(68,000,000)	(+3,000,000)
(Limitation on obligations)	(65,000,000)	(65,000,000)	(65,000,000)	(65,000,000)	(65,000,000)	
Baltimore-Washington Parkway	15,000,000		16,000,000		12,800,000	-2,200,000
Intermodal urban demonstration project (Highway Trust Fund)	3,200,000					-3,200,000
Highway safety and economic development demonstration projects (Highway Trust Fund)	6,400,000					-6,400,000
Highway safety improvement demonstration project (Highway Trust Fund)	6,000,000					-6,000,000
Highway widening demonstration project	640,000					-640,000
Highway widening and improvement demonstration project (Highway Trust Fund)	1,344,000					-1,344,000
Climbing lane and highway safety demonstration project (Highway Trust Fund)	3,840,000					-3,840,000
Alabama highway bypass demonstration project (Highway Trust Fund)	3,200,000					-3,200,000
Virginia HOV safety demonstration project (Highway Trust Fund)	1,600,000					-1,600,000
Urban highway corridor and bicycle transportation demonstration projects (Highway Trust Fund)	3,392,000					-3,392,000
Urban airport access safety demonstration project (Highway Trust Fund)	3,840,000					-3,840,000
Pennsylvania reconstruction demonstration project (Highway Trust Fund)	6,400,000					-6,400,000
Pennsylvania toll road demonstration project (Highway Trust Fund)	3,200,000					-3,200,000
California toll road project	9,600,000					-9,600,000
Surface transportation projects (Highway Trust Fund)	273,756,000					-273,756,000
Kentucky bridge project (Highway Trust Fund)	6,400,000					-6,400,000
Kentucky bridge project			12,000,000		12,000,000	+12,000,000
Border highway project			8,000,000		6,400,000	+6,400,000
Additional highway projects: 1/						
Appalachian corridor improvement project			3,800,000	62,200,000	57,000,000	+57,000,000
Cumberland Gap tunnel project			10,000,000		6,000,000	+6,000,000
Lock and Dam No. 4					4,000,000	+4,000,000
Pittsburgh busway				28,000,000		
Mineola grade crossing (Highway Trust Fund)				7,800,000	7,800,000	+7,800,000
Congestion mitigation				2,000,000	1,600,000	+1,600,000
Cross Westchester expressway				15,000,000	9,800,000	+9,800,000
Schenectady bridge				4,000,000	3,200,000	+3,200,000
Columbia Gorge highway				2,800,000	2,500,000	+2,500,000
Manassas Battlefield bypass				3,200,000	3,000,000	+3,000,000
Total, Federal Highway Administration:						
New budget (obligational) authority	526,476,000		62,628,000	125,000,000	156,362,000	-370,114,000
(Limitations on obligations)	(15,401,750,000)	(18,473,000,000)	(17,557,663,000)	(18,095,000,000)	(17,665,000,000)	(+2,263,250,000)
(Exempt obligations)	(2,677,000,000)	(2,117,008,750)	(2,117,008,750)	(2,117,008,750)	(2,117,008,750)	(-559,991,250)
Total	(18,605,226,000)	(20,590,008,750)	(19,737,299,750)	(20,337,008,750)	(19,938,370,750)	(+1,333,144,750)
National Highway Traffic Safety Administration						
Operations and research	82,080,000	79,693,000	74,221,000		75,909,000	-6,171,000
Operations and research (Highway Trust Fund)	46,170,000	50,331,000	46,780,000	128,311,000	48,236,000	+2,066,000
Subtotal, Operations and research	128,250,000	130,024,000	121,001,000	128,311,000	124,145,000	-4,105,000
Highway traffic safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(150,000,000)	(144,000,000)	(138,550,000)	(138,550,000)	(138,550,000)	(-11,450,000)
State and community highway safety grants (Sec. 402) (limitation on obligations)	(115,000,000)	(123,000,000)	(123,000,000)	(123,000,000)	(123,000,000)	(+8,000,000)
Safety belt and motorcycle helmet use grants (Sec. 153) (limitation on obligations)	(12,000,000)	(15,000,000)	(12,000,000)	(12,000,000)	(12,000,000)	
National Driver Register (Sec. 402) (limitation on obligations)	(3,650,000)	(3,500,000)	(3,500,000)	(3,500,000)	(3,500,000)	(-150,000)
Alcohol safety incentive grants (Sec. 408) (limitation on obligations)	(11,000,000)	(10,500,000)	(10,500,000)	(10,500,000)	(10,500,000)	(-500,000)

1/ Provided in bill language after Saint Lawrence Seaway Development Corporation.

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Alcohol - impaired driving countermeasures program (Sec. 410) (limitation on obligations)		(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(+25,000,000)
Education grants (Sec. 209) (cumulative limitation on obligations)	(4,750,000)	(4,750,000)	(4,750,000)	(4,750,000)	(4,750,000)	
Total, National Highway Traffic Safety Administration:						
New budget (obligational) authority	128,250,000	130,024,000	121,001,000	128,311,000	124,145,000	-4,105,000
(Limitations on obligations)	(141,650,000)	(177,000,000)	(174,000,000)	(174,000,000)	(174,000,000)	(+32,350,000)
Total	(269,900,000)	(307,024,000)	(295,001,000)	(302,311,000)	(298,145,000)	(+28,245,000)
Federal Railroad Administration						
Office of the Administrator	17,152,000	15,447,000	14,865,000	9,990,000	12,011,000	-5,141,000
Local rail freight assistance	8,000,000		10,000,000	20,000,000	17,000,000	+9,000,000
Emergency flood relief	21,000,000					-21,000,000
Railroad safety	40,648,000	44,916,000	43,927,000	44,434,000	44,420,000	+3,772,000
Rescission	-140,000					+140,000
Railroad research and development	25,205,000	18,166,000	20,166,000	17,113,000	37,613,000	+12,408,000
Northeast corridor improvement program	408,200,000	204,100,000	130,000,000	250,000,000	225,000,000	-183,200,000
Rescission	-204,100,000					+204,100,000
Grants to the National Railroad Passenger Corporation:						
Operations	351,000,000		331,000,000	351,000,000	351,700,000	+700,000
Operations and mandatory passenger rail service payments		468,000,000				
Capital	190,000,000	165,000,000	100,000,000	208,580,000	195,000,000	+5,000,000
Total, Grants to the National Railroad Passenger Corporation	541,000,000	633,000,000	431,000,000	559,580,000	546,700,000	+5,700,000
Mandatory Passenger Rail Service Payments	146,000,000		137,000,000	137,000,000	137,000,000	-9,000,000
Railroad Rehabilitation and Improvement Financing Fund	411,578					-411,578
Loan guarantee program (limitation on borrowing authority)				(5,000,000)	(5,000,000)	(+5,000,000)
Subsidy amount				250,000	250,000	+250,000
Conrail commuter transition assistance	7,000,000					-7,000,000
Amtrak corridor improvement loans	844,200					-844,200
(Limitation on direct loans)	(3,500,000)					(-3,500,000)
National Magnetic Levitation Prototype Development (Highway Trust Fund):						
(Liquidation of contract authorization)				(27,900,000)		
(Limitation on obligations)				(27,900,000)		
High-speed ground transportation		35,000,000		2,091,000		
High-speed ground transportation (Highway Trust Fund):						
(Liquidation of contract authorization)	(2,000,000)	(104,000,000)	(4,000,000)	(77,100,000)	(4,000,000)	(+2,000,000)
(Limitation on obligations)	(5,000,000)	(105,000,000)	(3,500,000)	(77,100,000)	(3,500,000)	(-1,500,000)
Total, Federal Railroad Administration:						
New budget (obligational) authority	1,011,220,778	950,629,000	786,958,000	1,040,458,000	1,019,994,000	+8,773,222
(Limitations on obligations)	(5,000,000)	(105,000,000)	(3,500,000)	(105,000,000)	(3,500,000)	(-1,500,000)
Total	(1,016,220,778)	(1,055,629,000)	(790,458,000)	(1,145,458,000)	(1,023,494,000)	(+7,273,222)
Federal Transit Administration						
Administrative expenses	13,400,000	21,295,000	19,569,000	21,295,000	21,295,000	+7,895,000
Rescission	-305,000					+305,000
Administrative expenses (Highway Trust Fund) (limitation on obligations)	(25,150,000)	(18,162,000)	(18,162,000)	(18,162,000)	(18,162,000)	(-6,988,000)
Formula grants	650,975,000	1,324,916,000	1,324,916,000	1,324,916,000	1,284,916,000	+633,941,000
Formula grants (Highway Trust Fund) (limitation on obligations)	(246,747,000)	(327,673,000)	(327,673,000)	(208,806,000)	(327,673,000)	(+80,926,000)
Operating grants (limitation on obligations)	(802,278,000)	(802,278,000)	(752,278,000)	(802,278,000)	(802,278,000)	
Total, Formula grants (limitation on oblig)	(1,049,025,000)	(1,129,951,000)	(1,079,951,000)	(1,011,084,000)	(1,129,951,000)	(+80,926,000)
University transportation centers	2,025,000	3,238,000	3,238,000	3,238,000	3,238,000	+1,213,000
University transportation centers (Highway Trust Fund) (limitation on obligations)	(3,975,000)	(2,762,000)	(2,762,000)	(2,762,000)	(2,762,000)	(-1,213,000)
Transit planning and research	29,000,000	45,875,000	37,000,000	50,875,000	48,125,000	+19,125,000
Transit planning and research (Highway Trust Fund) (limitation on obligations)	(56,000,000)	(39,125,000)	(39,125,000)	(44,125,000)	(44,125,000)	(-11,875,000)
Trust fund share of transit programs (Highway Trust Fund) (liquidation of contract authorization)	(1,134,150,000)	(1,190,000,000)	(1,140,000,000)	(1,076,133,000)	(1,195,000,000)	(+60,850,000)
Discretionary grants (Highway Trust Fund) (limitation on obligations)	(1,725,000,000)	(1,771,575,000)	(1,707,425,000)	(1,785,000,000)	(1,785,000,000)	(+60,000,000)
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization)	(1,500,000,000)	(1,000,000,000)	(1,000,000,000)	(1,000,000,000)	(1,000,000,000)	(-500,000,000)
Interstate transfer grants - transit	75,000,000	45,000,000		45,000,000	45,000,000	-30,000,000
Washington Metropolitan Area Transit Authority	170,000,000	200,000,000	200,000,000	200,000,000	200,000,000	+30,000,000
Total, Federal Transit Administration:						
New budget (obligational) authority	940,095,000	1,640,324,000	1,584,723,000	1,645,324,000	1,602,574,000	+662,479,000
(Limitations on obligations)	(2,859,150,000)	(2,961,575,000)	(2,847,425,000)	(2,861,133,000)	(2,980,000,000)	(+120,850,000)
Total	(3,799,245,000)	(4,601,899,000)	(4,432,148,000)	(4,506,457,000)	(4,582,574,000)	(+783,329,000)
Saint Lawrence Seaway Development Corporation						
Operations and maintenance (Harbor Maintenance Trust Fund)	10,825,000	10,915,000	10,901,000	10,265,000	10,765,000	-60,000
Rescission	-91,000					+91,000
Total	10,734,000	10,915,000	10,901,000	10,265,000	10,765,000	+31,000

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Research and Special Programs Administration						
Hazardous materials safety	12,650,000	12,771,000		12,721,000	12,600,000	-50,000
Aviation information management	2,618,000	2,533,000	2,533,000	2,521,000	2,521,000	-97,000
Emergency transportation	880,000	965,000	915,000	884,000	842,000	-38,000
Research and technology	1,470,000	1,963,000	1,863,000	1,781,000	1,766,000	+296,000
Program and administrative support	5,886,000	6,355,000	6,160,000	6,283,000	6,279,000	+393,000
Research and special programs		(24,587,000)				
Pipeline safety (Pipeline Safety Fund)	15,050,000	18,887,000	19,479,000	19,146,000	19,376,000	+4,326,000
Emergency preparedness grants:						
(Emergency preparedness fund)	700,000	700,000	400,000	400,000	400,000	-300,000
(Limitation on obligations)	(10,300,000)	(14,975,000)	(10,350,000)	(11,000,000)	(11,000,000)	(+700,000)
Alaska pipeline task force (Oil Spill Liability Trust Fund)	550,000					-550,000
Total, Research and Special Programs Administration:						
New budget (obligational) authority	39,804,000	44,174,000	31,350,000	43,736,000	43,784,000	+3,980,000
(Limitations on obligations)	(10,300,000)	(14,975,000)	(10,350,000)	(11,000,000)	(11,000,000)	(+700,000)
Total	(50,104,000)	(59,149,000)	(41,700,000)	(54,736,000)	(54,784,000)	(+4,680,000)
Office of the Inspector General						
Salaries and expenses	38,000,000	40,706,000		36,595,000	39,000,000	+1,000,000
Total, title I, Department of Transportation:						
New budget (obligational) authority	13,510,064,778	14,121,000,000	13,259,894,000	13,904,743,000	13,773,991,000	+263,926,222
Rescissions	-268,786,000		-23,624,140	-3,624,140	-23,624,140	+245,161,860
(Limitations on obligations)	(20,256,450,000)	(23,649,150,000)	(22,092,938,000)	(23,079,556,077)	(22,556,923,077)	(+2,300,473,077)
(Exempt obligations)	(2,677,000,000)	(2,117,008,750)	(2,117,008,750)	(2,117,008,750)	(2,117,008,750)	(-559,991,250)
Total, title I, new budget (obligational) authority, rescissions and (limitations on obligations) and (exempt obligations)	(36,174,728,778)	(39,887,158,750)	(37,446,216,610)	(39,097,683,687)	(38,424,298,687)	(+2,249,569,909)
TITLE II - RELATED AGENCIES						
Architectural and Transportation Barriers Compliance Board						
Salaries and expenses	3,300,000	3,348,000	3,348,000	3,348,000	3,348,000	+48,000
National Transportation Safety Board						
Salaries and expenses	36,000,000	37,125,000	37,105,000	37,105,000	37,105,000	+1,105,000
Interstate Commerce Commission						
Salaries and expenses	43,930,000	45,466,000	44,904,000	44,960,000	44,960,000	+1,030,000
Rescission	-360,000					+360,000
Payments for directed rail service (limitation on obligations)	(475,000)	(475,000)	(475,000)	(475,000)	(475,000)	
Total, Interstate Commerce Commission	(44,045,000)	(45,941,000)	(45,379,000)	(45,435,000)	(45,435,000)	(+1,390,000)
Panama Canal Commission						
Panama Canal Revolving Fund:						
(Administrative expenses)	(51,150,000)	(51,742,000)	(51,742,000)	(51,742,000)	(51,742,000)	(+592,000)
(Limitation on operating and capital expenses)	(530,000,000)		(540,000,000)	(540,000,000)	(540,000,000)	(+10,000,000)
Department of the Treasury						
Rebate of Saint Lawrence Seaway Tolls (Harbor Maintenance Trust Fund)	10,250,000	9,707,000	9,707,000	9,707,000	9,707,000	-543,000
Washington Metropolitan Area Transit Authority						
Interest payments	51,663,569	51,663,569	51,663,569	51,663,569	51,663,569	
Total, title II, Related Agencies:						
New budget (obligational) authority	144,783,569	147,309,569	146,727,569	146,783,569	146,783,569	+2,000,000
(Limitation on obligations)	(475,000)	(475,000)	(475,000)	(475,000)	(475,000)	
Total	(145,258,569)	(147,784,569)	(147,202,569)	(147,258,569)	(147,258,569)	(+2,000,000)
Grand total:						
New budget (obligational) authority	13,655,208,347	14,268,309,569	13,406,621,569	14,051,526,569	13,920,774,569	+265,566,222
Rescissions	-269,146,000		-23,624,140	-3,624,140	-23,624,140	+245,521,860
	13,386,062,347	14,268,309,569	13,382,997,429	14,047,902,429	13,897,150,429	+511,088,082
(Limitations on obligations)	(20,256,925,000)	(23,649,625,000)	(22,093,413,000)	(23,080,031,077)	(22,557,398,077)	(+2,300,473,077)
(Exempt obligations)	(2,677,000,000)	(2,117,008,750)	(2,117,008,750)	(2,117,008,750)	(2,117,008,750)	(-559,991,250)
Grand total, new budget (obligational) authority rescissions and (limitations on obligations) and (exempt obligations)	(36,319,987,347)	(40,034,943,319)	(37,593,419,179)	(39,244,942,256)	(38,571,557,256)	(+2,251,569,909)

Bob Carr,
Richard J. Durbin,
Martin Olav Sabo,
David E. Price,
Ronald D. Coleman,
Thomas M. Foglietta,
William H. Natcher,
Frank R. Wolf,
Tom DeLay,
Ralph Regula,
Joseph M. McDade,
Managers on the Part of the House.

Frank R. Lautenberg,
Robert C. Byrd,
Tom Harkin,
Barbara A. Mikulski,
Alfonse M. D'Amato,
Pete V. Domenici,
Mark O. Hatfield,
Arlen Specter,
Managers on the Part of the Senate.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Member (at the request of Ms. Norton) to revise and extend his remarks and include extraneous material:)

Mr. Richardson, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

The following Members (at the request of Ms. Norton) and to include extraneous matter:

Mr. Hoyer.
Mr. Skelton in three instances.
Mr. Blackwell.
Mr. Foglietta.
Mr. Stupak.

ADJOURNMENT

Ms. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes p.m.) under its previous order, the House adjourned until tomorrow, Tuesday, October 19, 1993, at 11 a.m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CARR: Committee of Conference. Conference report on H.R. 2750. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-300). Ordered to be printed.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. Fields of Texas.

H.R. 467: Mr. Serrano and Mr. Nadler.

H.R. 1277: Mr. Peterson of Minnesota.

H.R. 1517: Miss Collins of Michigan.

H.R. 2488: Mr. Barrett of Wisconsin.

H.R. 2662: Mr. Lewis of Georgia, Mr. Dellums, Mr. Hall of Texas, Mr. Schiff, Mr. Lightfoot, and Ms. Roybal-Allard.

H.R. 2884: Ms. Norton.

H.R. 2898: Mr. Faleomavaega.

H.R. 3005: Mr. Ballenger.

H.R. 3250: Mr. Torkildsen, Mr. Emerson, Mr. Blute, Mr. Pete Geren of Texas, and Mr. Boehner.

H.J. Res. 79: Mr. Baker of California, Mr. Bishop, Mr. Blute, Mr. Boehlert, and Mr. Bonior.

H.J. Res. 274: Mr. Filner and Mrs. Morella.

SENATE—*Monday, October 18, 1993*

(Legislative day of Wednesday, October 13, 1993)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the Honorable HARLAN MATHEWS, a Senator from the State of Tennessee.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Father in Heaven, we want to thank You for the return of Michael Durant and remember him especially as he undergoes surgery this morning. And we cover with prayer those families of the ones who did not return from Somalia.

Almighty God, as a new week begins, we express our gratitude for Your loving watch care. We thank Thee for the Senators who had to travel and have returned safely. We thank Thee for those who had time with family and rest. We pray for those who were kept busy this weekend and ask that they will be especially energized for the work that lies ahead.

Gracious Father, as the Senators are confronted inescapably from the problems of the Nation and the world, grant special wisdom and insight that they may fulfill their responsibilities. Guide their considerations, their debate, and their decisions and let Thy will be done in the Senate as it is in heaven.

In the name of Him who promised rest for those who labor and are heavy laden if they come to Him.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 18, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARLAN MATHEWS, a Senator from the State of Tennessee, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. MATHEWS thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. BYRD addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that I may be permitted to proceed for 1 hour in speaking out of order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Hawaii, [Mr. INOUYE] and the distinguished Senator from Alaska, [Mr. STEVENS] and the distinguished Senator from Oklahoma, [Mr. NICKLES] for their courtesies in indulging my taking this time.

LINE-ITEM VETO XIV

Mr. BYRD. Mr. President, this is the 14th in my series of speeches on the line-item veto, with particular reference to the Roman Republic and the Roman Senate. When I began this series of 1-hour speeches on May 5, I spoke of Montesquieu, the eminent French philosopher and author who had greatly influenced the Founding Fathers with his political theory of checks and balances and separation of powers.

What influenced Montesquieu in his espousal of this political system? Montesquieu was greatly influenced by the history of the development of the English constitution and by the history of the people of Rome. So impressed was Montesquieu with the Romans that he, in fact, developed and published a work of his own on the subject. Almost midway between the "Persian Letters" in 1721 and the "Spirit of the Laws" in 1748, Montesquieu published, in 1734, his "Considerations on the Causes of the Greatness of the Romans and their Decline," which is the least well-known of the three.

I have also stated a number of times that if we are to have a better appreciation and understanding of the U.S. Constitution—its separation of powers, and checks and balances, and the power over the purse—then we should follow in Montesquieu's tracks and study Roman history as he did, and that is what we have been doing together during these past several months.

What have we acquired to pay us for our pains? What have we learned that can be applicable to our own time, our own country, and to the political questions of today concerning checks and balances and the control over the purse? Let us see.

Mr. President, I hold that human nature is like a molecule of water. It has never changed. That which was H_2O at the beginning of creation, when "the spirit of God moved upon the face of the waters" is still H_2O today, two atoms of hydrogen and one atom of oxygen. And that which was human nature when Adam and Eve fell from grace, is still human nature today. It has never changed. And as human nature has not changed from the beginning, but is still motivated by the same emotions and instincts and needs and drives—love and hate and fear and greed and hunger, and so on—the history of man's actions will always have a way of repeating itself.

So, as we who live today contribute to the flow of history's unceasing stream, we will find it worth our while to examine the events of past ages, their causes and their consequences, in order that we might better understand the causes and possible consequences of the phenomena, the happenings, the events, and the actions of our own life and times.

Napoleon said, "Let my son often read and reflect on history. This is the only true philosophy." We have elected, therefore as did Montesquieu, to look to Roman history for guidance.

Roman power derived from Roman virtue, basically; in other words, from great moral qualities. The average Roman, as we have noted, was simple, steadfast, honest, courageous, law-abiding, patriotic, and reverent, and his leaders were men of uncommon dedication and acumen.

From the earliest times, the Romans possessed a profound reverence for national tradition, a firm conviction of being the special object and instrument of destiny, and a strong sense of individual responsibility and obligation to that tradition and to the fulfillment of that destiny.

There spring to mind several parallels between the history of the Romans and the history of our own Republic, one such parallel being that the same old virtues which lent sturdiness and integrity to the early Romans, also gave stability and substance and strength and character to our own national life in the early years of its formation and development.

The Roman family was the cornerstone of the Roman social structure, and the family setting instilled in its members the self-discipline, the respect for authority, the veneration of ancestors, and the reverence for the gods that lent stability to Roman society and iron discipline to the Roman legions.

The Roman family unit was, indeed, a religious organization, a community of worship centered around the cult of the hearth and the cult of the dead. Each morning and evening, the entire family, including the slaves, offered prayers and sacrifices to the departed ancestors at the family hearth, the ever-burning flame of which symbolized both the unity and the continuity of the Roman family.

Because of their pastoral tradition, the Romans, like the Jews of the Old Testament, sacrificed animals to their gods. Reverence and the idea of obligation—inherent in the Roman conception of the relation between gods and men—inevitably developed among the Romans a strong sense of duty, a moral factor of inestimable worth.

Mr. President, we have seen that same strong tradition of family and religious values prevalent in the formation and development of our own country, from colonial times down to the mid-20th century. The erosion of these values in America over the last 30 to 40 years has signified a decline in the moral and spiritual strength of this nation, as it did in the Roman state.

We have seen in both the Roman and American psyches a sense of Manifest Destiny, and the same urge to extend territorial frontiers. We saw in the territorial expansion of the Roman city state what amounted to an overexpansion. We saw the drain that was placed upon Roman manpower, and the burden that was imposed upon the administration of the far-flung provinces. While, in our own case, territorial expansion has long since ceased, in recent years we have spent billions of dollars in space exploration, and we stand in danger of overextending our international commitments and our financial capability to sustain and underwrite them. We have been talking about that a good bit lately.

We have also drawn Roman and American parallels in the vanishing peasantry from the land and the decline in small family farms, the consequences of which have been increasing unemployment and crime and poverty in the cities, and a growing welfare dependence upon the State.

During the centuries of the early and middle Republic, public office in Rome could be obtained only through virtue, and brought with it no pay, no salary, no benefit other than honor, and the opportunity to prove one's self worthy of being preferred for further toils on behalf of the State.

In the last century of the Republic, the old citizen soldiery and the old moral structure of integrity and dedication to the cause of country gave way to greed, graft, corruption, venality, and political demagoguery, much of which we see in our own time and in our own country. The self-serving ambitions of Roman generals and politicians led to violence, civil wars, and military domination by standing armies made up of professional soldiers. In our own Republic today, the military-industrial complex, against which President Eisenhower warned, can pose a threat to the system.

Thus, Mr. President, there are sundry similarities between our own history and the history of the Romans.

Now, let us turn to the consideration of the Roman political system. In the Roman Republic, the political organization was complex, and it was also experimental, unlike that of Lycurgus, the Spartan lawgiver of the ninth century B.C.

Lycurgus united in his constitution all of the good and distinctive features of the best governments, so that none of the principal parts should unduly grow and predominate. But inasmuch as the force of each part would be neutralized by that of the others, neither of them should prevail and outbalance another. Therefore, the constitution should remain in a state of equilibrium.

Lycurgus, foreseeing by a process of reasoning whence and how events would naturally happen, constructed his constitution untaught by adversity. But, while the Romans would achieve the same final result, according to Polybius, they did not reach it by any process of reasoning but by the discipline of many trials and struggles. And, by always choosing the best, in the light of the experience gained, they reached the same result as Lycurgus.

Let us consider the Roman system as it was seen by Polybius, the Greek historian, who lived in Rome from 168 B.C., following the Battle of Pydna, until after 150 B.C., at a time when the Roman Republic was at a pinnacle of majesty that excited his admiration and comment.

Polybius viewed the Roman constitution as having three elements: the Executive, the Senate, and the people, with their respective share of power in the state regulated by a scrupulous regard to equality and equilibrium.

Let us examine the separation of powers in the Roman Republic as explained by Polybius. The consuls—representing the Executive—were the supreme masters of the administration of the government when remaining in Rome. All of the other magistrates, except the tribunes, were under the consuls and took their orders from the consuls. The consuls brought matters before the Senate that required its deliberation, and they saw to the execution of the Senate's decrees. In matters requiring the authorization of the people, the consuls summoned the popular meetings, presented the proposals for their decision, and carried out the decrees of the majority.

In matters of war, the consuls imposed such levies upon the allies as the consuls deemed appropriate, and made up the roll for soldiers and selected those who were suitable. Consuls had absolute power to inflict punishment upon all who were under their command, and had all but absolute power in the conduct of military campaigns.

As to the Senate—we are talking about the separation of powers—as to the Senate, it had complete control over the treasury and regulated receipts and disbursements alike. The quaestors could not issue any public money to the various departments of the state without a decree of the Senate. The Senate controlled the money for the repair and construction of public works and public buildings throughout Italy, but this money could not be obtained by the censors, who oversaw the contracts for public works and public buildings, except by the grant of the Senate.

The Senate also had jurisdiction over all crimes in Italy requiring a public investigation, such as treason, conspiracy, poisoning, or willful murder, as well as controversies between and among allied states. Receptions for ambassadors and matters affecting foreign states were the business of the Senate.

What part of the constitution was left to the people? The people participated in the ratification of treaties and alliances, and decided questions of war and peace. The people passed and repealed laws—subject to the Senate's veto—and bestowed public offices on the deserving, which, according to Polybius, "are the most honorable rewards for virtue."

Polybius, having described the separation of powers under the Roman constitution, how did the three parts of state check and balance each other?

Mr. President, during the past several months, I have often referred to the various checks that the consuls, the tribunes, the Senate and the assemblies exercised against each other. And I have paid particular attention to the veto power of the Roman Senate and the tribunes.

Incidentally, Henry Clay, who believed that the veto power of American Presidents was "despotic" and ought to be circumscribed, stated in a Senate floor speech that the veto "originated in the institution of the tribunician power in ancient Rome," and had "been introduced from the practice under the empire into the monarchies of Europe."

Polybius explains the checks and balances of the Roman constitution, as he had observed them firsthand. Remember, he was living in Rome at the time.

What were the checks upon the consuls, the executive? The consul—whose power over the administration of the government when in the city, and over the military when in the field, appeared absolute—still had need of the support of the Senate and the people.

The consul needed supplies for his legions, but without a decree of the Senate, his soldiers could be supplied with neither corn nor clothes nor pay. Moreover, all of his plans would be futile if the Senate shrank from danger, or if the Senate opposed his plans or sought to hamper them. Therefore, whether the consul could bring any undertaking to a successful conclusion depended upon the Senate, which had the absolute power, at the end of the consul's one-year term, to replace him with another consul or to extend his command.

Even to the successes of the consuls on the field of battle, the Senate had the power to add distinction and glory, or to obscure their merits, for unless the Senate concurred in recognizing the achievements of the consuls and in voting the money, there could be no celebration or public triumph.

The consuls were also obliged to court the favor of the people, so here is the check of the people against the consul, for it was the people who would ratify, or refuse to ratify, the terms of peace. But most of all, the consuls, when laying down their office at the conclusion of their 1-year term, would have to give an accounting of their administration, both to the Senate and to the people. So, it was necessary that the consuls maintain the good will of both the Senate and the people.

What were the checks against the Senate? The Senate was obliged to take the multitude into account and respect the wishes of the people, for in matters directly affecting the Senators—for instance, in the case of a law diminishing the Senate's traditional authority, or depriving Senators of certain dignities, or even actually reducing the property of Senators—in such cases, the people had the power to pass or reject the law in their assembly.

In addition, according to Polybius, if the tribunes imposed their veto, the Senate would not only be unable to pass a decree, but could not even hold a meeting. And because the tribunes must always have a regard for the people's wishes, the Senate stood in awe of the multitude and could not neglect the feelings of the people.

But as a counterbalance, what check was there against the people? We have seen the checks against the consuls; we have described the checks against the Senate. What about the people? According to Polybius, the people were far from being independent of the Senate, and were bound to take its wishes into account, both collectively and individually.

For example, contracts were given out in all parts of Italy by the censors for the repair and construction of public works and public buildings. Then there was the matter of the collection of revenues from rivers and harbors and mines and lands—everything, in a word, that came under the control of the Roman government. In all of these things, the people were engaged, either as contractors or as pledging their property as security for the contractors, or in selling supplies, or making loans to the contractors, or as engaging in the work and in the employ of the contractors.

"Over all these transactions," says Polybius, "the Senate has complete control." For example, it could extend the time on a contract and thus assist the contractors; or in the case of unforeseen accident, it could relieve the contractors of a portion of their obligation, or it could even release them altogether if they were absolutely unable to fulfill the contract.

So, there were many ways in which the Senate could inflict great hardships upon the contractors, or, on the other hand, grant great indulgences to the contractors. But in every case, the appeal was to the Senate.

The Senate's ace card lay in its control over the purse strings. Also, the judges were selected from the Senate, at the time of Polybius, for the majority of trials in which the charges were heavy. Consequently, the people were cautious about resisting or actively opposing the will of the Senate, because they were uncertain as to when they might need the Senate's aid. For a similar reason, the people did not rashly resist the will of the consuls, because one and all might, in one way or another, become subject to the absolute power of the consuls at some point in time.

Polybius sums it up in this way: "When any one of the three classes becomes puffed up, and manifests an inclination to be contentious and unduly encroaching, the mutual interdependency of all the three, and the possibility of the pretensions of any one being checked and thwarted by the others, must plainly check this tendency. And so the proper equilibrium is maintained by the impulsiveness of the one part being checked by its fear of the other."

Polybius' account may not have been an exact representation of the true state of the Roman system, but he was on the scene, and he was writing to tell us what he saw with his own eyes—not through the eyes of someone else. What better witness could we have?

The theory of a mixed constitution—that is what ours is, a mixed constitution with checks and balances, and separation of powers—the theory of a mixed constitution had had its great measure of success in the Roman Republic. It is not surprising, therefore, that the Founding Fathers of the United States should have been familiar with the works of Polybius, or that Montesquieu should have been influenced by the checks and balances and separation of powers in the Roman constitutional system, a clear element of which was the control over the purse, vested solely in the Senate in the heyday of the Republic.

Mr. President, in my presentations today and heretofore on this subject, I have drawn many parallels between our own Republic and the historical meanderings of that ancient Republic that rose and declined along the banks of the Tiber River, a parallel which induced someone in an earlier American generation to name the tiny stream that once flowed across the present-day Mall, "Tiber Creek." It is my own sincere prayer, however, that the United States will not follow a course parallel to the Roman Republic into an inexorable decline and decadence.

Mr. President, worthy scholars and thoughtful authors have exhausted rivers of ink in attempting to analyze the decline and fall of the Roman Republic and the subsequent empire. Among the foremost of these author-historians is Edward Gibbon. Gibbon's "Decline and Fall of the Roman Empire" is an incontestable historical classic, and no competent grasp of Roman historiography can be achieved without taking Gibbon into consideration. If Senators have not read his volumes, they should read them.

Whereas Polybius wrote about the rise of the Roman Republic and its greatness, Gibbon wrote about the decline and fall of the Roman Empire, which followed on after the Republic collapsed.

However, Gibbon outlines a case for Rome's decline and fall with which few, if any, subsequent historians will agree. Gibbon asserts that Christianity was the cause of Rome's decline and ultimate fall.

Gibbon's assertion is not an atheist's diatribe against Christianity, as some people might assume. Gibbon's position is that Christianity's "other-worldly" orientation, its exclusivistic monotheism, its withdrawal from the larger society, its condemnation of Mediterranean culture, its fostering of monasticism, and its contemplative emphasis, when taken together, refocused the people's attention on spiritual values to the detriment of the practicality, the civic activism, and the aggressiveness that characterized and gave rise to the Roman attitude toward life.

Conversely, while Gibbon is acquainted with and recounts most of the evidences of Rome's decline that have nothing to do with Christianity—moral decadence, tyrannical emperors, barbarian incursions, the decline of the small family farms, the vanishing peasantry, the depletion of soils and accessible mineral resources, and the collapse of faith in the old gods—Gibbon treats these as being merely coincidental to Rome's decline—minor distractions and sideshows around the center ring's main event, namely, Christianity's gnawing away at the empire's superstructure.

Certainly, no informed student of Roman history can ignore Gibbon's achievement, both as a historian and as an interpreter of ancient Roman civilization. But though the "Decline and

Fall of the Roman Empire" is an undeniable classic, Gibbon has not written the last word on ancient Rome. Indeed, during the roughly two centuries since Gibbon wrote his masterpiece, we have witnessed a revolution in historical methodology and a reformation in our comprehension of the causes of Rome's failure. For example, Will Durant, who made his political and cultural influence felt earlier in this century, broadly represents a 20th-century perspective on the causes of Rome's decline and decay. In "The Story of Civilization," Will Durant asserts that Rome was already in decline before Christianity emerged on the scene.

An eroding faith in the old Greco-Roman pantheon of deities, a decline in family life, rotting public and individual morality; the corrosion of discipline, patriotism, and the military esprit; abandonment of the land by the peasant classes, agricultural decline, deforestation; civil wars, class struggle, international warfare, praetorian intrigues and conspiracies, assassinations, violence, and civil disorders; bureaucratic despotism, economic depression, stifling taxes, and corruption in government; mad emperors, pestilences, and plague; games and circuses, free bread, and the welfare mob—all of these wore away the moral and spiritual and social underpinnings of the Roman state, and accelerated its plunge into hopeless impotence and eventual obscurity as a military power and territorial empire.

Against such a backdrop of crises, fecklessness, and drift, Christianity served, not as a cause of decay and collapse, but as a lifeboat for a despairing populace. Rome was already a cracked shell when Christianity ascended the stage.

But, perhaps most tellingly, Durant declares:

> The political causes of decay were rooted in one fact—increasing despotism destroyed the citizens' civic sense and dried up statesmanship at its source. * * * The Senate, losing ever more of its power and prestige, * * * relapsed into indolence, subservience, or venality; and the last barrier fell that might have saved the state from militarism and anarchy.

In short, Rome's fate was sealed by the one-by-one donations of power and prerogative that the Roman Senate plucked from its own quiver and voluntarily delivered into the hands, first, of Julius Caesar and then Octavian, and subsequently into the trust of the succession of Caligulas, Neros, Commoduses, and Elagabaluses who followed, until at last, the ancient and noble ideals of the Roman Republic had been dissolved into the stinking brew of imperial debauchery, tyranny, megalomania, and rubble into which the Roman Empire eventually sank.

At the height of the Republic, the Roman Senate had been the one agency with the authority, the perspective, and the popular aura to debate, investigate, commission, and correct the problems that confronted the Roman state and its citizens. But the Senate's loss of will, and its eagerness to hand its responsibilities over to a one-man government—a man on a "white horse"—a dictator, and later an emperor, doomed Rome and predestined Rome's decline and ultimate fall.

Mr. President, those "political midwives" attendant on the birth of our own Republic—George Washington, Alexander Hamilton, Benjamin Franklin, James Madison, James Wilson, Elbridge Gerry, Oliver Elsworth, and others—were some of the wisest men alive at that time, in this or any other country. Many had served in the Continental and Confederation Congresses and in State legislatures. All of them were experienced and reflective men.

Many of those constitutional framers were well acquainted with Cicero, Polybius, Livius, Tacitus, and Plutarch, and the glories of the classical Roman Republic. Those brilliant men borrowed freely from the best of ancient Rome, and purposefully and deliberately christened the upper Chamber of the Congress "the Senate."

Just as carefully, they set in place a system of checks and balances and separation of powers, and lodged the control of the purse in the "people's branch", to prevent the rise of a new coinage of imperial executives in the federation that they created.

Mr. President, in our own times we see the same problems, the same kinds of dilemmas that the hand of history wrote large upon Rome's slate, being written upon America's slate. In difficult times or in crises, many people grow impatient, as they grew impatient during the French revolution and elevated Napoleon to the emperorship; as they grew impatient during the Russian revolution and elevated Lenin to head of state; as they grew impatient in depression-era Germany and elevated Adolf Hitler to the presidency and the chancellorship; as they grew impatient in Cuba and elevated Fidel Castro to the dictatorship.

We, too, have reached a stage where we seem to remain in a state of crisis, semicrisis, or pseudocrisis and the American people have grown impatient and are demanding solutions to serious problems—problems that do not lend themselves to easy and quick solutions. The solutions to these problems will be painful and will take time, perhaps years, to succeed.

This is not a truth that some people want to hear. Many would rather believe that quack remedies such as line-item vetoes and enhanced rescissions powers in the hands of Presidents will somehow miraculously solve our current fiscal situation and eliminate our monstrous budget deficits.

Of course, some people would, perhaps, prefer to abolish the Congress altogether and institute one-man government from now on. Some people have no patience with constitutions, for that matter.

Mr. President, let us learn from the pages of Rome's history. The basic lesson that we should remember for our purposes here is, that when the Roman Senate gave away its control of the purse strings, it gave away its power to check the Executive. From that point on, the Senate declined and, as we have seen, it was only a matter of time. Once the mainstay was weakened, the structure crumbled and the Roman Republic fell.

This lesson is as true today as it was 2,000 years ago. Does anyone really imagine that the splendors of our capital city stand or fall with mansions, monuments, buildings, and piles of masonry? These are but bricks and mortar, lifeless things, and their collapse or restoration means little or nothing when measured on the great clock-tower of time.

But the survival of the American constitutional system, the foundation upon which the superstructure of the Republic rests, finds its firmest support in the continued preservation of the delicate mechanism of checks and balances, separation of powers, and control of the purse, solemnly instituted by the Founding Fathers. For over 200 years, from the beginning of the Republic to this very hour, it has survived in unbroken continuity. We received it from our fathers. Let us as surely hand it on to our sons and daughters.

Mr. President, I close my series of reflections on the ancient Roman Republic with the words of Daniel Webster from his speech in 1832 on the centennial anniversary of George Washington's birthday:

> Other misfortunes may be borne or their effects overcome. If disastrous war should sweep our commerce from the ocean, another generation may renew it. If it exhaust our Treasury, future industry may replenish it. If it desolate and lay waste our fields, still, under a new cultivation, they will grow green again and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skillful architecture which unites national sovereignty with State rights, individual security, and public prosperity? No. If these columns fall, they will be raised not again. Like the Colosseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them than were ever shed over the monuments of Roman or Grecian art. For they will be the remnants of a more glorious edifice than Greece or Rome ever saw: the edifice of constitutional American liberty.

Mr. President, I thank the Chair and I thank all Senators. I thank the two leaders for their accommodations and their courtesies, and the floor staffs

Abby Saffold, Lula Davis, Martin Paone, Elizabeth Green—and all the others who have been so helpful over these more than 5 months during which I have developed this series of 1-hour speeches on the history of the Romans, with particular reference to their political system of checks and balances and divided powers.

I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The ACTING PRESIDENT pro tempore. The Chair will note under the previous order the Senate will now resume consideration of H.R. 3116, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

The ACTING PRESIDENT pro tempore. The question now pending before the Senate is the committee amendment, which begins on page 42, line 4.

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I ask unanimous consent that the pending two committee amendments be temporarily set aside.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 1051 TO THE EXCEPTED COMMITTEE AMENDMENT ON PAGE 154, LINES 7 THROUGH 22

(Purpose: To review the consequences of the use of United States Armed Forces personnel in certain international operations)

Mr. NICKLES. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES], for himself, Mr. COCHRAN, Mr. GORTON, Mr. D'AMATO, Mr. KEMPTHORNE, Mr. FAIRCLOTH, Mr. BROWN, Mr. HELMS, Mr. HATCH, Mr. ROTH, and Mr. BURNS, proposes an amendment numbered 1051 to the excepted committee amendment on page 154, lines 7 through 22.

Mr. NICKLES. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the end of the committee amendment on page 154, line 22, strike "stockpile." and insert the following: "stockpile;"

SEC. 8137A. RESTRICTION ON USE OF UNITED STATES ARMED FORCES IN CERTAIN INTERNATIONAL OPERATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to support United States Armed Forces personnel, other than those engaged in medical, logistics, communications, humanitarian, training, temporary observer or liaison activities, after March 1, 1994, when such forces are:

(1) under United Nations operational or tactical control if such forces would be under the command, operational control, or tactical control of foreign officers, unless prior to that date (A) the President has submitted a report to Congress which specifies the role and mission of such forces, the estimated cost of supporting such forces for such mission, the probable maximum size of such force, and the probable duration of the commitment of such forces, to the appropriate congressional committees; (B) such committees have had 30 days thereafter to review the consequences of such a commitment of United States Armed Forces; (C) and a joint resolution authorizing the placing of such forces under foreign command has been enacted; or (2) a part of any prospective standing United Nations international armed force.

(b) The prohibition described in subsection (a)(1) shall not apply if the President determines that (1) national security interests justify a waiver of such prohibition; (2) the President declares that an emergency exists and immediately informs the Congress of his action and the reasons therefor; and (3) within 30 days of such declaration there is enacted a joint resolution authorizing such actions and declaring them to be in the national security interests of the United States.

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President should notify the Speaker of the House of Representatives and the President of the Senate when there is pending in the United Nations Security Council any resolution that might entail the commitment of United States military personnel, and should seek the advice of the chairman and ranking members of the appropriate congressional committees prior to instructing the United States Permanent Representative to the United Nations regarding such a pending resolution.

(d) DEFINITIONS.—(1) For purposes of this section, the term "appropriate congressional committees" means the Committees on Appropriations, Armed Services, and Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on Appropriations, Armed Services, and Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) For purposes of this section, "any prospective standing United Nations international armed force" means any armed military unit or units under United Nations operational control, not in existence as of the effective date of this Act, established for a permanent or indefinite duration, and without a mission defined by country or region. It is specifically recognized that all forces currently in existence with a country-specific or region-specific mission, such as those forces under the control of the United Nations Command in the Republic of Korea, do not meet this definition.

(3) For purposes of this section, "United Nations operational or tactical control" means the exercise by the United Nations Security Council, the United Nations Secretary General, or any other non-United States entity designated by the United Nations Security Council, or the United Nations Secretary General, with the exception of NATO, of the power of command usually given to the leader of a military force, such as the authority to coordinate and direct the mission-related activities of the units comprising such force. It is specifically recognized that overall statement of policy or mission authorization in resolutions of the United Nations Security Council, such as those relating to Korea beginning in 1950 or to Iraq beginning in 1990, do not meet this definition.

Mr. NICKLES. Mr. President, first, I wish to thank my colleagues, both Senator INOUYE and Senator STEVENS, for their accommodation.

I ask unanimous consent that it be recorded in the RECORD that besides myself and Senator COCHRAN, Senator GORTON, Senator D'AMATO, Senator KEMPTHORNE, Senator FAIRCLOTH, Senator BROWN, Senator HELMS, Senator HATCH, Senator ROTH and Senator BURNS be added as cosponsors to the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I wish to thank the managers of the bill for their accommodation in this amendment. As I have stated in the past, it was my intention to offer this amendment on the defense appropriations bill, both in subcommittee and full committee. I basically complied with the request of the managers of the bill to wait and postpone it for the floor.

I might tell my friend and colleague from Virginia, originally I intended to offer this amendment to the Foreign Operations bill because, in the past, that is where we funded U.N. peacekeeping forces. But under the legislation this year, it is to be funded under the Department of Defense.

I might also tell my colleagues, this bill was not drafted in response to the tragedy that happened recently in Somalia. Actually, this amendment was drafted well before the Somali incidents of the last couple of weeks.

I would like to offer just a brief explanation of what this amendment that Senator COCHRAN and I and others have been working on and hopefully explain it. It is not a complicated amendment, but it is an important amendment.

This amendment would deny funds for U.S. combat forces under foreign command in United Nations operations unless authorized by Congress. It will also disallow the participation of U.S. combat forces of any part of any prospective standing U.N. international army. Lastly, this amendment includes a sense-of-the-Congress provision stating that the President should notify the Congress when there is a resolution pending in the U.N. Security Council which might result in commitment of U.S. personnel. Again, that is a sense-of-the-Congress resolution.

Let me share with you what has prompted me to address this issue. Several disturbing articles began appearing in the Washington Post and other places over the past several months which indicate that the United Nations and this administration are contemplating, if not planning, to place men and women of our Armed Forces at the will and direction of the United Nations.

Let me quote from just a few of those articles and administration officials as well. I will begin with candidate Bill Clinton in December of 1991. He said that he would "call for a U.N. rapid deployment force that could be used for purposes beyond traditional peacekeeping."

A year later, the President's book, "Putting People First," stated that he would "support the recent more active role of the United Nations in trouble spots around the world and would pursue the establishment of a voluntary United Nations rapid deployment force."

These statements grew into a White House policy document known as Presidential Decision Directive 13 or PDD-13. On June 13, the Washington Post stated, and I will just read a couple of the sections and then I will insert this entire article into the RECORD. It says:

> The Clinton administration is drafting a new set of criteria for U.S. involvement in U.N. peacekeeping operations that would provide for a much wider role of U.S. military personnel, according to senior defense and diplomatic officials.
>
> Under the proposed criteria, the officials said, U.S. forces could help plan, train and participate in U.N. peacekeeping activities when justified by general U.S. interests, not just when the United States could make a unique military contribution.
>
> The administration's plan also calls for substantial beefing up of the peacekeeping staff at the U.N. headquarters in New York. U.S. forces in turn would be inclined to accept greater U.N. authority over peacekeeping operations that involve them, the official said.
>
> The aim of the plan is partly to demonstrate a U.S. commitment to using military force in concert with other nations rather than unilaterally, an approach dubbed "assertive multilateralism" by Madeleine K. Albright, U.S. Ambassador to the United Nations. It also is meant to strengthen the ability of the United Nations to conduct military operations successfully in strife-torn areas, the officials said.

Mr. President, I will highlight a couple other paragraphs in this rather lengthy article:

> Albright outlined some of the proposed new features in a speech last Friday to the Council on Foreign Relations in New York, saying that the administration had decided "the time has come to commit the political, intellectual and financial capital that the U.N. peacekeeping and our security deserve."
>
> The plan would constitute an official U.S. endorsement of many of the ambitious ideas suggested last year by U.N. Secretary General Boutros Boutros-Ghali in his report on the U.N.'s role on the post-cold war era, entitled "Agenda for Peace."

I will mention a couple other quotes:

> By the end of this month, the United Nations will have about 90,000 troops in 13 operations around the world. Yet the entire force depends upon a staff of 35 military advisers and about 40 civilians in New York.

Mr. President, I have some trouble with those ambitious plans. I will just quote another part of this article:

> These and other problems made U.S. military leaders reluctant to commit U.S. forces to peacekeeping operations, particularly under U.N. command, officials said:
>
> The former head of U.N. forces in Sarajevo, Canadian Major General Lewis MacKenzie, vividly described the insufficient staff problem last year. "Do not get into trouble as a commander in the field after 5 p.m. New York time, or Saturday and Sunday," he said. "There is no one to answer the phone."

Just to continue a couple other highlights:

> U.S. military leaders have dropped their traditional insistence that U.S. forces be kept under U.S. command. The Joint Chiefs of Staff agreed to take a case-by-case approach and place U.S. troops under U.N. or allied command whenever they find the particular arrangements acceptable, officials said.

This article is dated June 18.

> Recent models for the policy shift, the officials said, include the deployment of roughly 25,000 U.S. troops to Somalia and the planned deployment of 300 U.S. infantry to Macedonia to prevent the Balkans conflict from spreading there.

Mr. President, in a later article dated August 5 in the Washington Post, its headlines said, "Wider U.N. Police Role Supported, Foreigners Could Lead U.S. Troops."

I will just read a couple of paragraphs from this article:

> President Clinton's top national security advisers have agreed to support the "rapid expansion" of United Nations peace enforcement operations around the world, but the new policy falls far short of U.N. hopes and the aggressive proposals of some members of the administration.
>
> The initiative, outlined in the classified final draft of Presidential Decision Directive 13, endorses United Nations as ersatz world policeman and commits Washington to support multinational peacekeeping and peacekeeping operations "politically, militarily and financially." Its major emphasis is boosting the size and professionalism of the U.N. headquarters staff, where fewer than 80 full-time employees now attempt to control 80,000 troops around the world in 14 separate operations.
>
> If signed by Clinton this month as expected, the directive would formalize the President's acceptance of U.N. command over U.S. troops, a significant milestone. But the document rejects any open-ended U.S. commitments and directs American commanders to disobey U.N. orders they judge to be illegal or "militarily imprudent."

I will skip a paragraph or two:

> In 1990, according to the briefing charts prepared by the Pentagon's joint staff, the United Nations had about 10,000 peacekeepers deployed at an annual cost of $819 million. By this year, there were more than 80,000 U.N. peacekeepers deployed with annual bills exceeding $3.6 billion.

I might repeat those figures. According to this report, in 1990, United Nations had peacekeepers of 10,000. In 1993, we are looking at over 80,000. We are looking at expenses rising from $819 million to $3.6 billion in a period of just 3 years.

Mr. President, I ask unanimous consent that both of these articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 18, 1993]

UNITED STATES PLANS WIDER ROLE IN U.N. PEACE KEEPING

(By R. Jeffrey Smith and Julia Preston)

The Clinton administration is drafting a new set of criteria for U.S. involvement in U.N. peacekeeping operations that would provide for a much wider role for U.S. military personnel, according to senior defense and diplomatic officials.

Under the proposed criteria, the officials said, U.S. forces could help plan, train and participate in U.N. peace-keeping activities when justified by general U.S. interests, not just when the United States could make a unique military contribution.

The administration's plan also calls for a substantial beefing up of the peace-keeping staff at U.N. headquarters in New York. U.S. forces, in turn, would be more inclined to accept greater U.N. authority over the peace-keeping operations that involve them, the officials said.

The aim of the plan is partly to demonstrate a U.S. commitment to using military force in concert with other nations rather than unilaterally, an approach dubbed "assertive multilateralism" by Madeleine K. Albright, U.S. ambassador to the United Nations. It is also meant to strengthen the ability of the United Nations to conduct military operations successfully in strife-torn areas, the officials said.

The plan represents what one official termed an "evolutionary rather than revolutionary" shift from existing policy. Officials said one factor that has helped block a significant U.S. military role in such U.N. peace-keeping operations as Cambodia, Lebanon, Kashmir and Cyprus is a requirement that U.S. forces be able to make a unique military contribution.

Under the proposed criteria, articulated in classified drafts of a White House policy review document known as PDD-13, the United States could take part if such action would catalyze involvement by other nations or more generally advance U.S. interests, the officials said. The degree of involvement would be determined by such factors as the intensity of public support and the risk of any U.S. commitment becoming open-ended.

Officials said PRD-13 has not yet been presented to President Clinton, but general agreement has been reached on these points among senior officials at the State Department, Defense Department and Joint Chiefs of Staff. Albright outlined some of the proposed new features in a speech last Friday to the Council on Foreign Relations in New York, saying that the administration had decided "the time has come to commit the political, intellectual and financial capital that U.N. peace keeping and our security deserve."

The plan would constitute an official U.S. endorsement of many of the ambitious ideas suggested last year by U.N. Secretary General Boutros Boutros-Ghali in his report on the U.N.'s role in the post-Cold War era, entitled "Agenda or Peace." Although the U.S. plan has not yet been presented in detail to the U.N. leadership, top U.N. peace-keeping officials aware of the plan's general outline said in interviews they welcomed Washington's shift.

"There is a definite change of mood and [a] willingness from the United States to be partners," said Kofi Annan, U.N. undersecretary general for peace-keeping operations. "As U.N. operations become ever more complex and cumbersome to manage, U.S. participation becomes ever more important."

U.N. officials acknowledged they sorely need the kind of political and logistical boost the United States is offering. U.N. peace-keeping operations are growing exponentially, straining the infrastructure, experience and planning capabilities at U.N. headquarters. By the end of this month, the United Nations will have about 90,000 troops in 13 operations around the world. Yet the entire force depends upon a staff of 35 military advisers and about 40 civilians in New York.

"If I had to choose a single word to evoke the problems of U.N. peace keeping, it would be 'improvisation,'" Albright said. "A kind of programmed amateurism shows up across the board," including what she described as "the near total absence" of contingency planning, "hastily recruited, ill-equipped and often unprepared troops and civilian staff," the absence of centralized military command and control and "the lack of a durable financial basis for starting and sustaining peacekeeping operations."

These and other problems have made U.S. military leaders reluctant to commit U.S. forces to peace-keeping operations, particularly under U.N. command, officials said.

The former head of U.N. forces in Sarajevo, Canadian Maj. Gen. Lewis MacKenzie, vividly described the insufficient staff problem last year. "Do not get into trouble as a commander in the field after 5 p.m. New York time, or Saturday and Sunday," he said. "There is no one to answer the phone."

Currently, only the three biggest operations—in Somalia, Cambodia and the former Yugoslav republics—have officers stationed in the U.N. situation room around the clock. The U.S. plan calls for a reorganization of the U.N. peace-keeping staff, including the creation with U.S. help of a military operations headquarters modeled after the Pentagon's 24-hour command center.

Administration officials also have agreed to work out arrangements for sharing some U.S. intelligence information with the staff of such a center, substantially bolstering its ability to run distant, complex military operations. Later this month, for example, the United States is to help install a joint defense intelligence information system (JDIIS) in the U.N. situation room to enhance its ability to handle such information.

"This is a very tricky business," said Canadian Brig. Gen. Maurice Baril, the top U.N. military adviser for peace keeping. "You can't expect an organization that is already overworked to come up all of a sudden with a perfect new system. But at the same time we have to develop from within the heart of the United Nations."

Officials said that in the course of the administration's review of its policy toward U.N. peace-keeping, U.S. military leaders have dropped their traditional insistence that U.S. forces be kept under U.S. command. The Joint Chiefs of Staff agreed to take a case-by-case approach and place U.S. troops under U.N. or allied command whenever they find the particular arrangements acceptable, officials said.

Recent models for the policy shift, the officials said, included the deployment of roughly 25,000 U.S. troops to Somalia and the planned deployment of 300 U.S. infantrymen to Macedonia to prevent the Balkans conflict from spreading there.

Part of the proposed policy directive also stipulates some of the conditions under which the United States would endorse, though not necessarily participate in, U.N. peace-keeping operations. These include: humanitarian needs such as those caused by civil strife or natural disasters; threats to democratically elected governments; a high risk that local strife could expand into regional conflict; and threats to international security.

Albright said that the United States intends to support U.N. efforts to create a central peacekeeping budget to pay for such operations, including an enlarged contingency fund and a ready pool of military equipment. She also said the administration favors the "creation of a cadre of highly qualified budget experts" to audit peacekeeping expenditures.

[From the Washington Post, Aug. 5, 1993]

WIDER U.N. POLICE ROLE SUPPORTED

(By Barton Gellman)

President Clinton's top national security advisers have agreed to support the "rapid expansion" of United Nations peace enforcement operations around the world, but the new policy falls far short of U.N. hopes and the aggressive proposals of some members of the administration.

The initiative, outlined in the classified final draft of Presidential Decision Directive 13, endorses the United Nations as ersatz world policeman and commits Washington to support multinational peacemaking and peacekeeping operations "politically, military and financially." Its major emphasis is boosting the size and professionalism of the U.N. headquarters staff, where fewer than 80 fulltime employers now attempt to control 80,000 troops around the world in 14 separate operations.

If signed by Clinton this month as expected, the directive would formalize the president's acceptance of U.N. command over U.S. troops, a significant milestone. But the document rejects any open-ended U.S. commitments and directs American commanders to disobey U.N. orders they judge to be illegal or "militarily imprudent."

The presidential directive and accompanying review paper, known respectively as PDD-13 and PRD-13, distill five months of contentious interagency debate over the best response to a world full of post-Cold War ethnic and subnational conflict. The new policy comes at a time of unprecedented growth in demands for U.N. intervention, and amid serious problems with major operations in Somalia and the Balkans.

In 1990, according to briefing charts prepared by the Pentagon's Joint Staff, the United Nations had about 10,000 peacekeepers deployed for an annual cost of $819 million. By this year, there were more than 80,000 U.N. peacekeepers deployed with annual bills exceeding $3.6 billion.

The final draft of PDD-13, approved in a July 14 interagency meeting of senior officials and obtained by The Washington Post, rejects Secretary General Boutros Boutros-Ghali's ambitious call last year for a standing U.N. "rapid deployment force" for intervention in world trouble spots, an idea Clinton endorsed in his presidential campaign. The Pentagon, in the words of one officer, threw "a major dose of cold reason" on more ambitious proposals from the State Department and National Security Council staff.

The presidential directive is in the form of a memorandum to Clinton's senior national security advisers. It says the United States will neither "earmark" U.S. military units for U.N. peace operations nor even promise in advance to supply generic capabilities, such as combat engineering or air cover. Instead, Washington will list a set of capabilities that it may be willing to contribute "on a case-by-case basis."

The effect of that restraint, according to one disappointed administration advocate of greater commitment, leaves the world body in the position of "rounding up a posse" every time it considers a new intervention. At the same time, the presidential directive endorses a broad new definition of what constitutes a "threat to international peace and security," setting the stage for forcible U.N. intervention when a country undergoes "sudden and unexpected interruption of established democracy or gross violation of human rights."

The policy allows for U.S. troops to be placed under the "operational control" of a U.N. commander, which ratifies an experiment underway in Somalia. When the American-led humanitarian intervention there gave way to U.N. command in May, Clinton became the first president since the Korean War to place American troops under the world body's control.

But in a controversial hedge, the directive orders U.S. commanders in such operations to maintain separate reporting channels to higher U.S. military authorities and disobey U.N. orders which they judge to be illegal, outside the agreed U.N. mandate or "military imprudent and unsound." The United States will also reserve "the right to terminate the participation of the U.S. unit. . . and to take whatever actions it deems necessary to protect them if they are endangered," the directive says.

Although Pentagon officials insisted on these conditions, they acknowledge that they make for what one called "a double-edged sword."

"If we're in charge, do we want the Turks to say, 'I don't like that order?'" asked one officer who has closely followed the debate. "It's going to cause us some problems as we try to sell this to other nations in the U.N."

Madeleine K. Albright, U.S. ambassador to the United Nations, acknowledged in a closed-door talk to Army officers last Thursday that the reservation of national decision-making power makes for "serious command and control problems" in a U.N. force, according to a tape recording of her remarks.

Those problems are already manifest in Somalia. Italian forces in Mogadishu have conducted military operations and negotiations there without notifying Turkish Lt. Gen. Cevik Bir, the operation's overall commander, and they have refused direct orders to attack Somali militias. Small contingents from Kuwait and Saudi Arabia have likewise rebuffed Bir's commands, and a 1,174-man American quick reaction force was never placed under Bir.

"If this is the wave of the future, the future looks pretty ugly," said another Army officer.

But a senior administration official who has played a central role in drafting the new policy initiative insisted that the hedge against "imprudent" orders would not justify the behavior of the Italians. He said it is intended only to stop reckless tactical moves, not disagreements over a mission's larger strategy.

A central aim of PDD-13 is to boost the prestige, staff and resources of the U.N. military headquarters staff, long hobbled by the U.S.-Soviet deadlock and unaccustomed to operational responsibility. The initiative seeks to more than double the peacekeeping headquarters with 100 new staff members, 20 of whom would be supplied by the State and Defense departments.

A revamped U.N. staff, the directive says, should have a "research division," a euphemism for military intelligence; an operations division with a 24-hour staff and encrypted command, control and communications facilities; a "rapidly deployable headquarters team" to control new operations in the field, and a "standing airlift capability" using commercial and possibly leased Russian military transports.

Unwilling to pay for most of this, the Clinton administration is directing Albright to begin recruiting donors, "focusing on Japan and Germany," to expand the peacekeeping office.

Within the administration, the State and Defense departments have been battling for months to control the newly important budgets and policy decisions on peace operations. The dispute flared Tuesday at a closed meeting of the Senate Armed Services and Foreign Relations committees attended by senior Pentagon, State and National Security Council staff officials. "It was abruptly ended after the administration embarrassed itself by not speaking with one voice," said one government official.

Mr. NICKLES. Mr. President, I cite those two articles and I will cite a couple of other quotations that concern me because we are talking about a massive expansion of U.S. forces committed to United Nations and, in many cases, to U.N. commanders that are not from the United States.

On June 11, Madeleine Albright stated,

> I think a strong United Nations is critical to U.S. security, so we in the United States must work energetically to strengthen the capacity of the United Nations and other multilateral organizations to conduct peacekeeping, preventive diplomacy, peacemaking, peace enforcement,

and so on.

These statements cause me great concern. I believe some supporters of the United Nations are placing too much faith in its hands. In the United Nations, we have seen a shift from traditional peacekeeping to peacemaking and peace enforcing, and in Somalia we have, unfortunately, seen how well-intentioned U.N. resolutions can result in tragic consequences.

We have also seen a rapid rise in U.N. operations. There were 13 U.N. peacekeeping operations between the years 1945 and 1985. Since 1985, there have been 14. So we have had more U.N. peacekeeping operations in the last 8 years than we did in the first 40 years. The number of troops has increased from 10,000 troops in peacekeeping operations 3 years ago to over 80,000 today. That is a dramatic increase. And there are less than 90 U.N. military and civilian officers to oversee those operations.

So let me address what will and will not be affected by this amendment which Senator COCHRAN and others and myself are offering today. I might mention, too, I have made some minor modifications to accommodate some of the concerns that were raised by the chairman of the subcommittee, Senator INOUYE, and Senator STEVENS.

This amendment does not apply to NATO and its integrated command structure because it is not under U.N. operational control. Likewise, such NATO standing elements as the Multinational Standing Naval Force Atlantic would not be affected. It also would not affect the current United States-Korea arrangement. It would not preclude any future situation structured like the gulf war. Since it only applies to U.S. combat forces under foreign command, it would not affect U.S. participation in traditional U.N. peacekeeping. It would not affect our ability to enter into multilateral U.N. agreements. It just addresses the operational command of American combat forces.

It also retains Presidential flexibility in an emergency and need not result in the abrupt removal of U.S. combat personnel participating in U.N. operations. Again, it just disallows U.N. operational control or foreign command over our combat men and women unless authorized by Congress. If anything, this amendment assures that the President, unless it is clearly in the national security interests of the United States, retains his constitutionally guaranteed role as Commander in Chief. Should he seek to delegate that responsibility to a foreigner, it is only common sense that relinquishing command responsibility be done with the utmost care and caution. We did not elect the U.N. Secretary General as Commander in Chief.

Mr. President, this is an important amendment. Lives of dedicated men and women of our Armed Forces are at stake. At a time when U.N. missions are increasing rapidly in number and in size, sprawling in their scope, and the world is full of ethnic and regional conflicts, it is our responsibility to ensure that those who are willing to sacrifice their lives for America are never jeopardized for anything other than what is clearly in our national security interests.

Mr. President, I believe that is the minimum that we owe the service men and women of our country.

Mr. President, I have several editorials I would like to enter into the RECORD. Actually, I have four or five. One is by Jeane Kirkpatrick: "Where Is Our Foreign Policy?" And I will just read or highlight a couple of paragraphs from this editorial.

> The Secretary General does not explain why the United States should commit hundreds of millions of dollars and risk thousands of lives to nation-building in one African State. That is not his responsibility. Explaining to the American taxpayers why these activities are in U.S. national interests is the responsibility of President Clinton and his administration.

I will just insert this entire statement, but needless to say—let me just conclude with one final statement. It said:

> The Clinton administration offers us a vision of foreign policy from which national self-interest is purged. And it proposes to forgo U.S. control over important decisions and rely instead on the judgment of international bodies and officials.

Mr. President, I ask unanimous consent that the editorial by Jeane Kirkpatrick, one in the Sunday Oklahoman, an article from the National Review, as well as an op-ed piece by Samuel Francis and one by Trudy Rubin, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 30, 1993]

WHERE IS OUR FOREIGN POLICY?

(By Jeane Kirkpatrick)

"What is our purpose?" Senate Minority Leader Robert Dole asked of the latest U.S. commitment of troops to Somalia. "What is the cost? How long will they stay."

U.N. Secretary General Boutros Boutros-Ghali addresses these questions in his most recent report to the Security Council on Somalia. But his answers would not please Dole or a growing number of senators and representatives concerned about the increasing U.S. commitment to the U.N. operation in Somalia.

Boutros-Ghali explains that what began as an effort to prevent mass starvation has become a campaign "to reconstruct [Somalia's] political, social and material infrastructure on a lasting basis," to disarm warring factions, apprehend "criminal elements," establish a national police force, a prison system and a judicial system.

The secretary general does not explain why the United States should commit hundreds of millions of dollars and risk thousands of lives to nation-building in one African state. That is not his responsibility. Explaining to American taxpayers why these activities are in the U.S. national interest is the responsibility of President Clinton and his administration.

We know why the Bush administration committed 20,000 troops to Somalia: It was to stave off imminent starvation of tens of thousands. But President Clinton and his top advisers have not explained why Americans should become militarily involved in the internal politics of Somalia—a distant country to which we have no special ties. Nor have they explained why the conflict in Somalia should have greater claim to U.S. resources than, say, the bitter war of aggression against Bosnia. The president's silence on these questions has given rise to the complaint, heard with increasing frequency, that the Clinton administration has failed to define a foreign policy. I believe that complaint is not justified.

In fact, the Clinton administration's foreign policy has been repeatedly described and illustrated by top administration officials. But what they say and what they do are so unfamiliar and unexpected that they are barely heard and even less understood.

For the Clinton team, implementing the decisions of the U.N. Security Council and the secretary general in Somalia, Bosnia, Cambodia or wherever is our foreign policy. Doing what the United Nations calls on us to do is our foreign policy. That is why Secretary of State Warren Christopher listed among the administration's foreign policy accomplishments "taking the lead in passing the responsibility to multilateral bodies." It is presumably why the administration accepted Boutros-Ghali's claim of authority to decide when and where NATO air strikes could take place in Bosnia and why the U.S. dispatched crack troops to Somalia without raising serious questions about whether it is prudent, justifiable or in the U.S. interest.

The Clinton administration has made acting through the United Nations the centerpiece of U.S. foreign policy. "There is a political will in the new administration to use the United Nations in solving international disputes," Boutros-Ghali told David Frost soon after Clinton's inauguration. And he was right. But even he must be surprised at the extent of the Clinton administration's commitment to global multilateralism.

The clearest statement yet of the Clinton doctrine of "assertive multilateralism" was offered in U.N. Ambassador Madeleine Albright's June speech to the Council on Foreign Relations. But Christopher and other policy-making members of the Clinton team have emphasized and illustrated the administration's belief that a strong United Nations is critical to U.S. national security, that a conflict anywhere is a threat to U.S. national security and that they have a commitment to promote peace and development everywhere through the United Nations.

In Bosnia, Somalia, Cambodia and in its sweeping plans to upgrade U.N. peacekeeping capacities, the administration has demonstrated a will to make the U.N. secretary general's priorities its own.

In its support of Boutros-Ghali's boundless agenda and unprecedented claims of authority, in its willingness to defer to U.N. decisions (as, for example, on air strikes in Bosnia), in its decision to place U.S. troops under U.N. command, the Clinton administration defines its foreign policy and dissolves the national interest as traditionally conceived. It eliminates from the calculation of interests and priorities factors like geography, history and culture, which have traditionally shaped the foreign policy of nations. The Clinton administration offers us a vision of foreign policy from which national self-interest is purged. And it proposes to forgo U.S. control over important decisions and rely instead on the judgment of international bodies and officials.

The reason the Clinton administration's foreign policy seems indecisive is that multilateral decision-making is characteristically complicated and inconclusive. The reason Clinton policy seems ineffective is that U.N. operations—in Bosnia or Somalia or wherever—are characteristically ineffective. The reason Dole demands an explanation of our purposes in Somalia, now that starvation no longer looms, is that it is difficult to relate Somalia's internal political struggles to any U.S. goals except the goal of honoring the priorities of the U.N. secretary general.

This is not the first time an American-administration has brought to U.S. foreign policy-making a global perspective and tendency to prefer universal needs to national interests. Many of the same people now making foreign policy for the Clinton administration tried these ideas first when they served in the Carter administration. But the Cold War and the reality of Soviet expansion in the late '70s imposed limits on the utopian quest for a global community. Now, only Congress can prevent the progressive loss of control by Americans of our resources and our future.

[From the Sunday Oklahoman, Aug. 22, 1993]

CLINTON AND THE UNITED NATIONS

If President Clinton thinks he stirred up a hornet's nest with his plan to permit homosexuals to serve openly in the military, he should hear the buzz of opposition against another one of his off-the-wall ideas.

Some high-ranking senators have their stingers out for Clinton if he goes through with an executive order clearing the way for U.S. combat forces to serve under foreign commanders. Sen. Malcolm Wallop, a Republican on the Armed Services Committee, called it a "nutty idea." Sen. Richard Lugar, a senior Republican on the Senate Foreign Relations Committee, criticized the lack of consultation with Congress. Democratic Sen. Robert Byrd, chairman of the Senate Appropriations Committee, said "such military endeavors could be disastrous" and called for a thorough debate.

The controversial order is an outgrowth of the Clinton administration's embrace of an expanded role for the United Nations in places like Somalia and Bosnia and other explosive regions around the world. This kind of multinational approach to peacekeeping has some backing on Capitol Hill.

Sen. Joseph Biden, a Democrat, has endorsed the concept of a standing army controlled by the U.N. in which American troops would serve. Biden may not mind U.S. soldiers taking orders from foreigners but plenty of his colleagues would find that unacceptable. The joint chiefs of staff traditionally have resisted subordinating their services to international command.

Furthermore, the U.N.'s botched operations in Somalia and Bosnia, along with chronic mismanagement and fraud, should rule out expanding its power and influence. Says Thomas Sheehy of The Heritage Foundation, "this is a time to be skeptical about U.N. effectiveness in settling conflicts around the globe."

Clinton has far too much confidence in the U.N. and its secretary general Boutros Boutros-Ghali of Egypt. As Sen. Bob Dole said at the national governors conference, the U.N. is a flawed institution that "does not stand for the same values and principles" as the United States. Warning Clinton not to abdicate his responsibilities, Dole said "the American people did not elect Boutros-Ghali to run U.S. foreign policy."

Rather than get stung by angry senators, Clinton should drop any plans to assign U.S. soldiers to an international police force run by a multinational organization with a shoddy success record. It's time he started acting like the leader of a superpower. He is spending presidential capital on unwise and ill-advised policies.

[From the National Review, Oct. 4, 1993]

C'MON, BABY—DO THE MULTILATERAL

(By Lawrence T. Di Rita)

Bill Clinton came to Washington determined to end "12 years of gridlock." This message resonated with the approximately one in four Americans who provided Mr. Clinton his mandate. For the remaining 75 percent of us, it remains to be shown why "gridlock" is a Bad Thing. After all—with apologies to Senator Goldwater—gridlock in the pursuit of common sense is no vice.

No gridlock during the past 12 years was more sensible than that which obtained between civilians and the military regarding overseas adventurism. The Joint Chiefs of Staff learned one very important lesson from America's failure in Vietnam: beware civilians who would launch crusades abroad.

During the Reagan-Bush years the chiefs were able to convince the secretaries of defense to pay attention to their views on this matter. As a result, a curious role reversal took place, in which hair-shirted civilians in the State Department and at the National Security Council frequently criticized the apparent pacification of the Department of Defense when it resisted their calls for "a mix of diplomacy and military force" to achieve their objectives. The breakdown of the international force that led to the tragic deaths of 241 U.S. Marines in Beirut in October 1983 only strengthened the case for defense gridlock regarding multilateral military "presences."

The prudent approach to the use of U.S. forces was codified by our longest-serving Secretary of Defense, Caspar Weinberger. Paraphrased from his excellent memoirs, his recipe for gridlock, since named the "Weinberger Doctrine," includes these precepts:

1. Do not commit combat forces overseas unless the engagement is deemed vital to our national interest.

2. If combat troops are committed, do so wholeheartedly, with the clear intention of winning, and with clearly defined political and military objectives.

3. The commitment of combat forces abroad should be a last resort.

Fortunately, the Beirut episode was an isolated instance. More representative of the period were the liberation of Grenada, the invasion of Panama, and, of course, Operation Desert Storm. Clear and achievable objectives, an overwhelming preponderance of force, and the willingness to act independently if necessary characterized these operations, which, not coincidentally, were remarkable for the minimal loss of life on either side.

A PROMISE TO BE KEPT

Ending gridlock (or at least the kind produced by disciplined adherence to the Weinberger Doctrine) appears to be one area in which President Clinton intends to keep his word. He has entrusted the Pentagon to a team of Great Strategic Thinkers that seems bent on seeing how quickly it can violate every one of Mr. Weinberger's principles. President Clinton seems ready to permit—indeed, encourage—the use of American military forces around the world as a snap-in, snapout replacement for diplomacy. Worse yet, he seems prepared to use unaccountable United Nations bureaucrats—who wouldn't recognize a "vital national interest" or "clearly defined military objective" if it were printed on their inflated paychecks—to "legitimize" his use of force.

The centerpiece of Mr. Clinton's effort is his administration's review of multilateral operations being undertaken as part to is systematic assessment of Bush Administration policies. Dubbed Presidential Decision Directive (PDD)-13, the review is considering all manner of one-worldisms, including a UN military-operations headquarters. PDD-13 would also investigate the feasibility of intelligence sharing. Imagine the People's Republic of China having access to U.S. satellite photo-imagery data and you get the idea.

Secretary of Defense Les Aspin is going to great lengths to burnish whiz-kid credentials tarnished by his lackluster first eight months in office. In his Pentagon reorganization, Mr. Aspin has created a new position, Assistant Secretary of Defense for Democracy and Peacekeeping. Reporting to this official are the newly created Deputy Assistant Secretaries for (1) Drug Policy, (2) Democracy & Human Rights, (3) Peacekeeping & Peace Enforcement, and (4) Humanitarian & Refugee Affairs.

One must give Mr. Aspin credit. With the country fixated on gay soldiers, married Marines, and lewd and lascivious sailors, he quietly reinvented government, or at least his small piece of it. It remains to be seen how effective his new organization will be, but it should suffice to note that it depends heavily on cooperation with the UN.

THE UN NIGHTMARE

One need look no further than the UN Operations in Somalia (UNOSOM) to learn how ill-suited the United Nations is to realizing the Clinton dream. What began as "humanitarian relief" soon developed into "peacekeeping" and—with the deaths of four U.S. soldiers when they drove across a land mine—"peacemaking." Four thousand American troops—hamstrung by their larger and far less competent coalition partners—have been given an open-ended assignment to end the hostilities there. The "command structure" in Mogadishu is such that national-contingent commanders seek approval from authorities in their capitals before carrying out the orders of their nominal superiors in the field. Moreover, the troops under their command are suffering from an identity crisis. Are they part of a police force or a military force? The confusion is justified. The returned U.S. admiral who is the UN representative in Somalia has issued an arrest warrant for the head of one of the factions involved in the long-standing civil war there.

But the Clinton Administration knows that the success of UNOSOM is critical to proving that its kinder, gentler Pentagon will work. This explains why Mr. Aspin has placed such a high priority on keeping the coalition from collapsing and burying the new world order in the debris. Not directly relevant, but shows how unworkable this UN Armed Force idea really is—what's in our national interest?

Pursuant to this agreement, the Pentagon has transferred to the United Nations weaponized armored personnel carriers (APCs), riot-control agents (including tear gas), and small-arms ammunition. Much of this equipment has been requested by the UN on behalf of the Pakistani contingent. Were the government of Pakistan to request such equipment from the U.S. directly, the Defense Department would have no choice but to say no. Because of the so-called Pressler Amendment imposed on President Reagan in 1985, "no military equipment . . . shall be sold or transferred to Pakistan" unless the President is able to certify that Pakistan does not have a nuclear capability. Since everyone believes it has such a capability, Pakistan has had to look elsewhere for security assistance.

Fully cognizant of Pressler Amendment restrictions, Pentagon officials are quick to mention two things: (1) These items are not for use within Pakistan, so it's okay; and (2) it doesn't matter anyway, because the UN actually owns the equipment. When queried about what will happen if the UNOSOM coalition is ever disbanded (sadly, a more remote possibility each day) these officials reply with child-like faith that the equipment will "go back to the UN." Presumably, there is a parking garage in midtown Manhattan housing tanks, APCs, and all manner of retrograde from similar operations in the past.

The attempted masculinization of the United Nations via an injection of American military hormones goes beyond Somalia. President Clinton has twisted arms at NATO to provide for air strikes in Bosnia to help end the siege of Sarajevo. He has deferred, though, to UN Secretary-General Boutros Boutros-Ghali to approve the targets and order the strikes, evidently believing the latter is rather less a Secretary than a General. Will the President also ask Mr. Boutros-Ghali to travel to distant Iowa or Alabama to explain to the parents of the first American pilot downed by Serbian missiles why their son won't be coming home?

We may hope that President Clinton's message of condolence to the parents of the soldiers fallen in Somalia offered insight that he has thus far failed to share with the nation at large. It seems obvious, though, that the policy is animated by the notion that multilateral military operations are somehow more "noble" than raw expressions of national interest (an unintended but entirely logical extension of President Bush's desire to get the UN imprimatur before protecting the United States' well-recognized right to access to Middle East oil fields).

Not to be outdone, the crusaders of Capitol Hill have joined this ennobling quest. Joseph Biden has introduced Senate Joint Resolution 112, which would provide the jewel in the Secretary-General's crown: a UN standing army. For its part, the majority staff of the Senate Foreign Relations Committee has issued a study lamenting that "[t]he French have in many ways seized the mantle of world leadership in UN peace operations." To correct this, these Democratic do-gooders would: "negotiate . . . special agreements with the UN to facilitate rapid American assistance to peace operations; provided assistance to the UN in modernizing its peacekeeping operations; deploy U.S. combat troops under UN command."

The Administration has avoided broad public discussion of these ideas, and for good reason. The opinion of the United Nations held by most Americans is as low as that of their armed forces is high. Moreover, the Defense Department has soft-pedaled its reorganization because Secretary Aspin's Assistant Secretary-Designate for Democracy and Peacekeeping is one Morton Halperin, who has made a career of being on the wrong side of history.

Mr. Halperin was until recently the director of the Washington office of the American Civil Liberties Union, and he was a prominent defender of those who released classified national-security documents to the media. He has himself established a paper trail (uncovered by Frank Gaffney, the director of the Center for Security Policy) that puts him far to the left of the "misunderstood civil libertarian" he claims to be. For example, as a leading advocate of a nuclear-weapons freeze during the Cold War, he wrote in The Bulletin of the Atomic Scientists in March 1983: "If the freeze is seen to be losing support in Congress, then no arms control will be possible under this Administration" (Emphasis added.) In one of history's more satisfying ironies, that article went to press about the time President Reagan announced SDI, the catalyst for the series of arms-control agreements he began signing four years later with the Soviets.

The nomination hearings for Mr. Halperin will begin soon. Those hearings should develop into a referendum on the Administration's decision to hand over the keys of the American military machine to the UN. If the debate is properly crafted, defeating Mr. Halperin will go a long way toward defeating the policy. Should he be confirmed—General Shalikashvili, the Secretary-General would like to see you.

[From the Washington Times, Oct. 1, 1993]

NATIONAL INTERESTS? HOW QUAINT

(By Samuel Francis)

Meetings of the U.N. General Assembly are not yet quite as alarming as sessions of the U.S. Supreme Court, but they still ought to cause honest citizens to lose sleep. When the munchkins of the New World Order convene from Islamabad and Lusaka to decide which countries American troops should invade next, it's almost as worrisome as the Nameless Nme's periodic excursions into theology and social science.

This past Monday, the U.N. conclave got to hear an oration from President Clinton himself on the contours of his foreign policy, and Americans were permitted to listen too. Indeed, for the preceding week, President Clintonians were dispatched throughout the land to prepare the peasants for their chief's coming revelations.

Mr. Clinton's national security adviser, Anthony Lake, warned about "neo-know-nothings" who insist on caution about American participation in U.N. peacekeeping missions, and U.N. Ambassador Madeleine Albright expounded the administration's caution about American participation in U.N. peacekeeping missions. By the time the president spoke to the munchkins, neither munchkin nor American knew much more about his foreign policy than his own administration.

Nevertheless, Mr. Clinton's speech was at least as well received as Jane Fonda's a few days before, and he retreated from more of the foolish promises of his campaign. That, you know, is the bright side of the Age of Clinton: Every time the leader speaks, he backs away from what he said the last time.

This time Mr. Clinton trod Amb. Albright's path of caution. He stated bluntly that "the United Nations cannot become engaged in every one of the world's conflicts. If the American people are to say yes to U.N. peacekeeping, the United Nations must know when to say no."

It's about time someone said it. Ever since the Persian Gulf War, pretty much all we've heard has been bloated utopianism about bloated U.S. warmaking under the cant of "peacekeeping." U.N. "peacekeepers" have swollen from a mere 9,800 in 1987 to more than 80,000 today. They quadrupled just last year, and the costs rose to more than $3 billion, of which we the peasants are supposed to pick up some 30 percent. Mr. Clinton says we (he means you). Mr. Clinton says we (he means you) will pay, but he also insisted that others pay more as well.

At a later news conference, he outlined the preconditions of U.S. participation in "peacekeeping," at least for Bosnia, and these two were properly cautious. He wants "clear understanding" about command and control, the command or a NATO general, a "clear timetable" for review, the "right to terminate American involvement," a "clear political strategy" and "clear expression of support" from Congress. All of which is swell, but there's one thing Mr. Clinton didn't mention.

What he didn't mention as a precondition for committing American troops to meddle and fight in other people's wars is a clear understanding of what the American national interest might be. There's a reason he didn't mention it. The national interest doesn't figure in the new mathematics of U.N. peacekeeping.

This brings us back to Mr. Lake's "neo-know-nothings," a species that has the unpopular habit of demanding to know what American national interests are in any projected foreign involvement and keeps insisting on the existence and expression of some national interest as the major precondition of any involvement. Why there is anything "neo" about these habits is beyond me, and I for one am content to abide with the label of "paleo-know-nothing."

But in the happy land of the New World Order, anyone who asks such questions is some kind of know-nothing, for in that undiscovered country "national interests" no longer exist. There is only the interest of universalist abstractions such as "humankind," the "global village," the "first universal nation," "the global economy," etc.

Mr. Clinton, for all his well-advised caution, never challenged these windy premises of the New World Order, and he never distinguished the national interest of the sovereign American nation from those abstractions.

Instead, he used his rhetorical caution to drag us into the U.N. quagmire even deeper than we already are, and the rest of his speech about the need for global enforcement of human rights, the global environment ("our obligations as custodians of this planet") and transnational control of nuclear weapons and materials stank of commitments no American has ever agreed to shoulder and few have even thought abut.

If Mr. Clinton ever bothers to talk to his own countrymen about his foreign policy, the know-nothings amongst us ought to use the occasion to tell him a bit about our interests and rights as a sovereign people that he and his posse of know-somethings have forgotten to mention.

[From the Philadelphia Inquirer, Aug. 20, 1993]

IT'S TOO SOON TO PUT U.S. TROOPS UNDER FOREIGN U.N. COMMANDERS

(By Trudy Rubin)

President Clinton is reportedly on the verge of signing a directive to permit U.S. troops to serve under foreign commanders in U.N. peace-keeping operations.

It's easy to understand why the idea appeals. If it were possible to shift the burden of policing an increasingly messy world. America wouldn't have to play globocop and U.S. officials could focus on problems at home.

But Clinton should think again, and not just because many members of Congress are furious that he made this decision without much consultation. The questionable U.N. performances in Somalia and Bosnia have shown that the organization is many years away from being ready to play world policeman. * * *

The United Nations has never played the role of international peace enforcer the way its founders anticipated. When the body was founded, provision was made for member states to make armed forces available on a permanent basis. The Cold War got in the way, and these provisions never came into force.

The U.N. operation in Korea only got started because the Soviet Union boycotted a crucial Security Council meeting (China wasn't yet a U.N. member). U.S. forces in Korea, though part of a U.N. mission, fought under American command.

After the Cold War ended, many observers thought the United Nations would finally come into its own.

The number of global U.N. peace-keeping operations mounted. The Gulf War seemed to set a precedent for Security Council cooperation. Member nations, were eager to dump messy ethnic and civil wars into the U.N.'s arms.

They were much too hasty.

For one thing, the Gulf War wasn't much of a precedent. It was mainly a U.S. show under a U.N. umbrella, with American troops under U.S. command.

For another, as the United Nations started to experiment with peace enforcement (as opposed to peacekeeping where all sides to a conflict have agreed to stop fighting), the fallacies in the concept of a global supercop became apparent.

The first big problem was logistics. The United Nations isn't set up to run fighting operations. It's tall glass building on the East River is full of well-paid bureaucrats but has practically no military advisers, no war room, no intelligence or communications centers, and no financial resources.

The world body is now trying to set up a command center. But it will depend heavily on intelligence from member nations, notably Washington. And it is doubtful whether such a center will be sufficient for serious military operations.

That doesn't even address problems of how to raise and train troops from nations with totally different skill levels, weaponry and language. Or how to pay for them. Or decide where they should fight.

Which leads to the second and more serious problem: the relations between guns and politics.

U.N. involvement in fighting demands political decisions about where and how force should be used. Those decisions have to be made by the Security Council, and the U.N. Secretary General and accepted by nations who dispatch peace-enforcement troops. Political disagreements on whether or how to fight put U.N. troops in risky positions.

The consequences of such squabbles have been on full display in Mogadishu and in Sarajevo.

In Somalia, the United Nations took over the operation from the United States in May. U.S. troops—only logistical units—were put directly under U.N. command for the first time, with one minor exception. But the 1,300 U.S. combat troops left in Magodishu still serve under American officers.

But in Somalia, top U.N. officials and nations serving in the U.N. operation have been unable to agree on their mission.

The U.N. Secretary General Boutros Boutros Ghali wants to reestablish stability and rebuild the structure of the nation. That means Somali warlords must be disarmed.

The Italian contingent, however, opposed U.N. efforts to disarm and punish warlord Mohammed Aideed after he shot up Pakistani peacekeepers. The Italian commander insisted on taking orders from Rome, not the Turkish U.N. commander. When he was reprimanded, the Italian government decided to pull its troops out of Madadishu.

Down that path lies chaos. But one can envision any number of situations where historic frictions, or disdain or distrust would make it dicey for troops of one country to serve under a U.N. commander from another. That's why the Clinton proposal to let U.S. troops serve under U.N. commanders apparently contains provisions that would allow U.S. military officers to disregard orders they consider to be illegal or militarily questionable. But this makes a mockery of a unified military command.

In Bosnia, political disagreement between U.N. members has undercut the entire mission. U.N. peace-keeping forces were supposely dispatched to deliver humanitarian supplies to besieged civilians. They were given the mandate to use force if they were blocked.

But when Serb militias blocked aid and besieged Sarajevo, political displacements among the members prevented the United Nations from acting. The French and British opposed U.S. proposals to threaten air strikes against the Serbs because they feared retaliation against their peacekeepers on the ground.

Political squabbles over potential U.N. missions are likely to multiply, especially if the Security Council expands to include Germany, Japan, India or Brazil. The end of the Cold War doesn't ensure Security Council agreement on what causes are worth fighting for. More likely the opposite.

And without such agreement, hopes for a U.N. globocop are vastly overrated.

Mr. WARNER addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Will the Senator yield for a question or two?

Mr. NICKLES. I will be happy to yield to my friend.

Mr. WARNER. Mr. President, I have had an opportunity to study the revised amendment for a brief period of time. I had been working on possibly an alternative with some other Senators, and we are not sure exactly the final draft of that because this has sort of been a moving target. But I understand how the Senator has every right to work on this, and the Senator has made some changes.

Mr. NICKLES. I will be happy to respond, Mr. President. I appreciate the Senator's concern. The Senator and his staff did bring to our attention and wanted to make absolutely sure that we would not undermine the current cooperative effort that we now have between the United States and Korea. I do not think that was covered under our initial draft.

We made absolutely clear that we would not affect that in any adverse way. We made absolutely clear that we would not have any negative impact whatsoever in NATO.

Mr. WARNER. Mr. President, I thank the Senator. Indeed, we did bring that to the attention of the Senator, and I think both of those corrections will be made.

I should like the draw the Senator's attention to the first page, numeral 1, which reads:

> Under United Nations operational or tactical control, if such forces would be under the command, operational control, or tactical control of foreign officers.

This is a subject on which the subcommittee of the Armed Services Committee, on which I serve as the ranking member, has been working. Senator LEVIN is the chairman.

As drafted here, I am not clear. Suppose, for example, as in the gulf operation, General Schwarzkopf was the designated supreme commander of that operation. Nevertheless, there were units of our Armed Forces, which for periods of time during the gulf operation served under, say, a regimental commander, who was a foreign officer, who in turn reported to General Schwarzkopf.

Now, this is a technical question, but as drawn here, it seemed to me to preclude even that type of operation.

Mr. NICKLES. Mr. President, I will be happy to respond to the Senator's question. We put in a definition, actually on page 3 of this amendment:

> For the purpose of this section, "United Nations operational or tactical control" means the exercise by the United Nations Security Council, the United Nations Secretary General, or any other non-U.S. entity designated by the United Nations Security Council, or the United Nations Secretary General, with the exception of NATO, of the power of command usually given to the leader of a military force such as the authority to coordinate and direct the mission-related activities of the units comprising such force.

So clearly in the Persian Gulf example, as the Senator outlined, the United States had operational control, and it was under the control of General Schwarzkopf. We went to great lengths to try to accommodate the—

Mr. WARNER. So if there were an intervening foreign officer in the chain of command, this amendment would not apply?

Mr. NICKLES. No.

Mr. WARNER. So long as the top military officer is a U.S. officer.

Mr. NICKLES. The Senator is correct.

Mr. WARNER. My next question would be, given the United States is a leader in military matters throughout the world, suppose each nation adopts a similar type piece of legislation. How then does the U.N. put together an armed force?

Mr. NICKLES. I will respond to my colleague and friend, Mr. President. I wanted to be very clear and very careful that we did not in any way basically transfer the constitutional responsibility of the Commander in Chief to the Secretary General, nor would we abrogate or violate the constitutional responsibility of Congress.

So our amendment says the President has this authority as Commander in Chief. He would not delegate it. If he so determined that it was in our country's national interest to do so, he could request from Congress, and receive, authorization. If he felt it was in the best interests to put U.S. combat forces under the U.N. flag or under a foreign commander, he could do so, but he would have to receive congressional authorization. He could declare an emergency, he could do it, would not have to pull our troops out. He could do so but would have to declare an emergency and receive authorization from Congress.

So this would basically protect the President's right as Commander in Chief. It would keep his authority as Commander in Chief so it will not be delegated to the U.N. Secretary General or other operations.

Other countries, frankly, if you look at the history of the United Nations, have in many cases, I think when it was well run and made successful exercises, they were following the lead of the United States. Certainly, that was the case in the operation of the Persian Gulf war. That was a U.S.-led effort with a significant coalition. Those other countries, if they elected not to participate or if they passed a similar resolution, then they would be saying, "We don't want our forces to serve under combat with the United States-led forces," then they will not be part of the coalition.

Mr. WARNER. In point of fact, if other nations do adopt comparable legislation, it preempts their participation unless they have a similar exculpatory clause whereby their head of state or head of government can come in and have a comparable way. Would that be the case?

Mr. NICKLES. I think it would be the case. I do not see those countries leaning—I have not seen other countries wanting to take the lead in U.N. combat forces. They would have to make that decision if they wished to participate. If they wished to only have their commanders or something, then I doubt they would be participating.

They did not make that request, I might mention, under the Persian Gulf war. That was not made under the Korean operation, Korean war. So I do not know that it would be another problem. But certainly they would have to decide whether they wanted to participate or not.

Mr. COCHRAN. Mr. President, will the distinguished Senator yield to me for a further explanation of that particular point?

Mr. WARNER. Mr. President, of course.

Mr. COCHRAN. Let me just say that this amendment seeks to define the relationship between the Congress and the President in the decisionmaking process on the deployment of troops under U.N. command. Any other country in a parliamentary system would be free to have a similar understanding as between the parliament and the chief executive. In many countries, like Great Britain, of course, they are, in effect, one and the same because the ministers and prime ministers are Members of Parliament.

But in our system it is important for us to have that understanding and spell it out in the statute that makes clear that Congress is going to share in this decisionmaking responsibility in our Government. It does not attempt to dictate to any other government, an ally anywhere, how they will work out their intracountry situation. This amendment is how we propose that it should be done in the United States.

Mr. WARNER. Mr. President, I thank the distinguished colleague. Indeed, I am trying to get a better grasp and am proceeding in that direction.

But let me also direct your attention to section A under I. The President has submitted a report to Congress which specifies the role and mission of such forces, the estimated cost of such operation, of such mission, the probable maximum size of such force, and the probable duration of the commitment of such forces to the appropriate congressional committees.

I do not see in this a reporting requirement, which, as I understand the amendment, goes to the heart of the amendment. The heart of the amendment is perhaps twofold as I understand it. One, we, the Congress, should have a partnership relationship with a President, our President, as he proceeds to engage our troops in a situation, men in danger, much like the War Powers Act. Indeed, I think this amendment is tailored in many respects like the War Powers Act, without the concurrence of the Congress.

Now, I presume that is done because the Senator believes that we at this moment do not wish to impose the welfare or the safety of our troops on a foreign commander, whoever that individual might be. But this does not, in the reporting requirements, ask the President to give us his appraisal of such a foreign commander he proposes to put the troops under. Does the Senator follow me on that?

Mr. NICKLES. Not totally. But, Mr. President——

The PRESIDING OFFICER (Mr. SIMON). The Senator from Oklahoma has the floor.

Mr. NICKLES. I just want to respond to my colleague. I did not totally understand where he is coming from.

Mr. WARNER. Mr. President, let me try to restate it. Part of the amendment is the concern that American service personnel should not serve under the command of a foreign commander because, presumably, he might not be as well qualified militarily as some of our—say most, not all—of our commanders. Is that the point of the amendment?

Mr. NICKLES. The Senator is missing a big part of it. There are two pieces to the amendment.

Mr. WARNER. I know. This is a second part. You want to make sure that this particular operation comports with the will of the Congress. It seems to me it is twofold.

Mr. NICKLES. The Senator is correct. Yes; you should have congressional approval before you commit U.S. combat troops into foreign operations or combat situations, or the President has to declare an emergency and say we need to do this and come to Congress and get some authority to do so. Or, two, we do not want to be part of an international standing army. Many have proposed and I was reading some quotes where they are talking about establishing—the U.N. Secretary General has proposed a United Nations standing army, which we would be able to commit, or the United Nations would be able to commit, very rapidly. I think the United States should have some control.

So where I have come from, we will not be part of a U.N. standing army, one, looking for another cause to put out and another place where we could engage our troops, and, two, that if the President decides to do that, if he decides to put U.S. forces under a foreign commander, he is going to have to get approval from Congress. We have not done that in the past, but they are talking about doing it. My guess is that events in the last couple of weeks have taken away that appetite. I hope that is the case. But it has been proposed by the U.N. Secretary General to establish a U.N. standing army comprised of a multinational force to be able to rapidly respond to many of the problems that are evident in the world. I thought, wait, I do not want, one, to think we should have U.S. forces committed to a U.N. standing army, and, two, if they are going to be involved there with a foreign commander as such, then Congress should say so. The President can get around that.

Mr. WARNER. Mr. President, I understand that. Let me sharpen the question. It seems to me that the Senator enumerates several things that the President has to report to the Congress, but there is nothing in here that designates what will be the command and control and who is likely to be the officers in that chain of command. In other words, there is not a reporting requirement for that specific.

Mr. NICKLES. In the first place, if the Senator will yield, the President does not have to report anything to the Congress if he keeps it under U.S. command. If he is putting our troops under foreign command, he would have to go to the Armed Services Committee, he would have to go to the Intelligence Committee, and he would have to report. Here is what we are looking at doing. I am sure that report would include—we did not specify it as such—would include the military qualifications of the foreign commander. But the President is going to have to say we are in the process of putting U.S. combat troops under foreign command, and he would have to seek congressional approval. Then they would rely on the wisdom of the Armed Services Committee, the Appropriations Committee, and the Intelligence Committee to receive a joint resolution authorizing such action.

Mr. WARNER. Mr. President, I understand all of that. I come back to the simple question. You do not have any requirement in here—you ask for the cost, the mission, the time, but there is nothing in here asking about what is the chain of command and what are the various foreign commanders that are likely to be in that chain of command. It seems to me that is pertinent information.

Mr. NICKLES. I do not disagree with my colleague. That may be something that the committees would certainly be interested in before they would be signing off on a joint resolution. I am sure we could expand it, but I do not know that it is necessary.

Mr. WARNER. Mr. President, I shall not further question the distinguished colleague at this time. I will have further questions at a later point in time. I thank the Senator for his indulgence.

Mr. NICKLES. If the Senator will yield, we state that if the President declares that an emergency exists and immediately informs Congress of his actions and the reasons therefor, the "reasons therefor" may well mean here is the justification of why he wants to have it under foreign command, here is the justification. Again, those committees would have to inquire into the details and try to make the decision of where we want to go, is this the kind of approach that we would want to take where we put U.S. forces under a foreign command? If the President is making that request, evidently he feels that would be the right thing to do, and Congress would have the opportunity from the appropriate committees to pass a joint resolution or not.

I thank my friend and colleague.

Mr. President, I yield the floor.

Mr. COCHRAN. Mr. President, let me, first of all, commend the distinguished Senator from Oklahoma for his leadership on this issue, and also compliment him on the very hard work and thoughtful effort that has gone into the preparation of this amendment.

I am happy to join him as an original cosponsor of the amendment, because I think this is a very timely issue to resolve. We had a very valuable debate on the subject of our commitment and the mission of United States troops in Somalia last week. In Somalia, our objective, as everyone knows, was to make possible the delivery of humanitarian and food aid to the starving people of Somalia, and to help protect those who were in the country trying to provide assistance to those destitute and starving people.

Then the objective was broadened by a resolution of the U.N. Security Council, with the support and vote of our U.N. delegate and representative on that Security Council.

The broadening of the mission included the aim to commit combat forces and elements of U.S. troops who were deployed to the area in an effort to attack militarily certain named persons and forces in Somalia. The question that that incident illustrates and makes relevant to this debate is: To what extent should Congress have been involved in that decision to broaden the activity and to actually commit U.S. troops to a combat role in that country, and to also make them subject to, in certain circumstances, command and direction and at least influence by commanders other than U.S. commanding officers?

Under the guise of peacekeeping, or stabilizing influences, or humanitarian aid, we slowly moved in the direction of having United States combat troops engaged in warlike activities in Somalia, without having Congress participate in that decisionmaking process. That is a deeply disturbing event, and it is regrettable in many respects. But it illustrates why it is important for Congress today, for the Senate today, to make a statement, through the adoption of this amendment on this bill, that in the future any deployment of U.S. troops and Armed Forces to a U.N. force under U.N. command or foreign officer command will have to be done only with the consent and authorization of the Congress.

That is the strength of this amendment. It also reinforces and reaffirms the commanding officer's allegiance to the Commander in Chief of the United States. It reinforces the President's authority over U.S. forces as well.

The amendment does not seek to limit the President's ability to commit United States forces to traditional peacekeeping activities, such as the beginning of the operation in Somalia. If the situation were to arise again that confronted President Bush when he was President, no future President would be restricted in any way different from the restrictions in the current law that applied when President Bush decided to become involved in helping to relieve the problems in Somalia as he did.

What it would prevent, without consultation and approval of Congress, would be the changing of the role, the broadening of the role into a combat and military activity, such as described in this amendment. The amendment disallows the inclusion of U.S. combat forces as part of any standing U.N. international armed force.

The Senator from Oklahoma identified many statements that have been attributed to administration officials and the President himself, prior to and after becoming President, that this, in their view, was a good idea. Well, we are suggesting that that may not be such a good idea and that the Congress ought to take a very careful look at whether we would want to stand idly by, without being consulted, without being involved in the decision, and see U.S. forces become a part of some international standing army that would be directed by the Secretary General of the United Nations. To me, this goes against tradition and against longstanding established policy of the United States. It is not a change in policy that ought to be permitted without the most careful and thorough consultation with this Congress and the prior authorization of this Congress.

So this amendment, for the time being, if adopted, would say "no" to the inclusion of U.S. forces in any U.N. standing rapid-response force or international armed force that could be directed by the U.N. Security Council or the U.N. Secretary General.

Congress has acted in the past, as the Senate knows, to more clearly define the powers and the responsibilities of the Chief Executive in connection with the deployment of U.S. troops in dangerous situations.

The adoption in 1973 of the War Powers Resolution, for example, sought to define and impose some restraints on the Chief Executive's authority to deploy combat forces. The War Powers Resolution, which the distinguished Senator from Virginia referred to in his remarks and which we discussed in the colloquy just now, acknowledges that the President has the authority to deploy troops, but stipulates that he must consult with Congress in every possible way before introducing U.S. Armed Forces, and to continue to consult while Armed Forces remain deployed. It requires that the President report to Congress within 48 hours of introduction of such forces in a combat situation, and it requires the President to withdraw Armed Forces after 60 days, or after 90 days if he explains and justifies the continued deployment for an additional 30 days——

Mr. WARNER. Mr. President, will the Senator yield for a question?

Mr. COCHRAN. I will be pleased to in a moment. He does so unless Congress declares war, or authorizes the action, has extended the action, or could not meet that deadline because of an armed attack against U.S. forces.

I am happy to yield for a question.

Mr. WARNER. If I understand it, this amendment says that if the President so desires to put our troops under—and you use the phrase here "command, operational control, or tactical control of a foreign officer," he must have the concurrence of the Congress; that is the essence of it, correct?

Mr. COCHRAN. Yes.

Mr. WARNER. My question to the Senator is, Can a President at any time under the U.S. Constitution delegate his authority as Commander in Chief to a foreign commander even with the concurrence of the Congress?

Mr. COCHRAN. Certainly he cannot delegate his duties as President to anyone. He has taken an oath to support and defend the Constitution. We can impeach him if he violates the laws.

Mr. WARNER. Back up a minute and just talk slowly. This amendment says that a President may put our troops under the command operation or tactically of a foreign officer if Congress concurs after a certain procedure, is that not correct?

Mr. COCHRAN. That is correct.

Mr. WARNER. My question to the Senator is, Can a President do that irrespective of the concurrence of the Congress under this amendment? I question the fundamental right of a President, as Commander in Chief, to ever put our troops under another commander in chief.

Mr. COCHRAN. It seems to me that we have the responsibility of spelling out that restraint on his powers since he has said in a campaign for President and since he has been President, that he thinks that is a good idea from time to time.

Mr. WARNER. Mr. President, I do not wish to get into the politics of this thing and partisanship. I am just talking about a straight constitutional question whether or not a President of the United States can ever delegate his authority under the Constitution as Commander in Chief and put our troops under the command of a foreign officer?

Mr. COCHRAN. He is not authorized by law to do that. That is what the Senator's question is, neither the law nor the Constitution authorizes him to do that.

Mr. WARNER. This infers that you will not give him any money unless he gets concurrence of Congress?

Mr. COCHRAN. That is correct.

Mr. WARNER. If he gets concurrence of Congress he can put them under a commander.

Mr. NICKLES. Mr. President, if the Senator will yield, one, the Constitution says the President is Commander in Chief. It does not state he can delegate that authority.

This President has indicated a willingness in the past to do this very thing. That is really what prompted this amendment—whoa, we do not want you to do that but if you do you are going to have to sell Congress on the idea. You are going to have some public support before you make some type of open-end commitment of 20,000 or X number of thousands of troops in a combat situation.

We do not think, one, that should be debated; two, if it is he is going to have to sell Congress on the idea.

We have stated that as an integral part of the amendment. So my friend and colleague will understand we also say the United States will not be part of a standing international army looking for a fire to put out.

So we really are in sympathy with the Senator from Virginia in saying we do not know that the Commander in Chief should do this; if he does do it, we are saying no funds unless he comes back to Congress to convince us of its wisdom.

Mr. WARNER. Mr. President, I thank my colleague.

I understand very clearly the mechanics of the amendment, but I point out a threshold question of whether or not this amendment is worth the paper it is written on because the President simply does not have the power to do what the Senator is prohibiting him from doing, albeit he says he does and made certain protestation to that effect. It is all for naught. I do not think he has the power at any time under the Constitution to delegate his responsibility as Commander in Chief over the Armed Forces of the United States.

Mr. NICKLES. I appreciate the Senator's comment. I tell my friend and colleague——

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. COCHRAN. I am happy to yield further.

Mr. NICKLES. So my friend from Virginia will be aware of the statement that the administration made, this is in the Washington Post, which I know my friend from Virginia might read on occasion:

> The Clinton administration is drafting a new set of criteria for U.S. involvement in U.N. peacekeeping operations that would provide for a much wider role for U.S. military personnel, according to senior defense and diplomatic officials.

It goes on to basically say we could participate in that kind of capacity.

If I remember, too, I think the President's statement before the United Nations as recently as September 27 is if parties to the conflict—talking about Bosnia—take the hard steps needed to make real peace, the international community, including the United States, must be ready to help in effective implementation.

He goes on: U.S. peacekeepers hold promise for many in this area's conflict. The reason he supported such a mission, not as critics in the United States charge, under contract for American foreign policy, strengthen security, protect interest, and share among the nations the cost and effort of pursuing peace and, finally, anyway these are several quotes that are very recent. September 27 where the President is talking about expanded U.S. role in the U.N. peacekeeping efforts that have at least made me and I think many other people, Jeane Kirkpatrick, who I know the Senator respects a great deal, and others saying before we make a commitment of U.S. combat forces wait a minute; we should not be delegating the power and authority of the Commander in Chief.

And certainly Congress has the role, as Senator BYRD has stated several times, Congress does have something to say. Congress under the Constitution has the power and the right to declare war, and so Congress should be involved. We are saying before we get these troops involved in international combat under U.N. auspices under foreign control that Congress should have a say-so.

Mr. COCHRAN. Mr. President, I will conclude simply saying——

Mr. WARNER. I am happy to yield further to the distinguished Senator.

Mr. COCHRAN. This will be my last observation. I appreciate the indulgence of my friend and colleague. We should be having an amendment saying it is the sense of the Congress under the Constitution of the United States the President cannot do these things. As the amendment is drawn there is inference that if he gets the concurrence of the Congress he can do it. That is what this amendment infers.

Mr. NICKLES. Mr. President, will the Senator yield?

Mr. COCHRAN. I am happy to yield.

Mr. NICKLES. The President has already done it. I say to my friend and colleague, we already have U.S. troops under foreign command, and so if the Senator from Virginia is correct then those would not be allowed. We have U.S. troops participating in several U.N. operations. My amendment or our amendment is drafted to limit U.S. combat troops. But we do now have it.

The Senator raises a constitutional point where the President has put United States troops—mostly logistics I might mention—under foreign command, and that is the case in Somalia. He has retained and said combat troops, and the few thousand combat troops he just now is sending to Somalia, would be under United States command but a lot of logistics and others are under foreign command.

The PRESIDING OFFICER. The Senator from Mississippi continues to have the floor.

Mr. COCHRAN. Mr. President, I recall as a Member of the other body when we had before us the resolution of war powers that was passed in 1973. There were many concerns expressed at that time, especially by the administration that the resolution was an infringement upon Executive powers and the powers of the President as Commander in Chief.

I do not think this amendment seeks to go nearly as far in restraining the powers of the President as the war powers resolution did. There are similarities, that is true, but it is not as broad in scope. It is specifically directed, as the Senator from Oklahoma describes it, to combat troops only in situations where they would be subject to control and operational control command by foreign forces. This includes, of course, U.N. peacekeeping forces that are engaged in combat activity.

We have seen, and we have learned from the Somalia situation that what appears to be a peacekeeping role, or appears to be a role to simply provide humanitarian assistance, can change into a military confrontation where United States combat troops are controlled, directed, and so involved with the U.N. force that it is hard to tell who is in charge. It is hard to know who is accountable and who is responsible for the U.S. troops that are in this situation.

It is dangerous for us to sit idly by. As a legislative body, we simply observe the decisions made by our U.N. representative in voting on the current U.N. Council resolution changing the nature of the deployment of U.S. troops without being consulted or granting congressional authority. This amendment seeks to address that problem and make it very clear that the Congress insists upon consultation in certain circumstances prior authorization before U.S. troops can be deployed. I suggest that this is a good amendment. It is a timely amendment, and I hope the Senate will adopt it.

Mr. HATCH. Mr. President, I wish to speak briefly in favor of this amendment to require congressional authorization for placing U.S. forces under foreign officers as part of a U.N. military command and to prohibit U.S. forces from serving in any standing U.N. Armed Forces.

This is a measured and proper response to a new issue. During the cold war, the tensions between the United States and the Soviet Union made it very unlikely that United Nations-sanctioned or United Nations-commanded military operations would take place. Today, in light of United States-Russian cooperation, the possibility exists for United Nations actions in a wide variety of hotspots.

Our attention has been focused on this issue by the tragic events in Somalia, where 28 Americans have been killed on a mission that was initiated with the purest humanitarian motives. This tragedy has transpired partly because the Clinton administration shifted the mission of our limited deployments without changing the size and configuration of those forces. More important, it resulted from the fact that that the administration allowed United Nations officials to define the mission and give the orders to American units.

Those changes took place without debate and without formal notice of Congress, almost by sleight of hand. It has led to a tragic outcome, and Congress must act never to allow those events to be repeated. That is why I support this amendment.

This amendment would not affect our ability to participate in alliances such as NATO. It would not affect our ability to participate in U.S.-led coalitions acting pursuant to U.N. Security Council resolutions, as was the case in the Persian Gulf war. It would not even effect our ability to subordinate U.S. forces to a U.N. command established in a particular crisis, provided that Congress acts affirmatively to authorize such involvement.

It does, however, prohibit the subordination of United States forces to any standing United Nations armed forces that might be created. Pundits and policy analysts have breezily recommended creating such a force to handle post-war crises. In light of the United Nations' abysmal record in Somalia, I hope that members of this body will pass an absolute prohibition against any American involvement in such an irresponsible idea.

Under the Constitution, the American people place in the President's hands the lives of our sons and daughters who serve in the Armed Forces. It is a sacred trust. The President, and Congress, have a moral responsibility not to cavalierly transfer this authority to U.N. officials who are not in any way accountable to the American people.

This authority was transferred with insufficient forethought in Somalia, and the pending amendment would ensure that this profound mistake would not be repeated.

Mr. President, I urge that this amendment be adopted. We owe it to our sons and daughters who have volunteer to serve in our Nation's Armed Forces. Never again should we transfer to foreign officers under a U.N. command the authority to place them in harm's way without considered deliberation and congressional approval.

Mr. HELMS. Mr. President, I support the amendment of the Senator from Oklahoma which proposes to deny funding for U.S. combat forces participating in U.N. operations under foreign command unless and until previous authorization from Congress has been obtained.

The Constitution provides that the Congress is empowered to "make war". It is very clear that the responsibility for the potentially momentous consequences for initiating armed hostilities should only be called upon by the concurrence of the President and both Houses of Congress. This provision cuts through the murky haze of issues revolving around this grand new era of peacekeeping—or is it peacemaking—no one can even figure out what to call it, much less how to define its objectives. The Clinton administration wants to call all U.N. forays peace operations. By using this new term "peace operation", the administration avoids the debate over the terms and conditions under which U.S. troops are deployed. Tragically, when this administration agreed to UNOSOM II, vastly expanding the scope of the Somalia peace operation, the policymakers did not recognize the distinction between United States participation in a purely humanitarian mission or United States participation in a hostile, combat-like mission. In essence, this administration forfeited the U.S. Government's right and responsibility to deploy U.S. troops, and bestowed this right upon the Secretary General of the United Nations.

I addressed this issue with our U.S. Ambassador to the U.N. Madeleine Albright during her confirmation hearing before our committee in late January. At that very hearing, I quoted former Secretary of Defense Dick Cheney's opinion on this subject and I must say I couldn't agree with him more. He said we do not want that most solemn of sovereign responsibilities of the Government or the most significant responsibility of the President to be delegated to any international organization. That's a pretty concise statement. One which the Clinton administration should memorize.

Let's be clear about this. This amendment does not deny funds for the deployment of U.S. troops under foreign command, as agreed to in a signed and ratified treaty—as in the case of NATO. It does, however, send a loud and clear signal to the administration that the U.S. Congress will not tolerate U.S. troops operating under foreign command, especially when they have been committed to an ill-defined, unfocused and poorly conceived U.N. operation.

This amendment may be too generous to this administration since the Senator's amendment provides for a national security interest waiver. However, I support the concept behind this resolution and hope that my fellow Senators will do the same.

I want Senators and others who read the Congressional Record to have access to the thoughts of retired Brig. Gen. Theo T. Mataxis of my home State of North Carolina. Ted Mataxis wrote an op-ed piece on this issue which was published in the September 12 edition of the Fayetteville Observer. I ask unanimous consent that the text of this op-ed piece be printed in the Record at the conclusion of my remarks.

DOES U.S. OR U.N. CONTROL U.S. COMBAT FORCES?

(By Theo C. Mataxis)

A recent news article headlined "Rangers Change the Game" noted that the Clinton administration had allowed the change by the U.N. of the mission of the U.S. military in Somalia from peacekeeping to the more active role of peacemaking.

This raises the key question: When a decision is made to change the role of U.S. troops from peacekeeping to peacemaking—a euphemism for prolonged combat involving casualties—who makes the final decision: the president with the approval of Congress, or the secretary-general of the United Nations?

Since the collapse of the Communist empire it appears as if the U.N. has become by default the "policeman of the world"—with the United States military being called on to become the "enforcers," in effect an international SWAT team. Both missions are being carried out by the U.N. and both have "peace" in their name—and are frequently used interchangeably by the media, so what's the problem?

Well, as noted there is a big problem—as distinct as a choice between black and white or peace and war. Peacekeeping is clearly defined in the current U.N. text "The Blue Helmets." It states peacekeeping involves the deployment of military personnel, but not to fight or threaten anyone—and it is clear that force can only be used in self defense.

Also as noted in "The Blue Helmets," those engaged in a United Nations peacekeeping operation cannot take sides without becoming involved and a part of the conflict the operation has been set up to supervise. The attack by U.S. gunships on Mohamed Farrah Aidid's home and principal command centers on July 12 resulted in many Somali civilian casualties. According to the International Red Cross, there were 54 killed and 174 wounded. In retaliation, a Somali mob attacked reporters covering the story, killing four.

This attack on Aidid drove him underground and was followed by a series of guerrilla attacks against the U.N. forces, hampering their operations. This attack was criticized not only by civilian humanitarian organizations in Somalia but also by critics overseas and in the U.S. who felt that the U.N. was forsaking its humanitarian role which brought it to Somalia. Whatever the validity of these complaints, there is no doubt that these attacks have violated the U.N.'s own peacekeeping dictum of not taking sides or you'll become part of the problem.

Fortunately, according to a newspaper account on Aug. 24, the U.N. announced it would "open talks with the leaders of Aidid's group, the Somali National Alliance-United Somali Congress." It is encouraging that in the middle of the U.N.'s new "Fight-Fight" stance they are endeavoring to reestablish the peacekeeper's "Talk-Talk" strategy of negotiations seeking a "Common Ground." This is a realistic approach which understands that the establishment of a lasting viable government depends on the Somalis—not on the U.N.!

A recent statement by Ambassador David Shin, U.S. coordinator for Somalia, noted that Gen. Aidid "should be removed" and that "it was possible that specially trained U.S. troops might be sent to Mogadishu to help find and arrest Gen. Aidid." This was validated by the recent arrival of the Ranger and Delta units and the news in the media of launching of helicopter combat assault operations against Aidid by the Rangers. With this operation the U.S. forces have now gone far beyond their original peacekeeping role.

The next step after peacekeeping is peacemaking and peace enforcement. Here, the main objective is to enforce the orders of the U.N. Security Council, even if the Somalis disagree with the orders! Peacemaking-enforcement authorizes the Security Council under the authority of the U.N. Charter to take "such action by air, sea and land forces as may be necessary to restore the situation." In other words it is combat action that has resulted in Somalia, as described by Columnist Carl Rowan, becoming "another killing field where the strong clobber the weak."

A recent article in the August issue of the Reserve Officer's "National Security Report" titled "The End of the Cold War Opens a New Future for NATO" by General John M. Shalikashvili, who has been selected by President Clinton as the next chairman of the Joint Chiefs of Staff, helps clear this current semantic jungle. Unfortunately, today many feel that if an operation has "peace" in its name, it is considered peaceful and should be approved. This is wrong, as Gen. Shalikashvili points out * * * "a far cry from yesterday's pristine Blue Helmet operations * * * and that the line between peacekeeping and peacemaking has become blurred." He warned that humanitarian assistance or other peacekeeping operations can turn to peacemaking or peace enforcement * * * which can be "most demanding and turn warlike as we turn the next bend in the road."

This, as has been explained, is the key to understanding U.N. operations. Peacekeeping is an operation in which both sides invite the U.N. forces into their country as a buffer or "umpire" while they attempt to resolve their disagreements peacefully. Peacemaking-enforcement, on the other hand, is a decision to move from the minor risk of peacekeeping to imposing the U.N.'s decisions by force—it is going from peace to war. A move from peace to war in Somalia, instead of being made by the president in consultation with Congress as required under the War Powers Act, has been left to the U.N. Security Council. The War Powers Act clearly states that "the long term deployment of American armed forces into an area of imminent hostilities must have Congressional approval." To hold that Somalia is not an area of imminent hostilities would require a sophist on the order of "but I didn't inhale."

Here we have a case where our troops are committed to combat operations—i.e., Army Rangers conducting air assault raids, with possible heavy casualties if the operations go sour—without even a public pronouncement being made by the commander in chief. Its clearly mandated responsibilities of debating whether it is in our national interests to involve our forces in a prolonged guerrilla war situation where there already have been casualties.

As noted, the dispatch of the tough combat Ranger unit does not come under the heading of peacekeeping. It is a clear signal that our role has passed by default through inaction of our leaders from peacekeeping into peacemaking—forcing the locals to obey the U.N.'s directives whether they agree or not. Another indicator of the need of peacekeeping was the announcement last month that U.S. troops serving in Somalia would be authorized to "wear a combat patch." What will we see next, combat infantry badges and their inevitable accompaniment, body bags?

The question that comes to mind is, "Who's minding the store in Washington?" The scenario in which the U.N. authorizes U.S. military forces to conduct combat operations without the president informing the American people that their sons and daughters are going to war boggles the mind. The next question is where is Congress, the watchdogs who have the final say under the War Powers Act? Unfortunately, the public and evidently Congress also, have been befuddled by the semantics.

This is too important an issue to let us slide down the slippery slope into another prolonged guerrilla war without debating whether it is in our national interest. What is needed now is for the public to jump-start this issue. The best way to do this in a preelection year is to call or write your representatives in Congress!

Mr. KEMPTHORNE. Mr. President, I rise in support of the Nickles-Cochran amendment which would prohibit the President from putting United States combat troops under the command of the United Nations unless specifically authorized by the Congress.

Like most Americans, I was outraged by the killing of American soldiers in Somalia and I was appalled by the treatment of our dead soldiers in the streets of Mogadishu, by the very people that we sought to help in a humanitarian relief effort. I believe that we must pull our troops out of Somalia, and we must turn our foreign policy away from the peace-enforcement and nation-building agenda of the Secretary-General of the United Nations, Boutros-Ghali.

In "An Agenda for Peace" Secretary Boutros-Ghali outlines a greatly expanded United Nations role in peacekeeping, peacemaking, and peace-enforcement. I believe Secretary Boutros-Ghali has expanded the traditional concept of U.N. peacekeeping in a dangerous way that could cost Americans more money and more lives without a clearly defined U.S. interest.

The United Nations' traditional role of peacekeeping makes sense as long as two conditions are met: The warring parties have essentially ceased fighting; and all of the parties have agreed to the presence of peacekeepers.

I believe the recent events in Somalia demonstrate what happens when peacekeeping operations turn into peace making and peace enforcement operations.

Article II of the U.S. Constitution states, "The President shall be Commander in Chief of the Army and Navy of the United States * * *." I support strong executive authority when it comes to the military affairs of this Nation. I do not, however, support abrogating the Commander in Chief's responsibilities to the control of the United Nations.

The Constitution also provides, in article I, section 8, that the Congress is empowered to "provide for the common Defense" of the United States and to "raise and support armies." In light of these two provisions of the U.S. Constitution, I believe the Nickles amendment makes good sense.

The Nickles amendment would cut off funding for U.S. combat forces that are placed under foreign command in U.N. operations, unless authorized by Congress. The Nickles amendment does not prohibit U.S. military personnel from engaging in medical, humanitarian, logistics, communications, and related activities where the role is clearly noncombatant. However, it does provide flexibility to the President if and when U.S. national security interests are threatened.

The Nickles-Cochran amendment seeks to return U.S. participation in the United Nations back to the traditional role of peacekeeping envisioned by the founders of the United Nations. This amendment is not designed to stop U.S. participation in multilateral military missions. But multilateral military missions must be U.S. missions, or they must be authorized by the Congress. We cannot ask the taxpayers of this great Nation to continue to foot the bill for U.N. missions that do not have a clear U.S. interest.

Passage of this amendment will, I believe, curb U.S. involvement in the types of mismanaged U.N. operations, like Somalia, which the United Nations is not presently capable of handling.

I supported President Bush's decision to send humanitarian relief to the Somali people. The Nickles amendment would have allowed for President Bush's humanitarian efforts. But the amendment would have prevented the placing of American combat troops under U.N. command, as was the case until recently in Somalia. We might have avoided the loss of American lives in Somalia, had the provisions of the Nickles amendment been the law of the land.

As the former U.S. Ambassador to the United Nations, Jeane Kirkpatrick cogently noted in a recent article in the Washington Post:

> Not all the tasks [the U.N.] undertakes are even remotely relevant to American interests. Some are not prudent. Some simply cannot be accomplished. While it was possible for the United States forces to deliver food to the Somalis, it is not possible for foreign forces to provide political reconciliation and stable democratic government to Somalia because these depend on the desires and behavior of the Somalis.

As we saw in Somalia, if people don't want peace, or they don't want our nation building, asking United States troops to impose this solution is asking too much of our men and women in uniform.

I am also concerned that there may be a potential, new U.N. mission in Haiti that has all the look of another disaster in the making. Once again, the United Nations proposes to play its new role of nation building. Once again American troops are asked to play a leading role when the mission of our troops, and the U.S. national security interests at stake, are uncertain.

Since 1948, the United Nations has undertaken about 29 peacekeeping operations and there are currently around 14 ongoing peacekeeping operations. In calendar year 1992, peacekeeping expenditures to the United Nations cost the American taxpayers over half a billion dollars, $544.5 million. In addition, our $500 million peacekeeping bill to the United Nations does not include the operations and maintenance funds our military has spent participating in peacekeeping operations. With a national debt totaling over $4 trillion, I do not think we can ask the American people to continue to fund peace-enforcement/nation-building operations where there is clearly no defined goal or U.S. interest.

On December 12, 1991, then Governor Clinton announced to an audience at Georgetown University that the United States should help establish "United Nations rapid deployment force that could be used for purposes beyond traditional peacekeeping * * *." The United States cannot afford to have a foreign policy that is globalist and multilateralist in nature and centered around the peace-enforcement and nation building efforts of the United Nations. We should not cede control of our armed forces to the bureaucrats at the United Nations.

Before I will support sending American men and women into harms way there must be a clear determination, by the President, that vital U.S. national security interests are at risk; there must be a strong, bipartisan, national consensus that supports the use of U.S. military forces; and there must be a clear statement from the administration of what are our objectives; what constitutes a winning situation; and what are the conditions for the termination of the mission.

Mr. President, the United States of America cannot serve as the globo-cop around the world. And I support multilateral military missions such as Operation Desert Storm. In operation Desert Storm, U.S. interests were clearly defined and American soldiers were properly armed and commanded by U.S. officers with unclouded goals. However, I do not support the new nation-building missions of the United Nations, and neither do the people of this Nation. In order to preserve our sovereignty over our military forces, I urge my colleagues to support the Nickles amendment.

Thank you, Mr. President I yield the floor.

The PRESIDING OFFICER. Is there further discussion?

The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, thank you. May I ask the Senator from Oklahoma what his intentions are now with regard to this amendment.

Mr. NICKLES. I would like to ask for the yeas and nays. I understand that votes are going to be held to 7 o'clock, is that correct?

Mr. INOUYE. Mr. President, if I may respond, there is no order directing the Senate to vote at 7. It was just an announcement made by the leader, and so it is understood by one and all that all votes will be stacked up until that moment which would mean even if we close the debate at this point colleagues can come here before 7 o'clock to reopen the debate.

Mr. NICKLES. Sure. That is certainly fine with this Senator, and I am happy to accommodate the leader's request for postponing the vote.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

NAFTA

Mr. DOLE. President, one slogan we are hearing from the opponents of the North American Free-Trade Agreement is "not this NAFTA." They seem to be saying "we support the idea of a trade agreement, but not this one. Go back and get a better deal." They argue that in NAFTA, our negotiators somehow were taken by the wily Mexicans, and we are now being asked to pass a bad deal.

Mr. President, this argument is a delusion. It is simply disingenuous to claim that the United States can reject this NAFTA and negotiate a better one next year. I have met with Mexican President Carolos Salinas. Anyone with even a passing familiarity with the two centuries of United States-Mexican history knows that President Salinas has offered a historic opening to the United States. It has taken extraordinary political courage for him to break with his country's statist economic policies and traditional distrust of the United States by proposing NAFTA and implementing sweeping free-market economic and political reforms. This opportunity will not come again in this century, in my view, if we reject the North American Free-Trade Agreement, which is now pending in the House and the Senate.

Every negotiation requires giving something up in order to get something in return. NAFTA is not a bad deal for the United States and by no means is it a bad deal for Mexico. But the fact is that Mexico gives up far more under NAFTA than the United States. NAFTA is not unfair to Mexico, but it is one-sided in the sense that Mexico must undertake many more reforms than the United States.

The reason for this is that Mexico is starting from a much higher level of protection than is the United States. So, for example, where the United States tariff on automobile imports is only 2.5 percent, the Mexican tariff is 20 percent. The Mexican tariff will come down by one-half, to 10 percent, immediately upon implementation of NAFTA, and then phase out over 10 years. This will mean tremendous opportunities for United States automakers who, until now, have effectively been shut out of the Mexican vehicle market.

In fact, we have been told in the first year of the agreement, if it is passed, we will sell a billion dollars of automobiles in Mexico. That is 12,000 to 15,000 jobs right there.

If you look up the definition of "good deal" in the dictionary, you will find the example of the deal our negotiators got on automobiles from Mexico. And this example is repeated over and over throughout the agreement, across thousands of tariff classifications, and across numerous sectors.

Critics say the NAFTA document is too long. That is simply because our tariff schedules are thousands of pages long, and other barriers to trade are numerous, too. NAFTA eliminates these tariffs and barriers with respect to our largest and third-largest trading partners. A long trade agreement is an acceptable price to pay for a very good deal.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1052

(Purpose: To restrict available funds to aid the former Soviet Union)

Mr. STEVENS. Mr. President, I ask unanimous consent that that amendment be laid aside and that I be permitted to send this amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside, and the committee amendment is set aside.

The clerk will report the amendment offered by the Senator from Alaska.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered 1052.

On page 22 of the bill, at line 18, before the period, add the following new proviso: ": *Provided further*, That none of the funds appropriated under this heading may be expended or transferred to an eligible recipient state until fifteen days after the President certifies to the Congress that the proposed eligible recipient is not currently engaged in the fabrication and construction of new road mobile or fixed-site land based intercontinental ballistic missiles armed with multiple nuclear reentry vehicles".

Mr. STEVENS. Mr. President, the amendment that I have proposed, I think, is very simple in content and intent.

It states that none of the $400 million provided in this bill to assist the States of the former Soviet Union to dispose of their nuclear arsenals should be expended until the President certifies that no recipient State is currently engaged in the production of new MIRV'd intercontinental missiles.

For the fiscal years 1992 and 1993, I supported the transfer of funds from the Department of Defense activities for this purpose—$800 million have been available to date. For 1994, in this bill, I have joined Senator INOUYE, the chairman of the Defense Subcommittee, in recommending the direct appropriation of another $400 million to continue this effort.

But I believe that before additional funds are directed to this initiative, we must take stock of the progress to date and whether the goals of the program have been realized.

Through the Senate arms control observer group, a number of Senators have closely monitored our progress on reaching meaningful arms limitation treaties. I was the original chairman of that group and have participated in that group since its inception.

The initiative addressed by this amendment is the product of two members of the observer group, Senators NUNN and LUGAR.

I recall on several occasions bringing members of Russian groups that came to Washington to meetings, particularly in the Senate Armed Services Committee room, where I presented those people to both Senators NUNN and LUGAR and other Members of the Senate. The initiative that they have presented I think has been a very good one.

I know how strongly these two Senators believe in the need for the United States to assist those forces in the former Soviet Union who seek to turn away from the excessive militarism of the past.

It has been my privilege to travel with those two Senators on arms control missions in the past. We have gone to arms talks in Geneva and Vienna and we have met with leaders of the former Soviet Union. Earlier this year, a number of us traveled to Moscow to evaluate the status of the START ratification process. And I applaud them for their leadership on the issue.

But, as a member not only of that arms control observer group but as the former chairman of this subcommittee and now privileged to work with my good friend from Hawaii on it as ranking member and a member of the Intelligence Committee, I have become increasingly troubled by indications that nuclear weapons production in the former Soviet Union continues unabated.

Let me explain to the Senate what this amendment does not do.

This amendment does not reduce the $400 million provided in the Nunn-Lugar amendment for 1994.

The amendment does not impact assistance for Belarus, Ukraine, or Kazakhstan, as they do not produce nuclear missiles.

The amendment does not impact funds provided after 1994. It is not a permanent statute. It applies to these moneys in this bill only. It is a limitation. It is not legislation on an appropriations bill.

This amendment does not impact the $1.8 billion in the foreign aid appropriations bill that was for Russia and States of the former Soviet Union.

The amendment does not impose any new burden on the intelligence community. They are, as I will point out, already monitoring these issues.

The amendment does not discourage Russia from working with the United States on arms disposal efforts. It should add momentum to those seeking to reduce Russian military spending.

The amendment does not tie funding to the rate of Russian nuclear dismantling or treaty compliance. This is only linked to new ICBM production of vehicles capable of carrying MIRV'd warheads.

It does not apply, for instance, to the single warhead that we know they are building as they build down in terms of their missile force.

The amendment does not conflict in any way with the START treaties. Those have not been ratified on either side anyway, but we are complying with them. I do not believe that it conflicts with them.

Despite the massive economic depression facing Russia, and the curtailment of Warsaw Pact military activities, numerous reports continue to reach us in the West indicating that production of new, modern nuclear systems in Russia continues.

These weapons serve only one effective purpose, and that is to continue to threaten the United States.

I ask the Senate, simply as many Senators have asked us as managers of this bill, what is the threat? I will point out to the Senate what we have done to reduce our threat against the Soviet Union. They continue to build theirs against us now. And I think it is time that that stops.

That is the rationale for this amendment, Mr. President —for the Congress and the administration to take a breath and evaluate the progress made by Russia in Russia and the choices made by Russian leaders in the employment of their scarce resources.

The Senate has voted $1.8 billion in aid to be provided to Russia in the 1994 foreign operations bill, as I said.

And this Senator, I have reluctantly agreed to the diversion of $979 million of funds that should be spent for defense for this country in funds that will be allocated to the President's Russian aid initiative.

Now, I do not come to this question here on the floor today as a longstanding critic of foreign aid. I have not been. I have attempted to facilitate assistance to serve American national interests abroad and have supported foreign aid where it would do that.

The concern that has brought me to the floor today with this amendment is a concern that United States assistance for the destruction of existing weapons may be making available the very resources employed by the Russians to construct new systems to continue the threat against us.

I believe the authorizing legislation that established the Nunn-Lugar initiative attempted to ensure that all U.S. assistance would be used only for the destruction of arms. And we all supported that. I continue to support Nunn-Lugar.

I know various reports have come to the Congress identifying how those funds have been expended.

The issue I ask the Senate to address is whether the military leaders in Russia are taking advantage of our assistance to destroy weapons consistent with the START ceilings to redirect their own funds to construct more capable, new nuclear weapons that have MIRV'd capability.

Mr. President, at this time, I want to present to the Senate a series of excerpts from both American and Russian journals addressing indicators that Russian nuclear weapons production continues at a robust rate.

I want to thank Dr. William Van Cleave for bringing these matters to the attention of several of us at a meeting the Republican leader held.

I wanted to satisfy myself as to the authenticity of the remarks that were made at that meeting, and I requested the Central Intelligence Agency to comment on the accuracy of these excerpts that I will read to you.

There are 10 major points raised by these excerpts and I want to read from them and then I will present to the Senate the unclassified comments of the CIA on the excerpts that I will read.

Mr. President, it is going to take much time and effort for our intelligence services to continue to evaluate the exact status of Russian nuclear weapons development. Despite the end of the cold war, I know these matters remain a key focus of our intelligence resources and I have the utmost confidence in the Director of Central Intelligence, Jim Woolsey. I point out to the Senate, during the period of time when we were at the height of our negotiations with the Russians in Geneva, Mr. Woolsey, as an adviser on arms control, accompanied the Senate delegation on many occasions. We have confidence in Jim Woolsey because we know and have worked with him on this issue of arms control.

I am for arms control. I am for these agreements. And I am for continued assistance. I am just not for our providing money to the Russian system that turns around and releases more of their money to start new systems when we are decreasing and have canceled many of the systems that we had on the screens and the boards before that time, the time of the change that we perceived in our relationship with the Russian Republic.

Some may argue I am asking the Russians to forgo weapons improvements that are allowable under START. I point out again, that is not correct. The world has changed substantially since the details of the most recent round of negotiations. Again, I point out those agreements have not been ratified yet.

There was no expectation that the American taxpayers would be asked to provide $2.2 billion in combined foreign aid and defense transfers to the Russians for 1994. With this bill, that is what that adds up to, 2.2 billion American dollars going to Russia for their assistance. There was no expectation that international lending bodies would be providing hundreds of millions of dollars to support economic development in Russia.

I, again, agree with that. We have all supported these initiatives to direct the energies and capabilities of the Russian people on a different course—toward democracy and toward free markets. But I do not believe the Senate or the Congress can or should countenance the notion that the United States multilateral aid will make possible the continued operation of the foreign Soviet arms industry within Russia. It is within Russia now. The combined foreign and defense assistance approach related to the Soviet Union for 1994 makes that country the third largest recipient of United States foreign assistance this next year, 1994.

A case can be and has been made for those commitments. The Senator from Hawaii and I have asked the Senate to support them, and I continue to support them. But I ask the Senate not to dodge the question of whether the Russians are following through on the spirit of the agreements and the spirit of our cooperation with them.

In my opinion, the continued production of any new nuclear MIRV'd system that threatens this country violates the spirit of our efforts to assist in the transition, and I urge the Senate to join me in asking the President to use the resources of the defense intelligence community to evaluate the status of such weapons development and production.

These are not very long; there are a few more than 10. They are excerpts of journals of both the United States and Russia that I believe support my contention.

(1) In response to Dr. Van Cleave's and Dr. Churba's questions about the state of the Russian military, he [Mr. Felgenhauer] stated that the Strategic Rocket Forces (SRF) continue to receive preferential treatment in terms of resources. 80% of their ranks are filled, and their combat readiness is the highest in the Russian military. The SRF continues to have priority. The SS–25 road mobile ICBM is still being deployed; there is a new multi-warhead silo-based ICBM under development; serious modernization of the SSBN fleet is underway; and the new TU–160 Blackjack-type bombers are under construction.

The Politics of Reform in Russia, Report of Conference, April 15–16, 1993, International Security Council, Washington, D.C. (Reprinted in Global Affairs, Summer 1993.)

NOTE.—Pavel Felgenhauer, editor of *Segodnya* (Today) is the number one defense writer in Russia. No member of the Russian Delegation, which included three senior Generals and the Deputy Chairman of the Russian State Committee on Defense, challenged his statement.

When I asked the CIA, they stated this:

Gen. Sergeyev, CINC SRF, has stated there are manning shortfalls in the SRF. We believe there are three ballistic missiles under development—two small single-RV ICBMs and a modified SLBM. A new SSBN is being designed for deployment after turn of the century. We believe that Blackjack production has ceased.

In other words, the CIA partially agrees with the statement in Global Affairs, but it does not disagree with the concept that a new SS–25 MIRV'd is being manufactured.

Second, a statement, again from Global Affairs, this for the winter of 1993. This is a quote:

[Major General Ghely Batenin, Chief of the Personnel Staff of Vice President Rutskoi and Counsellor to the Foreign Minister]: "we

> are still producing mobile ICBMs and are upgrading them.' They have a simplified launch system and can be based either in the silos vacated by missiles destroyed under START or in complexes for mobile missiles. There are now 380 mobile ICBM launchers, which under the Framework Agreement can be increased to 500, he said. Russia will continue submarine force modernization. Bombers at strategic air bases outside Russia, in Ukraine or Kazakhstan, raise questions. While there are no new bombers under development, Stealth technology has been successfully developed," he said.
>
> Dr. [Lowell] Wood asked if he was correct in his understanding of General Batenin's comments that Russia's force modernization has slowed significantly but has not stopped as comprehensively in either platforms or weapons as has the United States. He asked if Russia was continuing the developing of a follow-on ICBM to the type known as SS-25s. Dr. Wood asked specifically about the so-called 'Fat Boy,' a larger new type mobile ICBM.
>
> General Batenin responded that reduced and modest upgrading necessary to maintain a modernized strategic force will continue. It is not necessary to replace the SS-25 as yet. We plan to continue producing about ten per month, he said, but may have to reduce that. The missile that we call universal is not a new missile but only an upgrade. We are changing some characteristics of the SS-25—its ballistic trajectory and angle of flight. It will be given a low-flying capability. It will have a maneuverable warhead. More throw weight. We had planned to give it some capability against SDI, but now we do not need to do that with GPALS.
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> *C.I.S. and Nuclear Weapons: Liabilities and Risks; Proliferation and Strategic Defense*, Report of Working Meeting, July 19-20, 1992, International Security Council, Washington D.C. (Reprinted in *Global Affairs, Winter 1993.)*

SBI says:

> True, except that the rate of SS-25 production is overstated.

A third quote, which comes from the Seminar Report of the Center for Naval Analysis, July 1993:

> Russia's nuclear doctrine and forces are undergoing a thorough revision * * * the importance of land mobile systems will increase; and a 'second strike' capability will be developed. * * * To avoid being forced to preempt or to fire on warning of attack, the Russians will increase the survivability of strategic rocket forces by increasing the proportion of land mobile systems from about 5 percent of the land based force to about 60 percent. A major feature of this plan will be the deployment of SS-25 missiles and a modernized successor.
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> *Comments of Vladimir Dworkin, Head of the Main Institute of the Armed Forces and Dr. Alexei Arbatov, Head of the Center for Geopolitical and Military Forecasting as reported in: Seminar Report; Center for Naval Analysis, Jonathan D. Geithner and Scott R. Atkinson, Rapporteurs, July 1993.*

The CIA, when I asked, said the answer is:

> True. START II requires them to eliminate all MIRV'd ICBMs. Therefore, SS-25 mobile ICBMs become a larger percentage of the residual ICBM force.

Fourth:

> Krasnaya zvezda was the first of the central newspapers to report the successful launch of the "Start-1" Russian transport booster rocket from the missile test range at Mirnyy. The March 25 [1993] demonstration launch was conducted for commercial purposes. . . . "Start-1" is in all respects an unusual project. It has no equal in the world. And mainly because for the first time, technologies employed in a combat missile system on active duty are being used for peaceful purposes. In this case it is the RS-12M, known in the West as the SS-25 and in our country as the "Topol." With an added fourth stage and other technical refinements made in strict compliance with the START I Treaty, this system became the one that we now know as the "Start-1." It also lofted a prototype communications satellite into orbit from the Plesetsk space facility. On the whole, all the main objectives of the "Start-1's" first demonstration flight were accomplished successfully. The results of the launch allow the mobile system's designers to pronounce it ready to launch commercial payloads. . . . more than 250 accident-free launches have been carried out using similar combat systems. The "Start-1" is simple in design and can be launched from any region.
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> *Dolinin, Aleksandr, Lieutenant Colonel "Success, Prospects of 'Start-1' Commercial Missile Launch" Krasnaya Zvezda, may 25, 1993. #116, p. 2, cols. 6-8.*

I read that quote, Mr. President, to point out—and the CIA says it is true—that Russia is now combining the use of their new highly mobile rockets for military purposes and for commercial purposes. They are the only ones in the world that are doing this now. But I hope the Senate gets the point.

Again, through the use of commercial funds coming into the Soviet Union, they continue to upgrade their military system. We are not doing that.

Again, I have no problem with modernization that leads to builddown, to reducing the number of warheads involved in their system. That is there as a balance for nuclear deterrence. I want the Senate to get the point that Russia is shifting the mass of its forces into their strategic force that deals with missiles.

Again, in Global Affairs—and let me point out again that the CIA said all of that is true—in the Global Affairs edition for the summer of 1993 is this quote:

> [Dr. Vitaly Shlykov, Deputy Chairman, State Committee on Defense, Russian Federation]: Reforms have not hit the military-industrial sector. Prices there are still state subsidized, and the true expense of military production is hidden by the 'perverted nature' of the former Soviet economy. During the communist days very few people had access to information about the military economy. Gaidar came in and thought that all he had to do was cut budgets and military orders and that would halt production. It did not. The military-industrial sector continued producing, drawing from vast state reserves of material and financial support from central bank institutions. Thus Minister of Defense Grachev has been saying that the more the state cuts military orders, the poorer we get; the more military orders, the better the economy. There has been no demilitarization of the economy. 'This is the historic crime of the democratic leadership of Russia.'
>
> *The Politics of Reform in Russia, Report of Conference, April 15-16, 1993, International Security Council, Washington, D.C. (Reprinted in Global Affairs, Summer 1993.)*

On this one, I have read it because I want to point out the CIA says it is not true. They believe the reform shave started to hit their defense sector and military orders have declined and some of the enterprises have been privatized. But we are not making the point of those who have opposed President Yeltsin that there has not been any change in military. My point is the shift has been from conventional and from their normal type of defense spending to the area that is most threatening to the United States, and that is to the modernization and improvement of their ICBM force.

Sixth is this statement that comes from Izvestiya in June of this year, 1993. It was a statement by Mr. Litovkin concerning the current conditions of the complex that produces the majority of the air defense missiles, including the SA-10 and the SA-12. He said this:

> Even in these times of sharply reduced defense spending, state orders keep "Fakel" operating at a level of almost 100%.
>
> *Litovkin, Viktor, "Products of Current Conditions at "Fakel" Machinery Design Bureau." Izvestiya, June 4, 1993. #104, p. 6, cols. 1-3.*

One hundred percent.

We have none of our systems operating at 100 percent of the former level of appropriations, Mr. President.

Incidentally, the CIA said that they doubt that the Fakel is producing almost 100 percent but cannot disprove Litovkin's claim that they are.

In May of 1993, in Aviation Week and Space Technology is this statement:

> Since January 1, Russia has launched three military navigation spacecraft, two military communications spacecraft, two imaging reconnaissance satellites, two missile warning spacecraft, two new electronic intelligence (elint) satellites and the new ocean surveillance spacecraft.
>
> *Covault, Craig "Russian Military Space Maintains Aggressive Pace" Aviation Week & Space Technology, May 3, 1993, p. 61.*

Mr. President, why does Russia need more of those systems than the former Soviet Union needed? Why is it that, as we are assisting them to destroy the weapons they agreed to destroy under START, that they are modernizing? But they are not only modernizing, they are sending up the most modern communications satellite that the world knows. They are sending up three military navigation spacecraft. They are sending up two imaging reconnaissance satellites. They are sending up two missile warning satellites and two new electronic intelligence satellites.

When I asked the CIA, what did they say? True, true, and they add that during that period, there were additional launches of five spacecraft which were for dual military-civilian use. In other words, the launching facilities of Russia have been hyperactive compared to that of the West, particularly of the United States.

Eighth, let me read from a bulletin of the International Security Council. It is in the report. I have it here if anyone wishes to examine it. This statement is from Dr. Shlykov, a Russian, who participated in a conference in November of last year. He said:

> I am convinced that the failure to consider the military economy was a cardinal error. The magnitude of the resources allocated to the military sector has been, and continues to be so large that economic reforms would be hard put to offset the structural imbalance between military and civilian production. [Dr. Shlykov]
>
> *Economic Reform and Defense in Russia: The Interplay, Report of Conference, November, 15–16, 1992, International Security Council, Washington D.C.*

The CIA's response was simply they agree with that statement.

Again, from this International Security Council. Another statement of Dr. Shlykov:

> But in 1992, after prices were decontrolled, the situation was reversed. Government orders for civilian consumer goods evaporated, while the rampant expansion of state bank credit for weapons caused armament prices and profit margins of military-industrial items to skyrocket. [Dr. Shlykov]
>
> *Economic Reform and Defense in Russia: The interplay, Report of Conference, November 15–16, 1992, International Security Council, Washington D.C.*

The CIA says they doubt this was true. The market for military goods, in their opinion, in Russia has declined dramatically.

Again, that is a Russian saying that there has been an expansion.

That same gentleman continued later in the same report to make this statement:

> As for any relief on the budgetary issue, the 20 billion ruble savings ascribed to the so-called radical cuts in the military industrial operations were overwhelmingly washed away when the Central Bank opened a line of credit for 3.5 trillion rubles requested by the arms industry to settle their liabilities.

That is a conference in November of 1992. The CIA said this: It is possibly true. They have a report of a line of credit. They are unsure how large it was and whether it was all used for military purposes.

Let me point out to the Senate that 3.5 trillion rubles in 1992 equated to $23 billion. It was an extension of a new line of credit for development of new arms in Russia. Again, the CIA says it is possible it is true. They cannot confirm it was.

The tenth item I would like to read is again from that same conference in November of 1992:

> Dr. Shlykov said that in the last days of the Soviet Union, it had reserves for four months availability in the European region for peak, wartime production, which is much larger from peacetime production levels. In the Asian sector, there was up to six months availability of such reserves. "Now, after some deletion of the reserves and the independence of some republics, the plan is to maintain reserves of war-time production at the plant level for one-to-three months. But this is only one part of the reserve system. In reality the stockpiles are much more extensive."
>
> *Economic Reform and Defense in Russia: The Interplay, Report of Conference, November 15–16, 1992, International Security Council, Washington D.C.*

The CIA says that might be true. The former Soviet Union stockpiled goods for wartime use.

> As for any relief on the budgetary issue, the 20 billion ruble "savings" ascribed to the so-called radical cuts in military-industrial operations were overwhelmingly washed away when the central bank opened a line of credit for 3.5 trillion rubles requested by the arms industry * * * to settle their liabilities. [Dr. Shlykov]
>
> *Economic Reform and Defense in Russia: The Interplay,* Report of Conference, November 15–16, 1992, International Security Council, Washington D.C.
>
> NOTE.—In July of 1992, 3.5 trillion rubles equated to 23 Billion U.S. dollars.

The CIA says that is possibly true. We saw a report of a line of credit, but we are unsure how large it was and whether it was all for military use.

> Turning to the issue of mobilization stockpiles, he [Dr. Shlykov] noted that Yeltsin had even ordered an increase in the stockpiles held by the military industries.
>
> *Economic Reform and Defense in Russia: The Interplay,* Report of Conference, November 15–16, 1992, International Security Council, Washington D.C.

The CIA says they are not aware of such an order.

Mr. President, the question is, Why? Why is Russia increasing wartime stockpiles when we are decreasing ours and we thought we had a period of relative stability as far as the military was concerned in dealing with Russia.

> The Americans then probed again the real levels of Russia's military effort. [Dr. Yuri] Yaremenko responded by stating that there is no reliable data in the archives, but that in his view as much as 50% of the former Soviet economy supported the military (22% arms + 25–28% investment = ~50% real burden in late 1980s). If research and development, the KGB, etc. are added, it could be even higher. It was an enormous burden, and since Russian GNP is much lower than USSR's GNP at the end of the 1980s, the burden is still enormous.
>
> *The Politics of Reform in Russia,* Report of Conference, April 15–16, 1993 International Security Council, Washington, D.C. (Reprinted in *Global Affairs,* Summer 1993.)
>
> NOTE.—Dr. Yuri V. Yaremenko is Director of the Institute of Economic Forecasting of the Russian Academy of Sciences; is one of Russia's foremost economists.

The CIA says that is credible. The defense burden was enormous.

Mr. President, my point is it still is too high.

Does the Senator seek the floor?

Mr. INOUYE. I just wanted to congratulate the Senator, if I may.

Mr. STEVENS. I thank the Senator very much.

I have one other thing to say, if I may, Mr. President, just to emphasize to the Senate why I, a Senator from Alaska, take such an interest in this.

I ask unanimous consent that this overview I have had my staff make of former Soviet force modernization from the DOD publication Soviet Military Power appear in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. STEVENS. Let me point out that the Japanese Defense Agency's white paper in 1992 has told us that the Soviet Union has steadily built up its military strength in the Russian Far East since the late 1960's. In qualitative terms, Japan states those forces continue to grow.

Mr. President, I can see that land from my State. A lot of people forget that our nearest neighbor is Russia. And we see this constant growth.

Japan points out that pursuant to the Conventional Forces in Europe Treaty, the CFE Treaty, the former Soviet Union was required to reduce tanks, armored fighting vehicles, artillery, tactical aircraft, and attack helicopters. But what did they do? They did not destroy them. They sent them west of the Urals.

The Japanese report that rather than destroy those weapons, 60,000 pieces of equipment have now been transferred to the Russian Far East—over 7,000 new tanks. That is more tanks than we produce in 10 years. The former Soviet forces in the Far East possess one quarter to one third of the total former Soviet strategic missiles, 36 of approximately 160 army divisions, about 90 of some 270 submarines, around 1,860 of 7,820 tactical aircraft.

In terms of today, the Far East is really the military stockpile. It is their resource base. It is their area of operations now.

The agreements that we entered into cover west of the Urals basically, particularly in terms of the CFE and other such conventional agreements.

In terms of the strategic forces, that reach across from my State, according to the Japanese study, the region contains modernized ICBM's and SLBM's, the new TU–95 Bear H bomber. We see those quite often still. They are capable of carrying the AS–15 air-launched cruise missile with nuclear warheads. There are also approximately 130 TU–22M Backfire bombers with a radius of 4,000 kilometers. That takes you about to Denver. I thought that might get the attention of the Chair.

The forces from Russia in the Far East have a greater capability of presenting a threat to the United States in the West than the ICBM period did to the eastern part of the United States.

In terms of ground forces, the ground forces of the Russian Far East are continuing to build as they have been building even under the Soviets since 1965. As I said, there are 36 army divisions now in the Russian Far East. There is one division which will be reduced to a brigade in Alaska—one. And there is one division in Hawaii.

Now, I think the Senate should understand that those of us from Alaska in particular, but for the West in general, are, or at least should be, watching what is happening in the Pacific.

In terms of naval power, the Pacific Fleet based in Vladivostok is the largest of the naval units. The Pacific Fleet now includes 780 ships, 60 of them nuclear submarines. The Pacific Fleet alone—I am not saying it has the same capability, but in numbers it is larger than the fleet of the United States worldwide. They have the new Akula-class nuclear-powered attack submarine, which carries, by the way, the SSN-21 sea-launched cruise missile.

The insertions I have made demonstrate, I think, what the interest of this Senator is and what I think Western Senators should be and nationally all Senators should be. That is what my amendment aims at.

The moneys that we are pouring into Russia to help Russia make the transition have now freed up additional moneys to modernize their nuclear force in ways that we have not permitted our force to be modernized. As a matter of fact, to the contrary. We have canceled a whole series of systems.

Let me close by reminding the Senate of this. We canceled the small ICBM in 1992. We canceled the Peacekeeper, the rail garrison version in 1992. We canceled the Minuteman in silos, the Peacekeeper in 1992; we canceled Minuteman II. We are currently eliminating all of those missiles. Minuteman III we are de-MIRV'ing all launchers in agreement with START. The B-52 D, G and H, 675 of them, will be eliminated by the end of 1993. The FB-111, 66 of them will also be eliminated. The B-1, we will have eliminated 99 by the end of fiscal 1993.

I do not mean to be misunderstood. We have not eliminated the B-1 entirely but 99 of them will be retired this year. On the B-2, the production of the B-2, as the Senate knows, has been reduced from 130 to 20.

Now, I think we ought to send a message. It is a plain and simple message. It just says, do not let them have this additional $400 million if they are continuing to build MIRV'd ICBM's at the time we are decreasing our threat to Russia.

EXHIBIT 1

FORMER-SOVIET FORCE MODERNIZATION

(Source: DOD Publication, *Soviet Military Power*)

OVERVIEW

The overview Soviet defense burden increased from 12-14% of GNP in 1970, to 15-17% of GNP by the mid-1980s. That figure continued to rise during the Gorbachev years.

1993 military orders are expected to be significantly higher than 1992. And since overall GNP has dropped significantly in the last few years, the overall military burden since 1991 has actually increased.

In contrast, the overall US defense burden increased from 5% of GNP in 1977, to 6.2% in 1985, to 4.5% in 1993. Significantly lower than Soviet spending during the same period.

The former Soviet Union has more strategic nuclear weapons than the US in terms of the number of launchers for ICBMs and submarine-launched ballistic missiles.

It continues to increase the survivability and operational flexibility of its forces, by increasing road-mobile SS-25s, rail-mobile SS-24s and other types of ICBMS, by deploying ballistic missile-equipped nuclear submarines equipped with long-range SLBMs and high target-hitting accuracy, and by improving the capabilities of strategic bombers—including construction of a new TU-160 Blackjack-type bomber.

Non-strategic nuclear weapons also pose a continuing threat on short-range surface-to-surface missiles, medium-range bombers, air-launched cruise missiles, sea-launched cruise missiles, and nuclear shells. Some estimate that the number of non-strategic nuclear weapons may be as high as 30,000.

Ground forces remain large, consisting of about 160 divisions of approximately 1,500,000 personnel and 52,000 tanks; naval forces consist of about 2,460 ships—including about 270 submarines; and air forces include about 7,820 tactical aircraft.

While some former-Soviet forces have decreased in number, qualitative improvements continue to be made across the spectrum. Recent deployments include: new T-80 tanks; Kirov-class nuclear-powered guided missile cruisers; Akula-class nuclear-powered submarines; and state-of-the-art fourth-generation fighters.

STRATEGIC NUCLEAR FORCES

Since the mid-1960s, the Soviets had engaged in a brisk program of strategic modernization while US spending on strategic forces for the most part stayed flat, and even declined at times.

From 1960 to 1990, the Soviets deployed 57 new varieties of strategic systems—including 41 new types of missiles and 11 new classes of submarines. During the same period, the US introduced less than half that number of new systems (26).

From 1979 to 1990 alone, the Soviets added 15 new missile types, including the: SSN-18-M2, SSN-18-M3, SS-16, SS-17-M3, SS-18-M4, SS-19-M3, SSN-17, SSN-20, AS-15, SS-25, SSN-23, SSN-21, SS-24 Modl, SS-24, Mod2, and the SS-18-M5.

During that same period, the US added only 5 new missiles: the C-4, the Minuteman III, the ALCM, the Peacekeeper, and the D-5.

Contrary to what some may think, production did not decrease with Gorbachev's ascent to power. In 1989, at the height of the Gorbachev regime, the Soviets deployed over 100 new ICBMs, several Bear H and Blackjack bombers, and two new SSBNs.

During the same year, the US added to ICBMs, no bombers, and only one SSBN.

Over the entire decade of the 1980s, the US deployed fewer than 100 new ICBMs. Over the same decade, the Soviets deployed over 900.

From 1981 to 1990, the Soviets maintained a force of over 6,000 ICBM launchers and reentry vehicles. During that same period, the US maintained only 2,000. Soviet ICBM production actually increased once Gorbachev came to power.

Last winter it was reported that the Russians are now testing four new ICBMs.

From 1981 to 1990, Soviet deployment of sea-launched ballistic missile launchers and re-entry vehicles nearly doubled, with an additional 1,500 being added by 1990. During that same period, US deployments actually dropped by several hundred.

Last winter it was reported that the Russians are now testing two new SLBMs.

In sea-launched ballistic missiles, and in submarines, the Soviets outproduced the US during the 1980s by more than 2 to 1.

Since Gorbachev came to power, the production of long-range cruise missiles rose by a factor of three.

AIRCRAFT

From 1981 to 1989, the Soviets nearly doubled their inventory of inter-continental capable aircraft (such as the Bear, Bison, Backfire and Blackjack). By 1989, they had 100 more such aircraft than the US. During that same period, the US inventory remained constant.

Once Gorbachev came to power, the number of fourth-generation, look-down/shoot-down capable aircraft—such as the MiG-31 and Su-27 Flanker—increased by nearly 40%.

Further modernization continues. In the last two years: flight testing has been proceeding on the MiG-33 and other new fighter aircraft types; an improved version of the Su-27 is undergoing development trials; and development has continued on the Russian equivalent of the advanced tactical fighter, the first Russian plane to incorporate stealth technology.

Throughout the 1980s, Soviet weapon production far outnumbered US production in a number of significant systems. The following chart shows the total number of each weapon produced by the US and by the Soviets during the period from 1979 through 1988:

TOTAL WEAPONS PRODUCED, UNITED STATES VERSUS SOVIET, FROM 1979 TO 1988

	United States	Soviet
Tanks	7,400	26,000
Other armored vehicles	8,900	50,000
Artillery, mortars, MRL's	3,600	19,000
Long and intermediate range bombers	103	400
Fighters/attack aircraft	3,600	6,200
Military helicopters	2,200	4,200
Submarines	40	75
ICBMS, SLBMS	600	2,700
Surface-to-air missiles	19,700	112,000

If you compare the Pre-Gorbachev early 1980s with the Gorbachev-era of the late 1980s, you see no decrease—and actually some significant increases—in the annual production of certain key weapon systems. The following chart shows the average annual weapons production in a number of key systems during the early 1980s and the late 1980s:

ANNUAL SOVIET WEAPONS PRODUCTION: PRE-GORBACHEV VERSUS GORBACHEV

	Pre-Gorb (1982–84)	Gorbachev (1988–89)
Tanks	2,800	3,400
Other armored vehicles	5,400	5,700
Self-propelled field artillery	900	900
Submarines	9	9
Major surface warships	9	12
Bombers	40	40
ASW fixed wing aircraft	5	5
AWACS	2	5
ICBM's	116	140
SRBM's	580	700
Long-range SLCM's	35	200
Short-range SLCM's	980	1100
Surface-to-air missiles	15,000	16,000

Soviet annual production of all of the above weapons systems actually increased or remained constant once Gorbachev assumed power.

During that same period—from 1982 to 1989—US production of the following weapon systems decreased or was zero: Tanks, other armored fighting vehicles, major surface warships, bombers, AWACS, ICBMS, SRBMs, and short-range SLCMs.

While the Soviets/Russians have continually expanded and modernized their forces, the US over the last 15 years has made significant cutbacks in its defense expenditures. The following US Air Force strategic systems have either been dismantled, terminated or canceled since 1977:

US AIR FORCE STRATEGIC SYSTEMS DISMANTLED, TERMINATED OR CANCELED SINCE 1977

Small ICBM: canceled in 1992.

Peacekeeper, rail garrison: canceled in 1992

Peacekeeper, in Minuteman silos: canceled in 1992.

Minuteman II: currently eliminating all missiles.

Minuteman III: currently de-mirving all launchers in agreement with START.

B-52 D, G, and H: eliminated 675 by end of 1993.

FB-111: eliminated 66.

B-1: eliminated 99 by end of 1993.

B-2: production reduced from 132 to 20.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER (Mr. DORGAN). The Chair recognizes the Senator from Hawaii.

Mr. INOUYE. Mr. President, I rise to commend my colleague from Alaska for bringing to the attention of the Senate the continued and robust involvement of the Russian people in the research and development and production of intercontinental ballistic missiles.

As the Senator from Alaska pointed out, we have tried our best not only by the START II Treaty but to maintain the spirit of the START II Treaty. And keeping with that spirit as he has pointed out, we have terminated the MX Missile Program, just cut it out. We have cut out and terminated the small ICBM Program, a mobile ICBM. There are no more Pershing II missiles. We have reduced the Submarine Launched Ballistic Missile Program. As the Senator pointed out, we had intended to produce and procure 130 stealth B-2 bombers. We have decided to stop at 20. We have stopped the development of the advanced cruise missile.

I believe that we have maintained our good faith. Even to the recent tragedy in Moscow the Government of the United States painfully supported the activities of Mr. Yeltsin. And I concur with the Senator from Alaska. This measure has $1.8 billion in aid plus the $400 million, a total of $2.2 billion. This amendment affects $400 million of that.

This report is the most troubling one. It should be a matter of grave concern to all of us. And I would hope that we would by this means send a message to Mr. Yeltsin and tell him that we know that his ICBM forces are intact. We know that they are very active. We know that he is still producing, and that we are not happy about this. I think the time has come for the United States to stop being the good boy and tell our Russian comrades that we will not go for this nonsense.

If the cold war is to be ended, as all have suggested, then I think it should be ended by all parties, not just the United States.

So if I may, I would like to join my colleague from Alaska as a cosponsor of this measure.

I ask unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois [Mr. SIMON].

Mr. SIMON. Mr. President, I want to take 3 minutes to comment on an earlier amendment offered by our colleague, Senator NICKLES, from Oklahoma. It has an initial appeal. But let me tell you. It would paralyze the United States and our ability to work with the community of nations.

This has a lot of visceral appeal, saying we should not have foreigners commanding or in charge of American troops.

First of all, the amendment goes back and says that it takes effect March 1. We just Thursday night or early Friday morning said we are going to have our troops out by March 31. This reverses that by one month, which does not show a great deal of stability.

But second, Mr. President, the much more pernicious part is to say without the direct approval of Congress we cannot have American forces under the operation of the United Nations or other countries.

I happen to believe we have way too many troops in Western Europe half a century after the war is over. We do not need that many troops.

What is wrong with having a French, German, British, Italian, or some other country NATO commander? Does it have to be an American? I think if we want to pull back some in terms of military efforts we have to recognize we will have to let other people have some responsibility. And we cannot have it both ways.

How many times have we heard on the floor of the United States Senate we cannot be the world's policeman? If we are unwilling to work with other countries, we take on that burden because we are the only power that has that kind of potential. And if we think that we are going to do this just on our own and no other nation is going to follow this example, we are fooling ourselves. Cambodia would not have been possible. Our action in Somalia, which I think was great on the part of President Bush, would not have been possible under this amendment. Cambodia would not have been possible.

Yes. We do have some problems. Yes. We are going to have to reexamine.

I have talked with Senator BOREN and Senator BIDEN about the possibility of having a small group that would be authorized, maybe 5,000 or 10,000 troops of volunteers who would be authorized under the direction of the President to work with the United Nations. But to say that we are not going to permit unless Congress authorizes it U.S. troops to work under U.N. operations is a major step backward. That legislation should not pass. I hope the amendment will be defeated.

Mr. LUGAR addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes Senator LUGAR.

Mr. LUGAR. Mr. President, I speak in reference to the amendment offered by the distinguished senior Senator from Alaska, [Mr. STEVENS]. I speak in an attempt to really explore the issue that is involved here.

Senator STEVENS, as the Chair will recall, has offered this amendment provided further that none of the funds appropriated under this heading may be expended or transferred to an eligible recipient state until 15 days after the President certifies to the Congress that the proposed eligible recipient is not currently engaged in the fabrication and construction of new road-mobile or fixed-site land-based intercontinental ballistic missiles armed with multiple nuclear reentry vehicles, in essence MIRV.

Mr. President, the distinguished Senator from Alaska had reference on several occasions during his presentation of this amendment to the Nunn-Lugar amendment. I cite, Mr. President, the national legislative language the law of the land that was a part of the Nunn-Lugar legislation. It says:

> Assistance authorized by subsection (a)''—that is the Nunn-Lugar amendment—''may not be provided for in a year to any country which is an independent state of the former Soviet Union unless the President certifies to Congress for that year that the proposed recipient country is committed to each of the following:

Specifically two under that—

> Each of the following:

The language says:

> Forgoing any military modernization program that exceeds legitimate defense requirements and forgoing the replacement of destroyed weapons of mass destruction.

Mr. President, it appears to me that clear on the face of that language development of a MIRV'd SS-25 by Russia would lead to restrictions by the President of any Nunn-Lugar moneys being disbursed.

I cite all of this, Mr. President, for purposes of clarification and for purposes of both Senators and staff trying to work out if we are talking about the same thing or if in fact this is different, and perhaps during the course of this debate that exploration will lead to a conclusion.

I just simply want to say, Mr. President, the senior Senator from Alaska has indeed not been only a strong supporter of the START I treaty, under the so-called Nunn-Lugar legislation which is designed to assist the states of the former Soviet Union in implementing and indeed accelerating the dismantling and destruction of nuclear weapons covered by the START treaty, but he has been a cochairman from the start of the Arms Control Observer Group, extraordinarily knowledgeable about these questions.

Therefore, I want to explore with him and with others whether the target of the amendment is a system, real or potential, or whether the target of the amendment is all Russian strategic modernization programs. While Russia is developing modifications to existing ICBM's such as the so-called silo-based version of the SS-25—that is an ICBM with one warhead—I have seen no concrete evidence that it is developing any new multiple warhead MIRV'd land-based system. That is the critical distinction, Mr. President.

I am aware that a few Russian publicists have speculated on the possibility of such a development. But an equally well-informed group of Russian publicists have categorically denied it. Officials within the administration also cite the lack of any hard evidence to support such speculation that a MIRV'd SS-25 is being developed.

Although it is not impossible, it is also highly unlikely that Russia would initiate development of MIRV'd ICBM's, because the START II treaty will ban either side from deploying land-based MIRV's. There is no hard evidence that the other recipient states —Ukraine, Kazakhstan, or Belarus— have ongoing ICBM programs. In all likelihood, they lack the capability to pursue such programs. It is my understanding that there may be three ballistic missiles under development—two small single RV ICBM's, and a modified SLBM. The new SSBN may be in the design stage for possible deployment after the turn of the century. It also appears as if Blackjack production has ceased.

If part of the intent in this amendment is to stop Russia from developing the modified single warhead systems, such as the silo-based version of the SS-25, then the amendment could be counterproductive. The START I and START II treaties allow signatory states to modernize their forces, to increase their survivability and strategic stability. The Russians, for example, are allowed to deploy increased numbers of single warhead SS-25 ICBM's because they have limited hard target kill capability and, therefore, are stabilizing. This is particularly true of the road-mobile version of the SS-25.

The Russians have indicated they need to develop such systems to round out their force structure at the deeply reduced levels required by START II, and that SS-25 were important to their strategic requirements. Indeed precisely because START II requires them to eliminate all MIRV'd ICBM's, SS-25 mobile ICBM's become a larger percentage of the residual ICBM force. This issue was discussed at length during the negotiations of START II, and all sides agreed on revisions which limited modernization to stabilizing systems, such as single warhead SS-25's and SLBM's.

If the United States were to attempt to use the Nunn-Lugar assistance as leverage to not only limit Russian strategic modernization, but to exclude it specifically *in a war, toward which we encourage Russia to move, many in the Russian military industrial complex would likely view this as an attempt by the United States to manipulate Moscow into reducing its forces below its legitimate and arms control substantial requirements. This would be particularly true if the United States were to attempt to pressure Russia to limit its SS-25 force, which is the most stabilizing component from almost any perspective. Such attempts to undermine chances for START II to be ratified and end the force in the near term could also undermine our ability to rapidly conclude and implement additional Nunn-Lugar assistance agreements with Russia that accelerate the pace of dismantlement.

What are some of the more recent steps in the Nunn-Lugar assistance program? In late August and early September, the United States signed three agreements with Russia providing additional assistance under the Nunn-Lugar programs to help Moscow dismantle nuclear weapons and demilitarize its industries.

On August 26, the United States signed an implementing agreement in Moscow with the Russian state committee or defense industry. It commits the United States to provide up to $130 million to assist Russia in dismantling strategic nuclear delivery vehicles. Much of that money will likely go to the United States defense contractors. The equipment the United States plans to provide for this dismantlement includes mobile cranes, cutters, bulldozers for ICBM elimination, shears to cut up submarine ballistic missile tubes, guillotines, forklifts, and tractors for heavy bomber dismantlement.

I make the point that this is not money readily transferable by the Russians to any other program. It is money largely spent with the U.S. defense contractors on very specific equipment that wrecks strategic systems.

In addition, the U.S. assistance will ensure the supply of special railroad cars to transport liquid fuel from retired ballistic missiles, as well as incinerators to burn the fuel.

On September 2, the U.S. and Russia signed implementing agreements committing the United States to provide up to 75 million dollars' worth of assistance in building and operating a fissile material storage facility in Russia. Under the agreement, the United States will also provide up to 10 million dollars' worth of assistance to improve the control, physical protection, and accountability of civilian nuclear material in Russia.

The Nunn-Lugar funding for the facility, which will store plutonium derived from dismantled warheads, will help to pay for such items as light resistors, heating, ventilation, air conditioning, the electric power generation, a physical security system, fire alarm, and suppression systems. Once again, it is moneys that are not fungible or transferable to the building of any other system. The assistance for the control of Russian civilian nuclear materials is expected to include training and provision by the United States of computer software and hardware.

In summary, it would be very difficult, if not counterproductive, to seek to accomplish, through the Nunn-Lugar program, an objective such as prohibition on SS-25 modernization, that the United States did not seek, though indeed specifically exempted from the arms control negotiating process. Neither President Reagan nor President Bush sought to prohibit SS-25 modernization in the START I or START II treaties. Both saw the SS-25 as a more stabilizing force and sought to encourage single warhead ICBM's in lieu of destabilizing MIRV'd ICBM's.

START II prohibits MIRV'd ICBM's as the most threatening systems, leaving both sides with more stabilizing forces consisting of the SLBM's, heavy bombers and single warhead ICBM's.

Mr. President, the Nunn-Lugar legislation permits Russia to undertake modernization to meet its legitimate defense needs.

It will be cutting off our nose to spite our face if the United States were prevented from assisting the Russians in dismantling destabilizing systems like the SS-18's because they are modernizing the single-shot SS-25's.

The Nunn-Lugar program will accelerate the Russian rate of dismantling the old strategic systems and also provide assistance for the secure storage of fissile material from dismantled nuclear warheads.

Are we really willing to trade off the benefits of slowing or even preventing nuclear proliferation for the safer and secure storage of nuclear material in return for a dubious legislative effort to force the Russians to stop modernizing the SS-25?

The portion of Nunn-Lugar assistance allocated to Russia is unlikely to provide us with sufficient leverage to block a military program that is not limited by any arms control agreement and is deemed essential by the Russian military in meeting legitimate defense requirements.

The Senate needs to think long and hard about this kind of amendment. Russia and the Ukraine are beginning to make substantial progress on the disposition of nuclear weapons currently on Ukraine soil. The United States is poised to conclude Nunn-Lugar assistance agreements with the Ukraine and has started to help in destruction of strategic nuclear delivery vehicles on their soil and the disposition of liquid propellants.

In testimony before the Russian Parliament, the Russian military was supportive of START I and provisionally of START II, partly because the negotiated elimination of their SS-18's was compensated for in part by the ability to modernize the single warhead SS-25; and its desire during the end game of START II negotiations to preserve some of the SS-18's silos from destruction was motivated, in part, by the need to save money in housing the modernized single-shot SS-25's.

It is of no small importance that in acceding to the Russian desire to modify some SS-18 silos so they might house the single warhead SS-25, the United States secured the right to inspect and to verify silo modification processes.

In short, Mr. President, the difficulty with an all-or-nothing approach is the answer might just as easily be nothing. The object of the START negotiations was not the total denuclearization of the Soviet Union or the United States at that time. Had that been the case, I doubt whether the Senate would have consented to the START I treaty. Rather, the objective was to secure a greater degree of strategic stability at a lower level of armaments and risk.

In addition, the negotiations were designed to push the remaining systems not covered by START in a more stabilizing direction; that is, away from heavy MIRV systems and toward single warhead ICBM's. A degree of modification and modernization was not only permitted, it was to be encouraged in the interest of greater strategic stability.

In conclusion, Mr. President, we are moving ever closer to the formal implementation of the START I treaty. The Nunn-Lugar assistance programs have reached a new plateau with the conclusion of agreements on destruction of strategic nuclear delivery vehicles and the safe disposition of the propellants.

The Russian military gained newfound influence and power as a result of the support of President Yeltsin in the recent confrontation with the Parliament.

There is nothing to suggest that if United States assistance in dismantling Russian systems covered by START is restricted or abolished, the Russians will divert resources from their strategic modernization programs in order to compensate for the cutoff of United States assistance in dismantling nuclear systems they agreed to eliminate under START. Indeed, a cutoff or a significant reduction of Nunn-Lugar assistance could well result in a lessening Russian disposition to ratify START II, or even to fully implement START I.

The Russians have demonstrated a propensity to commence the dismantlement of treaty-covered items prior to the actual entry into force and implementation of START. I doubt that this propensity will survive a cutoff or a substantial cutback in the Nunn-Lugar assistance.

Mr. President, the bottom line is that Nunn-Lugar assistance is being offered to Russia and other States of the former Soviet Union not as a favor, but because it is in our own national interest to reduce sooner, rather than later, the nuclear threat facing the United States by the prompt and even accelerated safe and secure dismantlement of nuclear systems covered by the START treaties. That interest exists independent of any Russian modernization program, as long as that program is consistent with the arms control commitments and obligations of the Russian federation.

Having said all this, I, too, would be concerned for Russia to initiate the deployment of any new MIRV'd ICBM's. The START II treaty will ban either side from deploying land-based MIRV's, although it is important to remind ourselves that the Senate has yet to complete action on the START II treaty.

My difficulty with the specific language of the amendment presented by the distinguished Senator from Alaska is that it asks the President to certify a negative: That Russia is not doing something. Nevertheless, as an expression of an American interest in proceeding with the mutual de-MIRV'ing commitments contained in the START II treaty, I am prepared to discuss the amendment with the sponsor, if he is prepared to insert into the proviso some clarifying language with respect to activities of eligible recipients and their arms control commitments.

It is time to get on with the dismantlement of those systems covered by the START treaties, in part with Nunn-Lugar assistance rather than legislatively, to pressure the Russian military serving a major part of the strategic modernization program that has been permitted by the recent Russian-American arms control agreements and encouraged by us.

Mr. STEVENS. Mr. President, will the Senator yield for a question?

Mr. LUGAR. I yield.

Mr. STEVENS. I am delighted to have the comment of the Senator from Indiana. I await the words of my good friend from Georgia.

The draft of the language that was suggested by the Senator's staff to our staff was the insertion of language which would make this into a new type of road mobile or fixed ICBM, contrary to the recent contribution under the relevant arms control agreements.

My question is this, and I believe the Senator will agree with me: There is no restriction in any existing agreement against the research, the development, and the production of any new MIRV'd ICBM, is there?

Mr. LUGAR. I am unaware of any.

Mr. STEVENS. There is no such restriction. In other words, the language the Senator's staff suggested makes my amendment just worthless.

Has the Senator some suggestion? I do not like the feeling of having the Senator from Indiana and the Senator from Georgia, with whom I worked on arms control matters so long, react to this amendment. I will be happy to discuss this.

The Senator has indicated he is willing to make a change that would eliminate the problem he suggests.

As I walked out of here—I had a call to my office—the Senator was speaking; I apologize for that. But another Senator said to me: "You know, this is a matter of employment. The Russians are just keeping people employed."

It is not just keeping people employed, to this Senator, if they are making a new ICBM, modernized, as the Russian general indicated, with highly mobile maneuverability, lower trajectory, and already a more awesome weapon. And he said it was MIRV'd. I understand what the Senator says.

I do not like to put the President in the position of certifying a negative, either. I ask the Senator: How does he do it? I think the spirit of the relationship that I thought we had with the Russians was that neither one of us was going to increase the threat.

If that general is right, they are increasing the threat, as far as this Senator is concerned, and Westerners are concerned, because they are doing it over in eastern Russia. They are not doing it in western Russia. That is my point.

Mr. LUGAR. Mr. President, if I may respond to the Senator's question, I expressed agreement in my statement that if, in fact, production or development of MIRV'd SS-25's was enforced, not only would the Senator from Alaska be concerned, but certainly the Senator from Indiana would be; we all would be. In fact, I quoted from the Nunn-Lugar amendment language which is the law of the land now that simply says that under those circumstances, no moneys can go to Russia, or any of them.

In other words, what I suppose I am attempting to divine is the importance of the amendment of the Senator from Alaska as to how it differs from current law, because we have no disagreement over development of MIRV's.

My point is that if, in fact, the Senator's amendment may somehow restrict Nunn-Lugar funds to dismantle current SS-18's which are MIRV'd, then that is not a very good objective. At least, this Senator has not seen evidence that the Russian are developing MIRV'd SS-25's, despite the report the Senator has cited.

The PRESIDING OFFICER. The Senator from Georgia [Senator NUNN], is recognized.

Mr. NUNN. Mr. President, first, let me say that I agree with the analysis of the Senator from Indiana. But I also would like to add that the Senator from Alaska certainly has raised a question that all of us need to be concerned with.

I agree with the Senator from Indiana that we need to be very careful before we send a message to Russia, particularly the Russian military, we are trying to use Nunn-Lugar funding to achieve something we never have ever achieved in arms control negotiation, because there are already deep suspicions in some elements of the Russian military about our motives in assisting them in getting rid of their weapons.

Well, obviously, we think it is in our interest to help them get rid of their weapons in a safe way. In fact, I happen to believe this may be one of the most important national security issues our country faces now and will face for the next 5 to 10 years.

But the specific amendment that has been offered by the Senator from Alaska, as I understand it, if I have the right copy of it, would require:

> That none of the funds appropriated under this heading may be expended or transferred to an eligible recipient state until fifteen days after the President certifies to the Congress that the proposed eligible recipient is not currently engaged in the fabrication and construction of new road mobile or fixed-site land based intercontinental ballistic missiles armed with multiple nuclear re-entry vehicles.

Mr. President, first, I would say that, based on the information I now have, the President could make this certification. But I do believe it would be in the interest of all of us to work carefully with the Senator from Alaska to see if we can construct language here that would reflect concern but not come to conclusions about what the Russians may or may not be doing.

The Senator from Alaska was kind enough to give me a summary of a seminar that was held, I believe, in Washington in the spring. As I read this summary, the statement about MIRV'd SS-25 missiles was not made by a Russian general but was, rather, made by a Russian journalist. The journalist was a defense writer and editor of the Russian newspaper "Today."

Nevertheless, I felt it was of sufficient concern to check with the Central Intelligence Agency. I believe the Senator from Alaska has a copy of the letter, dated October 18, I received from the Director of Congressional Affairs for the CIA. I would like to read that into the RECORD.

I am not sure whether the Senator from Indiana has seen a copy. I will send a copy to him so he can view it, too. I believe the Senator from Alaska has a copy.

Mr. STEVENS. Will the Senator yield?

Mr. NUNN. I am glad to yield.

Mr. STEVENS. I want to say to my friend from Georgia that the Senator from Georgia is correct concerning the one statement which was from Felgenhauer. It was pointed out in the note that there were three senior generals and the deputy chairman of the Russian State Committee on Defense who were there at the time that Felgenhauer made his specific comment concerning a new multiwarhead, silo-based ICBM under development.

It was General Batenin, a Russian major general, who made the statement that there was a new ICBM, that:

> It is not necessary to replace the SS-25 as yet. We plan to continue producing about ten per month, he said, but may have to reduce that. The missile that we call universal is not a new missile but only an upgrade. We are changing some characteristics of the SS-25—its ballistic trajectory and angle of flight. It will be given a low-flying capability. It will have a maneuverable warhead. More throw weight.

Now, that is the confirmation of the military that there is an upgrade of SS-25 being made. We are talking about the development of a MIRV'd weapon, in my mind, and I mention that to make sure we are not talking about the single warhead, which I am sure the Senator from Georgia and this Senator both support the concept of a builddown.

But what bothers me is the feeling throughout the conference that I have referred to with the summaries I put in the RECORD that you have seen. I say to the Senator from Georgia that indicates that there is constant modernization going on in the strategic missile force of the Soviet Union. And while the START agreements do not prohibit the development and production of a new weapon of that type, I believe that our assistance to them is based upon their compliance with the spirit of START, which is a builddown, not a buildup, as far as the maneuverability, the capability of their missile system.

I would call the attention of the Senator to the comment that was made concerning the allocation of resources, for instance, in terms of the Russian system with regard to the level of support that that system is receiving now, which is greater than the Soviets provided, the missile system that they now have, a higher level of support.

And I am looking for that one quote, if you will give me just a moment.

Mr. NUNN. Will the Senator allow me just to read into the RECORD this letter from the CIA, and I will come right back and yield to him again.

Mr. STEVENS. Yes, I will. I have not found it yet. I will be back with my quote.

Mr. NUNN. Mr. President, this letter from the CIA goes directly to the question of MIRV'd missiles, with the multiple warheads being put on the SS-25, as alleged by a journalist at this seminar, not the general. The general, as the Senator from Alaska just mentioned, has stated they were upgrading the SS-25.

But I have to say, Mr. President, that would be the best deal we ever got if they upgrade the SS-25 to keep it a single warhead and get rid of the MIRV'd missiles. I do not think we are asking the Russians to give up all their missiles. We are saying we want you to get rid of the multiple-warhead missiles. And if we say to them, in addition to that, they are not going to be permitted by the Congress to have an SS-25 upgrade, that is still a single-warhead missile, then I am afraid their response will be, OK, if you do not want us to have a single-warhead missile, we will go back to the MIRV's; we will not get rid of them. Yet that has been our goal for the last 10 or 15 years.

I would prefer the Russians not build any more missiles, but I do not believe we can use Nunn-Lugar money to leverage something that has not been achievable in arms control.

This letter goes directly to the MIRV'd missiles. It is dated October 18, 1993. This was a reply to my inquiry of the CIA. It says:

> DEAR MR. CHAIRMAN: In response to your questions concerning the allegations by a Russian journalist that Russia is developing a new multi-warhead silo-based ICBM, our information indicates that the Russians are in the process of developing a modified version of the single-RV, road mobile SS-25 class ICBM that will be deployed in both a silo-based and a mobile-version. The Russians have provided the United States with information on both the missile and drawings of the silo modifications. Prior to START, the Russians may have been developing a MIRVed version of the missile. All our recent information points to the fact that both the silo-based and mobile versions of this modified S-25 class missile will be armed with a single RV.

This letter is signed by Stanley M. Moskowitz, who is the CIA's Director of Congressional Affairs.

Mr. President, this does not mean that we should not continue to follow these matters with great interest and with concern and make sure that all of our monitoring is such that we know if there are efforts to put on MIRV'd warheads, because, as the Senator from Alaska said, this would violate the spirit of the START II agreement, even though that agreement has not yet entered into force.

But I do think we have to be very careful about having amendments that seem to assert something is going on in this regard when really all the information we have in our Government is that that is not the case.

I hope we can work with the Senator from Alaska in, perhaps, modifying his amendment to some extent so it would reflect this legitimate concern about the SS-25 and the modernization overall and get some kind of report from the President on this subject. I do not believe we ought to agree to the amendment as it is now constructed, but I would be pleased to work with the Senator from Alaska and the Senator from Indiana to that end.

I also would like to reaffirm something the Senator from Indiana said. The Nunn-Lugar legislation, at the very beginning to the present, requires an annual certification by the President that each recipient—and this would include Russia—is not modernizing strategic weapons beyond legitimate defensive requirements and is adhering to its arms control commitments.

While the Senator from Alaska is correct that the START II agreement has not yet entered into force, I would think any President would certainly note with alarm any development in Russia that would, basically, contravene the basic element of START II, even though it has not been ratified. And that would certainly include if any information came to our intelligence community or otherwise came to the attention of the President that there was a MIRV'ing effort underway on the SS–25. I think that would certainly contradict the spirit of START II and I would think it would preclude the President, if he came to that conclusion, from certifying to us that they are only developing things that meet their legitimate defensive requirements and are adhering to their arms-control commitments.

I might also say that this question of the Russians continuing to spend money on their defense needs as they view them is of concern to all of us. It is a concern to all of us who want Russia to succeed in converting to a market economy and a democracy and participating in the family of nations. This pertains not simply to Nunn-Lugar money, it pertains to all economic aid.

The problem, as we all know, is the Russians are addicted to military production. They have cut back dramatically. They have cut back about 75 percent of all their military production. But they are continuing to emphasize some of their nuclear developments, without any doubt. That is about all that they have left, in terms of being a superpower. It also is a source of employment in Russia, given the bad shape of the Russian economy.

I think we ought to emphasize for the record here that the Nunn-Lugar money has certain restrictions beyond what I have already related.

No. 1, this legislation, which was sponsored by Senator LUGAR, Senator WARNER, Senator DOMENICI, myself, Senator BOREN and others in 1991, had in mind the kind of concern expressed by the senior Senator from Alaska. We required that a recipient of the Nunn-Lugar assistance must facilitate U.S. monitoring of all Nunn-Lugar-funded programs. We required a recipient must not use fissile material and other weapons components from dismantled weapons in new weapons. We also required that to the extent feasible, Nunn-Lugar funding should go to U.S. firms and U.S. technology.

That, in fact, has happened to date. Nunn-Lugar funding has been used primarily to provide Russia with Kevlar blankets manufactured in the United States, with fissile-material-monitoring technology produced in the United States, with high-technology containers for fissile material produced in the United States, with specialized equipment for destroying missile launchers that is produced in the United States.

These are priorities that make sense from Russia's point of view and from our point of view. If the Russians engage in a large military buildup at any time in the future, we certainly would have to reexamine the basic premise, not only of this program but also of the entire economic assistance program.

However, to date, there is really no indication that this has happened, although there is indication they are continuing to give high priority to their nuclear program and particularly giving high priority to those programs that are going to replace the MIRV'd missiles that they are getting rid of or plan to get rid of under the START II agreement.

I want to emphasize again, Mr. President, that for a long time this country had the goal of getting the Russians to give up their multiple warhead missiles and to go to a single warhead missile for a lot of reasons, but mainly because those multiple warhead missiles are much more of an offensive threat. They particularly lend themselves to a surprise attack. And they make our own retaliatory capability much more vulnerable.

The theory has always been and still is that a single warhead missile, when targeted against other single warhead missiles in this country, would not provide the country firing first with a significant advantage. However, MIRV'd missiles are much more dangerous offensively and also much more tempting targets for preemptive attack because they have tremendous offensive power.

I hope the Senator from Indiana and I would be able to discuss this with the Senator from Alaska and determine if we can express his legitimate concern in an amendment that is somewhat modified from the present pending amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

Mr. STEVENS. Mr. President, I obviously would be pleased to work with the Senator from Indiana and the Senator from Georgia. I want to point out, though, in the CIA letter, as I understand it, they have expressed the situation as I understand it, that prior to START the Russians may have been developing a MIRV'd version of the missile. That was the statement.

I understand the authorization legislation is, as the Senators from Georgia and Indiana have both indicated, designed to try to make certain that what I believe is happening should not happen; that is that the Russians are modernizing their strategic force while we are decreasing our spending on our strategic force. At the meeting I attended, that I previously discussed, when the subject came up I was very surprised. I found at least two of the gentlemen there had spent several months this past year in Russia and came away with a feeling that everybody knows that Russia is building a new MIRV'd ICBM.

It is a fact that the last information we have about the Russian strategic nuclear force is that in 1989—those are the last figures I have, the authorization committee may have later figures—during the Gorbachev regime, at the height of the Gorbachev regime, there was a deployment of 100 new ICBM's.

They had a robust development period going on. We added no ICBM's during that period and we added no new bombers. They had several new bombers and 100 new ICBM's. In the period of just last winter it was reported the Russians are now testing four new ICBM's.

I would only reiterate what I have said, and I think the Senator from Georgia said it: If in fact the CIA has the capability of producing the information, the President could very easily certify, if it is so, that they are not. However, the group that I was with, all of whom are very distinguished students of the Soviet and Russian system, indicated a strong belief that there was in fact a modernization going on over there in their strategic force that we did not know about.

My objective here is twofold. One is to raise the issue and get the Senate, particularly our arms control group, to think about what is happening if, as a result of our making this money available to Russia to meet some of their costs of complying with the START agreements, Russia is able to free up money to increase the status of their strategic force, while we have to cut the moneys—and this bill does cut the money for our strategic force. Then I think we are shooting ourself in the foot.

Again, I point out—this is what I was looking for—again, it was a reporter and editor of Today, "Segodnya," a Russian publication. He is their No. 1 defense writer, acknowledged by the CIA and others as being their No. 1 defense writer.

He says the strategic rocket force has preferential treatment. Eighty percent of their ranks are filled. Their combat readiness is the highest of the Russian military. And he is the one who reported that there is a new, multiple warhead silo-based ICBM under development.

That violates the existing law. That violates Nunn-Lugar, I believe.

I ask my friends from Georgia and Indiana, if what the editor of the Russian Today magazine says, that the Russians are in fact developing a new multiple warhead silo-based ICBM, that violates the Nunn-Lugar provisions now? Does it not?

Mr. NUNN. I believe it does in two different ways. One is, when you sign an arms control agreement, even though it has not been ratified, it carries with it certain international obligations to comply. So it is beyond simply the spirit. There are international obligations that flow.

Also, under the Nunn-Lugar legislation, I will say to my friend from Alaska, I do not remember the exact words—I quoted them a moment ago—where the President has to say not only are they complying with arms control agreements, but they are not spending their money on things that go far beyond for what they need for defensive purposes.

I think under either one of those he would have to alert us to this. I would think the President himself and the administration would be very alarmed if this allegation proves to be accurate.

Mr. STEVENS. I join the Senator. My purpose is to raise that alarm, to see if these people who reported to us are correct. The problem is, as I understand the Nunn-Lugar legislation, there is no triggering device in there. There is nothing that says cut off this money if you find A, B, C, D or E.

If the Senator wants to turn this around and, instead of dealing with a negative, say that if the President finds that the CIA should make a report and based on that report the President finds any of these conditions exist, then the moneys cannot be spent, I am willing to go that way. I do not want to put the President in a position of certifying a negative. Obviously, the CIA cannot prove a negative. But the CIA can have a report to show the President whether or not the conditions that the Nunn-Lugar legislation presumed, and I think the spirit of the START agreements presumed, and I think the Senate believes are no longer prevailing, then I do not think we should give them the money.

It does seem to me someone ought to raise the question and get it to the level of some sort of review that says: What are they doing in terms of this money?

This one report about the extension of a line of credit for 3.5 trillion rubles to the military. I am told that was some $35 billion at the time that line of credit was opened. That is a substantial amount of money to flow to the military at the time when the three of us were in Russia and we had reports of starving, of real unemployment, of lines being formed and seeking assistance.

I do not think we ought to drive their economy, but we certainly ought not to allow our moneys to be used to pay for bills in a manner that frees up more money to go into modernization at a time we have to cut our modernization in order to provide that money.

Mr. LUGAR. If the Senator will yield for a moment, the Senator makes a constructive suggestion in terms of the President alerting us. It appears to me that under the Nunn-Lugar legislation, every year there has to be a certification. So there is a triggering, in essence, of an annual examination. Beyond that, the Senator makes a good point. If the President of the United States finds they are producing MIRV's, SS-25 MIRV's, then that ought to trigger instantly the prohibitions of the Nunn-Lugar amendment.

Mr. STEVENS. I will be happy to work with the two Senators on that basis. My feeling is this: This group of distinguished people came to us. And I see the distinguished minority leader is on the floor now, Senator Dole. We listened, and I might say, with some great surprise at their conclusions based upon their personal examination. I asked at that time, and Senator Dole subsequently received a further series of quotes and backup information that led them to their conclusions.

If the Senator wishes to have our staffs work up an amendment which is positive rather than certifying a negative, I am entirely in accord with that. I just think somehow someone ought to be telling the CIA and the Department of Defense: "You ought to listen to some people." If these people have been over there 6 months and come back and tell us the Russians are producing a MIRV'd ICBM, someone ought to be listening to them.

That is my purpose here is to see to it and, by the way, I have with me three of the publications that come from this group that we listened to. It is the Global Affairs publication. I found the one, in particular, that dealt with the printing of the report of the International Security Council conference, from which I have quoted, to be very, very illuminating as far as the attitude of some of these people concerned about the extent of the modernization of the Soviet rocket force.

Mr. LUGAR. I will just indicate for the distinguished Senator, Senator Nunn and I will be happy through our staffs to work with the distinguished Senator's staff. I think we can fashion something that brings this alert and achieves the Senator's purpose.

Mr. NUNN. I share that, and I will be glad to work with the Senator.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BOXER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, I ask that the pending amendments, that is, the committee amendment and then the two other amendments, be set aside for the purpose of Senator BROWN presenting four amendments. I believe that some of them may be capable of being accepted without a vote, and unless there is objection from the manager of the bill, Senator BROWN would like to present his four all in one sequence. There is no objection to that as far as I am concerned.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

AMENDMENT NO. 1053

(Purpose: To express the sense of Congress that Somalia should be treated as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986)

Mr. BROWN. Madam President, I rise to offer an amendment. I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 1053.

Mr. BROWN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, add the following new section—

"SEC. . (a) It is the sense of the Congress that, for purposes of section 112 of the Internal Revenue Code of 1986, the President should declare that service in Somalia during the period described in subsection (b) should be treated as service in a combat zone.

(b) The period referred to in subsection (a) is the period beginning on December 10, 1992, and ending on the date on which withdrawal from Somalia of all forces of the Armed Forces of the United States in Somalia has been completed, as declared in a proclamation issued by the President.

Mr. BROWN. Madam President, the amendment is a sense of the Senate. It is not an attempt to change statutes. But the concern lies with the designation of Somalia as a combat zone.

As I think Senators are well aware, there is a provision in our Tax Code that offers special tax treatment for those military personnel who serve in a combat zone, specifically section 112 of the Internal Revenue Code of 1986. This provides assistance primarily for enlisted personnel, although it does apply in some areas to commissioned officers. And it provides some tax relief for those who serve in that area.

Currently, we have 30 who have died in Somalia with 170 wounded. While those numbers are not huge in terms of our conflicts, they are significant in terms of proportion of personnel that have been deployed there. At the height of deployment, over 26,000 Americans were overseas in that combat zone. By November 7, the Pentagon now estimates that 20,715 Americans will be on their way to or in Somalia. We have had one POW, who, thankfully, has been returned.

Madam President, I offer this amendment because I think the combat zone application in my mind does apply to this area. It is a way not only of providing assistance that exists in our tax law for those who have served our country so nobly but also recognizes those people. The tax-exempt status applies to the first $500 of gross income, so it is not major. But psychologically, I think it is very important to recognize the men and women who served our country in this troubled part of the world.

This, as I have said, is a sense of the Senate. It is not an attempt to legislate. It does leave the decision in the executive, but I think the Senate by going on record lays a foundation for the executive to recognize these young men and women who serve us so well.

Mr. INOUYE. Madam President, I am pleased to speak in behalf of Senator STEVENS and myself, and we are prepared to accept this sense-of-the-Senate amendment. We think it is quite overdue.

If the Senator from Colorado will yield, is it not true that we provided the same treatment, IRS treatment, to those men and women who served in Desert Storm?

Mr. BROWN. I believe that is correct. It did apply to those who served in Desert Storm, and as the Senator knows, some have served in Somalia a greater period of time than those in Desert Storm.

Mr. INOUYE. If those men and women in Desert Storm had this treatment, then the men and women in Somalia should get the same thing.

So we have no further discussion, Madam President. We are ready to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Without objection, the amendment is agreed to.

So the amendment (No. 1053) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote.

Mr. BROWN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1054

(Purpose: To require the Secretary of Defense to submit to Congress an annual report on the cost to the United States of transporting supplies for the Army, Navy, Air Force, or Marine Corps by sea on vessels of the United States or belonging to the United States pursuant to section 2631 of title 10, United States Code)

Mr. BROWN. Madam President, I rise to send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 1054.

Mr. BROWN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. The Secretary of Defense shall submit to Congress an annual report containing information on the cost of the United States of transporting supplies for the Army, Navy, Air Force, or Marine Corps by sea on vessels of the United States or belonging to the United States pursuant to section 2631 of title 10, United States Code, including the amount of the cost savings that could have been realized if such supplies had been transported at competitive international shipping rates available from non-cargo-preference vessels. The annual report shall cover a cargo preference year which shall be a 12-month period defined by the Secretary.

Mr. BROWN. Madam President, the subject of cargo preference is one that this Chamber has debated on a number of occasions. I think the Chamber has made its feelings clear on it.

While I would prefer not to have cargo preference, it is clear that the majority of Members do wish some sort of cargo preference. I know that the administration is at this point studying alternative ways to effect assistance to our merchant marine and ensure that we have adequate sea transportation in times of crisis, which has been the basic reason for cargo preference.

We found in researching the issue that the Defense Department simply was unable to come up with the cost of cargo preference. They did not keep accounts in a way that allowed them to identify the cost that was involved in this particular program. As strange as it sounds, we literally have a program that has a significant impact on the taxpayers where the books simply do not reveal how much is involved in it. Whether you like cargo preference or have concerns about it, as I do, it seems to me it is in our interests to know what is involved here.

It appears that it is a multimillion dollar program each year of enormous significance. My belief is that the administration will find alternatives to cargo preference, or at least modifications that will allow them to improve the effectiveness of the program.

As all Members are aware, cargo preference, while it has been in existence, has seen a rapid drop in the number of American-flag vessels, thus the stated purpose of cargo preference has not been achieved, that is, of preserving a viable merchant marine for times of emergency. All that is a way of saying whether you like cargo preference or do not like it, there may well be efficient, effective ways to improve the program and modern size it.

Yet the foundation of that, the basis of that, is knowing how much the program costs. This amendment is quite straightforward. It simply requires the Secretary of Defense to submit an annual report on the cost. It will give us the information that I think is needed to modify or improve the program. It is simply calling for a report on the cost of this program on an annual basis.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, the managers of the bill would appreciate it if we could have some time to prepare a modification of this measure if that is OK with the Senator. May we set this aside temporarily?

Mr. BROWN. Madam President, I ask unanimous consent that this amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1055

(Purpose: To express the sense of the Senate concerning hearings on the commitment of U.S. troops in Somalia)

Mr. BROWN. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 1055.

Mr. BROWN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, add the following new section—

"SEC. . CONGRESSIONAL HEARINGS ON THE COMMITMENT OF UNITED STATES TROOPS IN SOMALIA AND HAITI.

(a) FINDINGS.—

(1) Public hearings are essential in ensuring broad-based understanding of and support for United States policies;

(2) Since United States troops were committed in Somalia, the original humanitarian mission has been significantly expanded to include nation-building, as evidenced in United Nations Security Council Resolution 814;

(3) Since the commitment of United States troops in Somalia, the Senate of the United States has received only update briefings or has held closed hearings on United States actions there and has held only one public hearing;

(4) To date, thirty United States troops have lost their lives since United States troops were committed in Somalia;

(5) Since the most recent disaster where 18 Americans lost their lives, 76 were wounded and 1 was captured, the President has announced his intention to commit several thousand additional United States troops;

(6) Six American warships sit off the coast of Haiti and six hundred Americans wait to be deployed as part of a United Nations peacekeeping force.

(b) SENSE OF SENATE.—It is the Sense of the Senate that—

(1) the appropriate committees of the Senate should hold public hearings at the earliest practical date with the Secretaries of State and Defense as witnesses on the commitment of United States troops in Somalia and Haiti as members of the United Nations peacekeeping force; and

(2) the appropriate committees should promptly hold investigative, public hearings on the October 3, 1993, incident in Mogadishu, Somalia in which 17 American soldiers were killed and at least 76 were wounded as part of the United Nations peacekeeping operation.

Mr. BROWN. Madam President, the amendment is a sense of the Senate that hearings should be held on Somalia. There are two provisions in the resolve clause; one that asks for hearings, and a second provision that specifically urges an inquiry into the events of October 3 where 17 Americans lost their lives.

This amendment is offered out of my concern that we have not had the proper inquiry from the Senate's point of view into the events in Somalia. This is a concern that existed for 9 to 10 months, starting with the Bush administration.

Early, when President Bush asked for or announced his plans to send troops to Somalia, I asked for hearings in the Foreign Relations Committee. One such request was turned down, but another was honored. Hearings were scheduled. And the Bush administration, the day before the hearings were scheduled, sent up a request that they be canceled, that they were not available. Thus, we went ahead with this major deployment without hearings, and most important, I think, without getting a clear handle on what it was the U.S. plan would be and what we would be doing there.

Unfortunately, this has proceeded on. We have had very great difficulty in having the Secretary of State come to the Foreign Relations Committee. It is my understanding that the Armed Services Committee has not yet had an open hearing on this subject. This amendment before us would not mandate their appearance, would not force the committees to have hearings. But it would at least have us on record with a sense of the Senate that those hearings ought to be done.

I see them as fulfilling our primarily constitutional requirement in this area. That is to make sure we know and understand what the plans are and, most importantly, I hope, help us ensure that we will not go ahead with deployment of U.S. troops in combat areas without a clear, discernible mission.

Madam President, I ask unanimous consent to have printed in the RECORD letters pertaining to this matter.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, December 1, 1992.

Hon. CLAIBORNE PELL,
Chairman, Senate Foreign Relations Committee, Washington, DC.
Hon. JESSE HELMS,
Ranking Member, Senate Foreign Relations Committee, Washington, DC.

DEAR MR. CHAIRMAN AND SENATOR HELMS: The situation in Somalia is tragic. The country is filled with thousands of armed bandits and dozens of Somali warlords. There is no civil authority and no government. Many have described it as a country in utter chaos. The result is extreme suffering by the Somali people.

The great tragedy unfolding in Somalia is one that the American people strongly empathize with. The U.S. must continue its humanitarian efforts there. However, it would be a mistake to send U.S. combat forces to Somalia without a clearly defined military mission or without the strong support of the American people. Any decision to commit America's brave servicemen and women must have the full and complete backing of our nation.

In other conflicts in our country's modern history, our troops were committed without the full support of the American people. I am convinced that one of the reasons for the great success of Operation Desert Storm was the large volume of national support.

Consequently, it is imperative that our Committee convene hearings at the earliest opportunity to understand current plans for U.S. forces in Somalia and to explore other possible alternatives. Congress must not abrogate its responsibility to be intimately involved in the commitment of American troops to conflict situations.

Please feel free to contact me if I can be any assistance in ensuring our Committee's earliest action.

Sincerely,

HANK BROWN,
U.S Senator.

U.S. SENATE,
Washington, DC, February 25, 1993.

Hon. CLAIBORNE PELL,
Chairman, Senate Foreign Relations Committee, Washington, DC.
Hon. JESSE HELMS,
Ranking Member, Senate Foreign Relations Committee, Washington, DC.

DEAR MR. CHAIRMAN AND SENATOR HELMS: The great tragedy in Somalia is one with which the American people strongly empathize. Our humanitarian efforts have greatly helped these starving men, women and children. Yet, our troops still remain in Somalia without the benefit of a clear American policy propounded by the Administration or a Congress that has carefully reviewed that policy.

The recent reports of riots in Somalia directed against the American troops there underscore the need for the active support of the American people for our military men and women who are in Somalia. In addition, their willingness to sacrifice their lives demands that we provide a set of clear goals that outline when our troops have accomplished their mission.

It is us, the Nation's legislators together with the country's policymakers, who must take the lead in defining our mission in Somalia. To date, our Committee has held no hearings nor marked up any legislation on this vital issue.

With events there deteriorating, it is imperative that our Committee convene hearings at the earliest opportunity. The goal of these hearings must be a clear exposition of current plans for U.S. forces in Somalia. As mentioned in my December 1, 1992 request for hearings on this same subject, we in Congress must not abrogate our responsibility to be intimately involved in the commitment of American troops.

Please feel free to contact me if I can be of any assistance in ensuring our Committee's earliest action.

Sincerely,

HANK BROWN,
U.S. Senator.

U.S. SENATE,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, March 9, 1993.

Hon. HANK BROWN,
U.S. Senate, Washington, DC.

DEAR HANK: Thank you for your letter concerning the situation in Somalia.

The Senate, as you know, has acted on a resolution authorizing the U.S. military presence in Somalia, and it is my understanding that the goal is to turn over ongoing responsibilities to a U.N. force by May 1. Unless something goes awry between now and May 1, I am satisfied that the U.S. role has been satisfactorily defined and limited.

I am, however, concerned that the Somalia operation may serve as a precedent for other interventions. Consequently, I am giving thought to holding a hearing on Somalia as a case study for intervention in disintegrating nation states. I would welcome any thoughts you may have on that subject.

With every good wish.

Sincerely,

CLAIBORNE PELL,
Chairman.

U.S. SENATE,
Washington, DC, October 6, 1993.

Hon. CLAIBORNE PELL,
Chairman, Senate Foreign Relations Committee, Washington, DC.

DEAR MR. CHAIRMAN: More than nine months ago, I wrote asking that our committee hold extensive hearings before U.S. combat troops were committed to Somalia. Instead, we were provided numerous closed-door briefings.

A few months later, I again wrote asking that we hold extensive hearings. Nonetheless, not until July, 1993 did our committee hold a public hearing on the commitment of U.S. troops to Somalia. Only an Undersecretary of State and the Director of Operations for the Joint Staff testified. Neither the Secretary of Defense nor the Secretary of State has appeared before the Senate to specifically discuss the commitment of American troops in Somalia.

Today, some of America's finest young men and women are risking their lives for our Nation in Somalia. Without a full, public vetting of the many complex issues concerned with the commitment of U.S. troops and without clear authorization by the Congress, the early euphoria for a humanitarian commitment in Somalia has evaporated.

We owe these young men and women and their families a full, public debate of our commitment in Somalia. Such a debate rightly should begin in our Committee with a hearing attended by the Secretaries of State and Defense.

Please let me know what I can do to assist in scheduling extensive hearings on Somalia at the earliest opportunity.

Sincerely,

HANK BROWN,
U.S. Senator.

Mr. BROWN. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, the managers have studied the amendment and we find no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1055) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote.

Mr. BROWN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, the debate in the Senate today on the fiscal year 1994 Defense appropriations bill takes place at a time of crisis in many areas of the world.

The debate in the Senate today is not about just another defense bill. The importance of this bill increases in the context of post-cold war global instability, as seen in Somalia, the Balkans, and Haiti, and the potential threat of proliferation of weapons of mass destruction. The decisions the Congress makes today will determine the ability of this Nation in the future to play an effective role in world affairs and to protect our own security and that of our friends and allies.

Of particular importance, then, are the decisions of this body as we attempt to reconcile our local and special interests with our legitimate national security needs—all within the limited dollars of a declining defense budget. We have entered a time when every special request, every special interest item, every bit of pork, can only come at the expense of direct national security requirements of the United States.

Even in this time of uncertainty, we continue to cut the defense budget and the military forces of this Nation. Real defense spending has been cut steadily every year since fiscal year 1985. According to a recent estimate by the Congressional Research Service, we have cut defense spending, in constant 1994 dollars, from $388 billion, in fiscal year 1985 to $278 billion in fiscal year 1993. We plan to cut the defense budget to $263 billion this year.

During last year's Presidential campaign, then-candidate Clinton pledged to cut the defense budget by $60 billion over 5 years. Now, the defense plan submitted to Congress earlier this year projects cuts which are nearly double that amount. The Clinton administration plans to cut spending to $234.1 billion by fiscal 1998. This is a total cut in real defense spending of roughly 43 percent—in only slightly more than a decade.

Because of these huge funding cuts, we are forcing hundreds of thousands of men and women out of the military. Our defense industrial base is being cut to the bone. We are accepting compromise after compromise in our military capabilities. The United States has eliminated all programs to modernize our strategic deterrent forces, even though a great degree of uncertainty exists as to the status of such programs in the former Soviet Union. We are cutting readiness, and some aspects of our forces are rapidly becoming hollow. We have already taken our peace dividend. There are no spoils left for the Congress to divide.

The new strategy and force posture just announced by the Clinton administration represents the first try in an attempt to deal with some of these problems.

Yet there is a very serious problem in the Bottom-Up Review—namely, dollars. Even if the Congress never spent one dime of the defense budget on pork and special interests, we could not afford to pay for the force posture called for in the Bottom-Up Review with the funds that the Clinton administration has allocated in its future years defense plan [FYDP].

Secretary Aspin himself has already admitted that his program is underfunded by $13 billion in the Clinton future years defense plan. But this shortfall increases to $38 billion as soon as we consider the fact that the Congress has already reversed President Clinton's pay freeze and money will have to be found to pay for the congressionally mandated pay raise. The shortfall grows to $78 billion when we add in the cost of unrealistic savings assumed from procurement and management reform.

This funding shortfall, however, is only the tip of the iceberg.

I have a very strong suspicion that, if the experts in the Office of Management and Budget or in the DOD Comptroller's Office were free to speak, they would agree that the force structure in the Bottom-Up Review, if properly costed, would require at least $100 billion more outlays over the future years defense plan than are currently programmed. I urge President Clinton to seek the advice of these experts in his administration and plan ahead to set aside sufficient funding to ensure our Nation's security.

Yet, consider the appropriations bill we are now debating. Money that is vitally needed for defense programs goes to special interests, foreign aid, and programs that have nothing to do with defense at all. This is not a new problem. Nor is it solely the fault of the Congress; the President's budget requested funding for foreign aid and peacekeeping programs in the defense budget. And I should also note that this is not a problem exclusive to the defense budget. Madam President, I trust that my colleagues have seen an article carried in the Washington Post on Sunday, October 10, 1993, which criticized the practice of congressional earmarks of Federal tax dollars for special interest projects. The article provides additional background for the points I am making today. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 10, 1993]

FUNDS FROM FRIENDS IN HIGH PLACES

(By Mary Jordan)

ANCHORAGE.—Near neat rows of colorful single-engine planes here is a small beige aviation building that is angering scientists, federal agencies, even Vice President Gore.

The Federal Aviation Administration—despite begging not to have to spend government money this way—must pay $6.8 million to remodel it. Scientists rant that this shows how American scientific research increasingly depends not on what you know, but which member of Congress you know. Gore railed against the expenditure in his report on government waste. His recommendation: "Terminate it."

Nonetheless, a taxpayer-funded Airway Science Program for University of Alaska students will soon be taught inside the building, thanks to the growing practice of "earmarking" academic grants by a group of powerful members of Congress.

"It's robbery. I don't know what else to call it," said Joe B. Wyatt, chancellor of Vanderbilt University and chairman of the Association of American Universities. "There is a new recognition among scientists that this is not free money going to these midnight, earmarked projects. . . . It's money coming right out of competitive science funding."

Earmarked projects win approval not by a public evaluation of their merits but by an influential member of Congress adding a sentence or two to the fine print of a spending bill. Often, only the sponsor knows the funding is in the bill when Congress approve it, that is, until it is time for the groundbreaking ceremony back home. A cabal of House and Senate members on the Appropriations committees who have the best access to changing the fine print of spending bills are responsible for most of the money that is spent this way.

Federal academic grants are intended to advance scholarly research, but when they are approved through earmarkings, they can fund such parochial projects as a new college program in Alaska, a food marketing center in Pennsylvania and a planetarium for a small town in Michigan.

While Congress long has used earmarkings, or "pork politics," to secure highways, bridges and other pet projects, earmarking is a 1980s and '90s phenomenon when it comes to scientific and academic research. One of the reasons the United States excels in academic research, scholars say, is because the money for it is awarded in a peer review process.

Under peer review, the agency spending the money selects a panel of independent experts to evaluate a proposal. The panel looks at the proposal's scientific merits and the qualifications of those proposing it.

This never occurs in earmarking. Rather, as in this case, Sen. Ted Stevens (R-Alaska) simply makes certain that $6.8 million is set aside for the Alaska Airway Science program in an FAA appropriations bill. That then diminishes FAA's pool of available money for projects that won approval on their merits.

"It's a good use of money for the nation," Stevens said of the $6.8 million to get a new Airway Science Program off the ground in his state.

AUDITORS DISAGREE

But outside auditors conclude it is not. In May, the Department of Transportation's inspector general said the program, already located at 37 schools, has "not achieved its objective." It was started in 1982, in the wake of the air traffic controllers strike, to bring well-trained young people to the field.

The inspector general's office found that between 1983 and 1989, the FAA hired more than 8,000 people, yet only 41 of them were Airway Science graduates.

That means that the government—which has so far spend more than $100 million on this program nationally—paid more than $2 million to train each person it hired, said Raymond J. DeCarli, assistant inspector general for auditing. Gore's report also concluded that the government did not need to be subsidizing the private aviation industry.

BROWN FIGHTS BACK

Ten days ago, Rep. George E. Brown Jr. (D-Calif.), chairman of the Committee on Science, Space and Technology, threatened a showdown on the House floor unless 25 earmarked projects—ranging in cost from $75,000 to $60 million—were forced to undergo peer review.

"The members of the Committee on Appropriations, having seen that they can get away with $10 million, go for $50 million the next year, and $150 million the following year," said Brown, who long has warned that pork-barrel projects are destroying the future of American science.

In a signal that he means to make colleges that take the projects uncomfortable, too, Brown last month called officials to Washington from two prestigious universities: Tufts and Columbia. Both Tufts and Columbia pay the lobbying firm Cassidy and Associates to help them get earmarks, making it more difficult to pinpoint which congressional member worked behind the scenes for the schools. The use of lobbyists, some of whom formerly were staff members on Appropriation committees, also adds to the frustration of those who oppose earmarks.

Brown estimated that about 170 of the nation's more than 4,000 two- and four-year colleges have received earmarked funds. "What do they have in common?" he asked. "They all have friends in high places."

On principle, some schools, including Vanderbilt, Cornell and Harvard, reject projects funded by earmarking. Some members of Congress do not go near them either. But others, such as Sen. Robert C. Byrd (D-W.Va.), chairman of the Appropriations Committee, and Sen. Mark O. Hatfield (Ore.), the committee's ranking Republican, seem to vie for who can add more. Byrd recently secured $41 million for Wheeling Jesuit College, a small school in his home state that has an annual operating budget of $14 million. Hatfield has sent so many earmarks over the years to Oregon Health Sciences University that the current tally is around $100 million for that school alone.

Stevens, the most senior Republican on the Appropriations subcommittee that oversees defense spending, is not far behind. He, too, makes no apologies for helping make his state, which has about the same number of residents as the District, rank at or near the top when it comes to getting academic earmarks.

FAA PAYS A PRICE

Along with the taxpayers, the FAA also pays a price. "For every $1 million we sent to Airway Science, we have a little bit less of every thing we do," said FAA spokesman Herb McLure.

Even though earmarks are widely disdained by federal officials, many said in interviews that they are reluctant to talk about them, because the project's sponsor sits on the Appropriations committee and has direct control over their budgets.

Brown's investigation also found that some agencies increasingly have been forced to spend money on projects far afield from their mission. For instance, more than $100 million has been taken out of the Department of Energy's budget to build hospitals.

One particularly curious earmark in the National Aeronautics and Space Administration budget is $8.75 million for Delta College to build a planetarium in Bay City, Mich.

Many people, including NASA officials, question the federal use of such a facility. Beyond that, they ask why it would be placed in a two-year community college that does not offer a major in astronomy or even in general science. Bay City is the home of former representative Bob Traxler (D-Mich.), a longstanding member of the House Appropriations Committee.

When agencies complain, it seems to make no difference. The FAA asked the House and Senate Appropriations committees not to support any more Airway Science grants in fiscal 1993. In response, the committees directed $30 million more to the program.

"It frightens me to think we might continue this trend," Wyatt said of the nonscientific process for awarding science grants. "It undermines the process that has made American science great." He said that nearly $600 million of the estimated $760 million earmarked for scientific projects last year was "stolen" from merit projects.

McLure and other aviation officials said this does not mean that the Airway Science Program and other earmarked programs are necessarily bad. Many said the University of Alaska program, for instance, has a very good reputation.

But that is not the point, according to the scientific community, federal agencies, Brown and Gore. The big question is why the government—especially now, when it is so strapped for cash and considering new taxes—is funding them.

IN DEFENSE OF EARMARKS

Vern C. Oremus, dean of the University of Alaska's college of vocational education, insists it does make sense for the government to give aviation training a boost. His reasoning, he said, is that Ford Motor Co. and other companies donate new model cars for training automotive students, but airplanes and flight simulators are far more expensive and harder to come by for aviation students.

Oremus said he has a good program in dire need of cash, and he knows other colleges are getting government help. "We identified an opportunity and went for it," he said. "That's the American way, isn't it?"

The federal grant will allow the school to double in size to 1,000 students and transform the small, beige building at the edge of a landing strip. In the spring, construction is to begin on classrooms and an instructional control tower. Flight simulators, radar screens and massive maps for the tracking of incoming planes will be installed. The state is putting up matching money.

Stevens said earmarking is one of the only ways less-established colleges such as the University of Alaska have a chance of snaring funds against centuries-old places like Harvard.

But other members of Congress say that is an unacceptable excuse. What earmarking is doing, they say, is turning money meant for the national good into a local jobs program.

In the 1992 defense spending bill, Stevens added $25 million for a "supercomputer for arctic research" that will mean new jobs for Fairbanks. In discussing possible strategic and environmental uses of the expensive computer, Stevens described it as a wonderful new tool that might even "harness the power of the aurora borealis." Skeptics call it "Porkpie in the sky."

Mr. McCAIN. The article is entitled "Funds From Friends in High Places, Schools' Congressional Earmarks' Leave Less for Other Science Efforts."

I have chosen today to focus my comments on the problem as it has consistently arisen in the defense budget review process.

Mr. President, in the Congress, we have a process. The system gives the authorizers the responsibility of reviewing the overall defense budget and determining the priorities and maximum funding levels for the programs requested by the President. The appropriators are charged with the responsibility of financing those priorities within the available funding. But the system is no longer working as it should. The Congress has allowed the appropriators to essentially usurp the role of the authorizers and add funding above authorized levels and even create new programs and provide funding for them. The system is broken.

As I have said, this is not a new problem. Consider our recent history. At my request, the Congressional Research Service looked at the past 4 years of congressional action on defense budgets, comparing the programs requested in the President's budget with the authorized and appropriated levels. What this report shows is that in many cases the administration did not request funding for a project, neither the House nor Senate Armed Services Committee approved funding for the project, neither the House nor Senate Appropriations Committee acted to fund a project—yet remarkably the Department of Defense appropriations conference report was returned to the Congress with funding for the project.

I will admit that pork is in the eye of the beholder and I admit some congressional add-ons are less onerous than others. These distinctions may be useful to some, but my own view is more simple and clear cut. Any funding that is not authorized and is an add-on should be subject to the same scrutiny given all other programs in the authorization review. That is the process that the Congress is supposed to follow. Let us look at a couple of the most egregious examples included in the Congressional Research Service report on last year's congressional action on the defense budget.

There were $25 million of defense dollars appropriated to purchase C-20 aircraft for the Coast Guard. This nondefense program emerged out of the conference meetings on the Department of Defense appropriations bill. Again, I want to emphasize, not authorized, not appropriated. It comes out of a conference of a few members of the Appropriations Committees getting together. It was never vetted through either House of Congress in any bill that was returned for a final vote.

Here $10 million was set aside for natural gas vehicle technology, a civilian program with dubious connection with defense needs. Again, this emerged from the appropriations conference with the legislative earmark specifying the demonstration sites for this new technology were to be established in California and Hawaii.

There was $80.7 million added in the appropriations conference to procure the multiple launch rocket system for the Army National Guard. I am sure this may be a meritorious defense program. It was not in the administration's request or the authorization. It was in neither of the appropriations bills going into the conference. I question whether the Guard's requirement for the MLRS should be given priority over the needs of active Army units.

There was $5 million set aside for the purchase by the Department of Defense of 1,502 acres of land owned by the Coast Oyster Co. in Washington State. Was this decision based on a valid military requirement for these tidelands? I wonder.

Here $40 million was earmarked and the Navy was required to pay for cost overruns on two TAGS ships. I might add on the two TAGS ships, the issue was in court, under litigation between the Navy and the contractor, and the Congress decided to pay $40 million in cost overruns for these two ships without letting the process continue.

These are just a few of, in my view, what are the most outrageous examples of dark-of-the-night, wink-and-a-nod deals to set aside scarce defense dollars for Members' special interest programs. The fact is there is no such thing as free pork. Every add-on requires an offset from some other program. Often these tradeoffs are difficult to identify readily but if and when American troops are required to put their lives on the line in defense of this Nation's interests, the dangerous effect of pork barrel politics will become very obvious. We cannot afford it anymore.

Let me point out another thing, Madam President. At the same time we can spend $5 million to purchase 1,500 acres of land from the Coast Oyster Co. in Washington State, we tell thousands of young men and women who joined the military for a career that they have to leave the military because we cannot afford to keep them. We cannot afford to keep people who volunteer for the military for a career but we can pay these kinds of money, of which this is a very small example, for projects that are unrequested by the administration, unauthorized by either committee, unappropriated by either committee, and inserted in the appropriations conference.

Over 4 years, the Congressional Research Service calculations show, the Congress added $28.7 billion for unauthorized and often unrequested defense programs: $28.7 billion in 1990, 1991, 1992, and 1993. In short, as our national defense budget dropped steadily during those 4 years the Congress spent nearly $30 billion on unauthorized activities and programs, on pork barrel projects, and on other special interests.

I want to repeat, I am sure that $30 billion had very much needed and worthwhile projects. I can also assure the critics of my presentation here that for every single program that they find was necessary, I can find two that were totally unnecessary and cannot be justified.

Again, I am not attacking specific projects. I am attacking a system that is not working because when these appropriations are added in a conference from which emerges a report which is unamendable, which can only have an up-or-down vote from the Members of both bodies of Congress, then we do not play a role in the decisionmaking process. All we do is ratify or reject.

Madam President, I came here with some defense experience and I deserve to have more of an input in the process than what we are getting from this process. As part of the same study discussed above, the Congressional Research Service compiled a list of legislative earmarks in Department of Defense appropriations bills over the past 4 years. For example, in fiscal year 1993 the appropriators included the following language in the Department of Defense appropriations bill:

> $7 million shall be made available only for the environmental cleanup of the National Presto Industries' Eau Claire facility.

I do not know what the environmental cleanup of National Presto Industries has to do with national defense, and it may have a great deal to do with it. But none of us knew about it until it appeared in the bill.

> $100,000 shall be made available only to connect Lowry Grove Mobile Home Park to the St. Anthony, Minnesota Municipal Water Supply System.

Someone will have to explain to me what the Lowry Grove Mobile Home Park has to do with this Nation's defense needs. There are numerous other examples. These may, indeed, as I said, be very meritorious projects and deserve Federal funding, but not defense dollars.

When the Congress micromanages to this extreme, specifically earmarking millions of defense dollars to improve a mobile home park in Minnesota, something is terribly wrong. Every time we act with this kind of specificity some other project that may have been requested and authorized—and most important is essential to national security—goes unfunded. We do not have an unlimited number of defense dollars. It is wrong, whether the project is in Minnesota or California or Arizona. Defense dollars are intended to enhance national security, not domestic comfort. The congressional budget review process is designed to prevent this kind of abuse. Let us abide by our own process.

When will this cycle end? When will this body have the courage and integrity to exercise fiscal discipline and stop making appropriations for unauthorized items?

I have proposed a number of solutions to these problems. I support a line-item veto to prevent the abusive and unwarranted spending of taxpayer dollars to support the political careers of Members of Congress. I support an amendment to the Senate's rules to establish a point of order against bills which include appropriations for programs which are not authorized. I support any measure which would prohibit earmarking of Federal funds for a particular district, institution, or special interest project. And I support opening to the public all meetings of conferees on appropriations bills, since this is the forum in which many of these special interests projects are agreed upon.

(Mrs. FEINSTEIN assumed the chair.)

Mr. McCAIN. Madam President, this year's Department of Defense appropriations bill, passed by the House, certainly does nothing to limit the earmarking of scarce defense dollars for home district projects. Indeed, that bill rises to new heights or sinks to new depths of earmarking.

Madam President, the House set aside $6.5 billion of defense dollars for special-interest, noncompetitive projects at bases, universities, and other institutions in Members' home districts. In other words, the House of Representatives, in this bill, gave its Members $6.5 billion in unnecessary and unneeded projects.

Let me briefly tell you about a few of those earmarked projects in the House, in the other body's appropriations bill for next year. The other body earmarked every dime—every single dime—of the $236.5 million in funds intended to assist in transitioning our defense industries and personnel to commercially viable endeavors. These dollars are allocated to specific

projects at designated sites: universities, institutions, and other earmarked recipients. While many of these projects may be worthy of such an investment, their merit should be weighed against all other applicants for these scarce dollars.

I wanted to point out again, all of us support this terrible transition that companies and corporations and States, such as the Presiding Officers, are having to go through. Earmarking all of the funds is not the way to do it. We should give the money to the Department of Defense. Let the Department of Defense on a competitive basis decide where these moneys go.

There is $2.3 million set aside for cell adhesion molecule research. For the benefit of my colleagues who did not get that: $2.3 million set aside for cell adhesion molecule research. Aside from the obvious question of the defense-related requirement for such a medical research program, I suspect that the specific language included in the House bill matches only one institution in this entire Nation, although I do not yet know which institution that might be.

Let me read that language to my colleagues. This is from the bill:

> The research is to be done at a nonprofit foundation in the Northeast by an integrated team of scientists with extensive experience in the molecular analysis of the immune system. The scientific team must have extensive experience in the identification and analysis of cell adhesion, signal transduction pathways, cytokine production, and gene regulation.

Madam President, I am willing to bet my next month's paycheck that there is only one institution in America that will meet that criteria.

Up to $50 million is directed by the House to be spent for environmental cleanup of an abandoned mine at the Penn Mine site in Calaveras County, CA. Why are defense dollars being used to clean up old mining operations?

I ask unanimous consent that approximately 150 pages of data be printed in the RECORD listing all of the earmarks in the House Department of Defense appropriations bill for fiscal year 1994.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF HOUSE EARMARKS

[In billions of dollars]

Title	In HAC bill	Earmarked
I–Mil pers	71.3	NEG
II–O&M	73.8	.3
III–Procurement	45.7	3.1
IV–R&D	36.5	3.1
V–Revolving	1.6	NEG
Other	11.2	NEG
Total	240.1	6.5

SASC AMENDMENT PROHIBITS THE FOLLOWING

1. Defense conversion R&D earmarks, $236.5M.
2. Defense conversion O&M earmarks, $239.9M.
3. Unknown amount of university earmarks.
4. SERDP earmarks, $61.0M.
5. Environmental restoration earmarks, $7.4.

Known earmarks: $1,614,669,000.

Possible earmarks: $1,463,792,000.

Total earmarks: $3,078,461,000.

Reserve Personnel, Navy (HA Report p. 55)

Total appropriated: $11,653,200,000.

Subtotal of known earmarks: 0

Subtotal of possible earmarks: $16,100,000.

Total of known and possible earmarks: $16,100,000.

Description of known earmarks: NA.

Description of possible earmarks:

Craft of Opportunity Program $3,200,000 (O&M includes an additional $2,000,000 to support this.)

Four P–3 squadrons $12,900,000 (O&M includes an additional $20,400,000 to support this.)

Reserve Personnel, Air Force (HA Report pp. 55, 56)

Total appropriated: $729,019,000.

Subtotal of known earmarks: 0

Subtotal of possible earmarks: $723,000.

Total of known and possible earmarks: $723,000

Description of known earmarks: NA.

Description of possible earmarks:

WC–130 Weather Reconnaissance Squadron $723,000 (O&M includes an additional $1,884,000 to support this.)

Four P–3 squadrons $12,900,000 (O&M includes and additional $20,400,000 to support this).

O&M REMARKS—HAC FY 1994 DOD APPROPRIATIONS BILL

National Task Force on Counterterrorism (HA Report p. 25–26)

Total appropriated: $5.0 million.

Subtotal of known earmarks: $5.0 million.

Description of known earmarks: $5.0 million is provided only to "establish a national task force to review federal programs on fighting terrorism."

Environmental Restoration, Defense (HA Report p. 31–34)

Total appropriated: $1,716,800,000.

Subtotal of known earmarks: $7,400,000.

Description of known earmarks:

"$2,800,000 to be used only for the cleanup of two abandoned missile sites (Titan 1 Missile Complex No. 1B and Titan 1-C) located at Beale Air Force Base in Northern California;

"$4,600,000 to be used only for surface decontamination of Castner Range at Fort Bliss, Texas."

Olmstead Air Force Base Restoration Project (HA Report p. 33; bill p. 10)

Total appropriated: $5.0 million.

Subtotal of known earmarks: $5.0 million.

Description of known earmarks: ". . . the Committee has recommended that $5,000,000 be made available in Title II, Operation and Maintenance, Air Force appropriation, for any necessary action on Phase II remediation projects, Defense Environmental Restoration Program (DERP) Formerly used Defense Sites (FUDS) eligible projects, or any matter related to past Air Force use that will result in expedited remediation and subsequent deleting by EPA of Olmsted as a superfund site."

Penn Mine site, California Cleanup (HA Report p. 31)

Total appropriated: Not clear where earmarked funds come from.

Subtotal of known earmark: Directs DOD to spend up to $50 million for cleanup of this site.

Description of known earmarks: "The Committee notes that a number of mine sites exist that since the late 1800s supported the Nation's war efforts by supplying strategic minerals and which were operated under directives from the federal government. Many of these sites are abandoned. It has been demonstrated that these sites generate acid mine drainage that pose threats to the environment. The Committee directs the secretary to undertake a cleanup program at the Penn Mine site located in Calaveras County, California. . . . The Committee directs that up to $50 million be used for this cleanup."

Defense Conversion (HAC Report p. 40–41)

Total appropriated: $239.9 million.

Subtotal of known earmarks: $153.9 million.

Description of known earmarks:

Southeastern PA Consortium for Information Technology and Training ($3.5 million).

Western Michigan University School of Aviation Sciences/Fort Custer Industrial Park ($6.0 million).

Illinois Vietnam Veterans Leadership Program ($.125 million).

Monterey Institute Center for International Trade at Fort Ord ($9.0 million).

California State University system at Fort Ord ($25.0 million).

Renovation of the State Pier at New London, CN ($14.9 million).

Conversion of Homestead AFB ($10.5 million).

Miami Dade Community College at Homestead AFB ($15.4 million).

California Statewide Economic Development Network ($12.5 million).

San Diego State University Center on Defense Conversion ($7.0 million).

San Francisco State University California Economic Recovery and Environmental Restoration Project ($3.0 million).

Hampton University/Hughes Aircraft Aeroscience Institute ($15.0 million).

Mare Island and Charleston Shipyard Conversion/Reuse Studies ($2.0 million).

Worker Retraining for Environmental Restoration at Mare Island, CA ($10.0 million).

Displaced personnel retraining in gerontology ($10.0 million).

Demolition and environmental cleanup of Century Brass Products' dormant factory in Waterbury, CN ($20.0 million).

National Guard Youth Programs (HAC Report p. 65; Bill p. 14)

Total appropriated: $10.0 million.

Subtotal of known earmarks: $500,000.

Description of known earmarks: "$500,000 shall be available for the Youth Education Town Center, a multilingual, multimedia video-based health education program which would be accessed through the Los Angeles education network. The National Guard shall serve as administrator of the funds, which shall be allocated to the Los Angeles Unified School District's magnet, academies and other programs."

Presidio of San Francisco (HAC Report p. 70)

Total appropriated: $300,000.

Subtotal of known earmarks: $300,000.

Description of known earmarks: "$300,000 to utilize the San Francisco Conservation Corps to conduct natural resource protection activities at the Presidio of San Francisco."

Automatic Building Machine Shelters (HAC Report P. 70–71)

Total appropriated: $7.0 million.

Subtotal of known earmarks: $2.0 million.

Description of known earmarks: "$2 million to construct equipment maintenance facilities using the automatic building machine technology."

Voice Maintenance Instruction Device (VMID) (HAC Report p. 71)

Total appropriated: $950,000.

Subtotal of known earmarks: $950,000.

Description of known earmarks: "The VMID is a voice synthesis system that provides safety and basic maintenance instructions for both combat and combat support vehicles. The Army is requested to test this device by conducting an operational evaluation on vehicles such as the HMMV, M-109A3, FASSV, and 2.5- and 5-ton trucks."

Supplemental Fuel Carrying Capability (SFCC) (HAC Report P. 71)

Total appropriated: $10.0 million.

Subtotal of known earmarks: $10.0 million.

Description of known earmarks: "The (SFCC) is a concept for a proposed requirement for an additional organic on board refuel capability on Abrams tanks to increase their operation/range and lessen the burden on the fuel resupply system. The concept envisions a portable fuel container and also applies to other vehicles . . ." The Committee recommends an additional $10 million to purchase portable fuel containers."

Conversion of the USNS Chauvenet (HAC Report p. 75)

Total appropriated: $8.0 million.

Subtotal of known earmarks: $8.0 million.

Description of known earmarks: "The Navy, in consultation with the Maritime Administration shall continue the conversion of the ship, USNS CHAUVENET, to a training ship for the Texas Maritime Academy's Training Program. Of the funds appropriated for Operation and Maintenance, Navy, $8 million shall be used to complete this conversion."

Women in Military Service for America Memorial (HAC Report p. 80)

Total appropriated: $9,538,000.

Subtotal of known earmarks: $9,538,000.

Description of known earmarks: "$9,538,000 to make the necessary repairs, restoration and preservation of the entrance structure and adjoining areas of the Arlington National Cemetery in conjunction with the construction of the Women in Military Service for America Memorial."

Civil Air Patrol Operations (HAC Report p. 81; Bill section)

Total appropriated: $11,679,000 ($1,750,000 above the budget request.)

Subtotal of known earmarks: $11,679,000.

Description of known earmarks: $11,679,000. ". . . funds to operate the CAP."

Special Operations Forces (HAC Report p. 83)

Total appropriated: $22.9.

Subtotal of known earmarks: $22.9.

Description of known earmarks: "The Committee has provided an additional $22.9 million to support the RC SOF units restored in SOF force structure."

Natural Gas Demonstration (HAC Report p. 83)

Total appropriated: $1.5 million.

Subtotal of known earmarks: $1.5 million.

Description of known earmarks: "The Committee recommends an additional $1,500,000 for the Office of the Undersecretary of Defense, Acquisition, for natural gas vehicle refueling infrastructure planning for military bases."

Defense Logistics Agency (HAC Report p. 83)

Total appropriated: $1,380,825,000.

Subtotal of known earmarks: $20.0 million.

Description of known earmarks: "The Committee recommends an additional $20,000,000 only for an Automated Document Conversion System for the Defense Logistics Agency."

Defense Personnel Support Command (HAC Report p. 83)

"The Committee directs the Defense Procurement Agency to increase its purchases of Jumbo, Colossal, and Super Colossal ripe olives in future solicitations for ripe olive purchases."

Schools on Military Installations (HAC Report p. 84)

Total appropriated: $10.0 million.

Subtotal of known earmarks: $10.0 million.

Description of known earmarks: "the Committee directs that not less than $10,000,000 provided for Operation and maintenance accounts be utilized to bring federally owned education facilities on military installations up to acceptable health and safety standards."

Admiral Nimitz Museum (HAC Report p. 85)

"The Committee requests the Department to provide assistance in the expansion of the Admiral Nimitz Museum to honor those men and women who fought in the Pacific during World War II."

Army Reserve Facility, Marcus Hook, PA (HAC Report p. 86)

Total appropriated: $1,750,000.

Subtotal of known earmark: $1,750,000.

Description of known earmark: "[Army Reserve] Units assigned at Marcus Hook [PA] should be relocated within a one-hundred mile radius of Marcus Hook or incorporated with the parent reserve or active unit, as soon as it is feasible. The Committee has provided $1,750,000 for this move."

C-130H Operations (HAC Report p. 91)

Total appropriated: $3.0 million.

Subtotal of known earmark: $3.0 million.

Description of known earmark: "The Committee has provided $3,000,000 above the request for the Air National Guard operations and maintenance account. The Committee directs that these funds be used only for the operations and maintenance for the C-130H operational support aircraft located in South Carolina and Louisiana. The Committee directs the National Guard not to transfer these aircraft from their assignments during fiscal year 1994 and beyond."

Naval Air Warfare Center, Warminster (HAC Bill, p. 8)

Total appropriated: $350,000.

Subtotal of known earmark: $350,000.

Description of known earmark: "Provided, That $350,000 shall be available only to connect residences located in the vicinity of the Naval Air Warfare Center, Warminster, to the Warminster municipal water supply system."

Tactical Interim CAMS and REMIS Reporting System (TICARRS-92) (HAC Bill, p. 9)

Total appropriated: $15.5.

Subtotal of known earmark: $15.5 million.

Description of known earmark: "Provided, That $15,500,000 shall only be used to operate, maintain and enhance the Tactical Interim CAMS and REMIS Reporting System (TICARRS-92)."

Defense Conversion (HAC Report P. 41)

Total appropriated: $236,491,000.

Subtotal of known earmarks: $236,491,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $236,491,000.

Description of known earmarks: The Committee recommends that the following conversion projects be funded in the Research, Development, Test and Evaluation, Defense-wide appropriation in the Dual Use Technologies program element. DD Form 1414 shall show them as items of special congressional interest, a funding decrease to which requires prior congressional approval:

CFC Free Refrigeration Technology Project, $800,000.

Demonstration of Shipboard Material Handling Systems at port Arthur, Texas, $2,000,000.

American Center for Education in Plastics and Rubber Technologies, $12,500,000.

Drew Medicine and Science Health Occupations Retraining Demonstration Project, $2,000,000.

Midwest Regional Centers for Advanced Technology Development, $20,000,000.

Far West Regional Office Technology Transfer Project, $316,000.

Renewable Electric and Renewable Thermal Utility Demonstration Projects, $25,000,000.

Ocean Thermal Power Plantships Technology Project, $8,000,000.

St. Louis Manufacturing Extension Program, $1,000,000.

Center for Photochemical Sciences Stereolithography Technology Program at Bolling Green University, $5,000,000.

Center for Advanced Control Systems Technology Project, $10,000,000.

Queens Hall of Science's "Discovery Lab" Project, $10,000,000.

Lahey Clinic Ambulatory Surgical Research Project, $3,000,000.

New York Regional Manufacturing and Engineering Center, $5,000,000.

Miami Health Technologies Science Center Defense Reinvestment Project, $3,000,000.

Tucson Defense Conversion Project, $900,000.

Joint Arizona Center for Manufacturing and Training (JACMET), $1,500,000.

Curved Plat Technology Project in Norfolk, Virginia, $60,000,000.

Joint Army Ammunition Plant Transfer Project, $75,000.

Southeast Health Professional Training Center at Mt. Sinai Medical Center of Miami, Florida, $3,000,000.

High Technology Center of Rochester, New York, $6,000,000.

Magnetically Levitated Transportation prototype test track, $22,000,000.

USF/DOE Pinellas Technology Deployment Center, $20,000,000.

Devise Independent Multi-Media Universal Interface System for Medical Information Management, $1,400,000.

Ben Franklin partnership and Industrial Resource Center, $14,000,000.

Total R&D, $236,491,000.

Defense Conversion (HAC Report P. 42)

Total appropriated: $8,000,000.

Subtotal of known earmarks: $8,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $8,000,000.

Description of known earmarks: The Committee recommends that the following conversion project be funded in the Procurement, Defense-wide appropriation. DD Form 1414 shall show it as an item of special congressional interest, a funding decrease to which requires prior congressional approval. Pinellas DOE plant equipment, $8,000,000.

Environmental Medical Unit (HAC Report P. 192)

Total appropriated: $1,200,000.

Subtotal of known earmarks: $1,200,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $1,200,000.

Description of known earmarks: The Committee recommends $1,200,000 for an environmental medical unit research project at the

University of Texas Health Science Center in San Antonio, Texas, aimed at researching Persian Gulf War veterans experiencing a disabling syndrome possibly related to low level chemical sensitivities.

Post Polio Syndrome Research (HAC Report P. 193)

Total appropriated: $1,000,000.
Subtotal of known earmarks: $1,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $1,000,000.

Description of known earmarks: The Committee recommends $1,000,000 for a research study project on the orthopaedic effects of post polio syndrome to serve as a model to investigate the overuse of muscles, ligaments, bones, and joints for the purpose of curtailing military training and work place injuries. Requirements for conducting this study project should include a facility or institution which has a well established orthopaedic post polio program with a patient base of at least 200 patients; researchers experienced in orthopaedic rehabilitation; a gait and motion analysis laboratory with multichannel dynamic electromyography capabilities; isokinetic muscle testing facilities; and an on-site orthotocis department.

Breast Cancer Research (HAC Report P. 193)

Total appropriated: $10,000,000.
Subtotal of known earmarks: $10,000,000.
Subtotal of possible earmarks: $5,000,000.
Total of known and possible earmarks: $15,000,000.

Description of known earmarks: $10,000,000 is included for a demonstration and measurement program to evaluate the significance of both the ultrasound and full breast digital imaging technologies.

Description of possible earmarks: The Committee also directs the Department of the Army to award, on a competitive basis, grants of $5,000,000 each to three geographically dispersed medical institutions which offer new advances in applied research and model systems of health care delivery for breast cancer, including early detection, prevention, treatment, education, and community outreach.

Hypoglycemia Research (HAC Report P. 194)

Total appropriated: $1,000,000.
Subtotal of known earmarks: $1,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $1,000,000.

Description of known earmarks: The Committee recommends an additional $1,000,000 only for a joint venture project involving a Western Pennsylvania educational institution to develop and test a new form of insulin which will prevent hypoglycemia in dependents of active military members.

Medical Development (Navy) (HAC Report P. 194)

Total appropriated: $37,000,000.
Subtotal of known earmarks: $37,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $37,000,000.

Description of known earmarks: The Committee has added $37,000,000 only to the C.W. Bill Young Marrow Donor Recruitment and Research Program, a special interest program within the Navy Medical Research and Development account, to continue national donor recruitment programs, expand formal international agreements with foreign donor registries, and advance research that will continue to improve the tissue typing procedures for matching patients and donors. Of this amount: $12,400,000 is to be made available to the Navy Medical Research and Development Command's C.W. Bill Young Marrow Donor Recruitment and Research Program for continuing its department-wide donor recruitment effort and to maintain its research program for the development of state-of-the-art DNA tissue typing technology; and

The remaining $24,600,000 will be provided by the C.W. Bill Young Marrow Donor Recruitment and Research Program to the NMDP, through its continued grant from the Navy Medical Research Development Command, for donor recruitment and education activities.

Center of Excellence in Breast Cancer (HAC Report P. 196)

Total appropriated: $5,000,000.
Subtotal of known earmarks: $5,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $5,000,000.

Description of known earmarks: The Committee recommends $5,000,000 to establish a Center of Excellence in Breast Cancer at the National Naval Medical Center.

Cell Adhesion Molecule Research (HAC Report P. 196)

Total appropriated: $2,300,000.
Subtotal of known earmarks: $2,300,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $2,300,000.

Description of known earmarks: The Committee recommends an increase of $2,300,000 to defense-wide research and development only for cell adhesion research. This research, which is non-university related, is important to the Department of Defense for readiness of military personnel. Specifically, the goal of this research is for the Department to work with a nonprofit foundation in the northeast to understand the role of cell surface adhesion molecules in inflammatory reactions such as allergic rhinitis and atopic allergic conditions. The overall hypothesis is that the expression or activity of specific cell surface adhesion molecules contributes to certain inflammatory reactions. This immunological research should be performed by an integrated team of scientists with extensive experience in the molecular analysis of the immune system. In particular, the scientific team must have extensive experience in the identification and analysis of cell adhesion, signal transduction pathways, cytokine production, and gene regulation.

Health Care and Biomedical Engineering Technology (HAC Report P. 196)

Total appropriated: $4,000,000.
Subtotal of known earmarks: $4,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $4,000,000.

Description of known earmarks: The Committee has provided $4,000,000 above the President's budget request in Medical Advanced Technology (PE0603002D) and directs the Department to provide this funding only to Sandia National Laboratories to develop a plan to systematically identify and apply those defense related technologies and support technology transfers that can contribute to reduction of health care costs and improvements in health care for our citizens and the services. The Committee directs that this initiative be jointly managed by Sandia and appropriate medical research centers.

Laser Weapons Technology (0602307A) (HAC Report P. 200)

Total appropriated: 5,510,000.
Subtotal of known earmarks: $2,500,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $5,000,000.

Description of known earmarks: The Committee recommends: $2,500,000 only for solid-state dye laser program; and $2,500,000 only for the high powered diode laser program.

Combat Vehicle and Automotive Technology (0602601A) (HAC Report P. 200)

Total appropriated: 54,494,000.
Subtotal of known earmarks: $15,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $15,000,000.

Description of known earmarks: $15,000,000 is only for future land vehicle technology as proposed by the House Armed Services Committee.

Weapons and Munitions Technology (0602624A) (HAC Report P. 200)

Total appropriated: 38,794,000.
Subtotal of known earmarks: $4,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $4,000,000.

Description of known earmarks: The Committee recommends $38,794,000, an increase of $4,000,000 only for two projects at the Longhorn Army Ammunition Plant as proposed by the House Armed Services Committee.

Electronics and Electronic Devices (0602705A) (HAC Report P. 200)

Total appropriated: 27,400,000.
Subtotal of known earmarks: $8,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $8,000,000.

Description of known earmarks: The Committee recommends $27,400,000, an increase of $8,000,000 to the request. This includes: $3,000,000 for battery research as recommended by the House Armed Services Committee; and $5,000,000 only to initiate an effort for preliminary fuel cell systems design and to advance component technologies involving weight reduction, improving thermal management and the use of liquid fuels. This effort supports lightweight power to increase the survivability and lethality of the individual dismounted soldiers.

Environmental Quality Technology (0602720A) (HAC Report P. 201)

Total appropriated: $68,729,000.
Subtotal of known earmarks: $43,000,000.
Subtotal of possible earmarks: $.
Total of known and possible earmarks: $43,000,000.

Description of known earmarks: The Committee recommends $68,729,000, an increase of $47,500,000 to the request. This includes the increases of $43,000,000 as recommended by the House Armed Services Committee, as follows: $24,000,000 for industrial product development, of which $20,000,000 is only to continue a joint Defense/Agriculture project, $2,000,000 is only for bioremediation technologies, and $2,000,000 is only for acceleration of environmental activities at the National Renewable Energy Laboratory (NREL); $10,000,000 only for Unexploded Ordnance remediation at Jefferson Proving Ground; $5,000,000 only for the National Defense Center for Environmental Excellence; and $4,000,000 only for the Bioremediation Education, Science and Technology Centers (BEST).

Environmental Quality Technology (0602720A) (HAC Report P. 201)

National Defense Center for Environmental Excellence (NDCEE):

Total appropriated: $68,729,000.

Subtotal of known earmarks: $5,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $5,000,000.

Description of known earmarks: The Committee recommends an increase of $5,000,000 only for the National Defense Center for Environmental Excellence (NDCEE) bringing its effort to not less than $10,000,000.

Environmental Quality Technology (0602720A) (HAC Report P. 201)

Facility Environmental Management and Monitoring System (FEMMS):

Total appropriated: $68,729,000.

Subtotal of known earmarks: $4,500,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $4,500,000.

Description of known earmarks: The Committee also recommends $4,500,000 only for an initial phase of the development of a Facility Environmental Management and Monitoring System (FEMMS) demonstration testbed program at Tobyhanna Army Depot for the integrated and comprehensive management and control of Environmental issues at Army facilities. The program will be performed in conjunction with the National Defense Center for Environmental Excellence (NDCEE).

Logistics Technology (0602786A) (HAC Report P. 202)

Cold Pasteurization/Sterilization Techniques for Meals-Ready-to-Eat:

Total appropriated: $32,953,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,000,000.

Total of known and possible earmarks: $2,000,000.

Description of possible earmarks: The Committee recommends $2,000,000 only for the Army to continue its research on the establishment of cold pasteurization/sterilization techniques for meals-ready-to-eat. This research should be continued by the institutions that are currently working with these technologies as a result of last year's Defense Appropriations Act.

Logistics Technology (0602786A) (HAC Report P. 202)

Quality Quantification and Enhancement of Combat Rations:

Total appropriated: $32,953,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,000,000.

Total of known and possible earmarks: $2,000,000.

Description of possible earmarks: The Committee recommends $2,000,000 only to continue the Quality Quantification and Enhancement of Combat Rations program started last year.

Logistics Technology (0602786A) (HAC Report P. 202)

Water Chiller/Heater Kits:

Total appropriated: $32,953,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $500,000.

Total of known and possible earmarks: $500,000.

Description of possible earmarks: The Committee recommends $500,000 only for the Army to develop diesel powered potable water chiller/heater kits for M149A2 Tank Trailers and XM1098 Water Tank semitrailers. This project will fulfill a need identified by United States forces during the Gulf War, and in Somalia, for a reliable chilled water delivery system. It will also improve support for troops deployed in cold climates as well as provide a means for heating Meals, Ready to Eat (MREs).

Logistics Advanced Technology (0603001A) (HAC Report P. 202)

Munitions Packaging:

Total appropriated: $14,913,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,000,000.

Total of known and possible earmarks: $2,000,000.

Description of possible earmarks: The Committee recommends $2,000,000 only to continue the program started last year to investigate future ammunition packaging technologies for all Services. The Committee expects the Army to develop a long term funded program to exploit more efficient ammunition packaging technologies. In addition, the Committee directs that $300,000 of the funds provided for this effort be used to pursue the Army's effort with industry providing government furnished equipment and raw materials to pursue injection-molded plastic technology development.

Weapons and Munitions Advanced Technology (0603004A) (HAC Report P. 203)

Total appropriated: $30,790,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks, $13,500,000.

Total of known and possible earmarks: $13,500,000.

Description of possible earmarks: The Committee recommends $30,791,000, an increase of $13,500,000 as follows: $7,500,000 only to continue the Army's lethality technology programs, such as KE precursor technology to defeat the future explosive reactive armor threat, Electro-Thermal-Chemical (ETC) cannon caliber high energy density compact power supply development efforts; $5,000,000 only to continue the development of the XM-982 155mm Extended Range Artillery Projectile; and $1,000,000 only for the Army's Cannon Caliber Electro-Magnetic Launcher program for a total program of $2,500,000.

Electronic Warfare Technology (0603270A) (HAC Report P. 203)

Total appropriated: $32,833,000.

Subtotal of known earmarks: $

Subtotal of possible earmarks: $4,300,000.

Total of known and possible earmarks: $4,300,000.

Description of possible earmarks: The Committee recommends $32,833,000, an increase of $4,300,000 only for the Stringray Advanced Technology Demonstration program and associated simulation efforts.

Line-of-Sight, Antitank (LOSAT) (0603654A) (HAC Report P. 203)

Total appropriated: $25,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $25,000,000.

Total of known and possible earmarks: $25,000,000.

Description of possible earmarks: The Committee recommends $25,000,000 for LOSAT in fiscal year 1994 and encourages the Army to aggressively pursue LOSAT technology effort in order to reach EMD in fiscal year 1996.

Advanced Tactical Computer Science and Technology (0603772A) (HAC Report P. 203)

Total appropriated: $33,746,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,800,000.

Total of known and possible earmarks: $2,800,000.

Description of possible earmarks: The Committee recommends $33,746,000, an increase of $2,800,000 only for the development and evaluation of Common Ground Station concepts, technologies, and prototypes for use with the JSTARS program.

Armament Enhancement Initiative (0603639A) (HAC Report p. 204)

Total appropriated: $.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $21,400,000.

Total of known and possible earmarks: $21,400,000.

Description of possible earmarks: The Committee recommends an additional $21,400,000 only to continue concept exploration of the X-ROD program. Since X-ROD is an autonomous, guide-to-hit, horizontal attack munition used against maneuvering, exposed targets, the Committee believes that the Army should continue to pursue the technologies involved in both the guide-to-hit and propulsion systems.

52 Caliber, M109 Self-Propelled Howitzer System (HAC Report P. 204)

Total appropriated: $.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $18,700,000.

Total of known and possible earmarks: $18,700,000.

Description of possible earmarks: The Committee recommends an additional $18,700,000 only to initiate the development and operational testing required to type classify a XM 282 variant 52 caliber, 155mm unicharge cannon fitted with a semi-automatic loading system.

Army Data Distribution System (0603713A) (HAC Report P. 205)

Total appropriated: $19,757,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $8,000,000.

Total of known and possible earmarks: $8,000,000.

Description of possible earmarks: The Committee has included an increase of $8,000,000 in research and development costs associated with upgrades to the Army Enhanced Position Location Reporting System.

Single Channel Ground and Airborne Radio System (0603746A) (HAC Report P. 205)

Total appropriated: $10,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $10,000,000.

Total of known and possible earmarks: $10,000,000.

Description of possible earmarks: The Committee believes that the Army should continue the effort begun in fiscal year 1993 and has provided $10,000,000 for fiscal year 1994.

Aviation—Advanced Development (0603801A) (MAC Report P. 205)

Total appropriated: $16,259,000.

Subtotal of known earmarks: $10,446,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $10,446,000.

Description of known earmarks: The Committee recommends $16,259,000, an increase of $5,500,000 over the request. Of the amount recommended, not less than $10,446,000 shall be available only for Project DB45, Aviation Life Support Equipment, with the increased funding to be applied to the aircrew integrated ensemble ($3,700,000) and the aviation integrated common helmet ($1,800,000).

Logistics and Engineer Equipment—Advanced Development (0603804A) (HAC Report P. 205)

Laser Vibration Sensing System:

Total appropriated: $19,695,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $5,000,000.

Description of known earmarks: The Committee recommends $5,000,000 only for research on bridge, overpass, and highway structural integrity assessments using laser vibration sensing technology. The research is to be conducted under the aegis of the

Army's Belvior RDT&E Center, Bridge Division, in addition to and complementing its ongoing work on the structural integrity of bridges, overpasses, and highways.

Aircraft Avionics (0604201A) (HAC Report P. 205)

Total appropriated: $15,061,000.

Subtotal of known earmarks: $

Subtotal of possible earmarks: $10,000,000.

Description of possible earmarks: The Committee recognizes the need to digitize the avionic systems of the Army's scout and attack helicopter fleet in order to horizontally integrate ground and aviation assets. Accordingly, the Committee recommends $10,000,000 to begin these upgrades. The Committee requests the Army to prioritize its requirements and to include its plan to utilize the $10,000,000 in the report on Horizontal Battlefield Integration. Out-year funding data should also be included.

Electronic Warfare Development 90604270A) (HAC Report P. 206)

Total appropriated: $84,953,000.

Subtotal of known earmarks: $2,000,000.

Subtotal of possible earmarks: $24,500,000.

Total of known and possible earmarks: $24,500,000.

Description of known earmarks: The Committee recommends $2,000,000 only for the performance of the testing necessary for use of the Graphite/PEI composite heatsinks in the Advanced Tactical Radar Jammer (ATRJ) and other advanced electronics programs.

Description of possible earmarks: The Committee recommends $22,500,000 for the development of the countermeasures transmitter (ECM) subsystem for TACJAM-A.

All Source Analysis System (ASAS) (0604321A) (HAC Report P. 206)

Total appropriated: $15,971,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $6,000,000.

Total of known and possible earmarks: $6,000,000.

Description of possible earmarks: Of the additional funds provided by the Committee, $6,000,000 is only for continuing the upgrade of the communications and intelligence capabilities of the Army's existing Single Source Processor—SIGINT (SSP-S) and continuing the development of a light-weight, portable equivalent for support of contingency operations and low intensity conflict activities.

Heavy Tactical Vehicles (0604622A) (HAC Report P. 206)

Total appropriated: $2,476,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,000,000.

Total of known and possible earmarks: $2,000,000.

Description of possible earmarks: The Committee recommends $2,476,000, an increase of $2,000,000 only to expand the effort started last year to develop, fabricate, and test a series of Palletized Loan System (PLS) flat racks necessary for engineering equipment and a Heavy Repair Vehicle which makes use of the PLS chassis.

Advanced Command and Control Vehicle (AC2V) (0604640A) (HAC Report P. 206)

Total appropriated: $28,654,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,000,000.

Total of known and possible earmarks: $2,000,000.

Description of possible earmarks: The Committee recommends $28,654,000, an increase of $20,000,000 above the budget request. Within the additional $20,000,000 funding provided, $2,000,000 shall be available only for integration of the vehicle intercom systems and mission module.

Engineering Mobility Equipment (0604649A) (HAC Report P. 207)

Total appropriated: $16,404,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $3,100,000.

Total of known and possible earmarks: $3,100,000.

Description of possible earmarks: The Committee recommends $16,404,000, an increase of $3,100,000 only for Heavy Assault Bridge Program.

Automatic Test Equipment Development (0604746A) (HA Report p. 207)

Total appropriated: $23,472,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $9,000,000.

Total of known and possible earmarks: $9,000,000.

Description of possible earmarks: The Committee recommends $23,472,000, an increase of $9,000,000 above the budget. The Committee directs that the additional funding provided for this program only be used to develop test program sets for the Apache Longbow and Kiowa Warrior.

Aviation—Engineering Development (0604801A) (HA Report p. 208)

Total appropriated: $11,033,000.

Subtotal of known earmarks: $2,000,000.

Subtotal of possible earmarks: $3,300,000.

Total of known and possible earmarks: $5,300,000.

Description of known earmarks: *Army Aircraft Concurrent Engineering Test and Evaluation Center:* The Committee recommends $2,000,000 only for a study to establish the requirements for an Army Aircraft Concurrent Engineering, Test and Evaluation Center.

Description of possible earmarks: *Aviation Life Support System:* The Committee recommends $9,033,000, an increase of $3,300,000 over the request which shall be applied only to the aircrew integrated helmet system P3I and microclimatic cooling system projects within Project DC45.

Weapons and Munitions—Engineering Development (0604802A) (HA Report p. 208)

Total appropriated: $30,365,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $15,000,000.

Total of known and possible earmarks: $15,000,000.

Description of possible earmarks:

Advanced Rocket System: The Committee recommends $10,000,000 only for the Army's portion of the joint Advanced Rocket System (ARS) program.

120mm Mortar: The Committee recommends an addition of $5,000,000 only for development of an 120mm mortar training round.

The Committee recommends $6,303,000, the fiscal year 1994 budget request, only for the Bunker Defeat Munition.

Combat Vehicle Improvement Program (0203735A) (HAC Report P. 209)

Bradley Fighting Vehicle Upgrade:

Total appropriated: $137,572,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $33,000,000.

Total of known and possible earmarks: $33,000,000.

Description of possible earmarks: The Army requested $45,964,000 to initiate the development of the A3 model Bradley and phase 1 of the core electronics and intervehicular information system. The Committee supports this effort which will make Bradley modernization compatible with the M1A2 upgrade program and recommends an additional $33,000,000 only to accelerate this effort.

Combat Vehicle Improvement Program (0203735A) (HAC Report P. 209)

M1 Abrams Tank Upgrade:

Total appropriated: $34,600,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $34,600,000.

Total of known and possible earmarks: $34,600,000.

Description of possible earmarks: The Committee recommends an additional $34,600,000, as follows: $14,600,000 to further support the Initial Operational Test and Evaluation (TO&E) efforts and an accelerated Milestone III decision; and $20,000,000 to upgrade the electronic data processing, storage, and retrieval system of the M1A2 to take advantage of the investment by the Kingdom of Saudi Arabia in new technology providing increased digital processing which simultaneously accommodates multilingual displays.

Missile/Air Defense Product Improvement Program (0203801A) (HAC Report P. 210)

Total appropriated: $68,782,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $9,000,000.

Total of known and possible earmarks: $9,000,000.

Description of possible earmarks: The Committee recommends $68,782,000, an increase of $9,000,000 only for the Army to conduct live fire tests utilizing the AH-64 Apache as the test platform to evaluate near term, low cost, off-the-shelf, high velocity missiles for air-to-air requirements.

Other Missile Product Improvement Program (0203802A) (HAC Report P. 210)

Total appropriated: $72,438,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $6,000,000.

Total of known and possible earmarks: $6,000,000.

Description of possible earmarks: The Committee recommends:

Insensitive Rocket Motors: $4,000,000 only for the Army to evaluate insensitive rocket motors currently in the munitions industrial base to see if any can be brought into production in the near term. These funds are to qualify an insensitive rocket motor for the current Hellfire missile as opposed to a more expensive development program for an insensitive motor.

Hellfire Training Round: $2,000,000 only for the Army to continue its ongoing demonstration/proof of concept program to develop a low-cost Hellfire laser-guided training round.

DOD High Energy Laser Systems Test Facility (0605605A) (HAC Report P. 211)

Total appropriated: $26,608,000.

Subtotal of known earmarks: $21,800,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $21,800,000.

Description of known earmarks: The Committee recommends $26,608,000, an increase of $21,800,000 above the budget request. These funds are to be used only for the continued operation of HELSTF, including $10,000,000 only for the Sea Lite Beam Director. These funds are not to be used for any studies to curtail the operation and maintenance of HELSTF.

Programwide Activities (0605801A) (HAC Report P. 211)

Total appropriated: $103,011,000.

Subtotal of known earmarks: $7,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $7,000,000.

Description of known earmarks: The Committee recommends $103,011,000, an increase of $7,000,000 only for the Medical Diagnostic Imaging Support (MDIS) System tele-imaging project in the Puget Sound Area. Under this initiative, Madigan Army Medical Center will provide MDIS tele-imaging support for DOD and other federal medical treatment facilities in the Puget Sound area.

Munitions Standardization, Effectiveness and Safety (0605805A) (HAC Report P. 211)

Total appropriated: $23,991,000.

Subtotal of known earmarks: $6,000,000.

Subtotal of possible earmarks: $4,228,000.

Total of known and possible earmarks: $10,228,000.

Description of known earmarks: *Plasma Centrifugal Furnace:* The Committee recommends $6,000,000 only to continue development of the plasma centrifugal furnace for the future utilization of plasma arc technology in large scale demilitarization and hazardous material destruction.

Description of possible earmarks: *Ammunition Demilitarization:* The budget includes $712,000 for research on the demilitarization of conventional ammunition. The Committee recommends an increase of $4,228,000 for a total program of demilitarization research of $5,000,000.

Manufacturing Technology Development (0708011A) (HAC Report P. 212)

Total appropriated: $75,000,000.

Subtotal of known earmarks: $75,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $75,000,000.

Description of known earmarks: The Committee recommends $75,000,000 for Manufacturing Technology Development. These funds include: $20,000,000 only for the National Defense Center for Environmental Excellence (NDCEE); $10,000,000 only to investigate composite manufacturing technologies; $8,500,000 only for the Instrumented Factory for Gears (INFAC) program; $2,000,000 only to continue the effort to introduce advanced powder metallurgy disks into the growth T800 engine of the Comanche development program; $2,000,000 only to link Army Centers of Excellence with the National Institute of Standards and Technology (NIST) manufacturing technology programs; and the balance of the funding shall be used for Army programs which were included in the RDT&E Defense-wide appropriation request for fiscal year 1994 budget request.

Surface/Aerospace Surveillance and Weapons Technology (0602111N) (HAC Report P. 220)

Total appropriated: $92,305,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $25,000,000.

Total of known and possible earmarks: $25,000,000.

Description of possible earmarks: The Committee has included a reduction of $5,000,000 specifically to the Wide Area Surveillance Subprogram. No portion of this reduction is to be allocated to any other subproject of this program element. The Committee also recommends increases of $25,000,000 only for the free electron laser and $5,000,000 only for the Polar Ozone Aerosol Monitor.

Surface Ship Technology (0602121N) (HAC Report P. 220)

Total appropriated: $38,795,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $21,300,000.

Total of known and possible earmarks: $21,300,000.

Description of possible earmarks: The Committee recommends $38,795,000, an increase of $21,300,000. This includes:

$3,300,000 only for the design of standardization shockhardened air circuit breakers;

$3,000,000 only for interactive electronic technical manual development at the Navy Electronic Systems Engineering Activity (NESEA) at St. Inigoes, Maryland; and

$15,000,000 only for the use of composite technology in ship applications.

Surface Ship Technology (0602121N) (HAC Report P. 220)

Total appropriated: $38,795,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $3,000,000.

Total of known and possible earmarks: $3,000,000.

Description of possible earmarks: The Committee recommends the following initiatives at St. Inigoes to continue the Demonstration of the Interactive Electronic Technical Manual (IETM) technology for achieving improved capability and reducing weight and cost:

$1,000,000 only for the creation of standardized procedures for the acquisition of IETM, which will serve as guidelines for systems acquisition managers;

$1,000,000 only for application of multimedia technology to storage, presentation, and maintenance of C4I architecture information, particularly as it relates to large, diverse commands; and

$1,000,000 only for application of IETM technology to training materials for the Marine Corps Communication Electronics School.

Mission Support Technology (0602233N) (HAC Report P. 221)

Total appropriated: $48,224,000.

Subtotal of known earmarks: $5,601,000.

Subtotal of possible earmarks: $6,600,000.

Total of known and possible earmarks: $12,201,000.

Description of possible earmarks: Concerning aircrew protection: $3,666,000 is only for project M33I330; and $1,935,000 is only for project RM33B31.

Description of possible earmarks: The Committee recommends $48,224,000, an increase of $13,800,000. Within the amount provided: $5,600,000 is only for projects associated with aircrew protection; and an additional $1,000,000 is only for development and physiological testing or microencapsulated phase change materials for use in extreme temperature protective clothing.

Materials Electronics, and Computer Technology (0602234N) (HAC Report P. 221)

Total appropriated: $72,563,000.

Subtotal of known earmarks: $1,500,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $1,500,000.

Description of known earmarks: The Committee recommends $72,563,000, an increase of $1,500,000 which is only to continue development and operation of the Distributed Manufacturing Demonstration Project.

Undersea Surveillance Weapon Technology (0602314N) (HAC Report P. 221)

Total appropriated: $108,960,000.

Subtotal of known earmarks: $1,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $1,000,000.

Description of known earmarks: The Committee recommends $108,960,000, an increase of $1,000,000 for battery research as recommended by the House Armed Services Committee in its 1994 bill. The Committee directs that the traditional leadership rules and level of participation by universities and industry in this program element should be maintained.

Mine Countermeasures, Mining, and Special Warfare Technology (0602315N) (HAC Report P. 221)

Total appropriated: $23,944,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,000,000.

Total of known and possible earmarks: $2,000,000.

Description of known earmarks: The Committee recommends $23,944,000, an increase of $2,000,000 only for the Rapid Airborne Mine Clearance System.

Oceanographic and Atmospheric Technology (0602435N) (HAC Report P. 221)

Total appropriated: $47,511,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $9,800,000.

Total of known and possible earmarks: $9,800,000.

Description of known earmarks: The Committee recommends $47,511,000, an increase of $9,800,000 only for the development and application of a cost-effective remote semi-autonomous underwater oceanographic and environmental measurement capability.

Naval Biodynamics Laboratory (HAC Report P. 222)

Total appropriated: $3,000,000.

Subtotal of known earmarks: $3,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $3,000,000.

Description of known earmarks: The Committee has provided an additional $3,000,000 only for the Naval Biodynamics Laboratory (NBDL) and related collaborative research between NBDL and the Advanced Marine Technology Center. Of this additional amount: $2,000,000 is in the aviation survivability program (0603216N); and $1,000,000 is in the Medical development program (0603706N).

The Committee directs the Navy to add $2,500,000 of the increase to the Navy's budget request for operations and research at the NBDL.

Air Systems Advanced Technology Development (0603217N) (HAC Report P. 222)

Total appropriated: $80,005,000.

Subtotal of known earmarks: $50,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $50,000,000.

Description of known earmarks: The Committee recommends $80,005,000, an increase of $50,000,000. Within that amount:

$12,500,000 is only for continued development of the advanced Anti-Radiation Guided Missile;

$15,500,000 is only for a new project in Shared Aperture/Common Radio Frequency Modular Systems;

$13,000,000 is only for open architecture efforts in project W0446; and

$9,000,000 is only for development of integrated avionics racks using microencapsulated phase change materials.

Medical Development (0603706N) (HAC Report P. 224)

Total appropriated: $60,148,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $43,192,000.

Total of known and possible earmarks: $43,192,000.

Description of known earmarks: The Committee recommends $60,148,000, an increase of $43,192,000 as explained in the Medical section of this report.

Generic Logistics Research and Development Technology Demonstration (0603712N) (HAC Report p. 224)

Total appropriated: $38,520,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $24,800,000.

Total of known and possible earmarks: $24,800,000.

Description of possible earmarks: The Committee recommends $38,520,000, an increase of $24,800,000 only for the following activities of Logistics Engineering Advanced Development: enhance printed circuit board digital data packages through improved character handling and recognition techniques; automate the creation of "intelligent" printed wiring board CALS files; enhance printed wiring board digital data packages through automated bill of materials entry; integrate printed circuit board functional testing data into a CALS-complaint reverse engineering program; develop a system to automate the quality assurance and digital technical data packages; provide CALS enhancement of the virtual business and manufacturing environment; and for the Aviation Supply Office, reduce system/subsystem repair and acquisition cost analysis.

Advanced Anti-Submarine Warfare Technology 90603747N) (HAC Report p. 224)

Total appropriated: $68,172,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $19,000,000.

Total of known and possible earmarks: $19,000,000.

Description of possible earmarks: The Committee recommends $68,172,000, an increase of $19,000,000 as recommended by the House Armed Services Committee in its 1994 bill, of which: $4,000,000 is only for extended echo ranging; and $15,000,000 is only for low-low frequency active technology.

Within the latter amount, $5,000,000 is only for acoustic projectors.

Fiber Optic Acoustic Sensor Systems (HAC Report p. 225)

Total appropriated: $10,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $10,000,000.

Total of known and possible earmarks: $10,000,000.

Description of possible earmarks: The Committee recommends $10,000,000 only to continue technology efforts in this area with the objective of further reducing the cost of wideaperture arrays; developing common optical towed arrays for surface ships and submarines and undertaking a manufacturing technology program for efficient transition of fiber optic acoustic sensor systems from development into production.

Aviation Survivability (0603216N) (HAC Report P. 225)

Total appropriated: $23,072,000.

Subtotal of known earmarks: $11,518,000.

Subtotal of possible earmarks: $9,400,000.

Total of known and possible earmarks: $20,918,000.

Description of known earmarks: The Committee directs that the Navy fund all activities as budgeted, and that a total of $11,518,000 is available only for Project W0584, Aircrew Systems Technology.

Description of possible earmarks: Of this amount: $2,000,000 is only for the Naval Biodynamics Laboratory as previously discussed in this section; and $7,400,000 is only for aircrew systems technology.

The $7,400,000 increase is only for the following purposes: aircrew integrated life support system (+$4,700,000); aircrew integrated ensemble (+$1,200,000); and the advanced helmet vision system (+$1,500,000).

Advanced Submarine Combat Systems Development (0603504N) (HAC Report P. 226)

Total appropriated: $23,341,000.

Subtotal of known earmarks: $4,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $4,000,000.

Description of known earmarks: The Committee recommends $23,341,000, an increase of $3,000,000. $4,000,000 is only for fiber optic acoustic sensor systems as described earlier in this report.

Advanced Submarine System Development (0603561N) (HAC Report P. 226)

Total appropriated: $142,068,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $17,000,000.

Total of known and possible earmarks: $17,000,000.

Description of possible earmarks: $17,000,000 is only for development of dry deck shelters for the SSN-688 class submarines.

Advanced Surface Machinery System (0603573N) (HAC Report P. 226)

Total appropriated: $92,328,000.

Subtotal of known earmarks: $7,500,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $7,500,000.

Description of known earmarks: $7,500,000 is only for development of a permanent magnet motor.

Marine Corps Assault Vehicles (0603611M) (HAC Report P. 226)

Total appropriated: $28,554,000.

Subtotal of known earmarks: $8,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $8,000,000.

Description of known earmarks: The Committee recommends $28,554,000, an increase of $8,000,000, as proposed in House authorization legislation to continue work on the Stratified Charge Rotary Engine.

Ship Self Defense (0603755N) (HAC Report P. 227)

Total appropriated: $341,904,000.

Subtotal of known earmarks: $12,800,000.

Subtotal of possible earmarks: $96,900,000.

Total of known and possible earmarks: $109,700,000.

Description of known earmarks: The Committee recommends $341,904,000, an increase of $104,700,000. Within the increase: an additional $6,000,000 only for cooperative engagement multi-function self aligned gate technology; $3,000,000 is only for continued development and qualification of the Enhanced Lethality Cartridge 20mm CIWS ammunition; and $3,800,000 only for the Naval Electronic Systems Engineering Activity (NESEA) at St. Inigoes, Maryland to continue developing a multi-sensor data fusion capability for the Ship Self Defense System (SSDS).

Description of possible earmarks: The Committee recommends $341,904,000, an increase of $104,700,000. Within the increase: $20,000,000 is only for demonstration of an airship which the House Armed Services Committee authorized in the RDT&E, Defense-wide appropriation; $25,000,000 is only for E-2/E-3 aircraft integration of cooperative engagement capability as recommended by the House Armed Services Committee in its 1994 bill; an additional $20,000,000 is only to cover shortfalls in cooperative engagement capability as recommended by the House Armed Services Committee in its 1994 bill; a net reduction of $1,000,000 is explained in a classified letter accompanying this report; $3,000,000 is only to test excess B-52G aircraft ECM systems on a Navy minesweeper; $11,000,000 is only for Quick Reaction Combat Capability; $3,800,000 is only for the Naval Electronic Systems Engineering Activity multi-sensor data fusion program; $8,900,000 is only for sealift/tanker ship protection; and $5,000,000 is only for a prompt test and evaluation of a 25mm or 30mm stabilized, rapid fire gun mount with associated for control system, abroad a front line combatant.

Gun Weapon System Technology (0603795N) (HAC Report P. 228)

Total appropriated: $38,247,000.

Subtotal of known earmarks: $10,500,000.

Subtotal of possible earmarks: $10,500,000.

Total of known and possible earmarks: $21,000,000.

Description of known earmarks: The Committee recommends $38,247,000, an increase of $21,000,000 of which: $10,500,000 is only for the advance gun weapons systems project at the Naval Surface Warfare Center, Crane Division.

Description of possible earmarks: The Committee recommends $38,247,000, an increase of $21,000,000 of which: $2,000,000 is only for electric gun technology; and $8,500,000 is only for electro-thermal gun development.

AV-8B Engineering Development (0604214N) (HAC Report P. 228)

Total appropriated: $19,784,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $1,500,000.

Total of known and possible earmarks: $1,500,000.

Description of possible earmarks: The Committee recommends $19,784,000, an increase of $1,500,000 only for the adaptation and integration of the launcher rail chaff dispenser on the aircraft.

P-3 Modernization (0604221N) (HAC Report P. 228)

Total appropriated: $21,634,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $6,500,000.

Total of known and possible earmarks: $6,500,000.

Description of possible earmarks: The Committee recommends $21,634,000, an increase of $6,500,000 only for a detailed engineering, manufacturing, and cost analysis study to determine the feasibility of initiating a P-3 airframe conversion program.

Air Crew Systems Development (0604264N) (HAC Report P. 228)

Total appropriated: $14,976,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $3,850,000.

Total of known and possible earmarks: $3,850,000.

Description of possible earmarks: The Committee recommends $14,976,000, an increase of $3,850,000 only for the following items: $3,100,000 for AILSS/Navy Combat Edge; and $750,000 for the advanced helmet vision system.

Aegis Combat System Engineering (0604307N) (HAC Report P. 229)

Total appropriated: $103,995,000.

Subtotal of known earmarks: $23,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $23,000,000.

Description of known earmarks: Within the amount provided: $5,000,000 is only for the LM-2500R turbine engine as recommended by the House Armed Services Committee in its 1994 bill; and $18,000,000 is only for development of the aeroderivative gas turbine engine for naval applications such as destroyers.

Submarine Tactical Warfare System (0604562N) (HAC Report P. 229)

Total appropriated: $34,427,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $9,000,000.

Total of known and possible earmarks: $9,000,000.

Description of known earmarks: The Committee recommends $34,427,000, an increase of $9,000,000 only to initiate a competition for a common ring laser gyro navigation system for submarines and surface ships.

Navy Tactical Computer Resources (0604574N) (HAC Report P. 230)

Total appropriated: $22,572,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $5,000,000.

Total of known and possible earmarks: $5,000,000.

Description of possible earmarks: The Committee recommends $22,572,000, an increase of $5,000,000 only for the AN/UYH-16 optical device.

Ship Self Defense (0604755N) (HAC Report P. 230)

Total appropriated: $118,860,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $12,200,000.

Total of known and possible earmarks: $12,200,000.

Description of possible earmarks: The Committee recommends $118,860,000, an increase of $2,100,000. An increase of: $9,200,000 is recommended to accelerate development of the SPQ-9I radar; and an additional $3,000,000 is for the Thermal Imaging Sensor.

A reduction of $10,100,000 for upgrades to SLQ-32 is also recommended.

Navigation/ID System (0604777N) (HAC Report P. 230)

Total appropriated: $83,047,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $3,000,000.

Total of known and possible earmarks: $3,000,000.

Description of possible earmarks: The Committee recommends $83,047,000, an increase of $3,000,000 for non-cooperative target recognition.

Consolidated Training Systems Development (0204571N) (HAC Report P. 231)

Total appropriated: $46,200,000.

Subtotal of known earmarks: $9,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $9,000,000.

Description of possible earmarks: The Committee recommends $46,200,000, an increase of $9,000,000 only for the OUTBOARD trainer.

F-14 Upgrade (0205667N) (HAC Report P. 231)

Total appropriated: $149,995,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $78,000,000.

Total of known and possible earmarks: $78,000,000.

Description of possible earmarks: The Committee recommends $149,995,000, an increase of $78,000,000 as recommended by the House Armed Services Committee in its 1994 bill. Within this amount: $25,000,000 is for the pre-deployment upgrade; and $53,000,000 is only for the F/A-14 configuration of the aircraft.

Marine Corps Command/Control/Communications (0206626M) (HAC Report P. 232)

Total appropriated: $46,735,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $10,000,000.

Total of known and possible earmarks: $10,000,000.

Description of possible earmarks: The Committee recommends $46,735,000, an increase of $10,000,000 for the TPS-59 low radar cross section capability program.

Technical Information Services (HAC Report P. 232)

Total appropriated: $14,773,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $4,500,000.

Total of known and possible earmarks: $4,500,000.

Description of possible earmarks: The Committee recommends $14,773,000, an increase of $4,500,000 only for the Advanced Technical Information Support project.

Test and Evaluation Support (0605864N) (HAC Report P. 233)

Total appropriated: $293,422,000.

Subtotal of known earmarks: $1,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $1,000,000.

Description of known earmarks: $1,000,000 is only to continue the ongoing HIDDENSEE project in support of test and evaluation programs and fleet training exercises to provide technical knowledge of advanced communications and control systems.

Manufacturer Technology Development (HAC Report P. 233)

Total appropriated: $205,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $.

Description of known earmarks: The Committee recommends $205,000,000 for manufacturing technology. Within that amount:

$10,000,000 is only for the National Shipbuilding Initiative as recommended by the House Armed Services Committee in its 1994 bill;

$40,000,000 is only for the National Center for Excellence in Metalworking Technology;

$8,000,000 is only for the Life Cycle Improvements through Networking Critical (LINC) manufacturing technologies program;

$11,000,000 is only for the National Center for Advanced Gear Manufacturing Technologies;

$13,500,000 is only for the Surface Engineering and Material Characterization Facility managed by the Navy's Laser Joining Center;

$8,000,000 is only for the Center of Excellence in Ship Hull Designs and Electrical Systems;

$5,000,000 is only to link Navy Centers of Excellence with the National Institute of Standards and Technology;

$3,000,000 is only for fiberoptic acoustic sensor systems;

$12,000,000 is only for the Electronic Manufacturing Productivity Facility;

$5,000,000 is only for a manufacturing producibility center at the Louisville, Kentucky site of the Naval Surface Warfare Center, Crane Division;

$4,000,000 is only for the Center of Excellence for Best Manufacturing Practices;

$3,000,000 is only to continue operation of the Joining Center;

$3,000,000 is only for the Center of Excellence for Energetic Material Manufacturing at the Naval Surface Warfare Center, Indian Head, Maryland;

The Committee directs that the 1994 level of effort for the National Center for Excellence in Metalworking Technology be continued in the fiscal year 1995 budget request to Congress; and

The Navy is directed to use $18,000,000 of this appropriation to fund the continued R&D and transition to production of all of the ongoing ductile cast iron 5 inch 54 (i.e., HE, Hi Frag and Cargo) and 76mm projectile programs.

Description of possible earmarks: The Committee recommends $205,000,000 for manufacturing technology. Within that amount:

$7,000,000 is only for multifunction self-aligned gate technology;

$2,000,000 is only for laser assisted manufacturing;

$2,500,000 is only for spray forming research;

$8,200,000 is only for the EA-6B Prowler upgrade;

$18,000,000 is only for the cast ductile iron program;

$27,900,000 is only for the Great Lakes Composites Consortium;

$500,000 is only for taconite process technology;

$9,500,000 is only for Joint Logistics Systems Command Rapid Acquisition of Manufactured Parts migrations;

$2,000,000 is only for the Navy fleet-of-the-future program; and

$750,000 is only for electro-optics manufacturing.

Seismic Research (HAC Report P. 238)

Total appropriated: $27,409,000.

Subtotal of known earmarks: $27,409,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $27,409,000.

Description of known earmarks: The Committee strongly supports the basic seismic research program established by the Air Force Office of Scientific Research, and therefore: approves Defense Research Sciences (PE0601102F, project 2309) funding of $7,000,000 only for the Joint Seismic Program; $14,000,000 only for capitalization of the Global Seismic Network, both administered by the Incorporated Research Institutions for Seismology; $4,409,000 for university-based seismic research; and $2,000,000 to the Geophysics program (PE0602101F, project 7600), only for contractual research to be managed by the Phillips Laboratory Geophysics Directorate.

Geophysics (0602101F) (HAC Report P. 239)

Total appropriated: $37,252,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $7,000,000.

Total of known and possible earmarks: $7,000,000.

Description of possible earmarks: The Committee recommends $37,252,000, an increase of $7,000,000 to the budget request. Within these funds: $2,000,000 shall be available only as addressed under the heading "Seismic Research" above, and $5,000,000 only to upgrade computational resources to detect the detonation of low-yield nuclear devices.

Materials (0602120F) (HAC Report P. 239)

Total appropriated: $71,305,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $500,000.

Total of known and possible earmarks: $500,000.

Description of possible earmarks: The Committee recommends $71,305,000, an increase of $500,000 only for Remote Aircraft Fatigue Sensing.

Aerospace Propulsion (0602203F) (HAC Report P. 239)

Total appropriated: $81,100,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $3,000,000.

Total of known and possible earmarks: $3,000,000.

Description of possible earmarks: The Committee recommends $81,100,000, an increase of $3,000,000 only to support the ongoing research project on endothermic jet fuels including coal-based fuels.

Rocket Propulsion and Astronautics Technology (0602302F) (HAC Report P. 239)

Total appropriated: $51,137,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $11,106,000.

Total of known and possible earmarks: $11,106,000.

Description of possible earmarks: The Committee believes these programs to be a high priority and recommends $51,137,000, a total increase of $11,106,000, with the increase allocated as follows: $10,000,000 for Thermionics Space Power Program; $854,000 for Space Systems Propulsion Technology; and $252,000 for Missile System Propulsion Technology.

Advanced Materials for Weapon Systems (0603112F) (HAC Report P. 240)

Total appropriated: $25,825,000.

Subtotal of known earmarks: $10,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $10,000,000.

Description of known earmarks: The Committee recommends $25,825,000, an increase of $10,000,000 only for the operation of the National Center for Industrial Competitiveness (NCIC), near Wright-Patterson Air Force Base, Ohio.

Crew Systems and Personnel Protection Technology (0603232F) (HAC Report P. 240)

Total appropriated: $12,960,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,500,000.

Total of known and possible earmarks: $2,500,000.

Description of possible earmarks: The Committee recommends $12,960,000, an increase of $2,500,000 above the request: *Advanced Life Support:* The Air Force requested $1,038,000 for Advanced Life Support. The Committee recommends $3,538,000, an increase of $2,500,000 only for Project 2830.

National Aero Space Plane Technology Program (0603269F) (HAC Report P. 240)

Total appropriated: $80,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $36,741,000.

Total of known and possible earmarks: $36,741,000.

Description of possible earmarks: The Committee recommends $80,000,000, an increase of $36,741,000 above the request. These funds support the joint Department of Defense/National Aeronautics and Space Administration restructured National Aero Space Plane (NASP) technology program for fiscal year 1994. This funding is provided contingent upon compliance with section 242 of the National Defense Authorization Act for Fiscal Year 1993.

Space and Missile Rocket Propulsion (0603302F) (HAC Report P. 240)

Total appropriated: $11,430,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $1,403,000.

Total of known and possible earmarks: $1,403,000.

Description of possible earmarks: The Committee recommends $11,430,000, an increase of: $937,000 for Space Systems Propulsion Technology; and $466,000 for Missile Systems Propulsion Technology.

Space Subsystems Technology (0603428F) (HAC Report P. 240)

Total appropriated: $8,000,000.

Subtotal of known earmarks: $8,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $8,000,000.

Description of know earmarks: No funds were requested for this program. The Committee recommends $8,000,000 solely to continue the HAVE GAZE program.

Advanced Radiation Technology (0603605F) (HAC Report P. 240)

Total appropriated: $78,315,000.

Subtotal of known earmarks: $900,000.

Subtotal of possible earmarks: $22,000,000.

Total of known and possible earmarks: $22,900,000.

Description of known earmarks: *High Power Microwave (HPM) Technology:* To ensure stable and continued High Power Microwave (HPM) development, the Committee recommends an additional $900,000, providing $11,600,000 only for project 3152.

Description of possible earmarks: *Excimer Laser:* The Committee recommends $22,000,000 only for the Excimer Laser Technology Development Program.

Civil and Environmental Engineering Technology (0603723F) (HAC Report P. 241)

Total appropriated: $13,435,000.

Subtotal of known earmarks: $5,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $5,000,000.

Description of known earmarks: *Spray Casting:* The Committee recommends $5,000,000 only to continue development of production scale spray casting equipment.

B–1B (0604226F) (HAC Report P. 241)

Total appropriated: $126,543,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $33,000,000.

Total of known and possible earmarks: $33,900,000.

Description of possible earmarks: *Electronic Countermeasure (ECM) systems:* The Committee recommends $25,000,000 and directs that the ECM risk reduction effort involve no less than three candidate systems.

Relative Targeting System/GPS-Aided Munition (RTS/GAM): The Committee recommends $8,000,000 only for a Relative Targeting System demonstration to determine if upgrading the B–1's radar will provide the capability to employ interim precision weapons.

B–2 Advanced Technology Bomber (0604240F) (HAC Report P. 242)

Total appropriated: $838,497,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $48,000,000.

Total of known and possible earmarks: $48,000,000.

Description of possible earmarks: GPS-Aided Targeting System/GPS-aided Munition (GATS/GAM): The Committee recommends an additional $48,000,000 for GATS/GAM development effort.

B–52 Squadrons (0101113F) (HAC Report P. 242)

Total appropriated: $6,300,000.

Subtotal of known earmarks: $6,300,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $6,300,000.

Description of known earmarks: The Committee recommends $6,300,000 only to complete Have Lite technology development efforts, which will further reduce the unit cost of subsequent Have Nap missile procurement.

KC–135S (0401218F) (HAC Report P. 243)

Total appropriated: $3,441,000.

Subtotal of known earmarks: $3,441,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $3,441,000.

Description of known earmarks: The Committee recommends $3,441,000 only to continue the Improved Air Refueling System (IARS).

Computer Resources Management Technology (0604740F) (HAC Report P. 246)

Total appropriated: $16,137,000.

Subtotal of known earmarks: $9,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $9,000,000.

Description of known earmarks: The Committee recommends $16,137,000, an increase of $9,000,000 only for the Computer Resource Development Program (CARDS).

Threat Simulator Development (0604256F) (HAC Report P. 247)

Total appropriated: $46,962,000.

Subtotal of known earmarks: $12,600,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $12,600,000.

Description of known earmarks: The Committee recommends $46,962,000, an increase of $12,600,000 only for the Real-Time Electromagnetic Digitally Controlled Analyzer Processor (REDCAP) as proposed by the House Armed Services Committee.

Threat Simulator Development (0604256F) (HAC Report P. 247)

Total appropriated: $10,670,000.

Subtotal of known earmarks: $10,670,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $10,670,000.

Description of known earmarks: The Committee also recommends $10,670,000, the budget request, only for the Electronic Combat Integration Test (ECIT) facility at Edwards Air Force Base.

Navigation/Radar/Sled Tract Test Support (0605708F) (HAC Report P. 248)

Total appropriated: $31,813,000.

Subtotal of known earmarks: $3,500,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $3,500,000.

Description of known earmarks: The Committee recommends $31,813,000, an increase of $3,500,000 only to initiate Phase II, magnetic levitation prototyping and initial electromagnetic propulsion design, for the High Velocity Sled Tract at Holloman Air Force Base, New Mexico.

Medium Launch Vehicles (0305119F) (HAC Report P. 248)

Total appropriated: $41,336,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $41,336,000.

Total of known and possible earmarks: $41,336,000.

Description of known earmarks: As discussed elsewhere in this report under Space and Related Activities, the Committee has added a total of $37,000,000 for improvements to the space launch ground infrastructure. In order to ensure that this modernization keeps pace with deployment of the medium lift Spacelifter launch vehicle, it is directed that $15,000,000 be allocated to the Western Space Launch Facility and $22,000,000 to the Eastern Space Launch Facility. The Committee stipulates that these funds are to be used solely to begin a long term ground infrastructure modernization program at these two locations. As also discussed elsewhere in this report, the Committee has transferred a total of $16,336,000 to this program from the Reentry System Launch Program (0101213F). Finally, the Committee has included a reduction, without prejudice, of $12,000,000 to reflect the probable delay in the requirement for the medium Launch Vehicle III program due to slippage in the availability of the Global Positioning System Block IIR payload.

Titan Space Launch Vehicles (0305144F) (HAC Report P. 248)

Total appropriated: $6,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $6,000,000.

Total of known and possible earmarks: $6,000,000.

Description of possible earmarks: No funds are requested in the Titan Space Launch Vehicles program for the Centaur Processing Facility. The Committee recommends an increase of $6,000,000 solely for this required new facility.

Manufacturing Technology Development (0708011F) (HAC Report P. 249)

Total appropriated: $130,000,000.

Subtotal of known earmarks: $70,400,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $70,400,000.

Description of known earmarks: The Committee recommends $130,000,000 for Manufacturing Technology Development. This includes: $60,000,000 only for the National Center for Manufacturing Sciences (NCMS); $7,200,000 only for the Computer-aided Acquisition and Logistics Support Technology Transfer (CATT) program within the Air Force Material Command tc enhance the advanced logistic facility's ability to test and rapidly deploy Computer Aided Acquisition and Logistics Support (CALS) to the private sector and establish cooperative research and development agreements with area industries and institutions through establishment of a test site for technology development at Oklahoma City Air Logistics center and authorization of a CATT Special Project Office (SPO); $2,000,000 only to continue the development of a ductile cast iron solidification/pattern definition simulation; and $1,200,000 only for Platform for the Automated Construction of Intelligent Systems (PACIS).

The balance of the funding shall be used for Air Force programs which were included in the RDT&E Defense-side appropriation request for fiscal year 1994 budget request.

University Research Initiatives (0601103D) (HAC Report P. 253)

Total appropriated: $274,611,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $90,000,000.

Total of known and possible earmarks: $90,000,000.

Description of possible earmarks: The Committee recommends $274,611,000, an increase of $32,000,000 as recommended by the House Armed Services Committee in its 1994 bill. Within this amount: $55,000,000 in only for Augmentation Awards for Science and Education Training; and $20,000,000 is only for an Experimental Program to Stimulate Competitive Research (EPSCOR) in the Department of Defense.

Focused Research Initiative (0601110D) (HAC Report P. 254)

Total appropriated: $20,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $10,000,000.

Total of known and possible earmarks: $10,000,000.

Description of possible earmarks: The Committee recommends that within the amount provided, $10,000,000 is only for projects undertaken in conjunction with the National Medical Technology Testbed to provide seed funds for developing products for defense technologies in health care, aimed at reducing health-case costs.

Computing Systems and Communications Technology (0602301E) (HAC Report P. 254)

Total appropriated: $272,789,000.

Subtotal of known earmarks: $11,700,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $11,700,000.

Description of known earmarks: An increase of: $7,000,000 only for ASSET; and $4,700,000 only for development of non-seismic technology for nuclear non-proliferation.

Tactical Technology (0602702E) (HAC Report P. 255)

Total appropriated: $156,541,000.

Subtotal of known earmarks: $12,650,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $12,650,000.

Description of known earmarks: The Committee recommends $156,541,000, an increase of $12,650,000 of which: $1,750,000 is only for an advanced landing system; $5,500,000 is only for metal-coated ceramic microsphere technology for low observable applications; and $5,400,000 is only for the Speakeasy communications project.

Integrated Command and Control Technology (0602708E) (HAC Report P. 255)

Total appropriated: $125,014,000.

Subtotal of known earmarks: $25,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $25,000,000.

Description of known earmarks: Within this amount, $25,000,000 is only for part of a two year, $50,000,000 project to establish a pilot demonstration facility that will expedite the development of manufacturing technology for active matrix liquid crystal displays (AMLCDs).

Materials and Electronics Technology (0602712E) (HAC Report P. 256)

Total appropriated: $303,200,000.

Subtotal of known earmarks: $95,200,000.

Subtotal of possible earmarks: $30,700,000.

Total of known and possible earmarks: $125,900,000.

Description of known earmarks: This includes increases only for the following purposes: $77,700,000 as recommended by the House Armed Services Committee in its 1994 bill; $4,000,000 only for multi-chip modules; and $13,500,000 only for the California ORTA Foundation as the first increment in support of the Joint Casting Emission Reduction project, which is projected to be completed over a five year period for $40,000,000.

Description of possible earmarks: $9,500,000 only for infrared sensitive materials; $13,500,000 only for the Joint Casting Emission Reduction Project; $5,000,000 is only to continue the coal utilization center; and $2,700,000 is only to establish a materials research program to address scientific advances through cross-disciplinary activities and potential breakthroughs in the following areas including high performance materials, electro-optical materials, and catalysis.

Defense Nuclear Agency (0602715H) (HAC Report P. 257)

Total appropriated: $238,388,000.

Subtotal of known earmarks: $3,000,000.

Subtotal of possible earmarks: $8,000,000.

Total of known and possible earmarks: $11,000,000.

Description of known earmarks: An increase of $4,000,000 only for ongoing bioenvironmental hazards research.

Description of possible earmarks: An increase of: $3,000,000 only for the Nevada operations office for evaluating and assisting the transfer of technologies developed at the Nevada Test Site to the private section, development of infrastructure to support future defense program needs at the Nevada Test Site, and environmental aspects of new or proposed projects seeking to locate at the Test Site; and $4,000,000 and directs the Defense Nuclear Agency to continue its ongoing high risk interdisciplinary bioenvironmental hazards research into the health, engineering and basic science aspects of environmental problems of special interest to the Department.

Ballistic Missile Defense (HAC Report P. 259)

Total appropriated: $2,870,040,000.

Subtotal of known earmarks: $6,500,000.

Subtotal of possible earmarks: $97,000,000.

Total of known and possible earmarks: $103,500,000.

Description of known earmarks: $6,500,000 of theater missile defense funds are only for the classified HAVE YAK program.

Description of possible earmarks: $97,000,000 only for the ERINT missile and to require that the Defense Department execute the PAC–III missile acquisition strategy which it justified to the Congress during hearings this year.

Experimental Evaluation of Major Innovative Technology (0603226E) (HAC Report P. 260)

Total appropriated: $617,098,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $.

Description of known earmarks: The Committee recommends the following increases: $50,000,000 for fuel cells; $28,900,000 for programs transferred from the Ballistic Missile Defense Organization; $5,000,000 for gamma-gamma resonance imaging; $1,000,000 for fire detection technology; and $1,000,000 for nuclear waste monitoring.

The Committee recommends increases only for the following purposes: $16,000,000 for multi-function self aligned gate gallium arsenide wideband module development for shipboard radar and electronic warfare use; $6,000,000 only for critical technology validation of the ASTOVL direct life concept; $3,000,000 is only for the Large Millimeter Telescope; $5,000,000 only for SELENE as recommended by the House Armed Services Committee in its fiscal year 1994 report; and $4,000,000 only for unmanned undersea vehicle solid polymer fuel cells.

Concerning fuel cells: $5,000,000 is only for phosphoric acid fuel cells to be managed in conjunction with the Army; $5,000,000 is only for proton exchange membrane fuel cells; $1,000,000 is only for monolithic solid oxide fuel cells; and $34,500,000 is only for carbonate based fuel cells.

Strategic Environmental Research (0603716D) (HAC Report P. 262)

Total appropriated: $67,958,000.

Subtotal of known earmarks: $61,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $61,000,000.

Description of known earmarks: Within the amount provided: $5,000,000 is only for the Consortium for International Earth Science Informational Network; $2,200,000 is only for Global Acoustic Mapping of Ocean Temperatures; $7,500,000 is only for a plasma-disposal project at Fort Belvoir; $3,500,000 is only for the National Environmental Education and Training Center; $1,400,000 is only for a spectrometer air quality monitor; $100,000 is only for encapsulation of solid waste; $37,800,000 is for Phase I projects; and $3,500,000 be made available only to the National Environmental Education and Training Center for research, planning and demonstration purposes of the Center.

Computer Aided Logistics Support (0603736D) (HAC Report P. 263)

Total appropriated: $23,224,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $12,800,000.

Total of known and possible earmarks: $12,800,000.

Description of possible earmarks: Within the amount provided: $2,800,000 is only for development of a CALS-compliant Standardized Project Description; $5,000,000 is only for the Defense Department to develop a plan that sets forth a clear articulation of vision, strategy, and tactics for implementation of the CALS program; and $5,000,000 only to accelerate the CALS program within the Defense Department and United States industry.

Manufacturing Technology (0603739E) (HAC Report P. 263)

Total appropriated: $342,340,000.

Subtotal of known earmarks: $47,543,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $47,543,000.

Description of known earmarks: The Committee recommends $342,340,000, an increase of $42,743,000. This includes an increase of: $27,543,000 recommended by the House Armed Services Committee in its 1994 bill for advanced lithography;

Within the amount provided for advanced lithography: $2,200,000 is only for coronary angiography; and $3,000,000 is only for dual energy digital subtraction angiography; $20,000,000 only for a cost-shared, cooperative effort with industry to develop environmentally conscious manufacturing of electronics systems based on an industry-developed roadmap.

Consolidated DOD Software Initiative (0603756D) (HAC Report P. 264).

Total appropriated: $31,651,000.

Subtotal of known earmarks: $22,500,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $22,500,000.

Description of known earmarks: The Committee recommends $31,651,000, an increase of $22,500,000 of which: $10,000,000 is only for the National Applied Software Engineering Center; $5,000,000 is only for the Software Managers' Network; and $7,500,000 is only for the Reuse Technology Adoption Program.

Rocket Motor Demilitarization Program (0604704D) (HAC Report P. 264)

Total appropriated: $27,267,000.

Subtotal of known earmarks: $2,000,000.

Subtotal of possible earmarks: $13,000,000.

Total of known and possible earmarks: $15,000,000.

Description of known earmarks: The Committee recommends $27,267,000, an increase of $15,000,000 of which: $2,000,000 is only for projects at the Longhorn Army Ammunition Plant to include design, test, and process prove-out for demil/reclamation of rocket motor propellant and pyrotechnic material using cryofractured, high pressure wash out and air curtain destructors and other technologies that are under development.

Description of possible earmarks: The Committee recommends $27,267,000, an increase of $15,000,000 of which: $6,000,000 is only for disposal of energetic materials; and $7,000,000 is only for disposal of strategic missiles at the Nevada Test Site.

DOD/CTC Joint CALS Initiative (HAC Report p. 264)

Total appropriated: $52,000,000.

Subtotal of known earmarks: $30,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $30,000,000.

Description of known earmarks: The Committee directs that of the total fiscal year 1994 CSRC program funds recommended: $30,000,000 is specifically earmarked only for the CSRC operated by CTC for the following tri-service initiatives:

1. $4,000,000 for the establishment of a FCIM Tested Facility initiative in collaboration with the Department's Joint Center for FCIM;

2. $2,000,000 for the establishment of a Collaborative Application Protocol Development initiative in collaboration with the IGES/PDES Organization (IPO);

3. $2,000,000 for the establishment of a Manufactured Product Data Standards initiative in collaboration with national industrial interest groups, such as, but not limited to, the Society of Manufacturing Engineers, American Foundrymen's Society, Society of Automotive Engineers, American National Standards Institute, National Machine Tool Builders Association and the National Computer Graphics Association;

4. $3,000,000 for the establishment of CALS standards and technologies development, deployment, training and education linkage between the CSRC Program and the National Institute of Standards and Technology (NIST) Manufacturing Extension Partnerships (MEPs) and the Centers of Excellence and the Army's Center for Optics and DOD's National Defense Center for Environmental Excellence (NDCEE) administered by the Army;

5. $1,000,000 for the establishment at the CRS located in Orange, Texas of an Instructional Technology Development initiative; and

6. $18,000,000 for the establishment and continued operation of additional CRSs to be operated by educational or other non-profit institutions located in Oakland, California; St. Petersburg, Florida; Atlanta, Georgia; Honolulu, Hawaii; Portland, Maine; and Fairmont, West Virginia.

The Committee further directs that of the total fiscal year 1994 CSRC program funds recommended: $20,000,000 is specifically earmarked only for the continued operation of the CRSs located in Palestine Texas; Orange, Texas; San Antonio, Texas; Dayton, Ohio; Cleveland, Ohio; and Fairfax, Virginia.

Physical Security Equipment (0603228D) (HAC Report P. 267)

Total appropriated: $30,676,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $10,000,000.

Total of known and possible earmarks: $10,000,000.

Description of possible earmarks: The Committee recommends $30,676,000, an increase of $10,000,000, as follows: $5,000,000 only for the development of the Mobile Detection Assessment Response System-Exterior (MDARS–E) physical security vehicle; and $5,000,000 only for a joint Security/Scout vehicle program.

Joint Robotics Program (0603709D) (HAC Report P. 267)

Total appropriated: $32,125,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $10,000,000.

Total of known and possible earmarks: $10,000,000.

Description of possible earmarks: $10,000,000 is only for development of an unmanned scout vehicle and technology that supports its development.

Advanced Sensor Applications Program (0603714D) (HAC Report P. 267)

Total appropriated: $39,919,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $13,999,000.

Total of known and possible earmarks: $13,999,000.

Description of possible earmarks: The Committee recommends $39,919,000, an increase of $13,999,000 to consolidate non-acoustic anti-submarine warfare programs by transferring funds from the Navy.

AIM–9 Consolidated Programs (0603715D) (HAC Report P. 267)

Total appropriated: $43,480,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $33,887,000.

Total of known and possible earmarks: $33,887,000.

Description of possible earmarks: The Committee recommends $43,480,000, an increase of $33,887,000 to consolidate AIM–9 missile programs by transferring funds from the Air Force.

Mobile Office Shore Basing (0604705D) (HAC Report P. 268)

Total appropriated: $24,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $24,000,000.

Total of known and possible earmarks: $24,000,000.

Description of possible earmarks: The Department did not request funds to continue the Congressional initiative begun last year to examine the feasibility of mobile off shore basing for military operations. The Committee recommends $24,000,000.

Defense Support Activities (0605798S) (HAC Report P. 269)

Total appropriated: $45,561,000.

Subtotal of known earmarks: $3,000,000.

Subtotal of possible earmarks: $30,000,000.

Total of known and possible earmarks: $33,000,000.

Description of known earmarks: The Committee recommends $45,561,000, an increase of $33,000,000. Within this amount: $3,000,000 is only for shipbreaking technology as recommended by the House Armed Services Committee in its 1994 bill.

Description of possible earmarks: An additional $30,000,000 is only for the following CLAS activities of the Defense Logistics Agency: developing software cost estimation models for object-oriented development environments, establishing proactive quality engineering, providing support of concurrent engineering-based business practices, developing a personal computer based logistics data server, provided benefits analysis planning tools, developing a CALS expert or rule-based system for management of consumable items, developing a CALS-compliant digital manifest record applicable to container shipments, developing a CALS-compliant automated office, developing a CALS-compliant ICP aviation component rework parts usage information system, researching and analyzing the use of CALS-compliant emerging controls and technologies to enhance procurement leadtimes and efficiencies, developing a system for utilizing mass storage in optical discs, and converting to a digital production imaging control system versus a manual work distribution and control system. Funds are also provided for the Defense Commissary Agency to develop an optical scanning and archiving capability.

Manufacturing Technology Development (HAC Report P. 270)

Total appropriated: $45,300,000.

Subtotal of known earmarks: $45,300,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $45,300,000.

Description of known earmarks: The Committee recommends $45,300,000 for manufacturing technology. Within this amount: $2,800,000 is only for the combat rations manufacturing technology demonstration

(CRAMTD); $7,500,000 is only for generalized emulation of microcircuits; $10,000,000 is only for military sewn products; $15,000,000 is only for metalcasting as recommended by the House Armed Services Committee in its 1994 bill; and $10,000,000 is only for machine tools also as recommended by the House Armed Services Committee.

Electric Vehicle Technology (HAC Report P. 270)

Total appropriated: $50,000,000.

Subtotal of known earmarks: $25,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $25,000,000.

Description of known earmarks: Within this amount: $5,000,000 is only for the electric vehicle program at McClellan AFB; $5,000,000 is only for an agile manufacturing project in advanced transportation systems (including electric vehicles) in Los Angeles, California; $5,000,000 is only for the non-profit California Hybrid Electric Vehicle Consortium for development of hybrid electric vehicles; and $10,000,000 is only for the non-profit organization Concurrent Technologies Corporation to establish and operate the Mid Atlantic Regional Consortium for Advanced Vehicles.

Natural Gas Vehicles (HAC Report P. 271)

Total appropriated: $25,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $25,000,000.

Total of known and possible earmarks: $25,000,000.

Description of possible earmarks: The Committee recommends $25,000,000 to continue the Congressional initiative begun last year. Within this amount: $10,000,000 is only for R&D on vehicles; and $15,000,000 is only for conversion and infrastructure demonstration.

Earth Conservancy (HAC Report P. 271)

Total appropriated: $40,000,000.

Subtotal of known earmarks: $40,000,000.

Subtotal of possible earmarks: $.

Total of known and possible earmarks: $40,000,000.

Description of known earmarks: The Committee recommends $40,000,000 to continue the Earth Conservancy initiative begun by Congress last year.

Space Launch Vehicles (HAC Report P. 271)

Total appropriated: $50,000,000.

Subtotal of known earmarks: $40,000,000.

Subtotal of possible earmarks: $10,000,000.

Total of known and possible earmarks: $50,000,000.

Description of known earmarks: Of the total amount provided, at least $40,000,000 must be allocated for a long-term effort to produce an unmanned single-stage-to-orbit prototype launch vehicle. These funds may only be used for a competitive effort.

Description of possible earmarks: The remaining $10,000,000 shall be used for additional research on such launch technologies as hybrid rocket motors and parafoils.

Special Operations Advanced Technology Development (HAC Report P. 272)

Special Operations Special Technology:

Total appropriated: $4,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $4,000,000.

Total of known and possible earmarks: $4,000,000.

Description of possible earmarks: The Committee recommends an additional $4,000,000 for designing and developing prototype systems to enhance Civil Affairs and Psychological Operations (Psyops) activities associated with Special Operations Forces humanitarian, civil assistance, and combat mission.

Special Operations Advanced Technology Development (HAC Report P. 272)

Explosive Ordnance Disposal for Low Intensity Conflict:

Total appropriated: $2,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $2,000,000.

Total of known and possible earmarks: $2,000,000.

Description of possible earmarks: An additional $2,000,000 has been provided to ensure that prototypes that address mine and unexploded ordnance requirements continue to be developed at an acceptable rate.

Special Operations Forces (HAC Report P. 272)

IntraFormation Positioning System (IFPS):

Total appropriated: $15,500,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $15,500,000.

Total of known and possible earmarks: $15,500,000.

Description of possible earmarks: The Committee recommends $15,500,000 to continue the development of the IFPS.

Special Operations Tactical Systems Development (HAC Report P. 272)

"Quiet Knight":

Total appropriated: $6,000,000.

Subtotal of known earmarks: $.

Subtotal of possible earmarks: $6,000,000.

Total of known and possible earmarks: $6,000,000.

Description of possible earmarks: The Committee recommends $6,000,000 to continue with Phase III of the Quiet Knight Technical Demonstration program and to initiate transition of successfully demonstrated subsystems into Engineering & Manufacturing Development of the Special Operations aircraft fleet.

Special Operations Tactical Systems Development (HAC Report p. 272)

CV-22:

Total appropriated: $20,000,000.

Subtotal of known earmarks: $.

Subtotal of known and possible earmarks: $20,000,000.

Total of known and possible earmarks: $20,000,000.

Description of possible earmarks: The Committee has added an additional $20,000,000 for the CV-22 program.

INITIAL REVIEW OF EARMARKS IN HAC FY 1994 DEFENSE APPROPRIATIONS TITLES V-VI-VII-VIII

TITLE V—REVOLVING FUNDS

No earmarks.

TITLE VI

Defense Health Program

Of total appropriation of $9.645 billion, "such funds as necessary shall be used for the continuation of the cooperative program model being established at Madigan Medical Center for severely disordered students" (Bill p. 47, no report language)

"From these funds the Army is directed to maintain the existing level of services at the Tobyhanna Army Depot. The Army is specifically directed not to reduce the personnel staffing levels * * *. (Report p. 282, no bill language)

"The Committee directs that the Army maintain a pharmacy operation at the Richmond Blue Grass Army Depot, Richmond, Kentucky, until a mail service pharmacy program has been implemented in Kentucky". (Report p. 283, no bill language)

$1.5 million "to compensate William Beaumont" Army Medical Center for non-compensated emergency care for indigents. (Report p. 284, no bill language)

$1 million "to establish a collaborative program—the "Violence and Brain Project"." Possible earmark, report p. 285, no bill language.

$3 million "to purchase bandwidth time on a network in the State of Washington to allow the sending of medical imaging". Report p. 288, no bill language.

$3.5 million "to exploit defense nuclear weapon-derived technology for breast cancer early detection. . . The Committee directs the development. . . of a prototype. . . system in a clinical setting at the Brooke Army Medical Center in San Antonio, Texas" Report p. 289, no bill language (possible earmark, Simon didn't say "only at").

Drug Interdiction

Of total appropriation of $757.8 million:

"not less than $5,900,000 shall be available only for the Gulf States Counter-Narcotics Initiative". (Bill p. 48, report p. 294)

$2 million "for the Multi-jurisdictional task force training program begun in fiscal year 1992. . . available only for the Florida National Guard". Report p. 295, no bill language.

Directs DoD "to work with the Lake County Task Force. . . in northwest Indiana, to identify potential surplus military equipment. . . that can be provided to the task force." Report p. 296, no bill language.

$1.1 million "for the establishment of a Police Research Institute as a collaborative effort between the Department of Defense and a Texas criminal justice center with a State legislative mandate to assist State and local law enforcement agencies to develop anti-crime strategies." Report p. 296, no bill language.

TITLE VII—NFIP

No earmarks.

TITLE VIII—GENERAL PROVISIONS

Sec. 8025/bill p. 65 "the Department shall modify a currently operating CHAMPUS service contract to include an at-risk managed health care provision, to provide services not later than 90 days after enactment of this Act, in the area of Homestead Air Force Base".

Sec. 8026/bill p. 67, "Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station."

Sec. 8028/bill p. 69 "Of the funds appropriated to the Army, $217,600,000 shall be available only for the Reserve Component Automation System (RCAS): Provided, That none of these funds can be expended—(1) except as approved by the Chief of the National Guard Bureau" etc, etc as in past years.

Sec. 8053/bill p. 85 "None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 815th Weather Squadron of the Air Force Reserve."

Sec. 8056/bill pp. 86–87. "There is established, under the direction and control of the Attorney General, the National Drug Intelligence Center. . . funding. . shall be provided from the funds appropriated to the Department of Defense".

Sec. 8070/bill p. 95–97 $6.5 million "shall be available only to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California". This section goes on to direct a refund of a $4.5 million deposit if the purchaser withdraws from all or a portion of the sale, and further directs that any portion of the land not purchased "shall be sold to the City of Novato, in the State of California, for the sum of One Dollar".

Sec. 8088/bill p. 103 "None of the funds appropriated by this Act may be used to relocate the 116th Fighter Wing of the Air National Guard from Dobbins Air Reserve Base to Robins Air Force Base, or to convert that wing from F–15A aircraft to B–1B aircraft."

Sec. 8091/bill p. 105 "Notwithstanding any other provision of law, not less than $750,000 of the funds appropriated [for O&M Army] . . . shall be made available until expended to conduct a demonstration program involving the Army Senior Officers' Training Corps battalion at Indiana-University-Northwest and Army Junior Reserve Officers' Training Corps units near the University. The purpose of this program shall be to encourage minority students in the secondary educational institutions to continue their education".

Sec. 8118/bill p. 116 "In addition to amounts appropriated elsewhere in this Act, $200,000 shall be available only for settlement of claims and interest thereon, associated with contract numbered N62474–86–C–0253 for construction of a multipurpose range complex at the Marine Corps Air Ground Combat Center in Twentynine Palms, California" (possible private relief, claims they are following GAO recommendation).

Sec. 8120, bill p. 117 "The Secretary of the Navy shall carry out the establishment of the Marine Warfare Center of Excellence at the naval station at Ingleside, Texas."

Title II—Procurement

REALLY BAD

Aircraft Carrier Replacement Program (HAC report p. 142; bill p. 27).

Total appropriated: $1,000,000,000.

Subtotal of known earmarks: $1,000,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $1,000,000,000.

Description of known earmarks:

Allocate $1,000,000,000, to start CVN–76, which shall not be available for obligation or expenditure until September 30, 1994. Lobbyists are claiming $200–300 million savings from funding the ship a year early, but making funds available for only one day in FY 94 differs little from having FY 95 funding.

Description of possible earmarks: None.

Prior Year Programs (HAC report p. 144).

Total appropriated: $127,000,000,000

Subtotal of known earmarks: $127,000,000.

Subtotal of possible earmarks: $0

Total of known and possible earmarks: $127,000,000

Description of known earmarks:

The HAC set aside $127,000,000 only for cost growth in the prior year shipbuilding programs, all unrequested by the Navy. This sounds very much like what the HAC did for Tampa Shipbuilding and Bethlehem Steel (Sparrows Point) Shipyard last year.

LSD–41 amphibious ships (Avondale, New Orleans).

MHC–51 mine countermeasures ships in the FY 89 and FY 90 programs (Probably for Avondale, although Intermarine [Savannah, GA] and Avondale [Gulfport, MS] each have one MHC–51 funded in FY 89 and FY 90).

TAO–187 program in FY 87 (Avondale, New Orleans; these 2 ships have already delivered).

AO Jumbo conversion program (Avondale, New Orleans; these 5 ships have all delivered).

Patrol Coastal program (Bollinger Machine, Lockport, LA) All of these 13 ships were added to the FY 89–91 budgets by the Appropriators in the first place. Not a single ship was requested by the Navy.

Description of possible earmarks: None.

Have Nap (HAC report p. 168).

Total appropriated: $10,000,000.

Subtotal of known earmarks: $10,000,000.

Subtotal of possible earmarks: $0

Total of known and possible earmarks: $10,000,000.

Description of known earmarks: Air Force has bought all of the Have Nap missiles that they need. Nevertheless, HAC added $10,000,000 to continue production of this missile and avoid a production break.

Description of possible earmarks: None.

BAD

C–21A Aircraft (HAC report p. 106).

Total appropriated: $22,000,000.

Subtotal of known earmarks: $22,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $22,000,000.

Description of known earmarks: $22,000,000 to buy 4 operational support aircraft for the Army.

Description of possible earmarks: None.

Oceanographic Research Vessels (HAC report p. 144, bill p. 28).

Total appropriated: $110,049,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $62,500,000.

Total of known and possible earmarks: $62,500,000.

Description of known earmarks: None.

Description of possible earmarks: The Navy had planned to competitively award TAGS–63 in FY 94 and TAGS–64 in FY 96. These are the last two of the TAGS–60 ocean survey class of ships. The HAC does not add funds, but *allows* the Navy to award these two ships as options to earlier TAGS–60 contracts. These earlier ships are being built by Halter Marine in Louisiana.

C–130 (HAC bill p. 32, report p. 162).

Total appropriated: $73,794,000.

Subtotal of known earmarks: $20,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $20,000,000.

Description of known earmarks: Not less than $20,000,000 shall be made available only for the C–130J aircraft.

Description of possible earmarks: None.

DON'T KNOW YET

Natural Gas Utilization Equipment (HAC Report p. 102)

Total appropriated: $48,000,000 ($16M each for the Army, Navy and Air Force).

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $48,000,000.

Total of known and possible earmarks: $48,000,000.

Description of known earmarks: None.

Description of possible earmarks. Of the $16 million in each service: $10,000,000 for NDI 200 kilowatt phosphoric acid natural gas fuel cells currently in production in the United States; $6,000,000 for absorption, engine-driven, and desiccant natural gas cooling equipment. Of this total, $2,000,000 is specifically for demonstrating equipment based on newly developed domestic, gas-fired heat pump technology.

Launcher Rail Chaff Dispenser. (HAC Report p. 103)

Total appropriated: $12,000,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $12,000,000.

Total of known and possible earmarks: $12,000,000.

Description of known earmarks: None.

Description of possible earmarks: $8,000,000 for buying LAU–138/A launcher rail chaff dispenser (LRCD) systems; $2,500,000 for chaff for the LRCD; $1,500,000 for R&D to adapt the LRCD system to other Navy and Marine Corps aircraft.

Stinger. (HAC report p. 109)

Total appropriated: $33,356,000.

Subtotal of known earmarks: $25,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $25,000,000.

Description of known earmarks: Add 300 Stinger missiles to Army procurement.

Description of possible earmarks: None.

Conventional Ammunition Demilitarization. (HAC report p. 121)

Total appropriated: $.

Subtotal of known earmarks: $3,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $3,000,000.

Description of known earmarks: Spend at least $3,000,00 to continue the Iowa Army Ammunition Plant demilitarization upgrade program.

Description of possible earmarks: None.

AN/SPS–48 Radar. (HAC report p. 150)

Total appropriated: $23,018,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $14,000,000.

Total of known and possible earmarks: $14,000,000.

Description of known earmarks: None.

Description of possible earmarks: $10,000,000 added only for purchase of pulse doppler radar modifications kits for amphibious ships and carriers; $4,000,000 added only for providing an interface between these upgraded radars and the RAM and CIWS weapons systems.

AN/SQR–18 Towed Array Sonar. (HAC report p. 151)

Total appropriated: $10,000,000.

Subtotal of known earmarks: $10,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $10,000,000.

Description of known earmarks: Add $10,000,000 to buy two pre-production AN/SQR–18 (V)3 sonar arrays. No funds were requested.

Description of possible earmarks: None.

Navy Tactical Data Systems. (HAC report p. 151)

Total appropriated: $24,000,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $24,000,000.

Total of know and possible earmarks: $24,000,000.

Description of known earmarks: None.

Description of possible earmarks: HAC designates $24,000,000 only for procuring commercial emulator display systems as substitutes for MILSPEC equipment at land-based training and development sites. There may be only one "commercial" emulator display system manufacturer that will qualify for this funding.

Tactical Flag Command Center. (HAC report p. 152)

Total appropriated: $42,787,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $9,000,000.

Total of known and possible earmarks: $9,000,000.

Description of known earmarks: None.

Description of possible earmarks: HAC adds $9,000,000 only for shipboard display emulator suites. There may be only one "commercial" emulator display system manufacturer that will qualify for this funding.

Tarter Support Equipment. (HAC report p. 153)

Total appropriated: $31,872,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $10,000,000.

Total of known and possible earmarks: $10,000,000.

Description of known earmarks: None.

Description of possible earmarks: Add $10,000,000 for continuous wave and track (CWAT) radars for the MK 74 Tartar missile fire control system. All but six of the ships that have this weapons systems are scheduled for retirement (two nuclear cruisers and four DDG–993s) at the next overhaul point.

Computer Acquisition Program. (HAC bill p. 30; report p. 154)

Total appropriated: $58,181,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $20,000,000.

Total of known and possible earmarks: $20,000,000.

Description of known earmarks: None.

Description of possible earmarks: Not less than $20,000,000 shall be obligated for ADP equipment and software for the Defense Accounting Office and Naval Computer and Telecommunications Station, New Orleans; the Enlisted Personnel Management Center; and the Naval Reserve Personnel Center.

Automatic Building Machines. (HAC report p. 158)

Total appropriated; $2,500,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $2,500,000.

Total of known and possible earmarks: $2,500,000.

Description of known earmarks: None.

Description of possible earmarks: No description provided—searching for more information.

C–130 Modifications. (HAC report p. 165)

Total appropriated: $149,085,000.

Subtotal of known earmarks: $8,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $8,000,000.

Description of known earmarks: $8,000,000 designated for upgrades to the Compass Call mission training system.

Description of possible earmarks: None.

Air Traffic Control/Landing Systems. (HAC report p. 173)

Total appropriated: $14,955,000.

Subtotal of known earmarks: $1,500,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $1,500,000.

Description of known earmarks: HAC added $1,500,000 to install a full instrumented landing system at Richard B. Russell Airport in Rome, GA.

Description of the possible earmarks: None

Procurement, Defense Agencies. (HAC bill p. 34)

Total appropriated: $1,556,344,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $0.

Description of known earmarks: None.

Description of possible earmarks: High Performance Computer Modernization Funds may be used only for (1) executing existing upgrade options of installed equipment that is not technically current, or (2) competitive acquisition of "architecturally stable, fully user-operational, compatible super computers possessing essentially stable system software, which have been successfully demonstrated using statistically valid samples of the current workload of the laboratories in question without substantive reprogramming or program conversion."

National Guard and Reserve Equipment. (HAC report p. 180)

Total appropriated: $1,178,100,000. (Of this amount, $446,000,000 in C–130 adds treated elsewhere)

Subtotal of known earmarks: $393,000,000.

Subtotal of possible earmarks: $324,100,000.

Total of known and possible earmarks: $717,100,000.

Description of known earmarks: (all Services):

PLS/HEMTT Trucks	$47,000,000
HETS Trucks	36,000,000
D–9 Bulldozer	15,000,000
M–9 Armored Combat Earthmover	50,000,000
P–3 Upgrades	30,000,000
MIUW Vans (DRS)	21,000,000
AN/SQQ–T1 Trainer (DRS)	11,000,000
AH–1W Cobra Helicopters (6)	78,000,000
Firearms Training Systems	30,000,000
SINCGARS Radios	75,000,000

Description of possible earmarks:

External Fuel Tanks	7,500,000
Tug Boats (USAR)	25,000,000
Automatic Building Machines	10,000,000
Medium Tactical Truck SLEP	50,000,000
KC–135 Radar Upgrade	15,000,000
ALR–67 (V) 2	15,000,000
C–9 Mods	25,000,000
C–130 Simulator	23,000,000
C–47 Simulator	15,000,000
C–47 FADEC Upgrade	9,600,000
Moving Target Simulator	5,000,000
IFTE Test Equipment	10,000,000
Night Vision Devices	35,000,000
AN/PSG–7 Digital Data Sets	9,700,000
LOCAS	1,800,000
APX–109	7,400,000
MCE/TASCI P3I	17,900,000
TACS ARM Decoys	42,200,000

AUTHORIZED EARMARKS

AH–64 Helicopter (HAC report p. 106)

Total appropriated: $386,000,000.

Subtotal of known earmarks: $368,430,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $368,430,000.

Description of known earmarks: $368,430,000 to buy 24 unrequested AH–64 Apache helicopters. SASC bill would add $160,000,000 to keep production going.

Description of possible earmarks: None.

AHIP (HAC report p. 108)

Total appropriated: $216,000,000.

Subtotal of known earmarks: $216,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $216,000,000.

Description of known earmarks: Add 36 AHIP modifications to the Army budget. None were requested. Authorized by the HASC.

Description of possible earmarks: None.

TOW II. (HAC report p. 110)

Total appropriated: $82,282,000.

Subtotal of known earmarks: $57,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $57,000,000.

Description of known earmarks: Add money to the Army to buy 2,000 TOW IIB missiles. SACS added $40,000,000 to protect production base.

Description of possible earmarks: None.

MLRS. (HAC report p. 110)

Total appropriated: $80,101,000.

Subtotal of known earmarks: $70,300,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $70,300,000.

Description of known earmarks: Add 12,000 MLRS rockets to Army procurement. SASC added $60,000,000 to protect production base.

Description of possible earmarks: None.

Improved Tactical Air Launched Decoy. (HAC report p. 139)

Total appropriated: $15,000,000.

Subtotal of known earmarks: $15,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $15,000,000.

Description of known earmarks: Add money to continue production of this system. $10,000,000 authorized by the HASC.

Description of possible earmarks: None.

Standard Boats (HAC report p. 150)

Total appropriated: $14,350,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $5,000,000.

Total of known and possible earmarks: $5,000,000.

Description of known earmarks: None.

Description of known earmarks: $5,000,000 added for the purchase of U.S.-built, totally enclosed survival systems. A similar add was authorized last year.

Submarine Pump Retrofit Kits (HAC report p. 149)

Total appropriated: $1,000,000.

Subtotal of known earmarks: $0.

Subtotal of possible earmarks: $1,000,000.

Total of known and possible earmarks: $1,000,000.

Description of known earmarks: None.

Description of possible earmarks: HAC directs purchase of 10 retrofit kits as a means of "protecting the industrial base." I understand that this is for work done in Mr. Hefner's district.

Single Channel Ground and Air Radio System (HAC report p. 158)

Total appropriated: $59,837,000.

Subtotal of known earmarks: $10,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $10,000,000.

Description of known earmarks: $10,000,000 added to provide a "level procurement program." Authorized by the HASC.

Description of possible earmarks: None.

C–135 Modifications (HAC report p. 165)

Total appropriated: $203,143,000.

Subtotal of known earmarks: $160,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $160,000,000.

Description of known earmarks: $160,000,000 to re-engine KC–135E tankers to the KC–135R configuration. Authorized by the HASC.

Description of possible earmarks: None.

Remotely Piloted Vehicles (HAC report p. 178)

Total appropriated: $88,300,000.

Subtotal of known earmarks: $19,000,000.

Subtotal of possible earmarks: $0.

Total of known and possible earmarks: $19,000,000.

Description of known earmarks: HAC added $19,000,000 to improve the system readiness levels of the Pioneer unmanned aerial vehicle program. (SASC report adds $15,000,000 for this purpose).

Description of possible earmarks: None.

C–130 Aircraft (HAC report p. 181)

Total appropriated: $

Subtotal of known earmarks: $

Subtotal of possible earmarks: $

Total of known and possible earmarks: $

Description of known earmarks: $446,000,000 for 14 C–130 aircraft for all services. SASC authorized $250,000,000 for eight Air National Guard aircraft.

Description of possible earmarks: None.

Mr. McCAIN. Madam President, this is a disservice to American taxpayers but, more importantly, it is a disservice to men and women in uniform whose careers are being terminated prematurely because the Department of Defense does not have the dollars to pay their salaries.

The Congress should get its priorities straight. However, I am happy to say the Senate appropriators seem to have moderated the district spending spree initiated by the House. Although I have not yet compiled a complete list of earmarks in the bill before the Senate today, it appears that most of the egregious programs included in the House bill have been deleted in the Senate Appropriations Committee version.

For example, this bill provides funding for the Guard and Reserve components for miscellaneous equipment and modernization programs, leaving to the discretion of the Guard Bureau and the chiefs of the Reserve components to prioritize among their competing needs. I applaud this approach to funding Guard and Reserve modernization, which is essentially the same approach taken by the Senate Armed Services Committee in the Defense authorization bill now in conference.

I am pleased to say most earmarks of defense conversion and medical research funds have also been removed. Again, I congratulate my colleagues, the distinguished chairman, Senator INOUYE, of Hawaii, and the ranking Republican, Senator STEVENS, of Alaska. I congratulate them for their relative restraint.

However, I note with extreme dismay that the Senate Appropriations Committee has reported to this body a bill which includes over $6.23 billion in appropriations for programs for which there is no authorization in the Senate version of the 1994 defense authorization bill. Inasmuch as the authorization bill is still in conference, I trust that the appropriators will work with the conferees on the authorization bill to ensure the appropriations bill conforms to the limits set in the authorization conference report.

Madam President, there are, in addition, objectionable provisions in this bill which clearly earmark dollars for special interest projects. Again, I will stress that these projects may have merit, but I firmly believe that funding decisions based on competitive bidding and independent evaluation are the only means to ensure that the American taxpayers' dollars are spent for the highest priority projects.

Let me take a moment to point out a few examples of earmarks which are included in this appropriations bill: $5 million is earmarked for a Center of Excellence for Research in Ocean Sciences. I do not know where this center is located, but neither do I know what benefit will accrue to this Nation's defense from this grant.

Again, it was a $5 million earmark for a Center of Excellence for Research in Ocean Sciences; $1.5 million of defense dollars are directed to be spent to purchase an LCU ship converted to a commercial cargo vessel and then deeded to the Government of American Samoa. Where is the defense requirement from this appropriation?

Two higher education systems in two separate States will share nearly $9 million under a provision in the bill which directs the establishment of an international job training program at one college and a mathematics teachers' leadership project at the other college. These sound like very worthy programs. I do not know how, in your wildest imagination, you can connect them with national defense. These may not be the best institutions at which such programs should be conducted. Only competitive bidding can determine the answer.

So $2.5 million is set aside to fund a joint Air Force-Navy Auroral Research Program, for which there is no request and no authorization. The dollars earmarked for these and other programs like them are dollars taken away from identified higher priority military requirements of the Department of Defense. They are dollars taken away from programs which directly support the training and welfare of our active-duty military personnel.

These special interest programs are not free. Their cost is the continued degradation of the readiness of our military forces at a time of continuing instability in the world.

Again, this year we are allowing the administration to fund foreign aid out of the defense budget. This bill contains more than $400 million for aid to the former Soviet Union, making the total provided under the Nunn-Lugar program approximately $1.2 billion. At the same time, knowledgeable experts warn of the continued modernization of Soviet strategic nuclear forces and the development of a new SS-25-type ICBM in the former Soviet Union, made possible by the influx of United States dollars to ease the domestic economy crisis in Russia.

I understand the distinguished ranking Republican member of the Defense Appropriations Subcommittee intends to offer an amendment to condition aid to the former Soviet Union on assurances that this ICBM modernization program has been discontinued.

We are also continuing to fund humanitarian assistance programs, support for the National Oceanic and Atmospheric Administration, equipment for the Coast Guard, security support for the World Cup and summer Olympic sporting events, all out of a shrinking Defense budget. We have to draw the line at some point in time. I think that line should be drawn now.

It is time we looked around and realized what we are really doing here today. It is time we realized where lobbying, special interests, and narrow constituent concerns have brought us. If we continue this pattern of waste, we are the enemy and we will be responsible for our Nation's inability to defend our interests in the future.

Madam President, I want to emphasize again about this myriad of projects that are unauthorized, unappropriated, and suddenly pop up as a result of an appropriations conference. Some of them may be worthwhile. A few of them may be in our vital national security interests. But what has happened to the process that allows the other 90 or 85—however many Members in this body who are not appropriators, who are not in the appropriations conference—the opportunity to make an input into the process?

I repeat again, I did not come here to vote on a 200-some-billion-dollar Defense appropriations bill, yes or no. As a member of the Senate Armed Services Committee, I have a right to know why billions of dollars—why $29 billion over 4 years was appropriated without being authorized; why certain billions of dollars were not only not appropriated but inserted in the Defense appropriations conference.

It should stop. There cannot be very many compelling national security requirements that call for a process where in a conference, closed to most Members of Congress, multibillion-dollar appropriations are made upon which Members of this body have only a yes or no vote. That is wrong. It has to be fixed.

I say, Madam President, what does fix it is a line-item veto, a point of order against unauthorized appropriations in the earmarking—in the earmarking. Why not try just once an open conference? Why not try an open conference where the press and the American people can see how their Government works? Would it be so devastating if we had an open conference? I do not think so. I would like to see one tried.

I ask unanimous consent, Madam President, that the CRS report I mentioned earlier be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
Washington, DC.

To: Hon. John McCain.

From: Stephen Daggett, Specialist in National Defense and Keith Berner, Consultant in National Defense, Foreign Affairs and National Defense Division.

Subject: Requested Data on Congressional Additions to Annual DOD Budget Requests and Congressional "Earmarking" of Defense Funds.

This memo is in response to your request for data concerning (1) congressional additions to annual Department of Defense budget requests and (2) congressional "earmarking" of defense funds. It is comprised of two sets of tables for each of the four fiscal years from FY1990 through FY1993. One set of tables for each year identifies all line items for which Congress provided a larger amount in either defense authorization or defense appropriations bills than was requested or for which the final amount appropriated exceeds the amount specifically authorized. These tables are entitled "FY19XX Congressional Additions to DOD Requests." A second set of tables identifies all language in annual Department of Defense Appropriations Acts that specifically allocates funds to particular projects or locations. These tables are entitled "Provisions in FY19XX Defense Appropriations Acts Specifying Funding by Project or Location."

CRS is providing this information as a data base for further analysis. In making use of this material, you should be aware of certain limitations of the data and of some of the issues that may arise in interpreting the information.

LIMITATIONS OF THE DATA

The first set of tables is based on data that the Department of Defense provided to CRS showing all congressional changes to DOD budget requests in annual defense authorization and appropriations legislation.[1] CRS then merged the data on authorization and appropriations and selected items meeting one or more of three criteria: (1) the final authorization amount exceeds the budget request; (2) the final appropriation amount exceeds the budget request; or (3) the final appropriation amount exceeds the final authorization amount. The tables indicate which of these criteria each line item fulfills.

In some cases CRS eliminated items from the analysis if it was clear that the amount that appeared to be added was instead simply reallocated from one budget account to another. For example, the FY1993 defense authorization act includes funds for real property maintenance (RPM) in individual Army, Navy, and Air Force operation and maintenance accounts. Appropriations bills, however, provide these funds in a separate RPM account for all services combined. CRS therefore eliminated the RPM lines, since they did not appear to represent an addition to the request. We did the same for some other programs. There may remain, however, instances in which we were unable to identify shifts of funds from one account to another.

In other cases, different versions of defense bills may provide funding for the same program under different names and with different identifying line numbers. In obvious instances where this occurred within a given appropriation account, we combined such items into a single line, though some counting errors may well remain. In some cases, however, authorization bills provide funding in one account while appropriation bills provide funding for an identical item in a different account (funding for C-130 aircraft, for example). In these instances we have not combined the line items together. As a result, the amount appropriated for such items appears as a case in which the amount specified in appropriations bills or reports exceeds the amount specified in authorization bills or reports—which is true within the particular account but may not be true overall.

A unique set of difficulties applies to data on operation and maintenance (O&M) funding. Since operation and maintenance budget requests have not been submitted at the line item level, congressional reports have simply made note of various additions or reductions to particular activities. DOD records any such changes as adjustments in line items. Where appropriators did not specifically comment on a reduction in O&M funding that was identified in an authorization measure, then the difference may appear as a case in which the appropriation exceeds the authorized level. Rather than record these as cases in which the amount specified in appropriation measures exceeds the amount specified in authorization measures, we eliminated such items. If appropriation measures specifically acted on items that were reduced in authorization measures, however, we reported the amounts. We also eliminated O&M lines that reflect merely offsetting financial adjustments, including, notably, many Defense Business Operations Fund (DBOF) transfers.

With these exceptions, changes in individual line items cited in the attached tables on congressional additions may be added together to estimate the total amount of congressional additions to annual defense budget requests and/or the total amount of appropriations for line items not specifically authorized. Please note that these do not constitute net additions to military budgets, since congressional increases to amounts requested may be offset by reductions to Administration requests that are not recorded here.

Funding amounts displayed in the second set of table,—i.e., tables showing provisions in annual defense appropriations act specifying funding by project or location—are not of a nature that would allow them to be added without considerably more research. These tables were prepared by reviewing the text of annual defense appropriations acts, copying all provisions that appear to specify funding for particular projects or locations, and then restructuring the selected provisions into table form showing amounts of funding in a separate column. No effort was made to determine whether specified funding levels differ from amounts requested, nor was any effort made to avoid overlap. Many of the items cited also appear in the first set of attached tables showing congressional additions to budget requests by line item.

OTHER ISSUES

The data in the attached tables may be interpreted in ways that involve some controversial matters of definition which CRS is not directly addressing. One issue concerns the "unauthorized appropriation" of funds. The attached tables identify line items for which amounts specifically provided in final appropriations bills and/or appropriations conference reports exceed the amounts specifically provided in final authorization bills and/or authorization conference reports. The amounts by which the appropriation levels for various items in the law or in report language exceed the authorization levels in the law or in report language are commonly referred to as "unauthorized appropriations."

It is important to note, however, that defense authorization and appropriation acts seldom specify in law funding levels for particular line items. Instead, both kinds of laws provide specific amounts at the "account" level—for example, the FY1993 defense authorization act provides $5,899,395,000 for Navy aircraft procurement, while the FY1993 defense appropriation act provides $6,026,213,000. Levels of funding for individual programs, like the F/A-18 fighter, are stipulated in committee reports, but, except in unusual circumstances, not in the language of the law. Appropriators, therefore, have argued that they have considerable leeway to adjust funding levels for particular programs at least within the limits of amounts for particular accounts specified in authorization laws. Moreover, appropriations acts or committee reports quite often specify funding within a particular account for programs that are not specifically mentioned in authorization acts or reports at all while remaining within the funding level authorized for the account.

Under the circumstances, Defense Department officials generally try to avoid becoming embroiled in reconciling differences between authorizers and appropriators—regulations require that officials act on the basis of "congressional intent." Within Congress, disputes over funding for particular programs are matters that authorizing and appropriating committees have periodically tried to work out through informal compromises.

Given this unsettled state of affairs, CRS is not suggesting that the amounts by which levels of funding for particular line items in appropriations committee reports exceed levels in authorization committee reports either do or do not represent unauthorized appropriations. Users of the attached data may apply their own definitions.

Another definitional issue concerns so-called "earmarking" of funds. In general, to earmark funds means simply to set aside an amount for a specific purpose. Earmarking, however, refers to quite different things in different legislative contexts. In foreign assistance legislation, for example, the practice of specifying in law or in committee reports that particular amounts are available only for particular countries is often referred to as earmarking. In this sense, almost all defense funding could be seen as earmarked, since budget requests and committee reports specify funding levels at an extremely detailed line item level (except in operation and maintenance accounts).

In discussing defense funding, therefore, "earmarking" generally refers to occasions in which amounts are specified in law or in committee reports for purposes even more narrow than those of typical line items. For example, provisions that allocate funding to particular universities, out of amounts in a line item for university research grants, are often described as earmarks. Sometimes, however, the term "earmark" is applied more broadly to refer to all instances in which the allocation of funds is specified in the language of the law itself.

In light of the flexibility of the term in common usage, CRS has not referred to "earmarked" funds in any of the attached material. Rather we have tried to identify all provisions of defense appropriations acts that specify that funds should be allocated to particular projects or locations. We leave it to others to determine whether any or all these provisions constitute "earmarks."

As you may note, we have not provided a similar table of provisions from defense authorization acts. The reason is that authorization measures typically include dozens if not hundreds of provisions that define or establish particular programs and activities. The results of citing them all would be unwieldy. We do not mean to suggest, however, that only appropriators may earmark funds.

If CRS can be of any further assistance, please call Stephen Daggett at 707-7642.

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[1] CRS did a limited check of the DOD data against congressional committee reports and found no errors.

FY1990 SUMMARY OF CONGRESSIONAL ADDITIONS TO LINE ITEMS (thousands of dollars)

Program	Admin. Request	Enacted Auth.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.	Auth. Amounts Added to Line Items (TOA/%TOA)	Approp. Amounts Added to Line Items (TOA/%TOA)	Approp. >Auth. Amounts for Line Items (TOA/%TOA)
MILITARY PERSONNEL									
TOA	79,185,300	NA	78,719,900	NA		NA			
FAJ									
Appropriations	79,185,300	NA	78,719,900	NA		NA			
OPERATION AND MAINTENANCE									
TOA	90,435,700	86,897,747	86,036,117				1,132,300	1,930,380	1,034,456
FAJ	(237,200)	(687,200)	(237,200)				1.3%	2.2%	1.2%
Appropriations	90,198,500	86,210,547	85,798,917						
PROCUREMENT									
TOA	78,754,000	81,879,489	84,113,159	3,125,489	5,359,159	2,233,670	3,115,800	6,047,239	4,021,155
FAJ							3.8%	7.2%	4.8%
Appropriations	78,754,000	81,879,489	84,113,159	3,125,489	5,359,159	2,233,670			
RESEARCH, DEV, TEST & EVAL									
TOA	39,545,300	37,943,772	37,109,446				1,254,907	1,316,325	751,297
FAJ							3.3%	3.5%	2.0%
Appropriations	39,545,300	37,943,772	37,109,446						
REVOLVING AND MANAGEMENT FUNDS									
TOA	774,400	244,700	344,700			100,000	0	100,000	100,000
FAJ							0.0%	29.0%	29.0%
Appropriations	774,400	244,700	344,700			100,000			
MILITARY CONSTRUCTION									
TOA	4,842,500	4,698,489	5,329,909		487,409	631,420	591,930	1,161,934	764,294
FAJ	(20,000)	(20,000)	(20,000)				12.6%	21.8%	14.3%
Appropriations	4,822,500	4,678,489	5,309,909		487,409	631,420			
FAMILY HOUSING									
TOA	3,232,747	3,274,369	3,220,629	41,622			140,591	92,782	5,322
FAJ	(47)	(47)	(47)				4.3%	2.9%	0.2%
Appropriations	3,232,700	3,274,322	3,220,582	41,622					

FY1990 SUMMARY OF CONGRESSIONAL ADDITIONS TO LINE ITEMS (thousands of dollars)

Program	Admin. Request	Enacted Auth.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.	Auth. Amounts Added to Line Items (TOA/%TOA)	Approp. Amounts Added to Line Items (TOA/%TOA)	Approp. >Auth. Amounts for Line Items (TOA/%TOA)
DEFENSEWIDE CONTINGENCIES									
TOA	(156,600)	NA		NA	156,600	NA			
FAJ									
Appropriations	(156,600)	NA		NA	156,600	NA			
DEDUCTIONS FOR OFFSETTING RCPTS									
TOA									
FAJ	(760,000)		(664,000)						
Appropriations	(760,000)	NA	(664,000)	NA	96,000	NA			
TRUST FUNDS									
TOA									
FAJ	27,900		27,900						
Appropriations	27,900	NA	27,900	NA		NA			
INTERFUND TRANSACTIONS									
TOA									
FAJ	(26,300)		(26,300)						
Appropriations	(26,300)	NA	(26,300)	NA		NA			
HOMEOWNERS ASST FUND, DEFENSE									
TOA	2,553	NA	2,553	NA		NA			
FAJ									
Appropriations	2,553	NA	2,553	NA		NA			
TOTAL									
TOA	296,615,900	214,938,566	294,876,413			79,937,847	6,235,528	10,648,660	6,676,524
FAJ	(1,015,647)	(707,247)	(919,647)				2.9%	3.6%	2.3%
Appropriations	295,600,253	214,231,319	293,956,766			79,725,447			

FY1993 SUMMARY OF CONGRESSIONAL ADDITIONS TO LINE ITEMS
(thousands of dollars)

Program	Admin. Request	Enacted Auth.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.	Auth. Amounts Added to Line Items (TOA/%TOA)	Approp. Amounts Added to Line Items (TOA/%TOA)	Approp. >Auth. Amounts for Line Items (TOA/%TOA)
MILITARY PERSONNEL									
TOA	76,962,028	NA	76,275,025	NA		NA			
FAJ									
Appropriations	76,962,028	NA	76,275,025	NA		NA			
OPERATION AND MAINTENANCE									
TOA	86,485,246	82,768,402	83,369,186			600,784	1,137,010	1,104,954	842,433
FAJ	(2,494,900)	(1,882,900)	(3,454,000)				1.4%	1.3%	1.0%
Appropriations	83,990,346	80,885,502	79,915,186						
PROCUREMENT									
TOA	56,290,898	54,948,282	55,894,531			946,249	3,789,103	5,713,719	3,436,526
FAJ							6.9%	10.2%	6.1%
Appropriations	56,290,898	54,948,282	55,894,531			946,249			
RESEARCH, DEV, TEST & EVAL									
TOA	38,812,701	39,613,580	38,234,848	800,879			3,931,184	4,764,216	2,244,368
FAJ							9.9%	12.5%	5.9%
Appropriations	38,812,701	39,613,580	38,234,848	800,879					
OTHER									
TOA									
FAJ									
Appropriations									
REVOLVING AND MANAGEMENT FUNDS									
TOA	2,325,200	1,608,200	1,737,200			129,000	21,200	0	200
FAJ							1.3%	0.0%	0.0%
Appropriations	2,325,200	1,608,200	1,737,200			129,000			
MILITARY CONSTRUCTION									
TOA	6,500,680	5,173,096	4,698,301				899,888	788,265	32,822
FAJ	(245,800)	(245,800)	(245,800)				17.4%	16.8%	0.7%
Appropriations	6,254,880	4,927,296	4,452,501						

FY1993 SUMMARY OF CONGRESSIONAL ADDITIONS TO LINE ITEMS (thousands of dollars)

Program	Admin. Request	Enacted Auth.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.	Auth. Amounts Added to Line Items (TOA/%TOA)	Approp. Amounts Added to Line Items (TOA/%TOA)	Approp. >Auth. Amounts for Line Items (TOA/%TOA)
FAMILY HOUSING									
TOA	4,060,735	3,948,417	3,941,499				734,466	211,762	1,169,730
FAJ	(4,873)	(4,873)	(4,873)				18.6%	5.4%	29.7%
Appropriations	4,055,862	3,943,544	3,936,626						
DEFENSEWIDE CONTINGENCIES									
TOA	(110,000)	NA	(110,000)	NA		NA			
FAJ									
Appropriations	(110,000)	NA	(110,000)	NA		NA			
TRUST FUNDS									
TOA									
FAJ									
Appropriations									
TOTAL									
TOA	271,347,488	188,059,977	264,040,590	800,879	0	1,676,033	10,512,851	12,562,916	7,726,079
FAJ	(2,745,573)	(2,133,573)	(3,704,673)				5.6%	4.8%	2.9%
Appropriations	268,601,915	185,926,404	260,335,917	800,879	0	1,075,249			

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
MILITARY PERSONNEL										
Military Personnel, Army										
TOA	24,704,300	NA	NA	NA	24,610,000	24,558,217	24,510,960	NA		NA
FAJ										
Appropriations	24,704,300	NA	NA	NA	24,610,000	24,558,217	24,510,960	NA		NA
Military Personnel, Navy										
TOA	19,337,400	NA	NA	NA	19,363,300	19,290,816	19,307,700	NA		NA
FAJ										
Appropriations	19,337,400	NA	NA	NA	19,363,300	19,290,816	19,307,700	NA		NA
Military Personnel, Marine Corps										
TOA	5,806,100	NA	NA	NA	5,813,600	5,800,200	5,800,200	NA		NA
FAJ										
Appropriations	5,806,100	NA	NA	NA	5,813,600	5,800,200	5,800,200	NA		NA
Military Personnel, Air Force										
TOA	20,224,100	NA	NA	NA	20,155,600	20,047,750	19,994,040	NA		NA
FAJ										
Appropriations	20,224,100	NA	NA	NA	20,155,600	20,047,750	19,994,040	NA		NA
Reserve Personnel, Army										
TOA	2,243,300	NA	NA	NA	2,265,700	2,225,164	2,234,400	NA		NA
FAJ										
Appropriations	2,243,300	NA	NA	NA	2,265,700	2,225,164	2,234,400	NA		NA
Reserve Personnel, Navy										
TOA	1,588,600	NA	NA	NA	1,591,800	1,575,170	1,582,800	NA		NA
FAJ										
Appropriations	1,588,600	NA	NA	NA	1,591,800	1,575,170	1,582,800	NA		NA
Reserve Personnel, Marine Corps										
TOA	319,200	NA	NA	NA	319,200	317,896	319,200	NA		NA
FAJ										
Appropriations	319,200	NA	NA	NA	319,200	317,896	319,200	NA		NA
Reserve Personnel, Air Force										
TOA	668,900	NA	NA	NA	674,400	672,129	672,700	NA	3,800	NA
FAJ										
Appropriations	668,900	NA	NA	NA	674,400	672,129	672,700	NA	3,800	NA

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
National Guard Personnel, Army										
TOA	3,246,700	NA	NA	NA	3,252,200	3,246,700	3,246,700	NA		NA
FAJ										
Appropriations	3,246,700	NA	NA	NA	3,252,200	3,246,700	3,246,700	NA		NA
National Guard Personnel, Air Force										
TOA	1,046,700	NA	NA	NA	1,044,800	1,046,700	1,051,200	NA	4,500	NA
FAJ										
Appropriations	1,046,700	NA	NA	NA	1,044,800	1,046,700	1,051,200	NA	4,500	NA
TOTAL - MILITARY PERSONNEL										
TOA	79,185,300	NA	NA	NA	79,091,000	78,780,742	78,719,900	NA		NA
FAJ										
Appropriations	79,185,300	NA	NA	NA	79,091,000	78,780,742	78,719,900	NA		NA
OPERATION AND MAINTENANCE										
Oper. & Maint., Army										
TOA	23,706,600	23,422,750	23,453,700	22,973,309	23,603,843	22,856,662	22,787,559			
FAJ										
Appropriations	23,706,600	23,422,750	23,453,700	22,973,309	23,603,843	22,856,662	22,787,559			
Oper. & Maint., Navy										
TOA	26,191,800	24,733,720	24,595,400	24,163,951	25,985,801	24,343,407	24,139,821			
FAJ	(237,200)	(237,200)	(237,200)	(237,200)	(237,200)	(237,200)	(237,200)			
Appropriations	25,954,600	24,496,520	24,358,200	23,926,751	25,748,601	24,106,207	23,902,621			
Oper. & Maint., Marine Corps										
TOA	1,716,300	1,703,500	1,700,500	1,657,800	1,855,300	1,640,419	1,657,719			
FAJ										
Appropriations	1,716,300	1,703,500	1,700,500	1,657,800	1,855,300	1,640,419	1,657,719			
Oper. & Maint., Air Force										
TOA	22,812,200	22,368,640	22,709,500	21,909,296	22,706,743	21,986,987	21,806,213			
FAJ										
Appropriations	22,812,200	22,368,640	22,709,500	21,909,296	22,706,743	21,986,987	21,806,213			

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Oper. & Maint., Defensewide										
TOA	8,021,600	7,974,910	7,926,000	7,850,472	7,829,137	7,879,444	7,800,156			
FAJ										
Appropriations	8,021,600	7,974,910	7,926,000	7,850,472	7,829,137	7,879,444	7,800,156			
Office of the Inspector General										
TOA	95,800	94,749	96,200	94,749	95,749	95,800	95,749			1,000
FAJ										
Appropriations	95,800	94,749	96,200	94,749	95,749	95,800	95,749			1,000
Oper. & Maint., Army Reserve										
TOA	861,900	863,000	864,300	861,800	863,100	861,900	861,800			
FAJ										
Appropriations	861,900	863,000	864,300	861,800	863,100	861,900	861,800			
Oper. & Maint., Navy Reserve										
TOA	980,000	917,200	895,700	894,800	1,002,400	895,200	894,800			
FAJ										
Appropriations	980,000	917,200	895,700	894,800	1,002,400	895,200	894,800			
Oper. & Maint., Marine Corps Reserve										
TOA	77,400	77,400	77,500	77,400	77,400	77,400	77,400			
FAJ										
Appropriations	77,400	77,400	77,500	77,400	77,400	77,400	77,400			
Oper. & Maint., Air Force Reserve										
TOA	1,004,600	984,387	981,900	978,500	1,010,487	981,900	978,500			
FAJ										
Appropriations	1,004,600	984,387	981,900	978,500	1,010,487	981,900	978,500			
Oper. & Maint., Army Nat'l Guard										
TOA	1,870,200	1,867,100	1,875,500	1,867,100	1,867,100	1,870,200	1,867,100			
FAJ										
Appropriations	1,870,200	1,867,100	1,875,500	1,867,100	1,867,100	1,870,200	1,867,100			
Oper. & Maint., Air Nat'l Guard										
TOA	2,041,200	1,999,793	1,988,400	1,981,900	2,054,093	1,988,400	1,981,900			
FAJ										
Appropriations	2,041,200	1,999,793	1,988,400	1,981,900	2,054,093	1,988,400	1,981,900			

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Rifle Practice, Army										
TOA	4,700	3,970	4,700	3,970	4,700	4,700	4,700			730
FAJ										
Appropriations	4,700	3,970	4,700	3,970	4,700	4,700	4,700			730
Court of Military Appeals, Defense										
TOA	4,000	4,000	4,000	4,000	3,800	4,000	4,000			
FAJ										
Appropriations	4,000	4,000	4,000	4,000	3,800	4,000	4,000			
Environmental Restoration Fund, Defense										
TOA	517,800	600,800	517,800	601,100	900,800	517,800	601,100	83,300	83,300	
FAJ										
Appropriations	517,800	600,800	517,800	601,100	900,800	517,800	601,100	83,300	83,300	
Goodwill Games										
TOA	14,600	14,600	14,600	14,600	14,600	14,600	14,600			
FAJ										
Appropriations	14,600	14,600	14,600	14,600	14,600	14,600	14,600			
Humanitarian Assistance										
TOA	13,000	13,000	13,000	13,000	13,000	13,000	13,000			
FAJ										
Appropriations	13,000	13,000	13,000	13,000	13,000	13,000	13,000			
Drug Interdiction & Counter-Drug Act., D										
TOA		450,000	450,000	450,000	450,000	575,000	450,000	450,000	450,000	
FAJ			(450,000)	(450,000)						
Appropriations		450,000			450,000	575,000	450,000		450,000	450,000
Base Realignment & Closure Acct										
TOA	500,000	500,000	300,000	500,000	500,000	300,000				
FAJ										
Appropriations	500,000	500,000	300,000	500,000	500,000	300,000				
TOTAL - OPERATION AND MAINTENANCE										
TOA	90,435,700	88,593,519	88,468,700	86,897,747	90,840,053	86,906,819	86,036,117			
FAJ	(237,200)	(237,200)	(687,200)	(687,200)	(237,200)	(237,200)	(237,200)			
Appropriations	90,198,500	88,356,319	87,781,500	86,210,547	90,602,853	86,669,619	85,798,917			

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
PROCUREMENT										
Aircraft Procurement, Army										
TOA	2,906,100	3,183,644	2,706,500	3,120,500	3,081,798	4,423,000	3,789,937	214,400	883,837	669,437
FAJ										
Appropriations	2,906,100	3,183,644	2,706,500	3,120,500	3,081,798	4,423,000	3,789,937	214,400	883,837	669,437
Missile Procurement, Army										
TOA	2,661,600	2,702,600	2,748,256	2,756,827	2,942,399	2,361,529	2,708,399	95,227	46,799	
FAJ										
Appropriations	2,661,600	2,702,600	2,748,256	2,756,827	2,942,399	2,361,529	2,708,399	95,227	46,799	
Procurement of W&TCV, Army										
TOA	2,724,000	2,715,719	2,637,600	2,717,500	2,692,438	2,698,194	2,707,611			
FAJ										
Appropriations	2,724,000	2,715,719	2,637,600	2,717,500	2,692,438	2,698,194	2,707,611			
Procurement of Ammunition, Army										
TOA	1,704,800	1,687,800	1,697,400	1,887,047	2,021,317	1,691,147	2,011,243	182,247	306,443	124,196
FAJ										
Appropriations	1,704,800	1,687,800	1,697,400	1,887,047	2,021,317	1,691,147	2,011,243	182,247	306,443	124,196
Other Procurement, Army										
TOA	4,169,100	4,036,861	2,892,713	3,068,771	3,896,365	3,455,236	3,669,219			600,448
FAJ										
Appropriations	4,169,100	4,036,861	2,892,713	3,068,771	3,896,365	3,455,236	3,669,219			600,448
Aircraft Procurement, Navy										
TOA	8,826,100	8,665,802	8,346,762	9,500,222	9,164,718	9,101,863	9,369,266	674,122	563,166	
FAJ										
Appropriations	8,826,100	8,665,802	8,346,762	9,500,222	9,164,718	9,101,863	9,369,266	674,122	563,166	
Weapons Procurement, Navy										
TOA	5,725,000	5,570,500	4,012,620	3,884,035	5,816,879	3,897,954	5,392,312			1,508,277
FAJ										
Appropriations	5,725,000	5,570,500	4,012,620	3,884,035	5,816,879	3,897,954	5,392,312			1,508,277
Shipbuilding & Conversion, Navy										
TOA	9,550,600	9,925,306	9,756,466	10,958,400	12,459,200	12,140,800	11,557,900	1,407,800	2,007,300	599,500
FAJ										
Appropriations	9,550,600	9,925,306	9,756,466	10,958,400	12,459,200	12,140,800	11,557,900	1,407,800	2,007,300	599,500

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Other Procurement, Navy										
TOA	4,915,000	5,840,000	6,314,300	8,207,125	4,636,465	8,181,432	7,970,764	3,292,125	3,055,764	
FAJ										
Appropriations	4,915,000	5,840,000	6,314,300	8,207,125	4,636,465	8,181,432	7,970,764	3,292,125	3,055,764	
Procurement, Marine Corps										
TOA	1,196,800	1,202,700	1,178,000	1,215,600	1,246,800	1,185,365	1,213,792	18,800	16,992	
FAJ										
Appropriations	1,196,800	1,202,700	1,178,000	1,215,600	1,246,800	1,185,365	1,213,792	18,800	16,992	
Aircraft Procurement, Air Force										
TOA	16,787,200	15,972,700	15,930,600	16,329,857	14,531,196	16,206,530	15,679,242			
FAJ										
Appropriations	16,787,200	15,972,700	15,930,600	16,329,857	14,531,196	16,206,530	15,679,242			
Missile Procurement, Air Force										
TOA	7,362,200	7,140,500	7,119,300	7,110,900	6,544,612	7,240,724	6,916,863			
FAJ										
Appropriations	7,362,200	7,140,500	7,119,300	7,110,900	6,544,612	7,240,724	6,916,863			
Other Procurement, Air Force										
TOA	8,561,800	8,605,200	8,450,200	8,536,454	8,087,219	8,273,799	8,524,110			
FAJ										
Appropriations	8,561,800	8,605,200	8,450,200	8,536,454	8,087,219	8,273,799	8,524,110			
Procurement, Defensewide										
TOA	1,321,800	1,321,200	1,284,400	1,332,251	1,318,173	1,272,700	1,300,720	10,451		
FAJ										
Appropriations	1,321,800	1,321,200	1,284,400	1,332,251	1,318,173	1,272,700	1,300,720	10,451		
National Guard & Reserve Equipment										
TOA		1,391,500	1,923,400	988,300	1,481,400	1,402,761	973,720	988,300	973,720	
FAJ										
Appropriations		1,391,500	1,923,400	988,300	1,481,400	1,402,761	973,720	988,300	973,720	
Inspector General										
TOA		1,051			1,051		1,051		1,051	1,051
FAJ										
Appropriations		1,051			1,051		1,051		1,051	1,051

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Defense Production Act Purchases										
TOA	10,500	50,000	10,500	50,000	50,000	10,500	50,000	39,500	39,500	
FAJ										
Appropriations	10,500	50,000	10,500	50,000	50,000	10,500	50,000	39,500	39,500	
Space & Related Activities Augmentation,										
TOA					555,000	485,000				
FAJ										
Appropriations					555,000	485,000				
Chem Agents & Munitions Destruction, Def										
TOA	311,400	311,400	311,400	263,700	269,800	259,355	257,010			
FAJ										
Appropriations	311,400	311,400	311,400	263,700	269,800	259,355	257,010			
TOTAL - PROCUREMENT										
TOA	78,754,000	80,274,483	77,309,917	81,879,489	80,796,850	84,307,909	84,113,159	3,125,489	5,359,159	2,233,670
FAJ										
Appropriations	78,754,000	80,274,483	77,309,917	81,879,489	80,796,850	84,307,909	84,113,159	3,125,489	5,359,159	2,233,670
RESEARCH, DEV, TEST & EVAL										
RDT&E, Army										
TOA	5,693,500	5,858,500	5,723,898	5,666,210	5,568,700	5,362,737	5,434,378			
FAJ										
Appropriations	5,693,500	5,858,500	5,723,898	5,666,210	5,568,700	5,362,737	5,434,378			
RDT&E, Navy										
TOA	9,830,300	10,313,999	9,928,851	9,901,897	9,765,454	9,823,627	9,733,174	71,597		
FAJ										
Appropriations	9,830,300	10,313,999	9,928,851	9,901,897	9,765,454	9,823,627	9,733,174	71,597		
RDT&E, Air Force										
TOA	14,551,900	14,613,086	14,629,932	13,938,679	12,438,021	13,915,171	13,635,570			
FAJ										
Appropriations	14,551,900	14,613,086	14,629,932	13,938,679	12,438,021	13,915,171	13,635,570			

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
RDT&E, Defensewide										
TOA	8,965,800	7,747,111	9,015,912	8,158,701	7,530,872	8,201,833	8,113,049			
FAJ										
Appropriations	8,965,800	7,747,111	9,015,912	8,158,701	7,530,872	8,201,833	8,113,049			
Developmental Test & Eval., Defense										
TOA	309,300	309,550	294,300	211,200	224,505	222,311	180,550			
FAJ										
Appropriations	309,300	309,550	294,300	211,200	224,505	222,311	180,550			
Operational Test & Eval., Defense										
TOA	194,500	124,500	164,500	67,065	12,725	118,849	12,725			
FAJ										
Appropriations	194,500	124,500	164,500	67,065	12,725	118,849	12,725			
TOTAL - RESEARCH, DEV, TEST & EVAL										
TOA	39,545,300	38,966,746	39,757,393	37,943,772	35,540,277	37,664,528	37,109,446			
FAJ										
Appropriations	39,545,300	38,966,746	39,757,393	37,943,772	35,540,277	37,664,528	37,109,446			
REVOLVING AND MANAGEMENT FUNDS										
Army Stock Fund										
TOA	107,600	134,600	97,600		134,600					
FAJ										
Appropriations	107,600	134,600	97,600		134,600					
Navy Stock Fund										
TOA	223,400	223,400	201,400	40,500	223,400	40,500	40,500			
FAJ										
Appropriations	223,400	223,400	201,400	40,500	223,400	40,500	40,500			
Air Force Stock Fund										
TOA	339,300	339,300	308,300	126,100	339,300	126,100	126,100			
FAJ										
Appropriations	339,300	339,300	308,300	126,100	339,300	126,100	126,100			
Defense Stock Fund										
TOA	104,100	104,100	94,100	78,100	104,100	78,100	78,100			
FAJ										
Appropriations	104,100	104,100	94,100	78,100	104,100	78,100	78,100			

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Emergency Response Fund, Defense										
TOA						100,000	100,000		100,000	100,000
FAJ										
Appropriations						100,000	100,000		100,000	100,000
TOTAL - REV. AND MANGMNT. FUNDS										
TOA	774,400	801,400	699,400	244,700	801,400	344,700	344,700			100,000
FAJ										
Appropriations	774,400	801,400	699,400	244,700	801,400	344,700	344,700			100,000
MILITARY CONSTRUCTION										
Military Construction, Army										
TOA	745,300	767,018	732,614	782,855	834,222	726,075	819,129	37,555	73,829	36,274
FAJ										
Appropriations	745,300	767,018	732,614	782,855	834,222	726,075	819,129	37,555	73,829	36,274
Military Construction, Navy										
TOA	1,133,200	1,155,270	1,137,599	1,111,221	1,167,750	1,151,783	1,139,250		6,050	28,029
FAJ										
Appropriations	1,133,200	1,155,270	1,137,599	1,111,221	1,167,750	1,151,783	1,139,250		6,050	28,029
Military Construction, Air Force										
TOA	1,393,300	1,202,076	1,296,729	1,248,640	1,208,136	1,122,249	1,227,296			
FAJ										
Appropriations	1,393,300	1,202,076	1,296,729	1,248,640	1,208,136	1,122,249	1,227,296			
Military Construction, Defensewide										
TOA	596,200	531,320	563,200	541,420	531,320	468,332	537,440			
FAJ										
Appropriations	596,200	531,320	563,200	541,420	531,320	468,332	537,440			
Mil. Con., Army National Guard										
TOA	114,000	193,333	175,109	187,411	192,533	246,830	223,490	73,411	109,490	36,079
FAJ										
Appropriations	114,000	193,333	175,109	187,411	192,533	246,830	223,490	73,411	109,490	36,079

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Mil. Con., Air National Guard										
TOA	164,600	198,590	216,180	198,628	190,890	251,480	238,330	34,028	73,730	39,702
FAJ										
Appropriations	164,600	198,590	216,180	198,628	190,890	251,480	238,330	34,028	73,730	39,702
Mil. Con., Army Reserve										
TOA	76,900	80,505	91,455	80,800	80,505	104,000	97,460	3,900	20,560	16,660
FAJ										
Appropriations	76,900	80,505	91,455	80,800	80,505	104,000	97,460	3,900	20,560	16,660
Mil. Con., Naval Reserve										
TOA	50,900	56,600	50,900	56,600	56,600	62,400	56,600	5,700	5,700	
FAJ										
Appropriations	50,900	56,600	50,900	56,600	56,600	62,400	56,600	5,700	5,700	
Mil. Con., Air Force Reserve										
TOA	46,200	46,200	46,200	46,200	46,200	53,200	46,200			
FAJ										
Appropriations	46,200	46,200	46,200	46,200	46,200	53,200	46,200			
Base Realignment & Closure Acct, Part I										
TOA							500,000		500,000	500,000
FAJ										
Appropriations							500,000		500,000	500,000
NATO Infrastructure										
TOA	521,900	444,714	462,300	444,714	444,714	462,300	444,714			
FAJ	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)			
Appropriations	501,900	424,714	462,300	424,714	424,714	462,300	424,714			
TOTAL - MILITARY CONSTRUCTION										
TOA	4,842,500	4,675,626	4,792,286	4,698,489	4,752,870	4,668,649	5,329,909		487,409	631,420
FAJ	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)			
Appropriations	4,822,500	4,655,626	4,772,286	4,678,489	4,732,870	4,648,649	5,309,909		487,409	631,420

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
FAMILY HOUSING										
Family Housing Construction, Army										
TOA	55,200	138,810	55,200	73,810	143,810	91,171	78,982	18,610	23,782	5,172
FAJ										
Appropriations	55,200	138,810	55,200	73,810	143,810	91,171	78,982	18,610	23,782	5,172
Family Housing Operations & Debt, Army										
TOA	1,382,700	1,382,700	1,377,100	1,377,100	1,380,300	1,368,300	1,374,700			
FAJ	300	300	300	300	300	300	300			
Appropriations	1,383,000	1,383,000	1,377,400	1,377,400	1,380,600	1,368,600	1,375,000			
Family Housing Construction, Navy & Mari										
TOA	127,400	267,890	137,100	191,290	264,769	123,873	174,621	63,890	47,221	
FAJ										
Appropriations	127,400	267,890	137,100	191,290	264,769	123,873	174,621	63,890	47,221	
Family Housing Operations & Debt, Navy &										
TOA	624,800	668,604	605,264	660,424	653,816	618,200	623,700	35,624		
FAJ										
Appropriations	624,800	668,604	605,264	660,424	653,816	618,200	623,700	35,624		
Family Housing Construction, Air Force										
TOA	241,100	250,690	280,797	201,690	252,735	105,000	200,071			
FAJ										
Appropriations	241,100	250,690	280,797	201,690	252,735	105,000	200,071			
Family Housing Operations & Debt, AF										
TOA	774,800	774,800	760,208	743,308	773,300	765,800	741,808			
FAJ										
Appropriations	774,800	774,800	760,208	743,308	773,300	765,800	741,808			
Family Housing Construction, Defensewide										
TOA	600	600	600	600	600	600	600			
FAJ										
Appropriations	600	600	600	600	600	600	600			

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Family Housing Operations & Debt, Defens										
TOA	20,700	20,700	19,800	20,700	20,700	20,700	20,700			
FAJ										
Appropriations	20,700	20,700	19,800	20,700	20,700	20,700	20,700			
Homeowners Asst Fund, Def.										
TOA	5,447	5,447	5,447	5,447	5,447	5,447	5,447			
FAJ	(347)	(347)	(347)	(347)	(347)	(347)	(347)			
Appropriations	5,100	5,100	5,100	5,100	5,100	5,100	5,100			
TOTAL - FAMILY HOUSING										
TOA	3,232,747	3,510,241	3,241,516	3,274,369	3,495,477	3,099,091	3,220,629	41,622		
FAJ	(47)	(47)	(47)	(47)	(47)	(47)	(47)			
Appropriations	3,232,700	3,510,194	3,241,469	3,274,322	3,495,430	3,099,044	3,220,582	41,622		
DEFENSEWIDE CONTINGENCIES										
Other Legislation										
TOA	129,500	NA	NA	NA				NA		NA
FAJ										
Appropriations	129,500	NA	NA	NA				NA		NA
Anticipated Savings										
TOA	(286,100)	NA	NA	NA		275,600		NA	286,100	NA
FAJ										
Appropriations	(286,100)	NA	NA	NA		275,600		NA	286,100	NA
TOTAL - DEFENSEWIDE CONTINGENCIES										
TOA	(156,600)	NA	NA	NA		275,600		NA	156,600	NA
FAJ										
Appropriations	(156,600)	NA	NA	NA		275,600		NA	156,600	NA
DEDUCTIONS FOR OFFSETTING RCPTS										
TOA										
FAJ	(210,000)				(210,000)	(187,000)	(187,000)			
Appropriations	(210,000)	NA	NA	NA	(210,000)	(187,000)	(187,000)	NA	23,000	NA

FY1991 SUMMARY OF CONGRESSIONAL ADDITIONS TO LINE ITEMS (thousands of dollars)

Program	Admin. Request	Enacted Auth.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.	Auth. Amounts Added to Line Items (TOA/%TOA)	Approp. Amounts Added to Line Items (TOA/%TOA)	Approp. >Auth. Amounts for Line Items (TOA/%TOA)
MILITARY PERSONNEL									
TOA	79,053,700	NA	78,080,467	NA		NA			
FAJ									
Appropriations	79,053,700	NA	78,080,467	NA		NA			
OPERATION AND MAINTENANCE									
TOA	90,070,700	85,452,493	84,636,160				741,227	1,708,574	2,075,943
FAJ							0.9%	2.0%	2.5%
Appropriations	90,070,700	85,452,493	84,636,160						
PROCUREMENT									
TOA	77,642,450	67,184,710	67,469,348			284,638	5,270,776	5,217,766	4,208,515
FAJ							7.8%	7.7%	6.2%
Appropriations	77,642,450	67,184,710	67,469,348			284,638			
RESEARCH, DEV, TEST & EVAL									
TOA	38,092,800	36,095,903	35,974,792				3,124,171	3,583,194	1,980,501
FAJ							8.7%	10.0%	5.5%
Appropriations	38,092,800	36,095,903	35,974,792						
REVOLVING AND MANAGEMENT FUNDS									
TOA	2,228,200	1,584,200	1,984,200			400,000			
FAJ									
Appropriations	2,228,200	1,584,200	1,984,200			400,000			
MILITARY CONSTRUCTION									
TOA	5,708,900	5,426,572	5,350,042				868,180	866,240	137,669
FAJ	(40,000)	(40,000)	(40,000)				16.0%	16.2%	2.6%
Appropriations	5,668,900	5,386,572	5,310,042						
FAMILY HOUSING									
TOA	3,455,565	3,378,507	3,363,313				24,965	30,059	26,903
FAJ	1,235	1,235	1,235				0.7%	0.9%	0.8%
Appropriations	3,456,800	3,379,742	3,364,548						

FY1991 SUMMARY OF CONGRESSIONAL ADDITIONS TO LINE ITEMS (thousands of dollars)

Program	Admin. Request	Enacted Auth.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.	Auth. Amounts Added to Line Items (TOA/%TOA)	Approp. Amounts Added to Line Items (TOA/%TOA)	Approp. >Auth. Amounts for Line Items (TOA/%TOA)
DEFENSEWIDE CONTINGENCIES									
TOA	(300,000)	NA		NA	300,000	NA			
FAJ									
Appropriations	(300,000)	NA		NA	300,000	NA			
DEDUCTIONS FOR OFFSETTING RCPTS									
TOA									
FAJ	(849,300)		(849,300)						
Appropriations	(849,300)	NA	(849,300)	NA		NA			
TRUST FUNDS									
TOA									
FAJ	73,000		73,000						
Appropriations	73,000	NA	73,000	NA		NA			
INTERFUND TRANSACTIONS									
TOA									
FAJ	(29,100)		(29,100)						
Appropriations	(29,100)	NA	(29,100)	NA		NA			
HOMEOWNERS ASST FUND, DEFENSE									
TOA	1,435	NA	1,435	NA		NA			
FAJ									
Appropriations	1,435	NA	1,435	NA		NA			
TOTAL									
TOA	295,953,750	199,122,385	276,859,757			77,737,372	10,029,319	11,405,833	8,429,531
FAJ	(844,165)	(38,765)	(844,165)				5.0%	4.1%	3.0%
Appropriations	295,109,585	199,083,620	276,015,592			76,931,972			

FY1992 SUMMARY OF CONGRESSIONAL ADDITIONS TO LINE ITEMS
(thousands of dollars)

Program	Admin. Request	Enacted Auth.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.	Auth. Amounts Added to Line Items (TOA/%TOA)	Approp. Amounts Added to Line Items (TOA/%TOA)	Approp. >Auth. Amounts for Line Items (TOA/%TOA)
MILITARY PERSONNEL									
TOA	78,016,900	NA	78,266,327	NA	249,427	NA			
FAJ									
Appropriations	78,016,900	NA	78,266,327	NA	249,427	NA			
OPERATION AND MAINTENANCE									
TOA	86,686,300	84,340,060	84,663,081			323,021	936,030	1,599,290	1,506,560
FAJ							1.1%	1.9%	1.8%
Appropriations	86,686,300	84,340,060	84,663,081			323,021			
PROCUREMENT									
TOA	63,845,800	63,884,659	64,639,407	38,859	793,607	754,748	4,258,015	5,452,018	3,260,791
FAJ							6.7%	8.4%	5.0%
Appropriations	63,845,800	63,884,659	64,639,407	38,859	793,607	754,748			
RESEARCH, DEV, TEST & EVAL									
TOA	39,221,533	40,056,603	39,401,923	835,070	180,390		3,019,741	3,154,782	944,487
FAJ							7.5%	8.0%	2.4%
Appropriations	39,221,533	40,056,603	39,401,923	835,070	180,390				
REVOLVING AND MANAGEMENT FUNDS									
TOA	3,400,200	3,400,200	3,424,200		24,000	24,000	0	24,000	24,000
FAJ							0.0%	0.7%	0.7%
Appropriations	3,400,200	3,400,200	3,424,200		24,000	24,000			
MILITARY CONSTRUCTION									
TOA	4,556,900	5,383,210	5,127,645	826,310	570,745		1,329,480	1,217,281	200,798
FAJ	(20,000)	(20,000)	(20,000)				24.7%	23.7%	3.9%
Appropriations	4,536,900	5,363,210	5,107,645	826,310	570,745				
FAMILY HOUSING									
TOA	3,610,900	3,659,568	3,649,743	48,668	38,843		59,080	71,360	12,300
FAJ	(5,000)	(5,000)	(5,000)				1.6%	2.0%	0.3%
Appropriations	3,605,900	3,654,568	3,644,743	48,668	38,843				

FY1992 SUMMARY OF CONGRESSIONAL ADDITIONS TO LINE ITEMS (thousands of dollars)

Program	Admin. Request	Enacted Auth.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Req. _st	Amount Approp> Auth.	Auth. Amounts Added to Line Items (TOA/%TOA)	Approp. Amounts Added to Line Items (TOA/%TOA)	Approp. >Auth. Amounts for Line Items (TOA/%TOA)
DEFENSEWIDE CONTINGENCIES									
TOA	(335,900)	NA	(335,900)	NA		NA			
FAJ									
Appropriations	(335,900)	NA	(335,900)	NA		NA			
DEDUCTIONS FOR OFFSETTING RCPTS									
TOA									
FAJ	(727,500)		(727,500)						
Appropriations	(727,500)	NA	(727,500)	NA		NA			
TRUST FUNDS									
TOA									
FAJ	34,700		34,700						
Appropriations	34,700	NA	34,700	NA		NA			
INTERFUND TRANSACTIONS									
TOA									
FAJ	(28,000)		(28,000)						
Appropriations	(28,000)	NA	(28,000)	NA		NA			
HOMEOWNERS ASST FUND, DEFENSE									
TOA	5,000	NA	5,000	NA		NA			
FAJ									
Appropriations	5,000	NA	5,000	NA		NA			
TOTAL									
TOA	279,007,633	200,724,300	278,841,426			78,117,126	9,602,326	11,518,731	5,948,936
FAJ	(745,800)	(25,000)	(745,800)				4.8%	4.1%	2.1%
Appropriations	278,261,833	200,699,300	278,095,626			77,396,326			

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Offsetting Receipts, Navy										
TOA										
FAJ	(172,000)				(172,000)	(150,000)	(150,000)			
Appropriations	(172,000)	NA	NA	NA	(172,000)	(150,000)	(150,000)	NA	22,000	NA
Offsetting Receipts, Air Force										
TOA										
FAJ	(300,000)				(300,000)	(249,000)	(249,000)			
Appropriations	(300,000)	NA	NA	NA	(300,000)	(249,000)	(249,000)	NA	51,000	NA
Offsetting Receipts, Defense										
TOA										
FAJ	(78,000)				(78,000)	(78,000)	(78,000)			
Appropriations	(78,000)	NA	NA	NA	(78,000)	(78,000)	(78,000)	NA		NA
TOTAL - DEDUCTNS. FOR OFFSTNG. RCPTS.										
TOA										
FAJ	(760,000)				(760,000)	(664,000)	(664,000)			
Appropriations	(760,000)	NA	NA	NA	(760,000)	(664,000)	(664,000)	NA	96,000	NA
TRUST FUNDS										
Trust Funds, Army										
TOA										
FAJ	415				415	415	415			
Appropriations	415	NA	NA	NA	415	415	415	NA		NA
Trust Funds, Navy										
TOA										
FAJ	27,400				27,400	27,400	27,400			
Appropriations	27,400	NA	NA	NA	27,400	27,400	27,400	NA		NA
Trust Funds, Air Force										
TOA										
FAJ	85				85	85	85			
Appropriations	85	NA	NA	NA	85	85	85	NA		NA

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
TOTAL - TRUST FUNDS										
TOA										
FAJ	27,900				27,900	27,900	27,900			
Appropriations	27,900	NA	NA	NA	27,900	27,900	27,900	NA		NA
INTERFUND TRANSACTIONS										
Interfund Transactions, Navy										
TOA										
FAJ	(26,300)				(26,300)	(26,300)	(26,300)			
Appropriations	(26,300)	NA	NA	NA	(26,300)	(26,300)	(26,300)	NA		NA
HOMEOWNERS ASST FUND, DEFENSE										
Homeowners Asst Fund, Def.										
TOA	2,553	NA	NA	NA	2,553	2,553	2,553	NA		NA
FAJ										
Appropriations	2,553	NA	NA	NA	2,553	2,553	2,553	NA		NA

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION AND MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
OPERATION AND MAINTENANCE										
Oper. & Maint., Army										
Undistributed										
032 OVEROCEAN TRANSPORTATION	0	100,000	0	100,000	100,000	0	100,000	100,000	100,000	
034 HELICOPTER DAMAGE REPAIRS	0	0	0	0	61,200	7,000	7,000		7,000	7,000
036 BASE OPERATIONS	0	100,000	0	85,000	0	(62,650)	(62,650)	85,000		
038 COMMISSARY OPERATIONS/TRANSPORTATION	0	5,500	0	5,500	0	0	0	5,500		
054 SUPPLY OPERATIONS	0	0	45,000	45,000	0	0	0	45,000		
056 DEPOT MAINTENANCE	0	105,000	100,000	100,000	150,000	0	150,000	100,000	150,000	50,000
064 COMBAT TRAINING CENTERS	0	0	0	0	0	50,000	10,000		10,000	10,000
066 PANAMA OPERATIONS	0	0	0	0	0	16,000	16,000		16,000	16,000
112 INTERNS	0	0	0	0	0	5,500	5,500		5,500	5,500
114 MEDICAL SUPPORT PERSONNEL	0	0	0	0	0	20,000	20,000		20,000	20,000
116 HUMANITARIAN ASSISTANCE	0	0	0	0	0	500	500		500	500
126 ENVIRONMENTAL PROJECTS	0	0	0	0	0	100,000	100,000		100,000	100,000
TOTAL OF CONGRESSIONAL ADDITIONS*								335,500	409,000	209,000
Oper. & Maint., Navy										
Undistributed										
014 STOCK FUND CASH	0	(42,000)	(100,000)	(240,450)	(200,000)	(190,450)	(200,000)			40,450
020 CLASSIFIED PROGRAMS	0	(2,300)	(1,300)	(2,326)	(50,000)	0	(1,200)			1,126
022 AIRCRAFT DEPOT MAINTENANCE	0	36,300	0	36,300	50,000	0	0	36,300		
024 COMMISSARY OPERATIONS/TRANSPORTATION	0	500	0	500	0	0	0	500		
026 RENOV OF NAVY EXHIBITS-CHICAGO MUSEUM	0	2,000	0	2,000	2,000	0	2,000	2,000	2,000	
028 NAVAL AVIATION MUSEUM, PENSACOLA	0	2,000	0	2,000	2,000	0	2,000	2,000	2,000	
062 SHIP MAINTENANCE	0	0	0	186,300	186,300	190,900	190,000	186,300	190,000	3,700
066 ADVERTISING	0	0	0	0	5,000	0	2,500		2,500	2,500
076 FORMER NAVY TRNG CTR, BAINBRIDGE	0	0	0	0	15,500	15,500	15,500		15,500	15,500
080 USS CABOT/DEDALO FIRE & DAMAGE CONTROL	0	0	0	0	2,000	0	2,000		2,000	2,000
086 MEDICAL SUPPORT PERSONNEL	0	0	0	0	0	20,000	50,000		50,000	50,000
106 ENVIRONMENTAL PROJECTS	0	0	0	0	0	9,500	34,500		34,500	34,500
110 STEAMING DAYS/SHIP OPTEMPO	0	0	0	0	0	78,000	78,000		78,000	78,000
114 REPAIR OF U.S.S."IOWA"	0	0	0	0	0	15,800	15,800		15,800	15,800
116 SHIPYARD MODERNIZATION	0	0	0	0	0	81,000	81,000		81,000	81,000
TOTAL OF CONGRESSIONAL ADDITIONS*								227,100	473,300	324,576

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION AND MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Oper & Maint., Marine Corps										
Undistributed										
008 FOREIGN CURRENCY	0	0	(25,500)	(25,500)	0	(15,000)	(21,000)			4,500
014 ADVERTISING	0	0	0	0	3,000	0	1,500		1,500	1,500
200 UNDISTRIBUTED	0	0	0	0	0	0	3,000		3,000	3,000
TOTAL OF CONGRESSIONAL ADDITIONS*								0	4,500	9,000
Oper. & Maint., Air Force										
Undistributed										
022 CIVIL AIR PATROL	0	1,900	0	1,900	1,900	700	1,900	1,900	1,900	
024 COMMISSARY OPERATIONS/TRANSPORTATION	0	4,000	0	4,000	0	0	0	4,000		
036 DEPOT MAINTENANCE	0	0	65,000	0	150,000	0	50,000		50,000	50,000
042 SR-71	0	0	211,000	0	100,000	179,107	175,000		175,000	175,000
060 ADVERTISING	0	0	0	0	2,000	0	1,000		1,000	1,000
076 KC-135 FLYING HOURS	0	0	0	0	0	30,700	30,700		30,700	30,700
080 AF HURRICANE PLANES	0	0	0	0	0	4,200	4,200		4,200	4,200
104 MEDICAL SUPPORT PERSONNEL	0	0	0	0	0	20,000	20,000		20,000	20,000
116 ENVIRONMENTAL PROJECTS	0	0	0	0	0	75,000	50,000		50,000	50,000
TOTAL OF CONGRESSIONAL ADDITIONS*								5,900	332,800	330,900
Oper. & Maint., Defensewide										
Undistributed										
004 CONTRACTING OUT STUDIES	0	(5,000)	0	(9,000)	(5,000)	(5,000)	(5,000)			4,000
014 OVERSEAS DEPENDENT SCHOOLS	0	5,500	0	5,500	5,500	0	5,500	5,500	5,500	
022 COMMAND, CONTROL & COMMUNICATION	0	0	(10,000)	(10,000)	0	(10,000)	(5,000)			5,000
039 ADP - DEFENSE MEDICAL SUPPORT AGENCY	0	0	0	0	10,000	10,000	10,000		10,000	10,000
072 PEDIATRIC EMERGENCY STUDY	0	0	0	0	0	300	300		300	300
074 TRAVEL	0	0	0	(10,000)	0	0	(5,000)			5,000
078 CINC INITIATIVES	0	0	0	25,000	0	100,000	50,000	25,000	50,000	25,000
088 MEDICAL CLAIMS	0	0	0	0	0	10,000	10,000		10,000	10,000
092 SUPPLY OPERATIONS SHORTFALLS	0	0	0	0	0	60,000	60,000		60,000	60,000
TOTAL OF CONGRESSIONAL ADDITIONS*								30,500	135,800	119,300

FY1990 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION AND MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Office of the Inspector General										
Undistributed										
001 CRIMINAL INVESTIGATION (56 E/S)	95,800	95,800	95,800	95,800	95,749	95,800	96,800		1,000	1,000
TOTAL OF CONGRESSIONAL ADDITIONS*								0	1,000	1,000
Oper. & Maint., Army Reserve										
006 FORCE STRUCTURE REINSTATEMENT	0	1,200	0	0	1,200	0	1,200		1,200	1,200
Oper. & Maint., Navy Reserve										
012 FORCE STRUCTURE REINSTATEMENT	0	0	0	0	0	0	16,200		16,200	16,200
Oper. & Maint., Air Force Reserve										
006 REINSTATEMENT FY 1990 FORCE STRUCTURE F	0	5,887	0	0	5,887	5,887	5,887		5,887	5,887
014 AF HURRICANE PLANES	0	0	0	0	0	3,200	3,200		3,200	3,200
Oper. & Maint., Air Nat'l Guard										
006 REINSTATE FY 1990 FORCE STRUCTURE RED	0	12,893	0	0	12,893	14,193	14,193		14,193	14,193
TOTAL OF CONGRESSIONAL ADDITIONS*								0	40,680	40,680
Environmental Restoration Fund, Defense										
001 ENVIRONMENTAL RESTORATION, DEF PROGS	517,800	600,800	517,800	601,100	900,800	517,800	601,100	83,300	83,300	
Drug Interdiction & Counter-Drug Act., D										
001 DRUG INTERDICTION	0	450,000	450,000	450,000	450,000	0	450,000	450,000	450,000	
TOTAL OF CONGRESSIONAL ADDITIONS*								533,300	533,300	0
TOTAL - OPERATION AND MAINTENANCE										
- TOA	90,435,700	88,593,519	88,468,700	86,897,747	90,840,053	86,906,819	86,036,117			
- FAJ	(237,200)	(237,200)	(687,200)	(687,200)	(237,200)	(237,200)	(237,200)			450,000
- Appropriations	90,198,500	88,356,319	87,781,500	86,210,547	90,602,853	86,669,619	85,798,917			
TOTAL OF CONGRESSIONAL ADDITIONS TO O&M*								1,132,300	1,930,380	1,034,456

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION AND MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
REVOLVING AND MANAGEMENT FUNDS										
Emergency Response Fund, Defense										
001 EMERGENCY RESPONSE FUND, DEF	0	0	0	0	0	100,000	100,000		100,000	100,000
TOTAL - REVOLVING AND MANAGEMENT FUNDS										
- TOA	774,400	801,400	699,400	244,700	801,400	344,700	344,700			100,000
- FAJ										
- Appropriations	774,400	801,400	699,400	244,700	801,400	344,700	344,700			100,000
TOTAL OF CONGRESSIONAL ADDITIONS TO REVOLVING FUNDS*								0	100,000	100,000
DEFENSE PRODUCTION ACT PURCHASES										
Defense Production Act Purchases										
001 DEFENSE PRODUCTION ACT PURCHASES	10,500	50,000	10,500	50,000	10,500	10,500	10,500	39,500		
TOTAL - DEFENSE PRODUCTION ACT PURCHASES										
- TOA	10,500	50,000	10,500	50,000	10,500	10,500	10,500	39,500		
- FAJ										
- Appropriations	10,500	50,000	10,500	50,000	10,500	10,500	10,500	39,500		
TOTAL OF CONGRESSIONAL ADDITIONS TO DEF PROD ACT PURCHASES*								39,500	0	0

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
PROCUREMENT										
Aircraft Procurement, Army										
Aircraft										
009 AH-64 ATTACK HELICOPTER (APACHE) (MYP)	752,056	680,600	701,756	701,756	752,056	2,433,356	1,487,527		735,471	785,771
011 UH-60 BLACKHAWK (MYP)	174,284	174,284	102,684	206,084	206,084	170,784	206,084	31,800	31,800	
Modification of aircraft										
026 COMMAND & CONTROL CONSOLES	0	0	0	0	0	4,800	4,800		4,800	4,800
045 AIRBORNE AVIONICS	0	0	4,800	4,800	0	0	0	4,800		
046 AHIP	0	0	0	195,000	195,000	0	195,000	195,000	195,000	
Spares and repair parts										
033 SPARES AND REPAIR PARTS	553,423	600,423	681,223	600,423	600,423	544,023	553,423	47,000		
Missile Procurement, Army										
Other missiles										
004 ADS HVY MSL SYSTEM	238,871	238,871	75,000	138,871	238,871	75,000	170,000			31,129
010 STINGER(MYP)	117,545	117,545	206,545	187,545	206,545	117,545	117,545	70,000		
014 LASER HELLFIRE SYSTEM	138,326	138,326	231,826	208,326	231,826	103,326	103,326	70,000		
017 MULTIPLE LAUNCH ROCKET SYSTEM (MYP)	311,374	352,374	440,174	440,174	400,600	440,174	440,174	128,800	128,800	
Undistributed										
900 UNDISTRIBUTED	0	27	27	27	0	0	0	27		
Procurement of W&TCV, Army										
Tracked combat vehicles										
044 FIELD ARTILLERY AMMO SUPT. VEH	0	0	0	0	60,000	0	45,000		45,000	45,000
Undistributed										
043 INDUSTRIAL PREPAREDNESS	0	0	0	6,400	0	0	6,400	6,400	6,400	
Procurement of Ammunition, Army										
Ammunition										
004 CTG, 5.56MM, ALL TYPES	41,747	41,747	41,747	45,247	45,247	41,747	45,247	3,500	3,500	
012 CTG, 7.62MM ALL TYPES	18,843	18,843	18,843	28,843	28,843	18,843	28,843	10,000	10,000	
022 CTG, 20MM, MPT-SD, M940	9,431	9,431	19,431	19,431	19,431	19,431	19,431	10,000	10,000	
026 CTG, 25MM, APFSDS-T, M919	9,075	9,075	10,075	19,075	19,075	19,075	19,075	10,000	10,000	
030 CTG, 40MM HEDP M430	0	0	15,000	15,000	15,000	0	15,000	15,000	15,000	
050 CTG, TANK, 35MM, SUBCAL PRAC, M968	15,234	15,234	2,834	2,834	3,434	3,434	3,434			600
061 CTG, TANK, 120MM, TP-T, M831	28,500	28,500	48,900	48,900	64,300	48,900	48,900	20,400	20,400	
062 CTG, TANK, 120MM, TPCSDS-T, M865	63,519	63,519	85,419	85,419	85,419	85,419	85,419	21,900	21,900	
070 PROJ. ARTY. 155MM DPICM. M483A1	0	0	0	0	90,000	0	90,000		90,000	90,000
071 PROJ. ARTY. 155MM. SMOKE WP. M825	0	0	0	60,000	40,000	60,000	60,000	60,000	60,000	
072 PROJ, ARTY, 155MM, ADAM-L M731	62,096	62,096	62,096	82,196	82,196	82,196	82,196	20,100	20,100	
077 PROJ. ARTILLERY 155MM TRNG. M804	0	0	0	0	17,000	0	17,000		17,000	17,000
079 PROP CHG, 155MM, GREEN BAG, M3	11,685	11,685	40,385	40,385	40,385	11,685	29,000	28,700	17,315	
081 PROP CHG, 155MM, RED BAG, M119	0	0	33,000	33,000	33,000	33,000	33,000	33,000	33,000	
097 AT-4 MULTI-PURPOSE WEAPON	56,031	56,031	34,431	59,031	89,031	59,031	70,000	3,000	13,969	10,969
106 DEMOLITION MUNITIONS, ALL TYPES	0	0	11,800	11,800	11,800	0	5,000	11,800	5,000	
Ammunition production base support										

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
123 PROVISION OF INDUSTRIAL FACILITIES	125,310	125,310	125,310	125,310	245,310	125,310	245,310		120,000	120,000
Undistributed										
133 MOUT FUZE	0	0	18,000	18,000	0	0	0	18,000		
136 INDUSTRIAL PREPAREDNESS	0	0	71,000	64,600	0	71,000	64,600	64,600	64,600	
Other Procurement, Army										
Communications and electronics equipment										
031 MOB SUBSCRIBER EQUIP	8,519	984,719	0	0	8,519	8,519	8,519			8,519
120 HQ AUTOMATION	27,690	27,690	27,690	7,690	7,690	7,690	13,690			6,000
172 SPECIAL PROGRAMS	72,457	72,457	72,457	42,457	42,457	37,457	47,457			5,000
Other support equipment										
178 MASK, PROTECTIVE, NBC	56,030	56,030	45,730	56,030	57,030	56,030	57,030		1,000	1,000
182 IMPROVED DRINKING SYSTEM	0	0	1,000	1,000	0	0	0	1,000		
236 TNG INLAND & COASTAL WATERWAYS	0	0	7,500	7,500	0	0	0	7,500		
237 LARGE TUGBOAT	0	0	0	0	7,500	0	7,500		7,500	7,500
277 FIELD KITCHEN MOBILE,TRL MTD	0	0	0	0	0	0	10,000		10,000	10,000
Undistributed										
300 FT IRWIN EQUIPMENT	0	0	0	0	0	33,650	33,650		33,650	33,650
TOTAL OF CONGRESSIONAL ADDITIONS*								892,327	1,731,205	1,176,938
Aircraft Procurement, Navy										
Combat aircraft										
009 F-14A/D/REMFG (FIGHTER) TOMCAT	688,640	857,000	688,640	1,447,000	1,263,636	655,140	1,364,000	758,360	675,360	
011 F/A-18 (FIGHTER) HORNET (MYP)	1,889,718	1,889,718	1,894,718	1,894,718	1,931,715	1,889,718	1,889,718	5,000		
014 CH/MH-53E (HELO) SUPER STALLION ADV PROC	51,700	0	51,700	31,470	51,700	51,700	51,700			20,230
Trainer aircraft										
027 ROUNDING ADJUSTMENT PRIOR YEAR MILESTC	14	0	0	0	14	14	14			14
Modification of aircraft										
033 A-6 SERIES	63,387	63,387	63,187	63,387	136,387	63,387	111,387		48,000	48,000
053 S-3 SERIES	56,135	56,135	56,135	56,135	106,135	56,135	81,135		25,000	25,000
Weapons Procurement, Navy										
Other missiles										
012 HARPOON	214,141	214,141	194,141	194,141	214,141	214,141	214,141			20,000
013 AGM-88A (HARM) (MYP)	292,174	292,174	337,474	292,174	337,474	274,674	306,074		13,900	13,900
014 SM-2 MR	310,619	310,619	390,419	354,219	482,619	390,419	390,419	43,600	79,800	36,200
016 UNDISTRIBUTED	38	0	0	0	38	38	38			38
027 DRONES AND DECOYS	0	0	25,000	25,000	25,000	25,000	25,000	25,000	25,000	
036 WEAPONS INDUSTRIAL FACILITIES	16,836	16,836	21,336	21,336	16,836	21,336	21,336	4,500	4,500	
Torpedoes and related equipment										
043 MK-50 ALWT	269,130	269,130	269,130	269,130	271,130	269,130	271,130		2,000	2,000
050 TORPEDO MK-46 MODS	8,682	8,682	14,682	14,682	8,682	8,682	8,682	6,000		
Other weapons										

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
055 MK-15 CLOSE IN WEAPONS SYSTEM	59,990	74,990	59,990	74,990	74,990	59,990	59,990	15,000		
Other Ordnance										
067 SPARES AND REPAIR PARTS	94,441	94,441	94,441	94,441	110,455	94,441	111,341		16,900	16,900
Undistributed										
071 INSTALLATION OF MODERNIZATION EQUIPMENT	0	0	0	33,800	0	33,800	30,420	33,800	30,420	
Shipbuilding & Conversion, Navy										
Mine warfare and patrol ships										
017 MHC COASTAL MINE HUNTER	120,300	282,000	120,300	282,000	282,000	120,300	197,600	161,700	77,300	
Auxiliaries, craft, and prior-year progr										
026 LCAC LANDING CRAFT	196,400	196,400	336,166	250,400	250,400	250,400	250,400	54,000	54,000	
028 FAST SEALIFT SHIP (AP)	0	20,000	20,000	20,000	1,000,000	1,020,000	600,000	20,000	600,000	580,000
202 COAST GUARD PATROL BOATS	0	0	0	0	0	0	84,000		84,000	84,000
Undistributed										
200 ICEBREAKERS	0	0	0	0	0	468,000	329,000		329,000	329,000
Other Procurement, Navy										
Ships support equipment										
320 MOLDED CASE CIRCUIT BREAKERS	0	0	0	0	6,000	0	6,000		6,000	6,000
Communications and electronics equipment										
053 AN/SPS-48	5,174	5,174	5,174	5,174	44,174	5,174	44,174		39,000	39,000
Aviation support equipment										
183 SONOBUOYS-GENERAL INCREASE	0	0	45,000	45,000	45,000	0	45,000	45,000	45,000	
192 MACHINE GUN AMMUNITION	13,364	13,364	33,364	23,364	33,364	13,364	33,364	10,000	20,000	10,000
193 PRACTICE BOMBS	34,403	34,403	34,403	34,403	34,403	20,703	41,903		7,500	7,500
Ordnance support equipment										
219 CIWS AMMUNITION	30,776	30,776	30,776	30,776	40,776	30,776	40,776		10,000	10,000
Civil engineering support equipment										
270 AMPHIBIOUS EQUIPMENT	5,398	5,398	21,898	21,898	21,898	5,398	21,898	16,500	16,500	
Spares and repair parts										
303 SPARES AND REPAIR PARTS	547,405	547,405	547,405	529,905	544,305	547,405	552,905		5,500	23,000
TOTAL OF CONGRESSIONAL ADDITIONS*								1,198,460	2,214,680	1,270,782

FY1989 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Procurement, Marine Corps										
Ammunition										
039 UNALLOCATED INCREASE - AMMUNITION	0	0	0	0	50,000	0	25,000		25,000	25,000
TOTAL OF CONGRESSIONAL ADDITIONS*								0	25,000	25,000
Aircraft Procurement, Air Force										
Combat aircraft										
003 B-2A ADV PROC (CY)	409,800	169,800	409,800	424,800	169,800	409,800	424,800	15,000	15,000	
Airlift aircraft										
018 C-130H	0	0	0	0	0	0	262,500		262,500	262,500
Other aircraft										
016 MH-60G	52,822	52,822	52,822	52,822	52,822	52,822	203,822		151,000	151,000
017 CIVIL AIR PATROL A/C	2,000	2,000	2,500	2,500	2,000	2,500	2,500	500	500	
Modification of inservice aircraft										
048 C-135 (MYP)	488,310	488,310	620,310	488,310	737,610	488,310	656,310		168,000	168,000
076 HC-130H	0	0	0	0	0	0	43,000		43,000	43,000
077 C-20	0	0	0	0	0	0	49,600		49,600	49,600
Aircraft support equipment and facilitie										
067 OTHER PRODUCTION CHARGES	591,430	591,430	591,430	591,430	685,092	584,430	611,930		20,500	20,500
Missile Procurement, Air Force										
Ballistic missiles										
077 MX MK-21 REENTRY	0	0	0	0	0	0	80,000		80,000	80,000
Other missiles										
016 AGM-88A HARM	79,339	79,339	188,639	79,339	188,639	79,339	133,989		54,650	54,650
Other support										
042 DEFENSE SUPPORT PROGRAM (MYP)	359,330	359,330	359,330	331,330	310,530	334,330	334,330			3,000
057 MILSTAR (MYP)	0	0	0	88,200	0	0	0	88,200		
Other Procurement, Air Force										
Munitions and associated equipment										
018 MK-82 INERT/BDU-50	0	0	8,462	8,462	8,462	0	8,462	8,462	8,462	
030 CBU-87(COMB EFFECTS MUNITION)(MYP)	136,630	136,630	136,630	136,630	136,630	206,630	206,630		70,000	70,000
Vehicular equipment										
072 CAP VEHICLES	0	0	800	800	0	800	800	800	800	
Electronics and telecommunications equip										
182 CAP COM & ELECT	0	0	500	500	0	0	500	500	500	
186 SPARES AND REPAIR PARTS	253,749	253,749	253,749	236,655	236,655	218,556	238,998			2,343
Other base maintenance and support equip										
199 CHEMICAL/BIOLOGICAL DEF PROG	56,544	56,544	64,744	64,744	70,544	70,544	70,544	8,200	14,000	5,800
223 SELECTED ACTIVITIES	4,732,801	4,746,801	4,716,101	4,738,601	4,717,473	4 712,401	4,904,882	5,800	172,081	166,281
TOTAL OF CONGRESSIONAL ADDITIONS*								127,462	1,110,593	1,076,674

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Procurement, Defensewide										
Major equipment										
002 MAJOR EQUIPMENT, OSD/WHS	69,312	69,312	69,312	69,312	74,312	69,312	74,312		5,000	5,000
027 ITEMS LESS THAN $2 MILLION. IG	0	0	0	1,051	0	0	0	1,051		
Undistributed										
047 SOUTHERN IMAGERY SUPPORT	0	0	0	6,000	0	0	0	6,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								7,051	5,000	5,000
National Guard & Reserve Equipment										
Undistributed										
-010 ARMY RESERVE										
01 MISCELLANEOUS EQUIPMENT	0	25,000	0	25,000	116,600	92,661	25,000	25,000	25,000	
02 5-TON TRUCK	0	50,000	0	50,000	100,000	0	60,000	50,000	60,000	10,000
16 FAMILY OF HEAVY TACTICAL VEH (MYP)	0	0	3,900	0	0	3,900	3,900		3,900	3,900
-020 NAVY RESERVE										
01 C-130H AIRCRAFT	0	48,000	0	0	48,000	48,000	48,000		48,000	48,000
02 LAMPS MARK-1 ASW UPGRADE	0	45,000	0	45,000	45,000	0	45,000	45,000	45,000	
05 C-20 AIRCRAFT	0	24,800	0	0	24,800	0	24,800		24,800	24,800
06 SH-3H/SH-2G ASW MISSION DATA RECORDERS	0	4,500	0	0	4,500	4,500	4,500		4,500	4,500
07 AN/SQQ58 SONOBUOYS	0	0	1,000	1,000	4,500	1,000	1,000	1,000	1,000	
-030 MARINE CORPS RESERVE										
01 KC-130T AIRCRAFT	0	50,000	0	50,000	60,000	50,000	50,000	50,000	50,000	
02 AH-1W COBRA AIRCRAFT	0	30,000	0	0	58,600	0	58,600		58,600	58,600
14 MISCELLANEOUS EQUIPMENT	0	0	0	10,000	10,000	10,000	10,000	10,000	10,000	
-040 AIR FORCE RESERVE										
01 MISCELLANEOUS EQUIPMENT	0	35,000	0	35,000	35,000	0	0	35,000		
02 C-130H AIRCRAFT	0	44,500	0	44,500	44,500	44,500	0	44,500		
03 MH-60G HELO	0	151,000	0	75,000	151,000	151,000	0	75,000		
04 F-16 IMPROVEMENT PACKAGE	0	55,000	0	55,000	55,000	55,000	55,000	55,000	55,000	
-050 ARMY NATIONAL GUARD										
01 MISCELLANEOUS EQUIPMENT	0	30,000	0	30,000	80,000	75,000	30,000	30,000	30,000	
02 M113 APR/M577 COMMAND VEHICLES	0	91,000	91,000	101,000	91,000	91,000	101,000	101,000	101,000	
04 C-23 AIRCRAFT	0	28,000	28,000	28,000	28,000	42,000	42,000	28,000	42,000	14,000
07 5-TON TRUCKS/5-TON TRUCK REBUILD	0	50,000	0	50,000	141,800	0	60,000	50,000	60,000	10,000
25 FAMILY OF HEAVY TACTICAL VEH (MYP)	0	0	20,100	0	0	20,100	20,100		20,100	20,100
26 TRUCK, TRACTOR, LINE HAUL, M915A1	0	0	7,600	0	0	7,600	7,600		7,600	7,600
44 SMALL UNIT SUPPORT VEHICLE	0	0	0	0	0	29,200	29,200		29,200	29,200
46 UH-60B BLACKHAWK HELICOPTERS	0	0	0	0	0	25,000	25,000		25,000	25,000
-060 AIR NATIONAL GUARD										
01 MISCELLANEOUS EQUIPMENT	0	25,000	0	25,000	25,000	0	0	25,000		

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
02 C-130 AIRCRAFT	0	44,500	218,000	174,000	44,500	218,000	0	174,000		
03 F-15/F-16 IMPROVEMENT PACKAGE	0	49,000	0	49,000	49,000	49,000	49,000	49,000	49,000	
04 C-26 AIRCRAFT	0	24,000	0	0	36,000	0	36,000		36,000	36,000
06 HC-130 AIRCRAFT	0	0	43,000	43,000	0	43,000	0	43,000		
64 CLASSIFIED PROGRAM	0	0	0	0	25,000	0	25,000		25,000	25,000
65 KC-135 AIRCRAFT	0	0	0	0	0	75,000	75,000		75,000	75,000
TOTAL OF CONGRESSIONAL ADDITIONS*								890,500	885,700	391,700
Inspector General										
001 DEFENSE INSPECTOR GENERAL PROGRAMS	0	1,051	0	0	1,051	0	1,051		1,051	1,051
Defense Production Act Purchases										
001 DEFENSE PRODUCTION ACT PURCHASES	10,500	10,500	10,500	10,500	50,000	10,500	50,000		39,500	39,500
Chem Agents & Munitions Destruction, Def										
001 CHEM DEMILITARIZATION - RDT&E	1,100	1,100	1,100	1,100	7,200	1,900	8,000		6,900	6,900
Undistributed										
010 RETROGRADE	0	0	0	0	0	26,655	27,610		27,610	27,610
TOTAL OF CONGRESSIONAL ADDITIONS*								0	75,061	75,061
TOTAL - PROCUREMENT										
- TOA	78,754,000	80,274,483	77,309,917	81,879,489	80,796,850	84,307,909	84,113,159	3,125,489	5,359,159	2,233,670
- FAJ										
- Appropriations	78,754,000	80,274,483	77,309,917	81,879,489	80,796,850	84,307,909	84,113,159	3,125,489	5,359,159	2,233,670
TOTAL OF CONGRESSIONAL ADDITIONS TO PROCUREMENT*								3,115,800	6,047,239	4,021,165

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
RESEARCH, DEV, TEST & EVAL											
RDT&E, Army											
Technology base											
006 SURVIVABILITY ENHANCEMENT	060212	5,949	5,949	25,949	15,949	5,949	5,949	15,949	10,000	10,000	
217 UNDISTRIBUTED TECH BASE		0	0	0	15,000	0	0	0	15,000		
Advanced technology development											
030 WEAPONS AND MUNITIONS ADVANCED TECHNOLOG	060300	48,774	68,774	108,674	67,774	67,774	52,701	77,774	19,000	29,000	10,000
036 TRACTOR HOLE	060301	9,193	9,193	13,993	13,993	0	9,193	11,593	4,800	2,400	
040 MISSILE AND ROCKET ADVANCED TECHNOLOGY	060331	10,678	25,678	10,678	25,678	25,678	10,678	10,678	15,000		
196 AIDS (AIDS) RESEARRCH		0	0	0	0	34,000	0	34,000		34,000	34,000
199 BATTERY TECHNOLOGY		0	0	0	1,000	1,000	0	1,000	1,000	1,000	
Strategic programs											
051 CHEMICAL WEAPONS CONVENTION COMPL MONITO		0	15,000	15,000	15,000	15,000	(25,000)	15,000	15,000	15,000	
Tactical programs											
056 JOINT TACTICAL MISSILE DEFENSE PROGRAM	060330	36,096	86,096	36,096	61,096	86,096	36,096	46,096	25,000	10,000	
074 FORWARD AREA AIR DEFENSE (FAAD) SYSTEM	060375	40,210	40,210	119,210	56,210	40,210	58,210	56,210	16,000	16,000	
121 AVIATION - ENG DEV	060480	8,393	15,393	8,393	15,393	15,893	8,393	15,893	7,000	7,500	500
122 WEAPONS AND MUNITIONS - ENG DEV	060480	16,364	26,364	21,364	26,364	26,364	16,364	22,864	10,000	6,500	
133 TRACTOR TRAILER	060481	4,927	4,927	0	0	0	0	4,927			4,927
146 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEME	020374	81,269	86,269	81,269	81,453	31,816	81,269	67,316	184		
150 OTHER MISSILE PRODUCT IMPROVEMENT PROGRA	020380	80,625	82,625	80,625	82,625	74,625	80,625	80,625	2,000		
187 SOLDIER/MARINE ENHANCEMENT PROGRAM (ARMY		0	0	18,000	18,000	0	20,806	18,000	18,000	18,000	
Defensewide Mission Support											
220 UNDISTRIBUTED REDUCTIONS		0	0	0	(2,500)	0	0	0			2,500
TOTAL OF CONGRESSIONAL ADDITIONS*									157,984	149,400	51,927
RDT&E, Navy											
Technology base											
003 DEFENSE RESEARCH SCIENCES	060115	341,651	349,651	351,651	351,651	341,651	341,651	341,651	10,000		
011 ASW TECHNOLOGY	060231	95,686	129,486	95,686	129,486	129,486	95,686	129,486	33,800	33,800	
017 UNDISTRIBUTED TECH BASE		0	0	0	15,000	0	0	0	15,000		
Advanced technology development											
024 ELECTRIC DRIVE	060357	11,998	11,998	58,187	36,064	8,998	36,064	32,064	24,066	20,066	
033 COUNTERMINE LASER		0	8,500	0	8,500	8,500	0	8,500	8,500	8,500	
034 ADVANCED ANTI-SUBMARINE WARFARE TECHNOLO	060374	4,603	38,303	4,603	38,303	38,303	4,603	38,303	33,700	33,700	
035 PLUME CHARACTERIZATION		0	4,500	0	4,500	4,500	0	4,500	4,500	4,500	
036 ADVANCED TECHNOLOGY TRANSITION	060379	60,559	60,559	60,559	60,559	60,559	63,770	65,359		4,800	4,800
Strategic programs											
041 SATELLITE LASER COMMUNICATIONS	060374	2,001	17,001	2,001	17,001	26,001	0	0	15,000		
Tactical programs											
055 AIR CREW SYSTEMS TECHNOLOGY	060321	8,777	8,777	8,777	8,777	12,515	8,777	12,515		3,738	3,738
061 SKIPPER ENHANCEMENTS	060322	0	10,000	0	10,000	20,000	0	12,500	10,000	12,500	2,500
082 T-45	060320	2,775	26,475	2,775	0	2,775	2,775	2,775			2,775
082 ADVANCED ASW TARGET	060362	25,307	25,307	30,807	30,807	35,307	26,807	30,807	5,500	5,500	
096 MINE DEVELOPMENT	060360	4,345	4,345	4,345	4,345	21,772	4,345	14,345		10,000	10,000

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E

(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
129 ANTI-SUBMARINE WARFARE ENVIRONMENTAL ACO	060378	16,816	31,816	16,816	31,816	31,816	16,816	31,816	15,000	15,000	
143 V-22A		0	361,000	255,000	255,000	361,000	255,000	255,000	255,000	255,000	
193 CHALK BANYAN		0	0	0	20,000	0	0	0	20,000		
195 SURFACE ASW SYSTEM IMPROVEMENT	060471	69,142	99,142	69,142	99,142	99,142	69,142	99,142	30,000	30,000	
199 MARINE CORPS COMMAND/CONTROL/COMMUNICATI	060471	26,074	28,074	26,074	28,074	28,074	26,074	28,074	2,000	2,000	
230 MARINE CORPS GROUND COMBAT/SUPPORTING AR	020862	52,684	52,684	52,684	51,389	51,389	42,851	52,684			1,295
234 MEDIUM DEPTH MINE		0	15,000	0	7,500	0	0	0	7,500		
285 TORPEDO DETECTION PROCESSOR		0	15,000	0	0	15,000	0	9,000		9,000	9,000
287 SOLDIER/MARINE ENHANCEMENT PROGRAM (MC)		0	0	12,000	12,000	0	0	12,000	12,000	12,000	
303 TACIT RAINBOW		0	0	0	0	0	0	4,000		4,000	4,000
Defensewide Mission Support											
275 INDUSTRIAL PREPAREDNESS	070801	40,499	50,499	45,499	45,499	50,499	40,499	50,499	5,000	10,000	5,000
Undistributed											
290 TACTICAL OCEANOGRAPHY		0	0	3,000	3,000	0	0	0	3,000		
291 FAST SEALIFT TECHNOLOGY DEVELOPMENT		0	0	30,000	15,000	0	15,000	15,000	15,000	15,000	
TOTAL OF CONGRESSIONAL ADDITIONS*									524,566	489,104	43,108
RDT&E, Air Force											
Technology base											
004 GEOPHYSICS	060210	36,025	36,025	36,025	36,025	36,025	36,025	37,825		1,800	1,800
008 AEROSPACE PROPULSION	060220	64,921	67,921	64,921	64,921	67,921	64,921	67,921		3,000	3,000
253 UNDISTRIBUTED TECH BASE		0	0	0	13,000	0	0	0	13,000		
Advanced technology development											
030 NATIONAL AERO SPACE PLANE TECHNOLOGY PRO		0	265,000	100,000	0	265,000	0	194,000		194,000	194,000
034 ADVANCED SPACECRAFT TECHNOLOGY	060340	8,998	18,998	8,998	8,998	8,998	8,748	18,748		9,750	9,750
Tactical programs											
121 EW DEVELOPMENT	060427	130,356	130,356	130,356	67,256	64,856	67,256	70,256			3,000
153 F-16 SQUADRONS	020713	74,212	17,412	74,212	15,000	17,412	56,812	25,000			10,000
176 SEEK SPINNER		0	0	(19,900)	(19,900)	0	0	0			19,900
191 COPPER HELIX		0	0	2,000	2,000	0	2,000	2,000	2,000	2,000	
Intelligence and communications											
201 SPECIAL ACTIVITIES PRIOR YEAR		0	0	(16,100)	(16,100)	0	0	0			16,100
Defensewide Mission Support											
236 INDUSTRIAL PREPAREDNESS	070801	70,751	95,751	95,751	95,751	95,751	70,751	85,000	25,000	14,249	
Undistributed											
250 PRIOR YEAR SAVINGS		0	0	(54,000)	(22,800)	0	0	0			22,800
TOTAL OF CONGRESSIONAL ADDITIONS*									40,000	224,799	280,350
RDT&E, Defensewide											
Technology base											
002 IN-HOUSE LABORATORY INDEPENDENT RESEARCH	060110	2,123	2,123	2,123	2,123	2,123	2,188	2,188		65	65
003 ADVANCED NEURAL TECHNOLOGY		0	0	0	12,776	0	0	0	12,776		
004 UNIVERSITY RESEARCH INITIATIVES	060110	25,000	45,000	40,000	25,000	25,000	50,016	96,000		71,000	71,000

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
007 URI-UNOBLIGATED PRIOR YEAR FUNDS		0	0	0	44,500	0	0	0	44,500		
008 STRATEGIC TECHNOLOGY	060230	214,709	269,709	269,709	254,338	219,709	254,338	242,667	39,629	27,958	
011 INTEGRATED COMMAND AND CONTROL TECHNOLOG	060270	34,000	84,000	54,000	54,000	84,000	34,000	54,000	20,000	20,000	
012 MATERIALS AND ELECTRONICS TECHNOLOGY	060271	31,000	71,000	83,000	38,000	60,500	76,000	57,500	7,000	26,500	19,500
013 NUCLEAR MONITORING	060271	24,500	36,000	34,300	34,300	36,000	24,500	36,000	9,800	11,500	1,700
015 GALLIUM ARSENIDE TECHNOLOGY		0	0	0	25,000	0	0	0	25,000		
016 X-RAY LITHOGRAPHY		0	0	0	40,000	0	0	0	40,000		
105 LIGHTER THAN AIR TECHNOLOGY (DARPA)		0	0	0	0	30,000	0	30,000		30,000	30,000
108 NON-ACOUSTICASW (DOD-DOE)		0	0	0	0	26,000	0	30,000		30,000	30,000
109 UNDISTRIBUTED TECH BASE		0	0	0	7,000	0	0	0	7,000		
Advanced technology development											
022 EXPERIMENTAL EVALUATION OF MAGOR INNOVAT	060322	167,300	202,300	167,500	166,650	166,650	166,200	174,200		6,900	7,550
024 ADVANCED SUBMARINE TECHNOLOGY		0	95,000	0	95,000	145,000	0	95,000	95,000	95,000	
026 SPECIAL TECHNOLOGY SUPPORT		0	25,000	0	25,000	25,000	0	25,000	25,000	25,000	
028 MICROWAVE/MILLIMETER WAVE MONOLITHIC INT	060370	79,580	81,080	79,580	81,080	81,080	79,580	81,080	1,500	1,500	
029 BALANCED TECHNOLOGY INITIATIVE	060373	206,082	238,082	296,082	238,082	120,000	296,082	206,082	32,000		
030 COOPERATIVE DOD/VA MEDICAL RESEARCH		0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
032 RANKINE CYCLE ENERGY RECOVERY (RACER)		0	0	0	(4,000)	15,000	0	0			4,000
034 CONSOLIDATED DOD SOFTWARE INITIATIVE	060375	32,426	32,426	39,926	35,426	42,426	35,426	45,426	3,000	13,000	10,000
035 SUPERMAGNETIC ENERGY STORAGE SYS		0	0	0	0	11,000	11,000	11,000		11,000	11,000
037 INFRARED FOCAL PLANE ARRAY	070280	19,810	0	24,810	24,810	0	19,810	19,810	5,000		
038 FORCE ENHANCEMENTS-ACTIVE	111001	15,530	5,030	15,530	10,530	5,030	10,530	11,100			570
111 LIGHTSAT		0	0	0	25,000	0	0	0	25,000		
113 MEDICAL FACILITY		0	0	0	18,000	0	0	0	18,000		
115 UNDISTRIBUTED REDUCTION		0	0	0	(18,000)	0	0	0			18,000
117 NATIONAL AIRSPACE SYSTEM		0	0	0	15,000	0	0	0	15,000		
Tactical programs											
112 TORPEDO SOFTWARE VALIDATION		0	0	0	0	3,000	0	3,000		3,000	3,000
Intelligence and communications											
084 AIRBORNE RECONNAISSANCE SUPPORT PROGRAM	030615	84,600	184,600	(2,000)	36,000	349,600	48,000	66,000			30,000
Defensewide Mission Support											
073 NATO RESEARCH AND DEVELOPMENT	060379	96,674	96,674	200,000	125,674	56,174	200,000	115,674	29,000	19,000	
Undistributed											
097 SCIENCE & ENGINEERING EDUCATION		0	0	10,500	10,500	0	0	0	10,500		
098 SOLID ROCKET DEMILITARIZATION		0	0	6,000	3,000	0	0	0	3,000		
120 JOINT ROBOTICS PROGRAM		0	0	0	0	0	21,805	21,599		21,599	21,599
125 ACTIVE IONOSPHERIC AURORAL RESEARCH		0	0	0	0	0	10,000	10,000		10,000	10,000
136 RESEARCH PROJECTS		0	0	0	0	0	0	8,000		8,000	8,000
138 LASER VERIFICATION		0	0	0	2,000	0	0	2,000	2,000	2,000	
800 UNDISTRIBUTED REDUCTIONS		0	0	0	(57,276)	0	0	0			57,276
Developmental Test & Eval., Defense											
Defensewide Mission Support											
003 FOREIGN WEAPONS EVALUATION	060511	15,737	15,737	15,737	0	15,737	15,737	15,737			15,737
004 NATO COOPERATIVE DEVELOPMENT TESTING	060513	26,915	26,915	26,915	0	26,915	24,961	11,915			11,915
009 FOREIGN COMPARATIVE TESTING		0	0	0	42,652	0	0	0	42,652		
010 PRIOR YEAR SAVINGS		0	0	0	(15,000)	0	0	0			15,000

FY1994 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
TOTAL OF CONGRESSIONAL ADDITIONS*									532,357	453,022	375,912
TOTAL - RESEARCH, DEV, TEST & EVAL											
- TOA		38,545,300	38,968,746	38,757,393	37,843,772	35,540,277	37,664,528	37,109,446			
- FAJ											
- Appropriations		38,545,300	38,968,746	38,757,393	37,843,772	35,540,277	37,664,528	37,109,446			
TOTAL OF CONGRESSIONAL RDT&E ADDITIONS*									1,254,907	1,318,325	751,297

FY 1993: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
MILITARY CONSTRUCTION										
Military Construction, Army										
Major construction										
061 FITZSIMMONS AMC CO										
10 CHILD DEVELOPMENT CENTER	0	2,100	0	2,100	2,100	0	2,100	2,100	2,100	
064 WALTER REED AMC DC										
10 PARKING STRUCTURE	0	0	11,000	11,000	0	11,000	11,000	11,000	11,000	
066 KEY WEST FL										
10 SOF-SPECIAL FORCES TRAINING FACILITY	6,100	6,100	6,100	6,100	6,100	8,500	8,500		2,400	2,400
070 FORT BENNING GA										
40 CHILD CARE FACILITIES (2)	0	2,600	2,646	2,646	2,600	2,600	2,600	2,646	2,600	
60 BARRACKS REVITALIZATION	0	0	2,000	2,000	0	2,000	2,000	2,000	2,000	
091 SAVANNAH ARMY DEPOT IL										
10 FUNCTION TEST RANGE	0	850	0	850	850	0	850	850	850	
092 ST.LOUIS SUPPORT CENTER IL										
10 ALTER DORM	0	0	3,750	3,750	0	3,750	3,750	3,750	3,750	
094 FORT BENJAMIN HARRISON										
10 WASTEWATER TREATMENT FACILITY	0	359	359	359	359	359	359	359	359	
096 FORT LEAVENWORTH KS										
10 CHILD DEVELOPMENT/RELIGIOUS EDUCATION FAC	5,500	3,000	5,500	3,000	3,000	5,500	5,500			2,500
110 FORT KNOX KY										
20 PHYSICAL FITNESS TRAINING CENTER	0	5,420	5,419	5,300	5,420	5,420	5,420	5,300	5,420	120
30 M1 TANK DRIVER TRAINING FACILITY	0	0	6,500	5,900	0	6,500	5,900	5,900	5,900	
119 ABERDEEN P G MD										
10 ADP FACILITY ADD	0	1,700	0	1,700	1,700	0	1,700	1,700	1,700	
120 FORT DETRICK MD										
10 CHAPEL CENTER/CHILD DEVELOPMENT CENTER	2,300	1,300	2,300	1,300	1,300	2,300	2,300			1,000
160 FORT BRAGG NC										
20 CHILD DEVELOPMENT CENTER	0	5,300	0	5,300	5,300	0	5,300	5,300	5,300	
30 MAINTENANCE FACILITY-PHASE I	0	7,000	0	7,000	7,000	0	7,000	7,000	7,000	
40 SOF HEADQUARTERS FACILITY	0	21,100	0	21,000	21,100	0	21,100	21,000	21,100	100
166 FORT SILL OK										
20 CHILD DEVELOPMENT/RELIGIOUS EDUCATION FAC	4,850	2,700	4,850	2,700	2,700	4,850	4,850			2,150
174 TOBYHANNA ARMY DEPOT PA										
10 ACCESS ROAD	0	0	0	0	3,200	0	3,200		3,200	3,200
176 FORT JACKSON SC										
10 CONSOLIDATED FEILD MAINTENANCE FACILITY	0	0	23,000	23,000	0	23,000	23,000	23,000	23,000	
186 FORT BLISS TX										
20 BARRACKS MODS	0	6,400	0	6,400	6,400	0	6,400	6,400	6,400	
30 BARRACKS MODS	0	6,800	0	6,800	6,800	0	6,800	6,800	6,800	
190 FORT HOOD TX										

FY 1999: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
20 BARRACKS MODS	0	11,200	0	11,200	11,200	0	11,200	11,200	11,200	
30 VEHICLE WASH FACILITY	0	7,400	0	7,400	7,400	0	7,000	7,400	7,000	
210 FORT LEE VA										
20 ENLISTED PETROLEUM TRAINING FAC	0	8,300	0	8,300	8,300	0	8,300	8,300	8,300	
230 CLASSIFIED LOCATIONS XC										
20 CLASSIFIED PROJECT	0	0	3,400	3,400	0	3,400	3,400	3,400	3,400	
30 LAND ACQUISITION	0	0	600	600	0	600	600	600	600	
40 OPERATIONAL FACILITY	0	0	7,500	0	0	7,500	7,500		7,500	7,500
234 ANSBACH GY										
10 CHILD DEVELOPMENT CENTER	0	2,900	0	2,900	2,900	0	2,900	2,900	2,900	
350 UNSPECIFIED WORLDWIDE LOCATIONSZU										
30 FOREIGN CURRENCY FLUCTUATION	0	0	0	0	57,923	0	8,600		8,600	8,600
Planning										
350 JSOC PLANNING AND DESIGN										
40 JSOC PLANNING AND DESIGN	0	0	0	0	0	5,000	5,000		5,000	5,000
TOTAL OF CONGRESSIONAL ADDITIONS*								138,905	165,379	32,570
Military Construction, Navy										
Major construction										
069 MONTEREY FNOC CA										
10 COMPUTER CENTER	0	6,010	0	6,010	6,010	0	0	6,010		
070 MONTEREY NAVAL POSTGRADUATE SCHCA										
30 CHILD DEVELOPMENT CENTER	0	2,000	0	2,000	2,000	0	2,000	2,000	2,000	
110 SAN DIEGO NAVAL HOSPITAL CA										
10 REGIONAL MEDICAL CENTER-SUPPORT FACILITIES	5,000	0	5,000	0	0	0	5,000			5,000
20 PARKING GARAGE	0	7,500	0	0	7,500	0	7,500		7,500	7,500
130 SAN DIEGO NAVAL TRAINING CENTERCA										
20 CHILD DEVELOPMENT CENTER	0	2,350	0	2,350	2,350	0	2,350	2,350	2,350	
160 VALLEJO MARE ISLAND NAVAL SHIPYCA										
20 DREDGED MATERIAL HANDLING FACILITY	0	2,700	0	2,700	2,700	0	2,700	2,700	2,700	
199 MAYPORT NAVAL STATION FL										
10 INDUSTRIAL BERTHING WHARF	0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
220 ALBANY MARINE CORPS LOGISTICS BGA										
20 CALIBRATION LAB	0	0	3,250	3,250	0	3,250	3,250	3,250	3,250	
230 KINGS BAY NAVAL SUBMARINE BASE GA										
20 COMMUNITY IMPACT ASSISTANCE	3,770	11,550	11,549	11,549	11,550	11,550	11,550	7,779	7,780	
274 CRANE NWSC IN										
10 LITHIUM TEST FACILITY	0	3,200	0	4,000	3,200	4,000	4,000	4,000	4,000	
325 PASCAGOULA NAVAL STATION MS										

FY 1993: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
20 BEQ	0	0	0	0	0	3,940	3,940		3,940	3,940
30 MAGAZINES	0	0	0	0	0	3,140	3,140		3,140	3,140
40 WAREHOUSE	0	0	0	0	0	1,110	1,110		1,110	1,110
326 MAR CORP SPT FAC, KANSAS CITY MO										
10 FINANCIAL/DATA PROC CENTER - PHASE I	0	0	10,000	10,000	0	10,000	10,000	10,000	10,000	
356 CAMP LEJEUNE MARINE CORPS BASE NC										
60 ACCESS ROAD	0	0	0	0	5,500	5,500	5,500		5,500	5,500
369 PHILADELPHIA NSY PA										
10 HAZ & FLAM STORAGE WHSE	0	9,700	10,000	10,000	9,700	10,000	10,000	10,000	10,000	
376 NEWPORT NAVAL EDUCATION & TRAINRI										
20 PARKING LOT	0	290	0	290	290	0	290	290	290	
386 CHARLESTON NWS, SC										
10 ALTERNATE ACCESS ROAD	0	4,600	4,600	4,600	4,600	4,600	4,600	4,600	4,600	
415 DAM NECK MARINE ENVIRONMENTAL SVA										
10 OPERATIONS AND MAINTENANCE FACILITIES	8,000	8,000	8,000	8,000	8,000	8,500	8,500		500	500
427 NORFOLK NAVAL PUBLIC WORKS CTR VA										
10 COMMUNITY CENTER	0	0	0	332	0	0	0	332		
464 VIRGINIA BEACH VA										
10 LAND PURCHASE	0	1,300	0	1,300	1,300	0	1,300	1,300	1,300	
486 KEYPORT NAVAL UNDERSEA WARFARE WA										
20 UNDERSEAS WARFARE ENGINEERING CENTER	0	10,400	10,000	10,400	10,400	10,000	10,400	10,400	10,400	
546 OKINAWA CAMP BUTLER MARINE CORPJA										
10 COMBINED ARMS STAFF TRAINER FACILITY	3,200	3,200	0	0	3,200	0	3,200			3,200
560 OKINAWA FUTENMA MARINE CORPS AIJA										
10 MAINTENANCE HANGAR ADDITION	1,950	1,950	0	0	1,950	0	1,950			1,950
20 TACTICAL SUPPORT VAN PADS	5,500	5,500	0	0	5,500	0	5,500			5,500
561 ROTA NAVAL STATION SP										
10 CHILD DEVELOPMENT CENTER	0	1,900	0	1,900	880	0	1,900	1,900	1,900	
600 UNDISTRIBUTED REDUCTION						(33)				
TOTAL OF CONGRESSIONAL ADDITIONS*								86,911	102,260	37,341
Military Construction, Air Force										
Major construction										
006 MAXWELL AFB AL										
10 ADD/ALT CONSOL SUPP COMPLEX	0	700	0	700	700	0	700	700	700	
30 VISITING OFF QTRS	0	820	0	820	820	0	820	820	820	
015 EIELSON AFB AK										
20 SUPPLY COMPLEX	0	0	10,000	10,000	0	10,000	10,000	10,000	10,000	
036 DAVIS-MONTHAN AFB AZ										

FY 1990: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
30 TRAFFIC MANAGEMENT COMPLEX FACILITY		0	0	4,000	4,000	0	4,000	4,000	4,000	4,000	
047 IRA EAKER AFB	AR										
10 CIV ENG SHOP FAC		0	2,700	0	2,700	2,700	0	2,700	2,700	2,700	
20 CONVOY ROAD		0	500	0	500	500	0	500	500	500	
30 WATER WELL & ELEV STORAGE		0	850	0	850	850	0	850	850	850	
065 MCCLELLAN AFB	CA										
50 UPGRADE ELEC DIST SYS		0	9,500	0	9,500	9,500	0	9,500	9,500	9,500	
60 CHILD CARE CENTER		0	1,200	1,200	1,200	0	0	1,200	1,200	1,200	
080 VANDENBERG AFB	CA										
30 CHILD DEVELOPMENT CENTER		0	2,050	0	2,050	2,050	0	2,050	2,050	2,050	
086 LOWRY AFB	CO										
20 COMPUTER OPS CENTER		0	15,500	0	15,500	15,500	0	15,500	15,500	15,500	
30 PRECISION MEAS EQUIP LAB		0	2,200	0	2,200	2,200	0	2,200	2,200	2,200	
130 TYNDALL AFB	FL										
30 CHILD DEVELOPMENT CENTER		0	1,200	0	1,200	1,200	0	1,200	1,200	1,200	
135 ROBINS AFB	GA										
50 C-141 MAINT HANGAR		0	13,700	0	13,700	13,700	14,400	13,700	13,700	13,700	
70 ADD/ALTER CHILD CARE CENTER		0	0	1,100	1,100	0	0	1,100	1,100	1,100	
144 SCOTT AFB	IL										
10 DORMITORY		0	0	8,400	8,400	0	8,400	8,400	8,400	8,400	
146 GRISSOM AFB	IN										
10 WASTE WATER TRTMT PLANT MOD		0	4,650	0	4,650	4,650	0	4,650	4,650	4,650	
20 WING HQ & COMMAND POST		0	2,150	2,150	2,150	2,150	2,150	2,150	2,150	2,150	
147 MCCONNELL AFB	KS										
10 ADD/ALT PHYS FIT CENTER		0	5,200	0	5,200	5,200	0	5,200	5,200	5,200	
155 ENGLAND AFB	LA										
20 BASE SUPPLY COMPLEX		0	0	4,100	4,100	0	4,100	4,100	4,100	4,100	
30 FLIGHTLINE FENCE & LIGHTS		0	0	300	300	0	0	0	300		
40 ALTER DORMS		0	0	3,200	3,200	0	3,200	3,200	3,200	3,200	
171 K.I. SAWYER AFB	MI										
10 FITNESS CENTER		0	0	4,300	4,300	0	4,300	4,300	4,300	4,300	
226 GRAND FORKS AFB	ND										
10 CHILD CARE FACILITY		0	1,900	0	1,900	1,900	0	1,900	1,900	1,900	
230 NEWARK AFB	OH										
20 CHILD CARE CENTER		0	0	680	680	0	0	680	680	680	
235 WRIGHT-PATTERSON AFB	OH										
20 LAB FUEL STORAGE FACILITY		0	0	5,500	5,500	0	5,500	5,500	5,500	5,500	
30 CHILD CARE CENTER		0	0	1,950	1,950	0	0	1,950	1,950	1,950	
40 ADD/ALTER OPTICAL SYSTEMS LAB		0	0	3,700	3,700	0	3,700	3,700	3,700	3,700	
245 TINKER AFB	OK										
90 CHILD CARE GENTER		0	1,550	1,550	1,550	0	0	1,550	1,550	1,550	

FY 1994: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
266 ELLSWORTH AFB SD										
20 SCHOOL	0	7,250	7,250	7,250	7,250	7,250	7,250	7,250	7,250	
274 BERGSTROM AFB TX										
10 CHILD DEVELOPMENT CENTER	0	2,400	0	2,400	2,400	0	2,400	2,400	2,400	
285 KELLY AFB TX										
40 CHILD CARE CENTER	0	0	730	730	0	0	730	730	730	
315 HILL AFB UT										
40 PROC FAC CONSOL	0	3,700	0	3,700	3,700	0	3,700	3,700	3,700	
60 CHILD CARE CENTER	0	1,300	1,300	1,300	0	0	1,300	1,300	1,300	
325 FAIRCHILD AFB WA										
20 COMMAND POST	0	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	
30 SURVIVAL TRNG DORM	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
475 LAJES FIELD PO										
30 TRANSIENT DORM	0	2,300	2,300	2,300	0	0	0	2,300		
570 UNSPECIFIED WORLDWIDE LOCATIONSZU										
40 DEFICIENCY ALLOWANCE	0	0	0	0	0	0	10,000		10,000	10,000
Undistributed										
700 UNDISTRIBUTED			(6)							
TOTAL OF CONGRESSIONAL ADDITIONS*								143,980	151,380	10,000
Military Construction, Defensewide										
Major construction										
034 FITZSIMMONS AMC CO										
10 LIFE SAFETY UPGRADE	0	5,200	0	5,200	5,200	0	5,200	5,200	5,200	
066 NELLIS AFB, NV										
10 CONSOL MED FAC REPLACEMENT-PHASE I	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
Planning										
247 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	43,600	43,600	43,600	43,600	43,600	0	44,600		1,000	1,000
70 PLANNING AND DESIGN	29,700	29,700	29,700	29,700	29,700	0	35,700		6,000	6,000
TOTAL OF CONGRESSIONAL ADDITIONS*								15,200	22,200	7,000
Mil. Con., Army National Guard										
Major construction										
004 ALICEVILLE AL										
10 ARMORY	0	709	709	709	709	709	709	709	709	
037 SHOWLOW AZ										

FY 1994: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 ORGANIZATIONAL MAINTENANCE FACILITY		0	0	500	500	0	500	500	500	500	
073 DURANGO	CO										
10 ARMORY		0	906	906	906	906	906	906	906	906	
074 MONTROSE	CO										
10 ARMORY		0	1,698	1,698	1,698	1,698	1,698	1,698	1,698	1,698	
077 ST AUGUSTINE	FL										
10 ARMORY		0	0	2,500	2,500	0	2,500	2,332	2,500	2,332	
091 DECATUR	IL										
10 ARMORY		0	3,304	2,660	3,304	3,304	2,660	3,304	3,304	3,304	
096 MACHNESNEY PARK	IL										
10 ARMORY		0	2,920	0	2,920	2,920	0	2,920	2,920	2,920	
20 ORGANIZATION MAINTENANCE SHOP		0	586	0	586	586	0	586	586	586	
097 MARSEILLES	IL										
10 SMALL ARMS STORAGE FACILITY		0	307	0	307	307	0	307	307	307	
20 SURFACED ROADWAY		0	325	0	325	325	0	325	325	325	
103 URBANA	IL										
10 ARMORY		0	0	865	865	0	865	865	865	865	
104 WILLIAMSON	IL										
10 ARMORY W/ MAINTENANCE SHOP		0	2,592	0	2,592	2,592	0	2,592	2,592	2,592	
111 CAMP DODGE	IA										
10 LAND ACQUISITION - TRAINING AREA		0	6,857	0	6,857	6,857	0	6,857	6,857	6,857	
121 ASHLAND	KY										
10 ARMORY		0	2,464	0	2,464	2,464	0	2,464	2,464	2,464	
134 BERRIEN COUNTY	MI										
10 ARMORY		0	1,250	1,206	1,250	1,250	1,206	1,250	1,250	1,250	
136 CAMP GRAYLING	MI										
20 WASTEWATER TREATMENT FACILITY		0	0	3,283	3,283	0	3,283	3,283	3,283	3,283	
136 MENOMINEE COUNTY	MI										
10 ARMORY		0	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	
137 SHIAWASSEE COUNTY	MI										
10 ARMORY		0	1,450	1,408	1,450	1,450	1,450	1,450	1,450	1,450	
140 CAMP RIPLEY	MN										
20 BARRACKS		0	8,000	0	8,000	8,000	0	8,000	8,000	8,000	
30 BARRACKS		0	800	0	800	0	0	800	800	800	
141 ACKERMAN	MS										
10 ARMORY ADDITION		0	735	0	735	735	0	735	735	735	
142 AMORY	MS										
10 ARMORY ADDITION		0	310	0	310	310	0	310	310	310	
143 CAMP MCCAIN	MS										
10 LAND ACQUISITION		0	4,000	0	4,000	4,000	0	4,000	4,000	4,000	
144 FLOWOOD	MS										

FY 1994: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 US PROPERTY & FISCAL OFFICE		0	1,300	0	1,300	1,300	0	1,300	1,300	1,300	
145 CAMP SHELBY	MS										
10 BOQ		0	0	700	700	0	700	700	700	700	
20 M-16 FIRING RANGE		0	0	300	300	0	300	300	300	300	
30 ALT ENGINEERING BLDG		0	0	400	400	0	400	400	400	400	
146 IUKA	MS										
10 ARMORY ADDITION		0	710	0	710	710	0	710	710	710	
147 LOUISVILLE	MS										
10 ORGANIZATIONAL MAINTENANCE SHOP		0	600	0	600	600	0	600	600	600	
148 PHILADELPHIA	MS										
10 ORGANIZATIONAL MAINTENANCE SHOP		0	400	0	400	400	0	400	400	400	
166 LINCOLN	NE										
10 COMB SUPPORT MAINT SHOP		0	0	3,436	3,436	0	3,436	3,436	3,436	3,436	
20 ADD AIRCRAFT PARKING APRON		0	0	597	597	0	597	597	597	597	
186 BELEN	NM										
10 ARMORY		0	1,397	1,350	1,397	1,397	1,397	1,397	1,397	1,397	
187 CLOVIS	NM										
10 ARMORY		0	1,603	1,603	1,603	1,603	1,603	1,603	1,603	1,603	
20 ORGANIZATIONAL MAINTENANCE SHOP		0	0	714	714	0	714	714	714	714	
188 FARMINGTON	NM										
10 ARMORY		0	1,163	1,163	1,163	1,163	1,163	1,163	1,163	1,163	
191 SANTE FE	NM										
10 COMBINED SUPPORT MAINTENANCE SHOP		0	3,092	3,092	3,092	3,092	3,092	3,092	3,092	3,092	
20 US PROPERTY & FISCAL OFFICE		0	905	905	905	905	905	905	905	905	
192 SPRINGER	NM										
10 ORGANIZATIONAL MAINT SHOP		0	0	714	714	0	714	714	714	714	
206 CAMP GRUBER	OK										
70 TROOP SUPPORT FACILITY - PHASE IV		0	3,752	3,820	0	3,752	3,752	3,752		3,752	3,752
211 KLEIVER	OR										
10 ARMORY		0	1,444	0	1,444	1,444	1,444	1,444	1,444	1,444	
212 MEDFORD	OR										
10 ARMORY		0	832	820	832	832	832	832	832	832	
216 FT INDIANTOWN GAP	PA										
20 FIRE SUPPRESSION SYSTEM		0	1,200	0	1,200	1,200	0	1,200	1,200	1,200	
218 EASTOVER	SC										
10 ARMORY		0	0	1,500	1,500	0	1,500	1,500	1,500	1,500	
219 LEXINGTON	SC										
10 ARMORY		0	0	2,400	2,400	0	2,400	2,175	2,400	2,175	
239 BROWNSVILLE	TN										
10 ARMORY		0	992	992	992	992	992	992	992	992	
242 CLINTON	TN										

FY 1994: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 ARMORY	0	0	1,160	1,160	0	1,160	1,160	1,160	1,160	
244 HUMBOLT TN										
10 ARMORY	0	0	1,453	1,453	0	1,453	1,453	1,453	1,453	
246 JACKSON TN										
10 AVIATION SUPPORT FACILITY	0	0	1,636	1,636	0	1,636	1,636	1,636	1,636	
259 CAMP BOWIE BROWNWOOD TX										
10 CANTONEMENT FACILITY	0	1,341	0	1,341	1,341	0	1,341	1,341	1,341	
20 LAND ACQUISITION	0	1,750	0	1,750	1,750	0	1,750	1,750	1,750	
261 LAREDO TX										
10 ARMORY	0	2,263	0	2,263	2,263	0	2,263	2,263	2,263	
262 ROSENBERG TX										
10 ARMORY	0	943	0	943	943	0	943	943	943	
267 TEMPLE TX										
10 ARMORY W/ ORGANIZATIONAL MAINTENANCE SHOP	0	3,792	0	3,792	3,792	0	3,792	3,792	3,792	
276 ARLINGTON HALL STATION VA										
10 NATIONAL GUARD CENTER-PHASE II	0	0	11,000	11,000	0	11,000	8,630	11,000	8,630	
283 BUCKHANNON WV										
10 US PROP & FISCAL OFFICE	0	0	1,500	1,500	0	1,500	1,500	1,500	1,500	
284 WHEELING WV										
10 AVIATION SUPPORT FACILITY/ARMORY	0	0	5,326	5,326	0	5,326	5,326	5,326	5,326	
286 WHITEWATER WI										
10 ARMORY W/ MAINTENANCE-VEHICLE STORAGE	0	2,251	0	2,251	2,251	0	3,492	2,251	3,492	1,241
287 RICHMOND WI										
10 ARMORY	0	0	0	1,241	0	0	0	1,241		
298 CHEYENNE WY										
20 ARMORY ANNEX	0	0	2,351	2,351	0	2,351	2,351	2,351	2,351	
306 UNSPECIFIED WORLDWIDE LOCATIONSZU										
30 DEFICIENCY ALLOWANCE	0	0	0	0	0	40,000	1,000		1,000	1,000
60 GENERAL REDUCTIONS	0	0	0	(33,100)	0	0	0			33,100
Planning										
315 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 PLANNING AND DESIGN	4,800	4,800	6,858	6,858	4,800	15,000	11,600	2,058	6,800	4,742
Mil. Con., Air National Guard										
Major construction										
006 GADSDEN AL										
10 VEHICLE MAINTENANCE SHOP	0	2,100	2,100	2,100	2,100	0	2,100	2,100	2,100	
20 BASE SUPPORT & EQUIPMENT WAREHOUSE	0	900	900	900	900	0	900	900	900	
007 FORT HUACHUCA AZ										
10 COMPOSITE DEPLOYMENT SUPPORT FACILITY	0	2,350	2,350	2,350	2,350	2,350	2,350	2,350	2,350	
030 BUCKLEY ANGB CO										
30 ARMORY	0	5,000	0	5,000	0	0	5,000	5,000	5,000	

FY 1994: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
40 US PROPERTY & FISCAL OFFICE	0	1,400	0	1,400	0	0	1,400	1,400	1,400	
50 US PROPERTY & FO WAREHOUSE	0	1,300	0	1,300	0	0	1,300	1,300	1,300	
061 SIOUX GATEWAY AIRPORT IA										
10 LAND ACQUISITION	0	0	550	550	0	550	550	550	550	
20 BASE SUPPLY WAREHOUSE	0	0	2,550	2,550	0	2,550	2,550	2,550	2,550	
30 ADD ECM SHOP	0	0	390	390	0	390	390	390	390	
065 MCCONNELL AFB KS										
20 LAND ACQUISITION	0	5,200	5,200	5,200	5,200	5,200	5,200	5,200	5,200	
30 OPERATIONS AND TRAINING FACILITY	0	0	3,700	3,700	0	3,700	3,700	3,700	3,700	
061 OTIS ANGB MA										
10 FUEL DISTRIBUTION SYSTEM	0	0	5,200	5,200	0	5,200	5,200	5,200	5,200	
126 KEY FIELD MS										
20 COMPOSITE MAINTENANCE HANGAR	0	12,000	0	12,000	12,000	0	12,000	12,000	12,000	
200 PORTLAND IAP OR										
20 ADD/ALT TAXIWAY	0	0	6,000	6,000	0	6,000	6,000	6,000	6,000	
231 MEMPHIS TN										
10 ADD/ALT AIRCRAFT HANGAR	0	0	4,900	4,900	0	4,900	4,900	4,900	4,900	
20 AIRCRAFT APRON/FUEL STOR & DIST	0	0	11,800	11,800	0	11,800	11,800	11,800	11,800	
279 TRUAX FIELD WI										
10 ALTER VEHICLE MAINTENANCE SHOP	0	950	950	950	950	950	950	950	950	
20 ALTER WEAPONS SECURITY & MISSION SUPPORT FAC	0	990	990	990	990	990	990	990	990	
280 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 PLANNING AND DESIGN	6,450	8,250	10,450	8,250	8,250	14,250	12,400	1,800	5,950	4,150
20 UNSPECIFIED MINOR CONSTRUCTION	2,500	2,500	2,500	2,500	2,500	9,000	3,000		500	500
306 GENERAL REDUCTIONS				(35,052)						35,052
Mil. Con., Army Reserve										
Major construction										
056 SANTA FE NM										
10 ARMY RESERVE CENTER	0	0	2,955	2,955	0	3,000	2,955	2,955	2,955	
061 JOHNSTOWN PA										
10 RESERVE CENTER W/ MAINT SHOP	0	3,605	0	3,605	3,605	0	3,605	3,605	3,605	
062 BECKLEY WV										
10 ARMY RESERVE CENTER	0	0	3,200	3,200	0	3,200	3,200	3,200	3,200	
063 KINGWOOD WV										
10 ARMY RESERVE CENTER	0	0	1,400	1,400	0	1,400	1,400	1,400	1,400	
064 ELKINS WV										
10 ARMY RESERVE CENTER	0	0	1,400	1,400	0	1,400	1,400	1,400	1,400	
065 MORGANTOWN WV										
10 ARMY RESERVE CENTER	0	0	1,900	1,900	0	1,900	1,900	1,900	1,900	
066 RAINELLE WV										
10 ARMY RESERVE CENTER	0	0	2,200	2,200	0	2,200	2,200	2,200	2,200	

FY 1990: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
075 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 LAND ACQUISITIONS	3,414	3,414	3,414	3,414	3,414	4,414	4,314		900	900
080 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 GENERAL REDUCTIONS	0	0	0	(14,260)	0	0	0			14,260
Planning										
077 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	5,388	5,388	6,888	6,888	5,388	8,388	8,388	1,500	3,000	1,500
Mil Con., Naval Reserve										
Major construction										
075 STEWART AIRPORT (ANG) NY										
30 FUEL SYS MAINT HANGAR/CORROSION CTL FAC	0	5,700	0	5,700	5,700	0	5,700	5,700	5,700	
TOTAL OF CONGRESSIONAL ADDITIONS*								206,934	220,715	100,197
Base Realignment & Closure Acct, Part I										
Undistributed										
001 BASE CLOSURE PROGRAMS							500,000		500,000	500,000
NATO Infrastructure										
NATO Infrastructure										
005 OSD MILCON ZU										
15 CROTONE REDUCTION	0	(77,186)	0	(77,186)	0	0	0			77,186
TOTAL OF CONGRESSIONAL ADDITIONS*								0	500,000	577,186
TOTAL - MILITARY CONSTRUCTION										
- TOA	4,842,500	4,675,626	4,792,286	4,698,489	4,752,870	4,668,649	5,329,909		487,409	631,420
- FAJ	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)			
- Appropriations	4,822,500	4,655,626	4,772,286	4,678,489	4,732,870	4,648,649	5,309,909		487,409	631,420
TOTAL OF CONGRESSIONAL ADDITIONS TO MILITARY CONSTR*								591,930	1,181,934	764,294
FAMILY HOUSING										
Family Housing Construction, Army										
Construction of new housing										
004 FORT RUCKER AL										
10 GENERAL OFFICER HOUSING (2)	0	400	0	400	400	0	300	400	300	
016 OAHU HI										

FY 1996: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 NEW CONSTRUCTION (300)	0	30,000	0	18,000	30,000	0	18,000	18,000	18,000	
017 FORT LEE VA										
10 GENERAL OFFICER HOUSING (1)	0	210	0	210	210	0	160	210	160	
Post-Acquisition Construction										
020 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 CONSTRUCTION IMPROVEMENTS	36,329	89,329	36,329	36,329	89,329	72,300	40,000		3,671	3,671
Planning and design										
022 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING	1,349	1,349	1,349	1,349	6,349	1,349	3,000		1,651	1,651
TOTAL OF CONGRESSIONAL ADDITIONS*								18,610	23,782	5,322
Family Housing Construction, Navy & Mari										
Construction of new housing										
004 MARINE CORPS AIR STA EL TORO CA										
10 NEW CONSTRUCTION (200)	0	15,000	0	15,000	15,000	0	15,000	15,000	15,000	
005 MARINE CORPS BASE CAMP PENDLETOCA										
20 NEW CONSTRUCTION (300)	0	25,000	0	15,000	25,000	0	15,000	15,000	15,000	
016 NAVAL AIR STA MOFFETT FIELD CA										
10 NEW CONSTRUCTION (74)	0	6,600	0	6,600	6,600	0	6,600	6,600	6,600	
023 NAS GLENVIEW IL										
10 NEW CONSTRUCTION (140)	0	0	15,300	15,300	0	15,300	15,300	15,300	15,300	
034 NAVAL STA GUANTANAMO CU										
10 NEW CONSTRUCTION (264)	0	31,669	0	31,669	31,669	0	15,000	31,669	15,000	
Planning and design										
046 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING	1,000	6,100	1,000	3,100	6,100	1,000	3,100	2,100	2,100	
Family Housing Operations & Debt, Navy &										
Operating expenses										
006 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 FURNISHINGS ACCOUNT	18,688	41,688	18,688	28,000	28,000	18,688	18,688	9,312		
Mortgage insurance premiums										
011 UNSPECIFIED WORLDWIDE LOCATIONSZU										
60 MORTGAGE INSURANCE PREMIUMS	208	208	208	27,208	208	208	208	27,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								121,981	69,000	0

FY 1993: CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
TOTAL - FAMILY HOUSING										
- TOA	3,232,747	3,510,241	3,241,516	3,274,369	:95,477	3,099,091	3,220,629	41,622		
- FAJ	(47)	(47)	(47)	(47)	(47)	(47)	(47)			
- Appropriations	3,232,700	3,510,194	3,241,469	3,274,322	3,495,430	3,099,044	3,220,582	41,622		
TOTAL OF CONGRESSIONAL ADDITIONS TO FAMILY HOUSING*								140,591	92,782	5,322

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
MILITARY PERSONNEL										
Military Personnel, Army										
TOA	24,295,600	NA	NA	NA	23,959,991	23,863,803	23,869,226	NA		NA
FAJ										
Appropriations	24,295,600	NA	NA	NA	23,959,991	23,863,803	23,869,226	NA		NA
Military Personnel, Navy										
TOA	19,363,100	NA	NA	NA	19,149,527	19,044,785	19,065,967	NA		NA
FAJ										
Appropriations	19,363,100	NA	NA	NA	19,149,527	19,044,785	19,065,967	NA		NA
Military Personnel, Marine Corps										
TOA	5,918,600	NA	NA	NA	5,887,484	5,868,652	5,897,502	NA		NA
FAJ										
Appropriations	5,918,600	NA	NA	NA	5,887,484	5,868,652	5,897,502	NA		NA
Military Personnel, Air Force										
TOA	20,046,600	NA	NA	NA	19,915,200	19,617,100	19,738,372	NA		NA
FAJ										
Appropriations	20,046,600	NA	NA	NA	19,915,200	19,617,100	19,738,372	NA		NA
Reserve Personnel, Army										
TOA	2,337,100	NA	NA	NA	2,394,200	2,322,800	2,363,300	NA	26,200	NA
FAJ										
Appropriations	2,337,100	NA	NA	NA	2,394,200	2,322,800	2,363,300	NA	26,200	NA
Reserve Personnel, Navy										
TOA	1,624,600	NA	NA	NA	1,665,700	1,608,100	1,645,000	NA	20,400	NA
FAJ										
Appropriations	1,624,600	NA	NA	NA	1,665,700	1,608,100	1,645,000	NA	20,400	NA
Reserve Personnel, Marine Corps										
TOA	336,400	NA	NA	NA	340,800	325,500	336,400	NA		NA
FAJ										
Appropriations	336,400	NA	NA	NA	340,800	325,500	336,400	NA		NA

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Reserve Personnel, Air Force										
TOA	684,000	NA	NA	NA	697,800	684,110	686,800	NA	2,800	NA
FAJ										
Appropriations	684,000	NA	NA	NA	697,800	684,110	686,800	NA	2,800	NA
National Guard Personnel, Army										
TOA	3,358,700	NA	NA	NA	3,428,800	3,331,900	3,379,500	NA	20,800	NA
FAJ										
Appropriations	3,358,700	NA	NA	NA	3,428,800	3,331,900	3,379,500	NA	20,800	NA
National Guard Personnel, Air Force										
TOA	1,089,000	NA	NA	NA	1,113,700	1,086,950	1,098,400	NA	9,400	NA
FAJ										
Appropriations	1,089,000	NA	NA	NA	1,113,700	1,086,950	1,098,400	NA	9,400	NA
TOTAL - MILITARY PERSONNEL										
TOA	79,053,700	NA	NA	NA	78,553,202	77,753,700	78,080,467	NA		NA
FAJ										
Appropriations	79,053,700	NA	NA	NA	78,553,202	77,753,700	78,080,467	NA		NA
OPERATION AND MAINTENANCE										
Oper. & Maint., Army										
TOA	23,562,900	20,943,456	22,008,345	21,899,881	21,549,271	21,664,190	21,515,694			
FAJ										
Appropriations	23,562,900	20,943,456	22,008,345	21,899,881	21,549,271	21,664,190	21,515,694			
Oper. & Maint., Navy										
TOA	24,531,600	23,258,996	23,263,784	23,165,935	23,775,605	23,230,691	23,161,647			
FAJ										
Appropriations	24,531,600	23,258,996	23,263,784	23,165,935	23,775,605	23,230,691	23,161,647			
Oper. & Maint., Marine Corps										
TOA	1,948,100	1,831,300	1,892,700	1,892,200	1,866,280	1,860,100	1,892,200			
FAJ										
Appropriations	1,948,100	1,831,300	1,892,700	1,892,200	1,866,280	1,860,100	1,892,200			

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Oper. & Maint., Air Force										
TOA	22,048,900	20,389,779	20,785,714	20,624,110	20,977,532	20,084,092	20,080,735			
FAJ										
Appropriations	22,048,900	20,389,779	20,785,714	20,624,110	20,977,532	20,084,092	20,080,735			
Oper. & Maint., Defensewide										
TOA	8,663,100	8,070,308	8,372,263	8,317,421	8,516,144	8,148,163	8,448,957			131,536
FAJ										
Appropriations	8,663,100	8,070,308	8,372,263	8,317,421	8,516,144	8,148,163	8,448,957			131,536
Office of the Inspector General										
TOA	99,500	98,519	98,519	98,519	99,500	99,500	99,500			981
FAJ										
Appropriations	99,500	98,519	98,519	98,519	99,500	99,500	99,500			981
Oper. & Maint., Army Reserve										
TOA	890,400	913,400	866,100	909,100	933,607	871,360	909,100	18,700	18,700	
FAJ										
Appropriations	890,400	913,400	866,100	909,100	933,607	871,360	909,100	18,700	18,700	
Oper. & Maint., Navy Reserve										
TOA	984,600	1,004,800	977,800	998,000	1,015,800	976,114	998,000	13,400	13,400	
FAJ										
Appropriations	984,600	1,004,800	977,800	998,000	1,015,800	976,114	998,000	13,400	13,400	
Oper. & Maint., Marine Corps Reserve										
TOA	86,100	86,100	84,800	84,800	86,400	83,180	84,800			
FAJ										
Appropriations	86,100	86,100	84,800	84,800	86,400	83,180	84,800			
Oper. & Maint., Air Force Reserve										
TOA	1,042,500	1,050,800	1,057,600	1,065,900	1,076,500	1,055,360	1,065,900	23,400	23,400	
FAJ										
Appropriations	1,042,500	1,050,800	1,057,600	1,065,900	1,076,500	1,055,360	1,065,900	23,400	23,400	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Oper. & Maint., Army Nat'l Guard										
TOA	1,986,500	1,996,500	1,970,400	1,980,400	2,049,241	1,980,360	1,980,400			
FAJ										
Appropriations	1,986,500	1,996,500	1,970,400	1,980,400	2,049,241	1,980,360	1,980,400			
Oper. & Maint., Air Nat'l Guard										
TOA	2,175,400	2,203,000	2,219,600	2,247,200	2,235,100	2,217,990	2,247,200	71,800	71,800	
FAJ										
Appropriations	2,175,400	2,203,000	2,219,600	2,247,200	2,235,100	2,217,990	2,247,200	71,800	71,800	
Rifle Practice, Army										
TOA	5,600	4,000	5,600	4,000	5,000	5,600	5,000			1,000
FAJ										
Appropriations	5,600	4,000	5,600	4,000	5,000	5,600	5,000			1,000
Court of Military Appeals, Defense										
TOA	5,600	5,400	5,500	5,400	5,000	5,500	5,400			
FAJ										
Appropriations	5,600	5,400	5,500	5,400	5,000	5,500	5,400			
Environmental Restoration Fund, Defense										
TOA	817,000	1,000,000	1,062,527	1,062,527	1,900,000	1,062,527	1,062,527	245,527	245,527	
FAJ										
Appropriations	817,000	1,000,000	1,062,527	1,062,527	1,900,000	1,062,527	1,062,527	245,527	245,527	
Humanitarian Assistance										
TOA	13,000	13,000	13,000	13,000	15,000	13,000	15,000		2,000	2,000
FAJ										
Appropriations	13,000	13,000	13,000	13,000	15,000	13,000	15,000		2,000	2,000
Drug Interdiction & Counter-Drug Act., D										
TOA	1,207,900	939,300	1,207,900	1,084,100	1,009,410	1,207,900	1,084,100			
FAJ										
Appropriations	1,207,900	939,300	1,207,900	1,084,100	1,009,410	1,207,900	1,084,100			
TOTAL - OPERATION AND MAINTENANCE										
TOA	90,070,700	83,810,658	85,932,152	85,452,493	87,135,390	84,545,627	84,636,160			
FAJ										
Appropriations	90,070,700	83,810,658	85,932,152	85,452,493	87,135,390	84,545,627	84,636,160			

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
PROCUREMENT										
Aircraft Procurement, Army										
TOA	1,583,200	1,493,683	857,609	1,274,383	1,576,329	853,366	1,096,182			
FAJ										
Appropriations	1,583,200	1,493,683	857,609	1,274,383	1,576,329	853,366	1,096,182			
Missile Procurement, Army										
TOA	2,623,500	1,966,345	2,105,140	2,081,123	2,335,164	2,103,231	2,218,422			137,299
FAJ										
Appropriations	2,623,500	1,966,345	2,105,140	2,081,123	2,335,164	2,103,231	2,218,422			137,299
Procurement of W&TCV, Army										
TOA	1,312,300	1,928,423	2,331,200	2,063,672	2,290,718	1,895,552	2,172,021	751,372	859,721	108,349
FAJ										
Appropriations	1,312,300	1,928,423	2,331,200	2,063,672	2,290,718	1,895,552	2,172,021	751,372	859,721	108,349
Procurement of Ammunition, Army										
TOA	1,424,400	1,324,171	1,051,326	1,346,832	1,394,669	1,040,459	1,367,549			20,717
FAJ										
Appropriations	1,424,400	1,324,171	1,051,326	1,346,832	1,394,669	1,040,459	1,367,549			20,717
Other Procurement, Army										
TOA	2,827,500	2,781,799	2,192,517	2,526,864	2,296,054	2,117,812	2,453,057			
FAJ										
Appropriations	2,827,500	2,781,799	2,192,517	2,526,864	2,296,054	2,117,812	2,453,057			
Aircraft Procurement, Navy										
TOA	9,836,600	9,024,150	7,369,308	8,107,698	8,306,229	7,343,737	7,810,452			
FAJ										
Appropriations	9,836,600	9,024,150	7,369,308	8,107,698	8,306,229	7,343,737	7,810,452			
Weapons Procurement, Navy										
TOA	6,161,400	5,376,097	5,960,728	5,981,191	5,315,504	5,692,242	5,825,171			
FAJ										
Appropriations	6,161,400	5,376,097	5,960,728	5,981,191	5,315,504	5,692,242	5,825,171			
Shipbuilding & Conversion, Navy										
TOA	11,195,200	9,016,600	9,314,200	9,414,800	12,329,800	9,313,672	10,160,604			746,004
FAJ										
Appropriations	11,195,200	9,016,600	9,314,200	9,414,800	12,329,800	9,313,672	10,160,604			746,004

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Other Procurement, Navy										
TOA	6,081,500	5,488,626	6,055,242	5,488,559	5,344,811	5,811,675	5,627,160			138,601
FAJ										
Appropriations	6,081,500	5,488,626	6,055,242	5,488,559	5,344,811	5,811,675	5,627,160			138,601
Procurement, Marine Corps										
TOA	782,100	778,279	715,139	752,479	726,637	667,539	719,141			
FAJ										
Appropriations	782,100	778,279	715,139	752,479	726,637	667,539	719,141			
Aircraft Procurement, Air Force										
TOA	13,718,650	7,295,575	10,293,256	9,805,933	7,663,897	10,277,853	9,541,455			
FAJ										
Appropriations	13,718,650	7,295,575	10,293,256	9,805,933	7,663,897	10,277,853	9,541,455			
Missile Procurement, Air Force										
TOA	9,005,700	5,569,848	6,722,657	6,109,469	5,912,653	6,243,922	5,813,532			
FAJ										
Appropriations	9,005,700	5,569,848	6,722,657	6,109,469	5,912,653	6,243,922	5,813,532			
Other Procurement, Air Force										
TOA	8,307,400	7,993,897	7,526,513	7,826,452	7,835,903	7,465,442	7,503,356			
FAJ										
Appropriations	8,307,400	7,993,897	7,526,513	7,826,452	7,835,903	7,465,442	7,503,356			
Procurement, Defensewide										
TOA	1,969,400	1,853,514	1,913,906	2,149,954	2,074,542	1,913,846	2,354,646	180,554	385,246	204,692
FAJ										
Appropriations	1,969,400	1,853,514	1,913,906	2,149,954	2,074,542	1,913,846	2,354,646	180,554	385,246	204,692
National Guard & Reserve Equipment										
TOA	455,400	1,581,100	2,647,361	1,871,700	1,566,115	2,499,469	2,463,700	1,416,300	2,008,300	592,000
FAJ										
Appropriations	455,400	1,581,100	2,647,361	1,871,700	1,566,115	2,499,469	2,463,700	1,416,300	2,008,300	592,000

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Inspector General										
TOA		961	961	961				961		
FAJ										
Appropriations		961	961	961				961		
Defense Production Act Purchases										
TOA	1,800	1,800	1,800	1,800	50,000	30,000	50,000		48,200	48,200
FAJ										
Appropriations	1,800	1,800	1,800	1,800	50,000	30,000	50,000		48,200	48,200
Chem Agents & Munitions Destruction, Def										
TOA	354,400	377,300	365,700	382,600	269,700	365,700	292,700	28,200		
FAJ										
Appropriations	354,400	377,300	365,700	382,600	269,700	365,700	292,700	28,200		
TOTAL - PROCUREMENT										
TOA	77,642,450	63,850,388	67,412,783	67,184,710	67,310,745	65,855,517	67,469,348			284,638
FAJ										
Appropriations	77,642,450	63,850,388	67,412,783	67,184,710	67,310,745	65,855,517	67,469,348			284,638
RESEARCH, DEV, TEST & EVAL										
RDT&E, Army										
TOA	6,025,900	5,675,827	5,696,323	5,732,749	5,366,811	5,299,793	5,607,379			
FAJ										
Appropriations	6,025,900	5,675,827	5,696,323	5,732,749	5,366,811	5,299,793	5,607,379			
RDT&E, Navy										
TOA	9,102,400	9,359,977	9,281,528	9,417,934	8,954,950	8,459,853	9,037,684	315,534		
FAJ										
Appropriations	9,102,400	9,359,977	9,281,528	9,417,934	8,954,950	8,459,853	9,037,684	315,534		
RDT&E, Air Force										
TOA	13,276,300	12,940,062	12,275,578	12,664,662	11,804,366	11,575,574	11,961,310			
FAJ										
Appropriations	13,276,300	12,940,062	12,275,578	12,664,662	11,804,366	11,575,574	11,961,310			

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
RDT&E, Defensewide										
TOA	9,249,300	7,391,235	8,972,702	8,013,939	8,536,697	8,563,407	9,115,699			1,101,760
FAJ										
Appropriations	9,249,300	7,391,235	8,972,702	8,013,939	8,566,697	8,563,407	9,115,699			1,101,760
Developmental Test & Eval., Defense										
TOA	348,100	289,100	277,591	251,619	229,767	226,679	237,720			
FAJ										
Appropriations	348,100	289,100	277,591	251,619	229,767	226,679	237,720			
Operational Test & Eval., Defense										
TOA	90,800	17,000	17,000	15,000	15,000	15,000	15,000			
FAJ										
Appropriations	90,800	17,000	17,000	15,000	15,000	15,000	15,000			
TOTAL - RESEARCH, DEV, TEST & EVAL										
TOA	36,092,800	35,673,221	36,520,722	36,095,903	34,937,611	34,140,306	35,974,792			
FAJ										
Appropriations	36,092,800	35,673,221	36,520,722	36,095,903	34,937,611	34,140,306	35,974,792			
REVOLVING AND MANAGEMENT FUNDS										
Army Stock Fund										
TOA	407,000	302,500	302,500	302,500	407,000	302,500	376,520			74,020
FAJ										
Appropriations	407,000	302,500	302,500	302,500	407,000	302,500	376,520			74,020
Navy Stock Fund										
TOA	37,200				37,200		26,350			26,350
FAJ										
Appropriations	37,200				37,200		26,350			26,350
Air Force Stock Fund										
TOA	1,340,200	887,900	887,900	887,900	1,039,900	887,900	1,152,110			264,210
FAJ										
Appropriations	1,340,200	887,900	887,900	887,900	1,039,900	887,900	1,152,110			264,210

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Defense Stock Fund										
TOA	50,000				50,000	2,355,000	35,420			35,420
FAJ										
Appropriations	50,000				50,000	2,355,000	35,420			35,420
Army Industrial Fund										
TOA	151,100	151,100	151,100	151,100	75,500	151,100	151,100			
FAJ										
Appropriations	151,100	151,100	151,100	151,100	75,500	151,100	151,100			
Navy Industrial Fund										
TOA	238,700	238,700	238,700	238,700	119,350	238,700	238,700			
FAJ										
Appropriations	238,700	238,700	238,700	238,700	119,350	238,700	238,700			
Defense Industrial Fund										
TOA	4,000	4,000	4,000	4,000	2,000	4,000	4,000			
FAJ										
Appropriations	4,000	4,000	4,000	4,000	2,000	4,000	4,000			
TOTAL - REV. & MANGMNT. FUNDS										
TOA	2,228,200	1,584,200	1,584,200	1,584,200	1,730,950	3,939,200	1,984,200			400,000
FAJ										
Appropriations	2,228,200	1,584,200	1,584,200	1,584,200	1,730,950	3,939,200	1,984,200			400,000
MILITARY CONSTRUCTION										
Military Construction, Army										
TOA	774,900	652,387	718,220	748,187	747,067	697,967	746,137			
FAJ										
Appropriations	774,900	652,387	718,220	748,187	747,067	697,967	746,137			
Military Construction, Navy										
TOA	1,113,300	1,090,126	1,069,126	1,142,396	1,137,278	1,083,826	1,132,606	29,096	19,306	
FAJ										
Appropriations	1,113,300	1,090,126	1,069,126	1,142,396	1,137,278	1,083,826	1,132,606	29,096	19,306	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Military Construction, Air Force										
TOA	1,376,200	1,000,893	1,015,134	1,004,294	944,346	891,784	949,094			
FAJ										
Appropriations	1,376,200	1,000,893	1,015,134	1,004,294	944,346	891,784	949,094			
Military Construction, Defensewide										
TOA	787,500	565,326	659,313	618,478	625,326	600,113	601,288			
FAJ										
Appropriations	787,500	565,326	659,313	618,478	625,326	600,113	601,288			
Mil. Con., Army National Guard										
TOA	66,400	208,896	196,373	297,544	201,558	235,549	313,224	231,144	246,824	15,680
FAJ										
Appropriations	66,400	208,896	196,373	297,544	201,558	235,549	313,224	231,144	246,824	15,680
Mil. Con., Air National Guard										
TOA	66,500	119,620	134,310	172,340	135,240	146,369	180,560	105,840	114,060	8,220
FAJ										
Appropriations	66,500	119,620	134,310	172,340	135,240	146,369	180,560	105,840	114,060	8,220
Mil. Con., Army Reserve										
TOA	59,300	66,992	66,826	76,126	66,297	75,226	77,426	16,826	18,126	1,300
FAJ										
Appropriations	59,300	66,992	66,826	76,126	66,297	75,226	77,426	16,826	18,126	1,300
Mil. Con., Naval Reserve										
TOA	50,200	63,300	67,207	80,307	63,300	75,207	80,307	30,107	30,107	
FAJ										
Appropriations	50,200	63,300	67,207	80,307	63,300	75,207	80,307	30,107	30,107	
Mil. Con., Air Force Reserve										
TOA	37,700	37,700	37,700	37,700	37,700	41,100	38,600		900	900
FAJ										
Appropriations	37,700	37,700	37,700	37,700	37,700	41,100	38,600		900	900
Base Realignment & Closure Acct, Part I										
TOA	916,500	1,016,500	966,500	1,016,500	998,100	916,500	998,100	100,000	81,600	
FAJ										
Appropriations	916,500	1,016,500	966,500	1,016,500	998,100	916,500	998,100	100,000	81,600	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
NATO Infrastructure										
TOA	460,400	215,000	250,400	232,700	290,000	250,400	232,700			
FAJ	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)			
Appropriations	420,400	175,000	210,400	192,700	250,000	210,400	192,700			
TOTAL - MILITARY CONSTRUCTION										
TOA	5,708,900	5,036,744	5,203,109	5,426,572	5,248,212	5,014,041	5,350,042			
FAJ	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)			
Appropriations	5,668,900	4,996,744	5,163,109	5,386,572	5,208,212	4,974,041	5,310,042			
FAMILY HOUSING										
Family Housing Construction, Army										
TOA	61,800	86,800	74,300	74,300	61,800	61,700	74,300	12,500	12,500	
FAJ										
Appropriations	61,800	86,800	74,300	74,300	61,800	61,700	74,300	12,500	12,500	
Family Housing Operations & Debt, Army										
TOA	1,492,400	1,492,650	1,482,650	1,457,650	1,463,717	1,463,717	1,463,717			6,067
FAJ										
Appropriations	1,492,400	1,492,650	1,482,650	1,457,650	1,463,717	1,463,717	1,463,717			6,067
Family Housing Construction, Navy & Mari										
TOA	185,000	209,019	163,625	174,827	185,000	138,607	174,917			90
FAJ										
Appropriations	185,000	209,019	163,625	174,827	185,000	138,607	174,917			90
Family Housing Operations & Debt, Navy &										
TOA	719,500	719,500	719,500	697,000	691,101	691,101	691,101			
FAJ										
Appropriations	719,500	719,500	719,500	697,000	691,101	691,101	691,101			
Family Housing Construction, Air Force										
TOA	182,600	206,594	182,600	182,965	185,100	138,968	162,957	365		
FAJ										
Appropriations	182,600	206,594	182,600	182,965	185,100	138,968	162,957	365		

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Family Housing Operations & Debt, AF										
TOA	789,300	789,300	779,300	766,800	771,442	771,442	771,442			4,642
FAJ										
Appropriations	789,300	789,300	779,300	766,800	771,442	771,442	771,442			4,642
Family Housing Construction, Defensewide										
TOA	500	100	500	500	500	500	500			
FAJ										
Appropriations	500	100	500	500	500	500	500			
Family Housing Operations & Debt, Defens										
TOA	20,600	20,600	20,600	20,600	20,514	20,514	20,514			
FAJ										
Appropriations	20,600	20,600	20,600	20,600	20,514	20,514	20,514			
Homeowners Asst Fund, Def.										
TOA	3,865	55,475	3,865	3,865	3,865	3,865	3,865			
FAJ	1,235	1,235	1,235	1,235	1,235	1,235	1,235			
Appropriations	5,100	56,710	5,100	5,100	5,100	5,100	5,100			
TOTAL - FAMILY HOUSING										
TOA	3,455,565	3,580,038	3,426,940	3,378,507	3,383,039	3,290,434	3,363,313			
FAJ	1,235	1,235	1,235	1,235	1,235	1,235	1,235			
Appropriations	3,456,800	3,581,273	3,428,175	3,379,742	3,384,274	3,291,669	3,364,548			
DEFENSEWIDE CONTINGENCIES										
Anticipated Savings										
TOA	(300,000)	NA	NA	NA	(300,000)			NA	300,000	NA
FAJ										
Appropriations	(300,000)	NA	NA	NA	(300,000)			NA	300,000	NA
Appropriations	(300,000)	NA	NA	NA	(300,000)			NA	300,000	NA

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
DEDUCTIONS FOR OFFSETTING RCPTS										
Offsetting Receipts, Army										
TOA										
FAJ	(220,300)				(220,300)	(220,300)	(220,300)			
Appropriations	(220,300)	NA	NA	NA	(220,300)	(220,300)	(220,300)	NA		NA
Offsetting Receipts, Navy										
TOA										
FAJ	(193,000)				(193,000)	(193,000)	(193,000)			
Appropriations	(193,000)	NA	NA	NA	(193,000)	(193,000)	(193,000)	NA		NA
Offsetting Receipts, Air Force										
TOA										
FAJ	(349,000)				(349,000)	(349,000)	(349,000)			
Appropriations	(349,000)	NA	NA	NA	(349,000)	(349,000)	(349,000)	NA		NA
Offsetting Receipts, Defense										
TOA										
FAJ	(87,000)				(87,000)	(87,000)	(87,000)			
Appropriations	(87,000)	NA	NA	NA	(87,000)	(87,000)	(87,000)	NA		NA
TOTAL - DEDUCTNS. FOR OFFSTNG. RCPTS.										
TOA										
FAJ	(849,300)				(849,300)	(849,300)	(849,300)			
Appropriations	(849,300)	NA	NA	NA	(849,300)	(849,300)	(849,300)	NA		NA
TRUST FUNDS										
Trust Funds, Army										
TOA										
FAJ	42,700				42,700	42,700	42,700			
Appropriations	42,700	NA	NA	NA	42,700	42,700	42,700	NA		NA

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Trust Funds, Navy										
TOA										
FAJ	30,200				30,200	30,200	30,200			
Appropriations	30,200	NA	NA	NA	30,200	30,200	30,200	NA		NA
Trust Funds, Air Force										
TOA										
FAJ	100				100	100	100			
Appropriations	100	NA	NA	NA	100	100	100	NA		NA
TOTAL - TRUST FUNDS										
TOA										
FAJ	73,000				73,000	73,000	73,000			
Appropriations	73,000	NA	NA	NA	73,000	73,000	73,000	NA		NA
INTERFUND TRANSACTIONS										
Interfund Transactions, Navy										
TOA										
FAJ	(29,100)				(29,100)	(29,100)	(29,100)			
Appropriations	(29,100)	NA	NA	NA	(29,100)	(29,100)	(29,100)	NA		NA
HOMEOWNERS ASST FUND, DEFENSE										
Homeowners Asst Fund, Def.										
TOA	1,435	NA	NA	NA	1,435	1,435	1,435	NA		NA
FAJ										
Appropriations	1,435	NA	NA	NA	1,435	1,435	1,435	NA		NA

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
OPERATION AND MAINTENANCE										
Oper. & Maint., Army										
Undistributed										
002 CIVILIAN PERSONNEL FREEZE	0	(342,000)	(334,600)	(342,000)	(33,000)	(325,800)	(104,300)			237,700
006 SPECIAL OPERATIONS FORCES	0	0	1,300	1,300	0	0	0	1,300		
014 TRAINING AND EDUCATION	0	(76,000)	(100,000)	(100,000)	(4,500)	(100,000)	(38,400)			61,600
046 ADMINISTRATIVE AUTOMATED DATA PROCESSII	0	(135,000)	0	(60,000)	0	(12,000)	(12,000)			48,000
066 CHEMICAL/BIOLOGICAL DEFENSE PROGRAM	0	120,000	0	120,000	120,000	0	120,000	120,000	120,000	
075 RUSSIAN INSTITUTE	0	0	0	1,500	0	0	0	1,500		
084 DEPOT MAINT BACKLOG	0	0	0	0	150,000	0	100,000		100,000	100,000
086 CHAMPUS	0	0	0	0	249,900	0	150,000		150,000	150,000
090 USUHS TRANSFER	0	0	0	0	4,100	0	4,100		4,100	4,100
116 FREE POSTAL MAILING	0	0	0	11,000	11,000	0	11,000	11,000	11,000	
140 CURRENCY FLUCTUATION	0	0	0	0	0	101,700	134,500		134,500	134,500
900 UNDISTRIBUTED	0	0	0	0	(9,000)	0	60,000		60,000	60,000
TOTAL OF CONGRESSIONAL ADDITIONS*								133,800	579,600	795,900
Oper. & Maint., Navy										
Undistributed										
002 CIVILIAN PERSONNEL FREEZE	0	(355,000)	(287,800)	(305,000)	(85,000)	(285,800)	(105,000)			200,000
010 REAL PROPERTY MAINTENANCE	0	(67,400)	(100,000)	(100,000)	0	(100,000)	(75,000)			25,000
014 TRAINING AND EDUCATION	0	(63,000)	(100,000)	(100,000)	(33,000)	(100,000)	(77,700)			22,300
060 DEMONSTRATION PROJ - COOP/YMCA, NETC NE	0	1,000	0	1,000	0	0	0	1,000		
078 CHAMPUS	0	0	0	0	621,000	0	200,000		200,000	200,000
116 STOCK FUND OPERATIONS COST ADJS	0	0	0	0	0	22,300	22,300		22,300	22,300
122 SEALIFT	0	0	0	0	0	0	38,268		38,268	38,268
TOTAL OF CONGRESSIONAL ADDITIONS*								1,000	260,568	507,868
Oper. & Maint., Marine Corps										
Undistributed										
002 CIVILIAN PERSONNEL FREEZE	0	(20,000)	(20,200)	(20,200)	(15,000)	(20,200)	(15,000)			5,200
022 SPARE PARTS	0	(20,000)	0	(15,200)	(14,000)	0	(14,000)			1,200
TOTAL OF CONGRESSIONAL ADDITIONS*								0	0	6,400

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Oper. & Maint., Air Force										
Undistributed										
002 CIVILIAN PERSONNEL FREEZE	0	(259,000)	(269,200)	(279,200)	(17,887)	(362,800)	(38,687)			240,513
010 REAL PROPERTY MAINTENANCE	0	(276,600)	(150,000)	(180,000)	(111,000)	(150,000)	(150,000)			30,000
014 TRAINING AND EDUCATION	0	(41,000)	(90,000)	(90,000)	(41,062)	(90,000)	(78,652)			11,348
030 MANAGEMENT HEADQUARTERS	0	0	(9,000)	(9,000)	(6,900)	0	(6,900)			2,100
032 MILSTAR TERMINATION	0	0	(17,600)	(17,600)	0	(3,822)	(3,822)			13,778
062 MORALE, WELFARE AND RECREATION	0	(49,000)	0	(16,000)	0	(15,000)	(15,000)			1,000
082 COMPUTER-AIDED LOGISTICS INITIATIVES	0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
071 CHAMPUS	0	0	0	0	375,000	0	150,000		150,000	150,000
104 CHEMBIOLOGICAL DEF PROG	0	0	0	0	0	3,422	3,422		3,422	3,422
900 UNDISTRIBUTED	0	0	0	0	4,000	0	20,000		20,000	20,000
TOTAL OF CONGRESSIONAL ADDITIONS*								20,000	193,422	472,161
Oper. & Maint., Defensewide										
Undistributed										
008 SPECIAL OPERATIONS FORCES	0	0	5,800	5,800	(71,400)	(19,600)	(11,400)	5,800		
020 OFFICE OF ECONOMIC ADJUSTMENT	0	3,000	3,400	3,400	3,400	3,400	3,400	3,400	3,400	
022 CLASSIFIED PROGRAMS	0	(63,892)	(54,084)	(52,479)	(66,836)	(41,000)	(46,086)			6,393
036 DEPENDENT SCHOOLS	0	(92,000)	0	(10,000)	4,150	0	4,150		4,150	14,150
056 ECONOMIC ASSISTANCE	0	0	0	0	200,000	0	200,000		200,000	200,000
058 DMA	0	0	0	10,000	0	(25,000)	0	10,000		
060 LEGACY RESOURCE MGMT PROG	0	0	0	0	0	10,000	10,000		10,000	10,000
066 OSD	0	0	0	0	0	0	300		300	300
068 CINC FUND	0	0	0	0	0	0	36,000		36,000	36,000
TOTAL OF CONGRESSIONAL ADDITIONS*								19,200	252,850	266,843
Oper. & Maint., Army Reserve										
Undistributed										
002 INVENTORY MANAGEMENT	0	0	(4,300)	(4,300)	0	(4,300)	(2,150)			2,150
004 FORCE STRUCTURE	0	23,000	0	23,000	18,700	0	23,000	23,000	23,000	
018 INCREASED MISSIONS	0	0	0	0	0	0	9,461		9,461	9,461
Oper. & Maint., Navy Reserve										
Undistributed										
002 INCREASED USE OF RESERVE FORCES	0	0	4,400	4,400	0	4,400	4,400	4,400	4,400	
004 INVENTORY MANAGEMENT	0	0	(11,200)	(11,200)	0	(11,200)	(9,695)			1,505
006 SPECIAL OPERATIONS - FORCE STRUCTURE	0	14,200	0	14,200	6,000	0	0	14,200		

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
008 NAVAL RESERVE BASES - FORCE STRUCTURE	0	6,000	0	6,000	0	0	0	6,000		
010 FORCE STRUCTURE REINSTATEMENT	0	0	0	0	20,200	0	20,200		20,200	NA
Oper. & Maint., Marine Corps Reserve										
Undistributed										
002 INVENTORY MANAGEMENT	0	0	(1,300)	(1,300)	0	(1,300)	(550)			750
Oper. & Maint., Air Force Reserve										
Undistributed										
002 INCREASED USE OF RESERVE FORCES	0	0	18,000	18,000	0	18,000	18,000	18,000	18,000	
004 INVENTORY MANAGEMENT	0	0	(2,900)	(2,900)	0	(2,900)	(1,615)			1,285
006 TAC FIGHTER - FORCE STRUCTURE	0	2,300	0	2,300	0	0	0	2,300		
008 TAC AIRLIFT - FORCE STRUCTURE	0	3,000	0	3,000	0	0	0	3,000		
010 RESCUE AND RECOVERY - FORCE STRUCTURE	0	1,400	0	1,400	0	0	0	1,400		
012 SPECIAL OPERATIONS - FORCE STRUCTURE	0	1,600	0	1,600	20,000	0	0	1,600		
014 FORCE STRUCTURE REINSTATEMENT	0	0	0	0	8,300	0	8,300		8,300	NA
Oper. & Maint., Army Nat'l Guard										
Undistributed										
002 INVENTORY MANAGEMENT	0	0	(18,100)	(18,100)	0	(18,100)	(17,321)			779
004 FORCE STRUCTURE	0	10,000	0	10,000	22,600	0	10,000	10,000	10,000	
014 AUTOMATIC DATA PROCESSING	0	0	0	0	4,241	0	4,241		4,241	4,241
Oper. & Maint., Air Nat'l Guard										
Undistributed										
002 INCREASED USE OF RESERVE FORCES	0	0	53,000	53,000	0	53,000	49,405	53,000	49,405	
004 INVENTORY MANAGEMENT	0	0	(8,800)	(8,800)	0	(8,800)	(4,400)			4,400
006 TAC FIGHTER - FORCE STRUCTURE	0	17,800	0	17,800	0	0	0	17,800		
008 TAC AIRLIFT - FORCE STRUCTURE	0	7,400	0	7,400	0	0	0	7,400		
010 RESCUE AND RECOVERY - FORCE STRUCTURE	0	1,400	0	1,400	0	0	0	1,400		
012 SPECIAL OPERATIONS - FORCE STRUCTURE	0	1,000	0	1,000	12,200	0	0	1,000		
014 FORCE STRUCTURE REINSTATEMENT	0	0	0	0	36,000	0	27,600		27,600	NA
TOTAL OF CONGRESSIONAL ADDITIONS*								164,500	174,607	24,571
Rifle Practice, Army										
Undistributed										
001 RIFLE PRACTICE PROGRAMS	5,600	4,000	5,600	4,000	5,000	5,600	5,000			1,000
Court of Military Appeals, Defense										
Undistributed										
001 COURT OF MILITARY APPEALS PROGRAMS	5,600	5,400	5,500	5,400	5,600	5,600	5,600			200
Environmental Restoration Fund, Defense										
001/002 ENVIRONMENTAL RESTORATION	817,000	1,000,000	1,062,527	1,062,527	1,900,000	1,062,527	1,062,527	245,527	245,527	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Humanitarian Assistance										
Undistributed										
001 HUMANITARIAN ASSISTANCE PROGRAMS	13,000	13,000	13,000	13,000	15,000	13,000	15,000		2,000	2,000
Drug Interdiction & Counter-Drug Act., D										
Undistributed										
-004 NATIONAL GUARD SUPPORT (PROCUREMENT)										
10 PAY AND ALLOWANCES	0	0	40,000	40,000	0	0	0	40,000		
20 PROCUREMENT OF EQUIPMENT	0	38,000	10,000	38,000	0	0	0	38,000		
30 TRAINING	0	0	3,200	3,200	0	0	0	3,200		
009 PERSONNEL (ARMY NAT'L GD)	0	0	0	1,000	32,500	0	0	1,000		
030 RDT&E (DEF AGENCIES)	0	0	0	25,000	20,000	0	0	25,000		
050 LEA SUPPORT	0	40,000	60,000	50,000	40,000	0	0	50,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								402,727	247,527	3,200
TOTAL - OPERATION AND MAINTENANCE										
TOA	80,070,700	83,810,658	86,932,152	86,452,493	87,135,390	84,545,627	84,636,160			
FAJ	0	0	0	0	0	0	0			
Appropriations	80,070,700	83,810,658	86,932,152	85,452,493	87,135,390	84,545,627	84,636,160			
TOTAL OF CONGRESSIONAL ADDITIONS TO O&M*								741,227	1,708,574	2,075,943

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
PROCUREMENT										
Aircraft Procurement, Army										
Aircraft										
006 C-20 AIRCRAFT	0	0	0	0	0	0	24,900		24,900	24,900
Support equipment and facilities										
029 AIRBORNE COMMAND & CONTROL CONSOLES	0	7,800	7,800	7,800	7,800	7,800	7,800	7,800	7,800	
Missile Procurement, Army										
Other missiles										
014 MULTIPLE LAUNCH ROCKET SYSTEM (MYP)	313,915	463,915	383,915	383,915	403,115	313,915	403,115	70,000	89,200	19,200
033 ARMY TACTICAL MISSILE SYS (ATACMS)	0	0	168,678	168,678	0	0	0	168,678		
034 ATACMS ADVANCE PROCUREMENT (CY)	0	0	18,500	18,500	0	0	0	18,500		
Procurement of W&TCV, Army										
Tracked combat vehicles										
001 BRADLEY FIGHTING VEHICLE FAMILY (MYP)	657,360	430,425	657,360	430,425	657,360	657,360	657,360			226,935
009 M1 ABRAMS TANK SERIES (MYP) (AP-CY)	0	0	0	150,000	150,000	0	150,000	150,000	150,000	
013 M1 ABRAMS TANK (MOD)	80,137	230,137	229,137	144,137	80,137	144,137	80,137	64,000		
014 M1 TO M1A UPGRADE	0	0	0	0	64,000	0	64,000		64,000	64,000
Weapons and other combat vehicles										
025 GRENADE LAUNCHER, AUTO, 40MM, MK19-3	0	12,300	12,300	12,300	0	0	12,300	12,300	12,300	
Procurement of Ammunition, Army										
Ammunition										
014 CTG Mortar 60mm 1/10 Prac	0	0	0	0	4,994	0	4,994		4,994	4,994
015 CTG Mortar 120mm HE	0	0	0	0	11,782	0	11,782		11,782	11,782
016 CTG Mortar 120mm HE XM933	0	0	0	0	12,577	0	12,577		12,577	12,577
017 CTG Mortar 120mm Smoke	0	0	0	0	18,310	0	18,310		18,310	18,310
018 CTG Mortar 120mm Illum	0	0	0	0	2,865	0	2,865		2,865	2,865
021 CTG, TANK, 105MM, TP-T, M490A1	8,738	8,738	23,038	23,038	23,038	8,738	8,738	14,300		
022 CTG, TANK, 105MM, DS-TP, M724A1	6,511	6,511	23,111	23,111	23,111	0	23,111	16,600	16,600	
040 PROJ. ARTY. 155MM, TRNG, M107	0	32,557	0	32,557	0	0	32,557	32,557	32,557	
046 Fuze Art Mech-Time M577	0	0	0	0	10,700	0	10,700		10,700	10,700
047 Fuze Art MOUT	0	0	0	0	18,000	0	18,000		18,000	18,000
050 MOUT FUZE	0	18,000	2,000	2,000	0	0	0	2,000		
054 MINE, CLEARING CHARGE, ALL TYPES	1,589	1,589	1,589	1,589	1,589	19,789	19,789		18,200	18,200
073 NITROGUANIDINE	28,789	29,889	28,789	29,889	29,889	28,789	29,889	1,100	1,100	
Ammunition production base support										
078 LAYAWAY OF INDUSTRIAL FACILITIES	40,534	59,534	40,534	59,534	40,534	22,234	22,234	19,000		
Other Procurement, Army										
Tactical and support vehicles										
004 SEMITRAILER, TANK, 5000G	0	34,000	0	34,000	34,000	0	34,000	34,000	34,000	
013 FAMILY OF HEAVY TACTICAL VEH (MYP)	150,576	150,576	107,279	107,279	150,576	150,576	150,576			43,297
014 TRUCK, TRACTOR, LINE HAUL, M915A1	0	0	0	0	13,400	0	13,400		13,400	13,400
022 TOTAL PACKAGE FIELDING (OPA-1)	9,250	0	9,250	0	9,250	9,250	9,250			9,250

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
024 SER LIFE EXT PRO FOR MED TRUCKS	0	60,000	0	10,000	0	0	0	10,000		
Communications and electronics equipment										
046 MOBILE SUBSCRIBER EQUIP (MSE)	0	29,267	29,267	14,267	0	0	0	14,267		
074 GENERAL DEFENSE INTELLIGENCE PROGRAM (	29,728	26,387	28,636	27,191	26,606	28,635	29,099			1,908
108 MANEUVER CONTROL SYSTEM	0	0	0	0	8,500	0	6,000		6,000	6,000
117 INTEGRATED FAMILY OF TEST EQUIP (IFTE)	33,587	33,587	23,587	4,000	33,587	33,587	33,587			29,587
126 SPECIAL PROGRAMS	139,662	164,662	0	68,000	60,000	0	68,662			662
Other support equipment										
132 RECON SYSTEM, NBC	36,914	36,914	36,914	36,914	36,914	40,414	40,414		3,500	3,500
187 BASE LEVEL COM'L EQUIPMENT	16,254	16,254	16,254	16,254	24,254	16,254	24,254		8,000	8,000
TOTAL OF CONGRESSIONAL ADDITIONS*								636,092	560,765	548,047
Aircraft Procurement, Navy										
Combat aircraft										
007 AV-8B (MYP) (AP-CY)	0	0	0	0	0	0	40,000		40,000	40,000
008 F-14A/D/REMFG (FIGHTER) TOMCAT	779,946	789,946	780,946	780,946	779,946	780,946	770,946	1,000		
011 F/A-18 (FIGHTER) HORNET ADV PROC (CY)	150,832	191,732	96,032	110,000	110,832	96,032	110,832			832
016 V-22 ADVANCE PROCUREMENT (CY)	0	165,000	0	165,000	165,000	0	165,000	165,000	165,000	
017 SH-60B (ASW HELICOPTER) SEAHAWK (MYP)	104,077	104,077	104,077	104,077	119,577	104,077	119,577		15,500	15,500
022 E-2C (EARLY WARNING) HAWKEYE	350,914	350,914	397,414	397,414	340,914	350,914	350,914	46,500		
024 HH-60H (AP-CY)	0	0	0	0	6,000	0	6,000		6,000	6,000
Trainer aircraft										
027 T-45TS (TRAINER) GOSHAWK	0	158,149	282,800	113,200	0	0	0	113,200		
028 T-45 ADVANCE PROCUREMENT (CY)	0	44,939	44,939	44,939	0	0	0	44,939		
Modification of aircraft										
029 A-3 SERIES	102	102	0	0	102	0	102			102
031 A-6 SERIES	84,093	176,093	169,093	176,093	184,093	84,093	99,093	92,000	15,000	
047 H-2 SERIES	8,932	25,632	8,932	25,632	8,932	8,932	8,932	16,700		
Weapons Procurement, Navy										
Ballistic missiles										
008 TRIDENT II	0	1,336,225	1,636,225	1,343,780	0	0	0	1,343,780		
010 TRIDENT II ADVANCE PROCUREMENT (CY)	0	0	0	192,565	0	0	0	192,565		
Other missiles										
007 TRIDENT II	1,120	1,120	1,120	0	1,120	1,120	1,120			1,120
020 AERIAL TARGETS	142,421	167,421	142,421	142,421	149,700	167,421	149,700		7,279	7,279
021 DRONES AND DECOYS	0	0	0	25,000	0	0	0	25,000		
025 SIDEWINDER MODS	7,076	0	0	0	7,076	0	7,076			7,076
026 PHOENIX MODS	3,809	3,809	63,809	63,809	3,809	76,809	63,809	60,000	60,000	
030 WEAPONS INDUSTRIAL FACILITIES	24,986	11,986	38,086	38,086	24,986	38,086	38,086	13,100	13,100	
Spares and repair parts										

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
074 SPARES AND REPAIR PARTS	78,509	69,209	78,509	69,209	78,509	78,509	78,509			9,300
Shipbuilding & Conversion, Navy										
Fleet ballistic missile ships										
001 TRIDENT (NUCLEAR)	1,244,629	1,145,629	1,244,629	1,145,629	1,244,629	1,331,201	1,331,201		86,572	185,572
Other warships										
036 CV SLEP	0	0	0	0	963,066	0	405,000		405,000	405,000
Mine warfare and patrol ships										
016 MHC MINE HUNTER COASTAL	268,100	290,000	268,100	290,000	204,000	0	204,000	21,900		
Auxiliaries, craft, and prior-year progr										
023 SERVICE CRAFT	27,300	27,300	27,300	27,300	75,400	27,300	75,400		48,100	48,100
027 STRATEGIC SEALIFT	0	250,000	0	250,000	0	0	0	250,000		
029 POST DELIVERY	154,500	135,500	154,500	135,500	139,000	154,500	139,000			3,500
040 SEALIF SHIP (AP)	0	0	0	0	1,500,000	1,000,000	900,000		900,000	900,000
Other Procurement, Navy										
Communications and electronics equipment										
056 AN/SPS-49	1,007	49,907	1,007	49,907	49,907	1,007	49,907	48,900	48,900	
078 AN/SQR-18 TOWED ARRAY SONAR	13,716	13,716	13,716	13,716	23,716	13,716	23,716		10,000	10,000
099 NAVSTAR GPS RECEIVERS	14,254	14,254	14,254	5,754	0	0	5,800			46
102 AN-SQQ-89	0	0	0	0	12,000	0	12,000		12,000	12,000
Aviation support equipment										
183 SONOBUOYS	0	0	87,000	87,000	0	87,000	30,000	87,000	30,000	
Civil engineering support equipment										
261 PASSENGER CARRYING VEHICLES	6,810	0	6,810	0	6,810	6,810	6,810			6,810
Personnel and command support equipment										
285 TRAINING DEVICE MODIFICATIONS	38,659	50,659	50,659	50,659	50,659	50,659	50,659	12,000	12,000	
296 COMPUTER ACQUISITION PROGRAM	106,339	106,339	106,339	57,939	57,939	44,059	62,421			4,482
326 OCEANOGRAPHIC SUPPORT EQUIPMENT	0	35,000	0	35,000	35,000	0	35,000	35,000	35,000	
Spares and repair parts										
299 SPARES AND REPAIR PARTS	521,678	521,678	513,678	465,278	521,678	513,678	521,678			56,400
TOTAL OF CONGRESSIONAL ADDITIONS*								2,568,584	1,909,451	1,719,119
Aircraft Procurement, Air Force										
Combat aircraft										
002 B-2A (MYP)	2,495,899	0	1,969,000	1,639,206	0	1,969,000	2,349,306			710,100
006 F-15 ADVANCE PROCUREMENT (CY)	0	0	100,000	100,000	0	0	0	100,000		
Modification of inservice aircraft										
061 C-135	631,900	139,400	572,552	580,600	604,300	732,182	657,850		25,950	77,250
Aircraft spares and repair parts										
086 SPARES AND REPAIR PARTS	1,391,057	573,357	532,113	570,241	582,057	532,113	572,257			2,016
Missile Procurement, Air Force										

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Other missiles										
015 AGM-65D MAVERICK	7,325	60,325	7,325	60,325	60,325	60,325	60,325	53,000	53,000	
017 AMRAAM	893,382	0	463,382	463,382	463,382	568,000	535,298			71,916
Other support										
037 SPACE SHUTTLE OPERATIONS	15,128	15,128	15,128	15,128	15,128	23,128	23,128		8,000	8,000
039 DEF METEOROLOGICAL SAT PROG (MYP) ADV F	63,651	37,651	57,351	53,651	33,651	63,651	63,651			10,000
061 SPECIAL UPDATE PROGRAMS	237,345	40,945	137,345	40,945	237,345	37,345	40,991			46
Other Procurement, Air Force										
Munitions and associated equipment										
004 ITEMS LESS THAN $2,000,000	6,307	6,307	5,007	5,007	6,307	6,307	6,307			1,300
017 MK-82 INERT/BDU-50	23,906	23,746	23,906	23,826	23,906	15,906	23,906			80
020 BOMB HARD TARGET 2000LB	0	12,300	0	12,300	12,300	0	12,300	12,300	12,300	
021 LASER BOMB GUIDANCE KIT	2,076	2,076	2,076	42,976	43,076	41,076	41,076	40,900	39,000	
023 BOMB PRACTICE 25 POUND	23,910	23,806	23,910	23,858	23,910	23,910	23,910			52
024 BOMB PRACTICE BDU-36	104	0	104	52	104	104	104			52
034 SPECIAL PROGRAMS	7,663	7,310	7,310	4,910	25,500	7,663	25,500		17,837	20,590
Vehicular equipment										
062 14-23 PASSENGER BUS	146	0	146	0	146	146	146			146
063 LAW ENFORCEMENT VEHICLE	3,779	3,779	3,079	3,079	3,779	3,779	3,779			700
065 TRUCK, STAKE/PLATFORM	4,608	4,482	4,608	4,482	4,608	4,608	4,608			126
066 TRUCK, CARGO-UTILITY, 3/4T, 4X4	3,785	3,732	3,785	3,732	3,785	3,785	3,785			53
067 TRUCK, CARGO-UTILITY, 1/2T, 4X2	3,142	2,554	3,142	2,554	3,142	3,142	3,142			588
068 TRUCK, PICKUP, 1/2T, 4X2	6,352	0	6,352	0	6,352	6,352	6,352			6,352
069 TRUCK, PICKUP, COMPACT	2,451	0	2,451	0	2,451	2,451	2,451			2,451
062 TRUCK CARRYALL	5,719	0	5,719	0	5,719	5,719	5,719			5,719
070 CAP VEHICLES	0	800	800	800	800	800	800	800	800	
071 ITEMS LESS THAN $2,000,000	11,190	10,298	11,190	10,298	11,190	11,190	11,190			892
072 TRUCK, TANK, 1200 GAL	1,425	1,425	925	925	1,425	1,425	1,425			500
074 TRUCK, TANK, FUEL, M-49	2,610	2,610	2,010	2,010	2,610	2,610	2,610			600
079 ITEMS LESS THAN $2,000,000	13,517	12,574	13,517	12,574	13,517	13,517	13,517			943
085 ITEMS LESS THAN $2,000,000	2,100	1,998	2,100	1,998	2,100	2,100	2,100			102
086 TRUCK F/L 4000 LB GED/DED 144 INCH	4,163	4,014	4,163	4,014	4,163	4,163	4,163			149
087 TRUCK, F/L 6000 LB	3,346	3,088	3,346	3,088	3,346	3,346	3,346			258
088 TRUCK, F/L 10,000 LB	13,458	13,331	13,458	13,331	13,458	13,458	13,458			127
091 ITEMS LESS THAN $2,000,000	4,188	4,177	4,188	4,177	4,188	4,188	4,188			11
093 CLEANER, RUNWAY/STREET	3,759	3,624	3,759	3,624	3,759	3,759	3,759			135
Electronics and telecommunications equip										
111 AIR TRAFFIC CTRL/LAND SYS (ATCALS)	11,196	11,196	11,196	11,196	31,196	11,196	31,196		20,000	20,000
115 OTH-B Radar	0	0	0	0	25,000	0	25,000		25,000	25,000
116 SAC COMMAND AND CONTROL	68,374	58,174	68,374	63,274	58,174	64,174	64,174			900
184 TELEPHONE EXCHANGE	70,882	70,882	50,882	50,882	65,882	70,882	65,882			15,000
184 ADV COMMUNIC SATELLITE RELAY TERMINALS	0	0	0	96,000	0	0	0	96,000		

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
168 RADIO EQUIPMENT	4,010	3,117	4,010	3,563	4,010	4,010	4,010			447
173 CAP COM & ELECT	0	500	500	500	500	500	500	500	500	
Other base maintenance and support equip										
186 CHEMICAL/BIOLOGICAL DEF PROG	43,301	32,201	43,301	32,201	32,201	43,301	43,301			11,100
187 BASE MECHANIZATION EQUIPMENT	24,324	24,324	20,424	20,424	24,324	24,324	24,324			3,900
193 BASE PROCURED EQUIPMENT	38,486	38,486	28,486	28,486	41,486	38,486	41,486		3,000	13,000
206 INTELLIGENCE PRODUCTION ACTIVITY	81,566	37,062	79,737	73,481	78,423	79,737	79,566			6,085
TOTAL OF CONGRESSIONAL ADDITIONS*								306,500	206,387	1,016,686
Procurement, Defensewide										
Major equipment										
004 CORPORATE INFORMATION MANAGEMENT	145,000	145,000	145,000	145,000	145,000	163,819	167,963		22,963	22,963
011 JOINT SIMULATION OFFICE	0	0	0	0	0	75,000	60,000		60,000	60,000
030 EW EQUIPMENT	0	0	0	161,500	0	0	161,500	161,500	161,500	
Special Operations Command										
036 C-130 MODIFICATIONS	96,300	96,300	111,000	111,000	79,100	107,600	90,400	14,700		
042 25MM AMMUNITION	15,696	15,696	35,996	35,996	15,696	15,696	15,696	20,300		
046 COMMUNICATION EQUIPMENT MODIFICATIONS	44,900	44,900	46,100	46,100	40,410	25,260	25,260	1,200		
063 SMALL ARMS AND WEAPONS	1,300	1,300	6,500	6,500	1,300	6,500	6,500	5,200	5,200	
064 RANGER VEHICLE	0	0	2,500	2,500	0	2,500	2,500	2,500	2,500	
065 COASTAL PATROL BOAT	0	0	28,000	28,000	65,000	0	65,000	28,000	65,000	37,000
066 SUBMARINE CONVERSION	0	0	10,000	10,000	0	40,000	40,000	10,000	40,000	30,000
TOTAL OF CONGRESSIONAL ADDITIONS*								243,400	357,163	149,963
National Guard & Reserve Equipment										
Reserve Equipment										
-001 ARMY RESERVE										
02 MISCELLANEOUS EQUIPMENT	0	5,000	0	25,000	25,000	75,000	40,000	25,000	40,000	15,000
10 COMMUNICATIONS-ELECTRONICS	0	30,000	0	20,000	30,000	0	30,000	20,000	30,000	10,000
-002 NAVY RESERVE										
02 C-20 AIRCRAFT	0	24,900	0	24,900	24,900	0	30,000	24,900	30,000	5,100
04 C-130H AIRCRAFT	48,000	48,000	48,000	48,000	48,000	162,000	180,000		132,000	132,000
06 MH-53 MINESWEEPERS	0	336,000	281,900	336,000	0	281,900	281,900	336,000	281,900	
10 LAMPS MK-1 BLOCK UPGRADE (SH-2G)	0	47,000	0	47,000	49,500	0	49,500	47,000	49,500	2,500
22 AN-SQQ-T1 TRAINERS	0	0	0	10,000	16,000	0	10,000	10,000	10,000	
24 AN/AQA-7B(V)18/19 IPADS	0	0	0	0	70,000	0	70,000		70,000	70,000
26 MISCELLANEOUS EQUIPMENT	0	0	0	0	0	75,000	25,000		25,000	25,000
-003 MARINE CORPS RESERVE										

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
02 AH-1W COBRA AIRCRAFT	0	0	79,000	79,000	79,000	0	79,000	79,000	79,000	
04 KC-130T AIRCRAFT	25,000	50,000	25,000	50,000	50,000	28,000	56,000	25,000	31,000	6,000
12 MISCELLANEOUS EQUIPMENT	0	0	0	0	0	50,000	25,000		25,000	25,000
-004 AIR FORCE RESERVE										
02 MISCELLANEOUS EQUIPMENT	5,000	30,000	5,000	20,000	30,000	75,000	30,000	15,000	25,000	10,000
04 C-130 AIRCRAFT	24,000	96,000	24,000	96,000	96,000	27,000	108,000	72,000	84,000	12,000
10 AIR RESERVE SPARES	0	5,100	0	5,100	5,100	0	0	5,100		
National Guard Equipment										
-005 ARMY NATIONAL GUARD										
02 MISCELLANEOUS EQUIPMENT	15,000	30,000	15,000	10,000	20,000	75,000	20,000		5,000	10,000
03 OH-58D HELICOPTER (AHIP)	0	0	0	200,000	0	0	200,000	200,000	200,000	
06 UH-60 HELICOPTERS	0	0	156,000	156,000	0	156,000	156,000	156,000	156,000	
10 NIGHT VISION DEVICES	0	0	36,000	36,000	36,000	0	36,000	36,000	36,000	
16 MLRS LAUNCHERS	0	0	60,000	60,000	0	0	60,000	60,000	60,000	
18 M577 COMMAND POST CARRIERS	24,900	50,000	24,900	50,000	50,000	24,900	0	25,100		
24 M113 ARMORED PERSONNEL CARRIER MODS	0	10,000	10,000	10,000	10,000	100,000	100,000	10,000	100,000	90,000
26 MLRS-BN (SUPPORT PACKAGE)	0	34,000	0	34,000	34,000	0	34,000	34,000	34,000	
28 C-26 AIRCRAFT	0	12,800	0	12,800	29,900	0	29,900	12,800	29,900	17,100
30 C-23C AIRCRAFT	0	30,000	0	30,000	64,000	64,000	62,000	30,000	62,000	32,000
36 COMMUNICATIONS ELECTRONICS	0	0	0	0	15,000	0	15,000		15,000	15,000
-006 AIR NATIONAL GUARD										
02 MISCELLANEOUS EQUIPMENT (AIR NG)	0	15,000	0	15,000	15,000	50,000	15,000	15,000	15,000	
04 C-130 AIRCRAFT	48,000	48,000	268,100	268,100	48,000	324,000	324,000	220,100	276,000	55,900
06 C-26 AIRCRAFT (AIR NG)	0	12,800	0	12,800	25,500	0	25,600	12,800	25,600	12,800
10 F-16 MODIFICATIONS	6,000	32,000	6,000	16,000	32,000	6,000	32,000	10,000	26,000	16,000
20 AIR GUARD SPARES	0	1,500	0	1,500	1,500	0	0	1,500		
22 JOINT TACTICAL COMM PROG	0	0	0	0	0	72,465	56,500		56,500	56,500
24 TACTICAL AIR CONTROL SYS IMPROV	0	0	0	0	0	75,000	75,000		75,000	75,000
26 MH-60 HELICOPTERS	0	0	0	0	0	18,600	18,600		18,600	18,600
TOTAL OF CONGRESSIONAL ADDITIONS*								1,481,300	2,102,000	711,500
Defense Production Act Purchases										
001 DEFENSE PRODUCTION ACT PURCHASES	1,800	1,800	1,800	1,800	50,000	30,000	50,000		48,200	48,200
Chem Agents & Munitions Destruct-RDT&E										
001 CHEM DEMILITARIZATION - RDT&E	0	0	5,000	5,300	0	5,300	(96,500)	5,300		
Chem Agents & Munitions Destruct-Proc										
002 CHEM DEMILITARIZATION - PROC	211,600	202,900	217,900	202,900	115,100	184,900	211,600			8,700
Chem Agents & Munitions Destruct-O&M										
003 CHEM DEMILITARIZATION - O&M	142,800	162,200	142,800	162,200	157,100	178,500	159,100	19,400	16,300	
Retrograde										

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
004 RETROGRADE	0	12,200	0	12,200	12,200	0	13,200	12,200	13,200	1,000
Undistributed										
005 RESEARCH AND DEVELOPMENT	0	0	0	0	* 300	0	5,300		5,300	5,300
TOTAL OF CONGRESSIONAL ADDITIONS*								36,900	83,000	63,200
TOTAL - PROCUREMENT										
TOA	77,642,450	63,860,386	67,412,783	67,184,710	67,310,745	65,855,517	67,469,348			284,638
Appropriations	77,642,450	63,860,386	67,412,783	67,184,710	67,310,745	65,855,517	67,469,348			284,638
TOTAL OF CONGRESSIONAL ADDITIONS TO PROCUREMENT*								5,270,776	5,217,786	4,208,515

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
RESEARCH, DEV, TEST & EVAL											
RDT&E, Army											
Technology base											
003 MATERIALS TECHNOLOGY	060210	13,276	18,276	13,276	15,276	18,276	13,276	15,276	2,000	2,000	
005 SURVIVABILITY ENHANCEMENT	060212	6,265	6,265	11,265	11,265	11,265	11,265	11,265	5,000	5,000	
009 MISSILE TECHNOLOGY	060230	27,153	27,153	37,153	37,153	27,153	32,153	32,153	10,000	5,000	
015 WEAPONS AND MUNITIONS TECHNOLOGY	060262	36,866	36,866	56,866	56,866	46,866	46,866	46,866	20,000	10,000	
016 ELECTRONICS AND ELECTRONIC DEVICES	060270	17,606	19,606	14,606	19,606	19,606	20,106	20,106	2,000	2,500	500
019 ENVIRONMENTAL QUALITY TECHNOLOGY	060272	9,815	14,815	11,815	12,815	14,815	14,715	12,815	3,000	3,000	
020 NON-SYSTEM TRAINING DEVICE TECHNOLOGY	060272	3,607	8,607	3,607	8,607	8,607	3,607	6,107	5,000	2,500	
021 COMMAND, CONTROL, COMMUNICATIONS TECI	060276	20,456	20,456	22,456	22,456	20,456	20,456	20,456	2,000		
022 COMPUTER AND SOFTWARE TECHNOLOGY	060278	5,073	5,073	7,073	7,073	3,800	5,073	3,800	2,000		
025 LOGISTICS TECHNOLOGY	060278	35,811	35,811	35,811	35,811	35,811	50,811	50,811		15,000	15,000
026 MEDICAL TECHNOLOGY	060278	96,902	96,902	96,902	96,902	100,902	109,402	109,402		12,500	12,500
Advanced technology development											
029 MEDICAL ADVANCED TECHNOLOGY	060300	34,809	34,809	34,809	34,809	34,809	47,309	47,309		12,500	12,500
030 AVIATION ADVANCED TECHNOLOGY	060300	34,713	34,713	34,713	34,713	44,713	32,713	38,193		3,480	3,480
031 WEAPONS AND MUNITIONS ADVANCED TECHN	060300	33,471	33,471	33,471	64,471	41,471	29,671	29,671	31,000		
039 ACQUIRED IMMUNE DEFICIENCY SYNDROME (A	060310	22,556	22,556	22,556	22,556	32,556	44,556	44,556		22,000	22,000
045 ADV SPECIAL OPS RESRCH, DEVEL & ACQUIS		0	0	0	5,000	0	0	0	5,000		
051 ADVANCED ELECTRONIC DEVICES DEVELOPME	060374	5,640	5,640	7,640	7,640	7,640	7,640	7,640	2,000	2,000	
055 ADV FIELD ARTILLERY SYSTEM		0	0	0	0	12,800	21,800	21,800		21,800	21,800
056 ARMOR GUN SYSTEM		0	0	0	0	40,000	0	5,000		5,000	5,000
Tactical programs											
074 FORWARD AREA AIR DEFENSE SYSTEM		0	0	0	92,000	92,000	0	92,000	92,000	92,000	
079 AVIATION - ADV DEV	060360	5,134	5,134	5,134	5,134	7,513	5,134	7,513		2,379	2,379
084 CHEMICAL/BIOLOGICAL DEFENSE EQUIPMENT -	060360	24,511	24,511	24,511	44,511	44,511	34,511	44,511	20,000	20,000	
103 M1A1 DEVELOPMENT PROGRAM	060463	46,337	46,337	10,037	10,037	46,337	0	31,000			20,963
105 NIGHT VISION SYSTEMS - ENG DEV	060471	17,726	17,726	17,726	17,726	19,726	17,726	19,726		2,000	2,000
117 AVIATION - ENG DEV	060480	19,376	19,376	19,376	19,376	20,863	19,376	20,863		1,487	1,487
118 WEAPONS AND MUNITIONS - ENG DEV	060480	11,106	26,106	24,106	24,106	26,106	11,106	24,106	13,000	13,000	
127 TRACTOR PULL	060461	35,149	20,149	55,149	55,149	55,149	45,149	55,149	20,000	20,000	
129 TRACTOR TRAILER	060461	0	0	5,200	5,200	5,200	5,200	5,200	5,200	5,200	
134 LONGBOW-CONSOLIDATED PROGRAM [e]		0	0	0	0	0	171,514	195,514		195,514	195,514
136 COMBAT VEHICLE IMPROVEMENT PROGRAMS	020373	97,751	97,751	97,751	97,751	104,751	97,751	104,751		7,000	7,000
146 TRACTOR CARD	020360	7,378	7,378	7,378	7,378	17,378	7,378	17,378		10,000	10,000
149 TACJAM		0	0	0	0	20,000	0	20,000		20,000	20,000
179 CCTT/SIMNET - RESERVE COMPONENTS		0	0	100,000	9,000	0	7,500	7,500	9,000	7,500	
182 SOLDIER/MARINE ENHANCEMENT PROGRAM		0	0	18,000	18,000	18,000	18,000	18,000	18,000	18,000	
190 ARMORED GUN SYSTEM		0	0	0	10,000	0	0	0	10,000		
Defensewide Mission Support											
171 TECHNICAL INFORMATION ACTIVITIES	060560	7,656	7,656	5,656	19,456	5,656	5,656	5,656	11,800		
176 BASE OPERATIONS - RDT&E	060569	204,360	204,360	191,500	191,500	204,360	0	204,360			12,860
178 INDUSTRIAL PREPAREDNESS	070801	26,706	36,706	0	26,706	36,706	0	31,706		5,000	5,000
186 RANGE SECURITY		0	0	0	0	9,000	0	4,500		4,500	4,500

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
188 ARROYO CENTER		0	0	0	0	0	22,850	22,850		22,850	22,850
192 SECURITY IMPROVEMENT PROGRAM		0	0	0	6,000	0	0	0	6,000		
TOTAL OF CONGRESSIONAL ADDITIONS*									294,000	570,710	397,333
RDT&E, Navy											
Technology base											
003 ANTI-AIR WARFARE/ANTI-SURFACE WARFARE	060211	63,105	63,105	63,105	68,105	68,105	68,105	68,105	5,000	5,000	
004 SURFACE SHIP TECHNOLOGY	060212	15,962	25,962	15,962	25,962	25,962	15,962	15,962	10,000		
011 ASW TECHNOLOGY	060231	114,677	129,677	114,677	119,677	129,677	114,677	125,000	5,000	10,323	5,323
012 MINE AND SPECIAL WARFARE TECHNOLOGY	060231	17,926	25,926	17,926	17,926	25,926	17,926	22,926		5,000	5,000
013 SUBMARINE TECHNOLOGY	060232	16,701	21,701	16,701	21,701	21,701	16,701	16,701	5,000		
015 OCEAN AND ATMOSPHERIC SUPPORT TECHNOI	060243	32,099	37,099	34,099	34,099	32,099	34,099	33,099	2,000	1,000	
262 TACTICAL OCEANOGRAPHY TECHNOLOGY		0	0	5,000	5,000	5,000	5,000	5,000	5,000	5,000	
273 MATERIALS		0	5,000	0	3,000	5,000	0	2,500	3,000	2,500	
Advanced technology development											
022 ELECTRIC DRIVE	060357	43,799	43,799	93,799	53,799	0	53,799	53,799	10,000	10,000	
025 MEDICAL DEVELOPMENT	060370	16,966	16,966	16,966	18,966	24,966	22,966	23,966	2,000	7,000	5,000
027 GENERIC LOGISTICS R&D TECHNOLOGY DEMO	060371	14,040	14,040	19,040	19,040	14,040	27,640	27,640	5,000	13,600	8,600
032 ADVANCED ANTI-SUBMARINE WARFARE TECH	060374	16,351	26,351	16,351	31,351	26,351	16,351	16,351	15,000		
033 ADVANCED TECHNOLOGY TRANSITION	060379	51,143	51,143	51,143	51,143	51,143	61,143	61,143		10,000	10,000
263 UNMANNED UNDERSEA VEHICLE TECHNOLOGY		0	0	4,000	4,000	0	0	0	4,000		
Strategic programs											
037 NAVY LASER COMMUNICATIONS		0	0	0	2,000	0	0	0	2,000		
042 SSBN SECURITY TECHNOLOGY PROGRAM	010122	43,131	43,131	60,000	51,566	43,131	51,566	43,131	8,435		
271 TRIDENT II MISSILE		0	70,670	70,670	70,670	0	0	0	70,670		
Tactical programs											
050 INTEGRATED AIRCRAFT AVIONICS	060310	4,992	4,992	4,992	4,992	4,992	4,992	8,642		3,650	3,650
059 AIRBORNE MINE COUNTERMEASURES	060326	16,930	16,930	16,930	26,930	16,930	16,930	14,930	10,000		
060 TACTICAL AIRBORNE RECONNAISSANCE	060326	30,950	30,950	30,950	28,950	28,950	28,950	30,950			2,000
072 SHIPBOARD SYSTEM COMPONENT DEVELOPME	060351	0	15,000	0	15,000	15,000	0	10,000	15,000	10,000	
074 SUBMARINE ARCTIC WARFARE SUPPORT EQUI	060352	2,892	4,892	2,892	4,892	4,892	2,892	3,892	2,000	1,000	
076 NON-ACOUSTIC ANTI-SUBMARINE WARFARE (A	060352	22,864	22,864	22,864	37,864	22,864	14,000	14,000	15,000		
084 SHIP DEVELOPMENT	060356	18,664	18,664	48,664	38,664	7,564	4,729	4,729	20,000		
110 CHALK CORAL	060373	31,129	31,129	31,129	46,929	36,929	31,129	36,929	15,800	5,800	
113 RETRACT MAPLE	060374	165,505	165,505	165,505	165,505	251,505	165,505	226,505		61,000	61,000
116 RETRACT ELM	060375	105,085	105,085	105,085	105,085	109,785	105,085	109,785		4,700	4,700
121 SPECIAL PROCESSES	060378	31,819	31,819	31,819	40,019	40,019	31,819	40,019	8,200	8,200	
124 LAMPS	060421	21,627	21,627	21,627	21,627	24,627	21,627	24,627		3,000	3,000
134 V-22A	060426	0	236,000	36,000	236,000	236,000	36,000	236,000	236,000	236,000	
141 SEA LANCE	060430	0	50,000	71,000	55,000	71,000	71,000	71,000	55,000	71,000	16,000
143 AIR-TO-AIR MISSILE SYSTEMS ENGINEERING	060435	26,487	26,487	0	35,000	0	0	0	8,513		
144 VERTICAL LAUNCH ASROC	060435	30,000	0	30,000	5,000	30,000	0	15,000			10,000
184 SURFACE ASW SYSTEM IMPROVEMENT	060471	122,609	152,609	122,609	152,609	152,609	99,995	137,607	30,000	14,998	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
185 SURFACE WARFARE TRAINING DEVICES	060471	12,357	12,357	12,357	12,357	14,357	12,357	14,357		2,000	2,000
189 JOINT STANDOFF WEAPON SYSTEMS	060472	24,961	14,961	24,961	16,461	9,961	22,961	16,561			100
193 FIXED DISTRIBUTED SYSTEM - ENG	060478	210,176	141,176	210,176	198,176	195,176	210,176	210,176			12,000
217 MARINE CORPS GROUND COMBAT/SUPPORTIN	020662	43,725	43,725	55,725	55,725	42,725	55,725	55,725	12,000	12,000	
267 ASSAULT BALLISTIC ROCKET SYSTEM		0	0	31,000	31,000	0	0	0	31,000		
269 FEWSG AIRCRAFT COMPETITION		0	0	15,000	15,000	15,000	0	15,000	15,000	15,000	
272 T-45 TRAINING SYSTEM		0	14,603	14,603	14,603	0	0	0	14,603		
274 SKIPPER ENHANCEMENTS		0	0	0	0	10,000	0	10,000		10,000	10,000
280 ADV MINOR CALIBER GUN SYSTEM		0	0	0	0	0	0	5,500		5,500	5,500
282 IMPROVED TACT AIR LAUNCHED DECOY		0	0	0	0	0	0	8,000		8,000	8,000
Defensewide Mission Support											
236 ENVIRONMENTAL PROTECTION	060372	11,560	16,560	11,560	13,060	16,560	11,560	11,560	1,500		
259 INDUSTRIAL PREPAREDNESS	070801	41,827	101,827	3,000	87,827	101,827	3,000	110,727	46,000	68,900	22,900
275 USN/USMC MINE WARFARE		0	0	0	0	0	15,697	15,697		15,697	15,697
278 SECURITY IMPROVEMENT PROGRAMS		0	0	0	6,000	0	0	0	6,000		
TOTAL OF CONGRESSIONAL ADDITIONS*									695,721	627,868	210,470
RDT&E, Air Force											
Technology base											
002 DEFENSE RESEARCH SCIENCES	060110	193,158	203,458	193,158	193,758	203,458	192,158	195,158	600	2,000	1,400
004 MATERIALS	060210	60,847	65,847	63,847	65,847	65,847	60,847	63,000	5,000	2,153	
006 HUMAN SYSTEMS TECHNOLOGY	060220	51,142	56,142	51,142	54,142	56,142	51,142	54,142	3,000	3,000	
007 AEROSPACE PROPULSION	060220	62,583	65,583	66,583	65,583	65,583	62,583	65,583	3,000	3,000	
010 CIVIL ENGINEERING AND ENVIRONMENTAL QUA	060220	5,615	10,615	5,615	7,115	5,615	5,615	5,615	1,500		
014 COMMAND CONTROL AND COMMUNICATIONS	060270	79,409	79,409	80,409	80,409	79,409	79,409	79,409	1,000		
Advanced technology development											
017 ADVANCED MATERIALS FOR WEAPON SYSTEM	060311	15,042	15,042	18,042	18,042	18,042	15,042	15,042	3,000		
018 AEROSPACE PROPULSION SUBSYSTEMS INTEG	060320	28,404	158,000	0	119,000	28,404	20,527	20,527	90,596		
026 NATIONAL AERO SPACE PLANE TECHNOLOGY F	060326	158,000	158,000	158,000	158,000	163,000	0	163,000		5,000	5,000
Strategic programs											
051 SPACE SURVEILLANCE TECHNOLOGY	060342	34,136	0	10,000	0	0	1,000	1,000			1,000
054 B-2 ADVANCED TECHNOLOGY BOMBER (a)	060424	1,566,692	1,566,692	1,750,692	1,750,692	1,566,692	1,750,692	1,750,692	184,000	184,000	
066 NCMC - TW/AA SYSTEMS	010231	104,899	104,899	104,899	104,899	116,499	104,899	116,499		11,600	11,600
074 SPACETRACK	010242	15,527	15,527	21,527	30,527	5,522	30,527	25,522	15,000	9,995	
077 NUDET DETECTION SYSTEM	010243	5,125	5,125	23,625	23,625	5,125	23,625	23,625	18,500	18,500	
085 ADVANCED SATELLITE COMMUNICATIONS RELAY		0	0	0	500,000	0	0	0	500,000		
227 ADVANCED WARNING SYSTEM		0	230,000	0	210,000	260,000	0	210,000	210,000	210,000	
Tactical programs											
107 SHORT RANGE ATTACK MISSILE - TACTICAL	060424	118,561	0	118,561	35,000	118,561	118,561	118,561			83,561
127 COMPUTER RESOURCES MANAGEMENT TECH	060474	12,610	12,610	12,610	12,610	14,610	12,610	14,610		2,000	2,000
145 TR-1 SQUADRON	020721	54,764	1,563	44,064	28,500	54,764	54,764	49,764			21,264
148 TACIT RAINBOW	020731	9,759	36,759	36,759	36,759	36,759	36,759	36,759	27,000	27,000	
173 LINKED OPERATIONAL CAPABILITY		0	0	0	15,434	0	0	0	15,434		

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
226 C-130J		0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
241 CLASSIFIED PROGRAMS		0	0	0	0	13,406	83,000	26,708		26,708	26,708
Defensewide Mission Support											
199 RANGE IMPROVEMENT	060473	100,928	73,926	80,963	51,828	72,928	78,828	78,828			27,000
201 IMPROVED CAPABILITY FOR DEVELOPMENT TE	060475	45,720	37,720	45,720	29,720	37,720	37,720	37,720			8,000
207 TEST AND EVALUATION SUPPORT	060580	316,639	265,739	294,352	241,452	294,352	294,352	294,352			52,900
208 DEVELOPMENT PLANNING	060580	9,136	9,136	7,500	7,500	7,500	9,136	9,136			1,636
220 INDUSTRIAL PREPAREDNESS	070801	72,133	112,133	0	102,133	112,133	0	112,133	30,000	40,000	10,000
223 INTERNATIONAL ACTIVITIES	100100	4,011	4,011	4,011	3,278	3,288	3,288	3,288			10
226 AIR FORCE DEVELOPMENT TEST CENTER		0	106,900	0	94,100	0	0	0	94,100		
243 RANGE SECURITY		0	0	0	0	9,000	0	4,500		4,500	4,500
252 SECURITY IMPROVEMENT PROGRAM		0	0	0	6,000	0	0	0	6,000		
TOTAL OF CONGRESSIONAL ADDITIONS*									1,217,730	559,456	256,601
RDT&E, Defensewide											
Technology base											
001 DEFENSE RESEARCH SCIENCES	060110	85,236	121,536	85,236	98,236	121,536	85,236	100,536	13,000	15,300	2,300
002 IN-HOUSE LABORATORY INDEPENDENT RESEA	060110	2,342	2,342	2,342	2,342	2,342	2,467	2,467		125	125
003 UNIVERSITY RESEARCH INITIATIVES	060110	98,681	126,681	98,681	108,681	158,181	98,681	174,181	10,000	75,500	65,500
009 TACTICAL TECHNOLGY	060270	121,535	141,535	126,535	126,535	141,531	104,035	122,035	5,000	500	
011 INTEGRATED COMMAND AND CONTROL TECHN	060270	37,553	137,553	37,553	67,053	137,553	67,053	112,053	29,500	74,500	45,000
012 MATERIALS AND ELECTRONICS TECHNOLOGY	060271	43,096	123,096	69,096	123,096	143,096	69,096	156,096	80,000	113,000	33,000
102 DOD GRADUATE FOLLOWSHIP PROGRAM		0	20,000	20,000	20,000	20,000	0	20,000	20,000	20,000	
103 US-JAPAN MANAGEMENT TRAINING		0	0	10,000	10,000	0	10,000	10,000	10,000	10,000	
104 HIGH PERFORMANCE COMPUTING		0	50,000	138,000	138,000	50,000	128,000	128,000	138,000	128,000	
105 PRE-COMPETITIVE TECHNOLOGY DEVELOPMENT		0	0	100,000	50,000	100,000	0	50,000	50,000	50,000	
127 ENGINEERING-TRAINING INITIATIVE		0	0	0	0	50,000	0	50,000		50,000	50,000
Advanced technology development											
021 JOINT DOD-DOE MUNITIONS TECHNOLOGY DEV	060322	8,522	8,522	30,000	20,000	8,522	20,000	18,000	11,478	9,478	
022 EXPERIMENTAL EVALUATION OF MAGOR INNOV	060322	179,397	179,397	190,397	134,955	175,397	158,357	139,357			4,402
024 ADVANCED SUBMARINE TECHNOLOGY	060366	0	75,000	95,000	95,000	75,000	0	75,000	95,000	75,000	
026 MICROWAVE/MILLIMETER WAVE MONOLITHIC I	060370	86,657	106,657	86,657	106,657	106,657	86,657	106,657	20,000	20,000	
029 COMPUTER AIDED LOGISTICS SUPPORT	060373	13,779	13,779	15,779	15,779	15,779	13,779	15,779	2,000	2,000	
030 COOPERATIVE DOD/VA MEDICAL RESEARCH	060373	0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
032 CONSOLIDATED DOD SOFTWARE INITIATIVE	060375	12,661	12,661	12,661	12,661	22,661	12,661	22,661		10,000	10,000
106 MANUFACTURING TECHNOLOGY		0	0	175,000	25,000	0	170,000	50,000	25,000	50,000	25,000
114 LIGHTSAT		0	20,000	0	49,442	20,000	0	35,000	49,442	35,000	
129 MINIATURE DIAGNOSTIC PROTON ACCELERATOR		0	0	0	0	2,000	0	2,000		2,000	2,000
Tactical programs											
051 NON-ACOUSTIC ASW	060371	0	0	30,000	10,000	0	30,000	30,000	10,000	30,000	20,000
057 JOINT REMOTELY PILOTED VEHICLES PROGRA	030514	82,099	133,099	82,099	82,099	92,099	67,099	92,099		10,000	10,000
058 FORCE ENHANCEMENTS-ACTIVE	111001	182,368	172,368	202,668	202,668	184,977	160,230	173,678	20,300		
108 GENERAL SUPPORT FOR SO/LIC		0	0	2,000	2,000	0	2,000	2,000	2,000	2,000	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
109 TECHNICAL SUPPORT WORKING GROUP		0	0	3,000	3,000	0	0	0	3,000		
Intelligence and communications											
132 CLASSIFIED PROGRAMS		0	0	0	0	767,039	0	734,783		734,783	734,783
Defensewide Mission Support											
075 INTEGRATED DIAGNOSTICS	060370	7,520	7,520	7,520	0	7,520	0	4,000			4,000
100 INDUSTRIAL PREPAREDNESS	070601	10,912	20,912	0	5,000	20,912	0	10,912			5,912
110 CRITICAL TECHNOLOGY INSTITUTE		0	0	5,000	5,000	0	5,000	5,000	5,000	5,000	
111 JT WARGAMING SIMULATION MGMT OFC		0	0	25,000	15,000	25,000	0	15,000	15,000	15,000	
112 AIM-9 CONSOLIDATED PROGRAM		0	0	35,000	0	30,000	30,000	30,000		30,000	30,000
113 STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM		0	0	200,000	200,000	0	200,000	150,000	200,000	150,000	
119 WIDE AREA SURVEILLANCE		0	0	0	20,000	0	0	0	20,000		
120 SUPERCOMPUTER ACQUISITION		0	0	0	20,000	0	0	0	20,000		
121 DARPA LASER COMMUNICATIONS		0	0	0	8,000	0	0	0	8,000		
133 RESEARCH PROJECTS		0	0	0	0	20,000	0	40,000		40,000	40,000
134 ENVIRONMENTAL CENTER		0	0	0	0	5,000	0	5,000		5,000	5,000
Undistributed											
017 SINGLE PULSE EXIMER LASER TECH		0	0	30,000	20,000	0	0	0	20,000		
135 EXCIMER LASER TECHNOLOGY		0	0	0	0	30,000	0	15,000		15,000	15,000
137 CLASSIFIED PROGRAM		0	0	0	0	21,000	0	10,000		10,000	10,000
Developmental Test & Eval., Defense											
Defensewide Mission Support											
001 TEST INSTRUMENTATION DEVELOPMENT	060494	185,899	126,899	155,000	110,899	112,000	107,959	112,000			1,101
005 LIVE FIRE TESTING	060513	0	17,974	0	15,000	17,974	0	17,974	15,000	17,974	2,974
TOTAL OF CONGRESSIONAL ADDITIONS*									916,720	1,825,160	1,116,097
TOTAL - RESEARCH, DEV, TEST & EVAL											
- TOA		36,092,800	35,673,221	36,520,722	36,095,903	34,937,611	34,140,306	35,974,792			
- FAJ		0	0	0	0	0	0	0			
- Appropriations		36,092,800	35,673,221	36,520,722	36,095,903	34,937,611	34,140,306	35,974,792			
TOTAL OF CONGRESSIONAL ADDITIONS TO RDT&E*									3,124,171	3,563,194	1,960,501

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
MILITARY CONSTRUCTION										
Military Construction, Army										
Major construction										
020 FT J M WAINWRIGHT AK										
30 SCHOOL CONSTRUCTION	0	0	8,300	8,300	0	8,300	8,300	8,300	8,300	
056 FORT GORDON GA										
10 SOLDIER SERVICE CENTER	0	0	10,600	10,600	0	10,600	10,600	10,600	10,600	
096 FORT POLK LA										
20 MAINTENANCE COMPLEX	0	0	0	22,000	0	22,000	22,000	22,000	22,000	
110 FORT LEONARD WOOD MO										
30 CHILD DEVELOPMENT CENTER	0	3,050	0	3,050	0	0	0	3,050		
120 FORT BRAGG NC										
60 LAND ACQUISITION	0	720	0	720	720	0	720	720	720	
70 ADDITION SOF HDQTRS FAC	0	4,950	0	4,950	4,950	0	4,950	4,950	4,950	
146 FORT BLISS TX										
10 BARRACKS MODERNIZATION	0	10,200	0	10,200	10,200	0	10,200	10,200	10,200	
20 BARRACKS MODERNIZATION	0	9,800	0	9,800	9,800	0	9,800	9,800	9,800	
156 CAMP SWIFT TX										
10 SEALING UTILITY HOLES	0	100	0	100	0	0	100	100	100	
165 TOOELE ARMY DEPOT UT										
10 AMMUNITION DEMILITARIZATION FACILITY	11,800	61,200	52,200	61,200	52,200	61,200	61,200	49,400	49,400	
285 UNSPECIFIED WORLDWIDE LOCATIONS ZU										
20 UNSPECIFIED MINOR CONSTRUCTION .	7,603	7,603	7,603	7,603	7,603	8,603	8,603		1,000	1,000
TOTAL OF CONGRESSIONAL ADDITIONS*								119,120	117,070	1,000
Military Construction, Navy										
Major construction										
021 BRIDGEPORT CA										
10 SAFETY/MODERNIZATION	0	0	11,300	11,300	0	11,300	0	11,300		
075 MIRAMAR NAVAL AIR STATION CA										
30 CHILD DEVELOPMENT CENTER	0	2,300	0	2,300	2,300	0	2,300	2,300	2,300	
40 TACTICAL AIRCREW COMBAT TRAINING FAC	0	1,250	0	1,250	1,250	0	1,250	1,250	1,250	
076 MONTEREY FLEET NUM OCEAN CT CA										
10 COMPUTER CENTER	0	0	0	0	6,010	6,440	6,010		6,010	6,010
115 SAN DIEGO NAVAL SUBMARINE BASE CA										
20 CHILD DEVELOPMENT CENTER	0	4,130	0	4,130	4,130	0	4,130	4,130	4,130	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
205 KINGS BAY NAVAL SUBMARINE BASE GA										
50 COMMUNITY IMPACT ASSISTANCE	0	10,800	10,278	10,800	10,800	10,278	10,800	10,800	10,800	
265 INDIAN HEAD NAVAL ORDNANCE STAT MD										
20 CHEMISTRY LABORATORY	0	6,000	0	6,000	6,000	0	6,000	6,000	6,000	
270 PATUXENT RIVER NAVAL AIR TEST C MD										
30 ENTRY GATE/ROAD	0	2,000	0	2,000	0	0	2,000	2,000	2,000	
315 NEWPORT NAVAL EDUCATION & TRAIN RI										
20 CHILD DEVELOPMENT CENTER	0	1,200	0	1,200	1,000	0	1,200	1,200	1,200	
316 NAVAL UNDERWATER SYS CMD, NWPRT RI										
10 ADVANCED UNDERWATER WEAPONS RES LAB	0	13,700	0	13,700	13,700	13,700	13,700	13,700	13,700	
326 NORTH RHETT AVENUE SC										
10 ACCESS ROAD	0	3,000	0	2,000	0	0	0	2,000		
366 LITTLE CREEK VA										
10 SMALL ARMS RANGE	0	2,400	0	2,400	0	0	2,400	2,400	2,400	
375 NORFOLK NAVAL STATION VA										
20 SHIP SERVICES SUPPORT FAC	0	14,600	0	14,600	14,600	0	14,600	14,600	14,600	
415 BREMERTON PUGET SOUND NAVAL SHI WA										
20 LAND ACQUISITION	0	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	
TOTAL OF CONGRESSIONAL ADDITIONS*								91,660	84,390	6,010
Military Construction, Air Force										
Major construction										
021 ELMENDORF AFB AK										
10 DORMITORY	0	0	8,900	8,900	0	8,900	8,900	8,900	8,900	
060 CASTLE AFB CA										
20 COMBAT CREW TRAINING SCHOOL	0	3,000	0	3,000	3,000	0	3,000	3,000	3,000	
30 STANDARDIZATION EVALUATION CENTER	0	2,200	0	2,200	2,200	0	2,200	2,200	2,200	
065 EDWARDS AFB CA										
30 CORROSION CONTROL FACILITY	0	6,500	0	6,500	7,000	0	6,500	6,500	6,500	
091 AIR FORCE ACADEMY CO										
10 CONSOLIDATE ED AND TRNG FAC	0	15,000	0	0	15,000	0	15,000		15,000	15,000
20 BARRACKS UPGRADE	0	3,000	0	3,000	0	0	0	3,000		
096 LITTLE ROCK AR										
10 PERSONNEL PROCESSING CENTER	0	0	5,300	5,300	0	5,300	5,300	5,300	5,300	
098 LOWERY AFB CO										
10 CHILD DEVELOPMENT CENTER	0	4,550	0	4,550	4,550	0	4,550	4,550	4,550	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
100 PETERSON AFB CO										
30 PHYSICAL FITNESS CENTER	0	0	0	0	0	3,800	3,800		3,800	3,800
110 CAPE CANAVERAL AFB FL										
20 LEASE ACQUISITION	0	0	2,953	2,953	0	2,953	2,953	2,953	2,953	
155 SCOTT AFB IL										
20 DORMITORY	0	0	7,900	7,900	0	7,900	7,900	7,900	7,900	
156 GRISSOM IN										
10 ADD/ALTER CHILD DEVELOPMENT CEN	0	0	2,000	2,000	0	0	0	2,000		
20 RENOVATE DORMITORY	0	2,500	0	2,500	2,500	0	2,500	2,500	2,500	
30 CHILD DEVELOPMENT CENTER	0	0	0	0	0	2,000	2,000		2,000	2,000
157 MCCONNELL KS										
10 ENLISTED DORMITORY	0	0	9,100	9,100	9,750	9,100	9,100	9,100	9,100	
160 BARKSDALE AFB LA										
90 VEHICLE MAINTENANCE COMPLEX	0	0	6,300	6,300	0	6,300	6,300	6,300	6,300	
175 ANDREWS AFB MD										
30 CHILD DEVELOPMENT CENTER	0	3,850	0	3,850	3,850	0	3,850	3,850	3,850	
200 COLUMBUS AFB MS										
20 UPGRADE BOQ	0	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	
230 HOLLOMAN AFB NM										
92 F-117 FACILITIES (PHASE I)	0	0	0	36,000	0	36,000	36,000	36,000	36,000	
236 GRIFFISS AFB NY										
10 ADD/ALTER INTEGRATED MAIN FAC	0	2,300	0	2,300	2,300	0	2,300	2,300	2,300	
20 MUNITIONS STORAGE IGLOO	0	2,200	0	2,200	2,200	0	2,200	2,200	2,200	
237 PLATTSBURGH AFB NY										
10 COLD STORAGE FACILITY	0	1,200	0	1,200	0	0	1,200	1,200	1,200	
270 TINKER AFB OK										
90 LAND ACQUISITION	0	1,850	0	1,850	1,850	0	1,850	1,850	1,850	
281 SHAW AFB SC										
10 UPGRADE SEWAGE TREATMENT PLANT	0	3,000	3,000	3,000	0	3,000	3,000	3,000	3,000	
290 ARNOLD ENGINEERING DEV CENTER TN										
345 HILL AFB UT										
60 ICBM NON DEST INSPECT BUNKER	0	2,800	0	2,800	2,800	0	2,800	2,800	2,800	
TOTAL OF CONGRESSIONAL ADDITIONS*								120,103	135,903	20,800

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Military Construction, Defensewide										
Major construction										
050 FORT BENNING GA										
20 ELEMENTARY SCHOOL REPLACEMENT	0	7,900	7,900	7,900	7,900	7,900	7,900	7,900	7,900	
30 ADD/ALTER ELEMENTARY SCHOOL	0	1,500	1,500	1,500	0	1,500	1,500	1,500	1,500	
081 TRIPLER ARMY MEDICAL CENTER HI										
10 ALTER FAMILY PRACTICE CLINIC	0	0	2,200	2,200	0	2,200	2,200	2,200	2,200	
156 DAHLGREN NAVAL SPACE SURV SYS VA										
10 ADD/ALTER SCHOOL	0	0	1,360	1,360	0	1,360	1,360	1,360	1,360	
165 FORT LEE VA										
10 HOSPITAL LIFE SAFETY UPGRADE	2,650	4,850	2,650	4,850	4,850	4,850	4,850	2,200	2,200	
200 CLASSIFIED LOCATION XC										
30 BUILDING ADD W SUPPORT FACILITIES	27,425	26,600	26,600	26,600	27,425	27,425	27,425			825
40 CLASSIFIED PROJECT	5,375	0	0	0	5,375	5,375	5,375			5,375
305 CLASSIFIED OVERSEAS LOCATIONS YC										
10 CLASSIFIED PROJECT	1,600	7,800	1,600	7,800	1,600	1,600	1,600	6,200		
315 UNSPECIFIED WORLDWIDE LOCATIONS ZU										
93 UNSPEC MINOR CONSTRUCTION	0	2,000	0	2,000	2,000	0	2,000	2,000	2,000	
94 DEFICIENCY ALLOWANCE	0	0	0	0	0	11,000	10,100		10,100	10,100
325 VARIOUS LOCATIONS ZV										
10 CONFORMING STORAGE FACILITIES	10,000	5,000	10,000	5,000	10,000	10,000	10,000			5,000
331 ENERGY CONSERVATION										
10 ENERGY CONSERVATION	0	50,000	0	30,000	0	0	10,000	30,000	10,000	
400 UNDISTRIBUTED		6,790								
TOTAL OF CONGRESSIONAL ADDITIONS*								53,360	37,260	21,300
Mil. Con., Army National Guard										
Major construction										
026 BREWTON AL										
10 ARMORY	0	0	903	903	0	903	903	903	903	
027 MARION AL										
10 ARMORY	0	0	764	764	0	764	764	764	764	
028 BELLEMONT AZ										
10 CONSOLIDATED TRAINING SITE	0	0	0	0	0	6,522	6,522		6,522	6,522
029 MARANA AZ										
10 APACHE SIMULATOR FACILITY	0	0	0	0	0	4,554	4,554		4,554	4,554

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
30 OMS	0	0	0	0	0	942	942		942	942
40 USP&FO WAREHOUSE	0	0	0	0	0	2,800	2,800		2,800	2,800
50 EDUCATION FACILITY	0	0	0	0	0	2,329	2,329		2,329	2,329
60 SUPPORT MAINTENANCE SHOP	0	0	0	0	0	7,880	7,880		7,880	7,880
091 CAMP RIPLEY MN										
10 MAINTENANCE FAC ADDITION	0	0	0	0	6,108	0	6,108		6,108	6,108
092 CAMP MCCAIN MS										
10 TANK TABLES 9 & 11	0	600	0	600	600	0	600	600	600	
20 TROOP ISSUE SUBSISTENCE ACT	0	780	0	780	780	0	780	780	780	
30 AMMUNITION SUPPLY POINT	0	500	0	500	500	0	500	500	500	
093 CAMP SHELBY MS										
10 BACHELOR OFF QTRS PHASE III	0	450	0	450	450	0	450	450	450	
20 AMMUNITION SUPPLY POINT	0	280	0	280	280	0	280	280	280	
30 COMBINE SPT MAINT SHOP	0	3,900	0	3,900	0	0	0	3,900		
096 ESPANOLA NM										
10 ARMORY	0	1,600	1,600	1,600	0	1,600	1,600	1,600	1,600	
097 PORTALES NM										
10 ARMORY	0	1,600	1,600	1,600	0	1,600	1,600	1,600	1,600	
098 RIO PUERCO NM										
10 ARMORY	0	0	3,400	3,400	0	3,400	3,400	3,400	3,400	
20 ORGANIZATIONAL MAINTENANCE SHOP	0	0	1,950	1,950	0	1,950	1,950	1,950	1,950	
30 UTILITIES/INFRASTRUCTURE	0	0	2,127	2,127	0	2,127	2,127	2,127	2,127	
099 SANTA FE NM										
10 ORGANIZATIONAL MAINTENANCE SHOP	0	0	850	850	0	850	850	850	850	
101 MUSKINGHAM COUNTY OH										
10 LAND ACQUISITION	0	0	5,670	5,670	0	0	0	5,670		
102 CAMP GRUBER OK										
10 BARRACKS	0	3,332	3,332	3,332	3,332	3,332	3,332	3,332	3,332	
20 WATER TREATMENT PLANT	0	1,204	0	1,204	1,204	0	1,204	1,204	1,204	
103 MONMOUTH OR										
10 MILITARY EDUCATION FACILITY	0	0	4,060	4,060	4,060	4,060	4,060	4,060	4,060	
104 PENDLETON OR										
10 ARMORY	0	1,542	1,542	1,542	1,542	1,542	1,542	1,542	1,542	
106 ALBUQUERQUE NM										
10 TRAINING SITE	0	0	0	0	0	1,549	1,549		1,549	1,549
107 GOLDSBORO NC										
10 ARMORY	0	2,057	0	2,057	1,663	0	1,663	2,057	1,663	
20 ORGANIZATIONAL MAINT SHOP	0	0	0	0	394	0	394		394	394

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
108 FULTON MS										
10 ADD/ALTER ARMORY	0	535	0	535	535	0	535	535	535	
109 STARKVILLE MS										
10 ADD/ALTER ARMORY	0	975	0	975	975	0	975	975	975	
111 FARGO ND										
10 RESERVE CENTER	0	0	7,700	7,700	0	7,700	7,700	7,700	7,700	
112 MUSKINGUM COUNTY OH										
10 LAND ACQUISITION	0	5,700	0	0	6,000	5,670	5,670		5,670	5,670
121 BUTLER PA										
10 ARMORY	0	2,223	0	2,223	2,223	0	2,223	2,223	2,223	
123 NORRISTOWN PA										
10 ARMORY	0	3,028	0	3,028	3,028	0	3,028	3,028	3,028	
124 GREENVILLE SC										
10 ARMORY	0	0	0	2,500	0	2,500	2,500	2,500	2,500	
20 ORGANIZATIONAL MAINTENANCE SHOP	0	0	0	1,800	0	1,800	1,800	1,800	1,800	
126 FOUNTAIN INN SC										
10 ARMORY	0	0	0	2,000	2,000	2,000	2,000	2,000	2,000	
127 GREENWOOD SC										
10 ARMORY	0	0	0	2,000	2,000	2,000	2,000	2,000	2,000	
128 PICKENS SC										
10 ARMORY	0	0	0	2,000	2,000	2,000	2,000	2,000	2,000	
129 HUNTINGDON TN										
10 ARMORY	0	1,319	0	1,319	0	1,319	1,319	1,319	1,319	
131 CAMP BOWIE TX										
10 ARMORY	0	2,142	0	2,142	2,142	0	2,142	2,142	2,142	
20 LAND ACQUISITION	0	1,901	0	1,901	1,901	0	1,901	1,901	1,901	
132 CAMP MABRY TX										
10 ARMORY	0	6,284	0	6,284	6,284	0	6,284	6,284	6,284	
136 JACKSON TN										
10 ARMORY ADDITION	0	896	0	896	0	896	896	896	896	
137 LENOIR CITY TN										
10 ARMORY	0	1,230	0	1,230	0	1,230	1,230	1,230	1,230	
142 HOUSTON TX										
10 ARMORY (ADDICKS)	0	0	4,521	4,521	0	5,400	5,400	4,521	5,400	879
20 OMS (ADDICKS)	0	0	879	879	0	0	0	879		
146 NORTH FORT HOOD TX										
10 MOB AND TRAING EQUIP SITE	0	0	0	14,369	14,369	0	14,369	14,369	14,369	
147 WACO TX										

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 ADD/ALTER ARMORY		0	2,888	0	2,888	2,162	0	2,162	2,888	2,162	
20 EXPAND ORG MAINT SHOP		0	0	0	0	726	0	726		726	726
148 WYLIE	TX										
10 ARMORY		0	2,227	0	2,227	2,227	0	2,227	2,227	2,227	
149 DALLAS (REDBIRD)	TX										
10 ADD/ALTER ARMORY		0	2,000	0	2,000	2,000	0	2,000	2,000	2,000	
152 WEST JORDAN	UT										
10 ARMORY		0	0	4,145	4,145	0	4,145	4,145	4,145	4,145	
20 AVIATION SUPPORT FACILITY		0	0	6,955	6,955	0	6,952	6,952	6,955	6,952	
30 OMS		0	0	800	800	0	799	799	800	799	
156 EMPORIA	VA										
10 ARMORY		0	1,697	0	1,697	1,700	0	1,697	1,697	1,697	
166 WOODSTOCK	VA										
10 ARMORY		0	1,857	1,493	1,493	0	1,493	1,493	1,493	1,493	
167 BELOIT	WI										
10 ARMORY		0	2,200	0	2,200	0	2,200	2,200	2,200	2,200	
168 MADISON	WI										
10 ARMORY		0	7,372	0	7,372	7,372	0	7,372	7,372	7,372	
169 WAUKESHA	WI										
10 ADD/ALTER ARMORY		0	1,341	0	1,341	1,341	0	1,341	1,341	1,341	
171 TACOMA	WA										
10 PIER ACQUISITION		0	0	2,900	2,900	0	0	0	2,900		
20 WATERCRAFT SUPP AND TRAING COMPLEX		0	0	0	0	2,863	2,863	2,863		2,863	2,863
172 RICHLAND CENTER	WI										
10 ARMORY & VEHICLE STORAGE		0	1,159	1,000	1,000	0	1,000	1,000	1,000	1,000	
173 CHARLESTON	WV										
10 ARMORY		0	0	2,900	2,900	0	2,900	2,900	2,900	2,900	
174 KINGWOOD	WV										
10 ORGANIZATIONAL MAINTENANCE SHOP		0	0	1,100	1,100	0	1,100	1,100	1,100	1,100	
176 PARKERSBURG	WV										
10 ORGANIZATIONAL MAINTENANCE SHOP		0	0	900	900	0	900	900	900	900	
177 CAMP DAWSON	WV										
10 PHASE IV		0	0	2,500	2,500	0	2,500	2,500	2,500	2,500	
178 CAMP GUERNSEY	WY										
10 AIRFIELD IMPROVEMENTS		0	0	2,947	2,947	0	2,947	2,947	2,947	2,947	
180 UNSPECIFIED WORLDWIDE LOCATIONS	ZU										
10 PLANNING AND DESIGN		4,100	8,600	13,100	13,100	4,100	13,100	13,100	9,000	9,000	
20 UNSPECIFIED MINOR CONSTRUCTION		3,786	3,786	3,786	3,786	4,064	4,064	4,064		278	278

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Mil. Con., Air National Guard										
Major construction										
010 KULIS ANGB AK										
20 BASE SUPPLY WAREHOUSE	0	0	4,300	4,300	0	4,300	4,300	4,300	4,300	
031 EAST GRANDLEY CT										
10 LAND ACQUISITION	0	0	1,900	1,900	0	0	0	1,900		
20 COMPOSITE SUPPORT FACILITY	0	0	0	0	1,900	1,900	1,900		1,900	1,900
032 BUCKLEY ANGB CO										
10 OPS AND TRAINING FAC	0	4,150	0	1,800	4,150	0	4,150	1,800	4,150	2,350
20 FIRE STATION	0	1,800	0	4,150	1,800	0	1,800	4,150	1,800	
035 CAMP BLANDING FL										
30 CIVIL ENGINEERING MAINTENANCE FACILITY	0	0	2,500	2,500	1,500	1,500	1,500	2,500	1,500	
40 CIVIL ENGINEERING HEAVY EQUIPMENT SHOP	0	0	1,000	0	1,000	1,000	1,000		1,000	1,000
50 VEHICLE MAINTENANCE COMPLEX	0	0	0	1,000	1,300	1,000	1,000	1,000	1,000	
057 DES MOINES IA										
10 INTERNATIONAL AIRPORT	0	0	1,800	1,800	0	1,800	1,800	1,800	1,800	
058 SIOUX CITY IA										
10 GATEWAY AIRPORT	0	0	680	680	0	680	680	680	680	
061 FORBES AIRPORT KS										
10 UTILITIES UPGRADE	0	0	1,140	1,140	0	1,140	1,140	1,140	1,140	
062 STANDIFORD AIRPORT KY										
10 AIRCRAFT APRON & TAXIWAY	0	0	3,900	3,900	0	3,900	3,900	3,900	3,900	
063 BARNES ANGB, WESTFIELD MA										
10 JET FUEL STORAGE COMPLEX	0	0	0	0	3,000	0	3,000		3,000	3,000
075 GLENN L MARTIN AIRPORT MD										
20 UTILITIES REMOVAL	0	0	0	0	0	3,700	3,700		3,700	3,700
077 MARTIN ST MD										
10 UTILITY LINES	0	0	7,300	7,300	0	0	0	7,300		
081 MINNEAPOLIS IAP MN										
10 REGIONAL SIMULATOR	0	0	3,000	3,000	3,000	3,000	3,000	3,000	3,000	
20 MEDICAL/DINING FACILITY	0	0	3,700	3,700	3,700	3,700	3,700	3,700	3,700	
30 COMPOSITE SUPPORT FACILITY	0	0	0	0	4,350	0	4,350		4,350	4,350
085 GULFPORT MS										
30 ADD/ALTER BASE ENGINEERING FACILITY	0	520	490	520	490	490	490	520	490	
40 COMM/ELECT TRAINING FACILITY	0	2,300	2,300	2,300	2,300	2,300	2,300	2,300	2,300	
086 THOMPSON FIELD MS										
10 MEDICAL/SECURITY POLICE FACILITY	0	1,500	1,300	1,500	1,500	1,300	1,500	1,500	1,500	
20 BASE CIVIL ENGINEERING FACILITY	0	1,600	1,500	1,600	1,600	1,500	1,600	1,600	1,600	

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
087 RENO IAP NV										
10 MEDICAL/DINING FACILITY	0	0	2,400	2,400	0	2,400	3,400	2,400	3,400	1,000
111 STRATTON ANGB, SCOTIA NY										
10 AEROMEDICAL EVACUATION FAC	0	1,350	0	1,350	1,350	0	1,350	1,350	1,350	
120 DOUGLAS MAP NC										
20 COMPOSITE AIRCRAFT MAINT HANGAR	0	0	0	0	12,000	0	12,000		12,000	12,000
121 STANLEY COUNTY AIRPORT,ALBEMARLENC										
10 EXTEND RUNWAY	0	1,850	0	1,850	1,850	0	1,850	1,850	1,850	
122 CHARLOTTE NC										
10 AIRCRAFT MAINT HANGER	0	12,000	0	12,000	0	0	0	12,000		
125 HECTOR FIELD ND										
30 JET FIELD STORAGE COMPLEX	0	0	0	0	0	3,500	3,500		3,500	3,500
131 TOLEDO EXPRESS AIRPORT OH										
10 DINING HALL/MED TRAINING FAC	0	3,100	0	3,100	3,100	0	3,100	3,100	3,100	
20 JET FUEL STORAGE COMPLEX	0	3,550	0	3,550	3,550	0	3,550	3,550	3,550	
30 UNDERGROUND FUEL STORAGE	0	1,500	0	1,500	1,500	0	1,500	1,500	1,500	
140 GREATER PITTSBURGH IAP PA										
20 ACCESS ROAD	0	5,000	0	5,000	5,000	0	5,000	5,000	5,000	
161 WEST JORDAN UT										
10 DINING/MED TRAINING FAC	0	3,400	0	3,400	3,400	0	3,400	3,400	3,400	
181 YEAGER WV										
10 OPERATIONS & TRAINING FACILITY	0	0	12,100	12,100	0	12,100	12,100	12,100	12,100	
182 GENERAL MITCHELL IAP WI										
10 AIRCRAFT MAINTENANCE HANGAR	0	4,700	4,700	4,700	4,700	4,700	4,700	4,700	4,700	
183 VOLK FIELD WI										
10 RECONSTRUCT APRON & TAXIWAY	0	0	4,100	4,100	0	4,100	4,100	4,100	4,100	
190 UNSPECIFIED WORLDWIDE LOCATIONS ZU										
10 PLANNING AND DESIGN	8,800	12,800	16,500	16,500	8,800	16,500	16,500	7,700	7,700	
Mil. Con., Army Reserve										
Major construction										
028 SOUTH BEND IN										
10 ALTER ARMORY	0	0	397	397	0	397	0	397		
20 RES CTR RENOV AND IMPROV	0	392	0	0	397	0	397		397	397
067 TOLEDO OH										
10 ARMY RES CNTR/MAINT FAC	0	7,300	0	7,300	7,300	0	7,300	7,300	7,300	
071 CHARLESTON WV										
10 USARC/OMS	0	0	5,000	5,000	0	5,000	5,000	5,000	5,000	
072 VARIOUS LOCATIONS WV										

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 LAND ACQUISITION	0	0	1,829	1,829	0	1,829	1,829	1,829	1,829	
075 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 PLANNING AND DESIGN	4,756	4,756	5,756	7,056	8,056	8,356	8,356	2,300	3,600	1,300
Mil. Con., Naval Reserve										
Major construction										
021 GLENVIEW NAVAL AIR STATION IL										
10 AIRCRAFT INTER MAINT FAC	0	0	10,400	10,400	0	10,400	10,400	10,400	10,400	
20 TRANSMITTER/RECEIVER BUILDING	0	0	640	640	0	640	640	640	640	
040 NAVAL AIR STATION NEW ORLEANS LA										
20 AIRCRAFT HANGAR (C-130)	0	13,100	0	13,100	13,100	0	13,100	13,100	13,100	
076 BURLINGTON VT										
10 RESERVE CENTER	0	0	2,500	2,500	0	2,500	2,500	2,500	2,500	
085 UNSPECIFIED WORLDWIDE LOCATIONS ZU										
10 PLANNING AND DESIGN	3,885	3,885	7,352	7,352	3,885	7,352	7,352	3,467	3,467	
Mil. Con., Air Force Reserve										
Major construction										
110 UNSPECIFIED WORLDWIDE LOCATIONS ZU										
10 PLANNING AND DESIGN	3,309	3,309	3,309	3,309	3,309	4,209	4,209		900	900
TOTAL OF CONGRESSIONAL ADDITIONS*								383,917	410,017	86,559
Base Realignment & Closure Acct, Part I										
Base Closure										
005 BASE REALIGNMENT AND CLOSURE AC ZU										
10 BASE REALIGNMENT AND CLOSURE	916,500	1,016,500	966,500	1,016,500	996,100	916,500	998,100	100,000	81,600	
TOTAL OF CONGRESSIONAL ADDITIONS*								100,000	81,600	0
TOTAL - MILITARY CONSTRUCTION										
- TOA	5,706,900	5,036,744	5,203,109	5,426,572	5,246,212	5,014,041	5,350,042			
- FAJ	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)			
- Appropriations	5,666,900	4,996,744	5,163,109	5,386,572	5,206,212	4,974,041	5,310,042			
TOTAL OF CONGRESSIONAL ADDITIONS TO MILITARY CONSTRUCTION*								868,180	866,240	137,669

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
FAMILY HOUSING										
Family Housing Construction, Army										
Construction of new housing										
007 FT RILEY KS										
10 ENLISTED HOUSING CONSTRUCTION	0	0	12,500	12,500	0	16,500	16,500	12,500	16,500	4,000
Family Housing Operations & Debt, Army										
Operating expenses										
005 UNSPECIFIED WORLDWIDE LOCATIONS ZU										
10 FURNISHINGS ACCOUNT	73,469	73,469	60,969	60,969	70,035	70,035	70,035			9,066
TOTAL OF CONGRESSIONAL ADDITIONS*								12,500	16,500	13,066
Family Housing Construction, Navy & Marl										
Construction of new housing										
010 NAVAL STATION LONG BEACH CA										
10 NEW CONSTRUCTION (300)	24,928	24,928	24,928	24,928	25,018	0	25,018		90	90
022 FALLON NAS NV										
10 NEW CONSTRUCTION (80 UNITS)	0	0	0	10,500	0	10,500	10,500	10,500	10,500	
Family Housing Operations & Debt, Navy &										
Maintenance of real property										
006 UNSPECIFIED WORLDWIDE LOCATIONS ZU										
30 MAINTENANCE OF REAL PROPERTY	371,037	371,037	371,037	348,537	353,695	353,695	353,695			5,158
TOTAL OF CONGRESSIONAL ADDITIONS*								10,500	10,590	5,248
Family Housing Construction, Air Force										
Construction of new housing										
005 NELLIS AFB NV										
20 13 UNITS	0	0	0	1,600	0	0	1,600	1,600	1,600	
027 TEXAS TX										
10 KELLY AFB	0	0	0	0	1,369	0	1,369		1,369	1,369
026 SEYMOUR JOHNSON AFB NC										
10 FAM HOUS MNGMNT OFFICE	0	365	0	365	0	0	0	365		

FY1991 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Family Housing Operations & Debt, AF										
Maintenance of real property										
008 UNSPECIFIED WORLDWIDE LOCATIONS ZU										
30 MAINTENANCE OF REAL PROPERTY	326,922	326,922	316,922	304,422	311,642	311,642	311,642			7,220
TOTAL OF CONGRESSIONAL ADDITIONS*								1,965	2,969	8,589
TOTAL - FAMILY HOUSING										
- **TOA**	3,455,565	3,580,038	3,426,940	3,378,507	3,383,039	3,290,434	3,363,313			
- **FAJ**	1,235	1,235	1,235	1,235	1,235	1,235	1,235			
- **Appropriations**	3,456,800	3,581,273	3,428,175	3,379,742	3,384,274	3,291,669	3,364,548			
TOTAL OF CONGRESSIONAL ADDITIONS TO FAMILY HOUSING*								24,965	30,059	26,903

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
MILITARY PERSONNEL										
Military Personnel, Army										
TOA	24,226,100	NA	NA	NA	24,526,100	24,136,000	24,176,100	NA		NA
FAJ										
Appropriations	24,226,100	NA	NA	NA	24,526,100	24,136,000	24,176,100	NA		NA
Military Personnel, Navy										
TOA	19,597,700	NA	NA	NA	19,577,700	19,603,025	19,602,967	NA	5,267	NA
FAJ										
Appropriations	19,597,700	NA	NA	NA	19,577,700	19,603,025	19,602,967	NA	5,267	NA
Military Personnel, Marine Corps										
TOA	6,066,800	NA	NA	NA	6,066,800	6,055,360	6,065,560	NA		NA
FAJ										
Appropriations	6,066,800	NA	NA	NA	6,066,800	6,055,360	6,065,560	NA		NA
Military Personnel, Air Force										
TOA	18,905,500	NA	NA	NA	18,905,500	18,838,800	18,868,300	NA		NA
FAJ										
Appropriations	18,905,500	NA	NA	NA	18,905,500	18,838,800	18,868,300	NA		NA
Reserve Personnel, Army										
TOA	2,192,800	NA	NA	NA	2,320,800	2,298,800	2,298,800	NA	106,000	NA
FAJ										
Appropriations	2,192,800	NA	NA	NA	2,320,800	2,298,800	2,298,800	NA	106,000	NA
Reserve Personnel, Navy										
TOA	1,648,600	NA	NA	NA	1,718,600	1,710,600	1,714,600	NA	66,000	NA
FAJ										
Appropriations	1,648,600	NA	NA	NA	1,718,600	1,710,600	1,714,600	NA	66,000	NA
Reserve Personnel, Marine Corps										
TOA	326,900	NA	NA	NA	354,900	342,400	348,900	NA	22,000	NA
FAJ										
Appropriations	326,900	NA	NA	NA	354,900	342,400	348,900	NA	22,000	NA
Reserve Personnel, Air Force										
TOA	705,300	NA	NA	NA	721,500	715,100	718,900	NA	13,600	NA
FAJ										
Appropriations	705,300	NA	NA	NA	721,500	715,100	718,900	NA	13,600	NA

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
National Guard Personnel, Army										
TOA	3,201,700	NA	NA	NA	3,395,700	3,320,400	3,326,700	NA	125,000	NA
FAJ										
Appropriations	3,201,700	NA	NA	NA	3,395,700	3,320,400	3,326,700	NA	125,000	NA
National Guard Personnel, Air Force										
TOA	1,145,500	NA	NA	NA	1,145,500	1,145,500	1,145,500	NA		NA
FAJ										
Appropriations	1,145,500	NA	NA	NA	1,145,500	1,145,500	1,145,500	NA		NA
TOTAL - MILITARY PERSONNEL										
TOA	78,016,900	NA	NA	NA	78,753,100	78,165,965	78,266,327	NA	249,427	NA
FAJ										
Appropriations	78,016,900	NA	NA	NA	78,753,100	78,165,965	78,266,327	NA	249,427	NA
OPERATION AND MAINTENANCE										
Oper. & Maint., Army										
TOA	21,886,800	20,647,526	21,263,100	21,155,854	16,362,945	20,913,805	17,722,903			
FAJ										
Appropriations	21,886,800	20,647,526	21,263,100	21,155,854	16,362,945	20,913,805	17,722,903			
Oper. & Maint., Navy										
TOA	23,934,200	22,576,427	23,148,350	23,185,360	21,394,932	23,012,390	21,079,548			
FAJ										
Appropriations	23,934,200	22,576,427	23,148,350	23,185,360	21,394,932	23,012,390	21,079,548			
Oper. & Maint., Marine Corps										
TOA	1,894,600	1,786,305	2,170,300	1,845,500	2,082,500	2,109,665	1,892,110			46,610
FAJ										
Appropriations	1,894,600	1,786,305	2,170,300	1,845,500	2,082,500	2,109,665	1,892,110			46,610
Oper. & Maint., Air Force										
TOA	20,351,900	19,163,113	19,963,360	19,657,010	17,660,213	19,242,014	17,180,259			
FAJ										
Appropriations	20,351,900	19,163,113	19,963,360	19,657,010	17,660,213	19,242,014	17,180,259			
Oper. & Maint., Defensewide										
TOA	8,794,800	10,352,563	8,636,800	8,652,716	16,599,037	8,635,766	16,408,161		7,613,361	7,755,445
FAJ										
Appropriations	8,794,800	10,352,563	8,636,800	8,652,716	16,599,037	8,635,766	16,408,161		7,613,361	7,755,445

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Office of the Inspector General										
TOA	115,900	120,600	120,100	120,100	121,600	115,900	115,900	4,200		
FAJ										
Appropriations	115,900	120,600	120,100	120,100	121,600	115,900	115,900	4,200		
Oper. & Maint., Army Reserve										
TOA	937,200	946,550	963,100	968,200	995,600	962,200	968,200	31,000	31,000	
FAJ										
Appropriations	937,200	946,550	963,100	968,200	995,600	962,200	968,200	31,000	31,000	
Oper. & Maint., Navy Reserve										
TOA	816,100	796,697	841,500	824,600	825,500	840,600	825,500	8,500	9,400	900
FAJ										
Appropriations	816,100	796,697	841,500	824,600	825,500	840,600	825,500	8,500	9,400	900
Oper. & Maint., Marine Corps Reserve										
TOA	75,900	78,227	81,900	80,900	85,900	81,700	81,700	5,000	5,800	800
FAJ										
Appropriations	75,900	78,227	81,900	80,900	85,900	81,700	81,700	5,000	5,800	800
Oper. & Maint., Air Force Reserve										
TOA	1,075,400	1,087,360	1,080,900	1,078,700	1,091,200	1,077,000	1,078,700	3,300	3,300	
FAJ										
Appropriations	1,075,400	1,087,360	1,080,900	1,078,700	1,091,200	1,077,000	1,078,700	3,300	3,300	
Oper. & Maint., Army Nat'l Guard										
TOA	2,080,700	2,097,140	2,128,900	2,124,800	2,165,600	2,125,800	2,125,800	44,100	45,100	1,000
FAJ										
Appropriations	2,080,700	2,097,140	2,128,900	2,124,800	2,165,600	2,125,800	2,125,800	44,100	45,100	1,000
Oper. & Maint., Air Nat'l Guard										
TOA	2,287,800	2,243,116	2,280,400	2,276,300	2,275,700	2,276,300	2,281,300			5,000
FAJ										
Appropriations	2,287,800	2,243,116	2,280,400	2,276,300	2,275,700	2,276,300	2,281,300			5,000
Rifle Practice, Army										
TOA	5,000	4,000	5,000	4,000	5,000	5,000	5,000			1,000
FAJ										
Appropriations	5,000	4,000	5,000	4,000	5,000	5,000	5,000			1,000

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Court of Military Appeals, Defense										
TOA	5,500	5,500	5,500	5,500	5,500	5,500	5,500			
FAJ										
Appropriations	5,500	5,500	5,500	5,500	5,500	5,500	5,500			
Summer Olympics										
TOA			2,000	2,000		2,000	2,000	2,000	2,000	
FAJ										
Appropriations			2,000	2,000		2,000	2,000	2,000	2,000	
Environmental Restoration Fund, Defense										
TOA	1,252,900	1,252,900	1,183,900	1,183,900	2,152,900	1,183,900	1,183,900			
FAJ										
Appropriations	1,252,900	1,252,900	1,183,900	1,183,900	2,152,900	1,183,900	1,183,900			
Humanitarian Assistance										
TOA	13,000	13,000	13,000	13,000	15,000	13,000	15,000		2,000	2,000
FAJ										
Appropriations	13,000	13,000	13,000	13,000	15,000	13,000	15,000		2,000	2,000
Drug Interdiction & Counter-Drug Act., D										
TOA	1,158,600	1,133,704	1,158,600	1,158,600	1,155,994	1,117,075	1,188,600		30,000	30,000
FAJ										
Appropriations	1,158,600	1,133,704	1,158,600	1,158,600	1,155,994	1,117,075	1,188,600		30,000	30,000
World University Games										
TOA		3,000	1,000	3,000	3,000	1,000	3,000	3,000	3,000	
FAJ										
Appropriations		3,000	1,000	3,000	3,000	1,000	3,000	3,000	3,000	
Real Property Maintenance, Defense										
TOA						1,000,000	500,000		500,000	500,000
FAJ										
Appropriations						1,000,000	500,000		500,000	500,000
TOTAL - OPERATION AND MAINTENANCE										
TOA	86,666,300	84,287,748	85,046,730	84,340,060	86,998,121	84,720,617	84,663,081			323,021
FAJ										
Appropriations	86,666,300	84,287,748	85,046,730	84,340,060	86,998,121	84,720,617	84,663,081			323,021

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
PROCUREMENT										
Aircraft Procurement, Army										
TOA	1,667,700	1,873,700	1,666,200	1,783,600	1,730,787	1,640,200	1,692,800	115,900	25,100	
FAJ										
Appropriations	1,667,700	1,873,700	1,666,200	1,783,600	1,730,787	1,640,200	1,692,800	115,900	25,100	
Missile Procurement, Army										
TOA	1,035,800	1,503,206	1,042,335	1,046,762	1,109,595	1,009,456	1,006,462	10,962		
FAJ										
Appropriations	1,035,800	1,503,206	1,042,336	1,046,762	1,109,595	1,009,456	1,006,462	10,962		
Procurement of W&TCV, Army										
TOA	839,100	1,240,000	1,022,300	1,007,300	1,064,813	1,003,096	1,111,096	168,200	271,996	103,796
FAJ										
Appropriations	839,100	1,240,000	1,022,300	1,007,300	1,064,813	1,003,096	1,111,096	168,200	271,996	103,796
Procurement of Ammunition, Army										
TOA	1,249,800	1,266,400	1,529,200	1,362,400	1,364,859	1,325,421	1,369,060	112,600	119,260	6,660
FAJ										
Appropriations	1,249,800	1,266,400	1,529,200	1,362,400	1,364,859	1,325,421	1,369,060	112,600	119,260	6,660
Other Procurement, Army										
TOA	3,163,800	3,366,200	3,014,643	3,081,801	3,021,436	3,013,796	3,063,799			
FAJ										
Appropriations	3,163,800	3,366,200	3,014,643	3,081,801	3,021,436	3,013,796	3,063,799			
Aircraft Procurement, Navy										
TOA	7,966,400	7,509,530	7,080,800	7,089,800	7,683,633	7,025,920	6,948,620			
FAJ										
Appropriations	7,966,400	7,509,530	7,080,800	7,089,800	7,683,633	7,025,920	6,948,620			
Weapons Procurement, Navy										
TOA	4,581,300	4,776,565	4,834,700	4,720,860	4,726,795	4,611,848	4,562,621	139,560		
FAJ										
Appropriations	4,581,300	4,776,565	4,834,700	4,720,860	4,726,795	4,611,848	4,562,621	139,560		
Shipbuilding & Conversion, Navy										
TOA	8,493,200	8,499,200	7,726,400	8,365,790	10,595,704	7,725,362	9,153,287		660,087	787,497
FAJ										
Appropriations	8,493,200	8,499,200	7,726,400	8,365,790	10,595,704	7,725,362	9,153,287		660,087	787,497

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Other Procurement, Navy										
TOA	6,471,200	6,612,519	6,373,400	6,492,355	6,574,568	6,306,544	6,432,463	21,155		
FAJ										
Appropriations	6,471,200	6,612,519	6,373,400	6,492,355	6,574,568	6,306,544	6,432,463	21,155		
Procurement, Marine Corps										
TOA	1,039,400	1,123,700	1,736,737	1,124,637	1,043,218	1,255,470	1,079,951	85,237	40,551	
FAJ										
Appropriations	1,039,400	1,123,700	1,736,737	1,124,637	1,043,218	1,255,470	1,079,951	85,237	40,551	
Aircraft Procurement, Air Force										
TOA	11,115,500	8,103,056	10,324,739	10,636,931	7,444,121	11,071,598	10,412,350			
FAJ						(722,200)				
Appropriations	11,115,500	8,103,056	10,324,739	10,636,931	7,444,121	10,349,398	10,412,350			
Missile Procurement, Air Force										
TOA	5,599,800	5,580,489	5,362,110	5,204,883	5,243,841	5,428,171	5,236,450			30,567
FAJ						95,500				
Appropriations	5,599,800	5,580,489	5,362,110	5,204,883	5,243,841	5,523,671	5,236,450			30,567
Other Procurement, Air Force										
TOA	8,058,100	8,124,604	7,939,282	8,194,009	8,001,524	7,859,296	8,068,104	135,909	10,004	
FAJ										
Appropriations	8,058,100	8,124,604	7,939,282	8,194,009	8,001,524	7,859,296	8,068,104	135,909	10,004	
Procurement, Defensewide										
TOA	2,089,600	2,576,350	2,127,708	2,239,029	2,708,446	2,087,400	2,250,826	149,429	161,226	11,797
FAJ										
Appropriations	2,089,600	2,576,350	2,127,708	2,239,029	2,708,446	2,087,400	2,250,826	149,429	161,226	11,797
National Guard & Reserve Equipment										
TOA		650,000	667,700	1,061,100	1,292,500	667,300	1,877,800	1,061,100	1,877,800	816,700
FAJ										
Appropriations		650,000	667,700	1,061,100	1,292,500	667,300	1,877,800	1,061,100	1,877,800	816,700
Inspector General										
TOA	300	300	800	800	300	300	300	500		
FAJ										
Appropriations	300	300	800	800	300	300	300	500		

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Defense Production Act Purchases				-						
TOA					25,000					
FAJ										
Appropriations					25,000					
Chem Agents & Munitions Destruction, Def										
TOA	474,800	486,700	506,700	472,602	451,800	474,800	374,396			
FAJ										
Appropriations	474,800	486,700	506,700	472,602	451,800	474,800	374,396			
Procurement of Prepositioned Equipment,										
TOA					995,000	2,000,000				
FAJ										
Appropriations					995,000	2,000,000				
TOTAL - PROCUREMENT										
TOA	63,845,800	63,314,519	62,959,754	63,884,659	65,097,939	64,505,996	64,639,407	38,859	793,607	754,748
FAJ						(626,700)				
Appropriations	63,845,800	63,314,519	62,959,754	63,884,659	65,097,939	63,879,296	64,639,407	38,859	793,607	754,748
RESEARCH, DEV, TEST & EVAL										
RDT&E, Army										
TOA	6,307,300	6,457,100	6,522,068	6,686,600	6,241,621	6,280,361	6,562,672	379,300	255,372	
FAJ										
Appropriations	6,307,300	6,457,100	6,522,068	6,686,600	6,241,621	6,280,361	6,562,672	379,300	255,372	
RDT&E, Navy										
TOA	7,342,633	9,176,041	8,417,708	8,633,875	7,464,910	7,666,142	8,557,635	1,291,242	1,215,002	
FAJ										
Appropriations	7,342,633	9,176,041	8,417,708	8,633,875	7,464,910	7,666,142	8,557,635	1,291,242	1,215,002	
RDT&E, Air Force										
TOA	15,032,600	15,336,254	14,676,254	14,467,094	14,263,941	13,896,675	14,077,834			
FAJ										
Appropriations	15,032,600	15,336,254	14,676,254	14,467,094	14,263,941	13,896,675	14,077,834			

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
RDT&E, Defensewide										
TOA	10,236,500	9,433,669	10,364,178	10,026,339	8,979,141	10,278,542	9,978,305			
FAJ										
Appropriations	10,236,500	9,433,669	10,364,178	10,026,339	8,979,141	10,278,542	9,978,305			
Developmental Test & Eval., Defense										
TOA	266,300	266,300	271,300	228,495	221,300	215,764	211,277			
FAJ										
Appropriations	266,300	266,300	271,300	228,495	221,300	215,764	211,277			
Operational Test & Eval., Defense										
TOA	14,200	14,200	14,200	14,200	14,200	14,200	14,200			
FAJ										
Appropriations	14,200	14,200	14,200	14,200	14,200	14,200	14,200			
TOTAL - RESEARCH, DEV, TEST & EVAL										
TOA	39,221,533	40,705,584	40,285,708	40,056,603	37,165,113	38,353,664	39,401,923	835,070	180,390	
FAJ										
Appropriations	39,221,533	40.705,584	40,285,708	40,056,603	37,165,113	38,353,664	39,401,923	835,070	180,390	
REVOLVING AND MANAGEMENT FUNDS										
Army Stock Fund										
TOA		827,300			827,300					
FAJ										
Appropriations		827,300			827,300					
Air Force Stock Fund										
TOA		1,569,700			1,616,800					
FAJ										
Appropriations		1,569,700			1,616,800					
Defense Stock Fund										
TOA		3,100								
FAJ										
Appropriations		3,100								

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Defense Business Operations Fund										
TOA	3,400,200		3,400,200	3,400,200		3,400,200	3,424,200		24,000	24,000
FAJ										
Appropriations	3,400,200		3,400,200	3,400,200		3,400,200	3,424,200		24,000	24,000
TOTAL - REV. & MNGMNT. FUNDS										
TOA	3,400,200	2,420,100	3,400,200	3,400,200	2,444,100	3,400,200	3,424,200		24,000	24,000
FAJ										
Appropriations	3,400,200	2,420,100	3,400,200	3,400,200	2,444,100	3,400,200	3,424,200		24,000	24,000
MILITARY CONSTRUCTION										
Military Construction, Army										
TOA	851,300	1,431,820	865,500	928,429	877,585	796,770	880,820	77,129	29,520	
FAJ										
Appropriations	851,300	1,431,820	865,500	928,429	877,585	796,770	880,820	77,129	29,520	
Military Construction, Navy										
TOA	657,800	1,305,079	868,781	923,009	848,429	878,211	883,859	265,209	226,059	
FAJ										
Appropriations	657,800	1,305,079	868,781	923,009	848,429	878,211	883,859	265,209	226,059	
Military Construction, Air Force										
TOA	1,082,400	1,522,930	952,290	1,018,320	1,129,420	987,570	1,005,954			
FAJ										
Appropriations	1,082,400	1,522,930	952,290	1,018,320	1,129,420	987,570	1,005,954			
Military Construction, Defensewide										
TOA	571,600	764,818	658,440	683,140	745,990	654,330	724,740	111,540	153,140	41,600
FAJ										
Appropriations	571,600	764,818	658,440	683,140	745,990	654,330	724,740	111,540	153,140	41,600
Mil. Con., Army National Guard										
TOA	50,400	166,286	122,874	210,745	161,281	233,274	231,117	160,345	180,717	20,372
FAJ										
Appropriations	50,400	166,286	122,874	210,745	161,281	233,274	231,117	160,345	180,717	20,372

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Mil. Con., Air National Guard										
TOA	131,800	203,914	189,100	218,760	172,690	231,506	217,566	86,960	85,766	
FAJ										
Appropriations	131,800	203,914	189,100	218,760	172,690	231,506	217,566	86,960	85,766	
Mil. Con., Army Reserve										
TOA	57,500	115,910	66,241	106,507	94,860	114,723	110,369	49,007	52,869	3,862
FAJ										
Appropriations	57,500	115,910	66,241	106,507	94,860	114,723	110,369	49,007	52,869	3,862
Mil. Con., Naval Reserve										
TOA	20,900	46,376	56,900	56,900	20,900	60,400	59,900	36,000	39,000	3,000
FAJ										
Appropriations	20,900	46,376	56,900	56,900	20,900	60,400	59,900	36,000	39,000	3,000
Mil. Con., Air Force Reserve										
TOA	20,800	32,340	20,800	20,800	20,800	22,800	9,700			
FAJ										
Appropriations	20,800	32,340	20,800	20,800	20,800	22,800	9,700			
Base Realignment & Closure Acct, Part I										
TOA	633,600	658,600	674,600	674,600	658,600	674,600	658,600	41,000	25,000	
FAJ										
Appropriations	633,600	658,600	674,600	674,600	658,600	674,600	658,600	41,000	25,000	
Base Realignment & Closure Acct, Part II										
TOA	100,000	100,000	297,000	297,000	100,000	297,000	100,000	197,000		
FAJ										
Appropriations	100,000	100,000	297,000	297,000	100,000	297,000	100,000	197,000		
NATO Infrastructure										
TOA	378,800	178,800	334,417	245,000	178,800	274,400	245,000			
FAJ	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)			
Appropriations	358,800	158,800	314,417	225,000	158,800	254,400	225,000			
TOTAL - MILITARY CONSTRUCTION										
TOA	4,556,900	6,526,873	5,106,943	5,383,210	5,009,355	5,207,584	5,127,645	826,310	570,745	
FAJ	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)			
Appropriations	4,536,900	6,506,873	5,086,943	5,363,210	4,989,355	5,187,584	5,107,645	826,310	570,745	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
220 FORT BELVOIR VA										
30 INFORMATION SYSTEM FACILITY	0	0	14,000	14,000	0	14,000	0	14,000		
230 FORT LEE VA										
20 FINANCE/ACCT OFFICE	0	5,300	0	5,300	5,300	0	4,650	5,300	4,650	
30 NCO TRNG FACILITY	0	6,000	0	6,000	6,000	0	5,800	6,000	5,800	
255 FORT LEWIS WA										
60 EDUCATION DEVELOPMENT CENTER	0	7,900	0	7,900	7,900	0	7,900	7,900	7,900	
300 VARIOUS LOCATIONS YV										
10 ACCESS ROADS - VARIOUS LOCATIONS	7,200	7,200	7,200	2,800	7,200	7,200	7,200			4,400
305 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	89,600	93,400	121,730	93,400	93,915	77,000	86,000	3,800		
310 WORLDWIDE VARIOUS										
TOTAL OF CONGRESSIONAL ADDITIONS*								126,029	117,570	16,750
Military Construction, Navy										
Major construction										
023 BRIDGEPORT MTN WARFARE TRAINING CENTER CA										
10 BILLETING COMPLEX	0	0	0	0	0	11,300	11,300		11,300	11,300
040 CHINA LAKE NAVAL WEAPONS CTR CA										
10 INTEGRATED NAVAL AIR DEFENSE SYS FAC	0	16,600	16,600	16,600	16,600	16,600	16,600	16,600	16,600	
045 CONCORD NAVAL WEAPONS STATION CA										
10 MISSILE TEST CELL	0	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	
055 FALLBROOK NAVAL WEAPONS STATIONCA										
10 MISSILE PRODUCTION FACILITY	0	9,700	9,700	9,700	9,700	9,700	9,700	9,700	9,700	
085 MONTEREY NAVAL POSTGRADUATE SCHCA										
20 INSTRUCTION BUILDING	0	12,000	0	12,000	12,000	0	12,000	12,000	12,000	
090 SAN DIEGO NAVAL SUPPLY CENTER CA										
10 FIRE PROTECTION SYSTEM	0	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	
20 GENERAL WAREHOUSE ADDITION	0	0	0	8,600	8,600	0	8,600	8,600	8,600	
095 SAN DIEGO NAVY PUBLIC WORKS CTRCA										
10 AUTOMOTIVE VEHICLE MAINTENANCE SHOP	0	9,300	9,300	9,300	9,300	9,300	9,300	9,300	9,300	
20 ELECTRICAL DISTRIBUTION SYS UPGRADE	0	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	
100 SEAL BEACH NAVAL WEAPONS STATIOCA										
10 TOMAHAWK MISSILE MAGAZINE	0	3,780	3,780	3,780	3,780	3,780	3,780	3,780	3,780	
110 VALLEJO MARE ISLAND NAVAL SHIPYCA										
20 COMPUTER OPERATIONS CENTER	0	0	0	9,000	9,000	0	9,000	9,000	9,000	
130 JACKSONVILLE NAVAL AVIATION DEPFL										

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 INDUSTRIAL WASTE TREATMENT FACILITY	0	3,300	3,300	3,300	3,300	3,300	3,300	3,300	3,300	
155 PENSACOLA NAVAL SUPPLY CENTER FL										
10 COLD STORAGE WAREHOUSE	0	5,700	5,700	5,700	5,700	5,700	5,700	5,700	5,700	
162 MCKINTOSH COUNTY GA										
10 LAND ACQUISITION PHASE II	0	2,881	2,881	2,881	2,881	2,881	2,881	2,881	2,881	
165 PEARL HARBOR NAVAL SHIPYARD HI										
10 FIRE PROTECTION SYSTEM	0	800	800	800	800	800	800	800	800	
195 PEARL HARBOR NAVY PUBLIC WORKS HI										
10 SEWAGE SYSTEM IMPROVEMENTS	0	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	
20 WASTEWATER TREATMENT PLANT EXPANSION	0	10,540	10,540	10,540	10,540	10,540	10,540	10,540	10,540	
30 WASTEWATER TREATMENT PLANT MODS	0	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	
210 CRANE NAVAL WEAPONS SUPPORT CENIN										
20 ELEC COUNTERMEASURES SYS CTR	0	10,000	0	10,000	10,000	0	10,000	10,000	10,000	
30 PEST CONTROL FACILITY	0	750	750	750	750	750	750	750	750	
230 INDIAN HEAD NAVAL ORDNANCE STATMD										
10 INDUSTRIAL WASTEWTR-TREATMENT FAC-INC II	0	6,600	6,600	6,600	6,600	6,600	6,600	6,600	6,600	
242 GULFPORT MS										
10 SEABEE WAREHOUSE	0	0	7,000	7,000	0	7,000	7,000	7,000	7,000	
243 NAS MERIDIAN MS										
10 FIRE STATION EXPANSION	0	418	0	418	418	0	418	418	418	
20 FIRE STATION FACILITY	0	1,200	0	1,200	1,200	0	1,200	1,200	1,200	
245 FALLON NAVAL AIR STATION NV										
20 BACHELOR ENLISTED QUARTERS	0	0	5,700	5,700	0	5,700	5,700	5,700	5,700	
255 EARLE NAVAL WEAPONS STATION NJ										
30 TRESTLE REPLACEMENT	0	0	36,500	11,400	0	36,500	11,400	11,400	11,400	
270 CHERRY POINT NAVAL AVIATION DEPNC										
10 AIRCRAFT ACCESSORIES OVERHAUL SHOP	0	7,700	7,700	7,700	7,700	7,700	7,700	7,700	7,700	
288 NAVAL EDUC & TRNG CTR, NEWPORT RI										
10 AIR CONDITIONING SYSTEM	0	710	0	710	710	0	710	710	710	
20 FUEL TANKS	0	2,000	0	2,000	2,000	0	2,000	2,000	2,000	
30 JOINT CHILD CARE/RECREATION CENTER	0	500	0	500	500	0	500	500	500	
300 CHARLESTON NAVAL WEAPONS STN SC										
10 HIGH EXPLOSIVE MAGAZINE	0	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	
20 TOMAHAWK MISSILE MAGAZINES	0	2,150	2,150	2,150	2,150	2,150	2,150	2,150	2,150	
320 DAHLGREN NAVAL SURFACE WARFARE VA										
10 ELECTRONIC SYSTEMS LABORATORY	0	8,100	8,100	8,100	8,100	8,100	8,100	8,100	8,100	
20 FLEET REQUIREMENTS SUPPORT BLDG	0	10,180	10,180	10,180	10,180	10,180	10,180	10,180	10,180	
345 NORFOLK NAVAL SUPPLY CENTER VA										
10 ADMINISTRATIVE OFFICE	0	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
360 NORFOLK NAVY PUBLIC WORKS CTR VA										
10 ELECTRICAL DISTRIBUTION LINES	0	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	
20 STEAM DISTRIBUTION SYSTEM IMPROVEMENTS	0	4,150	4,150	4,150	4,150	4,150	4,150	4,150	4,150	
375 YORKTOWN NAVAL WEAPONS STATION VA										
10 TOMAHAWK MISSILE MAGAZINES	0	4,650	4,650	4,650	4,650	4,650	4,650	4,650	4,650	
390 BREMERTON PUGET SOUND NAVAL SHIWA										
10 INACTIVE SUBMARINE MOORING FACILITY	0	3,300	3,300	3,300	3,300	3,300	3,300	3,300	3,300	
20 INDUSTRIAL SPT COMPLEX (INC II)	0	23,500	23,500	23,500	23,500	23,500	23,500	23,500	23,500	
30 MOORING PLATFORM	0	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	
40 PIER UPGRADE	0	11,700	11,700	11,700	11,700	11,700	11,700	11,700	11,700	
395 BREMERTON PUGET SOUND NAVAL SUPWA										
10 HAZARDOUS AND FLAMMABLE STOREHOUSE	0	12,550	12,550	12,550	12,550	12,550	12,550	12,550	12,550	
408 GREEN BANK WV										
10 ALTER OPERATIONS CENTER	0	0	5,400	5,400	0	5,400	5,400	5,400	5,400	
420 NAVY PUBLIC WORKS CENTER GU										
10 OIL SPILL PREVENTION	0	670	670	670	670	670	670	670	670	
430 KEFLAVIK NAVAL AIR STATION IC										
10 FUEL FACILITIES (INCREMENT VII)	0	9,300	9,300	9,300	9,300	9,300	9,300	9,300	9,300	
455 ROOSEVELT ROADS NAVAL STATION PR										
20 CHILD DEVELOPMENT CENTER	0	2,850	0	2,850	2,850	0	2,850	2,850	2,850	
460 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	77,200	79,700	88,600	88,600	79,700	67,000	78,000	11,400		
490 UNDISTRIBUTED						(7,000)				
TOTAL OF CONGRESSIONAL ADDITIONS*								278,179	278,079	11,300
Military Construction, Air Force										
Major construction										
010 EIELSON AFB AK										
30 RANGE CONTROL FACILITY	0	0	4,500	4,500	0	4,500	4,500	4,500	4,500	
024 DAVIS-MONTHAN AFB AZ										
10 WASTE WATER TREATMENT FACILITY	0	4,100	4,100	4,100	4,100	4,100	4,100	4,100	4,100	
035 BEALE AFB CA										
10 ALERT CREW READINESS CENTER	800	800	800	0	800	800	800			800
065 TRAVIS AFB CA										
50 ALTER DORMITORIES	0	5,500	0	5,500	5,500	0	5,500	5,500	5,500	
60 CHILD DEVELOPMENT CENTER	0	3,350	0	3,350	3,350	0	3,350	3,350	3,350	
70 CONSOLIDATED SUPPORT CENTER	0	9,000	0	9,000	9,000	0	9,000	9,000	9,000	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
80 SOUND SUPPRESSOR SUPPORT FACILITY	0	990	990	990	990	990	990	990	990	
095 US AIR FORCE ACADEMY CO										
20 CONSOLIDATED EDUC & TRNG FAC (PHASE II)	0	0	0	0	21,000	15,000	21,000		21,000	21,000
096 US AIR FORCE ACADEMY										
10 EDUCATION & TRAINING FACILITY	15,000	21,000	15,000	21,000	15,000	15,000	15,000	6,000		
100 DOVER AFB DE										
30 CHILD CARE FACILITY	0	2,600	0	2,600	2,600	0	2,600	2,600	2,600	
135 ROBINS AFB GA										
30 INDUSTRIAL WASTERWATER OUTFALL LINE/LAN	0	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	
40 JOINT STARS AUTOMATIC TEST FACILITY	0	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	
80 MISSION SIMULATOR & SOFTWARE SPT FAC	8,300	8,300	0	0	8,300	9,200	9,200		900	9,200
90 TACTICAL TRAINING SQUADRON FACILITY	2,200	2,200	0	2,300	2,200	2,250	2,250	100	50	
91 FLIGHT SIMULATOR	0	0	2,200	2,200	0	2,200	2,200	2,200	2,200	
92 EXTEND UTILITIES/COMM SYSTEM	0	0	2,650	2,650	0	2,650	2,650	2,650	2,650	
94 MISSION SIMULATOR/SOFTWARE SPT FAC	0	0	9,200	9,200	0	0	0	9,200		
155 MCCONNELL AFB KS										
40 TORNADO DAMAGED FACILITIES	0	0	0	0	0	42,960	28,150		28,150	28,150
160 BARKSDALE AFB LA										
40 ENGINE TEST PAD	0	0	2,000	2,000	0	2,000	2,000	2,000	2,000	
50 WATER SYSTEM MODIFICATION	0	0	1,700	1,700	0	1,700	1,700	1,700	1,700	
60 ELECTRICAL SYSTEM UPGRADE	0	0	1,200	1,200	0	1,200	1,200	1,200	1,200	
165 ANDREWS AFB MD										
20 DEFENSE ACCESS ROAD	0	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	
30 REPLACE ROOF - COMMUNICATION CENTER	0	2,700	0	2,700	2,700	0	2,700	2,700	2,700	
220 MCGUIRE AFB NJ										
20 ALTER DORMITORIES	0	5,200	0	5,200	5,200	0	5,200	5,200	5,200	
30 CHILD DEVELOPMENT CENTER	0	3,800	0	3,800	3,800	0	3,800	3,800	3,800	
245 PLATTSBURGH AFB NY										
30 JET FUEL STORAGE	0	880	0	880	880	0	880	880	880	
40 ELECTRICAL DISTRIBUTION SYSTEM	0	7,200	0	7,200	7,200	0	7,200	7,200	7,200	
285 TINKER AFB OK										
10 UPGRADE WATER SUPPLY, STOR & DISTR SYS	0	3,700	3,700	3,700	3,700	3,700	3,700	3,700	3,700	
330 KELLY AFB TX										
20 ALTER WEAPON SYSTEMS SPT CTR, PHASE I	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
365 HILL AFB UT										
10 DEPOT PRODUCTION SUPPORT FACILITY	0	4,050	4,050	4,050	4,050	4,050	4,050	4,050	4,050	
20 WEAPONS & RELEASE SYSTEMS SHOP	0	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	
30 MISSILE MAINTENANCE SHOP	0	0	2,450	2,450	0	2,450	2,450	2,450	2,450	
375 FAIRCHILD AFB WA										

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
30 CHILD CARE CENTER	0	4,550	0	4,550	4,550	0	4,550	4,550	4,550	
437 RAF LAKENHEATH UK										
20 F-15E ADD/ALTER FUELS MAINTENANCE FAC	2,900	2,900	2,900	2,900	3,600	2,900	3,600		700	700
445 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 PLANNING AND DESIGN	67,700	74,300	117,700	74,300	74,300	62,000	69,900	6,600	2,200	
TOTAL OF CONGRESSIONAL ADDITIONS*								118,120	150,220	59,850
Military Construction, Defensewide										
Major construction										
045 TRACY DEFENSE DEPOT CA										
10 WATER WELLS	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	
047 FITZSIMONS ARMY HOSPITAL CO										
10 LIFE SAFETY UPGRADE	0	3,000	0	3,000	3,000	0	3,000	3,000	3,000	
060 EGLIN AUX FIELD 9 FL										
60 ENLISTED DORMITORY	0	5,500	0	5,500	5,500	0	5,500	5,500	5,500	
064 HOMESTEAD AFB FL										
10 HOSPITAL, PHASE 1	0	30,000	0	10,000	30,000	0	10,000	10,000	10,000	
065 FORT BENNING GA										
10 PARACHUTE DRYING FACILITY	0	0	3,900	3,900	0	3,900	3,900	3,900	3,900	
066 FORT STEWART GA										
10 DIAMOND ELEM SCHOOL (SEC. 6)	0	6,591	6,951	6,951	6,591	6,951	6,951	6,951	6,951	
068 DEFENSE FUEL SUPPORT POINT JACKFL										
10 FIRE PROTECTION SYSTEM	0	2,200	2,200	2,200	2,200	2,200	2,200	2,200	2,200	
070 DEFENSE FUEL SUPPORT POINT PEN FL										
10 FUEL TANKAGE	0	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	
082 TRIPLER ARMY HOSPITAL HI										
10 MEDICAL EDUCATION CENTER	0	0	3,500	3,500	0	3,500	3,500	3,500	3,500	
140 FORT BRAGG NC										
20 SPECIAL OPERATIONS BATTALION HQ	0	0	6,000	6,000	0	6,000	6,000	6,000	6,000	
150 DEFENSE CONSTRUCTION SUPPLY CENOH										
10 OPERATIONS CENTER	0	89,000	89,000	89,000	89,000	89,000	89,000	89,000	89,000	
152 DEFENSE ELECTRONICS SUPPLY CEN OH										
10 FIRE AND SECURITY STATION	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	
167 NAVAL EDUC & TRNG CTR, NEWPORT RI										
10 AMBULATORY CARE CLINC	0	14,000	0	14,000	14,000	0	14,000	14,000	14,000	
169 MCAS, BEAUFORT SC										
10 ELEM SCHOOL ADDITION (SEC. 6)	0	960	969	969	960	969	969	969	969	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
182 RED RIVER ARMY DEPOT TX										
10 CENTRAL DISTRIBUTION CENTER (PHASE II)	0	0	0	0	39,000	39,000	39,000		39,000	39,000
202 FORT LEE VA										
10 HOSPITAL MOD	0	11,800	0	11,800	11,800	0	11,800	11,800	11,800	
215 CRANEY ISLAND DEF FUEL SPT PNT VA										
10 FUEL TANKAGE	0	19,800	19,800	19,800	19,800	19,800	19,800	19,800	19,800	
236 DIEGO GARCIA DG										
10 FUEL TANKAGE	0	16,100	16,100	16,100	16,100	16,100	16,100	16,100	16,100	
260 UNSPECIFIED WORLDWIDE LOCATIONSZU										
30 PLANNING AND DESIGN (DMSA)	38,100	43,700	38,100	43,700	43,700	30,100	43,700	5,600	5,600	
270 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 PLANNING AND DESIGN (SOCOM)	1,700	1,700	3,200	3,200	1,889	4,700	4,000	1,500	2,300	800
30 CONTINGENCY CONSTRUCTION	15,000	0	15,000	10,000	0	20,000	19,000		4,000	9,000
40 ENERGY CONSERVATION IMPROVEMENT PROGF	30,000	36,000	30,000	36,000	36,000	30,000	36,000	6,000	6,000	
85 UNSPECIFIED MINOR CONSTRUCTION (SOCOM)	0	0	0	0	0	6,000	5,000		5,000	5,000
275 VARIOUS LOCATIONS ZV										
10 CONFORMING STORAGE FACILITIES	0	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	
TOTAL OF CONGRESSIONAL ADDITIONS*								232,840	281,640	53,800
Mil. Con., Army National Guard										
Major construction										
001 DANNELLY FIELD AL										
10 AVIATION SUPPORT FACILITY	0	7,526	0	7,526	7,526	0	7,526	7,526	7,526	
20 ARMORY	0	2,613	0	2,613	2,613	0	2,613	2,613	2,613	
002 MARANA AZ										
10 AVIATION MAINTENANCE FACILITY	0	6,670	0	6,670	6,670	0	6,670	6,670	6,670	
011 STOCKTON CA										
10 COMBINED SUPT MAINT SHOP REHAB	0	0	0	0	0	0	1,613		1,613	1,613
012 VARIOUS CA										
10 ARMORY MAINTENANCE PROGRAM	0	600	0	0	600	0	600		600	600
20 CONVERSION PROJECTS	0	0	0	0	0	0	2,172		2,172	2,172
014 LONGMONT CO										
10 OMS	0	3,218	0	3,218	3,218	0	3,218	3,218	3,218	
017 CAMP BLANDING FL										
10 LAW RANGE	0	0	550	550	0	550	550	550	550	
20 AVIATION FUEL FACILITY	0	0	275	275	0	275	275	275	275	
30 MAC RANGE	0	0	954	954	0	954	954	954	954	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
018 WAUCHULA										
10 ARMORY	0	0	1,077	1,077	0	1,077	1,077	1,077	1,077	
025 GOWEN FIELD ID										
30 ARMORY	0	0	5,995	5,995	0	5,995	5,995	5,995	5,995	
028 NORTH RIVERSIDE IL										
10 OMS MODIFICATIONS	0	0	362	362	0	362	362	362	362	
033 CAMP DODGE IA										
10 ACCESS ROAD (PHASE I)	0	0	0	0	5,450	0	5,450		5,450	5,450
20 PHYSICAL TRAINING/RECREATION FACILITY	0	0	0	0	960	0	960		960	960
30 ACCESS ROAD (PHASE II)	0	0	0	5,450	0	0	0	5,450		
058 CHELTENHAM MD										
10 ARMORY	0	3,300	0	3,300	3,300	0	3,300	3,300	3,300	
070 CAMP RIPLEY MN										
10 TROOP MEDICAL TRNG FAC	0	1,100	0	1,100	1,100	0	1,100	1,100	1,100	
075 MONTEVIDEO MN										
10 ARMORY (100 PN)	0	1,891	0	1,891	1,891	0	1,891	1,891	1,891	
080 ROSEMONT MN										
10 ARMORY (400 PN)	0	5,120	0	5,120	5,120	0	5,120	5,120	5,120	
083 CAMP MCCAIN MS										
10 CONVERT TO MODIFIED RECORD FIRE RANGE	0	0	0	546	0	0	546	546	546	
085 MARKS MS										
10 ARMORY	0	0	200	200	0	200	200	200	200	
087 SENATOBIA MS										
10 ORGANIZATIONAL MAINTENANCE SHOP	0	0	0	723	0	0	723	723	723	
090 TUPELO MS										
10 OMS	0	0	992	992	0	992	992	992	992	
093 WEST POINT MS										
10 ORGANIZATIONAL MAINTENANCE SHOP	0	0	0	1,270	0	0	1,270	1,270	1,270	
095 CAMP SHELBY MS										
10 ADAL MAINTENANCE FACILITY	0	0	600	600	0	600	600	600	600	
20 PAVE TRAINING ROADS	0	0	1,200	1,200	0	1,200	1,200	1,200	1,200	
097 VARIOUS LOCATIONS MS										
10 MOBILE CONDUCT FIRE TRNG SITES	0	0	0	306	0	0	306	306	306	
115 FORT HARRISON MT										
10 ARMORY	0	0	3,400	3,400	0	3,400	3,400	3,400	3,400	
120 KEARNEY NE										
10 OMS	0	0	690	690	0	690	690	690	690	
20 ARMORY	0	0	2,215	2,215	0	2,215	2,215	2,215	2,215	
125 CAMP ASHLAND NE										

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 BARRACKS		0	0	6,613	6,613	0	6,613	6,613	6,613	6,613	
130 LINCOLN	NE										
10 USPFO WAREHOUSE		0	0	2,289	2,289	0	2,289	2,289	2,289	2,289	
140 LAS CRUCES MUNICIPAL AIRPORT	NM										
10 ARMY AVIATION FLIGHT FACILITY		0	0	0	0	1,014	0	1,014		1,014	1,014
145 SANTA FE	NM										
10 MILITARY EDUCATION FACILITY		0	0	3,764	3,764	0	3,764	3,764	3,764	3,764	
20 AMMUNITION BUNKER		0	0	340	340	0	340	340	340	340	
150 WASHOE COUNTY	NV										
10 OMS		0	0	1,050	1,050	0	1,050	1,050	1,050	1,050	
155 YERRINGTON	NV										
10 OMS		0	0	770	770	0	770	770	770	770	
160 SYRACUSE	NY										
10 ARMORY		0	6,440	0	6,440	6,440	0	6,440	6,440	6,440	
170 CONCORD	NC										
10 OMS		0	887	0	887	887	0	887	887	887	
180 RALEIGH	NC										
10 PROPERTY & FISCAL OFFICE		0	1,824	0	1,824	1,824	0	1,824	1,824	1,824	
190 GRAND FORKS	ND										
10 ARMORY		0	0	6,200	6,200	0	6,200	6,200	6,200	6,200	
20 OMS		0	0	3,800	3,800	0	3,800	3,800	3,800	3,800	
195 MCCONNELSVILLE	OH										
10 ARMORY		0	0	0	0	4,669	0	4,669		4,669	4,669
200 TOLEDO	OH										
10 ARMORY		0	3,183	0	3,183	3,183	0	3,183	3,183	3,183	
203 BEND	OR										
10 ARMED FORCES RESERVE CENTER		0	0	0	2,711	0	0	0	2,711		
205 CAMP RILEA	OR										
10 BATTALION HEADQUARTERS BUILDING		0	665	0	665	665	0	665	665	665	
20 SENIOR NCO/OFFICERS QUARTERS		0	997	0	997	997	0	997	997	997	
210 FOREST GROVE	OR										
10 ARMORY		0	2,591	0	2,591	2,591	0	2,591	2,591	2,591	
212 BEND	OR										
10 ARMORY/RESERVE CENTER		0	0	0	0	0	0	2,711		2,711	2,711
215 EVERETT	PA										
10 ARMORY		0	0	0	1,750	1,750	0	1,750	1,750	1,750	
220 FORT INDIANTOWN GAP	PA										
10 MAINTENANCE SHOP		0	2,790	0	2,790	2,790	0	2,790	2,790	2,790	
225 FORT MIFFLIN, PHIL	PA										

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 OMS		0	370	0	370	370	0	370	370	370	
230 CAMP FOGARTY	RI										
10 ARMORY		0	5,151	0	5,151	5,151	0	5,151	5,151	5,151	
235 CAMP VARNUM	RI										
10 SEWER AND WATER SYSTEM		0	578	0	578	578	0	578	578	578	
240 MANNING	SC										
10 ARMORY		0	0	1,500	1,500	0	1,500	1,500	1,500	1,500	
245 LEESBURG	SC										
10 MAINTENANCE SHOP		0	0	2,200	2,200	0	2,200	2,200	2,200	2,200	
20 SEWER SYSTEM		0	0	1,200	1,200	0	1,200	1,200	1,200	1,200	
260 COVINGTON	TN										
10 ARMORY		0	1,600	0	1,600	1,600	0	1,237	1,600	1,237	
265 ERWIN	TN										
10 ARMORY		0	1,094	1,094	1,094	1,094	1,094	1,094	1,094	1,094	
270 FAYETTESVILLE	TN										
10 ARMORY		0	0	892	892	0	892	892	892	892	
280 LIVINGSTON	TN										
10 ARMORY		0	0	1,161	1,161	0	1,161	1,161	1,161	1,161	
285 UNION CITY	TN										
10 ARMORY		0	1,659	0	1,659	1,659	0	1,659	1,659	1,659	
290 CAMP MABRY	TX										
10 COMBINE SUPPORT MAINTENANCE SHOP		0	0	0	0	5,992	5,992	5,992		5,992	5,992
20 SUPPORT MAINTENANCE SHOP		0	0	5,992	5,992	0	0	0	5,992		
295 CAMP SWIFT	TX										
10 ARMORY		0	0	0	0	1,643	1,643	1,643		1,643	1,643
20 TRAINING SITE FACILITIES		0	0	0	0	5,136	0	5,136		5,136	5,136
30 ARMORY		0	0	1,643	1,643	0	0	0	1,643		
300 KINGSVILLE	TX										
10 ARMORY		0	399	0	399	399	0	399	399	399	
305 LONGVIEW	TX										
10 ARMORY EXPANSION		0	399	0	399	399	0	399	399	399	
310 NEW BOSTON	TX										
10 ARMORY		0	1,994	0	1,994	1,994	0	1,994	1,994	1,994	
320 REDBIRD	TX										
10 ARMORY		0	702	0	702	702	0	702	702	702	
325 VICTORIA	TX										
10 ADD/ALTER ARMORY		0	0	0	0	399	0	399		399	399
330 WEATHERFORD	TX										
10 ARMORY		0	399	0	399	399	0	399	399	399	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
335 UTAH COUNTY UT										
10 ARMORY	0	0	2,860	2,860	0	2,860	2,860	2,860	2,860	
20 OMS	0	0	996	996	0	996	996	996	996	
345 HUNTINGTON WV										
10 GUARD/RESERVE CENTER	0	0	9,600	2,963	0	9,600	2,963	2,963	2,963	
355 FORT MCCOY WI										
10 MOBILIZATION & TRAINING EQUIPMENT SITE	0	8,941	0	8,941	8,941	0	8,941	8,941	8,941	
20 MOTOR VEHICLE STORAGE BUILDING	0	493	0	493	493	0	493	493	493	
360 SUSSEX WI										
10 ARMORY	0	1,574	0	1,574	1,574	0	0	1,574		
20 OMS	0	1,039	0	1,039	1,039	0	0	1,039		
40 MOTOR VEHICLE STORAGE BUILDING	0	317	0	317	317	0	0	317		
365 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 PLANNING AND DESIGN	2,300	7,600	2,300	7,600	8,040	12,300	12,300	5,300	10,000	4,700
20 UNSPECIFIED MINOR CONSTRUCTION	5,100	5,100	5,100	5,100	5,100	7,500	7,500		2,400	2,400
Mil. Con., Air National Guard										
Major construction										
003 DANNELLY FIELD AL										
10 JET FUEL STORAGE COMPLEX	0	3,500	0	3,500	3,500	0	3,500	3,500	3,500	
004 EIELSON AFB AK										
10 SQUADRON OPERATIONS	0	0	4,600	4,600	0	4,600	4,600	4,600	4,600	
005 KULIS ANGB AK										
40 FIRE STATION	0	0	400	400	0	400	400	400	400	
007 TUCSON INTERNATIONAL AIRPORT AZ										
10 NEW HANGER, 162ND TACTICAL FIGHTER GROU	0	5,600	7,900	7,900	5,600	7,900	7,900	7,900	7,900	
008 LIBBY AAF AZ										
10 UPGRADE RUNWAY LIGHTS	0	0	1,200	1,200	0	1,200	1,200	1,200	1,200	
010 BUCKLEY ANGB CO										
30 ALTER AIRCRAFT MAINTENANCE HANGER	0	5,000	0	5,000	5,000	0	5,000	5,000	5,000	
40 CONSTRUCT VEHICLE MAINTENANCE COMPLEX	0	2,200	0	2,200	2,200	0	2,200	2,200	2,200	
015 BRADLEY FIELD CT										
20 UPGRADE FACILITIES	0	8,960	0	8,960	8,960	0	8,960	8,960	8,960	
022 JACKSONVILLE AIRPORT FL										
10 VEHICLE MAINTENANCE	0	700	0	700	700	700	700	700	700	
027 GOWEN FIELD ID										
10 POWER CHECK PAD	0	0	800	800	0	800	800	800	800	
20 MAINTENANCE COMPLEX	0	0	0	2,100	0	0	0	2,100		
030 GREATER PEORIA AIRPORT IL										
30 COMPOSITE OPERATIONAL TRAINING FACILITY	0	0	4,800	4,800	4,800	0	4,800	4,800	4,800	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
032 TERRE HAUTE IN										
10 MUNITIONS MAINT STORAGE COMPLEX	0	2,200	0	0	2,200	2,200	2,200		2,200	2,200
037 HULMAN REGIONAL AIRPORT IN										
10 MUNITIONS MAINTENANCE & STORAGE FACILITY	0	0	2,200	2,200	0	0	0	2,200		
040 MCCONNELL AFB KS										
10 ADD TO CORROSION CONTROL FACILITY	550	550	750	750	550	750	750	200	200	
042 STANDIFORD KY										
10 RELOCATION, PHASE II	0	0	5,000	5,000	0	5,000	5,000	5,000	5,000	
062 BARNES AIRPORT MA										
10 ENGINE CHECK FACILITY	0	0	1,250	1,250	0	1,250	1,250	1,250	1,250	
20 AIRCRAFT BARRIER	0	0	2,050	2,050	0	2,050	2,050	2,050	2,050	
066 WK KELLOGG REGIONAL AIRPORT MI										
40 ENGINE MAINTENANCE SHOP	0	0	2,250	2,250	0	2,250	2,250	2,250	2,250	
077 RENO AIRPORT NV										
10 POWER CHECK PAD	0	0	700	700	0	700	700	700	700	
082 PEASE APT NH										
10 ADAL SQUADRON OPERATIONS	0	0	1,450	1,450	0	1,450	1,450	1,450	1,450	
087 HECTOR FIELD ND										
10 REPLACE FUEL TANKS	0	0	1,500	1,500	0	1,500	1,500	1,500	1,500	
108 TULSA AIRPORT OK										
10 FUEL CELL CENTER/CORROSION FACILITY	0	0	2,750	2,750	0	2,750	2,750	2,750	2,750	
20 AVIONICS/ECM SHOP	0	0	1,050	1,050	0	1,050	1,050	1,050	1,050	
110 WILL ROGERS WORLD AIRPORT OK										
20 APRON ADDITION	0	4,350	0	4,350	4,350	0	4,350	4,350	4,350	
120 GREATER PITTSBURGH IAP PA										
30 ALTER ENGINE SHOP	450	450	450	660	660	450	660	210	210	
40 ADD/ALTER SQUADRON OPERATIONS FACILITIES	0	0	0	1,950	1,950	0	1,950	1,950	1,950	
136 MEMPHIS ANGB TN										
10 POWER CHECK PAD	0	0	800	800	0	800	800	800	800	
20 AERIAL PORT TRAINING FACILITY	0	0	1,650	1,650	0	1,650	1,650	1,650	1,650	
30 FIRE STATION	0	0	1,300	1,300	0	1,300	1,300	1,300	1,300	
137 CAMP MABRY TX										
10 HEADQUARTERS BUILDING	0	500	0	770	500	0	770	770	770	
140 BURLINGTON IAP VT										
20 CIVIL ENGINEERING SHOP	0	0	1,850	1,850	0	1,850	1,850	1,850	1,850	
155 E WV REGIONAL APT (MARTINSBURG) WV										
20 VEHICLE MAINTENANCE COMPLEX	0	0	1,700	1,700	0	1,700	1,700	1,700	1,700	
30 SMALL ARMS RANGE	0	0	750	750	0	750	750	750	750	
40 FIRE STATION	0	0	1,100	1,100	0	1,100	1,100	1,100	1,100	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
156 YAEGAR AIRPORT	WV										
10 SECURITY POLICE OPERATIONS		0	0	650	650	0	650	650	650	650	
157 TRUAX FIELD	WI										
10 POWER CHECK PAD WITH SOUND SUPPRESSOI		0	1,000	0	1,000	1,000	0	1,000	1,000	1,000	
20 AVIONICS & ELECTRONIC COUNTERMEASURE P		0	1,500	0	1,500	1,500	0	1,500	1,500	1,500	
30 AIRCRAFT ARRESTING SYSTEM		0	1,200	0	1,200	1,200	0	1,200	1,200	1,200	
165 CHEYENNE MAP	WY										
20 AVIONICS MAINTENANCE SHOP		0	0	2,200	2,200	0	2,200	2,200	2,200	2,200	
30 CORROSION CONTROL FACILITY		0	0	2,000	3,500	0	3,500	3,500	3,500	3,500	
40 POL FACILITY		0	0	2,500	700	0	700	700	700	700	
180 UNSPECIFIED WORLDWIDE LOCATIONSZU											
10 PLANNING AND DESIGN		15,200	17,400	15,200	17,400	17,400	20,200	20,200	2,200	5,000	2,800
20 UNSPECIFIED MINOR CONSTRUCTION		3,800	3,800	3,800	3,800	3,800	5,000	5,000		1,200	1,200
40 REPROGRAMMING ALLOWANCE		0	0	0	0	0	308	308		308	308
Mil. Con., Army Reserve											
Major construction											
008 TAUTON	MA										
10 USAR CENTER		0	0	3,526	3,526	0	3,526	3,526	3,526	3,526	
022 PERRYSBURG	OH										
10 RESERVE CNETER ADDITIONS		0	2,749	0	2,749	0	0	0	2,749		
023 TOLEDO	OH										
10 CTR/MAINTENANCE FACILITY (PHASE II)		0	0	0	0	2,749	0	2,749		2,749	2,749
033 JOHNSTOWN	PA										
10 JOINT ARMY/MC AVIATION FACILITY		0	30,224	0	30,224	30,224	0	30,224	30,224	30,224	
043 JACKSON	TN										
10 JOINT TRAINING FACILITY		0	1,537	0	1,537	1,537	0	1,537	1,537	1,537	
045 CONROE	TX										
10 ADDN/ALT TO USARC/AVN SPT FAC/ORG MNT SI		9,855	9,855	11,359	11,359	9,855	11,359	11,359	1,504	1,504	
053 HUNTINGTON	WV										
10 GUARD/RESERVE CTR (JOINT W/ARMY NG)		0	0	0	8,617	0	0	8,617	8,617	8,617	
055 STURTEVANT	WI										
20 RESERVE CENTER ROADS, HOLDING POND		0	750	0	750	750	0	750	750	750	
085 UNSPECIFIED WORLDWIDE LOCATIONSZU											
10 PLANNING AND DESIGN		5,400	7,500	6,400	7,500	7,500	8,500	8,500	2,100	3,100	1,000
20 UNSPECIFIED MINOR CONSTRUCTION		500	500	500	500	500	2,500	2,000		1,500	1,500
40 REPROGRAMMING ALLOWANCE		0	0	0	0	0	1,362	1,362		1,362	1,362
075 UNDISTRIBUTED							7,000				

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Mil. Con., Naval Reserve										
Major construction										
027 NAS MILLINGTON TN										
10 AIRCRAFT MAINTENANCE HANGAR	0	0	10,900	10,900	0	10,900	10,900	10,900	10,900	
029 MARTINSBURG WV										
10 C-130 SUPPORT FACILITIES	0	0	25,100	25,100	0	25,100	25,100	25,100	25,100	
035 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 PLANNING AND DESIGN	2,500	18,583	0	0	2,500	5,000	5,000		2,500	5,000
20 UNSPECIFIED MINOR CONSTRUCTION	1,000	6,893	0	0	1,000	2,000	1,500		500	1,500
TOTAL OF CONGRESSIONAL ADDITIONS*								337,312	368,772	59,096
Base Realignment & Closure Acct, Part I										
005 BASE REALIGNMENT AND CLOSURE ACZU										
10 BASE REALIGNMENT AND CLOSURE	633,600	658,600	674,600	674,600	658,600	674,600	658,600	41,000	25,000	
Base Realignment & Closure Acct, Part II										
005 BASE CLOSURE ACCOUNT 1990 ZU										
10 BASE CLOSURE 1990	100,000	100,000	297,000	297,000	100,000	297,000	100,000	197,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								238,000	25,000	0
TOTAL - MILITARY CONSTRUCTION										
TOA	4,556,900	6,526,873	5,106,943	5,363,210	5,009,355	5,207,584	5,127,645	826,310	570,745	
Appropriations	4,536,900	6,506,873	5,086,943	5,363,210	4,989,355	5,187,584	5,107,645	826,310	570,745	
TOTAL OF CONGRESSIONAL ADDITIONS TO MILITARY CONSTR*								1,329,480	1,217,281	200,796
FAMILY HOUSING										
Family Housing Construction, Army										
Construction of new housing										
018 CAMP MERRILL GA										
10 NEW CONSTRUCTION (36)	0	0	4,550	4,550	4,550	4,550	4,550	4,550	4,550	
025 VARIOUS OAHU HI										
20 NEW CONSTRUCTION (220)	0	25,000	0	25,000	25,000	0	25,000	25,000	25,000	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
032 FORT LEE VA										
10 GENERAL OFFICER QUARTER (1 UNIT)	0	270	0	270	270	0	270	270	270	
TOTAL OF CONGRESSIONAL ADDITIONS*								29,820	29,820	0
Family Housing Construction, Navy & Mari										
Construction of new housing										
032 NAS GLENVIEW IL										
10 NEW CONSTRUCTION (200)	0	0	16,000	16,000	0	16,000	16,000	16,000	16,000	
037 NAVAL SUR. WEA. CTR, DAHLGREN VA										
10 FAMILY HOUSING (150)	0	13,240	0	13,240	13,240	0	13,240	13,240	13,240	
040 NAVAL STATION GUANTANAMO BAY GB										
TOTAL OF CONGRESSIONAL ADDITIONS*								29,240	29,240	0
Family Housing Construction, Air Force										
Construction of new housing										
022 MCCONNELL AFB KS										
10 TORNADO DAMAGE REPLACEMENT	0	0	0	0	0	12,300	10,000		10,000	10,000
045 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING	6,000	6,000	6,000	6,000	6,000	6,000	6,500		500	500
Family Housing Operations & Debt, AF										
005 UNSPECIFIED WORLDWIDE LOCATIONSZU										
30 MAINTENANCE OF REAL PROPERTY	378,712	378,712	378,712	378,712	393,712	328,712	380,512		1,800	1,800
TOTAL OF CONGRESSIONAL ADDITIONS*								0	12,300	12,300
TOTAL - FAMILY HOUSING										
TOA	3,610,900	3,651,335	3,631,575	3,659,568	3,668,443	3,476,233	3,649,743	48,668	38,843	
Appropriations	3,605,900	3,646,335	3,626,575	3,654,568	3,663,443	3,471,233	3,644,743	48,668	38,843	
TOTAL OF CONGRESSIONAL ADDITIONS TO FAMILY HOUSING*								59,080	71,360	12,300

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
FAMILY HOUSING										
Family Housing Construction, Army										
TOA	137,400	162,670	141,950	167,220	167,220	141,950	167,220	29,820	29,820	
FAJ										
Appropriations	137,400	162,670	141,950	167,220	167,220	141,950	167,220	29,820	29,820	
Family Housing Operations & Debt, Army										
TOA	1,396,900	1,397,025	1,397,025	1,397,025	1,411,900	1,366,900	1,369,900	125		
FAJ										
Appropriations	1,396,900	1,397,025	1,397,025	1,397,025	1,411,900	1,366,900	1,369,900	125		
Family Housing Construction, Navy & Mari										
TOA	169,200	182,440	165,200	198,440	182,440	166,200	198,440	29,240	29,240	
FAJ										
Appropriations	169,200	182,440	165,200	198,440	182,440	166,200	198,440	29,240	29,240	
Family Housing Operations & Debt, Navy &										
TOA	710,700	695,700	710,700	710,700	725,700	694,700	703,700			
FAJ										
Appropriations	710,700	695,700	710,700	710,700	725,700	694,700	703,700			
Family Housing Construction, Air Force										
TOA	172,100	186,900	172,100	161,583	161,583	163,863	172,083			10,500
FAJ										
Appropriations	172,100	186,900	172,100	161,583	161,583	163,863	172,083			10,500
Family Housing Operations & Debt, AF										
TOA	909,400	909,400	909,400	909,400	924,400	827,400	903,200			
FAJ										
Appropriations	909,400	909,400	909,400	909,400	924,400	827,400	903,200			
Family Housing Construction, Defensewide										
TOA	200	200	200	200	200	200	200			
FAJ										
Appropriations	200	200	200	200	200	200	200			
Family Housing Operations & Debt, Defens										
TOA	26,000	26,000	26,000	26,000	26,000	26,000	26,000			
FAJ										
Appropriations	26,000	26,000	26,000	26,000	26,000	26,000	26,000			

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Homeowners Asst Fund, Def.										
TOA	89,000	89,000	89,000	89,000	89,000	89,000	89,000			
FAJ	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)			
Appropriations	84,000	84,000	84,000	84,000	84,000	84,000	84,000			
TOTAL - FAMILY HOUSING										
TOA	3,610,900	3,651,335	3,631,575	3,659,568	3,688,443	3,476,233	3,649,743	48,668	38,843	
FAJ	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)			
Appropriations	3,605,900	3,646,335	3,626,575	3,654,568	3,683,443	3,471,233	3,644,743	48,668	38,843	
DEFENSEWIDE CONTINGENCIES										
Anticipated Savings										
TOA	(335,900)	NA	NA	NA	(335,900)	(335,900)	(335,900)	NA		NA
FAJ										
DEDUCTIONS FOR OFFSETTING RCPTS										
Offsetting Receipts, Army										
TOA										
FAJ	(224,000)				(224,000)	(224,000)	(224,000)			
Appropriations	(224,000)	NA	NA	NA	(224,000)	(224,000)	(224,000)	NA		NA
Offsetting Receipts, Navy										
TOA										
FAJ	(204,600)				(204,600)	(204,600)	(204,600)			
Appropriations	(204,600)	NA	NA	NA	(204,600)	(204,600)	(204,600)	NA		NA
Offsetting Receipts, Air Force										
TOA										
FAJ	(294,400)				(294,400)	(294,400)	(294,400)			
Appropriations	(294,400)	NA	NA	NA	(294,400)	(294,400)	(294,400)	NA		NA
Offsetting Receipts, Defense										
TOA										
FAJ	(4,500)				(4,500)	(4,500)	(4,500)			
Appropriations	(4,500)	NA	NA	NA	(4,500)	(4,500)	(4,500)	NA		NA

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
TOTAL - DEDUCTIONS FOR OFFSETTING RCPTS										
TOA										
FAJ	(727,500)				(727,500)	(727,500)	(727,500)			
Appropriations	(727,500)	NA	NA	NA	(727,500)	(727,500)	(727,500)	NA		NA
TRUST FUNDS										
Trust Funds, Army										
TOA										
FAJ	700				700	700	700			
Appropriations	700	NA	NA	NA	700	700	700	NA		NA
Trust Funds, Navy										
TOA										
FAJ	29,400				29,400	29,400	29,400			
Appropriations	29,400	NA	NA	NA	29,400	29,400	29,400	NA		NA
Trust Funds, Air Force										
TOA										
FAJ	200				200	200	200			
Appropriations	200	NA	NA	NA	200	200	200	NA		NA
Surchge Coll.,Sales of Comm.Stores, Def										
TOA										
FAJ	4,400				4,400	4,400	4,400			
Appropriations	4,400	NA	NA	NA	4,400	4,400	4,400	NA		NA
TOTAL - TRUST FUNDS										
TOA										
FAJ	34,700				34,700	34,700	34,700			
Appropriations	34,700	NA	NA	NA	34,700	34,700	34,700	NA		NA
INTERFUND TRANSACTIONS										
Interfund Transactions, Navy										
TOA										
FAJ	(28,000)				(28,000)	(28,000)	(28,000)			
Appropriations	(28,000)	NA	NA	NA	(28,000)	(28,000)	(28,000)	NA		NA

FY1992 CONGRESSIONAL ACTION ON DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
HOMEOWNERS ASST FUND, DEFENSE										
Homeowners Asst Fund, Def.										
TOA	**5,000**	**NA**	**NA**	**NA**	**5,000**	**5,000**	**5,000**	**NA**		**NA**
FAJ										
Appropriations	**5,000**	**NA**	**NA**	**NA**	**5,000**	**5,000**	**5,000**	**NA**		**NA**

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
OPERATION AND MAINTENANCE										
Oper. & Maint., Army										
Undistributed										
015 MEALS-READY-TO-EAT	0	0	0	0	67,700	0	37,000		37,000	37,000
016 FOREIGN NATIONAL CIVILIANS	0	(110,000)	0	(65,000)	(110,000)	0	(33,000)			32,000
019 DEPOT MAINTENANCE BACKLOG	0	0	40,000	40,000	36,800	0	25,000	40,000	25,000	
020 CLASSIFIED PROGRAMS	0	(218,374)	(48,300)	(54,746)	(264,324)	(142,700)	(43,791)			10,955
021 MEMORIAL DAY & JULY 4TH CELEBRATIONS	0	0	0	0	700	0	700		700	700
022 AAFES EUROPEAN HEADQUARTERS RELOCATK	0	8,000	0	8,000	8,000	0	8,000	8,000	8,000	
023 AIRBORNE & SPECIAL OPERATIONS MUSEUM	0	0	0	0	4,000	0	4,000		4,000	4,000
026 CHEMICAL EQUIPMENT AND TRAINING	0	50,000	0	50,000	50,000	0	50,000	50,000	50,000	
027 UMATILLA ARMY DEPOT	0	0	0	0	350	0	350		350	350
029 MONTEREY INSTITUTE OF INTERNATIONAL STU	0	0	0	0	6,800	0	6,800		6,800	6,800
030 COMBAT TRAINING CENTER	0	20,000	0	20,000	20,000	20,000	20,000	20,000	20,000	
032 NATIONAL D-DAY MUSEUM	0	0	0	0	4,000	0	4,000		4,000	4,000
033 FORT IRWIN EDUCATION DEMONSTRATION PRC	0	0	0	0	22,000	0	22,000		22,000	22,000
035 FT BRAGG EDUCATION DEMONSTRATION PROJ	0	0	0	0	0	0	10,000		10,000	10,000
040 REVOLVING FUND BALANCES	0	0	(100,000)	(230,000)	0	(100,000)	(150,000)			80,000
044 JOINT MIL-CIV AIRPORT STUDY	0	0	0	0	0	0	250		250	250
045 POW/MIA OFFICE	0	0	0	0	0	0	5,000		5,000	5,000
046 FT RILEY RAILYARD STUDY	0	0	0	0	0	0	6,800		6,800	6,800
047 COLD-WET WEATHER BOOTS	0	0	0	0	0	0	2,000		2,000	2,000
050 ENVIRONMENTAL COMPLIANCE	0	0	15,000	15,000	0	0	0	15,000		
052 ARMY TRAINING PROGRAMS	0	0	0	0	0	150,000	150,000		150,000	150,000
056 CHIEF FINANCIAL OFFICER ACT OF 1990	0	0	3,500	3,500	0	0	0	3,500		
060 ARMY ENVIRONMENTAL POLICY INSTITUTE	0	0	1,500	1,500	0	0	1,500	1,500	1,500	
062 PERSONNEL ADJUSTMENT	0	0	0	0	0	1,000	1,000		1,000	1,000
066 ARMS CONTROL	0	0	0	11,800	0	11,800	11,800	11,800	11,800	
072 CHAMPUS	0	0	23,400	11,000	0	0	0	11,000		
074 PENTAGON RESERVATION IMPROVEMENTS	0	0	25,600	25,600	0	0	0	25,600		
TOTAL OF CONGRESSIONAL ADDITIONS*								186,400	368,200	372,856
Oper. & Maint., Navy										
Undistributed										
005 ADP MANAGEMENT	0	0	0	0	500	0	500		500	500
014 FOREIGN NATIONAL CIVILIANS	0	(50,000)	0	(15,000)	(50,000)	0	(7,500)			7,500
016 CLASSIFIED PROGRAMS	0	(118,253)	(22,400)	(14,070)	(99,783)	(81,900)	(2,100)			11,970
022 MODEL RECYCLING CENTER	0	0	0	0	210	0	210		210	210
023 NAVAL UNDERSEA MUSEUM	0	0	0	0	2,100	0	2,100		2,100	2,100

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
024 DEPOT MAINTENANCE BACKLOG	0	0	75,000	75,000	600,000	250,000	400,000	75,000	400,000	325,000
025 REAL PROPERTY MAINTENANCE BACKLOG	0	0	100,000	90,000	330,000	0	0	90,000		
027 MEALS READY TO EAT	0	0	0	0	600	0	400		400	400
028 SEALIFT PREPOSITIONING SURGE	0	0	0	0	30,000	0	30,000		30,000	30,000
030 QUALITY OF LIFE IMPROVEMENTS, NAPLES, ITAL	0	5,000	0	5,000	5,000	0	5,000	5,000	5,000	
032 FENWICK PIER DEMO PROJ	0	0	0	0	0	0	1,000		1,000	1,000
033 ARMY 2.5 TON TRUCK ENGINE & SPARES	0	0	0	0	0	0	20,000		20,000	20,000
034 MOKAPU INTERNMENT	0	0	0	0	0	0	300		300	300
035 USS BLUEBACK MUSEUM	0	0	0	0	0	0	1,600		1,600	1,600
040 REVOLVING FUND BALANCES	0	0	(100,000)	(230,000)	0	(150,000)	(200,000)			30,000
046 DELAYED DECOMMISSIONS	0	0	0	0	0	17,000	17,000		17,000	17,000
048 ANTARTIC LOGISTICS	0	0	0	0	0	105,000	105,000		105,000	105,000
050 ENVIRONMENTAL COMPLIANCE	0	0	15,000	15,000	0	0	0	15,000		
056 CHIEF FINANCIAL OFFICER ACT OF 1990	0	0	1,850	1,850	0	0	0	1,850		
058 NAVY EARTH ORBIT ACTIVITIES	0	0	900	900	0	0	0	900		
062 NAVAL OBSERVATORY	0	0	0	0	0	900	900		900	900
072 CHAMPUS	0	0	26,300	13,000	0	0	0	13,000		
074 PENTAGON RESERVATION IMPROVEMENTS	0	0	9,600	9,600	0	0	0	9,600		
078 SHIPYARD MODERNIZATION	0	0	0	0	0	78,000	78,000		78,000	78,000
084 FENWICK PIER DEMONSTRATION PROJECT	0	0	0	1,000	0	0	0	1,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								211,350	662,010	631,480
Oper. & Maint., Marine Corps										
Undistributed										
003 DEPOT MAINTENANCE BACKLOG	0	0	10,000	10,000	27,200	0	18,000	10,000	18,000	8,000
005 REAL PROPERTY MAINTENANCE BACKLOG	0	0	15,000	15,000	70,000	0	0	15,000		
006 SPARES AND REPAIR PARTS	0	0	0	0	78,000	0	42,000		42,000	42,000
007 MEALS READY TO EAT	0	0	0	0	37,200	0	22,000		22,000	22,000
030 CHEMICAL EQUIPMENT AND TRAINING	0	15,000	0	15,000	15,000	0	15,000	15,000	15,000	
036 FOREIGN CURRENCY REPRICING	0	0	(5,000)	3,000	0	(5,000)	(5,000)	3,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								43,000	97,000	72,000
Oper. & Maint., Air Force										
Undistributed										
008 CIVIL AIR PATROL	0	0	880	1,380	1,380	0	1,380	1,380	1,380	
011 DEPOT MAINTENANCE BACKLOG	0	0	75,000	75,000	136,000	0	25,000	75,000	25,000	
013 REAL PROPERTY MAINTENANCE BACKLOG	0	0	60,000	55,000	150,000	0	0	55,000		

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
016 FOREIGN NATIONAL CIVILIANS	0	(30,000)	0	(15,000)	(30,000)	0	(7,500)			7,500
018 CLASSIFIED PROGRAMS	0	(339,337)	(47,600)	(45,470)	(196,482)	(233,700)	(1,100)			44,370
020 MEALS READY TO EAT	0	0	0	0	2,500	0	2,000		2,000	2,000
021 MILITARY FAMILY SERVICES	0	0	0	0	3,000	0	3,000		3,000	3,000
025 THEATER AIR COMMAND & CONTROL	0	0	0	0	0	0	7,000		7,000	7,000
026 COMMANDERS TACTICAL INFO SYSTEM	0	0	0	0	0	0	1,500		1,500	1,500
030 JUNIOR ROTC	0	2,500	0	2,500	2,500	2,500	2,500	2,500	2,500	
032 COMPUTER AIDED ACQUISITION & LOGISTICS S	0	27,000	0	27,000	27,000	0	27,000	27,000	27,000	
040 REVOLVING FUND BALANCES	0	0	(100,000)	(230,000)	0	(100,000)	(150,000)			80,000
060 ENVIRONMENTAL COMPLIANCE	0	0	15,000	15,000	0	0	0	15,000		
066 CHIEF FINANCIAL OFFICER ACT OF 1990	0	0	7,000	7,000	0	0	0	7,000		
072 CHAMPUS	0	0	21,300	10,000	0	0	0	10,000		
074 PENTAGON RESERVATION IMPROVEMENTS	0	0	18,400	18,400	0	0	0	18,400		
TOTAL OF CONGRESSIONAL ADDITIONS*								211,280	69,360	145,370
Oper. & Maint., Defensewide										
Undistributed										
004 DEFENSE CONTRACT AUDIT AGENCY (DCAA)	0	0	0	14,000	2,500	0	2,500	14,000	2,500	
008 DEFENSE INVESTIGATIVE SERVICE (DIS)	0	0	0	0	10,000	0	7,000		7,000	7,000
009 FEDERAL HEALTH CARE STUDY	0	0	0	0	3,000	0	1,500		1,500	1,500
016 CLASSIFIED PROGRAMS	0	638,200	(102,300)	(77,284)	269,209	202,800	(50,829)			26,455
019 FOREIGN NATIONAL CIVILIANS	0	(12,000)	0	(5,000)	(12,000)	0	(2,500)			2,500
020 RADIATION EXPOSURE COMPENSATION ACT CL	0	0	0	0	5,000	15,000	30,000		30,000	30,000
025 ARMS CONTROL (DLA)	0	0	0	6,800	0	0	0	6,800		
026 PROCUREMENT TECHNICAL ASSISTANCE (DLA)	0	9,000	0	9,000	9,000	6,800	15,800	9,000	15,800	6,800
030 OPERATIONS AND TRAINING (SOCOM)	0	43,000	0	0	43,000	42,300	43,000		43,000	43,000
048 SPECIAL OPERATIONS FORCES	0	0	42,300	43,000	0	0	0	43,000		
060 HAWAII LAND INVENTORY	0	0	0	0	0	0	750		750	750
061 DEFENSE CONVERSION COMMISSION	0	0	0	0	0	0	5,000		5,000	5,000
062 POST-TRAUMATIC STRESS DISORDER CTRS	0	0	0	0	0	0	600		600	600
063 COMMISSION ON DEFENSE & NATIONAL SECURI	0	0	0	0	0	0	1,500		1,500	1,500
064 OFFICE OF ECONOMIC ADJUSTMENT	0	0	1,000	0	0	4,000	4,850		4,850	4,850
066 GAINSHARING	0	0	0	0	0	1,000	1,000		1,000	1,000
070 LEGACY RESOURCE MANAGEMENT PROGRAM	0	0	15,000	15,000	0	15,000	15,000	15,000	15,000	
074 PENTAGON RESERVATION IMPROVEMENTS	0	0	26,500	26,500	0	0	0	26,500		
080 NATIONAL DEFENSE STOCKPILE OPERATIONS	0	0	0	32,000	0	0	0	32,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								146,300	128,500	130,955

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Office of the Inspector General										
Undistributed										
006 LEGISLATIVE WORKLOAD	0	0	4,700	4,700	0	0	0	4,700		
TOTAL OF CONGRESSIONAL ADDITIONS*								4,700	0	0
Oper. & Maint., Army Reserve										
Undistributed										
031/046 FORCE STRUCTURE REINSTATEMENT	0	37,000	31,000	37,000	65,000	31,000	37,000	37,000	37,000	
Oper. & Maint., Navy Reserve										
Undistributed										
005 HARBOR MINE HUNTING COOP PROGRAM	0	2,000	0	2,000	0	2,000	0	2,000		
009/046 FORCE STRUCTURE REINSTATEMENT	0	12,000	30,000	12,000	20,000	28,000	14,900	12,000	14,900	2,900
Oper. & Maint., Marine Corps Reserve										
Undistributed										
012/046 FORCE STRUCTURE REINSTATEMENT	0	5,000	6,000	5,000	10,000	6,000	6,000	5,000	6,000	1,000
Oper. & Maint., Air Force Reserve										
Undistributed										
005 WC-130 WEATHER RECONNAISSANCE MISSION	0	0	0	0	5,300	5,300	5,300		5,300	5,300
010/046 FORCE STRUCTURE REINSTATEMENT	0	8,000	8,000	8,000	15,000	(1,400)	300	8,000	300	
Oper. & Maint., Army Nat'l Guard										
Undistributed										
011/046 FORCE STRUCTURE REINSTATEMENT	0	64,000	65,000	64,000	100,000	65,000	65,000	64,000	65,000	1,000
Oper. & Maint., Air Nat'l Guard										
Undistributed										
002 AIR REFUELING SQ EXPANSION	0	0	0	0	0	0	5,000		5,000	5,000
TOTAL OF CONGRESSIONAL ADDITIONS*								128,000	133,800	15,200
Rifle Practice, Army										
001 RIFLE PRACTICE PROGRAMS	5,000	4,000	5,000	4,000	5,000	5,000	5,000			1,000
Summer Olympics										
082 1996 SUMMER OLYMPICS	0	0	2,000	2,000	0	2,000	2,000	2,000	2,000	
Humanitarian Assistance										
006 TRANSPORT TO SUB-SAHARAN AFRICA	0	0	0	0	2,000	0	2,000		2,000	2,000
Drug Interdiction & Counter-Drug Act., D										
048 AEROSTATS (SASS) - COAST GUARD	0	0	0	0	0	21,200	19,400		19,400	19,400
098 E-2C COAST GUARD	0	0	0	0	0	13,200	12,180		12,180	12,180
050 AEROSTATS - COAST GUARD	0	0	0	0	23,250	23,900	23,120		23,120	23,120

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
068 NDIC	0	0	0	0	40,000	0	40,000		40,000	40,000
074 HH-60 HELICOPTER	0	0	0	0	0	0	30,000		30,000	30,000
080 R&D	30,000	20,000	30,000	30,000	35,000	30,000	35,000		5,000	5,000
084 OTH TEST BED	0	0	0	0	8,000	0	6,000		6,000	6,000
World University Games										
005/010 1993 WORLD UNIVERSITY GAMES	0	3,000	1,000	3,000	3,000	1,000	3,000	3,000	3,000	
TOTAL OF CONGRESSIONAL ADDITIONS*								8,000	142,700	138,700
TOTAL - OPERATION AND MAINTENANCE										
TOA	86,686,300	84,287,748	85,046,730	84,340,060	86,986,121	84,720,617	84,663,081			323,021
Appropriations	86,686,300	84,287,748	85,046,730	84,340,060	86,986,121	84,720,617	84,663,081			323,021
TOTAL OF CONGRESSIONAL ADDITIONS TO O&M*								836,030	1,599,290	1,506,560
REVOLVING AND MANAGEMENT FUNDS										
Defense Business Operations Fund										
001 DEFENSE BUSINESS OPERATIONS FUND	3,400,200	0	3,400,200	3,400,200	0	3,400,200	3,424,200		24,000	24,000
TOA	3,400,200	2,420,100	3,400,200	3,400,200	2,444,100	3,400,200	3,424,200		24,000	24,000
Appropriations	3,400,200	2,420,100	3,400,200	3,400,200	2,444,100	3,400,200	3,424,200		24,000	24,000
TOTAL OF CONGRESSIONAL ADDITIONS TO REVOLVING FUNDS*								0	24,000	24,000

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
PROCUREMENT										
Aircraft Procurement, Army										
Aircraft										
010 TRAINING HELICOPTER	0	0	0	23,500	0	23,500	23,500	23,500	23,500	
Modification of aircraft										
012 C-23 MODS	0	0	0	0	0	16,000	8,000		8,000	8,000
016 AH-64 MODS	82,771	82,771	83,771	83,771	0	82,771	82,771	1,000		
022 UH-1 MODS	9,166	15,166	9,166	14,166	14,166	9,166	9,166	5,000		
024/030 ARMED OH-58D/AHIP	183,244	383,244	183,244	273,644	383,244	138,644	271,644	90,400	88,400	
Support equipment and facilities										
034 AIRCRAFT SURVIVABILITY EQUIPMENT	48,036	48,036	49,536	48,036	48,036	48,036	49,536		1,500	1,500
039 EXTERNAL FUEL TANKS	0	0	0	0	0	5,000	5,000		5,000	5,000
Missile Procurement, Army										
Other missiles										
013 MLRS ROCKET	2,111	17,111	32,111	61,700	58,000	61,700	61,700	59,589	59,589	
Procurement of W&TCV, Army										
Tracked combat vehicles										
002 BRADLEY FIGHTING VEHICLE FAMILY (AP-CY)	0	0	0	0	0	0	80,000		80,000	80,000
005 ARMORED GUN SYSTEM (AGS)	0	0	15,000	3,000	0	3,000	0	3,000		
006 M1 ABRAMS TANK SERIES (MYP)	43,744	90,044	90,044	90,044	90,044	90,044	90,044	46,300	46,300	
007 FAASV	0	0	0	0	60,000	0	60,000		60,000	60,000
013/014 M1 ABRAMS TANK MOD/UPGRADE	79,664	304,664	304,664	304,664	304,664	304,664	304,664	225,000	225,000	
019 PRODUCTION BASE SUPPORT (TCV-WTCV)	73,287	73,287	62,987	62,987	63,000	63,000	66,000			3,013
Weapons and other combat vehicles										
024 GRENADE LAUNCHER, AUTO, 40MM, MK19-3	0	13,100	16,600	16,600	13,100	16,600	17,600	16,600	17,600	1,000
Procurement of Ammunition, Army										
Ammunition										
004 CTG, 5.56MM, ALL TYPES	64,601	70,101	64,601	70,101	70,101	61,901	70,101	5,500	5,500	
005 CTG, 7.62MM, ALL TYPES	10,382	10,682	10,382	10,682	10,682	10,382	10,682	300	300	
008 CTG, .50 CAL, ALL TYPES	4,500	21,000	4,500	21,000	21,000	4,500	13,000	16,500	8,500	
011 CTG, 20MM, PIVADS, M940	0	0	5,000	5,000	5,000	5,000	5,000	5,000	5,000	
013 CTG, 30MM, ALLTYPES	0	0	0	5,000	10,000	0	0	5,000		
015 CTG, MORTAR, 120MM, HEMO, XM934	0	0	37,000	37,000	37,000	37,000	37,000	37,000	37,000	
033 PROJ, ARTY, 155MM, BASEBURNER M864	120,914	120,914	120,914	150,914	150,914	150,914	150,914	30,000	30,000	
035 PROJ, ARTY, 155MM, HE, M107	0	0	0	0	4,600	0	36,500		36,500	36,500
044 FUZE, ARTILLERY, ELEC TIME, M762	0	0	20,500	20,500	0	22,000	22,000	20,500	22,000	1,500
062 ROCKET, HYDRA 70, ALL TYPES	0	39,000	39,000	39,000	39,000	39,000	39,000	39,000	39,000	
Ammunition production base support										
069 PROVISION OF INDUSTRIAL FACILITIES	74,923	74,923	76,423	76,423	74,923	76,423	75,923	1,500	1,000	
074 CONVENTIONAL AMMO DEMILITARIZATION	24,000	24,000	29,000	29,000	29,000	29,000	29,000	5,000	5,000	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Other Procurement, Army										
Tactical and support vehicles										
001 TACTICAL TRAILERS/DOLLY SETS	8,311	8,311	8,311	8,311	7,500	33,311	33,311		25,000	25,000
003 SEMITRAILER, TANK, 5000G	0	23,900	0	23,900	23,900	0	23,900	23,900	23,900	
012 PASSENGER CARRYING VEHICLES	7,184	7,184	3,584	3,584	3,592	3,592	3,592			8
Communications and electronics equipment										
036 ARMY DATA DISTRIBUTION SYSTEM (ADDS)	17,199	44,199	44,199	44,199	44,199	17,199	44,199	27,000	27,000	
042 EAC COMMUNICATIONS	27,574	27,574	27,574	27,574	27,574	40,774	40,774		13,200	13,200
043 MOD OF IN-SVC EQUIP (EAC COMM)	16,209	16,209	12,209	12,209	12,209	16,209	16,209			4,000
087 AUTOMATED DATA PROCESSING EQUIP	75,278	75,278	115,278	115,278	75,278	99,571	86,633	40,000	11,355	
103 INTEGRATED FAMILY OF TEST EQUIP (IFTE)	48,048	48,048	48,048	48,048	62,048	48,048	62,048		14,000	14,000
111 PRODUCTION BASE SUPPORT (C-E)	1,000	1,000	1,000	1,000	12,500	1,000	12,500		11,500	11,500
Other support equipment										
119 CHEMICAL AGENT MONITOR	6,376	6,376	6,376	10,176	6,376	10,176	10,176	3,800	3,800	
134 LAUNDRY UNIT/TRL MTD	6,000	6,000	9,000	9,000	6,000	9,000	9,000	3,000	3,000	
159 MEDICAL SUPPORT EQUIPMENT	84,893	84,893	84,893	84,893	89,893	84,893	89,893		5,000	5,000
TOTAL OF CONGRESSIONAL ADDITIONS*								733,399	911,444	238,221
Aircraft Procurement, Navy										
Combat aircraft										
002 AV-8B (V/STOL) HARRIER (MYP)	0	0	0	(40,000)	40,000	40,000	40,000		40,000	80,000
003 EA-6B/REMFG (ELECTRONIC WARFARE) PROWl	98,434	93,434	98,434	93,434	98,434	98,434	98,434			5,000
021 E-2C (EARLY WARNING) HAWKEYE	500,908	470,908	500,908	470,908	500,908	500,908	500,908			30,000
Trainer aircraft										
024 T-45TS (TRAINER) GOSHAWK	322,467	362,467	322,467	362,467	362,467	322,467	362,467	40,000	40,000	
Modification of aircraft										
030 A-6 SERIES	5,486	5,486	5,486	5,486	35,484	5,486	21,486		16,000	16,000
035 F-14 SERIES	53,562	53,562	53,562	53,562	53,562	53,562	228,562		175,000	175,000
044 H-1 SERIES	118,201	118,201	118,201	118,201	118,201	133,201	133,201		15,000	15,000
046 H-2 SERIES	108,202	112,202	113,202	108,202	116,202	108,202	116,202		8,000	8,000
047 EP-3 SERIES	18,486	18,486	33,486	33,486	18,486	33,486	33,486	15,000	15,000	
056 E-6 SERIES	19,523	19,523	57,823	57,823	[illegible]523	57,823	57,823	38,300	38,300	
059 COMMON ECM EQUIPMENT	101,414	101,414	116,414	101,414	119,414	101,414	119,414		18,000	18,000
Weapons Procurement, Navy										
Ballistic missiles										
002 TRIDENT II	977,363	977,363	1,207,053	1,117,803	977,363	1,199,753	977,363	140,440		
Other missiles										
008 HARPOON	37,803	212,803	37,803	37,803	212,803	37,803	167,803		130,000	130,000
019 DRONES AND DECOYS	0	10,000	0	10,000	10,000	10,000	10,000	10,000	10,000	
028 ROCKEYE PIP	0	0	0	0	0	0	4,000		4,000	4,000

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
027 WEAPONS INDUSTRIAL FACILITIES	31,575	31,575	44,775	44,775	31,575	44,775	44,775	13,200	13,200	
Other Ordnance										
080 MACHINE GUN AMMUNITION	8,198	8,198	31,698	31,698	31,698	31,698	31,698	23,500	23,500	
086 CIWS AMMUNITION	12,023	12,023	22,023	22,023	33,000	22,023	22,023	10,000	10,000	
Shipbuilding & Conversion, Navy										
Other warships										
005 SSN-21	1,527,725	1,527,725	1,427,725	1,427,725	1,527,725	1,527,725	1,527,725			100,000
Mine warfare and patrol ships										
015 MHC MINE HUNTER COASTAL	231,096	231,096	361,096	361,096	231,096	361,096	341,096	130,000	110,000	
017 TAGOS SURTASS SHIPS	0	0	0	0	149,000	0	149,000		149,000	149,000
Auxiliaries, craft, and prior-year progr										
020 TAGS 39/40	0	0	0	0	0	0	66,000		66,000	66,000
021 SEALIFT	0	0	1,364,100	0	1,300,000	0	600,000		600,000	600,000
022 SERVICE CRAFT	15,468	15,468	15,468	15,468	[illegible],468	15,468	35,468		20,000	20,000
024 LCAC LANDING CRAFT	265,902	265,902	265,902	265,902	807,102	253,902	504,000		238,098	238,098
Other Procurement, Navy										
Ships support equipment										
040 STANDARD BOATS	19,940	19,940	19,940	19,940	19,940	19,940	21,940		2,000	2,000
047 MODERNIZATION SUPPORT	786,159	786,159	786,159	786,159	786,159	879,159	879,159		93,000	93,000
Communications and electronics equipment										
049 AN/SPS-48	20,354	20,354	20,354	20,354	68,854	20,354	44,604		24,250	24,250
068 AN/SQR-18 TOWED ARRAY SONAR	0	5,000	0	5,000	5,000	0	5,000	5,000	5,000	
069 ENHANCED MODULAR SIGNAL PROCESSOR	0	0	0	0	0	0	91,200		91,200	91,200
074 AN/SSQ-95	0	0	0	0	12,000	0	12,000		12,000	12,000
079 C-3 COUNTERMEASURES	21,398	36,398	21,398	36,398	19,498	21,398	20,398	15,000		
096 SQQ-T1 ANTISUBMARINE TRAINERS	0	10,000	0	10,000	0	0	0	10,000		
Aviation support equipment										
181 AIR EXPENDABLE COUNTERMEASURES	65,033	65,033	70,033	70,033	64,288	70,033	64,288	5,000		
190 METEOROLOGICAL EQUIPMENT	33,008	33,008	29,608	29,608	29,608	33,008	30,808			1,200
Ordnance support equipment										
218 RAM SUPPORT EQUIPMENT	0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
Civil engineering support equipment										
246 AMPHIBIOUS EQUIPMENT	86,049	86,049	86,049	86,049	92,049	86,049	92,049		6,000	6,000
Personnel and command support equipment										
273 INTELLIGENCE SUPPORT EQUIPMENT	42,138	42,938	40,838	42,893	38,173	38,638	38,873	755		
277 ENVIRONMENTAL SUPPORT EQUIPMENT	13,417	13,417	23,417	23,417	13,417	23,417	23,417	10,000	10,000	
279 OCEANOGRAPHIC SUPPORT EQUIPMENT	0	4,000	0	4,000	0	0	0	4,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								490,205	1,951,548	1,792,748

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Procurement, Marine Corps										
Ammunition										
005 40 MM, ALL TYPES	107,491	107,491	62,158	62,158	107,491	62,191	62,191			33
016 155MM HE ADAM	40,200	40,200	40,200	40,200	40,200	80,400	80,400		40,200	40,200
025 83MM ROCKET HEAA (SMAW)	0	10,000	35,600	10,000	10,000	10,000	10,000	10,000	10,000	
026 LIGHT ANTI-ARMOR WEAPON	5,277	5,277	30,002	30,002	35,277	30,002	30,002	24,725	24,725	
Guided missiles and equipment										
049 TOW	0	0	0	0	30,000	0	30,000		30,000	30,000
052 MLRS LAUNCHERS	0	0	23,000	23,000	0	0	0	23,000		
053 MLRS ROCKETS	0	0	72,300	72,300	0	0	0	72,300		
Communications and electronics equipment										
058 TACTICAL INTELLIGENCE ENHANCEMENT	0	0	0	0	0	0	26,000		26,000	26,000
066 TACTICAL AIR OPER MODULE (TAOM)	0	0	0	0	27,000	0	27,000		27,000	27,000
069 TACTICAL GROUND INTERCEPT FACILITY	0	0	15,000	12,000	0	0	0	12,000		
074 COMMANDERS TACTICAL TERMINAL-HYBRID	0	0	4,200	4,200	0	0	0	4,200		
075 COMMANDERS TACTICAL TERMINAL-RECEIVE C	0	0	4,800	4,800	0	0	0	4,800		
077 TACTICAL RECONNAISSANCE INITIATIVES	0	0	3,000	3,000	0	0	0	3,000		
078 NIGHT VISION EQUIPMENT	9,491	9,491	44,491	39,491	9,491	9,491	39,491	30,000	30,000	
Engineer and other equipment										
094 TOWED ASSAULT BRIDGE	0	6,500	0	6,500	0	6,500	6,500	6,500	6,500	
TOTAL OF CONGRESSIONAL ADDITIONS*								190,525	193,425	122,233
Aircraft Procurement, Air Force										
Combat aircraft										
002/008/010 B-2A	2,456,028	(184,827)	2,456,028	2,800,000	0	2,456,028	2,800,000	343,972	343,972	
006 F-15 E	168,657	168,657	168,657	168,657	168,657	501,957	504,957		336,300	336,300
009 F-117	0	0	1,027,000	560,000	0	1,027,000	0	560,000		
Airlift aircraft										
012 C-17 ADV PROC (CY)	222,424	122,424	122,424	122,424	222,424	122,424	172,424			50,000
014 C-130H	245,479	245,479	245,479	245,479	245,479	272,979	290,000		44,521	44,521
016 LC-130H	0	0	0	0	0	92,000	92,000		92,000	92,000
Trainer aircraft										
017 ENHANCED FLIGHT SCREENER	8,478	14,012	8,478	14,012	14,012	14,012	14,012	5,534	5,534	
Other aircraft										
022 E-8B ADVANCE PROCUREMENT (CY)	62,700	62,700	125,400	125,400	62,700	125,400	125,400	62,700	62,700	
Modification of inservice aircraft										
027 B-1B ECM	0	266,000	0	20,000	0	0	0	20,000		
030 F-15	294,537	294,537	294,537	294,537	294,537	297,037	297,037		2,500	2,500
031 F-16	250,985	250,985	250,985	250,985	250,985	253,985	253,985		3,000	3,000
052 C-135	465,108	628,808	426,808	586,808	465,108	426,808	586,808	121,700	121,700	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
083 CLASSIFIED PROJECTS	56,254	22,273	68,254	45,862	22,273	68,254	68,254		12,000	22,392
Aircraft spares and repair parts										
069 SPARES AND REPAIR PARTS	664,465	695,365	622,765	596,966	689,765	770,966	603,966			7,000
Aircraft support equipment and facilitie										
070 OTHER PRODUCTION CHARGES	445,331	443,831	545,831	547,051	419,750	562,731	547,750	101,720	102,419	699
Missile Procurement, Air Force										
Ballistic missiles										
001 PEACEKEEPER (M-X)	195,178	195,178	385,778	252,000	124,200	661,600	195,178	56,822		
Modification of inservice missiles										
021 MM III MODIFICATIONS	144,715	144,715	144,715	152,115	144,715	152,115	152,115	7,400	7,400	
Other support										
046 SPECIAL PROGRAMS	2,419,740	2,419,740	2,108,340	2,180,340	2,146,840	2,180,340	2,230,340			50,000
063 CLASSIFIED PROGRAMS	0	0	0	0	0	0	9,806		9,806	9,806
Other Procurement, Air Force										
Munitions and associated equipment										
005 20MM COMBAT	0	0	8,100	8,100	25,000	0	8,120	8,100	8,120	20
006 20MM TRAINING	0	0	16,900	16,900	0	0	16,880	16,900	16,880	
013 MK-82 INERT/BDU-50	0	0	0	0	0	13,800	13,800		13,800	13,800
Vehicular equipment										
065 CAP VEHICLES	0	600	600	600	600	600	600	600	600	
082 TRUCK, F/L 10,000 LB	10,020	10,020	10,020	10,620	10,020	10,020	10,020	600		
Electronics and telecommunications equip										
100 AIR TRAFFIC CTRL/LAND SYS (ATCALS)	14,136	14,136	14,136	0	14,136	0	14,136			14,136
114 TAC SIGINT SUPPORT	20,471	20,471	6,771	4,871	18,371	4,971	4,971			100
129 RANGE IMPROVEMENTS	51,665	51,665	51,665	51,665	46,665	86,665	86,665		35,000	35,000
150 RADIO EQUIPMENT	2,268	2,268	2,268	2,268	2,268	2,768	2,768		500	500
155 CAP COM & ELECT	0	500	500	500	500	500	500	500	500	
Other base maintenance and support equip										
175 BASE PROCURED EQUIPMENT	33,486	33,486	33,486	33,486	35,986	33,486	35,986		2,500	2,500
187 INTELLIGENCE PRODUCTION ACTIVITY	62,888	29,788	172,488	33,802	36,022	0	34,519			717
189 SELECTED ACTIVITIES	5,387,165	5,396,235	5,450,665	5,536,115	5,271,286	5,499,065	5,458,515	148,950	71,350	
201 CLASSIFIED PROGRAMS	0	0	0	0	0	0	130,700		130,700	130,700
210 SENIOR YEAR GROUND STATIONS	0	0	0	130,699	0	0	0	130,699		
TOTAL OF CONGRESSIONAL ADDITIONS*								1,566,367	1,423,002	814,690
Procurement, Defensewide										
Major equipment										
005 SUPERCOMPUTERS	0	0	0	0	65,000	0	42,000		42,000	42,000
007 C-20F AIRCRAFT	0	93,000	0	93,000	89,400	93,000	93,000	93,000	93,000	
023 OTHER MAJOR EQUIPMENT	0	32,500	0	0	32,500	0	10,000		10,000	10,000

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
039 VEHICLES	20	20	50	50	20	50	50	30	30	
040 OTHER CAPITAL EQUIPMENT	7,501	7,501	25,571	22,880	7,501	8,471	8,471	15,379	970	
042 MENTOR-PROTEGE PROGRAM	0	0	15,000	30,000	0	30,000	30,000	30,000	30,000	
Special Operations Command										
045 C-130 MODIFICATIONS	101,663	101,663	114,563	114,563	157,163	101,663	157,163	12,900	55,500	42,600
051 PATROL BOAT, COASTAL	2,605	2,605	2,605	2,605	41,205	2,605	4,205		1,600	1,600
066 MISCELLANEOUS EQUIPMENT	40,999	51,699	51,699	51,699	51,699	50,499	50,099	10,700	9,100	
067 CLASSIFIED PROGRAMS	124,264	124,264	124,264	124,264	86,470	124,264	129,263		4,999	4,999
TOTAL OF CONGRESSIONAL ADDITIONS*								162,009	247,199	101,199
National Guard & Reserve Equipment										
Reserve Equipment										
-001 ARMY RESERVE										
02 TACTICAL TRUCKS	0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
04 COMMUNICATION ELECT	0	5,000	0	0	15,000	0	15,000		15,000	15,000
06 MISCELLANEOUS EQUIPMENT	0	0	0	25,000	25,000	10,000	25,000	25,000	25,000	
08 SINCGARS RADIOS	0	0	15,000	15,000	15,000	0	15,000	15,000	15,000	
10 NIGHT VISION	0	0	0	15,000	15,000	0	15,000	15,000	15,000	
12 C-12F	0	0	7,500	9,300	0	0	9,300	9,300	9,300	
-002 NAVY RESERVE										
02 LAMPS MK-1 BLOCK UPGRADE (SH-2G)	0	35,000	0	35,000	35,000	0	35,000	35,000	35,000	
04 HH-60 UPGRADE KITS	0	45,000	0	0	45,000	0	45,000		45,000	45,000
06 MISCELLANEOUS EQUIPMENT	0	0	0	10,000	23,500	10,000	15,000	10,000	15,000	5,000
08 AN-SQT1 TRAINERS	0	0	0	0	10,000	0	10,000		10,000	10,000
10 C-130T AIRCRAFT	0	0	0	0	57,000	0	114,000		114,000	114,000
12 P-3 UPGRADES	0	0	0	0	20,000	0	20,000		20,000	20,000
14 MH-53 HELICOPTERS	0	0	129,000	0	0	129,000	129,000		129,000	129,000
16 MIDW VANS	0	0	0	0	0	0	15,000		15,000	15,000
-003 MARINE CORPS RESERVE										
02 COMMO EQUIPMENT	0	5,000	0	15,000	15,000	0	10,000	15,000	10,000	
04 MISCELLANEOUS EQUIPMENT	0	0	0	10,000	15,000	7,500	10,000	10,000	10,000	
06 KC-130T AIRCRAFT	0	0	0	0	57,000	0	57,000		57,000	57,000
08 AH-1W COBRA AIRCRAFT	0	0	0	0	71,000	0	71,000		71,000	71,000
-004 AIR FORCE RESERVE										
02 C-130 AIRCRAFT	0	200,000	0	200,000	200,000	0	348,000	200,000	348,000	148,000
06 MISCELLANEOUS EQUIPMENT	0	0	0	25,000	25,000	7,500	10,000	25,000	10,000	
-005 ARMY NATIONAL GUARD										
02 C-23 AIRCRAFT	0	60,000	0	60,000	62,000	0	60,000	60,000	60,000	
04 TACTICAL TRUCKS	0	20,000	0	10,000	20,000	0	10,000	10,000	10,000	
06 COMMUNICATIONS/ELECT	0	5,000	0	0	15,000	0	15,000		15,000	15,000

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
08 MISCELLANEOUS EQUIPMENT	0	0	0	20,000	25,000	15,000	15,000	20,000	15,000	
10 C-26 AIRCRAFT	0	0	8,000	0	21,000	8,000	3,000		3,000	3,000
12 NIGHT VISION DEVICES	0	0	15,000	15,000	15,000	0	15,000	15,000	15,000	
14 SINCGARS RADIOS	0	0	0	0	35,000	0	35,000		35,000	35,000
16 AH-1 MODS	0	0	15,000	0	0	0	15,000		15,000	15,000
20 FAMILY OF M113 VEHICLES	0	0	10,000	10,000	0	0	0	10,000		
22 MLRS LAUNCHERS	0	0	110,000	110,000	0	110,000	110,000	110,000	110,000	
23 MLRS ROCKETS	0	0	0	0	0	0	48,000		48,000	48,000
24 SQUAD ENGAGEMENT TRAINING DEVICES	0	0	10,000	0	0	0	10,000		10,000	10,000
25 TCT UPGRADE	0	0	0	0	0	0	8,200		8,200	8,200
26 RESERVE STAFF SIMULATION CENTER	0	0	2,000	2,000	0	0	0	2,000		
-006 AIR NATIONAL GUARD										
02 C-130 AIRCRAFT	0	50,000	309,800	309,800	50,000	337,300	337,300	309,800	337,300	27,500
03 MH-60 HELICOPTERS	0	0	0	0	0	36,000	36,000		36,000	35,000
04 F-15A/B MSIP/INSTALLATION	0	40,000	0	20,000	40,000	0	20,000	20,000	20,000	
05 F-15/F-16 ENGINE UPGRADE	0	40,000	0	20,000	40,000	0	20,000	20,000	20,000	
08 F-16 MODS	0	15,000	0	10,000	15,000	0	10,000	10,000	10,000	
[illegible] LANTIRN	0	90,000	0	45,000	90,000	0	0	45,000		
14 C-26 AIRCRAFT	0	0	0	0	21,000	0	18,000		18,000	18,000
16 TAC AIR CONTROL IMPROVEMENTS	0	0	0	50,000	125,000	0	95,000	50,000	95,000	45,000
TOTAL OF CONGRESSIONAL ADDITIONS*								1,061,100	711,500	191,700
Inspector General										
010 DEFENSE INSPECTOR GENERAL	300	300	800	800	300	300	300	500		
Chem Agents & Munitions Destruct-RDT&E										
001 CHEM DEMILITARIZATION - RDTE	0	13,900	0	13,900	13,900	13,900	13,900	13,900	13,900	
Chem Agents & Munitions Destruct-O&M										
008 CRYOFRACTURE - PROC	0	0	20,000	20,000	0	0	0	20,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								34,400	13,900	0
TOTAL - PROCUREMENT										
TOA	63,845,800	63,314,519	62,959,754	63,884,659	65,087,939	64,506,998	64,639,407	38,859	793,607	754,748
Appropriations	63,845,800	63,314,519	62,959,754	63,884,659	65,087,939	63,879,298	64,639,407	38,859	793,607	754,748
TOTAL OF CONGRESSIONAL ADDITIONS TO PROCUREMENT*								4,256,015	5,452,018	3,260,791

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E

(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
RDT&E, Army											
Technology base											
002 DEFENSE RESEARCH SCIENCES	060110	179,363	179,363	179,363	179,363	200,863	173,891	190,863		11,500	11,500
005 MATERIALS TECHNOLOGY	060210	11,537	11,537	15,537	20,537	11,537	16,537	11,537	9,000		
007 SURVIVABILITY ENHANCEMENT	060212	5,769	5,769	24,269	10,769	5,769	20,769	10,769	5,000	5,000	
009 AVIATION TECHNOLOGY	060221	45,544	45,544	45,544	51,844	51,844	51,844	51,844	6,300	6,300	
014 BALLISTICS TECHNOLOGY	060261	53,977	62,977	53,977	62,977	73,977	53,977	62,977	9,000	9,000	
018 ELECTRONICS AND ELECTRONIC DEVICES	060270	16,894	25,894	16,894	25,894	25,894	19,994	19,994	9,000	3,100	
021 ENVIRONMENTAL QUALITY TECHNOLOGY	060272	18,984	28,984	18,984	28,984	28,984	24,734	29,734	10,000	10,750	750
027 LOGISTICS TECHNOLOGY	060278	31,552	31,552	31,552	31,552	34,352	31,552	34,352		2,800	2,800
028 MEDICAL TECHNOLOGY	060278	89,579	139,579	91,579	126,579	139,579	96,579	107,779	37,000	18,200	
045 MPIM TECHNOLOGY		0	0	0	0	7,000	0	7,000		7,000	7,000
191 SIMULATION FACILITY		0	0	0	0	0	0	8,000		8,000	8,000
Advanced technology development											
032 MEDICAL ADVANCED TECHNOLOGY	060300	22,245	22,245	22,245	23,745	26,745	23,745	26,745	1,500	4,500	3,000
034 WEAPONS AND MUNITIONS ADVANCED TECHNO	060300	40,865	50,865	43,865	49,365	49,365	43,865	55,865	8,500	15,000	6,500
041 TRACTOR RED	060301	6,721	6,721	11,721	11,721	6,721	11,721	11,721	5,000	5,000	
043 ACQUIRED IMMUNE DEFICIENCY SYNDROME (AI	060310	3,259	3,259	3,259	28,009	16,259	28,009	28,009	24,750	24,750	
049 TRACTOR CAGE	060332	20,966	20,966	20,966	20,966	20,966	24,966	24,966		4,000	4,000
051 LANDMINE WARFARE AND BARRIER ADVANCED	060360	8,728	23,728	18,728	28,728	23,728	18,728	26,728	20,000	18,000	
080 MULTI-PURPOSE WEAPON		0	0	0	0	6,000	0	6,000		6,000	6,000
189 LASER BURN TREATMENT		0	0	0	0	0	1,000	1,000		1,000	1,000
193 PROSTATE DISEASE RESEARCH		0	0	0	0	0	2,000	2,000		2,000	2,000
198 BREAST CANCER RESEARCH		0	0	0	0	0	0	25,000		25,000	25,000
Tactical programs											
088 ADVANCED ANTI-TANK WEAPON SYSTEMS		0	68,300	0	137,000	0	0	137,000	137,000	137,000	
071 ARMY DATA DISTRIBUTION SYSTEM	060371	19,534	19,534	19,534	19,534	22,534	19,534	22,534		3,000	3,000
077 FORWARD AREA AIR DEFENSE (FAAD) SYSTEM	060375	97,387	97,387	97,387	97,387	97,387	107,387	107,387		10,000	10,000
081 AVIATION - ADV DEV	060380	13,828	13,828	13,828	13,828	14,928	13,828	14,928		1,100	1,100
085 COMBAT SERVICE SUPPORT COMPUTER SYSTE	060380	24,635	24,635	24,635	24,635	28,635	24,635	28,635		4,000	4,000
098 JOINT TACTICAL FUSION PROGRAM	060432	130,775	105,775	109,275	109,275	109,269	115,275	115,275			6,000
099 MEDIUM TACTICAL VEHICLES	060460	11,879	20,979	23,479	23,479	20,979	23,479	23,479	11,600	11,600	
108 COMBAT FEEDING, CLOTHING, AND EQUIPMENT	060471	9,958	9,958	9,958	9,958	19,958	27,958	27,958		18,000	18,000
109 NON-SYSTEM TRAINING DEVICES - ENG DEV	060471	51,268	51,268	61,268	61,268	37,900	61,268	61,268	10,000	10,000	
114 AUTOMATIC TEST EQUIPMENT DEVELOPMENT	060474	11,232	11,232	11,232	11,232	18,232	11,232	18,232		7,000	7,000
119 TRACTOR HELM	060476	66,973	66,973	101,973	101,973	101,973	112,573	103,373	35,000	36,400	1,400
120 JOINT SURVEILLANCE/TARGET ATTACK RADAR !	060477	48,721	48,721	73,721	73,721	48,721	73,721	68,721	25,000	20,000	
122 AVIATION - ENG DEV	060480	12,517	12,517	12,517	12,517	14,017	12,517	14,017		1,500	1,500
135 LONGBOW - ENG DEV	060481	233,201	233,201	267,701	267,701	244,201	233,201	254,201	34,500	21,000	
143 COMBAT VEHICLE IMPROVEMENT PROGRAMS	020373	29,713	99,113	29,713	84,713	71,013	29,713	71,013	55,000	41,300	
144 MANEUVER CONTROL SYSTEM	020374	31,439	31,439	36,439	36,439	36,439	31,439	36,439	5,000	5,000	
150 MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT	020380	53,042	53,042	53,042	53,042	53,042	58,042	58,042		5,000	5,000
195/202 UNICHARGE PROPELLANT/FSD		0	0	0	8,000	0	0	8,000	8,000	8,000	
198/203 COMMAND AND CONTROL VEHICLE		0	0	0	15,000	0	0	15,000	15,000	15,000	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
197/199 ATACS RESTRUCTURE		0	0	0	40,000	0	0	40,000	40,000	40,000	
200 INTEGRATED DEVELOP, TEST & TRAINING SYS		0	0	0	15,000	0	0	0	15,000		
201 SOLDIER ENHANCEMENT PROGRAM		0	0	0	18,000	0	0	0	18,000		
Defensewide Mission Support											
164 RAND ARROYO CENTER	060510	19,974	22,974	23,800	22,850	22,850	19,974	19,974	2,876		
165 ARMY KWAJALEIN ATOLL	060530	181,464	181,464	179,464	199,964	181,464	180,964	180,964	18,500		
170 TECHNOLOGY AND VULNERABILITY ASSESSMEN	060560	43,127	48,127	43,127	48,127	48,127	43,127	48,127	5,000	5,000	
181 ENVIRONMENTAL COMPLIANCE - PROG 6	060565	52,474	62,474	52,474	62,474	62,474	52,474	52,474	10,000		
186 INDUSTRIAL PREPAREDNESS	070801	21,058	28,058	0	28,058	28,058	0	28,058	7,000	7,000	
TOTAL OF CONGRESSIONAL ADDITIONS*									597,526	593,800	134,550
RDT&E, Navy											
Technology base											
004 SURFACE SHIP TECHNOLOGY	060212	17,008	32,008	17,008	32,008	32,008	32,008	32,008	15,000	15,000	
009 SYSTEMS SUPPORT TECHNOLOGY	060223	80,521	87,521	80,521	87,521	57,000	80,521	79,000	7,000		
015 OCEAN AND ATMOSPHERIC SUPPORT TECHNOL	060243	39,724	44,724	39,724	44,724	44,724	39,724	44,724	5,000	5,000	
Advanced technology development											
025 MEDICAL DEVELOPMENT	060370	16,222	17,222	16,222	37,222	37,222	37,222	37,222	21,000	21,000	
027 GENERIC LOGISTICS R&D TECHNOLOGY DEMO	060371	13,829	21,329	13,829	13,829	21,329	13,829	14,429		600	600
033 C3 ADVANCED TECHNOLOGY	060379	1,373	1,373	1,373	1,373	0	1,373	16,373		15,000	15,000
Strategic programs											
036 TRIDENT II	060436	61,603	76,603	61,603	76,603	76,603	18,303	53,603	15,000		
Tactical programs											
052 AIR CREW SYSTEMS TECHNOLOGY	060321	10,366	15,366	10,366	15,366	15,366	10,366	15,366	5,000	5,000	
055 NAVY ADVANCED TECHNICAL FIGHTER		0	0	0	0	60,000	0	2,000		2,000	2,000
058 TACTICAL AIRBORNE RECONNAISSANCE	060326	15,574	21,774	24,774	24,774	21,774	15,574	15,574	9,200		
062 MINE COUNTERMEASURES INITIATIVE FUND		0	0	30,000	20,500	0	0	0	20,500		
063 LOW COST ANTI-RADIATION SEEKER		0	4,000	0	4,000	4,000	0	4,000	4,000	4,000	
067 ADVANCED SUBMARINE ASW DEVELOPMENT	060360	31,232	31,232	31,232	31,232	38,000	31,232	40,232		9,000	9,000
069 SHIPBOARD AVIATION SYSTEMS	060361	11,440	11,440	11,440	11,440	0	11,440	15,840		4,400	4,400
080 ADVANCED SUBMARINE SYSTEM DEVELOPMENT	060356	35,621	35,621	65,621	55,621	25,000	35,621	35,621	20,000		
092 MINE COUNTERMEASURES INITIATIVE FUND		0	0	0	0	0	20,500	16,800		16,800	16,800
094 MARINE CORPS GROUND COMBAT/SUPPORT SY	060363	9,319	11,819	11,819	11,819	23,319	9,318	9,319	2,500		
098 ADVANCED MINOR CALIBER GUN		0	2,500	0	2,500	2,500	2,500	2,500	2,500	2,500	
101 ADVANCED MARINE BIOLOGICAL SYSTEM	060370	1,666	1,666	4,666	4,666	1,666	1,666	4,666	3,000	3,000	
103 OCEAN ENGINEERING TECHNOLOGY DEVELOPM	060371	13,546	17,546	13,546	15,546	17,546	13,546	15,546	2,000	2,000	
123 IFF SYSTEM DEVELOPMENT	060421	22,343	32,343	22,343	32,343	32,343	22,343	32,343	10,000	10,000	
124 LAMPS	060421	30,215	30,215	30,215	30,215	34,215	20,290	34,215		4,000	4,000
129 AIRBORNE ASW DEVELOPMENTS	060421	25,843	25,843	25,843	8,310	0	8,310	19,843			11,533
130 P-3 MODERNIZATION PROGRAM	060422	41,144	82,644	82,644	58,747	58,747	51,044	82,644	17,603	41,500	23,897
134 SHIP FIRE SUPPORT		0	0	31,000	16,000	0	0	0	16,000		

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
135 AIR CREW SYSTEMS DEVELOPMENT	060426	17,318	21,518	17,318	21,518	21,518	17,318	21,518	4,200	4,200	
144 5" ROLLING AIR FRAME MISSILE		0	0	5,000	5,000	5,000	0	5,000	5,000	5,000	
149 TOMAHAWK	060436	28,815	28,815	28,815	28,815	32,815	28,815	32,815		4,000	4,000
150/151 V-22A/V-22 PRIOR YEAR		0	625,000	0	625,000	625,000	0	625,000	625,000	625,000	
153 AIRBORNE MINE COUNTERMEASURES - ENG		0	14,000	9,000	14,000	14,000	14,000	14,000	14,000	14,000	
158 NAVY STANDARD SIGNAL PROCESSORS	060450	9,266	9,266	9,266	9,266	9,266	0	20,366		11,100	11,100
163 SUBMARINE COMBAT SYSTEM	060452	270,272	270,272	270,272	242,972	220,272	242,972	267,272			24,300
172 UNGUIDED CONVENTIONAL AIR-LAUNCHED WE/	060460	8,369	8,369	8,369	8,369	2,400	8,369	10,769		2,400	2,400
179 MARINE CORPS ASSAULT VEHICLES - ENG DEV	060465	19,104	23,004	19,104	23,004	23,004	19,104	19,104	3,900		
194 FIXED DISTRIBUTED SYSTEM - ENG	060478	229,154	229,154	229,154	209,154	189,154	243,223	238,223		9,069	29,069
198 F/A-18 SQUADRONS	020413	452,077	472,077	472,077	484,077	472,077	319,077	420,000	32,000		
200 MULTI-SENSOR INTEGRATION		0	0	25,000	23,000	0	0	0	23,000		
202 SURFACE COMBATANT ORDNANCE AND MISSILI	020422	28,428	28,428	28,428	27,228	20,428	27,228	28,428			1,200
203 UNDERSEA SURVEILLANCE SYSTEMS	020431	72,594	72,594	72,594	68,894	42,594	68,894	72,594			3,700
204 SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	020431	17,622	17,622	17,622	17,622	8,622	27,622	23,922		6,300	6,300
215 MARINE CORPS GROUND COMBAT/ SUPPORTIN(	020662	20,489	24,869	27,789	39,789	24,869	27,789	27,789	19,300	7,300	
217 MARINE CORPS INTELLIGENCE/ ELECTRONICS \	020662	28,305	67,805	32,305	31,305	55,405	28,305	28,305	3,000		
219 MARINE ENHANCEMENT PROGRAM		0	0	12,000	0	0	12,000	12,000		12,000	12,000
221 CLASSIFIED PROGRAM		0	0	34,500	55,000	0	0	0	66,000		
287 CENTURION		0	0	0	0	0	50,000	23,000		23,000	23,000
292 ADVANCED DEPLOYABLE SYSTEMS		0	0	0	20,000	0	0	0	20,000		
293 SHIP SELF DEFENSE		0	0	0	0	0	0	221,000		221,000	221,000
294 IMPROVED TACTICAL AIR LAUNCHED DECOY		0	0	0	0	0	0	17,000		17,000	17,000
Intelligence and communications											
295 LASER COMMUNICATIONS		0	0	0	0	0	0	10,000		10,000	10,000
Defensewide Mission Support											
241 MARINE CORPS OPERATIONS ANALYSIS GROUP	060515	4,157	4,657	4,157	4,549	4,549	4,157	4,157	392		
242 CENTER FOR NAVAL ANALYSES	060515	24,321	26,821	24,321	26,198	26,198	24,321	24,321	1,875		
251 RDT&E SHIP AND AIRCRAFT SUPPORT	060566	86,341	101,341	101,341	101,341	91,000	101,341	96,000	15,000	9,659	
259 INDUSTRIAL PREPAREDNESS	070601	25,302	100,002	5,000	74,407	100,002	5,000	74,407	49,105	49,105	
TOTAL OF CONGRESSIONAL ADDITIONS*									1,046,075	1,190,933	452,299
RDT&E, Air Force											
Technology base											
002 DEFENSE RESEARCH SCIENCES	060110	203,208	209,208	213,508	209,208	209,208	195,307	209,208	6,000	6,000	
006 HUMAN SYSTEMS TECHNOLOGY	060220	53,673	63,673	53,673	63,673	63,673	53,673	63,673	10,000	10,000	
007 AEROSPACE PROPULSION	060220	69,355	72,355	69,355	72,355	72,355	68,055	71,055	3,000	1,700	
010 CIVIL ENGINEERING AND ENVIRONMENTAL QUAI	060220	6,744	16,744	6,744	11,744	16,744	6,744	6,744	5,000		
Advanced technology development											
033 ADVANCED SPACECRAFT TECHNOLOGY	060340	17,914	27,914	17,914	22,914	27,914	17,914	27,914	5,000	10,000	5,000
037 ADVANCED WEAPONS TECHNOLOGY	060360	57,152	57,152	57,152	57,152	29,370	57,152	61,552		4,400	4,400
039 CIVIL AND ENVIRONMENTAL ENGINEERING TECI	060372	12,036	12,036	12,036	12,036	12,036	13,036	13,036		1,000	1,000

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
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Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Strategic programs											
049 B-2 ADVANCED TECHNOLOGY BOMBER	060424	1,563,072	1,563,072	1,563,072	1,562,872	1,563,072	1,563,072	1,563,072			200
-051 ICBM MODERNIZATION	060431										
10 ICBM MODERNIZATION (START COMPLIANCE)		4,083	4,083	4,083	14,683	4,083	4,083	4,083	10,600		
069 SPACETRACK	010242	20,124	20,124	20,124	20,124	10,124	22,624	34,624		14,500	14,500
Tactical programs											
092 ENGINE MODEL DERIVATIVE PROGRAM (EMDP)	060421	1,022	1,022	1,022	1,022	1,022	1,022	4,022		3,000	3,000
094 F-117A IMPROVEMENT		0	223,000	0	83,000	83,000	0	42,000	83,000	42,000	
100 TRI-SVC ATTACK MISSILE ENGINE DEVEL		0	0	3,000	3,000	0	0	0	3,000		
106 EW DEVELOPMENT	060427	215,221	211,221	215,221	197,971	119,221	197,971	200,071			2,100
108 HARDENED TARGET MUNITIONS	060432	7,183	7,183	7,183	7,183	17,183	7,183	13,183		6,000	6,000
120 COMPUTER RESOURCES MANAGEMENT TECHN	060474	8,419	8,419	8,419	8,419	17,419	8,419	17,419		9,000	9,000
124 JOINT SURVEILLANCE/TARGET ATTACK RADAR (	060477	311,859	311,859	325,859	316,859	306,059	316,859	311,859	5,000		
140 FOLLOW-ON TACTICAL RECONNAISSANCE SYS	020721	56,553	173,953	96,153	88,553	173,953	56,553	88,553	32,000	32,000	
154 SEEK EAGLE	020759	29,010	29,010	29,010	21,010	18,010	21,090	21,090			80
Intelligence and communications											
186 NAVSTAR GLOBAL POSITIONING SYSTEM (SPAC	030516	52,005	52,005	52,005	70,105	52,005	70,105	52,005	18,100		
Defensewide Mission Support											
194 ADVANCED LAUNCH SYSTEM	060440	147,744	72,744	50,000	50,000	0	50,000	55,000			5,000
209 REAL PROPERTY MAINTENANCE - RDT&E	060569	105,123	101,123	95,123	101,123	101,123	105,123	103,123			2,000
215 TITAN SPACE LAUNCH VEHICLES	030514	143,915	143,915	143,915	143,915	88,915	193,915	145,415		1,500	1,500
220 INDUSTRIAL PREPAREDNESS	070801	50,536	110,536	0	60,536	110,536	0	60,536	10,000	10,000	
225 EXIMER LASER		0	0	0	0	30,000	0	15,000		15,000	15,000
TOTAL OF CONGRESSIONAL ADDITIONS*									190,700	166,100	88,780
RDT&E, Defensewide											
Technology base											
001 DEFENSE RESEARCH SCIENCES	060110	88,290	108,290	95,490	101,090	108,290	95,058	113,590	12,800	25,300	12,500
003 UNIVERSITY RESEARCH INITIATIVES	060110	87,373	182,373	107,373	182,373	182,373	90,580	225,973	95,000	138,600	43,600
004 FOCUS HOPE		0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
005 ENVIRONMENTAL SPECIAL PROJECT		0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
006 DOD ENVIRONMENTAL STUDIES DEVELOPMENT		0	10,000	0	5,000	10,000	0	5,000	5,000	5,000	
007 SUPERCONDUCTIVE MAGNETIC ENERGY STO		0	40,000	0	20,000	40,000	0	40,000	20,000	40,000	20,000
010 MEDICAL FREE ELECTRON LASER	060222	20,000	20,000	20,000	20,000	30,000	20,000	23,600		3,600	3,600
011 STRATEGIC TECHNOLOGY	060230	268,360	268,360	268,360	288,360	268,360	288,360	288,360	20,000	20,000	
012 TACTICAL TECHNOLOGY	060270	117,900	132,900	137,900	120,900	117,900	120,900	126,900	3,000	9,000	6,000
014 INTEGRATED COMMAND AND CONTROL TECHN	060270	35,500	135,500	35,500	110,500	135,500	35,800	110,500	75,000	75,000	
015 MATERIALS AND ELECTRONICS TECHNOLOGY	060271	62,036	137,036	100,036	143,036	143,036	93,036	187,536	81,000	125,500	44,500
026 US-JAPAN TRAINING		0	0	10,000	10,000	0	0	0	10,000		
027 HBCU/MI S&E EDUCATION SUPPORT		0	0	15,000	15,000	0	0	0	15,000		
133 MILITARY NURSING RESEARCG		0	0	0	0	0	1,000	1,000		1,000	1,000
134 HISTORICALLY BLACK COLLEGES & UNIVERSITI		0	0	0	0	0	15,000	15,000		15,000	15,000

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E

(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
136 U.S. JAPAN MANAGEMENT TRAINING		0	0	0	0	0	10,000	10,000		10,000	10,000
Advanced technology development											
028 JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVI	060322	10,260	10,260	24,960	20,000	10,260	20,000	18,000	9,740	7,740	
030 RELOCATABLE TARGET DETECTION TECHNOLO	060322	10,000	28,000	10,000	28,000	28,000	10,000	28,000	18,000	18,000	
032 ADVANCED SUBMARINE TECHNOLOGY		0	20,000	45,000	45,000	75,000	0	75,000	45,000	75,000	30,000
033 PRE-COMPETITIVE TECHNOLOGY DEVELOP		0	50,000	100,000	100,000	50,000	75,000	60,000	100,000	60,000	
037 LASER COMMUNICATIONS		0	0	20,000	10,000	0	0	0	10,000		
041 COOPERATIVE DOD/VA MEDICAL RESEARCH		0	20,000	0	20,000	20,000	0	20,000	20,000	20,000	
044/045 CONSOLIDATED DOD SOFTWARE INITIATIVE	060375	50,932	80,932	50,932	80,932	80,932	44,032	80,932	30,000	30,000	
048 MEDICAL RESEARCH		0	30,000	0	30,000	30,000	0	10,000	30,000	10,000	
051 CTACS		0	0	50,000	50,000	0	0	0	50,000		
053 SPECIAL OPERATIONS ADVANCED TECHNOLOG'	116040	13,700	16,700	18,900	16,700	16,700	15,700	16,700	3,000	3,000	
057 STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM		0	0	100,000	50,000	0	885,000	50,000	50,000	50,000	
069 EXCIMER LASER TECHNOLOGY		0	0	5,000	10,000	0	0	0	10,000		
Strategic programs											
058 AIR DEFENSE INITIATIVE	060374	273,000	123,000	218,000	164,000	123,000	273,000	207,000			43,000
Tactical programs											
064 PHYSICAL SECURITY EQUIPMENT	060322	39,926	60,926	39,926	60,926	60,926	39,926	60,926	21,000	21,000	
065 JOINT ROBOTICS PROGRAM	060370	20,740	20,740	30,740	25,740	20,740	20,740	20,740	5,000		
066 CLASSIFIED PROGRAM - C3I	060371	5,300	5,300	5,300	5,300	10,300	5,300	10,300		5,000	5,000
067 NON-ACOUSTIC ASW		0	0	40,000	52,000	100,000	30,000	43,800	52,000	43,800	
068 AIM-9 CONSOLIDATED PROGRAM	060371	43,781	43,781	43,781	43,781	70,139	43,781	62,339		18,558	18,558
073 MOBILE OFFSHORE BASE		0	0	1,000	1,000	0	0	0	1,000		
076 JOINT REMOTELY PILOTED VEHICLES PROGRAM	030514	68,562	114,662	68,562	106,962	88,300	70,513	104,213	38,400	35,651	
079 SPECIAL OPERATIONS TACTICAL SYSTEMS DEVI	116040	194,290	194,290	213,090	207,090	207,250	172,676	208,290	12,800	14,000	1,200
080 SPECIAL OPERATIONS INTELLIGENCE SYSTEMS	116040	10,637	15,837	15,837	15,837	15,837	10,637	15,837	5,200	5,200	
087 JOINT SIMULATION OFFICE		0	0	50,000	40,000	0	40,000	40,000	40,000	40,000	
104 GENERAL SUPPORT FOR SO/LIC		0	0	3,000	2,000	0	2,000	2,000	2,000	2,000	
Intelligence and communications											
092 DEFENSE RECONNAISSANCE SUPPORT ACTIVIT	030515	52,876	74,876	67,876	74,876	74,876	52,876	82,876	22,000	30,000	8,000
Defensewide Mission Support											
099 MANUFACTURING TECHNOLOGY		0	50,000	250,000	100,000	50,000	157,000	100,000	100,000	100,000	
105 MANUFACTURING EXTENSION PROGRAM		0	0	50,000	50,000	0	0	0	50,000		
106 FCIMS PROGRAMS		0	0	21,500	21,500	0	27,000	27,000	21,500	27,000	5,500
107 MANUFACTURING ENGINEERING EDUCATION		0	0	25,000	25,000	0	25,000	25,000	25,000	25,000	
108 MANAGERS IN THE CLASSROOMS		0	0	5,000	5,000	0	5,000	5,000	5,000	5,000	
111 GENERAL SUPPORT TO C3I		0	0	0	0	15,000	0	15,000		15,000	15,000
126 INDUSTRIAL PREPAREDNESS		0	17,000	0	17,000	17,000	0	17,000	17,000	17,000	
127 MOBILE OFF SHORE BASING		0	0	0	0	0	0	3,000		3,000	3,000
137 ADVANCED MATERIALS		0	0	0	15,000	0	15,000	15,000	15,000	15,000	

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Developmental Test & Eval., Defense											
Defensewide Mission Support											
001 CENTRAL TEST AND EVALUATION INVESTMENT	0604940	125,527	125,527	120,527	89,927	85 [illegible]7	89,927	93,327			3,400
TOTAL OF CONGRESSIONAL ADDITIONS*									1,185,440	1,203,949	286,858
TOTAL - RESEARCH, DEV, TEST & EVAL											
TOA		39,221,533	40,705,584	40,285,708	40,056,603	37,185,113	38,353,684	39,401,923	835,070	180,390	
Appropriations		39,221,533	40,705,584	40,285,708	40,056,603	37,185,113	38,353,684	39,401,923	835,070	180,390	
TOTAL OF CONGRESSIONAL ADDITIONS TO RDT&E*									3,019,741	3,154,782	944,487

FY1992 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
MILITARY CONSTRUCTION										
Military Construction, Army										
Major construction										
010 ANNISTON ARMY DEPOT AL										
30 MISSILE MAINTENANCE FACILITY 1/	0	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	
030 FT J M WAINWRIGHT AK										
30 REPROGRAMMING ALLOWANCE	0	0	0	0	0	0	3,300		3,300	3,300
032 FORT RICHARDSON AK										
10 UPGRADE PHYSICAL FITNESS CENTER	0	0	7,000	7,000	0	7,000	7,000	7,000	7,000	
095 FORT RILEY KS										
20 WATER DISTRIBUTION MONITORING SYSTEM	0	0	800	800	0	800	0	800		
115 ABERDEEN PROVING GROUND MD										
30 PHYSICAL FITNESS CENTER	0	0	3,900	3,900	0	3,900	3,900	3,900	3,900	
120 FORT RITCHIE MD										
20 FIRE STATION	0	0	1,500	1,500	0	1,500	1,500	1,500	1,500	
130 FORT LEONARD WOOD MO										
20 CHILD DEVELOPMENT CENTER	0	0	0	0	3,050	0	3,050		3,050	3,050
145 WHITE SANDS MISSILE RANGE NM										
20 AERIAL CABLE RANGE	0	0	0	9,950	0	0	9,600	9,950	9,600	
148 FORT DRUM NY										
10 MULTIPURPOSE MACHINE GUN RANGE	0	2,500	0	2,350	2,500	0	2,350	2,350	2,350	
20 AUTO RECORD OF FIRE RANGE	0	2,100	0	2,100	2,100	0	2,100	2,100	2,100	
30 FIRING RANGE	0	1,650	0	1,750	1,650	0	1,750	1,750	1,750	
155 U S MILITARY ACADEMY NY										
10 ADMINISTRATION BUILDING MODIFICATION	7,300	7,300	8,800	8,800	7,300	8,800	8,800	1,500	1,500	
175 LETTERKENNY ARMY DEPOT PA										
10 AMMUNITION TRUCKBLOCKING/LOADING CTR 1/	0	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	
177 TOBYHANNA ARMY DEPOT PA										
10 HAZARDOUS MATERIAL STORAGE FAC	0	1,900	0	1,900	1,900	0	1,900	1,900	1,900	
20 TACTICAL COMPONENT REBUILD FACILITY 1/	0	8,200	8,200	8,200	8,200	8,200	8,200	8,200	8,200	
188 FORT BLISS TX										
10 BARRACKS MOD	0	10,600	0	10,600	11,600	0	11,600	10,600	11,600	1,000
20 BARRACKS MOD	0	11,600	0	11,600	10,600	0	10,600	11,600	10,600	
30 REPROGRAMMING ALLOWANCE	0	0	0	0	0	0	5,000		5,000	5,000
190 FORT HOOD TX										
40 BARRACKS MODERNIZATION	0	15,200	0	15,200	15,200	0	15,200	15,200	15,200	
200 RED RIVER ARMY DEPOT TX										
10 GENERAL PURPOSE WAREHOUSE 1/	0	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	
20 HYDRAULIC SHOP ALTERATIONS 1/	0	920	920	920	920	920	920	920	920	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
MILITARY PERSONNEL										
Military Personnel, Army										
TOA	23,372,600	NA	NA	NA	23,153,900	23,236,700	23,238,457	NA		NA
FAJ										
Appropriations	23,372,600	NA	NA	NA	23,153,900	23,236,700	23,238,457	NA		NA
Military Personnel, Navy										
TOA	19,641,570	NA	NA	NA	19,529,200	19,231,770	19,228,564	NA		NA
FAJ										
Appropriations	19,641,570	NA	NA	NA	19,529,200	19,231,770	19,228,564	NA		NA
Military Personnel, Marine Corps										
TOA	6,104,900	NA	NA	NA	6,113,200	5,973,700	5,960,998	NA		NA
FAJ										
Appropriations	6,104,900	NA	NA	NA	6,113,200	5,973,700	5,960,998	NA		NA
Military Personnel, Air Force										
TOA	18,647,800	NA	NA	NA	18,663,400	18,520,900	18,522,963	NA		NA
FAJ										
Appropriations	18,647,800	NA	NA	NA	18,663,400	18,520,900	18,522,963	NA		NA
Reserve Personnel, Army										
TOA	2,147,480	NA	NA	NA	2,167,700	2,218,860	2,170,496	NA	23,016	NA
FAJ										
Appropriations	2,147,480	NA	NA	NA	2,167,700	2,218,860	2,170,496	NA	23,016	NA
Reserve Personnel, Navy										
TOA	1,634,527	NA	NA	NA	1,679,000	1,672,327	1,653,200	NA	18,673	NA
FAJ										
Appropriations	1,634,527	NA	NA	NA	1,679,000	1,672,327	1,653,200	NA	18,673	NA
Reserve Personnel, Marine Corps										
TOA	340,132	NA	NA	NA	349,900	346,632	345,526	NA	5,394	NA
FAJ										
Appropriations	340,132	NA.	NA	NA	349,900	346,632	345,526	NA	5,394	NA

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Reserve Personnel, Air Force										
TOA	737,119	NA	NA	NA	735,200	727,219	729,019	NA		NA
FAJ										
Appropriations	737,119	NA	NA	NA	735,200	727,219	729,019	NA		NA
National Guard Personnel, Army										
TOA	3,167,100	NA	NA	NA	3,293,400	3,272,573	3,239,702	NA	72,602	NA
FAJ										
Appropriations	3,167,100	NA	NA	NA	3,293,400	3,272,573	3,239,702	NA	72,602	NA
National Guard Personnel, Air Force										
TOA	1,188,800	NA	NA	NA	1,191,300	1,167,922	1,168,100	NA		NA
FAJ										
Appropriations	1,188,800	NA	NA	NA	1,191,300	1,167,922	1,168,100	NA		NA
TOTAL - MILITARY PERSONNEL										
TOA	76,962,028	NA	NA	NA	76,696,200	76,366,623	76,275,025	NA		NA
FAJ										
Appropriations	76,962,028	NA	NA	NA	76,696,200	76,366,623	76,275,025	NA		NA
OPERATION AND MAINTENANCE										
Oper. & Maint., Army										
TOA	16,873,735	15,067,406	15,679,215	15,387,912	12,909,166	15,652,196	15,671,418			283,506
FAJ	(1,486,000)	(1,486,000)	(1,486,000)	(1,486,000)		(2,229,000)	(2,229,000)			
Appropriations	15,387,735	13,581,406	14,193,215	13,901,912	12,909,166	13,423,196	13,442,418			
Oper. & Maint., Navy										
TOA	20,594,974	18,131,394	20,231,181	19,392,896	19,272,649	19,385,258	19,203,058			
FAJ	140,100	140,100	140,100	140,100		(94,500)	(94,500)			
Appropriations	20,735,074	18,271,494	20,371,281	19,532,996	19,272,649	19,290,758	19,108,558			
Oper. & Maint., Marine Corps										
TOA	1,648,728	1,596,300	1,492,515	1,597,515	1,431,700	1,511,286	1,441,636			
FAJ	(39,000)	(39,000)	(39,000)	(39,000)		(58,500)	(58,500)			
Appropriations	1,609,728	1,557,300	1,453,515	1,558,515	1,431,700	1,452,786	1,383,136			

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Oper. & Maint., Air Force										
TOA	18,033,005	15,885,134	17,324,477	17,040,857	16,141,190	16,876,216	16,681,040			
FAJ	(448,000)	(448,000)	(448,000)	(448,000)		(672,000)	(672,000)			
Appropriations	17,585,005	15,437,134	16,876,477	16,592,857	16,141,190	16,204,216	16,009,040			
Oper. & Maint., Defensewide										
TOA	9,083,000	9,613,094	8,434,605	9,316,879	9,473,310	8,796,325	8,778,004	233,879		
FAJ	(50,000)	(50,000)	(50,000)	(50,000)						
Appropriations	9,033,000	9,563,094	8,384,605	9,266,879	9,473,310	8,796,325	8,778,004	233,879		
Office of the Inspector General										
TOA	126,000	218,900	125,500	125,200	219,700	126,000	126,000			800
FAJ										
Appropriations	126,000	218,900	125,500	125,200	219,700	126,000	126,000			800
Oper. & Maint., Army Reserve										
TOA	990,300	991,219	1,033,773	1,014,773	1,033,842	1,016,866	1,036,525	24,473	46,225	23,752
FAJ										
Appropriations	990,300	991,219	1,033,773	1,014,773	1,033,842	1,016,866	1,036,525	24,473	46,225	23,752
Oper. & Maint., Navy Reserve										
TOA	852,700	852,700	878,792	865,492	844,049	863,961	850,745	12,792		
FAJ										
Appropriations	852,700	852,700	878,792	865,492	844,049	863,961	850,745	12,792		
Oper. & Maint., Marine Corps Reserve										
TOA	74,700	75,950	74,821	75,171	76,592	74,820	77,870	471	3,170	2,699
FAJ										
Appropriations	74,700	75,950	74,821	75,171	76,592	74,820	77,870	471	3,170	2,699
Oper. & Maint., Air Force Reserve										
TOA	1,215,723	1,214,823	1,213,867	1,214,287	1,209,312	1,191,874	1,195,024			
FAJ										
Appropriations	1,215,723	1,214,823	1,213,867	1,214,287	1,209,312	1,191,874	1,195,024			

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Oper. & Maint., Army Nat'l Guard										
TOA	2,134,100	2,216,700	2,251,213	2,238,013	2,218,580	2,191,677	2,255,623	103,913	121,523	17,610
FAJ										
Appropriations	2,134,100	2,216,700	2,251,213	2,238,013	2,218,580	2,191,677	2,255,623	103,913	121,523	17,610
Oper. & Maint., Air Nat'l Guard										
TOA	2,552,624	2,551,924	2,512,475	2,513,175	2,535,250	2,493,039	2,493,669			
FAJ										
Appropriations	2,552,624	2,551,924	2,512,475	2,513,175	2,535,250	2,493,039	2,493,669			
Rifle Practice, Army										
TOA	2,700	2,700	2,700	2,700	2,700	2,700	2,700			
FAJ										
Appropriations	2,700	2,700	2,700	2,700	2,700	2,700	2,700			
Court of Military Appeals, Defense										
TOA	5,900	5,900	5,893	5,893	5,900	5,893	5,900			7
FAJ										
Appropriations	5,900	5,900	5,893	5,893	5,900	5,893	5,900			7
Summer Olympics										
TOA		2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	
FAJ										
Appropriations		2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	
Environmental Restoration Fund, Defense										
TOA	1,513,200	1,513,200	1,513,200	1,513,200	901,200	1,511,700	1,199,700			
FAJ	(612,000)	(612,000)								
Appropriations	901,200	901,200	1,513,200	1,513,200	901,200	1,511,700	1,199,700	612,000	298,500	
Humanitarian Assistance										
TOA	13,000	13,000	25,000	25,000	15,000	25,000	28,000	12,000	15,000	3,000
FAJ										
Appropriations	13,000	13,000	25,000	25,000	15,000	25,000	28,000	12,000	15,000	3,000

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Drug Interdiction & Counter-Drug Act., D										
TOA	1,263,400	1,263,400	1,263,400	1,263,400	1,261,900	1,259,200	1,140,651			
FAJ										
Appropriations	1,263,400	1,263,400	1,263,400	1,263,400	1,261,900	1,259,200	1,140,651			
World University Games										
TOA		6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	
FAJ										
Appropriations		6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	
World Cup - 1994										
TOA			9,000	9,000	9,000	9,000	9,000	9,000	9,000	
FAJ										
Appropriations			9,000	9,000	9,000	9,000	9,000	9,000	9,000	
Defense Health Program										
TOA	9,507,457	9,069,424	9,507,072	9,159,039	9,302,675	9,263,226	9,242,572			83,533
FAJ										
Appropriations	9,507,457	9,069,424	9,507,072	9,159,039	9,302,675	9,263,226	9,242,572			83,533
Real Property Maintenance, Defense										
TOA					3,622,762	2,332,029	1,920,029		1,920,029	1,920,029
FAJ						(612,000)	(400,000)			
Appropriations					3,622,762	1,720,029	1,520,029		1,520,029	1,520,029
TOTAL - OPERATION AND MAINTENANCE										
TOA	86,485,246	80,311,168	83,566,719	82,768,402	82,494,477	84,596,270	83,369,186			600,784
FAJ	(2,494,900)	(2,494,900)	(1,862,900)	(1,862,900)		(3,666,000)	(3,454,000)			
Appropriations	83,990,346	77,816,268	81,703,819	80,865,502	82,494,477	80,930,270	79,915,186			
PROCUREMENT										
Aircraft Procurement, Army										
TOA	1,291,259	1,501,259	1,328,909	1,553,909	1,414,659	1,258,842	1,441,842	262,650	150,583	
FAJ										
Appropriations	1,291,259	1,501,259	1,328,909	1,553,909	1,414,659	1,258,842	1,441,842	262,650	150,583	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Missile Procurement, Army										
TOA	982,298	1,083,110	1,037,893	1,118,652	1,139,004	1,022,126	1,051,667	136,354	69,369	
FAJ										
Appropriations	982,298	1,083,110	1,037,893	1,118,652	1,139,004	1,022,126	1,051,667	136,354	69,369	
Procurement of W&TCV, Army										
TOA	623,441	736,641	839,841	877,754	807,969	878,552	921,389	254,313	297,948	43,635
FAJ										
Appropriations	623,441	736,641	839,841	877,754	807,969	878,552	921,389	254,313	297,948	43,635
Procurement of Ammunition, Army										
TOA	823,600	940,007	764,260	829,444	1,175,433	707,180	1,094,260	5,844	270,660	264,816
FAJ										
Appropriations	823,600	940,007	764,260	829,444	1,175,433	707,180	1,094,260	5,844	270,660	264,816
Other Procurement, Army										
TOA	3,093,508	3,157,893	3,032,220	3,129,452	3,022,667	2,978,318	3,047,053	35,944		
FAJ										
Appropriations	3,093,508	3,157,893	3,032,220	3,129,452	3,022,667	2,978,318	3,047,053	35,944		
Aircraft Procurement, Navy										
TOA	6,653,679	6,352,167	5,950,477	5,899,395	6,636,127	5,734,209	6,026,213			126,818
FAJ										
Appropriations	6,653,679	6,352,167	5,950,477	5,899,395	6,636,127	5,734,209	6,026,213			126,818
Weapons Procurement, Navy										
TOA	3,718,950	3,728,950	3,536,946	3,700,098	3,337,462	3,593,915	3,760,697		41,747	60,599
FAJ										
Appropriations	3,718,950	3,728,950	3,536,946	3,700,098	3,337,462	3,593,915	3,760,697		41,747	60,599
Shipbuilding & Conversion, Navy										
TOA	5,319,472	6,590,872	5,526,463	5,958,663	5,513,231	5,526,322	5,978,287	639,191	658,815	19,624
FAJ					1,900,000					
Appropriations	5,319,472	6,590,872	5,526,463	5,958,663	7,413,231	5,526,322	5,978,287	639,191	658,815	19,624

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Other Procurement, Navy										
TOA	5,868,813	5,758,876	5,722,263	5,660,664	5,774,446	5,629,152	5,615,325			
FAJ										
Appropriations	5,868,813	5,758,876	5,722,263	5,660,664	5,774,446	5,629,152	5,615,325			
Procurement; Marine Corps										
TOA	588,546	931,246	690,127	729,727	792,128	626,677	824,607	141,181	236,061	94,880
FAJ										
Appropriations	588,546	931,246	690,127	729,727	792,128	626,677	824,607	141,181	236,061	94,880
Aircraft Procurement, Air Force										
TOA	10,928,701	10,144,817	9,274,999	10,034,314	9,427,005	9,260,783	10,029,285			
FAJ										
Appropriations	10,928,701	10,144,817	9,274,999	10,034,314	9,427,005	9,260,783	10,029,285			
Missile Procurement, Air Force										
TOA	5,378,708	4,937,540	4,125,590	4,399,390	4,327,902	4,125,590	4,369,524			
FAJ										
Appropriations	5,378,708	4,937,540	4,125,590	4,399,390	4,327,902	4,125,590	4,369,524			
Other Procurement, Air Force										
TOA	8,346,566	8,132,500	8,100,970	7,894,398	7,640,868	7,926,649	7,686,524			
FAJ										
Appropriations	8,346,566	8,132,500	8,100,970	7,894,398	7,640,868	7,926,649	7,686,524			
Procurement, Defensewide										
TOA	2,146,935	1,746,634	2,536,963	1,950,704	1,575,178	2,068,752	1,962,058			11,354
FAJ										
Appropriations	2,146,935	1,746,634	2,536,963	1,950,704	1,575,178	2,068,752	1,962,058			11,354
National Guard & Reserve Equipment										
TOA		635,800	872,100	695,600	1,132,150	751,100	1,567,200	695,600	1,567,200	871,600
FAJ										
Appropriations		635,800	872,100	695,600	1,132,150	751,100	1,567,200	695,600	1,567,200	871,600
Inspector General										
TOA		800	500	800				800		
FAJ										
Appropriations		800	500	800				800		

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Defense Production Act Purchases										
TOA					25,000					
FAJ										
Appropriations					25,000					
Chem Agents & Munitions Destruction, Def										
TOA	526,400	526,400	517,300	515,300	494,100	524,400	518,600			3,300
FAJ										
Appropriations	526,400	526,400	517,300	515,300	494,100	524,400	518,600			3,300
TOTAL - PROCUREMENT										
TOA	56,290,898	56,907,512	53,861,863	54,948,262	54,237,369	52,612,567	55,894,531			946,249
FAJ					1,900,000					
Appropriations	56,290,898	56,907,512	53,861,863	54,948,262	56,137,369	52,612,567	55,894,531			946,249
RESEARCH, DEV, TEST & EVAL										
RDT&E, Army										
TOA	5,414,477	5,461,133	5,307,744	5,919,046	5,962,532	5,307,737	6,032,860	504,571	618,383	113,812
FAJ										
Appropriations	5,414,477	5,461,133	5,307,744	5,919,046	5,962,532	5,307,737	6,032,860	504,571	618,383	113,812
RDT&E, Navy										
TOA	8,517,778	8,802,296	8,921,805	8,984,717	9,315,969	7,098,773	8,930,361	466,939	412,603	
FAJ										
Appropriations	8,517,778	8,802,296	8,921,805	8,984,717	9,315,969	7,098,773	8,930,361	466,939	412,603	
RDT&E, Air Force										
TOA	14,532,375	14,242,067	14,070,731	14,231,700	13,731,603	11,373,360	13,199,006			
FAJ										
Appropriations	14,532,375	14,242,067	14,070,731	14,231,700	13,731,603	11,373,360	13,199,006			
RDT&E, Defensewide										
TOA	10,053,361	9,629,643	10,390,969	10,203,425	9,510,354	8,301,222	9,799,911	150,044		
FAJ										
Appropriations	10,053,361	9,629,643	10,390,969	10,203,425	9,510,354	8,301,222	9,799,911	150,044		

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Developmental Test & Eval., Defense										
TOA	261,707	261,707	261,707	261,707	261,707	260,707	259,707			
FAJ										
Appropriations	261,707	261,707	261,707	261,707	261,707	260,707	259,707			
Operational Test & Eval., Defense										
TOA	12,963	12,963	12,963	12,963	12,963	12,963	12,963			
FAJ										
Appropriations	12,963	12,963	12,963	12,963	12,963	12,963	12,963			
Advanced Tactical Aviation, Defense										
TOA						3,466,977				
FAJ										
Appropriations						3,466,977				
TOTAL - RESEARCH, DEV, TEST & EVAL										
TOA	38,812,701	38,429,849	38,965,939	39,613,580	38,795,146	35,843,779	38,234,846	800,879		
FAJ										
Appropriations	38,812,701	38,429,849	38,965,939	39,613,580	38,795,146	35,843,779	38,234,846	800,879		
OTHER										
Former Soviet Union (FSU) Threat Reducti										
TOA		(3,500,000)								
FAJ										
Appropriations		(3,500,000)								
International Nuclear Nonproliferation A										
TOA		40,000								
FAJ										
Appropriations		40,000								
Reinvestment for Economic Growth, Defense										
TOA		1,000,000	200,000							
FAJ										
Appropriations		1,000,000	200,000							

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
TOTAL - OTHER										
TOA		(2,460,000)	200,000							
FAJ										
Appropriations		(2,460,000)	200,000							
REVOLVING AND MANAGEMENT FUNDS										
National Defense Stockpile Transaction F										
TOA				(150,000)						150,000
FAJ										
Appropriations				(150,000)						150,000
Defense Business Operations Fund										
TOA	1,123,800	16,600	1,123,800	1,145,000	16,600	1,123,800	1,123,800	21,200		
FAJ										
Appropriations	1,123,800	16,600	1,123,800	1,145,000	16,600	1,123,800	1,123,800	21,200		
National Defense SeaIR Fund										
TOA	1,201,400			613,200		1,201,400	613,400			200
FAJ										
Appropriations	1,201,400			613,200		1,201,400	613,400			200
TOTAL - RVLVNG. & MNGMNT. FUNDS										
TOA	2,325,200	16,600	1,123,800	1,608,200	16,600	2,325,200	1,737,200			129,000
FAJ										
Appropriations	2,325,200	16,600	1,123,800	1,608,200	16,600	2,325,200	1,737,200			129,000
MILITARY CONSTRUCTION										
Military Construction, Army										
TOA	1,009,546	1,015,818	512,450	470,660	529,175	366,260	425,270			
FAJ										
Appropriations	1,009,546	1,015,818	512,450	470,660	529,175	366,260	425,270			

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Military Construction, Navy										
TOA	898,978	853,425	354,109	403,849	392,098	336,829	366,867			
FAJ										
Appropriations	898,978	853,425	354,109	403,849	392,098	336,829	366,867			
Military Construction, Air Force										
TOA	1,118,844	1,046,594	773,530	850,960	691,613	704,690	717,260			
FAJ										
Appropriations	1,118,844	1,046,594	773,530	850,960	691,613	704,690	717,260			
Military Construction, Defensewide										
TOA	479,868	521,618	264,196	354,446	305,094	194,516	262,116			
FAJ										
Appropriations	479,868	521,618	264,196	354,446	305,094	194,516	262,116			
Mil. Con., Army National Guard										
TOA	46,700	199,411	142,627	208,672	159,058	145,331	209,639	161,972	162,939	967
FAJ										
Appropriations	46,700	199,411	142,627	208,672	159,058	145,331	209,639	161,972	162,939	967
Mil. Con., Air National Guard										
TOA	173,270	261,259	229,679	305,759	227,907	233,790	287,559	132,489	114,289	
FAJ										
Appropriations	173,270	261,259	229,679	305,759	227,907	233,790	287,559	132,489	114,289	
Mil. Con., Army Reserve										
TOA	31,500	31,500	36,506	34,850	8,217	42,150	42,150	3,350	10,650	7,300
FAJ										
Appropriations	31,500	31,500	36,506	34,850	8,217	42,150	42,150	3,350	10,650	7,300
Mil. Con., Naval Reserve										
TOA	37,772	37,772	15,715	17,200	9,801	17,200	15,400			
FAJ										
Appropriations	37,772	37,772	15,715	17,200	9,801	17,200	15,400			
Mil. Con., Air Force Reserve										
TOA	52,860	56,360	34,353	36,560	33,967	43,210	29,900			
FAJ										
Appropriations	52,860	56,360	34,353	36,560	33,967	43,210	29,900			

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Base Realignment & Closure Acct, Part I										
TOA	627,400	627,400	627,400	627,400	598,243	627,400	602,400			
FAJ	(186,700)	(186,700)	(186,700)	(186,700)	(186,700)	(186,700)	(186,700)			
Appropriations	440,700	440,700	440,700	440,700	411,543	440,700	415,700			
Base Realignment & Closure Acct, Part II										
TOA	1,743,600	1,743,600	1,743,600	1,743,600	1,602,414	1,743,600	1,618,600			
FAJ										
Appropriations	1,743,600	1,743,600	1,743,600	1,743,600	1,602,414	1,743,600	1,618,600			
NATO Infrastructure										
TOA	280,300	180,300	280,300	119,100	179,066		119,100			
FAJ	(59,100)	(59,100)	(59,100)	(59,100)	(59,100)		(59,100)			
Appropriations	221,200	121,200	221,200	60,000	119,966		60,000			
TOTAL - MILITARY CONSTRUCTION										
TOA	6,500,660	6,577,077	5,034,464	5,173,096	4,736,695	4,454,976	4,698,301			
FAJ	(245,800)	(245,800)	(245,800)	(245,800)	(245,800)	(186,700)	(245,800)			
Appropriations	6,254,860	6,331,277	4,788,664	4,927,296	4,490,895	4,268,276	4,452,501			
FAMILY HOUSING										
Family Housing Construction, Army										
TOA	175,600	211,400	198,000	160,040	206,298	127,340	160,122			82
FAJ										
Appropriations	175,600	211,400	198,000	160,040	206,298	127,340	160,122			82
Family Housing Operations & Debt, Army										
TOA	1,360,390	1,375,390	1,360,390	1,363,570	1,349,933	1,360,390	1,363,570			
FAJ	127	127	127	127	127	127	127			
Appropriations	1,360,517	1,375,517	1,360,517	1,363,697	1,350,060	1,360,517	1,363,697			
Family Housing Construction, Navy & Marl										
TOA	377,770	339,640	491,750	385,434	338,244	359,410	378,434	7,664	664	
FAJ										
Appropriations	377,770	339,640	491,750	385,434	338,244	359,410	378,434	7,664	664	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
Family Housing Operations & Debt, Navy &										
TOA	696,177	696,177	696,177	661,248	662,956	696,177	661,248			
FAJ										
Appropriations	696,177	696,177	696,177	661,248	662,956	696,177	661,248			
Family Housing Construction, Air Force										
TOA	322,110	332,954	348,610	263,786	329,624	261,786	263,786			
FAJ										
Appropriations	322,110	332,954	348,610	263,786	329,624	261,786	263,786			
Family Housing Operations & Debt, AF										
TOA	942,266	937,266	942,266	927,941	918,662	942,266	927,941			
FAJ										
Appropriations	942,266	937,266	942,266	927,941	918,662	942,266	927,941			
Family Housing Operations & Debt, Defens										
TOA	28,400	28,400	28,400	28,400	28,116	28,400	28,400			
FAJ										
Appropriations	28,400	28,400	28,400	28,400	28,116	28,400	28,400			
Homeowners Asst Fund, Def.										
TOA	138,000	138,000	138,000	138,000	136,670	138,000	138,000			
FAJ	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)			
Appropriations	133,000	133,000	133,000	133,000	131,670	133,000	133,000			
TOTAL - FAMILY HOUSING										
TOA	4,060,735	4,059,249	4,221,615	3,948,417	3,988,503	3,933,791	3,941,499			
FAJ	(4,873)	(4,873)	(4,873)	(4,873)	(4,873)	(4,873)	(4,873)			
Appropriations	4,055,862	4,054,376	4,216,742	3,943,544	3,983,630	3,928,918	3,936,626			
DEFENSEWIDE CONTINGENCIES										
Savings from Reform of Davis-Bacon										
TOA	(110,000)	NA	NA	NA	(111,330)	(110,000)	(110,000)	NA		NA
FAJ										
Appropriations	(110,000)	NA	NA	NA	(111,330)	(110,000)	(110,000)	NA		NA

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: SUMMARY
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp> Auth.
TRUST FUNDS										
National Security Education Trust Fund										
TOA						35,000				
FAJ										
Appropriations						35,000				

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
OPERATION AND MAINTENANCE										
Oper. & Maint., Army										
Undistributed										
005 MILITARY POLICE TRAINING TRANSFER FROM A	0	0	0	0	0	1,000	1,000		1,000	1,000
007 ADMINISTRATION & ASSOCIATED ACTIVITES	0	0	0	0	0	5,471	5,471		5,471	5,471
090 NURSING DEMONSTRATION PROGRAM	0	2,000	0	2,000	2,000	0	2,000	2,000	2,000	
100 MEMORIAL DAY & JULY 4TH CELEBRATIONS	0	0	0	0	900	900	900		900	900
105 PRESIDIO OF SAN FRANCISCO REAL PROP MNT	0	0	0	0	80,000	22,330	22,330		22,330	22,330
130 COMMUNICATIONS & ELEC DEPOT MAINT BACK	0	0	0	0	51,000	0	51,000		51,000	51,000
135 ROTC DEMONSTRATION PROJECT	0	0	0	0	750	0	750		750	750
136 JROTC	0	0	18,690	18,690	0	0	0	18,690		
260 POHAKULOA TRAINING	0	0	0	0	0	1,000	1,000		1,000	1,000
265 ARMY ENV POLICY INSTITUTE	0	0	1,500	1,500	0	1,500	1,500	1,500	1,500	
300 MADIGON ARMY MEDICAL CENTER	0	0	0	150	0	0	23,270	150	23,270	23,120
TOTAL OF CONGRESSIONAL ADDITIONS*								22,340	109,221	105,571
Oper. & Maint., Navy										
Undistributed										
085 RECRUITING, ADVERTISING AND EXAMINING	0	(13,000)	(4,700)	(4,700)	(2,000)	(4,700)	(2,000)			2,700
065 GUANTANAMO BASE OPERATIONS	0	2,000	0	2,000	0	0	0	2,000		
117 DISTRIBUTION COSTS FOR PEARL HARBOR MEI	0	0	0	0	100	100	100		100	100
118 CONTINUING EDUCATION ASSISTANCE	0	0	0	0	175	0	175		175	175
210 TRAVEL	0	0	(12,405)	(12,405)	0	(8,000)	(8,000)			4,405
235 CIVILIAN PERSONNEL BENEFITS	0	0	4,800	7,400	0	0	0	7,400		
250 NAVAL EARTH ORBIT ACTIVITIES	0	0	1,600	1,600	0	0	0	1,600		
260/320 JROTC/UROTC BUDGET AMENDMENT	6,474	0	6,486	6,486	0	6,474	6,474	12		
311 USS SANCTUARY	0	0	0	2,000	0	0	0	2,000		
312 CLASSIFIED WEAPONS	0	0	0	0	0	0	5,000		5,000	5,000
315 NAVAL OBSERVATORY	0	0	0	0	0	1,600	1,600		1,600	1,600
TOTAL OF CONGRESSIONAL ADDITIONS*								13,012	6,875	13,980
Oper. & Maint., Marine Corps										
Undistributed										
025 TRAINING & OTH GEN PERS ACTIVITIES	0	0	(6,000)	(3,000)	0	(8,000)	(2,000)			1,000
095 REVISED INFLATION	0	0	(2,000)	(2,000)	0	(1,700)	(1,700)			300
100 CIVILIAN PERSONNEL BENEFITS	0	0	800	800	0	0	0	800		
105 MP TRAINING	0	0	460	460	0	0	0	460		
115 MC ENHANCEMENTS	0	0	14,600	14,600	0	0	0	14,600		

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
TOTAL OF CONGRESSIONAL ADDITIONS*								15,960	0	1,300
Oper. & Maint., Air Force										
Undistributed										
050 TRAINING AND EDUCATION	0	(5,000)	(1,800)	(1,800)	(200)	(1,800)	(200)			1,600
095 CIVIL AIR PATROL	0	400	1,331	1,331	1,331	1,331	1,331	1,331	1,331	
100/310 JUNIOR ROTC/JROTC BUDGET AMENDMEN	4,005	2,500	4,022	4,022	2,500	4,005	4,005	17		
105 COMPUTER-AIDED ACQUIS & LOGISTICS SYS	0	13,000	0	13,000	13,000	0	37,000	13,000	37,000	24,000
110 PACAF EXERCISES AND OTHER	0	0	0	0	0	(91,081)	8,139		8,139	8,139
155 WINDSOR SCHOOL RENOVATION	0	0	0	0	1,500	0	1,500		1,500	1,500
165 JCS EXERCISES	0	0	0	0	9,000	0	9,000		9,000	9,000
180 MILITARY FAMILY SERVICES	0	0	0	0	3,000	0	3,000		3,000	3,000
187 MANUAL DESALINATORS	0	0	0	0	2,000	0	2,000		2,000	2,000
235 CIVILIAN PERSONNEL BENEFITS	0	0	7,600	11,600	0	0	0	11,600		
295 NOAA	0	0	0	0	0	17,000	17,000		17,000	17,000
TOTAL OF CONGRESSIONAL ADDITIONS*								25,948	78,970	66,239
Oper. & Maint., Defensewide										
Undistributed										
050 RECRUITING, ADVERTISING AND EXAMINING	0	(2,000)	(400)	(400)	0	(400)	(200)			200
085 DEFENSE CONTRACT AUDIT AGENCY	0	8,700	8,700	8,700	8,700	8,700	0	8,700		
095 PHYSICIAN ASSISTANT DEMO PROGRAM	0	1,000	0	1,000	1,000	0	1,000	1,000	1,000	
100 GD & RESERVE MEDICAL CARE PILOT PROGRA	0	1,500	0	0	1,500	0	1,500		1,500	1,500
130 DEFENSE LOGISTICS AGENCY (DLA)	0	0	0	0	16,000	(33,000)	12,000		12,000	12,000
240 OFFICE OF ECONOMIC ADJUSTMENT	0	0	25,000	80,000	0	25,000	80,000	80,000	80,000	
245 PAYMENTS TO SCHOOL DISTRICTS	0	0	58,000	58,000	0	0	0	58,000		
250 CIVILIAN PERSONNEL BENEFITS	0	0	4,000	8,000	0	0	0	8,000		
255 LEGACY RES. MANAGE PROG	0	0	40,000	40,000	0	40,000	40,000	40,000	40,000	
265 CINC INITIATIVES FUND	0	0	25,000	25,000	0	0	0	25,000		
305 MOBILITY ENHANCEMENTS	0	0	0	0	0	70,000	70,000		70,000	70,000
325 DEFENSE CONVERSION COMMISSION	0	0	0	0	0	5,000	5,000		5,000	5,000
340 ACADEMY ATHLETIC PROGRAMS	0	0	0	0	0	350	350		350	350
345 DISASTER RELIEF PLANNING	0	0	0	0	0	10,000	10,000		10,000	10,000
350 DISASTER RELIEF EFFORTS	0	0	0	0	0	80,000	80,000		80,000	80,000
360 NUCLEAR WASTE RESPONSE	0	0	0	0	0	1,000	1,000		1,000	1,000
365 ABUSED DEPENDENTS	0	0	0	0	0	1,000	1,000		1,000	1,000
370 CIVILIAN COMMUNITY CORPS	0	0	0	30,000	0	0	40,000	30,000	40,000	10,000
375 NATIONAL & COMMUNITY SERVICE PROGRAM	0	0	0	30,000	0	0	0	30,000		

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
380 ECONOMIC ADJUSTMENT PLANNING PILOT PRC	0	0	0	2,000	0	0	0	2,000		
385 ASSISTANCE THROUGH IM	0	0	0	80,000	0	0	0	80,000		
390 TRAINING AND EMPLOYMENT SERVICES	0	0	0	75,000	0	0	0	75,000		
395 TROOPS TO TEACHERS PROGRAM	0	0	0	65,000	0	0	0	65,000		
400 ENVIRONMENTAL DEMOLATION TRG SCHOLAR:	0	0	0	10,000	0	0	0	10,000		
405 COLLEGE GRANTS - ENV. RESTORATION TRG	0	0	0	10,000	0	0	0	10,000		
410 UPWARD REACH PROJECTS	0	0	0	5,000	0	0	0	5,000		
415 JOB BACK PROGRAM	0	0	0	4,000	0	0	0	4,000		
420 SERV. MEMBER OCCUPATION CONV. & TRG.	0	0	0	75,000	0	0	0	75,000		
425 PROCUREMENT TECHNICAL ASSISTANCE CENT	0	0	0	12,000	0	0	0	12,000		
426 DCAA	0	0	0	0	0	0	8,700		8,700	8,700
TOTAL OF CONGRESSIONAL ADDITIONS*								586,700	290,560	169,750
Oper. & Maint., Army Reserve										
Undistributed										
005 RECRUITING, ADVERTISING AND EXAMINING	0	(5,300)	(1,900)	(1,900)	0	(1,900)	(950)			950
015 END STRENGTH RESTORATION	0	8,000	46,000	27,000	48,300	46,000	32,309	27,000	32,309	5,309
020 MISSION FORCES - RESTRUCTURED TRAINING	0	0	0	0	26,000	0	15,000		15,000	15,000
035 ARMY RESERVE CENTER - UNIV OF MIAMI	0	0	0	0	400	0	400		400	400
065 EQUIPMENT MODERNIZATION	0	0	0	0	19,000	0	19,000		19,000	19,000
Oper. & Maint., Navy Reserve										
Undistributed										
005 RECRUITING, ADVERTISING AND EXAMINING	0	(2,000)	(800)	(800)	0	(800)	(400)			400
010 CRAFT OF OPPORTUNITY PROGRAM	0	2,000	0	3,200	0	3,200	3,200	3,200	3,200	
040 FORCE STRUCTURE ADJUSTMENT	0	0	0	0	17,000	33,000	13,384		13,384	13,384
050 C-130 SQUADRONS	0	0	0	0	6,000	0	6,000		6,000	6,000
075 GUARD/RESERVE STRENGTH	0	0	33,000	16,500	0	0	0	16,500		
085 REVISED INFLATION	0	0	(1,000)	(1,000)	0	(900)	(900)			100
Oper. & Maint., Marine Corps Reserve										
Undistributed										
010/030 END STRENGTH/FORCE STRUCTURE	0	2,250	0	2,250	5,100	2,000	5,000	2,250	5,000	2,750
Oper. & Maint., Air Force Reserve										
Undistributed										
005 RECRUITING, ADVERTISING AND EXAMINING	0	(600)	(300)	(300)	0	(300)	(150)			150
045 WC-130 WEATHER RECONNAISSANCE	0	0	0	0	3,100	3,100	5,900		5,900	5,900
070 GUARD/RESERVE STRENGTH	0	0	1,000	1,000	0	1,000	1,200	1,000	1,200	200
080 CIVILIAN PERSONNEL BENEFITS	0	0	700	1,100	0	0	0	1,100		
Oper. & Maint., Army Nat'l Guard										
Undistributed										
005 RECRUITING, ADVERTISING AND EXAMINING	0	(4,400)	(1,600)	(1,600)	0	(1,600)	(800)			800

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
010 END STRENGTH RESTORATION	0	87,000	97,000	92,000	69,100	97,000	71,900	92,000	71,900	
015 MISSION FORCES - RESTRUCTURED TRAINING	0	0	0	0	25,000	0	15,000		15,000	15,000
060 EQUIPMENT MODERNIZATION	0	0	0	0	42,000	0	42,000		42,000	42,000
075 URBAN YOUTH PROG & YOUTH CONSERV CORI	0	0	50,000	50,000	2,100	0	2,100	50,000	2,100	
120 CIVILIAN PERSONNEL BENEFITS	0	0	1,100	1,700	0	0	0	1,700		
125 NG CIVILIAN YOUTH OPPORTUNITIES	0	0	0	0	0	10,800	10,800		10,800	10,800
130 USFPO	0	0	0	5,000	0	845	845	5,000	845	
150 C-23 CONTRACTOR LOGISTICS SUPPORT	0	0	0	0	0	0	5,000		5,000	5,000
155 NG CIVILIAN YOUTH OPPORTUNITIES PILOT PR(	0	0	0	0	0	0	30,000		30,000	30,000
Oper. & Maint., Air Nat'l Guard										
Undistributed										
005 RECRUITING, ADVERTISING AND EXAMINING	0	(700)	(300)	(300)	0	(300)	(150)			150
060 URBAN YOUTH PROG & YOUTH CONSERV CORI	0	0	0	0	900	0	900		900	900
075 GUARD/RESERVE STRENGTH	0	0	(1,000)	(1,000)	0	1,000	1,200		1,200	2,200
105 CIVILIAN PERSONNEL BENEFITS	0	0	1,300	2,000	0	0	0	2,000		
110 168TH REFUELING SQUADRON	0	0	0	0	0	2,500	2,500		2,500	2,500
120 NG CIVILIAN YOUTH PROGRAM	0	0	0	0	0	3,200	3,200		3,200	3,200
126 STARBASE PROGRAM	0	0	0	0	0	0	2,000		2,000	2,000
TOTAL OF CONGRESSIONAL ADDITIONS*								201,750	268,838	184,093
Summer Olympics										
001 1996 SUMMER OLYMPICS	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	
Environmental Restoration Fund, Defense										
001 ENVIRONMENTAL RESTORATION, DEFENSE PR	901,200	901,200	901,200	901,200	901,200	899,700	1,199,700		298,500	298,500
Humanitarian Assistance										
001 HUMANITARIAN ASSISTANCE PROGRAMS	13,000	13,000	25,000	25,000	15,000	28,000	28,000	12,000	15,000	3,000
Drug Interdiction & Counter-Drug Act., D										
055 SUPPORT TO LAW ENFORCEMENT	0	30,000	0	30,000	30,000	0	0	30,000		
060 CIVIL AIR PATROL	0	1,000	0	1,000	2,000	0	0	1,000		
065 COUNTER-DRUG SURVEILLANCE PLAN	0	5,000	0	5,000	5,000	0	0	5,000		
070 CONSOLIDATED SURVEILLANCE ACCOUNT	0	88,300	0	88,300	88,300	0	0	88,300		
120 DEMAND REDUCTION MILITARY DEPARTMENTS	0	0	0	15,000	0	0	0	15,000		
125 DEMAND REDUCTION NATIONAL GUARD	0	0	0	10,000	0	0	0	10,000		
World University Games										
001 1993 WORLD UNIVERSITY GAMES	0	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: OPERATION & MAINTENANCE
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
World Cup - 1994 *										
001 WORLD CUP USA 1994	0	0	9,000	9,000	9,000	9,000	9,000	9,000	9,000	
Defense Health Program										
060 TRANSITION BENEFITS	0	0	76,000	76,000	0	3,614	0	76,000		
055 CHAMPUS	0	0	49,000	14,000	0	25,000	0	14,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								269,300	330,500	301,500
TOTAL - OPERATION AND MAINTENANCE '										
TOA	86,465,246	80,311,168	83,586,719	82,768,402	82,494,477	84,596,270	83,369,186			600,784
FAJ	(2,494,900)	(2,494,900)	(1,862,900)	(1,862,900)	0	(3,666,000)	(3,454,000)	612,000		
TOTAL OF CONGRESSIONAL ADDITIONS TO O&M*								1,137,010	1,104,954	842,433
REVOLVING AND MANAGEMENT FUNDS										
Defense Business Operations Fund										
001 DEFENSE BUSINESS OPERATIONS FUND	1,123,800	1,123,800	1,123,800	1,145,000	1,123,800	1,123,800	1,123,800	21,200		
National Defense Sealift Fund										
001 PROGRAM TERMINATION	1,201,400	0	0	613,200	0	1,201,400	613,400			200
TOTAL - REVOLVING AND MANAGEMENT FUNDS										
TOA	2,325,200	16,600	1,123,800	1,608,200	16,600	2,325,200	1,737,200			129,000
Appropriations	2,325,200	16,600	1,123,800	1,608,200	16,600	2,325,200	1,737,200			129,000
TOTAL OF CONGRESSIONAL ADDITIONS TO REVOLVING FUNDS*								21,200	0	200

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
PROCUREMENT										
Aircraft Procurement, Army										
Aircraft/Modification of Aircraft										
040/024 AHIP/ARMED OH-58D	96,157	346,157	96,157	321,157	321,157	96,157	321,157	225,000	225,000	
Modification of aircraft										
015 AH-64 MODS	49,130	9,130	91,830	91,830	9,130	91,830	91,830	42,700	42,700	
Spares and repair parts										
030 SPARES AND REPAIR PARTS	101,012	101,012	95,962	95,962	101,012	98,487	98,487			2,525
Missile Procurement, Army										
Other missiles										
005 STINGER SYSTEM SUMMARY	9,459	9,459	9,459	9,459	84,459	9,459	36,000		26,541	26,541
011 MLRS ROCKET	2,169	110,900	110,869	110,898	94,300	110,898	110,898	108,729	108,729	
013 MLRS LAUNCHER	197,270	199,351	146,270	227,000	203,000	146,329	146,329	29,730		
015 ARMY TACTICAL MSL SYS (ATACMS) - SYS SUM	163,241	163,241	163,241	163,241	167,386	167,386	167,386		4,145	4,145
Modification of missiles										
021 TOW MODS	4,998	4,998	4,998	4,998	14,998	4,998	14,998		10,000	10,000
Procurement of W&TCV, Army										
Tracked combat vehicles										
002/07/020 BRADLEY/MODS/BASE SUSTAINMENT	138,380	227,580	263,380	263,380	338,380	288,380	263,380	125,000	125,000	
011/022 M1 ABRAMS TANK MOD/UPGRADE	25,202	25,202	65,202	147,602	25,202	122,400	186,202	122,400	161,000	38,600
012 MODIFICATIONS LESS THAN $2.0M (TCV-WTCV)	998	998	998	998	998	998	8,998		8,000	8,000
Weapons and other combat vehicles										
019/025 GRENADE LAUNCHER, AUTO, 40MM, MK19-3	0	24,000	24,000	24,000	0	25,000	25,000	24,000	25,000	1,000
Procurement of Ammunition, Army										
Ammunition										
002 CTG, 5.56MM, ALL TYPES	25,167	33,767	25,167	33,767	44,767	25,167	33,767	8,600	8,600	
003 CTG, 7.62MM, ALL TYPES	10,494	15,294	10,494	15,294	15,294	10,494	15,294	4,800	4,800	
008 CTG, .50-CAL, ALL TYPES	11,420	11,420	8,720	11,420	16,420	16,420	16,420		5,000	5,000
009 CTG, .50 CAL, SLAP	0	0	10,000	5,000	0	0	0	5,000		
015 CTG, MORTAR, 60MM, 1/10 PRACTICE	0	0	0	0	3,200	0	3,200		3,200	3,200
018 CTG, TANK, 105MM, TP-T, M490A1	0	0	0	0	29,300	0	20,000		20,000	20,000
019 CTG, TANK, 105MM, DS-TP, M724A1	0	0	0	0	29,500	0	20,000		20,000	20,000
030 PROJ. ARTY. 155MM, HE, M107	0	0	0	0	35,000	17,500	35,000		35,000	35,000
032 PROP CHG, 155MM, RED BAG, M203	37,513	37,513	37,513	37,513	149,813	37,513	60,000		22,487	22,487
040 MINE, VOLCANO, AT/AP, M87	0	60,000	0	60,000	60,000	0	60,000	60,000	60,000	
044 ROCKET, HYDRA 70, ALL TYPES	10,030	10,030	33,030	33,030	38,430	10,030	10,030	23,000		
050 AMMO COMPONENTS, ALL TYPES	18,182	14,082	18,182	18,182	14,082	14,082	24,082		5,900	5,900
Ammunition production base support										
062 CONVENTIONAL AMMO DEMILITARIZATION	23,600	35,000	31,600	35,000	35,000	23,600	35,000	11,400	11,400	
070 ARMS INITIATIVE	0	0	0	0	0	0	200,000		200,000	200,000

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Other Procurement, Army										
Tactical and support vehicles										
001 TACTICAL TRAILERS/DOLLY SETS	11,787	11,787	41,787	41,787	1 ˜97	41,787	41,787	30,000	30,000	
003 SEMITRAILER, TANK, 5000G	0	25,000	0	25,000	25,000	0	25,000	25,000	25,000	
006 HEAVY EQUIPMENT TRANSPORTER SYS	0	40,000	0	40,000	40,000	0	40,000	40,000	40,000	
019 SPARES AND REPAIR PARTS	11,797	11,797	11,207	11,207	11,797	11,297	11,297			90
Communications and electronics equipment										
034 ARMY DATA DISTRIBUTION SYSTEM (ADDS)	27,297	59,297	27,297	59,297	59,297	24,297	56,297	32,000	29,000	
038 EAC COMMUNICATIONS	6,459	15,459	40,959	40,959	6,459	40,959	40,959	34,500	34,500	
061 ALL SOURCE ANALYSIS SYS (ASAS) (TIARA)	64,319	44,319	44,319	44,319	44,319	47,719	47,719			3,400
069 MOD OF IN-SVC EQUIP (INTEL SPT) (TIARA)	20,842	20,842	20,842	20,842	20,842	20,842	24,342		3,500	3,500
089 AUTOMATED DATA PROCESSING EQUIP	147,789	147,789	147,789	147,789	156,789	141,789	150,789		3,000	3,000
090 RESERVE COMPONENT AUTOMATION SYS (RC/	152,222	152,222	152,222	152,222	167,222	152,222	167,222		15,000	15,000
094 INTEGRATED FAMILY OF TEST EQUIP (IFTE)	39,065	51,065	39,065	51,065	51,065	33,065	51,065	12,000	12,000	
097 INITIAL SPARES	66,911	66,911	65,465	65,465	66,911	62,911	65,917			452
101 PRODUCTION BASE SUPPORT (C-E)	3,610	3,610	3,610	3,610	11,710	3,610	11,710		8,100	8,100
Other support equipment										
113 TOWED ASSAULT BRIDGE	0	2,000	0	2,000	2,000	2,000	2,000	2,000	2,000	
149 NATURAL GAS UTILIZATION EQUIPMENT	0	0	0	0	8,000	0	8,000		8,000	8,000
174 LSV LANDING CRAFT	0	0	0	0	18,000	0	18,000		18,000	18,000
TOTAL OF CONGRESSIONAL ADDITIONS*								965,859	1,369,802	460,940
Aircraft Procurement, Navy										
Combat aircraft										
007 F/A-18 (FIGHTER) HORNET	1,868,301	1,868,301	1,078,301	1,145,600	1,670,601	1,078,301	1,200,000			54,400
017 AV-8B HARRIER	0	0	0	0	25,000	0	25,000		25,000	25,000
Other aircraft										
021 C-20 AIRCRAFT	0	0	0	0	0	0	25,000		25,000	25,000
Modification of aircraft										
025 A-6 SERIES	156,566	156,566	156,566	156,566	166,566	166,566	166,566		10,000	10,000
031 F-14 SERIES	25,566	25,566	25,566	25,566	200,566	200,566	200,566		175,000	175,000
035 F-18 SERIES	30,021	30,021	30,021	30,021	30,021	60,021	70,021		40,000	40,000
Weapons Procurement, Navy										
Other missiles										
007 HARPOON/SLAM	0	0	90,000	90,000	100,000	90,000	90,000	90,000	90,000	
015 AERIAL TARGETS	170,199	170,199	162,199	162,199	162,199	170,199	166,199			4,000
016 DRONES AND DECOYS	0	10,000	0	10,000	17,800	17,800	17,800	10,000	17,800	7,800
025 WEAPONS INDUSTRIAL FACILITIES	28,971	28,971	41,471	41,471	28,971	41,471	41,471	12,500	12,500	
026 ORDNANCE SUPPORT EQUIPMENT	77,169	77,169	119,169	57,169	77,169	149,169	149,169		72,000	92,000

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Torpedoes and related equipment										
030 VERTICAL LAUNCHED ASROC (AP)	0	0	0	0	10,000	0	10,000		10,000	10,000
Other Ordnance										
054 PRACTICE BOMBS	5,441	5,441	5,441	5,441	15,441	5,441	15,441		10,000	10,000
059 CIWS AMMUNITION	917	917	10,000	10,000	10,000	917	10,000	9,083	9,083	
Shipbuilding & Conversion, Navy										
Amphibious ships										
011 LHD-1	0	70,000	1,205,000	1,205,000	1,205,000	1,060,000	305,000	1,205,000	305,000	
012 LSD-41 ADVANCE PROCUREMENT (CY)	0	0	0	0	300,000	0	300,000		300,000	300,000
Auxiliaries, craft, and prior-year progr										
014 AOE	0	0	0	0	300,000	0	300,000		300,000	300,000
Other Procurement, Navy										
Ships support equipment										
037 STANDARD BOATS	18,225	18,225	23,225	23,225	23,255	23,255	23,255	5,000	5,030	30
Communications and electronics equipment										
044 AN/SPS-48	9,927	9,927	9,927	9,927	61,427	9,927	61,427		51,500	51,500
061 NAVY TACTICAL DATA SYSTEM	54,008	54,008	54,008	54,008	66,708	60,683	64,000		9,992	9,992
Aviation support equipment										
162 WEAPONS RANGE SUPPORT EQUIPMENT	51,454	51,454	51,454	51,454	51,454	51,454	62,764		11,310	11,310
Ordnance support equipment										
181 AEGIS SUPPORT EQUIPMENT	154,317	154,317	154,317	154,317	159,317	154,317	159,317		5,000	5,000
Civil engineering support equipment										
210 AMPHIBIOUS EQUIPMENT	1,714	1,714	1,714	1,714	23,714	1,714	23,714		22,000	22,000
220 NATURAL GAS UTILIZATION EQUIPMENT	0	0	0	0	5,000	0	5,000		5,000	5,000
Supply support equipment										
224 SPECIAL PURPOSE SUPPLY SYSTEMS	115,830	75,883	115,830	78,746	100,830	78,747	78,747			1
Undistributed										
290 INFLATION ADJUSTMENT	0	0	0	(41,340)	0	0	(34,000)			7,340
TOTAL OF CONGRESSIONAL ADDITIONS*								1,331,983	1,513,918	1,168,073
Procurement, Marine Corps										
Ammunition										
002 7.62 MM, ALL TYPES	5,333	12,333	5,333	12,333	12,333	5,333	9,000	7,000	3,667	
016 120MM TPCSDS-T M865	0	0	4,000	4,000	0	0	0	4,000		
017 120MM TP-T M831	0	0	6,000	6,000	0	0	0	6,000		
022 155MM M864 PROJ BASEBURNER	0	0	81,200	81,200	0	0	81,200	81,200	81,200	
Weapons and combat vehicles										
043 MLRS	0	254,700	0	0	152,200	0	86,800		86,800	86,800
044 MODIFICATION KITS (TRKD VEH)	1,150	1,150	1,150	1,150	1,150	16,150	16,150		15,000	15,000
048 LIGHT ARMORED VEHICLE	0	0	0	0	0	10,000	10,000		10,000	10,000

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Communications and electronics equipment										
059/065 MANPACK RADIOS AND EQUIPMENT	0	0	3,000	3,000	0	3,000	3,000	3,000	3,000	
080 INTELLIGENCE SUPPORT EQUIPMENT	18,387	41,387	28,387	40,387	41,387	28,387	41,387	22,000	23,000	1,000
087 NIGHT VISION EQUIPMENT	20,143	20,143	30,143	30,143	30,143	30,143	30,143	10,000	10,000	
Support vehicles										
098 LOGISTICS VEHICLE SYSTEM	0	18,000	0	18,000	18,000	0	18,000	18,000	18,000	
Engineer and other equipment										
101 ARMORED COMBAT EXCAVATOR (ACE)	28,011	68,011	28,011	28,011	63,700	28,011	63,700		35,689	35,689
117 TRAINING DEVICES	4,580	4,580	4,580	4,580	4,580	8,580	8,580		4,000	4,000
124 AUTOMATIC BUILDING MACHINES	0	0	0	0	2,500	0	2,500		2,500	2,500
125 MARINE ENHANCEMENT PROGRAM	0	0	11,500	11,500	0	11,500	8,000	11,500	8,000	
TOTAL OF CONGRESSIONAL ADDITIONS*								182,700	280,856	134,989
Aircraft Procurement, Air Force										
Combat aircraft										
006 F-16 C/D ADV PROC (CY)	0	68,400	0	0	68,400	0	68,400		68,400	68,400
Airlift aircraft										
008 C-17 ADV PROC (CY)	205,605	156,605	205,605	250,905	156,605	250,905	250,905	45,300	45,300	
011 HC-130H	0	0	0	0	0	100,000	100,000		100,000	100,000
Other aircraft										
015 CIVIL AIR PATROL A/C	1,984	2,700	1,984	2,700	2,700	2,700	2,700	716	716	
016 E-8B	310,572	310,572	499,772	511,772	310,572	511,772	511,772	201,200	201,200	
017 E-8B ADV PROC (CY)	50,658	50,658	102,658	79,116	36,058	79,116	79,116	28,458	28,458	
Modification of inservice aircraft										
037 C-141	14,673	14,673	40,673	40,673	14,673	40,673	40,673	26,000	26,000	
038 T-38	5,537	5,537	5,537	5,537	30,537	30,537	30,537		25,000	25,000
047 C-135	526,674	526,674	526,674	439,500	526,674	392,974	526,674			87,174
Missile Procurement, Air Force										
Ballistic missiles										
004 PEACEKEEPER (M-X)	0	0	0	0	0	27,800	27,800		27,800	27,800
Other missiles										
003 HAVE NAP	0	24,000	0	24,000	24,000	24,000	24,000	24,000	24,000	
005 ADVANCED CRUISE MISSILE	0	0	34,600	127,100	0	127,100	127,100	127,100	127,100	
012 AGM-88A HARM	218,400	218,400	104,700	104,700	218,400	104,700	218,400			113,700
013 TARGET DRONES	60,863	72,863	72,863	72,863	72,863	72,863	68,863	12,000	8,000	
Other Procurement, Air Force										
Munitions and associated equipment										
005 20MM COMBAT	0	0	21,200	8,000	8,000	8,000	8,000	8,000	8,000	
008 20MM TRAINING	3,807	3,807	3,807	3,807	17,000	3,807	10,300		6,493	6,493
011 ITEMS LESS THAN $2,000,000	2,542	2,542	657	657	757	757	757			100

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
012 CBU-87 (COMBINED EFFECTS MUNITIONS)	0	0	0	0	0	60,000	60,000		60,000	60,000
034 M-206 CARTRIDGE FLARE	0	0	3,000	3,000	0	0	0	3,000		
035 SPARES AND REPAIR PARTS	6,607	6,607	6,277	6,277	6,607	6,607	6,607			330
Vehicular equipment										
069 CAP VEHICLES	0	825	800	825	825	825	825	825	825	
079 TRUCK CRASH P-23	22,116	22,116	0	0	0	22,116	22,116			22,116
Electronics and telecommunications equip										
099 SPARES AND REPAIR PARTS	1,859	1,859	1,759	1,759	1,859	1,859	1,859			100
138 AFMC CALS	0	0	0	0	18,000	0	9,000		9,000	9,000
140 TELEPHONE EXCHANGE	80,490	80,490	61,390	73,390	73,390	77,933	77,933			4,543
145 MILSTAR	211,470	211,470	203,470	82,000	211,470	20,890	88,400			6,400
155 CAP COM & ELECT	0	600	600	600	600	600	600	600	600	
Other base maintenance and support equip										
187 INTELLIGENCE PRODUCTION ACTIVITY	72,676	75,234	91,676	86,176	69,876	76,776	73,742	13,500	1,066	
192 NATURAL GAS UTILIZATION EQUIPMENT	0	0	0	0	8,000	0	8,000		8,000	8,000
TOTAL OF CONGRESSIONAL ADDITIONS*								460,896	773,654	836,856

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Procurement, Defensewide										
Major equipment										
002 MOTOR VEHICLES	379	379	58	58	379	224	224			166
007 SUPERCOMPUTERS	0	0	0	0	90,000	0	46,000		46,000	46,000
019 MENTOR-PROTEGE PROGRAM	0	0	56,000	56,000	0	56,000	46,000	56,000	46,000	
020 DEFENSE MODELING/SIMULATION OFFICE	0	0	10,000	10,000	0	10,000	10,000	10,000	10,000	
037 TACTICAL SIGINT/ELINT FUND	0	0	166,662	86,962	0	0	86,962	86,962	86,962	
038 OTHER CAPITAL EQUIPMENT	7,236	7,236	6,636	6,636	7,236	7,236	7,236			600
039 PATRIOT	62,500	62,500	62,500	75,200	62,500	75,200	75,200	12,700	12,700	
Special Operations Command										
043 C-130 MODIFICATIONS	110,560	110,560	110,560	110,560	191,560	110,560	133,560		23,000	23,000
044 HH-53 MODIFICATIONS	7,319	7,319	7,319	7,319	7,645	7,319	7,645		326	326
045 OTHER AIRCRAFT MODIFICATIONS	0	0	0	0	7,674	0	3,000		3,000	3,000
059 COMM EQUIPMENT & ELECTRONICS	81,687	81,687	81,687	81,687	89,187	81,687	89,187		7,500	7,500
060 SOF INTELLIGENCE SYSTEMS	34,280	42,280	19,280	42,280	32,630	19,280	45,280	8,000	11,000	3,000
064 MISCELLANEOUS EQUIPMENT	14,895	14,895	6,895	6,895	10,382	8,752	10,382			3,487
TOTAL OF CONGRESSIONAL ADDITIONS*								142,662	214,466	86,066

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
National Guard & Reserve Equipment										
Reserve Equipment										
-001 ARMY RESERVE										
03 HEMTT TRUCK	0	7,500	0	7,500	7,500	0	7,500	7,500	7,500	
05 EXTERNAL AUX. FUEL TANKS	0	0	0	0	3,000	3,000	3,000		3,000	3,000
08 C-12J	0	0	42,000	0	0	42,300	42,300		42,300	42,300
78 NIGHT VISION GOGGLES	0	0	20,000	20,000	0	40,000	20,000	20,000	20,000	
-002 NAVY RESERVE										
10 C-130H AIRCRAFT	0	80,000	0	80,000	80,000	34,100	0	80,000		
11 C-130T AIRCRAFT	0	0	0	0	0	0	66,000		66,000	66,000
13 P-3 UPGRADES	0	0	0	0	25,000	0	25,000		25,000	25,000
14 MH-53 HELICOPTERS	0	0	0	0	10,000	0	10,000		10,000	10,000
15 LAMPS MK-1 ASW UPGRADE	0	36,000	0	36,000	66,000	0	36,000	36,000	36,000	
16 MIUW VANS	0	0	0	0	15,000	0	15,000		15,000	15,000
17 FFG-7 DISPLAY SYSTEMS	0	0	0	0	8,750	0	8,750		8,750	8,750
-003 MARINE CORPS RESERVE										
18 KC-130T AIRCRAFT	0	70,000	0	0	70,000	0	70,000		70,000	70,000
19 AH-1W COBRA AIRCRAFT	0	0	0	0	126,000	0	126,000		126,000	126,000
20 NIGHT VISION	0	9,000	0	9,000	9,000	0	9,000	9,000	9,000	
69 C-20 AIRCRAFT	0	0	25,000	0	0	26,000	27,000		27,000	27,000
-004 AIR FORCE RESERVE										
21 MISCELLANEOUS EQUIPMENT	0	15,000	0	10,000	0	14,750	0	10,000		
22 C-130 AIRCRAFT	0	80,000	0	50,000	100,000	0	120,000	80,000	120,000	70,000
71 MH-60G HELICOPTER	0	0	0	0	4,800	0	4,800		4,800	4,800
National Guard Equipment										
-005 ARMY NATIONAL GUARD										
23 MULTIPLE LAUNCH ROCKET SYSTEM (MLRS)	0	0	0	0	0	0	80,700		80,700	80,700
26 M9 ACE	0	36,000	0	36,000	36,000	0	25,000	36,000	25,000	
28 MEDIUM TACTICAL TRUCK SLEP	0	80,000	15,000	90,000	80,000	0	80,000	80,000	80,000	
30 FIVE TON TRUCKS	0	0	0	0	50,000	0	30,000		30,000	30,000
31 C-23 AIRCRAFT	0	0	0	0	60,000	60,000	60,000		60,000	60,000
32 C-23 SIMULATOR	0	0	0	0	0	2,000	2,000		2,000	2,000
33 FAMILY OF M113 VEHICLES	0	15,000	0	15,000	15,000	0	15,000	15,000	15,000	
36 CH-47D HELICOPTER	0	0	0	0	0	78,000	78,000		78,000	78,000
41 AH-1 MODS C-NITE	0	0	0	0	15,000	0	15,000		15,000	15,000
42 EXTERNAL AUX. FUEL TANKS	0	0	0	4,000	4,000	4,000	4,000	4,000	4,000	
43 M-915/916 TRUCKS	0	0	0	0	10,000	0	10,000		10,000	10,000
44 C-212 AIRCRAFT	0	0	0	0	57,900	0	57,900		57,900	57,900
46 C-26 AIRCRAFT	0	0	23,000	0	23,000	0	23,000		23,000	23,000
64 SIMULATORS/TRAINING DEVICES	0	0	20,000	10,000	0	0	0	10,000		
70 FIRE ARMS TRAINING SYSTEM	0	0	0	0	0	700	700		700	700
72 ELECTRONIC TANDEM NETWORK	0	0	0	0	0	750	750		750	750

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: PROCUREMENT
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
73 UH-60 HELICOPTER	0	0	0	0	0	56,000	56,000		56,000	56,000
74 P-180 AIRCRAFT	0	0	12,000	0	0	0	16,000		16,000	16,000
76 NIGHT VISION GOGGLES	0	0	20,000	20,000	0	0	20,000	20,000	20,000	
-006 AIR NATIONAL GUARD										
60 F-15 MSIP	0	15,000	0	0	0	0	10,000		10,000	10,000
61 F-15/F-16 ENGINE UPGRADES	0	40,000	0	10,000	0	0	20,000	10,000	20,000	10,000
62 F-15 ALE-40	0	0	0	0	1,200	0	1,200		1,200	1,200
64 MCE/TASCI	0	50,000	0	50,000	71,000	0	71,000	50,000	71,000	21,000
56 C-130 AIRCRAFT	0	50,000	228,100	228,100	200,000	306,600	306,600	228,100	306,600	78,500
58 C-26 AIRCRAFT	0	0	0	0	23,000	0	23,000		23,000	23,000
65 STARBASE	0	0	2,000	2,000	0	0	0	2,000		
-007 NATIONAL GD & RESERVE COMPONENTS										
01 OPERATIONAL SPT/MEDEVAC AIRCRAFT	0	0	0	90,000	0	0	0	90,000		
TOTAL OF CONGRESSIONAL ADDITIONS*								685,600	1,867,200	1,043,600
Chem Agents & Munitions Destruction, Def										
001 CHEM DEMILITARIZATION - RDTE	2,500	2,500	2,500	2,500	6,500	2,500	6,500		4,000	4,000
TOTAL OF CONGRESSIONAL ADDITIONS*								0	4,000	4,000
TOTAL - PROCUREMENT										
TOA	56,290,896	56,807,812	53,861,863	54,948,282	54,237,389	52,612,987	56,894,831			946,249
FAJ	0	0	0	0	1,900,000	0	0			
Appropriations	56,290,896	56,807,812	53,861,863	54,948,282	56,137,389	52,612,987	56,894,831			946,249
TOTAL OF CONGRESSIONAL ADDITIONS TO PROCUREMENT*								3,786,103	6,713,719	3,436,526

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
RESEARCH, DEVELOPMENT, TEST, & EVALUATION											
RDT&E, Army											
Technology base											
001 IN-HOUSE LABORATORY INDEPENDENT RESEAI	060110	6,697	6,697	6,697	6,697	12,404	12,404	12,404		5,707	5,707
002 DEFENSE RESEARCH SCIENCES	060110	166,645	146,645	169,145	218,177	218,549	213,483	213,483	51,532	46,838	
005 MATERIALS TECHNOLOGY	060210	13,963	13,963	17,963	17,963	13,963	17,963	17,963	4,000	4,000	
006 ELECTRONIC SURVIVABILITY AND FUZING TECH	060212	19,204	19,204	19,204	19,204	29,204	19,204	29,204		10,000	10,000
007 SURVIVABILITY ENHANCEMENT	060212	14,551	14,551	24,551	17,551	14,551	24,551	24,551	3,000	10,000	7,000
011 MISSILE TECHNOLOGY	060230	33,164	33,164	33,164	33,164	33,164	33,164	41,764		8,600	8,600
013 MODELING AND SIMULATION		0	4,550	3,000	3,500	5,000	3,000	5,000	3,500	5,000	1,500
014 COMBAT VEHICLE AND AUTOMOTIVE TECHNOL	060260	46,992	84,992	55,992	84,992	89,992	46,992	60,992	38,000	14,000	
019 ELECTRONICS AND ELECTRONIC DEVICES	060270	18,011	22,961	18,011	21,361	22,961	21,361	21,661	3,350	3,650	300
020 NIGHT VISION TECHNOLOGY	060270	35,708	35,708	40,708	40,708	42,708	29,708	34,708	5,000		
022 ENVIRONMENTAL QUALITY TECHNOLOGY	060272	18,447	42,447	57,947	51,947	67,447	23,947	66,347	33,500	47,900	14,400
026 LOGISTICS TECHNOLOGY	060278	36,241	36,241	36,241	36,241	4 .,241	36,241	38,241		2,000	2,000
029 MEDICAL TECHNOLOGY		0	0	2,000	109,764	109,820	96,455	96,455	109,764	96,455	
197 AKAMAI		0	0	0	0	0	7,000	7,100		7,100	7,100
Advanced technology development											
032 TRACTOR PULL		25,882	16,882	16,782	16,782	16,882	16,882	16,882			100
033 LOGISTICS ADVANCED TECHNOLOGY	060300	11,269	11,269	16,269	11,269	11,269	11,269	19,069		7,800	7,800
034 MEDICAL ADVANCED TECHNOLOGY		0	0	0	36,172	55,462	250,922	255,437	36,172	255,437	219,265
035 AVIATION ADVANCED TECHNOLOGY		38,532	40,532	42,532	40,532	40,532	40,532	40,532	2,000	2,000	
036 WEAPONS AND MUNITIONS ADVANCED TECHNOLOG		49,074	62,474	57,474	67,474	81,974	67,474	62,474	18,400	13,400	
043 TRACTOR RED		989	2,089	7,089	2,089	2,089	2,089	2,089	1,100	1,100	
044 MATERIALS AND STRUCTURES ADVANCED TEC	060310	3,177	3,177	6,677	6,677	3,177	6,677	6,677	3,500	3,500	
045 AIDS RESEARCH		0	0	0	23,247	36,247	56,891	56,891	23,247	56,891	33,644
046 GLOBAL SURVEILLANCE/AIR DEFENSE/PRECISI	060323	50,000	25,000	50,000	25,000	50,000	23,000	36,500			11,500
055 NIGHT VISION ADVANCED TECHNOLOGY		28,436	32,436	46,436	46,436	32,436	46,436	28,436	18,000		
Tactical programs											
065 TRACTOR TREAD	060301	9,199	12,199	22,199	12,199	12,199	12,199	12,199	3,000	3,000	
075 ARTILLERY PROPELLENT DEVELOPMENT	060364	7,057	7,057	7,057	7,057	7,057	17,057	17,057		10,000	10,000
079 TACTICAL SURVEILLANCE SYSTEM - ADV DEV	060373	14,937	7,337	14,937	7,337	14,937	14,937	14,937			7,600
081 SINGLE CHANNEL GROUND AND AIRBORNE RAI	060374	214	214	5,214	5,214	214	5,214	5,214	5,000	5,000	
082 SOLDIER SUPPORT AND SURVIVABILITY	060374	7,921	7,921	13,921	13,921	7,921	13,921	13,921	6,000	6,000	
083 ADV AUTOMOTIVE DEVELOPMENT FOR ASM		0	0	10,000	10,000	0	10,000	0	10,000		
087 AVIATION - ADV DEV	060380	14,029	17,229	14,029	17,229	17,229	14,029	17,229	3,200	3,200	
092 MEDICAL SYSTEMS - ADV DEV		0	0	0	29,042	32,089	29,042	29,042	29,042	29,042	
096 ARMED. DEPLOYABLE OH-58D		0	0	0	0	8,100	0	8,100		8,100	8,100
101 ALL SOURCE ANALYSIS SYSTEM	060432	50,754	50,754	50,754	50,754	40,754	50,754	57,054		6,300	6,300
105 JAVELIN (AAWS-M)	060461	91,440	91,440	101,440	101,440	101,440	101,440	101,440	10,000	10,000	
107 HEAVY TACTICAL VEHICLES	060462	961	1,961	961	1,961	1,961	961	1,961	1,000	1,000	
108 ADVANCED TANK CANNON (ATAC)	060463	41,526	0	10,026	17,000	31,526	27,026	27,026			10,026
114 COMBAT FEEDING, CLOTHING, AND EQUIPMENT	060471	9,463	9,463	27,463	27,463	9,463	27,463	27,463	18,000	18,000	
116 TACTICAL SURVEILLANCE SYSTEM - ENG DEV	060474	20,036	20,036	20,036	27,636	20,036	20,036	20,036	7,600		
120 AUTOMATIC TEST EQUIPMENT DEVELOPMENT	060474	8,461	17,461	8,461	17,461	17,461	8,461	17,461	9,000	9,000	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E
(thousands of dollars)

Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
123 TRACTOR JEWEL	060476	74,206	74,206	96,206	96,206	0	96,206	96,206	22,000	22,000	
126 JOINT SURVEILLANCE/TARGET ATTACK RADAR	060477	31,213	31,213	66,213	51,213	31,213	66,213	66,213	20,000	35,000	15,000
132 MEDICAL MATERIAL/MED BIOLOGICAL DEF EQUI		0	0	0	20,209	25,937	20,209	20,209	20,209	20,209	
136 SENSE AND DESTROY ARMAMENT MISSILE - EN	060481	63,037	63,037	63,037	92,037	63,037	98,000	98,000	29,000	34,963	5,963
137 LONGBOW - ENG DEV	060461	281,802	281,802	306,802	306,802	306,802	0	306,802	25,000	25,000	
144 COMBAT VEHICLE IMPROVEMENT PROGRAMS	020373	22,558	81,158	49,358	18,300	81,158	13,262	38,300		15,742	20,000
147 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVE	020374	4,821	7,821	7,821	7,821	7,821	7,821	7,821	3,000	3,000	
149 CLASSIFIED PROGRAMS		0	0	0	0	29,000	0	29,000		29,000	29,000
150 MISSILE/AIR DEFENSE PRODUCT IMPROVEMEN	020360	56,315	56,315	56,315	56,315	66,315	67,315	71,815		15,500	15,500
151 OTHER MISSILE PRODUCT IMPROVEMENT PRO	020360	16,429	18,429	16,429	18,429	18,429	30,029	30,029	2,000	13,600	11,600
Defensewide Mission Support											
170 DOD HIGH ENERGY LASER TEST FACILITY	060560	17,852	17,852	27,852	27,852	27,852	27,852	27,852	10,000	10,000	
175 PROGRAMWIDE ACTIVITIES	060580	86,420	86,420	86,420	89,915	89,915	89,915	89,915	3,495	3,495	
181 PRODUCTIVITY INVESTMENTS	060587	7,547	7,547	7,547	7,547	11,747	7,547	11,747		4,200	4,200
186 MANAGEMENT HEADQUARTERS (RESEARCH AI	060589	8,661	8,661	8,661	14,113	14,531	14,113	14,113	5,452	5,452	
188 MANUFACTURING TECHNOLOGY DEVELOPMENT		0	41,203	0	49,000	49,262	0	34,473	49,000	34,473	
191 REAL PROPERTY MAINTENANCE RDT&E		0	0	0	25,000	25,000	25,000	25,000	25,000	25,000	
200 CIVILIAN PERSONNEL BENEFITS		0	0	0	2,300	0	0	0	2,300		
TOTAL OF CONGRESSIONAL ADDITIONS*									672,363	1,008,654	472,205
RDT&E, Navy											
Technology base											
001 IN-HOUSE INDEPENDENT LABORATORY RESEA	060115	16,180	16,180	16,180	16,180	17,425	17,425	17,425		1,245	1,245
002 DEFENSE RESEARCH SCIENCES	060115	457,389	412,389	407,389	412,389	417,053	429,832	429,832			17,443
003 ANTI-AIR WARFARE/ANTI-SURFACE WARFARE	060211	86,931	71,931	76,931	71,931	71,931	66,090	72,699			768
004 SURFACE SHIP TECHNOLOGY	060212	26,113	26,113	21,113	26,113	50,113	30,113	50,113		24,000	24,000
005 AIRCRAFT TECHNOLOGY	060212	25,821	25,821	20,821	20,821	20,821	25,307	25,636			4,815
006 MARINE CORPS LANDING FORCE TECHNOLOGY	060213	21,019	21,019	19,019	19,019	21,019	19,019	21,019			2,000
007 COMMAND, CONTROL, AND COMMUNICATIONS	060223	22,627	22,627	17,627	17,627	17,627	20,480	20,480			2,853
008 MISSION SUPPORT TECHNOLOGY	060223	36,118	33,618	36,118	40,448	45,084	34,265	42,748	4,330	6,630	2,300
009 SYSTEMS SUPPORT TECHNOLOGY	060223	93,810	98,810	78,810	78,810	102,310	80,713	97,611		3,801	18,801
011 UNDERSEA SURVEILLANCE & WEAPONS TECH	060231	146,194	131,194	146,194	131,194	131,194	122,369	138,194			7,000
013 SUBMARINE TECHNOLOGY	060232	21,476	16,476	21,476	17,179	16,476	17,179	17,891			712
Advanced technology development											
017 AIR SYSTEMS ADVANCED TECHNOLOGY DEVEL	060321	20,079	30,156	20,079	30,156	30,156	20,079	30,156	10,077	10,077	
021 UNDERSEA SUPERIORITY TECHNOLOGY DEMO	060355	100,000	50,000	86,000	58,000	60,000	65,000	65,000			7,000
024 MEDICAL DEVELOPMENT	060370	4,250	4,250	4,250	16,690	43,450	16,690	47,890	12,440	43,640	31,200
026 GENERIC LOGISTICS R&D TECHNOLOGY DEMO	060371	16,551	16,551	16,551	16,551	40,551	26,051	30,051		13,500	13,500
028 ADVANCED ANTI-SUBMARINE WARFARE TECH	060374	49,666	49,666	49,666	49,666	67,666	49,666	67,666		18,000	18,000
029 SHALLOW WATER MCM DEMOS	060378	10,625	10,625	10,625	14,825	10,625	14,825	10,625	4,200		
030 ADVANCED TECHNOLOGY TRANSITION	060379	84,662	69,662	89,662	74,662	69,662	89,262	89,262		4,600	14,600
031 C3 ADVANCED TECHNOLOGY	060379	2,110	2,110	2,110	2,110	25,810	2,110	25,810		23,700	23,700

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Tactical programs											
048 T-45 TRAINING SYSTEM	060320	32,028	32,028	57,028	57,028	32,028	57,028	52,028	25,000	20,000	
049 AIR CREW SYSTEMS TECHNOLOGY	060321	9,697	13,697	9,697	13,697	19,697	9,697	19,697	4,000	10,000	6,000
061 SEALIFT TECHNOLOGY PROGRAM		0	0	13,400	13,400	0	13,400	13,400	13,400	13,400	
072 RETRACT JUNIPER	060353	48,725	48,725	48,725	73,625	48,725	63,725	63,725	24,900	15,000	
075 ADVANCED SUBMARINE SYSTEM DEVELOPMEN	060356	154,967	94,967	154,967	132,767	96,967	132,767	134,767			2,000
082 JOINT ADVANCED SYSTEMS	060359	106,783	106,783	152,783	152,783	0	152,783	152,783	46,000	46,000	
084 CONVENTIONAL MUNITIONS	060360	62,317	52,317	62,317	52,317	52,317	62,317	62,317			10,000
103 LIGHTWEIGHT 155MM HOWIZER		0	0	13,100	13,100	0	13,100	13,100	13,100	13,100	
112 SHIP SELF DEFENSE	060375	160,408	160,408	186,408	178,008	193,408	207,059	222,408	17,600	62,000	44,400
119 LAMPS	060421	31,840	31,840	31,840	31,840	36,340	31,840	36,340		4,500	4,500
120 HELICOPTER DEVELOPMENT	060421	15,117	5,415	5,415	15,117	10,415	15,117	20,117		5,000	5,000
121 AV-8B AIRCRAFT - ENG DEV	060421	11,053	11,053	11,053	11,053	12,553	11,053	12,553		1,500	1,500
130 V-22A		0	755,000	755,000	755,000	755,000	0	755,000	755,000	755,000	
131 AIR CREW SYSTEMS DEVELOPMENT	060426	18,246	21,946	18,246	21,946	21,946	18,246	21,946	3,700	3,700	
134 EW DEVELOPMENT	060427	136,903	111,903	136,903	126,227	111,903	126,227	134,041			7,814
137 AEGIS COMBAT SYSTEM ENGINEERING	060430	89,902	89,902	81,008	89,902	99,902	70,408	109,302		19,400	19,400
139 CLOSE-IN WEAPON SYSTEM (PHALANX)	060436	9,013	9,013	9,013	9,013	9,013	14,013	14,013		5,000	5,000
143 5" ROLLING AIRFRAME MISSILE		0	0	10,000	10,000	0	0	0	10,000		
146 NON-ACOUSTIC MINE DETECTION		0	0	0	22,800	27,000	0	13,500	22,800	13,500	
156 SUBMARINE COMBAT SYSTEM		0	0	0	0	56,200	56,200	56,200		56,200	56,200
158 SSN-21 DEVELOPMENTS		0	0	0	0	95,200	95,200	95,200		95,200	95,200
169 JOINT DIRECT ATTACK MUNITION	060461	26,541	11,541	26,541	21,541	11,541	26,541	26,541			5,000
171 MARINE CORPS ASSAULT VEHICLES - ENG DEV		0	14,700	14,700	14,700	14,700	0	14,700	14,700	14,700	
178 SURFACE WARFARE TRAINING DEVICES	060471	3,100	3,100	3,100	3,100	8,100	3,100	8,100		5,000	5,000
184 MEDICAL DEVELOPMENTS		0	0	0	4,113	4,160	4,113	4,113	4,113	4,113	
186 FIXED DISTRIBUTED SYSTEM - ENG	060478	154,466	80,000	154,466	154,466	154,466	168,466	168,466		14,000	14,000
192 ADVANCED DEPLOYABLE SYSTEM		0	0	14,000	14,000	0	0	0	14,000		
194 SURFACE COMBATANT ORDNANCE - TOMAHAWK	020422	25,450	30,450	40,450	30,450	30,450	25,450	28,450	5,000	3,000	
196 SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	020431	21,381	21,381	21,381	21,381	21,381	23,581	23,581		2,200	2,200
202 F-14 UPGRADE	020566	101,228	101,228	101,228	101,228	151,228	101,228	126,228		25,000	25,000
206 MARINE CORPS GROUND COMBAT/SUPPORTIN	020662	20,445	20,445	20,445	20,445	20,445	46,845	35,845		15,400	15,400
208 MARINE CORPS INTELLIGENCE/ELECTRONICS \	020662	22,838	24,838	25,838	25,838	25,838	25,838	25,838	3,000	3,000	
210 LAV-AD		0	0	9,400	9,400	0	0	0	9,400		
270 MARINE ENHANCEMENT PROGRAM		0	0	12,000	12,000	0	0	0	12,000		
271 RAAM		0	0	2,000	2,000	0	0	0	2,000		
Intelligence and communications											
280 LASER COMMUNICATIONS		0	0	0	0	15,000	15,000	15,000		15,000	15,000
Defensewide Mission Support											
227 TARGET SYSTEMS DEVELOPMENT	060425	40,038	40,038	30,038	30,038	30,038	33,238	40,038			10,000
230 STUDIES AND ANALYSIS SUPPORT - NAVY	060515	5,680	5,680	5,680	5,791	5,793	2,951	2,951	111		
235 TECHNICAL INFORMATION SERVICES	060580	14,619	14,619	11,619	11,619	9,619	14,619	14,619			3,000
238 RDT&E SCIENCE AND TECHNOLOGY MANAGEM	060586	54,357	54,357	54,357	62,347	62,347	62,347	62,347	7,990	7,990	
239 RDT&E INSTRUMENTATION MODERNIZATION	060586	15,500	15,500	15,500	18,639	19,359	18,639	18,639	3,139	3,139	
240 RDT&E SHIP AND AIRCRAFT SUPPORT	060586	108,555	103,555	108,555	103,555	98,355	108,555	108,555			5,000

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E

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241 TEST AND EVALUATION SUPPORT	060566	353,226	335,226	353,226	335,226	335,226	345,700	345,700			10,474
249 MANUFACTURING TECHNOLOGY DEVELOPMENT		0	80,364	0	119,250	136,250	0	104,999	119,250	104,999	
250 REAL PROPERTY MAINTENANCE RDT&E		0	0	0	41,000	41,000	41,000	41,000	41,000	41,000	
TOTAL OF CONGRESSIONAL ADDITIONS*									1,202,259	1,545,243	556,025
RDT&E, Air Force											
Technology base											
005 AEROSPACE FLIGHT DYNAMICS	060220	73,928	68,928	71,928	68,928	73,928	66,417	71,117			2,189
006 HUMAN SYSTEMS TECHNOLOGY	060220	66,199	56,199	61,704	61,704	66,199	64,034	64,034			2,330
011 ROCKET PROPULSION AND ASTRONAUTICS TE(	060230	42,160	37,160	39,160	37,160	32,160	40,460	37,860			700
012 ADVANCED WEAPONS	060260	43,493	33,493	43,493	38,493	43,493	48,493	48,493		5,000	10,000
250 SPACE NUCLEAR PROPULSION		0	0	0	10,000	0	0	0	10,000		
Advanced technology development											
020 AEROSPACE VEHICLE TECHNOLOGY	060320	16,329	16,329	13,329	13,329	16,329	16,329	16,329			3,000
024 CREW SYSTEMS AND PERSONNEL PROTECTIOI	060323	18,049	19,149	18,049	19,149	19,149	18,049	19,149	1,100	1,100	
034 ADVANCED SPACECRAFT TECHNOLOGY	060340	36,205	36,205	26,205	26,205	25,205	33,205	29,000			2,795
036 ADVANCED WEAPONS TECHNOLOGY	060360	54,837	33,041	54,837	54,837	33,041	54,837	66,437		11,600	11,600
042 ADVANCED COMPUTER TECHNOLOGY	060372	11,138	11,138	11,138	11,138	11,138	11,138	17,138		6,000	6,000
Strategic programs											
056 B-52 SQUADRONS	010111	13,300	28,300	13,300	28,300	28,300	13,300	22,000	15,000	8,700	
085 SPACETRACK	030591	53,100	38,200	82,600	103,500	10,200	83,800	73,400	50,400	20,300	
Tactical programs											
113 EW DEVELOPMENT	060427	158,500	108,000	98,900	158,500	158,500	98,900	164,500		6,000	6,000
116 CHEMICAL/BIOLOGICAL DEFENSE EQUIPMENT	060460	15,200	16,500	15,200	16,500	16,500	15,200	16,500	1,300	1,300	
122 AEROMEDICAL SYSTEMS DEVELOPMENT	060470	4,200	4,200	4,200	6,953	6,953	6,953	6,953	2,753	2,753	
126 COMPUTER RESOURCES MANAGEMENT TECHN	060474	8,900	8,900	8,900	8,900	21,400	12,400	21,400		12,500	12,500
135 F-15A/B/C/D SQUADRONS	020713	3,300	3,300	3,300	3,300	3,300	33,300	33,300		30,000	30,000
147 FOLLOW-ON TACTICAL RECONNAISSANCE SYS	020721	55,600	91,100	15,300	62,600	72,200	55,600	62,600	7,000	7,000	
171 CLASSIFIED PROGRAMS		0	0	3,300	3,300	(249,800)	22,000	8,000	3,300	8,000	4,700
Defensewide Mission Support											
203 RANCH HAND II EPIDEMIOLOGY STUDY		0	0	0	9,460	9,460	9,460	9,460	9,460	9,460	
207 TEST AND EVALUATION SUPPORT	060560	423,826	398,826	423,826	398,826	411,326	401,513	401,513			2,687
217 MEDIUM LAUNCH VEHICLES	030511	41,800	41,800	41,800	41,800	41,800	51,800	51,800		10,000	10,000
219 UPPER STAGE SPACE VEHICLES	030513	42,700	4,148	14,148	4,148	125,700	13,648	57,348		14,648	53,200
230 MANUFACTURING TECHNOLOGY DEVELOPMENT		0	103,500	0	115,000	115,000	0	102,595	115,000	102,595	
232 DOMESTIC ACTIVITIES		0	17,500	0	17,500	17,500	0	17,500	17,500	17,500	
233 EXCIMER LASER		0	0	0	0	30,000	20,000	20,000		20,000	20,000
235 REAL PROPERTY MAINTENANCE RDT&E		0	0	0	42,502	42,502	42,502	42,502	42,502	42,502	
245 EXCESSIVE PERSONNEL COSTS		0	0	0	(59,346)	0	(59,346)	(20,000)			39,346
260 CIVILIAN PERSONNEL BENEFITS		0	0	0	1,000	0	0	0	1,000		
TOTAL OF CONGRESSIONAL ADDITIONS*									276,315	336,958	217,047

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: RDT&E

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RDT&E, Defensewide											
Technology base											
001 DEFENSE RESEARCH SCIENCES	080110	126,078	116,078	126,078	116,078	120,378	108,578	118,078			2,000
002 IN-HOUSE LABORATORY INDEPENDENT RESEARCH		0	8,275	0	4,323	2,323	4,323	4,323	4,323	4,323	
003 UNIVERSITY RESEARCH INITIATIVES	080110	99,909	161,909	109,909	188,909	161,909	208,359	325,359	89,000	225,450	136,450
006 US-JAPAN MANAGEMENT TRAINING		0	0	10,000	10,000	0	0	10,000	10,000	10,000	
007 SUPERCONDUCTIVE MAGNETIC ENERGY STORAGE		0	50,000	0	0	50,000	0	20,000		20,000	20,000
008 COUNTERTERROR TECHNICAL SUPPORT	080222	6,990	6,990	10,000	9,990	6,990	9,990	9,990	3,000	3,000	
010 MEDICAL FREE ELECTRON LASER		0	20,000	0	20,000	20,000	20,000	20,000	20,000	20,000	
012 STRATEGIC TECHNOLOGY	080230	377,100	307,100	377,100	397,100	397,100	262,027	372,827	20,000		
014 PARTICLE BEAM TECHNOLOGY		0	0	6,000	0	6,000	0	6,000		6,000	6,000
015 INTEGRATED COMMAND AND CONTROL TECHNOLOG		0	75,000	0	0	100,000	0	160,000		160,000	160,000
016 MATERIALS AND ELECTRONICS TECHNOLOGY	080271	71,800	211,800	131,800	163,600	251,800	122,800	264,600	91,800	192,800	101,000
017 POST LAUNCH DESTRUCT TECHNOLOGY		0	15,000	0	15,000	15,000	0	5,000	15,000	5,000	
018 DEFENSE NUCLEAR AGENCY	080271	408,957	359,957	372,957	372,957	382,957	382,804	399,757			26,800
137 HISTORICALLY BLACK COLLEGES AND UNIVERS		0	0	15,000	15,000	0	15,000	15,000	15,000	15,000	
138 ADVANCED MATERIALS PARTNERSHIPS		0	0	30,000	30,000	0	0	0	30,000		
Advanced technology development											
024 JOINT DOD-DOE MUNITIONS TECHNOLOGY DEV	080322	18,976	18,976	22,000	22,000	18,976	18,976	18,976	3,024		
-025 MAJOR INNOVATIVE TECHNOLOGY	080322										
10 EXPERIMENTAL EVALUATION OF MAJOR INNOV	08032	270,867	241,149	268,867	250,529	250,529	232,087	268,267			17,738
20 ELECTRIC VEHICLE TECHNOLOGY		0	0	0	0	0	25,000	25,000		25,000	25,000
30 NATURAL GAS VEHICLES		0	0	0	0	0	0	10,000		10,000	10,000
027 STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM		0	0	200,000	200,000	0	0	0	200,000		
-029 DUAL USE PARTNERSHIPS											
10 DUAL USE CRITICAL TECHNOLOGY PARTNERSHIP		0	0	100,000	100,000	0	0	100,000	100,000	100,000	
20 COMMERCIAL-MILITARY INTEGRATION PARTNERS		0	0	50,000	50,000	0	0	50,000	50,000	50,000	
30 DUAL USE EXTENSION ASST PROGRAM		0	0	200,000	200,000	0	0	100,000	200,000	100,000	
40 REGIONAL TECHNOLOGY ALLIANCES		0	0	100,000	100,000	0	0	100,000	100,000	100,000	
50 MANUFACTURING TECHNOLOGY SUPPORT		0	29,000	0	0	29,000	0	55,000		55,000	55,000
60 ADVANCED MANUFACTURING PARTNERSHIPS		0	0	0	25,000	0	0	30,000	25,000	30,000	5,000
035 STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM		0	0	0	0	15,500	200,000	180,000		180,000	180,000
036 EXCIMER LASER TECHNOLOGY		0	0	10,000	10,000	0	0	0	10,000		
039 COMPUTER AIDED LOGISTICS SUPPORT	080373	11,216	11,216	16,216	11,216	16,216	11,216	16,216		5,000	5,000
040 BALANCED TECHNOLOGY INITIATIVE	080373	172,340	95,340	176,340	150,000	65,000	162,540	150,540			540
041 COOPERATIVE DOD/VA MEDICAL RESERACH		0	20,000	0	20,000	30,000	0	30,000	20,000	30,000	10,000
-042 MANUFACTURING TECHNOLOGY	080373										
10 MANUFACTURING TECHNOLOGY	08037	265,400	180,400	122,000	127,000	180,400	121,600	213,775			86,775
20 FOCUS HOPE		0	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	
043 CONSOLIDATED DOD SOFTWARE INITIATIVE	080375	9,019	34,019	16,519	34,019	34,019	9,019	34,019	25,000	25,000	
044 SEMATECH		0	100,000	100,000	100,000	100,000	0	100,000	100,000	100,000	
049 SPECIAL OPERATIONS TECHNOLOGY DEVELOP	116040	2,940	3,940	2,940	3,940	3,940	2,940	3,940	1,000	1,000	
-140 DEFENSE ADVANCED MANUFACTURING TECH PART											
10 DEFENSE ADVANCED MANUFACTURING TECH PART		0	0	20,000	20,000	0	20,000	25,000	20,000	25,000	5,000

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Program	Elem. #	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
20 MANUFACTURING EDUCATION PROGRAM		0	0	25,000	25,000	0	0	25,000	25,000	25,000	
30 MFG MANAGERS IN THE CLASSROOM		0	0	5,000	5,000	0	0	5,000	5,000	5,000	
40 MANUFACTURING EXTENSION PROGRAM		0	0	100,000	100,000	0	0	100,000	100,000	100,000	
141 NATIONAL GUARD SIMNET CENTER		0	0	10,000	10,000	0	10,000	10,000	10,000	10,000	
145 CENTER FOR INDUSTRIAL BASE ANALYSIS		0	0	5,000	5,000	0	0	0	5,000		
146 UUV TECHNOLOGY		0	0	5,000	5,000	0	0	0	5,000		
150 ELECTRONIC MODULE TECHNOLOGY		0	0	75,000	75,000	0	0	0	75,000		
151 HIGH DEFINITION DISPLAY SYSTEMS		0	0	100,000	100,000	0	0	0	100,000		
152 ADVANCED LITHOGRAPHY		0	0	75,000	75,000	0	0	0	75,000		
153 HIGH PERFORMANCE COMPUTING MODERNIZATION		0	0	43,000	20,000	0	43,000	0	20,000		
156 CENTER FOR DEFENSE ECONOMIC ADJUSTMENT		0	0	0	2,000	0	0	0	2,000		
157 NATIONAL GUARD/DARPA SIMULATION		0	0	0	0	0	0	20,000		20,000	20,000
Tactical programs											
063 NON-ACOUSTIC ASW	060371	30,000	30,000	45,000	45,000	56,000	30,000	46,000	15,000	16,000	1,000
065 MOBILE OFFSHORE BASE ANALYSIS		0	0	0	0	7,000	0	7,000		7,000	7,000
072 GENERAL SUPPORT FOR SO/LIC		0	0	2,000	1,500	0	0	0	1,500		
073 JOINT REMOTELY PILOTED VEHICLES PROGRAI	030514	129,059	144,059	60,859	144,059	147,059	139,259	139,259	15,000	10,200	
077 SPECIAL OPERATIONS INTELLIGENCE SYSTEMS	116040	11,897	28,897	11,897	28,897	28,897	11,897	28,897	17,000	17,000	
078 SOF OPERATIONAL ENHANCEMENTS	116040	73,681	21,981	73,681	42,481	73,181	73,681	73,681			31,200
Intelligence and communications											
090 DEFENSE RECONNAISSANCE SUPPORT ACTIVIT	030515	55,835	55,835	55,835	55,835	55,835	55,835	63,335		7,500	7,500
097 CLASSIFIED PROGRAMS		0	0	0	0	54,130	38,600	63,066		63,066	63,066
Defensewide Mission Support											
102 DEFENSE MODELING/SIMULATION OFFICE		0	0	60,000	60,000	0	60,000	60,000	60,000	60,000	
116 DTS - JOINT PROJECT OFFICE		0	0	0	0	15,000	0	15,000		15,000	15,000
126 MANAGEMENT HEADQUARTERS (RESEARCH AI	060569	20,175	20,175	20,175	20,175	20,175	22,175	22,175		2,000	2,000
159 INDUSTRIAL PREPAREDNESS		0	0	0	29,000	0	0	0	29,000		
164 LIDAR		0	0	11,600	11,600	0	0	0	11,600		
172 MANUFACTURING TECHNOLOGY DEVELOPMENT		0	0	0	37,000	0	0	0	37,000		
TOTAL OF CONGRESSIONAL ADDITIONS*									1,780,247	1,875,361	899,091
TOTAL - RESEARCH, DEV, TEST & EVAL											
TOA		38,812,701	38,429,849	38,965,939	38,613,560	38,795,148	35,843,779	38,234,846	800,879		
Appropriations		38,812,701	38,429,849	38,965,939	39,613,560	38,795,148	35,843,779	38,234,846	800,879		
TOTAL OF CONGRESSIONAL ADDITIONS TO RDT&E*									3,931,184	4,764,218	2,244,368

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
MILITARY CONSTRUCTION										
Military Construction, Army										
Major construction										
003 FORT WAINWRIGHT AK										
10 HANGAR	0	0	0	3,950	0	3,950	4,550	3,950	4,550	600
010 FORT MCCLELLAN AL										
20 AMMO STORAGE FACILITY	0	2,500	0	2,500	2,500	0	2,500	2,500	2,500	
30 GENERAL INSTRUCTION BUILDING	0	2,050	0	2,050	2,050	0	2,050	2,050	2,050	
40 VEHICLE MAINTENANCE SHOP	0	1,350	0	1,350	1,350	0	1,350	1,350	1,350	
017 FORT GORDON GA										
10 CONSOLIDATED MAINTENANCE FACILITY	0	0	23,000	23,000	0	23,000	10,000	23,000	10,000	
018 FORT MCPHERSON GA										
10 BARRACKS & DINING HALL	0	0	10,200	10,200	0	10,200	10,200	10,200	10,200	
022 FITZSIMONS AMC CO										
10 CENTRAL ENERGY PLANT	0	19,400	0	19,400	19,400	0	19,400	19,400	19,400	
20 ENGINEER FACILITY	0	6,000	0	6,000	6,000	0	6,000	6,000	6,000	
023 FORT GILLEM GA										
10 WATER IMPROVEMENTS	0	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	
024 HUNTER ARMY AIRFIELD GA										
10 TACTICAL EQUIPMENT SHOP	0	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	
025 SCHOFIELD BARRACKS HI										
20 ADAL SEWAGE TREATMENT FACILITY	0	0	17,500	17,500	0	17,500	17,500	17,500	17,500	
026 FORT RILEY KS										
10 RAIL HEAD	0	0	13,200	13,200	0	13,200	13,200	13,200	13,200	
027 FORT KNOX KY										
10 WATER STORAGE TANKS	0	4,350	4,350	4,350	4,350	0	4,350	4,350	4,350	
20 AIRFIELD REVITALIZATION	0	7,100	7,100	7,100	7,100	0	7,100	7,100	7,100	
30 ELECTRICAL DISTRIBUTION IMPROVEMENT PRO	0	4,150	4,150	4,150	4,150	0	4,150	4,150	4,150	
033 FORT MONMOUTH NJ										
10 CHILD CARE CENTER	0	3,550	3,550	3,550	3,550	3,550	3,550	3,550	3,550	
034 FORT DRUM NY										
10 MOUT	0	5,900	0	5,900	5,900	0	5,900	5,900	5,900	
20 GENERAL PURPOSE WAREHOUSE	0	8,900	0	8,900	8,900	0	8,900	8,900	8,900	
30 LIBRARY/EDUCATION CENTER	0	6,700	0	6,700	0	0	0	6,700		
036 FORT BRAGG NC										
10 HIGHWAY EXTENSION	0	8,200	0	8,700	8,700	0	8,700	8,700	8,700	
037 FORT SILL OK										
10 FIRE STATION	0	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	
038 PICATINNY ARSENAL NJ										

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 ELECTRICAL DISTRIBUTION SYSTEM	0	0	3,800	3,800	3,800	0	3,800	3,800	3,800	
20 PROPELLANT SURVEILLANCE LAB	0	0	2,250	2,250	2,250	0	2,250	2,250	2,250	
039 WHITE SANDS NM										
10 BARRACKS RENOVATIONS	0	0	6,000	6,000	6,000	6,000	6,000	6,000	6,000	
041 ABERDEEN PROVING GROUND MD										
10 FIRE/SECURITY STATION	0	0	3,400	3,400	0	3,400	3,400	3,400	3,400	
042 CORPUS CHRISTI ARMY DEPOT TX										
10 CONTROLLED-HUMIDITY WAREHOUSE	0	9,600	0	9,600	9,600	0	9,600	9,600	9,600	
20 METAL FINISHING & ELECTROPLATING FACILITY	0	11,600	0	11,600	11,600	0	11,600	11,600	11,600	
043 FORT BLISS TX										
10 BARRACKS MODERNIZATION	0	13,800	0	13,800	13,800	0	13,800	13,800	13,800	
20 BARRACKS MODERNIZATION	0	11,160	0	11,160	11,160	0	11,160	11,160	11,160	
060 FORT BELVOIR VA										
20 RAIL EXTENSION	0	0	1,200	1,200	0	1,200	1,200	1,200	1,200	
070 VARIOUS CONUS LOCATIONS XV										
10 CLASSIFIED PROJECT	3,000	2,710	2,700	2,700	2,710	2,710	2,710			10
30 DEFENSE ACCESS ROADS	0	0	2,400	2,400	0	0	0	2,400		
Minor construction										
090 UNSPECIFIED WORLDWIDE LOCATIONSZU										
10 UNSPECIFIED MINOR CONSTRUCTION	64,803	54,803	3,800	3,800	5,500	3,800	5,500			1,700
TOTAL OF CONGRESSIONAL ADDITIONS[d]								223,310	201,810	2,310
Military Construction, Navy										
Major construction										
017 MARE ISLAND NAVAL SHIPYARD CA										
10 HAZARDOUS MATERIAL STORAGE FACILITY	0	8,000	0	8,000	8,000	0	8,000	8,000	8,000	
018 MIRAMAR NAVAL AIR STATION CA										
10 FIXED POINT UTILITY SYSTEM	0	9,700	0	9,700	9,700	0	9,700	9,700	9,700	
045 ALBANY MARINE CORPS LOGISTICS BGA										
20 UPGRADE HAZARDOUS STORAGE WAREHOUSE	0	0	2,700	2,700	0	2,700	2,700	2,700	2,700	
069 NAVAL SURFCE WARFARE CTR, CRANEIN										
10 MICROWAVE COMPONENT CENTER	0	6,000	0	6,000	6,000	0	6,000	6,000	6,000	
071 NAVAL ORDINANCE STN, INDIANHD MD										
10 IMPROVE CAD/PAD FACILITY	0	5,300	5,800	5,800	5,300	5,800	5,300	5,800	5,300	
20 CHILD CARE FACILITY	0	2,290	0	2,290	2,290	0	2,290	2,290	2,290	
072 PATUXENT NAVAL AIR STATION MD										
10 ADV SYSTEMS INTEGRATION FAC (PHASE I)	0	10,000	0	10,000	10,000	0	10,000	10,000	10,000	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
073 U. S. NAVAL ACADEMY MD										
10 VISITOR'S CENTER	0	4,500	0	4,500	0	0	0	4,500		
20 PHYSICAL THERAPY COMPLEX	0	6,500	0	6,500	6,500	0	0	6,500		
074 NAS MERIDIAN MS										
10 CHILD DEVELOPMENT CENTER	0	1,100	0	1,100	1,100	0	1,100	1,100	1,100	
077 GULFPORT MS										
10 SEABEE WAREHOUSE	0	0	4,650	4,650	0	4,650	4,650	4,650	4,650	
078 NEW RIVER NC										
10 PHYSICAL FITNESS CENTER	0	0	3,600	3,600	0	3,600	3,600	3,600	3,600	
079 MCAS CHERRY POINT NC										
10 OPERATIONS FACILITY	0	0	3,000	3,000	0	3,000	3,000	3,000	3,000	
20 WAREHOUSE	0	0	1,660	1,660	0	1,000	1,660	1,660	1,660	
095 KINGSVILLE NAVAL AIR STATION TX										
20 ROTHR SITE PREPARATION	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
096 DAMNECK VA										
10 APPLIED INSTRUCTION BLDG EXPANSION	0	13,727	13,727	13,727	13,727	13,727	13,727	13,727	13,727	
20 UPGRADE WATER SYSTEM	0	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	
30 LAND ACQUISITION - 181 ACRES	0	4,500	4,500	4,500	4,500	4,500	0	4,500		
097 FORT STORY VA										
10 NAVY BOMB DISPOSAL TRAINING & EVALUATION	0	5,650	5,650	5,650	5,460	5,650	5,460	5,650	5,460	
098 LITTLE CREEK VA										
10 BACHELOR ENLISTED QUARTERS FACILITY	0	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	
099 NAVAL AIR STATION NORFOLK VA										
10 MAGAZINE AREA PHYSICAL FACILITY	0	1,450	1,450	1,100	1,100	1,450	1,100	1,100	1,100	
20 RELOCATION OF ORDINANCE PAD	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	
112 QUANTICQ VA										
10 COMMAND & STAFF COLLEGE FACILITY	0	0	5,000	5,000	0	5,000	0	5,000		
122 PUGET SOUND NAVAL STATION WA										
10 BACHELOR ENLISTED QUARTERS	0	13,300	0	13,300	13,300	0	13,300	13,300	13,300	
Planning										
157 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	72,942	74,292	72,942	75,692	79,292	62,942	70,000	2,750		
TOTAL OF CONGRESSIONAL ADDITIONS*								138,547	112,807	0

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Military Construction, Air Force										
Major construction										
007 MAXWELL AFB AL										
10 EXTENSION OF RUNWAY	0	10,700	0	10,700	10,700	0	0	10,700		
20 PHYSICAL FITNESS CENTER	0	0	9,900	9,900	0	0	0	9,900		
015 EIELSON AFB AK										
30 AIRCRAFT SHELTERS	0	0	27,000	27,000	0	27,000	27,000	27,000	27,000	
020 ELMENDORF AFB AK										
30 AIRCRAFT SHELTERS	0	0	18,000	18,000	0	18,000	18,000	18,000	18,000	
036 DAVIS MONTHAN AFB AZ										
10 DORMITORY	0	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	
042 LUKE AFB AZ										
10 BOQ	0	0	2,950	2,950	0	2,950	2,950	2,950	2,950	
043 NAVAJO ARMY DEPOT AZ										
10 MINUTEMAN-VARIOUS FACILITIES	0	0	0	0	0	0	3,800		3,800	3,800
050 BEALE AFB CA										
20 SECURITY POLICE OPS FACILITY	0	4,350	0	4,350	4,350	0	4,350	4,350	4,350	
065 MCCLELLAN AFB CA										
30 PLATING SHOP	0	7,000	0	7,000	7,000	0	7,000	7,000	7,000	
070 TRAVIS AFB CA										
20 DORM RENOVATION	0	10,800	0	10,800	10,800	0	10,800	10,800	10,800	
092 BOLLING AFB DC										
10 CIVIL ENGINEER COMPLEX	0	9,400	0	9,400	9,400	0	9,400	9,400	9,400	
100 EGLIN AFB FL										
30 CLIMATIC TEST CHAMBER (PHASE I)	0	0	0	5,000	0	32,000	5,000	5,000	5,000	
115 MOODY AFB GA										
20 FUEL CELL/NOSE DOCK (C-130)	0	0	3,600	3,600	0	3,600	3,600	3,600	3,600	
117 ROBINS AFB GA										
10 JSTARS RAMP AND HYDRANT SYSTEM	0	0	9,700	9,700	0	9,700	9,700	9,700	9,700	
20 JSTARS SECURITY IMPROVEMENT	0	0	1,800	1,800	0	1,800	1,800	1,800	1,800	
130 BARKSDALE AFB LA										
30 REPLACE APRON & HYDRANT SYSTEM	0	0	25,800	14,000	0	25,800	14,000	14,000	14,000	
137 HANSCOM AFB MA										
10 CHILD DEVELOPMENT CENTER	0	0	4,200	4,200	0	4,200	4,200	4,200	4,200	
140 KEESLER AFB MS										
20 ADD/ALTER CHILD CARE CENTER	0	2,650	0	2,650	2,650	0	2,650	2,650	2,650	
30 VISUAL INFORMATION TRAINING FACILITY	0	0	0	6,400	0	0	0	6,400		
40 TV SYSTEM TRAINING FACILITY	0	0	0	290	0	0	0	290		

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
160 NELLIS AFB	NV										
30 AIRCRAFT LOADING APRON		0	7,950	0	7,950	4,000	0	4,000	7,950	4,000	
40 ARMING PAD, PHASE I		0	0	4,000	0	0	4,000	4,000		4,000	4,000
168 CANNON AFB	NM										
10 DORMITORY		0	2,800	0	2,800	2,800	0	2,800	2,800	2,800	
175 POPE AFB	NC										
10 ADD/ALTER AIRCRAFT OPS & LOGISTICS COMP		1,800	1,800	2,300	2,300	1,800	1,800	2,300	500	500	
20 REPAIR APRON AND WIDEN R/W PAVEMENT		2,350	2,350	2,350	2,400	2,350	2,350	2,400	50	50	
40 ADD/ALTER AIRCRAFT OPS AND LOGISTICS COM		1,800	1,800	2,500	2,500	1,800	1,800	2,500	700	700	
94 AIRCRAFT PARTS WAREHOUSES		1,550	1,550	2,450	2,450	1,550	1,550	2,450	900	900	
96 BRIDGE/ROAD/UTILITIES		0	0	4,000	4,000	0	0	0	4,000		
195 MINOT AFB	ND										
30 WATER SYSTEM		0	0	2,050	2,050	0	2,050	2,050	2,050	2,050	
202 ALTUS AFB	OK										
10 CONSOLIDATED SUPPORT FACILITY		0	7,300	0	7,300	7,300	0	7,300	7,300	7,300	
207 VANCE AFB	OK										
10 AIRFIELD REPAIR		0	2,350	2,350	2,350	2,350	3,300	2,350	2,350	2,350	
210 CHARLESTON AFB	SC										
40 ADD/ALTER PHYSICAL FITNESS CENTER		0	3,300	3,300	3,300	3,300	3,300	3,300	3,300	3,300	
223 BROOKS AFB	TX										
10 ACADEMIC COMPLEX		0	0	9,000	9,000	0	9,000	8,900	9,000	8,900	
228 GOODFELLOW AFB	TX										
10 PHYSICAL FITNESS CENTER		0	0	3,250	3,250	0	3,250	3,250	3,250	3,250	
235 LACKLAND AFB	TX										
20 HIGH SCHOOL/GRADE SCHOOL FACILITIES		0	8,000	0	8,000	8,000	0	8,000	8,000	8,000	
255 HILL AFB	UT										
30 ENGINE TEST CELL SUPPORT FACILITY		0	850	0	850	850	0	850	850	850	
40 POWER UPGRADE		0	4,300	0	2,300	2,300	0	2,300	2,300	2,300	
260 LANGLEY AFB	VA										
30 CONSTRUCTION PROJECTS		0	5,300	5,300	5,300	5,300	5,300	0	5,300		
265 CONUS VARIOUS	XV										
30 GENERAL REDUCTION		0	0	0	(6,680)	0	0	0			6,680
288 ASCENSION ISLAND	AI										
10 POWER/DESALINIZATION PLANT		0	0	22,000	22,000	0	0	0	22,000		
305 ANDERSEN AFB	GU										
30 UNDERGROUND FUEL STORAGE TANKS		0	4,550	0	4,550	4,550	0	0	4,550		
40 LANDFILL		0	10,000	0	10,000	10,000	0	10,000	10,000	10,000	
80 HAZARDOUS WASTE FACILITY		0	1,500	0	1,500	900	0	0	1,500		
90 UNDERGROUND FUEL STORAGE TANK		0	4,100	0	4,100	4,100	0	0	4,100		

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
TOTAL OF CONGRESSIONAL ADDITIONS*								251,990	187,100	14,590
Military Construction, Defensewide										
Major construction										
002 ELMENDORF AFB AK										
10 HOSPITAL REPLACEMENT	0	0	25,000	15,000	0	25,000	15,000	15,000	15,000	
007 BEALE AFB CA										
10 HOSPITAL LIFE SAFETY UPGRADE	0	3,500	0	3,500	3,500	0	3,500	3,500	3,500	
012 FITZSIMONS AMC CO										
10 SITE WORK	0	2,000	0	2,000	2,000	0	2,000	2,000	2,000	
030 BARKING SANDS HI										
10 LAND EASEMENT	5,400	5,400	2,500	2,500	0	5,400	5,400			2,900
045 FORT BRAGG NC										
20 ADD/ALTER SEC. 6 SCHOOLS	0	3,950	0	3,950	3,950	0	3,950	3,950	3,950	
078 NATIONAL CAPITAL AREA VA										
10 RELOCATION OF WATER MAINS	0	0	0	0	3,000	0	3,000		3,000	3,000
117 CLASSIFIED LOCATION										
10 SOUTHWESTER/NSA	0	0	3,590	3,580	0	3,580	3,580	3,590	3,590	
Minor construction										
140 UNSPECIFIED										
10 ENERGY CONSERVATION	0	60,000	0	60,000	0	0	0	60,000		
Planning										
160 UNSPECIFIED WORLDWIDE LOCATIONSZU										
30 PLANNING AND DESIGN (DMSA)	34,650	64,650	35,650	64,650	64,650	32,650	64,000	30,000	29,350	
TOTAL OF CONGRESSIONAL ADDITIONS*								118,040	60,380	5,900
Mil. Con., Army National Guard										
Major construction										
003 CULLMAN AL										
10 PURCHASE BLDG FOR DAS-3 CLASS IX SUP	0	400	0	400	400	0	400	400	400	
004 FORT RUCKER AL										
10 UTE SITE ADD	0	1,080	0	1,080	487	0	1,000	1,080	1,000	
007 ONEONTA AL										
10 ORGANIZATIONAL MAINTENANCE SHOP	0	461	0	461	461	0	461	461	461	
008 TUSCALOOSA AL										

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION

(thousands of dollars)

Program		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 ARMORY		0	2,273	2,273	2,273	1,836	2,273	2,273	2,273	2,273	
009 UNION SPRINGS	AL										
10 ARMORY		0	813	0	813	813	0	800	813	800	
012 W. ARNG AVIATN TNG SITE, MARANAAZ											
20 PICACHO PEAK STAGEFIELD		0	3,041	0	3,041	3,041	0	3,041	3,041	3,041	
014 FRESNO AVIATION DEPOT	CA										
10 REPAIR & CONSTRUCTION OF HELICOPTER PAD		0	901	901	901	901	901	901	901	901	
016 LAKEPORT	CA										
10 ARMORY		0	1,580	0	1,580	1,580	0	1,580	1,580	1,580	
018 LOS ALIMATOS AFRC	CA										
10 JP-4 FUEL TANK REPLACEMENTS		0	1,553	1,553	1,553	1,553	1,553	1,553	1,553	1,553	
022 CAMP BLANDING	FL										
10 MOUT RANGE		0	2,400	2,452	2,452	2,400	2,452	2,450	2,452	2,450	
20 BACHELOR OFFICER/ENLISTED QUARTERS		0	958	958	958	958	958	958	958	958	
024 CEDAR HILLS	FL										
10 ARMORY EXPANSION		0	1,457	0	1,457	1,457	0	1,480	1,457	1,480	23
040 CRAIG FIELD	FL										
10 ARMORY EXPANSION		0	1,882	0	1,882	1,882	0	1,882	1,882	1,882	
20 ORGANIZATIONAL MAINTENANCE SHOP EXPANS		0	388	0	388	388	0	388	388	388	
045 BARNESVILLE	GA										
10 ARMORY ACQUISITION		0	0	350	350	0	350	350	350	350	
050 FORT WAYNE	IN										
10 OMS		0	882	882	882	882	882	800	882	800	
20 ARMORY		0	3,383	3,383	3,383	2,732	3,938	3,400	3,383	3,400	7
055 GREAT BEND	KS										
10 ARMORY		0	0	1,570	1,570	0	1,570	1,600	1,570	1,600	30
056 OTTAWA	KS										
10 ARMORY		0	0	387	387	0	387	387	387	387	
060 CAMP DODGE	IA										
10 EQUIPMENT MAINTENANCE SHOP		0	2,887	0	2,887	2,887	0	2,887	2,887	2,887	
20 BU COMPLEX I		0	4,800	0	4,800	4,800	0	4,800	4,800	4,800	
061 AMITE	LA										
10 ARMORY		0	0	0	0	1,000	1,300	1,300		1,300	1,300
063 INDEPENDENCE	LA										
10 ARMORY		0	0	1,300	1,300	0	0	0	1,300		
064 LAFEYETTE	LA										
10 OMS		0	0	1,000	1,000	0	1,000	750	1,000	750	
065 CAMP RIPLEY	MN										
10 COMBINED SUPPORT MAINTENANCE SHOP		0	7,100	0	7,100	7,100	0	7,100	7,100	7,100	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
20 UTILITY SYSTEMS REPAIR	0	5,800	0	5,400	5,800	0	5,400	5,400	5,400	
066 BALL LA										
10 RENOVATE BARRACKS	0	0	400	400	0	400	400	400	400	
067 CAMP MCCAIN MS										
10 DEFENSE ACCESS ROAD	0	0	21,800	19,000	0	19,000	19,000	19,000	19,000	
068 CAMP SHELBY MS										
10 MULTIPURPOSE RANGE	0	0	4,000	4,000	0	4,000	4,000	4,000	4,000	
20 MODIFY RANGE #1	0	0	675	675	0	675	600	675	600	
30 MODIFY RANGE #2	0	0	675	675	0	675	675	675	675	
40 COMBINED SUPPORT FACILITY	0	0	5,400	5,400	0	5,400	5,400	5,400	5,400	
070 MERIDIAN MS										
10 ADD/ALTER AVIATION SUPPORT FACILITY	0	1,800	0	1,800	1,800	0	1,800	1,800	1,800	
071 ROSEMOUNT MN										
10 OMS	0	0	0	1,200	0	2,800	1,200	1,200	1,200	
080 WHITMAN AFB MO										
10 ARMORY	0	2,800	2,879	2,400	2,800	2,800	2,400	2,400	2,400	
081 CAMP CROWDER MO										
10 ADMINISTRATION/CLASSROOM	0	0	421	421	0	421	421	421	421	
083 FAYETTEVILLE NC										
10 ARMORY	0	0	1,284	1,284	0	1,284	1,284	1,284	1,284	
085 CLARKE COUNTY NV										
10 ARMORY	0	5,530	5,530	4,100	4,568	5,530	4,100	4,100	4,100	
20 ORGANIZATIONAL MAINTENANCE SHOP	0	1,358	1,358	1,358	1,854	1,358	1,854	1,358	1,854	496
30 COMBINED MAINTENANCE SHOP	0	1,854	1,854	1,854	1,358	1,854	1,358	1,854	1,358	
40 USPFO WAREHOUSE	0	178	0	178	178	0	178	178	178	
087 FORT DIX NJ										
10 ARMORY	0	0	0	0	5,205	0	5,205		5,205	5,205
20 STATE HEADQUARTERS	0	0	4,750	4,750	0	5,205	0	4,750		
090 CLAYTON NM										
10 ARMORY	0	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	
093 ROSWELL NM										
10 TRAINING FACILITY	0	0	3,000	3,000	3,000	3,000	3,000	3,000	3,000	
095 SPRINGER NM										
10 ARMORY	0	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	
100 MEDINA OH										
10 ARMORY RENOVATION	0	400	400	400	1,000	1,000	1,000	400	1,000	600
105 RAVENNA ARSENAL OH										
10 TANK RANGE	0	1,000	1,000	1,000	400	400	400	1,000	400	
110 CAMP GRUBER OK										

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 MOUT FACILITIES		0	1,954	0	1,954	1,954	0	1,954	1,954	1,954	
115 NORMAN	OK										
10 VEHICLE MAINTENANCE COMPLEX PHASE I		0	8,629	0	7,629	7,629	0	7,629	7,629	7,629	
117 LA GRANDE	OR										
10 ARMORY		0	0	4,279	3,049	750	3,049	3,049	3,049	3,049	
20 OMS		0	0	0	1,220	0	1,220	1,220	1,220	1,220	
118 SALEM	OR										
10 AVIATION TAXIWAY		0	0	0	0	1,200	0	1,200		1,200	1,200
119 CLACKAMAS	OR										
10 RANGE		0	0	1,500	1,500	1,500	0	1,500	1,500	1,500	
120 FORT INDIANTOWN GAP	PA										
10 AVIATION BRIGADE ARMORY (600 PM)		0	7,500	0	7,500	7,500	0	7,500	7,500	7,500	
125 INDIANA	PA										
10 ARMORY		0	1,700	0	1,700	1,700	0	1,700	1,700	1,700	
128 N. KINGSTON	RI										
10 ADAL ARMORY/AVIATION		0	0	4,200	3,300	0	4,200	3,300	3,300	3,300	
130 FOUNTAIN INN	SC										
10 HAWK TRAINING PARK		0	748	748	748	748	748	748	748	748	
135 WARE SHOALS	SC										
10 HAWK TRAINING PARK		0	578	578	578	578	578	578	578	578	
140 PICKENS	SC										
10 HAWK TRAINING PARK		0	775	775	775	775	775	775	775	775	
142 GAFFNEY	SC										
10 ARMORY		0	0	1,510	1,200	0	1,510	1,200	1,200	1,200	
145 FORT MEADE	SD										
10 RENOVATE ADMIN. FACILITY		0	805	805	805	805	0	805	805	805	
150 MONTEAGLE	TN										
10 ARMORY		0	950	0	790	950	0	790	790	790	
155 SMYRNA	TN										
10 ADD/ALTER OPS. FACILITY		0	3,500	3,500	2,800	3,500	3,500	2,800	2,800	2,800	
20 CSM SHOP		0	5,500	5,500	5,500	5,500	5,500	5,400	5,500	5,400	
156 DUNLAP	TN										
10 ARMORY		0	0	818	790	0	818	790	790	790	
157 ERIN	TN										
10 ARMORY		0	0	1,080	850	0	1,080	850	850	850	
160 CAMP BOWIE, BROWNWOOD	TX										
10 UNIT TRAINING AND EQUIPMENT SITE		0	1,319	0	1,319	1,319	0	1,319	1,319	1,319	
165 GREENVILLE	TX										
10 ARMORY		0	1,339	0	1,200	1,339	0	1,200	1,200	1,200	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
170 KILGORE TX										
10 ARMORY	0	615	0	615	615	0	660	615	660	45
175 LUBBOCK TX										
10 JOINT ARMED FORCES RESERVE CENTER	0	7,937	0	7,937	7,937	0	7,937	7,937	7,937	
20 ORGANIZATION MAINTENANCE FACILITY	0	696	0	696	696	0	696	696	696	
180 MEXIA TX										
10 ARMORY RENOVATION	0	566	0	566	566	0	566	566	566	
185 SAN ANGELO TX										
10 ARMORY	0	1,767	0	1,767	1,767	0	1,767	1,767	1,767	
190 STEPHENVILLE TX										
10 ADD/ALTER ARMORY	0	581	0	581	581	0	580	581	580	
195 ST. GEORGE UT										
10 ARMORY	0	2,898	2,898	2,898	2,898	2,898	2,898	2,898	2,898	
20 ORGANIZATIONAL MAINTENANCE SHOP/SUBSHC	0	701	701	562	701	701	562	562	562	
196 BLANDING UT										
10 ARMORY	0	0	1,290	1,150	0	1,290	1,150	1,150	1,150	
197 COMMUNITY COLLEGE, RICHLANDS VA										
10 ARMORY	0	2,137	2,137	2,137	2,137	2,137	2,137	2,137	2,137	
200 GRANDVIEW WA										
10 ARMORY	0	1,802	1,802	1,500	1,802	1,802	1,500	1,500	1,500	
205 BUCKLEY WA										
10 ARMORY	0	1,728	1,728	1,575	1,728	1,728	1,575	1,575	1,575	
210 MOSES LAKE WA										
10 ARMORY	0	1,804	1,804	1,875	1,804	1,804	1,875	1,875	1,875	
215 MARSHFIELD WI										
10 ARMORY	0	2,030	0	2,030	2,030	0	2,030	2,030	2,030	
20 VEHICLE STORAGE FACILITY	0	226	0	226	226	0	226	226	226	
220 FORT MCCOY WI										
10 TRAINING/EDUCATION FACILITY	0	15,000	0	10,712	10,712	0	10,712	10,712	10,712	
222 CLARKSBURG WV										
10 HANGAR	0	0	5,500	5,500	0	5,500	5,500	5,500	5,500	
223 CAMP GUERNSEY WY										
10 BARRACKS UPGRADE	0	0	4,447	1,109	0	4,447	1,109	1,109	1,109	
225 BARRIGADA GU										
10 USPFO AND WAREHOUSE	0	1,927	0	1,927	1,927	0	1,927	1,927	1,927	
Planning										
260 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	3,100	4,465	3,380	5,000	4,175	3,100	5,000	1,900	1,900	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
Mil. Con., Air National Guard										
Major construction										
003 BIRMINGHAM AL										
10 FIRE STATION	0	2,100	0	2,100	2,100	0	2,100	2,100	2,100	
20 VEHICLE MAINTENANCE SHOP	0	2,300	0	2,300	2,300	0	2,300	2,300	2,300	
30 ROAD RELOCATION	0	0	6,200	6,200	0	0	0	6,200		
011 EIELSON AFB AK										
10 VEHICLE MAINTENANCE FACILITY	0	0	4,500	4,500	0	4,500	4,500	4,500	4,500	
012 TUSCON INTERNATIONAL AIRPORT AZ										
10 JET FUEL STORAGE COMPLEX	0	7,200	0	7,200	7,200	0	7,200	7,200	7,200	
015 BUCKLEY ANGB CO										
20 UPGRADE UTILITIES/INFRASTRUCTURE	0	12,000	0	12,000	12,000	0	0	12,000		
035 BOISE AIRPORT ID										
20 ARM/DISARM PADS	0	0	1,550	1,550	0	1,550	1,550	1,550	1,550	
039 O'HARE AIRPORT IL										
10 REPAIR AIRCRAFT RAMP	0	0	5,200	5,200	0	0	5,200	5,200	5,200	
041 GREATER PEORIA IL										
10 VEHICLE MAINTENANCE FACILITY	0	2,200	0	2,200	2,200	0	2,200	2,200	2,200	
20 CIVIL ENGINEERING SHOP	0	2,200	0	2,200	2,200	0	2,200	2,200	2,200	
30 SITE PREPARATION	0	1,550	0	1,550	1,550	0	1,550	1,550	1,550	
042 FORT WAYNE IN										
10 RUNWAY IMPROVEMENTS	0	6,039	0	6,039	6,039	0	6,039	6,039	6,039	
043 DES MOINES IA										
10 ADD/ALTER OPS FACILITY	0	5,150	0	5,150	5,150	0	5,150	5,150	5,150	
044 SIOUX GATEWAY AIRPORT IA										
10 ADD/ALT FUEL CELL/CORROSION HANGAR BAY	0	1,850	1,850	1,850	1,850	1,850	1,850	1,850	1,850	
20 ADD/ALT SQUADRON OPERATIONS FACILITY	0	920	920	920	920	920	920	920	920	
30 ALT COMPOSITE DINING HALL/MEDICAL TRNG F/	0	1,200	0	1,200	1,200	0	1,200	1,200	1,200	
052 STANDIFORD AIRPORT KY										
10 RELOCATION, PHASE II	0	0	5,000	5,000	0	5,000	5,000	5,000	5,000	
054 BANGOR INTERNATIONAL AIRPORT ME										
10 AIRFIELD IMPROVEMENTS	0	17,300	0	17,300	17,300	17,300	17,300	17,300	17,300	
055 BARNES MAP MA										
20 ADAL FUEL CELL/CORROSION CONTROL	0	0	1,400	1,400	0	1,400	1,400	1,400	1,400	
30 AVIONICS/WEAPONS SHOP	0	0	1,500	1,500	0	1,500	1,500	1,500	1,500	
40 ENGINE SHOP	0	0	800	800	0	800	800	800	800	
50 SQUADRON OPERATIONS	0	0	900	900	0	900	900	900	900	
60 MUNITIONS STORAGE/MAINTENANCE	0	0	3,650	3,650	0	3,650	3,650	3,650	3,650	
060 OTIS ANGB MA										

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION

(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
20 CLINIC	0	0	1,600	1,600	0	1,600	1,600	1,600	1,600	
089 PHELPS COLLINS APT MI										
10 ALTER BARRACKS	0	0	3,800	3,800	0	0	3,800	3,800	3,800	
083 GULFPORT MS										
10 RAMP UPGRADE	0	0	10,800	10,800	0	10,800	10,800	10,800	10,800	
087 THOMPSON FIELD MS										
10 ADD/ALTER VEHICLE MAINTENANCE SHOP	0	1,300	0	1,300	1,300	0	1,300	1,300	1,300	
090 GREAT FALLS IAP MT										
40 ADD/ALTER WEAPONS RELEASE SHOP	0	0	800	800	800	800	800	800	800	
50 ARM/DEARM PADS	0	0	1,000	1,000	1,000	1,000	1,000	1,000	1,000	
60 FIRE SUPPRESSION SYSTEM	0	0	1,000	1,000	1,000	1,000	1,000	1,000	1,000	
093 FARGO ND										
10 VEHICLE MAINTENANCE FACILITY	0	0	2,600	2,600	0	0	2,600	2,600	2,600	
095 LINCOLN MAP NE										
20 FUEL SYSTEMS MAINTENANCE DOCK	0	0	4,675	4,675	0	4,675	4,675	4,675	4,675	
30 SQUADRON OPERATIONS	0	0	3,100	3,100	0	3,100	3,100	3,100	3,100	
40 ALTER SUPPLY & COMMUNICATIONS	0	0	2,400	2,400	0	2,400	2,400	2,400	2,400	
117 BADIN NC										
10 COMMUNICATION ELECTRONICS TRAINING FACI	0	3,000	0	3,000	3,000	0	3,000	3,000	3,000	
119 SPRINGFIELD OH										
10 ADAL ENGINE SHOP	0	0	1,700	1,700	0	1,700	1,700	1,700	1,700	
125 TOLEDO EXPRESS AIRPORT OH										
30 AIRCRAFT ENGINE SHOP	0	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	
40 ADD/ALTER AVIONICS SHOP/ECM WEAPONS REL	0	860	860	860	860	860	860	860	860	
50 ADD/ALTER FUEL SYSTEMS & CORROSION CNTF	0	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	
60 ADD/ALTER SQUADRON OPERATIONS FACILITY	0	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	
128 TULSA AIRPORT OK										
10 ADAL SQUADRON OPS	0	0	1,350	1,350	0	1,350	1,350	1,350	1,350	
20 ADAL OMS	0	0	430	430	0	430	430	430	430	
30 ADAL ENGINE SHOP	0	0	400	400	0	400	400	400	400	
130 KINGSLEY FIELD OR										
20 SUPPLY WAREHOUSE	0	0	2,575	2,575	0	2,575	2,575	2,575	2,575	
30 FIRE STATION	0	0	1,230	1,230	0	1,230	1,230	1,230	1,230	
135 PORTLAND IAP OR										
20 ADD/ALTER BASE CIVIL ENGINEER FACILITY	0	0	1,369	1,369	700	1,369	1,369	1,369	1,369	
30 HANGAR UPGRADE	0	0	5,051	5,051	0	5,051	6,151	5,051	6,151	1,100
40 SITE IMPROVEMENTS	0	0	1,100	1,100	0	0	0	1,100		
142 JOE FOSS FIELD, SIOUX FALLS SD										
10 MUNITIONS MAINTENANCE COMPLEX	0	3,000	3,000	3,000	3,000	0	3,000	3,000	3,000	

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 UNSPECIFIED MINOR CONSTRUCTION	5,700	5,700	2,400	2,400	2,400	4,400	4,400			2,000
Planning										
007 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	5,900	5,900	6,500	8,900	5,900	8,900	8,900	3,000	3,000	
Mil. Con., Naval Reserve										
Major construction										
003 DOBBINS AFB GA										
10 MAR CORPS RESERVE CENTER	0	0	5,500	5,500	0	5,500	5,500	5,500	5,500	
005 NAS GLENVIEW IL										
20 CHILD DEVELOPMENT CENTER	0	0	1,800	1,800	0	1,800	0	1,800		
Mil. Con., Air Force Reserve										
Major construction										
006 DAVIS-MONTHAN AZ										
10 ADAL AIRCRAFT MAINTENANCE FACILITY	0	0	1,500	1,500	0	1,500	1,500	1,500	1,500	
20 MUNITIONS MAINTENANCE & STORAGE	0	0	930	930	0	930	930	930	930	
011 PETERSON AFB CO										
10 AVIONICS FACILITY	0	0	1,300	1,300	0	1,300	1,300	1,300	1,300	
017 O'HARE IAP IL										
10 AGE SHOP/STORAGE	0	0	1,700	1,700	1,650	1,700	1,700	1,700	1,700	
020 NEW ORLEANS NAS LA										
50 AVIONICS	0	0	2,300	2,300	0	2,300	2,300	2,300	2,300	
030 SELFRIDGE ANGB MI										
20 ADAL FUEL SYSTEMS MAINTENANCE HANGAR	0	0	2,400	1,050	0	2,400	2,400	1,050	2,400	1,350
30 ADAL FACILITIES FOR CONVERSION	0	0	1,500	2,400	0	1,500	1,050	2,400	1,050	
036 YOUNGSTOWN APT OH										
10 AERIAL SPRAY MAINTENANCE FACILITY	0	0	2,000	2,000	0	2,000	2,000	2,000	2,000	
20 MAINTENANCE DOCK	0	0	0	0	4,500	0	4,500		4,500	4,500
047 HILL AFB UT										
10 AIRCRAFT CORROS CNTRL & FUEL SYS MAINT F.	0	1,000	0	1,000	1,000	0	1,000	1,000	1,000	
048 MITCHELL FIELD WI										
10 HANGAR ACQ	0	2,500	0	2,500	2,500	0	2,500	2,500	2,500	
Planning										
052 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	2,500	2,500	2,500	2,500	2,800	2,500	2,800		300	300
TOTAL OF CONGRESSIONAL ADDITIONS*								421,981	413,258	24,612

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
TOTAL - MILITARY CONSTRUCTION	6,490,260	6,577,077	5,034,464	5,173,096	6,490,260	6,490,260	6,490,260			1,317,164
TOA	6,500,660	(245,800)	(245,800)	(245,800)	4,736,695	4,454,976	4,698,301			4,944,101
FAJ	(245,800)	6,331,277	4,788,664	4,927,296	(245,800)	(166,700)	(245,800)	5,173,096		
TOTAL OF CONGRESSIONAL ADDITIONS TO MILITARY CONSTRUCTION*								699,866	786,265	32,822
FAMILY HOUSING										
Family Housing Construction, Army										
Construction of new housing										
003 HUNTER ARMY AIRFIELD GA										
10 REPROGRAMMING ALLOWANCE	0	0	0	0	82	0	82		82	82
006 FORT CAMPBELL KY	0	0	8,200	8,200	0	0	0	8,200		
10 NEW CONSTRUCTION (86)	0	0	0	0	0	8,200	8,200		8,200	8,200
007 FORT HOOD TX	0	26,000	0	25,000	0	0	0	25,000		
10 FAMILY HOUSING (227 UNITS)	0	0	0	0	25,000	0	25,000		25,000	25,000
008 FORT PICKETT VA	0	2,300	0	2,300	0	0	0	2,300		
10 FAMILY HOUSING UNITS (26 UNITS)	0	0	0	0	2,300	0	2,300		2,300	2,300
Post-Acquisition Construction										
010 UNSPECIFIED WORLDWIDE LOCATIONSZU	143,660	143,660	155,660	92,600	143,660	143,660	143,660			51,060
Family Housing Operations & Debt, Army										
Operating expenses										
006 UNSPECIFIED WORLDWIDE LOCATIONSZU	93,678	93,678	93,678	93,678	93,678	93,678	93,678			
10 MANAGEMENT ACCOUNT	93,678	64,840	64,840	64,840	93,678	93,678	93,678			28,838
20 SERVICES ACCOUNT	64,840	313,736	313,736	313,736	64,840	64,840	64,840	248,896		
30 UTILITIES ACCOUNT	313,736	47,036	52,036	47,036	313,736	313,736	313,736			266,700
40 FURNISHINGS ACCOUNT	52,036	1,973	1,973	1,973	47,036	52,036	47,036			45,063
Maintenance of real property										
006 UNSPECIFIED WORLDWIDE LOCATIONSZU	495,836	495,836	495,836	464,016	495,836	495,836	495,836			11,820
TOTAL OF CONGRESSIONAL ADDITIONS*								284,366	35,582	439,063
Family Housing Construction, Navy & Mari										
Construction of new housing										
005 ADAK NAVAL AIR STATION AK	11,820	0	0	0	11,820	11,820	11,820			11,820
021 MILLER PARK HI	0	0	18,400	0	0	0	0			
10 FAMILY HOUSING (114)	0	0	0	0	0	18,400	16,800		16,800	16,800

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
146 ELLINGTON ANGB TX										
10 HANGAR MODIFICATION	0	0	1,700	1,700	0	1,700	1,700	1,700	1,700	
147 NEDERLAND TX										
10 VEHICLE MAINTENANCE SHOP	0	1,200	0	1,200	1,200	0	1,200	1,200	1,200	
148 HENSLEY TX										
10 WAREHOUSE	0	0	4,250	4,250	0	4,250	4,250	4,250	4,250	
149 KELLY AFB TX										
10 CIVIL ENGINEERING FACILITY	0	0	2,050	2,050	0	2,050	2,050	2,050	2,050	
151 SALT LAKE CITY UT										
10 BASE CIVIL ENGINEERING COMPLEX	0	0	1,850	1,850	0	1,850	1,850	1,850	1,850	
152 TRUAX FIELD WI										
10 HANGER ALTERATION	0	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250	
20 FUEL CELL MAINTENANCE DOCK	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	
155 VOLK FIELD WI										
20 COMPOSITE RAPCOM CENTER/COMMUNICATIO	0	2,600	0	2,600	2,600	0	2,600	2,600	2,600	
Planning										
167 UNSPECIFIED WORLDWIDE LOCATIONSZU										
20 PLANNING AND DESIGN	12,700	12,700	12,700	17,700	17,700	17,700	17,700	5,000	5,000	
Mil. Con., Army Reserve										
Major construction										
005 REPROGRAMMING ALLOWANCE										
30 REPROGRAMMING ALLOWANCE	0	0	(1,245)	0	0	5,300	5,300		5,300	5,300
008 CLARKSBURG WV										
10 ARMY RESERVE CENTER	0	0	5,358	5,358	0	5,358	4,202	5,358	4,202	
20 ADAL AREA MAINTENANCE SPT ACTIVITY	0	0	0	0	0	0	1,156		1,156	1,156
009 WHEELING , WV										
10 ARMY RESERVE CENTER	0	0	6,808	6,808	0	6,808	6,808	6,808	6,808	
010 WEIRTON WV										
10 ARMY RESERVE CENTER	0	0	3,481	3,481	0	3,481	3,481	3,481	3,481	
011 BLUEFIELD WV										
10 ARMY RESERVE CENTER	0	0	1,821	1,821	0	1,821	1,821	1,821	1,821	
012 JANE LEW WV										
10 ARMY RESERVE CENTER	0	0	1,566	1,566	0	1,566	1,566	1,566	1,566	
013 LEWISBURG WV										
10 ARMY RESERVE CENTER	0	0	1,831	1,831	0	1,831	1,831	1,831	1,831	
014 GRANTSVILLE WV										
10 ARMY RESERVE CENTER	0	0	2,785	2,785	0	2,785	2,785	2,785	2,785	
Minor construction										
005 UNSPECIFIED WORLDWIDE LOCATIONSZU										

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION (thousands of dollars)

Program	Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
022 LYNCH PARK HI	0	0	7,000	0	0	0	0			
10 FAMILY HOUSING (42)	0	0	0	0	0	7,000	6,370		6,370	6,370
023 MCAS KANEOHE HI	0	0	69,900	0	0	0	0			
10 FAMILY HOUSING (220)	0	0	26,900	0	0	69,900	32,050		32,050	32,050
20 FAMILY HOUSING (80)	0	0	0	0	0	26,900	11,920		11,920	11,920
024 MOANA LUA HI	0	0	11,800	0	0	0	0			
10 NEW CONSTRUCTION (100)	0	0	0	0	0	11,800	11,800		11,800	11,800
026 PEARL CITY PENINSULA HI	0	0	30,000	0	0	0	0			
10 NEW CONSTRUCTION (132)	0	0	0	0	0	30,000	23,590		23,590	23,590
027 NAVAL COMPLEX OAHU HI	0	11,820	0	0	0	0	0			
10 NEW CONSTRUCTION (100 UNITS)	0	0	0	117,180	11,820	0	0	117,180		
028 NAS BARBERS POINT HI	0	0	18,500	0	0	0	0			
10 NEW CONSTRUCTION (70)	0	0	0	0	0	18,500	14,850		14,850	14,850
10 DEMOLITION AND SITE PREPARATION	0	0	0	7,000	0	0	0	7,000		
037 KITSAP COUNTY WA	0	19,500	0	19,500	0	0	0	19,500		
10 FAMILY HOUSING (200 UNITS)	0	0	0	0	19,500	0	19,500		19,500	19,500
040 SUGAR GROVE NAVAL RADIO STATIONWV	930	0	930	930	930	930	930			
042 GUAM BUDGET AMENDMENT	56,700	0	0	0	56,700	56,700	56,700			56,700
Post-Acquisition Construction										
045 UNSPECIFIED WORLDWIDE LOCATIONSZU	198,340	198,340	198,340	130,844	198,340	198,340	198,340			67,496
Family Housing Operations & Debt, Navy & Maintenance of real property										
008 MAINTENANCE OF REAL PROPERTY	262,840	262,840	262,840	227,909	262,840	262,840	262,840			34,931
TOTAL OF CONGRESSIONAL ADDITIONS*								143,680	136,680	307,627
Family Housing Construction, Air Force										
Construction of new housing										
005 BEALE AFB CA	308	0	308	308	308	308	308			
010 MARCH AFB CA	25,351	25,351	25,351	38,351	25,351	25,351	25,351	13,000		
10 FAMILY HOUSING (320 UNITS)	25,351	13,000	0	0	25,351	25,351	38,351		13,000	38,351
015 PATRICK AFB FL	16,000	16,000	22,500	22,500	16,000	16,000	16,000	6,500		
10 FAMILY HOUSING (250 UNITS)	16,000	16,000	16,000	16,000	16,000	22,500	22,500		6,500	6,500
020 MOODY AFB GA	290	0	290	290	290	290	290			
026 SCOTT AFB IL	0	0	20,000	20,000	0	0	0	20,000		
10 FAMILY HOUSING PHASE I (300)	0	0	0	0	0	20,000	20,000		20,000	20,000
030 BARKSDALE AFB LA	443	0	443	443	443	443	443			
035 CANNON AFB NM	480	0	480	480	480	480	480			

FY1993 CONGRESSIONAL ADDITIONS TO DOD REQUESTS: MILITARY CONSTRUCTION
(thousands of dollars)

Program		Admin. Request	House Auth.	Senate Auth.	Enacted Auth.	House Approp.	Senate Approp.	Enacted Approp.	Amount Auth.> Request	Amount Approp.> Request	Amount Approp.> Auth.
10 HOUSING OFFICE		480	32,951	32,951	32,951	0	480	480	32,471		
040 MINOT AFB	ND	266	0	266	266	266	266	266			
045 SHAW AFB	SC	351	0	351	351	351	351	351			
Post Acquisition Construction											
080 UNSPECIFIED WORLDWIDE LOCATIONSZU		227,824	227,824	227,824	150,000	227,824	227,824	227,824			77,824
Family Housing Operations & Debt, AF											
Operating expenses											
008 UNSPECIFIED WORLDWIDE LOCATIONSZU		46,354	46,354	46,354	46,354	46,354	46,354	46,354			
10 MANAGEMENT ACCOUNT		46,354	26,633	26,633	26,633	46,354	46,354	46,354			19,721
20 SERVICES ACCOUNT		26,633	261,052	261,052	261,052	26,633	26,633	26,633	234,419		
30 UTILITIES ACCOUNT		261,052	45,681	50,681	45,681	261,052	261,052	261,052			215,371
40 FURNISHINGS ACCOUNT		50,681	9,755	9,755	9,755	45,681	50,681	45,681			35,926
Maintenance of real property											
008 UNSPECIFIED WORLDWIDE LOCATIONSZU		396,943	396,943	396,943	387,596	396,943	396,943	396,943			9,347
TOTAL OF CONGRESSIONAL ADDITIONS*									308,390	39,500	423,040
TOTAL - FAMILY HOUSING		4,060,735	4,059,249	4,221,615	3,948,417	4,060,735	4,060,735	4,060,735			112,318
TOA		4,060,735	(4,873)	(4,873)	(4,873)	3,968,503	3,833,791	3,941,499			3,948,372
FAJ		(4,873)	4,054,376	4,216,742	3,943,544	(4,873)	(4,873)	(4,873)	3,948,417		
TOTAL OF CONGRESSIONAL ADDITIONS TO FAMILY HOUSING*									734,408	211,782	1,169,730

Mr. MCCAIN. Madam President, I advise my colleagues of the possibility of an amendment on this issue prior to the completion of Senate action on the appropriations bill.

Again, I wish to also express my appreciation to the distinguished chairman and the ranking Republican member on the restraint they have shown in this particular Senate version of the Department of Defense appropriations bill.

I yield the floor.

Mr. STEVENS. Madam President, while my colleague is present, I want the Senator from Arizona to know we appreciate the comments he has made. We are trying to work with those who have not been too happy with our process.

But I have the documents from the CRS report. Let me point out a few things. I think it is too bad we do not have charts made to show them.

Here, for instance, is operation and maintenance for 1993. The administration requests a whole series of items on that page. We are talking about disaster relief planning, et cetera, no administration requests at all, no House authorization, no Senate authorization. But guess what? In conference, after the authorization bills have passed both the House and the Senate, in conference the conferees authorized for Civilian Community Corps, $30 million; National Community Service Program, $30 million; a whole series of items here, college grants, Upward Reach projects, and guess what? No money in the House appropriations bill, no money in the Senate appropriations bill. But in the Senate conference, lo and behold, there is the money.

What I am telling the Senator from Arizona is that as we listen to the administration talk to us, I do not care whether it is Republican or Democrat, they say a congressional add-on is something that is not in the President's budget. The Senator from Arizona is talking about an appropriations add-on being something that was not in the authorization bill.

Now, the argument of the people who argue normally for the line-item veto is that the President can veto any change made by the Congress. The Senator is upset about the changes being made by the appropriators after the authorization bills have come through.

But as a matter of fact, if you want to examine the charts that the Senator has given to us, you will find that time after time, where these items originate—take, for instance, I have here procurement requests. The Senate, on the C–12J Program—this is the National Guard and Reserve equipment. No request from the President, no House authorization. The Senate authorized $42 million. The House appropriations bill did not have any money in it. The Senate, at the request of the Senate authorization committee, put in $43.3 million, and the final appropriation was $42.3 million.

A majority of the items we put in the appropriations bill in the Senate that are not in the authorization bill have come from contacts with the authorizers themselves who come to us and ask us to add in moneys. And we do because we find that they are needed.

Take, for instance, the C–26 aircraft, same situation—not quite but almost the same. No request from the President; no House authorization; the Senate had $23 million. The House appropriations bill provided $23 million. We zeroed it out in the Senate appropriations. But guess what? In conference there is the Senate authorization committee's $23 million.

Is that an add on? Whose add on is that, if it is not in the President's budget? It is not in the bill that came to us from the House. We did not put it in. But it comes in in the conference.

I say to my friend, I understand the difference between the administration and the Congress. The President sends up a budget and it is zero. We change that and put it in another place. Then it suddenly becomes wrong. But I challenge the Senator from Arizona. You cannot find a bill where we have come in with more than the President requested. You cannot find a bill where we came in with more than the budget allowed us to pass. We have lived within the budget limits. We have lived within the budget limits. As a matter of fact, in this bill before us, we are some $1.7 billion, as I recall, below the amount we were authorized to spend.

So what the Senator is talking about is that some of us—we are not all on the Senate authorization committee either. We are not all permitted to decide what becomes an authorized project under the Senator's concept.

As to the line items now, when I first started in the appropriations process, there was one basic item. It was procurement. It had a series of systems, and we fleshed that out. Now we get a line item budget that is, how many, 30,000 different line items? And if we shift money from one line item on the same airplane to another line item on that airplane, guess what. It is a congressional add on. We decided there would be a delay dealing with a gear and we would rather go ahead with another system, so we go ahead with the other system and take the money out for the gear. We are guilty of a congressional add on.

For people who know the budget process, that CRS report is not worth the money it cost to make it because it is not a study of earmarking. It is a study of changes in the appropriations process, the budget process. The President sets one set of goals. The House authorization committee sets another. The Senate authorization committee sets another. The conference committee sees it entirely differently. It then comes to the appropriations process and we end up with appropriations that are entirely different in many items from what the President originally requested.

Mr. MCCAIN. Will the Senator yield for 1 minute?

Mr. STEVENS. I wish to make this one comment.

The real problem is I do not see any reason why the CRS went to the detail it has here in breaking down each one of these items in a way that you cannot even understand unless you get the person who wrote it. As a practical matter, anything that is a congressional add on is a variance from the administration's request.

I will echo my friend from Arizona to say I did not spend now almost 25 years on the Senate Appropriations Committee to be entirely governed by the whims of the authorization committee as to how they line out the moneys within a particular portion of the budget. The President has one type of line. They come in and redefine it, and we are wrong if we fill in the President's item.

I think it has reached the point where the specificity is just getting entirely out of control in terms of the authorizers determining that they can, through the authorization process, totally limit the discretion of the appropriators and the Congress. You have to remember we do not do anything by ourselves. It takes a vote on the floor of the Senate, and I remind you again we are the only ones who are bound by the outlay limits. The bill that the authorizers have given us now with their individual line items requires $3 billion more than we have to spend. And they criticize us for the way we have allocated money within the demands of the budget system because we have not followed their delineations.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, let me say, as I tried to make clear in my statement, there is a great deal of validity in what the Senator from Alaska says. There are many times when there are needed appropriations, where a disaster relief situation may arise, other extreme changes in priorities on the part of the Defense Department and they have to be put in the appropriations cycle.

The fact remains, though, that the process is rife with opportunity, if I may use that word, for abuse of it. Just a small example: In 1994, in the fiscal year 1994 there are $236.5 million of conversion funds all of which are specifically allocated; $2.3 million, as I mentioned, for solid cohesion molecule research; up to $50 million to be spent for environmental cleanup of an abandoned mine; $5 million for research on bridge overpass and highway structural integrity assessments using laser vibration technology to be done at Fort

Belvoir, VA; $7 million for NDIS teleimaging medical diagnostic program at Madigan Army Medical Center in Washington State; $61 million of the strategic environmental research program for, among other things, the Consortium for International Earth Science Informational Network, global acoustic mapping of ocean temperatures, and a plasma disposal project at Fort Belvoir.

We do not know in the Senate version because they do not have a total for the $2.5 million for a joint Air Force-Navy high-altitude aurora research program; $5 million for the center for excellence for research in ocean sciences; $4.5 million for the McMinnville, OR, Center for Advanced Technology and Training; an $8 million grant to the Oregon State Higher Education System to establish an international job training program; and, $750,000 for the University of North Iowa to establish a math teachers leadership project; $1.5 million for the purchase and rehabilitation of LCU, landing craft utility ship, as a commercial cargo vessel to be transferred to the government of American Samoa; $2 million to establish a marine environmental research facility at Astoria, OR. The Senator from Alaska is telling me that those projects that I just mentioned are more important than the weapons procurement that we will cut back on for the men and women we told had to get out of the military because we could not afford to keep them? I do not believe it.

I say to the Senator from Alaska, I do not believe it. I do not believe that these projects—of course I have never had a chance to examine them because they are put in the appropriations conference. But the fact is I do not believe that they are more important than the priorities that I just stated.

Mr. STEVENS. Would the Senator yield, as long as he is talking about my Alaska project?

Mr. McCAIN. The Senator would not yield to me when I asked him to yield, so I will finish my remarks.

Mr. STEVENS. All right.

Mr. McCAIN. The fact is that these projects, in my view, may be justified, and the Senator from Alaska may be able to justify them. But it will be the first justification that I have heard. This is not the appropriate place in the process for that to take place, in all due respect. I will be more than happy to yield to my friend from Alaska.

Mr. STEVENS. I hesitate to do that. The high altitude aurora research project is a project conducted by the Department of Defense. It is not the concept the Senator might have involved. But I find for instance, as I mentioned before, the attack helicopter, Apache helicopter was not in the budget.

Mr. McCAIN. I did not request it. I say to the Senator from Alaska, I did not request it.

Mr. STEVENS. Would the Senator like to offer an amendment to delete it? It is the same concept that the Senator is talking about.

Mr. McCAIN. Would the Senator like for me to——

Mr. STEVENS. Would the Senator introduce an amendment to delete——

Mr. McCAIN. Offer an amendment to delete all the others?

Mr. STEVENS. I am happy to have the Senator offer an amendment to delete that if that is what he is suggesting. They are earmarking moneys that are here in this budget, the legitimate items for the expenditure of money within the category listed, just as the Apache is the legitimate item, required deleting other items of procurement to put it in there. But it is in there.

My point is, you have Members of the Senate on the authorization committee that have priorities. They are in the authorization bill. We have members of the Appropriations Committee that have priorities. They tend to come into the appropriations process. And we work it out with the House where you have the same thing, four different clientele, in terms of the defense activity.

I once made the suggestion that we ought to do away with the—not the Armed Services Committee—but with the Defense Appropriations Subcommittee so that in the Senate we would have one committee that dealt with defense matters, both authorizing and appropriators on the same.

Do you know what you end up with? You would end up with the priorities of those people in the one committee.

My point is we do tend to remember those projects that we are familiar with, the authorizers put in the projects they are familiar with. Most of them in this lineup that are in this book today were not authorized at all. They were not requested by the budget at all. Look at that page. I invite you to page 112. That whole list of items in the authorization bill was not in the budget at all. We funded most of them.

Mr. McCAIN. Page 112 of what?

Mr. STEVENS. The report of this bill which is before the Senate right now.

The problem is to really follow through on the items that we are dealing with as far as I am concerned. I mention the ones I was dealing with were not in the budget request.

Mr. McCAIN. May I say, Madam President, I appreciate the long and loyal and dedicated service that the Senator from Alaska has given, not only to this Nation, as well as the distinguished chairman, in a variety of ways. Between the two of them, they have far more experience in this body than I do. I understand that they do the very best job that they can. I do not in any way impugn the performance of two of the most outstanding Members of this body. What I do attack here, and attack vociferously, is a process, a process that in my view needs to be fixed.

In the view of the Senator from Alaska, I am sure, in the view of the Senator from Hawaii, they do not believe it needs to be fixed. I would also suggest that they have made certain reforms in the way they have been doing business over the past few years. But I think it is important for me to separate the issue here and the results of a process with the efforts of two outstanding Members in this body, two of the most outstanding Members of this body, who share with me the deepest concern and commitment to our national security.

I thank the President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, I thank you very much.

First, I would like to commend my friend from Arizona for bringing this matter to our attention. I believe fervently that he is deserving of answers that he feels he has not received. We felt that the committee reported items of explanation, but apparently it has not.

I would like to, in a general way, mention first, in the last 5 years—this is a period that I served as chairman—the bill that we have reported to the Senate has always been within the 602(b) allocation, always below that. It has never exceeded the 602(b) allocation.

In fact, the Senator from Arizona mentions that between fiscal year 1990 and 1993 we were $28.7 billion more than authorized. Actually, between fiscal year 1990 and 1993, according to the CBO—not us, but the CBO—Congress appropriated $2.9 billion less than that authorized for national defense.

Second, at this moment, the House of Representatives has not—I repeat has not—appointed conferees to the conference on the armed services bill.

So we find ourselves once again, as we have on many other occasions, acting on an appropriations bill without an authorization. But at the same time we are confronted with a continuing resolution that will expire. We are told by one and all, leaders, committee chairmen, please get this over with.

We have been sitting here patiently trying to get this thing over with. So we have to deal with items that have not been officially authorized and signed by the President of the United States. But in each case whatever appears in the bill has been authorized either by the House or the Senate in their separate bills. But when they meet in conference, it could be rejected.

It would be fine if we waited until the authorization process was completed, but obviously if that were the case, we would begin our appropriations process long after the beginning of the fiscal year. Let us keep in mind that we are considering fiscal year 1994 measures, and the fiscal year began on October 1. That was a couple of weeks ago.

Now, if I may, I would like to go over each item that my friend from Arizona brought up.

First he mentioned the C-20 aircraft for the Coast Guard, $25 million. He wanted to know what the Coast Guard was doing in the defense bill. I am certain all of us agree that the Coast Guard does have peacetime responsibilities and activities and wartime responsibilities and activities. At this very moment, the Coast Guard is off the shore of Bosnia for sanction purposes. The Coast Guard was heavily involved in Desert Storm, risking lives. They were the prime agency in charge of enforcing sanctions against Saddam Hussein. That is war activity. And so understandably, the Defense Appropriations Subcommittee has been called upon to provide funds for the Coast Guard.

In this case, the C-20 aircraft was requested by the Commandant of the Coast Guard because he wanted to replace his aging aircraft. The Coast Guard is no longer just east coast and west coast; he has to be out in the Mediterranean, or in the Persian Gulf, in the far reaches of the Pacific. He needs a command and control aircraft. This aircraft was approved by the House in fiscal year 1992. But at that time, we could not help the Commandant because funds were not available. So in fiscal year 1993, the Commandant came forward and said, "We will reprogram funds from the following activities to pay for this C-20." At that point, the Congress balked and disagreed with him. So once again, the Coast Guard found itself without a command and control plane.

Finally, we decided to go through this in fiscal year 1993, and that is how we came up with this C-20.

There was nothing hidden about this. It was widely discussed. I felt that most people knew about this.

The next item on the cost overrun of $40 million. In the fiscal year 1993 House-passed bill, the House approved an appropriation of $75 million to be used to cover cost overruns in the construction of two ocean survey ships. The contractor had experienced significant losses on the construction contract and, because of this, the contractor sought congressional relief. We rejected the House amendment. But in conference, we found ourselves in a position where we had to compromise, and we restored $40 million of the $75 million to pay claims on the contract. And to say that this emerged out of the appropriations conference committee, obviously, is in error, because we rejected that.

As we all must concede, a conference committee is a conference. The Senate does not get its way; neither does the House get its way. We disagree. Otherwise, there is no need for a conference. And oftentimes, for the national good or for mutual interests, or otherwise, we find ourselves compromising or agreeing with the other party, or receding from our position.

So, Madam President, this did not emerge from the Appropriations Committee. The purchase of 1,502 acres from the Coast Oyster Co. in Washington State for $5 million was done at the request of the House. And the conferees did include a provision authorizing the Secretary of Defense to spend up to $5 million, which was made available to the Department of Defense to purchase these acres of tidelands.

First of all, this is not an earmark. Since the Secretary was permitted to spend up to $5 million, it is understood that, as the Department has done on many, many occasions, he could spend nothing. If the Secretary wanted to, he could have spent just $1 and have been done with it.

Second, since the Department appropriation was well below the authorization, funds could be allocated to this effort without exceeding the authorized funding level. Furthermore, this involves treaty agreements with 17 Indian tribes, who have, over the ages, had treaty rights, fishing rights on these tidelands. So it was not arbitrarily done by the Appropriations Committee. This originated with the House. But as chairman of the Indian Affairs Committee—I will say so publicly—I was pleased to recede to the House position and concur with this purchase of 1,502 acres. I did urge the Secretary to make such a purchase. But the Secretary may or may not spend this.

On the matter of cleanup of the industry in Eau Claire, WI, the National Presto Industries produced artillery rounds for the Army since the 1950's and throughout the Vietnam conflict. Today, we find many parts of our land dangerously polluted. In the measure before us, we have an item of $2.2 billion to begin the cleanup of bases that we have just closed. And that is just the beginning, Madam President, $2.2 billion. We estimate conservatively that by the time these bases are finally closed, it will exceed $25 billion.

In addition to that, there is an item of $2.1 billion for environmental cleanup of bases in operation in order to stem the damage before we go any further. In this appropriation, we raise no objection to this fund because this cleanup had to be done. It was our responsibility whether it is done in fiscal year 1993 or fiscal year 1994, we were expected to clean this up.

On the matter of the multiple launch rocket system for the Army National Guard, $80.7 million, Madam President, I must say that contrary to the press release and the claim by the Congressional Research Service, the multiple launch rocket system was fully authorized in fiscal year 1993. I have no idea how this ever got into the report. The fiscal year 1993 Authorization Act provided specific authorization for 73 MLRS launchers and 30,000 rockets for the U.S. Army. The Appropriations Act provided the appropriate funding for the authorized 73 launchers, that is, $248.6 million and 15,000 rounds for $109.7 million.

We directed that 29 of these launchers and 6,000 of these rockets be provided to the Army National Guard. The Defense Department approved this. Out of that total program which was authorized specifically and appropriated specifically, we took out 29 launchers for the National Guard.

On the natural gas vehicle technology research, that is $10 million. Here again, contrary to the press release, the natural gas vehicle technology research was both authorized and did not emerge out of the appropriations conference committee.

The natural gas vehicle funding was highlighted in authorizations and Appropriations Committee reports and also the authorization conference report. The House Armed Services Committee recommended $1 million for natural gas evaluations and $25 million for geographically disbursed electric vehicle demonstration pilot projects.

The selection criteria discussed in the House Armed Services Committee report clearly favored particular locations. This did not emerge from our committee, but it was authorized. And we felt that since this was part of the national defense authorization for fiscal year 1993 which clearly authorized a total of $38 million, not $10 million, we felt it was appropriate.

The LCU for American Samoa.

American Samoa is a possession of the United States, and up until World War II, it was under the jurisdiction of the U.S. Navy; it was a U.S. Navy coaling station.

The Senate Appropriations Committee in response to a critical need of health and safety equipment directed the Navy to take possession from the GSA at no cost an excess LCU which was designated for American Samoa. It was already designated for American Samoa, but we asked the Navy to participate in this because, first of all, we had to overhaul this ship and, second, we could not tell the Samoans, who have no money, come and pick it up. Someone had to drag it across the Pacific. That cost a few dollars. So we did this.

It was not specifically authorized, but I would hope that the United States would live up to its obligation as the master and owner of American Samoa to maintain the health, welfare, and educational needs of the inhabitants. That is $1.5 million.

McMinnville, OR, Center for Aviation Technology and Training.

This found its way in the report language, that $4.5 million be provided to the State of Oregon to pursue the development of this aviation training center.

This is an important defense conversion program of the Pacific Northwest, an area affected very significantly by the defense drawdown. Yes, we find defense conversion projects throughout this bill, and that is what we have been debating all this time. What are we to do with men and women who have been building tanks all these decades, building cannons all these decades?

The State of California, the State of the distinguished Presiding Officer, I believe will experience in excess of 300,000 new unemployed men and women on the unemployment list as a result of defense drawdown. Are we to close our ears to their pleas? There is general authorization for conversion.

The Presiding Officer has an amendment, which I have assured her I will take into conference, and I will do my utmost to see that her amendment be carried out and become law of the land. What does it do? As part of the military drawdown from 2.9 million men and women in uniform, we are going to come down to 1.4 million. That is a major slash. And there are thousands of men and women who decided to make the military their career suddenly receiving the pink slip. Some of the men just got back from Desert Storm or Somalia and are getting the pink slip. That is their reward.

What the Presiding Officer is trying to do is to convert some of these military police officers to become civil police officers. And if there is a place that needs police assistance, it is California. It is that simple.

Are we to tell the Californians that project is not specifically authorized? Not me.

Grant to the Oregon State Higher Education System to establish an international job training program.

Here again this is report language that provides funds to establish an international job training program. The goal of this program is to further dual use technology for economic growth and thus national security through linking students with foreign and domestic defense and other industries.

It is to promote better international technical schools for U.S. students so they may better compete in the global market.

It is a program similar to the United States-Japan training program supported by Senator BINGAMAN and authorized by the Senate Armed Services Committee.

The marine environmental research facility at Astoria, OR, $2 million. We have funds to establish this facility in Astoria. This is the former site that was planned to serve as a home port for Navy mine countermeasure ships. The Navy constructed a number of these facilities in the process of establishing the home port. We have already spent this money. We have already built these facilities—facilities that were authorized; funds were appropriated.

We had a choice. We could just leave it alone and let it rot, or we could use it. With the request from the Navy and with a full report, we said, "Let us use it. The facilities are there. Let us use it." This center will eventually provide information which will be useful to Navy planners designing weapons systems or tactical operational strategies.

This conversion of home port facilities was not specifically authorized. But, here again, it was a choice. As I said, do we let it rot or do we make use of the moneys that we have already spent? And we decided to do so.

I hope that my colleagues will not disagree with that.

Joint Air Force-Navy High-Altitude Auroral Research Program, HAARP. This is a continuation of a program that began 4 years ago to investigate improvements to the Navy's capabilities to communicate at long ranges with strategic ballistic missile nuclear submarines and Air Force's long-range communications facilities.

As everyone knows, it is very difficult to communicate with a ship that is below surface. It is technology that everyone wants to achieve. Dolphins can do it, but we have not found a way yet.

This will become the backbone of our nuclear deterrent. And although it was not specifically authorized, it has never been challenged in the last 4 years by any of the authorization committees.

The Center for Excellence for Research on Ocean Sciences, $5 million. The fiscal year 1994 Senate appropriations bill includes $5 million to continue—we just did not start this—to continue ocean sciences research programs which began in fiscal year 1992, 2 years ago. The Advanced Research Projects Agency, ARPA, participated in establishing the center and selecting the initial research programs and projects.

This is not a new project. It was already started in 1992. It was not a secret matter. We did not hide this from the Senate. It was openly done. It is included in our committee report. The defense agency, ARPA, not only approved this but has already participated for the last 2 years. And from that, one must conclude that everyone is for it. Accordingly, although it did not find its way through the authorizing process each year, we felt that since it was approved 2 years ago, no one would complain.

In fiscal year 1993, the committee approved the construction of a visitor's center at the Naval Academy to accommodate the thousands of visitors which visit that is in effect a national landmark. In this case, the committee appropriated the money in the form of a loan, which is highly unusual. Since the visitor's center will generate a positive cash-flow over the years, from the sale of items and food, the money will be returned on a 50–50 basis annually, 50 percent to the Treasury each year of all net revenues, until the money is fully paid back. The other 50 percent goes to fund midshipmen extracurricular activities. The facility was authorized by the authorization committees in fiscal year 1993.

So, in the long run, the Academy gets a sorely needed facility, the flood of visitors has a decent place to learn about the Academy, midshipmen activities are enhanced, and the money is fully recouped by the Treasury—quite a bargain.

So, Madam President, although it would seem that we have been violating the rules and violating the laws of this land, that is according to the news release, I hope that the brief commentary on these specific projects that were brought up in this report will suffice to my colleagues.

Madam President, I ask unanimous consent to have printed in the RECORD certain tables prepared by the Congressional Budget Office. These tables are entitled "Final Appropriations" and "Authorization Actions Compared to the Budget Request." The tables show that the Appropriations Committee has been below authorization: Fiscal year 1989, $327 million below; fiscal year 1990, $2.135 billion below; fiscal year 1992, $209 million below; and fiscal year 1993, $690 million below.

These appropriations are below, not above, authorization.

Madam President, I further ask unanimous consent to have printed in the RECORD a table prepared by the Senate Budget Committee which shows that for fiscal year 1994, the authorization procurement and R&D accounts are $2.876 billion above—above—the administration's request. This is the authorization bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FINAL APPROPRIATIONS AND AUTHORIZATION ACTION COMPARED TO THE BUDGET REQUEST FOR 1989

[In millions of dollars]

Appropriations Subcommittee/Bill	Request		Appropriations		Authorizations		Request less appropriations		Request less authorizations		Apropriations less authorizations	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Defense:												
Milpers	78,453	78,311	78,340	78,201	78,459	78,317	113	110	−6	−6	−119	−116
O&M	85,649	83,078	85,294	82,810	85,498	82,964	355	268	151	114	−204	−154
Procurement	79,798	80,711	79,942	80,381	79,745	80,552	−144	330	53	159	197	−171
RDT&E	38,157	35,574	37,634	35,319	37,970	35,483	523	255	187	91	−336	−164
Stock Funds	764	1,281	689	1,224	689	1,224	76	57	75	57	−1	
CIA Retirement	145	148	145	148	145	148						
Intel Com. Staff	24	23	24	23	24	23						
Dav-Bacon, Drug Inter	(310)	(196)	496	275	210	156	−806	−471	−520	−352	286	119
BB Trans. Auth./Other	(1)	2	(150)	(59)		(575)	150	61	−1	577	−150	516
Subtotal—Defense	282,679	278,932	282,412	278,321	282,740	278,292	267	611	−61	640	−327	29
MilCon Bill:												
MilCon	5,743	5,052	5,751	5,071	5,702	5,063	−8	−19	41	−11	49	8
Family Housing	3,269	3,021	3,260	3,017	3,291	3,031	9	4	−22	−10	−31	−14
Subtotal—Milcon	9,012	8,073	9,011	8,088	8,993	8,094	1	−15	19	−21	18	−6
Energy	8,100	7,945	8,100	7,944	8,135	7,967		1	−35	−22	−35	−23
HUD	366	348	361	345	354	351	5	3	12	−3	7	−6
TreasPost		(90)	30	(20)	0	(50)	−30	−70	0	−40	30	30
Foreign Ops	111	54	126	67	111	54	−15	−13	0	0	15	13
Enacted Pre-January	(739)	(727)	(739)	(727)	(739)	(727)						
Total National Defense	299,529	294,535	299,301	294,019	299,594	293,981	228	516	−65	554	−293	38

FINAL APPROPRIATIONS AND AUTHORIZATION ACTION COMPARED TO THE BUDGET REQUEST FOR NATIONAL DEFENSE FOR 1990

[In millions of dollars]

Appropriations Subcommittee Bill	Request		Appropriations		Authorizations		Appropriations less request		Authorizations less request		Appropriations less authorizations	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Defense:												
Military Personnel	79,185	79,141	78,720	78,693	78,781	78,754	−465	−448	−404	−387	−61	−61
D&M	89,699	88,468	86,712	86,165	86,211	85,514	−2,986	−2,303	−3,488	−2,954	501	651
Procurement	78,754	80,134	84,042	80,512	84,487	80,539	5,288	378	5,733	405	−445	−27
RDT&E	39,645	36,994	37,109	35,689	38,227	36,274	−2,536	−1,305	−1,418	−720	−1,118	−585
Stock Funds	774	1,265	−1,178	−293	245	863	−1,952	−1,558	−529	−402	−1,423	−1,156
CIA Retirement	155	156	155	156	155	156						
Intel Com. Staff	24	24	28	27	24	24	4	3	0	0	4	3
Contingencies/Other	−257	−239	−44	−2	0	1	213	237	257	240	−44	−3
Drug Interdiction	0	53	450	219	0	53	450	166	0	0	450	166
Subtotal Defense	287,980	285,996	285,995	281,165	288,130	282,178	−1,984	−4,831	150	−3,818	−2,135	−1,013
MilCon Bill:												
Military Construction	5,323	5,458	5,270	5,363	4,694	5,253	−53	−95	−629	−205	576	110
Family Housing	3,232	3,157	3,220	3,151	3,277	3,183	−12	−6	45	26	−57	−32
Subtotal Milcom	8,555	8,615	8,490	8,514	7,971	8,436	−65	−101	−584	−179	519	78
Energy	9,387	8,773	9,663	8,946	9,663	8,944	276	173	276	171	0	2
HUD	342	344	342	344	342	344						
TreasPost	0	0	0	0	0	0						
Commerce-Justice	0	0	0	0	0	0						
Other	−755	−743	−755	−743	−755	−743						
Total (Senate Scoring)	305,508	302,985	303,735	298,226	305,351	299,159	−1773	−4759	−157	−3826	−1616	−933
Transfers	0	0	0	1,398	0	1,264		1,398		1,264		134
Outlay Limitation	0	0	0	−419	0	−1223		−424		−1223		799
Total (House Scoring)	305,508	302,985	303,735	299,205	305,351	299,200	−1,773	−3,785	−157	−3,785	−1,616	0

APPROPRIATIONS AND AUTHORIZATION ACTION COMPARED TO THE CBO BASELINE FOR NATIONAL DEFENSE FOR 1991 APPROPRIATIONS

[Bills through conference, in millions of dollars]

Appropriation Subcommittee bill	CBD baseline		Appropriations		Authorizations		Appropriations less baseline		Authorizations less baseline		Appropriations less authorizations	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Defense:												
Military Personnel	81,527	81,084	78,245	78,019	78,385	78,157	−3281	−3065	−3142	−2927	−140	−138
D&M	90,421	88,927	86,342	85,643	85,675	84,727	−4079	−3284	−4746	−4200	667	916
Procurement	85,238	80,522	66,678	78,432	67,186	78,759	−18567	−2090	−18052	−1763	−515	−327
RDTLE	37,923	37,361	35,975	36,013	36,196	36,147	−1948	1348	−1727	−1214	−221	−134
Stock Funds	220	205	1984	700	1,484	544	1764	495	1264	339	500	156
CIA Retirement	165	165	165	165	165	165						
Intel Com. Staff	30	29	29	28	29	28	1		1			
Contingencies/Other			−202	−141			−202	−141			−202	−141
1990 Supplemental				(50)		(50)		50		50		
Subtotal—Defense	295,523	288,293	269,209	278,809	269,120	278,477	−26,314	9,483	−26,403	−9,816	90	332
MilCon Bill												
Military Construction	5,311	5,460	5,068	5,272	5,309	5,398	−244	−188	−2	−62	−241	−126
Family Housing	3,271	3,301	3,295	3,412	3,381	3,428	24	111	110	127	−86	−16

APPROPRIATIONS AND AUTHORIZATION ACTION COMPARED TO THE CBO BASELINE FOR NATIONAL DEFENSE FOR 1991 APPROPRIATIONS—Continued

[Bills through conference, in millions of dollars]

Appropriation Subcommittee bill	CBD baseline		Appropriations		Authorizations		Appropriations less baseline		Authorizations less baseline		Appropriations less authorizations	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Subtotal-Milcon	8,582	8,761	8,362	8,684	8,690	8,826	−219	−217	108	65	−328	−142
Energy	10,044	9,800	10,925	10,374	10,927	10,375	861	574	883	575	−2	−1
VA-HUD	353	354	341	345	336	342	−12	−0	−17	−12	5	3
Commerce-Justice	93	97	225	166	225	166	132	69	132	69		
Other Bills			6	65			6	65			6	65
Offsetting Receipts, etc,	−804	−852	−804	−848	−804	−848		4		4		
Total National Defense	313,790	306,454	288,265	297,596	288,494	297,338	−25,526	−8,857	−25,297	−9,115	−229	258

APPROPRIATIONS AND AUTHORIZATION ACTION COMPARED TO THE BUDGET REQUEST FOR NATIONAL DEFENSE FOR 1992

[Bills through conference, in millions of dollars]

Appropriation Subcommittee Bill	Request		Appropriations		Authorizations		Appropriations less request		Authorizations less request		Appropriations less authorizations	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Defense:												
Military Personnel	78,017	77,848	78,266	78,079	78,468	78,278	249	231	451	430	−202	−199
O&M	86,432	85,704	85,498	85,364	84,341	84,065	−934	−340	−2,091	−1,639	1,157	1,299
Procurement	63,239	74,327	64,652	74,910	64,575	74,489	1,413	583	1,336	162	77	421
RDT&E	49,083	37,933	38,073	37,098	39,366	37,531	−2,010	−835	−717	−402	−1,293	−433
Stock Funds	3,400	2,209	3,184	2,125	3,400	2,209	−216	−84			−216	−84
CIA Retirement	164	164	164	164	164	164						
Intel Con. Staff	31	30	29	29	31	30	−2	−1			−2	−1
Contingencies/Other	−336	197	120	348	−150	376	456	150	186	178	270	−28
Dire Supplemental				33		33		33		33		
Subtotal—Defense	271,030	278,413	269,986	278,150	270,195	277,175	−1,044	−263	−835	−1,238	−209	975
MilCon Bill:												
Military Construction	4,537	4,948	4,918	5,025	5,232	5,037	381	77	695	89	−314	−12
Family Housing	3,606	3,419	3,645	3,409	3,654	3,419	39	−9	48		−9	−10
Subtotal—Milcon	9,143	8,366	8,563	8,434	8,886	8,456	420	68	783	90	−323	−22
Energy	11,780	11,591	11,980	11,717	11,980	11,718	200	126	200	127	−1	−1
VA-HUD	337	339	337	338	332	336		−1	−5	−3	5	2
Commerce-Justice	225	177	234	187	225	177	9	10			9	10
Other Bills			(38)	18			−38	18			−38	18
Offsetting Receipts, etc	−684	−684	−687	−684	−687	−684						
Resolution Plug		−2,937		−2,937		−2,937						
Total National Defense	290,829	295,266	290,375	295,223	290,932	294,241	−454	−42	103	−1,025	−557	982

APPROPRIATIONS AND AUTHORIZATION ACTION COMPARED TO THE BUDGET REQUEST FOR NATIONAL DEFENSE FOR 1993

(Bills through conference, in millions of dollars)

Appropriation's Subcommittee Bill	Request		Appropriations		Authorizations		Appropriations less request		Authorizations less request		Appropriations less authorizations	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Defense:												
Military Personnel	77,080	76,952	76,275	76,177	76,511	76,409	−805	−775	−569	−542	−236	−233
O&H	88,266	87,996	85,745	85,939	84,137	84,897	−2,521	−2,057	−4,129	−3,099	1,608	1,043
Procurement	54,416	69,118	54,135	68,574	53,072	68,549	−281	−544	−1,343	−568	1,062	25
RDT&E	38,921	38,334	38,292	38,006	39,614	38,714	−630	−328	692	380	−1,322	−708
Stock Funds	2,164	311	−1,929	−3,353	495	−663	−4,093	−3,665	−1,669	−974	−2,424	−2,691
CIA Retirement & ICS	200	199	247	231	256	237	47	32	56	38	−9	−6
Coast Guard	203	186	303	278	203	186	100	92	0	0	100	92
Econ Conversion/Other	−110	−3	595	593	63	228	705	596	173	231	532	365
Frank Burdensharing Cut												
Subtotal-Defense	261,140	273,093	253,662	266,444	254,351	268,558	−7,479	−6,649	−6,789	−4,535	−690	−2,114
Military Construction:												
Military Construction	4,274	5,810	4,453	5,819	4,441	5,828	179	9	167	19	11	−9
Family Housing	3,999	3,647	3,936	3,597	3,943	3,608	−63	−51	−56	−39	−7	−12
Subtotal-Milcon	8,273	9,457	8,389	9,416	8,385	9,437	116	−42	112	−21	4	−21
Energy	12,132	11,901	12,132	11,856	11,935	11,719	−0	−44	−197	−182	196	137
VA-HUD	322	328	372	350	372	350	50	22	50	22		
Commerce-Justice	487	466	796	626	796	626	309	160	309	160		
Stockpile Sales (non-add)	(−612)	(−612)	(−612)	(−612)	(−612)	(−612)						
1992 Supp's & Rescissions		−1,641		−406		−406		1,235		1,235		
Offsetting Receipts, etc.	−787	−739	−787	−739	−787	−739						
Other Bills			624	511	624	511	624	511	624	511		
Resolution Plus		−1,291		−1,291		−1,291						
Total National Defense	281,568	291,574	275,187	286,766	275,676	288,763	−6,381	−4,808	−5,892	−2,811	−489	−1,997

SASC ADD-ONS & PLUS UPS

[In millions of dollars]

Program	Administration request	SASC authorized	Difference
Army, procurement:			
AH–64	17.6	177.6	+160.0
TOW 2 System	25.3	65.3	+40.0

SASC ADD-ONS & PLUS UPS—Continued

[In millions of dollars]

Program	Administration request	SASC authorized	Difference
MLRS System	9.8	69.8	+60.0
M–1 Abrams Tank	26.1	48.1	+22.0
Carrier, Mod	5.5	77.5	+72.0
Abrams, Upgrade	79.7	167.7	+88.0

SASC ADD-ONS & PLUS UPS—Continued

[In millions of dollars]

Program	Administration request	SASC authorized	Difference
Abrams, Adv Proc		17.0	+17.0
Granade Launcher	20.7	35.7	+15.0
EAC Communicatns	10.2	45.4	+35.2

SASC ADD-ONS & PLUS UPS—Continued

[In millions of dollars]

Program	Administration request	SASC authorized	Difference
Navy, procurement:			
F–14	116.2	291.2	+175.0
Trid II, Adv Proc	145.2	170.0	+24.8
Wpns Industr Facil	22.1	37.6	+15.5
Expeditnary Airflds	2.3	8.0	+5.7
Night Vision Eqpmt	12.4	25.0	+12.6
Training Devices	11.0	21.0	+10.0
Air Force, procurement:			
Civil Air Patrol	2.5	2.7	+0.2
E–8B	281.8	476.8	+195.0
Intell Produc Actv	51.4	52.6	+1.2
Defensewide, procurement:			
Remotely Piloted Veh	69.3	89.3	+20.0
Def Spt Activ, DLA	3.4	6.2	+2.8
Items<$2m, DCAA		4.3	+4.3
Coalitn Commun Eqpmt		20.0	+20.0
Classfd Prog, C3I		336.2	+336.2
High Perf Computing		122.8	+122.8
Mentor-Protege Prog		50.0	+50.0
R,D,T,&E, Army:			
Materials Tech	11.3	15.3	+4.0
Modeling & Simulatn		10.0	+10.0
Environ Qualty Tech	21.2	36.6	+15.4
Project Plowshares		5.0	+5.0
Landmine Warfare	10.0	20.0	+10.0
Tractor Tread		12.0	+12.0
Sincgars, Adv Dev		10.0	+10.0
SADARM	41.0	98.7	+57.7
Army Virtual Brig		34.0	+34.0
UH–1 SLEP Evaluatn		5.0	+5.0
Surv/Lethality Anal	33.2	52.9	+19.7
Hi Energy Laser Test	4.8	24.8	+20.0
Manufa Science & Tech		20.0	+20.0
R,D,T&E, Navy:			
Surf/Aerospace Surv	67.3	92.3	+25.0
Ship Concept Adv Des	18.8	21.8	+3.0
Adv Techno Transitn	63.4	67.4	+4.0
SSBN Secur/Survi Pro	27.8	50.3	+22.5
Nex Generatn Fightr		50.0	+50.0
Marine Cor Asslt Veh	24.3	29.4	+5.1
Manufa Science & Tech		50.0	+50.0
R,D,T&E, Air Force:			
Rocket/Propulsion	40.0	50.0	+10.0
Advanced Weapons	33.0	50.0	+17.0
Training Syst Devel	30.0	45.0	+15.0
Manufa Science & Tech		60.0	+60.0
Space Launch Modern		30.0	+30.0
AFSCN Modernization		78.0	+78.0
R,D,T&E, Defensewide:			
Defense Research Ser	2.0	22.0	+20.0
Univ Support Init		42.6	+42.6
U.S.-Japan Mngmt Trng		10.0	+10.0
Hist Black Colleges		15.0	+15.0
Cmptg Syst Comm Tech	368.6	376.1	+7.5
Integ Comm&Contol Eq	57.2	107.2	+50.0
Matrials & Elec Tech	198.5	235.0	+36.5
Natl Guard/ARPA		17.9	+17.9
Project Compass		14.7	+14.7
Fuel Cell Technology		4.0	+4.0
ASTOVL		6.0	+6.0
Dual Use Partnershps	324.0	605.0	+281.0
Manu Science & Tech	147.7	171.0	+23.3
Strat Envirnmtl Rese	98.0	200.0	+102.0
Medical Research		10.5	+10.5
Focus Hope		15.0	+15.0
Manufactng Technology	299.6	306.6	+7.0
Jt Wargmg Simul/Mngmt	67.2	86.2	+19.0
Classified Programs		10.0	+10.0
Arch Project		7.2	+7.2
Intell-Communi Class	1,280.7	1,318.0	+37.3
Jt Simul Doctrine Ctr		6.5	+6.5
Peace Enfromt Doct Dev		5.0	+5.0
Ctr Prolif Initiative		28.0	+28.0
Total—75 Programs 43 Plus Ups, 32 Not requested			+2,873.7

Mr. INOUYE. There are 75 programs on this table. Thirty-two were not requested by the administration and 43 are authorized at funding levels above the administration's request.

I hope that with this, the RECORD will be clarified.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER (Mrs. MURRAY). The Senator from Illinois.

AMENDMENT NO. 1051

Mr. SIMON. Madam President, I was presiding earlier when our colleague from Oklahoma, Senator NICKLES, offered an amendment that I think is a bad piece of legislation. I spoke very briefly, after I came down from the chair, against that amendment that we will be voting on later.

The Senator's amendment basically says U.S. troops cannot serve under the command of someone from another nation. That has a certain amount of appeal initially to us as Americans. But what if every nation took that attitude and said you cannot do it unless it is authorized by the congress or parliament of that nation?

The reality is, the United Nations would be paralyzed. It is one of those things that has a visceral appeal, but just is not wise.

We are in a situation where, candidly, the President of the United States is new to foreign policy, and so there is a little feeling of uneasiness. There is a feeling, while he gets his sea legs, so to speak, in foreign policy, we recognize there is a kind of a vacuum and the temptation is for us to move into the vacuum and micromanage. And it is a great mistake. I understand there may be a substitute amendment to the Nickles amendment. From what I have heard of the substitute amendment, that is not good legislation, though I may vote for it rather than the Nickles amendment, which is draconian in terms of what it would do.

But, when I got back to my office, my office mentioned the Chairman of the Joint Chiefs of Staff, the Acting Chairman Admiral Jeremiah, sent a letter to Senator MITCHELL that I assume was distributed to all Members. I ask unanimous consent for that full letter to be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE CHAIRMAN, JOINT CHIEFS OF STAFF,
Washington, DC, October 14, 1993.

Hon. GEORGE J. MITCHELL,
Senate Russell Office Building, Washington, DC.

DEAR SENATOR MITCHELL: I have a number of concerns about the proposed Cochran-Nickles Amendment to the FY 1994 Department of Defense Appropriations Bill, H.R. 3116. The legislation would deny funds for United States combat forces under foreign command in United Nations operations or as part of any standing international armed force, unless authorized by Congress.

Certainly, I support the concept that United States forces must serve under the best commanders, with clear and effective command and control arrangements in place. However, I would disagree with any suggestion that foreign commanders cannot command American forces when the President decides it is appropriate to do so. The NATO command structure, for example, is a proven success, as were the coalition command arrangements in Desert Storm. Our American forces routinely serve under the command of foreign officers in NATO, and they accomplish their missions in an exemplary manner.

It is important for the President, as commander-in-chief, to retain flexibility in the use of American forces. Whether United States forces should serve under a foreign commander must depend on individual case circumstances, and the executive branch is best suited to make such determinations. Factors will include the robustness of command and control arrangements, the type of mission, and the competency of a particular commander to lead our forces. The proposed legislation would involve Congress in the detailed execution of military contingency planning, in an all-but-unprecedented manner. Such a degree of micromanagement of military forces would be overly broad, impractical, unwieldy, and unwise.

The legislation would make it difficult for this nation to function effectively in any United Nations, NATO or other multinational command and control situation. It could lead to an "all or nothing" approach, causing the United States to shoulder the entire burden even when a multinational approach would be effective and in our best interests.

The provision in the proposed legislation that would deny funding for forces that are part of standing international armed forces is duplicative. Such forces are deployed only under treaty commitments, which would of course have already been endorsed by the Senate. It is not necessary to add an additional layer of congressional approval.

Finally, the proposed legislation would have the President seek Congressional authorization before instructing the U.S. Permanent Representative to the United Nations on a vote of a resolution. That procedure would infringe on the President's foreign policy prerogatives and would be unworkable in practice.

I appreciate Congressional concerns about these sensitive issues. The Congress has many vehicles for expressing its views and seeking changes in foreign policy, and we will continue to work with you on all matters of concern. However, I believe the proposed Cochran-Nickles Amendment would prove detrimental to the national interests.

Thank you for your consideration of these comments.

Sincerely,

DAVID E. JEREMIAH,
Acting Chairman.

Mr. SIMON. Let me read just two paragraphs of that letter from Admiral Jeremiah.

It is important for the President, as commander-in-chief, to retain flexibility in the use of American forces. Whether United States forces should serve under a foreign commander must depend on individual case circumstances, and the executive branch is best suited to make such determinations. Factors will include the robustness of command and control arrangements, the type of mission, and the competency of a particular commander to lead our forces. The proposed legislation would involve Congress in the detailed execution of military contingency planning, in an all-but-unprecedented manner. Such a degree of micromanagement of military forces would be overly broad, impractical, unwieldy, and unwise.

This is the Acting Chairman of the Joint Chiefs of Staff speaking.

The legislation would make it difficult for this Nation to function effectively in any United Nations, NATO or other multinational command and control situation. It could lead to an "all or nothing" approach, causing the United States to shoulder the entire burden even when a multinational approach would be effective and in our best interests.

I hope we have the good sense not to adopt this amendment. I served in the Army after World War II, from 1951 to 1953, in Germany. But the floor manager of this legislation, the senior Senator from Hawaii, Senator INOUYE, was one of our heroes in World War II. In World War II there were times when we had, for example, General Montgomery, leading not only British troops but our troops. And it was true also in the Pacific from time to time, we had different people from different nations leading our troops. Let us not go back to a day when we say we have to have Americans here.

I reiterate the other point I mentioned earlier, how many times we hear on the floor of the Senate, and we have heard it whether we are in Washington or Illinois, people say, "We cannot become the policemen of the world." If we are unwilling to work with other nations, it is inevitable, as the world's only superpower, that is precisely the role we will have to undertake.

Yes, we should be careful about committing American troops. But there will be, from time to time, an occasion where American troops may be under the command of someone who is British or French or German, or who knows from what country they may come? If we are unwilling to work with other countries, then inevitably we are going to take on a huge burden. I think we should listen to the Chairman of the Joint Chiefs of Staff, who says this legislation is not in the interests of our country, not in the interests of an effective military.

I hope we will reject the Nickles amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, I had not intended to speak on this matter, but I have had the privilege of sitting through the presentation of this amendment by Senator NICKLES, and I believe the Senator made it very clear that it does not apply to troop activities such as we find in Korea or in the NATO command. Neither would it apply to Haiti at this time, because the amendment is very clear, if the troops are for logistics, for health, for public safety, they are not covered. Combat forces are covered. It says rather clearly that, if combat forces are covered, it would need the authorization of the Congress, unless the President certifies that this is in the national security and therefore is required.

But I rise, not because I support the Nickles-Cochran amendment. I am not prepared to vote for or against it at this time. But I rise because I find this letter from the Acting Chairman of the Joint Chiefs of Staff, dated October 14, to be, oh, shall I say, not in the best tradition of good executive/legislative relations. I hope that this statement, "the executive branch is best suited to make such determinations," will be crossed out. Unless the Acting Chairman is suggesting that the Congress, for some reason, is inferior in its intellect, inferior in its knowledge and background to that of the Executive in making such determinations. After all, the Constitution says the Congress shall make war. We are the ones who declare war. It is not the President of the United States; it is the Congress. I hope the Executive Office keeps that in mind.

Second, to suggest that an amendment which says simply you must get congressional approval is micromanagement, I do not see where the micromanagement comes in. We are just saying, if you are going to send combat forces, let us come to Congress and have a discussion. Tell us what you intend to use the forces for. Where are the forces going to be sent and how many? It does not involve the Congress in detailed execution of military contingency planning, in an all-but-unprecedented manner. Does a simple authorization of use of combat forces involve Congress in detailed execution of military contingency planning, in an all-but-unprecedented manner?

I very much regret receiving this letter. I hope the administration will take another look at this and possibly come forth with an amended version.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Madam President, I have great respect for my colleague from Hawaii. I had respect for him before I served on the Select Committee on Indian affairs, but I have come to have infinitely greater respect for him because of what he has done to help Native Americans. He has spent a huge amount of time on this. If he picks up 15 votes in Hawaii for doing that, I will be amazed. It is just a great public service, and he is a great public servant.

But I have to say I think the letter of the Chairman of the Joint Chiefs of Staff is right on target. I would simply point out to my colleagues the case had this been in effect in terms of the Somalia situation. Here we were in November, where the President of the United States had to make a decision whether to go under U.N. auspices. We were not in session. We would not be in session until January. And the President had to make a decision.

The President consulted with Members of Congress and then made a decision. That President was not a President of my party, George Bush, but he made the right decision. But under this legislation that could not have been done. I think we would make a great mistake if we tied the hands of our military in this manner. I think the points made by Admiral Jeremiah are in order. I think it is micromanagement and it would make it very, very difficult.

I mentioned this earlier. When our forces were in North Africa we had them then under—and let us say it was United Nations, and they would designate the counterpart of the then-current General Montgomery.

I do not think we should have to come back to Congress and say is it OK for General Montgomery to lead our Armed Forces there.

I think this is not good legislation. I think it is micromanaging. I think we are better off not going down this road. So I respectfully, at least in part, disagree with my distinguished colleague from Hawaii.

Madam President, I yield the floor, and if no one seeks the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NICKLES. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Madam President, I would like to respond to my good friend, Senator SIMON from Illinois, as to some of the comments that were made concerning the amendment that I have offered on behalf of myself, Senator COCHRAN and, I think, ten other Senators.

The letter that the Senator from Illinois was quoting, which was written by the acting Chairman of the Joint Chiefs of Staff, raised several concerns which I believe we have addressed in our amendment. The Joint Chiefs of Staff was working off an old, outdated version of the amendment.

We modified our amendment. Actually, we were working and addressed those concerns which were raised. I tell my friend and colleague from Illinois, that on Friday the chairman of the Defense Appropriations Subcommittee raised some of those same issues—such as Korea and NATO—and because we did not want, in our amendment, to unduly hamper or hinder any of our alliances that have proven to be quite successful and quite effective.

The entire purpose of the amendment was to try to restrict and make sure that we did not have United States combat forces under a U.N. operational control under a foreign commander without Congress having any say so, but not to undo or undermine NATO, not to undo or undermine Korea or any of the successful alliances that we have had.

So I will tell my friend and colleague, we have addressed both those issues. We put in our amendment language and it says:

> * * * any part of any prospective standing U.N. international armed force.

I say that to my colleague because there are considerations made by this administration, and certainly by the Secretary General of the United Nations, that we would like to have a standing U.N. international armed force to be able to put out fires, as we might say, across the world. I am concerned about having a standing international armed force. So that is part of my amendment, to prohibit U.S. combat troops from participating in such a force.

I will also say, concerning other statements that were made, we put in language to make sure there would be no ambiguities concerning NATO, to make sure there is no confusion or question concerning Korea. Also, I might mention, I have heard some people say, "Well, what about micromanagement," and so on?

I think we have given the President some flexibility. If the President believes that we have a situation where our forces should be serving under U.N. command, under the command of a foreign officer, he can say so. He can make the request. He can say national security interests justify such a waiver, and continue operating. He would have to get congressional approval in 30 days.

If his request were legitimate, or her request were legitimate—whatever the case may be—I am sure that would be granted. The President would also have the right to make an emergency declaration, again if he or she felt like that was the proper thing to do.

So we tried not to tie the President's hands but maybe even to strengthen the President's hands by reaffirming the President's constitutional role, and that is as Commander in Chief, and not to delegate that to the Secretary General of the United Nations. So that is the purpose of our amendment.

Again, I will just say I have a note from the Joint Chiefs of Staff Office of the Chairman, legal counsel. It says the concerns they addressed were contained in proposed legislation that has since been modified. I have that to share with the Senator, if he would like that for his information.

Also, I might mention, I know the Senator from Illinois raised the question: What about World War I where we did have U.S. forces under foreign command? That was not a U.N. operation. In World War II, it was not a U.N. operation, and the supreme commander was an American citizen. But in neither case would they apply because they were not U.N. operations.

Mr. SIMON. If my colleague will yield.

Mr. NICKLES. I will be happy to yield.

Mr. SIMON. We are in a very different situation from World War II. But in World War II, we would know if this were the situation. We would be under the United Nations and a General Montgomery who commanded in North Africa British forces as well as American forces. Under your legislation, as I read it, it would take a special act of Congress——

Mr. NICKLES. If the Senator will yield, that is incorrect, because if you look on page 3 where it says U.N. operation or tactical control, look down to line 23. It says:

> * * * the power of command usually given to the leader of a military force, such as the authority to coordinate and direct mission-related activities of the units comprising such force.

Clearly, in World War II, we had General Eisenhower as the supreme commander, and you are talking about the supreme commander; you are talking about General Schwarzkopf in the Persian Gulf. It would not have impacted or reduced our ability to conduct the operation in the Persian Gulf. It would not have limited or hindered the ability to conduct operations in World War II or in Korea.

Mr. SIMON. I suggest, first of all, when you say the leader of a military force, there is no question General Montgomery was a leader of a military force. He clearly was in command. The overall commander was General Eisenhower, but clearly General Montgomery was in charge of American troops in North Africa.

Mr. NICKLES. If the Senator will yield further, Senator WARNER raised the same question, and the point that I have made and I believe is very clear in our language, it says "* * * the power of command usually given to the leader." We are talking about the supreme leader or commander of the force. Granted, both in World War II and in the Persian Gulf, we had leaders of units and divisions and so on of other countries—that is appropriate—where you had the United States as the supreme commander. Again, let me repeat, World War II was not a U.N. function. The Persian Gulf did have a U.N. resolution, but it did have a U.S. commander in operational control.

Mr. SIMON. Let me also suggest that in the Somali situation, let us say that the United Nations and the United States, after consultation, felt that under United Nations auspices the best person to lead the Somali situation would have been an Italian general because of Italy's background there. We were not in session. We would not have been in session until January when we came in just for a day or two when we were sworn in, and then we did not come back in until the end of January. The President could not do that under your resolution.

I think we have to give the President of the United States flexibility. Bill Clinton is not always going to be President of the United States. But whether it is Bill Clinton or George Bush or whoever it is, I think we have to give the President of the United States some flexibility in these situations.

Second, I say to my friend from Oklahoma, we have to assume that if we are going to do this, other nations are going to take the same attitude, and that makes it almost impossible for the United Nations to have any kind of a military operation. They will not want to come under an American commander. Right now we have 27 nations in Somalia. We cannot have 27 military commanders in Somalia.

Mr. McCAIN. On Somalia, if the Senator will read my amendment, it deals with combat troops. We exempt those troops that are engaged in medical, logistics—I might mention the majority of our troops in Somalia are in logistics—communications, humanitarian, training, temporary observer, or liaison activities. So our amendment is defined to say we want to reserve putting U.S. combat forces under U.N. control, under a foreign commander unless authorized by Congress.

Take the example the Senator from Illinois raised concerning Somalia. We had 20,000-some troops. They were under U.S. command. When that command force was reduced from 20,000-some to 4,000, all logistics, et cetera, were under U.N. command, but the United States kept control and command of our combat forces.

So this amendment by myself and Senator COCHRAN and others would not have stopped at Somalia. Because actually technically the U.S. combat forces were always under U.S. command.

I might also mention, the President of the United States, when he sent in several thousand additional U.S. combat troops, clearly emphasized that they would be under U.S. control.

Mr. SIMON. If my colleague will yield, I do not want to carry this on indefinitely, and I have great respect for the Senator's motivation.

The second part of the resolution on page 2, when we are talking about a U.N. force, there I think Congress has not examined that issue and the Senator is properly looking at that.

But as to the Somalia situation, let me assure the Senator, as one who has consulted and who was involved in the meeting in the White House when the decision was made to go ahead, we were prepared for combat. We did not know what kind of a reception we were going to get when we went into Somalia. If at that point the President of the United States had felt it was prudent because of the background of Somalia to have an Italian leader, that would have been impossible under the resolution. It would have been impossible except for the President having a 30-day waiver, and then he would have had to call a special session of Congress and we would have had to debate this thing.

There is no question this takes away serious management responsibilities from the President of the United States. Sometimes we have to do that. But I think in general we ought to be very cautious in doing that.

So I am going to, with all due respect to my colleague from Oklahoma, be voting against his amendment when it comes up.

Mr. NICKLES. I appreciate the comments of the Senator.

I just wanted to make sure we had some clarification because I had heard statements that this would mess up NATO. It will not. I had heard some statements this might undermine Korea, some of the existing alliances, and clearly that is not the case.

Plus I might just mention to my colleague we have never had a President, to my knowledge, who has sought to delegate his authority to the United Nations. That is a concern of mine.

I do not know if my friend from Illinois heard many of the quotes that I read earlier today from both the President and the U.N. representative, Madeleine Albright, talking about increased role and function of U.N. peacekeeping activities which went well beyond peacekeeping but into peacemaking and peace enforcing.

Also, I might tell my colleague, I do not know if he heard this but the number and the size of peacekeeping forces in the United Nations in the last 3 years has grown from 10,000 to 80,000. This is an astronomical increase in the number of troops. Also, I inform my colleagues that in peacekeeping operations in the first 40 years of the United Nations, we had 13 peacekeeping operations. In the last 8 years of the United Nations, we have had 14 peacekeeping operations.

So the role of peacekeeping has grown dramatically. And now we have a Secretary General of the United Nations who would like to see that role expanded dramatically, including a standing U.N. international armed force. I have serious reservations about that. Congress has not approved that. We are talking about not with a mission defined for a specific region or a specific country. We are talking about a blank check mission with an international army looking for the next fire to put out.

When you consider some of the conflicts that are ongoing—and many are very serious—some are enormously dangerous. I am thinking of some of the Soviet Republics—in Georgia, where all of us know individuals who are engaged in that civil war, unfortunately; the potential in Russia; the potential in Kazakhstan and some of the other Republics, not to mention in Yugoslavia where this administration has been talking about committing 25,000 troops.

This is significant. My amendment would allow that if it is done under NATO control, but if it is done under United Nations control, this amendment would apply. And yes, it might entail some encumbrance on the President, but I would think the President as Commander in Chief would not want to be assigning that kind of responsibility over to the Secretary General.

I might mention, just thinking out loud on Bosnia, when some actions were contemplated in Bosnia, we had the United Nations Secretary General basically making decisions about, or saying that he would make the final decisions on where the air strikes would hit and what kind of response.

That again concerns this Senator. I think we have to be very careful before we delegate U.S. combat, warmaking authority to the United Nations or to the U.N. Secretary General. I think that is the purpose of this amendment.

So this amendment says the President can do whatever he wants in the international peacekeeping force. But if you are talking about combat, if you are talking about combat under U.N. auspices, under foreign control, the President is going to have to give authority. We do not want to give a blank check to an international army; we do not want to give a blank check to the U.N. Secretary General to commit U.S. combat troops, men and women, without the President either taking control of the situation and asserting his authority or likewise if he wishes and he deems it in the national interest to put those troops under foreign command under U.N. auspices or operation and control, then he would have to get congressional authorization within 20 days.

I thank my friend.

Mr. SIMON. The issue the Senator brings up of how we shape the United Nations in terms of how it provides some stability in the world I think is a very important issue. I have had some discussions about this with the Senator's senior colleague from Oklahoma, Mr. BOREN, and with a few of my other colleagues. I do not find the 80,000 U.N. troops an astronomical number when you think we have 2 million in our Armed Forces alone. But the great threat in the world for the coming decades is instability, and the United Nations is going to have to be part of giving us some stability. What our role should be there I think is something that we have to look at very carefully.

While I will vote against the amendment of my colleague from Oklahoma, I think Senator NICKLES has made a contribution in helping us to focus on where we are going in the future because we really do not know. And that point, the second point in the amendment on page 2 is one we do have to examine. I agree with him completely on that, even though I oppose his amendment.

I yield the floor.

Mr. NICKLES. Madam President, I would like to insert in the RECORD a memorandum submitted by the legal counsel for office of the Chairman, Joint Chiefs, which basically says their letter, which Senator SIMON had referred to earlier, addresses earlier legislation.

I think the legislation that we have introduced today solves most of the concerns that were raised by that previous letter.

I ask unanimous consent to have that letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE CHAIRMAN,
THE JOINT CHIEFS OF STAFF,
Washington, DC, October 14, 1993.

MEMORANDUM FOR RECORD

The Acting Chairman of the Joint Chiefs of Staff wrote to two Senators about the proposed Cochran-Nickles Amendment to the FY 1994 Department of Defense Appropriations Bill, H.R. 3116, earlier today. That letter addressed concerns contained in the only proposed legislation we had received as of the time the letter was signed this morning. The proposed legislation followed a "Dear Colleague" letter signed by Senators Cochran and Nickles on October 8, 1993.

JAMES P. TERRY,
Colonel, USMC, Legal Counsel.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, on behalf of Senator FEINSTEIN, I ask unanimous consent that the Senator's relevant amendment be deleted from the list of amendments in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. NICKLES. Madam President, I ask unanimous consent to proceed as if in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oklahoma is recognized.

Mr. NICKLES. I thank the Chair.

(The remarks of Mr. NICKLES pertaining to the submission of Senate Resolution 152 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. NICKLES. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BREAUX. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BREAUX. Madam President, I ask unanimous consent that the pending amendment be set-aside for the purpose of offering an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1056

Mr. BREAUX. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. BREAUX] proposes an amendment numbered 1056.

Mr. BREAUX. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . Notwithstanding any other provision of the law, the Secretary of the Navy shall obligate the funds appropriated for fiscal years 1992 and 1993 for the USH-42 Mission Recorder program within the A-6 aircraft program: *Provided*, That the Secretary of the Navy verifies that a mission recorder is required in the future for Navy attack aircraft for peacetime training and bomb damage assessment in combat:

Provided further, That the Secretary shall make this verification within 60 days of this act becoming law: *Provided further*, That the Secretary shall obligate such funds within 60 days of this verification that a mission recorder is required in Navy attack aircraft for peacetime training and bomb damage assessment in combat.

Mr. BREAUX. Madam President, I have discussed this amendment with both the chairman of the subcommittee and the ranking Republican Member of the subcommittee. In essence, what this amendment does is simply say that the Secretary of the Navy shall obligate the funds already authorized and appropriated in fiscal years 1992 and 1993 for the USH-42 mission recorder program within the A-6 aircraft program, and that it be carried out.

The legislation that I am offering is simply an amendment that says that the Navy shall verify that this mission recorder is required in the future for Navy attack aircraft for peacetime training and bomb damage assessment in combat, and that the secretary shall make this verification within 60 days, and the secretary shall then obligate the funds within 60 days of his verification that such a mission recorder is required.

Mr. INOUYE. Madam President, I have had the occasion to study this amendment, and I find no objection.

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the amendment.

The amendment (No. 1056) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote.

Mr. BREAUX. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, I rise to make an observation.

We have been on this bill since 10:30 this morning, 6½ hours ago. During the past 6½ hours we have adopted three amendments.

The current continuing resolution expires at midnight on Thursday, this Thursday. Assuming that we work day and night, without time off to sleep or to dine, there are 79 hours remaining.

Madam President, we have before us a list of amendments which we have declared to be in order. There are 52 amendments which will have to be resolved in 79 hours nonstop. They represent a variety of issues, but many of them are listed only as relevant, whatever that means. There are 22 of those relevant amendments.

So, if I may, Madam President, respectfully call upon my colleagues to come forward to present their amendments, otherwise, I will have no choice but to recommend to the leadership that we stay in session all night, if such is necessary, because a few hours ago the Speaker of the House, Mr. FOLEY, and the chairman of the Appropriations Committee in the House, issued a joint statement advising the Congress and the Senate, in particular, that there will be no extension of the continuing resolution and if this matter is not resolved by Thursday midnight, and by that I mean passing the measure, going into conference, coming forth with a conference report, and having a conference report adopted and signed by the President by midnight Thursday, the Defense Department will come to a screeching halt. I suppose there are some who will applaud this, to put a stop to the Defense Department.

But I would hope that Senators would take this responsibility seriously, come forward, present their amendments because if we are to continue as we have in the past 6½ hours we have problems ahead of us.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. MOSELEY-BRAUN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Madam President, I ask unanimous consent that the pending amendment be laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1057

(Purpose: To require the publication of the figure for total intelligence spending.)

Mr. MOYNIHAN. Madam President, I rise for a purpose which has formed in my mind for some years now, concerning the secrecy of the Nation's intelligence budget. This is a very large budget. It is at once a secret to the American people and a matter of commonplace knowledge to persons who read periodicals in this field. They need not be very exotic periodicals.

Just the other day on the floor our distinguished senior Senator from Arkansas proposed cutting the budget by $400 million. His effort was tabled, but in the course of it, with his wonderfully animated advocacy, he used a table which listed the total defense budgets of a number of NATO countries in descending order of size, and the reported intelligence budget of the United States, we find, is larger than the defense budgets of half of our NATO allies.

This has come about largely because this budget is, and remains, secret. During the 1980's just the force of budgetary constraints required that the military defense buildup that began under President Carter and accelerated somewhat under President Reagan had to halt by mid-decade and then begin to decline. It has been declining ever since. That is the defense budget, an open budget. Not all the activities are open but the aggregate number is well known and is debated on this floor. Indeed. Is this moment being debated on this floor. However, not only was the intelligence budget rising in the beginning of the last decade and the decade before, but it never turned down. It contained to rise and to rise.

Indeed, on April 15 this year, a not insignificant date, we learned in the New York Times—because these things are published—that the administration had proposed a secret increase in the secret budget of a very large amount of money. As chairman of the Finance Committee, responsible for the larger portion of the budget reconciliation bill, I found myself taking money away from research hospitals in New York and Chicago in order to pass them on to some secret, undefined and inaccessible mission of the intelligence community.

Any Member of the body can learn anything they like about it by simply meeting in our special room for this purpose. But once you are given the information you are sworn to keep it secret. And half the time you will not know whether you learned it in that secret room in the Hart Building—I hope that is not a secret. I am sure it is not—or whether you learned it in this morning's edition of the Chicago Tribune. This can cause cognitive dissonance. You open your mouth to say something, and silence emerges for fear of breaking your oath.

I have framed this amendment with reference to article I, section 9, clause 7, of the Constitution, which states that:

> No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

I have simply suggested that during the cold war the United States did not provide the American people a regular statement and account of the expenditures for intelligence activities.

That this should continue prevents the polity from participating in an informed democratic decision concerning an appropriate level for such expenditures. The amendment simply provides that there be a separate, unclassified statement of the aggregate amount of budget outlays for the prior fiscal year for national and tactical intelligence activities. This figure shall include, without limitation, outlays for activities carried out under the Department of Defense budget to collect, analyze, produce, disseminate, or support the collection of intelligence.

Madam President, I send this amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New York [Mr. MOYNIHAN] proposes an amendment numbered 1057.

Mr. MOYNIHAN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . PUBLICATION OF FIGURE FOR TOTAL INTELLIGENCE SPENDING.

(a) FINDINGS.—The Congress finds that—

(1) Article I, section 9, clause 7 of the United States Constitution states that "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

(2) During the Cold War the United States did not provide to the American people a "regular Statement and Account of the * * * Expenditures" for Intelligence activities.

(3) The failure to provide to the American people a statement of the total amount of expenditures on intelligence activities prevents them from participating in an informed, democratic decision concerning the appropriate level for such expenditures.

(b) PUBLICATION OF FIGURE FOR TOTAL INTELLIGENCE SPENDING.—Section 1105(a) of title 31 of the United States Code is amended to add at the end thereof—"(27) a separate, unclassified statement of the aggregate amount of budget outlays for the prior fiscal year for national and tactical intelligence activities. This figure shall include, without limitation, outlays for activities carried out under the Department of Defense budget to collect, analyze, produce, disseminate or support the collection of intelligence."

Mr. MOYNIHAN. Madam President, in the matter of the statement and account clause, I wish to acknowledge that from the beginning of the Republic, there have been secret accounts and they have not been made public at any time. During the Revolution, George Washington paid for much intelligence out of his own pocket. Afterwards, he presented a bill for reimbursement of some $17,617. No small sum.

During the Revolution, under the Articles of Confederation, the Continental Congress had established a Committee of Secret Correspondence to correspond with our friends in Great Britain, Ireland and other parts of the world. Congress provided funds for espionage activities and confidential exchanges.

The provision in the Constitution rose in the final week of the convention at Philadelphia. It was a matter of some concern just how much to disclose and how often. Under the Articles of Confederation, accounts had to be settled every 6 months. In the absence of any but a very rudimentary Postal Service and no fax machines whatever, they ended up not being settled at all.

Madison, with that wonderful clarity that comes from knowledge of the real world, said that to require too much would mean that "the difficulty will beget a habit of doing nothing." But they settled on an accounting from time to time. In actual practice, once a year. They knew how important this was. They knew that it was a characteristic of tyrannical governments to have resources in the executive of which the legislature was not privy, of which the people did not know, and which had consequences for the nation.

We wished a very different society, which was not to say we did not recognize the need for secrecy in certain circumstances. The need for espionage, the threat of espionage were real things. They were just as real in the 18th century as they are today.

But some measure of scrutiny is in order. Part of the problem, Madam President, is that you can get into a world in which fantasies and fears abound because facts are not known.

Some years ago, in the 1950's, Edward A. Shils of the University of Chicago wrote his classic book, "The Torment of Secrecy." He spoke about the fear of the Freemasons, who laid the foundation, the cornerstone of our Capitol—and to this day we cannot find it.

I ask, Madam President, why? There will be days when people will ask, where did the Freemasons take that cornerstone? Are they keeping it? Fears of conspiracy. If you would take a moment, as I am sure you have done, to look at the Washington Monument, you will find that about one-quarter of the way up, the stone changes color. And for good reason.

The monument was being built by the Washington Monument Association, a private group with States, foreign nations, and individuals giving gifts. In the 1850's, the Pope gave a gift of a block of marble. The word went out that the installation of the Pope's block of marble—inside as you walk up, you see these inscriptions—would be the signal for the Papist uprising.

One night, a group of "patriotic" citizens, who understood the secrets, burst into the offices of the Washington Monument Association, voted out the officers, voted in themselves. The Pope's block of marble is somewhere on the bottom of the Potomac River to this day. It should be looked for, actually. It may be the cornerstone of the Capitol will be found, too.

There was much scandal. Construction ceased. And, finally, as the centennial of the Republic came about, Congress said we better get this thing done. And in the 1880's, moneys were appropriated and the monument was built. The stone, as you can see, was a different color, but the Papist revolutionary conspiracy had been thwarted.

But others followed. Edward Shils wrote:

> The exfoliation and intertwinement of the various patterns of belief that the world is dominated by unseen circles of conspirators, operating behind our backs, is one of the characteristic features of modern society. It is radical in its fundamental distrust of the dominant institutions and authorities of modern society.

The instruments of evil come and go. It can be the British foreign office, the Kremlin, or the Freemasons. We ought not to encourage it by embedding the torment of secrecy in our own Government.

The Senator from Arkansas spoke so well to this point the other evening. This is an argument you could not have made while the cold war raged, but that is over, Madam President. Can we not see that? Indeed, one of the things that you have to be concerned about is—and I will use the word—the absolute failure of this enormous intelligence apparatus to foresee the collapse of the Soviet Union and the end of the cold war. It is as if it had an institutional interest in not doing so. Any effort to say that the Soviet Union was not working, that beliefs had died, that the totalitarian structure was going to be succeeded by ethnic assertions, got nowhere. Received no response.

If I may explore this for just one moment. I was one of the observers to the START talks in Geneva. Just after the failure of SALT II the judgment was made that if a number of Senators were to go to Geneva from time to time, sit with the negotiators, learn what they were doing, what problems they had solved, then when and if a treaty were consummated, when it came to the Senate, there would be persons on either side of the aisle who would say: "We know how this got in and why that is," and hopefully, vouch for the product. I recall in the mid-1980's sitting in Geneva with Ambassador Max Kampelman, that most distinguished public servant, saying to the negotiators, "Gentlemen, when you have finished with the mind-numbing details of this treaty between the United States of America and the Union of Soviet Socialist Republics, what makes you think there will be a Union of Soviet Socialist Republics?"

Well, they had thought of every conceivable contingency as it affected the national security, but the one thing that never occurred to them was that. Such was the nature of the intelligence.

And when the START treaty came to the Senate Committee on Foreign Relations, I said to our negotiators at a June 1992 hearing, "This is a treaty between the United States of America and the Union of Soviet Socialist Republics, but there is no Union of Soviet Socialist Republics. So who is this treaty with?" And I was promptly assured, "Oh, it is with four other countries." I asked, "How do we know that?" "We exchanged letters in Lisbon."

Indeed, we did, and that all is very well. But we did not get much value out of the intelligence product in that regard, did we?

As a matter of fact, Madam President, no one has spoken more plainly to this matter than Adm. Stansfield Turner, who was Director of Central Intelligence under President Carter. In an article titled "Intelligence for a New World Order" in the fall 1991 issue of foreign Affairs, Admiral Turner spoke as a man who has lived with a code of honor in the military. Rocks and shoals: If your ship goes aground, you are accountable before a court-martial. He said: "We should not gloss over the enormity of this failure to forecast the magnitude of the Soviet crisis." He went on to say that—

> We know now that there were many Soviet academics, economists, and political thinkers, other than those officially presented to us by the Soviet Government, who understood long before 1980 that the Soviet economic system was broken and it was only a matter of time before someone had to try to repair it, as had Khrushchev. Yet I never heard a suggestion from the CIA, or the intelligence arms of the Departments of Defense or State, that numerous Soviets recognized a growing, systemic economic problem.

Never heard a suggestion. He said:

> Today, we hear some revisionist rumblings that the CIA did in fact see the Soviet collapse emerging after all. If some individual CIA analysts were more prescient that the corporate view, their ideas were filtered out in the bureaucratic process; and it is the corporate view that counts because that is what reaches the President and his advisers. On this one, the corporate view missed by a mile.
>
> Why were so many of us insensitive to the inevitable?

Madam President, I will give you one thought. Secrecy is a disease. It causes hardening of arteries of the mind. A secrecy system can never correct itself. I do not want to make too much of it, but in 1986, Madam President, the Central Intelligence Agency estimated that the per capita gross domestic product in East Germany was higher than in West Germany.

Now, any taxi drive in Berlin could have told you that is not so. But our computers told us differently. It is coherent, but it is mad. And, as Admiral Turner said, the corporate view missed the reality entirely.

Madam President secrecy can be a way of life. In an editorial of September 19, 1993 the New York Times put it so very well:

> Secrecy is not just a way of life of spy agencies; it is a state religion.

I ask unanimous consent that the entire editorial be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1).

Mr. MOYNIHAN. Madam President, we do not want that to happen to us. I can remember some of the early discussions in the 1960's with MIT professors with whom I had some acquaintance. Jack Ruina, for instance, who had been head of Defense Advance Research Projects Agency the Department of Defense agency under President Kennedy, said they had been going over to the Soviet Union, and they could see that the place was not working. And then they found out something that only highly trained physicists and engineers would know.

They would say, one of their problems is that they do not know who their best people are. If anybody gets a good, young physicist inside Russia, they lock him in a room and they do not let anybody find out about him in Moscow or Omsk or Tomsk. And so they do not bring their best together, as we do in a free-flowing system where people publish immediately and word gets around. You know about some young person down in Springfield of whom it is said, "They ought to be at the Argonne laboratories. Let's look him or her up." Openness of information is what makes for great and effective science.

In 1970, the President established a task force headed by Fredrick Seitz, the then president of Rockefeller University, on this whole subject. In its report it reached the following conclusion:

> The task force noted that more might be gained than lost if our Nation were to adopt—unilaterally, if necessary—a policy of complete openness in all areas of information.

These were great scientists, the people who built the machines, built the weapons. They said: The way you work is publish everything. We will move so quickly ahead if we open up the system that it is to our advantage to do so. We did not. The cold war was too hot at that time, you might say. But that is what the scientists said.

There are two advantages to a policy of complete openness.

One, is that new ideas move quickly—where they are needed. But, two, mistakes get corrected. Mistakes get corrected.

We are living in a situation of protracted budgetary crisis in this Nation. We recently went through the torment of the budget reconciliation measure. We will go through it next year. We will try to find resources for this or that and find we cannot scrape them up anymore.

In no small measure, Madam President, that came about by the failure of our intelligence community—honorable failure, but structural, inevitable failure—to tell the succeeding Presidents of the United States that we were not facing an enemy of ever-growing strength, but, rather, we had to ask the question, what do we do if the place falls apart? Had that scenario, that possibility, made its way into the Oval Office, we would be a different Nation today. I find disappointing this administration's continuing in the pattern that proved so damaging to its predecessors, Madam President. There is nothing we can do about it except to continue to point it out in good faith and try to make the case. I doubt very much that anything I have said will be heard in the administration. They have already opted for secrecy. It is a great thrill to know something that says Top Secret. No; I am sorry, Madam President. It is no thrill to know something called Top Secret. As a matter of fact, I might conclude on this note, because it tells you where we are as a nation.

I am sure that my distinguished friend, the senior Senator from Hawaii knows this, because he knows all of these issues so very well. We put out an annual report on the number of secrets created each year. It is produced by an organization in the General Services Administration, called the Information Security Oversight Office. It will tell you that last year we created 6,349,532 secrets. But the secret, sir, is that those are not the real secrets. They only go up to Top Secret. The real secrets have classifications much higher than Top Secret, but those classifications are secret so we cannot talk about them.

The secrecy world is a wonderland, a world of mirrors in which what you think to be the truth is reflected back at you and you can be profoundly misled.

Mr. INOUYE. If the Senator will yield.

Mr. MOYNIHAN. I am happy to yield.

Mr. INOUYE. I realize my distinguished friend from New York intends to withdraw this amendment. But when he does, and I hope he will, introduce this as a bill, I want to be his cosponsor.

Mr. MOYNIHAN. That is extraordinary. Madam President, that is extraordinary. That is the best news we have had in a decade.

Mr. INOUYE. Because I find it extremely difficult for anyone to argue against telling the people of the United States how much we intend to spend in the aggregate for intelligence purposes. We are not saying, so much for satellites, so much for spies, and so much for black bags. We are saying, so much for the whole package. I think the taxpayers of the United States are entitled to know how much of their tax dollars are going toward that end.

So when the bill is introduced—and I hope we will come forth with a major debate on this—I want to be there to join the Senator from New York.

Mr. MOYNIHAN. I thank the Senator.

EXHIBIT 1

[From the New York Times, Sept. 19, 1993]

THE SECRET WAR OVER SECRECY

The Central Intelligence Agency, it is said, has decided to release edited versions of secret documents about major covert operations from 1950 to 1963. Thus much more may be learned about the 1953 coup that reenthroned the Shah of Iran, the 1954 overthrow of an elected leftist president in Guatemala and Bay of Pigs debacle in 1961.

But it speaks volumes about old habits of secrecy and the timidity of reformers that this policy of openness was heralded by unnamed sources who spoke on condition of anonymity. The backstage struggle over secrecy is not over. And that's because the main reason for secrecy is less to protect U.S. security than to preserve the tattered myth of omnicompetent clandestine services.

It will be past time if the C.I.A. truly delivers. Also promised are secret estimates of Soviet strength from 1950 to 1983, and open publication of "Studies in Intelligence," the agency's in-house journal. But the proof will be in performance; skeptics remember that in 1991 the agency with much ado formed an "Openness Task Force"—whose report was promptly classified.

Secrecy is not just a way of life at spy agencies; it is a state religion. The National Archives is steward to 325 million classified documents, including still-secret files dating to World War I. When documents are declassified, key passages are often blacked out, on the pretext of protecting sources and methods. But keepers of these secrets are equally protective of evidence of gross misjudgments and abuse of power.

No doubt many lurid tales about the C.I.A. are unfounded, and many of the agency's successes are unsung. But that is the price all intelligence agencies pay for secrecy and lack of accountability. During the cold war, many Americans were willing to give their spy services the benefit of the doubt. But as the Soviet empire fell, so did the old justification for maintaining a huge secret bureaucracy in an otherwise open society.

There are good signs. R. James Woolsey, the new Director of Central Intelligence, seems to understand the need for opening windows at Langley. Anthony Lake, the national security adviser, has had firsthand experience as an author in dealing with the sludge-slow Freedom of Information Act bureaucracy; his requests took years to process, and then he was denied documents for his book about the fall of the Somoza dictatorship in Nicaragua. And President Clinton has ordered a review of all secrecy, to be completed by Nov. 30.

What bodes badly is that Mr. Clinton's task force is composed of the very agencies that create and protect secrets, notably the Pentagon, the C.I.A. and the State Department.

"The intelligence community is the problem," says Senator Daniel Patrick Moynihan, who should know, since he once chaired the intelligence oversight committee. "Nothing personal, but they live off secrecy. Secrecy keeps the mistakes secret."

Hence the fear that the task force may balk at en masse declassification of millions of ancient documents, and instead recommend yet another review. Under existing rules, it will take 19 years for the National Archives just to review State Department records for the 1960's. It's up to Bill Clinton, that reinventor of government, to assure the removal of this incredible, outdated wall of paper between citizens and their supposed servants.

Mr. MOYNIHAN. Madam President, on that hugely encouraging note from a gallant Senator, the senior Senator from Hawaii, I ask that I might withdraw the amendment.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The amendment (No. 1057) was withdrawn.

Mr. MOYNIHAN. I yield the floor.

AMENDMENT NO. 1058

(Purpose: To increase funding for the Nuclear Non-proliferation Technology Initiative)

Mr. INOUYE. Madam President, I send to the desk in behalf of the Senator from Florida [Mr. MACK], an amendment and ask for its immediate consideration.

The **PRESIDING OFFICER.** The clerk will report.

The bill clerk read as follows:

The Senator from Hawaii [Mr. INOUYE], for Mr. MACK, proposes an amendment numbered 1058.

On page 45, line 15, before the period, add the following: "*Provided further*, That of the funds appropriated under this heading, $10,500,000 shall be available only for the ARPA Nuclear Nonproliferation Technology Initiative".

Mr. INOUYE. Madam President, I have had the opportunity to study this amendment. I find no objection.

The **PRESIDING OFFICER.** Is there further discussion?

Mr. STEVENS. The amendment is agreeable. We ask for its adoption.

The **PRESIDING OFFICER.** If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 1058) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

AMENDMENT NO. 1054, AS MODIFIED

Mr. INOUYE. Madam President, in behalf of the Senator from Colorado [Mr. BROWN], I send to the desk a modification of his amendment relating to cargo preference, and I ask for its immediate consideration.

The **PRESIDING OFFICER.** The amendment (No. 1054) is so modified.

The amendment (No. 1054), as modified, is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. The Secretary of Defense shall submit to Congress an annual report containing information on the cost to the United States of transporting supplies for the Army, Navy, Air Force, or Marine Corps by sea on United States-flag commercial vessels pursuant to the cargo preference laws of the United States, including the amount of the cost savings that could have been realized if such supplies had been transported at competitive international shipping rates available from non-cargo-preference vessels, the subsidization of foreign-flag vessels, and the impact on the viability of the United States merchant marine if the cargo preference requirements were ended. The annual report shall cover a cargo preference year which shall be a 12-month period defined by the Secretary.

Mr. INOUYE. Madam President, this modified amendment has been circulated to all interested parties. There are no objections, so I ask for its immediate consideration and adoption.

The **PRESIDING OFFICER.** If there is no further discussion, the question is on agreeing to the amendment as modified.

The amendment (No. 1054), as modified, was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote by which the amendment as modified, was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Madam President, I ask unanimous consent that the pending amendment be laid aside so that I can send an amendment to the desk which I understand has been cleared by both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1059

(Purpose: To set aside funds for a Joint Simulation Center for Warfighting Concepts and Doctrine Development and a Peace Enforcement Doctrine Development Center)

Mr. LEVIN. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 1059.

Mr. LEVIN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 45, line 15, before the period at the end, insert the following: ": *Provided, further*, That of the funds appropriated in this paragraph, $6,500,000 shall be available for the establishment and operation of a Joint Simulation Center for Warfighting Concepts and Doctrine Development: *Provided, further*, That of the funds appropriated in this paragraph, $5,000,000 shall be available for the establishment of a Peace Enforcement Doctrine Development Center".

Mr. LEVIN. Madam President, the Senate-passed DOD authorization bill contained $6.5 million to establish the Joint Simulation Center for Warfighting Concepts and Doctrine Development. This amendment would provide appropriations for that authorized project. Two years ago the Joint Chiefs of Staff [JCS] determined that they needed a simulation center to help develop doctrine for joint warfighting operations among the services. After identifying this need in testimony, Congress directed the JCS to establish a simulation center to develop doctrine for joint operations.

JCS spent last year developing the details for this center, developed a master plan this spring, and got General Powell's authorization this summer, after the time the President's budget was submitted to Congress. The Senate Armed Services Committee has taken the lead in authorizing this important Powell initiative.

The Senate-passed DOD authorization bill contained $5 billion to establish a peace enforcement doctrine development center. This amendment would provide appropriations for that authorized project.

Recent events in Somalia and elsewhere have poignantly underscored the need for the United States to develop and exercise command and control procedures and doctrine for joint operations with military forces of other nations. These tools need to be developed and experimented with in advance, not tested on the ground where lives are on the line.

The Armed Services Committee added $5 million to establish a center which could make use of the U.S. military's sophisticated simulation systems for working out operating concepts and procedures for integrated multinational peacekeeping and peace enforcement missions. This would enable U.S. military personnel to simulate and test doctrine, operational concepts, procedures, and command and control arrangements in a laboratory in advance of any deployments. This work could be overseen by the commander in chief of the Atlantic Command, who now has all responsibility for peacekeeping contingency planning, although this amendment does not so designate.

Madam President, this amendment would appropriate from available funds $6½ million for the establishment and operation of the Joint Simulation Center for Warfighting Concepts and Doctrine Development. That center is already in operation, but there are no funds in the 1994 appropriations bill for it to continue. It was just begun July 1 with the approval of the Chairman of the Joint Chiefs.

In addition, this would provide $5 million from available funds for the establishment of a peace enforcement doctrine development center. This would be the place where we would try to come up with the doctrine for multinational enforcement which we are having so much difficulty with in Somalia and other parts of the world.

Madam President, I understand that the amendment has been cleared by both sides. Both of these funds have been authorized by the Armed Services Committee following substantial and significant hearings into the entire area of multinational peace enforcement.

In fact, I think Congress will be getting into that issue a great deal. We have had significant hearings, and this is part of the outcome. The funds have been authorized.

Mr. INOUYE. Madam President, the managers are pleased to advise the Senate that we agree with the amendment and urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan.

The amendment (No. 1059) was agreed to.

Mr. LEVIN. Madam President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEVIN. Madam President, I thank the managers of the bill. These are some important new concepts which we are moving into because of the changes in the world. They are difficult for all of us, I think, to easily embrace or describe or to put into a 30-second sound bite. I think it is very critical that we have both of these centers created inside the Department of Defense, and I think the Department of Defense will welcome both.

I thank the managers for their support.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1060

(Purpose: To ensure that progress payments for the C–17 aircraft program are made in compliance with existing law)

Mr. GRASSLEY. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself and Mr. D'AMATO, proposes an amendment numbered 1060.

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. None of the funds appropriated for the Department of Defense for fiscal year 1994 by this Act may be used for making any progress payment under the C–17 aircraft program that is not consistent with the requirements of section 2307(d)(1) of title 10, United States Code.

Mr. GRASSLEY. Madam President, I had the amendment read in its entirety because I think it is very self-explanatory.

I have already had some discussions with the majority and Republican managers of the bill and they said that they would accept it.

Madam President, this amendment makes C–17 progress payments match up with the work performed and quality standards set in contracts.

Senator D'AMATO is a cosponsor of the amendment.

Madam President, let me make one point crystal clear at the outset.

My purpose is not to sabotage the C–17 program.

We need to modernize our fleet of transport aircraft, but if we stay on the present course, there will be no C–17 fleet. The C–17 will self-destruct under the sheer weight of mounting costs and mismanagement.

If we continue down this road much further, we will end up short on strategic airlift.

Mr. President, we need to get back to basics.

It is like returning to fundamentals in football practice. Let us practice blocking and tackling instead of trying fancy new plays.

Complicated acquisition reform legislation is not the answer.

All we need to do is follow the rules on the books. That is the purpose of my amendment today.

Our amendment would attempt to enforce current law—but a law that the Department of Defense [DOD] Inspector General [IG] charges has been violated on C–17 contracts.

The law needs to be re-energized. It needs to be brought back to life.

Our amendment would impose sanctions where there are none. It would put some teeth in the law. It would bring fiscal penalties for noncompliance.

Our amendment would prohibit the use of fiscal year 1994 C–17 procurement funds for making progress payments that are not consistent with section 2307 of title 10 of the United States Code.

Now, what exactly does section 2307 say. It says and I quote:

> The Secretary of Defense shall ensure that any payment for work in progress (including materials, labor, and other items) under a defense contract that provides for such payments is commensurate with the work, which meets standards of quality established under the contract, that has been accomplished.

Now, Madam President, what does this really mean?

It means: first, payments must be equal in value to the work performed minus standard holdback; and second, the work performed must meet qualtity standards established in the contract.

Madam President, this lay is supposed to bring some measure of discipline to defense contracting.

It is very compact yet far-reaching. In just a few words, it covers a lot of important territory.

To get paid, under the law, the contractor must perform work on time and within cost that meets standards of quality set in the contract. If the contractor fails at that, payments are either withheld or reduced according to the seriousness of the deficiency.

Madam President, careful study of the DOD IG's report on the C–17 convinced us of the need to enforce this law.

The problems giving rise to that need are carefully and thoroughly documented in the DOD IG's report concerning financial mismanagement on C–17 contracts dated January 14, 1993.

The IG report is all about illegal or improper progress payments to McDonnell Douglas.

An emerging $1.5 billion cost overrun on C–17 fixed-price contracts precipitated a financial crisis that led to the improper payments.

The contractor, McDonnell Douglas, is threatened with major financial losses and may soon file claims.

To soften the blow, senior Air Force officials devised various schemes to coverup mounting schedule delays and the burgeoning cost overrun—all to maintain a uninterrupted flow of money to the company.

This was a backdoor bailout operation.

First, there was the cost mischarging scheme.

When all fiscal year 1990 R&D money for the C–17 was exhausted and there were still big R&D bills to pay, Air Force officials arbitrarily shifted R&D costs to the production contract that was "fat" on cash.

This procedure—known as the infamous journal voucher transfer operation—violated several statutes.

Yet it continues even today.

Eventually $500 to $600 million in R&D expenses will have to be shifted back to the R&D contract where they belong. Sadly, there is no R&D money to cover those expenses. The ceiling on the R&D contract has been breached, and the Anti-Deficiency Act has been violated.

McDonnell Douglas will have to pick up at least part of the tab.

The journal voucher transfer operation temporarily prevented a cost overrun on the R&D contract and made McDonnell Douglas appear to be performing efficiently. It hid the cost overrun and made McDonnell Douglas look good.

The deception facilitated a steady flow of money and the award of follow-on contracts.

Had the true costs been known up front, the payments might have stopped.

But payments continued.

The cost mischarging scheme then contributed to the second problem—premature progress payments to McDonnell Douglas.

The IG says improper or illegal progress payments totaled $349 million.

Clearly, these payments constituted potential violations of section 2307 of title 10 of the U.S. Code.

Madam President, the new Secretary of Defense, Les Aspin, disciplined four of the five senior Air Force officials who engineered illegal C–17 payments.

This was a courageous move.

It sends the right signal to the rest of the weapons purchasing community: zero tolerance for dishonesty and mismanagement.

Admittedly, Madam President, the misconduct that precipitated reprimands dished out by Secretary Aspin occurred between July 1, 1990, and December 31, 1990.

That was 3 years ago. But there has been no let up. These problems are continuing right up to the present time.

Madam President, I would like to quote from the House Armed Services Committee Report No. 103–200, dated July 30, 1993.

The very same problems persist today.

I quote from page 77:

> After an extensive set of hearings, the committee learned that the C–17 remains a seriously troubled program with contractual and program issues intertwined in a way that has defied remedy: (1) full scale development is still not complete, and flight testing will not be complete until 1995 at the earliest; (2) the contractor may be in default on the full-scale development contract and plans to seek $1.2 billion in claims against the government; and (3) lax management by the Air Force may be signaling that the government has no intention of enforcing the contract terms or terminating the program.

Madam President, that is a devastating assessment. It is an indictment of the C–17 program.

The Senate Armed Services Committee Report No. 103–112, dated July 27, 1993, is almost as critical of the C–17 program as its House counterpart.

This is what the Senate Armed Services Committee says about the C–17. I quote from page 40:

> The Committee is at the limit of its patience with the C–17 program, due to serious mismanagement by the Air Force and the contractor, and is approaching the point of advocating program termination.

Madam President, we have serious criticism about the C–17 coming from both Armed Services Committees. That is reason for concern. That is a red warning flag. We need to pay attention. That criticism is based on extensive knowledge.

Madam President, my concerns flow from two related developments.

First, C–17 aircraft delivered to date do not meet important contract specifications like the aircraft range and cargo-carrying capacity. Nor has the C–17 demonstrated the ability to carry cargo into short, 3000-foot runways as required by contract.

Official Air Force and DOD documents, such as the DD–250—or Material Inspection and Receiving Report—clearly indicate that C–17 aircraft delivered to date have significant contract deficiencies.

Madam President, I am not talking about mickey mouse problems, either.

The C–17 does not meet range/payload specifications or specs as they are called. The C–17 cannot carry cargo into a short, 3,000-foot runway.

That's not rinky dink stuff. We're talking about the primary justification for the C–17.

Second, DOD is developing an unsatisfactory solution for the problem.

The plan is outlined in a memo from the new DOD acquisition czar, Mr. John M. Deutch, to the Secretary of the Air Force. It is dated May 11, 1993.

Mr. Deutch has essentially told the Air Force to revise the C–17 specs as the service sees fit.

That is a license to steal.

The Deutch memo gives credence to the House Armed Services Committee's warning that the "government has no intention of enforcing the terms of the contract."

The Deutch plan will help the contractor and the airplane meet the specs. The specs will be lowered.

This is contractor nourishment at its worst.

The specs will meet the airplane rather than having the airplane meet the specs. This is one way to achieve harmony on contracts. It is also a waste of money.

We paid McDonnell Douglas top dollar to meet much more stringent specs.

More stringent specs are more expensive because they involve greater risk. They may not be feasible.

If the C-17 cannot meet the more stringent specs, then the McDonnell Douglas must either correct the problem or repay the Government a reasonable sum of money for lost performance.

Otherwise, Madam President, the contract should be terminated for default.

Madam President, that is not going to happen. The contract will be modified to meet the airplane.

We are headed down that road—again.

News reports suggests that the deed is done.

The C-17's range/payload specifications have been adjusted downward on three different occasions—November 1985, March 1990, July 1991. They are about to take another dive.

Each time we paid for higher specs but end up with lower ones and still pay full price and more.

This is just one more example of the "rubber baseline."

The practice of harmonizing contract specs to match product performance makes a mockery of defense contracting.

Madam President, if contracts are constantly modified to meet product performance, what value do contracts have?

Madam President, the Armed Services Committee has attempted to grapple with the problem.

Section 124 of the defense authorization bill would withhold all future funds until certain, specific program milestones are met.

The committee drew a line in the sand on a long list of important performance requirements.

The Armed Services Committee's proposal is an attempt to impose some discipline on the C-17 program and to prevent further erosion of critical aircraft performance specifications.

Madam President, our amendment would buttress the section 124 of the fiscal year 1994 defense authorization bill. It would dovetail with section 124.

It would attempt to draw a line on contract specifications.

It would remind DOD to follow the law of the land.

It would help to reinforce and reinvigorate section 2307 of title 10, which the DOD IG says is being ignored and abused.

Lastly, Madam President, our amendment would hopefully help to ensure: First, that progress payments on fiscal year 1994 contracts are commensurate with the work performed; and, second, that the work performed meets the quality standards established in those contracts.

If fiscal year 1994 C-17 aircraft are on schedule, within cost, and meet contract specifications, then the money will flow as planned. If not, then there's a problem—as there should be.

What is the bottom line?

I want to send a clear signal to the Air Force: Obey the law when making progress payments on C-17 contracts. And that is it.

Madam President, I hope the committee will give my amendment all due consideration.

If you support the C-17 program but want better management, then vote for my amendment.

Madam President, I have spoken on the problems before. I have relied very heavily upon statements by inspectors general and the General Accounting Office on problems with this program.

I want to make it very clear that I am not against the C-17 program. But there has been some money that the inspector general has said has not been spent according to law. This amendment merely adds to the appropriations bill a restriction that no progress payments can be made unless it is according to what the law says.

I yield the floor.

Mr. INOUYE. Madam President, the managers have had an occasion to study this and we find no objection to its adoption.

Mr. STEVENS. I concur with the Senator from Hawaii. I am pleased to join in support of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. GRASSLEY].

The amendment (No. 1060) was agreed to.

Mr. INOUYE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Who yields time?

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, the matter I discussed at length with the Senator from Indiana and the Senator from Georgia concerning the level of support for the new Russian ICBM's with multiple nuclear re-entry warheads has reached the position now, I think, that we could agree on a substitute or complete revision of my amendment.

Let me again suggest the absence of a quorum, though, for a minute.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1052, AS MODIFIED

Mr. STEVENS. Madam President, the discussion that we had, I hope, has highlighted to the Senate the fact that there are a number of very well-informed people in our community here who deal with arms control matters, who have information that would lead us to believe that the Russians are continuing to modernize their strategic missile forces—not only modernize them, but modernize them to the extent of having under way, the report is, a new ICBM that has multiple nuclear re-entry vehicle capability and is highly maneuverable, of a different trajectory, as outlined by the editor of the Russian publication Today.

That has been unconfirmed, as I told the Senate earlier, by the CIA. But there still is some question as to whether or not it is true because even the CIA has told us that the Soviets, prior to the START agreements and prior to the disintegration of the Soviet Union, had under way research on development of a series of new ICBM's.

Madam President, I send my amendment to the desk and ask it be stated so there is no misunderstanding about it.

I ask my amendment be amended to this form.

The PRESIDING OFFICER. The clerk will report the amendment as modified.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for himself, Mr. INOUYE, and Mr. EXON, proposes an amendment numbered 1052, as modified,

On page 22 of the bill, at line 18, before the period, add the following new proviso: "*Provided further*, That the Director of Central Intelligence shall report to the President and the Congressional defense and intelligence committees on the current status of intercontinental ballistic missile development and production in states eligible for assistance under this heading: *Provided further*, That none of the funds appropriated under this heading may be expended or transferred to an otherwise eligible recipient state if the President concludes, and notifies the Congressional defense and intelligence committees in written report, that the potential recipient is currently engaged in the production of a new road mobile or fixed-site land based intercontinental ballistic missile armed with multiple nuclear reentry vehicles."

Mr. STEVENS. Madam President, I ask unanimous consent that the Senate bring before the body now the amendment of mine that was previously set aside so that I might modify that with this language.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I ask that my amendment be so modified.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

The Senator from Nebraska.

Mr. EXON. Madam President, I congratulate the Senator from Alaska for the amendment which I think is a pretty good one and addresses a concern that many have had in this regard. The amendment by the Senator from Alaska is a very positive and constructive one.

I ask unanimous consent that I be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, I am pleased to support this amendment. I support its immediate adoption.

Mr. STEVENS. I ask for adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 1052), as modified, was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAFEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAFEE. Madam President, is it my understanding that the Nickles amendment has been temporarily set aside?

AMENDMENT NO. 1051

The PRESIDING OFFICER. The Nickles amendment is the pending question.

Mr. CHAFEE. Madam President, I just briefly would like to address myself to that.

The Nickles amendment, as I understand it, provides that before U.S. troops could be placed under a foreign or U.N. command while participating in peacekeeping missions, it would be required that the President report to the relevant committees of the Congress detailing the role and mission of U.S. combat forces, the estimated cost of supporting our force, the size of the deployment, and probable duration. The relevant committees would have 30 days to consider this and review the deployment. Then a joint resolution would have to be enacted to allow the deployment. There are some escape clauses.

Madam President, I would like to say that I think this is an unfortunate amendment. It seems to me that what we are going to be faced with many times as we go into the balance of this century and the first part of the next century is not major conflicts of the types we have been preparing for over so many years, namely with the Soviet Union. There are going to be a whole series of operations in unknown sections of the world dealing with unknown individuals.

I believe very strongly, Madam President, somebody has to be in charge, in this case the President of the United States. I think we have to leave with the President the authority to have our troops serve in conjunction with other United Nations forces should that be his decision. Sometimes the United Nations commander will be a U.S. commander and sometimes it will be otherwise.

If there is one thing I have discovered in hearing discussion about our troops going into foreign places, the argument is made:

> Well, we do not want to go it alone. There is a serious problem there. We recognize that. But do not have the United States do it alone. Let us see that the other countries pick up their share of the burden.

This cry is heard incessantly, and rightfully so. But, Madam President, if we are going to have a situation where everybody who participates—and, indeed, these involve combat troops frequently—is going to insist that their troops be under their commander, just as the United States insists that our troops be under our commander, it seems to me a formula for chaos.

I can understand the motives of the distinguished sponsor of this legislation, but I think it would be very unfortunate. We have a President of the United States. He is elected by the people. We have to give him some leeway.

There are 535 Members of Congress. If you took a secret poll, I suspect every one of them would feel he or she was fit to be President, and indeed probably better than the existing President or existing past Presidents. Humility is not a banner of those in Congress. However, the fact is that we have not been elected President. Neither I nor any other Members of this body nor Members of the other body are President. We have a President. If we are going to let him make decisions, crisp decisions that have to be made, we have to give him some leeway.

Now, Madam President, if things go wrong, the Congress has the power of the purse. It can always step in and cut off every nickel and dime that is sponsoring that undertaking, whether our forces are under the command of another nation's U.N. commander or whether they are under our own command.

Madam President, I hope that the Nickles amendment does not prevail.

Mr. STEVENS. Mr. President, will the Senator yield just a moment?

Mr. CHAFEE. Sure.

Mr. STEVENS. How many times since the Senator and I have been in the Senate has the Congress stepped in as the Senator would say? How many times have we exerted this power? How many times have we told Presidents not to commit us to war?

Mr. CHAFEE. I have only been here 18 years so——

Mr. STEVENS. How many times in that 18 years?

Mr. CHAFEE. How many times has the President gotten us to the verge of war? Since I have been here, we have had Desert Storm, we have had Panama, we have had troops in Grenada, we have had troops in——

Mr. STEVENS. In Lebanon.

Mr. CHAFEE. In Lebanon.

Mr. STEVENS. We had a boat off of North Korea.

Mr. FORD. Panama.

Mr. CHAFEE. I mentioned Panama.

Mr. STEVENS. I wonder if the Senator is really serious that we should not interfere with the exercise of the President's authority and state to the world and to the public that the constitutional power of the Congress to declare war really means that we have the functional duty of declaring we are at war rather than we should go to war?

Mr. CHAFEE. I am not sure that the point is the Senator is trying to make. Is he saying we are at war in Panama? I would not quite label that "at war."

Mr. NICKLES. Will the Senator yield?

Mr. CHAFEE. Sure, I am glad to yield.

Mr. NICKLES. I heard my colleague's comments. I hope he will withhold judgment because I do not think his interpretation of the amendment is quite correct.

Is the Senator aware of the fact that in our amendment we exempt medical, we exempt logistics, we exempt communication, we exempt humanitarian, training, temporary observer, liaison activities? This amendment really just applies to U.S. combat forces under the United Nations, under foreign commander.

Frankly, I just looked at all the commitments we have had in U.N. peacekeeping operations going all the way back to 1945, and our amendment would not have restricted any of the 27 different U.N. peacekeeping operations since 1945.

So it is not so Draconian. It allows peacekeeping operations. It allows logistical situations. It allows humanitarian efforts. It does say—and I agree with the opening comment of the Senator from Rhode Island that we want to know who is in charge. It does say that if we have U.S. combat forces, they should be under the President's charge. He is Commander in Chief, and he should not delegate that authority to the U.N. Secretary General.

Mr. CHAFEE. Madam President, I am glad the sponsor of the amendment is in the Chamber because it seems to me we have to make a real decision on these matters. That is the point I was trying to make previously.

We all agree that we do not want to go it alone, that we want to participate and want the others to bear their share. At the same time if every nation who participates just as we want them to participate will only play under their command it seems to me we truly do have a formula for chaos. If there is one thing that every military student agrees upon, somebody has to be in charge. When everybody is in charge it is clear that nobody is in charge.

I believe if we are going to have to ensure the maximum safety of our troops that somebody has to be in charge. Plenty of times it will be the American commander in charge. Quite frequently we contribute most of the troops, and indeed that occasion calls for the American to be in charge, but not always.

I am prepared to be corrected. But as I read the Senator's amendment when it is combat troops—no matter how many we have—always they must be under United States command. I presume that the U.N. commander, or the Britain who might be in charge, or the German, or the French, or whoever it may be, the Pakistani, Indian, the sole person that the United States troops respond to is the American commander.

Mr. NICKLES. If the Senator will yield, I want the Senator to be aware of the fact that we have exempted NATO. I want the Senator to be aware of the fact——

Mr. CHAFEE. That is not such a big exemption since the United States has always be in command of NATO since it was founded.

Mr. NICKLES. I understand. Other Senators have alluded to the fact we are denying the ability of the French to lead. I want to make sure the Senator is aware of the fact that we have exempted NATO, we have exempted Korea, we made this prospective as far as international standing armies. But we are specific. We say that we do not want to have U.S. combat forces committed to an international U.N. combat force, kind of a standing army that will be looking for a fire to put out.

That has been proposed by the United Nations Secretary General. It has been supported at different times by President Clinton and some of his advisers.

So I am trying to say, wait a minute, let us not do that. We have not done that in the 48 years of U.N. history. We have not committed to a U.N. international peacekeeping force looking for a problem to solve.

I will agree with the Senator from Rhode Island. There are a lot of problems out there. But I am saying we can have a commitment of troops. The President has that flexibility. But when you are talking about combat troops, that commitment is made, he should keep control of the troops which would solve the problem. That is what we have always done when we have United Nations involvement, that is, the Persian Gulf, that is, Korea. When we have had U.S. troops involved with NATO in combat situations, we have had United States control.

I might even mention to the Senator, in Somalia, as I understand the Rangers are under U.S. Armed Forces control not under the United Nations control. the President has seen that.

I also remember the President when he said he was going to send several thousand additional combat troops into Somalia that those would be under United States control not United Nation control.

So I would like to tell the Senator, my colleague and friend from Rhode Island, this amendment would not affect any of the past alliances that we have created. It would not even deter if the President wanted to send troops to Haiti, if they are in a noncombat role or mission, it would not impact that.

This amendment was drafted before Somalia, before Haiti. It was drafted with the intention of trying to keep the U.S. Armed Forces out of combat situations when you do not have U.S. control, when you do not have that chain of command, and also to keep us out of an international peacekeeping force which seems to be advocated by some supporters of the United Nations, which I think is not well thought out.

We should reassert the President's constitutional authority as Commander in Chief. And also keep the authority vested in Congress; that is, the power not only of the purse but also the power to declare war, and not allow ourselves to be drawn into conflicts internationally.

Mr. CHAFEE. I want to thank the Senator for that statement. But I would point out that clearly the instances where he has pointed out, Korea, and Desert Storm, the United States had the overwhelming majority of the troops and rightfully so. The Americans were in charge.

Also, the threat or the suggestion that there is going to be some U.N. standing army set up that we had better be careful of that, it seems to me that is something that is not going to happen overnight. In responding to the question of the Senator from Alaska, clearly the U.S. Congress could step in with the power of the purse and deal with that situation.

But what I worry about and I suppose the Senator's argument cuts both ways, he is saying that in the X number, I have forgotten how many, the illustration, whenever it backs U.N. peacekeeping missions, the U.S. forces always should be under American command. Well, if that is true, why do we bother having the amendment? That argument it seems to me cuts both ways.

What worries me is that there are situations that are going to occur. Just as nobody had ever heard, or rarely heard about the problems in Desert Storm that emerged, and few people knew who Saddam Hussein was, and just as problems have come up in Bosnia, and other sections in the world where we have never heard the names before, so they do occur in other parts.

I believe we have to leave some flexibility with the President of the United States. He is not going to go off on some wild tangent of his own. He recognizes that he has to have the support of the people. But if we bind him by law, and this is very, very strict, this law, that no U.S. forces can serve anywhere in the world in a U.N. force except with the clear designation that they shall be completely under the control of the U.S. command, I think, we are taking an unfortunate step.

I want to thank the Chair.

Mr. NICKLES. Mr. President, again I appreciate my colleague's statement. I hope that he would understand the thrust of this amendment. This amendment is not as far-reaching I think as he envisions.

I might respond also to his question. Say, why have this amendment? The President is not going to go off on half track and make commitments to the U.N. for U.S. combat forces to be serving all across the world. I will tell my colleagues, that a lot of statements have been made by this President that leave very much open the possibility of committing U.S. combat forces worldwide.

I will point to my colleague's information. A couple of articles in the Washington Post, talking about U.S. plans wider role in U.N. peacekeeping administration, drafting new criteria. This new criteria is envisioning—I will read a couple of paragraphs:

The administration is drafting a new set of criteria for U.S. involvement in U.S. peacekeeping operations that would provide for a much wider role for U.S. military personnel, according to senior defense and diplomatic officials.

I could go in. It talks about a pretty assertive U.N. peacekeeping effort which I might mention and apprise my colleague, U.N. peacekeeping efforts have ballooned in the last several years. In 1990, we had about 10,000 U.N. peacekeeping forces. Today it is over 80,000. So this number has grown and grown substantially.

Now we have the U.S. representatives to the United Nations talking about expanding our role not just for peacekeeping but peacemaking and peace enforcing.

The President as recently as September 27 says U.N. peacekeeping holds the promise to resolve many of this area's conflicts. But the strength is in our security to protect our interests, to ensure among the nations the cost and effort of pursuing peace.

President Clinton:

> We support the creation of a genuine U.N. peacekeeping headquarters with planning staff and access to timely intelligence with the logistics units that can be deployed on a minute's notice and a modern operations center with global communications.

Concerning Bosnia, if the parties to that conflict in Bosnia take the hard steps needed to make the real peace, the international community including the United States must be ready to help in its effective implementation.

The President and others have talked about committing 50,000 troops to the Bosnian peacekeeping efforts, 25,000 of those troops being United States forces.

So I just mention to my colleague, here is a comment made by Madelein Albright, September 23. The President's comments were all made September 27, less than a month ago. Ambassador Albright says the end of the cold war has opened up another avenue for multilateral cooperation that has long been limited by the United States-Soviet rivalry, and that is United Nations peacekeeping.

Mr. FEINGOLD assumed the Chair.

Mr. NICKLES. Again, peacekeeping is now being expanded into peace, not only peacekeeping, but peacemaking and peace enforcing.

I will just mention one other comment, and this is again a Washington Post article talking about this new enthusiasm for an expanded, wider U.N. role, police role that has been reported in the paper. This is not something I have dreamed up. I think this administration, going back to the President's comments in his book, written in November 1992, which says they promise the Clinton administration would support the more recent active role in the United Nations in troubled spots around the world and pursue an establishment of a voluntary U.N. rapid deployment force to deter aggression, provide humanitarian relief, and combat terrorism and drug trafficking.

This is a big expansion in the U.N. role that has already grown by leaps and bounds. To go from 10,000 troops in 1990 to over 80,000 in 1993 shows a very expanded U.N. role. And this President and the President's Ambassador to the United Nations has been talking about expanding that role even further.

The U.N. Secretary General talked about the desire for a standing international combat force. This amendment would prohibit that. I do not think it would tie the President's hands. It would basically reassert the President's constitutional responsibility as Commander in Chief and say that in combat rolls, it should not be delegated to the United Nations.

The Secretary General of the United Nations was not elected to anything in the United States, and the Constitution clearly specifies that the President is Commander in Chief. If the President wants to send logistics, humanitarian, or medical aid, he can do so. When you are talking about combat rolls, then the President would; first, have to keep it under U.S. command or second, he would have to ask or request Congress for a waiver and receive that within 30 days.

So I think it is a reassertion of the President's responsibility. It basically says it should not be delegated to the United Nations.

One final comment. Does that mean that if our allies took a similar course of action, we would have no effective response in multilateral or multinational efforts? I say totally not. Our allies responded in a vigorous way in probably the most successful multinational effort, in the Persian Gulf, and clearly this amendment would not have violated or prohibited a Persian Gulf-type effort. You had the United States taking the role and the lead with U.S. leaders and commanders. And clearly they did not have other nations saying, no, we do not want to participate because we want to have our individuals as commanders of these forces. It did not prohibit our efforts in Korea and this amendment would not. Nor, likewise, would it prohibit our NATO alliance.

So it would do nothing to deter the successful alliances that we have had in the past. It would do nothing to deter an alliance, a multilateral or multinational alliance, a bilateral effort. This could be done. The U.N. operational control. One of the reasons for that is the U.N. operational control—managing these 80,000 peacekeeping forces are about 80-some people. I read earlier in the RECORD—and I will not repeat it—where the commander in the U.N. forces, peacekeeping forces, in Yugoslavia is saying, if you have business to do, you better contact them before 5 o'clock on Friday. They are not there on weekends. It is really chaotic.

If you want to talk about chaos, it is the lack of leadership that we now have under the United Nations because, frankly, they have 80,000 troops. They are involved in 14 missions throughout the world today, and they only have 80 people, 45 of which are military. So they are already stretched too thin and not very well managed, in my opinion. And certainly, before we talk about committing the lives of U.S. men and women to combat, I think we would be better served if we say they should stay under the operational control of the United States, if you are talking about combat. Yes, we can allow logistics and peacekeeping efforts to go forward, and the President can delegate that, but when you talk about combat, it should not be delegated in what I would say is a less-serious manner.

So let us make sure that the President, if he wishes to delegate that, would come to Congress and request a waiver, or that he would give Congress the right to authorize that before we commit the lives of young men and women into combat around the world. I yield the floor.

Mr. EXON. Mr. President, I wonder if my colleague from Oklahoma would yield for a question or two, without my losing the right to the floor.

Mr. NICKLES. I am happy to yield.

Mr. EXON. I have heard through the amendment you are offering, and I have heard the concerns raised by our colleague who has just addressed this matter. Let me first ask the Senator from Oklahoma how well, in his opinion, does he believe that "combat role" is defined in his amendment?

Mr. NICKLES. I will be happy to respond to my friend and colleague from Nebraska. We state that U.N. operational or tactical control means exercising in the U.N. Security Council or Secretary General the power of command usually given to the leader of the military force, such as the authority to coordinate direct mission-related activities of the units compromising such force. So really we are talking about the supreme commander over such operations—the person that controls, directs, dictates the military operation in whatever theater you are talking about.

Mr. EXON. I thank my friend. Let me further press him for an answer. After your explanation of a combat role—it was exactly what I suspected would be the answer when I read the amendment. I would just like to add that I would hope that at times in the future, as outlined by the Senator from Rhode Island, that we could take and expect our allies and other members of the United Nations to take on the role to carry out U.N. mandates, other than always calling on the United States being the police force of action. Unfortunately, we seem to be falling into that role, and I have had concerns about that.

However, let us assume for a moment that at some time in the future, the United Nations decides to take some appropriate action at some place in the world; that at this particular time, for reasons that have been worked out, a British commander and British troops primarily would be involved in a specific action of some type; as under the auspices of the United Nations, hopefully, without the United States playing a role that in my opinion it all too often does now, to be the police force.

Let us suppose that Brit command—Great Britain is a military ally of the United States of America, a key player in the United Nations. Let us suppose that that particular British commander—who under the definition just outlined by the Senator from Oklahoma would indeed be the commander in that area—should find it necessary to carry out a strategic move of some kind, either a selective aircraft attack of a stealthy nature, or the supply or resupply of ammunition to a British force somewhere in the world; and let us assume that for whatever reason, the United States of America would be the only nation that would have the wherewithal at that particular time to assist our British allies, with no American troops on the ground; would the amendment offered by the Senator from Oklahoma prevent the President of the United States from even authorizing an airstrike, one airstrike, or the delivery of ammunition by plane or by boat someplace, to assist the Brit commander and the British troops that are on the ground in that particular area, carrying out the will of the United Nations? Would the amendment offered by the Senator prevent that? I suspect it would.

Mr. NICKLES. Mr. President, if the Senator will yield, it can be done under two circumstances: The President could ask for a waiver and do it, or he could put the forces under U.S. control.

You mentioned we were the only power that had the ability to do it. Then it might be logical to have it under U.S. control. Then this amendment would not apply.

If that did apply, he could request a waiver. He could do it. He could declare an emergency. He could say it is in the national interest to do so and do it. Congress would have 30 days to review that request.

But the President would not be able to make long-term commitments of U.S. combat forces to serve under the U.N. auspices under foreign command indefinitely without Congress getting involved.

Mr. EXON. Where does it say in the amendment offered by the Senator from Oklahoma that it could not be a long-term commitment? Is that so described in his amendment?

Mr. NICKLES. Yes. If the Senator would just look at the amendment, it says the prohibition described in section A shall not apply if the President determined the national security interests justify a waiver of such prohibition and the President declares an emergency exists and informs Congress of his action. Then Congress has 30 days to respond.

So we allow a Presidential waiver or exemption for an emergency. So they could respond if the President determined it was in the national interest to do so.

Mr. EXON. I am not sure that is responsive to the question the Senator from Nebraska is trying to get at.

Certainly, I recognize and realize that the Senator clearly has defined in the amendment, if the President wants to do this, he comes to us and we have 30 days to act.

My question goes back, I think, to the basic principle of what could be done on an emergency basis if it is necessary to help the British troops under the scenario that I outlined. I would not think it would be particularly advisable for use to wait 30 days or it might be too late.

The point I try to bring home to the Senator from Oklahoma is I do not believe, under the amendment, if the President felt it was necessary or advisable to assist our British allies who were really at risk for one strike or one delivery of action—I believe that the amendment, as offered by the Senator from Oklahoma, would prevent that unless the President came to us and sought approval, and we have 30 days to do that.

Likewise, if the President would maintain the command over that one airplane that went in, seemingly the Senator was trying to describe the situation to the Senate that that would not apply. Yet, I think it would be clear that that might be very fuzzy, if not hazy, under the Senator's amendment, because I still believe the Brit I outlined in the scenario would be a foreign commander in charge at least of directing the mission as I outlined in the scenario.

Mr. President, I would like to, if I could, yield, without my losing the right to the floor, to the Senator from Oklahoma for an answer to my question.

Mr. NICKLES. I am happy to respond to my friend from Nebraska. I have a couple of comments.

The United States can enter into bilateral efforts if we want to. This amendment only restricts United Nations as operational control. If we had a bilateral effort with the British, that could be allowed. That would be possible. That would not be prohibited.

The only thing that would be prohibited in this is when we have U.S. combat forces under a foreign commander under U.N. operations. So I mention that to my colleague.

I also mention to my colleague that we have exempted NATO, which has proven to be an effective alliance in command. We also exempted Korea.

Mr. EXON. I understand that.

Mr. NICKLES. I want to make sure colleagues are aware of that.

I hope my colleague is aware of the fact we have not prohibited even U.S. or U.N. efforts in noncombat missions, and I have looked at almost all the U.N. peacekeeping efforts going all the way back to 1945, almost none of which would have been restricted by this amendment. I do not believe any of those efforts would have, because either they were under U.S. control or they were authorized by Congress.

So this amendment is not as restrictive, I think, as some people would want, maybe not even as much as I would want. It does give the President some flexibility. It does not tie his hands. I think it reasserts his control basically as Commander in Chief.

Mr. EXON. I thank my friend.

I believe the Senator from Rhode Island would like to make further comments. I would be glad to yield 2 minutes to him for any appropriate remarks he would like to make.

The series of questions I have posed to the Senator from Oklahoma, notwithstanding what I think is a well-intentioned amendment, I am very fearful that other nations around the world might view this as a unilateral action by the United States directing the President of the United States that the United States of America is either going to go it alone on every type of action that the United Nations takes in the future or we are not going to be involved.

I believe that that is a rather mischievous type of amendment, one that we may find ourselves to regret if we go on down the road. I simply say that I believe I understand what the Senator from Oklahoma is trying to do. I am not sure, though, that there are sufficient protections in the amendment as it has been offered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, this is not a mischievous amendment. This amendment is not one that came up because of the tragedy that happened in Somalia. Frankly, this amendment was drafted well before that.

This amendment was drafted in light of the fact that we read where we are talking about in the United Nations having a multinational combat force, and I would like to prohibit that as a force looking for action, not with the defined mission but a force that is out there at the discretion or guidance of the Secretary General of the United Nations.

I would also tell my friend and colleague from Nebraska the amendment is written because I have some concern about what may happen in Yugoslavia, because I have seen this President and others talking about committing 25,000 troops, United States troops, out of a total force of 50,000, talking about committing 25,000 troops into Yugoslavia, particularly into Bosnia, and at the same time listening to the United Nations Secretary General talking about he would make the decisions where the air strikes would be involved. I see that as chaos. I see that as confusion.

One final comment, and that pertains to, well, if we do this, is not this the

United States going it alone? No, this would not prohibit the United States from putting together the forces such as we did in the Persian Gulf. That effort would not be prohibited under this amendment in any way, shape, or form. So I mention in the cases where we have found it to our interests to leave the United Nations, and we have had remarkable success in working with other countries and even getting other countries to participate, with men and women and military personnel, but also the financial costs of it, so we have had some real successes through that operation that would not be prohibited in any way, shape, or form by this amendment.

What we would prohibit would be an international standing army under the United Nations, and we would prohibit U.S. combat forces from being committed to a combat role under United Nations operations under a foreign commander. We think the President of the United States should be making that decision. That is constitutional.

We also think there is a constitutional role for Congress as well, both in the power to declare war and in the power of the purse.

Mr. President, I ask unanimous consent that Senator CRAIG be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. I also ask unanimous consent that Senator THURMOND be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPACT AID PROVISIONS

Mr. SIMON. Mr. President, I commend and thank my colleague from Hawaii for his leadership on the fiscal year 1994 Department of Defense appropriations bill, particularly for including appropriations for the impact aid program.

Impact aid compensates local school districts that educate students connected with a Federal activity—such as a military base—but are not able to tax the Federal Government to raise the funds to cover the costs of educating them. But impact aid generally covers only one-third of the costs of educating military children. This leaves taxpayers with most of the burden—but without the tax base to pay for it. Not only does our Federal activity reduce revenue from local property taxes, but it can substantially increase the number of students that local schools must educate.

By not adequately reimbursing local schools for this cost, the Federal Government is shortchanging these district—and in many areas local taxpayers are taking up the slack. For example, the people of north Chicago, IL have made every effort to provide a quality education for their students, including passing a referendum to raise property taxes to one of the highest rates in Illinois. Despite their effort, they are losing up to $4,000 per year per child because of the impact aid shortfall. Last year's budget shortfall forced them to cut 45 of 140 teachers. Other school districts throughout the country face similar problems. Our students deserve better.

Last year, former Senator Alan Dixon and I passed an amendment enabling the Secretary of Defense to make payments to local school districts to mitigate the financial impact of Department of Defense dependents on these districts. North Chicago and other Illinois districts have received additional Federal funding as a result of this bill. I am pleased that a similar provision is included in this year's bill and that additional Federal funding will be available for schools that need it.

DEBATE ON SOMALIA AMENDMENTS TO H.R. 3116

Mr. DORGAN. Mr. President, the debate about whether to keep United States forces in Somalia has taken some strange turns.

With all due respect, it is not about supporting the President. Whether we agree or disagree with the President's announced policy, we do so with a commitment to vote for what is right for our country.

However, let me make clear that I do not side with any who seize the Somalia debate as an occasion to embarrass or criticize President Clinton. The President is doing his utmost to manage a military intervention that he inherited upon assuming office.

As U.S. Senators, our first obligation must be exercising our constitutional responsibility under article I on the issue of United States military forces in Somalia. As Senator BYRD has wisely reminded us, we must decide whether to continue our present policy for several months or to begin the orderly withdrawal of those troops.

This debate does not turn on using U.S. military force to establish peace and order in the world. It rests instead on whether we have a sound policy in Somalia. In my view, we do not. Because we have slipped away from our original humanitarian mission, we now find ourselves in the quagmire of civil unrest in the Third World.

Nor is the debate about cutting and running—by pulling our troops out of Somalia. The test is whether we place American men and women in continued peril without a clear mission and without a compelling national interest.

QUESTIONS OF NATIONAL INTEREST

In fact, the burden of proof for keeping United States troops in Somalia is whether it makes sense to do so. Let me ask my colleagues to examine this question with me.

First, do we have a vital national interest at stake in Somalia? I find that we do not. No strategic interest, no economic lifeline, no concern about democracy compels our military presence in Mogadishu and other Somali cities.

Second, no clear humanitarian interest remains over which we have control. We came to keep thousands of people from starving. We succeeded in that mission. Our early mission under Operation Provide Hope in Somalia provides a model of how military intervention can serve humanitarian goals.

But our troops no longer pursue clear humanitarian goals. They have become the targets of ambushes and the agents of pursuing what are nonhumanitarian goals. Our mission has become contorted into the vague and dangerous pursuits of nation building or hunting down Somali warlords.

Third, if we were to pursue nation building with the prerequisite of rooting out hostile guerrillas the likes General Aideed, then we would have to commit overwhelming military forces. Neither the President, the Congress, nor the American people are prepared to do so. Nor is the United Nations or the rest of the world, which waited until the United States took the initiative to keep Somalia from starving to death.

I have no quarrel with restoring civil order in Somalia. In fact, I authored a law last year which provided resources and guidelines for recovery in the Horn of Africa. But that law contemplated political conflict resoulution and economic development, not combat missions by heavily armed troops.

We do have an interest in promoting peace, order, and development. But we will have to rely on the power of diplomacy and economic resources, not the forces of arms, to achieve those worthy goals. And where force is needed as a last resort, it must be organized as a genuinely multinational effort with clear objectives and methods.

In conclusion, this debate boils down to making the right choice. The two effective choices are deploying a much larger United States force in Somalia to pacify the country, or arranging a prompt, orderly withdrawal.

Unfortunately, the leadership consensus resolution proposes neither: It amounts to an unsuccessful compromise that brings no order to Somalia nor any assurance of safety for American troops.

We could have decided to follow Gen. Colin Powell's advice to never commit American forces in hostile zones unless we employ overwhelming forces. We did not and will not do so. That option is not before us tonight.

THE RIGHT COURSE

That leaves us with the third and remaining option: the amendment offered by Senator MCCAIN. The amendment simply limits funding to a prompt and orderly withdrawal of U.S. forces. It allows U.S. forces to protect American lives and secure the return of American prisoners of war or any personnel missing in action. It prevents our government from keeping forces abroad when their mission has ended.

I say to my colleagues that, lacking a clear and compelling mission for United States forces in Somalia, we should remove them from harm's way and bring them home. Let the strategic policy quarterbacks puzzle over global pursuits with their computers rather than gamble with American lives. Our mission is over. Let's leave.

And last, let us husband our national wealth here to form a more perfect union, to establish justice, to insure domestic tranquility, to promote the general welfare, and to secure liberty for future generations, even as we play a constructive role in the world in promoting peace and development. That would provide the best way to exercise leadership in the international community.

To that end, I join in voting for the amendment to secure a prompt and orderly withdrawal of United States forces from Somalia.

DEFENSE CONVERSION

Mrs. FEINSTEIN. I would like to engage the distinguished chairman of the Defense Appropriations Subcommittee, Senator INOUYE, in a colloquy regarding some important defense conversion programs.

As the chairman well knows, reductions in defense spending and military base closures have hit California especially hard. More than 250,000 defense related jobs have been lost in California in just the past 2 years, and by 1998, California's job loss due to defense downsizing and base closures is expected to reach 650,000. From this latest base closure round alone, California will lose over 70,000 direct and indirect jobs, with the vast majority of the loss being born by the San Francisco Bay Area.

I would like to thank the chairman for his good work in drafting a comprehensive Defense appropriations bill. In particular, I would like to thank the chairman for addressing many issues that are important to California and the entire Nation. At a time when defense downsizing is being felt by communities and individuals across the country, many of the programs, especially the defense conversion programs, are very much welcomed.

One issue I would like to address regarding defense conversion programs involves action by the House of Representatives. The House has appropriated nearly $69 million under operations and maintenance—defense-wide, for a number of important defense conversion projects in California. Unfortunately, due to budget constraints, the Senate Defense Appropriations Subcommittee was unable to fund many worthy projects. Specifically, the House provided funds for the following:

California State University system at Ford Ord: As one of the largest bases in California, Fort Ord's closure will have a devastating impact on the Monterey area. The reuse and redevelopment plans call for the conversion of Fort Ord into a university research institution. The House provided $25 million for the renovation of buildings at Fort Ord. To ensure the successful reuse of Fort Ord, I believe these renovation funds are absolutely necessary.

Monterey Institute Center for International Trade at Fort Ord: This proposed center will integrate business training with language skills, knowledge of foreign business cultures and foreign trade policy, and negotiating skills. The center will also build on the resources of the Monterey Institute of International Studies and the Defense Language Institute. This crucial funding will be used to hire additional staff and supplement facilities already existing at the Monterey Institute. Again, with the adverse impact of Fort Ord's closure, I believe this is an ideal defense conversion program for the area.

California statewide economic development network: This network will vastly improve communications between city colleges and businesses. Increased communication is critical both for businesses that are having trouble finding workers, and for workers who are having trouble finding gainful employment. This innovative program will allow displaced defense workers to tie into this network and provide them with useful information on retraining and employment opportunities.

San Diego statewide economic development network: This center would retain displaced defense workers for jobs in California's emerging biomedical, environmental, and public health technologies. As the entire State of California—and southern California in particular—continues to feel the affects of defense downsizing, this worker retraining program will help former defense and aerospace workers find jobs in a growing industry.

San Francisco State University California economic recovery and environmental restoration project: This project will train displaced defense workers and disadvantaged youth in environmental restoration at closed military bases. Displaced workers will be given the skills needed for new jobs and environmental cleanup will proceed quickly and effectively. As the San Francisco Bay Area stands to loose six major military bases, this proposal could not have come at a better time.

Mare Island and Charleston Naval Shipyards conversion/reuse studies: These studies will determine the feasibility of converting these shipyards from military to commercial work. This ideal defense conversion program will help transition these shipyards and their workers to commercial work which could provide employment to many of the workers who would otherwise loose their jobs.

Workers retraining for environmental restoration at Mare Island Naval Shipyard: Under this program, displaced workers will be retrained for the environmental cleanup which will be undertaken at Mare Island Naval Shipyard. Again, two purposes will be served. Displaced workers will be given the skills needed for new jobs, and environmental cleanup at a dangerously polluted site will proceed on course.

I believe it is imperative that we, as a nation, do not leave those who helped us win the cold war out in the cold. That is why I believe it is vital to fund these important defense conversion programs.

Therefore, I would like to request that the chairman of the Defense Appropriations Subcommittee considers adopting the House position which provides $68.5 million for these defense conversion programs in fiscal year 1994.

Mr. INOUYE. I fully understand the concerns of the senior Senator from California and her interest in defense conversion programs. The committee received numerous requests from Senators to fund specific defense conversion programs. But, as the Senator knows, the fiscal constraints facing the subcommittee precluded it from funding many worthy programs. There simply is not enough money to go around.

In our bill the subcommittee promotes competition as the best mechanism for identifying and funding the most meritorious defense conversion programs, while recognizing that conversion funds should be targeted to areas most adversely affected by defense downsizing. We have done this in part because of the fiscal constraints we face, but only because this is perhaps the fairest way to assure that the Government receives the best return on its defense conversion dollars.

Yes, the House added funds for a number of defense conversion programs, including those mentioned by the distinguished Senator from California, but it did so by failing to reasonably meet the outlay funding targets prescribed in the budget resolution. My subcommittee's bill meets those outlay targets in a responsible manner.

The senior Senator from California is certainly aware of my concern for those in her State and throughout this Nation who will experience hardship due to the defense draw down. I can assure her that, as the House and Senate meet in conference on this bill, I will do the best I can to make sure sufficient funds are provided for the most deserving of conversion program proposals.

LAW ENFORCEMENT AND HEALTH CARE PROVIDER TRAINING

Mrs. FEINSTEIN. I would like to engage the distinguished chairman of the Defense Appropriations Subcommittee, Senator INOUYE, in a colloquy regarding an important program that, I believe, is a win-win for the Nation.

I would like to request that the chairman consider adopting the House position which provides $50 million for the Department of Defense's proposed Law Enforcement and Health Care Provider Training Program, better known as troops to cops.

I believe this is an innovative and beneficial defense conversion pilot program. As the Senate Defense Appropriations Committee report states, this program is designed to ease the impact of defense downsizing while strengthening local law enforcement health care efforts. It will help phase-down the military, and phase-up local police and health care efforts.

Troops to cops will encourage military police officers and others with military law enforcement experience, as well as those individuals who perform health care tasks, to work for State and local police departments and health care agencies after completion of military service. This program would help pay the salaries of police officers and nurses—50 percent in the first year, 40 percent in the second year, and eventually reducing the Federal share to zero over 5 years. Localities would still be responsible for supplementing the salary and providing the necessary training and equipment.

This program will help put more cops on the street and more nurses in the hospital. And, it will help ease the impact of defense downsizing on those individuals who served our country in the Armed Forces.

The House of Representatives authorized the Law Enforcement and Health Care Provider Training Program in section 1332 of their version of the fiscal year 1994 Defense Authorization Act. Though the Senate version did not contain a similar provision, I am hopeful that after conference, the final version of the Defense Authorization Act will contain the House language. I further believe, and I understand that Chairman DELLUMS concurs, that if this program is successful, it should be expanded to include all military personnel who qualify.

The House of Representatives also provided $50 million in fiscal year 1994 for the program in its version of the Defense appropriations bill. Unfortunately, due to budget constraints on the Senate Appropriations Committee, no funds were provided for the program in its version of the Defense appropriations bill.

Mr. INOUYE. I understand the concerns of the senior Senator from California regarding the Law Enforcement and Health Care Provider Training Program. The subcommittee believes this important program could ease the transition of certain military personnel to civilian employment. But, as the Senator from California stated, the committee faced especially difficult constraints this year and was unable to fund many worthy projects.

I assure the Senator, however, that I will give every consideration to her request when we conduct negotiations with the House and will work to secure a funding level for this important program consistent with that authorized.

Mrs. FEINSTEIN. I thank the distinguished chairman very much.

COUNTERNARCOTICS DRUG INTERDICTION PROGRAM

Mr. MACK. Mr. President, in reviewing the subcommittee's report, I was particularly concerned with the section entitled "Counternarcotics Drug Interdiction Overview," wherein the subcommittee expresses concern over the efficiency and effectiveness of Department of Defense counternarcotics efforts. The subcommittee further notes that DOD is conducting a bottom up review of its activities in this area and expresses a willingness to reduce funding if the review so recommends.

While I understand the subcommittee's desire to respond to the needs and recommendations of the Department of Defense, I am concerned about the problems which might arise if the DOD review suggests a decrease in funding and the subcommittee responds in kind, for I fear that such a reduction would be deeply harmful to the war against drugs.

I have every confidence that the distinguished chairman and ranking member of the subcommittee understand the concerns which my State of Florida and other coastal and border States would have if Federal support for ongoing interdiction efforts were suddenly reduced. And I ask them, should DOD recommend a reduction in their interdiction effort, will the committee hold hearings and receive testimony during fiscal year 1994 about the impact such reductions might have on ongoing efforts to control the flood of narcotics into the United States, and the impact of such changes on relevant agencies, State and local law enforcement officials, and DOD representatives.

Mr. INOUYE. I understand the concerns of the Senator from Florida, and express to him my willingness to hold a hearing in the coming year on the role of DOD in their counternarcotics mission, including their coordination with relevant agencies, as well as State and local law enforcement officials.

Mr. STEVENS. My colleague, Senator MACK, raises a legitimate concern. Clearly, our coastal and border communities deserve due consideration as they would bear the brunt of any reduction in counternarcotics efforts. The committee has held hearings on this matter in the past and is certainly willing to work with him on any future hearings.

Mr. MACK. I have seen persuasive information indicating that DOD interdiction efforts have been successful in the past, including testimony from DOD to the Armed Services Committee while I was a member of that committee. I look forward to working with the chairman, the ranking member, and the subcommittee in the coming year, to ensure that this information is given full consideration when the vital matter of DOD's involvement in counternarcotics operations is taken up for fiscal year 1995.

I thank the managers for their willingness to work with America's coastal and border States as they struggle to control the urban plague drugs have wrought upon our inner cities.

F-14 AIR-TO-GROUND UPGRADE PROGRAM

Mr. MACK. Mr. President, I rise in opposition to the portion of the defense appropriations bill which reduces RDT&E funding for the F-14 air-to-ground upgrade program. In August of 1991, during debate of the Defense authorization bill, I addressed the issue of the future of naval aviation before this body. At that time, I supported the Navy's need to sustain its medium attack capability in the face of a rapidly declining Defense budget, but criticized the Navy's decision to terminate the best fighter aircraft in its inventory: the F-14D.

Since April 1991, two decisions by the Department of Defense have fundamentally changed the future of naval aviation: cancellation of the A-X, and the decision to retire the A-6 early. In so doing, the Navy has chosen to place the future of naval aviation on the shoulders of the F/A—18E/F. My views on the F/A-18 are well known, and I will not reiterate them here; however, our experience in Desert Storm clearly illustrates why we must continue to field survivable, capable, and long-range strike aircraft. While the Navy can terminate programs, it cannot terminate requirements. The simple act of canceling the A-X and retiring the A-6 early did not make the long-range, precision, all-weather medium attack requirement go away. And those same capabilities are essential for any aircraft which is to replace the A-6.

In testimony before the House Armed Services Committee just 2 years ago, Chief of Naval Operations Frank Kelso said:

> The ability to strike at night and in all types of weather, when the enemy's defensive systems are least effective, is essential to operate against the difficult and highly sophisticated air defenses which are proliferating to many countries around the world. * * * Additionally, any follow-on to the A-6 has to carefully balance the requirement for extended operational range with the need for maximum payload. Longer ranges provide the ability to launch sooner, achieve tactical surprise, capitalize on the mobility of the battle group, hold more targets at risk, and strike deeper into enemy territory.

The admiral clearly stated that range, payload, and survivability are the cornerstones of power projection, which allow us to proceed with as few political restraints as possible. So, what has changed in the past 2 years to make this requirement disappear? I submit that current events in Bosnia and Somalia only serve to further demonstrate the continued need for our Navy to be able to project credible military power from the sea in all kinds of weather.

Although the Senate Defense Appropriations Subcommittee rightly addressed the issue of the early retirement of the A-6E, and endorsed the need to upgrade the F-14 with air-to-ground capability, I am gravely concerned that the subcommittee appears to believe that upgrading the F-14 with a robust, precision, all-weather attack capability, which we currently possess in the A-6E, is militarily unjustified. If we are to retire the A-6E early, and the Navy agrees that all-weather attack capability is still required, why not upgrade the F-14 with such capability until the next generation strike aircraft is available?

It is instructive to note that the other body wants to give the F-14 such precision, all-weather capability based on the F-14D aircraft. I hope that during conference negotiations, my colleagues in the Senate will see the wisdom of giving the F-14 this capability, which is remarkably similar to the F-15E Strike Eagle's, which proved so valuable in Desert Storm. To that end, when conference begins, I would ask my colleagues to reconsider their decision to cut F-14 RDT&E development funding and instruct the Navy to upgrade existing F-14's with precision, all-weather, strike capability.

This decision is not a trivial. For as the defense budget continues to decline, we must make optimum use of every defense dollar. The F-14 upgrade represents such wisdom.

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT ON H.R. 2518

Mr. MITCHELL. Mr. President, I ask unanimous consent that at 7:30 p.m. this evening the Chair lay before the Senate the conference report on H.R. 2518, the Labor-HHS appropriations bill; that the yeas and nays be ordered on the conference report; that a vote on the conference report occur at 7:35 p.m. this evening; that upon the disposition of the conference report the motion to reconsider be laid upon the table; that the Senate, without any intervening action or debate, concur en bloc in the House amendments to the Senate amendments; that the motions to reconsider be laid on the table en bloc; and that any statements thereon appear in the appropriate place in the RECORD as though read.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT ON H.R. 2446

Mr. MITCHELL. Mr. President, I ask unanimous consent that at 9:30 a.m. on Tuesday, October 19, the Chair lay before the Senate the conference report accompanying H.R. 2446, the military construction appropriations bill; that upon disposition of the conference report, the motion to reconsider be laid upon the table; further that the Senate concur, en bloc, with the amendments of the House with the amendments of the Senate; that the motions to reconsider be laid upon the table, en bloc, with all of the above occurring without intervening action or debate; that various statements and colloquies regarding the conference report be placed in the RECORD at an appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I now ask that it be in order to request the yeas and nays on adoption of the military construction appropriations conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the vote occur at 9:30 a.m. on Tuesday, October 19.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I thank my colleagues for their cooperation.

Mr. MITCHELL. Mr. President, I now ask for the yeas and nays on the conference report on the Labor-HHS appropriations bill this evening.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MITCHELL. Mr. President, under this schedule a vote will occur on the Labor-HHS conference report at 7:35 p.m. this evening; a vote will occur on the military constructions appropriations bill conference report at 9:30 a.m. tomorrow.

Mr. CHAFEE. Mr. President, could I ask the distinguished majority leader if that will be the only vote tonight.

Mr. MITCHELL. That will be the only vote this evening.

I thank the colleagues for their cooperation.

Mr. FORD. Mr. President, you have a unanimous consent agreement, I believe, before the Senate for Labor-HHS at 7:30.

The PRESIDING OFFICER. The Senate is correct.

DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the clerk will report the conference report on H.R. 2518.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2518) having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The Senate proceeded to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 5, 1993.)

Mr. HARKIN. Mr. President, I am pleased to report to the Members of the Senate that we have a very successful—and a very short—conference with the House. Not only were we able to preserve all the important funding initiatives of the Senate, as well as those of the administration, but we completed action on all 135 Senate amendments to the House bill in a record 2½ hours.

The conference agreement now before us is within our subcommittee's 602(b) ceiling and is well below the level requested by the President. The conference agreement totals $261.1 billion. Of that total, $67.2 billion is for discretionary budget authority under the direct control of the subcommittee. The remaining $193.8 billion is for mandatory programs funded by our subcommittee.

I am particularly proud that the conferees have reached this agreement without resorting to any budgetary gimmicks. This report does not use any delayed obligations, nor does it impose an across-the-board cut of programs within our bill.

Mr. President, there are many important features of this bill, but for the sake of time, I would like to mention just a few highlights.

The conference agreement includes $1.475 billion for the Low Income Home Energy Program, which represents a $38 million increase over last year's level. This also includes advance funding for program year 1995, as was previously authorized.

For immunization, the conference report provides a $187 million increase, for a total of $528 million the conference agreement includes a $550 million increase over fiscal year 1993 for Head Start.

This report includes a $630 million, or 6.1 percent, increase for the National Institutes of Health, reflecting the conference's strong belief that the NIH is a vital investment program for our Nation.

For rural health, the conference recommended more than $190 million for rural health programs, including the National Health Service Corps, rural health outreach, rural health research, rural hospital transition grants, and essential access community hospitals. In addition, $663 million is provided for community and migrant health centers.

I am also pleased that the conference recommended a $37 million increase for the substance abuse block grant, for a total of $1.167 billion.

For the Department of Labor, the conference report provided an additional $206 million for the Summer Youth Employment Program for the summer of 1994. This figure will assure that the Department has sufficient programs to maintain the same number of slots next summer as were provided for the summer of 1993. In addition, the conferees recommended $100 million for the joint Department of Labor and Department of Education school-to-work transition initiative.

Finally, the conference report provided a total of $225 million for the administration's education reform initiatives, including Goals 2000 and Safe Schools. For chapter I, the conferees recommended a $211 million increase over fiscal year 1993 levels.

I also publicly thank Chairman NATCHER, my House counterpart, and his ranking member, Congressman PORTER, for their excellent cooperation this year. Their hard work and assistance was essential to completing this year's conference in record time. Congressman NATCHER is a true gentleman and a great appropriator, and I am proud to have had the opportunity to work so closely with him for the 4 years I have served as chairman of the Labor, HHS, and Education Subcommittee.

I now yield to Senator SPECTER, my ranking member, for any comments he may wish to make. I am deeply indebted to Senator SPECTER and his staff for his excellent advise and his assistance throughout this process. Senator SPECTER's counsel is reflected throughout the process, beginning with hearings earlier this year, committee markup, and now conference. I am most grateful for all his help and assistance in bringing this bill to the floor.

Mr. SPECTER. Mr. President, I join the chairman of the subcommittee, the distinguished Senator from Iowa, in supporting the conference report that is before the Senate today. I want to take this opportunity to thank Senator HARKIN as well as the other members of the subcommittee for bringing before the Senate such a comprehensive bill under very tight budget ceilings. I also want to take this opportunity to thank the conferees for their willingness to compromise to bring about a swift resolution to the differences between the House and Senate versions of the bill.

The conference agreement before us today totals more than $261.1 billion, including $67.2 billion in discretionary spending and addresses programs that improve the public health, educate our children, and retrain this Nation's work force.

LIHEAP

For the Low-Income Energy Assistance Program, which is of vital importance to the people of the Commonwealth of Pennsylvania, the conference agreement includes $1,475,000,000. This is somewhat less than the Senate recommendation of $1,507,408,000, but considerably above the funding level for the 1993 program. In addition, the President has the authority to request, on an emergency basis, $600,000,000 to meet unforseen energy needs. The House had not recommended any funds for this program and there was much debate during conference deliberations in order to come to agreement on this issue.

BIOMEDICAL RESEARCH

The conference agreement contains $10.9 billion for the National Institutes of Health, an increase of over $600 million above the fiscal year 1993 appropriation. The increase provided will enable scientists to pursue the most promising avenues of research into such dreaded diseases as AIDS, cancer, Alzheimer's, heart disease, mental disorders, and other illnesses that continue to plague the citizens of this Nation.

BREAST CANCER

Breast cancer is the second leading cause of cancer deaths among women, surpassed only by lung cancer. The conference agreement provides for an expanded breast cancer research program in fiscal year 1994. The amount recommended includes a total of $78 million for grants to States to develop comprehensive screening and education programs.

LOW-BIRTHWEIGHT BABIES

It is a human tragedy for a child to be born weighing 16 ounces with attendant problems which last a lifetime. I first saw a 1-pound baby in 1984 and it was an amazing thing for me to see a child of this size—about as big as my hand. Each year, about 7 percent, or 287,000, of the 4,100,000 babies born in the United States are of low birthweight and therefore, at far greater risk of death or disability.

It is generally recognized that prenatal care that begins in the first weeks of pregnancy and is appropriate to the mother's level of health risk can effectively prevent low birthweight births and improve birth outcomes. To address this issue, the conference agreement contains $1.6 billion, an increase of $104 million over the fiscal year 1993 level, for programs which support education, counseling, and prenatal services for pregnant women and women of child-bearing age who are at risk for poor birth outcomes.

FAMILY VIOLENCE

It is estimated that three to four million American women are battered each year; battering is the single largest cause of injury to women. The conference agreement includes $27.6 million, an increase of $3 billion over last year's appropriation, to provide immediate shelter for these women and their children. In addition, $9.8 million has been provided to the Centers for Disease Control and Prevention to implement a national program to prevent violence against women.

EDUCATION

To strengthen this Nation's educational system, the conference agreement includes $28.7 billion, including $8 billion for student aid programs. The agreement also has restored campus-based aid programs to the fiscal year 1993 funding levels, and provides for a maximum Pell grant award of $2,300.

For education for disadvantaged children, the agreement provides $6.9 billion, an increase of $215.5 million over the fiscal year 1993 level. Capital Expenses for private schools has increased to $41.4 million and the Even Start Program, funded as $89.1 million has increased to $91.3 million.

The agreement also includes $146.3 million for library programs, which restores $31.3 million in funding cuts proposed by the administration.

BLACK LUNG COST-OF-LIVING INCREASE

For those in this country who have been disabled by black lung disease or their survivors, the conference agreement exempts these beneficiaries from the freeze on the cost-of-living adjustments for next year. This language will permit a 2.2-percent pay increase to take effect in January of 1994.

JOB TRAINING

A total of $5 billion is included in the conference agreement for training and employment programs for this country's adults and youth. The title III program to retrain dislocated workers is increased from $566 million to over $1.1 billion, and title II-B Summer Youth Employment Program is expanded modestly to afford this Nation's youth employment opportunities.

HEALTH CARE PROGRAM ADMINISTRATIVE COSTS

On Thursday of last week I spoke briefly on the Senate floor about the administrative aspects of President Clinton's proposed health care reform program. At the time, I stated that I share the objective of President Clinton to provide comprehensive health care for all Americans, but expressed reservations about the size of the bureaucracy and the cost of administration of the President's reform proposal. As the Senate considers the conference report accompanying H.R. 2418, the Labor, HHS, and Education and related agencies appropriations bill for fiscal year 1994, I want to reiterate those concerns. For I fear, that much of the administrative costs associated with the plan will be borne by the Appropriations Committee generally, and more specifically, the Labor, HHS, and Education subcommittee.

The conference agreement before the Senate today includes over $5.6 billion to help cover the State, local and Federal administrative costs of the Medicaid and Medicare Programs. In fiscal year 1993, over $18.3 billion was appropriated in the Labor, HHS, and Education Appropriations bill for administrative costs, $14.3 billion of which was for the administrative expenses of the Department of Health and Human Services. Increasingly, the subcommittee is finding it difficult to meet both the service demands and the administrative costs of federally supported programs within the limited funding available.

With funding for discretionary programs frozen over the next 4 years, it is essential that the Appropriations Committee, and the Congress, understand clearly the costs the committee would be forced to bear under the President's reform proposal. So I asked my staff to make a list of the new and expanded administrative agencies and costs associated with the plan. I was surprised, Mr. President, to find that the plan includes 77 new entities, agencies, commissions, councils, and advisory groups, and at least 54 existing entities will have new or expanded responsibilities or other functional changes.

Under the President's plan there would be a national health board overseeing the entire program with enormous powers, which have yet to be fully delineated. There is a very complicated system of regional, State, and corporate health alliances. The plan expands the programmatic, administrative, enforcement, and regulatory responsibilities of the Secretaries of Labor and Health and Human Services as well increases the role of the Secretary of Education in comprehensive health education.

Chairman HARKIN and I currently face great difficulty in allocating the limited funds to the existing programs, such as medical research at the National Institutes of Health, the Low Income Home Energy Assistance Program, job training for disadvantaged youth and dislocated workers, elementary and secondary education programs, and student financial assistance. In reviewing these programs and responsibilities and looking over the work of the Labor, Health and Human Services and Education Subcommittee, I am concerned about how we will pay for the agencies, advisory commissions, and expanded administrative responsibilities that the health reform plan would set up.

We do want to be sure that the 37 million Americans now not covered are covered. We want to be sure that when a man or woman changes jobs, that that person will be able to have health coverage in his or her new job regardless of health status and regardless of this change in employment.

We want to be sure that the escalating costs of care are reduced. But we have to be certain in this whole process that we do not unduly impact or harm the existing health care system which does cover 86 percent of the American people and which delivers the finest health care in the world. We also need to be sure that this process does not cripple the Appropriations Committee's ability to provide support for the broad array of existing education, training and human service programs which deliver services to our most vulnerable citizens. It, therefore, is my intention to request the Government Accounting Office to conduct an in-depth analysis of the Federal administrative costs associated with the President's health care reform plan once it is submitted to the Congress in legislative form.

In closing, Mr. President, I again want to thank Senator HARKIN and his staff and the other Senators on the subcommittee for their cooperation in a very tough budget year.

Mr. President, this is an extraordinarily difficult subcommittee. Of the 13, I think none is harder than perhaps this, and perhaps this is the hardest in trying to allocate funds among health and human services with the National Institutes of Health and the various diseases, education, and labor and safety.

But we have made the allocations as best we could, and we have gone through a conference with the House, ironing out a great many differences of opinion. We are pleased to submit it to the full membership for a vote at this time.

Mr. HOLLINGS. Mr. President, I wanted to engage in a brief colloquy with the managers of the legislation before us. I wish to call attention to the need to improve coordination and collaboration among Federal departments and agencies of social services programs. This is not my idea alone by a longshot. Last year this body passed provisions in H.R. 11 to require a cooperative analysis of AFDC, Medicaid, and food stamps rules, and the Vice President's Report of the National Performance Review, "Creating a Government That Works Better and Costs Less," suggests the same.

In this regard, I hope that the Department of Health and Human Services will cooperate with the Department of Agriculture on an analysis of these programs that shows how their rules differ; what benefits might result from eliminating differences; which rules require statutory action to achieve uniformity; and which rules could be made more uniform without statutory amendment. The analysis should evaluate program rules related to administrative procedures, definitions of countable income, definitions of income disregards and exemptions, quality control sanctions and incentives to combat fraud, work and training requirements and programs, and the child support enforcement program. I would hope that the Departments could provide this report to the committee prior to next year's hearings.

Mr. HARKIN. I thank the distinguished Senator from South Carolina for raising this issue and agree with his statements on this point. An analysis of overlapping rules in these programs will provide a basis for streamlining administration and improving services. A timely report would be very helpful to this committee and to others.

Mr. SPECTER. I also thank the distinguished Senator and the Chairman for their interest in cutting redtape and improving services. I think this is something we all can agree on and look forward to receiving this review.

Mr. HATFIELD. Mr. President, I join the chairman of the subcommittee, the distinguished Senator from Iowa, in supporting the conference report that is before the Senate today. I commend Senators HARKIN and SPECTER, as well as the other members of the subcommittee, for crafting such a well balanced bill in a very difficult budget year.

This agreement contains $261.1 billion, including $67.2 billion in discretionary spending, and encompasses a wide range of programs which will improve job opportunities, increase education excellence, and expand medical research.

MEDICAL RESEARCH

The conference agreement before us today contains $10.9 billion to continue the support of the National Institutes of Health. This is an increase of over $600 million from the fiscal year 1993 appropriated level and $288 million above the President's budget. This increase of 6 percent will expand medical research into the causes, treatment, and cures of the vast array of diseases and illnesses that are only beginning to be understood. Maintaining a strong commitment to medical research must be a central mechanism in any strategy to contain the escalating costs of health care in this country and I am pleased the conference agreement reflects that commitment.

Specific increases have been provided to continue research on Alzheimer's disease, a disease that affects 4 million Americans. Funding for research on AIDS is expected to be $1.3 billion in fiscal year 1994, an increase of $227 million. In addition, high priority has been placed on expanding support for research on breast, ovarian and prostate cancers, on heart disease, on mental health, on skin and muscle diseases, and on the development of better hearing aids for the millions of Americans afflicted with poor hearing. The agreement also contains first time funding for a National Center for Sleep Disorders Research which will work closely with other sleep-related research currently being undertaken by a variety of institutes at the NIH.

COMMISSION ON SOCIAL SECURITY NOTCH

Mr. President, the conference agreement contains $1.8 million to fund the Commission on Social Security Notch. There is a great deal of concern among many Social Security beneficiaries in Oregon, and throughout the country, regarding inequities in benefit levels. Action needs to be taken to answer these concerns and resolve this matter. This special Commission will examine the notch controversy; whether inequities exist in the treatment of Social Security beneficiaries born in different years; if legislative action should be taken to correct any inequities; and the effect of any such legislation on the Social Security trust fund.

DISLOCATED WORKERS

The agreement contains $1.1 billion to assist States in retraining dislocated workers. This $551.3 million increase will provide much needed assistance to dislocated workers in Oregon and the Pacific Northwest. These additional funds combined with increases contained in the fiscal year 1993 appropriations bill will help promote a rapid extension of services for disabled timber workers throughout the Northwest.

FAMILY VIOLENCE

Battering is the single largest cause of injury to women and the medical costs associated with family violence totals over $3.5 billion annually. The agreement before us today, includes $27.6 million, a $3 million increase above last year's amount. These funds will support grants to centers to provide immediate shelter for battered women and their children. In addition, $9.8 million has been appropriated to the Centers for Disease Control and Prevention to implement a national program to prevent violence against women.

EDUCATION

Mr. President, by far the most direct, rewarding, and important investment in our youth is education. The conference agreement provides $28.7 billion for education programs. I am also pleased to report that funding for Eisenhower math and science programs has been increased to $251 million. Also included, at my urging, is $13.9 million for math and science consortia and $5.4 million for clearinghouse activities. Funding for campus-based aid programs has been restored to the fiscal year 1993 appropriation's level, and the Pell grant award will continue at the fiscal year 1993 maximum of $2,300. Again, this year, the bill provides $146.3 million for library services and construction, career training and literacy programs, an increase of $31.5 million above the amount requested by the administration. For preschool children, the agreement provides $3.3 billion for Head Start programs, an increase of $550 million over fiscal year 1993.

URBAN GRANTS

Finally, Mr. President, urban universities in this Nation play an important role in meeting the needs and addressing the priorities of the cities in which they are located. The conference agreement includes $9.4 million to provide grants to urban universities to stimulate community involvement, improve education and health, reduce crime, and enhance economic development.

Again Mr. President, I want to thank the distinguished chairman and ranking minority member of the subcommittee, Senators HARKIN and SPECTER, for their work.

Mr. DOMENICI. Mr. President, I rise in support of the conference agreement to H.R. 2518, the Labor, Health and Human Services, and Education appropriations bill for fiscal year 1993.

The conference agreement provides $223.5 billion in budget authority and $183 billion in new outlays for programs of the Department of Labor, Health and Human Services, Education and related agencies for fiscal year 1994. When adjustments are made for prior-year outlays and other completed actions, the bill as adjusted totals $263.4 billion in budget authority and outlays for fiscal year 1994.

On the whole this is a good bill. I am pleased that the conference agreement stays below its 602(b) allocation and that budget gimmickry has been kept to a minimum.

I share the President's concern about a $600 million contingency fund for LIHEAP that must be designated as emergency spending to be released. These are expenses that can be anticipated and should be funded through the regular appropriations process.

I am pleased that an amendment I had adopted during the Senate consideration of the bill to direct funding to the Pell grant shortfall was retained in conference. As I said, at that time, if education reform legislation is not enacted, there is no better use for those funds than to meet our previous obligations under the Pell grant program.

I am pleased however, that language was dropped from the bill, which would have denied Social Security disability payments to individuals confined in asylums as a result of court proceedings where in some cases, the individuals were found innocent by reason of insanity.

NATIONAL INSTITUTE OF MENTAL HEALTH

The conference report provides $613.4 million in funding for the NIMH, a 5.2 percent increase over fiscal year 1993 funding. This increase will allow the institute to continue its many worthwhile research initiatives, providing hope and promise to millions of individuals and their families in this country and around the world.

I am disappointed that the $15 million increase in the discretionary fund of the Director of NIH was not accommodated in the conference report. The Senate recommended that $12 million of this amount be devoted to the high priority research initiative known as the "Decade of the Brain." Instead, $7.5 million was provided with no specific directive to support the "Decade of the Brain" activities.

It is my hope that the "Decade of the Brain" will receive recognition and support by the Director, and that the NIMH will be recognized for the significant role it plays as one of the two lead institutes in this effort.

HEALTH CARE FOR THE HOMELESS

The conference report provides $63 million for Health Care for the Homeless. This is $3 million higher than the Senate-passed bill and $5 million higher than the fiscal year 1993 appropriation. I am encouraged by the support for this program which provides primary health care to homeless individuals, many of whom are mentally ill.

CENTERS FOR DISEASE CONTROL

While lower than the Senate-passed level of $10 million, I am pleased that the conference report provides a $7.5 million increase for infectious disease research at the CDC.

This past May, the Four Corners area of New Mexico, Arizona, Colorado, and Utah experienced an outbreak of an unusual respiratory illness associated with a previously unrecognized hantavirus. Seventy-five percent of those who have contracted this illness have died. I know that these funds will provide great assistance in the response to and hopeful eradication of this illness.

NATIONAL YOUTH SPORTS

Finally, I cosponsored an amendment during Senate floor consideration of H.R. 2518 to increase funding for the National Youth Sports Program to $12 million. I am pleased that the conferees retained this language and included a 29-percent matching requirement and competitive bidding. This will result in more and stronger programs for our young people.

It is my belief that providing recreational opportunities for young people will help build their self-esteem and discourage them from involvements in unsafe and unhealthy behavior such as drug and alcohol use and gang involvement.

I thank the conferees for their support for many important initiatives and urge the adoption of the conference report.

Mr. LAUTENBERG. Mr. President, I rise to discuss the fate of two amendments that I offered during consideration of the Treasury-Postal and Labor-HHS appropriations bills. My amendments, PRO-FEDS, which would have made all Federal buildings smokefree and PRO-KIDS, which would have made all federally funded children's programs smokefree, were both adopted by the Senate but unfortunately both were dropped by the respective conferees. I take the floor today to express my displeasure with these developments and to let my colleagues know that I will be back again to offer these amendments to the next appropriate legislative vehicles.

Mr. President, this is not a threat. It is a promise.

Before I explain what happened to both of these amendments. I want to first remind my colleagues about the contents of an EPA report that was released on January 7, 1993. This report concluded the following:

Secondhand smoke is a group A carcinogen, in the same class as benzene, asbestos, and arsenic.

Secondhand smoke causes 3,000 lung cancer deaths per year.

Secondhand smoke adversely affects children and is associated with thousands of lower respiratory infections, hospitalizations, and asthmatic exacerbations each year among our youth.

Mr. President, I ask unanimous consent to have printed in the RECORD the following EPA brochure entitled "Secondhand Smoke," which details these findings, at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LAUTENBERG. Now I would like to take my colleagues through what has happened to my amendments to protect adults and children from secondhand smoke. First, during Senate consideration of the Treasury-Postal appropriations bill I offered an amendment to make all Federal buildings smokefree, including congressional buildings.

I wanted our policy in Federal buildings to be consistent. Right now, all HHS, EPA, Veterans Affairs and Postal Service buildings are smokefree. It is no surprise to me that the public health officials at HHS and EPA urged their respective agencies to be smoke free.

Mr. President, when I offered this amendment, I entered into a time agreement of 1 hour. In return for this time agreement, I agreed not to ask for a rollcall vote. I felt compelled to do this because there were threats of a filibuster against my amendment, which would have delayed action on the Treasury-Postal appropriations bill indefinitely.

At the end of debate on my amendment, the Senate adopted my amendment by a voice vote on August 3, 1993. Even though there was not a rollcall vote, I believe that there is overwhelming support for this amendment in the Senate.

In September, the Treasury-Postal conferees convened to work out the differences between the House and Senate bills. My amendment to make Federal buildings smokefree was not included in the House bill, therefore it was a so-called conferenceable item.

On September 9, 1993, I wrote to Senator DECONCINI asking him to retain my amendment in the final conference report. I ask that this letter be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. LAUTENBERG. Just prior to this, Congressman RICHARD DURBIN and 36 other House Members wrote to Congressman HOYER, chairman of the House Treasury-Postal Appropriations Subcommittee, asking him to accept the Lautenberg amendment.

I want to point out to my colleagues that the distinguished Senator from Arizona, chairman of the Treasury-Postal Appropriations Subcommittee, supported my amendment and he fought for it in conference. I want to publicly commend him for these efforts.

Unfortunately, the House conferees insisted on their position and my amendment was dropped. At this point I would like to read from an August 4, 1993 article in the Louisville-Courier Post, where a reporter wrote:

> (Senator) Ford's strategy was to let the amendment go through with relatively little stir, and then try to kill it in the upcoming House-Senate conference where he will have an influential ally in Rep. William Natcher D-Bowling Green, Chairman of the House Appropriations Committee.

I ask unanimous consent that a copy of this article be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 3.)

Mr. LAUTENBERG. Mr. President, I was not a conferee on the Treasury-Postal appropriations bill, so I cannot confirm or substantiate this account of what was going to happen to my PRO-FEDS amendment. However, when I read the conference report language regarding my amendment I noticed some inconsistency. After the amendment that eliminated my provision, the conferees stated the following:

> The conferees have agreed to eliminate this Senate provision which established a nonsmoking policy for federal buildings. The language proposed by the Senate is legislative in nature and is currently under consideration by the appropriate legislative Committees.

Mr. President, I read this to mean that the conferees did not want to attach a legislative provision to an appropriations bill.

Mr. President, I have heard this objection many times. Members of Congress often say that a certain provision doesn't belong in an appropriations bill because it is legislation in nature. But in this case, Mr. President, I believe that my PRO-FEDS amendment was dropped because of substantive objections.

If the conferees dropped every provision in this Treasury—Postal conference report that was legislation, there would not be much of a bill left. The Treasury-Postal conference report contains numerous legislative provisions that were agreed to by the conferees. There is even an entire title of authorizing legislation regarding the revenue foregone program. This provision, eight pages in length, makes permanent statutory changes to title 39 of the United States Code.

Therefore, it appears that those conferees who objected to my amendment because it was legislation on an appropriations bill also agreed to a whole host of other legislative provisions.

The fate of my PRO-KIDS amendment was strikingly similar. My PRO-KIDS amendment, which would have made all federally funded children's programs smoke free, was also dropped by the Labor-HHS conferees.

Mr. President, on September 28, 1993, the Senate passed my PRO-KIDS amendment to the fiscal year 1994 Labor-HHS appropriations bill by an overwhelming vote of 95 to 3. Even the distinguished Senator from Kentucky, the majority whip, who controlled time in opposition to my amendment and expressed some concerns about my proposal on the floor, voted for my amendment.

Mr. President, following the adoption of my amendment and the passage of the Labor-HHS bill, I wrote to Senator HARKIN and the other Senate conferees urging them to retain the PRO-KIDS amendment in the final conference report. I ask unanimous consent that a copy of my letter to Senator HARKIN be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. LAUTENBERG. I want to commend the Senator from Iowa, the distinguished chairman of the Labor-HHS Appropriations Subcommittee for his efforts to retain my amendment in conference. He not only voted for this amendment but he is also an original cosponsor of the PRO-KIDS bill that I introduced in January of this year. He has also been a leader in the fight against the tobacco companies pushing their products on our Nation's children.

Despite the overwhelming support for my amendment, the conferees dropped PRO-KIDS. I am not certain why it was dropped. Once again, like the Treasury-Postal appropriations bill, the Labor-HHS conference report contains numerous legislative provisions including the so-called Hyde amendment which the Senate Parliamentarian has confirmed is legislation on an appropriations bill. Thus, the argument that PRO-KIDS was dropped because it is legislative in nature does not adequately explain its ultimate fate in this instance.

Mr. President, I feel that it is fair to deduce that these amendments were dropped because some Members of Congress object to their substance. Therefore, I say to my House and Senate colleagues, if you object to my actions to protect nonsmokers, let's debate the merits and not get into procedural matters that are clearly meaningless in this cases.

Mr. President, in conclusion, I would like to summarize my remarks. First, I believe that both my PRO-FEDS and PRO-KIDS amendments were dropped for substantive reasons and not procedural reasons, despite what I feel is overwhelming support for both of them in the Senate. Second, I want to let all of my colleagues know that I will soon return to the Senate floor to offer both of these amendments to appropriate vehicles and I ask for a rollcall vote on both of them. I make this statement so that none of my colleagues will be surprised to see me on the floor trying to protect our children and Federal workers and visitors from the deadly carcinogen called secondhand smoke.

EXHIBIT 1

SECONDHAND SMOKE: WHAT YOU CAN DO ABOUT SECONDHAND SMOKE AS PARENTS, DECISIONMAKERS, AND BUILDING OCCUPANTS

PROTECTING YOUR HEALTH

In the home

Don't smoke in your house or permit others to do so.

If a family member insists on smoking indoors, increase ventilation in the area where smoking takes place. Open windows or use exhaust fans.

Do not smoke if children are present, particularly infants and toddlers. They are particularly susceptible to the effects of passive smoking.

Don't allow baby-sitters or others who work in your home to smoke in the house or near your children.

Where children spend time

EPA recommends that every organization dealing with children have a smoking policy that effectively protects children from exposure to environmental tobacco smoke.

Find out about the smoking policies of the day care providers, pre-schools, schools, and other care-givers for your children.

Help other parents understand the serious health risks to children from secondhand smoke. Work with parent/teacher associations, your school board and school administrators, community leaders, and other concerned citizens to make your child's environment smoke free.

In the workplace

EPA recommends that every company have a smoking policy that effectively protects nonsmokers from involuntary exposure to tobacco smoke. Many businesses and organizations already have smoking policies in place but these policies vary in their effectiveness.

If your company does not have a smoking policy that effectively controls secondhand smoke, work with appropriate management and labor organizations to establish one.

Simply separating smokers and nonsmokers within the same area, such as a cafeteria, may reduce exposure, but nonsmokers will still be exposed to recirculated smoke or smoke drifting into nonsmoking areas.

Prohibiting smoking indoors or limiting smoking to rooms that have been specially designed to prevent smoke from escaping to other areas of the building are the two options that will effectively protect nonsmokers. The costs associated with establishing properly designed smoking rooms vary from building to building, and are likely to be greater than simply eliminating smoking entirely.

If smoking is permitted indoors, it should be in a room that meets several conditions:

Air from the smoking room should be directly exhausted to the outside by an exhaust fan. Air from the smoking room should not be recirculated to other parts of the building. More air should be exhausted from the room than is supplied to it to make sure ETS doesn't drift to surrounding spaces.

The ventilation system should provide the smoking room with 60 cubic feet per minute (CFM) of supply air per smoker. This air is often supplied by air transferred from other parts of the building, such as corridors.

Nonsmokers should not have to use the smoking room for any purpose. It should be located in a non-work area where no one, as part of his or her work responsibilities, is required to enter.

Employer-supported smoking cessation programs are an important part of any smoking policy. Approximately 25 percent of American adults still smoke. Many smokers would like to quit, but cigarette smoking is physically and psychologically addictive, and quitting is not easy. While working in a smoke-free building may encourage some smokers to quit, a goal of any smoking policy should be to actively support smokers who want to kick the habit.

If there are designated outdoor smoking areas, smoking should not be permitted right outside the doors (or near building ventilation system air intakes) where nonsmokers may have to pass through smoke from smokers congregated near doorways. Some employers have set up outdoor areas equipped with shelters and ashtrays to accommodate smokers.

In restaurants and bars

Know the law concerning smoking in your community. Some communities have banned smoking in places such as restaurants entirely. Others require separate smoking areas in restaurants, although most rely on simply separating smokers and nonsmokers within the same space, which may reduce but not eliminate involuntary exposure to ETS.

If smoking is permitted, placement of smoking areas should be determined with some knowledge of the ventilation characteristics of the space to minimize nonsmoker exposure. For example, nonsmoking areas should be near air supply ducts while smoking areas should be near return registers or exhausts.

Ask to be seated in nonsmoking areas as far from smokers as possible.

If your community does not have a smoking control ordinance, urge that one be enacted. If your local ordinances are not sufficiently protective, urge your local government officials to take action.

Few restrictions have been imposed in bars where drinking and smoking seem to go together. In the absence of state or local laws restricting smoking in bars, encourage the proprietor to consider his or her nonsmoking clientele, and frequent places that do so.

In other indoor spaces

Does your state or community have laws addressing smoking in public spaces? Many states have laws prohibiting smoking in public facilities such as schools, hospitals, airports, bus terminals, and other public buildings. Know the law. Take advantage of laws designed to protect you. Federal laws now prohibit smoking on all airline flights of six hours or less within the U.S. and on all interstate bus travel.

A special message for smokers

This is a difficult time to be a smoker. As the public becomes more aware that smoking is not only a hazard to you but also to others, nonsmokers are becoming more outspoken and smokers are finding themselves a beleaguered group.

If you choose to smoke, here are some things you can do to help protect the people close to you:

Don't smoke around children. Their lungs are very susceptible to smoke. If you are expecting a child, quit smoking.

Take an active role in the development of your company's smoking policy. Encourage the offering of smoking cessation programs for those who want them.

Keep your home smoke free. Nonsmokers can get lung cancer from exposure to your smoke. Because smoke lingers in the air, people may be exposed even if they are not present while you smoke. If you must smoke inside, limit smoking to a room where you can open windows for cross-ventilation. Be sure the room in which you smoke has a working smoke detector to lessen the risk of fire.

Test your home for radon. Radon contamination in combination with smoking is a much greater health risk than either one individually.

Don't smoke in an automobile with the windows closed if passengers are present. The high concentration of smoke in a small, closed compartment substantially increases the exposure of other passengers.

More than two million people quit smoking every year, most of them on their own, without the aid of a program or medication. If you want to quit smoking, assistance is available. Smoking cessation programs can help. Your employer may offer programs, or ask your doctor for advice.

WHAT IS SECONDHAND SMOKE?

What is secondhand smoke?

Secondhand smoke is a mixture of the smoke given off by the burning end of a cigarette, pipe, or cigar, and the smoke exhaled from the lungs of smokers.

This mixture contains more than 4,000 substances, more than 40 of which are known to cause cancer in humans or animals and many of which are strong irritants.

Secondhand smoke is also called environmental tobacco smoke (ETS); exposure to secondhand smoke is called involuntary smoking, or passive smoking.

Secondhand smoke can cause lung cancer in nonsmokers

Secondhand smoke has been classified by the U.S. Environmental Protection Agency (EPA) as a known cause of lung cancer in humans (Group A carcinogen).

Passive smoking is estimated by EPA to cause approximately 3,000 lung cancer deaths in nonsmokers each year.

Secondhand smoke is a serious health risk to children

The developing lungs of young children are also affected by exposure to secondhand smoke.

Infants and young children whose parents smoke are among the most seriously affected by exposure to secondhand smoke, being at increased risk of lower respiratory tract infections such as pneumonia and bronchitis.

EPA estimates that passive smoking is responsible for between 150,000 and 300,000 lower respiratory tract infections in infants and children under 18 months of age annually, resulting in between 7,500 and 15,000 hospitalizations each year.

Children exposed to secondhand smoke are also more likely to have reduced lung function and symptoms of respiratory irritation like cough, excess phlegm, and wheeze.

Passive smoking can lead to a buildup of fluid in the middle ear, the most common cause of hospitalization of children for an operation.

Asthmatic children are especially at risk. EPA estimates that exposure to secondhand smoke increases the number of episodes and severity of symptoms in hundreds of thousands of asthmatic children. EPA estimates that between 200,000 and 1,000,000 asthmatic children have their condition made worse by exposure to secondhand smoke. Passive smoking may also cause thousands of non-asthmatic children to develop the condition each year.

Other health implications

Exposure to secondhand smoke causes irritation of the eye, nose, and throat.

Passive smoking can also irritate the lungs, leading to coughing, excess phlegm, chest discomfort, and reduced lung function.

Secondhand smoke may affect the cardiovascular system, and some studies have linked exposure to secondhand smoke with the onset of chest pain.

For more information

U.S. Environmental Protection Agency, Indoor Air Quality Information Clearinghouse (IAQ INFO), P.O. Box 37133, Washington, DC 20013–7133, 1–800–438–4318.

Office on Smoking and Health/Centers for Disease Control and Prevention, Mail Stop K–50, 4770 Buford Highway, N.E., Atlanta, GA 30341–3724, 404–488–5705.

National Cancer Institute, Building 31, Room 10A24, 9000 Rockville Pike, Bethesda, MD 20892, 1–800–4–CANCER.

National Heart, Lung, and Blood Institute Information Center, P.O. Box 30105, Bethesda, MD 20824–0105, 301–951–3260.

National Institute for Occupation Safety and Health, 4676 Columbia Parkway, Cincinnati, OH 45226–1998, 1–800–35–NIOSH.

EXHIBIT 2

U.S. SENATE,
Washington, DC, September 9, 1993.

Hon. DENNIS DECONCINI,
Chairman, Subcommittee on Treasury, Postal Service, and General Government, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR DENNIS: As Chairman of this Subcommittee, you will play a pivotal role in the Conference Committee deliberations on the Treasury-Postal Appropriations bill. This is why I am writing to urge you to retain a provision that I authored in the Senate passed Treasury-Postal Appropriations bill that would prohibit smoking in Federal buildings except in designated areas that are separately ventilated to the outside. Your leadership will be critical to whether or not this provision is included in the final Conference report.

My amendment is based on legislation I introduced earlier this year called PRO–FEDS (S. 262). PRO–FEDS will prohibit smoking in all Federal buildings by expanding the current policy that exists at the Department of Health and Human Services, EPA, the Postal Service and the Veterans Administration to all other Federal agencies, including Congress and the White House. It would exclude living quarters and Veterans Administration hospitals.

In cases where unusual extenuating circumstances prevent total compliance, Federal agencies could apply for a partial waiver from this provision if they protect people from exposure to secondhand smoke to the extent possible. My amendment also allows the smoke free policy to be adopted through collective bargaining, if appropriate.

It is time to protect people who work or visit Federal buildings from the killer called environmental tobacco smoke (ETS) or secondhand smoke which the EPA has classified as a Group A carcinogen similar to arsenic, benzene and asbestos. ETS causes 3,000 lung cancer deaths per year and thousands more deaths from Heart disease. It also exacerbates asthma in 200,000 to 1,000,000 children per year and sends 7,500 to 15,000 kids to the hospital with respiratory diseases.

Despite this classification and all of this evidence, secondhand smoke is still prevalent in many of our Federal buildings. So it is now time for the entire Federal government to follow the lead of the Department of Health and Human Services, the EPA, the Veterans Administration, the Postal Service, the White House, and go smoke free unless the buildings have smoking rooms that are separately ventilated to the outside.

Why do our country's Department of Health and Environmental Protection Agency have smoke free policies in their buildings? Because the health experts within these agencies know that tobacco smoke kills those who breath it as well as those who smoke.

Now that the scientific data is in, we need to take action to protect Americans from this deadly carcinogen. The Congress has acted to rid our airplanes of secondhand smoke and in 1990, the Congress pass the Clean Air Act to regulate 189 hazardous air pollutants which were estimated to cause 1,500 deaths per year. Now we must act to protect all our people who visit and work in our Federal buildings from an air pollutant which causes at least 3,000 deaths per year. I urge you to retain my amendment in the final Conference Report so that we can provide a smoke free environment for millions of Americans.

If you have any question about this provision please feel free to call me or Sander Lurie 4–6822 on my staff.

Sincerely,

FRANK R. LAUTENBERG.

EXHIBIT 3

WASHINGTON.—In an unmistakable sign of the tobacco industry's political weakness, the Senate yesterday agreed to restrict smoking in all federal buildings, including the U.S. Capitol.

Sen. Wendell Ford argued strenuously against the measure but, bowing to what he later conceded was an inevitable outcome, allowed it to be attached to an appropriations bill on a voice vote in a nearly empty Senate chamber.

Usually a Senator fighting an amendment will demand a roll-call vote and seek to marshal support for his cause as members troop to the floor. The Kentucky Democrat said in an interview, however, that if he had done that, even some senators who agreed with him privately would have backed the amendment.

"The imagery of voting for tobacco is pretty tough," he said.

Instead, Ford's strategy was to let the amendment go through with relatively little stir, and then try to kill it in the upcoming House-Senate conference where he will have an influential ally in Rep. William Natcher, D-Bowling Green, chairman of the House Appropriations Committee.

The amendment, which was sponsored by New Jersey Democrat Frank Lautenberg, would ban smoking inside all federal buildings except in spaces that are separately ventilated. Ford said that as a practical matter it would be a complete ban because the government would not go to the "tremendous" expense of installing separate ventilation.

A House committee has approved similar legislation, and an executive order restricting smoking has been pending in the White House for months. But yesterday's Senate action is the first time either house of Congress has voted to impose a no-smoking policy on federal workers, according to American Heart Association spokesman Scott Ballin.

Lautenberg, a longtime tobacco foe, attached his amendment to a bill appropriating funds for the Treasury Department, Postal Service and several other agencies. The comparable House-passed bill includes no such provision, and so its fate will be up to the group of House and Senate negotiators.

Arizona Democrat Dennis DeConcini, chairman of the Senate appropriations subcommittee responsible for the bill and thus the key Senate member of this conference, said in an interview that he supports Lautenberg's amendment. However, he also said Natcher opposes it "big time," and "my guess is we will have a hard time keeping" the amendment in the final bill because of Natcher's position.

Natcher's district extends into the Louisville suburbs but includes numerous tobacco farmers in south-central Kentucky. He did not return a phone inquiry about the matter.

Lautenberg, who sponsored the airline-smoking ban in 1987, said he thinks there is a good chance the amendment will be retained by the conference. But if not, he vowed to continue offering the measure on the floor until it does become law.

In his floor speech, Ford, a heavy smoker, said he is not opposed to smoking restrictions as part of a comprehensive policy to improve indoor air quality. But, he argued, addressing the problem on "a product-by-product basis" will lead to a morass of regulation.

Eventually, he said, federal inspectors might stop Senate personnel from eating lunch at their desks because of the smell of onions.

Lautenberg disagreed.

"I think the evidence is irrefutable that tobacco smoke is different from smelly onions," said Lautenberg, who referred to the recent Environmental Protection Agency report classifying secondhand smoke as a cause of lung cancer.

EXHIBIT 4

U.S. SENATE,
Washington, DC, October 4, 1993.

Hon. TOM HARKIN,
Hart Senate Office Building,
Washington, DC.

DEAR TOM: Last week, I offered an amendment to the Labor-HHS Appropriations bill that would protect children from secondhand smoke while they are participating in programs such as Head Start, WIC, Chapter 1, health care and child care. This amendment will require Federally funded programs to establish a non-smoking policy if they provide health services to children under the age 18 or provide other social services primarily to children under the age of 18, including elementary and secondary education.

The amendment passed overwhelming, 95 to 3. As the Conference Committee convenes, I strongly urge you to support the Senate position on this amendment and include my amendment in the final conference report.

As you may know, an EPA report released during the Bush Administration and supported by the Clinton Administration, concluded what we already know, secondhand smoke kills. The EPA has labeled it a Group A carcinogen, the same category used for benzene, arsenic and asbestos. Consider what the EPA Report finds:

Secondhand smoke causes:

3,000 lung cancer deaths per year in nonsmokers.

But the affects of secondhand smoke especially harm our kids. Consider the toll it takes on innocent children in our country:

Secondhand smoke causes more than 200,000 lower respiratory tract infections in young children annually including bronchitis and pneumonia, resulting in 7,500 to 15,000 hospitalizations.

Secondhand smoke exacerbates asthmatic symptoms in children and is associated with 8,000 to 26,000 new asthma cases in children.

In cases where unusual extenuating circumstances prevent total compliance, programs could apply for a partial waiver from this provision if they protect people from exposure to secondhand smoke to the extent possible. This amendment also allows the nonsmoking policy to be adopted through collective bargaining, if appropriate.

Now that the scientific data is in, we need to take action to protect our children from this deadly carcinogen. The Congress has acted to rid our airplanes of secondhand smoke and the Department of Health and Human Services, Postal Service, VA and the EPA have acted to protect their workers. In 1990, the Congress passed the Clean Air Act to regulate 189 hazardous air pollutants which were estimated to cause 1,500 deaths per year. Now we must act to protect our children from an air pollutant which causes at least 3,000 deaths per year.

Once again, I strongly urge you to retain my amendment in the final conference agreement. If you have any questions please call me or Sander Lurie of my staff at 4-6822.

Sincerely,

FRANK R. LAUTENBERG.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Arkansas [Mr. PRYOR], and the Senator from Tennessee [Mr. SASSER], are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. SASSER], would vote "yea".

Mr. SIMPSON. I announce that the Senator from Minnesota [Mr. DURENBERGER] and the Senator from Wyoming [Mr. WALLOP], are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 80, nays 15, as follows:

[Rollcall Vote No. 315 Leg.]

YEAS—80

Akaka
Baucus
Bennett
Bingaman
Bond
Boren
Boxer
Bradley
Breaux
Bryan
Bumpers
Burns
Byrd
Campbell
Chafee
Coats
Cochran
Cohen
Coverdell
D'Amato
Danforth
Daschle
DeConcini
Dodd
Dole
Domenici
Dorgan
Exon
Feingold
Feinstein
Ford
Glenn
Gorton
Graham
Grassley
Harkin
Hatch
Hatfield
Hollings
Inouye
Jeffords
Johnston
Kassebaum
Kennedy
Kerrey
Kerry
Lautenberg
Leahy
Levin
Lieberman
Lott
Lugar
Mack
Mathews
McCain
McConnell
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murkowski
Murray
Nickles
Nunn
Packwood
Pell
Reid
Riegle
Robb
Rockefeller
Sarbanes
Shelby
Simon
Simpson
Specter
Stevens
Thurmond
Wellstone
Wofford

NAYS—15

Brown
Conrad
Craig
Faircloth
Gramm
Gregg
Heflin
Helms
Hutchison
Kempthorne
Kohl
Pressler
Roth
Smith
Warner

NOT VOTING—5

Biden
Durenberger
Pryor
Sasser
Wallop

So the conference report was agreed to.

The Senate concurred in House amendments to Senate amendment Nos. 6, 11, 15, 23, 24, 34, 441, 49, 54, 57, 58, 65, 68, 69, 74, 92, 104, 108, 111, 117, 123, 124, 129, and 133, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 6 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the first sum named in said amendment, insert "$206,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "$3,376,617,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 15 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided*, That the Secretary of Labor is authorized to accept, retain and spend in the name of the Department of Labor all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91-0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992)".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 23 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

For expenses necessary during the fiscal year ending September 30, 1994, and each fiscal year thereafter, for the maintenance and operation of a comprehensive program of centralized services which the Secretary of Labor may prescribe and deem appropriate and advantageous to provide on a reimbursable basis under the provisions of the Economy Act (subject to prior notice to OMB) in the national office and field: *Provided*, That such fund shall be reimbursed in advance from funds available to agencies, bureaus, and offices for which such centralized services are performed at rates which will return in full cost of operations including services obtained through cooperative administrative services units under the Economy Act, including reserves for accrued annual leave, worker's compensation, depreciation of capitalized equipment, and amortization of ADP software and systems (either acquired or donated): *Provided further*, That funds received for services rendered to any entity or person for use of Departmental facilities, including associated utilities and security services, shall be credited to and merged with this fund.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 102. None of the funds in the Employees' Compensation Fund under 5 U.S.C. 8147 shall be expended for payment of compensation, benefits, and expenses to any individual convicted of a violation of 18 U.S.C. 1920, or of any felony fraud related to the application for or receipt of benefits under subchapters I or III of chapter 81 of title 5, United States Code.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 34 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum named in said amendment, insert "$7,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 41 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "$2,125,178,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 49 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "$20,183,775,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 54 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided;* That reimbursement to the Trust Funds under this heading for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 shall be made, with interest, not later than September 30, 1996) *Provided further*, That not more than $1,800,000 is available until September 30, 1995 for expenses necessary for the Commission on the Social Security "Notch" Issue, established by section 635 of Public law 102-393 as amended".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 57 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,475,000,000 to be available for obligation in the period October 1, 1994 through June 30, 1995.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, an additional $600,000,000: *Provided*, That all of the funds available under this paragraph are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 58 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$464,224,000, of which $42,940,000 shall be for carrying out section 681(a) of the Community Services Block Grant Act, including $12,000,000 which shall be for carrying out the National Youth Sports Program: *Provided*, That payments from such amount to the grantee and subgrantee administering the National Youth Sports Program may not exceed the aggregate amount contributed in cash or in kind by the grantee and subgrantee: *Provided further*, That amounts in excess of $9,400,000 of such amount may not be made available to the grantee and subgrantees administering the National Youth Sports Program unless the grantee agrees to provide contributions in cash over and above the preceding year's cash contribution to such program in an amount that equals 29 percent of such excess amount".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 65 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "$94,431,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 68 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert "1911(d) and section 1503".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 69 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 207. For the purpose of carrying out subparts II and III of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.) for fiscal year 1994, the Secretary of Health and Human Services shall obligate $7,532,065 from the amounts made available pursuant to section 1935(b) of that Act for fiscal year 1994 to those States and Indian tribes or tribal organizations for which the amounts specified in the award statement issued by the Substance Abuse and Mental Health Services Administration under those subparts on November 2, 1992, was greater than the amount specified in the award statement issued on August 6, 1993, in the amounts equal to those differentials.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 74 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert "For carrying out education reform activities authorized in law including activities authorized by the Carl D. Perkins Vocational and Applied Technology Education Act, $155,000,000, of which $5,000,000, under section 402 of the Perkins Act, shall be used by the Secretary for activities, including peer review of applications, related to school-to-work transition, and $45,000,000 shall be used under section 420A of the Perkins Act for State grants and subgrants to initiate activities in States and localities related to school-to-work transition: *Provided*, That $105,000,000 of the funds provided shall be for carrying out activities authorized by the Goals 2000: Educate America Act, or similar legislation, if enacted into law by April 1, 1994, of which $5,000,000 shall be used for "State Planning for Improving Student Achievement Through Integration of Technology Into the Curriculum"; and that if such legislation is not enacted by that date, the $105,000,000 shall be transferred to "Student Financial Assistance" to be used to alleviate the funding shortfall in the Pell Grant program under subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended: *Provided further*, That funds appropriated in this account shall become available on July 1, 1994 and remain available through September 30, 1995.".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 92 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the amount provided, $20,000,000 shall be used for Department of Education activities authorized under the Safe Schools Act, or similar legislation, if such legislation is enacted by April 1, 1994, except that if such legislation is not enacted by that date, this amount shall be transferred to "Student Financial Assistance" to be used to alleviate the funding shortfall in the Pell Grant program under subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 104 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "$1,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 108 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ", including $3,000,000 for model community education and employment centers".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 111 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$2,300; *Provided further*, That notwithstanding section 401(g) of the Act, as amended, if the Secretary determines, prior to publication of the payment schedule for award year 1994–1995, that the $6,303,566,000 included within this appropriation for Pell Grant awards for award year 1994–1995 is insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 117 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "$893,688,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 123 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$292,592,000: *Provided*, That $31,000,000 shall be for research centers, including funds to extend the existing award for a research center on the education of disadvantaged students for up to one year; $38,032,000 shall be for regional laboratories, including $9,508,000 for rural initiatives; $32,500,000 shall be for activities under the Fund for Innovation in Education; $4,462,000 shall be for civic education activities under section 4609; $5,396,000 shall be for Grants for Schools and Teachers under subpart 1 and $3,687,000 shall be for Family School Partnerships under subpart 2 of part B of title III of Public Law 100–297; $16,072,000 shall be for national programs under section 2012, including not less than $5,472,000 for the National Clearinghouse for Science and Mathematics under section 2012(d); and $13,871,000 shall be for regional consortia under subpart 2 of part A of title II; $25,944,000 shall be for star schools, of which $4,000,000 shall be awarded competitively for a demonstration of a statewide, two-way interactive fiber optic telecommunications network, carrying voice, video, and data transmissions, and housing a point of presence in every county; and $3,212,000 shall be for the National Writing Project".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 124 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$146,309,000, of which $17,792,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended, and $4,960,000 shall be for section 222 and $2,802,000 shall be for section 223 of the Higher Education Act, of which $2,500,000 shall be for demonstration of on-line and dial-in access to a statewide, multitype library bibliographic data base through a statewide fiber optic network housing a point of presence in every county, connecting library services in every municipality, to be awarded competitively".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 129 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "$312,000,000, of which $7,000,000 shall be for Ready to Learn activities consistent with the purpose outlined in P.L. 102–545".

Resolved, That the House recede from its disagreement to the amendment of the Senate number 133 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the section number named in said amendment, insert "508".

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid on the table.

Under the previous order, the Senate concurs en bloc in the amendments of the House to the amendments of the Senate.

Mr. FORD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. EXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EXON. Mr. President, I ask unanimous consent that I be allowed to proceed for no longer than 7 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM AND ILLEGAL ALIENS

Mr. EXON. Mr. President, I recently read with interest and great disappointment an item taken from an article of the San Antonio Express News of September 26 concerning the Clinton administration's proposition on health care reform and illegal aliens. The article left the impression that the administration will consider the verification of one's legal status before obtaining eligibility for health care to be a low priority.

Even though the new health care plan did not generally contain coverage for illegal aliens, I have every concern that those here illegally could easily work their way into coverage under the plan.

As Members of this body know, I have introduced a bill in this Senate for several years to prohibit the payment of Federal benefits to illegal aliens. I have long felt that we must have a clear, unequivocal, and uniform policy in this regard. I will continue to work toward that goal.

But as we begin the important and necessary task of health care reform, I think it is the appropriate time to clarify that all reasonable efforts should and will be made to ensure that our carefully crafted nationwide health plan, in fact, excludes those here illegally.

There is a serious danger that the real or perceived availability of health care benefits to illegal aliens will create a further magnet for illegal immigration. I am not advocating a hard-heart position. I simply state the fact that we have limited resources to implement health care coverage for all Americans. The budget dollars which go to illegal aliens will necessarily be taken away from everyone else. The emergency medical services should and will be provided to all who need them, as is the case under the current law, and no one will be turned away during a life-threatening condition. But we must guard against illegal aliens taking advantage of emergency hospital facilities for routine health care.

I simply say that illegal aliens should not be included in the health care plan coverage period. Furthermore, and more importantly, we should take explicit measures to enforce that exclusion. At a minimum, the administration should check on the legal status of individuals before issuing the health care plan card.

I feel that the implementation of universal coverage and the issuance of individual cards provides a prime opportunity for the verification of legal status. The Congress embraced this concept in 1986 when it passed, as part of the Immigration Reform Act, the SAVE Program. SAVE, the Systematic Alien Verification of Entitlements Program, establishes a method to ensure that entitlement benefits do not go to illegal aliens. The problem has been somewhat unclear, and the Federal policy on entitlement eligibility, along with expansive court decisions, have made this program less successful than it could be or should be.

We already require employers to make a good-faith effort to verify the legal status of their employees upon their hiring through a review of their documentation. An employer certainly has a stake in his employee's health care plan, and I would think that it would be to the benefit of the employer to verify employees' legal status. By doing so we may thus screen out those ineligibles that could draw benefits from the plan which would normally go to our own citizens.

Before we implement a new health care plan, we should take this opportunity to sharpen the distinction between citizens and resident aliens entitled to universal coverage and those who have no legal right to be in this country. Illegal aliens should rightfully be excluded from that coverage.

If one's initial entry into the plan is through an employer, the employer already has responsibility to verify one's legal status. If one's entry into the plan is through an alliance, then the same obligation should apply to the alliance. In any event, the U.S. Congress should clearly state a policy against providing benefits to those who are in this country illegally and should get very serious about enforcing that policy.

In our enthusiasm to craft a plan that fits all of our citizens, we should be careful and not create yet another incentive for people to come here illegally.

I ask unanimous consent, Mr. President, that the newspaper article referenced in my statement be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Omaha World-Herald, Sept. 26, 1993]

UNDOCUMENTED WORKERS WON'T BE SEARCHED OUT

SAN ANTONIO, TX.—Some undocumented workers may receive health care under President Clinton's health-reform plan, and the administration will not aggressively attempt to root them out, according to the president's top health adviser.

"We're not also going to set up some kind of a policing system that links the health-security system to immigration systems," said Ira Magaziner, director of the administration's health-care task force.

Magaziner, who spoke to reporters last week through a satellite teleconference, said the administration would not "take away from people what is available for them today."

"So, for example, if an undocumented person is working—and may be not even doing so legally—we're not going to ask a whole separate set of questions about their immigration status if they receive a health-security card through their employers."

Although the plan is designed to exclude undocumented immigrants from comprehensive health coverage, the administration has set aside funds to reimburse hospitals that care for them.

"Undocumented people today are eligible for emergency services, pregnancy-related services, and are serviced by community-health centers and hospitals. That system will continue," Magaziner said.

Mr. EXON. I thank the Chair and I yield the floor.

Mr. President, I suggest the absence of a quorum.

I withhold the request.

MORNING BUSINESS

Mr. FORD. Mr. President, I ask unanimous consent that we have a period of morning business for Senators to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTIFICATION TO AMEND THE STANDING RULES OF THE SENATE

Mr. MITCHELL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I would like to give notice of my intention to amend the Standing Rules of Senate with the following:

S. RES. 25

Resolved, That rule VIII of the Standing Rules of the Senate is amended by striking the "." at the end of paragraph 2 and inserting the following: "; except those motions to proceed made by the Majority Leader, or his designee, on which there shall be a time limitation for debate of two hours equally divided between the Majority and the Minority Leaders, or their designees. Provided that any motion to proceed, by the Majority Leader, or any other Senator, to any motion, resolution, or proposal to change any of the Standing Rules of the Senate shall be debatable.".

S. RES. 26

Resolved, That rule XXII of the Standing Rules of the Senate is amended by striking the "." at the end of paragraph 3 of section 2 and inserting in lieu thereof the following: ", such appeals shall require an affirmative vote of three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting.".

S. RES. 27

Resolved, That rule XXII of the Standing Rules of the Senate is amended by adding at the end of paragraph 3 of section 2 the following:

In the case of a measure that has been reported by a committee that contains recommended committee amendments, such amendments shall be considered germane.

S. RES. 28

Resolved, That rule XXII of the Standing Rules of the Senate is amended by striking the "." after speaks in paragraph 3 of section 2 and inserting in lieu thereof the following: ", with the time consumed by quorum calls being charged to the Senator who requested the call of the quorum.".

S. RES. 29

Resolved, That rule XV of the Standing Rules of the Senate is amended by adding the following:

6. That whenever the Senate has in its possession a measure that has been passed by both Houses it shall be in order, once the measure has been placed before the Senate, to make one non-divisible motion that contains the following: to insist on the Senate amendment(s), or disagree to the House amendment(s); to request a conference with the House on the disagreeing votes of the two Houses, or agree to the request of the House for the same; and that the Presiding Officer be authorized to appoint the Senate conferees.

S. RES. 30

Resolved, That rule XXVIII of the Standing Rules of the Senate is amended by striking "and shall be determined without debate." in paragraph 1. and inserting in lieu thereof the following: "notwithstanding a request for the reading of the conference report, and shall be determined without debate.".

S. RES. 31

Resolved, That rule XV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"6. (a) At any time following the second day of consideration of a measure, regardless of the pendency, it shall twice be in order during a calendar day to move that no amendment, other than the reported committee amendments, which is not relevant to the subject matter of the measure or to the subject matter of an amendment proposed by the committee which reported the measure, shall thereafter be in order. The motion shall be privileged and shall be decided after two hours of debate, without any intervening action, to be equally divided and controlled by the Majority and the Minority leaders or their designees.

"(b) If a motion made under subparagraph (a) is agreed to by an affirmative vote of three-fifths of the Senators voting, a quorum being present, no amendment not already agreed to (except amendments proposed by the committee which reported the measure) which is not relevant to the subject matter of the measure, or the subject matter of an amendment proposed by the committee which reported the measure, shall be in order.

"(c) When a motion made under subparagraph (a) has been agreed to as provided in subparagraph (b) with respect to a measure, points of order with respect to questions of relevancy of amendments shall be decided without debate, except that the Presiding Officer may entertain debate for his own guidance prior to ruling on the point of order. Appeals from the decision of the Presiding Officer on such points of order shall be decided without debate.

"(d) Whenever an appeal is taken from a decision of the Presiding Officer on the question of relevancy of an amendment, or whenever the Presiding Officer submits the question of relevancy of an amendment to the Senate, the vote necessary to overturn the decision of the Presiding Officer or hold the amendment relevant shall be three-fifths of the Senators voting, a quorum being present. No amendment proposing sense of the Senate or sense of the Congress language that does not directly relate to the measure or matter before the Senate shall be considered relevant.

S. RES. 32

Resolved, That rule VIII of the Standing Rules of the Senate is amended by striking the "." at the end of paragraph 2 and inserting the following: "; except those motions to proceed made by the Majority Leader, or his designee, on which there shall be a time limitation for debate of two hours equally divided between the Majority and the Minority Leaders, or their designees. Provided that any motion to proceed, by the Majority Leader, or any other Senator, to any motion, resolution, or proposal to change any of the Standing Rules of the Senate shall be debatable.".

That rule XXII of the Standing Rules of the Senate is amended by striking the "." at the end of paragraph 3 of section 2 and inserting in lieu thereof the following: ", such appeals shall require an affirmative vote of three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting.".

That rule XXII of the Standing Rules of the senate is amended by adding at the end of paragraph 3 of section 2 the following:

In the case of a measure that has been reported by a committee that contains recommended committee amendments, such amendments shall be considered germane.

That rule XXII of the Standing Rules of the Senate is amended by striking the "." after speaks in paragraph 3 of section 2 and inserting in lieu thereof the following: ", with the time consumed by quorum calls being charged to the senator who requested the call of the quorum.".

That rule XV of the Standing Rules of the Senate is amended by adding the following:

6. that whenever the Senate has in its possession a measure that has been passed by both Houses it shall be in order, once the measure has been placed before the Senate, to make one non-divisible motion that contains the following: to insist on the Senate amendment(s), or designee to the House amendment(s); to request a conference with the House on the disagreeing votes of the two Houses, or agree to the request of the House for the same; and that the Presiding Officer be authorized to appoint the Senate conferees.

That rule XXVIII of the Standing Rules of the Senate is amended by striking "and shall be determined without debate." in paragraph 1. and inserting in lieu thereof the following: "notwithstanding a request for the reading of the conference report, and shall be determined without debate.".

The rule XV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"6. (a) At any time following the second day of consideration of a measure, regardless of its pendency, it shall twice be in order during a calendar day to move that no amendment, other than the reported committee amendments, which is not relevant to the subject matter of the measure or to the subject matter of an amendment proposed by the committee which reported the measure, shall thereafter be in order. The motion shall be privileged and shall be decided after two hours of debate, without any intervening action, to be equally divided and controlled by the Majority and the Minority leaders or their designees.

"(b) If a motion made under subparagraph (a) is agreed to by an affirmative vote of three-fifths of the Senators voting, a quorum being present, no amendment not already agreed to (except amendments proposed by the committee which reported the measure) which is not relevant to the subject matter of the measure, or the subject matter of an amendment proposed by the committee which reported the measure, shall be in order.

"(c) When a motion made under subparagraph (a) has been agreed to as provided in subparagraph (b) with respect to a measure, points of order with respect to questions of relevancy of amendments shall be decided without debate, except that the Presiding Officer may entertain debate for his own guidance prior to ruling on the point of order. Appeals from the decision of the Presiding Officer on such points of order shall be decided without debate.

"(d) Whenever an appeal is taken from a decision of the Presiding Officer on the question of relevancy of an amendment, or whenever the Presiding Officer submits the question of relevancy of an amendment to the Senate, the vote necessary to overturn the decision of the Presiding Officer or hold the amendment relevant shall be three-fifths of the Senators voting, a quorum being present. No amendment proposing sense of the Senate or sense of the Congress language that does not directly relate to the measure or matter before the Senate shall be considered relevant.

RECOGNITION OF THE 20TH ANNIVERSARY OF THE CONGRESSIONAL SCIENCE AND ENGINEERING FELLOWSHIP PROGRAM OF THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE

Mr. INOUYE. Mr. President, this year the Congressional Science and Engineering Fellowship Program is celebrating its 20th anniversary, which is an occasion as significant for the U.S. Congress as it is for the 500 scientists who have participated in the program.

It has been my privilege to have several congressional fellows work in my office, so I can personally attest to the valuable contributions that these highly trained scientists and engineers make, by bringing their expertise to bear on a wide range of complicated and highly technical issues confronting the Congress.

In 1973, the fledgling program had seven scientists and engineers, who were placed in both the House and the Senate, on personal and committee staffs. The program grew quickly, as word spread about the quality of the fellows, with a total of some 500 serving over the two decades. Many of the program's alumni have stayed on the Hill, with several currently serving in senior staff positions, including three who are now the staff directors of science-focused committees in the House and Senate.

The American Association for the Advancement of Science coordinates the program for the 20 national scientific and engineering societies who participate each year. Each society competitively selects one or more congressional fellows, who are available without charge to serve on the personal staffs of Members of Congress or on committee and subcommittee staffs.

Congressional science and engineering fellows serve as free agents, working for offices of their own choosing, on issues that will allow them to contribute to policymaking, while learning about the legislative process. AAAS prepares them for working in the Congress through an intensive orientation program and an ongoing series of seminars.

Dr. Debra Dunivin is an American Psychological Association congressional fellow who began working on my staff last year. She has contributed her professional skills on a variety of social policy issues, and with such success that I've asked her to stay on for an additional year. She is an invaluable member of my staff.

I would suggest that my Senate colleagues who have not availed themselves of the Congressional Science and Engineering Fellowship Program should take advantage of this program, which provides an opportunity to strengthen their staff with highly knowledgeable and competent professionals. AAAS hosted a symposium and reception on September 30, in the Senate Caucus Room, to mark this occasion for congressional staff as well as former fellows. It was an occasion worth noting.

A TRIBUTE TO HAROLD HALFPENNY

Mr. SIMON. Mr. President, last month, Illinois lost a longstanding civic and legal leader, Harold T. Halfpenny. Born and raised in Streator, IL, Mr. Halfpenny put himself through both undergraduate and law school at the University of Illinois.

In 1930, he founded the Chicago law firm of Halfpenny, Hahn, Roche & Marchese, a firm he led until his retirement in 1992. The firm now also has offices in Washington. Mr. Halfpenny was one of Chicago's leading antitrust and tax attorneys. He also became one of the country's leading specialists in the formation and representation of trade associations. Mr. Halfpenny was no stranger to Washington; he often appeared as an expert witness on issues affecting small business.

Mr. Halfpenny brought an equal amount of enthusiasm and creativity to his other activities. He was active in a number of associations and charities and served as the assistant State treasurer early in his career.

Throughout his long and distinguished life, Mr. Halfpenny was a source of strength and commitment. I join many in Illinois in paying tribute to him.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt stood at $4,401,817,309,864.52 as of the close of business Friday, October 15. Averaged out, every man, woman, and child in America owes a part of this massive debt, and that per capita share is $17,137.10.

THE 1954 WOOL ACT

Mr. BAUCUS. Mr. President, I rise today disappointed by what this body has done. Late last Thursday night, this body approved a measure which will phase out the 1954 Wool Act during the next 2 years. Over the last several months, we have voted to kill the wool program on several different occasions. This misguided action will prove very detrimental—to Montana, to the American West, and to the Nation. The compromise we passed will ease the pain felt by sheep producers. But make no mistake about it, even this gradual elimination of the Wool Act will hurt a lot of good, hard-working people.

We can already see this taking place. The sheep industry, an industry of 350,000 people, is in total chaos. One Wyoming report indicates that 40,000 ewes were consigned for sale during just 1 week. In this fire sale atmosphere prices have plummeted, bankers and county officials have become nervous, and producers have been confused.

For no good reason the wool program has become a whipping boy. Yet, ironically, this program is sound policy which is free of cost to the taxpayers of this country. Revenue to pay for this program is raised from a tariff on foreign wool and woolen products. As we import two-thirds of the wool used in America, we let wool importers pay to support a sheep industry in America.

The sheep industry in my State, and in the West, faces numerous obstacles. This year alone, they have faced the specter of increased grazing fees for those who graze on public land. They have had control of coyotes and other predators by the USDA shut down, due to the inability of bureaucrats to complete environmental impact statements. Low prices have plagued them much of the year.

Yet, as the summer and fall offered improved prices, the foundation of their wool price has crumbled. They have now had the rug yanked out from under them by the U.S. Senate.

We have heard that this program is unnecessary. We have heard that it serves very few people. We have heard that it benefits the rich, not the family farmer we want to help out. Mr. President, I disagree. In Garfield County, MT, this program provides $1.5 million in payments to a county with $32.5 million in annual farm income. This county of 1,600 people has no other industry of this size. While this directly hits the farmers it will indirectly hit the cafe, the grocery store, the gas stations, the saddlery, and the bars in Jordan, the only town in the county. They cannot go to work in the next town—it is 65 miles away and the economic outlook is the same.

My point is this: Elimination of this program does not square with the President's commitment to create jobs. While we injure the existing economy of towns like Jordan and Ekalaka, MT, we create more costs than we eliminate. I mentioned that Garfield County receives $1.5 million for 1,600 residents. This is a county of 4,500 square miles that $937 per person which keeps the county economy operating be replaced with any job creation efforts or welfare at that price—I think not. I have heard people claim that the program benefits only the wealthy. That, somehow, this program puts people in nice houses and Lincolns in their garages. That is just not the case. I encourage you to travel out and take a look at how people live in Jordan, MT. You will find hard-working people living modestly. You will meet people who are frugal because they have to be.

The media has had a field day with this program. This whipping boy for farm programs has repeatedly endured calls for its elimination. I have even heard that well-known rancher Sam Donaldson received payments from this program. He claims he does not need the program—thereof it must be unnecessary. Mr. Donaldson may not need these payments but thousands of hard-working sheep ranchers do. I doubt they will take this phaseout as lightly as Mr. Donaldson.

THE 1954 WOOL ACT

Mr. HATCH. Mr. President, last Thursday, the Senate passed S. 1548, legislation to phase out the Wool and Mohair Program, known as the Wool Act, over the next 2 years. Beginning in 1996, incentive payments that have been available since the program's inception in 1954 will be prohibited. I note this bill had to pass the Senate before the Senate would take final action on the fiscal year 1994 Department of Agriculture appropriations bill containing funding for the 1993 incentive payments. This situation, unfortunately, demonstrates the political reality surrounding the Wool and Mohair Program. Misconceptions were rampant about the program, starting with Vice President GORE's office and proceeding on down through the halls of Congress.

The Wool Act will be effectively terminated in 2 years time. This raises several questions.

What will this action mean to the domestic sheep industry? No one seems to know.

Will domestic producers provide sufficient wool to satisfy the demands of our Nation's textile industry? No one has the answer.

How will the industry's foreign competitors, which receive government subsidies, react to the program's demise? No one has asked them.

Do we need to continue the tariff assessed on imported wool that has generated more than $7 billion during the past 30 years, funneling 30 percent of that amount to domestic producers? No one has been forthcoming with a proposed plan.

One would think from the considerable rhetoric that floated around this Chamber in recent months that the answer to our deficit problems is elimination of the Wool Act. Certainly, every Federal program should be carefully scrutinized and proper changes instituted that will reduce Government spending. But, if we are serious about reducing the deficit by phasing out or eliminating agricultural programs, then let us not pick and choose between the various programs. Instead, such action warrants consideration of proposals that scrutinize all programs across-the-board, especially those that can be classified as providing subsidies to specific groups.

Last month, when this issue was first raised, I mentioned the importance of agriculture to Utah's overall economy and that elimination of the Wool Act would devastate a key segment of this economy.

There are approximately 2,300 Utah families involved in the sheep and wool industry who regularly receive incentive payments under the Wool and Mohair Incentive Program. These are families, not large corporations, who are working hard to maintain this rural lifestyle. The incentive payments are not a luxury, but are basic to preserving the livelihoods of these families.

I would like to state three basic reasons why I supported continuation of the Wool Act.

First, the program has been helpful in stabilizing rural communities. Most sheep operations are located in regions where few, if any, replacement jobs exist. I know this is the case in Utah, where the large majority of sheep operations are located outside of the Wasatch Front, or in rural Utah. These are the most heavily affected communities, and they are among the lowest income levels in the Nation. The loss of the industry in these areas would increase the burden of U.S. taxpayers through lost tax revenues, user fees, and unemployment costs. Helping to maintain the U.S. sheep industry is far less costly than the potential loss of irreplaceable rural American jobs.

The effect of the Wool Act goes beyond the direct payment provided to woolgrowers, since these funds are primarily invested back into the sheep operation or items directly related to the operation. For example, hay for sheep is purchased from local farmers, grazing land is in some cases rented from local private landowners, and transportation must be secured from local companies to transport sheep between locations. As in most items involving rural areas, the wool incentive payment is intricately intertwined in the success, or failure, and progress of rural economies.

Second, it compensated for wool imports from foreign countries that have encouraged surplus production and provided subsidies for such production. Without the Wool Act, it is possible that U.S. producers could be put at a comparative disadvantage. The Wool Act provided price stabilization for America's wool producers that enabled them to be more competitive in their operations.

And, third, it encouraged the production and marketing of high quality wool in America. We have heard considerable discussion in recent years about "Made in the U.S.A.," and how U.S. consumers should seek items that contain this label. Without the Wool Act in place, there will be, more than likely, fewer wool products available in U.S. stores that can claim they are "Made in the U.S.A."

As my colleagues know, the Wool Act provided supplemental income to farm and ranch families vital to the continuation of domestic wool and mohair industry, at no direct cost to the taxpayer. The program was funded entirely by tariffs on imported wool and wool products and put more dollars into the U.S. Treasury than growers received in payments. The program used less than half the funds available—it was entitled to 70 percent of tariffs by law—since its inception in 1954. The lifetime earnings of the program totalled $7.4 billion; payments over the program's 39-year history totalled just over $2.3 billion. The remaining amount—over $5 billion—remained in taxpayer pockets to support other Government programs.

In addition, many members of the Navajo nation raise sheep as an important part of Navajo culture and as a main source of income. Elimination of the Wool Act will be disastrous to many economically disadvantaged Navajo families who live on the Utah portion of the Navajo Reservation.

For these reasons, I opposed efforts to eliminate the Wool Act, and I hope a reasonable wool program can be developed soon that is fair, affordable, and has the support of Congress.

I also must say that I was dismayed that during consideration of S. 1548, there was discussion as to which side—those supporting elimination of the National Wool Act and those of us opposing such action—won on this issue. Our concern should center more on those who are the real losers in this debate: the thousands of Americans throughout the Midwest and West engaged in the domestic sheep industry. The large majority of them are second, third, and fourth generation sheep producers. They are not wealthy landlords, and most are in the business because of nonmonetary reasons rather than purely financial interests. They are good stewards of the land and, to remove them from the land, which will happen in the near future, is not in the best interests of this country. Their livelihoods are being imperiled by actions we are taking.

So, before we begin beating our own chests in the name of some legislative victory, we should consider the rippling effects of our action as well as those who will ultimately lose by it.

TRIBUTE TO DR. PHILLIP ALLEN SHARP

Mr. McCONNELL. Mr. President, it is with great pride that I take this opportunity to honor Dr. Phillip Allen Sharp. As my colleagues may know, Dr. Sharp recently received the 1993 Noble Prize for Medicine for his research on the composition of deoxyribonucleic acid [DNA].

Dr. Sharp is a native of Falmouth, KY, and attended Union College in Barbourville for his undergraduate studies in chemistry and mathematics. He completed his doctoral work at the University of Illinois at Champaign-Urbana, and currently serves as director of the Massachusetts Institute of Technology's [MIT] Center for Cancer Research.

From his classroom days at Union College to the leadership of one of America's finest research institutes, Dr. Sharp has maintained his patient, dedicated quest for scientific knowledge and community integrity. Dr. Sharp has devoted close to 20 years of his career to genetic research, and his revolutionary discoveries have enhanced significantly the development of biotechnology, and particularly genetic engineering.

Above all his accomplishments, Dr. Sharp values most his role as a guide in his student's challenging exploration of biological science. His fundamental dedication as an educator is clearly exemplified by his choice in 1990 not to seek the prestige of MIT's presidency, so he could remain with his students in active research.

Mr. President, we often hear on the floor of the Senate fearful predictions about our Nation's future because of the failures in our education system and the demise of initiative and disciple among America's youth. Today, however, I present to my colleagues the notable success Dr. Sharp has derived from his determined faith in research and education an example of the potential American ingenuity and principle still hold.

I ask my colleagues to join me in congratulating Dr. Phillip Sharp on the great rewards his work has brought to the scientific world and our Nation.

TRIBUTE TO HARVEY E. MODER

Mr. D'AMATO. Mr. President, I rise today to honor Harvey E. Moder, a man who has dedicated much of his life to the pursuit of answers to seemingly unanswerable questions regarding our American prisoners of war and Americans missing in action.

More than 88,000 United States service personnel are still listed as missing from World War II, Korea, Vietnam, and other conflicts. As Americans we must do everything possible to ensure that these Americans are not forgotten, and that every reasonable step is taken to find and fully account for our POW/MIA's. Harvey Moder has distinguished himself as an American who has not forgotten.

The POW/MIA issue is a matter of the highest national priority. American soldiers throughout history have been selfless and courageous individuals proudly representing the United States. The fact that even one American soldier remains unaccounted for is unacceptable and intolerable. These brave Americans left their families and friends to defend the United States and protect democracy. These soldiers are heroes in the hearts of us all. Harvey E. Moder is a soldier, a leader, and an inspiration to us all. But most of all, Harvey E. Moder is a real life American hero.

Nothing has done more to keep this issue alive than the unwavering dedication of friends, family members, and concerned Americans who simply refuse to abandon the hope that answers might be found regarding our missing service men and women. Harvey Moder has shown that unwavering dedication.

As a former member of the U.S. Navy and an active leader in the American Legion, Harvey Moder, has personified the commitment to the issue of POW/MIA's. In Washington, DC, he helped organize a rally in front of the White House. In New York he stood in front of the United Nations in the freezing cold to bring attention to this issue. I salute Harvey Moder as a patriotic American.

Mr. FORD. Mr. President, all the requests I am about to make to the chair have been cleared by the Republican leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FORD. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider the following nominations: calendar 405, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469 and 470. I further ask unanimous consent that the nominees be confirmed en bloc; that any statements appear in the RECORD as if read; that upon confirmation of nominees the motions to reconsider be laid upon the table en bloc; that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF THE TREASURY

George Munoz, of Illinois, to be Chief Financial Officer, Department of the Treasury.

THE JUDICIARY

Pierre N. Leval, of New York, to be U.S. Circuit Judge for the Second Circuit.

Deborah K. Chasanow, of Maryland, to be U.S. District Judge for the District of Maryland.

Peter J. Messitte, of Maryland, to be U.S. District Judge for the District of Maryland.

Leonie M. Brinkema, of Virginia, to be United States District Judge for the Eastern District of Virginia.

DEPARTMENT OF JUSTICE

Paul Edward Coggins, of Texas, to be U.S. attorney for the Northern District of Texas for the term of 4 years.

Henry Lawrence Solano, of Colorado, to be U.S. attorney for the District of Colorado for the term of 4 years.

Jon Ernest DeGuilio, of Indiana, to be U.S. attorney for the Northern District of Indiana for the term of 4 years.

Christopher Droney, of Connecticut, to be U.S. attorney for the District of Connecticut for the term of 4 years.

Peggy A. Lautenschlager, of Wisconsin, to be U.S. attorney for the Western District of Wisconsin for the term of 4 years.

Thomas Paul Schneider, of Wisconsin, to be U.S. attorney for the Eastern District of Wisconsin for the term of 4 years.

Emily Margaret Sweeney, of Ohio, to be U.S. attorney for the Northern District of Ohio for the term of 4 years.

Michael Rankin Stiles, of Pennsylvania, to be U.S. attorney for the Eastern District of Pennsylvania for the term of 4 years.

DEPARTMENT OF THE TREASURY

George Munoz, of Illinois, to be an Assistant Secretary of the Treasury.

STATEMENT ON THE NOMINATION OF LEONIE M. BRINKEMA TO BE U.S. DISTRICT COURT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA

Mr. WARNER. Mr. President, I rise today to strongly support the nomination of Mrs. Leonie M. Brinkema of Fairfax County, VA, who has been nominated by the President of the United States to be U.S. district court judge for the Eastern District of Virginia.

Since 1985 Leonie Brinkema has served as U.S. magistrate judge at the U.S. District Court for the Eastern District of Virginia—Alexandria division. Mrs. Brinkema also served as an adjunct faculty member at the Northern Virginia Community College during the 1985 academic year. She had a solo practice in Alexandria, VA, during the years 1984–85. Mrs. Brinkema's practice concentrated on defending criminal cases in both State and Federal court. During the time she worked in private practice, Mrs. Brinkema was also a part-time instructor in criminal law at the Northern Virginia Criminal Justice Academy.

Mrs. Brinkema served as a trial attorney in the Criminal Division's Office of International Affairs at the U.S. Department of Justice during the years 1983–84. She served as a Federal prosecutor as an assistant U.S. attorney at the U.S. Attorney's Office for the Eastern District of Virginia during the years 1977–83.

Mrs. Brinkema is a member of the Virginia, American, and the District of Columbia Bar Associations. Mediation and participating as a lecturer in legal education programs are two important activities Mrs. Brinkema is involved in while serving in her present position.

Mrs. Brinkema received a B.A. degree with honors from Douglass College in 1966. she received a master of library science degree from Rutgers Graduate School of Library and Information Service in 1970. Mrs. Brinkema received her J.D. degree with honors from the Cornell Law School in 1976.

Mr. President, Leonie Brinkema's experiences thus far in the legal profession have allowed her to gain the knowledge and legal tools necessary to perform in an exemplary manner as a U.S. district court judge.

I wish Mrs. Brinkema much success in her new position as a U.S. district court judge for the Eastern District of Virginia.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

REPORT ON THE FISHERMAN'S PROTECTIVE ACT (PELLY AMENDMENT) CONCERNING PANAMA—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS—PM 54

Under the authority of the order of the Senate of January 5, 1993, the Secretary of the Senate on October 15, 1993, received the following message from the President of the United States; which was referred to the Committee on Commerce, Science, and Transportation:

To the Congress of the United States:

Pursuant to section 8(b) of the Fishermen's Protective Act of 1967, as amended (22 U.S.C. 1978(b)), generally known as the Pelly Amendment, I am notifying you that on August 18, 1993, in accordance with section 101(a) of the Marine Mammal Protection Act (MMPA), the Secretary of Commerce certified to me that a ban on the importation of yellowfin tuna and yellowfin tuna products from Panama has been in effect since December 22, 1992. This ban is the result of a finding by the Assistant Administrator for Fisheries, National Marine Fisheries Service, that Panama's marine mammal program was not comparable to that of the United States, as required by the MMPA.

By the terms of the MMPA, such certification is deemed to be a certification for the purposes of the Pelly Amendment, which requires that I consider and, at my discretion, order the prohibition of imports into the United States of any products from the certified country to the extent that such prohibition is sanctioned by the General Agreement on Tariffs and Trade. The Pelly Amendment also requires that I report to the Congress any actions taken under this subsection and, if no import prohibitions have been ordered, the reasons for this action.

After thorough review, I have determined that additional sanctions against Panama will not be imposed at this time. The Government of Panama is currently engaged in developing a marine mammal program that is comparable to that of the United States. The results of these efforts should be evident in an anticipated annual report and request for a finding of comparability for 1994 from Panama.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *October 15, 1993.*

MESSAGES FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Governmental Affairs.

MESSAGES FROM THE PRESIDENT

BLOCKING PROPERTY OF PERSONS OBSTRUCTING DEMOCRATIZATION IN HAITI—MESSAGE FROM THE PRESIDENT—PM 55

The Presiding Officer laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. section 1703(b), and section 301 of the National Emergencies Act, 50 U.S.C. section 1631, I hereby report that I have again exercised my statutory authority to issue an Executive order with respect to Haiti that, effective 11:59 p.m., e.d.t., Monday, October 18, 1993, that:

(a) Blocks all property in the United States or within the possession or control of United States persons, including their overseas branches, of persons:

(1) who have contributed to the obstruction of the implementation of United Nations Security Council Resolutions 841 and 873, the Governor's Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;

(2) who have perpetuated or contributed to the violence in Haiti; or

(3) who have materially or financially supported any of the foregoing; and

(b) Prohibits any transaction subject to U.S. jurisdiction that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, the prohibitions in the new order, or in Executive Orders Nos. 12775, 12779, or 12853, except to the extent now authorized pursuant to the relevant Executive order.

I am enclosing a copy of the Executive order that I have issued.

The new Executive order is necessary to further the implementation of the Governors Island Agreement by reaching persons who are supporting the groups fomenting violence and opposing the restoration of constitutional government in Haiti. The new Executive order is to be implemented by the Secretary of the Treasury, in consultation with the Secretary of State.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *October 18, 1993.*

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Under the authority of the order of the Senate of January 5, 1993, the Secretary of the Senate, on October 15, 1993, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolutions:

H.R. 2399. An act to provide for the settlement of land claims of the Catawba Indian Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the tribe, and for other purposes.

H.R. 2493. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes.

S.J. Res. 92. Joint resolution to designate the month of October as "National Down Syndrome Awareness Month."

H.J. Res. 218. Joint resolution designating October 16, 1993, and October 16, 1994 each as "World Food Day."

H.J. Res. 265. Joint resolution to designate October 19, 1993, as "National Mammography Day."

Under the authority of the order of the Senate of January 5, 1993, the enrolled bills and joint resolutions were signed on October 15, 1993, during the recess of the Senate by the President pro tempore (Mr. BYRD).

MESSAGES FROM THE HOUSE

At 11:53 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill without amendment:

S. 1548. An act to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair products receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1804. An act to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes.

H.R. 2351. An act to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1965, and the Museum Services Act.

H.R. 2739. An act to amend the National Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes.

H.R. 3167. An act to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times, by unanimous consent, and referred as indicated:

H.R. 2739. An act to amend the National Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times, by unanimous consent, and placed on the calendar:

H.R. 1804. An act to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1652. A communication from the Secretary of Education, transmitting, pursuant to law, notice of final funding priorities—Program for Children and Youth with Serious Emotional Disturbance; to the Committee on Labor and Human Resources.

EC-1653. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "National Estimates on the Number of Boarder Babies, the Cost of Their Care, and the Number of Abandoned Infants"; to the Committee on Labor and Human Resources.

EC-1654. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the implementation of the Breast and Cervical Cancer Mortality Prevention Act of 1990; to the Committee on Labor and Human Resources.

EC-1655. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the Walker River Paiute Tribe Judgment Funds; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Veterans Affairs, with an amendment in the nature of a substitute:

S. 843. A bill to amend title 38, United States Code, to improve reemployment rights and benefits of veterans and other benefits of employment of certain members of the uniformed services (Rept. No. 103-158).

By Mr. MOYNIHAN, from the Committee on Finance, without amendment:

S.J. Res. 110. A joint resolution approving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Romania (Rept. No. 103-159).

By Mr. BAUCUS, from the Committee on Environment and Public Works, without amendment:

H.R. 927. A bill to designate the Pittsburgh Aviary in Pittsburgh, Pennsylvania as the National Aviary in Pittsburgh.

By Mr. RIEGLE, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 469. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Vietnam Women's Memorial.

S. 1111. A bill to authorize the minting of coins to commemorate the Vietnam Veterans' Memorial in Washington, D.C.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SIMON:

S. 1553. A bill to amend the National Labor Relations Act and the Labor Management Relations Act, 1947, to permit additional remedies in certain unfair practice cases, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON (for himself and Mr. WELLSTONE):

S. 1554. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON (for himself, Ms. MOSELEY-BRAUN, Mr. HARKIN, and Mr. GRASSLEY):

S. 1555. A bill to clarify the treatment of the Centennial Bridge, Rock Island, Illinois, under title 23, United States Code, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN:

S. 1556. A bill to require commercial television stations to maintain, and provide copies of, commercials and program promotions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KOHL (for himself and Mr. FEINGOLD):

S. 1557. A bill to amend the Dairy Production Stabilization Act of 1983 to require that members of the National Dairy Promotion and Research Board be elected by milk producers and to prohibit bloc voting by cooperative associations of milk producers in the election of the producers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 1558. A bill to amend the Agricultural Act of 1949 to require producers of an agricultural commodity for which an acreage limitation program is in effect to pay certain costs as a condition of agricultural loans, purchases, and payments, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1559. A bill to direct the Secretary of the Interior to submit a plan to Congress to achieve full and fair payment for Bureau of Reclamation water used for agricultural purposes, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MOYNIHAN (for himself, Mr. PACKWOOD, Mr. MITCHELL, Mr. PRYOR, Mr. GRASSLEY, Mr. BRADLEY, Mr. RIEGLE, Mr. ROCKEFELLER, Mr. HATFIELD, Mr. JEFFORDS, and Ms. MIKULSKI):

S. 1560. A bill to establish the Social Security Administration as an independent agency, and for other purposes; to the Committee on Finance.

By Mr. STEVENS (for himself and Mr. MURKOWSKI):

S. 1561. A bill to amend the Internal Revenue Code of 1986 to allow a charitable contribution deduction for certain expenses incurred by whaling captains in support of Native Alaskan subsistence whaling; to the Committee on Finance.

By Mr. FEINGOLD:

S. 1562. A bill to terminate the Uniformed Services University of the Health Sciences; to the Committee on Armed Services.

By Mr. RIEGLE:

S. 1563. A bill to provide assistance to employees who are subject to a plant closing or mass layoff because their work is transferred to a foreign country that has low wages or unhealthy working conditions, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 1564. A bill to amend the Dairy Production Stabilization Act of 1983 to ensure that all persons who benefit from the dairy promotion and research program contribute to the cost of the program, to terminate the program on December 31, 1996, and to prohibit bloc voting by cooperative associations of milk producers in connection with the program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following Senate resolution was read, and referred (or acted upon), as indicated:

By Mr. NICKLES (for himself, Mr. SHELBY, Mr. COVERDELL, Mrs. HUTCHISON, Mr. LOTT, Mr. MACK, Mr. MCCAIN, and Mr. WALLOP):

S. Res. 152. A resolution to amend the Standing Rules of the Senate to prohibit the consideration of any retroactive tax increase unless three-fifths of all Senators duly chosen and sworn waive the prohibition by rollcall vote; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SIMON:

S. 1553. A bill to amend the National Labor Relations Act and the Labor Management Relations Act, 1947, to permit additional remedies in certain unfair practice cases, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON (for himself and Mr. WELLSTONE):

S. 1554. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes;

to the Committee on Labor and Human Resources.

LABOR RELATIONS LEGISLATION

• Mr. SIMON. Mr. President, today I am introducing two bills to add to the series of labor law reform bills I introduced October 7, 1993.

The first bill, the Labor Relations Remedies Act of 1993, awards employees who have been unfairly discharged for union activities back pay equal to three times the employee's wage at the time of discharge. Further, employees will have the right to sue for compensatory and punitive damages in district or State court.

In addition, on behalf of myself and Senator WELLSTONE, I am introducing the Labor Relations First Contract Negotiations Act of 1993. This will facilitate the consummation of the first contract between an employer and the certified bargaining representative. Briefly, this bill requires selection of a mediator when a new labor representative and an employer are unable to settle first contract disputes within 60 days after the representatives has been certified. If the employer and representative have still not reached an agreement 30 days after a mediator has been chosen, either side may transfer matters for binding arbitration.

There has been a drastic decline in labor union membership during the past 20 years. I believe that the main reason for this decline is public policy which has frustrated efforts by employees to organize. The two bills I am introducing today along with the five bills I introduced last week are an attempt to remedy the inequities which plague current labor laws. We need to level the playing field. Employers and employees must have equal footing when negotiating and these bills go a long way toward ensuring fairness in the workplace.•

By Mr. LEVIN:

S. 1556. A bill to require commercial television stations to maintain, and provide copies of, commercials and program promotions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

LEGISLATION RELATING TO VIOLENT COMMERCIALS ON TV

• Mr. LEVIN. Mr. President, today I am introducing legislation to better enable parents and other citizens, offended by violent commercials aired during nonviolent, family programs, to register complaints with their local TV stations, cable companies, and/or the national networks.

For some time I have been troubled by the large number of violent commercials and promotional spots which air during family viewing hours, when viewers are supposed to be assured of nonviolent shows. These commercials can defeat parents' best efforts to protect their children from violence on television. While a parent can prevent a child from watching a TV show which is known to be violent, it is impossible for a parent to prevent a child from watching a violent or offensive scene when it is part of a commercial tucked into an otherwise nonviolent, family-oriented show. A parent has no prior warning, and the entire commercial can be aired before a parent has time to react.

The commercials I'm talking about aren't subtle or indirect; they are commercials that contain graphic, violent acts. For example, a commercial for the movie "The Mobsters" shown during "The Cosby Show" depicted a man begging for his life in the face of a gun pointed at his head and then being killed in cold blood—all in less than 30 seconds. Another commercial, aired during a Sunday afternoon basketball game, showed and described a young teacher seducing her pupil and getting him to kill her husband. Another scene in that commercial showed a terror-stricken man with a large knife at his throat, begging for his life.

The problem of violent commercials has been gaining increasing attention. In fact, troubling TV commercials were the subject of a feature article in the February 1, 1993, issue of U.S. News and World Report. The staff of U.S. News, assisted by researchers who study violence on television, did an informal survey of 50 hours of television programming to gain a sense of the frequency of violent or inappropriate TV commercials. The staff and researchers identified a dozen commercials that were questionable, the majority of which were aired during the late afternoon and early evening—prime viewing hours for children.

In October 1991, I wrote to over 10 TV network and cable station executives urging them to keep violent commercials out of family programming. Some executives, including those working for the three major networks, replied that they had standards in place and indicated that they were seeking to take an active role in policing violence in their own programming; some indicated they had standards but it was unclear as to how actively they were enforcing them; and some never bothered to respond.

On January 30, 1992, I won passage of a resolution putting the Senate on record in support of cable and television networks and local television stations establishing and following "voluntary guidelines to keep commercials depicting acts or threats of violence out of family programming hours." And since that time, there appears to be some progress. For example, when the major networks issued their guidelines for the depiction of violence in TV programs in December 1992, two of the guidelines specifically addressed the issue of violent commercials during family viewing hours.

Standard No. 11 states:

> Realistic portrayals of violence as well as scenes, images or events which are unduly frightening or distressing to children should not be included in any program specifically designed for that audience.

Standard No. 14 states:

> The scheduling of any program, commercial or promotional material including those containing violent depictions, should take into consideration the nature of the program, its content and the likely composition of the intended audience.

These standards will be meaningless, however, if broadcasters do not follow them, and it is the viewers who are able to hold the broadcasters accountable. One way to accomplish this goal is for viewers to make their voices heard by filing specific complaints with their local stations and/or the networks regarding programming of violent commercials or promotional material during family viewing hours.

That sounds simple enough, but it is not an easy task as my own staff found out earlier this year. When they contacted a national network and local station to obtain a copy of a violent commercial which they had seen, they were simply unable to get it. Neither the national network nor the local station had a copy of the commercial. Each referred my staff to the other. Yet, obtaining a copy of the commercial is key to demonstrating such a commercial shouldn't have been run in the first place. In order to demonstrate and effectively complain about the inappropriateness of a commercial, it is important to show the network or station the actual commercial the complaint is about. But currently, TV stations and networks are under no obligation to make available copies of program promotions and commercials to the public. In effect, then, the viewers are denied the evidence upon which to base a complaint.

The legislation I am introducing today directs the FCC to require local stations, networks, and cable operators to maintain commercial spots for at least 30 days after they have been aired and to require that such materials be available for a reasonable fee. My proposal also requires that local stations, networks and cable operators maintain a record of the complaints they receive regarding violent commercial programming and make that information available to the public. The expectation is, of course, that increased attention to violent commercial programming will persuade broadcasters to take their promises and this issue seriously.

Excessive violence in all facets of the entertainment industry is a deeply disturbing trend. And there are now many documented studies which confirm that watching the graphic depiction of violence on television and in our movie theaters can increase the violence in ourselves.

Trying to restrict violence on TV through the Federal Government raises major constitutional issues. But those concerns are not present when the mechanism for modernization is the public itself, through its direct response to the broadcasters. That's what this legislation is designed to facilitate. It makes it possible for the people to protest one facet of the violence that permeates the airwaves. I welcome the support of my colleagues and urge the swift passage of this legislation.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1556

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled,

SECTION 1. MAINTENANCE OF COMMERCIALS AND PROGRAM PROMOTIONS.

The Federal Communications Commission shall prescribe a regulation requiring each commercial television broadcast station licensee and cable operator—

(1) to maintain a copy of any commercial or program promotion for a period of 30 days following its broadcast or transmission;

(2) to provide to any person, upon timely request, a video copy of any commercial or program promotion, subject to the payment of a reasonable charge for the cost of duplication;

(3) to maintain a copy of each complaint, including any video which contains the subject of such complaint it receives, regarding violent commercials or program promotions for a period of 12 months following the receipt of such complaint;

(4) to compile and maintain a record of each such complaint referred to in paragraph (3) and the number of such complaints received during the preceding 12 months; and

(5) to make a copy of the material compiled pursuant to paragraphs (3) and available, upon a written request, to the public.

SEC. 2. EFFECTIVE DATE.

The regulation under section 1 shall be published for comment not later than 60 days after the date of enactment of this Act.•

By Mr. KOHL (for himself and Mr. FEINGOLD):

S. 1557. A bill to amend the Dairy Production Stabilization Act of 1983 to require that members of the National Dairy Promotion and Research Board be elected by milk producers and to prohibit bloc voting by cooperative associations of milk producers in the election of the producers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

NATIONAL DAIRY PROMOTION REFORM ACT OF 1993

• Mr. KOHL. Mr. President, this year we celebrate the 220th anniversary of the Boston Tea Party, an event which sticks in the mind of many Americans as a symbol of the hard-won democracy on which this Nation was founded. Yet for some in this Nation, taxation without representation is not a thing of the past. The dairy farmers of this Nation know all too well that taxation without representation continues today. They live with that reality in their businesses every day.

Dairy farmers are required to pay a 15-cent tax, in the form of an assessment, on every 100 pounds of milk that they sell. This tax goes to fund dairy promotion activities, such as those conducted by the National Dairy Promotion and Research Board, commonly known as the National Dairy Board. Yet these same farmers that pay hundreds, or in some cases thousands, of dollars every year for these mandatory promotion activities have no direct say over who represents them on that Board.

This past summer, a national referendum was held giving daily producers the opportunity to vote on whether or not the National Dairy Board should continue. The referendum was held after 16,000 dairy producers, more than 10 percent of dairy farmers nationwide, signed a petition to the Secretary of Agriculture calling for the referendum.

Farmers signed this petition for a number of reasons. Some felt they could no longer afford the promotion assessment, others were frustrated with what they perceived to be a lack of clear benefits from the promotion activities, and still others were alarmed by certain promotion activities undertaken by the Board which they did not condone. But overriding all of these concerns was, and continues to be, the fact that dairy farmers have no direct power over the promotion activities which they fund from their own pocket.

Mr. President, last Friday Secretary Espy announced the outcome of the referendum on the National Dairy Board. Although 71 percent of the votes were cast in support of the National Dairy Board, I do not believe the issue has been put to rest. Because nearly 90 percent of all votes cast in favor of continuing the National Dairy Board were cast by bloc-voting cooperatives, there is skepticism among dairy farmers about the validity of the vote.

While I believe that dairy promotion activities are important for enhancing markets for dairy products, my opinions on this subject are of little consequence. I do not pay for these promotion activities. Nor does the Federal Government. Dairy farmers do.

It is for this reason that I rise today to introduce the National Dairy Promotion Reform Act of 1993. The intent of this legislation is not to rehash the referendum debate, which has been a contentious one. Instead, the intent is to look forward.

This bill would give dairy farmers a more direct role in the selection of their representatives on the National Dairy Board. Whereas current law requires that members of the National Dairy Board be appointed by the Secretary of Agriculture, this legislation would require that the Board be an elected body.

Further, although the legislation would continue the right of farmer cooperatives to nominate individual members to be on the ballot, bloc voting by cooperatives would be prohibited for the purposes of the election itself. There are many issues for which the cooperatives can and should represent their members. But on this issue, farmers ought to speak for themselves.

It is my hope that the legislation that I am introducing today will help restore the confidence of the U.S. dairy farmer in dairy promotion. To achieve that confidence, farmers need to know that they have direct power over their representatives on the Board. This bill gives them that power.

I welcome my colleague from Wisconsin, Senator FEINGOLD, as an original cosponsor of this bill. He will also be introducing important legislation today on the subject of dairy promotion reform, which I am pleased to be an original cosponsor, as well.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1557

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Dairy Promotion Reform Act of 1993".

SEC. 2. DAIRY VOTING REFORM.

Section 113(b) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(b)) is amended—

(1) by designating the first and second sentences as paragraphs (1) and (2), respectively;

(2) by designating the third through fifth sentences as paragraph (3);

(3) by designating the sixth sentence as paragraph (4);

(4) by designating the seventh and eighth sentences as paragraph (5);

(5) by designating the ninth sentence as paragraph (6);

(6) in paragraph (1) (as so designated), by striking "and appointment";

(7) by striking paragraph (2) (as so designated) and inserting the following new paragraph:

"(2)(A)(i) Subject to clause (ii), members of the Board shall be milk producers nominated in accordance with subparagraph (B) and elected by a vote of producers through a process established by the Secretary.

"(ii) In carrying out clause (i), the Secretary shall not permit an organization certified under section 114 to vote on behalf of the members of the organization.

"(B) Nominations shall be submitted by organizations certified under section 114, or, if the Secretary determines that a substantial number of milk producers are not members of, or the interests of the producers are not represented by, a certified organization, from nominations submitted by the producers in the manner authorized by the Secretary. In submitting nominations, each certified organization shall demonstrate to the satisfaction of the Secretary that the milk producers who are members of the organization have been fully consulted in the nomination process.";

(8) in the first sentence of paragraph (3) (as so designated), by striking "In making such appointments," and inserting "In establishing the process for the election of members of the Board,"; and

(9) in paragraph (4) (as so designated)—

(A) by striking "appointment" and inserting "election"; and

(B) by striking "appointments" and inserting "elections".•

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 1558. A bill to amend the Agricultural Act of 1949 to require producers of an agricultural commodity for which an acreage limitation program is in effect to pay certain costs as a condition of agricultural loans, purchases, and payments, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1559. A bill to direct the Secretary of the Interior to submit a plan to Congress to achieve full and fair payment for Bureau of Reclamation water used for agricultural purposes, and for other purposes; to the Committee on Energy and Natural Resources.

AGRICULTURAL IRRIGATION DEFICIT REDUCTION LEGISLATION

• Mr. FEINGOLD. Mr. President, I rise today to introduce two related pieces of legislation aimed at terminating western agricultural irrigation subsidies that cost the Federal taxpayers millions of dollars each year. The first bill, S. 1558, would amend the Agricultural Act of 1949 to require producers of an agricultural commodity for which an acreage limitation program is in effect to pay the full cost of water provided by the Federal Government. The second bill, S. 1559, would require the Secretary of the Interior to submit to Congress a plan for elimination of irrigation subsidies for agricultural producers in non-program crop areas.

I am pleased to be joined in introducing these measures by my colleague from Wisconsin, Senator KOHL. These bills are aimed at achieving deficit reduction by eliminating subsidies that can no longer be justified in light of our enormous annual deficit and national debt.

Mr. President, the first bill would eliminate an apparent contradiction in our law which provides Federal crop subsidies on the one hand to agricultural producers who are required to limit production of certain surplus crops and on the other hand provides federally subsidized water to the same producers to produce these crops. It provides simply that if an agricultural producer is receiving payments under a Federal program with acreage limitation requirements, that producer is not eligible to receive below-cost water from the Federal Government.

In this difficult time of high deficits, we have gradually reduced the size of the payments producers are allowed to receive under Federal commodity programs. It would be inconsistent to continue to allow this double subsidy for a small group of farmers when we have asked so many producers to sacrifice.

"Managing the Federal Government; A Decade of Decline," a December 1992 staff report to the House Committee on Government Operations listed $66 million annually as a conservative estimate of irrigation subsidy costs for continuing this policy. This estimate was based on a 1990 Department of Interior inspector general report using 1986 Bureau of Reclamation figures. In 1988, the House Subcommittee on General Oversight and Investigations released a report entitled, "Department of Interior's Efforts to Estimate the Cost of Federal Irrigation Subsidies: A Record of Deceit," which criticized DOI's cost estimation techniques, and asserted that yearly irrigation subsidies to grow surplus crops were actually $830 million. In either case, termination of the current policy will save millions and millions of dollars for the Federal treasury. This is clearly a subsidy that should be eliminated for both fiscal and policy reasons.

It should also be noted that currently somewhere between one-third and one-half of the subsidized Bureau of Reclamation water is used to grow surplus crops.

Mr. President, this is not a new problem. In fact, elimination of western agricultural water subsidies, particularly regarding surplus crops, has been proposed in a number of deficit reduction proposals and the conflicting policies of the Federal Government in this area are often cited as examples of Federal waste and abuse. Some have described this as a case where one Federal agency pays farmers not to grow a surplus crop while another agency provides federally subsidized water to grow the same crop. Obviously, the purposes behind the acreage limitation program are far more complex, but the public perception remains that the Federal Government is spending taxpayer funds in an irrational manner.

A very similar provision to eliminate the dual subsidies was included in legislation passed by the House of Representatives as part of the major reforms in the Reclamation Projects Authorization and Adjustment Act of 1992. Unfortunately, this provision did not survive conference committee.

This is not the only way to curb dual subsidies. Other approaches have been advanced in past years, and I would welcome a discussion of all alternatives.

What is clear, however, is the fact it is important that reforms be enacted to terminate the present policy of asking the Federal taxpayers to subsidize the cost of this water.

I am certain that some opponents of this legislation will call this an antifarmer bill. It is not. I believe the current contradictory Federal farm policy that benefits only a few, and mostly a very rich few, undermines the credibility and public support for the average farmer enrolled in agriculture programs.

Eliminating the dual subsidy will also level the playing field for farmers who have to compete in the agricultural marketplace against farmers who receive input cost subsidies in the form of cheap irrigation.

Halting this particular abuse of taxpayer funds is a first, and obvious step: The second bill I am introducing today is based on a broader principle that reclamation water subsidies more generally are economically wasteful and environmentally harmful.

The second bill directs the Secretary of the Interior to develop a plan to phase out water subsidies and require full and fair payment for the costs of delivery of Bureau of Reclamation water for agricultural purposes.

The Congressional Budget Office estimates that since 1902, irrigation subsidies have cost our Government and our taxpayers between $33.7 and $70.3 billion.

This enormous expenditure to keep water prices artificially low has seriously devalued this precious natural resource. It has encouraged wasteful practices and discouraged conservation and cost-efficient production practices.

Careless use of water has destroyed wetlands and other migratory bird habitats, diverted river and stream flows, and negatively impacted tourism and recreation. High concentrations of selenium, cadmium and arsenic in irrigation runoff are poisoning waterfowl. Yet, we continue to pour more and more money down this subsidy drain.

Nor is it just wildlife that has been adversely affected by these policies. During the worst years of the California drought, some city dwellers paid 50 to 100 times as much for their water as agricultural producers, while the producers consumed more than 80 percent of the State's water. In fact, water to irrigate just one crop—alfalfa—used more water in 1990 than all of the residential users in San Diego, Los Angeles, and San Francisco combined.

Last year Congress succeeded in reforming some of the worst water usage offenses. Those reforms were a tremendous and noteworthy step in the history of water subsidies. But we still have far to go, and both our conscience and our pocketbook demand that we act promptly.

Mr. President, as we look ahead to the 1995 farm bill, to Wetlands and Endangered Species Act reforms, and to future Federal budgets, we have the opportunity to improve policy in each area in a manner that could also save as much as $2.2 billion in water subsidies per year. You do not get an opportunity like this every day.

Mr. President, I am committed to achieving deficit reduction, and that is what these two bills are designed to do.

The Bureau of Reclamation water program, at its inception, was viewed as a pay-as-you-go program. The beneficiaries were to bear full cost of water delivery. This, I believe, should be our goal once again.

Mr. President, I encourage my colleagues to join me in developing a fiscally responsible plan to eliminate agricultural water subsidies more generally.

I ask unanimous consent that the text of these bills be printed in the Record at the conclusion of my remarks.

There being no objection, the bills were ordered to be printed in the Record, as follows:

S. 1558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Agricultural Irrigation and Deficit Reduction Act of 1993".

SEC. 2. PAYMENT OF CERTAIN COSTS UNDER ACREAGE LIMITATION PROGRAMS.

Title I of the Agricultural Act of 1949 (7 U.S.C. 1441 et seq.) is amended by adding at the end the following new section:

"SEC. 116. PAYMENT OF CERTAIN COSTS UNDER ACREAGE LIMITATION PROGRAMS.

"(a) In General.—If an acreage limitation program is announced for a crop a commodity under this title, as a condition of eligibility for loans, purchases, and payments for the crop under this title, the producers on a farm shall pay to the Secretary of the Interior an amount that is equal to the full cost incurred by the Federal Government of the delivery to the farm of water that is used in the production of the crop, as determined by the Secretary of the Interior.

"(b) Application.—

"(1) In general.—Subsection (a) shall not apply to the delivery of water pursuant to a contract that is entered into before January 1, 1995, under any provision of Federal reclamation law.

"(2) Renewal or amendment.—If a contract described in paragraph (1) is renewed or amended on or after January 1, 1995, subsection (a) shall apply to the delivery or water beginning on the date of renewal or amendment.".

S. 1559

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WATER RECLAMATION PROJECTS.

(A) In General.— The Secretary of the Interior shall develop a plan for charging the recipient of water from a water reclamation project conducted by the Bureau of Reclamation the full and fair value of water received that is used for agricultural purposes.

(b) Report.—Not later than September 1, 1994, the Secretary of the Interior shall transmit the plan developed under subsection (a) to the Congress.●

By Mr. MOYNIHAN (for himself, Mr. Packwood, Mr. Mitchell, Mr. Pryor, Mr. Grassley, Mr. Bradley, Mr. Riegle, Mr. Rockefeller, Mr. Hatfield, Mr. Jeffords, and Ms. Mikulski):

S. 1560. A bill to establish the Social Security Administration as an independent agency, and for other purposes; to the Committee on Finance.

SOCIAL SECURITY ADMINISTRATION INDEPENDENCE ACT OF 1993

● Mr. MOYNIHAN. Mr. President, I rise today to introduce legislation to remove the Social Security Administration from the Department of Health and Human Services and reestablish it as an independent agency of the executive branch of the Government. I do so with my distinguished colleagues and cosponsors, Senators Packwood, Mitchell, Pryor, Grassley, Bradley, Riegle, Rockefeller, Hatfield, Jeffords, and Mikulski. With this proposal, we hope to increase public confidence in Social Security by giving the agency more visibility and accountability, by improving administrative efficiency, and by insulating the agency from partisan politics.

Making Social Security an independent agency is not a new notion. The Social Security program was originally administered by an independent agency in the 1930's. By the late 1970's, there were proposals to return the agency to this status. In 1980, the National Commission on Social Security recommended it. In 1993, the National Commission on Social Security Reform, the so-called Greenspan Commission, on which I served with the distinguished Republican leader, Senator Dole, repeated the call to make SSA an independent agency. In the Social Security Amendments of 1983, Congress empaneled a study group to report on the best way to implement the proposal. This study panel, headed by the distinguished former Comptroller General of the United States, Elmer Staats, reported its findings and recommendations in 1984. Our bill is based on those recommendations.

Under this legislation, the Social Security Administration will be led by a Commissioner, appointed by the President, with the advice and consent of the Senate. The Commissioner will serve a 4-year term that coincides with that of the President. In addition, the bill establishes a seven-member, bipartisan, part-time advisory board, to make recommendations to the Commissioner on policy issues concerning Social Security.

Proposals to make SSA an independent agency have the support of nearly every organization with an interest in the administration of the Social Security program, including the American Association of Retired Persons, the National Council of Senior Citizens, and the AFL–CIO. The proposal enjoys broad-based support for a number of reasons. First, the sheer size of the agency argues for independence. SSA employs 64,000 workers in a national network of 1,300 offices. This is more than twice the number of employees at the State Department and three times the number of workers employed by the Department of Labor. And with a budget of more than $300 billion, SSA will spend more this year than the Department of Defense and nearly 10 times as much as the Department of Education. In fact, SSA's outlays this year will be larger than the combined outlays of 11 Federal departments. It simply defies common sense for an agency this large to be included under an umbrella bureaucracy.

Next is the matter of public confidence in Social Security. While the Social Security program is our most successful domestic program, public opinion surveys consistently show that a majority of nonretired adults are not confident that the program will be there for them when they need it. I believe one reason for this is that you send in your FICA contributions every week, but you never hear back from SSA. A few years ago I got a provision enacted into law that will require SSA to start sending out annual statements to all workers by the end of the decade. This should help. But it cannot help for SSA to be buried in the Department of Health and Human Services. An agency that directly serves virtually every American that administers a program as important as Social Security, that maintains earnings records for 132 million workers and sends benefits to 42 million recipients—that agency should be visible and accountable to inspire the public confidence that the program needs and deserves.

Good administration is at the heart of the public trust in any program, and unfortunately, tha administration of Social Security has not been up to the standards of quality we learned in times past to expect from this great public institution. During the past decade, the staff has been reduced by more than 20 percent, with little regard for how this reduction affects public service. The disability program has grown rapidly in recent years, for reasons that no one can explain. Large backlogs of disability claims are pending in the State disability determination services—over 700,000 and rising, we are told, to 1.3 million by the end of fiscal year 1994. The length of time required to make a determination on a person's disability claim currently averages 97 days and is projected to increase to 185 days in 1994. A similar situation prevails in SSA's hearings offices. Some 500,000 hearing requests were filed in 1993—almost 200,000 more than were filed in 1990—and it took, on average, 265 days—almost 9 months—for a claimant to receive a decision from an administrative law judge on his Social Security application. Further, it is expected that by 1995, it will take 420 days—more than a year—for an ALJ to decide a case.

To make matters worse, SSA has failed in recent years to conduct required periodic reviews to determine the continuing eligibility of those on the disability rolls. This is extremely shortsighted budgeting, since for every dollar the agency spends conducting these reviews, it saves over $3 in benefits that otherwise are paid erroneously to people who are no longer eligible for disability benefits.

Compounding these management problems is instability of leadership. In my 17 years on the Finance Committee, there have been 12 Commissioners, of whom 5 have been acting Commissioners. The position of Commissioner was vacant for a year before we received a nomination, whereupon the nominee was promptly confirmed on October 7. This turmoil at the top must end. This bill provides for a strong Commissioner, with a 4-year term of office, to provide the vigorous, stable leadership that Social Security must have.

Another important feature of this proposal is the creation of a bipartisan advisory board, to provide advice to the Commissioner concerning Social Security policy. A bipartisan advisory board will produce a more deliberative decisionmaking process on important issues of Social Security policy, and help to maintain stability and integrity in the administration of the Social Security program. It will also help future leaders of the program avoid serious policy errors, such as we experienced some years ago in the disability program, when Congress ultimately had to step in to assure that beneficiaries were not unjustly deprived of benefits.

Finally, Mr. President, I would make the point that this bill will enhance the capacity of the Department of Health and Human Services to deal with the enormous task before it. In recent years the principal focus of the Department has been on health. This focus stemmed in part from the interest of the two previous Secretaries, both of whom were medical doctors. But it also stems from the importance of the issue. And as we focus on how best to restructure the health care system—which comprises some 14 percent of our domestic economy—it is essential that the leadership of the Department of HHS has the time and energy this undertaking requires. Removing SSA from the Department will facilitate the Secretary's participation in this important task.

Mr. President, it is time to take action on this important matter. This bill will soon be marked up by the Committee on Finance, and will then come before this body for consideration by the full Senate. Legislation to make SSA an independent agency has been passed by the House of Representatives on three occasions with substantial bipartisan majorities. The Finance Committee has twice before favorably reported an independent agency bill. I hope this legislation will receive the favorable consideration of my colleagues.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1560

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF SOCIAL SECURITY ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Social Security Administration Independence Act of 1993".

(b) AMENDMENT OF SOCIAL SECURITY ACT.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of, a section or other provision, the reference shall be considered to be made to that section or other provision of the Social Security Act.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; amendment of Social Security Act; table of contents.

TITLE I—ESTABLISHMENT OF NEW INDEPENDENT AGENCY

Sec. 101. Establishment of Social Security Administration as a separate, independent agency.
Sec. 102. Commissioner and Deputy Commissioner of Social Security.
Sec. 103. Social Security Advisory Board.
Sec. 104. Personnel; budgetary matters; seal of office.
Sec. 105. Transfers to the new Social Security Administration.
Sec. 106. Transitional rules.
Sec. 107. Effective dates.

TITLE II—CONFORMING AMENDMENTS

Sec. 201. Amendments to titles II and XVI of the Social Security Act.
Sec. 202. Other amendments.
Sec. 203. Rules of construction.
Sec. 204. Effective dates.

TITLE I—ESTABLISHMENT OF NEW INDEPENDENT AGENCY

SEC. 101. ESTABLISHMENT OF SOCIAL SECURITY ADMINISTRATION AS A SEPARATE, INDEPENDENT AGENCY.

Section 701 (42 U.S.C. 901) is amended to read as follows:

"SOCIAL SECURITY ADMINISTRATION

"SEC. 701. There is hereby established, as an independent agency in the executive branch of the Government, a Social Security Administration (hereafter in this title referred to as the 'Administration'). It shall be the duty of the Administration to administer the old-age, survivors, and disability insurance program under title II and the supplemental security income program under title XVI.".

SEC. 102. COMMISSIONER AND DEPUTY COMMISSIONER OF SOCIAL SECURITY.

Section 702 (42 U.S.C. 902) is amended to read as follows:

"COMMISSIONER AND DEPUTY COMMISSIONER

"Commissioner of Social Security

"SEC. 702. (a)(1) There shall be in the Administration a Commissioner of Social Security (hereafter in this title referred to as the 'Commissioner') who shall be appointed by the President, with the advice and consent of the Senate.

"(2) The Commissioner shall be compensated at the rate provided for level I of the Executive Schedule.

"(3) The Commissioner shall be appointed for a term of 4 years coincident with the term of the President, or until the appointment of a qualified successor.

"(4) The Commissioner shall be responsible for the exercise of all powers and the discharge of all duties of the Administration, and shall have authority and control over all personnel and activities thereof.

"(5) The Commissioner may prescribe such rules and regulations as the Commissioner determines necessary or appropriate to carry out the functions of the Administration. The regulations prescribed by the Commissioner shall be subject to the rulemaking procedures established under section 553 of title 5, United States Code.

"(6) The Commissioner may establish, alter, consolidate, or discontinue such organizational units or components within the Administration as the Commissioner considers necessary or appropriate, except that this paragraph shall not apply with respect to any unit, component, or provision provided for by this Act.

"(7) The Commissioner may assign duties, and delegate, or authorize successive redelegations of, authority to act and to render decisions, to such officers and employees of the Administration as the Commissioner may find necessary. Within the limitations of such delegations, redelegations, or assignments, all official acts and decisions of such officers and employees shall have the same force and effect as though performed or rendered by the Commissioner.

"(8) The Commissioner and the Secretary of Health and Human Services (hereafter in this title referred to as the 'Secretary') shall consult, on an ongoing basis, to ensure—

"(A) the coordination of the programs administered by the Commissioner, as described in section 701, with the programs administered by the Secretary under titles XVIII and XIX of this Act; and

"(B) that adequate information concerning benefits under such titles XVIII and XIX shall be available to the public.

"Deputy Commissioner of Social Security

"(b)(1) There shall be in the Administration a Deputy Commissioner of Social Security (hereafter in this title referred to as the 'Deputy Commissioner') who shall be appointed by the President, with the advice and consent of the Senate.

"(2) The Deputy Commissioner shall be appointed for a term of 4 years coincident with the term of the Commissioner, or until the appointment of a qualified successor.

"(3) The Deputy Commissioner shall be compensated at the rate provided for level II of the Executive Schedule.

"(4) The Deputy Commissioner shall perform such duties and exercise such powers as the Commissioner shall from time to time assign or delegate. The Deputy Commissioner shall be Acting Commissioner of the Administration during the absence or disability of the Commissioner and, unless the President designates another officer of the Government as Acting Commissioner, in the event of a vacancy in the office of the Commissioner.".

SEC. 103. SOCIAL SECURITY ADVISORY BOARD.

Section 703 (42 U.S.C. 903) is amended to read as follows:

"SOCIAL SECURITY ADVISORY BOARD

"Establishment of Board

"SEC. 703. (a) There shall be established a Social Security Advisory Board (hereinafter referred to as the 'Board').

"Functions of the Board

"(b) The Board shall advise the Commissioner on policies related to the old-age, survivors, and disability insurance program under title II and the supplemental security income program under title XVI. Specific functions of the Board shall include—

"(1) analyzing the Nation's retirement and disability systems and making recommendations with respect to how the old-age, survivors, and disability insurance program and the supplemental security income program, supported by other public and private systems, can most effectively assure economic security;

"(2) studying and making recommendations relating to the coordination of programs that provide health security with programs described in paragraph (1);

"(3) making recommendations to the President and to the Congress with respect to policies that will ensure the solvency of the old-age, survivors, and disability insurance program, both in the short-term and the long-term;

"(4) making recommendations to the President of candidates to consider in selecting nominees for the position of Commissioner and Deputy Commissioner;

"(5) reviewing and assessing the quality of service that the Administration provides to the public;

"(6) reviewing and making recommendations with respect to policies and regulations regarding the old-age, survivors, and disability insurance program and the supplemental security income program;

"(7) increasing public understanding of the social security system;

"(8) in consultation with the Commissioner, reviewing the development and implementation of a long-range research and program evaluation plan for the Administration;

"(9) reviewing and assessing any major studies of social security as may come to the attention of the Board; and

"(10) conducting such other reviews and assessments that the Board determines to be appropriate.

"Structure and Membership of the Board

"(c) The Board shall be composed of 7 members who shall be appointed as follows:

"(1) 3 members shall be appointed by the President, with the advice and consent of the Senate. Not more than 2 of such members shall be from the same political party.

"(2) 2 members (each member from a different political party) shall be appointed by the President pro tempore of the Senate with the advice of the Chairman and the Ranking Minority Member of the Senate Committee on Finance.

"(3) 2 members (each member from a different political party) shall be appointed by the Speaker of the House of Representatives, with the advice of the Chairman and the Ranking Minority Member of the House Committee on Ways and Means.

"Terms of Appointment

"(d) Each member of the Board shall serve for a term of 6 years, except that—

"(1) a member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed, shall be appointed for the remainder of such term; and

"(2) the terms of service of the members initially appointed under this section shall expire as follows:

"(A) The terms of service of the members initially appointed by the President shall expire as designated by the President at the time of nomination, 1 each at the end of—

"(i) 2 years;

"(ii) 4 years; and

"(iii) 6 years.

"(B) The terms of service of members initially appointed by the President pro tempore of the Senate shall expire as designated by the President pro tempore of the Senate at the time of nomination, 1 each at the end of—

"(i) 4 years; and

"(ii) 6 years.

"(C) The terms of service of members initially appointed by the Speaker of the House of Representatives shall expire as designated by the Speaker of the House of Representatives at the time of nomination, 1 each at the end of—

"(i) 3 years; and

"(ii) 5 years.

"Chairman

"(e) A member of the Board shall be designated by the President to serve as Chairman for a term of 4 years, coincident with the term of the President, or until the designation of a successor.

"Compensation

"(f) Members of the Board shall be compensated as follows:

"(1) Members shall be paid at a rate equal to 25 percent of the rate for level III of the Executive Schedule.

"(2) For days when the Board or any authorized subcommittee of the Board meets, members who attend meetings on such days (including travel time) shall receive additional compensation in an amount equal to the daily equivalent of the rate for level III of the Executive Schedule.

"(3) While serving on business of the Board away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government employed intermittently.

"(4) Service on the Board shall not be treated as Federal service or employment for purposes of receiving any benefits under chapters 83, 84, and 87 of title 5, United States Code.

"(5) A member of the Board may elect coverage of a health benefits plan under chapter 89 of title 5, United States Code. Such a member electing coverage shall have the applicable employee contributions under section 8906 of such title withheld from pay for service as a member of the Board. The Administration shall pay the applicable Government contributions under such section 8906 for such member. The Office of Personnel Management shall promulgate regulations to apply the provisions of chapter 89 of such title to Board members electing coverage as provided under this paragraph.

"Meetings

"(g) The Board shall meet not less than 6 times each year to consider a specific agenda of issues, as determined by the Chairman in consultation with the other members of the Board.

"Federal Advisory Committee Act

"(h) The Board shall be exempt from the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

"Personnel

"(i)(1) The Board shall, without regard to title 5, United States Code, appoint a Staff Director who shall be paid at a rate equivalent to a rate for the Senior Executive Service.

"(2) The Board is authorized, without regard to title 5, United States Code, to appoint and fix the compensation of such additional personnel as the Board determines to be necessary to carry out the functions of the Board.

"(3) In fixing the compensation of additional personnel under paragraph (2), the Board shall not authorize that any individual appointed under such paragraph be compensated at a rate that is greater than the rate of compensation of the Staff Director described in paragraph (1)."

"Authorization of Appropriation

"(j) There are authorized to be made available for expenditure, out of the Federal Disability Insurance Trust Fund, the Federal Old Age and Survivors Insurance Trust Fund, and the general fund in the Treasury, such sums as the Congress may deem appropriate to carry out the purposes of this section.".

SEC. 104. PERSONNEL; BUDGETARY MATTERS; SEAL OF OFFICE.

Section 704 is amended to read as follows:

"ADMINISTRATIVE DUTIES OF THE COMMISSIONER

"Personnel

"SEC. 704. (a)(1) The Commissioner shall appoint such additional officers and employees as the Commissioner considers necessary to carry out the functions of the Administration under this Act. Except as otherwise provided in any other provision of law, such officers and employees shall be appointed, and their compensation shall be fixed, in accordance with title 5, United States Code.

"(2) The Commissioner may procure the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.

"(3) Notwithstanding any requirements of section 3133 of title 5, United States Code, the Director of the Office of Personnel Management shall authorize for the Administration a total number of Senior Executive Service positions which is substantially greater than the number of such positions authorized in the Social Security Administration in the Department of Health and Human Services as of immediately before the date of the enactment of the Social Security Administration Independence Act of 1993 to the extent that the greater number of such authorized positions is specified in the comprehensive work force plan as established and revised by the Commissioner under subsection (b)(1). The total number of such positions authorized for the Administration shall not at any time be less than the number of such authorized positions as of immediately before such date.

"Budgetary Matters

"(b)(1) Appropriations requests for staffing and personnel of the Administration shall be based upon a comprehensive work force plan, which shall be established and revised from time to time by the Commissioner.

"(2) Appropriations for administrative expenses of the Administration are authorized to be provided on a biennial basis.

"(3) Funds appropriated for the Administration to be available on a contingency basis shall be apportioned upon the occurrence of the stipulated contingency, as determined by the Commissioner and reported to the Congress.

"Employment Restriction

"(c) The number of positions in the Administration which may be excepted from the competitive service, on a temporary or permanent basis, because of the confidential or policy-determining character of such positions, may not exceed at any time the equivalent of 10 full-time positions.

"Seal of Office

"(d) The Commissioner shall cause a seal of office to be made for the Administration of such design as the Commissioner shall approve. Judicial notice shall be taken of such seal.".

SEC. 105. TRANSFERS TO THE NEW SOCIAL SECURITY ADMINISTRATION.

(a) FUNCTIONS.—There are transferred to the Social Security Administration all functions carried out by the Secretary of Health and Human Services with respect to the programs and activities the administration of which is vested in the Social Security Administration by reason of this title and the amendments made thereby. The Commissioner of Social Security shall allocate such functions in accordance with sections 701, 702, 703, and 704 of the Social Security Act (as amended by this title).

(b) PERSONNEL, ASSETS, ETC.—(1) There are transferred from the Department of Health and Human Services to the Social Security Administration, for appropriate allocation by the Commissioner of Social Security in the Social Security Administration—

(A) the personnel employed in connection with the functions transferred by this title and the amendments made thereby; and

(B) the assets, liabilities, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, or used in connection with such functions, arising from such functions, or available, or to be made available, in connection with such functions.

(2) Unexpended funds transferred pursuant to this subsection shall be used only for the purposes for which the funds were originally authorized and appropriated.

(3) Any individual who is an employee of the Department and who was not employed on the date of the enactment of this title, in connection with functions transferred by this title to the Administration, but who was so employed on the day before the date established pursuant to section 107(a), may be transferred from the Department of Health and Human Services to the Social Security Administration by the Commissioner under subparagraph (A) of paragraph (1), after consultation with the Secretary of Health and Human Services, if the Commissioner determines such transfer to be appropriate.

(4) Any individual who is an employee of the Department and who was employed on the date of the enactment of this title, solely in connection with functions transferred by this title to the Administration, and who was so employed on the day before the date established pursuant to section 107(a), shall be transferred from the Department of Health and Human Services to the Social Security Administration.

(c) ABOLISHMENT OF OFFICE OF COMMISSIONER IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—Effective upon the appointment of a Commissioner of Social Security pursuant to section 702 of the Social Security Act (as amended by this title)—

(1) the position of Commissioner of Social Security in the Department of Health and Human Services is abolished; and

(2) section 5315 of title 5, United States Code, is amended by striking the following:

"Commissioner of Social Security, Department of Health and Human Services.".

SEC. 106. TRANSITIONAL RULES.

(a) TRANSITION DIRECTOR.—(1) Within 30 days after the date of the enactment of this Act, a transition director shall be appointed by the President, who shall be selected on the basis of experience and knowledge of the operation of the Government.

(2) The transition director shall conduct activities necessary to ensure the transition of the Social Security Administration to the status of an independent agency in the executive branch of the Government. In conducting such activities before the appointment of the Commissioner of Social Security, the transition director shall consult regularly with the Director of the Office of Management and Budget. Upon such appointment, the transition director shall conduct such activities at the direction of the Commissioner of Social Security.

(3) The transition director shall be compensated at the rate provided for level IV of the Executive Schedule.

(4) Expenditures to carry out the purposes of this subsection shall be made out of the Federal Old Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

(b) INTERIM AUTHORITY FOR APPOINTMENT AND COMPENSATION.—

(1) APPOINTMENT OF COMMISSIONER.—Within 60 days of the date of the enactment of this title, the Commissioner of Social Security shall be appointed by the President pursuant to section 702 of the Social Security Act (as amended by this title). If the appointment is made pursuant to such section before the date established pursuant to section 107(a), the Commissioner of Social Security shall also perform the duties assigned to the Commissioner of Social Security in the Department of Health and Human Services.

(2) OTHER APPOINTMENTS.—At any time on or after the date of the enactment of this title any of the other officers provided for in sections 702 and 703 of the Social Security Act (as amended by this title) may be nominated and appointed, as provided in such sections.

(3) COMPENSATION.—Funds available to any official or component of the Department of Health and Human Services, functions of which are transferred to the Commissioner of Social Security or the Social Security Administration by this title, may with the approval of the Director of the Office of Management and Budget, be used to pay the compensation and expenses of any officer appointed pursuant to this subsection until such time as funds for that purpose are otherwise available.

(c) CONTINUATION OF ORDERS, DETERMINATIONS, RULES, REGULATIONS, ETC.—All orders, determinations, rules, regulations, permits, contracts, collective bargaining agreements (and ongoing negotiations relating to such collective bargaining agreements), recognitions of labor organizations, certificates, licenses, and privileges—

(1) which have been issued, made, promulgated, granted, or allowed to become effective, in the exercise of functions (A) which were exercised by the Secretary of Health and Human Services (or the Secretary's delegate), and (B) which relate to functions which, by reason of this title, the amendments made thereby, and regulations prescribed thereunder, are vested in the Commissioner of Social Security; and

(2) which are in effect immediately before the date established pursuant to section 107(a),

shall (to the extent that they relate to functions described in paragraph (1)(B)) continue in effect according to their terms until modified, terminated, suspended, set aside, or repealed by such Commissioner, except that any collective bargaining agreement shall remain in effect until the date of termination specified in such agreement.

(d) CONTINUATION OF PROCEEDINGS.—The provisions of this title (including the amendments made thereby) shall not affect any proceeding pending before the Secretary of Health and Human Services immediately before the date established pursuant to section 107(a), with respect to functions vested (by reason of this title, the amendments made thereby, and regulations prescribed thereunder) in the Commissioner of Social Security, except that such proceedings, to the extent that such proceedings relate to such functions, shall continue before such Commissioner. Orders shall be issued under any such proceeding, appeals taken therefrom, and payments shall be made pursuant to such orders, in like manner as if this title had not been enacted, and orders issued in any such proceeding shall continue in effect until modified, terminated, superseded, or repealed by such Commissioner, by a court of competent jurisdiction, or by operation of law.

(e) CONTINUATION OF SUITS.—Except as provided in this subsection—

(1) the provisions of this title shall not affect suits commenced before the date established pursuant to section 107(a); and

(2) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this title had not been enacted.

No cause of action, and no suit, action, or other proceeding commenced by or against any officer in such officer's official capacity as an officer of the Department of Health and Human Services, shall abate by reason of the enactment of this title. Causes of action, suits, actions, or other proceedings may be asserted by or against the United States and the Social Security Administration, or such official of such Administration as may be appropriate, and, in any litigation pending immediately before the date established pursuant to section 107(a), the court may at any time, on the court's own motion or that of a party, enter an order which will give effect to the provisions of this subsection (including, where appropriate, an order for substitution of parties).

(f) CONTINUATION OF PENALTIES.—This title shall not have the effect of releasing or extinguishing any criminal prosecution, penalty, forfeiture, or liability incurred as a result of any function which (by reason of this title, the amendments made thereby, and regulations prescribed thereunder) is vested in the Commissioner of Social Security.

(g) JUDICIAL REVIEW.—Orders and actions of the Commissioner of Social Security in the exercise of functions vested in such Commissioner under this title (and the amendments made thereby) shall be subject to judicial review to the same extent and in the same manner as if such orders had been made and such actions had been taken by the Secretary of Health and Human Services in the exercise of such functions immediately before the date established pursuant to section 107(a). Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function so vested in such Commissioner shall continue to apply to the exercise of such function by such Commissioner.

(h) EXERCISE OF FUNCTIONS.—In the exercise of the functions vested in the Commissioner of Social Security under this title, the amendments made thereby, and regulations prescribed thereunder, such Commissioner shall have the same authority as that vested in the Secretary of Health and Human Services with respect to the exercise of such functions immediately preceding the vesting of such functions in such Commissioner, and actions of such Commissioner shall have the same force and effect as when exercised by such Secretary.

(i) REPORT.—Within 120 days of the date of the enactment of this title, the transition director and the Commissioner of Social Security shall report to the Congress on the status of the transition to an independent Social Security Administration, and on any significant internal restructuring or management improvements that are proposed to be undertaken.

SEC. 107. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this title, and the amendments made by such title shall take effect on the earlier of—

(1) the date which is 180 days after the date of the enactment of this Act, or

(2) a date designated by the President.

(b) TRANSITIONAL RULES.—Section 106 shall take effect on the date of the enactment of this title.

TITLE II—CONFORMING AMENDMENTS

SEC. 201. AMENDMENTS TO TITLES II AND XVI OF THE SOCIAL SECURITY ACT.

(a) IN GENERAL.—Title II (42 U.S.C. 401 et seq.) (other than section 201, section 218(d), section 231(c), section 226, and section 226A) and title XVI (42 U.S.C. 1382 et seq.) (other than sections 1614(f)(2)(B) and 1616(e)(3)) are each amended—

(1) by striking, wherever it appears therein, "Secretary of Health and Human Services" and inserting "Commissioner of Social Security";

(2) by striking, wherever it appears therein, "Department of Health and Human Services" and inserting "Social Security Administration";

(3) by striking, wherever it appears therein, "Department" (but only if it is not immediately succeeded by the words "of Health and Human Services", and only if it is used in reference to the Department of Health and Human Services) and inserting "Administration";

(4) by striking, wherever it appears therein, each of the following words (but, in the case of any such word only if such word refers to the Secretary of Health and Human Services): "Secretary", "Secretary's", "his", "him", "he", "her", and "she", and inserting (in the case of the word "Secretary") "Commissioner of Social Security", (in the case of the word "Secretary's") "Commissioner's", (in the case of the word "his") "the Commissioner's", (in the case of the word "him") "the Commissioner", (in the case of the word "her") "the Commissioner" or "the Commissioner's", as may be appropriate, and (in the case of the words "she" or "he") "the Commissioner"; and

(5) by striking, wherever it appears therein, "Internal Revenue Code of 1954" and inserting "Internal Revenue Code of 1986".

(b) AMENDMENTS TO SECTION 201.—(1)(A) Sections 201(a)(3), 201(a)(4), 201(b)(1), and 201(b)(2) (42 U.S.C. 401(a)(3), 401(a)(4), 401(b)(1), and 401(b)(2), respectively) are each amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security"; and

(B) Sections 201(a)(3) and 201(b)(1) (42 U.S.C. 401(a)(3) and 401(b)(1), respectively) are each amended by striking "such Secretary" and inserting "such Commissioner".

(2) Section 201(c) (42 U.S.C. 401(c)) is amended—

(A) in the first sentence, by striking "shall be composed of" and all that follows down through "ex officio" and inserting the following: "shall be composed of the Commissioner of Social Security, the Secretary of the Treasury, and the Secretary of Health and Human Services, all ex officio"; and

(B) in the fifth sentence, by striking "The Commissioner of Social Security" and inserting "The Deputy Commissioner of Social Security".

(3) Section 201(g)(1)(A) (42 U.S.C. 401(g)(1)(A)) is amended—

(A) in clause (i), by striking "by him and the Secretary of Health and Human Services" and inserting "by him, the Commissioner of Social Security, and the Secretary of Health and Human Services", and by striking "by the Department of Health and Human Services and the Treasury Department" and inserting "by the Social Security Administration, the Department of Health and Human Services, and the Department of the Treasury";

(B) in clause (ii), by striking "method prescribed by the Board of Trustees under paragraph (4)" and inserting "applicable method prescribed under paragraph (4)", by striking "the Secretary of Health and Human Services" and inserting "the Commissioner of Social Security and the Secretary of Health and Human Services", and by striking "the Department of Health and Human Services" and inserting "the Social Security Administration and the Department of Health and Human Services"; and

(C) by striking the last sentence and inserting the following: "There are hereby authorized to be made available for expenditure, out of any or all of the Trust Funds, such amounts as the Congress may deem appropriate to pay the costs of the part of the administration of this title and title XVI for which the Commissioner of Social Security is responsible, the costs of title XVIII for which the Secretary of Health and Human Services is responsible, and the costs of carrying out the functions of the Social Security Administration, specified in section 232, which relate to the administration of provisions of the Internal Revenue Code of 1986 other than those referred to in clause (i) of the first sentence of this subparagraph.".

(4) Section 201(g)(1) (42 U.S.C. 401(g)(1)) is further amended by striking subparagraph (B) and inserting the following new subparagraphs:

"(B) After the close of each fiscal year—

"(i) the Commissioner of Social Security shall determine (I) the portion of the costs, incurred during such fiscal year, of administration of this title and title XVI and of carrying out the functions of the Social Security Administration, specified in section 232, which relate to the administration of provisions of the Internal Revenue Code of 1986 (other than those referred to in clause (i) of the first sentence of subparagraph (A)), which should have been borne by the general fund in the Treasury, (II) the portion of such costs which should have been borne by the Federal Old-Age and Survivors Insurance Trust Fund, and (III) the portion of such costs which should have been borne by the Federal Disability Insurance Trust Fund, and

"(ii) the Secretary of Health and Human Services shall determine (I) the portion of the costs, incurred during such fiscal year, of administration of title XVIII which should have been borne by the general fund in the Treasury, (II) the portion of such costs which should have been borne by the Federal Hospital Insurance Trust Fund, and (III) the portion of such costs which should have been borne by the Federal Supplementary Medical Insurance Trust Fund,

except that the determination of the amounts to be borne by the general fund in the Treasury with respect to expenditures incurred in carrying out such functions specified in section 232 shall be made pursuant to the applicable method prescribed under paragraph (4) of this subsection.

"(C) After the determinations under subparagraph (B) have been made for any fiscal year, the Commissioner of Social Security and the Secretary of Health and Human Services shall jointly certify to the Managing Trustee the amounts, if any, which should be transferred from one to any of the other of such Trust Funds and the amounts, if any, which should be transferred between the Trust Funds (or one of the Trust Funds) and the general fund in the Treasury, in order to ensure that each of the Trust Funds and the general fund in the Treasury have borne their proper share of the costs, incurred during such fiscal year, for (i) the part of the administration of this title and title XVI for which the Commissioner of Social Security is responsible, (ii) the part of the administration of this title and title XVIII for which the Secretary of Health and Human Services is responsible, and (iii) carrying out the functions of the Social Security Administration, specified in section 232, which relate to the administration of provisions of the Internal Revenue Code of 1986 (other than those referred to in clause (i) of the first sentence of subparagraph (A)). The Managing Trustee shall transfer any such amounts in accordance with any certification so made.".

(5) Section 201(g)(2) (42 U.S.C. 401(g)(2)) is amended, in the second sentence, by striking "established and maintained by the Secretary of Health and Human Services" and inserting "maintained by the Commissioner of Social Security", and by striking "Secretary shall furnish" and inserting "Commissioner of Social Security shall furnish".

(6) Section 201(g)(4) (42 U.S.C. 401(g)(4)) is amended to read as follows:

"(4) The Commissioner of Social Security shall utilize the method prescribed pursuant to this paragraph, as in effect immediately before the date of the enactment of the Social Security Administration Independence Act of 1993 for determining the costs which should be borne by the general fund in the Treasury of carrying out the functions of the Social Security Administration, specified in section 232, which relate to the administration of provisions of the Internal Revenue Code of 1986 (other than those referred to in clause (i) of the first sentence of paragraph (1)(A)). If at any time or times thereafter the Boards of Trustees of such Trust Funds consider such action advisable, such Boards may modify the method of determining such costs.".

(7) Section 201(i)(1) (42 U.S.C. 401(i)(1)) is amended to read as follows:

"(i)(1) The Managing Trustee may accept on behalf of the United States money gifts and bequests made unconditionally to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, the Federal Hospital Insurance Trust Fund, or the Federal Supplementary Medical Insurance Trust Fund or to the Social Security Administration, the Department of Health and Human Services, or any part or officer thereof, for the benefit of any of such Funds or any activity financed through such Funds.".

(8) Subsections (j) and (k) of section 201 (42 U.S.C. 401) are each amended by striking "Secretary" each place it appears and inserting "Commissioner of Social Security".

(9) Section 201(l)(3)(B)(iii)(II) (42 U.S.C. 401(l)(3)(B)(iii)(II)) is amended by striking

"Secretary" and inserting "Commissioner of Social Security".

(10) Section 201(m)(3) (42 U.S.C. 401(m)(3)) is amended by striking "Secretary of Health and Human Services" and inserting "Commissioner of Social Security".

(11) Section 201 (42 U.S.C. 401) is amended by striking "Internal Revenue Code of 1954" each place it appears and inserting "Internal Revenue Code of 1986".

(c) AMENDMENTS TO SECTION 218.—Section 218(d) (42 U.S.C. 418(d)) is amended by striking "Secretary" each place it appears in paragraphs (3) and (7) and inserting "Commissioner of Social Security".

(d) AMENDMENT TO SECTION 231.—Section 231(c) (42 U.S.C. 431(c)) is amended by striking "Secretary determines" and inserting "Commissioner of Social Security and the Secretary jointly determine".

SEC. 202. OTHER AMENDMENTS.

(a) AMENDMENTS TO TITLE VII.—(1) Title VII (42 U.S.C. 901 et seq.) is amended by adding at the end the following new section:

"DUTIES AND AUTHORITY OF SECRETARY

"SEC. 712. The Secretary shall perform the duties imposed upon the Secretary by this Act. The Secretary is authorized to appoint and fix the compensation of such officers and employees, and to make such expenditures as may be necessary for carrying out the functions of the Secretary under this Act.".

(2) Section 706 (42 U.S.C. 907) is amended—

(A) in subsection (a), by striking "Advisory Council on Social Security" and all that follows through "disability insurance program and" and inserting "Advisory Council on Hospital and Supplementary Medical Insurance for the purpose of reviewing the status of the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund in relation to the long-term commitments of";

(B) in subsection (d), by striking paragraph (1) and by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively, and

(C) by striking the section heading and inserting the following:

"ADVISORY COUNCIL ON HOSPITAL AND SUPPLEMENTARY MEDICAL INSURANCE".

(3) Paragraph (2) of section 709(b) (42 U.S.C. 910(b)) is amended by striking "(as estimated by the Secretary)" and inserting "(for amounts which will be paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as estimated by the Commissioner, and for amounts which will be paid from the Federal Hospital Insurance Trust and the Federal Supplementary Medical Insurance Trust Fund, as estimated by the Secretary)".

(4) Sections 709 and 710 (42 U.S.C. 910 and 911) are amended by striking "Internal Revenue Code of 1954" each place it appears and inserting "Internal Revenue Code of 1986".

(b) AMENDMENTS TO TITLE XI.—(1) Section 1101(a) (42 U.S.C. 1301(a)) is amended by adding at the end the following new paragraph:

"(10) The term 'Administration' means the Social Security Administration, except where the context requires otherwise.".

(2) Section 1106(a) (42 U.S.C. 1306(a)) is amended—

(A) by inserting "(1)" after "(a)";

(B) by striking "Department of Health and Human Services" each place it appears and inserting "applicable agency";

(C) by striking "Secretary" each place it appears and inserting "head of the applicable agency"; and

(D) by adding at the end the following new paragraph:

"(2) For purposes of this subsection and subsection (b), the term 'applicable agency' means—

"(A) the Social Security Administration, with respect to matter transmitted to or obtained by such Administration or matter disclosed by such Administration, or

"(B) the Department of Health and Human Services, with respect to matter transmitted to or obtained by such Department or matter disclosed by such Department.".

(3) Section 1106(b) (42 U.S.C. 1306(b)) is amended—

(A) by striking "Secretary" each place it appears and inserting "head of the applicable agency"; and

(B) by striking "Department of Health and Human Services" and inserting "applicable agency".

(4) Section 1106(c) (42 U.S.C. 1306(c)) is amended—

(A) by striking "the Secretary" the first place it appears and inserting "the Commissioner of Social Security or the Secretary"; and

(B) by striking "the Secretary" each subsequent place it appears and inserting "such Commissioner or Secretary".

(5) Section 1107(b) (42 U.S.C. 1307(b)) is amended by striking "the Secretary of Health and Human Services" and inserting "the Commissioner of Social Security or the Secretary".

(6) Section 1110 (42 U.S.C. 1310) is amended—

(A) in subsection (a)(2), by inserting "(or the Commissioner, with respect to any jointly financed cooperative agreement or grant concerning titles II or XVI)" after "Secretary";

(B) in subsection (b)—

(i) by striking "Secretary" each place it appears and inserting "Commissioner", and

(ii) by striking "the Secretary's" each place it appears and inserting "the Commissioner's"; and

(C) by striking "he", "his", "him", and "himself" each place they appear (except in subsection (b)(2)(A)) and inserting "the Commissioner", "the Commissioner's", "the Commissioner", and "himself or herself", respectively.

(7) Subsections (b) and (c) of section 1127 (42 U.S.C. 1320a–6) are each amended by striking "Secretary" and inserting "Commissioner of Social Security".

(8) Section 1128(f) (42 U.S.C. 1320a–7(f)) is amended by inserting after "section 205(g)" the following: ", except that, in so applying such sections and section 205(l), any reference therein to the Commissioner of Social Security or the Social Security Administration shall be considered a reference to the Secretary or the Department of Health and Human Services, respectively".

(9) Section 1131 (42 U.S.C. 1320b–1) is amended—

(A) by striking "Secretary" each place it appears and inserting "Commissioner of Social Security";

(B) in subsection (a)(1)(A), by adding "or" at the end;

(C) in subsection (a)(1)(B), by striking "or" at the end;

(D) by striking subsection (a)(1)(C);

(E) by redesignating subsection (a)(2) as subsection (a)(3);

(F) by inserting after subsection (a)(1) the following new paragraph:

"(2) the Secretary makes a finding of fact and a decision as to the entitlement under section 226 of any individual to hospital insurance benefits under part A of title XVIII, or"; and

(G) by striking "he" in the matter in subsection (a) following paragraph (3) (as so redesignated) and inserting "the Commissioner of Social Security".

(10) Section 1155 (42 U.S.C. 1320c–4) is amended by striking "(to the same extent as is provided in section 205(b))" and all that follows and inserting "(to the same extent as beneficiaries under title II are entitled to a hearing by the Commissioner of Social Security under section 205(b)). For purposes of the preceding sentence, subsection (l) of section 205 shall apply, except that any reference in such subsection to the Commissioner of Social Security or the Social Security Administration shall be deemed a reference to the Secretary or the Department of Health and Human Services, respectively. Where the amount in controversy is $2,000 or more, such beneficiary shall be entitled to judicial review of any final decision relating to a reconsideration described in this subsection.".

(11) Sections 1101, 1106, 1107, and 1137 (42 U.S.C. 1301, 1306, 1307, and 1320b–7, respectively) are amended by striking "Internal Revenue Code of 1954" each place it appears and inserting "Internal Revenue Code of 1986".

(c) AMENDMENTS TO TITLE XVIII.—(1) Subsections (a) and (f) of section 1817 (42 U.S.C. 1395i) are amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security".

(2) Section 1840(a) (42 U.S.C. 1395s(a)) is amended—

(A) in paragraph (1), by striking "Secretary" and inserting "Commissioner of Social Security", and by adding at the end the following new sentence: "Such regulations shall be prescribed after consultation with the Secretary."; and

(B) in paragraph (2), by striking "Secretary of Health and Human Services" and inserting "Commissioner of Social Security".

(3) Section 1872 (42 U.S.C. 1395ii) is amended by inserting after "title II" the following: ", except that, in applying such provisions with respect to this title, any reference therein to the Commissioner of Social Security or the Social Security Administration shall be considered a reference to the Secretary or the Department of Health and Human Services, respectively".

(4) Section 1869(b)(1) (42 U.S.C. 1395ff(b)(1)) and the last sentence of section 1876(c)(5)(B) (42 U.S.C. 1395mm(c)(5)(B)) are amended by inserting after "section 205(g)" the following: ", except that, in so applying such sections and section 205(l), any reference therein to the Commissioner of Social Security or the Social Security Administration shall be considered a reference to the Secretary or the Department of Health and Human Services, respectively".

(5) Sections 1817, 1862, and 1886 (42 U.S.C. 1395i, 1395y, and 1395ww, respectively) are amended by striking "Internal Revenue Code of 1954" each place it appears and inserting "Internal Revenue Code of 1986".

(d) AMENDMENTS TO TITLE XIX.—(1) Section 1905(q)(2) (42 U.S.C. 1396d(q)(2)) is amended by striking "Secretary" and inserting "Commissioner of Social Security".

(2) Section 1910(b)(2) (42 U.S.C. 1396i(b)(2)) is amended, in the first sentence, by inserting after "section 205(g)" the following: ", except that, in so applying such sections and section 205(l), any reference therein to the Commissioner of Social Security or the Social Security Administration shall be considered a reference to the Secretary or the Department of Health and Human Services, respectively".

(e) AMENDMENT TO TITLE XX.—Section 2002(a)(2)(B) (42 U.S.C. 1397a(a)(2)(B)) is amended by striking "Internal Revenue Code of 1954" and inserting "Internal Revenue Code of 1986".

(f) AMENDMENTS TO TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended—

(1) by adding at the end of section 5311 the following new item:

"Commissioner, Social Security Administration.";

(2) by adding at the end of section 5313 the following new item:

"Deputy Commissioner, Social Security Administration."; and

(3) by striking "Secretary of Health Education, and Welfare" each place it appears in section 8141 and inserting "Commissioner of Social Security".

(g) AMENDMENTS TO FOOD STAMP ACT OF 1977.—(1) Sections 6(c)(3) and 8(e)(6) of the Food Stamp Act of 1977 (7 U.S.C. 2015(c)(3) and 2017(e)(6)) are each amended by inserting "the Commissioner of Social Security and" before "the Secretary of Health and Human Services".

(2) Sections 6(g), 11(j), and 16(e) of such Act (7 U.S.C. 2015(g), 2020(j), and 2025(e)) are each amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security".

(3) Section 11(i) of such Act (7 U.S.C. 2020(i)) is amended by adding ", the Commissioner of Social Security" after "the Secretary".

(h) AMENDMENT TO TITLE 14, UNITED STATES CODE.—Section 707(e)(3) of title 14, United States Code, is amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security".

(i) AMENDMENTS TO INTERNAL REVENUE CODE OF 1986.—(1) Subsections (c)(1), (c)(2)(E), (g)(1), (g)(2)(A), and (g)(2)(B) of section 1402 of the Internal Revenue Code of 1986 (26 U.S.C. 1402) are amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security".

(2) Section 3121(b)(10)(B) of such Code (26 U.S.C. 3121(b)(10)(B)) is amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security".

(3) Section 3127 of such Code (26 U.S.C. 3127) is amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security".

(4) Section 6050F(c)(1)(A) of such Code (26 U.S.C. 6050F(c)(1)(A)) is amended by striking "Secretary of Health and Human Services" and inserting "Commissioner of Social Security".

(5) Subsections (d) and (f) of section 6057 of such Code (26 U.S.C. 6057) are amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security".

(6) Section 6103(l)(5) of such Code (26 U.S.C. 6103(l)(5)) is amended—

(A) by striking "Department of Health and Human Services" and inserting "Social Security Administration"; and

(B) by striking "Secretary of Health and Human Services" and inserting "Commissioner of Social Security".

(7) Subsections (d)(3)(C) and (e) of section 6402 of such Code (26 U.S.C. 6402) are amended by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security".

(8) Section 6511(d)(5) of such Code (26 U.S.C. 6511(d)(5)) is amended by striking "Secretary of Health and Human Services" and inserting "Commissioner of Social Security ".

(j) AMENDMENTS TO TITLE 31, UNITED STATES CODE.—Section 3720A(f) of title 31, United States Code, is amended by striking "Secretary of Health and Human Services" each place it appears in and inserting "Commissioner of Social Security".

(k) AMENDMENTS TO TITLE 38, UNITED STATES CODE.—Section 5105 of title 38, United States Code, is amended—

(1) by striking "Secretary of Health and Human Services" each place it appears and inserting "Commissioner of Social Security"; and

(2) by striking the second sentence of subsection (b) and inserting the following new sentence: "A copy of each such application filed with either the Secretary or the Commissioner, together with any additional information and supporting documents (or certifications thereof) which may have been received by the Secretary or the Commissioner with such application, and which may be needed by the other official in connection therewith, shall be transmitted by the Secretary or the Commissioner receiving the application to the other official.".

(l) AMENDMENTS TO INSPECTOR GENERAL ACT OF 1978.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 9(a)(1), by striking "and" at the end of subparagraph (U), and by adding at the end the following new subparagraph:

"(V) of the Social Security Administration, the functions of the Inspector General of the Department of Health and Human Services relating to the administration of the old-age, survivors, and disability insurance program under title II of the Social Security Act and of the supplemental security income program under title XVI of such Act; and";

(2) in section 11(1), by striking "or" after "Commission" and inserting a semicolon, and by inserting after "Board;" the following: "or the Commissioner of Social Security;"; and

(3) in section 11(2), by striking "or" after "Information Agency,", and by inserting after "Veterans' Administration" the following: ", or the Social Security Administration;".

SEC. 203. RULES OF CONSTRUCTION.

(a) REFERENCES TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—Whenever any reference is made in any provision of law (other than this Act or a provision of law amended by this Act), regulation, rule, record, or document to the Department of Health and Human Services with respect to such Department's functions under the old-age, survivors, and disability insurance program under title II of the Social Security Act or the supplemental security income program under title XVI of such Act, such reference shall be considered a reference to the Social Security Administration.

(b) REFERENCES TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—Whenever any reference is made in any provision of law (other than this Act or a provision of law amended by this Act), regulation, rule, record, or document to the Secretary of Health and Human Services with respect to such Secretary's functions under the old-age, survivors, and disability insurance program under title II of the Social Security Act or the supplemental security income program under title XVI of such Act, such reference shall be considered a reference to the Commissioner of Social Security.

(c) REFERENCES TO OTHER OFFICERS AND EMPLOYEES.—Whenever any reference is made in any provision of law (other than this Act or a provision of law amended by this Act), regulation, rule, record, or document to any other officer or employee of the Department of Health and Human Services with respect to such officer or employee's functions under the old-age, survivors, and disability insurance program under title II of the Social Security Act or the supplemental security income program under title XVI of such Act, such reference shall be considered a reference to the appropriate officer or employee of the Social Security Administration.

SEC. 204. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), the provisions of this title shall take effect on the date established pursuant to section 107(a).

(b) EXCEPTIONS.—Subsections (f)(1), (f)(2), and (l) of section 202 shall take effect on the date of the enactment of this title.●

By Mr. STEVENS (for himself and Mr. MURKOWSKI):

S. 1561. A bill to amend the Internal Revenue Code of 1986 to allow a charitable contribution deduction for certain expenses incurred by whaling captains in support of Native Alaskan subsistence whaling; to the Committee on Finance.

DEDUCTION FOR WHALING CAPTAINS

● Mr. STEVENS. Mr. President, today I am introducing legislation that would provide tax relief to Alaska Native whaling captains to help ensure that they are able to continue their centuries-old tradition of subsistence whaling. This bill would amend section 170 of the Internal Revenue Code to provide a charitable deduction to those Native captains who organize and support traditional Native whaling activities for their communities.

For thousands of years the Inupiat and Siberian Yupik Eskimos from the coastal villages in northern and western Alaska have hunted the bowhead whale. The bowhead whale, and the activities related to the traditional subsistence hunt of the whale, are a vital part of the cultural and religious traditions of these Native Alaskan communities. The whale meat and muktuk, which is blubber and skin, from a successful hunt are distributed by the whaling captains to their communities to help ensure the survival of the village throughout the long winter months. In many instances, a successful hunt is the lifeline of these coastal villages.

By tradition, each whaling captain is required to pay all of the costs associated with the subsistence hunt out of his personal funds. This includes the cost of providing the boats, fuel, gear, weapons, ammunition, food, and special clothing for their crews, and storing the meat until it is used. The whaling captain incurs significant expenses in carrying out these activities—averaging $2,500 to $5,000 per captain per year. Even though the captain pays these expenses out of his personal funds, tradition dictates that the captain must donate a substantial portion of the whale to the village in order to help the community to survive. Each captain retains a portion of the whale for personal consumption, but does not benefit financially from the capture of the whale.

In recent years, Native whaling captains have been treating their whaling expenses as a deduction against their personal Federal income tax because they donate the whale meat to their communities, and because their expenses have skyrocketed due to the increased cost of complying with Federal and international requirements for hunting bowhead whales. Unfortunately, the Internal Revenue Service [IRS] has ruled that the Native whaling captains are not entitled to deduct these expenses as charitable contributions on their personal income tax returns. This has caused an extreme financial burden to the whaling captains, whose average annual household income is less than $45,000. Currently, five cases are in the appeals process.

The legislation that I am introducing today would amend section 170 of the Internal Revenue Code to allow Native Alaskan subsistence whaling captains to deduct their expenses for whaling activities for the community. It would apply retroactively to currently pending tax refund claims and tax years for which the statute of limitations has not expired.

I believe this deduction is necessary and justified for a number of reasons. First, the whaling captains donate their personal funds to support an activity that is of immeasurable cultural, religious, and subsistence importance to the Inupiat and Siberian Yupik communities. Second, if the donations of the whaling captain were made to Inupiat community of the North Slope [ICAS], Alaska Eskimo Whaling Commission [AEWC], or the communities' participating churches instead of directly in the form of food, gear, ammunition, and other essentials, they would be tax deductible. The ICAS, a federally recognized tribe, and the AEWC, a 501(c)(3) corporation, are the two organizations that are responsible for the preservation of Native Alaskan subsistence whaling. The effect of denying a tax deduction directly to the whaling captains penalizes these Native Alaskans for adhering to traditional religious and cultural requirements for the subsistence whale hunt.

I would note that the subsistence hunt is carefully regulated by the International Whaling Commission [IWC] and the U.S. Department of Commerce. Local regulation of the hunt is vested in the Alaska Eskimo Whaling Commission [AEWC] under a cooperative agreement with the National Oceanic and Atmospheric Administration. Acknowledging that "whaling, more than any other activity, fundamentally underlies the total lifeway of these communities," the IWC permits the Native communities to land up to 41 bowhead whales a year. The IWC has established this quota based on exhaustive documentation of the cultural and subsistence need of the whaling villages for each one of these whales.

The whaling community has a very good working relationship with these organizations, and provides the IWC and NOAA with annual detailed accounts of bowhead whale activity. The North Slope Borough of Alaska spends approximately $500,000 to $700,000 annually on bowhead whale and other Arctic marine research and programs in support of the IWC's efforts.

The legislation that I have introduced today will incur a very small revenue loss to the Treasury—the cost of this legislation based on the existence of 150 whaling captains is estimated at $230,000 per year. I expect the cost will be significantly less because not every captain outfits a crew each year.

I thank the Senators for their attention and I welcome their support of this provision which will help to ensure that the Native whaling captains can continue to carry out the centuries-old traditional subsistence whaling hunt for the coastal villages of Alaska.

I ask unanimous consent that Senator MURKOWSKI be added as a cosponsor of this bill, and that a copy of the bill be printed at the close of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHARITABLE CONTRIBUTION DEDUCTION FOR CERTAIN EXPENSES INCURRED IN SUPPORT OF NATIVE ALASKAN SUBSISTENCE WHALING.

(a) IN GENERAL.—Section 170 of the Internal Revenue Code of 1986 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

"(m) EXPENSES PAID BY CERTAIN WHALING CAPTAINS IN SUPPORT OF NATIVE ALASKAN SUBSISTENCE WHALING.—

"(1) IN GENERAL.—In the case of an individual who is recognized by the Alaska Eskimo Whaling Commission as a whaling captain charged with the responsibility of maintaining and carrying out sanctioned whaling activities and who engages in such activities during the taxable year, the amount described in paragraph (2) (to the extent such amount does not exceed $7,500 for the taxable year) shall be treated for purposes of this section as a charitable contribution.

"(2) AMOUNT DESCRIBED.—The amount described in this paragraph is the aggregate of the reasonable and necessary whaling expenses paid by the taxpayer during the taxable year in carrying out sanctioned whaling activities. For purposes of the preceding sentence, the term 'whaling expenses' includes expenses for—

"(A) the acquisition and maintenance of whaling boats, weapons, and gear used in sanctioned whaling activities,

"(B) the supplying of food for the crew and other provisions for carrying out such activities, and

"(C) storage and distribution of the catch from such activities.

"(3) SANCTIONED WHALING ACTIVITIES.—For purposes of this subsection, the term 'sanctioned whaling activities' means subsistence bowhead whale hunting activities conducted pursuant to the management plan of the Alaska Eskimo Whaling Commission."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to all taxable years beginning before, on, or after the date of the enactment of this Act.•

• Mr. MURKOWSKI. Mr. President, I rise today as an original cosponsor of the bill introduced by my colleague from Alaska, Senator STEVENS, which would allow Native Alaskan whaling captains to deduct as a charitable deduction their expenses related to traditional whaling activities. Mr. President, this bill is an important step in saving a critical cultural activity of the Inupiat and Siberian Yupik Eskimos, and I ask my colleagues for their support.

Mr. President, there are few cultures remaining in the United States which are as tightly connected to their historical roots as those of the Inupiat and Siberian Yupik Eskimos. The whaling activities of the Native communities of northern and western Alaska have their roots in thousands of years of tradition, beginning well before the existence of this Nation or, indeed, the arrival of Europeans on this continent.

As practiced in these Native communities, whaling serves as a method to bring all of the people of a village together. Everyone in the village participates in the hunt in one way or another, and every individual receives a share of the whales landed both after the landing and later, at the festivals of Nalukataq and Qagruq, and at Thanksgiving and Christmas. In this way, whaling continues to serve as a cultural bridge spanning hundreds of generations, uniting elders and children of the villages together in a common effort.

Unfortunately, the increasing expenses of whaling are beginning to threaten the future viability of the tradition. Whaling captains, who by tradition are responsible for acquiring and maintaining the equipment necessary to carry out the traditional whaling activities, are beginning to question whether they can continue to bear the costs of whaling, which can approach several thousand dollars in a single year.

This bill, which would allow those captains the ability to deduct the expenses associated with whaling from their personal income tax returns as charitable deductions, will help assure that this centuries old tradition is not destroyed by the economic demands placed on it during the 20th century. The estimated annual cost of this bill is, I might add, only $230,000.

I submit, Mr. President, that is a small price to pay to ensure the survival of a way of life thousands of years old, and I ask my colleagues for their support.●

By Mr. FEINGOLD:

S. 1562. A bill to terminate the Uniformed Services University of the Health Sciences; to the Committee on Armed Services.

TERMINATION OF UNIFORMED SERVICES UNIVERSITY OF HEALTH SCIENCES

Mr. FEINGOLD. Mr. President, I am today introducing S. 1562, the Uniformed Services University of the Health Sciences Termination and Deficit Reduction Act of 1993, legislation that will terminate the Uniformed Services University of the Health Sciences [USUHS].

According to estimates provided by the Congressional Budget Office in its 1993 report on options for reducing the deficit, elimination of USUHS would result in savings of roughly $300 million over 5 years.

Mr. President, USUHS is a medical school run by the Department of Defense. Along with the Health Professionals Scholarship Program and other sources, including volunteers, it provides new physicians for the military.

Created in 1972, USUHS was intended to supply the bulk of the military's physician requirements. Today, USUHS only accounts for a fraction of the Department's needs—less than 9 percent in 1991 according to the Congressional Budget Office.

In the report of the National Performance Review released last month, Vice President GORE called for the closing of USUHS as part of an overall effort to reinvent Government by making it work better and cost less. The report urged closing the facility and instead rely upon the other sources that currently supply the great majority of our military's need for new physicians.

Mr. President, here is an excellent opportunity for Congress to cut spending. According to the Congressional Budget Office, the Uniformed Services University of the Health Sciences is the most expensive source of physicians for the Department of Defense, costing $562,000 per person, 4 times as much as physicians obtained under the scholarship program, and 10 to 40 times as much as physicians obtained from the Financial Assistance Program and the Volunteers Program.

As we ask farmers, veterans, and the elderly to sacrifice in order to attack our Federal deficit, we can hardly justify continuing a program when there are less expensive alternatives that get the job done.

This legislation would terminate USUHS with the graduation of the last class to enter the school after enactment. With no increase in any of the other alternative sources of new physicians, the measure would reduce the supply of incoming Department of Defense physicians by less than 10 percent, according to the Congressional Budget Office, a reduction that is entirely consistent with the reduction of our overall forces.

Mr. President, eliminating USUHS would make sense even if we were not facing a $4 trillion Federal debt. Vice President GORE's report of the National Performance Review lists as its first priority eliminating obsolete and duplicative programs. USUHS certainly fits that description.

The rationale behind the creation of USUHS may have been well-intentioned 20 years ago, but a history of high costs compared to the alternative sources of new physicians no longer justifies continued support by the taxpayer.

Elimination of USUHS was part of the 82 point plan I developed during my campaign for U.S. Senate to eliminate the Federal deficit, as well as part of the recommendations of the Vice President's National Performance Review. It has been an annual item in the CBO report on options for reducing the Federal deficit. In 1990, the House of Representatives voted to phase the program out by 1995, but the provision unfortunately did not survive conference.

Again, this year, the House included language in the committee report of the Department of Defense appropriations bill directing the Department of Defense to submit a report by January 15, 1994 on the actions it will take, and the dollars saved, to close USUHS within 5 years.

Consistent with that directive, this legislation begins the process of closing USUHS. I look forward to reading the Department of Defense's report on how best to close down USUHS, and certainly will consider any of their recommendations that may need to be incorporated into this legislation.

An article which appeared in the Los Angeles Times on May 30, 1991, entitled, "Military's Medical School Hangs on Despite High Cost," describes the waste of taxpayers' money resulting from continued operation of this program.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks along with this article from the Los Angeles Times.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1562

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Uniformed Services University of the Health Sciences Termination and Deficit Reduction Act of 1993".

SEC. 2. TERMINATION OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(A) TERMINATION.—(1) The Uniformed Services University of the Health Sciences is terminated.

(2)(A) Chapter 104 of the title 10, United States Code, is repealed.

(B) The table of chapters at the beginning of subtitle A of such title, and at the beginning of part III of such subtitle, are each amended by striking out the item relating to chapter 104.

(b) EFFECTIVE DATE.—The termination referred to in subsection (a), and the amendments made by such subsection, shall take effect on the date of the graduation from the Uniformed Services University of the Health Sciences of the last class of students that enrolled in such university on or before the date of the enactment of this Act.

[From the Los Angeles Times, May 30, 1991]

MILITARY'S MEDICAL SCHOOL HANGS ON DESPITE HIGH COST; PENTAGON'S $462,513 PER STUDENT IS ABOUT FOUR TIMES THE COST OF PRIVATE TRAINING

(By Harry Nelson)

How much money does it take to train a physician in America? About $115,000 over four years, if the candidate attends one of the nation's 126 private medical schools. Or $462,513 if he—or she—goes to the medical school that is run by the Pentagon.

At a time when there is no shortage of doctors—and when the federal government is desperate to save money anywhere it can—you would think that such excessive costs would make the military medical school a prime target for congressional budget cutters. Indeed, the Uniformed Services University of the Health Sciences in Bethesda, Md., for a time was slated to be closed.

Over the past several years, the $72-million-a-year medical complex, created in 1972 ostensibly to provide physicians for the various armed services, has proved to be a nightmare of bureaucracy and cost overruns.

A study by the Pentagon disclosed "a host of unacceptable personnel and managerial practices" involving affirmative action problems and nepotism. A House subcommittee, angry over apparent abuses in an AIDS program, attempted to phase out the school by 1995.

But the university once again has been given a congressional reprieve and may be on the way to becoming Washington's most visible textbook example of a federal boondoggle that no one can eliminate.

"All of the evidence indicates that the university is fundamentally more expensive * * * and that (the Pentagon) has not been able to provide any compelling reason to keep the school open," says Rep. Martin Olav Sabo (D-Minn.), a member of the House defense appropriations panel.

Critics point out that, despite all the money that Congress has poured into the school, private medical colleges still are the Defense Department's biggest source of military physicians.

The military medical school graduates 150 to 160 physicians a year. In contrast, last year a Pentagon-sponsored scholarship program at civilian schools provided more than 1,100 physicians to the military, and, with a companion program, it has 4,085 more in training. The cost: $114 million a year for both.

Defenders of the institution contend that the gap between per-student expenses for the military medical school and private medical schools may be less than published figures suggest.

In the first place, the figures covering private medical schools reflect only the tuition costs and do not include subsidies from other sources, including the federal government itself.

And they argue that the military medical school is the only medical school that provides training in the treatment of such specialties as chemical and biological warfare and on high-velocity missile injuries, combat stress and tropical medicine—all of which proved valuable in the Gulf War.

Even so, critics contend that the Pentagon's competing scholarship program, which sends students to private medical colleges, manages to educate military physicians at a far lower cost than the military school and could provide specialized training under contract.

With the military campus, "all the costs are real and all the benefits are theoretical," Sabo asserts.

But there is no secret why the Uniformed Services University has survived its first few years of operation. It was a favorite of the late F. Edward Hebert (D-La.), chairman of the House Armed Services Committee during most of the 1970s. And what Hebert wanted, Hebert generally got. In fact, the military medical school itself is named after Hebert now.

And Hill-watchers say that last year the university was saved from oblivion when advice columnist Ann Landers published a laudatory letter about the school, written by its own public relations officer.

According to congressional staffers, the Landers column engendered thousands of letters to lawmakers, who then pushed to reverse the subcommittee's decision that would have phased out the institution.

In the meantime, the Pentagon has taken steps that it says are designed to cure the institution's ills, placing it directly under Defense Department control (rather than under the aegis of a separate board) and reorganizing its personnel practices.

But the $462,513 cost per graduate remains unchanged.

By Mr. RIEGLE:

S. 1563. A bill to provide assistance to employees who are subject to a plant closing or mass layoff because their work is transferred to a foreign country that has low wages or unhealthy working conditions, and for other purposes; to the Committee on Labor and Human Resources.

AMERICAN JOBS PROTECTION ACT

• Mr. RIEGLE. Mr. President, I rise to introduce the American Jobs Protection Act of 1993. This legislation addresses the concern I share with many of my colleagues about American businesses moving their operations out of the country to capitalize on cheap labor. It is time to make these corporations take responsibility for the disastrous effects that such relocations have on their workers.

Let me outline the problem. American corporations are being lured out of the country with the promise of low-wage replacements for American labor. For example, we have already lost over 700,000 American jobs to Mexico—good manufacturing jobs. The Big Three auto companies—Ford, Chrysler, and GM—have over 70 plants in Mexico, and the list of corporations already operating down there is extensive.

There are those who endorse the practice of American firms exploiting a low wage labor force. They claim that the United States must encourage the transfer of labor-intensive production to low-wage countries if we are to remain competitive in the global economy. This claim is at the heart of our current economic debate over the North American Free-Trade Agreement [NAFTA]—and is, I believe, fundamentally false.

America must make a choice. We must decide which is in our best interest—high skills or low wages. I believe that American corporations must invest in a high-skill, high-wage work force which produces innovative high-quality goods. This is how we maintain a strong position in the global market—not through the chimera of lower and lower wages and lower and lower standards of living.

NAFTA embodies this choice. While there are currently few obstacles that prevent United States firms from relocating in Mexico, enactment of the NAFTA would accelerate the shift of manufacturing to Mexico and lock us into the low-wage track.

Just look at the grave hourly wage disparities between the United States and Mexico. In 1992, the average hourly wage for United States manufacturing workers, including benefits, was $16.17 an hour—the comparable figure for the Mexican worker was only $2.35 an hour. In the maquiladora areas of Mexico, where there has been a massive buildup of companies that have left America and gone to Mexico, the average wage is actually lower. Wages in the maquiladora areas average $1.65 an hour. Incredibly, while the minimum wage in America is $4.35, in Mexico it is actually less than 60 cents an hour. By attempting to integrate these two economies with such disparate wage rates, NAFTA pushes the United States farther and farther down the low wage path.

I am introducing the American Jobs Protection Act to change the disastrous course we have been on for the past 12 years and stop the mass migration of American jobs to foreign countries, lured by low-wage labor. This legislation is similar to a bill introduced in the House of Representatives by my colleague from Michigan, WILLIAM FORD. Under this legislation, companies would face the full costs of their actions, which are currently shifted to the general taxpaying public. This would thereby lessen the incentives of shifting jobs outside of the United States.

The bill applies to any business with 25 or more employees that transfers at least 12 U.S. jobs to a foreign country where wages are less than 50 percent of the average wage in the United States. Specifically, the legislation requires employers to:

First, give at least 6 months advance notice of job loss to employees and affected State and local communities;

Second, pay severance equal to 4 weeks' pay for each year of employment with the employer;

Third, continue health care benefits previously provided to employees for 18 months;

Fourth, provide 5 years' credit of retirement benefits;

Fifth, pay up to $10,000 reimbursement for retraining, job search, and relocation expenses;

Sixth, provide incentive payments equal to 25 percent of 1 weeks' wages for each week the employee is in a job training program; and

Seventh, reimburse the community for any tax abatements or other economic development incentives.

Under this legislation, employees, their representatives, State, and local communities or the Department of Labor could sue for enforcement. Injured parties could collect back pay, consequential damages, liquidated damages, and attorney fees. Injunctive relief would be available if requirements of the statute are not met. In addition, the Federal Government would be prohibited from contracting for goods or services produced abroad in violation of the statute.

Mr. President, I remain confident in the ability of the American work force to succeed in a competitive global marketplace. We must make certain that our workers are given the chance to continue competing effectively and efficiently. The American Jobs Protection Act will ensure that our workers are given that chance—not summarily dismissed in the mistaken flight toward lower wages. We owe it to our country and our fellow citizens.

I ask unanimous consent that the test of the bill be printed in the RECORD following my remarks.

There being no objection, the bill was orderd to be printed in the RECORD, as follows:

S. 1563

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Jobs Protection Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) During the last 2 decades, millions of jobs in the United States have been transferred by businesses to foreign countries to take advantage of the low wages and lack of labor standards in those countries.

(2) Millions of additional jobs in the United States are at risk of such a transfer during the 1990's, particularly if the North American Free Trade Agreement is approved by the Congress.

(3) The threat of the transfer of work to low-wage foreign countries suppresses wages and benefits to workers in the United States and thereby lessens the purchasing power of middle class families in the United States.

(4) The transfer of jobs to low-wage foreign countries imposes a severe burden upon the individual workers who are dislocated by such transfers and the communities that are affected by such transfers.

(5) The provision of income, continued health and pension benefits, and job training assistance to such dislocated workers would significantly ease the burdens caused by the transfer of jobs to low-wage foreign countries.

(6) The transfer of jobs to take advantage of the low wages and lack of labor standards in foreign countries is detrimental to the interests of the United States because such transfers are based on the incorrect premise that the employees of businesses constitute a cost to be lowered and not an asset that should be developed and utilized.

(7) The best chance for the United States to meet international competition in the future is to focus on a competitive strategy that emphasizes high-wage, high-skill employment as opposed to employment that competes internationally on the basis of low wages.

(b) PURPOSES.—The purposes of this Act are—

(1) to discourage the transfer of work to low-wage foreign countries; and

(2) to require businesses that transfer work to low-wage foreign countries to mitigate the costs of the dislocation to workers and communities subject to that dislocation.

SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions apply:

(1) AFFECTED EMPLOYEES.—The term "affected employees" means employees who may reasonably be expected to experience an employment loss as a consequence of a proposed plant closing or mass layoff.

(2) EMPLOYER.—The term "employer" means any business enterprise that employs—

(A) 25 or more employees, excluding part-time employment; or

(B) 25 or more employees who in the aggregate work at least 1,000 hours per week.

Such term includes all business entities that have substantial ownership interest, substantial management authority or substantial control over the terms and conditions of employment of employees at a site of employment subject to an employment loss.

(3) EMPLOYMENT LOSS.—The term "employment loss" means—

(A) an employment termination, other than a discharge for cause, voluntary departure, or retirement;

(B) a layoff exceeding 6 months;

(C) a reduction in hours of work of more than 50 percent during each month of any 6-month period; or

(D) a reduction in salary of more than 33 percent during each month of any 6-month period.

(4) GROUP HEALTH PLAN.—The term "group health plan" means an employee welfare benefit plan providing medical care (as defined in section 213(d) of the Internal Revenue Code of 1986) to participants or beneficiaries or dependents, directly or through insurance, reimbursement, or otherwise.

(5) LOCATION ASSISTANCE.—The term "location assistance" includes any subsidy, infrastructure development or improvement, tax relief, site preparation assistance, hiring and training assistance, or other economic benefit offered by a State or unit of local government to induce an employer to locate at, remain at, or expand its operations at a site of employment within the jurisdiction of such State or political subdivision.

(6) MASS LAYOFF.—The term "mass layoff" means a reduction in force that—

(A) is not the result of a plant closing; and

(B) results in an employment loss at a single site of employment, or one or more facilities or operating units within a single site of employment, during any 30-day period for at least 12 employees (excluding any part-time employees).

(7) PART-TIME EMPLOYEE.—The term "part-time employee" means an employee who is employed for an average of fewer than 20 hours per week or who has been employed for fewer than 6 of the 12 months preceding the date on which notice is required.

(8) PLANT CLOSING.—The term "plant closing" means the permanent or temporary shutdown of a single site of employment, or one or more facilities or operating units within a single site of employment, if the shutdown results in an employment loss at the single site of employment during any 30-day period for 12 or more employees, excluding part-time employees.

(9) SECRETARY.—The term "Secretary" means the Secretary of Labor.

(10) SITE OF EMPLOYMENT.—The term "site of employment" means any factory, mine, business office, facility, or other operating unit, or the functional equivalent thereof.

SEC. 4. LIMITATION ON WORK TRANSFER TO LOW-WAGE FOREIGN COUNTRIES.

(a) IN GENERAL.—An employer may not implement a plant closing or mass layoff at a site of employment due to a transfer of work to a low-wage foreign country which occurs 1 year before or after such closing or mass layoff (as described in subsection (b)) unless the employer provides notice at least 180 days before such closing or mass layoff in accordance with section 5 and provides benefits to employees in accordance with section 6.

(b) TRANSFER OF WORK DESCRIBED.—

(1) IN GENERAL.—Except as provided in paragraph (2), work shall be considered to be transferred to a low-wage foreign country for purposes of subsection (a) if the employer—

(A) increases the amount of work performed at one or more sites of employment in one or more low-wage foreign countries and such work is substantially similar to the work performed at the site of employment referred to in subsection (a); or

(B) increases the amount of products or services that are imported from one or more low-wage foreign countries and such products or services are substantially similar to the products or services produced or provided at the site of employment referred to in subsection (a).

(2) EXCEPTION.—If an employer who orders a plant closing or mass layoff at a site of employment referred to in subsection (a) proves that the increase in—

(A) work (described in paragraph (1)(A)) that is performed in a low-wage foreign country; or

(B) products or services (described in paragraph (1)(B)) that are imported to the United States from a low-wage foreign country,

is not related to the plant closing or mass layoff at such site of employment, the employer shall not be required to provide notice in accordance with section 5 or benefits to the employees in accordance with section 6.

(3) CONSTRUCTION.—For purposes of paragraph (1), if an increase described in such paragraph is carried out by any person that owns at least 10 percent of an employer described in subsection (a) or by any person, 10 percent of which is owned by such employer, such employer shall be considered to have carried out such increase.

(c) PUBLICATION IN THE FEDERAL REGISTER.—The Secretary shall publish annually in the Federal Register the name of each low-wage foreign country as defined in subsection (d), as determined under regulations developed by the Secretary.

(d) LOW-WAGE FOREIGN COUNTRY DEFINED.—For purposes of this section, the term "low-wage foreign country" means—

(1) a country in which the average wage is less than 50 percent of the average wage in the United States, as determined by the Secretary; or

(2) a country in which the employment standards relating to the payment of overtime compensation, child labor, or employee safety and health that are in effect and enforced in such country are substantially less effective than the standards under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) and the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), as determined by the Secretary.

SEC. 5. NOTICE REQUIREMENTS.

(a) IN GENERAL.—

(1) RECIPIENTS OF NOTICE.—An employer who implements a plant closing or mass layoff subject to section 4 shall provide written notice of such closing or mass layoff—

(A) to each representative of the affected employees as of the time of the notice or, if there is no such representative at that time, to each affected employee; and

(B) to the State dislocated worker unit (designated or created under title III of the Job Training Partnership Act (29 U.S.C. 1651 et seq.)) and the chief elected official of the unit of local government within which such closing or layoff is to occur.

(2) SPECIAL RULE FOR RECIPIENTS.—If there is more than one such unit of local government, the unit of local government that the employer shall notify is the unit of local government to which the employer pays the highest taxes for the year preceding the year for which the determination is made.

(b) CONTENTS OF NOTICE.—The notice required under subsection (a) shall include a statement of—

(1) the nature of the site of employment at which the plant closing or mass layoff is to be undertaken;

(2) the reasons for undertaking such plant closing or mass layoff;

(3) any alternative to undertaking such plant closing or mass layoff;

(4) any request made by the employer to a State or unit of general local government for location assistance to avoid such plant closing or mass layoff with respect to such site of employment;

(5) the estimated extent of the employment loss within the employer that will result from such plant closing or mass layoff;

(6) any plan to minimize the effects of such plant closing or mass layoff on employees at such site of employment and on any unit of local government having jurisdiction over the geographical area in which the site of employment is located;

(7) the economic circumstances of such site of employment, including the level of profitability of operations at the site of employment, and any plans for future investment, employment, and production at the site of employment;

(8) the economic circumstances of the employer and the feasibility of transferring employees affected by such plant closing or mass layoff to other sites of employment of the employer; and

(9) the names and addresses of all employees who will suffer an employment loss as a result of such plant closing or mass layoff.

SEC. 6. EMPLOYEE BENEFITS.

(a) IN GENERAL.—An employer shall provide the following benefits to each employee who suffers an employment loss due to a plant closing or mass layoff subject to section 4:

(1) SEVERANCE PAY.—Severance pay equal to the product of—

(A) the amount equal to 4 weeks wages of the employee, calculated at the average wage that the employee received in the final 26 weeks of employment with the employer; and

(B) the number of years the employee was employed by the employer.

(2) HEALTH CARE BENEFITS.—Continuation of benefits under the same terms and conditions of a group health plan previously provided to the employee for the period ending 18 months after the date of the plant closing or mass layoff.

(3) REIMBURSEMENT FOR RETRAINING AND RELATED EXPENSES.—Reimbursement (not to exceed $10,000) for retraining, job search, and relocation expenses incurred during the period ending 2 years after the date of the notice of the plant closing or mass layoff.

(4) TRAINING INCENTIVE PAYMENTS.—Incentive payments equal to 25 percent of 1 week's wages of the employee (calculated in accordance with paragraph (1)(A)) for each week during which the employee participates in a job training program during the period ending 2 years after the date of the notice of the plant closing or mass layoff.

(5) RETIREMENT BENEFITS.—In any case in which, as of the date of the plant closing or mass layoff, the employee is a participant in an employee pension benefit plan (as defined in section 3(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(2))) and has attained an age that is at or above 5 years before early or normal retirement age (as defined in section 3(24) of such Act (29 U.S.C. 1002(24)) under the plan, benefits that are the actuarial equivalent of benefit accruals that would occur under the plan if the employee had continued in full-time service under the plan for 5 years after such date at the same rate of pay and had made all required contributions for such period.

(b) ESTABLISHMENT OF EMPLOYEE ACCOUNT.—

(1) IN GENERAL.—An employer who implements a plant closing or mass layoff subject to section 4 shall establish an employee benefit account into which the employer shall make payments sufficient to fund the amount of the benefits to be provided under subsection (a).

(2) MANAGEMENT OF ACCOUNT.—The account established under paragraph (1) shall be managed by 5 individuals, of whom—

(A) 2 individuals shall be selected by the employer;

(B) 2 individuals shall be selected by the affected employees; and

(C) 1 individual shall be selected by the 4 individuals referred to in subparagraphs (A) and (B).

(3) REGULATIONS.—The Secretary shall promulgate regulations with respect to the establishment and management of accounts under this subsection.

SEC. 7. RESTRICTION ON EMPLOYER TO ENTER INTO CONTRACT WITH THE UNITED STATES FOR FAILURE TO PROVIDE NOTICE OR BENEFITS.

(a) IN GENERAL.—Except as provided in subsection (b), an employer who implements a plant closing or mass layoff subject to section 4 and does not provide the notice or benefits in accordance with section 5 or 6, respectively, may not enter into a contract with the United States for the provision of products or services that were involved in the work transfer described in section 4 or that are substantially similar to such products or services.

(b) NATIONAL SECURITY WAIVER.—The Secretary, in consultation with the head of the appropriate Federal agency to which the proposed contract relates, may waive the restriction described in subsection (a) with respect to an employer if the employer demonstrates that such restriction would threaten the national security of the United States.

SEC. 8. INVESTIGATIVE AUTHORITY.

(a) IN GENERAL.—To ensure compliance with this Act, or any regulation issued under this Act, the Secretary, subject to subsection (c), shall have the investigative authority provided under section 11(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(a)).

(b) OBLIGATION TO KEEP AND PRESERVE RECORDS.—An employer shall keep and preserve records in accordance with section 11(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(c)) and in accordance with regulations issued by the Secretary.

(c) SUBPOENA POWER.—For the purposes of any investigation provided for in this section, the Secretary shall have the subpoena authority provided for under section 9 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209).

SEC. 9. ENFORCEMENT.

(a) CIVIL ACTION BY EMPLOYEES.—

(1) LIABILITY.—An employer who implements a plant closing or mass layoff in violation of section 4 shall be liable to each employee who suffers an employment loss due to such closing or mass layoff—

(A) for damages equal to—

(i) the amount of any wages, salary, employment benefits, or other compensation denied or lost to such employee by reason of the violation;

(ii) the interest on the amount described in clause (i) calculated at the prevailing rate; and

(iii) an additional amount as liquidated damages equal to the sum of the amount described in clause (i) and the interest described in clause (ii), except that if the employer proves to the satisfaction of the court that the act or omission that violated section 4 was in good faith and that the employer had reasonable grounds for believing that the act or omission was not a violation of such section, such court may, in the discretion of the court, reduce the amount of the liability to the amount and interest determined under clauses (i) and (ii), respectively;

(B) for damages equal to any actual monetary loss sustained by the employee as a direct result of the violation, such as the cost of providing health care; and

(C) for such equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(2) STANDING.—An action to recover the damages or equitable relief described in paragraph (1) may be maintained against an employer in any Federal or State court of competent jurisdiction by any one or more employees who suffer an employment loss due to the closing or mass layoff for and in behalf of—

(A) such employees; or

(B) such employees and other employees similarly situated under the provisions of rule 23 of the Federal Rules of Civil Procedure.

(3) FEES AND COSTS.—The court in such an action shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(b) ACTION BY STATE AND UNIT OF LOCAL GOVERNMENT.—

(1) LIABILITY.—An employer who implements a plant closing or mass layoff in violation of section 4 shall be liable to the State or unit of local government in which the employer is located for damages equal to the difference of—

(A) the location assistance provided to the employer by the State or unit of local government; and

(B) the amount of the benefit, if any, which the State or unit of local government will continue to receive as a result of the provision of such assistance to the employer.

(2) STANDING.—An action to recover the damages described in paragraph (1) may be maintained against any employer in any Federal or State court of competent jurisdiction by the State or unit of local government described in paragraph (1).

(3) FEES AND COSTS.—The court in such an action shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(c) ACTION BY THE SECRETARY.—

(1) ADMINISTRATIVE ACTION.—The Secretary shall receive, investigate, and attempt to resolve complaints of violations of section 4 in the same manner that the Secretary receives, investigates, and attempts to resolve complaints of violations of sections 6 and 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207).

(2) CIVIL ACTION.—The Secretary may bring an action in any court of competent jurisdiction to recover the damages described in subsection (a)(1)(A) on behalf of each employee who suffers an employment loss due to a plant closing or mass layoff in violation of section 4.

(3) SUMS RECOVERED.—

(A) IN GENERAL.—Any sums recovered by the Secretary on behalf of an employee under paragraph (2) shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to such employee.

(B) UNPAID SUMS.—Any such sums not paid to an employee because of inability to do so within a period of 3 years from the date of recovery by the Secretary shall be credited as an offsetting collection to the appropriations account of the Secretary of Labor for expenses for the administration of this Act and shall remain available to the Secretary until expended.

(d) LIMITATION.—

(1) IN GENERAL.—An action may be brought under subsection (a), (b), or (c) not later than 3 years after the date of the last event constituting the alleged violation for which the action is brought.

(2) COMMENCEMENT WITH RESPECT TO ACTION BY SECRETARY.—In determining when an action is commenced by the Secretary under subsection (c) for purposes of paragraph (1), such action shall be considered to be commenced on the date when the complaint is filed.

(e) ACTION FOR INJUNCTION BY SECRETARY.—The district courts of the United States shall have jurisdiction, for cause shown, over an action brought by the Secretary to restrain violations of section 4, including actions to restrain the withholding of payment of wages, salary, employment benefits, or other compensation, plus interest, found by the court to be due to employees who suffer an employment loss due to a plant closing or mass layoff in violation of such section.

SEC. 10. PROCEDURES IN ADDITION TO OTHER RIGHTS OF EMPLOYEES.

The rights and remedies provided to employees under this Act are in addition to, and not in lieu of, any other contractual or statutory rights and remedies of the employees, and are not intended to alter or affect such rights and remedies, except that the period of notification required by section 4(a) shall run concurrently with any period of notification required by contract or by any other law.

SEC. 11. REQUIREMENT OF POSTING OF NOTICE BY EMPLOYER AT SITE OF EMPLOYMENT.

(a) IN GENERAL.—Each employer shall post and keep posted, in conspicuous places at the site of employment of the employer where notices to employees and applicants for employment are customarily posted, a notice, to be prepared or approved by the Secretary, setting forth excerpts from, or summaries of, the pertinent provisions of this Act and information pertaining to the filing of a charge.

(b) PENALTY.—Any employer that willfully violates the requirements described in subsection (a) may be assessed a civil money penalty not to exceed $100 for each separate offense.

SEC. 12. EFFECTIVE DATE.

This Act shall take effect on the date that is 6 months after the date of the enactment of this Act.•

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 1564. A bill to amend the Dairy Production Stabilization Act of 1983 to ensure that all persons who benefit from the dairy promotion and research program contribute to the cost of the program, to terminate the program on December 31, 1996, and to prohibit bloc voting by cooperative associations of milk producers in connection with the program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

DAIRY PROMOTION PROGRAM IMPROVEMENT ACT OF 1993

• Mr. FEINGOLD. Mr. President, I rise today to introduce legislation which is designed to address some concerns regarding the National Dairy Promotion and Research Board in terms of its accountability and equity to dairy producers. I am pleased to be joined by my colleague from Wisconsin, Senator KOHL, who is also introducing legislation addressing similar aspects of the National Dairy Board which I am cosponsoring. Together these measures will bring about important changes to the National Dairy Promotion and Research Board.

The National Dairy Board, which was created by dairy farmers and authorized by the Congress in 1983, is fully funded by mandatory assessments on each milk producer in the United States.

From its inception, the goals of the program have been admirable. Dairy farmers wished to take the frustrating trend of declining milk consumption and turn it around. The National Dairy Board was created to achieve that goal by promoting a wide variety of dairy products. While farmers are assessed 15 cents per hundred pounds of milk for the promotion program, 5 cents must go to the National Dairy Board, which is headquartered just across the river in Arlington. The remaining 10 cents can be redirected to qualified State and regional promotion organizations. If it is undirected, the total 15 cents goes to the national organization. The National Board is funded by about $78 million worth of dairy farmer dollars each year. It competes directly with the Beef Promotion Board for the distinction of the most highly funded producer promotion board in this country.

Even though this board was created by dairy farmers, somewhere along the line dairy farmers began to question some of the actions of the National Board. As a Wisconsin State senator I heard many concerns raised about the Dairy Board and as a U.S. Senator those concerns continue to be expressed to me by milk producers in my State and across the country.

Those concerns culminated in a petition signed by 16,000 dairy farmers calling for a producer referendum on whether or not the program should be continued. Soon after Secretary Espy took office he announced a referendum would be held in August.

Prior to and during the referendum, producers continued to be frustrated by the realities of cooperative bloc voting. While individual producers are free to cast votes contrary to that of their cooperative, they rightly charge that the process stacks the deck against any group seeking to reform the Board. Farmers who may not have voted under ordinary circumstances become automatic yes votes.

Dairy farmers have charged that it is not the role of the cooperative to make these types of decisions for dairy producers and further charged that cooperatives could not be objective since many receive research and promotion grants from the Board. From the looks of the results of the referendum released last Friday, these producers are right.

Seventy-eight thousand producer ballots were cast in the referendum with 63 percent of those cast en bloc. Virtually 100 percent of those bloc votes were cast as yes votes. Of the 28,000 producers who voted as individuals, over 75 percent voted to eliminate the Board. The Board was approved by a vote of 71 percent, nearly all bloc votes.

Given the disparity in the way in which individual producers voted versus the way their cooperatives voted, I believe that the practice of cooperative bloc voting is inappropriate for producer promotion boards. Of the 17 authorized promotion programs, none but the dairy program allow bloc voting.

To allow bloc voting is to say that individual producers cannot make their own decisions on the value of the promotion program. I know that the dairy farmers are among the most well-informed constituents in my State and they are clearly capable of making this decision independent of their cooperative.

Mr. President, the producer referendum has been an exhausting process for all those involved, including the dairy farmers seeking reform, the cooperatives seeking to maintain the Dairy Board and the U.S. Department of Agriculture. Many resources have been unnecessarily expended.

Bloc voting has resulted in a lawsuit brought by producers against the Secretary of Agriculture, costing both taxpayers and dairy farmers. That lawsuit has not yet been settled. Additional resources have been expended trying to solve some of the problems created by bloc voting. Because of the tremendous controversy surrounding this issue, Secretary Espy, in an effort to open up the referendum, did a series of public service announcements this summer encouraging each dairy producer to vote during the referendum. Bloc voting also prompted USDA to do a complete audit of the votes cast by cooperatives to be certain there was no duplication or fraud. This process took nearly 2 months.

I must commend the Secretary and his staff at the Department of Agriculture for their tremendous efforts on the referendum. The Department bent over backward to be sure that the referendum was as open and accountable as possible. However, the amount of dairy farmer and taxpayer dollars that has been expended to deal with the problem of bloc voting has been tremendous. This would have been unnecessary if the reforms I am proposing today were already in place. If we do not make these reforms now, we will continue to expend human and financial resources on this problem which is so easily rectified. Hopefully, this legislation will prevent further waste of public and private resources in the future.

The bill I am introducing does three things. First, it would eliminate the practice of cooperative bloc voting, a practice which allows cooperatives to cast votes for all of their producer-members. This practice not only outrages many dairy farmers, but it provides little incentive for the National Dairy Board to be accountable to the dairy farmers who pay for the program.

The elimination of bloc voting does not abrogate the right of the cooperative to provide advice to their members, nor does it prevent the cooperative's board of directors from passing a resolution on how producers should vote as members of the cooperative.

This provision is not intended in any way to suggest that bloc voting is inappropriate for producer referendums on the Federal Milk Marketing Order [FMMO] system. This bill addresses bloc voting only for the promotion program. FMMO's are highly complicated and the changes in the order are many times highly technical. Any alteration of a Federal order directly impacts the ability of the cooperative to act as a marketing agent for the farmer-member. Cooperative bloc voting is appropriate for FFMO's and the day-to-day decisions should and will continue to be made by the cooperative. The same case cannot be made for cooperative bloc voting for a generic promotion order.

Generic promotion is a long-term marketing issue and does not directly impact the day-to-day marketing activities of the cooperative. Promotion does not direct the prices paid to farmers nor does it establish conditions for the orderly marketing of milk—those are the functions of Federal orders. Those short-run functions are essential to those in the business of buying and selling fluid milk and manufactured dairy products, practices with which cooperatives are intimately involved. In contrast, there is no reason why farmers should not be allowed to make the type of long-term policy decisions associated with promotion and research directly, without having their views diluted through the cooperative.

The second provision requires that the program be reauthorized by the Congress on a regular basis starting with the end of 1996. This provision, too, will provide for greater accountability. Just as each farm program deserves careful scrutiny during reauthorization of the farm bill to ensure that it continues to meet its original goals so should the dairy promotion program. Without regular reauthorization and elimination of bloc voting, the Board could continue into perpetuity simply because there is limited opportunity in current law for congressional oversight.

The third provision of this legislation, Mr. President, makes the program more equitable to domestic producers by assessing importers of dairy products for the benefits that accrue to them.

The reality of generic product promotion is that all producers and sellers of dairy products benefit from any increase in milk consumption generated by the program. Importers of dairy products benefit from this program and should have to pay their fair share. That is the case with 9 of the 17 commodity promotion programs, including beef, pork, cotton, honey, pecans, and potatoes.

The Dairy Board conducts not only promotion and advertising for milk and dairy products, but it also provides funding for research on the nutritional benefits of dairy products and on new technology and product development. The benefits of such research certainly accrue to importers of dairy products who account for about 4 percent of the value of domestic milk production. Importers should not receive a free ride courtesy of domestic producers who are already having a hard time making it under current milk prices.

Mr. President, I am introducing this legislation because I have been asked to do so by dairy farmers who are concerned about how their money is being spent. The provisions of this bill are designed to make the Dairy Board more accountable and equitable to those farmers footing the bill. If enacted, it will result in a better, stronger and more effective National Dairy Board if producers choose to maintain it.

Mr. President, I want to mention briefly the legislation which the senior Senator from Wisconsin, Senator Kohl, is introducing, which I am pleased to cosponsor. This bill establishes a process for producer election of National Dairy Board representatives who are currently selected through the political appointment process. This process provides for little accountability of Board members to dairy farmers. If the Directors of the Dairy Board must be elected by producers, they will likely be more responsive to their concerns. Reform of the Dairy Promotion Program would not be complete without this change.

I know the reforms contained in these two bills will not make everyone happy. Some will say I haven't gone far enough in reform. Others will maintain that no reform is needed for this program. It is my hope that, at a minimum, these bills achieve greater accountability of the National Dairy Board to dairy farmers.

I strongly urge my colleagues to support this legislation. I ask unanimous consent that the text of the bill be printed in the Record at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Dairy Promotion Program Improvement Act of 1993".

SEC. 2. FUNDING OF DAIRY PROMOTION AND RESEARCH PROGRAM.

(a) Declaration of Policy.—The first sentence of section 110(b) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501(b)) is amended—

(1) by inserting after "commercial use" the following: "and on imported dairy products"; and

(2) by striking "products produced in" and inserting "products produced in or imported into".

(b) Definitions.—Section 111 of such Act (7 U.S.C. 4502) is amended—

(1) by striking "and" at the end of subsection (k);

(2) by striking the period at the end of subsection (l) and inserting a semicolon; and

(3) by adding at the end the following new subsections:

"(m) the term 'imported dairy product' means—

"(1) any dairy product, including milk and cream and fresh and dried dairy products;

"(2) butter and butterfat mixtures;

"(3) cheese;

"(4) case in and mixtures; and

"(5) other dairy products,

that are imported into the United States; and

"(n) the term 'importer' means a person that imports an imported dairy product into the United States.".

(c) Funding.—

(1) Representation on Board.—Section 113(b) of such Act (7 U.S.C. 4504(b)) is amended—

(A) by designating the first through ninth sentences as paragraphs (1) through (5) and paragraphs (7) through (10), respectively;

(B) in paragraph (1) (as so designated), by striking "thirty-six" and inserting "38";

(C) in paragraph (2) (as so designated), by striking "Members" and inserting "Of the members of the Board, 36 members"; and

(D) by inserting after paragraph (5) (as so designated) the following new paragraph:

"(6) Of the members of the Board, 2 members shall be representatives of importers of imported dairy products. The importer representatives shall be appointed by the Secretary from nominations submitted by importers under such procedures as the Secretary determines to be appropriate.".

(2) Assessment.—Section 113(g) of such Act is amended—

(A) by designating the first through fifth sentences as paragraphs (1) through (5), respectively; and

(B) by adding at the end the following new paragraph:

"(6)(A) The order shall provide that each importer of imported dairy products shall pay an assessment to the Board in the manner prescribed by the order.

"(B) The rate of assessment on imported dairy products shall be determined in the same manner as the rate of assessment per hundredweight or the equivalent of milk.

"(C) For the purpose of determining the assessment on imports under subparagraph (B), the value to be placed on imported dairy products shall be established by the Secretary in a fair and equitable manner.".

(3) Records.—The first sentence of section 113(k) of such Act is amended by striking "person receiving" and inserting "importer of imported dairy products, each person".

(4) Referendum.—Section 116 of such Act (7 U.S.C. 4507) is amended by adding at the end the following new subsection:

"(d)(1) On the request of a representative group comprising 10 percent or more of the number of producers subject to the order, the Secretary shall—

"(A) conduct a referendum to determine whether the producers favor suspension of the application of the amendments made by section 2 of the Dairy Promotion Program Improvement Act of 1993; and

"(B) suspend the application of the amendments until the results of the referendum are known.

"(2) The Secretary shall continue the suspension of the application of the amendments made by section 2 only if the Secretary determines that suspension of the application of the amendments is favored by a majority of the producers voting in the referendum who, during a representative period (as determined by the Secretary), have been engaged in the production of milk for commercial use.".

SEC. 3. TERMINATION OF DAIRY PROMOTION AND RESEARCH PROGRAM.

Section 116 of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4507) (as amended by section 2(c)(4)) is further amended by adding at the end the following new subsection:

"(e)(1) On December 31, 1996, the Secretary shall terminate the order issued under this Act (including the collection of assessments under the order).

"(2) As soon as practicable after the date referred to in paragraph (1), the Secretary shall terminate activities under the order in an orderly manner.".

SEC. 4. PROHIBITION ON BLOC VOTING.

Section 117 of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4508) is amended—

(1) in the first sentence, by striking "Secretary shall" and inserting "Secretary shall not"; and

(2) by striking the second through fifth sentences.●

ADDITIONAL COSPONSORS

S. 181

At the request of Mr. MCCONNELL, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 181, a bill to prohibit the export of American black bear viscera, and for other purposes.

S. 421

At the request of Mr. DASCHLE, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 421, a bill to amend title XVIII of the Social Security Act to provide coverage under such title for certain chiropractic services authorized to be performed under State law, and for other purposes.

S. 560

At the request of Mr. NUNN, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of S. 560, a bill to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

S. 834

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for physician assistants, to increase the delivery of health services in health professional shortage area, and for other purposes.

S. 1063

At the request of Mr. HATCH, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 1063, a bill to amend the Employee Retirement Income Security Act of 1974 to clarify the treatment of a qualified football coaches plan.

S. 1350

At the request of Mr. INOUYE, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 1350, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

S. 1425

At the request of Mr. CONRAD, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 1425, a bill to establish a National Appeals Division of the Department of Agriculture to hear appeals of adverse decisions made by certain agencies of the Department, and for other purposes.

S. 1428

At the request of Mr. SIMON, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1428, a bill to amend the Public Health Service Act to provide for programs regarding women and the human immunodeficiency virus, and for other purposes.

S. 1429

At the request of Mr. SIMON, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1429, a bill to amend the Public Health Service Act to establish programs of research with respect to women and cases of information with the human immunodeficiency virus, and for other purposes.

S. 1443

At the request of Mr. EXON, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 1443, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on luxury passenger vehicles.

S. 1460

At the request of Ms. MOSELEY-BRAUN, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 1460, a bill to amend the Elementary and Secondary Education Act of 1965 to authorize programs of child abuse education and prevention, and to establish a demonstration project relating to child abuse education and prevention.

S. 1511

At the request of Mr. DORGAN, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 1511, a bill to eliminate the crediting of "good time" for violent and repeat offenders in Federal and State prisons, authorize funding for boot camps and the conversion of military facilities to regional prisons, and for other purposes.

S. 1514

At the request of Mr. COVERDELL, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 1514, a bill entitled the "Guaranteed Deficit Reduction Act of 1993."

S. 1524

At the request of Mrs. HUTCHISON, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1524, a bill to repeal the retroactive application of the income, estate, and gift tax rates made by the Budget Reconciliation Act and reduce administrative expenses for agencies by $3,000,000,000 for each of the fiscal years 1994, 1995, and 1996.

SENATE JOINT RESOLUTION 55

At the request of Mr. HATCH, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Ohio [Mr. GLENN], the Senator from Iowa [Mr. GRASSLEY], the Senator from Vermont [Mr. JEFFORDS], the Senator from Michigan [Mr. LEVIN], the Senator from Ohio [Mr. METZENBAUM], the Senator from New York [Mr. MOYNIHAN], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Maryland [Mr. SARBANES], the Senator from Alaska [Mr. STEVENS], and the Senator from Virginia [Mr. WARNER] were added as cosponsors of Senate Joint Resolution 55, a joint resolution to designate the periods commencing on November 28, 1993, and ending on December 4, 1993, and commencing on November 27, 1994, and ending on December 3, 1994, as "National Home Care Week."

SENATE JOINT RESOLUTION 122

At the request of Mr. LAUTENBERG, the names of the Senator from West Virginia [Mr. BYRD], the Senator from Michigan [Mr. RIEGLE], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Joint Resolution 122, a joint resolution designating December 1993 as "National Drunk and Drugged Driving Prevention Month."

SENATE JOINT RESOLUTION 123

At the request of Mr. SHELBY, the names of the Senator from Georgia [Mr. NUNN], the Senator from Texas [Mrs. HUTCHISON], the Senator from New York [Mr. D'AMATO], and the Senator from Nevada [Mr. REID] were added as cosponsors of Senate Joint Resolution 123, a joint resolution to designate the week beginning November 6, 1994, as "National Elevator and Escalator Safety Awareness Week."

SENATE JOINT RESOLUTION 131

At the request of Mr. BRADLEY, the names of the Senator from Vermont [Mr. JEFFORDS] and the Senator from Nevada [Mr. BRYAN] were added as cosponsors of Senate Joint Resolution 131, a joint resolution designating the week beginning November 14, 1993, and the week beginning November 13, 1994, each as "Geography Awareness Week."

SENATE JOINT RESOLUTION 135

At the request of Mr. SIMON, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of Senate Joint Resolution 135, a joint resolution designating the week beginning October 25, 1993, as "World Population Awareness Week."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the names of the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Ohio [Mr. METZENBAUM] were added as cosponsors of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE RESOLUTION 128

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois [Ms. MOSELEY-BRAUN] was added as a cosponsor of Senate Resolution 128, a resolution expressing the sense of the Senate regarding the protection to be accorded United States copyright-based industries under agreements entered into pursuant to the Uruguay Round of trade negotiations.

SENATE RESOLUTION 152—RELATING TO RETROACTIVE TAX RULES CHANGES

Mr. NICKLES (for himself, Mr. SHELBY, Mr. COVERDELL, Mrs. HUTCHISON, Mr. LOTT, Mr. MACK, Mr. MCCAIN, and Mr. WALLOP) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 152

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLIII

"RETROACTIVE TAX INCREASES

"1. It shall not be in order to consider any material in any bill, joint resolution, amendment, motion, conference report, or amendment between the Houses that increases a tax retroactively.

"2. Upon a point of order being made by any Senator against material in bill or joint resolution, amendment, motion, or conference report that increases a tax retroactively, and the point of order being sustained by the Chair, the part of such title or provision that increases a tax retroactively shall be deemed stricken from the measure and may not be offered as an amendment from the floor.

"3. (a) Upon a point of order being made by any Senator against material in any conference report or amendment between the Houses that increases a tax retroactively, and the point of order being sustained by the Chair, the part of such title or provision that increases a tax retroactively shall be deemed stricken from the conference report or amendment.

"(b) If such a point of order is sustained, such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall recede from its amendment and concur with the further amendment, or concur in the House amendment with a further amended, as the case may be, not so stricken. Any such motion in the Senate shall be debatable for 2 hours. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this paragraph, no further amendment shall be in order.

"4. Paragraphs 1, 2, and 3 may be waived only upon the affirmative vote of three-fifths of all Senators duly chosen and sworn, and in every such case the vote shall be determined by the yeas and nays and entered on the journal. Each part of a title or provision that increases a tax retroactively shall be subject to a point of order. No motion for a general waiver shall be entertained.

"5. For purposes of this rule, the term 'increases a tax' shall be construed to include a change in any deduction, exemption, credit, or similar exclusion that will result in an obligation to pay a larger tax.".

Mr. NICKLES. Mr. President, as best we can tell, most Americans oppose retroactive laws of every sort, but retroactive tax increases are especially detested. All retroactive laws offend the American sense of fair play; they change the rules after the game has begun—but retroactive tax increases add insult to injury by levying a financial penalty on those who played the game honestly and fairly under the former rules.

If a retroactive tax increase is particularly harsh and oppressive the Federal courts may declare it unconstitutional. Usually, however, the courts give considerable deference to Congress: It has been more than 50 years since the Supreme Court struck down a retroactive tax increase.

Congress has a history of passing retroactive tax increases, and the Federal courts have a history of upholding them, but the American people—and, we think, most Senators—now recognize, that retroactivity casts a long, dark shadow across the promise of fair play. It is time, therefore, to change the Senate rules to conform to our newly enlarged understanding of fair play.

That is why I and my colleague, Senator SHELBY are introducing legislation to amend the Senate rules to forbid retroactive tax increases unless three-fifths of all Senators, duly chosen and sworn, vote to waive the prohibition. Our new rule would establish a presumption against retroactive taxes, but presumption that could be rebutted.

We will be joined by the following original cosponsors: Senator HUTCHISON, Senator COVERDELL, Senator MACK, Senator LOTT, Senator MCCAIN and Senator WALLOP.

Our approach has four strengths: First, retroactive tax increases will be presumed to be out-of-order. It should be more difficult to raise taxes retroactively than to raise taxes prospectively. Second, the rule against retroactivity can be waived whenever the national interest requires it. Waiver will require a vote of three-fifths of all Senators, which is the same proportion of the Senate that is required under the Congressional Budget Act to waive some 15 points of order. Third, every waiver will be done by roll call vote. Therefore, whenever the rule is waived the voters will be able to review the Senate's judgment to determine if the waiver was indeed necessary for the national interest. And fourth, this approach is both helpful and achievable this Congress.

I encourage my colleagues to look at this approach. I know that the Senator from Texas [Mrs. HUTCHINSON] will be introducing legislation to repeal the retroactive tax increase from the last tax bill. But this is a rules change. I hope that my colleagues will look at it and say that if in the future we should make it more difficult to pass retroactive tax increases, that if we do so, a point of order should lie against it. So it would take at least 60 votes in order to pass that.

It would not be impossible but it would be more difficult, just as we made several other provisions under the Budget Act more difficult, requiring a 60 vote point of order.

So, Mr. President, I encourage my colleagues to look at the rules change and hopefully cosponsor it.

• Mr. SHELBY. Mr. President, just a few months ago, this body not only gave the thumbs up to imposing a quarter of a trillion dollars in new taxes on the American people—it also said it was OK to raise some of these revenues retroactively. Mr. President, today, Senator NICKLES and I are here to make it more difficult to retroactively raise taxes again.

This legislation is necessary and important to regain the public trust, Mr. President. It is not enough that we tell the American people that retroactive taxes are a bad idea or that we agree that they are unfair—it is enough only if we take definitive steps to prevent it from happening again.

I believe this legislation is one such definitive step.

Mr. President, the resolution we are offering today would create a presumption against retroactive tax increases. It would change the standing rules of the Senate by making retroactive tax proposals subject to a point of order. Thus, the only way that the Senate could pass another retroactive tax would be if three-fifths of all Senators agreed to waive the point of order in a roll call vote.

Mr. President, it should be difficult to raise revenues through retroactive taxes. While the Supreme Court has ruled that retroactive taxes are not unconstitutional, they have not spoken to the wisdom of them—that is our job. And while there is no question that Congress has imposed retroactive tax increases on the American people in the past—that does not say anything about their propriety today. Again, that is this Congress' job.

Mr. President, this is about principles, not taxes. If we are going to ask American taxpayers to take on greater individual burdens, we should do so honestly and fairly. We should give them fair notice at the very least. Practical, financial reasons require it. Taxpayers need to be able to plan their finances and budget their income without the threat of taxes on money they have already spent, already saved, or already invested. Mr. President, I submit that the American taxpayer deserves no less.

Again, Mr. President, this resolution does not prevent this body from raising taxes retroactively, it only makes it more difficult. If backdoor taxes are so required by necessity or emergency, this body can effectuate them. But the general rule will be that they are not in order.

If seems to me that is a pretty good balance. Our resolution, therefore, reinforces to the American people that raising taxes retroactively is a last resort and ensures that Congress will only use this tactic when it is absolutely necessary.

Mr. President, this is a reasonable measure and one that I hope all my colleagues will support.●

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

NICKLES (AND OTHERS) AMENDMENT NO. 1051

Mr. NICKLES (for himself, Mr. COCHRAN, Mr. GORTON, Mr. D'AMATO, Mr. KEMPTHORNE, Mr. FAIRCLOTH, Mr. BROWN, Mr. HELMS, Mr. HATCH, Mr. ROTH, Mr. BURNS, Mr. CRAIG, and Mr. THURMOND) proposed an amendment to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; as follows:

At the end of the committee amendment on page 154, line 22, strike "stockpile." and insert the following: "stockpile;"

SEC. 8137A. RESTRICTION ON USE OF UNITED STATES ARMED FORCES IN CERTAIN INTERNATIONAL OPERATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to support United States Armed Forces personnel, other than those engaged in medical, logistics, communications, humanitarian, training, temporary observer or liaison activities, after March 1, 1994, when such forces are:

(1) under United Nations operational or tactical control if such forces would be under the command, operational control, or tactical control of foreign officers, unless prior to that date (A) the President has submitted a report to Congress which specifies the role and mission of such forces, the estimated cost of supporting such forces for such mission, the probable maximum size of such force, and the probable duration of the commitment of such forces, to the appropriate congressional committees; (B) such committees have had 30 days thereafter to review the consequences of such a commitment of United States Armed Forces; (C) and a joint resolution authorizing the placing of such forces under foreign command has been enacted; or (2) a part of any prospective standing United Nations international armed force.

(b) The prohibition described in subsection (a)(1) shall not apply if the President determines that (1) national security interests justify a waiver of such prohibition; (2) the President declares that an emergency exists and immediately informs the Congress of his action and the reasons therefor; and (3) within 30 days of such declaration there is enacted a joint resolution authorizing such actions and declaring them to be in the national security interests of the United States.

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President should notify the Speaker of the House of Representatives and the President of the Senate when there is pending in the United Nations Security Council any resolution that might entail the commitment of United States military personnel, and should seek the advice of the chairman and ranking members of the appropriate congressional committees prior to instructing the United States Permanent Representative to the United Nations regarding such a pending resolution.

(d) DEFINITIONS.—(1) For purposes of this section, the term "appropriate congressional committees" means the Committees on Appropriations, Armed Services, and Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on Appropriations, Armed Services, and Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) For purposes of this section, "any prospective standing United Nations international armed force" means any armed military unit or units under United Nations operational control, not in existence as of the effective date of this Act, established for a permanent or indefinite duration, and without a mission defined by country or region. It is specifically recognized that all forces currently in existence with a country-specific or region-specific mission, such as those forces under the control of the United Nations Command in the Republic of Korea, do not meet this definition.

(3) For purposes of this section, "United Nations operational or tactical control" means the exercise by the United Nations Security Council, the United Nations Secretary General, or any other non-United States entity designated by the United Nations Security Council, or the United Nations Secretary General, with the exception of NATO, of the power of command usually given to the leader of a military force, such as the authority to coordinate and direct the mission-related activities of the units comprising such force. It is specifically recognized that overall statement of policy or mission authorization in resolutions of the United Nations Security Council, such as those relating to Korea beginning in 1950 or to Iraq beginning in 1990, do not meet this definition.

STEVENS (AND OTHERS) AMENDMENT NO. 1052

Mr. STEVENS (for himself, Mr. INOUYE, and Mr. EXON) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 22 of the bill, at line 18, before the period, add the following new proviso: ": *Provided further*, That none of the funds appropriated under this heading may be expended or transferred to an eligible recipient state until fifteen days after the President certifies to the Congress that the proposed eligible recipient is not currently engaged in the fabrication and construction of new road mobile or fixed-site land based intercontinental ballistic missiles armed with multiple nuclear reentry vehicles".

BROWN AMENDMENT NOS. 1053–1055

Mr. BROWN proposed three amendments to the bill H.R. 3116, supra; as follows:

AMENDMENT NO. 1053

At the appropriate place in the bill, add the following new section—

"SEC. . (a) It is the sense of the Congress that, for purposes of section 112 of the Internal Revenue Code of 1986, the President should declare that service in Somalia during the period described in subsection (b) should be treated as service in a combat zone.

"(b) The period referred to in subsection (a) is the period beginning on December 10, 1992, and ending on the date on which withdrawal from Somalia of all forces of the Armed Forces of the United States in Somalia has been completed, as declared in a proclamation issued by the President."

AMENDMENT NO. 1054

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. The Secretary of Defense shall submit to Congress an annual report containing information on the cost to the United States of transporting supplies for the Army, Navy, Air Force, or Marine Corps by sea on vessels of the United States or belonging to the United States pursuant to section 2631 of title 10, United States Code, including the amount of the cost savings that could have been realized if such supplies had been transported at competitive international shipping rates available from non-cargo-preference vessels. The annual report shall cover a cargo preference year which shall be a 12-month period defined by the Secretary.

AMENDMENT NO. 1055

At the appropriate place in the bill, add the following new section—

"SEC. . CONGRESSIONAL HEARINGS ON THE COMMITMENT OF UNITED STATES TROOPS IN SOMALIA AND HAITI.

(a) FINDINGS.—

(1) Public hearings are essential in ensuring broadbased understanding of and support for United States policies;

(2) Since United States troops were committed in Somalia, the original humanitarian mission has been significantly expanded to include nation-building, as evidenced in United Nations Security Council Resolution 814;

(3) Since the commitment of United States troops in Somalia, the Senate of the United States has received only update briefings or has held closed hearings on United States actions there and has held only one public hearing;

(4) To date, thirty United States troops have lost their lives since United States troops were committed in Somalia;

(5) Since the most recent disaster where 18 Americans lost their lives, 76 were wounded and 1 was captured, the President has announced his intention to commit several thousand additional United States troops;

(6) Six American warships sit off the coast of Haiti and six hundred Americans wait to be deployed as part of a United Nations peacekeeping force.

(b) SENSE OF SENATE.—It is the Sense of the Senate that—

(1) the appropriate committees of the Senate should hold public hearings at the earliest practical date with the Secretaries of State and Defense as witnesses on the commitment of United States troops in Somalia and Haiti as members of the United Nations peacekeeping force; and

(2) the appropriate committees should promptly hold investigative, public hearings on the October 3, 1993, incident in Mogadishu, Somalia in which 17 American soldiers were killed and at least 76 were wounded as part of the United Nations peacekeeping operation.

BREAUX AMENDMENT NO. 1056

Mr. BREAUX proposed an amendment to the bill H.R. 3116, supra, as follows:

SEC. . Notwithstanding any other provision of the law, the Secretary of the Navy shall obligate the funds appropriated for fiscal years 1992 and 1993 for the USH–42 mission recorder program within the A–6 aircraft program: *Provided*, That the Secretary of the Navy verifies that a mission recorder is required in the future for Navy attack aircraft for peacetime training and bomb damage assessment in combat: *Provided further*, That the Secretary shall make this verification within 60 days of this act becoming law: *Provided further*, That the Secretary shall obligate such funds within 60 days of this verification that a mission recorder is required in Navy attack aircraft for peacetime training and bomb damage assessment in combat.

MOYNIHAN AMENDMENT NO. 1057

Mr. MOYNIHAN proposed an amendment to the bill H.R. 3116, supra, as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . PUBLICATION OF FIGURE FOR TOTAL INTELLIGENCE SPENDING.

(A) FINDINGS.—The Congress finds that—

(1) Article I, section 9, clause 7 of the United States Constitution states that "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

(2) During the cold war the United States did not provide to the American people a "regular Statement and Account of the * * * Expenditures" to intelligence activities.

(3) The failure to provide to the American people a statement of the total amount of expenditures on intelligence activities prevents them from participating in an informed, democratic decision concerning the appropriate level for such expenditures.

(b) PUBLICATION OF FIGURE FOR TOTAL INTELLIGENCE SPENDING.—Section 1105(a) of title of the United States Code is amended to add at the end thereof—"(27) a separate, unclassified statement of the aggregate amount of budget outlays for the prior fiscal year for national and tactical intelligence activities. This figure shall included, without limitation, outlays for activities carried out under the Department of Defense budget to collect, analyze, produce, disseminate or support the collection of intelligence."

MACK AMENDMENT NO. 1058

Mr. INOUYE (for Mr. MACK) proposed an amendment to the bill H.R. 3116, supra, as follows:

On page 45, line 15, before the period, add the following: ": *Provided further*, That of the funds appropriated under this heading, $10,500,000 shall be available only for the ARPA Nuclear Nonproliferation Technology Initiative".

LEVIN AMENDMENT NO. 1059

Mr. LEVIN proposed an amendment to the bill H.R. 3116, supra, as follows:

On page 45, line 15, before the period at the end, insert the following: ": *Provided further*, That of the funds appropriated in this paragraph, $6,500,000 shall be available for the establishment and operation of a Joint Simulation Center for Warfighting Concepts and Doctrine Development: *Provided further*, That of the funds appropriated in this paragraph, $5,000,000 shall be available for the establishment of a Peace Enforcement Doctrine Development Center".

GRASSLEY (AND OTHERS) AMENDMENT NO. 1060

Mr. GRASSLEY (for himself and Mr. D'AMATO) proposed an amendment to the bill H.R. 3116, supra, as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. None of the funds appropriated for the Department of Defense for fiscal year 1994 by this Act may be used for making any progress payment under the C–17 aircraft program that is not consistent with the requirements of section 2307(d)(1) of title 10, United States Code.

NOTICE OF HEARING

COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in SR–301, Russell Senate Office Building, on Thursday, October 28, 1993, at 9:30 am., to hold a hearing on the nomination of the Public Printer.

The committee also will meet to receive testimony on Senate Joint Resolution 143, appointment of Frank S. Shrontz as a Smithsonian citizen regent, and Senate Joint Resolution 144, appointment of Manuel L. Ibanez as a Smithsonian citizen regent.

For further information regarding these hearings, please contact Carole Blessington of the Rules Committee staff on 202–224–0278.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Monday, October 18, 1993, at 4:30 p.m. to receive a briefing from the administration on the situation in Haiti.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF MOTION TO SUSPEND THE RULES

Mr. NICKLES. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I would like to give notice of my intention to amend the Standing Rules of Senate by adding a new rule.

The new rule is as follows:

S. RES. 152

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLIII

"RETROACTIVE TAX INCREASES

"1. It shall not be in order to consider any material in any bill, joint resolution, amendment, motion, conference report, or amendment between the Houses that increases a tax retroactively.

"2. Upon a point of order being made by any Senator against material in bill or joint resolution, amendment, motion, or conference report that increases a tax retroactively, and the point of order being sustained by the Chair, the part of such title or provision that increases a tax retroactively shall be deemed stricken from the measure and may not be offered as an amendment from the floor.

"3. (a) Upon a point of order being made by any Senator against material in any conference report or amendment between the Houses that increases a tax retroactively, and the point or order being sustained by the Chair, the part of such title or provision that increases a tax retroactively shall be deemed stricken from the conference report or amendment.

"(b) If such a point of order is sustained, such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall recede from its amendment and concur with the further amendment, or concur in the House amendment with a further amended, as the case may be, not so stricken. Any such motion in the Senate shall be debatable for 2 hours. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this paragraph), no further amendment shall be in order.

"4. Paragraphs 1, 2, and 3 may be waived only upon the affirmative vote of three-fifths of all Senators duly chosen and sworn, and in every such case the vote shall be determined by the yeas and nays and entered on the journal. Each part of a title or provision that increases a tax retroactively shall be subject to a point of order. No motion for a general waiver shall be entertained.

"5. For purposes of this rule, the term 'increases a tax' shall be construed to include a change in any deduction, exemption, credit, or similar exclusion that will result in an obligation to pay a larger tax.".

ADDITIONAL STATEMENTS

A TRIBUTE TO ERMA BOMBECK

• Mr. DECONCINI. Mr. President, I rise today to recognize and pay tribute to my constituent and friend, Erma Bombeck, who is being honored this week with the 1993 Arizona Heritage Award by the Arizona Chamber of Commerce.

Erma Bombeck is among the best-known women in America, foremost as a journalist, but as a television personality and best-selling author as well.

She can always find the humor in the simplest family situation frequently causing us to be reminded with affection similar instances in the lives of our own families.

There is another side to Erma Bombeck that is equally admirable. Generations of Americans have been influenced by her advocacy and leadership in enhancing the status of women and children. She has been a tireless writer and speaker, traveling the Nation to speak about issues close to her heart. Her best-selling book and audiocassette about and for children surviving cancer have no doubt helped to make everyday life a little easier for these children and their families. In addition, all proceeds from the sale of this book go to cancer research.

I have had the great pleasure of knowing Erma and her husband, Bill, for many years and have always found them to be generous with their time and talents on behalf of many professional, civic, and charitable causes. I count myself lucky to know them and I call them my friends. It is with great pleasure that I pay tribute to Erma Bombeck today. She is not only a treasured part of Arizona's heritage, she is truly an American treasure.•

TRIBUTE TO CENTRAL KENTUCKY YOUTH ORCHESTRA

• Mr. McCONNELL. Mr. President, I rise today to pay tribute to a talented and dedicated group of young people from my home State of Kentucky.

The Central Kentucky Youth Orchestra [CKYO] has won an invitation to perform at the 1993 Midwest International Band Clinic in Chicago. This is a special honor where ensembles representing the United States, Canada, Europe, Japan, and Australia will perform. I am very pleased that the CKYO Symphony Orchestra has been distinguished as an outstanding group.

This orchestra is composed of 85 high school students from 20 schools in 11 Kentucky counties. These talented individuals rehearse together weekly and perform over 10 concerts each season in Lexington. They receive special training from professional musicians, and students must audition to earn a place in the orchestra.

The Central Kentucky Youth Orchestra originated as an experiment by Howard Pence in 1947. The string group expanded to a full-sized orchestra and has since gained international recognition, performing throughout the years in such places as Carnegie Hall in New York City, the White House at the invitation of Mrs. John F. Kennedy, and Europe, Romania, and Russia.

Mr. President, this fine group is continuing their tradition of excellence. Under the direction of Elizabeth Stoyanovich, a renowned and experienced conductor, CKYO is committed to the musical education of young people. I am honored and proud that these young Kentuckians have yet again distinguished themselves as one of the finest youth orchestras in our country.•

CORRECTION IN THE ENROLLMENT OF H.R. 3123

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent the Senate proceed to the immediate consideration of House Concurrent Resolution 160, a concurrent resolution to correct the enrollment of H.R. 3123 just received from the House; that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the concurrent resolution (H. Con. Res. 160) was agreed to.

ORDER OF PROCEDURE—SENATE JOINT RESOLUTION 19

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that the majority leader, following consultation with the Republican leader, may at any time proceed to the consideration of Calendar 185, Senate Joint Resolution 19, a joint resolution to acknowledge the 100th anniversary of the overthrow of the Kingdom of Hawaii; that there be 1 hour of debate equally divided and controlled in the usual form; that no amendments be in order; upon the use or yielding back of time, the joint resolution be advanced to third reading, and the Senate vote on passage, with no intervening action or debate, and that immediately upon the disposition of the joint resolution, if it is agreed to, the preamble be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR AMENDMENTS TO BE ADDED TO LIST OF AMENDMENTS TO H.R. 3116

Mr. FORD. Mr. President, I ask unanimous consent that the following amendments be added to the list of amendments in order to H.R. 3116: Senator HELMS on Haiti, and Senator GRAHAM on Haiti.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE—VOTE ON H.R. 2446

Mr. FORD. Mr. President, I ask unanimous consent that the vote on the adoption of the conference report accompanying H.R. 2446, the military construction appropriations bill, occur at 9:45 a.m. tomorrow—that is in lieu of the 9:30 request on Tuesday, October 19, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, OCTOBER 19, 1993

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business, it stand in recess until 9:40 a.m., Tuesday, October 19; that following the prayer, the Journal of proceedings be deemed approved to date; the time for the two leaders be reserved for their use later in the day; that upon disposition of the conference report accompanying H.R. 2446, the Senate then resume consideration of H.R. 3116, the Department of Defense appropriations bill; and that on Tuesday, the Senate stand in recess from 12:30 p.m. to 2:15 p.m. in order to accommodate respective party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9:40 A.M. TOMORROW

Mr. FORD. Mr. President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 8:08 p.m., recessed until tomorrow, Tuesday, October 19, 1993, at 9:40 a.m.

NOMINATIONS

Executive nominations received by the Senate October 18, 1993:

THE JUDICIARY

RAFAEL DIAZ, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE ROBERT A. SHUKER.

CONFIRMATIONS

Executive Nominations Confirmed by the Senate October 18, 1993:

DEPARTMENT OF THE TREASURY

GEORGE MUNOZ, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

GEORGE MUNOZ, OF ILLINOIS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

PIERRE N. LEVAL, OF NEW YORK, TO BE U.S. CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

DEBORAH K. CHASANOW, OF MARYLAND, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.

PETER J. MESSITTE, OF MARYLAND, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.

LEONIE M. BRINKEMA, OF VIRGINIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA.

DEPARTMENT OF JUSTICE

PAUL EDWARD COGGINS, OF TEXAS, TO BE U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS.

HENRY LAWRENCE SOLANO, OF COLORADO, TO BE U.S. ATTORNEY FOR THE DISTRICT OF COLORADO FOR THE TERM OF FOUR YEARS.

JON ERNEST DEGUILIO, OF INDIANA, TO BE U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS.

CHRISTOPHER DRONEY, OF CONNECTICUT, TO BE U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF CONNECTICUT FOR A TERM OF FOUR YEARS.

PEGGY A. LAUTENSCHLAGER, OF WISCONSIN, TO BE U.S. ATTORNEY FOR THE WESTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS.

THOMAS PAUL SCHNEIDER, OF WISCONSIN, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS.

EMILY MARGARET SWEENEY, OF OHIO, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS.

MICHAEL RANKIN STILES, OF PENNSYLVANIA, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS.

EXTENSIONS OF REMARKS

A JOB WELL DONE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1993

Mr. SKELTON. Mr. Speaker, the 351st Missile Wing, Whiteman Air Force Base, MO, under the Command of Col. Joseph E. Sutter, has achieved a unique place in history. Since 1964, the 351st near Knob Noster, MO, has been home to 150 Minuteman II intercontinental ballistic missiles (ICBM's) and played a critical role in winning the cold war. This uninterrupted vigil of 27 years ended on September 28, 1991, when President George Bush ordered the standdown of all Minuteman II ICBM's from prompt alert. Shortly thereafter, deactivation of the weapon system was ordered. In this climate of a downsized military and imminent deactivation of the 351st, the men and women of Whiteman have continued to excel and carved for themselves an honor unprecedented in the history of the Air Force's ICBM wings.

In April of this year, the 351st Missile Wing became the first wing ever to hold the three most prestigious ICBM awards simultaneously. Whiteman AFB is the proud home of the Bernard A. Schriever Trophy, awarded to the missile wing with the best operational readiness inspection (ORI) results in the inspection cycle. The ORI represents the most thorough and detailed assessment of a unit's warfighting capability. The 351st's achievements under this most arduous 10-day evaluation were nothing short of spectacular. There were no marginal or unsatisfactory ratings, no repeat write-ups, with more than 85 percent of the areas rated either outstanding or excellent. This shattered all previous records for Strategic Air Command Inspector General evaluations.

In January of 1993 the 351st Missile Wing earned a second coveted honor in the ICBM world, the Col. Lee R. Williams Memorial Missile Trophy. The Williams Trophy is awarded annually to the missile wing whose achievements over the past calendar year are the most outstanding. Whiteman posted a litany of remarkable accomplishments ranging from individual excellence in the maintenance and operations fields to unit recognition as "Best in the Air Force" for both the security police group and the civil engineering squadron. In every competitive category the 351 MW excelled and earned recognition as the Air Force's best missile wing.

The final jewel in the ICBM triple crown is the Blanchard Trophy, named in honor of Gen. William H. Blanchard and given annually to the winner of the command's showcase, head-to-head missile wing competition, Olympic Arena. The Blanchard Trophy represents a snapshot excellence in a fiercely competitive environment where all around war-fighting skills are put to the test. In this crucible of competition, the 351st Missile Wing proved that the Williams and Schriever Trophies were rightly given. The Whiteman Warchiefs won their unprecedented sixth Blanchard trophy at Olympic Arena '93 in April culminating their outstanding march into the history books. Never before has one wing held these three highest awards simultaneously.

In recognition of these significant achievements, the 351st was awarded its 5th Air Force Outstanding Unit Award for the period 1 July 1991 to 30 June 1993.

The men and women of Whiteman AFB and the 351st Missile Wing excelled in spite of the changing missions and morale threatening downsizing. Their valiant efforts have produced a unique accomplishment never before seen in the history of the ICBM force.

COMMEMORATING THE CENTENNIAL OF THE INTERNATIONAL PLATE PRINTERS, DIE STAMPERS AND ENGRAVERS UNION OF NORTH AMERICA

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1993

Mr. HOYER. Mr. Speaker, I rise today to honor and call to the attention of my colleagues, the proud men and women of the International Plate Printers, Die Stampers and Engravers Union, who celebrate the 100th year of their union this year.

On September 6, 1893, union members from Washington, DC, Boston, New York, and Philadelphia met in New York and formed the Plate Printers Union of America, representing 350 plate printers. The delegates elected William Johnson as president. In 1901, with the addition of a Canadian local, the union became an international representative body. And in 1921, the Die Stampers Union joined with the I.P.P.U. to take on the name we recognize today.

Mr. Speaker, the I.P.P.D.S.&E.U. has had a distinguished record of accomplishment over the past 100 years. We all are familiar with the work of the Washington local, which is responsible for printing all of our U.S. currency and for the past 90 years, most of our postage stamps. The engravings of the artists of the union are world renown, and are prized for their detail, craftsmanship, and beauty. Presidential portraits are accomplished by their steady hands and the graceful stamps which we use and collect, including the lovely Christmas stamps used during the holiday season have been carefully created and printed by the skilled craftspeople of this union.

Across the country, in Chicago, Philadelphia, New York, and Canada, the craftspeople of this union day in and day out print and prepare securities used by private sector companies, foreign currency, and highly skilled engraving work used for occasions small to grand. It is a time honored trade, made up of skilled workers and artisans, and this union represents the best this specialized trade has to offer.

Mr. Speaker, as chairman of the Treasury, Postal Service, and General Government Subcommittee on Appropriations, I am responsible for overseeing the Bureau of Engraving and Printing, where the members of the Washington local work. I have had the pleasure of working closely with the president of the international, Daniel J. Bradley, who does yeoman's work in representing the best interests of his fellow workers. Dan may not have been there in 1893 when the foundation of this union was laid, but he has sure worked to keep the structure in good repair today, and I know his forerunners would be pleased with what they saw if they could be here with us today.

Mr. Speaker, I know that you and all of my colleagues in the House will join with me as we offer our sincerest congratulations on 100 years of outstanding service to the Nation by this international union and our best wishes for every continued success in the next 100 years. Happy centennial anniversary I.P.P.D.S.&E.

TRIBUTE TO DR. CONSTANCE E. CLAYTON

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1993

Mr. BLACKWELL. Mr. Speaker, I rise today on the floor of the U.S. House of Representatives to pay tribute to one of Philadelphia's most beloved and celebrated citizens. On Friday October 15, Dr. Constance E. Clayton will be honored at a banquet hosted by the Afro-American Historical and Cultural Museum of Philadelphia, celebrating her remarkable tenure as the first African-American woman superintendent of schools for the school district of Philadelphia. To commemorate this most special occasion, I would like to take a moment to reflect on the remarkable career of this outstanding woman.

Dr. Clayton first joined the Philadelphia School District as a teacher in 1955, and soon went on to hold a variety of positions within the Philadelphia school system. After a brief period of service at the Department of Labor, Dr. Clayton rapidly advanced through the leadership ranks of the Philadelphia school system, serving as the director and executive director of early childhood education programs, and eventually as the associate superintendent of early childhood education. In 1982, Dr. Clayton was appointed school superintendent,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

becoming the first African-American woman ever to serve in this prestigious position.

During her tenure as superintendent, Dr. Clayton revitalized and reinvented the Philadelphia school system, demonstrating the remarkable level of quality and commitment that can be achieved in public education. She gained national recognition for her efforts, and received a countless number of achievement awards and distinctions during her 11 years as superintendent.

Mr. Speaker, Dr. Clayton has also been a major asset to many community service organizations in our community. Through her constant dedication and boundless energy, Dr. Clayton has certainly provided a great many Philadelphians, particularly our youth, with new opportunities, and restored hope and faith. I would like to ask my colleagues to rise and join me in paying our greatest tributes to my dear friend, Dr. Constance E. Clayton. I would also like to extend our warmest appreciation to Dr. Clayton's beloved family. On behalf of the entire U.S. Congress, I would like to offer my greatest thanks and appreciation to Dr. Constance E. Clayton. May God continue to bless and smile on this truly great woman, so that even in retirement, she may continue to preside over our academic community for many years to come. As long as Dr. Clayton is watching, we will always be challenged to raise our school system to new levels of excellence.

COL. WILLIAM E. DUSSETSCHLEGER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1993

Mr. SKELTON. Mr. Speaker, today I would like to pay tribute to my good friend William E. "Dutch" Dussetschleger of Belton, MO. He embodied the true meaning of citizen-soldier.

Dutch was a 30-year veteran of the Air Force and retired as a colonel in 1975 after working as an air traffic controller from 1958 through 1975. He served with distinction in both Korea and Vietnam and was awarded the Bronze Star.

After his retirement, he became a member of the board of the Kansas City Area Transportation Authority and was its chairman. Dutch was also elected to three terms on the Cass County Commission and served as a Belton city alderman.

Dutch was extremely active in the community as the president of West Central Missouri Community Action Agency, member of the Belton Chamber of Commerce, Belton Masonic Lodge, Disabled American Veterans, Air Force Association, Air Force Sergeants Association, Retired Officers Association, VFW Post 8220 in Belton, and member of the Lord of Love Lutheran Church Council in Belton.

He is survived by his wife Barbara; sons William David, Stephen Lee, Robert Alan, and Donald Wayne; his brother, Dr. Floud Lee Dussetschleger; twin sisters Rita Carlene Mitcheltree and Karen Arlene Leonard; and seven grandchildren.

I encourage my colleagues to join me in bidding a fond farewell to an outstanding citizen, father, and friend.

TRIBUTE TO PETOSKEY, MI, LIONS CLUB

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1993

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to the Petoskey, MI, Lions Club, operating out Petoskey, MI, which I represent. The year 1993 represents a great landmark as the club celebrates the 50th anniversary of its founding.

The Petoskey Lions Club has been synonymous with good works since its inception in 1943. Its early years showed the club's dedication to both its community and country. Indeed, the club began its half century of service by selling over $150,000 worth of Liberty bonds during World War II. This feat was followed by many charitable acts and commitments which continue into the present day.

The Lions dedication and involvement in youth services with the Petoskey community is well documented. Every year the club provides funds to Camp Daggett, a beautiful summer camp for youth near Petoskey. The club pays for children whose parents would otherwise be unable to afford to send them to camp. The club also paid for the construction of a cabin which was named after Frank McPherson, a faithful Lion. In addition to the club's work with camp it also provides funding for other youth programs including Boy Scouts, Little League, and DARE.

The club is involved in many other aspects of service to the Petoskey community. Their key role in the community is exemplified by their continuing work on the completion of Sunset Park in Little Traverse Bay. The club had coin-operated telescopes installed in the park and uses the revenue from these telescopes to fund their charitable acts. Amongst these good works was the purchase of a stainless steel tank for the treatment of burn victims at the Lockwood-McDonald Hospital in Petoskey. The club also sponsors an American Red Cross blood drive in Petoskey. Last year this drive resulted in a record collection of 115 units.

Over the past 50 years the Petoskey Lions Club has been an integral part of the community. They are a model organization whose commitment to others is truly appreciated and welcomed. I am grateful to the Lions Club for their service and I would like to congratulate them, and their members, once again on their 50th anniversary.

FORT LEONARD WOOD HONORED

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1993

Mr. SKELTON. Mr. Speaker, today I would like to recognize the outstanding efforts of the training and doctrine command at Fort Leonard Wood in Missouri. It was named one of the top two large installations in training and doctrine communities of excellence. From here it will go on to compete with 43 other installations in the Department of the Army communities of excellence competition.

Selections were made based on a packet of information about Fort Leonard Wood customer service, facilities excellence and management qualities sent to TRADOC on May 27. Fort Leonard Wood will be competing in the large installation category. In December, the Department of the Army will select the top 13 of the 44 nominated by their major commands. I wish Fort Leonard Wood the best of luck in the competition. I know that my colleagues join me in congratulating the men and women of Fort Leonard Wood for their outstanding excellence.

GO PHILLIES

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today, as my good friend Mr. Lewis did 2 weeks ago, not to discuss pressing global issues, or NAFTA, or even health care.

I rise today to speak about the value of the Schilling—the National League Championship Series Most Valuable Player, Mr. Curt Schilling. Let me get to the Kruk of the issue. I'm sure the rest of the Nation is Green with envy over the Wild Thing that happened in Philadelphia on Wednesday night. The working man's team, lead by John Kruk, Darren Daulton, and Lenny Dykstra, chopped their way to victory over Atlanta. They proved that with a lot of sweat, hard work and, frankly, spit, their team can come together and win.

We have made peace with our Brave friends from the South. Now we must all unite as a nation behind America's baseball team, as they travel north to Toronto to meet new foes.

Go Phillies, go Phillies, go America's team.

TRIBUTE TO RAY YOUNG

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1993

Mr. MYERS of Indiana. Mr. Speaker, we all know that the administrative staff of the House of Representatives works tirelessly to make our job easier. I rise today to salute one of those tireless staff members who we all have worked with and who has continually served with distinction and integrity. Today, Ray M. Young is retiring as the Chief of the House Office Supply Service. He has served the House for 33 years.

Ray, a native of Rockport, IN, came to Washington in 1955 while serving with the Air Force, and began working on the Hill in January 1960, as the administrative assistant to Ralph Roberts, the Clerk of the House. Ray continued to work in various positions for the Clerk before assuming his current position as Chief of Office Supply in July 1975.

During Ray's tenure, the Office Supply Service has been an efficient, well-run operation responsive to the needs of all Members and staff. Ray always said his staff was one of the best on the Hill, as evidenced by the moving retirement party hosted for him. I had the pleasure of attending, and the testimonials from friends, family, and staffers showed both the affection and respect held for Ray by many people.

I must say that I am sorry to see Ray go. I am sure many of my colleagues would echo my personal experience of Ray working unselfishly to solve any problem we had in our congressional office. I am proud to say, however, that Ray was more than just a staff member to me. He was also my friend. I hope my colleagues on both sides of the aisle will join me on Ray's retirement day in expressing their appreciation for his 33 years of service to the House of Representatives by saying, "Job well done."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, October 19, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 20

9:00 a.m.

Labor and Human Resources

Business meeting, to consider pending calendar business.

SD-430

9:30 a.m.

Environment and Public Works

To hold hearings on the nominations of Mary Dolores Nichols, of California, to be Assistant Administrator for the Office of Air and Radiation, and Jonathan Z. Cannon, of Virginia, to be Assistant Administrator for the Office of Administration and Resources Management and Chief Financial Officer, both of the Environmental Protection Agency.

SD-406

Indian Affairs

To hold oversight hearings on issues relating to Indian self- goverance.

SR-485

10:00 a.m.

Commerce, Science, and Transportation

To hold hearings to examine violence in television programs, focusing on S. 1383, to prohibit the distribution to the public of violent video programming during hours when children are reasonably likely to comprise a substantial portion of the audience, S. 973, to require the Federal Communications Commission to evaluate and publicly report on the violence contained in television programs, and S. 943, to protect children from the physical and mental harm resulting from violence contained in television programs.

SR-253

Finance

Business meeting, to mark up proposed legislation to implement the North American Free Trade Agreement (NAFTA).

SD-215

Foreign Relations

To hold hearings to examine U.S. and U.N. peacekeeping in Somalia.

SD-419

10:30 a.m.

Judiciary

To hold hearings to examine national drug control strategies, focusing on methods for breaking the cycle for drug abuse.

SD-226

Labor and Human Resources

To continue hearings to examine the Administration's proposed Health Security Act, to establish comprehensive health care for every American, focusing on health alliances.

SD-430

2:00 p.m.

Agriculture, Nutrition, and Forestry

To hold hearings on proposed legislation on the effect of the North American Free Trade Agreement on U.S. agriculture.

SR-332

Commerce, Science, and Transportation

To hold hearings on S. 1427, to provide the necessary authority to manage the activities in Antarctica of United States scientific research expeditions and United States tourists, and to regulate the taking of Antarctic marine living resources.

SR-253

Judiciary

To hold hearings on the nominations of Martha Craig Daughtrey, of Tennessee, to be U.S. Circuit Judge for the Sixth Circuit, Thomas M. Shanahan, to be U.S. District Judge for the District of Nebraska, and Lawrence L. Piersol, to be U.S. District Judge for the District of South Dakota.

SD-226

2:30 p.m.

Labor and Human Resources

To hold hearings on the nomination of Diane B. Frankel, of California, to be Director of the Institute of Museum Services, National Foundation on the Arts and the Humanities.

SD-430

3:30 p.m.

Foreign Relations

To hold hearings on the nominations of Larry E. Byrne, of Virginia, to be Associate Administrator for Finance and Administration of the Agency for International Development, and Jennifer Anne Hillman, of the District of Columbia, for the rank of Ambassador during her tenure of service as Chief Textile Negotiator.

SD-419

OCTOBER 21

9:00 a.m.

Labor and Human Resources

Education, Arts and Humanities Subcommittee

Business meeting, to mark up S. 286, authorizing funds for programs of the Office of Educational Research and Improvement, and S. 1125, authorizing funds for fiscal years 1994 and 1995 to provide grants to State and local education agencies to develop comprehensive school violence and drug prevention programs.

SD-430

9:30 a.m.

Energy and Natural Resources

To hold hearings on S. 447, to facilitate the development of Federal policies with respect to those territories under the jurisdiction of the Secretary of the Interior.

SD-366

Environment and Public Works

Clean Air and Nuclear Regulation Subcommittee

To hold hearings on the implementation of the acid rain provisions of the Clean Air Act Amendments of 1990.

SD-406

Foreign Relations

To hold hearings on the nomination of Victor L. Tomseth, of Oregon, to be Ambassdor to the Lao People's Democratic Republic.

SD-419

Judiciary

Juvenile Justice Subcommittee

Business meeting, to consider pending calendar business.

SD-226

10:00 a.m.

Banking, Housing, and Urban Affairs

Securities Subcommittee

To hold hearings on the accounting treatment of employee stock options.

SD-538

Commerce, Science, and Transportation

To hold hearings on proposed legislation to implement the North American Free Trade Agreement (NAFTA).

SR-253

Finance

To resume hearings on the Administration's proposed Health Security Act, to establish comprehensive health care for every American, focusing on medical practice patterns and appropriateness of care.

SD-215

2:30 p.m.

Labor and Human Resources

To hold hearings on proposed legislation to regulate the dietary supplements industry.

SD-430

OCTOBER 22

10:00 a.m.

Labor and Human Resources

To resume hearings to examine the Administration's proposed Health Security Act, to establish comprehensive health care for every American, focusing on the budgets and competition.

SD-430

OCTOBER 26

10:00 a.m.

Environment and Public Works

To hold joint hearings with the Committee on Environment and Public Works'

Subcommittee on Clean Air and Nuclear Regulation on the Administration's National Action Plan on Global Climate Change.

SD-406

2:30 p.m.

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings on S. 1537, to revise the Stevenson-Wydler Technology Innovation Act of 1980 to improve the use of Federal laboratories and advance American international competitiveness.

SR-253

OCTOBER 27

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 589 and H.R. 1348, bills to establish the Quinebaug and Shetucket Rivers Valley National Heritage Corridor, S. 1332, to designate a portion of the Farmington River in Connecticut as a component of the National Wild and Scenic Rivers System, and S. 1380 and H.R. 2650, to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers System.

SD-366

OCTOBER 28

9:30 a.m.

Energy and Natural Resources

To hold oversight hearings on the Administration's National Action Plan to reduce greenhouse gases.

SD-366

Rules and Administration

To hold hearings on the nomination of Michael F. DiMario, of Maryland, to be Public Printer, Government Printing Office, S.J. Res. 143, providing for the appointment of Frank Anderson Shrontz as a citizen regent of the Board of Regents of the Smithsonian Institution, and S.J. Res. 144, providing for the appointment of Manuel Luis Ibanez as a citizen regent of the Board of Regents of the Smithsonian Institution.

SR-301

Indian Affairs

To hold oversight hearings on issues relating to Indian child abuse.

SR-485

10:00 a.m.

Banking, Housing, and Urban Affairs

Business meeting, to mark up S. 783, to strengthen the accuracy and the privacy protection provisions of the Fair Credit Reporting Act with regard to credit reporting agencies' file information systems, and to consider other pending calendar business.

SD-538

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings to examine the National Aeronautics and Space Administration's (NASA) relevance to the economy.

SR-253

2:00 p.m.

Energy and Natural Resources

To hold oversight hearings to examine U.S. efforts to help nations operating Soviet-built nuclear power plants to reduce the risk of a serious nuclear accident.

SD-366

Veterans' Affairs

Business meeting, to consider pending calendar business.

SR-418

2:30 p.m.

Veterans' Affairs

To hold hearings on the nominations of Eugene A. Brickhouse, of Virginia, to be an Assistant Secretary of Veterans Affairs (Human Resources and Administration), and Kathy Elena Jurado, of Florida, to be an Assistant Secretary of Veteran Affairs (Public and Intergovernmental Affairs).

SR-418

OCTOBER 29

9:30 a.m.

Indian Affairs

To hold hearings on proposed legislation relating to Indian fish and wildlife resource management.

SR-485

NOVEMBER 2

2:30 p.m.

Veterans' Affairs

To hold hearings to review research on the health effects of agent orange and other herbicides used in Vietnam.

SR-418

NOVEMBER 3

9:30 a.m.

Indian Affairs

To hold hearings on S. 720, to clean up open dumps on Indian lands.

SR-485

10:00 a.m.

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings on the effects of potential restructuring in the National Aeronautics and Space Administration (NASA).

SR-253

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 297, to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs, S. 455, to increase Federal payments to units of general local government for entitlement lands, S. 761, to revise the "unit of general local government" definition for Federal payments in lieu of taxes to include unorganized boroughs in Alaska, S. 1047, to convey certain real property in Tongass National Forest to Daniel J. Gross, Sr., and Douglas K. Gross, and H.R. 1134, to provide for the transfer of certain public lands located in Clear Creek County, Colorado, to the United States Forest Service, the State of Colorado, and certain local governments in the State of Colorado.

SD-366

NOVEMBER 4

9:00 a.m.

Office of Technology Assesment Board meeting, to consider pending business.

EF-100, Capitol

10:00 a.m.

Foreign Relations

To hold hearings to review foreign policy issues.

SD-419

2:00 p.m.

Energy and Natural Resources

Mineral Resources Development and Production Subcommittee

To hold oversight hearings on ocean mining policy.

SD-366

NOVEMBER 16

9:30 a.m.

Indian Affairs

To hold hearings on S. 1146, to provide for the settlement of the water rights claims of the Yavapai-Prescott Indian Tribe in Yavapai County, Arizona.

SR-485

NOVEMBER 18

9:30 a.m.

Indian Affairs

To hold hearings on S. 1345, to provide land-grant status for tribally controlled community colleges, tribally controlled postsecondary vocational institutions, the Institute of American Indian and Alaska Native Culture and Arts Development, Southwest Indian Polytechnic Institute, and Haskell Indian Junior College.

SR-485

POSTPONEMENTS

OCTOBER 19

10:00 a.m.

Joint Economic

To resume hearings to examine the loss of manufacturing jobs in the United States and proposals to restore the American manufacturing base.

2172 Rayburn Building

SENATE—*Tuesday, October 19, 1993*

(Legislative day of Wednesday, October 13, 1993)

The Senate met at 9:40 a.m., on the expiration of the recess, and was called to order by the Honorable GEORGE J. MITCHELL, a Senator from the State of Maine.

(Mr. FEINGOLD assumed the chair.)

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Commit thy works unto the Lord, and thy thoughts shall be established.—Proverbs 16:3.

Gracious God, our Heavenly Father, we pray for our leadership. As time moves relentlessly and the end of the session nears, pressure increases and issues abound. We thank Thee for leadership which is fair and patient and resourceful. We pray for special grace and wisdom for leadership which has to juggle so many balls in the air at the same time. Grant our leaders daily refreshing and encourage the staffs who work hard to lift burdens. Help us all, Lord, to appreciate our leadership, to be grateful and supportive.

In the name of Jesus who said, "come unto me all ye who labor and are heavy laden and I will give you rest." Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 19, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RUSSELL D. FEINGOLD, a Senator from the State of Wisconsin, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. FEINGOLD thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1994—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the conference report accompanying H.R. 2446. The report will be stated.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2446) a bill making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 7, 1993.)

Mr. SASSER. Mr. President, I am pleased to bring before the Senate the conference report on the military construction appropriations bill for fiscal year 1994.

Mr. President, the conference report is within the 602(b) budget allocation for both budget authority and outlays. I am pleased to report that the conference agreement is also below the President's budget request by $729 million.

Mr. President, there were more than 350 differences between the House and Senate approved versions of the appropriations bill and report. Those differences totaled $1.1 billion.

The conferees were able to work out an agreement to bring the bill back below the President's budget estimates. The conferees had to make some very difficult decisions. Most members have had to take cuts in their own States. The conferees were unable to fund every project and stay within the 602(b) budget allocation.

Mr. President, the conference report represents a fair compromise. It is under budget and I recommend its approval.

Mr. President, I want to thank my distinguished colleague, the Senator from Washington, for his support and contributions to the subcommittee this year.

Mr. President, I yield to the ranking minority member for any comments he might have.

Mr. GORTON. Mr. President, my sincere thanks to my colleague from Tennessee. Senator SASSER has provided a thoughtful and quality product. I greatly appreciate his work in this area.

I am, however, very concerned that while we have accomplished a lot, much is still unfunded. We must help the services get their needs met with regard to family housing. While this bill helps in many ways, in this area we can do more. I hope that during this year we will find ways to help our men and women in the services to improve living conditions for their families.

We were obviously not able to meet all the requests of our colleagues. I daresay we have made every effort. I have received calls from Senators concerned about unfunded projects. This bill shows the beginning of the pain we are all going to feel with a declining defense budget.

In my estimation, next year there is more pain to come. This bill is going to get more and more difficult as defense spending continues to be reduced. Fewer and fewer colleagues are going to see the benefits of this bill that we saw in the past.

Mr. President, before I close, again I want to express my thanks to the chairman, Senator SASSER, to the other members of the subcommittee, the subcommittee staff, Mike Walker, Jim Morhard on this side, for their efforts on the bill.

It is a good, fair bill, and I urge its adoption.

Mr. President, I yield the floor.

There is one project for which I think my friend from Tennessee is already aware. It is a rehabilitation of facilities at the White Sands Missile Test Range.

Mr. SASSER. Yes, I am aware of this project. It was taken out in conference because of it being a rehab project and therefore should have been in the operations and maintenance account.

Mr. GORTON. I understand that it was not a prejudicial reduction. Is that correct?

Mr. SASSER. Yes, that is correct. I would expect the department to fund this project out of the correct account in fiscal year 1994.

Mr. GORTON. The conferees failed to provide any funding to upgrade the hydrant refueling system at Pease AFB in New Hampshire. Could the chairman of the subcommittee tell us why this project was not funded?

Mr. SASSER. As the Senator from New Hampshire is aware the Senate bill provided $5.6 million for eight fueling points. The House bill provided $5.1 million, the budget request, for four fueling points. As with all items in conference, the conferees requested updated project data and justification for this project. The official form 1391, provided the conference, indicated that $5.6 million would provide only four points. In addition the conference was advised that given the size of the air guard unit, no more than four points were required. Since we were unable to validate a requirement for eight points, the Senate conferees receded on an eight-point project. The House conferees, within their rights, receded on the four-point project.

Mr. SMITH. It is my understanding that the National Guard Bureau is reviewing the potential need for an eight-point project. If such a requirement is validated by the Bureau how would you recommend we proceed?

Mr. SASSER. Unfortunately, the conference has concluded and the official justification material provided to conference supported only four points. If the Department were to subsequently validate an eight-point project based upon new requirements, such a project could be included in the fiscal year 1995 budget request.

Mr. SMITH. Would there be any circumstance under which such a project could be funded in fiscal year 1994?

Mr. SASSER. As the distinguished Senator from New Hampshire is aware the Department of Defense may submit a request for reprogramming at any time during the fiscal year. It would be my view that if such a request were made, based upon a new validated requirement, that such a request would receive careful consideration by the subcommittee.

Mr. SMITH. I thank the distinguished chairman for his clarification and for his willingness to consider a reprogramming for this project should an eight-point project be validated as a requirement of the Air National Guard during fiscal year 1994.

Mr. GORTON. May I inquire of the chairman if a reprogramming would also be considered for a four-point project if the Department determined that to be the appropriate sized project?

Mr. SASSER. Yes, I assure the distinguished ranking member that we would also carefully consider a reprogramming for a four-point system if the eight-point system cannot be validated.

Mr. GORTON. I thank the Senator for the clarification.

Mr. DOMENICI. Mr. President, the Senate is now considering the conference report accompanying H.R. 2446, the fiscal year 1994 military construction appropriations bill.

The bill provides a total of $10.1 billion in budget authority and $2.4 billion in new outlays for the military construction and family housing programs of the Department of Defense for fiscal year 1994.

When outlays from prior-year budget authority and other completed actions are taken into account, the bill totals $10.1 billion in budget authority and $8.8 billion in outlays for fiscal year 1994.

Mr. President, I understand that the distinguished chairman of the Appropriations Committee has filed a revised subcommittee allocation to accommodate this bill. With that reallocation, I will support the conference report.

Mr. President, the final bill has come back approximately $271 million above the Senate-passed bill. The reallocation will accommodate this change. Even with this reallocation, however, the final bill is fully $729.2 million in budget authority below the President's budget request, and $208.6 million in budget authority below the House-passed bill.

To achieve these reductions and to delete the Senate-passed 4 percent across-the-board reduction was a very difficult task for the distinguished subcommittee chairman and ranking Republican member.

I want to convey my thanks to them for the support they gave to several priority New Mexico projects. I understand that one item that was dropped—$2.5 million for the White Sands Missile Range—was done so without prejudice because it more properly should be funded through the Department of Defense O&M accounts.

I thank the conferees for the attention they gave to some critical infrastructure work at Kirtland Air Force Base. I deeply regret that the full Senate package was not kept intact, but I appreciate the committee's acknowledgement that such projects should retain priority.

I shall continue to work on these very important projects.

I urge the adoption of the conference report.

Mr. MITCHELL. Mr. President, and Members of the Senate, under a previous agreement entered, the Senate is now considering the conference report on the military construction appropriations bill and will shortly vote on that measure.

Following that vote, the Senate will resume consideration of the Department of Defense appropriations bill. It is my hope that we can complete action on that bill this evening. Of course, I have had the same hope and expressed it several previous evenings. But I hope that this hope is more realistic than the previous hopes.

We have a large number of appropriations conference reports to take up and complete prior to the expiration of the pending continuing resolution, which will expire at midnight on Thursday. So my hope is that we can complete action on receipt of those several measures from the House as soon as is possible, and I hope we can get the cooperation of all Senators in that regard.

In any event, that time deadline means that it is likely that the Senate will be in session into the evening tonight, tomorrow, and Thursday, with the strong likelihood of a session, including votes, on Friday until the middle of that day. That, of course, depends upon events between now and then.

For the information of Senators with respect to the schedule, it is my intention to proceed to crime legislation and education legislation in the near future. We have a number of other important measures to take up before the sine die adjournment, which I still hope we can reach by Thanksgiving.

Mr. President, parliamentary inquiry. Am I correct in my understanding that the time for the two leaders has been reserved for their use later in the day and that the Journal of the proceedings has been approved to date?

The ACTING PRESIDENT pro tempore. The majority leader is correct.

Mr. MITCHELL. In that event, the hour of 9:45 having been reached, I yield the floor.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. BUMPERS] is necessarily absent.

The PRESIDING OFFICER (Mr. CAMPBELL). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 5, as follows:

[Rollcall Vote No. 316 Leg.]

YEAS—94

Akaka
Baucus
Bennett
Biden
Bingaman
Bond
Boren
Boxer
Bradley
Breaux
Bryan
Burns
Byrd
Campbell
Chafee
Coats
Cochran
Cohen
Conrad
Coverdell
Craig
D'Amato
Danforth
Daschle
DeConcini
Dodd
Dole
Domenici
Dorgan
Durenberger
Exon
Feinstein
Ford
Glenn
Gorton
Graham
Gramm
Grassley
Harkin
Hatch
Hatfield
Heflin
Helms
Hollings
Hutchison
Inouye
Jeffords
Johnston
Kassebaum
Kempthorne
Kennedy
Kerrey
Kerry
Kohl
Lautenberg
Leahy
Levin
Lieberman
Lott
Lugar
Mack
Mathews
McCain
McConnell
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murkowski
Murray
Nickles
Nunn
Packwood
Pell
Pressler
Pryor
Reid
Riegle
Robb
Rockefeller
Roth
Sarbanes
Sasser
Shelby
Simon
Simpson
Specter
Stevens
Thurmond
Wallop
Warner
Wellstone
Wofford

NAYS—5

Brown
Faircloth
Feingold
Gregg
Smith

NOT VOTING—1

Bumpers

So the conference report was agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid on the table, the Senate concurs en bloc to the amendments of the House to the amendments of the Senate, and the motion to reconsider both actions en bloc is laid on the table.

The Senate concurred en bloc to the amendments of the House to the amendments of the Senate Nos. 1, 4, 6, 7, 9, 11, 13, 17, 20, 23, 24, 25, 26, 27, 28, 29, 38, 40, and 42, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$906,676,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 4 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$681,373,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 6 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for 'Military Construction, Navy' under Public Law 101-148, $7,662,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Navy' under Public Law 102-519, $14,406,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Navy' under Public Law 102-136, $62,899,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Navy' under Public Law 102-380, $37,660,000 is hereby rescinded".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert "$1,021,567,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 9 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for 'Military Construction, Air Force' under Public Law 101-148, $8,315,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Air Force' under Public Law 101-519, $6,550,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Air Force' under Public Law 102-136, $12,980,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Air Force' under Public Law 102-380, $2,250,000 is hereby rescinded".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$44,405,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$302,719,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 17 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$74,486,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 20 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$228,885,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 23 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$370,208,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$772,055,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 25 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$1,142,263,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 26 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for 'Family Housing, Navy and Marine Corps' under Public Law 101-148, $14,100,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Family Housing, Navy and Marine Corps' under Public Law 101-519, $25,018,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Family Housing, Navy and Marine Corps' under Public Law 102-380, $1,253,000 is hereby rescinded".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 27 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$187,035,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 28 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$790,912,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 29 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$977,947,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 38 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$1,144,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 40 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken by said amendment, insert:

SEC. 122. (a) Notwithstanding any other provision of law, the Secretary of the Army shall transfer, no later than September 30, 1994, without reimbursement or transfer of funds, to the Architect of the Capitol, a portion of the real property, including improvements thereon, consisting of not more than 100 acres located at Fort George G. Meade in Anne Arundel County, Maryland, as determined under subsection (c).

(b) The Architect of the Capitol shall, upon completion of the survey performed pursuant to subsection (c) and the transfer effected pursuant to subsection (a), utilize the transferred property to provide facilities to accommodate the varied long term storage and service needs of the Library of Congress and other legislative branch agencies.

(c) The exact acreage and legal description of the property to be transferred under this section shall be determined by a survey satisfactory to the Architect of the Capitol and the Secretary of the Army, and in consultation with officials of Anne Arundel County, Maryland.

(d) Any real property and improvements thereon transferred pursuant to this section shall be under the jurisdiction of the Architect of the Capitol, subject to the rules and regulations providing for the use of such property as may be approved by the House Office Building Commission and the Senate Committee on Rules and Administration: *Provided*, That any existing improvements made available by the Architect to the Librarian of Congress, under the direction of the Joint Committee on the Library, or hereafter erected upon such real property pursuant to law for the purposes of providing for the long term storage and service needs of the Library of Congress shall be subject to the provisions of sections 136, 141 and 167 to 167j of title 2, United States Code.

(e) Portions of the real property and any improvements thereon transferred pursuant to this section that are not determined to be immediately required for storage or service needs by the Architect are authorized to be leased temporarily to the Secretary of the Army: *Provided*, That nominal lease payments made by the Secretary of the Army shall be credited to the appropriation "Architect of the Capitol, Library Buildings and Grounds, Structural and Mechanical Care, No Year".

(f) There are authorized to be appropriated to the Architect of the Capitol such sums as may be necessary to carry out the provisions of this section.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 42 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken by said amendment, insert:

SEC. 124. None of the funds appropriated in this Act or any other Act may be used for the purposes of establishing any criminal detention or rehabilitation facility or program at Fort George Meade, Maryland.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 3116, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Nickles/Cochran amendment No. 1051 (to committee amendment on page 154, lines 7–22), to prohibit the use of funds to support United States Armed Forces personnel in certain international operations.

AMENDMENT NO. 1051

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii [Mr. INOUYE] is recognized.

Mr. INOUYE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending question is the amendment offered by the Senator from Oklahoma [Mr. NICKLES] to the last committee amendment.

Mr. INOUYE. I thank the Chair.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma, [Mr. NICKLES] is recognized.

Mr. NICKLES. Mr. President, parliamentary inquiry: What is the pending business?

The PRESIDING OFFICER. The pending business is the amendment of the Senator from Oklahoma to the committee amendment.

Mr. NICKLES. Mr. President, I ask unanimous consent that Senator Hutchison be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I inquire of the chairman of the Appropriations subcommittee what his desires are. We have been on the amendment for some time.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senate will be in order.

The Senator from Oklahoma.

Mr. NICKLES. I might inquire of the Defense Appropriations Subcommittee chairman what his desires are. Our amendment, I understand, is pending. We have the yeas and nays ordered. I am ready to vote on it.

I have a few more comments, and I would like to respond to a couple of comments that President Clinton had in a letter. But it is my hope that we can vote pretty quickly.

Mr. INOUYE. Mr. President, I am well aware that the Senator from Oklahoma desires to have a vote immediately, and I can understand that. We have had a lengthy debate on this matter. But I should advise the Senate that at this moment discussions are being held involving the administration and involving the leadership of the Senate, studying the Nickles amendment and hoping to come forth with some adequate response thereto.

So I hope we can continue our debate on the Nickles amendment. But I feel confident that by midafternoon we should be voting on this matter.

Mr. NICKLES. I thank my friend and colleague.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, on behalf of Senator GREGG, I ask unanimous consent that the Senator's amendment be deleted from the accepted list of amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, by inadvertence on my part, an amendment that was proposed to be submitted by the Senator from Nebraska [Mr. KERREY] was left off the accepted list. I ask unanimous consent that inadvertence be corrected and that Mr. KERREY be permitted to submit an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, in looking at a letter that the President sent to the leader, or to Bob DOLE, dated October 18, he has one paragraph that refers to my amendment. It says:

> The amendment regarding command and control of U.S. forces, which already has been introduced, would insert Congress into the detailed execution of military contingency planning in an unprecedented manner. The amendment would make it unreasonably difficult for me or any President to operate militarily with other nations when it is in our interest to do so—and as we have done effectively for half a century through NATO.

Mr. President, let me just touch on that comment. That is totally incorrect. Neither the amendment that I have now pending, which explicitly excludes NATO, nor the amendment that I originally introduced would affect NATO. NATO has always been under U.S. command.

My amendment only says we will not have U.S. combat troops under U.N. operational command with a foreign commander. So it does not have any impact whatsoever on NATO. So the President just clearly is wrong, by this statement—either by my first amendment, original amendment, or by the amendment that I have now submitted. NATO is totally, completely excluded from this amendment.

We also state, "Any prospective standing United Nations international armed force." So, again, NATO is just not included.

> It could lead to an all-or-nothing approach that causes the United States to shoulder the entire burden of a conflict even when a multinational approach would be most effective from the standpoint of military planning, burden sharing, and other American national interests.

Again, that is not correct. This amendment would not prevent a Persian Gulf-type operation. That was a multinational effort. That was a multinational effort that had burden sharing in it; significant costs were picked up by other countries, et cetera. This amendment would not prohibit that.

So, again, I just say that this part of the President's letter which deals with my amendment is just totally inaccurate and misleading. And I regret that. I do not mind debating this amendment, but I would like people to know what the facts are, and the facts are we limit U.N. operations for combat troops. We do not limit U.N. operations for peacekeeping operations, for logistics operations, for medical, or for humanitarian needs.

This amendment would limit U.N. operations for combat with a foreign commander. That is not to take away from the Presidential prerogatives, but it is more or less to reassert and make sure those prerogatives are not assigned to the U.N. Secretary General or to the United Nations. If we are talking about combat, that is another matter and that is a matter, I think, constitutionally should remain with the Commander in Chief and should not be delegated.

So this amendment in no way undermines NATO, in no way undermines Korea, in no way undermines any type of bilateral arrangement we would want to make with any country. It only limits U.N. operations that are with combat forces, if those forces are under a foreign commander.

I will underline, most people paid attention to the "foreign commander"—do you have something against foreign commanders? A lot of foreign commanders might be involved with NATO.

We might have foreign commanders involved with Korea. If we are talking about combat troops, what I do not want to have is us involved in a commitment to the United Nations and then find out that we have assigned combat responsibilities to U.N. command.

I will tell you, the U.N. command is understaffed and overworked and overburdened, I guess, with roles. They have over 80,000 peacekeeping troops that are involved right now in 14 different operations around the world and they have 80—80—managers. A little over half of those are military. That is the reason why the phones are not answered on weekends. That is why the phones are not answered at night.

The President said, "We want to beef up the peacekeeping operations at NATO," and that certainly needs to be done. But I am afraid he also wants to do it so we can expand the role of these peacekeeping operations to go well beyond humanitarian, well beyond peacekeeping, well beyond border monitoring, but into peacemaking, peace enforcing.

That is a significant expansion of the U.N. role. That is a significant expansion of U.N. peacekeeping role. I hope my colleagues are aware of that. I hope my colleagues are aware that this administration is now talking about a new Assistant Secretary of Defense for Peacekeeping. I hope that my colleagues are aware that in the United Nations, our Ambassador to the United Nations has been talking about an expanding role for peacekeeping forces, as well as the President. That is my concern.

I hope my colleagues also are aware that the U.N. Secretary General has been calling for an international standing army. I have serious reservations.

This amendment would prohibit that, and my colleagues need to know that. This amendment would prohibit the United States from committing U.S. combat troops to an international standing army that is without a mission, that is looking for a fire to put out, looking for a problem to solve. So they need to be aware. That is really what the amendment is all about: Trying to make sure that we do not turn control of U.S. combat troops over to the United Nations. I see that as a serious mistake.

It would allow humanitarian efforts. It would allow peacekeeping efforts, in the traditional sense, as we have done. So I wanted, Mr. President, just to clarify that the President's remarks concerning at least this Senator's amendment were totally inaccurate.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, will the distinguished proponent of the amendment, the Senator from Oklahoma, entertain a question?

Mr. NICKLES. I will be happy to.

Mr. WARNER. Yesterday, I had the opportunity to have a brief colloquy with the Senator about his amendment. I continue to have concerns about it.

I want to clarify the concerns the Senator apparently has with respect to U.S. forces serving under a foreign commander. This most often occurs down in the lower ranks, perhaps at the company or battalion level. Throughout the military history of our country, we have had our troops respond to a battalion commander, perhaps a regimental commander, indeed in some cases a company commander of other nations, particularly Great Britain, France, and allies with whom and in whom we have had many operations through these years.

It is my understanding that this amendment would prohibit that.

Mr. NICKLES. The Senator is incorrect. Let me read this section. It says:

> . . . when such forces are under United Nations operational or tactical control.

That is paramount. In other words, if the United States wanted to do something—you mentioned under French or under Italian—those are usually under NATO alliance. NATO would be exempt. We could also have our troops involved bilaterally or multilaterally. But the prohibition is really on U.N. operations.

Mr. President, I mentioned this yesterday but I did not emphasize it, and maybe I will try to do so today. U.N. operations has a peacekeeping force right now that is comprised of 80,000 troops. They have 80—only 80—people who are involved in management. About 45 of those I believe are military. So we have had U.N. peacekeeping forces commanders in Yugoslavia try to get some answers from the United Nations and they said, "Hey, they don't answer the telephone after 5 o'clock; the phone isn't answered on weekends." And, of course, they have contingencies and have problems.

So my amendment is directed not so much at foreign commanders, but as under U.N. operations with foreign command, that basically just excludes us and it says, "Wait a minute, if you are talking about U.S. combat forces, then we are going to prohibit that unless we have congressional approval."

You could have, to answer the Senator's question very specifically, a situation if we are doing something bilaterally with Britain or with the Italians or something like that, that would be permissible. What would not be permissible would be to have it under U.N. operational control with foreign command.

Mr. WARNER. Mr. President, I thank the distinguished colleague for that clarification. It would be my hope that we are not trying to cast general criticism toward all foreign commanders. Our military colleges and universities, as you know, are privileged to have many young officers from allied and friendly countries who come and train with us and go on to become very responsible, highly professional military persons in their countries.

Mr. NICKLES. I appreciate the Senator raising that because that is certainly my intention.

Mr. WARNER. Let me speak to another area that concerns me and that is when the Senator precisely wants to prohibit our Armed Forces serving in a situation of combat. My concern is that peacekeeping missions can overnight turn into a combat situation. So if we were to follow the letter of the law, so to speak, in your amendment, you permit, without enactment of a statute approving it, use of U.S. forces under U.N. control for "medical, logistics, communications, humanitarian"—humanitarian is a very broad one —"training, temporary observer or liaison activities." But those missions, within a matter of a few minutes, can be transformed from "peacekeeping," by which we mean there is a permissive, noncombat-type environment to "peacemaking," by which we mean there is an unstable, hostile environment or even outright combat.

Peacemaking includes trying to employ the use of arms either to defend yourself or to stop the other person from interfering with the peacekeeping operations. How does the Senator deal with that? You are permitting our people to go into a situation under U.N. control because it is "merely" peacekeeping, but within 15 minutes it can be transformed into peacemaking.

Mr. NICKLES. To respond to my friend and colleague's question, we have examined all the U.N. peacekeeping roles going all the way back to 1945 to present time. I think there are 27. I might also mention that it took 40 years to do the first 13, and in the last 8 years we have done 14. So we have seen a very expanding role for the United Nations. None of those 27 activities would have been prohibited under my amendment. But if we want to take a scenario and say, what happens if you have a peacekeeping operation, that is, Somalia, for example——

Mr. WARNER. Let us take Bosnia. That thing is so volatile.

Mr. NICKLES. Somalia is almost a better example because you do have a peacekeeping operation, you have logistics. All the logistics people in Somalia are under U.N. command. I do not know if the Senator is aware of that. But the Rangers have always been under U.S. command.

Mr. WARNER. Mr. President, I am fully aware of the current command and control arrangements in Somalia.

Mr. NICKLES. When the tragedy resulted and when the President decided he wanted to send in a few thousand more troops, he reasserted that all the combat troops were going to be under

U.S. command. So he is basically doing in Somalia what I am saying that we should do in this amendment.

My point is, if you have a humanitarian measure that goes awry, or if you have a humanitarian or peacekeeping effort that becomes entangled in some type of an armed conflict where our troops are—well, one, they always have a right of engagement. We never take that away from our commanders. If they are fired upon, their troops are in danger, they are able to protect their troops to the best of their ability and they are able to do that, period. But if you have the peacekeeping force, and they are fired upon, and they are engaged in hostilities and going to be engaged in combat, the President has two options. The President can assert United States control over those combat operations, as President Clinton did in Somalia, and this amendment would not be triggered whatsoever. If he is going to stay engaged in combat and keep it under U.N. command and under foreign command, then he would have to seek authorization from Congress. And he would have 30 days to do so.

Mr. WARNER. I might also suggest to the Senator, we are using rather loosely the words "command," and so forth. Technically, as I understand Somalia, the United States logistics forces are under operational control of the U.N. commander, but they still are under the command of our Commander in Chief. I would like to bring that to the Senator's attention and perhaps later on, if this amendment moves, we can work out the clarification of that language, which I think would be helpful.

So often when you put troops in for a humanitarian mission, such as logistic troops, what we would call peacekeeping troops, you should collocate with them, or at a short distance, troops that can come in and rescue them, troops trained specifically for combat operations, if the operation suddenly changes from one of peacekeeping to peacemaking. Peacemaking is really a euphemism for having a fight.

The Senator feels that his amendment allows our troops to serve for peacekeeping under a foreign commander, but if in 10 minutes it goes to peacemaking, what happens under the Senator's amendment such that our troops are not under a foreign commander? Just how does that work?

Mr. NICKLES. Again, let me remind my colleague, there are two steps. One, it would have to be under a U.N. operation and a foreign commander. So the Senator will have a better understanding, the United Nations is a bureaucracy, and I fault the United Nations greatly for the disaster that occurred in Somalia, as well as I fault our commanders and our civilian commanders. I think we made a serious mistake, and we can go through that in chronological order if we want.

But we had a superior force there, and it was under U.S. command, not under U.N. command. It was under U.S. command. That force was reduced significantly. And when we were down to about 4,000 troops, and after the earlier disaster, the United Nations changed the role or the mission: Capture General Aideed. Then we were at 4,000 troops, and we became engaged in combat.

I might mention our forces were still under U.S. command, and so there is that responsibility. That is important because not only is it the chain of command but it is also chain of responsibility. And we did have a disaster. We lost 18 lives. We have 60 some wounded. It was a real disaster. It should not have happened.

I might mention, too, that our military was giving advice not to have this be our mission in Somalia. And so we allowed the political hierarchy, I guess, to consent to changing the mission and make it a U.N. mission that expanded it from humanitarian to combat. I think that was a serious mistake.

Then we did not provide the commander in the field with the necessary military equipment he requested. That is a second major error and one that, unfortunately, resulted in lost lives. So I think that was a mistake.

But to answer specifically the Senator's question, what happens when you have a humanitarian effort that is good intentioned, well-intentioned, supported by all, that goes sour and turns into a combat situation, the President has a couple of options.

He could, one, put the combat operations under his direct control, eliminate the problem. He would not have to do that unless the original operation was under U.N. operation and under foreign command. In other words, if you have U.S. combat troops all of a sudden under U.N. command where really the United States is not directly engaged in direct operation or control, the President can assert that. We have U.S. lives that are at stake, at risk, so the President as Commander in Chief would assert that control. He could do that. Or he would also have the option to come to Congress and say I believe it is in our best interests to leave it under foreign command, and here is his request. He requests a waiver. My guess is he would probably get it, our not wanting to pull the rug out from under our troops.

Mr. WARNER. Mr. President, I wish to come back to a practical situation. This amendment says, "None of the funds appropriated or otherwise made available by this act or any other act may be used to support U.S. Armed Forces personnel, other than those engaged in medical, logistics, communications, humanitarian, training, temporary observer, or liaison activities," and so forth.

Let us say we have one of these missions just quoted, call it humanitarian, and we have perhaps 500 troops somewhere abroad building roads, working in hospitals, and doing all of those things to try to help some tragic situation, and they are under the control, let us say, of a Pakistani colonel.

Mr. NICKLES. Under the United Nations.

Mr. WARNER. Under the United Nations. All of a sudden they are faced with a combat situation to protect themselves. The Senator says the President takes control, comes back to the Congress. I say to the Senator, that Pakistani colonel has to make a combat decision in 15 minutes.

Mr. NICKLES. He could do it.

Mr. WARNER. He does not have time for the President of the United States to bring an American colonel in.

Mr. NICKLES. He would not have to.

Mr. WARNER. What does this Pakistani colonel do?

Mr. NICKLES. If the Senator will yield——

Mr. WARNER. Yes.

Mr. NICKLES. I mentioned earlier we still have rules of engagement, and we would have the right to protect and defend our troops, anytime they are fired upon under any circumstance, which is what we have everywhere in the world under any circumstance.

Mr. WARNER. Then what do we do if we fly in some combat troops to rescue them? Do we put an American colonel in charge and tell the Pakistani you are relieved of command?

Mr. NICKLES. Under rules of engagement, U.S. forces have the right, the responsibility, I believe, and the authority to protect those troops. If they are engaged—if they find themselves under fire, in combat for whatever reason, they have the ability to protect themselves, to extricate themselves from the situation.

Mr. WARNER. I understand that, but the U.S. troops on the humanitarian mission are doctors and engineers.

Mr. NICKLES. Whatever was necessary to protect those troops, they could do it if they found themselves——

Mr. WARNER. Who is "they," Mr. President? Who is "they"? You have the troops—let us say there are 500 troops. They are engineers, they are doctors, they are nurses, they are sanitation experts, and they are just working on trying to improve some area of the world. It is a U.N. mission, it is under a Pakistani colonel, and there are other nations involved in this, with their doctors and their sanitation experts. There are four or five nations in there. And suddenly this thing evolves into a conflict. Now, exactly what transpires?

Mr. NICKLES. To answer the Senator's question, those would be U.S. forces that are under fire.

Mr. WARNER. Right.

Mr. NICKLES. You have the operational situation where we always have the rules of engagement. If you are fired upon or if your lives are threatened, if our nurses or doctors or whatever would be so, we would have the authority—the military commander would have the authority without getting the President's permission to rescue or defend or protect those lives.

Mr. WARNER. Mr. President, which military command is the Senator talking about?

Mr. NICKLES. Our military command. It might be the joint command. But if you have United States forces anywhere—the Senator knows this—whether you are in Korea or any place else, if you have those forces fired upon or engaged in some type of hostilities, they have the right to protect themselves, and whatever forces are in that area would be able to assist to extricate themselves from whatever hostilities they would be engaged in.

Now, if you are talking about a longer run situation; that is, Somalia, we had troops—let us take the Somalia case. We had Rangers there. Now, those Rangers were under U.S. control. They were fired upon. Our commander had the right to use whatever military force he deemed necessary to rescue our forces. Unfortunately, he did not have the tools necessary because that was declined from the political side, and that was a mistake. But he does have the right of engagement to protect, or extricate our personnel from that engagement. And that would be the case not just in Somalia but any case anywhere in the world. That is standard U.S. military policy.

Mr. WARNER. Mr. President, I would like to understand. I would like to return to this hypothetical. We have 500 doctors, sanitation experts, logisticians, road building experts, and a firefight begins to imperil their lives.

The U.N. Pakistani colonel in the humanitarian operation can be in operational control not only of the United States forces, but some Pakistani forces, Italian forces, and maybe some French forces. That Pakistani colonel has to have a plan and he has to execute it. Suddenly if the United States comes in and says "We are going to take care of our own," do we leave the other U.N. forces? What do we say to the Pakistani colonel, "Pack up and go home"?

It is not as simple as I think the Senator is trying to put forth in this amendment. This is a very complicated amendment. It gives this Senator and I think some others great concern as to their command and control.

I share the Senator's view that the United Nations today is moving too quickly, is not adequately staffed, not adequately equipped, and does not have the experience. There are certain parts of the Senator's amendment which I support and support strongly.

But when we begin to say that under this amendment we can do certain things with the U.N. but not others, I am saying those humanitarian efforts within 5 minutes can be converted into combat, or "peacemaking" efforts to use that term, and we may not have in position, if this amendment were the law, the command and control arrangements nor the backup for a proper rescue.

Mr. NICKLES. If the Senator will yield, I think he made the case for my amendment. That is why, frankly, we are trying to avoid situations where we put U.S. combat forces into situations in likelihood of combat where you have the U.N. control with a foreign commander. That is what I am trying to avoid because that is a scenario you are going to find happen if you have this administration wanting to do a very expansive peacekeeping operation where they have talked repeatedly about expanding the peacekeeping role throughout the world. That is going to happen.

So what I am saying is if you do get into combat situations, the President should assert himself as Commander in Chief so you do not have these blank lines of deployment. Who is responsible? We have never in our 48-year history in the United Nations committed U.S. combat forces to the United Nations unless we have had a U.S. control. I do not think we should now.

This administration is talking about doing it. I do not think we should do that. I am not talking about the change. It is the administration that has been talking about the change. We have never committed U.S. troops to an international peacekeeping armed force. This administration has been talking about it. The U.N. Secretary General is talking about it. This amendment would prohibit that.

So it does have some significance. But, basically, the changes that are proposed by the administration by advancing their role in peacekeeping and now talking about not just peacekeeping but, for the Senator's edification, they are also talking about peacemaking and peace enforcing.

So they are talking about a much expanded role in peacekeeping. I am trying to say, no, we have not been doing that. The United States has never done that. We never assigned U.S. combat forces who are away under U.N. operations and foreign command where we do not have direct control. This administration would like to do that—or at least it has been reported as recently as the President's speech of the 27th—this expanded role. That is what I am trying to protect.

So I think the Senator is very close to my position although it has not quite——

Mr. WARNER. Mr. President, I will summarize my concern with the amendment. I agree with the Senator that the United Nations is not ready. I agree with the Senator that we should not be giving the President any encouragement to do these various things about the U.N. army, and so forth, like that. We are in complete agreement on that.

Where we disagree is the Senator from Oklahoma explicitly gives the President authority to send our troops under a foreign U.N. command and control situation for humanitarian and other purposes. I am saying the history has shown us that those types of missions within a matter of minutes can become combat situations. And the amendment, in my judgment, does not adequately protect our troops put in that situation under a foreign commander. It might change in 15 minutes.

Mr. NICKLES. If the Senator will yield.

I appreciate what the Senator is saying, that my amendment is not strong enough and does not go far enough, and maybe he is right. But my point is that we are already doing that. Maybe we should restrict that. I am not going that far.

I told several of my colleagues who have acted like this amendment is draconian or far-reaching, I said, "Wait a minute. It is not." It would not change what is happening in Somalia because they have United States combat troops, rangers, under United States operations and control. The Senator is aware of that. Frankly, it will not change what we are trying to do in Haiti. This amendment would not change that.

My amendment will not, unless they are talking about moving in combat forces. But that was not historically our intention. I am pleased the President has backed off from doing that because I think that was a mistake. But of the 14 peacekeeping operations that are now ongoing throughout the world, most of which are humanitarian or border monitoring, we are engaged in some of those to a very minor degree. For the most part, my amendment would not prohibit those. But we are already engaged in it. That is my point. We are already engaged in monitoring those. We are still engaged in some humanitarian efforts in Somalia. My amendment would not change that.

So it does not at all encompass, as some people would say or some people might like, but we are already doing it. The Senator yesterday raised the question: Well, constitutionally we cannot even assign troops to the U.N. peacekeeping efforts.

We are already doing it. My amendment does not really touch that. But it does have a restriction that says when you are talking about combat, when you are talking about assigning combat, that is when we should say "Wait." If you are going to put combat troops under the United Nations which is understaffed, which is undermanned but say, OK, that does not decide what it wants to do. But when you have a U.N. representative in Somalia that goes public with the press conference, now our role and our mission is to go get General Aideed, that one press conference could have easily cost a lot of American lives. He probably could have been captured if that was our role without telling the world about it. Once you tell the world about it, the cost of getting him went up significantly. And, unfortunately, we had a loss of life in the process.

So we have restricted this to in every way trying not to be intrusive on the President's rights but more to assert the President's rights so if he is talking about inserting combat troops, he should be the Commander in Chief, not the Secretary General.

I thank my friend from Virginia.

Mr. WARNER. I thank my friend from Oklahoma.

Our difference is that peacekeeping can turn into peacemaking within a matter of minutes.

I find in this amendment, which is an attempt to codify the various things we are doing now, there is too big of a loophole to satisfy this Senator. That is the reason that at the present time I have concerns about the amendment.

I yield the floor.

Mr. NICKLES. Mr. President, I appreciate my colleague's comments and statements.

I might mention, we do not codify anything. We are not legislating. What we do say is none of the funds shall be used to support U.S. combat troops under U.N. command with a foreign commander. But we are not codifying and saying it is OK; Mr. President, if you want to send them in for humanitarian training, we do not authorize anything. That is the Armed Services Committee. That is not the Appropriations Committee. The Appropriations Committee in this case, we do have the power of the purse. Some people say constitutionally, yes, we have the power of the purse. This says no combat troops. But we are not saying that it is not OK for the President to send out *x* number of troops for humanitarian, *x* number of troops for medical, *x* number of troops for observer status. A lot of those are observers. We do not touch that.

We just say we are not going to fund the combat troops; we do not want to have U.S. combat troops under U.N. control, foreign commander, where really the United States is out of the loop. We think the Commander in Chief should be in the loop. He should take control. He should not assign control. He should delegate control when you are talking about combat forces, risking the lives of men and women for our country. But we are not authorizing. We are not saying it is OK. We are not saying *x* number, you can double or triple humanitarian or training or observer troops. We just do not restrict that. So I want to make sure that that point is clear.

Mr. President, I yield the floor.

I thank the Senator from Virginia.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

Mr. President, I am concerned about a series of amendments which are being considered by the Senate which have very grave overtones for limiting Executive power in the context of this defense appropriations bill.

An amendment by the distinguished Senator from West Virginia [Senator BYRD] was adopted last week; an earlier amendment by Senator BYRD was adopted in September which placed certain limitations on the President with regard to Somalia. Last week we rejected an amendment by the distinguished Senator from Arizona [Senator McCAIN] which would have called for an immediate pullout of troops in Somalia.

Today, we are considering an amendment by the distinguished Senator from Oklahoma which would limit Executive authority on U.S. forces under foreign command.

There has also been comment about an amendment, soon to be offered, on the Haiti situation. In the context of this floor debate, without having hearings and without extensive deliberation, there is a real danger that the Senate, the Congress, may be going too far in limiting executive authority. In the passions of the moment we are influenced by the very serious situation which we confronted in Somalia which has resulted in the loss of American lives.

I believe that this problem is materially compounded by the President who, regrettably, has been indecisive, vacillating, and has changed positions. This makes the Presidency a weak institution at the moment—or at least this President a weak President at the moment—and it invites action by the Congress to try to correct the situation by legislating foreign policy.

It is fortuitous that we have on the floor at this moment the defense appropriations bill, which provides a vehicle for limiting funding and provides the strongest constitutional approach that Congress has to try to influence foreign policy by cutting off funds.

The War Powers Act which sought to address these issues by requiring withdrawal of troops within 60 days after the hostilities, unless authorized by the Congress, or unless the date was established was very carefully crafted after very extensive consideration by the Congress. The amendments which we have been considering in the course of the last several weeks and are considering again today, and perhaps later today or tomorrow on Haiti, go considerably further in limiting executive authority.

I do believe that the strongest constitutional case can be made in the present context on limiting expenditures, because Congress traditionally has the power of the purse. But that is by no means clear. The President has authority as Commander in Chief. Therefore, a constitutional question is presented under these two express provisions of the Constitution, and it is questionable as to how it would come out if submitted as a court case.

I think it is regrettable that there has never been a decision under the War Powers Act by the Supreme Court of the United States, because if it had been established that Congress had the authority to influence foreign policy by compelling the withdrawal of troops after 60 days when they were in hostilities, we might not be facing this situation.

Back in 1983 or 1984, an effort was made, when Senator Howard Baker was the majority leader, to have a constitutional test. Extensive legal papers were prepared, and there was an effort to get a joint submission by the executive branch and at least the Senate—the House had not been consulted to the best of my knowledge—before getting a Presidential agreement for such a submission. But the President declined to do so. To this moment, it is unclear whether the War Powers Act is constitutional. So we are confronted today with these efforts through the appropriations process to limit Presidential authority.

I supported Senator BYRD's amendment last week, which called for a limiting of mission and the withdrawal of forces on or before March 31, which had the agreement of the President. I supported that amendment in contrast to Senator McCAIN's amendment, which called for immediate withdrawal from Somalia, because, as I said on the Senate floor last Thursday night, I thought the institution of the Presidency was an issue. I think the institution of the Presidency is an issue on the amendment which is now pending by the distinguished Senator from Oklahoma.

It is my view on this amendment, after listening to the debate, that there is not an appropriate balance of responsibility between the President and the Congress and that the amendment is too broad in its terms when it makes a provision which says none of the funds appropriated "under this act or any other act." This will probably have the effect of making the amendment permanent law, thus precluding the use of U.S. forces under U.N. control.

There has been significant precedent, Mr. President, for having U.S. troops under control other than U.S. control. In World War I, Marshal Foch of France controlled United States forces. In the Battle of the Bulge, General Montgomery controlled U.S. forces.

There are and have been U.S. forces under control—although not in combat roles at the present time—of the United Nations in a variety of situations.

Our forces may not be in combat roles, but they are present in the western Sahara, Cambodia, Kuwait, the former Yugoslavia, and in the Sinai.

I believe there are strong U.S. policy reasons to encourage participation by other nations in the onerous duties of being the peacekeeper around the world. The issue is open for debate as to what is the appropriate role of the United States. And it is very difficult, if not impossible, for the United States to be the policemen of the world.

So it is in our interest to try to get other nations to do more. In the 40-plus years that NATO has been in existence, we have constantly argued that our partners in the North Atlantic Alliance ought to do more. I have attended many of those North Atlantic assembly meetings where the debate is hot and heavy, with the U.S. position being advanced that other nations are doing an insufficient amount of burdensharing. When we have problems in the Persian Gulf, Bosnia, or Somalia, it is in the United States interest that other nations make a much greater contribution than they have been willing to make up until the present time.

If the United States is to take the position that our forces will not serve under any command other than a U.S. command, how can we ask other nations to make material contributions to those forces and ask them at the same time for their personnel to be under the command of another nation? It is obviously an impossibility to have many nations, with many command forces, operating on the same battlefield without having anarchy.

So it is a fundamental matter. If we are looking for help from other nations—which we are, and certainly should be, because the United States has had to bear too much of the burden—it is, I think, unrealistic to put a limitation on the ability of the President to supply forces that may serve under a foreign command.

Mr. NICKLES. Will the Senator yield for a second?

Mr. SPECTER. Yes.

Mr. NICKLES. Was the Senator aware of the fact that NATO is totally excluded from this amendment, as is Korea? And so the point that the Senator was making really would not apply in that case. What we are really directing this at is under U.N. operations.

I want to make sure the Senator is aware that NATO would not be infringed in any way by this amendment.

Mr. SPECTER. Mr. President, I am pleased to respond to my distinguished colleague from Oklahoma that I am aware of that. I have studied his amendment in detail. There are certain aspects of it I would like to discuss with my distinguished colleague.

I make the reference to NATO as an analogy, that there can be a NATO command, where U.S. forces would be under command other than that of the United States.

It is a matter of principle that we ask other nations to submit their forces to the command of the United States. Where the United Nations may be called upon to respond in Somalia or Bosnia, or who knows what problem may arise in the future, if we seek support from other countries, it is inappropriate for us to say we will not have our forces under a command other than United States command if we expect other countries to be under such a command.

My references to NATO are by way of analogy where we have submitted ourselves to an organization, the North Atlantic Treaty Organization, where our forces may be subject to another command. That is a very strong argument for not precluding the possibility of having our forces under another command.

I realize, in making this argument, that it is not a popular argument with the American people, especially at a time when American soldiers have been killed in Somalia. I am also aware that there have been significant mistakes made by the United Nations, although there have also been serious mistakes made by the United States. There is a strong ring of patriotism to say that we ought not to be exposing American lives unless they are under U.S. command. I am not saying that we should be exposing them to commands of the United Nations, but I am saying that on October 19, 1993, the Senate of the United States ought not to pass a law which will permanently bind U.S. Presidents from making a decision in the future on this subject.

I believe it is a decision which has to be made with the utmost of care before American soldiers are placed under command of anyone other than U.S. commanders, but we have to expect the President of the United States to discharge those responsibilities with care and with responsibility.

There is a great temptation for the Senate today to try to exercise greater authority on foreign policy because of the serious errors which have been made and because there has been so much indecision and vacillation on Bosnia, Somalia, and Haiti. The temptation is great today for the Senate to exercise authorities beyond the range of constitutional prudence or beyond the range of public policy prudence. That is why I think we ought to pause and look very carefully at precisely what we are undertaking to do.

This has not been an easy question because we have had wars which have not been declared by Congress. Korea was a war never declared by Congress. Vietnam was a war never declared by Congress, although that legal issue is muddied perhaps by the Gulf of Tonkin resolution.

As we have wrestled with the provisions of the War Powers Act —and the constitutionality of that has not yet been decided—we are searching for other avenues to try to exert appropriate congressional responsibility. I do believe that it is very, very important for Congress to exercise its authority when the United States is confronted with a situation which is in the category of a war. The Congress has the sole authority under the Constitution to declare war.

Back in late 1990, when the United Nations resolution had made the demand on Iraq to vacate Kuwait by January 15, I took the floor and pressed hard to have a decision made by the United States as to whether we would use force. That was a very difficult time in U.S. foreign policy because President Bush said that he had the authority to proceed by complying with the United Nations resolution and supplying U.S. forces. Both the House and the Senate were not scheduled to debate the issue at the time.

It was only on January 3, 1991, when the distinguished Senator from Iowa, Senator HARKIN, raised the issue on the swearing-in day that the Senate was compelled to take up the issue on January 10 as to whether the Congress would authorize the use of force. We then had a very, very extensive debate in the Senate on that subject which was followed by a 52-to-47 vote authorizing the use of force.

I thought that the Senate's action in 1991 was appropriate and was necessary because that situation was really tantamount to a declaration of war and was within the constitutional prerogative.

It seems to me that when Senator BYRD offered his resolution on Somalia, after we had had a long, drawn-out period, it was appropriate for there to be a cutoff date unless there was a specific authorization by the Congress to permit the retention of the U.S. troops engaging in hostility. That is an issue that has to be considered by the Congress.

In my reading of the amendment which has been offered by the distinguished Senator from Oklahoma, I note that there are exceptions to having U.S. troops under U.N. command. If it is a part of any prospective standing U.N. international armed force, that is an exception. Of course, there is no standing U.N. international armed force at the present time.

A question which I have for my distinguished colleague from Oklahoma relates to that provision. I think it would be useful for this RECORD to have a fuller description of what the author of the amendment has in mind on that specific subject.

(Mr. MATHEWS assumed the chair.)

Mr. NICKLES. Mr. President, if the Senator will yield, I would like to respond.

One, we prohibit the U.S. combat forces from participating in a U.N.

international combat force. We prohibit that. That is a very important part of this amendment.

So it is not an exemption. There are exceptions to the rule. It is a prohibition. If you looked at the amendment structured that way, it says, no funds shall be used or committed to U.S. combat forces, and then we also state, any part of any prospective standing U.N. international armed force.

The U.N. Secretary General would like to create an international armed force peacekeeping body, whatever you want to call it, looking for fires to put out without a mission specific, without a country specific, without a region specific. I think that is a mistake. So that is the reason that section is in there.

There are also people in this administration who have been advocating that position as well, I believe, including candidate Bill Clinton. I think he has moderated or come out against that position recently.

The reason that was in there, I tell my colleague—and excuse the long answer, if this is longer than he wants—under Presidential Decision Directive 13, there we are contemplating a standing force. I think they now have decided that it would not be prudent. But I think it would be very imprudent, and that is the reason it is in there.

Mr. SPECTER. Mr. President, I have a followup question with respect to the standing U.N. international armed force, whether that could be authorized by the Congress.

In posing that question I know that the answer is obvious. It could be authorized by the Congress because we have full plenary authority in that situation.

In subsection (a)(1) of the amendment, the prohibition against having U.S. forces under U.N. operation and tactical control has an exception if certain conditions are met, including a joint resolution authorizing the placing of such forces under foreign command.

Simply for the purpose of clarification, I ask my colleague from Oklahoma if there could not be a United Nations international armed force if there were a similar joint resolution by the Congress authorizing such a force?

Mr. NICKLES. I do not think that would be the case. My guess is that the President and Congress could create a U.S. participation in an international armed force but it would have to be done by treaty, or at least that is my guess, and certainly would require Senate authorization, if not confirmation, of that treaty. That is a very significant proposal.

One of the concerns I have about the first section, the exceptions, I might relate to my colleagues, is to allow the President some latitude, if he did find himself involved in a situation where a peacekeeping force became engaged in combat, so the President could respond, ask for a waiver, and declare an emergency, and then Congress could authorize that within 30 days. That is why the exceptions are there.

The essence of the second part of that is we do not want U.S. combat forces assigned to an international peacekeeping—not peacekeeping—to an international U.N.-controlled armed force; very simple, very direct.

It is one sentence, but it is a powerful sentence. If you read it in context, it says none of the funds appropriated or otherwise made available by this act to fund any part of any prospective standing U.N. international armed force.

Mr. SPECTER. Well, Mr. President, if the Nickles amendment were adopted, became the law of the land, it would be an act of Congress prohibiting U.S. participation in "any prospective standing U.N. international armed force," and that could be altered by another act of Congress. So we could change that with this prohibition, and we could authorize by an act of Congress such participation.

My colleague from Oklahoma raises an interesting legal issue as to whether that would require a treaty and a two-thirds approval by the Senate or simply a majority vote of the Congress, which we need not debate at any length today.

Mr. COCHRAN. Mr. President, will the distinguished Senator yield to me for a further response on that point?

Mr. SPECTER. I would, on the condition that I do not lose my right to the floor, since I think I am only permitted to yield for a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I thank the Senator for yielding.

As I understand the use of the language in the amendment, I think the intent, certainly on the part of this Senator as an original cosponsor of the amendment, is to make sure that the executive understands that he does not have the authority to use any funds appropriated in this bill only to fund any U.S. participation in a standing army controlled and directed by the United Nations. That is purely and simply the limitation, as I understand it.

Therefore, any legislative act that might be enacted subsequent to this date would certainly control authority over the troops if we decided to grant that authority, to legislate the authority for the President, and it would be an amendment to the bill that we are now considering.

So this is a bill that will fund the Department of Defense's program for the next fiscal year that begins October 1, 1993. That is the limitation that is contained in this amendment, and it can be changed by changing the law.

But what we do not want to see happen is to drift into a situation where we have this new assistant Secretary of Defense for Democracy and Peacekeeping who makes pronouncements and suggestions like those we have heard from other administration officials, including the President, that they are considering new initiatives in this entire area, and a new attitude toward multilateralism.

It makes me wonder, without the benefit of hearings where we listen to what the specific plans or proposals are, that if we do not act in the way this amendment suggests we act, the administration could go forward with some of these suggestions, and we could wake up one morning and see the United States as a part of some international standing army or rapid reaction force without having been consulted, without having had the opportunity to debate this matter in the Senate. That is what this amendment seeks to address.

I thank the Senator.

Mr. SPECTER. Mr. President, I would ask my distinguished colleague from Mississippi what is the import of the language "or any other act"? Because in the amendment the language reads "None of the funds appropriated or otherwise made available by this act or any other act may be used to support U.S. Armed Forces personnel" under U.N. control or "any prospective standing U.N. international armed force."

Mr. COCHRAN. I suppose it means under any other appropriations bills, such as the foreign aid bill, which we passed the other day, or any other bills that the Congress has already acted upon this year that applied to the fiscal year beginning October 1.

My friend may want to respond to that question.

Mr. NICKLES. The Senator is exactly correct.

Also, for my colleague's information, originally the peacekeeping forces were funded out of the foreign operations bill and this amendment was drafted with that intent. Now that has been moved over to the defense bill.

But we would not want someone to say, "Wait a minute. In a previous year's appropriations bill, we had another $100 million left over and therefore we will allocate a certain percentage of that unused or unallocated amount for the establishment of an international peacekeeping force."

Mr. SPECTER. Well, if the provision of "or any other act" is intended to apply to all appropriations bills for the next fiscal year, the fiscal year we are in currently, then that might be more clearly specified, because it raises a concern on my part where it says "any other act" that it could apply in the future.

We have had, in the history of the Congress, considerable legislation on appropriations bills where we have attached provisions to appropriations bills which have stood long beyond the context of the next fiscal year. This provision might well be read to preclude the President from spending money in 1996, 1997 or thereafter under the prohibitions of this act.

Mr. NICKLES. To further clarify, that is not the authors' intention. I think this appropriations bill says "None of the funds appropriated." I do not think you could place a restriction in an appropriations bill for fiscal year 1994 that would have a restriction that would be applied beyond the end of the fiscal year.

Mr. SPECTER. Well, as I say, I do believe that there have been provisions of appropriations bills which have extended beyond the life of the fiscal year for which they were intended and that a reading of the phrase, "any other act," could be very broad indeed.

I have one other subject which I think is worthy of a moment's discussion with the distinguished authors of the bill. The subject relates to having U.S. forces under U.N. command, and whether it would not be sufficient to rely upon the War Powers Act as opposed to new legislation such as this amendment.

The amendment does have a provision that the President can act if national security interests justify a waiver of the prohibitions, the President declares that an emergency exists, informs Congress of his action and the reasons therefor, and within 30 days of such declarations there is a joint resolution authorizing such actions.

Now, if the 30-day provision had been 60 days, it would have the substantive effect of being very close to the War Powers Act, where, after U.S. forces are introduced into hostilities, they are to be withdrawn unless authorized by Congress to remain there before the expiration of 60 days.

My question to my colleague from Oklahoma is whether the thrust of his amendment with the 60-day provision would be satisfied by the War Powers Act if the War Powers Act was constitutional and was complied with by the President.

Mr. NICKLES. Mr. President, to respond to my colleague, this is just the opposite of the War Powers Act. The War Powers Act was really kind of trying to restrict the President from getting engaged in international conflicts without congressional authorization or approval within 60 days.

What we are trying to do is reassert and not infringe—I think the Senator said impede—the President's ability. We do not want to impede the President's ability to do anything with U.S. forces. We just want to make sure he keeps control over U.S. forces.

And so we are not trying to take away his authority. We are trying to make sure he does not delegate his authority to the United Nations.

Mr. SPECTER. But, my colleague——

Mr. NICKLES. But it is not even analogous to the war powers.

Mr. SPECTER. But is not an indispensable part of his authority his right to delegate that authority?

Mr. NICKLES. I seriously question whether—that is the essential part of this amendment. Many of us do not believe that. The President should not delegate combat forces to the United Nations. That is what this amendment is about. We do not think he should delegate them to the United Nations. We do not think he should delegate U.S. combat forces to an international standing army under U.N. control.

We do not impede the President's ability. We just say do not give it away, do not give away your constitutional responsibility. Do not give away our constitutional responsibilities.

So the war powers and this are totally different issues. We are trying to make sure the President does not delegate that authority to the United Nations, which has very lofty, utopian-type goals, but they are engaged in 14 conflicts around the world. They have 80,000 troops, and they only have 80 supervisors.

Mr. SPECTER. Is the Senator not authorizing or permitting, under his amendment, the President to delegate this authority to place U.S. forces under——

Mr. NICKLES. No.

Mr. SPECTER. Wait a minute. You have not heard the question yet. I will repeat it so you have the full question.

Mr. NICKLES. Thank you.

Mr. SPECTER. Is the Senator not permitting, under his amendment, the President to delegate to the U.N. authority over U.S. troops for 30 days?

Mr. NICKLES. If the Senator will yield, we do not. We restrict the President from getting our troops involved in combat. We do not restrict the President as far as humanitarian and other provisions.

That does not mean we authorize them. We restrict combat, but we allow the President to delegate authority for humanitarian, for monitoring and so forth. But the only place where we are putting the restriction is where we are talking about U.S. combat troops. That does not mean we OK the rest. That was similar to the discussion I had with the Senator from Virginia [Mr. WARNER]. We are not taking a position on that. We just have not restricted it. The only restriction we have is when we are talking about U.S. combat troops.

In regards to the 30 days the Senator mentioned, yes, we put that 30 days in thinking the President might find himself in a scenario where peacekeeping became peacemaking or it became involved in a conflict. So we did allow for an emergency or allow the President to make a waiver, to come to Congress and make that case.

Or the President has another option. The President would not have to do anything under this amendment if he just asserted U.S. control over those troops. That has always been the case. That was the case in the Persian Gulf. That has been the case in other operations—U.N. operations where they have become engaged in conflict. The President has asserted control over those troops.

The same thing in Somalia, I might tell my friend. The troops that engaged in combat are under U.S. control. So we are trying to keep the President's control, make sure it is not delegated to the United Nations.

Mr. SPECTER. I take that lengthy answer to be a "yes"?

Mr. NICKLES. Nothing in this language authorizes the President to do anything. Nothing impedes his power to do anything if he keeps control over the troops in that chain of command.

Mr. SPECTER. Let us review the bidding. The amendment prohibits the use of funds for U.S. Armed Forces under U.N. control, but there is an exception. That exception is, under (b), "The prohibition described in subsection (a)(1) shall not apply" under three conditions.

First, the President determines the "national security interests justify waiver of such prohibition; (2), the President declares that an emergency exists and immediately informs the Congress of his actions and reasons therefor; and (3), within 30 days of such declaration there is enacted a joint resolution authorizing such actions. * * *"

So, under Senator NICKLES' language, is it not true that until 30 days pass and there is no such congressional declaration, that the President does have authority to use funds under this act to put U.S. troops under U.N. control, once he determines there is a national security interest and there is an emergency, and he informs the Congress?

Mr. NICKLES. To respond to my colleague, during that 30-day period we do nothing to authorize it. We just do not prohibit that money for that 30 days. It gives the President that latitude——

Mr. SPECTER. I understand.

Mr. NICKLES. To make that decision, but it is not an assertive affirmation about what he has done. What it just says is, no, we do not prohibit the use of funds during that 30 days.

Mr. SPECTER. I understand. That is why I characterized it as a "yes" answer, because it eliminates the prohibition and leaves the President where he stands at the present time.

Mr. NICKLES. That is correct.

Mr. SPECTER. If the term were 60 days, so that the President would not have a prohibition from acting within 60 days, would the consequence of the Senator's amendment not be the same as the War Powers Act? I understand there is a difference between authorization and prohibition, but would not the impact of the Senator's amendment, were the term 60 days, be the same as under the War Powers Act where Presidential authority terminates after 60 days, unless there is an affirmative action by the Congress authorizing the use of forces? Just as the President's emergency powers, under my colleague's amendment, terminate at 30 days unless there was an affirmative conclusion by the Congress that he could continue that course?

Mr. NICKLES. I would say no. The Senator again is trying to make the analogy between this resolution and war powers. The two do not fit. War powers says the President can take whatever action he wants but he has to get congressional approval within 60 days if our U.S. forces are engaged in hostilities.

Under this amendment, all the President has to do is assert control over those troops and this amendment does not apply, period. So there is no restriction whatsoever of the President in making commitments of U.S. forces under this amendment if he asserts control over those troops.

Again, with respect to war powers, most people have perceived war powers as a restriction of Presidential authority or involvement in other countries. This amendment does not touch that. The President can do whatever he wants, as long as he asserts and maintains control over those forces. This amendment tries to make sure that he does not delegate that authority to the United Nations.

Mr. SPECTER. Mr. President, I thank my colleague from Oklahoma for those answers and I compliment him for his diligence in pursuing this amendment and his work generally. We have worked together in the Senate since election day in 1980, and it has always been a pleasure.

But with all respect, I disagree with my distinguished colleague on his conclusions on this issue. I think it is a very important point because I think the continuing denial by the executive branch, by the President, to recognize the constitutionality of the War Powers Act has brought us to the situation where we are today, where there is an active effort made by the Congress, the Senate today, to limit executive authority through the power of the purse and the power to control spending. It is entirely fortuitous that this defense appropriations bill is on the floor at this particular time. The sequence of events in Bosnia and Somalia and now in Haiti, which the President has responded to with vacillation and indecision, gives rise to action by the Congress to try to fill the vacuum. It is, I submit, action which goes beyond the constitutional limits and beyond the appropriate limits of public policy.

If we did not have this bill on the floor we would have many speeches in morning business or in the middle of quorum calls, but we would not be using real bullets like we are today. When we introduce amendments which cut off spending, that is a very powerful weapon, the only real weapon which the Congress has in asserting authority in fields like Somalia or Haiti or Bosnia.

I think that the passions of the moment and public opposition to what has happened in Somalia, when Americans have died and Haiti where Americans headed in and then were recalled while executive branch officials said we may use force even though it does not appear in any way warranted, have given rise to these very appealing amendments to limit executive authority.

I suggest that they go too far in a constitutional sense, and I suggest that they undermine the institution of the Presidency. The discussion that I have just had with my colleague, Senator NICKLES, I think is illustrative of the point. He disagrees with my conclusion, but I believe that it is conclusive, as a matter of logic, that had the Nickles amendment given the President 60 days before cutting him off from exercising his discretion to place U.S. troops under a U.N. command in a situation of hostility, that it would have had the same effect as the War Powers Act. The War Powers Act provides that when U.S. forces are in hostility that they have to be withdrawn at the expiration of 60 days unless authorized by Congress, or the period is extended.

Had the Nickles amendment contained a 60-day provision, it would have authorized the President, upon his declaration of an emergency, to put U.S. forces under U.N. command for a period of 60 days unless authorized to continue them by a joint resolution of the Congress.

It is the absence of the War Powers Act and our ability to function under the War Powers Act which has brought these additional amendments to the floor. The War Powers Act would have provided additional restraints beyond that which is in the Byrd amendment, which goes until March 31.

We face a tough situation. We will have a variety of Presidents over the course of the next many years and the history of this country. May it be many, many centuries. The Constitution has been very carefully crafted on a balance of legislative and executive authority. I think the Senate has to be very careful not to overrespond when we have the problems of Somalia, the problems of Haiti, and we have the indecisiveness and vacillation of this President, not to weaken the institution of the Presidency.

Mr. NICKLES. Will the Senator yield? I will just make one clarification. The difference in war powers, as I stated, is this whole amendment is void, so the President would not have to withdraw troops or do anything, if he asserted control over those troops. I just make that point.

I have a question for my colleague from Pennsylvania. Does the Senator support the United States making a commitment of combat troops to an international United Nations combat force?

Mr. SPECTER. Under what situation?

Mr. NICKLES. That is a good question. That is one of the things this amendment would prohibit. The U.N. Secretary General—so my colleague will know this amendment was not drafted because of mistakes that were made in Somalia. This amendment was drafted long before the Somalia disaster happened, although it contributes to the interest in the amendment. But this administration was considering and contemplating making commitments to a standing U.N. international combat force without mission specific, without country or region specific. It would be there to put out fires as the U.N. Secretary General and maybe U.N. Security Council would deem fit.

I think that is a mistake. That is one of the things this amendment would prohibit. I did not know if the Senator was interested—some of my colleagues may be interested in supporting that. I think one or two are. But I think it is a serious mistake. I did not know if the Senator was interested in supporting and committing U.S. troops to a U.N. armed force.

Mr. SPECTER. My answers are these: When it comes to the issue of a standing U.N. armed force which is in part 2 of your amendment, I do not believe that the President of the United States has the authority to commit U.S. troops to such a standing U.N. international armed force without authorization of Congress. I do not believe that issue ought to be decided by the U.S. Senate when there are five Senators on the floor, and probably some of those who are on the floor are waiting for purposes other than engaging in this debate.

That is a momentous question. It ought to be taken up after we have hearings, after we have extensive consideration, after we hear from a variety of witnesses and we have an opportunity to think about it when we are on more than one foot.

I heard about this amendment, if I may say, last week, and I have been thinking about it. I came back especially to vote on it yesterday. I did not seek a postponement, but I was pleased to see it was postponed.

I thought about it and I consulted with my son Shanin who took a year of international law at Cambridge. I called him up to get the real inside story. I want to have consultations and discussions about issues such as these with the next generation in the Specter household.

I do not want to decide it today. I do not think the President has that authority, and I do not want to see him exercise that authority without the Congress acting. It may be it requires treaty ratification; that it is a question which requires two-thirds approval of the Senate. Maybe we can leave the House out of it entirely and just have ratification by the Senate.

When it comes to the gravamen of your amendment on the emergency use of Presidential authority over U.S. troops under U.N. command, I do not want to limit future Presidents. I might want to limit this President, but I do not want to limit the institution of the Presidency in this way.

I also do not want to decide this question on a Senate debate with a handful of Senators here. We have the War Powers Act which has not been used and I think it is scandalous that it has not been. I entered into extensive debates—I remember Senator Percy on the floor of the Senate when war powers was debated during Beirut. We went through Korea, which he agreed was a war; Vietnam was a war, and we had a problem of how we exercised congressional authority to declare war.

I am just not prepared to see a ration of amendments—even as thoughtful as the Senator from Oklahoma has been—or have this amendment decided by the Senate when only a few of us have said a few things on the Senate floor.

Mr. NICKLES. If the Senator will yield, I appreciate my colleague's comments. I happen to agree with you wholeheartedly that the President should not and I believe could not make a commitment of U.S. combat forces to an international army without concurrence or authorization or possibly treaty commitment of the United States.

I was going to ask, and I know my friend from Wyoming has been waiting patiently, but does the Senator support making a United States commitment of combat troops to an international group that might entail 25,000 combat troops going into Bosnia? There are a lot of things that are out there that I hope my colleague—I do not think his position is that far away from mine, when I listened to his responses, we do not want to make a commitment of combat troops to an international organization. That is what this amendment would prohibit.

I have not given up on getting the Senator's vote. I appreciate very much his interest and his diligence in studying the issue.

Mr. SPECTER. In response to Bosnia—and I do not know if the Senator from Wyoming is waiting patiently. I think he is waiting impatiently. I will only be another 30 seconds.

I do not think the President should commit troops to Bosnia, I say to my colleague from Oklahoma, because there is no emergency there. The situation in Bosnia has remained pretty much the same. We have had a lot of Presidential declarations on the subject, before and after his inauguration. I think that is a matter that ought to come before the Congress, just as the use of force in the gulf war came before the Congress without the President exercising authority on his own.

I yield the floor.

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. WALLOP. Mr. President, as I listened to the arguments of my friend from Pennsylvania, for the life of me, I do not see why they are not arguments in support of the Nickles amendment. I share with him the concern of Congress transgressing its constitutional authority.

This Senate last week acted to limit the President's authority in Somalia after having witnessed a failed policy delivered by incompetent people. It was the uniform, it was not a partisan view that it had been a failed policy, and it was not a partisan policy that it was done incompetently.

When the President of the United States said, "I was unaware that the mission had changed," people began to wonder if he was in fact the Commander in Chief. I mean, after all, who does approve mission changes but the President of the United States?

So as I was listening to the arguments of the Senator from Pennsylvania, what I see happening is that with troops under the command of a U.N. commander, we have no place to go to limit that person. That is a foreign person whose authority is not under the reach of the Congress of the United States.

What I see the Senator from Oklahoma trying to do is maintain a set of circumstances under which the political accountability of events that take place overseas regarding the lives of young Americans in combat remains within the reach of the political apparatus of America.

We, I suppose, can get Madeleine Albright to go up and moan about the incompetence of U.N. commanders in New York City, but that does not leave them within the reach of the body politic responsible for those lives and those decisions.

Far from denying the President authority, what I see the Senator from Oklahoma doing is maintaining that authority and also maintaining accountability. Once you put it in the hands of a foreign commander under the auspices of the United Nations the political accountability goes with it. And the President can say, "Well, I did not know they were going to do that," and Secretary Aspin, if he can get a full sentence out of his mouth, can deny that he thought that was going to happen.

But there still is no accountability once it is under the command of the United Nations. I see what we are doing here, those of us who support this amendment, is trying to maintain accountability, not tie the President's hands but tie the President's hands for excuses. The President can do as he wishes in committing U.N. troops.

I quite agree with the Senator from Pennsylvania on what I believe to be the unconstitutional nature of the War Powers Act. But keep in mind, Members of the Senate and colleagues, that we acted last week after demonstrated failure. We are now talking about whether this is going to deny us burdensharing offers from our allies overseas.

We have noted that our allies overseas are not particularly enthusiastic about burdensharing, and one part that I always disagreed on, with Secretary of Defense Cheney and President Bush and others, is this whole notion of collective security. If you take a look at the history of the world, collective security depends on one thing and one thing alone. That is one part of the collection having the ability and the will to go all by itself if necessary. Then you can get all kinds of people to join you. If you do not have that will and that ability to begin with, there is not going to be a collection. You cannot gather up courage by having lots of people around with no competence. You have to have one with will and one with competence, and then the collection will become complete.

We are not going to see that. So this is not a debate about burdensharing. This is a debate about keeping will and command authority and political accountability in the hands of the Congress, in the hands of the body politic of America. And so it should be.

We have had and are going to have some very curious debates. Many Members of the Senate listened to an extraordinary briefing from the Secretary of Defense and Mr. Tarnoff and General Powell on what we are going to do or not going to do or might do, if we can decide what to do, in Bosnia. And the net result of it was the majority leader and others spared the Secretary of Defense from having to go any further and said we were only talking about plans that had not yet been made, which was an obvious event to those who attended the briefing. But still, they were within the reach of the political accountability of the Senate and the Congress of the United States, where they belonged.

We are going to have a debate about Haiti. I do not believe, frankly, as I see it coming down, that we ought to, in the name of protecting ourselves from incompetent decisions that we fear are about to be made, make the United States forever more an incompetent Nation because Presidents cannot act.

It seems to me that is a very different thing than what is taking place with this amendment, which is making certain that when and if the President does act, he gets the credit or he is accountable for whatever takes place. This is a Nation founded on politics, political judgment, freedom and democracy, and accountability is part of it. Success is owed when success is won, but blame is deserved when blame is earned. What I see the Nickles amendment doing is nothing more simple than keeping that equation framed and within the reach of the Congress of the United States.

Mr. President, I salute the sponsor of this amendment, and I hope very much that the Senate sees fit to adopt his amendment.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first I would like to make a parliamentary inquiry relative to the Nickles amendment. The inquiry is this. On line 6, the words "by this act or any other act" appear. My inquiry is whether or not the presence of the words "or any other act" by themselves constitute this as legislation on an appropriations bill?

The PRESIDING OFFICER. In the opinion of the Chair, that would constitute legislation on an appropriations bill.

Mr. LEVIN. Mr. President, I wonder if my friend from Oklahoma would answer a few questions. He has been very responsive to questions this morning. I think it is important that we have this kind of discussion and debate on a matter as important as this. I commend him for his willingness to engage in that kind of debate.

As I understand the discussion with the Senator from Pennsylvania, the Senator from Oklahoma indicated that during the 30-day period in subsection (b) on page 2, where the President determines that a national security interest justifies a waiver and that an emergency exists, during the 30-day period following that declaration, the U.S. troops may be assigned to a U.N. commander.

Is that correct? Did I hear the Senator correctly?

Mr. NICKLES. If the Senator will yield, I am not sure I caught all the question. The President would have the option at any point to assert control.

Mr. LEVIN. I understand.

Mr. NICKLES. And therefore void any prohibition whatsoever that is triggered by this amendment. If he went the waiver route—basically, he can go two ways.

Mr. LEVIN. It is the waiver route I am inquiring about.

Mr. NICKLES. One, he could assert control. The amendment does not apply. It is what Senator WALLOP was talking about, about accountability and responsibility. If he wished to keep it under U.N. command, under foreign command, he could do so. He could request the waiver, go through the emergency process, and seek a joint resolution of authorization from Congress.

Mr. LEVIN. My question to the Senator from Oklahoma, Mr. President, is during the 30-day period referred to, the Congress has the opportunity to act to authorize. During that period, may the President assign those troops to that foreign commander under U.N. authority?

Mr. NICKLES. This amendment would allow the President to continue on during that 30-day period of time. It does not authorize it, but it does not restrict the funds to prohibit him from that engagement.

Mr. LEVIN. So there is no prohibition in this amendment during that 30-day period that Congress is deliberating on the authority question, there is no prohibition for the President assigning those troops to that foreign commander under U.N. auspices?

Mr. NICKLES. I would have to answer the Senator and say if the President declared an emergency.

Mr. LEVIN. Yes. I am saying under the qualifications in the waiver provision, if he has declared the emergency and he has determined that national security interests justify a waiver and then submits a joint declaration, a joint resolution to the Congress, there is nothing in this amendment which prohibits those troops from being assigned to the foreign commander under U.N. auspices during that 30-day period?

Mr. NICKLES. The Senator is correct.

Mr. COCHRAN. Will the Senator yield for one further clarification on that provision?

Mr. LEVIN. I have some other questions on that provision, but I would be happy to yield.

Mr. COCHRAN. Rather than using the word "prohibition," it would be more appropriate, in this cosponsor's opinion, if you would say there is no limitation on the use of funds appropriated in this bill for that purpose.

Mr. LEVIN. Or any other bill, according to the language of the amendment.

Mr. COCHRAN. On any appropriations bill for this fiscal year. That is the intent of the amendment. That is what the answer was to a similar question posed by the Senator from Pennsylvania just a moment ago. That is the intent, and that is why the appropriate word would be limitation on the use of funds, rather than "prohibition."

Mr. LEVIN. I appreciate that clarification. I do not think that is the intent that is executed in this language for a number of reasons, not the least of which is that the language does not say "or any other appropriations act." It says "or any other act." So this has been, by the Chair's ruling, just by those words alone, deemed legislation on an appropriations bill. I thank my friends for the clarification at least of the intent of the language.

My second question is this: If the President submits a joint resolution to the Congress, or the Congress takes up a joint resolution in any event, is there an expedited process that you have provided for to assure that there will not be a filibuster during that 30-day period.

Mr. NICKLES. We have not put that language in this amendment.

Mr. LEVIN. My next question is: If the President determines that there is a national security interest which justifies a waiver of the prohibition and declares the emergency and informs the Congress, and on the 30th day there is no joint resolution enacted, for whatever reason—perhaps it is being filibustered or perhaps it has been defeated—is there any prohibition in this language on the President again determining that the national security interest justifies a waiver and again declaring on the 30th day that an emergency exists in order to start another 30-day clock running? Is there any prohibition on that in this language?

Mr. NICKLES. I do not know that there is specific language that would prohibit that. That is certainly not the intent. If the President wished to proceed, he has 30 days to get congressional authorization, which is the intent.

He either has to withdraw the troops or put the combat troops in the U.S. control.

Mr. LEVIN. I understand the intent. These are critical questions. These can be life and death questions for men and women in combat. So we are dealing with an extremely serious matter, and I think all of us, whatever side of the question we end up with, would agree with that, whatever we do in these areas, and there are going to be merging areas, many of them.

Is it fair to say that there is nothing in this language which addresses the issue—I am not talking the intent but in the language itself—and there is nothing which would preclude the President from issuing on the 30th day another determination and another declaration to start another 30-day clock running?

Mr. NICKLES. That is more than a violation of the intent. It is my thought and belief that at the end of 30 days, the funds will be cut off.

Mr. LEVIN. Is there any language in here which implements the belief of the Senator in that regard?

Mr. NICKLES. I think the language is fairly clear. I compliment my friend from Michigan, who goes to great lengths to try to analyze things, but I believe that the language is very clear. I do not see it as being ambiguous.

Mr. LEVIN. Could the Senator read the language which justifies a waiver in declaring an emergency? I do not see any language there which implements the Senator's intent. I understand the Senator's intent.

Mr. NICKLES. I appreciate my colleague's interest, but certainly I do not read this language—and I will read it again, but there is a prohibition. If you read this it says:

> None of the funds appropriated or otherwise made available by this Act or any other Act may be used to support United States Armed Forces personnel—

And it says—

> when such forces are: under United Nations operational or tactical control if such forces would be under the command, operational control or tactical control of foreign officers, unless prior to that date (A) the President has submitted a report * * * or (B) that the congressional committees and subcommittees have had 30 days to review * * * (C) and a joint resolution authorizing the placing of such forces under foreign command has been enacted.

We do allow the Presidential exception or the waiver under (b). It says:

> The prohibition described in subsection (a)(1) shall not apply if the President determines that national security interests justify a waiver of such prohibition.

What the Senator is saying is that maybe I should clarify it and say that the President could only request one waiver. I do not think it is even implied that the President would have the authority to come back and submit an additional waiver request on the same incident of committing U.S. troops. I repeat to my colleague that if the President is troubled by this provision——

Mr. LEVIN. I am troubled by this provision. I think we have to be very clear on this. I think it is fair to say that there is no express prohibition or grant of that authority to the President, but that the intent of the Senator from Oklahoma is that there only be one waiver period. That is the way I read it.

Mr. NICKLES. The way the language would read is that the President would only have the 30 days, not renewed authority to submit additional waiver requests.

Mr. LEVIN. I thank my friend for that. I do not see that in the language, but perhaps I will continue to look for that very important question to be answered. In the meantime, I do think that the real issue here, which I will address later on this afternoon, is whether or not this language will jeopardize American forces. I think that is really the key here as to whether or not we could, by this language, inadvertently find ourselves in circumstances where our own troops are placed in jeopardy by this restriction on Presidential power.

I am not talking about section 2, which has to do with the standing army. That seems to me to be a very different issue. But here we are talking about in operational circumstances, where we have American forces in combat, whether there will be circumstances where the assignment of them under clear rules to a U.N. commander, not of American nationality, could be essential for their well-being, or whether or not the removal of that authority under emergency circumstances on a battlefield, without time for a Presidential waiver, could plunge our men into great jeopardy. I know that is not the intent of my friend from Oklahoma. I know him well enough to know his intent is not that at all. But I believe this amendment inadvertently could place our troops in great danger in combat circumstances, and I will be addressing that issue later on this afternoon.

I thank my friend from Oklahoma for answering the question.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER (Mr. BREAUX). The Senator from Ohio is recognized.

Mr. METZENBAUM. Mr. President, I know this matter is of major importance to the U.S. Senate and the Congress, and I would not interrupt the debate; but it is my understanding that there is nobody waiting on the floor to be heard at the present time.

I have spoken with the managers of the amendment, as well as the manager of the bill.

Under the circumstances, I ask unanimous consent to speak as in morning business for a period not to exceed 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio is recognized.

Mr. METZENBAUM. I thank the Chair.

(The remarks of Mr. METZENBAUM pertaining to the introduction of S. 1566 are located in today's RECORD under "Statements of Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The chairman of the committee, the Senator from Hawaii, is recognized.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 2:30 P.M.

Mr. INOUYE. Mr. President, on behalf of the leadership, I ask unanimous consent that the previous order governing the recess period today for the party conference luncheons be changed to reflect the period to extend to 2:30 p.m., and that the Senate stand in recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate, at 12:15 p.m., recessed until 2:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. WOFFORD].

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from Pennsylvania, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. BOREN. Mr. President, I rise to speak about the pending amendment by my colleague from Oklahoma that is now before the Senate, and more broadly, to talk about the situation in which we find ourselves with reports of other amendments that may well be offered in regard to potential operations in Bosnia and Haiti and elsewhere.

It is very easy for all of us to become emotional at a time like this. Who could watch those scenes on television of one of our own young soldiers being dragged through the streets in Somalia without feeling emotion? Who could not be touched by the tragic combat deaths of our soldiers in that country? Who could not be concerned about the situation in the Balkans and about what could happen if American troops are committed as a part of an international peacekeeping force in Bosnia? What American could not be disturbed when our ship was turned around and our forces were turned back when they landed in Haiti, again to carry out the terms of an agreement that had been freely entered into between the two parties in that country?

As we look at the mistakes that have been made, it is easy to whip ourselves up into a frenzy and to seek to lash out in every direction with purported solutions without thinking about the long-term consequences.

I think we are about to do that. I cannot think of a period of time since I have served in the Senate, including the 6 years that I chaired the Senate Committee on Intelligence, in which I have been more alarmed by the possibility that the tides of emotions of the moment might lead us to make very unwise decisions for the future of this country as I am now.

I appeal to my colleagues on both sides of the aisle: Stop. Pause. Reflect. Think. Think not only about today and tomorrow and next week, but think about next year, and think about the kinds of foreign policy we need in the next century as well, in this new world environment in which we are entering.

I do not believe this debate is really about what we should do in Haiti. I, for one, am not anxious to send American forces into Haiti. I would be very reluctant to see that happen. You would have to convince me, after a long and hard argument, that it should be done. But I do not think that is what we are talking about here. The same is true of sending American forces into Bosnia. I would be extremely reluctant to do that now, not until conditions are much clearer than they currently are.

I do not think this is a debate about Somalia. As I said on the floor last week, I had the opportunity, with Senator PELL and Senator LEVIN, to be among the very first Members of Congress to be in Somalia after our troops landed—4 days, I believe, after the marines landed. They had just arrived. They were still sleeping on the ground. They had no facilities. But in the beginning that mission was succeeding. It was succeeding diplomatically, in getting the various sides to lay down some of their arms. We all remember that, when our forces went into that country, they were not resisted. They were not brought under attack. They had the support of virtually the total local population, and they were able to stop hundreds of thousands of innocent children from starving.

I do not support what has happened since then. The policy has veered off course. It was not watched closely enough. We became partisans and combatants, choosing one side in a civil war over another, and we unnecessarily and tragically risked the lives of young American troops. But I do not believe this debate is about whether we like what happened in Somalia, either.

In fact, the current amendment would not even affect what happened in Somalia. I believe it is drawn perhaps because of the outrage among many Americans—an outrage which I share—of a policy gone awry. But let us remember that those troops that were tragically killed in Somalia were under the command of American officers in an American operation at the time.

If these series of amendments that are on the floor, or are apt to be on the floor over the next few hours, are not really about whether we should go into Haiti, or whether we should continue down a certain path in Somalia, or what we should do in Bosnia, what are they really about? They are fundamentally about what kind of foreign policy we are going to have in this country for the next several years.

Mr. President, I appeal to my colleagues again to stop and think about the world situation in which we now find ourselves. Not too long ago, I was at a gathering where a well-known columnist in this city grabbed me by the lapels and said: "Isn't this an exciting and incredible time to be alive?" I must confess, I was taken aback by the intensity of that remark. I said, "What do you mean?" He said, "Well, I was up writing a column, thinking about it until early this morning, and I was thinking about how much change has occurred in this world in the last 3 years, more change in a shorter period of time than any other period in the history of our world for the past several centuries in terms of changed relationships between nations and economic systems and political systems, all without the cataclysm of world war. Think of the change."

Then he said, "There is something else. It is the first time in many, many years since we have been a world power that the world is not divided into two superpower camps looking at each other across the barrel of a gun."

A remarkable moment. No sooner was World War II over then our parents and grandparents had to face the responsibility of fighting the cold war with the hairline nuclear trigger. This continued for the next 45 years. We never had an opportunity to build a new world order or to secure the peace. We never had an opportunity to make sure that World War II was the war to end all wars because, for one reason, the United Nations could not effectively function because of the Soviet veto in the Security Council and because of the competing power blocs which aimed missiles at each other.

Now we have a unique moment, an opportunity that our parents did not have and our grandparents did not have to chart a new course, to come up with a new architecture. Since the great and most powerful nations of the world are not at each other's throats, since they do not have one finger on the red button, now is an opportunity to work together. Perhaps now, for example, we can figure out a way to stop the spread of dangerous weapons around the world. That is a terrible threat that we face.

Some of the nations obtaining these dangerous weapons—chemical weapons, biological weapons, and nuclear weapons—are among the least responsible nations in the world. That is a real threat, an even graver threat in the long run perhaps, than the superpower confrontation of the cold war.

How long will this opportunity last for us to devise a new foreign policy for this country? No one knows. Three weeks ago, we saw events in Moscow that, had they ended differently, could have slammed shut that window of opportunity and perhaps even restarted the cold war. But we are living in a unique opportunity to build a whole new architecture for the foreign policy of this country to take us into the next century. We have a moment that has been given to us when the world is not divided into two major hostile camps.

So, Mr. President, this is not the time for us to react emotionally to the events of yesterday or of a week ago. It is the time for us to sit down, using our best ability and our clear and deep thoughts, bringing together the top expertise available in this country, taking time out from our busy schedules as Members of Congress, to try to come up with an architecture for that policy.

If things change and the world is plunged back into a new cold war, what will we have? The missiles are all still there and they are all still targeted, the weapons continue to spread around the world, and brush-fire wars begin to break out all over the world again, with dangerous weapons being used—chemical weapons, nerve gas that could be put into the air-conditioning systems of major buildings or chemicals that could be put into the water supply of major cities and kill literally millions of people around the world. If we do not take the opportunity given to us to build a different kind of architecture for our children and our grandchildren, they are going to look at us and they are going to say: "Where were you? Why did you miss the opportunity?"

Trying to act with a floor amendment—a floor amendment—with only a few hours of debate, to set precedents that will have a major impact on the future of this country in the next century because we are emotionally overwrought by things that have happened that none of us on either side of the aisle like, is wrong, Mr. President; it is wrong. We need cold water splashed on our faces so that we will stop and think: What do these amendments purport to do, the ones talked about and the one now pending?

The one now pending, in essence, rules out or makes it almost impossible for us to use multilateral approaches to solve foreign policy crises by requiring approval in advance before the Presidents can enter into operations within the United Nations.

I think we need to think through how we should operate if our troops are under the command of the United Nations. We should think that through very carefully. There should be guidelines. So far we have not lacked adequate guidelines. For us to adopt a policy which says, in essence, we do not really want to participate and to make available multilateral approaches to solving crises in the world, and which rules out that alternative now is grossly premature and irresponsible.

The American people have said time and time again, "We do not want to be the world's policeman all by ourselves." Why should our taxpayers foot the full bill every time there is a crisis? Why should young Americans take all the risks? Why should it mainly be American lives that are put at risk and put in jeopardy?

That is why, in many cases, it has been right for this country to work with other nations. Where would we have been in Korea if we had to do it all alone? Where would we have been in the Persian Gulf if we had to do it all alone? Where would we have been in terms of trying to contain communism for 45 years if we had to do it all alone without NATO and SEATO and others helping us in that effort?

And yet, Mr. President, that is exactly what we are being asked to do because we are overwrought with what happened in Somalia. We are being asked to adopt an amendment that is quite far-reaching. Wake up, my colleagues. Wake up. We are being asked to adopt an amendment that, in essence, repudiates the multilateral option for us as we enter a very new, uncertain, uncharted world environment.

I do not think the American people want us to give away that tool. We can always say no to a multilateral operation. Congress always has the power to cut off the money and to stop an operation anytime we want to do it. But why tie our hands in advance? Why give up an option before we can even possibly imagine all of the circumstances in which it might be needed in the future?

There is something else, Mr. President. All three of these amendments—and we should think about this—all three of these amendments require—whether we are talking about the potential amendment to be offered on involvement in Haiti or in Bosnia, or whether we are talking about this amendment dealing with possible operations within the United Nations—that the President receive prior approval from Congress before the President acts.

Mr. President, that is one of the most radical suggestions that has ever been made on the foreign policy front in the Congress of the United States. Not since the beginning of our country, not ever, as far as I can find—and I am still researching the point. I do not believe that ever before have we passed a statute saying the President of the United States has to have prior approval before, as Commander in Chief, he acts to preserve our national security interests.

We are not just talking about this President, if we pass amendments such as this that set this type of precedent. People may be dissatisfied with some of the things this President has done. I am not satisfied with every one of them. But if we set this precedent, we are setting a precedent not only for this President but for every President in the future.

The War Powers Act does not do that. I have heard the War Powers Act discussed by some on the other side of the aisle, and I have sometimes agreed with them that the War Powers Act goes too far in restricting the powers of the President as Commander in Chief.

What does the act say? It says, after the President commits forces, he has to file a report. Once that report is filed, the clock starts running. If there is no congressional approval after the fact, then the forces would have to be withdrawn. It does not say before.

Think about what we are doing, as we enter into a new era without a crystal ball to guide us. We are saying that we are going to make a fundamental change in the constitutional powers of the President of the United States with floor amendments in the Senate, with maybe 5 minutes of deliberation by the average Member, who cannot be here for all the debate, with all action concluded in 1 week.

Mr. President, we badly need that cold water in our faces. We need to step back. We need to wake up. We need to reflect. We need to get rid of this pent-up emotion that is driving us to make decisions we will regret year after year after year. We have the power to stop Presidents if they act irresponsibly. President Clinton has already indicated, for example, in the case of Bosnia that he does not intend to commit any American forces in Bosnia without full advanced consultation with the Congress.

I think that is a wise decision by the President. I think he should consult with us in advance. But I do not think we should ever pass a statute which says the President must have the prior approval of the Congress before he enters into actions, unless it is something that the President voluntarily decides to do. No President, no Member of this Senate, can possibly know every situation. We cannot have 535 commanders in chief in this country. We cannot run this country by committee in the midst of a national or international emergency or crisis.

Once I heard Mrs. Thatcher say something very wise. She was asked, "What one lesson have you learned above all others in your years of public service serving as Prime Minister and in Parliament?" Do you know what she said? "I have learned always to expect the unexpected."

A very wise lesson. Be prepared for the unexpected. If there is any lesson we can learn, it is that. Here we are trying to tie the hands of the President of the United States and future Presidents by establishing a precedent. And we are doing this, for the first time in our country's history, by use of floor amendments without hearings in the relevant committees, without sitting down thoughtfully, as I think we should, legislative branch and executive branch together, perhaps even with a special commission composed of Members of both Houses and both parties and the executive branch, in order to think about the long-term changes in our foreign policy that are needed.

In his book, entitled "Present at the Creation," Dean Acheson wrote about the beginnings of a new foreign policy, a new approach. It is the foreign policy we still have. It came together after World War II, at the beginning of the Truman administration. As our colleague from Florida, Senator GRAHAM, has reminded some of us, even that architecture which served us so well and included collective security, the containment of communism, the Truman doctrine, the beginnings of NATO, the Marshall Plan, even that architecture was not put together in a week or a month. It evolved over 2 to 3 years in the Truman administration.

Without careful thought and reflection, we are going to change the basic constitutional powers of the President with a floor amendment. In essence, we are going to push aside multilateral action as an option at a time in which none of us want to see our young people and our taxpayers have to bear all the risks and all the burdens. It is unwise, Mr. President.

This is not about Haiti. This is not about Somalia. This is not about Bosnia. This is not about whether or not we approve of everything that has happened. I do not think any of us do on either side of the aisle. This is about charting fundamental foreign policy for this country into the next century. It is about the powers of the President to deal with emergency situations. It is about our constitutional framework of Government.

Mr. President, let us have the courage to say that we should not make those kinds of long-range, fundamental decisions without adequate reflection. The American people look at us sometimes, and they say, "What are you people doing in Congress to make such major decisions with so little thought and reflection about the possible implications?"

They are right. If the American people witness us deciding such fundamental questions out of emotion, without adequate thought and reflection, but with floor amendments, they will be right.

I honestly hope that all these floor amendments will be withdrawn. Yes, then we should go—bipartisan, together, Republicans and Democrats, Americans—we should go to the President and we should say, "Mr. President, there is a fundamental decision that needs to be made about how we interact with the United Nations if our forces are committed and there are some fundamental decisions that need to be made about how Congress and the executive branch work together in times of international crisis."

We should sit down, and we should work, we should think, we should study, and we should give it our best effort. That is what we should do.

I am not denigrating the motives of any of those who have offered these amendments or talked about offering these amendments. They are people for whom I have the highest regard. My colleague from my home State and I have never had a cross word. We have great mutual respect for each other, and I have great respect for the other coauthors of this amendment. I have great respect for the distinguished minority leader. I commended the position which he took recently on a very difficult foreign policy issue. He is one of the Senators in this Chamber for whom I have the greatest respect.

But I say and appeal to my colleagues, please stop and think. Let us not make these fundamental decisions now. I have been here when Republican Presidents warned us against micro management or tying the hands of the Commander in Chief or applying the War Powers Act when it perhaps should not have been applied. In nearly every one of those situations, I believe, except once, I supported the power and the discretion of the Commander in Chief to make those decisions when the President was of the other party. It is not a matter of politics. This is a matter of what is good for the country.

I understand the frustration that has led to the offering of this particular amendment. I have not heard all the comments made by my colleague from Oklahoma, but I think he has pointed out, accurately, that we have not yet determined well enough what the guidelines should be in terms of committing American forces and how they are to operate within the United Nations and how that is to interact with the Congress. There, in essence, is a vacuum existing right now because we have not clearly enough spelled out those foreign policy objectives. And I thank my colleague and others who raise this issue—and there are those on both sides of the aisle that have done us a service. They have put on the radar screen for all of us that we are operating without a clear course of action or charter in front of us. The President and the Congress need to understand each other and their appropriate roles. And our young people need to know the rules and obligation of the support that is either behind them or not before they are even put in that position.

Having done that and realizing that we do not have in place a foreign policy with sufficient guidelines. Let us go to work to accomplish these goals. But let us not do this with floor amendments in the U.S. Senate without adequate time to think about the issues. Please do not do that. Let us not do that to our country. Let us not do that to those that will be living in the next century. It is too important. It requires more thought. Let us take the time; let us do our job right.

I urge my colleagues seriously to consider—and I will be the first to join with them in the effort—to say to the President that it is time we sit down and work out these guidelines and understandings. Let us not listen to our hearts alone, but to our heads as well. Let us not just emotionally react to a situation that has deeply and gravely disturbed all of us in our country, of both parties, wherever we happen to live. The decisions are too important.

We are given an opportunity, as I said in the beginning, Mr. President, not given to any other generation, save perhaps those alive in that brief period right after World War I. There was an effort then that failed to put together a new world order—the debate over the League of Nations ended tragically, with the country in disarray and with nothing in its place. Thereafter we were plunged into World War II followed by the cold war. And now, 70 years later, we have that opportunity again. It is a gift to us. It is a chance for us to chart the right course for our children and our grandchildren, to make a lasting change in the relationship among the nations of the world.

Let us meet that responsibility. But let us do it carefully and wisely, and let us give it our best efforts. We must work together, with Members from both sides of the aisle, because I believe this Nation must speak with one bipartisan voice. Let us do the job. You have raised some serious concerns. You have made valid points. You have made criticisms that are correct. Now let us deal with them constructively, as we should, and let us do it in the right way and not try to develop on the floor of the U.S. Senate, in 1, 2, or 3 days of debate, a basic architecture of the foreign policy of this country that will carry us into the next century. Let us give it more thought now that we have had the problem brought to our attention forcefully, and let us wisely craft the best solution.

Mr. DODD. Mr. President, if the Senator will yield, I will not take a great deal of time, but I want to commend our colleague, the senior Senator from Oklahoma, for his statement here this afternoon. He certainly has expressed my views and, I hope, the views of the majority, because it transcends the specific issues in front of us which are not insignificant, and that is the role of the United States in the post-cold-war period. Do we commit forces to be a part of international peacekeeping forces? If so, where, under what circumstances, and how? Do we support that before we take the action or after the action is taken?

We have a critical issue with Bosnia, and we have not decided it. And there is division in this country as to how we ought to proceed. We saw a great division in Somalia, a policy to go in and try to feed hundreds of thousands of starving people. The policy changed and moved, and we had a significant debate less than a week ago. Now we have the issue on Haiti—again, a critically important issue.

This is a different time, and our colleague from Oklahoma properly pointed that out, and he pointed it out in a historical context. There was only one other period in this century when we found our country in a similar position as today. That was at the end of World War I when we were virtually the unchallenged power in the world. We debated as to whether or not we ought to establish something called the League of Nations, and how we deal with world crises. Many competent historians would argue that the collapse of our ability to put together some alternative to superpower confrontation contributed to World War II and events thereafter.

We now find ourselves once again, for the second time in this century, as the Senator pointed out, in that unchallenged position. We need to sort out how we are going to handle this. Obviously, none of us here, I hope, wants to go it completely alone in every case. President Bush established a foreign policy approach with the Persian Gulf crisis that I think ought to be the model of how we at least try to resolve problems in the future.

There was a disagreement and debate over whether the time was right to use force in the Persian Gulf. But I do not recall an ounce of debate and discussion about whether or not the formulation of an international coalition at the very outset of that issue was the wrong approach to take. As I recall, everybody endorsed it, and properly so. It was a significant foreign policy achievement under the leadership of the then Secretary of State, Jim Baker, and others, putting together that coalition and deciding to go in and deal with Saddam Hussein on that basis.

I think you would have had a different political debate internationally and domestically had we decided to do it alone in Iraq. I am not sure what the outcome would have been.

President Bush is the architect, in many ways, of this approach—the use of international bodies to deal with these problems. One thing I hear from my constituents is that "this country cannot resolve every problem in the world." The Senator from Oklahoma has very accurately framed at least the format by which we ought to examine these issues. By lurching in Bosnia or Haiti, or lurching in this amendment dealing with the United Nations, we are not doing that in the way it ought to be done.

That is all I think the Senator from Oklahoma is pointing out here. We need now to spend some time and think this through, so that we approach it intelligently. I will comment on Haiti specifically later on. But the senior Senator from Oklahoma has properly and intelligently framed how this debate ought to occur and at what level it ought to occur. I hope that our colleagues who have offered these amendments, with the best of intentions, will take heed to what our senior colleague from Oklahoma has raised here this afternoon and possibly withdraw these amendments.

In fact, I point out that in Haiti the President has done the right thing. He did not send in troops when the danger occurred there, the very thing we asked him to do to avoid that kind of confrontation. So I think we should go through the process and approach this new foreign policy architecture in a way that makes some sense, not just for these events, but for the future as well. As the Senator from Oklahoma pointed out in quoting Margaret Thatcher, I can guarantee as we stand here today, next week or next month there will be another crisis someplace else in the world, and we will be lurching for an answer on that one as well, unless we try to think this thing through and do it in an intelligent, responsible way.

I commend the Senator for his remarks.

Mr. BOREN. I thank my colleague very much.

I see my colleague from New Mexico on his feet. We have matters to debate in another meeting in the Joint Committee on the Organization of Congress.

I am very serious about what I said a moment ago. I hope my colleague from Oklahoma will think about it, and I hope the distinguished minority leader and others, who perhaps are considering offering amendments on specific subjects on specific countries will think about it.

It would be much better if we could find a way, rather than dealing with these issues in sort of an ad hoc manner, country by country, with floor amendments, to come together and make a bipartisan proposal, a very serious one, in which we really bring together the best thinkers in both parties and both Houses of Congress and with the administration in a totally bipartisan fashion to look at this whole area and to do so in a very, very thoughtful and a very careful way.

I am not saying this in order to try to diffuse criticisms of the President. The President himself has admitted that mistakes were made in Somalia, for example.

If the resolution wants to have a whereas clause that says the administration and leaders of our Government have not yet developed fully enough guidelines under which we should be operating, this Senator would be happy to agree with that statement. We do need to develop them. I think we need to develop them together, not only with the President, but Congress and the President together with Members of both parties.

So I would hope that staff members and perhaps our colleagues, if they are listening in their offices, will take this suggestion seriously, because I mean it, seriously. I think that we are all willing to say that mistakes have been made. Let us go forward from there, and let us sit down and really try to do this in the right way rather than in an ad hoc way.

Again, I say that not to offer criticism of those who have offered these amendments, because the points they have made are valid, and needed to be made; this issue needed to be raised.

I just appeal to them—let us figure out a way; let us get together as we should, Democrats and Republicans, across the aisle together; and let us figure out a way and mechanism that can be established so we can deal in a broader way and sounder way and one which will allow us to take care of various situations rather than doing it ad hoc.

So I appeal to my colleagues to take my request seriously, not to treat it as a matter of political rhetoric but to take it seriously, because I think there is much work that needs to be done as my colleagues who have offered this amendment have pointed out.

Let us do this work together, and let us find a better way of making these decisions, because they are so far-reaching.

We had many debates out here about the constitutional powers of the Presidency, and I think that we need some new mechanisms. The world is changing. We need to think of new ways to operate in it and to think about how the President and the Congress interact. Let us do this in a different way. That is all I am suggesting.

I am not suggesting that concerns are invalid. I am just saying let us find a different approach for dealing with it.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. BOREN. I am happy to yield.

Mr. DOMENICI. Mr. President, I am going to use a moment and make an observation which I assume will bring a response but, if not, we will probably leave and do some other work. We are already late and not only late this afternoon but maybe the Senate thinks we are late in not having a deal out here on congressional reform.

Let me say I am privileged to listen to the Senator's remarks here. Frankly, I agree with a lot of what the Senator has said.

I hope the Senator does not think that the Senator from New Mexico approaches this in a cavalier manner. This is serious business.

However, I suggest to the Senator we have had a little bit of time to assess our relationship to the United Nations and what we ought to be doing in the areas that Senator NICKLES addresses. It is not a new issue. It is just that it has been called to our attention again. That is, the relationship of American men and women in the military in combat as part of a U.N. force under U.N. command, and it is also the issue of the United Nations' standing army versus American military men and who will lead them in combat if there is to be such activities.

I personally believe that there is a huge vacuum in those two areas. I think the American people expect us to do something about those two areas quickly. Frankly, I think we are going to have ample opportunity after we adopt this amendment, if we do, on just these two areas—that is what it is all about—for the President and the Congress to decide in due course. And sometimes due course around here takes 2 or 3 years.

We have been complaining about the United Nations not having any fiscal control over all the moneys that the world gives them, and nothing has been done year after year after year. Everybody says "Study it. It is very important."

Finally, we are going to say in an appropriations bill you are going to get less money until you do something, and we are not sure we know what is right. But we said 10 percent of the arrearage you do not get until you have some kind of auditing system.

I submit if we do not do something like Senator NICKLES is suggesting, which does not have to last any longer than it takes for this institution, the House and the President, to thoroughly examine the issue, if they want to, and do something much more diverse, widespread, create a different atmosphere about the relationship of America to the United Nations, what should we do? Why should we not adopt just these two, the standing army provisions and the prohibitions on our men and women being in that standing army of combat unless Americans control it? Why should we not go ahead and say continue your U.N. activity but not as far as combat is concerned unless you follow the principles in the amendment?

I believe there is just as good an argument to say do that and then give everybody plenty of time to proceed with the other areas as there is your argument on the broad spectrum of Presidential constitutional power as the Commander in Chief.

Mr. BUMPERS. Mr. President, I wonder if the Senator from New Mexico, before he leaves the floor, will answer a question for me with the indulgence of the Senator from Oklahoma.

Mr. DOMENICI. I would be pleased to try.

Mr. BUMPERS. Mr. President, could the Senator from New Mexico tell me what situation would be different in the past several years, including Somalia today? What situation would be different if the Nickles amendment had been in effect?

Mr. NICKLES. Mr. President, if the Senator will allow me to respond, I will be happy to respond to my colleague from Arkansas. There is nothing. This amendment, which some of my colleagues have spoken to with great energy and acted like this is a fundamental change in course in history, it is not correct, because this amendment would allow the President to do exactly what he is doing right now in Somalia.

As the Senator from Arkansas is probably aware, the combat troops are under the U.S. command. The logistic troops, humanitarian troops are under U.N. command.

This amendment would not prohibit or tie the President's hand in any way, shape, or form.

I might go further. I do not want to overanswer my colleague's question. But as to the idea of people saying that this is historical change, I have looked at all past U.N. peacekeeping operations going all the way back to 1945. This amendment would not have affected any of those.

Mr. BUMPERS. If the Senator will allow me at that point, if it is not broke, why are we trying to fix it?

Mr. NICKLES. That is an excellent question. The reason is—and I will read some quotes—this administration is contemplating very expansive use of U.N. peacekeeping forces, which I might mention have grown dramatically just in the last few years. They have gone from 10,000 in 1990 to over 80,000 today. I will read you just a quote that was made by Madeleine Albright, U.N. Ambassador, who said: "The end of the cold war has opened up another avenue for multilateral cooperation long limited by U.S. solely." Really, that is U.N. peacekeeping. I will go further. This is President Clinton.

Her comments were made September 23, less than a month ago.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. NICKLES. Let me make an additional point.

President Clinton, on September 28, less than a month ago, said "If the parties to the conflict now"—referring to Bosnia— "take hard steps needed to make real peace, the international community, including the United States, must be ready to help in its effective implementation."

I think my colleague is aware the U.N. Secretary General has been talking about 50,000 troops. The U.N. Secretary General says they should be under U.N. command.

I might note that the nominee for NATO commander, Gen. George Joulwan, yesterday said they should be under NATO command. If they are under NATO command, this amendment would not come into effect. It does not do anything as far as undermining our existing, very successful NATO relations. It does not do anything that would undermine our relations in Korea.

But it does say we do not want to put U.S. combat forces under U.N. command with the foreign commander. That leaves the President totally out of the equation as Commander in Chief, and I think that is a serious mistake and it has not been done in the past I inform my colleague from New Mexico. We are not talking about changes; we are talking about changes, about the proven, effective methods we have in the past. That is that we do not commit U.S. combat troops to the United Nations and turn that over to foreign control and really get the United States out of the chain of command. I think that would be a serious mistake. We have not done it in 48 years. It is now being contemplated by the administration.

I also tell my friend from Arkansas that enthusiasm for that has probably waned somewhat in the last couple weeks as a result of the disaster in Somalia.

I hate to think of that reason, but I would tell my colleague from Arkansas this amendment was contemplated well before the Somalia disaster ever happened. This is not a result of that disaster. This is the result of reading newspaper clips, including the Washington Post.

This is a result of reading newspaper clippings, including the Washington Post on June 18, that says "U.S. Plans a Wider Role in U.N. Peacekeeping." There is another article from the Washington Post, "Wider U.N. Police Role Supported; Foreigners Could Lead U.S. Troops."

That has not been the case in the past. Those are changes in policy, changes that I am trying to curb.

But I am going so say that in my minimal restrictions we do not restrict the use of peacekeeping troops, we do not restrict the use of humanitarian troops, medical troops and so on. We have limited it and narrowed it to combat troops, to limit it to invasive power and making sure the President maintains and keeps his role as Commander in Chief.

Mr. BUMPERS. If the Senator would yield further—who has the floor?

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. DOMENICI. I think the Senator asked me a question. All I want to tell you is he answered it much better than I could have.

The PRESIDING OFFICER. The senior Senator from Oklahoma has the floor.

Mr. BOREN. Let me say just one word and then I will let my colleague from New Mexico make a brief comment, because we both have to go to this meeting which we are cochairing.

I am still concerned, I would say in response to his original question to me, that we make this decision in this way. Again, I want to compliment my colleagues for raising valid concerns.

I agree exactly with the term "vacuum" that was used by the Senator from New Mexico. I think there is a vacuum in some ways in terms of the guidelines that have been lacking in terms of the use of these forces.

But, for example, President Bush proposed—and I recall when he did it—that we allow one of our unused military bases to be used as a training base for U.N. forces where units from other countries could come together with American units and train together, and perhaps be reequipped so their radios would communicate with each other and the rest of it.

I am not sure from reading this amendment whether or not that would be allowed. Certainly the U.N. troops in Somalia or anywhere else would be operating much more efficiently and probably with less loss of lives and less risk to our troops if they had the opportunity to train together, to work together, and if the commanders knew each other, and they could have been better equipped.

As I read the second part of this amendment, which says no funds will be used except for certain categories, I think it might well rule out the use of training and equipping of these kinds of forces which would make them much more effective.

Whether we ought to allow that is subject to debate; whether President Bush's proposal is wise or not is a matter worthy of debate.

All I am saying is, I do not think it is a matter that should be decided by floor amendment without hearings in relevant committees and without long-term consideration of how all of that should fit together in terms of our foreign policy architecture.

I, again, want to thank my colleagues. I have spoken with some passion. I certainly have not spoken in anger or in criticism of my colleagues, because they are frustrated and worried and raising questions about a vacuum that does indeed, I believe, exist in terms of the inadequacy of guidelines to cover these situations.

I would simply appeal, while there are many good ideas here, that we pool all of our good ideas together and we do it over not a prolonged period of time but allow enough time to make sure that we have had sufficient hearings and have given it sufficient thought, because I do think these are fundamentally important decisions and we should make them very, very carefully.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, before the Senator from Oklahoma leaves, I would like to compliment him on all the remarks he made, especially the part about this being a very far-reaching piece of legislation. And for us to come to the floor here with 100 Senators and 100 different views for each one to try to amend or craft or decide whether he is going to vote for or against something of this magnitude borders on lunacy.

Now, for whatever merit or demerit this amendment has, it should be introduced as legislation. It ought to be referred to the Foreign Relations Committee and the Armed Services Committee and reported back to us. There ought to be hearings. It ought to be debated at length.

I think that was the main thrust of what the Senator from Oklahoma said, and I subscribe to that. But I have a few other things I would like to say, also.

I would not impugn the motives of the Senator from Oklahoma, but I must say, I had not ever heard of this amendment. It may be that he and some of his colleagues were busily crafting this amendment before the big firefight in Somalia on October 3 and 4, but I had never heard of it.

I will agree, everybody knows I am not just a steadfast defender of President Clinton, because I think the resolution that was adopted by the United Nations setting out as a part of our mission there to arrest Aideed was a mistake. I am not sure that I ever said that on the floor of the Senate or even said it to my wife over the breakfast table at the time, but certainly, on hindsight, that turned out to be a bad vote. And in a way it is a tragedy that Madeleine Albright was not instructed to vote no on that resolution.

But let me go back and review the bidding. Bear in mind, we went to Somalia for humanitarian purposes. Humanitarian is covered in this amendment, and I will come back to it in just a moment.

But I can remember my predecessor here in the U.S. Senate, Bill Fulbright, and I were having lunch about a week after President Bush said we are going to send troops to Somalia to feed the people and alleviate the death, or at least prevent the death of as many as a million people. Virtually nobody in the United States opposed that.

I was having lunch with Senator Fulbright and I said, "What do you think about it?"

He said, "I have very grave reservations about it."

Now, let me tell you. His reservations were not necessarily based on the fact that he is an academician and understands history. I think his reservations were, more than anything else, based on his 30-year tenure in the U.S Senate and seeing the most laudable motives on the most laudable undertakings anybody could conjure up, turn sour.

I said, "Surely, you are not opposed to the United States preventing this many deaths?"

He said, "I'm telling you, a lot of these things start out for the most noble and laudable reasons, but the first thing you know, they begin to bog down."

And the minute we began to feed these people and they became healthier, our mission continued there. We should have pulled out before the U.N. resolution ever said anything about arresting Aideed.

But I remember Senator Fulbright said, "The first thing you know, you lose an American soldier. And the next thing you know, a soldier is taken hostage and everybody is demanding a little pound of revenge. And the next thing you know, we are bogged down."

How prescient that observation was because it happened precisely the way he said it would happen.

But even so, going on, Mr. President, I will agree that we made a mistake in voting for the resolution to arrest Aideed. I think we erred in expanding the mission of our forces there. Once we fed those people and they became rather self-sufficient—they are right now—it would have been infinitely better if we had left. But we did not. Chalk that up to a mistake.

But no resolution was offered here when it was said we were going to stay. There were a few Senators that said I think this is a mistake; that we ought to get out. I was one of them.

But all of the sudden, when you lose some people in a firefight, people want to change the law in a very dramatic way that everybody agrees impinges dramatically on the President's authority as Commander in Chief and on his authority to make and implement foreign policy.

Our military forces exist essentially for two purposes—to make certain that our Nation is secure and, No. 2, to implement foreign policy. The tragedy of this amendment is it has a lot of political appeal. I said not long ago that I wish I could vote no on the President's deficit reduction package. I did not mean I wish I could vote no because I thought it was a bad idea—incidentally, as many newspapers in my State construed. I said I wish I could vote no so I would not have to answer so much mail. I wished I could vote no because I know where the politics of that issue was. But I voted yes because I thought it was a good idea to try to do something about the deficit rather than just sit around and make chamber of commerce speeches about the deficit.

I would like to vote aye on this for the same reason. I can tell my colleagues that the Nickles and Dole amendments are popular across the country. Do you know why? Do you know why a lot of people in this body will vote "aye"? Because you cannot answer your critics with a bumper strip. It is a complex issue. If you could come up with a little short, snappy bumper strip to answer why you voted no on the Nickles amendment, I daresay he would not get 20 votes. But it is complex.

It has gotten to the time in this country the reason we have a $4 trillion debt is because people cannot answer it on a bumper strip. No, I will take that back. One of the reasons we have a $4 trillion debt is because all those people who favor a line-item veto and constitutional amendment to balance the budget vote for every dime of spending that comes up on the floor of the Senate and then go home and say, what we really need is, not a Senator with the stamina and determination and courage to reduce the deficit, it is because they will not vote for a constitutional amendment to balance the budget.

Everybody applauds and says, "Isn't he wonderful?" That is wonderful chamber of commerce talk. I said it on the floor—it sounds a little arrogant, and I am a little reluctant to say it—I know how to make people stand and cheer as well as anybody in this body. As the old saying goes, "You can bring people to their feet but you cannot bring them to their senses," with those bumper strip answers.

While I am willing to concede that there have been a couple of foreign policy mistakes made, I have this very strong suspicion that a lot of people are going to come out here and vote for the Dole amendment and are going to vote for the Nickles amendment and pack their bags this weekend and head for New Hampshire and tell them why they ought to be elected to replace Bill Clinton. Bear in mind one thing. Bill Clinton did not send troops to Somalia. I thought it was a mistake to send peacekeeping troops to Haiti. I did not agree with that. I still do not agree with it. And I do not think he will.

For whatever it is worth to my colleagues, they should bear this in mind. President Clinton has said he will not send peacekeeping troops to Bosnia without congressional approval. I think that is a very good concession on the part of the President. He is saying, "I want to cooperate with you."

Everybody here knows there are times when the President must have the authority to act. When I first came here I was a staunch proponent of the War Powers Act. But the longer I have been here—I am not going to yield until I finish and then we will have a colloquy—I have concluded over a period of years that the War Powers Act is almost impossible to implement. I think it would be more impossible to implement than a balanced budget amendment. But, be that as it may, I think the President wants to cooperate with the Congress. He has talked to virtually every leader in the Senate on every move he has made. I think right now there is a sense that his popularity is suffering as a result of an ill-defined foreign policy. I am not quarreling with that. It is not well defined.

But we have had an operation to bring about the dissolution of the Soviet Union for over 40 years, called NATO. It has been a textbook example of 17 nations cooperating under all kinds of different commands: Canadian, British, French, American. It is a perfect example of how nations can cooperate to achieve a mission. So what does this amendment do? Well, it exempts NATO. We have 600 troops in Macedonia right now, under a foreign command. I expect this amendment, before it is voted on, to maybe exclude Macedonia. Nobody suggests bringing these troops home from Macedonia, though they may be in harm's way. The Senator from Georgia and I were in Macedonia 3 or 4 months ago, and we visited with the U.N. commanders there. It is a very poor nation, scared to death the war in Yugoslavia is going to extend. I heartily applauded President Clinton's sending 600 troops to Macedonia, and my guess is the Senator from Georgia, the chairman of the Armed Services Committee, did also. That is one small thing we can do. But he could not have done that under the Nickles amendment, not without a lot of debate in the U.S. Senate. It has been said here many times, we had two battalions under a French command in Desert Storm.

This amendment, for example, starts off saying the President can send troops without congressional approval if the mission is humanitarian. Is that not what Somalia was; to feed people? So there is not anything in this amendment that would have stopped George Bush or Bill Clinton from sending troops to Somalia, because it was a humanitarian mission. But, as Senator Fulbright said, humanitarian missions have a tendency to go sour, and the first thing you know the troops with the most laudable, altruistic motives of feeding people are caught in combat. So what do you do then? Come back and say, withdraw, retreat, disengage? The President has to submit a request for permission from Congress. There will be no more shooting until 30 days have elapsed and Congress has acted on it.

Mr. NICKLES. Will the Senator yield?

Mr. BUMPERS. I will be happy to yield.

Mr. NICKLES. I would like to inform the Senator that is not correct. I will inform the Senator our amendment would allow the President to do just exactly what he did.

You have troops in Somalia who were under U.N. command, and those are primarily for humanitarian and logistic causes. We do have some rangers who were in combat, and they were under U.S. operational control. The President is sending a few thousand additional troops. They are also under U.S. control, not under U.N. control. So the President, basically, did exactly in that situation what is allowed.

So this amendment, if there was a future Somalia, would not have impacted his flexibility in responding in any way.

Mr. BUMPERS. Let me ask a question. I stand corrected on the point my colleague made. But let me ask this additional question.

Let us assume that in Somalia you have a battalion of Americans who are there under the most laudable purposes, namely, humanitarian purposes. Let us assume that they are under an American command. Let us assume further that all of a sudden they get encircled by Aideed's forces and the only troops close enough to rescue them is a battalion—say, a company or two companies of Americans, and a battalion of French. Would you allow those two companies of Americans to be put under the command of the French so they could rescue the Americans?

Mr. NICKLES. If the Senator will yield, one, you have rules of engagement. Our troops anywhere, anyplace, anytime, regardless of their position or status, have rules of engagement, and that is to be able to protect themselves and to call on other troops, U.S. troops or allies, if necessary, to extricate themselves from that situation. That does not change.

Mr. BUMPERS. Where does your amendment refer to rules of engagement?

Mr. NICKLES. That is just a fact of military rules of engagement which we do not encroach upon in any way, shape, or form. That is the case for all military personnel worldwide. It always has been, it still will be.

To respond to where I think my friend and colleague from Arkansas is coming from, what if you have a situation where you have United States troops engaged in a humanitarian effort that does go sour; that is, like our situation in Somalia, do they have the capability? It just so happens the Rangers who were encircled, who were pinned down for hours, were under U.S. control. The other troops, the logistic troops basically, are staying in a U.N. or U.S. compound separate from that facility, but they have the right, through rules of engagement, to try to rescue our troops.

Likewise, the President took exactly the right action. He made it very clear in his press conference that the additional thousands of troops would be under U.S. command.

I might also tell my friend and colleague, in cases of U.S. combat, all Presidents, going all the way back throughout the history of the United Nations, when we committed U.S. combat troops, they have been under U.S. command. So we do not lose that chain of command. We do not delegate that chain of command to the United Nations or to the Secretary General of the United Nations.

Mr. BUMPERS. I think the Senator ought to take his amendment and put a provision in there that where the rules of engagement ought to apply, then this amendment is null and void, so there can be no mistaking what the answer is to the question I just asked.

Let me ask a second question. If I understand the amendment correctly, if we have an American commander—and let us assume the American commander is in charge of all American troops—but let us assume that you have five American battalions that are under the tactical command, one of the French, one of the British, one of the Canadians, one of the Pakistanis, one of the Indians. As long as the overall command is American, the Senator has no problem with that, is that correct, even though tactically most of these people are under the command of a foreign commander?

Mr. NICKLES. The Senator is correct. We had that situation, I might mention, in the Persian Gulf, where actually we had the 82d Airborne under the operation——

Mr. BUMPERS. We had two battalions under the command of the French there.

Mr. NICKLES. That is correct, but that would not be prohibited because you had the operational control under the direction of the United States.

Mr. BUMPERS. I submit to the Senator that the tactical matter is a lot more important at that level than is the overall division level.

Mr. NUNN. Will the Senator from Arkansas yield on that particular point?

Mr. BUMPERS. I will be happy to yield.

Mr. NUNN. I heard the answer of the Senator from Oklahoma to that. As I understand the question, the Senator from Arkansas was saying, if there was an overall operational commander who was American, and then, under that commander, there was a foreign commander that had tactical command of U.S. forces, would that be exempt from the Nickles amendment, or would that require congressional approval?

I understand the Senator from Oklahoma to say that would be exempt from the Nickles amendment because the operational command was under an American.

Mr. President, I will say to my friend from Oklahoma and my friend from Arkansas, that is not the way I read the Nickles amendment. The paragraph that is operable here says very clearly, and I hope the Senator's interpretation is correct because I think that would——

Mr. BUMPERS. What page is the Senator on?

Mr. NUNN. The Nickles amendment I have in front of me is page 1, paragraph "(a) Prohibition," but (1) under paragraph (a). The first paragraph says:

> None of the funds appropriated—

So forth and so on—

> may be used * * * after March 1, 1994, when such forces are:

And this is the applicable paragraph.

> (1) under United Nations operational or tactical control if such forces would be under the command, operational control, or tactical control of foreign officers, unless prior to that date.

If the answer of the Senator from Oklahoma is correct, he needs to change that "or" to "and," because clearly this covers either operational control or tactical control, as I read it.

Mr. NICKLES. If the Senator will yield.

Mr. NUNN. I will be glad to. I do not have the floor.

Mr. BUMPERS. The Senator's point is well made. It is a follow-on to the one I was about to make, so please proceed.

Mr. NICKLES. If the Senator will allow me to respond, on page 3, we define U.N. operational or tactical control. It "means the exercise by the United Nations Security Council, the United Nations Secretary General, or any other non-United States entity designated by the United Nations Security Council or the United Nations Secretary General, with the exception of NATO, of the power of command usually given to the leader of a military force, such as the authority to coordinate and direct mission-related activities of the units comprising such force."

So I appreciate the remark made by my colleague, but I think that definition clearly states it would be the overall commander of such units.

Mr. NUNN. I have to beg to differ with my colleague from Oklahoma. I have seen the definition, but the definition says here:

> For the purposes of this section, "United Nations operational or tactical control"—

That covers both, operational or tactical—

> means the exercise by the United Nations Security Council, the United Nations Secretary General, or any other non-United States entity designated by the United Nations Security Council or the United Nations Secretary General, with the exception of NATO, of the power of command usually given to the leader of a military force, such as the authority to coordinate and direct mission-related activities of the units comprising such force.

That applies to operational command or tactical command. The Senator's amendment on page 1 clearly—clearly—covers operational or tactical command.

If the Senator means "and," then it ought to be said here. Because if he means "and"—for instance, Jonathan Howe is the head of the United Nations over in Somalia. He is an American. He is not a foreigner. But if under him there is some tactical commander or, if under an American general, General Montgomery, who wears two hats over there—it is rather complicated, as we all know; he wears two hats—under him—he is an American. No matter what hat he wears, anybody under him, it is OK, even though he has a U.N. hat, because he is an American. If he has a Nigerian tactical commander under him, the way the Senator's answer was to the Bumpers question, then that would be OK, that would be exempt. But clearly that is not the way the amendment reads, nor is it the way the definition reads either.

Mr. NICKLES. I appreciate my colleague's comments, and I will further check the reading. I think the reading is very clear. If you have an overall commander that is under the United Nations chain of command, what we are really trying to do is make sure the President does not delegate his chain of command to the United Nations and foreign commander, to be basically out of the loop when we are talking about committing U.S. combat troops.

In response to the Senator from Arkansas, the President did not do that in the case of the rangers who were under fire. Those are clearly under U.S. operations, U.S. command and control, as well as the 5,000 or 6,000 additional troops that the President sent in just recently, or are in the process of being sent in.

Mr. NUNN. Could I ask my friend from Oklahoma a further question?

Mr. BUMPERS. Mr. President, I yield the floor. They can proceed with this colloquy. Please go ahead.

Mr. NUNN. I would just like to ask my friend from Oklahoma, along the same line that the Senator from Arkansas was pursuing, if the Nickles amendment, as it is now drafted, had been in effect before October 3, if it had been in law then, is there anything in the Nickles amendment that would have, in any way, precluded the operation in Somalia that led to the catastrophe, the disaster we had there?

Mr. NICKLES. No, and I mentioned that before. This amendment would not have restricted the operations in Somalia. I believe it would go further. This amendment would not have restricted the ability of the President to send in police instructors, whatever you call the troops for that mission into Haiti, because that was not defined as a combat mission.

This amendment is not as broad as some people have indicated. It only would restrict when you are talking about sending combat troops under U.N. control under a foreign commander and we are out of the command loop. So it is much more narrow than some.

No, it would not restrict the operation, nor the President's response to the catastrophe in Somalia.

Mr. NUNN. I thank the Senator. I would agree with him on that reading of the amendment, as I read it. If I could ask the Senator a couple of other questions—and I applaud what the Senator, I think, is getting to, and that is we have to be very careful and selective about who we place American forces under, whether it is the United Nations, whether it is NATO, or whether it is a bilateral arrangement.

Let me ask the Senator about this situation: If the President decided that he was going to embark on a bilateral kind of multinational force with Malaysia, Thailand, and Nigeria, but it was not under the United Nations, is there anything in the Nickles amendment that would preclude that?

Mr. NICKLES. The Senator is correct. It would not. The President would still have the authority to do anything unilaterally that he so desires, as he would keep control over our forces. And nothing would prohibit the President under this amendment from entering into a bilateral or multi-national-type effort or cooperative effort.

Mr. NUNN. So under the Nickles amendment, if it is agreed to, the President could get together with Malaysia, Thailand, India, Pakistan, and Indonesia and say, "I have this problem, folks. I have this law here which says I have to get authority from Congress if I act under the United Nations. But you are the people who are going to send forces over there anyway, so let us just all get together and have this multinational arrangement. But the United Nations is not involved, so I do not have to come to the Congress of the United States for authority."

Mr. NICKLES. If the Senator will yield further, the President could do that. I would think that the President would not want to do that unless he kept operational control of the troops. But, clearly, he could do it. This amendment does not restrict a bilateral multinational effort. What it does do—and I say to my friend, he might say, "Why are you offering this amendment?"

Mr. NUNN. That was going to be my question eventually.

Mr. NICKLES. Let me just explain to my colleague and maybe I could help him be aware of the very, I am going to say, adventuresome efforts by this administration to expand U.N. roles beyond peacekeeping. I tell my friend, for whom I have great respect, from the State of Georgia—he has worked on the Armed Services Committee and the Armed Forces Observer Group and I have been involved with him over the years—there is a very strong effort by this administration to expand U.S. peacekeeping forces and to expand their role. I can show my friend and colleague quotes from the United Nations Ambassador, from the President of the United States, from leaked reports about Presidential directive 13 which was reported in the papers, talking about a very significant expansion of U.S. peacekeeping roles into peacemaking and peace enforcing which really you are talking about making commitments of U.S. forces into combat situations under, I am going to say, a bureaucracy almost under the United Nations in lots of hot spots around the world.

We now have a very actively engaged U.N. peacekeeping force that has grown dramatically. Three or four years ago it was 10,000 troops. Today, it is 80,000 troops and yet we still only have about 80 supervisors involved in the United Nations.

I will be happy to read a quote from the commander of the U.N. forces in Sarajevo, Canadian Maj. Gen. Lewis Mackenzie. He said, "Do not get into trouble in the field after 5 p.m. New York time or Saturday or Sunday. No one answers the phone."

My concern is this rapidly expanding multinational effort to not only commit the United States to combat-type situations through the United Nations but also the second part of that amendment is saying, wait a minute. We should not be involved in having U.S. combat forces committed to an international armed force, and that is also a proposal that the U.N. Secretary General has been very outspoken on, of which some people in this administration have been supportive.

Mr. NUNN. I say to my friend from Oklahoma, I believe I know what he is shooting at. What I am trying to ascertain in this series of questions is really what he is hitting. I think I agree with the target. I believe we have to slow down on this U.N. peacekeeping effort, not because we do not want the United Nations involved, not because the United States can do it alone.

I know the Senator from Oklahoma does not want his amendment to be read by all the other nations in the world as saying, well, the United States will not let us put any of their troops under any of our people, and therefore we are not going to let any of our people be put under the United States.

The result of that, inadvertently, if that is the psychology that spreads here, is that the United States would see a country go down the tubes without doing anything because multinational action of the United Nations would not be possible unless somebody lets somebody else have control of their troops.

By definition, you cannot have a multinational force unless some foreigner viewed from the perspective of some country has control of somebody else's troops.

So what we would not want the Nickles amendment to be known as, inadvertently, 3 years from now, 5 years from now—and it is permanent law—is an amendment that made the United States the policeman of the world.

I know that is the opposite of what the Senator intends, but there is a psychology here, there is a psychology when you say to Malaysia or to Thailand or to Indonesia or to Singapore or any of those countries that you do not have a commander worthy of us serving under.

Mr. NICKLES. If the Senator will yield——

Mr. NUNN. They would turn right around and say, well, if that is the case, then we do not want any of our forces serving under a U.S. commander.

I have to say to the Senator from Oklahoma, I share his apprehension about the United Nations ability now because I think they are spread thin. They do not have logistics support. They do not have command and control, the kind of command and control that is necessary in modern warfare. They do not have intelligence. They do not have a lot of things. They are spread thin all over the world. But we have to be careful about how we shape this.

I would like to see if we could work with the Senator from Oklahoma in shaping an amendment which would express these very legitimate concerns but do so in a fashion where we know what the target is and we tell the President what we think but we do not injure the ability of this country to participate in international organization activities so that we do not have to do it alone and so that we have help from other countries.

I also say to my friend from Oklahoma—and I know he has thought about this long and hard, and my friend from Mississippi—I think it is very important in reacting to the immediate we not forget the long term. This is permanent law. We have all been through the War Powers Act. I voted for it, and I wish I had not because it will not work. It has never worked. It is not going to ever work. It just will not work.

The reason it will not work—there are probably several reasons but the main one—is it has in it a feature whereby if the President sends up a notice under the War Powers Act that hostile activities are about to occur, then that sets up a trigger. The trigger is a number of days. If Congress fails to act within a certain number of days—I do not know whether it is 45 or 60; I forget at the moment—then that inactivity by the Congress—the Congress sits on its hands. All of a sudden the President has to pull the troops out. It is no coincidence that no President, Republican or Democrat, has ever given notice under that War Powers Act, and they never will. Two hundred years from now somebody will be debating, and I assure you no President will ever have given notice.

If this amendment is agreed to, what the President will do, if he really wants to participate in a U.N. operation, particularly if he thinks it is urgent and in our national security interest—just as the War Powers Act was drawn with a lot more care than this amendment, months and months and months of very bright people like the Senator from Mississippi, Senator Stennis; the Senator from New York, Senator Javits; and others, this amendment has some of the same features of the War Powers Act.

The failure under this amendment, as I read it, the failure of Congress to act within 30 days once the President sends up a notice under a waiver and an emergency saying he has to assign U.S. forces to the United Nations under a foreign commander, once that happens, if he sends that up, if Congress sits on its hands for 30 days, under the Nickles amendment, then the President by implication—it does not say it explicitly but I assume that is the meaning; otherwise, it would have no teeth at all—the President then has to do away with that command, no matter what the circumstances. The inactivity by the Congress of the United States, whether by filibuster, whether by recess, whether by other important items, is going to trigger the President of the United States having to change the command arrangements.

Mr. President, I hope that we would find a way not to have to choose between a bureaucratic organization called the United Nations which now is spread thin and a Congress of the United States that has a lot of priorities and simply is not able to make these command decisions.

There are a lot of things Congress should do and there are a lot of things Congress cannot do. We cannot have 435 people in the House and 100 people in the Senate trying to detail the command decisions of the U.S. forces in participation abroad. If we want to be consulted, I think that is absolutely appropriate. I think the President ought to be given not just a warning light but sort of a red light for the next few months, a red light that says do not put any more U.S. forces under the United Nations until the United Nations gets its own act sorted out.

But that is not what the amendment of the Senator from Oklahoma does. This is permanent law. It will apply to Republican Presidents in the future as well as the Democrat President now. It will apply to every President. It is a change in the balance of power between the Congress of the United States and the President of the United States.

I am not saying I am against that in all cases. I am just saying we ought to have a caution light ourselves before we make that kind of choice, and we ought to make sure that while we are worrying about the United Nations and its abilities now, while we are concerned that the President and his people may have had some lofty, dreamy notion about the United Nations and all of the things it could accomplish, we ought to say to the President, "Mr. President, slow down. We do not think you have thought through this."

We should say to ourselves, the Senate, "Slow down. You are about to alter the balance of power between the President and the Congress"—assuming this is constitutional, and whether it is or not, the courts will have to decide. I do not know that a long constitutional debate is worthwhile.

Mr. President, let me just ask the Senator from Oklahoma and the Senator from Mississippi, while they are here, a couple of other questions I think are very important.

Mr. NICKLES. If I could respond, if the Senator would be kind enough to let me.

Mr. NUNN. Yes, I yield.

Mr. NICKLES. I believe the Senator mentioned in his remarks that this would alter the balance of power. Frankly, this would strengthen the Commander in Chief's power. It is telling the Commander in Chief not to delegate command and control over U.S. combat forces to the United Nations. If the situation that was described was a scenario of problems, the President can assert control over U.S. combat forces. That is what President Clinton did in Somalia. I think that was the correct thing to do. I do not see that as congressional intrusiveness into Presidential power. I see it as more or less reaffirming that the President not delegate that power to the United Nations or to the Secretary General of the United Nations.

Mr. NUNN. I thank my friend. I would wager any kind of bet that if you take any President of the United States that is still living, Republican or Democrat—and that includes several—and pose the question, "Is this an addition to the powers of the Presidency or a diminution?" I would give whatever odds the Senator desires that every President would say this diminishes the President's power and shifts the balance to the Congress on these issues.

I do not mind shifting the balance to the Congress on some things. I do not mind that. But for the Congress of the United States which, from the time President Bush committed those troops in Somalia last year in December, never passed a congressional resolution by the Senate and the House—we passed one, and they passed one several months later. We never acted on that at all. We never had time for it. It was not important enough on our radar scope for us after 8 months, until the Senator from West Virginia took the floor and made a big point of this. Then we had the tragedy which gave it momentum, and all of a sudden, it is the most important thing on the agenda. But we ignored it for 8 months, and now we are saying we have been ignoring that situation for 8 months. And now we want the President to get approval from us before making a command arrangement wherever you are in the world operating with anything other than Americans. I think that is very questionable.

I also say that I have watched the Presidents be able to get around the War Powers Act. If the President wants to get around this, all he has to do is avoid the U.N. commander label. All he has to do is have the United Nations pass a resolution under the auspices of the United Nations and have it done by whatever countries were going to participate in any way—and it is bilateral. You could have a Malaysian in charge of overall command, or a Thai, or Indonesian. Every soldier in the forces could be under a foreign commander, and as long as it did not have U.N. stamped on it, the Nickles amendment would not apply. I think we need to think long and hard.

Let me say to my friend that, again, I want to agree with him on the underlying point he has made about the caution light to the executive branch and a caution light to the United Nations. President Clinton himself put up a caution light when he made his U.N. speech. I think we have to realize that the United Nations has no logistics, no military intelligence capability; it has no command and control, no way to coordinate land forces, air forces, and naval forces. So it is time for us to say that when the U.N. Security Council does something these days, we better start listening. Guess who is going to have to carry it out? The United States.

If the Nickles amendment passes, we will not have anybody helping us because, I am afraid, countries around the world are going to say: Those Americans. Sure they are big, strong, and powerful, and sure they have better training than we do, but when our folks die, it hurts just as much back here as it does in America. And Americans cannot tell us that none of our generals, not even the best general anywhere we have in our military forces, is capable of commanding United States forces.

That is going to be the reaction. I am afraid that we are getting a little xenophobic, if that is the right word, in looking at just the United States. The Pakistanis that got killed, I am sure their families had the same kind of deep feeling of tragedy that we did when our forces got killed. I think we all ought to remember that when our forces got in trouble and we did not have equipment over there, adequate equipment—and that was a mistake, no doubt about that—who did we have to call on? We had to call on the Malaysians. We had to call on the Pakistanis. Those were the people who came to our rescue at considerable risk.

I want to point out a couple of other questions I have, and I will welcome response from my friends from Oklahoma or Mississippi.

One of the exceptions provided for in the Nickles amendment is that exception that is for temporary observer or liaison activities. I have three questions on that.

The first question: Would that apply to the deployment of United States forces which occurred in June of this year in Macedonia? They are performing observer duties as part of the U.N. protection force, and they are under the control of the Danish commander. Is June to September temporary? When does it move from temporary to permanent?

Question two: The United Nations has a mission in Iraq, the Iraq-Kuwait Observer Mission, known as UNIKOM, in which United States military personnel have been participating under foreign command. That has been in place since 1991. Question: Is that temporary? Is that temporary, or does 2 years make it permanent? Would we have to pass a specific resolution to continue that operation?

The third question: Does the U.N. Truce Supervision Organization, called UNTSO for the Middle East, in which U.S. personnel have been participating under foreign command—and that has been in place since 1948. I guess everybody will stipulate since 1948 is not temporary. So are we going to pass a resolution on that?

Does the Congress of the United States really want to pass resolutions on every one of these? I will ask further questions. The United States military force is in Somalia now, and that has been the case that brought this to our attention. They are performing logistics, communications, and other support under a Turkish general, General Bir.

As I understand the Senator's amendment, that would be an exception. That would fall under the exception and would not require specific congressional approval. But we also have intelligence forces that are serving under that same Turkish general. Do those come under the Nickles amendment? Are those forces part of the exception, or would they have to be specifically authorized for intelligence to flow to the Turkish general, who, as I understand, from all our commanders happens to be a very superb general?

I also ask about the United States quick reaction forces. Perhaps this has already been covered. But if the United States quick reaction forces have to go to the rescue of any of our allies in Somalia, there could be a tactical situation where they are under the control of a foreign commander.

We covered that a minute ago. Admiral Howe is not a foreigner. He is a U.N. person, but he really is not in control of the forces. He is in control of the operation overall. Perhaps, if our quick reaction forces went to the rescue of some allies there, they could be assigned to that allied foreign command. I am not sure how that question would be answered.

I say, finally, to my friend from Oklahoma, there is a longstanding provision in the law that covers what I think may be at the heart of what many people are apprehensive about—and I must say I am one of them—and that is, if the United States decides to participate with the United Nations force, if we have any kind of American presence, whether this President or another one who assigns U.S. forces to the United Nations on a standing basis—and I believe there have been some alarm bells go out on that and properly so—whether that would require the approval of the Congress of the United States. I think it should. I think it should. But that is already the law. That law has been on the books for years and years and years. It was part of the United Nations Participation Act of 1945, and it basically says that any President can negotiate a special treatment with the U.N. Security Council as envisioned by article 43 of the U.N. Charter to make U.S. forces available on call to the United Nations.

I have seen some discussion on that, and I would throw up a red light on that one, also, saying to the President, "Let us think through this long and hard." The United Nations has more than it can do now. Why should we get into this at this point in time? Maybe 10 years from now, maybe 15 years from now, but not now.

I say to my friend, if that is what his amendment is aimed toward, the same provision of law that set that up in 1945, that calls for approval of Congress for that. It could not be done. That is already the law. That kind of assignment of U.S. forces on a permanent basis to the United Nations for contingencies who knows where has to be approved by the Congress of the United States. I think that is proper.

Mr. NICKLES. Mr. President, will the Senator yield on that point?

Mr. NUNN. I know I posed a lot of questions here, but I wanted my friend from Oklahoma to know that I share his concerns, but I think his amendment, and many people think his amendment, is shooting at what happened in Somalia on October 3 and October 4. I know it does not, because he made that very clear, and I think he explained it clearly. That is what the public sentiment out there wants. They want something that will prevent that kind of episode from happening again. So do we.

But we have to tell our people truly these were U.S. forces; they were under the command of General Howe, whose headquarters are in Tampa, FL, under the tactical command of an American general. They were carrying out American orders, and America itself participated in the Security Council resolution that set up this overall mission. It was a mistake, but these forces were not under foreign commanders.

I hope that everyone listening to this debate will recognize that. The Senator from Oklahoma has made it abundantly clear that if his amendment had been in effect on October 2 or October 1, nothing would have changed. It would not have covered that situation.

So I posed a lot of questions, and I would certainly yield to my colleague, the Senator from Mississippi.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I am going to object. I am certainly going to object. I know the Senator from Georgia has the floor, and I know that these questions are going back and forth. My job is to manage this appropriations bill. Very soon now I am going to object unless we have some order in terms of presentation statements and an end to this. If nothing else, although I would hate to do it, I tell my friend from Oklahoma, I am going to move to table this amendment myself. Until we start getting around to the business of appropriations—this is not appropriations. I have great love for all three Members here right now, but they are not helping us get to this bill.

I do not object now. I just want all to know that it is not long until I am going to be forced to do so.

Mr. NUNN. I say to my friend from Alaska I have managed a bill before, and I understand his feeling fully. But, of course, I say this is the first time I have spoken on this amendment, and I am not going to take an undue amount of Senate time. This is an important amendment, and it goes to American foreign policy, and it goes to really the delicate balance that also has ambiguities and gray areas between the Congress and the President. It also, as I view it, is going to give the Congress of the United States a lot of decisionmaking that we really are not capable of making.

The truth of it is, what we really want the Joint Chiefs to do, if we are going to ever contemplate putting U.S. forces under any kind of foreign commander—and that would include NATO, although we have a lot of confidence in NATO—we want the Joint Chiefs to say to the President, "Mr. President, we think this is a good, solid commander. We think this a good, solid command arrangement. We believe this commander can communicate with our troops. We believe there can be clarity of command. We believe that the rules of engagement are sufficient." We want that to happen on every assignment of American troops to a foreign commander. In fact, we want it to happen to our own commanders, too.

But those are ad hoc judgments. We do not want incompetent, in effect, inefficient commanders commanding American troops, whether they are United States or whether they are Indonesian or British or French. Those are the questions that have to be asked.

I just have a hard time visualizing hearings in the Senate Foreign Relations Committee or Armed Services Committee where we go into that and we have a hearing in full public view of whether a certain commander we are thinking about assigning troops to is worthy of commanding our force. Those questions have to be asked. They should be asked. They must be asked.

But the question is, Do we in the Congress really believe we have time to ask them? I do not believe we do. I do not believe we have the inclination or the time to take micromanagement control of command decisions of that nature. If we do, we certainly should have had time to debate Somalia before September of this year, and we have not. I think we have got to take care of our big job and turn it over to the Executive under certain guidelines. We are the board of directors; we need to give him the guideline for making these decisions, but I do not think we really want all of these decisions to come back to the Congress for our approval.

I yield to my friend from Mississippi.

Mr. COCHRAN. Mr. President, I thank my friend for yielding for the purpose of one response to the point the Senator makes.

As chairman of the Armed Services Committee, he mentioned the importance of having hearings to look into certain questions that would be raised if this amendment were adopted. It seems to me that hearings are going to be required anyway because there obviously is confusion about what the administration's intentions are with respect to allocating U.S. forces to a U.N. standing army or rapid reaction force, as has been discussed quite openly on a number of occasions by the President and others in the administration.

Mr. NUNN. I will agree completely with the Senator from Mississippi on that. If talking about the micro issue of whether to assign U.S. forces to the unit, I agree completely.

Mr. COCHRAN. That is this amendment. This amendment says, "No funds appropriated by this bill shall be used by the Department of Defense" for that purpose. It seems to me that is a limited approach by this amendment. It does not spell out a policy for all time. It is not permanent law. It says none of the funds in this bill should be used for that purpose, and it seems to me that that is consistent with what the distinguished Senator from Georgia is saying as well. Is that not a correct reading of his reaction to the language?

Mr. NUNN. If I could say to my friend from Mississippi, I think he makes a very good observation here. Absolutely, we ought to be looking into the question of any U.S. plans to assign U.S. forces to any kind of U.N. command on a permanent basis or even on an on-call basis. I think that would be something we would have to do. To the extent his amendment hits that, I agree with it.

I also say, though, that that is already the law since 1945. It has been the law, and it would be required now for congressional approval, unless I am misreading the law. Our experts here can look that up. Maybe we need to update that law. Maybe we need to enlarge it. But I think that is an entirely different matter than having to have congressional approval every time the

Commander in Chief, or the President, makes a decision that this tactical unit is going to be assigned 2 days or 30 days or 60 days to this foreign command. Those are two different decisions. I think we have to be able to distinguished between the two.

What I believe the Senator's amendment starts off doing is exactly what the Senator from Mississippi said. When you look at all the circumstances, when you look at all the things this could cover—for instance, we could have a hostage-taking, we could have a situation where the United Nations was called in because there was an American airliner or any other airliner that goes down in a Third World country, and they do not want the United States in there, but they are willing to have some U.N. commands in there to deal with the terrorists, to deal with the whole situation and try to get the passengers back safely. That could be under U.N. command. We might want to send in the Delta Force, but they would have to report to the U.N. commander there.

In that circumstance, we really do not want a debate up here. We do not want to have a detailed debate about sending the Delta Force in, and with what commander. We want the President to be able to make those judgments, whether it is President Bush or whether it is President Reagan or whether it is President Carter or whether it is President Clinton.

There are all sorts of things I do not think have been thought through here, because the United Nations, obviously, is involved in a lot of places in the world. If we had a situation where the United Nations is involved, like in Somalia, and we do not have any combat forces under the United Nations there, but let us assume some of our logistical forces get taken captive and we want to have some kind of rescue mission there that is under a Turkish general.

All of the sudden we are going to have to coordinate, maybe not shift the whole command, but we are going to have to coordinate very carefully with that Turkish general in order to have that kind of hostage rescue mission.

All I am saying is, let us take another look at this amendment. Let us sit down and say what were the authors looking at? Let us take a look at the scope of what is being hit here. Because I think, as I read the amendment, it is much broader than what the authors have expressed here on the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, while the Senator from Georgia is here, I want to say, I meant no offense to the Senator from Georgia with my comments previously. He and I had a very interesting discussion at lunch yesterday. I know that we share some of the feelings of the Senator from Oklahoma about the evolving problem of U.S. intervention overseas now that the cold war is over.

But, having said that, I would also remark that one of our colleagues just walked up to me and told me I ought to stay out of this debate, because it is a little bit above the pay grade of an appropriator to get involved in a discussion of such weight and that it should be left to the authorizing committee.

Mr. NUNN. I say to my friend from Alaska, no such thought ever crossed the mind of the Senator from Georgia.

Mr. STEVENS. I understand it might. I do confess, we deal with some 30,000 different items of money in this bill. But we have been on this amendment now since Friday morning, and we have not gotten back to the money amendments.

After we dispose of this, we have another Somalia amendment, a Bosnia amendment, a Haiti amendment and probably a couple of others. As a matter of fact, we have seven language amendments coming.

I really find that we are under criticism for add-ons and changes in the appropriations process from the authorizing committee or the President's budget or what the House has done. There are legitimate complaints about what we do.

We constantly complain about the time we have on the floor being taken by matters that are very weighty—and I agree with the Senator from Georgia, they are very weighty. And I do believe that we have an issue that must be determined by Congress and the extent to which Congress ought to be involved in determining whether a dispute overseas involves our national interests sufficient to commit combat forces. Now, how that is to be done and who will resolve it, who will bring it to the floor is, obviously, I think, within the control of either the Armed Services Committee or the Foreign Relations Committee or both. It certainly is not within the jurisdiction of our committee to initiate that, but here we are.

All I ask is that somehow or other we try to resolve these issues. My good friend from Hawaii is temporarily absent. I would urge that we find some way to get some time limit on this amendment, to find some way to have the Senate express its will.

I will tell the Senator from Georgia—although I wish the Senator from Oklahoma did not have the phrase in this amendment "or any other law," I wish it were just a limitation on funds for this year only—I think it would send a message downtown. I do not view this as being anti-President Clinton. I would hope that it is not viewed that way.

I remember, to my regret, as I said on the floor here, that I opposed the amendment of the Senator from West Virginia on Lebanon. I really wish now that I had not done that. I think a lot of us do. I know that at the time the Senator from Arizona presented his amendment in the House as a young Congressman and, as I pointed out the other night, he was opposing a Republican President at the time in connection with Lebanon.

I hope politics does not come into this. I think we have to find a way to bridge the gap that was discussed here on the floor for a long time.

I remember Senator Eagleton of Missouri from the other side of the aisle. I sat on the floor for days listening to him, in terms of his opposition to the War Powers Act. And I did vote against the War Powers Act because I thought he proved conclusively that it would not work, and it has not worked.

But the problem is, we need something. We need something to define the time at which Congress ought to become involved, to determine whether it has a constitutional role in planning for involvement in disputes overseas that might involve combat troops.

I agree with my friend who said that is not within my job description. I would like to get around to talking about appropriations. Could we do that? Could we find some way to decide when we are going to vote on this amendment? Is the Senator from Oklahoma about ready to have a vote on this amendment?

Mr. NICKLES. Mr. President, in response to my colleague from Alaska, I have been ready to vote on this amendment since Friday. I was happy to vote on it yesterday. As a matter of fact, I think I told both the Senator from Alaska and the Senator from Hawaii I was expecting that we would vote on this yesterday, because we had extensive debate. I was here this morning at 10:30 to begin debate and I have been ready to vote any time.

Most of the debate, I think, has been helpful. My friend and colleague from Georgia said that he agreed with a lot of the stated goals. I am very receptive if he has some language suggestions or something in trying to sort some of those out.

I would also like to respond to a couple of the questions that he had.

Mr. STEVENS. I yield the floor for that purpose.

Let me say this before I yield the floor. If no one else does, by about 5:30, I am going to move to table this amendment, although I will vote against that motion, because I do believe we ought to determine if it is the will of the body to continue this debate. I would like to vote for the amendment. But I do think we ought to find out procedurally whether we should go ahead with this debate and, if the Senate is not going to approve this amendment, we ought to get on to Somalia, Bosnia and Haiti sometime before we finish tonight, because we have a whole series of about 52 amendments dealing with this bill to go.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma.

Mr. NICKLES. Mr. President, I appreciate the comments made by my friend from Alaska, and I hope that we do vote. I would like to have an up and down vote on the amendment. But if that is not possible, if the only way we can get a vote on the amendment is a motion to table, I am willing to do that. I hope that we would do it soon.

I would like to respond to a couple comments and questions raised by my friend and colleague from Georgia.

He mentioned, I think, four specific areas where we have the United Nations forces involved in peacekeeping operations. I will just submit for the record all 27 cases. This goes all the way back to 1945. I have already stated on the floor that none of those would be adversely impacted by this amendment. So the amendment is not as far-reaching as some people have mentioned.

Mr. NUNN. Will the Senator yield on that?

Mr. NICKLES. Yes.

Mr. NUNN. How can something that has been going on since 1945 come under the exception?

Mr. NICKLES. I might tell my colleague that we had written those definitions to exclude the use of the word of force or of combat. And combat is not engaged in those. Those are peacekeeping. They include medical, logistics, communications, humanitarian, training, temporary observer or liaison activities.

I think there is enough flexibility. The one word we did not say there was "combat." Clearly, we are trying to restrict the opportunity of committing U.S. combat forces under United Nations or under foreign commands where we do not have any direct link in the chain of command.

And so that is the reason why we went the exclusion route, instead of putting in the combat route. Frankly, we did that as a result, I think, of consultation with members of the Armed Services Committee and others that thought if we used the word "combat," it would be more intrusive and I did not want to get into that. Some people have combat missions or roles defined by their activities, even though they are not in combat situations, and that is the reason why we defined it as such.

I have a couple of other responses to my friend and colleague, more or less on the line of why we are doing this.

No other President has even considered placing our combat troops under United Nations control and foreign command. And that is what is different here.

We now have, both by the President, by his statements—and I read these; I do not want to be too redundant, but the President's statements—President Clinton made comments both as a candidate and as recently as his speech before the United Nations on September 27 talking about a very expanded peacekeeping role, including in that statements by the Ambassador of United Nations and others, including articles talking about Presidential Decision Directive 13. And I would encourage my friend and colleague from the Armed Services Commitee to take a close look at that.

It is a document that maybe has changed. My guess is it has changed a lot in the last 2 weeks. That talked about a wider role in U.S. peacekeeping. I will give my colleague copies of the articles, if he is interested. But that is the reason, why this amendment.

Also, my colleague mentioned one other question. He said, would this not end up in a situation where we would have our allies deciding that they would not want to participate because the United States would say no, we are going to be the leader? I do not think that is the case. I think we have proven, under U.S. leadership, that we can coalesce multinational forces to achieve an objective, a mission, including a combat mission. Certainly, that was done quite well in the Persian Gulf. It was done successfully. That would not be prohibited under this amendment.

So the President, as the Senator pointed out in earlier questions, could enter into bilateral or multilateral, or he could do things under the United Nations. But he would do it under United Nations with U.S. control. So the President would be engaged, as Commander in Chief; he would be in the chain of command and not delegate that to the United Nations, which is clearly involved in lots of operations worldwide and spread very thin.

The PRESIDING OFFICER. Senator from Georgia is recognized.

Mr. NUNN. I would say to my friend the one thing in here that seems to be contradictory is, as I understood the Senator from Oklahoma, he said this was just funds in this act. But clearly the amendment I have—maybe it has been changed—says, "None of the funds appropriated or otherwise made available by this Act or any other Act, may be used * * *." This is permanent law, as I read it.

Mr. NICKLES. If the Senator will yield, I do not think that is correct. The Senator read it correctly. "None of the funds appropriated or otherwise made available by this Act or any other act," you are talking about appropriations. The reason it says "any other Act" is, as the Senator knows, for a long time U.N. peacekeeping operations were originally funded out of the foreign operations bill.

Now they are funded out of the defense bill. That is the reason why it is inclusive. You would not want to have the situation where we agree to the amendment and find out they had some leftover funds in foreign ops and got around this restriction and fund it out of the other appropriations bill. But it is on this appropriations bill; it is limited to this fiscal year. It is not extensive.

Mr. NUNN. Where is the limit to this fiscal year?

Mr. NICKLES. Because this is fiscal year 1994 and it says "funds appropriated." It is not talking about amending statutory law. I heard my colleague say this has a long-term impact or something—that is not the case.

Mr. NUNN. I would say to my friend, when you say "any other act," that includes any past act. If it is permanent law it includes any future act.

Mr. NICKLES. I differ with my colleague, with all due respect. "None of the funds appropriated." We are talking about appropriated accounts. We are not talking about authorization. We are talking about appropriations.

Mr. NUNN. But authorizations do not get spent unless they are entitlements, unless they are appropriated, so appropriations are necessary for all military activities.

Mr. NICKLES. The only thing, we do have the power of the purse and we do have the right to place some restrictions. Again, that is exactly what this is. It says, "None."

"Funds appropriated in this Act or any other Act," we are talking about appropriations, and that is what we would limit it to.

Mr. LEVIN. Will my friend from Oklahoma yield on just that narrow point?

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. NUNN. I will yield to the Senator for a question.

Mr. LEVIN. If the Senator from Georgia will yield on that point, this morning I made a parliamentary inquiry on exactly this issue: Whether or not that language, "or any other Act," meant that this was legislation on an appropriations bill. The ruling of the Chair was that it was, in fact, because of that language, legislation on an appropriations bill. It is not limited to appropriations. It is "or any other Act." It is not limited to this bill because it says "or any other Act." But without getting to that argument I would—and I thank my friend from Georgia for yielding the floor—remind the body that we have a ruling of the Chair on this point, that because of that language "or any other Act," we have legislation on an appropriations bill.

Mr. NUNN. Mr. President, I know other Senators will want to be heard on this. I just say to my friend from Oklahoma and my friend from Mississippi, I appreciate the dialog and the openness of the debate. I think this has helped me have a better grasp of their intentions here. I hope they would not foreclose the possibility of working something out that would express those intentions in a narrower way.

Several Senators addressed the Chair.

Mr. NICKLES. As I mentioned to my friend and colleague, if I may just respond, as I mentioned earlier, I would be happy to receive any suggestions he has. I think we made some constructive dialog in the debate. I will just leave it at that. I will be happy to work with the Senator.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, I do not believe that a letter from the Acting Chairman of the Joint Chiefs of Staff has yet been entered into the RECORD. If it has not been entered into the RECORD, I ask unanimous consent it be printed at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JOINT CHIEFS OF STAFF,
Washington, DC, October 18, 1993.

Hon. GEORGE J. MITCHELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR MITCHELL: As the debate on the revised Cochran-Nickles Amendment to the FY 1994 Department of Defense Appropriations Bill (H.R. 3116) continues, some military operational consolidations should be emphasized.

My fundamental concern remains: the amendment precludes our effective involvement in multi-national coalition's (other than NATO) under U.N. command or pursuant to a Security Council mandate, except when the United States commands the effort.

By precluding even basic tactical control by a foreign commander in any situation, the proposed legislation would prevent effective assistance from the U.S. to any foreign element in a coalition operating under a U.N. mandate (DESERT STORM) or U.N. command. As an example, during the Persian Gulf ground war, two U.S. Marine Corps artillery battalions were placed under the operational control of a British and French commander to ensure those forces had sufficient firepower to breach Iraqi lines at the same pace as U.S. forces. The amendment's limitation would apply even if we had overall command of the operation. Logically, other nations also could be expected to adopt similar conditions on their U.N. military participation.

This amendment's failure to indicate parameters of its excepted categories will embroil our leaders in controversy. For example, the term "humanitarian" has a broad spectrum of meaning and whether a given situation is included in the definition will present many policy and operational uncertainties.

I trust these additional comments will prove useful to Congressional discussion on this important matter.

Sincerely,

DAVID E. JEREMIAH,
Acting Chairman, of the
Joint Chiefs of Staff.

Mr. LEVIN. Mr. President, this letter from the Acting Chairman, Admiral Jeremiah, says the following. It is brief and I will read it because I think it its important as to how our top military people interpret the amendment pending before us.

As the debate on the revised Cochran-Nickles Amendment to the FY 1994 Department of Defense Appropriations Bill (H.R. 3116) continues, some military operational considerations should be emphasized.

My fundamental concern remains: the amendment precludes our effective involvement in multi-national coalitions (other than NATO) under U.N. command or pursuant to a Security Council mandate, except when the United States commands the effort.

By precluding even basic tactical control by a foreign commander in any situation, the proposed legislation would prevent effective assistance from the U.S. to any foreign element in a coalition operating under a U.N. mandate (DESERT STORM) or U.N. command. As an example, during the Persian Gulf ground war, two U.S. Marine Corps artillery battalions were placed under the operational control of a British and French commander to ensure those forces had sufficient firepower to breach Iraqi lines at the same pace as U.S. forces. The amendment's limitation would apply even if we had overall command of the operation. Logically, other nations also could be expected to adopt similar conditions on their U.N. military participation.

This amendment's failure to indicate parameters of its excepted categories will embroil our leaders in controversy. For example, the term "humanitarian" has a broad spectrum of meaning and whether a given situation is included in the definition will present many policy and operational uncertainties.

I trust these additional comments will prove useful to Congressional discussion on this important matter.

Sincerely,

DAVID E. JEREMIAH,
Acting Chairman, of the
Joint Chiefs of Staff.

Mr. President, our top military official has read the amendment before us in the same way Senator NUNN and others have read it, which is that this would preclude a tactical commander being a U.N. commander who is a foreigner.

What he has described for us are all the operational difficulties—operational difficulties that this would create for the United States. This is our top military person, reading the pending amendment. I do not think there is any other way to read it but that, because the pending amendment specifically prohibits U.N. operational or tactical control. It says, "or tactical," not "and tactical." It says, "if such forces would be under the command, operational control or tactical control"—not "and tactical control"—"or tactical control of foreign officers."

There are numerous situations where the tactical control of American soldiers is given to a U.N. commander who is a foreigner for the sake of the protection of American forces. These are American soldiers who are at risk, and there are times when there is a foreign commander, a U.N. commander, who is given tactical control to save our forces.

Mr. LEAHY. Will the Senator yield?

Mr. LEVIN. I will be happy to yield for a question.

Mr. LEAHY. Mr. President, does this not, as I ask my friend from Michigan—does this not basically, this amendment, say—if you read the amendment and read Admiral Jeremiah's interpretation of it—does it not basically say to the rest of the world you are free to come here and help us? We will tell you what to do and how to do it. But anywhere else, whether our national interests are involved or not, we are simply going to go it alone. We will do it without help or cooperation. We either go it alone in regional conflicts or expect other countries, having seen us take this attitude that we will only go it alone, expect them to suddenly volunteer to come and join us, under our command?

My question is, Does that not defy our whole historical experience, especially since World War II?

Mr. LEVIN. I think it does. I think it creates major problems in that regard, and Jeremiah is right. In a more narrow sense, it creates dangers for our men in combat. The situations given by the Senator from Georgia—let me give you another one.

Let us assume that we had a quick reaction force which is made up of two companies, one is an American company, with an American colonel, and the other one is a British company with a British colonel. The American colonel is in command, and that is OK under the amendment. They are out there in combat and the American colonel has this British colonel as a deputy. I think that is all right under this amendment because the British colonel is the deputy to the American colonel. But the American colonel is killed.

Are they supposed to come back to the Congress to see if it is OK if the British colonel can take command? Is that what we are saying to ourselves? Men in combat, an American company and a British company under the command of an American colonel, tactical command of an American colonel, it is the mission that they are on, the American is killed, his deputy should take over. That is the structure. But, no, not under this amendment because tactical command cannot go to a foreigner unless Congress approves.

We have problems at the United Nations I think these problems have to be addressed. I agree with my friend from Oklahoma trying to point out some of these problems. I happen to feel strongly that both Foreign Relations and Armed Services should address a number of issues which my friend from Oklahoma has raised. But we cannot plunge into this kind of amendment which is binding on a Commander in Chief without great care because of the danger that we will be placing our own combat forces in.

There are many scenarios like the ones that I have just given, and we cannot unwittingly—of course it is unwittingly, this is not the intent of the amendment—but the words of this amendment—tactical control not "and and and." It is "or or or," and to prohibit tactical control in these kind of circumstances will endanger the very people whose safety we are sworn to uphold, the men and women in the United States military.

So, Mr. President, I do hope if something cannot be worked out which will get our committees to really address these issues—and, by the way, a number of our committees already are, both the Armed Services and Foreign Relations and a number of our subcommittees are addressing these issues, but we should do it with greater urgency, I believe, because of the events in Somalia and other parts of the world. But if we cannot work out a resolution which will give some impetus to a common goal of all of us in this body to address these multinational issues, I then hope that this amendment would be tabled or would be defeated.

Mr. EXON. Will the Senator yield for a question?

Mr. LEVIN. I will be happy to yield to my friend from Nebraska.

Mr. EXON. Before I pose a question to my friend and colleague from Michigan, I would simply like to say, 24 hours ago, about right now, I was on the floor debating this amendment with the Senator from Oklahoma. Some of the things that have been said today just drive home the point that I was making in debate yesterday on this. We seem to be spinning our wheels a great deal.

Clearly, what is being attempted by the amendment I think offered in good faith by my colleague from Oklahoma, but I told him yesterday I thought this was a very mischievous amendment, and I cited some examples not significantly different in their thrust that have just been enunciated by my colleague from Michigan. Clearly this is, among other things, legislation on an appropriations bill. I think we have had a ruling of the Chair on that. Now we have a letter from the acting Chairman of the Joint Chiefs of Staff indicating some serious problems with this, in addition to the ones this Senator addressed yesterday. We discussed this in the Democratic caucus today at some length. I assume the Republican caucus did likewise.

I will simply say to the Senate that we seem to be spinning our wheels.

I ask this question of my colleague from Michigan: Since undoubtedly there are people on both sides of the aisle who feel very strongly about the situation that confronts America right now, but that does not mean I believe we should adopt a mischievous amendment regardless of how well-intentioned that amendment is.

I am wondering if to save some time and maybe accomplish what many people, including this Senator, would like to do, to bundle up in some fashion after some compromise and move ahead instead of continuing debate, get the parties together with the amendment offered by the Senator from Oklahoma, with the amendment offered or intended to be offered by the minority leader on the situation in Haiti, and one or two other amendments, could we not accomplish what most of us would like to do; and that is, a statement of fact; could we not wrap all of these up, in the opinion of the Senator from Michigan, in some sort of a sense-of-the-Senate resolution that I think might satisfy the large number of Senators on both sides of the aisle, a sense-of-the-Senate resolution then would not be legislation on an appropriations bill? It would not be challenged with regard to its constitutionality, which some of these issues will.

I am wondering, in the interest of comity and moving this ahead, if the Senator from Michigan might think it a good idea for several of us to get together and see if we could not come up with a sense-of-the-Senate resolution that embodies the concerns expressed by the Senator from Oklahoma, and others, and maybe bring this matter to a head in that fashion.

Mr. LEVIN. In answer to my friend from Nebraska, I hope something like that would be possible. I share what he has just said about the concerns of our friend from Oklahoma as being legitimate concerns. I must tell you, I visited the United Nations command center. As chairman of my subcommittee of the Armed Services Committee, I went there to see it, and I have studied this issue at some length. I have a great deal of difficulty with the lack of clarity, for instance, of U.N. command structure.

What the Senator from Oklahoma, I think, is driving at is something which probably troubles most of the Members of this body. It is important we address them and address them carefully, and I have a hunch he will agree with that thought as well.

I will yield the floor with just a plea to all of us that we try to find a way——

Mr. LEAHY. I wonder if the Senator will yield for a question first.

Mr. LEVIN. The way the Senator from Nebraska talks about seems to me is a useful possibility I hope will be explored to try to come up with a sense-of-the-Senate resolution addressing these issues.

My plea would be we do try to achieve a bipartisan approach to these issues. They are very important, whether the President is a Democrat or Republican. All of us, I think, are troubled by a number of aspects of the events that are going on in the world, and I would hope that some time would be taken, and I know my friend from Alaska wants to move the bill, but I do think it important to take the hours necessary to try to achieve a bipartisan approach to the kind of situations and circumstances which my friend from Oklahoma has identified.

Mr. LEAHY. If you will yield on that point, just for a question on that point, because I find much of what my friend from Nebraska said appealing. But part of my opposition to this amendment, which I find an ill-founded amendment—not the author of it—I think he seems to approach it with a great deal of care, but I ask the Senator from Michigan basically this question:

Are we prepared to put together a sense-of-the-Senate resolution on this issue today?

Let me give you some basis for that question.

First, the situation in Somalia we all watched on the evening news. Everybody was down here the next morning and, by golly, we are going to rearrange the way we are going. We saw the ships off to Haiti in what was a policy based more on hope than on any sense of history.

These two things were a wake-up call and the policy, to the President's and the administration's credit, has changed both in Somalia and Haiti from what it was a few weeks ago. It is reflecting the concerns expressed by the Congress and by the American people.

But can we make foreign policy in this post-cold-war period by having a resolution today and having an amendment today for Haiti or Somalia and tomorrow for Bosnia and the next day, if something happens in Pakistan or India or anywhere else in the world, in the Caribbean, in the Mediterranean, in the South Pacific? Where do we respond?

Suppose in some of the places where we support somebody, they have been elected and suddenly the ruling junta says, "No, we think we are going to think this through and do it again." Do we step in? Do we move into Cambodia? Where do we go?

But there is another aspect. I am as frustrated as anybody about the command and control problems in the United Nations, and I am also concerned about personalities that become far more involved than the overall sense of what is best.

But if we come in here with an amendment today that basically trashes the United Nations, basically tells the United Nations it is useless, it is beneath our consideration, what are we going to do? Are we going to put ourselves in the situation where we become the policeman of the world, and if somebody calls, we either go it alone or there is nobody left to do it?

We do not have a bipolar world anymore. We can no longer say to the Soviets you keep your hands on this one; we will keep our hands on that one. We cannot do that.

Do we really want to be in a position whereby if our interests, our security interests, our humanitarian interests, or whatever interests are affected somewhere, it is either we go it alone or it does not get done at all?

Basically, we are saying that. We are saying we are prepared to do this alone because we are not going to do it with you. And if we say we are not going to do it with you, can we be so arrogant as a country that we can assume every other country in the world is going to say, well, OK, we understand we are so inferior to you you cannot operate with us, but we will immediately come and do what you tell us to do? If we assume that, we have not been reading history. We do not understand what is going on.

Now, there is frustration, and a justifiable frustration, in some of the things that have been happening. But let us not kill any ability for the United Nations to carry out a peacekeeping role. Let us not kill any ability for the President of the United States, this President or the next President or the President after that, to carry out our foreign policy. Let us not abrogate the responsibility we have as the only superpower in the world today.

If we are responding to the poll of the moment, we are ignoring the history book of tomorrow. If Harry Truman had reacted with the Marshall plan when the polls showed only 7 or 8 percent of the people agreed with it, if he said "OK. Whoops. Yank that sucker off the table," where would we be today? Do you think the history books would record there was a poll that showed 90 percent were against the Marshall plan? Of course not. History books report on the Marshall plan and the fact it worked and the fact that it helped keep peace and stability in the Western World.

So my question basically to the Senator from Michigan—and he and I have been friends from the moment we met. He has indulged me in going along with probably an overlong premise, certainly more than we in New England use.

Mr. LEVIN. It gives me a lot of time to figure out the answer.

Mr. LEAHY. But is it not a case, I say to my good friend from Michigan, that this reflects the frustrations of the moment, legitimate concerns, as to the United Nations and what our policies are going to be in this post-cold-war period? But having said that, it is something that requires study and effort of Republicans and Democrats alike, on the appropriate committees, and a real debate on the issue itself, not as the amendment of the moment on an appropriations bill where we are going to have to vote to do something that may affect our Nation for good or ill for the rest of our lives.

Mr. LEVIN. Very briefly, I will try to answer. I think there are three advantages to a bipartisan sense-of-the-Senate resolution to address some of these concerns.

First of all, it will be a way for us to address some concerns which we legitimately have on both sides of the aisle about a number of these operations. It is a way of expressing some of our unease. That is No. 1.

Second, if it is a bipartisan approach, it will be in the great tradition of this body. Right now I see Senators on this floor on both sides of the aisle who have participated in great bipartisan efforts frequently in this body. I happen to have as the ranking member on my Armed Services subcommittee Senator WARNER from Virginia, who consistently addresses problems on a bipartisan basis. I have seen it year after year after year.

The second advantage of a sense-of-the-Senate resolution is that it would be bipartisan, which sends a very powerful signal.

The third advantage now gets to my friend from Vermont. If it is a sense-of-the-Senate resolution addressing these concerns, it is not written in statute. If we make a mistake in a sense-of-the-Senate resolution, it is not a mistake which cannot be easily remedied because it is not binding on the executive branch.

So it has all three advantages: having some flexibility, you can correct your mistakes; it is bipartisan; and it does express some legitimate concerns which many of us have.

So I hope that if this effort is undertaken—and I think many are already trying to move in this direction—my friend from Vermont might be willing to participate in that effort.

I yield the floor.

Mr. LEAHY. Mr. President, I strongly oppose the amendment offered by the Senator from Oklahoma. It is untimely, ill-advised, poorly drawn, and highly partisan in its attack on the President.

This amendment would prohibit the commitment of U.S. combat forces to U.N. command where such command is exercised by foreign officers. As I read the amendment, U.S. military personnel in noncombat functions could be committed to U.N. command. There is an exception to permit the President to commit U.S. combat forces to such command arrangements in emergency situations as long as specific conditions are met, although Congress would have to vote to approve such action within 30 days. There is a total prohibition on any U.S. forces being committed to any prospective standing U.N. international armed force.

If the Senator from Oklahoma were seeking to prevent the President from doing, through the United Nations, what many of us believe he cannot do unilaterally—that is, commit American forces to hostilities without the authorization of Congress—that might be a different matter. But that is not in fact what this amendment does. It is only U.N. military formations or units, whether engaged in hostilities or not, under foreign command that are off limits to American combat forces; if such formations or units are put under U.S. command, then U.S. forces can be engaged without any prior authorization by Congress. It is not U.S. forces being engaged in hostilities through U.N. action without the approval of Congress that is the issue—it is whether such U.N. forces are, or are not, under American command.

Mr. President, I yield to no one in this body in my defense of the right and duty of Congress to vote whether to authorize the President to make war. I stood for that principle when President Reagan committed American marines to Lebanon without the authorization of Congress, and 240 of them died. During the period preceding the gulf war, I was one of those who demanded that the President seek the authorization of Congress before initiating offensive combat operations. Recently, I voted to cut off funding for operations in Somalia by March 31 of next year unless Congress, by a new vote, authorizes a continuation of United States forces in Somalia. I am prepared to use the power of the purse to assert Congress' constitutional responsibility to authorize the commitment of U.S. Armed Forces to hostilities. I am a strong supporter of the War Powers Act.

But this amendment goes far beyond the exercise of the constitutional powers and responsibilities of Congress, or the constraints of the War Powers Act. It blatantly infringes on the President's constitutional powers as Commander in Chief to direct U.S. forces, including making such command and control arrangements as best suit the goals and objectives of the United States and its allies. It would prevent the President from committing U.S. combat forces to U.N. peacekeeping or other operations without prior approval of Congress—or unless he exercised a national security waiver, subject to being overturned by Congress within 30 days. This potentially severely limits the ability of the President to take emergency actions to protect U.S. military forces or American citizens or property through U.N. military operations. It could expose U.S. forces to attacks while they are engaged in noncombat activities as part of U.N. peacekeeping or observer operations—activities clearly permitted by this amendment—by preventing any U.S. forces from coming under U.N. operational command where foreign military officers would be exercising such command.

Mr. President, there are half a dozen or more situations right now, today, where such an emergency could arise. United States military personnel are involved in U.N. peacekeeping or observer operations in: UNTSO—Middle East, UNIKOM—Iraq-Kuwait, MINURSO—Western Sahara, UNTAC—Cambodia, UNPROFOR—former Yugoslavia, UNMIH—Haiti, and UNOSOM II—Somalia. In any one of those places there could be attacks on U.S. military personnel engaged in U.N. activities, with relief and rescue operations being carried out by U.N. forces under U.N. command. As I understand this amendment, any U.S. military operations aimed at rescue or relief would have to be carried out independently of any U.N. military operations, even though U.S. and U.N. troops would be carrying out the same missions, operating side by side, and assisting each other, unless the President chose to exercise the waiver authority. And, the waiver authority is itself subject to being overturned by Congress. Before agreeing on any such limitation on the President's powers as Commander in Chief, we must remember that such U.N. operations would not be aimed solely at rescuing Americans; many nations commit military personnel to these missions, and they would have a right to expect, and to demand, that the United Nations take immediate and effective military action to protect and defend their nationals. If U.S. forces remain aloof from U.N. relief operations, how could we expect U.N. forces to give the same priority to rescuing Americans as they would to their own nationals?

This is surely not the intent of the Senator from Oklahoma. No one would deliberately endanger U.S. forces, whether combat or support troops. But I am afraid that is exactly the effect of this amendment. It could inadvertently expose several hundred young American men and women now engaged in U.N. peacekeeping or observer missions to a danger that the President could not act immediately to commit U.S. combat forces to a U.N. rescue or relief operation. I can imagine a situation in which U.S. forces immediately available in a given situation are insufficient, and where U.N. forces represent the strongest relief force at hand. Yet, under this amendment, American forces could not join the U.N. relief or rescue operation if it meant accepting even the tactical command of the foreign military officer.

The amendment raises major policy long-term problems aside from the emergency situations I just described. It would prevent the President from permitting U.S. combat forces from being committed to U.N. command when such command is exercised by foreign military officers. Put less politely, this means whenever U.N. military operations are under U.S. command, it is fine to commit U.S. forces, and for other nations to commit their forces to U.S. command. But when it comes to any U.N. operation being under the command of non-American military officers, U.S. military participation is off limits. This is a wonderful argument for employing the United Nations as an instrument for conflict resolution and peacekeeping around the world. Why not just say we will participate only when the United Nations takes orders from us, and otherwise, count us out?

During the debate on the Somalia amendment a week ago, I called attention to a dilemma we are heading into with all these criticisms of the United States as a peacekeeper, and these outcries to prohibit any U.S. forces from participating under foreign command in peacekeeping operations. The American people do not want, nor will they allow, their sons and daughters to be the police officers of the world. Unilateral American military interventions are going to be rare indeed in the post-cold-war world. But we already have ample evidence that this world is not going to be a peaceful, stable world. If we keep on trashing the United Nations, having debates on ill-considered amendments like the one today, refusing to play our leadership role, just who do we think we are going to turn to for order and stability in the world?

This amendment has gotten ahead of serious debate, discussion, and analysis of how the United States is to exercise leadership in the post-cold-war world. It is being offered in the heat and emotion of the recent events in Somalia and Haiti. And let us be candid. It is being offered to try to embarrass the President on foreign policy.

Mr. President, we need to think through this whole question of peacemaking and peacekeeping before we start limiting the role of American military forces or tying the President's hands. Unilateral military interventions by great powers, such as the United States intervention in Santo Domingo in 1965 or the Soviet intervention in Afghanistan in 1979, are largely things of the past. At least, I certainly hope so. Only in the direst situation involving immediate and vital American interests can I envision unilateral U.S. military intervention. Rather, it is now going to be through multilateral institutions such as the United Nations, the Organization of American States, NATO, and other international bodies, that we, as the world's one remaining superpower, lead the community of nations in working together to maintain peace and resolve conflicts.

This amendment says the United States will go it alone, without help and without cooperating with others. It says we will leave it to others to deal with regional conflicts and international instability, while we grandly give orders and ask others to sacrifice where we will not. It fails to understand what has happened in the last 5 to 10 years, the realities of the international arena, and the mood of the American people. As so often with spur-of-the-moment amendments driven by television reporting and opinion polls, it has no sense of history.

Mr. President, I urge all Senators to join in opposing the Nickles amendment. Let us send a signal to the world that the United States is still capable of exercising global leadership, that we are still a superpower, that we are prepared to do our part in building a better, more stable world for our children and our grandchildren. Let us give the President the tools he needs to protect American interests abroad.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky.

Mr. McCONNELL. Mr. President, I thank the Chair.

I think it was that great American Yogi Berra who said, when noticing the similarity to an event that occurred in the great American pastime of baseball, "This is deja vu all over again."

I recall arguing as forcefully as I could during the Reagan and Bush administrations that Congress ought not to micromanage American foreign policy.

Mr. President, I am persuaded that just because there is a new President of a different party that argument is still valid. It is still valid.

I think there is a good deal to recommend certain portions of the Nickles amendment. I wish to congratulate Senator NICKLES and Senator COCHRAN for kicking off this very important debate.

The one new initiative of this administration in the foreign policy area was this growing reliance on multilateralism. That was going to be the great new initiative of the Clinton administration, which is to place more faith, particularly in the United Nations, to carry out missions that we were either incapable or unwilling to carry out on our own. That was going to be the new idea of the Clinton administration.

Mr. President, I think it is perfectly clear that creeping multilateralism is not going to work in the post-cold-war period, and I think that is a subject worth discussing. The Nickles amendment has certainly kicked off that debate once again as well as the debate we had last week on Somalia.

So in looking at the details of the Nickles amendment—and I followed the debate rather carefully both yesterday and today—there are some parts of it that are clearly, it seems to me, worthy of commendation.

If, Mr. President, we were to take this opportunity—and my own view is we should probably not do it at this point, but if we should take this opportunity to start crafting some measure for congressional approval of the deployment of American troops to the United Nations, this 30-day period as it is currently crafted in this amendment would present the opportunity for one single Senator to filibuster a Presidential initiative.

So, if we were to go that far, at the very least it would seem to this Senator, there ought to be expedited procedures, and it ought to be a resolution of disapproval to give the President some chance of overcoming the temptation that many of us have around here under Presidents of both parties to try to micromanage every detail of one of these initiatives.

Mr. President, I am not yet ready to support that micromanagement proposal. Again, I say Senator NICKLES has provided an opportunity for a much needed debate. He has given a lot of thoughtful attention to this issue. I wish to commend him for raising it.

But, in addition, Mr. President, he raises another issue of the amendment that I would be prepared to vote on today, another idea that has been kicked around by Members of this body and others, and that is the question of whether the United Nations ought to have a standing army made up in part, presumably, of American troops.

The Nickles amendment on page 2 of the version I have appears to prohibit the U.S. participation in a U.N. standing army. I would say to the Senator from Oklahoma and the Senator from Mississippi that is something I would be prepared to vote on today because I think a U.N. standing army is a terrible idea.

It is an atrocious idea. And that is one subject upon which this Senator does not need any additional hearings. Senator NICKLES has raised that issue in the course of crafting this amendment. If we were to have a vote on some portion of the Nickles amendment either today or tomorrow or whenever it would be, my suggestion to the Senator from Oklahoma is that we try to carve out of the Nickles amendment that portion of it upon which there might be pretty widespread agreement.

My suspicion is—I could be wrong—that a majority of the Members of this body would think that a U.N. standing army, which might or might not be able to function at the behest of the Secretary General with or without approval of the Security Council, is a pretty bad idea.

I can think of one hypothetical, for example, where a U.N. standing army might decide it wants to isolate Israel, for example. If it had the authority to do that, based upon some action conferred on the part of the Israelis that it did not approve of and could do that without the support of the Security Council, they would be in there, I say to my friend from Oklahoma, they would be right in there.

(Mrs. MURRAY assumed the chair.)

Mr. McCONNELL. So I think that is a very, very important issue that the Senator from Oklahoma does raise in his amendment, very appropriately so, one that I think a lot of us have given some thought to over a period of time. I would say as far as this Senator is concerned, no more hearings are needed on that part of the Nickles amendment.

With regard to the whole Nickles amendment, I must reluctantly say to my friend from Oklahoma I could not at this particular point support it. I think it does set up a procedure that is a little bit troubling to me, a procedure that I suspect I would have been arguing against had we had a Republican President in office right now.

I know consistency may be the hobgoblin of little minds, but this Senator is going to try to at least be somewhat consistent in these foreign policy determinations because I think it is extremely important that we try to diminish the level of partisanship when we get beyond the shores of our country. I cannot think of a single domestic initiative of the Clinton administration that I would vote for today or that I am likely to vote for in the future. I do not like what the President is trying to do to this country. But in the area of foreign policy, it seems to me we ought to be trying to work together to craft bipartisan support, where possible, to make it possible for the President to move forward.

I must say there is no way to get around making a case-by-case assessment of our foreign policy initiatives. Somalia is not Haiti, and Haiti is not Bosnia, and sooner or later we have to make some judgment on individual countries.

From my point of view, we have no national interest of any kind in Somalia—none. As I said last week, I think we should have left in May when the humanitarian mission officially came to an end. Some would argue hindsight is always 20/20, why did we not have the debate then, and we were derelict, we should have had the debate then.

I have a hard time finding American interest in Bosnia. I have a hard time finding ourselves having an interest, but I could see a European interest there.

When it comes to Haiti 800 miles off our shores with dissatisfied Haitians coming to the United States any way they can, with increased drug trafficking, I am told, through Haiti as a result of the conditions there locally, I think it is pretty hard to argue that the United States does not have a direct, vital interest, maybe even a national security interest in Haiti. I hope the President is going to take a great deal of interest in Haiti. I think this country has a great deal of interest in what happens there.

I do not want this current situation of a flap in Somalia, action in Haiti, proposed action in Bosnia to cause us to rush to pass a set of requirements for any President to meet prior to taking any unilateral action that we later would regret.

So I say to my friend from Oklahoma, I think he has done a terrific service here. I think this is an excellent amendment in some respects. I hope the Senator might at some point choose to carve out that portion of the amendment that deals directly with the question of the U.N. standing army. Let the Senate speak on that. As far as this Senator is concerned, it would not have to be a sense-of-the-Senate resolution. A lot of us have given a lot of thought to that issue, whether or not that would be a good idea. It is a terrible idea, a terrible idea, Madam President. One of the very useful things that would come out of this debate is we could scotch that once and for all, right now. The notion that the United States was going to support a regular U.N. army to run around the world, presumably with some American troops as part of that, intervening willy-nilly wherever it chose to do so is a terrible idea.

So I hope the Senator from Oklahoma might consider offering a modified version of his amendment and give us a chance to express ourselves on the question of a U.N. standing army.

Madam President, that basically concludes my observations. I really regret that I will not be able to support the Nickles amendment in its current form. I would like to see it resurrected with some modifications along the lines that I have suggested.

Again, I want to commend the Senator from Oklahoma for a good piece of work and really kicking off a much-needed debate about this whole business of multilateralism. I hope the President and the administration will get the idea that there are a lot of people here in the Senate who do not think these kinds of multilateral initiatives, particularly to the extent that they appear to be molded and led by the United Nations, are something that is going to get much support around here.

I am not a U.N. basher. I think the United Nations can do some things well. I am extremely skeptical as to whether or not the United Nations can engage successfully in nation building, and I am certainly not interested in seeing them do it with American troops without congressional approval.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Madam President, I hoped I could get the attention of the Senator from Oklahoma if he is on or about the floor. I would very much like to pose a question to him.

Mr. STEVENS. Madam President, may I say in answer to the question that I just spoke to the Senator from Oklahoma. He was called from the floor and is not present at this time.

Mr. EXON. Could I possibly pose the question to the Senator from Alaska, then, and he might consult with the Senator from Oklahoma?

Given the many statements that have been made, last night at this time the Senator from Rhode Island, Senator CHAFEE, was on the floor. I just heard the Senator from Kentucky elaborate on his views on this. I think we all appreciate the fact that the Senator from Oklahoma has been trying to address something that I think, to one degree or another, concerns a great many of us.

However, in my question of Senator LEVIN during the time that he had the floor, I raised a question as to whether or not, given the circumstances that have been gone over and over again with the amendment offered by the Senator from Oklahoma, my question is, does the Senator from Alaska believe the Senator from Oklahoma might be inclined, in cooperation with the minority leader and others that intend to offer amendments in this general area, if we might not be able to move this matter along under the guidance of the two managers of the bill, the Senator from Alaska and the Senator from Hawaii, to have maybe an agreement on a sense-of-the-Senate resolution, which I think might be the most speedy fashion in which to solve the matter that currently confronts the Senate.

Mr. STEVENS. Madam President, I might say to my good friend from Nebraska that it is my understanding this is a second-degree amendment.

It is not subject to amendment. It has been pending now since Friday morning. The Senator from Oklahoma indicated to me that he does desire a vote on his amendment. He prefers an up-or-down vote. But I have indicated that I might make a motion to table. In the event that could not be done soon—and I have had a request here that I not do that immediately, but I do intend to pursue that sometime this evening if there is not an alternative arrangement made.

I suggest to the Senator from Nebraska, and others who might wish to have him change his mind, they should consult with him. I have no information to the contrary, other than the Senator from Oklahoma has talked with me within the last 45 minutes and asked me to assist in getting a vote on his amendment.

Mr. EXON. I will yield the floor in a moment. I just appeal once again.

Let me ask this question of the Chair:

The amendment offered by the Senator from Oklahoma is a second-degree amendment, as I understand it; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. EXON. Have the yeas and nays been requested on the second-degree amendment offered by the Senator from Oklahoma?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. EXON. Then we are in a parliamentary situation where we are either going to have an up-and-down vote, we are going to have to have a tabling motion, or the Senator could withdraw his amendment, pending some kind of an arrangement for a sense-of-the-Senate resolution, as I have suggested.

I see the Senator from Hawaii is on his feet. I was going to ask him a question as to whether or not he thought through his good offices and those of the Senator from Alaska, if it might not be possible in his judgment, if the Senator from Oklahoma would agree, to compromise on some kind of a sense-of-the-Senate resolution that I think most of us will support?

Mr. INOUYE. Madam President, if I may respond to my friend from Nebraska, in my conversations with the Senator from Oklahoma, I am convinced that he wishes to have a vote on his amendment. But I wish to advise my colleague from Nebraska that at this moment, the Senator from Georgia, the chairman of the Armed Services Committee, is working on a draft of a sense-of-the-Senate resolution that I believe covers all those points that the Senator from Nebraska has indicated in his debate. That resolution should be ready for presentation, I have been advised, sometime within the hour. I would suppose that sometime before 7 o'clock, an up-or-down vote, with or without a motion to table, will be made on the Nickles amendment. Soon thereafter, possibly back to back, will be the Nunn sense-of-the-Senate resolution.

Mr. EXON. I thank my friend from Hawaii.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. I just wanted to take a minute, Madam President, to give sort of an update. A couple other amendments are floating around—one on Haiti and one on Bosnia. I know they were discussed today at the Democratic policy luncheon and at our leadership meeting.

I have had a couple of meetings with Senator MITCHELL on these specific amendments. I thought I might let my colleagues know that we continue to work with the White House, and I assume they are working with State, Defense, and the National Security Council people in an effort to try to reach some balance between the Congress and the President in this very difficult area, on what power do we have as Members of the Congress under the Constitution, and what powers the President has to commit forces under the Constitution. I received a four-page letter from the American Civil Liberties Union supporting my amendment stating a number of arguments that we thought were pertinent.

In any event, we are trying to resolve the differences that we have with the White House because, as I said the other evening, in nearly every case I want to give the President the benefit of the doubt, particularly in foreign policy. So if we can come to closure on some agreement, that may save the managers some time. If not, we will just have the debate and have a vote up or down on the amendments as they are presently drafted.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Madam President, let me just say to the distinguished minority leader that, hopefully, the course he has laid out is one that can be adopted, and that will provide us with an opportunity to have some sort of meeting of the minds. I think that the Senator from Kansas, the Republican leader, well knows from defending the Presidency, through both Presidents Reagan and President Bush, and in his own quest for the Presidency, which may or may not continue, there is certainly a strong need to have bipartisanship. We are stronger as a country when we are bipartisan in our policies.

So, I certainly hope we can find an agreement, because I think this process is hurtful to all of us.

Madam President, in building on what the distinguished minority leader has said, if you review the history of our foreign policy and our diplomatic history, no one, in my view, will contest the notion that there are two ingredients that are critical to a successful policy. First is bipartisanship. Second is consensus—consensus in the country at large, and consensus in the U.S. Congress.

Efforts that detract from consensus undermine our ability to pursue our policy. In Vietnam we did not have consensus. After a while, bipartisanship broke down. You can look at lots of other examples—Grenada, Panama, Iraq—where we developed the consensus and people came to support the policy. The United States is strong when that happens.

This is a particularly dangerous time in the world, because no framework has yet been defined or built for our policy or that of other nations post-cold-war period. We all knew how to behave for years. Ever since the Truman doctrine was laid down, we understood with a certain clarity that certain parts of the world—indeed, most of the world—was consumed by the East-West dynamic. Sometimes we strayed from that, and when we did, we usually put it in the context of the East-West dynamic. Domino theories, whether applied to Southeast Asia or Central America or

Latin America, were all rooted in the context of that pervading hegemony, that unilateral marching entity called communism.

During all of the period that we were struggling with communism, we tried to build the institution of the United Nations. If you look back, historically, most people viewed the effort to make the United Nations work and be a success as an outgrowth of the failure to make the League of Nations work. At the end of World War I, the world had this extraordinary opportunity to try to create a new world order, and we blew it in a lot of different contexts.

Ultimately, we wound up expending enormous treasure of this country because of the events that led to World War II and ultimately World War II itself. Our leaders were wiser after that. Churchill and Roosevelt laid the groundwork for what we had to stand for and how the world should seek a peaceful resolution of disputes.

It seems that suddenly there is a panic; there is a disorder right here within this institution and within our country. We seem to be resorting to the kind of isolationist, America-first attitude that dominated the interwar period and challenged us until we finally entered World War II.

I am not suggesting that very legitimate questions about implementation of policy or the military command structure or choices that were made should not be raised in the debate that we are having here today. But it seems to me that there is an effort now to curb Presidential choices at a stage far earlier than any intrusions that I can remember by Congress into Foreign policy.

Some of these amendments that are floating around here, potentially place restraints on the choices of the President of the United States such as we have never discussed previously. Most of the people who are floating these suggested restraints, or supporting them are people who would never have contemplated placing these restraints, on the prior Presidents of recent time and would have used constitutional arguments to resist them. People contemplating these choices would have been the first on the floor defending the prerogative of President Reagan, President Bush, President Ford, or President Nixon to make the choices they made, and indeed the CONGRESSIONAL RECORD is absolutely filled with those arguments.

So something is going on here. I hope that it is not partisanship. I hope these are just legitimate concerns that are being expressed. If these are just legitimate concerns that are being expressed, then we ought to examine the substance of what people are offering. However, the substance of what is being offered in this amendment is, frankly, way off the mark and even dangerous in the context of protecting American troops or protecting American interests.

I am not going to deal now with the other amendments that are floating around. Nor will I deal at this moment with the full measure of what is at stake right now vis-a-vis the United Nations or other peacekeeping efforts that we put such stake in. But I might just mention that you can find countless successful United Nations operations, such as those in Cyprus, Cambodia, Iraq and Kuwait, the Golan Heights and the Middle East.

Now, after the United States has spent a lot of its good will encouraging other nations to lose their young men defending the notion of democracy and multilateralism and after we have lost many of our own, suddenly we are questioning the viability of an institution—the United Nations, that we have taken years building, that represents an alternative to the expenditure of $300 billion a year for a unilateral defense structure.

Anyone who wants to suggest that instability in nations across the world is better than stability or that having civil war break out all across the world does not affect our interests is portraying a world that responsible leaders have never tried to offer the citizens of their countries.

Let us look at Cambodia. The United States bears enormous responsibility for the events that led up to the breakdown of Cambodia as a nation. It was, after all, our decision to invade Cambodia and our decision to bomb Cambodia for a long period of time. That created a nation of refugees and a lack of government. In fact, we bear some responsibility for the advent even of the Khmer Rouge. Recently the United Nations had an operation in Cambodia, a country that is filled with land mines and ambushes. Everybody said you can never get an election there; it will never work. What are you doing, nation building, all you crazy people?

What happened? They had an election, and now they have a government and perhaps they have an opportunity to make something out of the chaos that has been their lives for the last quarter-century or more. I would note that during that operation, some Japanese peacekeepers were killed. But Japan did not leave. They stayed in the operation. I am not suggesting that we ought to be involved everywhere. I am not suggesting that we can be the policeman of the world. But I am suggesting that what we have built over these years in the United Nations needs to be improved, nurtured, and advanced, not just stopped cold, destroyed, and undercut.

That is precisely what the Nickles amendment would do—undercut, stop cold, and send an incredibly damaging, dangerous, message to other nations that have been part of all of these U.N. efforts over the years.

What kind of message is it for the United States of America, the world's only superpower, in which we take such pride, to send to the world: that when the going gets tough in the first instance, we are not going to cope, to make changes to make the institution work; instead we are just going to go, that is it. You folks, stay there and defend all these lofty principles that we fought for all these years.

When you look hard at the Nickles amendment, it is clear that it does not deal with the problem before us, but it is probably unconstitutional on its face, since it purports to take away the power of the Commander in Chief as a commander in chief who has the right to order troops to fight in certain ways at certain times with certain people.

Since when does the Congress get involved in that kind of decision? Yes, we have the right to say we are not going to spend money, but I do not know where it says in the Constitution we have a right to be the Commander in Chief prospectively.

So, there is an enormous constitutional question involved here. But beyond that, I think, the amendment is flawed. The amendment is obviously a reaction to events in Somalia.

There is not one of us, and we have all said this on the floor, who was not horrified and angered by the sights that we saw. There is not one of us, I might add, who does not have serious concerns about the choices that the military made. But, Madam President, our military made those choices. Those troops were not under direct tactical command of a foreign commander.

There is not one thing in this amendment that would change what happened in that incident in Somalia. Our combat forces were operating in support of a U.N. operation but under U.S. command. The overall commander of the U.N. operation, Admiral Howe, is an American. The Deputy Commander of the military component of the U.N. operation is an American general. The fact of the matter is that the operation that went awry was conceived by American military commanders, under the operational control of a military commander of the United States, and whatever errors were made we cannot attribute to the problem of a foreign command.

Mr. STEVENS. Madam President, will the Senator yield just for one moment?

Mr. KERRY. I will yield without losing my right to the floor.

Mr. STEVENS. Madam President, I made a comment, and I said to the Senator from Massachusetts that I would make a motion to table the amendment at 5:30. I was requested by the leadership to defer that at least until 7 o'clock. I want the Members to know that.

I appreciate the Senator's yielding and I thank him.

Mr. KERRY. I thank the distinguished Senator from Alaska.

Madam President, as I said, had the amendment of the distinguished Senator from Oklahoma been on the books earlier this month, it would have had no impact on the operation in Somalia. It would not have changed the outcome. Our combat forces were operating in support of the United Nations but under U.S. command. So let us understand that, as we approach this kind of flighty, quick, hasty, unexamined response to emotions that are in the streets of our country.

The real issue that we debated for the last 2 weeks is not the issue, I think, of foreign command. The real issue that people are grappling with and frustrated about, and rightfully so, is the deployment of American troops in harm's way and whether or not Congress is going to have an adequate say in that deployment.

I would respectfully suggest—and I suggested this on a couple of television shows over the course of the weekend—that we need a fundamental examination within the U.S. Congress and a definition of the new international context and our role in it. I think we ought to think very hard about—and I would advocate embrace—the notion of a volunteer force within our volunteer army. Some may say that is kind of an oxymoron. I do not think it is. The volunteer army that we have today is an army that is made up of folks who, notwithstanding the fact that it is a volunteer effort, are not signing on to every policy effort America is signing onto. There is a sort of limitation, if you will, to the kinds of risks they believe they are going to undertake by joining the service. Those risks, basically, are viewed by most people as the kind of risks we expected them to take in defense of this Nation through the cold war. If there is some major kind of conflict, maybe we will get sent off and have to defend our Nation, and possibly there will be the kind of thing that took place in Panama or Grenada, and that sort of is OK as long as it turns out OK.

I think that we need to draw from that volunteer force of our country a specialized group of people who know that they are putting themselves on the line for something that is not quite as well defined, who know that they may be called on to go and fight somewhere for this concept of peacekeeping or peacemaking in the world.

I would suspect that you will find many, many young Americans anxious to embrace these principals, but anxious also to gain the experience that they would be afforded by virtue of being on those front lines, and that you would have an extraordinary outpouring of volunteers who are willing to commit themselves to this larger effort.

If we did that, when the Congress of the United States, together with the President—and I emphasize, the Congress, together with the President—suggests that there is some well-defined interest that we ought to stand for in the context of peacekeeping and stability and a clear mission that we should undertake, then I think you would eliminate much of the concern of people being sent without justification, without legitimacy, against their will. You would eliminate parents and others in this country feeling that somehow their loved ones might be in some wasted effort rather than in an effort that they chose out of their feelings of gut and heart and head that led them to make that kind of commitment.

I would insist, however, that we must still have congressional input so that we do not have some sort of supermercenary force or some kind of effort outside of the traditional restraints that we have, so that this Nation is not sucked into something inadvertently. I would think our efforts would be greatly helped by that.

Mr. President, the pending Nickles amendment really does not address these larger concerns that are, frankly, at the center of people's reservations, confusion, or questions about current policy.

There is no way to eliminate risk when you send soldiers, whatever basis they go on, into harm's way. However, we can be more certain than we have been that the mission is well conceived and defined, that we understand the chances of success, that we know it is in our interests as a nation and that those interests and the mission have been clearly defined to the American people.

The Nickles amendment, if it were adopted in its current form, would frankly make it difficult, if not even impossible, for the United States to participate in the legitimate efforts that we are already a part of or that we might contemplate being a part of as a member of the United Nations. As one of the creators of the United Nations, it seems to me that we envisioned an institution through which nations broadly would be able to resolve disputes. Now that that institution is no longer restrained by cold war politics, it seems to me that we should not be adopting an amendment which is not fully thought through, that has the effect, as Senator LEAHY, Senator EXON, Senator LEVIN, and others have said of totally tying up, hamstringing, our forces.

Admiral Jeremiah's letter has been talked about already in the course of this debate. I do not think it needs a great deal more discussion, except to say that I do not think we should lightly dismiss his opinion and the substance of what he put in his letter, particularly his comments on restraints on tactical command.

You simply would have a more dangerous situation with the adoption of the Nickles amendment, by virtue of the fact that you would have time lags in your capacity to make choices about reaction, or who serves where, and also because you would restrict our ability to be able to engage in rescue missions, mercy missions, or in emergency choices that might arise in the field.

Madam President, the U.S. participation in peacekeeping operations is not something new, as I mentioned earlier. And it seems to me that this issue of command is also not new and should not, in the wake of all of the events that have taken place in the last few days, become a central issue.

Besides the operation in Somalia, American military personnel have participated in five other U.N. peacekeeping operations—most recently in the Middle East, the western Sahara, Cambodia, the former Yugoslavia, and on the Iraq-Kuwait border—and they have worked on peacekeeping at U.N. headquarters. We did not raise the issue of foreign command then. We did not raise the issue under Presidents Bush or Reagan.

With the exception of many of our forces in Somalia, these Americans, obviously, were serving in a noncombatant capacity. But whatever they were there for, the Nickles amendment is a statement that if you are in a noncombat status but still under a foreign command, your life is not worth as much or we are not going to care as much about the control over the kind of activities you might be subjected to or the kind of danger you might be put in.

Obviously, we all know that plenty of logistical people can be put in enormous danger. The Nickles amendment makes this distinction between combat and noncombat, which I believe is unfair and inappropriate and which the Senate should not ratify.

Not only does the amendment erode the capacity of the United States to participate in U.N. peace operations, but the amendment obviously weakens the President's ability to be able to respond in the event that an emergency should arise.

History does not support the position that is being taken by the Senator from Oklahoma on the foreign command issue. And I think that is an important point for all of us in the Senate to focus on.

There are numerous examples of American forces operating under foreign command. In World War I, we had about 2 million Americans who served with French and British armies under the overall coordination of a Frenchman. And in World War II, United States and British command and staffs were interlayered throughout the military on many different levels. United States units were under the command of British commanders a number of times, for example, in Italy, Normandy, Arnhem, and the China-Burma-

India theater. The United States-Republic of Korea Combined Forces Command, which consists of 1 American division and 22 Republic of Korea divisions, has been under the command of a South Korean general since 1992. This is a U.N. command.

It seems to me we should understand also that in the Desert Storm operation, despite the fact that the United States had overall command, U.S. brigade from the 82d Airborne Division was placed under operational control of the French 6th Light Armored Division.

So all of that would have been, and would be, prohibited and would send an incredible message about U.S. willingness to participate and share and lead.

Now I am not suggesting for an instant that there are not legitimate questions about command and control. There are. And we certainly never want to cede the command of certain kinds of delicate operations, or certain kinds of missions, where we have any doubts at all about the capacity of those missions to be carried out.

Madam President, I think on its face this amendment is so wanting on constitutional levels, so wanting in terms of the effort to build bipartisanship, so wanting in terms of what it does to the United Nations' capacity to effect its mission, so wanting in the capacity to properly protect military people in the field, so wanting in terms of the diplomatic message that it sends to our fellow participants in peacekeeping, that the Senate ought to defeat it resoundingly. We ought to move onto a far more sensible debate about where and how the United States is going to serve its interests and what is the proper post-cold-war framework, how we implement it, how we regain our strength for bipartisanship and for consensus building. If we will do that, then we will live up to our obligations and to our aspirations as a superpower.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I take it, from my colleague and friend's comments, he is leaning slightly against this amendment. I would just have to say I caught part of my colleague's comments. I did not catch all of his comments. But some of them I would just like to point out, I believe, are factually incorrect.

My colleague mentioned that we have had United States troops serve successfully in World War I, World War II, in the Persian Gulf effort, under foreign commands. That is correct. And they would not be prohibited under this amendment.

My colleague mentioned several successful U.N. peacekeeping efforts. They would not be prohibited under this amendment. My colleague, I think, mentioned that we would undermine U.S. or make it difficult to participate in U.S. peacekeeping operations. That is not the case. This amendment exempts noncombat operations. So, if we were involved in humanitarian, medical, and other types of operations, border control, we could do that.

What this amendment does address is putting U.S. combat forces under U.N. command, under a foreign commander, so you do not have Presidential involvement. That has never happened in the 48 years under United Nations. We have never had a President willing to assign U.S. combat troops to the United Nations. Maybe my colleague would like to do that. I do not.

Let me make a couple of other quick comments. It was implied that, under my amendment, you could not have a situation such as we had in the Persian Gulf where you had an overall U.S. command and that he could not delegate command in lower groups or units to a foreign commander. That is not the case. We did that in the Persian Gulf and that worked and worked effectively. But you had overall U.S. control of the operations.

My colleague mentioned that the United States bears some responsibility for the Khmer Rouge. I am not even going to comment on that.

My colleague mentions that U.N. peacekeeping forces might be a significant alternative to $300 billion defense budgets. Maybe some people do have the idea——

Mr. KERRY. Will my colleague yield for just a question on that?

Mr. NICKLES. Yes.

Mr. KERRY. I know he does not want to comment on the question of the Khmer Rouge, but the fact is—I was there at the time. I was even involved in some operations which took them weapons and traded weapons for information.

Why we were arming them is beyond me. The Senator may not want to comment on it, but it is a historical fact. I would be happy to respond to the other issues the Senator has raised if he wants to discuss them.

Mr. NICKLES. No, I just want to respond to some of the comments my colleague from Massachusetts made.

Mr. KERRY. Madam President, I wonder if he would enjoy a good dialog or just prefers to comment in a vacuum.

Mr. NICKLES. The Senator made significant statements against my amendment. I would like to respond to just the few of these I made notes on.

My colleague mentioned it undermined U.N. peacekeeping efforts. That is not the case. As a matter of fact, I think I have done this two or three times. I went through the 27 operations that we have had in the United Nations since its inception—going back to 1945. This amendment would not eliminate or make those missions impossible.

My colleague mentioned it would not impact Somalia. I stated that several times on the floor. The Somalia operation—I might mention a couple of things. My colleague mentioned that Somalia went awry and it went awry for a lot of different reasons. Part of those reasons was U.N. control. And some of the reasons were U.N. support of resolutions which have greatly expanded their role away from the humanitarian role into nation building. That resolution supported it. It passed. Unfortunately, it was supported by the United States.

In addition to that, in June the role was expanded again beyond nation building into the capture of General Aideed. So we moved from a peacekeeping effort, basically, into nation building, and into a military operation. At the same time, we significantly reduced our military forces from 20,000-some troops to about 4,000 troops. I think that was a mistake.

As my colleague pointed out, this amendment does not address Somalia. My colleague may or may not be aware of it, but this amendment was drafted well before the events or the tragedy that happened in Somalia, and it was a tragedy. This amendment was drafted because this Senator kept reading things about Presidential Decision Directive 13, which was going to greatly expand our role in the U.N. peacekeeping operations—greatly expand it—that was talking not about just peacekeeping but peacemaking, peace enforcement.

We have seen an increase in U.N. peacekeeping forces, increase in the last few years, from 10,000 to 80,000. That is not an insignificant amount. Then, I am going to say with 80 individuals working full time out of U.N. headquarters, they are certainly spread thin. They are now involved in 14 operations.

I might mention, since my colleague went back to some of the history and some of the successful U.N. operations, I would agree. But in the United Nations between the year 1945 and the year 1987, I believe, we had 13 U.N. peacekeeping operations. Since 1987 we have had 14. So we have had a greatly expanding role.

Now we have an administration that wants to expand it even more rapidly. We have a U.N. Ambassador who has made very strong statements about expanding it more rapidly. So that is my concern.

I would just say again, in response to the thrust of my colleague's statement that we would undermine the United Nations, no President in the past since the creation of the United Nations has committed U.S. combat troops to the United Nations without maintaining control, command of those troops. That is what I would like to protect. This is not a change in policy, not gutting the United Nations, but trying to preserve and protect the existing policy that we have had since its inception.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I would just ask my friend from Oklahoma—and I do not do this contentiously at all—but reading this amendment, I, at least, come to a different conclusion, as other colleagues have.

My friend has just suggested all the things it would not do. But that is his word versus the language that is in the amendment itself. I am reading from a paragraph on the first page—unless it has changed. What I have says that you cannot have any funds appropriated to support Armed Forces personnel, other than those engaged in medical, logistics, communications, humanitarian, and training.

First of all, we have people out there who are Americans who are not in combat notes. And we distinguish their lives from those of the combatants. You can get into a lot of trouble having to protect your citizens, who are there for logistical reasons, just as you might in protecting those in combat. But that is a distinction we are not going to worry about here. I think that is problematical. The relevant phrase of his own amendment is as follows.

You cannot deploy U.S. forces as part of U.N. operations if such forces would be under the command of foreign officers.

That does not say at what level. It just says, "under the command." You could have these forces at a battalion level or at a company level operating in some joint operation. Even though your supreme commander might be American, they might be under a foreign command. This prohibits that.

I would like my colleague to show me how that is not prohibited by this language.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, it does not prohibit that. If my colleague will look at the definition, "under United Nations operational or tactical control."

Let me just back up for a second.

In the first place, the only restriction we place is on combat troops. So the President would be allowed to participate in the U.N. peacekeeping effort as Presidents have going all the way back to 1945 for humanitarian and other reasons. That is the reason for that distinction.

Mr. KERRY. That is what I am getting at, the combat troops.

Mr. NICKLES. Madam President, I have the floor. I would like to finish responding. I have not quite finished responding. My colleague made a couple of comments.

"Why have the distinction?" The reason we made the distinction is because when we are talking about placing combat troops, then we ought to be involved in the decision. The President ought to be involved in the decision and we should not put U.S. combat troops under an international organization without any link to the U.S. chain of command. We need that chain of command to have responsibility, to have not only authority but also responsibility. I think that is very important.

We made an exception for NATO because that is another area which has worked quite well. So has Korea. We made an exception for that.

I want to address the second part of my colleague's question when he said, What about the power of command?

"The power of command under United Nations operational or tactical control," as defined on page 3, "* * * the power of command usually given to a leader of the military force, such as the authority to coordinate and direct the mission-related activities of the units comprising such force."

The commander can delegate to other commanders of lesser rank, I would suppose, to control those units. We did that in the Persian Gulf. We had a supreme commander. We have done it in NATO. The United States had a supreme commander in NATO. We did it in World War II where you had General Eisenhower as the Supreme Allied Commander, but he designated power or authority to other commanders. That is clearly allowed under this amendment. I wanted to make sure that my colleagues were aware that that is the correct interpretation.

Mr. KERRY. Madam President, I have just read this section, and it really does nothing, I must say to my friend, to change my observation. It says U.N. operational or tactical control. It says "with the exception of NATO, of the power of command usually given to the leader of a military force."

"A military force" does not say the principal military force or the U.N. force. It says "a military force." You have tactical command of a military force if you are a patrol or if you are a combat division or battalion, or whatever. I still read it to say that if they are in a tactical situation or operational, which is what it says, then you cannot have them under a foreign commander.

I do not think that changes anything. I think the observations of the Senator from Georgia, Senator NUNN, stand.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I am surprised I was not successful in convincing my colleague from Massachusetts. I will finish reading the definition: "* * * the power of command usually given to the leader of a military force * * *." The second part of that says: "* * * such as the authority to coordinate and direct the mission-related activities of the units comprising such force."

Clearly, that is the overall supreme commander of whatever units it is to comprise that force.

I yield the floor.

Mr. KERRY. Madam President, again, I know he is not surprised that he did not persuade me. I am surprised I have not pointed out the discrepancy adequately. But the fact is, the leader of a military force is still a military force. It is the leader of a military force, not "the military force," not "the U.N. force," not "the principal U.N. force," not "the U.N. mission," not "the U.N.-sanctioned, Security Council-sanctioned force." It is "the leader of a military force," and a military force is any unit you send out on a mission.

I just think this is an example why we should not rush to this. It is precisely why we ought to spend some time drafting an amendment that is far more clear when it has the kind of significant impact that this amendment purports—not purports—would have. As a consequence, I think it is critical to be much clearer as to what we mean by "tactical," what we mean by "operational" and who and what has control.

Let me say to my friend, I am chauvinistic enough about our own forces in this country that in most instances, I personally would be a lot happier if I knew we had a command and control structure that was either American or sufficient for the situation. I think that is one of the issues that we are going to have to work out as we approach these missions.

Clearly, the U.N. Ambassador should not sign off at the United Nations and we should not vote for a particular operation in the future until these kinds of issues are much more clear. But for us to step up and usurp the power from the President, I think, is a very dangerous precedent prospectively.

I thank my friend.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I understand my friend from Hawaii wants to make a suggestion on how we manage the rest of this amendment, and possibly the bill, this evening.

Let me just restate that it is this Senator's intention not to take away any power from the President. He is trying to make sure the President does not give away power to the United Nations or to a foreign officer and make a commitment of U.S. combat troops. I want to make sure the President will keep his power, his authority as Commander in Chief and, likewise, keep congressional involvement as well. That is the purpose of the amendment.

I yield the floor.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COHEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COHEN. Mr. President, I would like to take this opportunity to express a few thoughts about the nature of the debate that has been taking place for the past several days. I have received a number of press inquiries about motivations, such as what has prompted Senator NICKLES to offer his amendment to this bill?

And what about Senator DOLE, who just last week was such a staunch supporter of the powers of the President, arguing against measure that might undermine his position or the credibility of the United States. Yet, today or tomorrow he might very well be in a position of supporting and sponsoring an amendment that would place restrictions upon the ability of the President to commit troops into foreign lands, without prior congressional consent or approval. Is there some hidden motivation? Is this something that is inconsistent, to be supportive on the one hand, and on the other hand be less supportive and perhaps even antagonistic?

I think it is very clear—to me at least—without even having a discussion with Senator DOLE, that once our troops have been committed to a region and are under fire or are in danger, he has always made it a position to rally behind the President of the United States and express his support on behalf of the President.

What he is doing on this occasion, however, is to try to gain the attention of the White House and to say that prior to committing our forces to foreign lands, there must be congressional participation. Do not put us in the position of having to ratify what may be viewed as an unwise act on the basis that to do otherwise would mean that we are endangering the security of our forces and contributing to the loss of faith of our allies in our mission or ability to carry that mission out.

Mr. President, I think, despite the fact that the President acted from the best of motives to, as he said, focus like a laser on domestic issues, he found that someone—the gods or whomever—has held a mirror up to that laser beam that now reflects in his eyes, in fact blinding him with critics and cries of weakness and incompetence that is being displayed by the White House. Congress and the American people are now questioning whether the lives of our men and women in uniform can be entrusted to this administration.

That is what is at the heart right of this debate that has been taking place and will continue into tonight and tomorrow. I think the President and his advisers are responsible for the situation, which I think has been damaging his Presidency and the Nation, and only he and his administration can truly correct it. But so long as they express befuddlement, as they did in recent meetings with the Congress, or assert unilateral authority over warmaking powers, as the President did yesterday, I think Congress is going to feel compelled to craft its own solution, as inadequate as that might be.

I think the primary issue is the administration's confusion over when and how to use military force. A recent series of speeches by the President and his senior officials have failed to adequately clarify its policy or to repudiate earlier pronouncements that were as clear as they were wrong.

To give you an example, during the 1992 campaign, Governor Clinton embraced the concept of a new multilateralism, the cornerstone of which would be a standing United Nations army, ready to intervene around the globe to reverse aggression and to keep the peace. A few weeks before he was chosen to be Secretary of Defense, Congressman Les Aspin rejected the criteria articulated by Gen. Colin Powell for when and how to use force and proposed an alternative approach that would lead American troops into combat on a much more frequent basis.

I would like to take a few moments to review the Aspin doctrine, because I think it helps to explain congressional anxiety over yielding to this administration the ultimate decisionmaking authority on when to spill American blood and treasure.

In a highly touted speech last September, Congressman Aspin summarized the Powell criteria in the following terms:

First, force should only be used as a last resort. Diplomatic and economic measures should be tried first.

Second, force should be used the only when there is a clear military objective, not to achieve vague political goals.

Third, force should be used only when we can measure that the objective has been achieved, that is, we need to know when we can bring the troops home.

Fourth, force should only be used in a decisive fashion to get the job done as quickly as possible and with as little loss of life as possible.

While he acknowledged that "these criteria have served us extraordinarily well," Congressman Aspin summarily rejected them as being obsolete in "this brandnew world of ours * * * a world of agitation and turmoil."

He, I think, falsely criticized those who endorse these sensible criteria as the all-or-nothing school. And he declared that those in a competing limited objectives school were "unwilling to accept the notion that military force can't be used prudently short of all-out war."

Congressman Aspin lamented that "under the all-or-nothing school, the U.S. military is likely to be used very, very rarely," undercutting public support for even very modest defense budgets.

To me, it struck me as a variation of the theme that we must use it or lose it. I think that is a very dangerous philosophy as it applies to our military.

He proposed that "a signal should be sent to deter" ethnic and nationalist conflict in many parts of the world and identified the conflict in Bosnia as a good opportunity to send such a signal.

He went on to criticize the then-Secretary of State Lawrence Eagleburger's advice that we should think more than one step ahead before intervening in the former Yugoslavia, and Eagleburger's warning that Vietnam was the result of such incrementalism. Chairman Aspin declared,

> In Vietnam, American policymakers kept escalating our involvement because they were afraid of what our allies and adversaries would think—and do—if we withdrew. If we failed to keep our commitment, we would embolden our adversaries and cause our allies to question our commitment to them. During the cold war, you could not just walk away.

Those are Congressman Aspin's words.

Well, here we are in the post-cold-war world, and Secretary Aspin has concluded that we could not just walk away from Mogadishu because to do so could damage our credibility, embolden our adversaries, and cause our allies to question our commitment.

In fact, the debate has not been between the all-or-nothing and limited objectives schools but, I would submit to you, between a clear objectives-decisive force school and what I would call an opaque objectives-marginal force school.

General Powell and Secretary Weinberger before him never ruled out the use of force to pursue limited objectives, so long as the objectives are clear and defined such that we will know when they are achieved and decisive force is used to achieve them. Decisive force does not mean all-out war, but force that is more than adequate to achieve the task. As Weinberger made clear in his well-known 1984 speech, if the objectives are limited, the force used might well be small in an absolute sense, yet still be decisive.

Under the clear objectives-decisive force school, we would not have allowed our military mission in Mogadishu to grow after our forces were reduced and the chain of command rendered ambiguous. The U.S.S. *Harlan County* would not have set sail for Haiti with 200 lightly armed troops while the State and Defense Departments were still debating what their mission would be—only to sail away, in the face of a hostile reception the Pentagon had warned of but the State Department dismissed as the cries of Chicken Little.

These are the actions of the opaque objectives-marginal force school, which is responsible for the resulting policy debacles that we are witnessing.

Foreseeing in his 1984 speech a more chaotic world in which "the line between peace and war is less clearly drawn than at any time in our history," Secretary Weinberger also presciently warned against the opaque objectives-marginal force school's response to this not-so-brand-new world:

> Some theorists argue that military force can be brought to bear at any crisis. Some of these proponents of force are eager to advocate its use in even limited amounts simply because they believe if there are American forces of any size present, they will somehow solve the problem.

I guess I have to ask how else can we explain the administration's insistence, over the objections of U.N. officials, on sending a meager United States force to Haiti as part of what one diplomat called a psychological gambit to take advantage of Haitians' supposed awe of foreigners?

The administration is learning that theory must yield to reality. Yet veiled threats of an American invasion of Haiti, apparently without any consultations with congressional leaders regarding such an option, suggest it really has not learned enough from the events of the past few weeks. Until it does, it should not expect a very long leash from Congress.

As Air Force magazine warned in January,

> These people are not dealing in abstract concepts. They are tinkering with deadly force. If their notions become policy, we may learn all over again that it is much easier to get into a fight than it is to get out of one.

I think it is worth remembering that we slid into the Vietnam quagmire not because of a lack of intelligence, but an excess of arrogance—regarding America's ability to impose its will, even where our interests were limited, and the Executive's primacy over the Congress. And many of the best and the brightest are now in power.

Mr. President, arrogance and power is a dangerous brew. We must resist the temptation to drink this hemlock that is offered to us as the nectar of the gods or, at least, of the all knowing.

Mr. President, I suggest the absence of a quorum.

Mr. SIMON. Mr. President, will the Senator from Maine withhold the request?

Mr. COHEN. I will withdraw the request.

The PRESIDING OFFICER (Mr. EXON). The Senator from Illinois.

Mr. SIMON. Mr. President, I shall speak briefly.

I oppose the amendment offered by the Senator from Oklahoma, and I favor the sense of Congress that will be offered by Senator NUNN.

We have to ask ourselves the very fundamental question: What if other countries do the same thing we do in passing the Nickles amendment and say we will not permit people from other countries to be in charge of our Armed Forces? You cannot pass this and assume no other country is going to do it. If we did that and if other countries did the same, we would have chaos wherever the United Nations takes responsibility.

What we are saying—because we do not want other countries to do the same thing—is that we want to follow one rule in these combat situations, we want all of you to follow another rule. That just is unworkable. So, I hope we will do the right thing, the rational thing, and reject the amendment of Senator NICKLES, well motivated as it is.

If you ask the same question of the proposal that will be made by Senator NUNN, what if other countries do this, have the same sense of their parliamentary body, and follow the procedures that are outlined here, would that cause chaos? And the answer is no. That is workable.

What the sense-of-Congress resolution says is let us be careful, let us be cautious as we move ahead.

So I rise in opposition to the Nickles amendment. I rise in support of the amendment, the sense of Congress, that will be offered by Senator NUNN.

Mr. President, if no one else seeks the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERREY. Mr. President, I rise to discuss the amendment offered by the distinguished Senator from Oklahoma.

I must say that earlier I had intended to come and speak in support of the Senator's amendment. However, having listened to the distinguished senior Senator from Nebraska, the current occupant of the chair, and the chairman of the Armed Services Committee discuss the preferred course of hearings and a more reasoned approach, as well as a resolution indicating that we need to do things differently, I now think it would be unwise for us to amend the appropriation bill in this fashion.

Mr. President, I believe, as I know the distinguished occupant of the chair does because I have heard him speak of it, that this amendment does raise legitimate concerns about placing U.S. Armed Forces under foreign command in U.N. combat operations. The question, it seems to me—and it is a difficult one for us to answer—is how do we make these multinational forces work? How do we take a multilateral force that we have in the United Nations and make it work?

Obviously, or it seems to me that it is obvious, the United States cannot be the world's policeman. We cannot move in a unilateral fashion every single time we see even our own interests at risk. It seems to be clear to the majority here that we are going to increasingly be using the U.N. forces to carry out these kinds of operations. Thus, I believe that the questions raised by the Senator from Oklahoma are legitimate questions that need to be addressed.

Mr. President, there have been many other speakers who have come here and talked about United States forces having served in the past under foreign commanders in Europe in World War I. One of the largest armies we ever deployed was under the strategic direction of Marshal Foch of France. During World War II, U.S. units were occasionally detailed to serve under British commanders. And we are all familiar with the more recent example of NATO. Although that is a peacetime example, our ground forces in Europe served for many years, and still today serve under a German four-star general.

But the authors of this amendment properly point out that the U.N. operations are different. And I would add that U.S. forces are different, as well. That is why I support the conclusion of this amendment which is that U.S. forces should be deployed only under a U.S. chain of command.

Now, the distinguished Senator from Nebraska and the distinguished Senator from Georgia have pointed out repeatedly that that was the case and is the case in Somalia; that, in fact, there is a United States chain of command in that particular operation.

We have been distracted, unfortunately, by a debate that centers on what is going on in Somalia, and far too often the conclusions that have been reached have been based on inaccurate assumptions.

U.S. combat forces are different. And I think it is very important for us to begin with that analysis. I have heard many people come down and say, "Well, other forces are just like us." It is not true, Mr. President. They are not just like us. We are the only superpower left on Earth. Perhaps we wish that that burden fell upon someone else. Perhaps we wish it would fall to someone else. But it falls to us, Mr. President. We are the only superpower on Earth and, thus, the very presence of our forces raises the ante of any U.N. operation.

Our forces transform the operation into a duel with a superpower. As in Somalia, the local thugs seek to prove their machismo by attacking the superpower's soldiers, the soldiers and marines with the unexcelled global reputation. Tension rises wherever we deploy. Sometimes the U.N. may want to risk that rising tension and ask for U.S. troops anyway because they need our skills. And our President may decide that our interests in the success of the mission requires the commitment of our forces.

But everyone should know and understand going in, that the price of U.S. combat unit participation is a U.S. chain of command. I do not think that very many foreign professional soldiers would object to this. They know how good our commanders are.

As to an international army, our soldiers, the soldiers of the superpower, do not belong in it. Again, because of our power and size and military capability, we are just not another member country of the United Nations when it comes to participation in these operations. It is simply not accurate to come to the floor and say, "Well, what about the feelings of soldiers in Malaysia or the Army of Pakistan?

Yes, we ought to be just as concerned for those soldiers. And it was a mistake on the 5th of June, when 24 Pakistanis were killed, for us to say, "Well, that is not that big of a problem." We should have regarded them as casualties of a multilateral operation that we were participating in. We should have regarded them as our own, Mr. President. As a consequence of not doing that, we took our eye, clearly took our eye, off the ball.

Sometimes the requirements of foreign command can be just plain silly. In Macedonia, for example, we have contributed a unit of the Army's Berlin Brigade, which is one of the top units of our Army, and we have contributed that unit to the peacekeeping force. But the commander of that unit is a foreign officer. He may be very knowledgeable and I assume he is very competent and skilled, but I doubt that he is equal to his American subordinates in either combat experience or knowledge. Nonetheless, this particular officer is an example of the sort of situation we can get in.

Reportedly, he directed that our troops stack their arms and receive extensive retraining before they could take up their post.

Mr. President, I find that objectionable, an example of why it is important for us to assess and make it clear that, if U.S. troops are going to be involved in combat operations, there indeed needs to be a U.S. chain of command.

But after we set conditions and say what we will not do, we should also say what we will do, because we have unique capabilities that can make U.N. operations more successful.

The United Nations does not blow it everywhere. I have heard lots of criticism of the peacekeeping efforts. I think it is terribly important at this particular time not to lose confidence in our capacity, with these efforts, to do good. We had tremendous success in El Salvador. A tremendous success as well in Cambodia. Indeed, the Cambodia operation serves as a good example of how to do it. There, in Cambodia, peacekeepers also came under attack and were killed under the forces of Pol Pot, the Khmer Rouge. But instead of going to the Security Council, insisting on a resolution giving the U.N. Forces the authority to go after Pol Pot, U.N. Forces kept their cool and we did not get any such direction, which obviously would have been foolish. Obviously, it would have resulted in the United States being drawn, and the U.N. Forces being drawn, into a worsening conflict. Thus we ended up with a successful election.

Furthermore, in Cambodia we can see the value of saying, "At this time certain we leave." It is one of the things we did not do when the Bush administration made the decision to go to Somalia. They were constantly asked, "When are our troops coming home?" The answer was always, "We think it is only going to be a month or 2 months or 3 months. We think they will be out of there relatively quickly."

It does not work for us to send a U.N. peacekeeping operation in without a solid political agreement going in and without some sense of when those soldiers are going to be able to come out.

I think we can help a great deal with U.N. peacekeeping operations. We have some unique strengths that can, in fact, strengthen this operation. We have unparalleled military airlift, for example, and our intelligence and data transmission are the world's best, as is our military medicine and our military engineering. No one can touch us as logisticians. With all these talents we should be helping the United Nations get its act together at its headquarters in New York and in specific peacekeeping operations.

We can also train foreign forces who have volunteered for U.N. operations. We can even help equip them out of our excess, or by loan. For example, in the Cambodia operation, Bangladesh contributed an engineering unit to help clear mines. But I understand they arrived in Cambodia ill-equipped and in need of some training. In another case we could have given that unit some refresher training at the Engineer Center at Fort Leonard Wood, MO, and then loaned them the equipment they trained with for use in Cambodia.

It is that kind of innovative approach we should be taking to increase the likelihood of success for United Nations operations, because we have a powerful interest in the world's finding a way to manage regional crises without calling for U.S. combat troops.

So I believe the amendment offered by the distinguished Senator from Oklahoma and the distinguished Senator from Mississippi has allowed us, in fact, to focus on the very important question of how do we make these U.N. peacekeeping operations work? And not only to try to learn from our failures, but to be guided as well by our successes.

I do not think the people of the United States of America ought to look to Somalia and be say, "this is a failure." I believe the soldiers, sailors, and marines who participated in this operation can take pride in the fact that they have saved lives, that they have engineered the possibility of peace in Somalia.

But, we here in America clearly took our eye off the ball. We here in America were distracted at a time when our forces were at risk. As a consequence, we suffered this great tragedy two Sundays ago, that was the largest combat loss since Vietnam.

I would also say an awful lot of people have wept and come to speak very movingly about the loss of life—18 soldiers killed, 75 wounded out of a force of 100. But I think Americans also need to hear how brave this 100-man Ranger company was. I have heard it said by people who know, that you will never find a braver unit; you will never find a unit that did more in the face of great adversity; you will never find a unit that faced that kind of adversity and survived the way this Ranger company did.

So, in addition to grief, in addition to anger that we took our eye off the ball and put them at risk, the people of the United States of America should feel real pride. This was one of our best fighting forces that went to Mogadishu and, in spite of overwhelming odds, acquitted themselves above and beyond the call of duty. I think it is terribly important for us not to simply wallow around trying to figure out who is and who is not at fault. There are far too many important things at stake for us to do that.

I believe, as I said, that the questions raised and the concerns raised by the distinguished Senators from Oklahoma and Mississippi are legitimate. I intend to support the efforts of the distinguished Senator from Georgia, the chairman of the Armed Services Committee, to come to the Senate with a resolution in the alternative because I think it is a much more appropriate action at this time.

I yield the floor.

The PRESIDING OFFICER (Mrs. FEINSTEIN). The Senator from North Dakota.

Mr. PRESSLER. Madam President, what we are debating here is not really the constitutionality. It is not really arguing the fine points of war powers. Rather, what is happening in this Chamber is a manifestation of the feeling that the Nation's foreign policy is a mess, it's formulation has fallen into a state of disarray.

There is a distinct feeling that there is no coherent or defined foreign policy, nor that what the administration does have is properly staffed. There is a feeling that our military is not being listened to. There is a feeling that a we/they mentality exists in the Pentagon, between the civilians and the military. There is a feeling that no one knows who is reporting to whom at the top levels of our State Department.

This morning in the Foreign Relations Committee, I asked a series of questions about the formulation of our foreign policy under this administration and how the decisionmaking process works. I received very vague answers about a deputies meeting, that is a meeting at the Deputy Under Secretary level, of the CIA, State, Joint Chiefs, Defense, and National Security Council. These deputies report to a so-called principals committee. But no one knew if this principals committee had actually met on Somalia before it became controversial. The principals are supposedly at the Cabinet level, and no one knows for sure who reports the principals' decisions to the President.

Thus, we find ourselves in a position where we do not have a coherent, defined foreign policy, and the Congress has lost confidence in the decisionmaking process, knowing that decisions are not properly staffed through.

We have an elaborate group of agencies that work for the President of the United States and provide him with advice. I have mentioned a few of them. But there is a process, an organizational process, that has to be followed between the State Department, the CIA, the Defense Department, the Joint Chiefs of Staff, the National Security Council, and others. That process seems to have broken down in the administration's assessment of Somalia and Haiti.

What is taking place in the Senate tonight is not so much a vote on this amendment or that amendment, but, rather, it is a manifestation, it is a cry for definition in our foreign policy process, the administration's decisionmaking process. We need coherent, well-defined foreign policy where decisions are properly staffed through a distinct chain of command.

As has already been pointed out, some mistakes have been made in Somalia. The top Pentagon civilians have said, "Well, we are learning from these mistakes." But the military already knew and already had lived through these same types of mistakes before, and had corrected them. Indeed, I served as a lieutenant a long time ago in the Army in Vietnam. Some of those lessons were learned by the military then, and at a cost. But the military was not listened to this time. Their advice should not necessarily always be taken, that is why we have civilian control of the military in America. But there is no evidence, in these so-called deputies meetings and principals' meetings that were held to formulate such policy, that the military was consulted or that their advice was even considered.

Let us take, for example, our support for former President Aristide. Our Government seems to have unquestionable support for President Aristide. On the surface of it, he was democratically elected. But we have read in the newspapers that he has great mental problems, that he is not a democrat—with a small d, and that he too encouraged murder, mayhem, and necklacing during his presidency. As soon as he came to power he went to the courthouse steps and incited mobs to riot in order to threaten a judge who, as a consequence of the violent mob outside, imposed a life sentence upon a man who was only supposed to get 15 years.

He led other mobs against his political opponents urging they practice necklacing, that is when a tire is put around the neck of the victim, filled with gasoline and lit. He had a terrible human rights record by our own State Department's human rights reports. This is not a democrat. This is not a democracy. Yet we are blindly supporting President Aristide.

Has that decision been properly staffed through the agencies? Has there been a coherent set of meetings leading to a recommendation to the President of the United States? No. There has not. They cannot point to any such meetings. The way the foreign policy and military policy of this country is supposed to be formulated is through a series of meetings at the Deputy Secretary of State level, Deputy Secretary of Defense, the Deputy Director of the CIA, and the Deputy National Security Advisor.

They then make their recommendation to the principal's meeting—the Secretary of State, Secretary of Defense, and so forth. Were such meetings actually held? No, they were not. If they were, nobody has a record.

It appears to be a helter-skelter thing where somebody in Defense has an idea and calls the President and someone in CIA has an idea—and I might say, the CIA is better run administratively and organizationally under Director Woolsey than the other agencies. People knowledgeable about foreign policy in both parties are very concerned.

Tonight, we are not really debating the Nickles amendment, or the Nunn-Warner amendment. In the Senate, there is a strong manifestation that our foreign policy is a mess, that the formulation of it is a mess, that the various meetings supposed to be held between the various agencies are not taking place. There needs to be some serious attention given to public administration by the President and his top people in order to decide how these decisions are to be made.

Madam President, in conclusion, let me say that we in Congress may also be responsible. Some of us have been trying to get the Secretary of State and the Secretary of Defense to testify before the Foreign Relations Committee. They have said that they want to wait. We have not had that type of top level testimony from this administration, and the majority party in the Senate has not seen fit to join us in trying to force them to testify. That is bad for the country because we are supposed to be doing our part here in the Senate, we have a responsibility to the American people, but if we cannot receive testimony from the Secretary of State, the Secretary of Defense, and others, we cannot know how foreign policy is being formulated. We are flying blind.

In conclusion, the Congress and the President need to get their act together in terms of the staffing and the organization of this decisionmaking process so the American people can be confident that our decisionmaking in foreign policy is not helter-skelter.

The reason the Senate is here tonight, the reason we have the Nickles amendment, the Nunn-Warner amendment, and this debate on constitutionality, really is not to address the finer points of law, it is a manifestation of our discontent. This is the only way this body has to express its dissatisfaction and cry out for improvement in the way we formulate our foreign policy.

Many of the points I have made were recently touched upon in an article found in the Economist. I ask unanimous consent that these remarks be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Economist, Oct. 16, 1993]

FOGGY BOTTOM FUMBLING—WHY BILL CLINTON NEEDS TO OVERHAUL HIS FOREIGN-POLICY TEAM

"We want to keep it a little vague," said a senior administration official; "we want to keep him off balance." He meant policy towards General Muhammed Farrah Aideed in Somalia; but he might as well have been talking about American policy towards everyone, enemy and friend alike. Faced (see page 45) with treat or-heat confusion in Somalia, a dizzying set of u-turns on Bosnia, foot-shuffling over North Korea's nuclear plans and a mission to restore democracy in Haiti that is blocked before it reaches dock, America's allies are entitled to feel anxious. If America cannot get a grip on the world's impending disasters, nobody can.

Americans themselves are just as worried. Congressmen are furious; they cannot work out what the administration wants, or what it thinks it is up to. Even the man in the street, his head jerked up from Michael Jordan's basketball career to see. American bodies being dragged through Mogadishu, is beginning to ask whether Bill Clinton's team could do better.

It could. To make America's top foreign-policy people the scapegoats for a single horror would be unfair; but a pattern of incompetence suggests that the problem is more serious. Attempts to "evolve" a foreign policy have been frequent; but they stay on a plan so lofty and unspecific that the bad old world soon makes a nonsense of them. This need not happen. The mess the world is in, though considerable, is not so awful that it could not be improved by sharpness and consistency. The international scene has often been a shambles but the great powers have managed to make sense of it through the analysis, and the voices, of strong men. If the world's greatest power is found habitually mumbling behind its sleeve, it is not good enough to blame the chaotic state of the maps. It is time to ask whether the men in charge are up to their jobs.

As it turns out, resolve and strong voices are not to be found in the offices in Washington where foreign policy is made, or should be made. Bill Clinton himself, who has begun to show encouraging signs of punctuality, commitment and "prioritising" in domestic policy, still seems to regard foreign affairs with as much pleasure as a skier regards an avalanche. Scrambling, panting and clarifying, he deals with the world when it hits him. And his advisers do not help. At the National Security Council, Anthony Lake is a quiet, unforceful soul to whom the brutal ways of the world seem to come as a surprise. At the Pentagon, Les Aspin, jovial and intelligent, looks more suited to the back-slapping anterooms of Congress than to the serious and rather solitary role of secretary of defense.

It is Mr. Aspin who is taking the flak for Somalia, where he refused to send in armoured reinforcements to protect American troops. Yet he is not the weakest link in Mr. Clinton's trio of foreign-policy advisers. That title belongs to Warren Christopher, the secretary of state. Mr. Christopher has brought to foreign policy all the instincts, for good and bad, of the corporate lawyer he used to be. He is discreet to the point of invisibility; non-committal, cautious; wedded to dogged negotiation and to keeping open the option of changing his mind whenever it suits his client. His performance in the Middle East peace talks was typical; laudable in its perseverance, but overtaken in the end by the forcefulness of the clever Norwegian who brought the two parties to a handshake. Mr. Christopher likes to proceed by consensus, but as he showed on Bosnia, consensus of a crippling sort; America asks its allies their opinions first, and tries to make up its own mind later.

In this grey-tinted world, any sense of America's world role, or even of its policy case by case, seems hard to discern. Flashes of resolution are soon blacked out, or obscured with conditions and deadlines. This tactic of caution is less diplomatic than political. Mr. Christopher understands that part of his job is to protect his President back at home; he must not get him into traps abroad. That is fair enough; Jim Baker did the same for George Bush. But Mr. Baker and Mr. Bush also shared a genuine enthusiasm for foreign affairs which could, if necessary, override concern for polls at home. In Mr. Christopher's and Mr. Clinton's case, the dull discretion of the courtier feeds the disinterest of his prince. Domestic "political viability" is the chief indicator the two men seem to be watching.

WANTED: CONVICTION

America cannot change its president for another three years. But that president, if he cared to, could change his team. It is not too late to bring in a genuine enthusiast for foreign policy and one who understands, in the most hard-headed way, how the world works. The ideal candidate would be prepared to work out and articulate, not occasionally but regularly and forcefully, how America's principles apply to a given problem, where its interests in the matter lie, and how far it will go to defend them. He (or she) would also know who, or what, America's enemies are and how they should be countered. Some all-purpose set of principles would provide an important rudder; but even if the issues were taken case by case, a strong and unwavering voice on each would be an improvement.

That voice need not belong to a paid-up Democrat. Foreign policy no longer divides Americans in partisan ways; it tends to unite them either in sulky fretfulness, as on Bosnia, or, as on Somalia, in outrage. Mr. Clinton might do well to recruit an independent or even a Republican to help him. If he cannot bring himself to have a secretary of state who is a power in his own right—a Dean Acheson or a Henry Kissinger—he could still benefit from someone unreservedly outspoken and forceful, along the lines of a George Shultz, giving him his ten-minute briefing every day. Who knows: he might even find the outside world interesting and, in every sense, engaging. Applications, please.

Mr. PRESSLER. Madam President, I yield the floor.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Madam President, I ask unanimous consent that the Nickles amendment No. 1051 and the committee amendments be temporarily laid aside and that Senator NUNN be recognized to offer an amendment in his behalf and that of Senator WARNER relating to U.S. forces; that there be a total time limitation of 40 minutes for debate on the Nunn-Warner and the Nickles amendments, with the time running concurrently; that the time be equally divided and controlled between Senators NUNN and NICKLES, or their designee; that no intervening amendments or motions be in order prior to disposition of these amendments; that when the time is used or yielded back, without intervening action or debate, the Senate proceed to vote on the Nickles amendment, to be immediately followed, without intervening action or debate, by a vote on the Nunn-Warner amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Madam President, Senators, therefore, should be on notice that two votes will occur this evening, if all time is used and not yield back, at approximately 7:45. If any time is yielded back, the vote will occur, of course, prior to 7:45, to the extent that time is yielded back.

Madam President, I thank my colleagues for their cooperation. This agreement is the result of discussions of several Senators over some period of time. I now yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

AMENDMENT NO. 1069

Mr. NUNN. Madam President, I will just take a few moments to explain the sense-of-the-Congress resolution Senator WARNER and I will be propounding and, as the unanimous-consent agreement has set forth, we will be asking our colleagues to vote on this whether or not the Nickles amendment is defeated. I will certainly urge that that amendment be defeated.

We have had considerable debate on that amendment over the last couple of days. I made my views known this afternoon in a rather lengthy dialog and debate with the Senator from Oklahoma. I commend the Senator from Oklahoma and the Senator from Mississippi for bringing this matter to the attention of the Senate, but I do believe that there is a much better choice than having to choose between the United Nations, which is now not really effective in conducting what we call peacemaking operations, on the one hand, and, on the other hand, saying the Congress of the United States is going to be involved in micro- managing the assignment of military personnel under command operations, which has historically been an operational decision of the Commander in Chief and his advisers. So I think there is a third and better way, and I will take just a moment to explain what the Nunn-Warner resolution would do.

First, Madam President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for himself and Mr. WARNER, proposes an amendment numbered 1069.

Mr. NUNN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following:

SENSE OF THE CONGRESS REGARDING OPERATIONAL CONTROL OF UNITED STATES ARMED FORCES

SEC. 9001. Congress makes the following findings:

(1) The Armed Forces of the United States have conducted combat operations under the operational control of foreign commanders on numerous occasions, including during two World Wars.

(2) Regional security organizations, such as the North Atlantic Treaty Organization, are premised on military operations by the forces of a number of nations under an integrated chain of command consisting of officers from member nations.

(3) The end of the Cold War has seen a substantial increase in the conduct of international "peacekeeping" and "peace enforcement" operations pursuant to decisions of the United Nations Security Council under Chapters VI and VII of the United Nations Charter.

(4) The United Nations has conducted traditional "peacekeeping" operations successfully over the years, but the number and size of such operations has stretched the Organization's management and oversight capabilities thin.

(5) The United Nations has not yet acquired the expertise or infrastructure to enable it to effectively manage "peace enforcement" operations.

(6) Any special agreement negotiated by the President with the United Nations Security Council to make units of the United States Armed Forces available on call to the United Nations must be approved by the Congress pursuant to the United Nations Participation Act, enacted into law in 1945.

(7) Any decision by the President to place combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act, has significant consequences for such forces, the Congress, and the American people.

SEC. 9002. It is the Sense of the Congress that—

(1) the Armed Forces of the United States must be under the operational control of qualified commanders; and must have clear and effective command and control arrangements; appropriate rules of engagement; and clear and unambiguous mission statements;

(2) the President should consult with Congress before placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act; and

(3) the President should submit a report to Congress within 48 hours after placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act, setting forth—

(A) the mission of such forces and a clear explanation of the difference, if any, between the mission of such forces and the mission of the forces of other nations participating in the same military operations;

(B) in a case in which the operation is conducted under the auspices of the United Nations, an assessment of the United Nations capability to effectively manage the operation;

(C) an explanation of the United States interest that would be served by and the justification for placing such forces under the operational control of a foreign commander in this instance;

(D) the command and control arrangements for the operation of which the forces of the Armed Forces of the United States are a part;

(E) the number, type and general description of equipment of such forces;

(F) the estimated cost to the United States of the participation of such forces;

(G) the anticipated duration of the participation of such forces;

(H) a general description of the rules of engagement for such forces; and

(I) the foreign commander or commanders involved.

Mr. NUNN. Madam President, the Congress will make the following findings under the Nunn-Warner resolution: First, the Armed Forces of the United States have conducted combat operations under the operational control of foreign commanders on numerous occasions, including two World Wars.

Second, we cite the experience we have had in the North Atlantic Treaty Organization.

Third, we cite the end of the cold war which has seen an increase in both peacekeeping and peace enforcement operations pursuant to chapters VI and VII of the United Nations Charter.

Fourth, we state clearly that the United Nations has, over the years, conducted peacekeeping operations very successfully, but the number and size of such operations has stretched the organization's management and oversight capabilities very thin.

Then we cite, which I think is unfortunate, the fact that the United Nations has not yet acquired the expertise or infrastructure to enable it to effectively manage peace enforcement operations.

Then we go forth, Madam President, in this resolution to express the sense of the Congress that any decision by the United States to place combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements that are already in effect at the enactment of this act, has significant consequence for such forces, for the Congress, and for the American people.

We set forth the sense of the Congress that the Armed Forces of the United States must be under the operational control of qualified commanders, must have clear and effective command and control arrangements, appropriate rules of engagement, and clear and unambiguous mission statements.

Then we say clearly the President should consult with the Congress before placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, again other than the existing arrangements that are already in effect with the North Atlantic Treaty Organization and other similar arrangements.

We go on to say the President should submit a report to the Congress within 48 hours after placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, again other than existing arrangements and existing alliances.

Madam President, we make it plain by the report that the President would have to file that these are the things we expect the Commander in Chief to focus on:

We expect him to focus on the mission of such forces with a clear explanation of the difference, if any, between the mission of the U.S. forces and the mission of the other nations' forces.

We expect him to focus on, in the case of United Nations involvement, an assessment of the United Nations capability to effectively manage the operation.

We expect the Commander in Chief to focus on and to report to the Congress an explanation of the United States interests that would be served by, and the jurisdiction for placing such forces under the operational control of a foreign commander.

And we expect him to, most importantly, tell us and to focus on himself, before making this commitment, the command and control arrangements for the operation of which the Armed Forces of the United States are a part.

Madam President, on that part, even though we do not spell it out, implicit in that is we want an examination of the qualifications of the military commanders. That is something that the Joint Chiefs must advise the President on. It is a detailed but crucial Executive deliberation that we expect to occur.

We also would want to know other details, but that is something the Commander in Chief and his advisers need to focus on. It is not something the Congress of the United States can effectively manage. That is the difference between this and the Nickles amendment.

Then we also ask for the number, type, and general description of this equipment of such forces in such operations; the cost to the United States; the anticipated duration of the participation of such forces; as well as a description of the rules of engagement, and certainly the commanders that are involved.

Madam President, this is a description of the Nunn-Warner resolution. I will address further the reason this is preferable to the Nickles amendment at a later point, but I would first yield to the Senator from Maryland 3 minutes, and then I wish to yield certainly all the time the Senator from Virginia, who is a cosponsor of this resolution, would need.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 3 minutes.

Ms. MIKULSKI. I thank the Senator from Georgia for yielding me 3 minutes.

Madam President, I rise in support of the Nunn-Warner resolution. In doing so, I first wish to pay my respects and express my appreciation to all of the troops serving under the United Nations flag in Somalia, a particular thanks to the Pakistani and Malaysian troops who gallantly and forcefully led an effort to come to the aid of the American Rangers who were under siege for 9 hours, and my real sympathy to the Pakistani people for the number of men who serve under the United Nations flag from their nation who have suffered great loss.

Madam President, know that I also support the principle of burdensharing, not only of money but also burdensharing of risk and danger. We need an approach for peacekeeping that does share the risk financially and risk of danger in this new world order, yet know I was drawn to the Nickles amendment.

The reason the Nickles amendment had such magnetism for me is because I do not feel we have had a clearly enunciated policy on the issue of peacekeeping. We have lacked clarity. We have lacked consistency. We have lacked firm criteria for our involvement in peacekeeping, the deployment of combat military, and under whose command American forces would serve. We need that; the American people need that and the American military needs that.

The American troops, the wonderful men and women of the United States military, signed up to fight and die for the United States of America. They did not sign up to fight and die for the United Nations. But they will fight, they will serve if they have a commander that they trust and believe in, a Commander in Chief who has given a clear policy as to why they need to be where they are called to duty, and a Congress that supports the Commander in Chief and supports those troops in the field.

I believe the Nickles amendment went too far. Its reach, by cutting off all funds should American troops serve under a foreign commander, went too far. And I believe also his rush to offer an amendment confused operational control with tactical control.

This amendment had serious questions from the joint chiefs and other military experts. The Nunn sense-of-the-Senate amendment, I believe, strikes the right balance. It expresses a sense of the Senate regarding operational control, and the criteria in the resolution has my support.

I believe the wake-up call Congress is sounding around peacekeeping will be best served by voting for the Nunn sense-of-the-Senate resolution.

I yield the floor.

Mr. NUNN. I thank the Senator from Maryland.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Georgia.

Mr. NUNN. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 11 minutes 39 seconds.

Mr. NUNN. Madam President, I yield 5 minutes to the Senator from Virginia, the cosponsor, and thank him for his stalwart support of this resolution.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, I thank the distinguished chairman of the Armed Services Committee, and I also express my special appreciation to the Senator from Oklahoma [Mr. NICKLES] and Senator COCHRAN, because they have patiently espoused their views for 2 days, and their views are not far removed from the thrust of this amendment.

Their views are held by, in my judgment, many Members of this body. We commend them for bringing this to a vote at this time.

Where I depart—and for 2 days I have entered into colloquies with my good friend from Oklahoma—where I depart is the micromanaging of the chain of command and the raising of an inference that foreign commanders are not professionally qualified to exercise operational control or tactical control of our Armed Forces. Therefore, I encourage Senators to look very carefully at the Nunn-Warner amendment, which is in the nature of a substitute for the Nickles-Cochran amendment.

We are going to have a series of amendments proposed dealing with similar issues. I have worked with the distinguished Republican leader on an amendment on Haiti and an amendment on Bosnia. I view the constitutional responsibility of the President very clearly, to order the Armed Forces into those areas of the world where, in his judgment, this Nation has a security interest and where, in his judgment, our Armed Forces could make a difference, a difference which would be in our national security interests.

Also, it is very clear that the Congress, the Senate has the constitutional power to stop, at any time, that Presidential decision through our power over the purse.

But, Madam President, there has to be a middle ground where there are shared powers, shared powers not specifically given to only one branch of our government but shared by the executive and legislative branches for the common good for this Nation. We must find a way to speak with one voice, the President and the Congress, in these situations.

That is what I view these amendments as trying to do, establish that ground where there is shared power and how this Nation can speak with one voice, especially when that voice means the difference between life and death for the men and women of our Armed Forces.

This amendment, which of course is a sense-of-the-Congress, provides that the President should consult with Congress before placing combat forces of the Armed Forces under the operational control of foreign commanders. I repeat, that is operational control. At no time under this amendment, or any amendment, or any piece of legislation should we indicate to the President that he has the right to give up the command—command as distinguished from operational tactical control—of the U.S. Armed Forces. Command of the U.S. Armed Forces can never be given to an officer who is not subject to the command of our President, that is, a foreign officer, because to do so would in effect remove those forces from the command of the President of the United States, the constitutional officer who has, and who must maintain, the authority as Commander in Chief, command over our troops at all times. But this amendment simply says that he should consult with the Congress if he proposes to assign our forces to the operational control of a foreign officer.

But the operative words in my judgment are "before placing combat forces of the Armed Forces of the United States under the operational control of a foreign commander." And likewise he should submit a report to the Congress within 48 hours after placing combat forces under foreign command, a very timely period given those circumstances.

Do I understand from the Presiding Officer that the time has expired?

The PRESIDING OFFICER. The Senator has 25 seconds remaining.

Mr. WARNER. I just simply conclude that this amendment, in my judgment, reaches in and tries to establish an approach in an area of shared powers of the Congress and executive branch, so we can speak with one voice when the men and women of the Armed Forces, their lives and their safety are at risk.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. NUNN. Madam President, I do not want to take all the time on this side. If the Senator from Oklahoma desires to be heard, I do want to yield 3 minutes to the Senator from Rhode Island. If it is all right with the Senator from Oklahoma, I will be glad to do that.

I yield 3 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 3 minutes.

Mr. PELL. I thank the Senator from Georgia.

Mr. President, I rise to speak to the Nunn-Warner amendment restricting the use of U.S. Armed Forces in United Nations peacekeeping operations. I agree with the sponsoring Senators of the Nickles-Cochran amendment that the U.S. Congress has a responsibility to ask questions and be satisfied with the replies it receives from our President.

However, I believe now—when passions are enflamed by tradegy in Somalia or the hatred in Haiti—is not the time to attempt to limit the President's constitutional rights as Commander in Chief.

May I add that the United States has a long history of attaching U.S. military forces to units under foreign command. We did it in 1900 in connection with the Boxer Rebellion, in World War I, in World War II, in NATO since 1950, and during Desert Storm in 1991. And not once did the Congress demand to second guess the decisions of the Presidents that made those decisions.

Mr. President, during World War II, I served in the U.S. Coast Guard on convoy duty in the North Atlantic. Such convoys were often under British or

Canadian commodores. At that early stage in my career, the nationality of our commodore was a matter of interest only to those well above my pay grade.

Later, on duty with the allied military government in Italy, we often served interchangeably with and under British officers. It worked just fine, as it should in a truly effective military alliance.

The question should not be framed in terms of the nationality of a commander or of the organizational framework in which U.S. forces are operating but rather the competence of the commander and the soundness of the overall mission to which a U.S. President contemplates assigning U.S. forces. In this connection, it is bizarre that the Nickles-Cochran amendment would permit United States forces to serve under a British general in a NATO context, but would prohibit such service under that same general in a U.N. operation. That does not make sense.

Moreover, implicit in this amendment is an assumption that it will never be possible for the United Nations to get its act together on peacekeeping. I do not accept that. There are deficiencies in the United Nation's current organization for peacekeeping, and the Clinton administration is playing a leading role in correcting those deficiencies, which, I might add, have only become apparent as demands for peacekeeping operations have overwhelmed the United Nations. I would agree, that under current circumstances, we should be very wary about placing U.S. forces under foreign command in a U.N. operation, but that should not mean that it could never even be contemplated as would be the case under the Nickles-Cochran amendment.

It appears that this amendment arose as a result of the disastrous operation mounted by U.S. forces on October 3 in Mogadishu to capture leaders of Aideed's militia. Yet, because that operation was a totally U.S. decision and was carried out by U.S. commanders, the Nickles-Cochran amendment would not have applied if it had been in effect prior to October 3. Contrary to some public perceptions, United States combat forces in Somalia are not under U.N. command, they are under United States command.

Second, the sponsors of this amendment have expressed concern about the possibility of the creation of a standing U.N. military force, including U.S. units, that could be dispatched at a moment's notice by the U.N. Secretary General to put out fires anyplace in the world without U.S. approval. That is an unfounded concern.

It is true that under article 43 of the U.N. Charter, it is contemplated that U.N. members should make available armed forces to the U.N. Security Council. But these forces would be made available only in accordance with a special agreement that would be subject to ratification by the States providing forces. Thus, there will be a role for the Senate in shaping the terms and conditions for the command and control of U.S. forces. In addition, as a permanent member of the U.N. Security Council, the United States can veto any peacekeeping operation involving U.S. forces which the President considers inappropriate. So I believe that there would be sufficient safeguards associated with U.S. participation in a standing U.N. force. But it is clear that a lot of work must be done on U.N. peacekeeping arrangements before we are ready to contemplate the creation of a standing force under article 43.

It is ironic that this amendment comes from the other side of the aisle. During the 12 years of Republican control of the White House, Members on the other side of the aisle stoutly opposed congressional micromanagement and defended the President's prerogatives as Commander in Chief. Yet, here we have a Republican amendment that would tell the President in an unprecedented manner that he could not deploy U.S. forces under certain conditions, even if the President, acting on professional military advice, believes that those conditions are optional for the furtherance of U.S. national interests. That simply does not make any sense and reflects an unhealthy distrust of this President's, or any future President's, capacity to make sound military decisions.

Before taking an action which would unduly constrain the President, I believe it is our responsibility to consider fully the implications of that action. Hearings should be held, legislation thoughtfully considered and fully debated before we attempt any step that might be construed as unwisely limiting the President's exercise of his constitutional authority. In addition, when the President is in the midst of evaluating our policy toward U.N. peacekeeping operations and is supporting reforms of the United Nations, it is again not the time to attempt to tie his hands through legislative action as this amendment would do.

Today, the Foreign Relations Committee held a hearing at which senior State and Defense Department officials testified concerning our policy toward Somalia. Tomorrow, our Ambassador to the United Nations, Madeleine Albright, will testify concerning Somalia and United Nations peacekeeping. Other hearings will follow.

The issue of the role of the President and the Congress in making war is too central to our system to be tampered with after a few brief hours of debate. I urge my colleagues to defeat the Nickles-Cochran amendment.

Mr. NUNN. Madam President, I thank the Senator from Rhode Island.

I reserve the remainder of my time.

Mr. NICKLES. Madam President, before the Senator from Georgia sits down, I know that one of the sections of the amendment that I offered on behalf of myself and Senator COCHRAN and others prohibited participation of the United States in the United Nations standing Armed Forces. Does his sense of the Senate also state opposition to the United States participating in the standing United Nations force?

Mr. NUNN. I would say to my friend from Oklahoma, I think he makes a very good point on that. We incorporated in this Nunn-Warner resolution a finding, a congressional finding. I will not take the Senator's time to read it, but it is No. 6 which basically recites the existing law that was passed in 1945 saying that if there is any assignment of U.S. forces by the President to a United Nations standing force, U.S. forces committed to the U.N. on a standing basis, it can only be done pursuant to the statutory requirement, legal requirement; that Congress itself approve that. So it is a provision of the law.

The Senator is entirely correct in pointing out that this has to be done with approval of Congress.

Mr. NICKLES. Madam President, I appreciate my colleague's response. I also have read the section 6 where it talks about U.N. forces available on any special agreement negotiated by the President and the U.N. Security Council, that making units of the U.S. Armed Forces available on call to the United Nations must be approved by Congress pursuant to the United Nations participation which was enacted into law in 1945. That is not nearly as strong as the language that I have that says no funds to be used to fund the United States participation in the United Nations standing army, looking for some mission to solve or some fire to put out.

I appreciate the Senator's statement that he believes that it means that they would have to come back to Congress. I am looking at the U.N. Charter, article 43, and it does state that the agreement shall be negotiated as soon as possible and with the initiative of the Security Council, they shall be concluded between the members of the Security Council and groups of members and shall be subject to ratification by the signatory states in accordance with the respective constitutional press.

That is a little less than clear. I might mention that our language is very clear. It says the United States shall not participate in a standing United Nations armed force. I like the clarity of our language, and I am pleased that my colleague from Georgia believes—I am not sure that others would take that same result.

Mr. NUNN. Madam President, will the Senator yield for 10 seconds for further clarification?

Mr. NICKLES. Yes.

Mr. NUNN. I wonder if the Senator also would take a look at section 287(d) of title 22 of the United States Code which says the President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate act or joint resolution.

That is what I was referring to. So that is I think, in addition to the paragraph that the Senator read. It makes it very clear.

Mr. NICKLES. I appreciate my colleague's comments.

Madam President, I am looking at the sense-of-the-Congress resolution proposed by my good friend from Georgia and my good friend from Virginia. I read through it. I see that it does not do much. I do not know any reason to vote against it. But I am not excited about voting for it.

It says the President should consult with Congress before placing combat forces, Armed Forces of the United States, under operational control of foreign commanders other than NATO.

That is logical.

It also says the President should submit a report to Congress within 48 hours, I might mention, which is after placing U.S. combat forces of the Armed Forces of the United States under operational control of foreign commanders; even tighter than the language that I have, but it is a should report; it is a sense of the Congress.

Most of us are aware of the fact that the sense of Congress has no legal or binding impact.

I know for some of our colleagues this is good cover. I know that they will say that they voted for this sense of the Congress and because they wanted to restrict the United States or have some limitation on the United States from participation in United Nations operations under foreign control, this amendment does not do it. This joint sense of Congress does not do it. It says the Congress needs to report, or the President needs to report to Congress, but it does not prohibit. No President of the United States going all the way back to 1945, has placed U.S. troops under the command of the United Nations, under foreign command. That has not happened. We did not do it in Korea; we did not do it in the Persian Gulf.

We had successful participation in U.N. peacekeeping operations, and those are allowed under our amendment. For some people to say that our amendment is a draconian exercise and radically undermines the United Nations, they have not read our amendment. Our amendment allows logistics, our amendment allows humanitarian, our amendment allows medical, and, it allows United States participation in peacekeeping forces.

Where our amendment draws the line is it says the United States should not participate in combat role under the auspices or control of the United Nations and in foreign command because that leaves the President of the United States out. Some people stated, well, the amendment offered by myself, Senator COCHRAN, and others undermines the President. It reasserts the President's constitutional responsibility as Commander in Chief just as it reconfirms the Congress responsibility.

If you read the Constitution and the authority granted to Congress to make and declare war, and to support the armies and the navy, that is congressional authority. That should not be delegated to the United Nations, and we should not delegate to the United Nations Secretary General command of our troops combat situations.

The United Nations Secretary General stated concerning Bosnia that he would set the targets. If there is going to be bombing, he would set the targets. The United Nations would set the targets, not the NATO commanders.

I might just mention that the nominee for NATO commander, General Joulwan, mentioned for military matters I think the United Nations can make the political decisions and has the political authority. But for the operational part of it, the military part of it, that needs to be under a very clear chain of command, and that should be NATO.

I agree with the general's statement.

Under my amendment, we allow for NATO operations. We allow for joint operation operations. We allow for bilateral operations. What we would place some restriction on would be the fact of, basically, advocating responsibility and authority to the United Nations under foreign command, leaving U.S. forces and commanders out of the chain of command. I think that would be a serious mistake.

I ask unanimous consent that the Senator from Mississippi be delegated control of time on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. May I inquire how much time remains for the proponents?

The PRESIDING OFFICER. There are 12 minutes 12 seconds remaining.

Mr. COCHRAN. I yield myself such time as I may consume.

Let me just elaborate on the point, so eloquently made by the distinguished Senator from Oklahoma, that we are not just talking about the Presidential powers here and how to define those in a way that protects his responsibilities and reinforces them as the Commander in Chief of the U.S. Armed Forces. We are also acknowledging and reaffirming that Congress has a very important constitutional role. The Senator mentioned the powers enumerated in article I of the Constitution. Let me just recite a few of those to illustrate how important a role the Congress has in the view of the Framers of the Constitution:

> To declare war; to raise and support Armies; to provide and maintain a Navy; to make Rules for the Government and Regulation of the land and naval Forces; to provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrection and repel invasions; to provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States.

The point is that the Congress has a very important constitutional role and responsibility when it relates to the commitment of U.S. Armed Forces to combat and to the supervision of rules and regulations regarding our Armed Forces. And to simply say that it is going to be too much trouble, or it might be cumbersome for us to undertake to review executive decisions in this area, is wrong. It is our constitutional responsibility, and the Senate, this year, has led the way for the Congress in respect of certain rules and regulations governing the armed services, under the leadership of the distinguished chairman of the Armed Services Committee, to help ensure that the role of Congress is acknowledged and is taken into account and the views of Members of Congress are made a part of the decisionmaking process. That is all this amendment suggests. As to the Commander in Chief, before the President makes a unilateral decision to send troops of the United States to a standing army of the United Nations, he must seek and obtain congressional approval. That is what the law said back in 1945, and all this amendment says is that no funds appropriated in this bill should be used for that purpose. It is a limitation on the use of appropriated dollars in this bill for this fiscal year. It is a statement that the Congress has to be consulted, and that the Congress has a role to play in this decisionmaking process; it is a reaffirmation of legislative powers and responsibility.

It seems to me that the Senate ought to go on record as saying we agree with this amendment, we agree with the limitation on the use of these funds. I am very happy that the members of the Armed Services Committee, who are cosponsoring the alternative that will be offered, I am advised, have come to the floor and debated this issue, because it illustrates how important it is to all of us here in the Senate, not just to Appropriations Committee members, who worry about the possibility of a change in policy without proper consultation and involvement of the Congress in making these decisions. That is what we should insist upon. That is what this amendment says will be the case, and I hope the Senate will approve it.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. NUNN. Madam President, I believe we just have 4 minutes left. I would be glad to yield. Does the Senator from Mississippi want to conclude this earlier?

Mr. COCHRAN. I am happy to proceed to a vote. I do not know what the arrangements are with the leadership. The managers of the bill may wish to be heard on the subject. I know of no other Senators who have not spoken who wish to speak. We have debated this for about 3 days now, so we have said about all that could be said.

Mr. NUNN. I have been told that they prefer that we use all of the time. So somebody may have to repeat something said previously.

I yield 2 minutes to the Senator from Virginia.

Mr. WARNER. Let me pose a question to my good friend from Mississippi. We have had a colloquy on this now for some 2 days.

Let us say it is December, the Congress is home, and suddenly a call comes from the United Nations that we need some United States troops to go into a combat situation; the Congress is at home and the President says, all right, I can send them. But then the United Nations says, France, send yours and Great Britain, send yours, Pakistan, send yours, and others; and suddenly a force comes in, and there is in this amendment the power for the Congress to jerk out those forces in 30 days, assuming we would come back sometime—usually we are not here until late January. So my point is, how can a successful coalition of the United Nations be put together, possibly under the leadership of a U.S. President, with this sort of Damocles hanging over the head of the whole operation with a period of such short duration that the Congress couldn't return and assemble and vote an authorization of U.S. participation? I ask that of my good friend from Mississippi.

Mr. COCHRAN. Madam President, we have discussed all of the possible ramifications of this amendment over a 2-day period. This amendment is not a prohibition against the use of any constitutional powers that the President may have. It is a limitation on the use of funds appropriated in this bill, so that he cannot delegate to the United Nations authority over U.S. troops or assign U.S. troops to a permanent standing army of the United Nations without the authorization of the Congress. That is all the amendment does.

To ask questions about all these speculative and possible situations on the 30 days and all of the rest absolutely misses the point of the amendment and distorts the true intent of the authors of the amendment.

The PRESIDING OFFICER. The Senator from Virginia was given 2 minutes and that has expired.

Mr. NUNN. I reserve the remainder of my time.

Mr. BIDEN. Will the Senator from Mississippi, notwithstanding the fact that I oppose his amendment, be the southern gentleman he always is and yield me 2 minutes?

Mr. COCHRAN. I will yield to the Senator.

Mr. BIDEN. Madam President, I congratulate the Senator from Oklahoma and the Senator from Mississippi for raising a serious issue of principle regarding the deployment of U.S. combat forces.

For 12 years, I and others have been trying to get my Republican colleagues to recognize that the Constitution grants Congress exclusive power to authorize the use of force.

It is unfortunate that it has taken this long—but I am not one to look a gift horse in the mouth.

The amendment offered by the Senator from Oklahoma—in principle—is on the mark. Congress should be in on any decision to deploy U.S. forces in an area where they may face hostilities.

But the amendment offered by the Senator from Oklahoma is flawed in at least two respects.

First, as judges might say, the amendment is underinclusive, because it addresses only the discrete question of placing U.S. forces under U.N. command.

If the Senator from Oklahoma is indeed concerned about a congressional voice in decisions about the use of force—and I share his concern—then we ought to address such a fundamental question in a more comprehensive manner.

And that would not be with a hastily drafted, ad hoc amendment to an appropriations bill, but with a thorough review and revision of the war powers resolution.

Such a review was undertaken in 1988 in the Foreign Relations Committee, when I chaired a special subcommittee on war powers.

At that time, I drafted a bill—entitled the "Use of Force Act"—to provide a new framework for executive-legislative decisions on the use of force.

I am now reviewing that draft, and will soon introduce it in the Senate.

Second, the amendment by the Senator from Oklahoma fails—again using the lexicon of judges—insofar as it is overinclusive. That is, it sweeps far too broadly—limiting the President's power even to deploy combat forces, even in situations where hostilities may not be imminent.

Even those of us who are strong defenders of the congressional war power are not willing to circumscribe the President's powers in such a drastic manner.

So, I welcome the initiative by the Senator from Oklahoma. But I would respectfully suggest that he is going about it in the wrong way.

A thorough and comprehensive national debate is required about the most solemn decision a Nation can make—the decision to place forces in harm's way.

Congress should move promptly to consider a revision of the war powers resolution.

I thank the Senator from Mississippi for yielding me the time. I hope I was not too strenuous in my opposition, but I sincerely hope that this body gets about the business about which we have been trying to attract attention for the past 5 years. The Senators got the administration's attention now, and Republicans are focused on it as well as Democrats. We should craft a new structural framework for the use of force in this post-cold-war era. It is doable. Everybody seems ready, and I think we can get under way in doing that in committees.

The PRESIDING OFFICER. Who yields time?

The Senator from Mississippi.

Mr. COCHRAN. Madam President, let me inquire about the time.

The PRESIDING OFFICER. The time of the Senator from Mississippi is 4 minutes 44 seconds.

Mr. COCHRAN. Madam President, I thank the distinguished Senator from Delaware, who made a strong and persuasive argument.

In response further to the Senator from Virginia, who inquired about what if the time of 30 days expires and Congress has not acted on a resolution as contemplated in the Nickles-Cochran amendment, would the commanding officers of the U.S. troops be required to withdraw forces?

The answer is, no, they would not be required to withdraw forces.

The hypothetical question is another example of the confusion that has resulted in comparing this amendment with the war powers resolution. Under the war powers resolution, there is a specific responsibility of the President to withdraw forces if permission has not been granted to deploy those forces under the circumstances contemplated in the resolution within a 60-day period. Thirty additional days can be granted under some circumstances, but unless the Congress acts, the Executive has to withdraw forces.

That is not the case in this amendment. None of the constitutional powers of the President are restricted or impinged by the language of this amendment. The intent of the authors is to limit the use of the funds appropriated in this bill to deploy troops as a part of a standing army of the United Nations or to deploy troops to a United Nations command without the prior authorization of the Congress if it is a combat force and it is contemplated that military action and combat activity will be involved.

The people of the United States elect a President of the United States, and they understand that under the Constitution the President is the Commander in Chief of the armed services. They do not contemplate that U.S. armed services can be deployed to a

United Nations command where the Secretary General of the United Nations exercises the same power and is responsible for the lives and well-being of U.S. armed forces just as is the Commander in Chief of the United States.

It would be a clear disappointment and fly in the face of constitutional principles if we did not assert this fact now, since this alternative is being discussed by the administration and it is not consistent with the established policy of the United States. The policy contemplated by the administration would be inconsistent with the clear language of this amendment on the use of funds appropriated in this bill.

Madam President, I yield the time that is remaining to the distinguished Senator from Oklahoma, Senator NICKLES.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NICKLES. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute 17 seconds.

Mr. NICKLES. How much time is remaining on the other side?

The PRESIDING OFFICER. One minute eighteen seconds.

Mr. NICKLES. Madam President, one, I wish to thank the colleague from Mississippi for his leadership in this amendment as well as the other dozen or more Senators who cosponsored it.

I remember not too long ago Senator BYRD raised an amendment dealing with Somalia. He raised several concerns about the Somali operation, and his amendment was legislative language on the authorization bill.

I also remember the leadership working hard to dissuade him from offering that amendment, and ultimately he ended up with a sense-of-the-Senate resolution.

Madam President, I have regretted that we did not vote on Senator BYRD's original language. It might have saved some lives.

The language that we are offering today by myself and others is language that says we will not commit U.S. combat troops under foreign command. We should retain that command. No U.S. President has ever committed U.S. troops to the United Nations operation under foreign command. That has never happened, and for good reason—so we would maintain a chain of command, so we would maintain control, so we would maintain accountability and responsibility.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Georgia.

Mr. NUNN. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute 14 seconds.

Mr. NUNN. Madam President, this has been a good debate. I commend the Senator from Oklahoma and the Senator from Mississippi. I believe out of this is going to come a clear understanding by the executive branch of the expectations of the Congress of the United States and, I think, the expectations of the American people.

I urge defeat of the Nickles amendment because it contains a confusion between tactical and operational control and because it gets Congress into the business of micromanaging command structure.

I would have to add, I think, the administration has been given a flashing warning light as to the commitment of U.S. forces, particularly commitment of U.S. forces under foreign command.

Madam President, I hope the President and all in the executive branch will take due note of this debate.

I would like to close by relating a little history. I will not go back as far as the Senator from West Virginia to Roman times, that he knows so well.

In the battle of Yorktown, that had a lot to do with the beginning of this country, Gen. George Washington was in operational control of American troops. He was battling General Cornwallis, the British commander. The British commander was under a great siege. Washington felt Cornwallis was about to break out of that siege with cavalry. He called on a general by the name of General Rochambeau, the French commander, to help him keep Cornwallis from breaking out. George Washington assigned U.S. troops to General Rochambeau's tactical control. He assigned U.S. troops to General Rochambeau. General Cornwallis was defeated, and this country was started.

Madam President, 200 years later in the Persian Gulf war the United States assigned certain forces from the 82d Airborne under the tactical control of the French 11th Light Infantry, and their objective in that war was called Objective Rochambeau. As a matter of fact, the 14th Street Bridge here is named the Rochambeau Bridge.

So I think that little bit of history tells us about the importance of working with allies as well as the caution that has already been expressed.

Mr. President, the United Nations has undertaken many successful peacekeeping operations. The United Nations is not, however, politically, organizationally, and technically suited to conduct combat operations. Neither is the U.S. Congress. The Nickles amendment would have us choose between an understaffed, overloaded international bureaucracy and congressional micromanagement of command and control decisions. Mr. President, there has to be a better choice.

We should recognize that the United States has a long history of placing its troops under foreign command—and for good political and operational reasons. And parenthetically I might add that there have been many occasions when foreign forces have been placed under U.S. command.

Mr. President, during the past century there have been many cases of U.S. forces serving under foreign command. During the Boxer Rebellion of 1900, 2,000 American soldiers and marines served under a British, and later, a German commander. During World War I's critical last 6 months all 2,000 United States troops in France were placed under the command of French Field Marshal Ferdinand Foch. During World War II, United States forces in Italy, the Mediterranean, and the China-Burma-India theater served under British field marshals, one of whom also commanded United States ground forces during the Normandy invasion. In NATO, United States forces have for decades served routinely under German, British, and other European command. And since last year a Korean general has commanded United States forces in South Korea.

Mr. President, I recognize there is a difference between alliance commands where training and planning have been coordinated, and instances where this type of advanced work has not been done. These differences have to be taken into account before U.S. forces can be placed under any foreign commander.

During General Shalikashvili's confirmation hearing to be the Chairman of the Joint Chiefs of Staff before the Armed Services Committee last month, he addressed the issue of foreign command of U.S. troops. After declaring that the United States must work with allies and that means sometimes placing U.S. forces under foreign command, General Shalikashvili went on to say that:

> I think the issue for the United States is not so much * * * whether we should or should not have Americans serving under foreign commanders. It is rather that we should reserve the right, it seems to me, on a case-by-case basis to decide whether we should get involved in any particular operations. And one of those considerations should be just how robust the command and control arrangement is, and even who the commander is, whether we in fact consider that commander to be competent to lead our soldiers in that particular operation.

Mr. President, I believe that General Shalikashvili has got it just right. He is focused on the real issues, namely, the effectiveness of command relationships—be they United Nations, NATO, or otherwise, and the competency of a particular foreign commander to lead our soldiers in a specific operation—be that commander United Nations, NATO, or otherwise. This is a judgment for the President and his military advisors to make—not the Congress.

Members of Congress are justly concerned about this issue because of recent events in Somalia. The issue of foreign command, however, had nothing to do with the decimation of a United States Army Ranger company in Somalia last October 3; indeed, but for the assistance of foreign forces, our losses would have been greater. Most people don't realize that on October 3, all United States forces involved in the events of that day where under the combatant command of General Hoar, the Commander in Chief, United States Central Command, in Tampa, Florida, and under the operational and tactical control of United States commanders on the ground in Somalia. Mr. President, had the Nickles amendment been in force, it would not have made one iota's difference with respect to the events of October 3.

Moreover, I don't think we should derogate non-American officers serving under U.N. auspices by passing an amendment that implicitly presumes that they might not be militarily competent. As a nation we have had our own fair share of military commanders who have performed poorly. On that fateful day at the Little Bighorn, I'm sure the men of the 7th Cavalry had wished they had been led by a foreigner—or even a friendly native American. I'm also sure that Lincoln would have welcomed a Prussian almost any Prussian general to command the Army of the Potomac for the first 3 years of the Civil War.

Mr. President, I am not a constitutional expert, and I am sure that there would be differences among the experts as to the constitutionality of the Nickles amendment. I do believe, however, that the President, when acting as Commander in Chief, should be able to make the decision as to the best command arrangements for U.S. forces. And I believe that the Congress should have the affirmative responsibility to overturn the President's decision if they believe that he is acting irresponsibly. I do not believe that the Congress should be able to overturn the President's decision in this case by inaction. That is the situation that we have under the war powers resolution and that is why all U.S. Presidents of both parties have found a way to avoid actuating the war powers resolution.

Additionally, and to compound the problem, the Nickles amendment not only would lead to a reversal of the President's decision on this matter by congressional inaction, but it also has no expedited procedures for consideration of an authorizing resolution. That means that a small minority of Senators could block consideration of an authorizing resolution by a filibuster. The Nickles amendment also would result in overturning a Presidential decision if the Congress was not in session and thus unable to address this issue within 30 days.

Finally, I want to make a point similar to that I made during the floor debate last week on the Somalia amendments. The United States must work closely with its allies, both those with whom we have multilateral or bilateral security agreements and those with whom we routinely cooperate. The United States can not and should not always have the preponderance of forces in a military operation. In those instances when we do, I believe we should insist on a U.S. commander. But when we do not have the preponderance of forces, I believe that we should carefully consider on a case-by-case basis, taking into account all of the factors, including, as General Shalikashvili has noted, how robust the command and control arrangements are and the competence of a foreign commander to lead U.S. forces in a particular operation.

Mr. President, we may be the only world's superpower. But surely we don't want to be the world's only policeman. We still need allies and we can not afford to tell our allies that the Congress of the United States starts with the assumption that their commanders can not lead our forces. Moreover, if we start down the road of refusing to place our forces under foreign command—and I believe that the Nickles amendment is but the first step in a broader agenda, then we can expect allies in the future to refuse to place their forces under American command. This, in turn, could torpedo effective multinational military operations involving the United States. Our calls for military partners will be ignored, and we will have to go it alone—assuming more and more the burden of policeman.

NO U.S. TROOPS UNDER U.N. COMMAND

Mr. ROTH. Mr. President, I rise to speak in favor of the Amendment offered by the Senator from Oklahoma [Mr. NICKLES].

Traditionally, this Nation has sent troops into harm's way overseas only when two situations pertained: first, when direct U.S. interests were under threat and, second, when those troops could be placed under fully qualified commanders. I believe that this Nation would be well advised to abide by those two conditions and this belief has impelled me to cosponsor the Nickles amendment.

If U.S. troops are to be sent abroad at the behest of the U.N., how are we to guarantee that those troops are being called upon to defend U.S. interests? The United Nations is, by its own description, a universalist institution—the entire world lies within its sphere of interest. Conflict, political dislocation, starvation anywhere in the world comes under the aegis of the United Nations. Now the United States has interests around the world, interests relating to our security and our economic well-being but those interests are by no means universal. Some areas of the globe are vital for our national security; other regions are of virtually no relevance to us at all. In short, the interests of the United Nations cannot and should not be directly equated with the interests of the United States.

The question which faces us today is—are we going to allow U.S. troops to be sent abroad to defend U.N. interests or are we going to maintain our traditional policy and use our forces only for the defense of U.S. interests? Or, to put it more directly and brutally, how many of us are willing to pick up the telephone and commiserate the parents of a dead U.S. serviceman knowing that we cannot tell them that their son died in defense of vital interests of the United States?

This is not to say that the United Nations has no role to play in establishing security in the post-cold-wa world. To the contrary, the United Nations must continue to function as the crucial international forum in which coalitions can be formed to confront regional aggression, just as the Bush administration used the United Nations to bring together the coalition of nations which liberated Kuwait. That coalition went into battle under the aegis of the United Nations and I hope that future coalitions will similarly repel future aggression under U.N. auspices.

However, the United Nations now desires to move beyond the Desert Storm model. It no longer wishes to serve as the forum in which multilateral security policy is formulated. Now the organization aspires to have actual operational control over military operations which take place under its auspices and it is against this background that the Clinton administration has agreed to make United States troops available to the U.N. passage of the Nickles amendment will not preclude the establishment of future coalitions like the one which liberated Kuwait. It will, however, assert that U.S. troops which take part in those operations will be under the operational and tactical control of qualified military officers, not of civilian U.N. officers.

Mr. President, if this Government decides to expose the lives of its servicemen overseas it owes them the best commanders who have trained and exercised with them over extended periods of time, commanders who are thoroughly familiar with their operational procedures. This Government also owes our servicemen a convincing explanation as to why the national interest requires that they take the supreme risk. If this body fails to adopt the Nickles amendment today, there is every possibility that soon we will see U.S. troops being called upon to fight in conflicts which are of little or no importance to the national security of this Nation. We have, in my opinion, no choice but to vote for this amendment and to insist upon its retention in conference.

Mr. KOHL. Mr. President I come to the floor today to speak in opposition to the Nickles amendment. While I feel the intentions of the gentlemen from Oklahoma are good, I am concerned that we are considering a policy that is so broad, it will undermine the powers of the President as our Commander in Chief.

I too share Senator NICKLES concern that we not put our men and women of the armed services at unnecessary risk. But we as a nation, and we as members of the United Nations, must be prepared to stand shoulder to shoulder with other members in the community of nations. I believe this sends the wrong message to other members of the United Nations when the U.S. President is forced to say, "Well I'd like to help out, but I have to run it by Congress first."

The Constitution says the President is Commander in Chief, and so I believe that gives the President the latitude and discretion to act. But that is not to say that Congress has no role. Quite the contrary. As we did in the Somalia issue last week, Congress has the power to cut off funds and bring our troops home if the original mission is accomplished, or the mission has run too far afield from what was originally intended.

In my opinion, the Nickles amendment is too broad, because each potential international crisis has its own unique set of problems, and the President must have the discretion to decide based on those unique circumstances. What our intentions might be in Somalia, may be far different than our intentions in Bosnia. The actions we might need to take in Haiti may be far different than actions warranted elsewhere. Ultimately, what we need is Presidential discretion and leeway to act on a case-by-case basis, not a blanket and rigid foreign policy dictated by Congress. Again, Congress still has its power to check the President when our mission is over, or runs off course.

This debate is not just about the constitutional or foreign policy questions either. As we all witnessed during live television coverage of Operation Desert Storm, things in a volatile military situation can change dramatically. A President needs the ability to act quickly and decisively, often with little notice. As prescribed in the Constitution, the President has the power to act as Commander in Chief, but he must also have the power to react.

I know the Nickles amendment includes provisions where the President can act without congressional authorization, such as in the case of humanitarian concerns, or if national interest is at stake. I agree with those provisions, but I do not agree that we put any conditions on how the President might act under other circumstances. The President needs flexibility, the President needs discretion, and the President needs the power to act. To do otherwise not only undermines his constitutional authority, but it undermines his ability to provide leadership in the world community.

Let us keep in mind, we are not giving the President unchecked authority, nor is Congress surrendering its role in foreign policy. I urge my colleagues to vote against the Nickles amendment, and preserve the flexibility our President needs as Commander in Chief.

The PRESIDING OFFICER. All time has expired.

VOTE ON AMENDMENT NO. 1051

The question is on agreeing to amendment No. 1051 offered by the Senator from Oklahoma. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arizona [Mr. DECONCINI] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from Pennsylvania [Mr. SPECTER] is necessarily absent.

The PRESIDING OFFICER (Mr. DASCHLE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 65, as follows:

[Rollcall Vote No. 317 Leg.]

YEAS—33

Bennett
Bond
Brown
Burns
Coats
Cochran
Cohen
Coverdell
Craig
D'Amato
Dole
Domenici
Faircloth
Gorton
Grassley
Gregg
Hatfield
Helms
Hollings
Hutchison
Kempthorne
Lott
Lugar
Mack
Murkowski
Nickles
Pressler
Roth
Simpson
Smith
Stevens
Thurmond
Wallop

NAYS—65

Akaka
Baucus
Biden
Bingaman
Boren
Boxer
Bradley
Breaux
Bryan
Bumpers
Byrd
Campbell
Chafee
Conrad
Danforth
Daschle
Dodd
Dorgan
Durenberger
Exon
Feingold
Feinstein
Ford
Glenn
Graham
Gramm
Harkin
Hatch
Heflin
Inouye
Jeffords
Johnston
Kassebaum
Kennedy
Kerrey
Kerry
Kohl
Lautenberg
Leahy
Levin
Lieberman
Mathews
McCain
McConnell
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murray
Nunn
Packwood
Pell
Pryor
Reid
Riegle
Robb
Rockefeller
Sarbanes
Sasser
Shelby
Simon
Warner
Wellstone
Wofford

NOT VOTING—2

DeConcini
Specter

So the amendment (No. 1051) was rejected.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. EXON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senate will be in order.

Mr. MITCHELL. Mr. President, I ask for the yeas and nays on the Nunn-Warner amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 1069

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arizona [Mr. DECONCINI] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from Pennsylvania [Mr. SPECTER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 96, nays 2, as follows:

[Rollcall Vote No. 318 Leg.]

YEAS—96

Akaka
Baucus
Bennett
Biden
Bingaman
Bond
Boren
Boxer
Bradley
Breaux
Brown
Bryan
Bumpers
Burns
Byrd
Campbell
Chafee
Coats
Cochran
Cohen
Conrad
Coverdell
Craig
D'Amato
Danforth
Daschle
Dodd
Dole
Domenici
Dorgan
Durenberger
Exon
Faircloth
Feingold
Feinstein
Ford
Glenn
Gorton
Graham
Gramm
Gregg
Harkin
Hatch
Hatfield
Heflin
Helms
Hollings
Hutchison
Inouye
Jeffords
Johnston
Kassebaum
Kempthorne
Kennedy
Kerrey
Kerry
Kohl
Lautenberg
Leahy
Levin
Lieberman
Lott
Lugar
Mack
Mathews
McCain
McConnell
Metzenbaum
Mikulski
Mitchell
Moseley-Braun
Moynihan
Murkowski
Murray
Nickles
Nunn
Packwood
Pell
Pressler
Pryor
Reid
Riegle
Robb
Rockefeller
Roth
Sarbanes
Sasser
Shelby
Simon
Simpson
Smith
Stevens
Thurmond
Warner
Wellstone
Wofford

NAYS—2

Grassley
Wallop

NOT VOTING—2

DeConcini
Specter

So, the amendment (No. 1069) was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GREGG. If I might inquire of the distinguished ranking minority member of the Defense Appropriations Subcommittee, it is my understanding that the bill under consideration, H.R. 3116, terminates the Nonacoustic Antisubmarine Warfare Program known as ATD-111, and as a result, this has become an issue for the committee of conference. Am I correct?

Mr. STEVENS. The distinguished Senator from New Hampshire is correct.

Mr. GREGG. It is also my understanding that, in light of the Senate's position, the Navy has appealed the termination of the program, citing the absence of other technologies which are more promising or advanced than ATD–111 and arguing that the continuation of this program is necessary for adequate fleet testing of these critical technologies. Is this also the understanding of the senior Senator from Alaska?

Mr. STEVENS. It is, and if I might state for the record, I am aware of the importance of this project to the Navy, whose support has become evident since the subcommittee completed its work on this bill. In light of this support, and in the interest of seeing the best, most affordable technology supplied for our naval forces, I can assure the Senator that this matter will be addressed in conference, at which time it will be my intent to seek ways to ensure the continuation of ATD–111.

Mr. INOUYE. Mr. President, I join the Senator from Alaska in assuring my colleague from New Hampshire that this matter will receive careful attention during the conference, and we will try to address the concerns raised by the Navy regarding this program.

Mr. GREGG. I am well aware of the daunting task of the subcommittee to fund our defense forces in these times of shrinking budget resources, and for this reason I appreciate the consideration of the distinguished ranking member. I yield the floor.

AN/BQG–5 WIDE APERATURE ARRAY

Mr. D'AMATO. Mr. President, one of the many ways that the Defense Appropriations Subcommittee sought to preserve the negotiating leverage of our authorizing colleagues in their own conference was by respecting the decision of the Senate Armed Services Committee not to fund the AN/BQG–5 wide aperture array [WAA].

The BQG–5, a conformal hull sonar array developed for the *Seawolf*, is being considered for backfit on *Los Angeles*-class attack submarines and is a likely candidate for *Centurion*. The WAA provides rapid range and bearing on a target, an essential advantage in shallow coastal waters where sonar clutter, shipping, and ocean conditions limit surveillance ranges and increase the likelihood of chance encounters.

The House Armed Services Committee provided $50 million in their mark for the BQG–5, and I am confident that the House position will carry in the Defense authorization conference. Should the WAA be authorized, I will seek to include in our own conference report the funds necessary to procure two BQG–5 shipsets with full search capability. As always, I will be guided by the advice of the chairman and vice chairman on the best means of achieving my goal, one I believe is shared by members of the House Appropriations Committee.

Mr. INOUYE. I am aware of the strong interest of the Senator from New York in the BQG–5. As he knows, there are currently no funds in the appropriations bill for the Wide Aperture Array Program. However, I would encourage the Senator to raise the WAA during our conference deliberations assuming that funds are authorized for this program.

Mr. STEVENS. I, too, am aware of the enthusiasm of the Senator from New York for the BQG–5. I am equally prepared to listen should the WAA be raised during the Defense appropriations conference.

T–45 FUNDING

Mr. DECONCINI. Mr. President, in lieu of offering an amendment, I would like to engage the chairman for a moment in a brief discussion of the T–45 engine competition program.

Mr. INOUYE. I would be glad to yield for a discussion with the distinguished Senator from Arizona.

Mr. DECONCINI. I thank my good friend and distinguished chairman.

Since the subcommittee marked up the bill before us today, I have had the opportunity to speak with John Dalton, the new Secretary of the Navy. One of the issues we discussed was the T–45 engine competition program which the committee has supported, correctly in this Senator's opinion, for the past 2 years.

As the chairman will recall, $15 million in fiscal year 1992 T–45 procurement funds were made available to support an engine competition as long as that competition was determined by the Navy to be cost effective. Last year, additional funds were provided in the Navy R&D account to further support such a competition.

I understand that the initial contract award for this program is imminent. Since full committee action on the bill, I have learned that the fiscal year 1992 procurement funds need to be transferred to the R&D account to properly execute the program. The Secretary of the Navy also raised this issue in general terms with me. The transferred funds would be used to execute the competition exactly as proposed originally.

It is my understanding that such a transfer could be accommodated in a manner which would have no net impact on outlays and could, possibly, be addressed during conference.

Rather than offering an amendment to this bill, may I ask the distinguished chairman to watch for an opportunity to realign the fiscal year 1992 T–45 procurement funds to the T–45 R&D account during conference with the House?

Mr. INOUYE. I thank the senior Senator from Arizona for raising the issue in the manner he has. I believe that what the Senator has requested may indeed be possible. I will be glad to accommodate his request when and if possible.

Mr. DECONCINI. I thank my good friend for his willingness to assist this competition which should save money for the taxpayers.

DISPOSAL OF ZINC FROM THE NATIONAL DEFENSE STOCKPILE

Mr. BINGAMAN. Mr. President, I would like to raise an issue with the distinguished manager of the bill, the chairman of the Defense Subcommittee of the Committee on Appropriations, Senator INOUYE.

In the committee report, the committee raises certain concerns about the proposed disposal of zinc from the national defense stockpile. These concerns include the possible impact of continued disposals of zinc from the national defense stockpile on domestic producers and on the world market price, and whether the zinc in the national defense stockpile could be used by the U.S. Treasury in the minting of U.S. coinage.

Mr. President, these are valid concerns and important issues. I have no problem with the committee asking the Secretary of Defense to report to Congress on these issues.

Last year when the Armed Services Committee authorized the disposal of zinc from the stockpile, and again this year when we reviewed the annual materials plan for the stockpile, the Armed Services Committee looked at the issues involved in the disposal of zinc.

Currently, the Stock Piling Act requires the stockpile manager to dispose of materials from the stockpile in a way that avoids undue disruption of the usual markets of producers, processors, and consumers of such materials, and protects the United States against avoidable loss. Last year we established in law a Market Impact Committee in the executive branch to advise the stockpile manager on the potential market impacts of stockpile acquisitions and disposals. We received a report from this Market Impact Committee earlier this year that they had reviewed and approved the stockpile manager's plan for the disposals of materials from the stockpile in fiscal year 1994, including the disposal of zinc.

As far as using the excess zinc in the stockpile for U.S. coinage programs, I am all for that. However, according to the manager of the national defense stockpile, only about 7 percent of the zinc holdings in the stockpile are the special high-grade zinc which is suitable for Treasury coinage operations.

Mr. President, I have no problem with the Appropriations Committee's direction that the Secretary of Defense should report to the Congress on issues relating to the disposal of zinc from the stockpile. My only concern is with the committee's direction that zinc disposals from the stockpile should be suspended until 60 days after the report is received by the Congress.

According to the last two annual reports to Congress on national defense stockpile requirements, we no longer need to keep zinc in the national defense stockpile. In light of this, Mr. President, we should allow the stockpile manager to proceed with the orderly disposal of all of the excess materials in the stockpile in accordance with the procedures set forth in the Stock Piling Act.

I wonder if the chairman of the subcommittee would be willing in conference to reconsider the committee's position that disposals of zinc from the stockpile should be suspended until 60 days after Congress receives the report from the Secretary of Defense? Perhaps the conferees could direct that the report be submitted within 60 days after enactment of the bill, and still allow disposals of zinc from the stockpile as appropriate under the annual materials plan at the discretion of the stockpile manager during the preparation of this report.

Mr. INOUYE. The Senator from New Mexico makes some valid points. I am informed that, according to the current American Society for Testing Materials' standards, the zinc in the national defense stockpile is acceptable for Treasury coinage operations. If in fact this is the case, then I believe the Treasury should consider purchasing zinc from the national defense stockpile.

I appreciate the Senator's concerns and I assure him that we will certainly give his suggestion careful consideration in conference.

MINUTEMAN MISSILE UPGRADES

Mr. BURNS. I would like to express my deep concern over the cuts made to the Air Force's Minuteman Squadrons Program for the Propulsion Replacement Program for Minuteman III missiles.

I believe that keeping the Minuteman III reliable and capable of service is an important goal. Given that the Air Force would like to extend the weapon system deployment through the year 2020, and given that the motors in some of these missiles are over 25 years old, the Defense Department requested $49.94 million for the Propulsion Replacement Program for fiscal year 1994. Both the House and the Senate authorized that amount. Unfortunately, no funding was appropriated in the House version of the Defense Appropriations Act. The Senate bill contains $4.7 million only for studies and analyses of the Propulsion Replacement Program.

I feel that a 1-year gap in the modernization program could have negative effects on our missile forces. In addition, there are costs to delaying this program—not all of them monetary. This delay will mean that one-third of our intercontinental ballistic missile [ICBM] fleet will be too old to be reliable by the time the first replacement motor is installed in the year 2005.

Would my colleague from Hawaii be willing to consider new information concerning the need for the Minuteman III Propulsion Replacement Program, and to help address these concerns during the conference on this bill?

Mr. INOUYE. I can say to my colleague from Montana that the subcommittee always is willing to consider new information concerning any of its recommendations. I look forward to the Air Force providing sufficient, additional information to address the subcommittee's questions about this project.

I would say to my colleague, and to other members of the Senate who have asked about the Minuteman III Propulsion Replacement Program, that House and Senate appropriators face a much more limited fiscal environment than do the authorization committees which initially approved this program. The Congress has limited the defense appropriations subcommittees to a military spending total for fiscal year 1994 which is billions below that recommended by the authorization committees. Defense appropriators must make much more difficult choices about military priorities.

Within this context, I can assure my colleague that we will do our best in conference with respect to this program.

Mr. EXON. I want to thank my good friend from Hawaii for bringing his usual insight to this important matter of the Minuteman III Propulsion Replacement Program. My understanding is that the committee's action was based on the concern that, given the tight budgetary environment, the Air Force has not provided adequate justification for proceeding with the program at this time.

Mr. INOUYE. My colleague from Nebraska, who is a leader in the Senate on strategic nuclear issue, is correct.

Mr. EXON. Therefore, am I correct in stating that the Appropriations Committee does not disagree with the Defense Department as to whether the Minuteman III Propulsion Replacement Program should be performed, but, instead, disagrees as to when the program should begin in earnest?

Mr. INOUYE. Let me try to respond to my colleague from Nebraska by saying that, so far, the Air Force has been unable to provide sufficient information to demonstrate the urgency of beginning this program in fiscal year 1994.

Mr. EXON. As the distinguished chairman of the Defense Appropriations Subcommittee is aware, the Air Force is concerned that the reduction recommended for the Minuteman III Propulsion Replacement Program will result in serious programmatic delays and cost growth. I share these concerns and respectfully ask that the chairman consider the correspondence from the Air Force about the need to fully fund this program and to revisit the issue when he and his colleagues are in conference.

Mr. DORGAN. I wish to associate myself with the remarks of Senator EXON, chairman of the Armed Services Subcommittee on Nuclear Deterrence, in support of the Minuteman III Propulsion Replacement Program. I would underscore that the Air Force has advocated funding of $49.94 million and a fiscal year 1994 start as the preferred way to reduce program costs and to ensure the reliability of the land-based leg of our nuclear deterrent Triad. I, too, would urge Chairman INOUYE to give serious consideration to the Air Force position during the conference on the fiscal year 1994 defense spending bill.

Mr. INOUYE. I am happy to consider the Air Force's correspondence and to do my best on this issue in conference.

MORNING BUSINESS

TRIBUTE TO THE HONOREES OF THE WASHINGTON CHAPEL CHRISTIAN METHODIST EPISCOPAL CHURCH'S 1993 POSITIVE IMAGE AWARDS BANQUET

Mr. SASSER. Mr. President, today I rise to pay tribute to the Washington Chapel Christian Methodist Episcopal Church and the honorees of the church's 1993 Positive Image Awards Banquet to be held on Saturday, October 23, 1993. This year, the church has chosen 14 outstanding men and women who have served their communities and have made a difference in improving the quality of life for the citizens of Memphis, TN. This honor is a reflection of the civic, academic, and professional achievements the following Memphians have attained.

Judge Bernice Donald, Federal Bankruptcy Court judge.

A.C. Wharton, Memphis/Shelby County public defender.

Dr. Gerry House, superintendent, Memphis City Schools.

James B. Payton, director, Martin Luther King Center.

Dr. N. Charles Thomas, general secretary of personnel services, the CME Church.

Dr. Scott Morris, director, the Church Health Center.

Michael Hawkins, principal, Hamilton Elementary School.

Sandra Burke, executive director, Inroads Memphis.

Melvin Burgess, director, Memphis Police Department.

Lucy Shaw, CEO, the Regional Medical Center.

TaJuan Stout-Mitchell, commissioner, Memphis City School Board.

Adele Hines, student, Whitehaven High School, NAACP Act-So Award winner.

Bessie Smith, member, Washington Chapel CME Church.

Ruth Odell, member, Washington Chapel CME Church.

I also want to take this opportunity to applaud the staff and members of the Washington Chapel CME Church. Through innovative community service programs, Washington Chapel has set a worthy example for other churches and community organizations to follow.

I salute the Washington Chapel Christian Methodist Episcopal Church and each honoree and wish them much success in their future endeavors.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, as of the close of business yesterday, October 18, the Federal debt stood at \$4,401,988,615,772.60, meaning that on a per capita basis, every man, woman, and child in America owes \$17,137.76 as his or her share of that debt.

IN HONOR OF DR. PHILLIP ALLEN SHARP

Mr. FORD. Mr. President, I doubt there are many previous winners of the Nobel Prize for Medicine who can say they got their start from a cow. But when Dr. Phillip Allen Sharp received his first calf at the age of 5, it helped start a college fund and put Sharp on the road to winning this year's prize.

Kentucky has always been proud of its rich agricultural heritage, both because of the traditions it upholds and for the futures it makes possible. While we know we can't take credit for Sharp winning the Nobel Prize, there are a whole lot of farm families in Kentucky who are proud of their native son and his farm roots.

Sharp was named a co-recipient of this year's prize for his discovery of split genes and for advancing research on cancer and hereditary diseases. He is credited with changing the scientific community's understanding about DNA makeup and helped launch the field of biotechnology.

Sharp is from Falmouth, KY, and attended Union College in Barbourville, KY, where he majored in chemistry and mathematics. Although he received a Ph.D in chemistry from the University of Illinois, he eventually shifted his focus to biology in postdoctoral studies at the California Institute of Technology and at Cold Spring Harbor Laboratory in New York.

Already considered one of this Nation's premier cancer research specialists, Sharp's honor apparently didn't come as a complete surprise to those closest to him. According to news accounts, his secretary has kept a bottle of champagne in the refrigerator for the past 15 years for the day her boss won the prize. And Sharp's family, who still reside in Kentucky, say they knew from the time he was "little", he was going to college and do something.

He certainly has done "something".

We in Kentucky add our congratulations and our thanks for contributions that have changed the face of medical research and the future of cancer treatment.

Mr. MITCHELL. Mr. President, as previously indicated, there will be no further rollcall votes this evening. I believe the managers are preparing a proposal to deal with the consideration of this measure tomorrow, and as we await that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate resumes consideration of H.R. 3116, the Department of Defense appropriations bill at 9:30 a.m. on Wednesday, October 20, the committee amendments be laid aside and Senator BRADLEY be recognized to offer one of his listed amendments relating to the Army National Guard, with a time limitation of 1 hour for debate on the amendment, with no intervening amendment in order prior to the disposition of the Bradley amendment, with the time equally divided and controlled in the usual form; that when the time is used or yielded back, the Senate, without intervening action or debate, vote on or in relation to the Bradley amendment; that upon disposition of the Bradley amendment, Senator MCCAIN be recognized to offer an amendment on behalf of himself and Senator BINGAMAN relating to defense earmarks, with a time limitation of 1 hour for debate, with the time equally divided and controlled in the usual form, with no intervening amendment in order prior to the disposition of the McCain-Bingaman amendment; that when all time is used or yielded back, the Senate, without intervening action or debate, vote on or in relation to the McCain-Bingaman amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, for the information of Senators then, with respect to their schedules, the Senate will proceed to consider a Bradley amendment at 9:30, with 1 hour for debate. If all time is used, the vote on or in relation to that amendment will occur at 10:30 tomorrow morning. It is possible that all time will not be used and some will be yielded back. Therefore, Senators are on notice that a vote could occur at any time between 9:30 and 10:30 tomorrow, depending on how much time is used or yielded back.

That vote will be followed by a maximum 1 hour of debate on the McCain-Bingaman amendment, so there will undoubtedly be at least two votes tomorrow morning. Senators should be on notice in that regard.

REMOVAL OF INJUNCTION OF SECRECY

Mr. MITCHELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Second Protocol Amending the Tax Convention with Israel, Treaty Document No. 103-16, transmitted to the Senate by the President today; and ask that the treaty be considered as having been read the first time; that it be referred with accompanying papers to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

Mr. STEVENS. There is no objection, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

The President's message is as follows:

To the Senate of the United States:

I transmit herewith for the advice and consent of the Senate to ratification the Second Protocol Amending the Convention Between the Government of the United States of America and the Government of the State of Israel with Respect to Taxes on Income, signed at Washington on November 20, 1975, as amended by the Protocol signed May 30, 1980. The Second Protocol was signed at Jerusalem on January 26, 1993. Also transmitted for the information of the Senate is an exchange of notes and the report of the Department of State with respect to the Protocol.

The Second Protocol further amends the 1975 Convention, as amended by the 1980 Protocol, in large measure to accommodate certain post-1980 provisions of U.S. tax law and treaty policy. The new Protocol also reflects changes in Israeli law and makes certain technical corrections to the Convention that are necessary because of the passage of time. It will modernize tax relations between the two countries and will facilitate greater private sector United States investment in Israel.

I recommend that the Senate give early and favorable consideration to the Protocol and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1993.*

200TH ANNIVERSARY OF THE LAYING OF THE CORNERSTONE OF THE CAPITOL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 146, a concurrent resolution permitting the use of the Capitol building and grounds for events to commemorate the 200th anniversary of the laying of the cornerstone of the Capitol, just received from the House; that the concurrent resolution be agreed to and the motion to reconsider laid upon the table.

The PRESIDING OFFICER. Is there an objection?

Mr. STEVENS. There is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the concurrent resolution, House Concurrent Resolution 146, was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Edwin R. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON HIGHWAY SAFETY FOR CALENDAR YEAR 1992—MESSAGE FROM THE PRESIDENT—PM 56

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science and Transportation:

To the Congress of the United States:

I transmit herewith the 1992 calendar year reports as prepared by the Department of Transportation on activities under the Highway Safety Act and the National Traffic and Motor Vehicle Safety Act of 1966, as amended (23 U.S.C. 401 note and 15 U.S.C. 1408).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1993.*

REPORT OF THE FEDERAL PREVAILING RATE ADVISORY COMMITTEE FOR CALENDAR YEAR 1992—MESSAGE FROM THE PRESIDENT—PM 57

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Governmental Affairs:

To the Congress of the United States:

In accordance with section 5347(e) of title 5 of the United States Code, I transmit herewith the 1992 annual report of the Federal Prevailing Rate Advisory Committee.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1993.*

MESSAGE FROM THE HOUSE

At 2:55 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 78. Joint resolution designating the beach at 53 degrees 53′51″N, 166 degrees 34′15″W to 53 degrees 53′48″N, 166 degrees 34′21″W on Hog Island, which lies in the Northeast Bay of Unalaska, Alaska as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska, on June 3 and 4, 1942.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 47. Concurrent resolution to recognize the International Rescue Committee for its great humanitarian endeavors.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 146. Concurrent resolution authorizing the use of the Capitol building and grounds for events to commemorate the 200th anniversary of the laying of the cornerstone of the Capitol.

The message also announced that pursuant to the provisions of section 491 of the Higher Education Act, as amended by section 407 of Public Law 99–498, the Speaker appoints Mr. Thomas A. Butts of Ann Arbor, MI, from private life, to the Advisory Committee on Student Financial Assistance to fill the existing vacancy thereon, on the part of the House.

The message further announced that pursuant to the provisions of section 4(a) of Public Law 98–399, as amended by Public Law 101–30, the Speaker reappoints as members of the Martin Luther King, Jr. Federal Holiday Commission the following Members on the part of the House: Mr. WHEAT, Mr. SAWYER, Mr. REGULA, and Mr. FRANKS of Connecticut.

The message also announced that pursuant to the provisions of section 9355(a) of title 10, United States Code, the Speaker appoints as members of the Board of Visitors to the United States Air Force Academy the following Members on the part of the House: Mr. DICKS, Mr. HOAGLAND, Mr. HEFLEY, and Mr. YOUNG of Florida.

The message further announced that pursuant to the provisions of section 2702 of title 44, United States Code, as amended by Public Law 101–509, the Speaker appoints Mr. Richard F. Fenno, Jr., of Rochester, NY, from private life, to the Advisory Committee on the Records of Congress on the part of the House.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

At 6:25 p.m., a message from the House of Representatives, announced that the Speaker has signed the following enrolled bills and joint resolutions:

S. 1487. An act entitled the "Middle East Peace Facilitation Act of 1993."

S. 1548. An act to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair producers receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes.

H.R. 2446. An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 2518. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 3123. An act to improve the electric and telephone loan programs carried out under the Rural Electrification Act of 1936, and for other purposes.

S.J. Res. 21. Joint resolution designating the week beginning September 19, 1994, as "National Historically Black Colleges and Universities Week."

S.J. Res. 78. Joint resolution designating the beach at 53 degrees 53′51″N, 166 degrees 34′15″W to 53 degrees 53′48″N, 166 degrees 34′21″W on Hog Island, which lies in the Northeast Bay of Unalaska, Alaska as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska, on June 3 and 4, 1942.

H.J. Res. 111. Joint resolution designating October 21, 1993, as "National Biomedical Research Day."

The enrolled bills and joint resolutions were subsequently signed by the President pro tempore [Mr. BYRD].

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1656. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation within five days of enactment; to the Committee on the Budget.

REPORTS OF COMMITTEE

The following report of committee was submitted:

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals From the Concurrent Resolution for Fiscal Year 1994" (Rept. No. 103–160).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. RIEGLE, from the Committee on Banking, Housing and Urban Affairs:

John Despres, of the District of Columbia, to be an Assistant Secretary of Commerce.

Jeffrey E. Garten, of New York, to be Under Secretary of Commerce for International Trade.

Lauri Fitz-Pegado, of Maryland, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

William J. Gilmartin, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. BUMPERS, from the Committee on Small Business:

Cassandra M. Pulley, of the District of Columbia, to be Deputy Administrator of the Small Business Administration.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WOFFORD:

S. 1565. A bill to delay the effective date of regulations issued by the Secretary of Housing and Urban Development governing the admission of single persons into public and assisted housing for the elderly; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. METZENBAUM (for himself and Mr. Durenberger):

S. 1566. A bill to establish requirements applicable to rent-to-own transactions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SIMON:

S. 1567. A bill to amend the National Labor Relations Act and the Labor Management Relations Act, 1947, to permit additional remedies in certain unfair labor practice cases, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON (for himself and Mr. Wellstone):

S. 1568. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. KENNEDY (for himself and Mr. Hatch):

S. 1569. A bill to amend the Public Health Service Act to establish, reauthorize and revise provisions to improve the health of individuals from disadvantaged backgrounds, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. HATCH:

S.J. Res. 145. A joint resolution to designate the period commencing on November 21, 1993, and ending on November 27, 1993, and the period commencing on November 20, 1994, and ending on November 26, 1994, each as "National Adoption Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WOFFORD:

S. 1565. A bill to delay the effective date of regulations issued by the Secretary of Housing and Urban Development governing the admission of single persons into public and assisted housing for the elderly; to the Committee on Banking, Housing, and Urban Affairs.

OLDER AMERICANS' HOUSING PRESERVATION ACT

• Mr. WOFFORD. Mr. President, I have heard from many older people in the Pittsburgh area who want, and need, to preserve their homes. They have emphasized to me that their housing is more than just an apartment building. It also serves as a safe, comfortable social center. Our communities have long recognized the special housing needs of older Americans. The U.S. Department of Housing and Urban Development should move forward to implement a law passed by Congress last year which is intended to meet that need.

The concern arises from HUD's recent implementation of section 573(a) of the National Affordable Housing Act of 1990—known as NAHA. Before NAHA, the number of single people eligible for assisted housing, who were not 62 years old or older, disabled, handicapped, displaced, or the remaining member of a tenant family, was limited to 15 percent of an area's units. NAHA eliminated the 15 percent limitation. HUD's rule implementing this change became effective on August 25, 1993.

But in 1992, Congress acted to prevent the situation which is now permitted by HUD's rule. Section 622 of the Housing and Community Development Act of 1992, permits public housing projects for the elderly. The purpose of this change was to maintain occupancy in assisted projects designed for the elderly and clearly restricts the scope of the changes adopted in NAHA. However, HUD has yet to even propose regulations implementing the 1992 law.

The legislation I am introducing today would suspend HUD's rule, which permits admissions of all single people into public and assisted housing that has traditionally been for older Americans. The suspension would last until HUD implements the 1992 law.

Mr. President, we need to ensure that every American—especially the homeless and the handicapped—has access to safe and affordable housing. But we must continue to honor the unique housing needs of older Americans, by allowing them to live with each other, where they can receive the special services they have earned.

Mr. President, I ask unanimous consent that the full text of this legislation be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1565

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TITLE.

This Act may be cited as the "Older Americans' Housing Preservation Act."

SEC. 2. LIMITED MORATORIUM.

(a) Delayed Effective Date.—Notwithstanding any other provision of law, effective on the date of enactment of this Act, parts 812, 905, 912, and 960 of title 24, Code of Federal Regulations, as amended to implement section 573(a) of the National Affordable Housing Act of 1990, shall not apply to public and assisted housing developed as an elderly housing project with the approval of the Department of Housing and Urban Development (hereafter in this section referred to as the "Department") before the date on which the Secretary of Housing and Urban Development (hereafter in this section referred to as the "Secretary") issues final regulations implementing section 621 of the Housing and Community Development Act of 1992.

(b) Applicable Regulations.—During the period beginning on the date of enactment of this Act and ending on the date on which the Secretary issues final regulations implementing section 621 of the Housing and Community Development Act of 1992, parts 812, 905, 912, and 960 of title 24, Code of Federal Regulations, as such parts existed prior to the effective date of the regulations issued to implement section 573(a) of the National Affordable Housing Act of 1990, shall apply to public and assisted housing developed as an elderly project with the approval of the Department.•

By Mr. METZENBAUM (for himself and Mr. Durenberger):

S. 1566. A bill to establish requirements applicable to rent-to-own transactions; to the Committee on Banking, Housing, and Urban Affairs.

RENT-TO-OWN CONSUMER CREDIT PROTECTION ACT OF 1993

Mr. METZENBAUM. Mr. President, today, on behalf of myself and Senator Durenberger, I introduce the Rent-to-Own Consumer Protection Act of 1993, a bill that would regulate the rent-to-own industry and protect consumers from being gouged and ripped off by unscrupulous rent-to-own dealers. Rent-to-own is a relatively new sales phenomenon. In a rent-to-own transaction a low-income consumer acquires a television, stereo, VCR, refrigerator, or other household items for a small weekly, biweekly, or monthly payment. At the end of a specific number of payments, the consumer may become the owner of the item, but usually at a considerable, and most of the time at an exorbitant cost. The consumer can pay as much as three to four times the actual retail value of the items purchased.

For example:

At Rent-A-Center in Gainesville, FL, a 19-inch Zenith color television rents for $11.99 a week, excluding insurance and taxes. The set can be bought in 78 weeks for $935.22. At Sears, Roebuck, and Co., in that area, a 19-inch Zenith television sells for $279, less than a third of the figure that the consumer is being required to pay on this rent-to-lease.

Similarly, a 20-cubic-foot Whirlpool refrigerator rents for $98.95 a month for 18 months at Buddy Bi-Rite Rental Purchase Centers in Ocala, FL. The cost to purchase, $1,781.10. That same 20-cubic-foot Whirlpool refrigerator at Sears cost less than about half of that, $899.99. Rent-to-own companies aim their often deceptive advertisements and unscrupulous sales practices at low-income women, racial and ethnic minorities, the elderly, public assistance recipients, and uneducated consumers who do not have a lot of credit options. These are people who would like to have one of these facilities in their home, their credit is not good enough to go in and buy it, so they go in and rent. It is this whole idea of rent-to-own. The fact is that those who own these companies focus particularly in minority areas inhabited by single mothers where ready credit is hard to obtain.

According to the October 1993 issue of the Washington Monthly, research done by Rent-A-Center, one or our Nation's largest rent-to-own dealers, reveals that nearly 60 percent of Rent-A-Center's customers earn less than $20,000 a year, while just 4 percent earn $45,000 or more. Only about 7 percent are college graduates. The average customer of Rent-A-Center represents a family of four with a combined income of $30,000. These unsuspecting victims are lured into onerous sales agreements by the promise of no credit requirements, low payments, quick delivery and no cancellation penalties. In the words of Irene Muldrow of Minneapolis who still does not own the furniture, which retailed for 1,000, she paid more than $2,500 on the rent-to-own basis. To quote her:

> I didn't understand I was paying so much money. * * * They take advantage of people who don't read that good.

According to Attorney General Ernie Preate, Jr., of Pennsylvania:

> Rent-to-own transactions are one of the biggest consumer ripoffs in my State and across the Nation * * * Low-income people * * * turn to the rent-to-own industry because they mistakenly believe it's an inexpensive way to obtain major appliances, furniture, and other products without credit. Nothing could be further from the truth.

Although installment payments are low—usually less than $20 a week—the interest rates these stores charge on rent-to-own transactions are far higher than those of banks, credit cards, or local retail merchants. According to a survey conducted by the U.S. Public Interest Research Group, rent-to-own companies have collected as much as 323 percent interest from consumers doling out $12 a week for up to 91 weeks to buy TV's and refrigerators. Some of those TV's and refrigerators are worth as little as $125 new.

Take, for example, the experience of Charlene Mathis, who lives in a public housing project in Jersey City. Ms. Mathis agreed to pay one rent-to-own store $21 a week for 87 weeks to buy a television and a VCR. The total cost of these items, which at retail would have cost about $250 each, came to more than $1,800.

In addition to high interest rates, rent-to-own consumers build no equity in their rent-to-own goods. If payments are missed, merchandise can be repossessed, even though the consumer is close to fully paying for the item. Ms. Green of Pennsylvania made payments totaling $964.35, excluding fees, which can be substantial, for living room furniture costing $1,157.22 under a rent-to-own contract. This same furniture had a listed cash price of $499. When Ms. Green was hospitalized and became unable to make the few remaining payments, her living room furniture was repossessed and she lost all the money she heretofore paid.

The Wall Street Journal, on September 22, 1993, reported the case of Nancy Thornley of Ogden, UT. Nancy Thornley:

> * * * was diligently handing over about $261 a month in rental payments to Rent-A-Center [a rent-to-own dealer] in 1991 when she lost a leg to diabetes. Faced with a $1,000 bill for a prosthetic limb, she arranged to defer part of her rental tab, she says. But shortly after she returned home from the hospital she was shocked when two store employees showed up without notice on a Saturday afternoon, accused her of being 3 months behind in payments and carted away all the goods, primarily basics such as a refrigerator and a couch.

That is from the Wall Street Journal story. In order to reclaim their goods, rent-to-own dealers engage in a variety of abusive repossession tactics. Some rent-to-own firms not only threaten, but also seek criminal prosecutions against consumers under State larceny statutes in order to collect rent-to-own arrearages or repossess rent-to-own goods. In fact, many rent-to-own contracts expressly provide—and most others imply—that the rent-to-own merchant may enter the customer's home to repossess the merchandise. Other rent-to-own companies even use the deceptive repossession tactic called a switch-out in order to repossess their goods. In a switch-out a company representative tells the customer that the appliance is being picked up for necessary repairs or maintenance when in fact it is being repossessed. Still other rent-to-own companies pay policemen $50–$100 to repossess rent-to-own merchandise.

And, the list of abusive repossession tactics go on and on. The Wall Street Journal reports that:

> Employees handling repossessions have been known to bring along members of a feared motorcycle gang as well as to vandalize customer's homes, extract sexual favors from strapped customers and even, in one instance, force a late payer to do involuntary labor.

The article cites the following example:

> Some store employees have boasted that they have gone out to the customers' homes, had sex with them, and then repo-ed the merchandise. * * *

Rent-to-own companies earn considerably more by renting, repossessing and the re-renting the same goods than it does if the first customer makes all payments. It was reported that in one instance, a Philco VCR which retailed for about $119 brought in more than $5,000 in a 5 year period.

While rent-to-own dealers are capitalizing on their ability to rent and then re-rent their goods, many consumers are left holding defective goods. Consumers have complained that they were not only delivered used goods but also received defective goods and rent-to-own dealers have failed to promptly repair defects.

The rent-to-own industry says it provides a valuable service by making a wide range of goods available for short-term rentals to low-income consumers who do not have credit and would not have access to such items any other way. Dealers say providing repairs for the life of a contract is expensive, as are collection and repossession efforts on items rented weekly or monthly.

Rent-to-own sales, if properly regulated, could provide a service to low-income consumers. However, as an unregulated industry, rent-to-own dealers prey on the unsophisticated poor through exorbitant pricing. With over 7,500 rental stores nationally, the $3.6 billion rent-to-own industry is an industry that tends to exploit low-income consumers rather than help them.

I would guess most of my colleagues in the Senate, including myself, know very little about the rent-to-own business. We probably do not. When we buy a VCR or want a TV set or washing machine or refrigerator we go out and buy it. But there are millions in America who are not in a position to do that, and unfortunately those are the ones who are being preyed upon by the rent-to-own industry. Rent-to-own dealers evade usury and consumer protection laws by structuring their contracts as short-term leases, which fall outside of most regulation. Thus, State regulation of the industry has been ineffective and court decisions inconclusive.

Indeed, legislation endorsed by the rent-to-own industry is currently on the books of 32 States, and the industry is scurrying to pass similar laws in the remaining States. The principal effect of these State laws, however, is to insulate rent-to-own dealers from potential lawsuits from dissatisfied customers. None of these State laws provide any real or significant consumer protection. For the most part, they require only minimal disclosures and insignificant consumer rights. Meanwhile, the abuses continue. Federal legislation is the only effective way with which to deal with this problem.

The Rent-to-Own Consumer Credit Protection Act of 1993, which I will introduce very shortly on behalf of myself and Senator DURENBERGER, makes it clear that rent-to-own transactions are subject to State and Federal consumer protection laws. By defining a rent-to-own transaction as a credit sale, these transactions will now have to comply with Federal statutes that protect consumers from unfair lending practices, abusive debt collection techniques, and onerous credit terms. Under the bill, the Truth in Lending Act, the Federal Debt Collection Practices Act, the Equal Credit Opportunity Act, and the Fair Credit Reporting Act would specifically apply to rent-to-own transactions.

In addition, significant disclosure requirements will now be mandated. Each item available for purchase under a rent-to-own transaction must disclose, among other things, whether the item is new or used, the cash price of the item, the annual interest rate to be charged to finance the purchase of the item, and the total payments required to be paid to acquire ownership of the item. A seller under a rent-to-own contract is specifically prohibited from threatening, coercing, engaging in conduct to oppress, harass or abuse, making fraudulent deceptive or misleading representation, or using any unconscionable means to collect amounts owed by a rent-to-own customer. Violations of these provisions and others provisions contained in the bill are subject to Federal fines ranging from $500 to $5,000.

This legislation will go a long way in stopping consumer gouging and curbing the abuses that have been identified with rent-to-own transactions. I hope all of my colleagues will join us in supporting this important consumer protection bill.

I ask unanimous consent that the September 22, 1993, article appearing in the Wall Street Journal, entitled "A Marketing Giant Uses Its Sales Prowess To Profit on Poverty" and the October 1993 article appearing in the Washington Monthly entitled "Renter Beware," and a section-by-section analysis of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 22, 1993]

PEDDLING DREAMS: A MARKETING GIANT USES ITS SALES PROWESS TO PROFIT ON POVERTY

(By Alix M. Freedman)

Recording stars Tina Turner, Frank Sinatra and the Beatles have made Thorn EMI PLC famous in entertainment circles. But a very different group of people is now making Thorn rich.

Though it doesn't advertise the fact. Thorn's most profitable subsidiary has nothing to do with the superstars who record under its various music labels. Instead, the largest single contributor to Thorn's operating profit is its most obscure and by far its least genteel, unit: Rent-A-Center a chain that thrives by renting refrigerators, furniture, diamond pinkie rings and assorted other merchandise to America's urban and rural poor.

Since buying Rent-A-Center in 1987. London-based Thorn has expanded it briskly using both acquisitions and aggressive marketing tactics introduced by the unit's top executive a former Pizza Hut marketing whiz. Thorn now thoroughly dominates the industry which is known as rent-to-own because renters who make every weekly payment usually for 78 weeks. become owners. Rent-A-Center USA controls 25% of the $2.8 billion U.S. market, the chain has more outlets than its four biggest competitors combined.

HIGH-PRESSURE SALES

Along the way though its high-pressure methods have sometimes turned coercive and abusive according to accounts by about 50 former store employees and company executives who have left within the past 18 months. Scrambling to meet ambitious sales targets set under Thorn. Rent-A-Center employees routinely encourage unsophisticated customers to rent more goods than they can afford, these people say. Then, when customers fall behind in payments, Rent-A-Center repossesses the goods and re-rents them.

Customers who manage to make every installment may end up paying several times the item's retail value—at an effective annual interest rate, if the transaction is viewed as a credit sale, that can top 200%.

While the rent-to-own business has always been gritty. Thorn has made it even tougher, many of those interviewed believe. Employees handling repossessions have been known to bring along members of a feared motorcycle gang as well as to vandalize customers' homes, extract sexual favors from strapped customers, and even in one instance force a late payer to do involuntary labor.

Says Brian Baker, a former store manager in Cambridge, Md. This is one of those jobs where if you have any kind of conscience you won't sleep well at night.

Now, a federal crackdown may be in the offing. House Banking committee Chairman Henry Gonzalez, a Democrat from Texas is expected next week to introduce a bill that would classify rent-to-own transactions as credit sales. Since some 30 States cap credit-sale interest rates at 21% or less, the bill would slash what Rent-A-Center and its rivals can charge. In addition, two class-action suits filed in Minnesota federal courts allege that Rent-A-Center charges usurious interest rates; one suit is pending and Rent-A-Center won the first round of the second suit, which has been appealed.

Rent-A-Center denies that its transactions are credit sales, because most customers don't end up buying the product and they can cancel at any time. Thus, it argues, it doesn't charge interest at all.

Rent-A-Center officials do concede that abuses occur and that the rent-to-own business has in the past, been sleazier than most. But they say the company sees itself as part of the solution rather than as part of the problem. Rent-A-Center Chief Executive Walter E. "Bud" Gates points to his efforts to improve employee training, to spiff up stores and to enforce a "Respect All Customers" program that is trumpeted on wall posters in outlets. He says he is cracking down on dicey collection and repossession practices.

"The carnival industry was a down and dirty, nasty industry and along came Disney who rewrote the standard, and over time the whole industry came up," he says "We're trying to do the same thing."

But former store manager Randy Richards, like many others interviewed, contends that the cleanup is in name only. "On paper, this company purified itself by introducing the new respect concept," he says. But in reality, "nothing changed." He says that in 1991—a full four years after Thorn took over—he himself picked an apartment lock with a credit card in order to retrieve a late payer's living room furniture.

A number of the former employees interviewed were fired, some for allegedly serious wrongdoing. But their accounts of working conditions, and customer treatment at Rent-A-Center were remarkably uniform. Their accounts were also consistent with those of employees who quit and those of customers, even though the people interviewed came from many different parts of the country.

THE $5,000 VCR

For low-income customers, Rent-A-Center has tremendous appeal. The chain gives them immediate use of brand-name merchandise, and the weekly payments are usually less than $20. But while in theory customers can eventually own the goods outright, the company says three out of every four are unable to meet all their payments.

Their failure is partially responsible for Thorn's success. The company earns considerably more by renting, repossessing and then re-renting the same goods than it does if the first customer makes all the payments. Derrick Myers, who was fired as manager of the Rent-A-Center store in Victorville, Calif., recalls one particular Philco VCR, for example, that he says retailed for about $419, but that brought in more than $5,000 in a five year period.

That means the most profitable customers are people like Minneapolis welfare mother Angel Adams, who says Rent-A-Center salespeople fooled her into renting more than a dozen items at a monthly cost that reached about $325. Though the salespeople knew how little she earned, "they pushed it on me, she says. When she fell behind in her payments in late 1991. Rent-A-Center sued her and repossessed the goods, ranging from a bedroom set to two VCRs. Ms. Adams is now the plaintiff in one of the two class-action suits plus one pending in federal court in Minneapolis. Rent-A-Center declines comment.

Even if a customer can't afford it and we know it and they know it, we'll rent to them anyway, says Rod Comeaux, a former store manager from Onley, Va., who was fired a year ago for unrelated reasons. "We can always get it back," and rent it to others, he says.

Rent-A-Center's Mr. Gates denies that salespeople put excessive pressure on customers or intentionally overload them with goods. On average, customers rent 2.85 items a month, at a total monthly cost of $99.07, and they are able to cancel rentals at any time without a penalty, he pointed out. Store managers—who are required to obtain income and other financial information from customers, ideally should act as "financial planners for customers, he says, adding that the worst thing employees can do is to rent to customers whose eyes are bigger than their stomachs.

Rent-A-Center says its customer base is 25% to 30% black and 10% to 15% Hispanic, and just 15% are on welfare or government subsidies. But former store managers consistently maintain that the total on government assistance is more than 25%, with some claiming up to 70%. Indeed, they unanimously report that sales always spiked on "Mother's Day," as they call the day when welfare mothers get their checks.

How did Thorn come to enter such a harsh business? A predecessor company Thorn Electronics, planted the seeds when it opened a rental store outside London in 1931 and then expanded the chain throughout Europe. Half a century later, after the 1979 merger that created Thorn EMI, the conglomerate was struggling with poor results from its hodgepodge of disparate businesses, and decided to try its luck in the rental market in the U.S.

To get a foot in the door. Sir Cohn Southgate, Thorn's chief executive, contacted Goldman, Sachs & Co. in 1987. As it happened, Tom Devlin, the biggest player in the fragmented U.S. rent-to-own market, was looking for a buyer for Rent-A-Center, the 495-store chain he founded in 1973, and he too had approached Goldman Sachs. A deal was struck almost overnight, with Sir Cohn paying a lavish $594 million, or 42 times earnings.

Mr. Devlin stepped aside and Mr. Gates—already at Rent-A-Center—became its new chief executive. He quickly began buying up small competitors. Rentals now account for almost a third of Thorn EMI's total revenue, while music—including Thorn's EMI, Chrysalis and Capitol labels—accounts for just a hair more.

A former senior vice president of marketing at Pizza Hut, Mr. Gates had migrated to Rent-A-Center in 1986, after failing to land the top job at the pizza chain. Despite his rookie status in rent-to-own, Mr. Gates had a marketing man's feel for demographics, psychographics and New Age notions of customer empowerment. Inspired by some company research indicating that his renters craved good treatment even more than low prices, he began to merchandise respect.

Defying industry wisdom that poor customers would be intimidated by snazzy stores, for example. Mr. Gates has spent $40 million to make each Rent-A-Center outlet seem an idealized version of home and hearth. "Happy family" lifestyle posters (in a store's choice of black, Hispanic or Caucasian) adorn the outlets' walls. Prop kits dispatched from the home office in Wichita, Kan., provide cozy touches like plants and print bedspreads.

Employees under Mr. Gates are required to greet customers, preferably by name, within 10 seconds of their entrance and to conduct payment disputes out of earshot of other renters. Stores are also encouraged to keep fresh coffee brewing. "The customer should feel like this is home, a place where I feel comfortable and that cares about me," he explains.

THE HARD SELL

Those soft touches are coupled with hardcore salesmanship. According to a thick training manual, salespeople are supposed to quote the weekly and monthly rental rates. The manual doesn't instruct employees to quote the total cost, and former store managers say they made sure they never did. In fact, in 40 states, the total isn't even on the price tag. (Ten states require that it be listed on price tags, a rule Rent-A-Center says it will honor in all 50 states by next month.) Instead, the manual instructs employees to focus on "features and benefits," such as Rent-A-Center's free delivery and repair, and most of all, the low weekly price.

But the advertised weekly price is designed to yield each store about 3½ times its cost of purchasing the merchandise from Rent-A-Center headquarters. The total is jacked up further by a one-time processing fee (typically $7.50) and late fees (typically $5). The total price is usually revealed only in the rental agreement that customers sign at the end of the sales process, former store managers say.

To boost Rent-A-Center's profits, employees also push a "customer protection" plan that offers minimal benefits but that 95% of customers end up subscribing to. "It's better than insurance." saleswoman Laura Daupino of the Bloomfield, N.J. store was overheard telling an unemployed welfare mother recently. Yet unlike insurance, it doesn't replace stolen or destroyed items or reimburse customers for their loss. It offers customers basically one benefit. It prevent Rent-A-Center from suing customers if goods are stolen or destroyed.

For Rent-A-Center, however, the benefit is considerably larger. The protection plan is a $29 million annual revenue booster, much of which drops to the bottom line, as does most of the $27 million racked up from the other fees, according to internal company financial documents.

Rent-A-Center has long justified its high prices by citing customers defaults and the costs associated with its free repairs. But part of Rent-A-Center's secret of success is that those costs are minimal. Internal documents show its service expenses ran 3.3% of rental revenue in fiscal 1993, though Rent-A-Center says the actual figure is closer to 10%. And its total inventory losses—from junked merchandise and "skips and stolens" (as in customers who skip town)—run a bit over 2% of revenue.

Indeed, says Granville Quinton, Rent-A-Center's former director of budgets, forecasts and financial systems, "they have no higher skip or stolen rate than a conventional retailer." Rent-A-Center concedes that this is "technically true," but says the low rate is "misleading" because each lost item means the far greater loss of future rental income.

In part to beef up sales further, Rent-A-Center urges customers to pay their rental fees in person each week. That gives employees a chance, according to the training manual, to pitch added products. Employees are also supposed to try to "upsell," or trade up, renters to more expensive versions of the same product.

In some markets, employees are expected to hang fliers on hundreds of housing-project doors each week, in a drill known as blanket brochuring. You would brochure the projects one week before the [welfare] checks came out so you already had that seed planted in their mind," recalls Gerald Defiore, who was fired as the store manager in Spartanburg, S.C. "Then the day the checks came out, you'd go back and knock on doors and fill out the work forms there. Corporate was in on it, the stores were in on it. These people didn't stand a chance." (Rent-A-Center says that blanket brochuring is optional and that targeting a project would be "logical" if it was in a store's territory.)

Complementing those tactics are an array of less savory techniques not sanctioned from above. Mr. Defiore says he scanned the obituary page, for instance, and sent cheap flower arrangements signed from your friends at Rent-A-Center" to the bereaved. "At a funeral, everybody looks at who the flowers are from," he explains, "and when they drop by the store to thank you, you can hook them."

Rent-A-Center's Wichita headquarters staff jacks up those efforts with an $18.5 million direct-mail program so sophisticated that it can tailor brochures to a single block. Much of the blitz focuses on new prospects, primarily the six references that customers must list on an application form. (Former employees say they typically called only two references, using the rest simply for marketing purposes.) A sample letter opens like this: Wouldn't you rather watch a big screen TV than the one you have now?"

Other targets include former customers who had failed to make all their payments, even those who have had goods forcibly repossessed receive coupons blaring in bold type, "We Want You Back." Additional letters and coupons are aimed at customers who are on the verge of paying off a product they have been renting. Some get plastic paid cards, which look like credit cards and encourage additional rentals with perks like $1 to $2 in weekly rental charges.

If Rent-A-Center salespeople are unusually aggressive, they have good reason. Their jobs depend on it. Mr. Gates has honed a tough sales quota system known internally simply as "the plan," which calls for every store to meet weekly and monthly targets that rivals say are far more ambitious than their own. The stores' results are monitored daily by zone managers, in charge of roughly 10 stores each.

As with many other companies that use sales targets, if Rent-A-Center managers and employees exceed their quotas, they are eligible for cars, promotions and bonuses. But at Rent-A-Center, if they fail to "make plan," they are fired with extraordinary speed. In Utah's six-outlet market of 28 employees, for example, more than a dozen people were fired, including seven store managers, during the 18 months ended in July, according to two of the former managers. They say falling short of the plan was the major reason, though Rent-A-Center says there were numerous factors and that some departures were voluntary.

"Rent-A-Center's employee philosophy is burn and turn," contends former Las Vegas store manager Mr. Richards, who says he quit in May 1992 because his zone manager insisted he work 80 to 100 hours a week, something the zone manager denies. "It's bring them in and work them until they can't take it any more and send them on their way," Mr. Richards says.

Mr. Gates acknowledges that the company's "total turnover should be less than half" its current annual level of 56% companywide (excluding headquarters) and 25% at the store-manager level. The company is now working to retain its people by beefing up its training programs and by evaluating employees based on customer service and other factors rather than simply on numbers, he says.

In any case, Rent-A-Center's sales and marketing strategies have produced a huge payoff. For the fiscal year ended March 31, 1993, the 1,200 store unit racked up operating profit of about $90 million on revenue of $560.3 million—a 16% margin that is eye-popping by retail standards. For the first time, Rent-A-Center was also Thorn's single most profitable subsidiary, contributing 14% of Thorn EMI's operating profit. Where store-level profit margins average 15% to 20% when smaller operators run such stores. Thorn's outlets show profit margins of 20% to 30%. Conventional retailers' store profit margins run at about 2.5% according to Management Horizons, Inc.

No wonder Sir Colin recently told a Las Vegas meeting of store managers that their unit was "the closest company to my heart in Thorn EMI" and that "most businessmen would give an arm, a leg, and probably half their body for its performance."

Thorn executives say there is nothing insidious about Rent-A-Center's strategy of courting customers who are of limited means, and of treating them well. Customers receive "fantastic" service, says Sir Colin, who professes to be "always puzzled" why the rent-to-own industry is "badly regarded." Rent-A-Center, he adds, "treats them like kings and queens.

Customers like Carol Baker, a waitress at a resort hotel in Bolton Landing, NY, are appreciative. "The prices could be cheaper," says Ms. Baker, whose home is almost completely furnished by Rent-A-Center, "but they treat me like I'm a somebody."

Former employees and other customers see things differently. "The Rent-A-Center philosophy," says Mr. Comeaux, the former store manager in Virginia, "is that if you treat the customer like they're royalty, you can bleed them through the nose."

REPO MAN

In the end, it isn't unusual for flattered customers to sign up for three or more rental agreements at a time. And some rent far more. For instance, Robert Ball, an unemployed Hunt-Wesson factory worker in Toledo, Ohio, says he is currently handing over all of his unemployment checks to pay for 13 different agreements totaling almost $900 a month.

Inevitably, some customers take on more than they can handle. So it is that behind every Rent-A-Center salesman lurks his doppelganger. Repo man.

Repossessions are never pretty, and the pre Thorn era was no exception. But because of the ambitious targets, people who have worked under both regimes say, employees now push harder than ever. Customers typically make their payments every Saturday and, throughout the morning, store employees work the phones exacting promises from the tardy. In these conversations, former customers say, they have been harassed, intimidated and even threatened with violence. Robert Keehn a former manager in Gasden, Ala., who was fired in March in part for carrying a gun, says that a favorite ploy is falsely informing customers or the relatives that a warrant for arrest has been issued for the theft of rental property.

The telephone onslaught resumes on Monday mornings, when 30 percent of customers are generally past due. If employees haven't reached a customer by Tuesday, they hit the road. Although it is against company rules, they often make a "mad run"—picking up payments from customers personally. Or they leave a message on the door instructing the customer to contact them. this process is repeated all week long. If they still don't get results, it's repo time.

In the company's vans, employees comb neighborhoods looking for slightly past-due customers and the more elusive "skips." In theory, Rent-A-Center employees new to the Fair Debt Collection Practices Act, a federal law that doesn't apply to Rent-A-Center (it covers only third-party debt collectors), but that Rent-A-Center says it voluntarily complies with. Under these rules, debt collectors can't harass customers, for example, or engage in violent or criminal acts.

Mr. Gates cites such measures as proof that he is doing his utmost to make Rent-A-Center collection operation squeaky-clean. The CEO says his quest to transform Rent-A-Center's "profit-driven entrepreneurial culture into a service-driven, entrepreneurial culture" is "the hardest thing I have ever done * * * I haven't gotten everyone drinking the Kool Aid yet."

But former employees contend that Mr. Gates' strict enforcement of payment collections has in some cases actually stymied reform. Before Thorn, Rent-A-Center focused solely on the number of accounts past due, not the amount of "delinquent dollars"—or uncollected revenue. Early on Mr. Gates decreed that only 5.7 percent (and currently 5.5 percent) of a store's total monthly rental payments can go uncollected—and zone managers have tended to set even more ambitious goals. In contrast, smaller rent-to-own businesses generally leave 8 percent to 10 percent of bills uncollected each month.

Failure to control delinquent debts "will be your downfall, so you do as much as your conscience permits," says Gary Schiefer, a former store manager in Columbus, Ohio, who was abruptly fired in May 1992 when his delinquent dollars topped 9 percent. (His former zone manager says he was fired for other reasons.) Mr. Baker, the former store manager in Maryland, characterizes repossessions as "the dirtiest part of the whole business."

It is unquestionably the most creative * * * dressed as Cookie Monster, a gorilla and an alien life form and then knocked on a customer's door. Once inside, they successfully repossessed a home entertainment system on which payments hadn't been made in almost three months. Gary Gerhardt, the store manager who blessed this plan, calls the ruse "a last-ditch effort," adding, "it was the only way we could think to get someone in the door."

At the crack of dawn one Sunday, Mr. Myers, the store manager in Victorville, Calif., until March 1992, pulled off a particularly tough repossession by enlisting three burly Hell's Angels. He adds that in other instances he vented his spleen on delinquent customers who wouldn't come to the door by slathering superglue all over their deadbolts and doorknobs (Messrs. Gerhardt and Myers both were fired, but over unrelated matters).

The grueling routine grates on some Rent-A-Center employees. Mr. Baker, the former Maryland store manager quit in disgust in 1991 after one of his employees repossessed a refrigerator from a welfare mother with an infant, plunking her meat and milk on the kitchen table.

Yet abuses continue. Anthony Chapman, a Tyson Foods worker in Gasden, Ala. says that when he fell behind paying for a gold herringbone necklace, Rent-A-Center employee John Horton repeatedly showed up on his doorstep, brandishing two guns. The harassment climaxed. Mr. Chapman maintains, after he confessed that he had pawned the necklace. Mr. Horton promptly took Mr. Chapman's company issue thermal uniform and a gold ring, forced him into the back of his van, and left him there during Mr. Horton's leisurely lunch break, Mr. Chapman says. He says he was then presented, in tears, to Mr. Keeling, the Rent-A-Center store manager at the time.

On several occasions after that, Mr. Chapman says, Mr. Horton ordered him to ride in the back of his van to deliver heavy items to customers. Feeling he had "done wrong and didn't want to make a fuss, Mr. Chapman complied. The intimidation stopped after Mr. Chapman managed to pay up, he says adding. "This was the worst thing that ever happened to me in my life, period."One postscript. His god ring, he says, was never returned.

Mr. Horton, who was fired from Rent-A-Center in July for unrelated reasons, declines comment. Mr. Keeling, the former store manager, confirms the account and says such harrowing scenarios are commonplace. Around Christmas in 1990, he says he carted away the refrigerator of a diabetic customer after dumping her insulin on the floor.

"COUCH PAYMENTS"

Yet another tactic in Rent-A-Center's repo repertoire is the "couch payment"—sexual favors exacted by employees in lieu of cash. Of 28 former store managers interviewed, six said the practice has occurred in their areas.

Some store employees have boasted that they "have gone out to the customers' homes, had sex with them, and then repo-ed the merchandise any way," says Ken Dube, who spent time at a number of outlets as a field auditor. He later became an accountant at headquarters until he was fired in December for reasons Rent-A-Center declines to divulge.

Mr. Gates acknowledges that abuses such as couch payments occurred in the past and "are probably going on today." There are simply "more control problems" in a business where much of the activity takes place out of the store, he says. But the company stresses that such abuses are "few and far between" and not "in any way condoned by Rent-A-Center."

Rent-A-Center says it is doing its best to clean up remaining problems. It set up a customer hot line that in July received some 2,300 calls, of which only 300 were complaints, the company says. In a given month, 99% of those complaints are resolved in the customer's favor, according to company officials. Some late payers say they have been allowed to skip payments. Rent-A-Center also sometimes rewrites rental agreements, stretching out the payment term to stave off a repossession.

But Rent-A-Center employees are sometimes willing to take the risk of getting caught, since the stakes are so high. In May at the annual meeting held at Bally's in Las Vegas, scores of managers clambered on stage to collect bonus checks at a festive final gala. As the champagne flowed, the store manager of the year was awarded a year's use of a new red Corvette, a trip to the Ritz Carlton in Maui and a bonus of $24,200. Rent-A-Center estimates that the average store manager currently earns a salary of $30,000, and more than 80% received bonuses last year.

As for Rent-A-Center's future, chances are it won't be quite so freewheeling. Aside from the lawsuits and the House bill, the Senate is drafting legislation. The Internal Revenue Service is also examining the rent-to-own industry. And Pennsylvania's attorney general has concluded that Rent-A-Center is violating a state law capping annual interest rates at 18%, it is asking the firm to give refunds. The state also is examining reports that Rent-A-Center engages in illegal collection practices, including threatening to break into late payers' homes.

Despite the proliferating challenges, Mr. Gates remains optimistic. He is hard at work on his latest per project, "Rent-A-Center 2000." This store of the future, being tested in Kansas City, Kan., features a play area for children, a "wall of fame" with photos of star customers and a "troubled times" program that enables renters to skip or defer payments temporarily.

Rent-A-Center is also branching out into new rental areas. One of its most successful has been jewelry. Rent-A-Center is now among the largest customers of Harry Winston Inc., the famed jeweler to such clients as Imelda Marcos and the late Duchess of Windsor, which supplies lower-end baubles to the chain.

In its new ventures, Rent-A-Center will surely be able to count on its current customers, a loyal lot: Most feel they can't get quality goods any other way.

Nancy Thornley, an Ogden, Utah housewife, for example, was diligently handing over about $261 a month in rental payments to Rent-A-Center in 1991 when she lost a leg to diabetes. Faced with a $4,000 bill for a prosthetic limb, she arranged to defer part of her rental tab, she says. But shortly after she returned home from the hospital, she was shocked when two store employees showed up without notice on a Saturday afternoon, accused her of being three months behind in payments and carted away all the goods, primarily basics such as a refrigerator and a couch.

"It was a total humiliation," she says. "All my neighbors were watching."

A year later, though, Ms. Thornley was back, having been inundated by Rent-A-Center letters and "We Want You Back" coupons. She was reluctant to return, she says. But "I needed the item," a microwave oven, and couldn't afford to buy it. Says Ms. Thornley, "I felt like there was nowhere else to go."

[From the Wall Street Journal, Sept. 22, 1993]

PITCHING BY THE SCRIPT

(Excerpts from Rent-A-Center's Sales and Service Manual dated February 1993)

CLOSING

Closing is helping the customer to make up his/her mind. Many customers will be prepared to rent immediately after looking at merchandise. Attempt to close early in the sales track if you sense the customer wants to rent. Make at least 5 attempts to close with every customer. Closing methods include:

Payment Close. "Will you be paying monthly, or is weekly more convenient?"

Assumptive Close. "Let's get the order started."

Delivery Close. "You can have that delivered by 4:00 p.m. today, or will 5:00 be more convenient?"

Choice Close. "This comes in beige or brown. Which would you prefer?"

Last Chance Close. "The sale ends tomorrow and I can't guarantee there will be any left if you wait. Shall we start the order?"

Summary Close. "Well you agree it's an excellent price, you like the fabric, and we can deliver by 3:00 p.m. today. Do you want to fill out an order?"

UPSELLING

While using the sales track, be aware of and take opportunities to upsell the customer. Upselling means becoming aware of a customer need and satisfying it. Many times, a customer might not even be aware of his/her own needs. Opportunities to upsell include

7 piece suites instead of 5 piece furniture suites

An electronic tune TV instead of a standard tune

A remote control TV instead of one with standard or electronic tuning only

A higher wattage stereo

A large capacity refrigerator freezer or washer/dryer

Whenever attempting to upsell explain to the customer why the upscale merchandise is a better value and how it will satisfy their needs.

[From the Washington Monthly, October 1993]

RENTER BEWARE

(By Mike Hudson)

Just $14.99 a week for a color television sounds pretty good to a $6-an-hour factory worker or a mother on welfare. For people without the cash or the squeaky-clean credit history to buy it at Sears, "renting to own" offers an alluring alternative: easy payments, no credit check, and no hassles. But your mother should have told you this: When you hear phrases like "no credit check and no hassles," keep your hand on your wallet. Someone's trying to pick your pocket.

The rent-to-own equation is simple. When a rent-to-own store brings in a new piece of merchandise, it multiplies the wholesale price by a set percentage—usually 350 percent to 450 percent—to come up with the total sales price. Then the store divides that total by a number of weeks or months—typically 78 weeks or 18 months—to determine what the installment payments will be. Throw in fees for insurance, later charges, and other submerged costs, and eventually customers pay three, four, or five times what they'd spend on the same item at a retail store. That's why a 20-inch TV that costs $329.99 at Sears will cost as much as $1,200, at Rent-A-Center, the nation's largest chain on rent-to-own outlets.

With these exorbitant prices come a set of rules that grossly favor the retailer over the customer. Iris Green, a public housing resident in Paterson, N.J., paid nearly $4,000 to Continental Rentals toward a stereo, washer, freezer, and other items that had a cash value of less than $2,800. Then she got sick and the paychecks from her job as a nursing home aide stopped coming. Continental came and took everything. Sandra James signed a $2,485, rent-to-own contract for bedroom furniture from a Rent-A-Center in Chicago. She fell behind in her payments and the store swore out a theft charge against her. She says the manager told her the warrant would be dropped if she paid $177.50. She paid but then was hauled off her job by police officers accompanied by the manager. She spent the night in jail.

Rent-to-own got its start back in the sixties, when state and federal governments were passing laws to control ghetto merchants who used retail installment contracts to fleece the poor. The industry's trade group, the Association of Progressive Rental Organizations (APRO), says the rent-to-own industry was born during this time "as a result of the tightening of consumer credit and burgeoning federal consumer protection legislation."

Rent-to-own stores have managed to avoid tough consumer laws by tinkering with the traditional credit contract. Mainly, it's a matter of changing the terminology. An interest charge becomes a "rental fee." A late charge becomes a "reinstatement fee." Merchandise that is repossessed is "returned by the customer." Buying an item is "exercising a purchase option."

For customers, the only advantage to this system is that if they can't afford to keep paying, the item can be brought back to the store with no further obligation for the rest of the payments. That's a nice option for anyone whose income is unreliable. But it's not much of a consolation for somebody like Iris Green, who's already invested thousands of dollars in the merchandise. It's been enough in most states, however, to get rent-to-own exempted from retail-credit laws which generally limit store owners to interest rates of 20 to 30 percent a year. By avoiding such regulation, rent-to-own dealers can charge the equivalent of interest rates of 100, 200, even 300 percent a year.

In the past three decades, rent-to-own has grown from a handful of inner-city operators one step ahead of the law to a powerful nationwide industry with 7,500 stores and revenues over $3.5 billion annually. It's dominated by a few conglomerate-owned, upscale-looking chains that have changed the look, if not the reality, of selling to the poor.

In spite of the industry's new image, it continues to spend a lot of money defending itself against lawsuits from attorneys for the poor. (At a legal issues seminar for rent-to-own dealers last year, the first question from the audience was: "What can we do to abolish Legal Aid?") The litigation has occasionally taught the industry something about the consequences of heavy-handed collection tactics. But the lawsuits have had less success in changing the pricing equation that makes every customer a victim. The industry has beaten back almost all challenges with a two-pronged strategy. First, overwhelm understaffed Legal Aid offices with private bar talent (or buy off destitute customers with modest confidential settlements). Then, work to change the laws.

In most states, industry lobbyists have prevailed by combining free-market rhetoric and hard-ball politicking. Back in 1983, Jeanne Fenner, a North Carolina state legislator, introduced a bill that would have limited finance charges on rent-to-own contracts. Pro-business lawmakers gutted the bill and then the industry took revenge on Fenner. During the next two campaigns, rent-to-own dealers from as far away as Texas poured more than $20,000 into their opponents' campaigns. Fenner, who spent a fraction of that, lost both times. Since then, rent-to-own opponents in North Carolina have gotten nowhere.

In many other states, the industry has headed off such nasty fights by using an effective strategy of preemptive regulation. It works like this: Dealers approach a legislator with a reputation as a consumer advocate and say, "We want to be regulated so we can protect our customers from a handful of bad apples out there. We've written a law that will do the trick."

The industry's model statute sounds good. And no doubt it does help run off some of the most outrageous scam artists because it includes some protections for consumers, like requiring that stores be honest about their prices and state whether an item is new or used. But the law also exempts rent-to-own deals from state retail credit laws and the interest limits that go along with them. "Disclose and Anything Goes," Legal Aid attorneys call this strategy. Since 1984, at least 35 states have passed such rent-to-own friendly statutes.

The industry—which by the late 1980s was spending half a million dollars a year on legislative efforts—has even persuaded the Council of State Governments to endorse its model bill. And it seemed ready to palm off the same statute on Congress until Texas Rep. Henry Gonzalez was joined on his House Banking, Finance, and Urban Affairs committee by a number of newly-elected urban liberals.

What explains this history of legislative successes? Good public relations is much of it. The industry has convinced more than a few powerful people of what might generously be called half-truths:

"We're just a bunch of family-owned stores. Too much regulation would put us out of business.

In written testimony submitted to Gonzalez's committee this spring, the executive director of the industry's trade association declared that "Eighty percent of the industry is made up of 'mom and pop' operators with fewer than five stores each." Later, during his oral testimony, he changed that figure to "over two-thirds."

Even that's wrong. Rent-A-Center, the Wichita-based chain owned by Thorn EMI, a global conglomerate whose other assets include country-music star Garth Brooks, controls 1,200 of the industry's 7,500 or so stores. That's nearly 20 percent of the market all by itself. In fact, in written answers to questions from the House committee, the trade association's own figures indicate that 40 percent of rent-to-own stores are owned or franchised by chains with 25 or more outlets. David Ramp, a Minneapolis Legal Aid attorney who has been fighting the industry for years, says his research shows that 60 percent of the market is controlled by fewer than 20 large corporations. And the industry trend is toward more and more consolidation.

"We don't prey on the poor. Our customers come from all walks of life."

Anecdotal evidence aside, it's clear that the vast bulk of rent-to-own's customer base comes from the poor or near-poor. For example, Rent-A-Center's own market research has shown that nearly 60 percent of its customers earn less than $20,000 a year, while just 4 percent earn $45,000 or more. Only about 7 percent are college graduates.

"We're in the rental business, not retail. Just 25 percent of our customers end up owning. Most bring back their merchandise after a few weeks."

This is the industry's big lie. "We're in the retail merchandising business when you get right down to it," Larry Sutton, an owner in a Florida rent-to-own chain, told fellow dealers at a 1991 seminar. "We don't want to say that in court. [But] let's face it: We're in the retail business. We sell." Indeed, in a national survey, 70 percent of Rent-A-Center customers said they intended to own the merchandise. Just 11 percent said they only wanted a short-term lease. In fact, 48 percent believed they already owned the goods even before the "lease" was completed.

To test what they do tell consumers, I visited 15 rent-to-own stores in Georgia, New Jersey, Pennsylvania, and Virginia. I asked questions just like any customer off the street. Among them: What percentage of customers end up owning? Not one of them gave the 25 percent figure that's cited in official settings. Seven estimated 80 percent or more. Six others gave estimates ranging from 45 percent to 70 percent. At another store, a salesman said simply: "Almost all of them."

"We charge more because of the high costs of theft and because we offer free repairs."

In congressional testimony this spring, the industry's trade group said that 12 percent of rent-to-own merchandise is stolen. However, the industry association's chief attorney wrote in an 1989 trade journal article that rent-to-own stores' losses from stolen merchandise consistently averages about 2 percent of revenues—considerably less than what credit-card companies are forced to write off in unpaid debts.

As for free repairs and replacement, a lot of the stuff—such as furniture—requires little maintenance, and much of it is covered by manufacturer's warranties. A Rent-A-Center study found that less than five percent of their merchandise needed repairs.

But the spectre of damaged goods is actually a cash cow for the industry. Most stores require customers to pay "damage and theft waiver fees"—essentially credit insurance that covers the store if something happens to the merchandise. In return for the fee, you won't owe anything to the store if the merchandise is damaged or stolen during the contract period. The downside, of course, is that you're also out all the payments you've already made and can't keep what you've been paying for.

Typically, a rent-to-own store will charge you $1 a week in "waiver" fees for insurance—so that a $330 TV from Rent-A-Center (for which you're paying $1,200) costs another $74 to insure. For roughly that sum you could buy enough renter's insurance to cover $10,000 or even $20,000 worth of personal belongings. Rent-A-Center, meanwhile, makes a bundle on the extra fee: Ramp's research has shown that Rent-A-Center has to write off only about a nickel in claims for each dollar it takes in "waiver fees." (Another big money maker is fees to forgive late payments. Rent-A-Center customers in Minnesota paid $1.3 million in "reinstatement" charges over one four-year period).

Even where lawmakers haven't been snookered into buying this industry propaganda, rent-to-own dealers have found ways to get around the law. When Pennsylvania passed a statute in 1989 that defined rent-to-own as a retail sale and sets an annual interest limit of 18 percent, the state's rent-to-own dealers claimed the law would put them out of business. It didn't. Instead, most ignored it or found ways to skirt it. Some, for example, now offer straight rentals ("rent-to-rent") with the promise of a "rebate" that the customer can use to purchase the item at the end of the contract. An undercover investigation by the Pennsylvania attorney general's office found rent-to-own stores were still charging annual interest rates from 82 to 265 percent.

This end run shows the problem with trying to regulate away price-gouging: As long as there's a consumer demand and a market that is locked out of mainstream credit, some businesses will find a way to take advantage. "If you want nice things—where are you gonna go if you can't get credit?" asks Tonya Cross, a rent-to-own customer in Roanoke, Va. "If you want it, you're gonna have to get it from somewhere."

Which is where consumer advocates come in. Many customers are illiterate or financially unsophisticated and have little idea that they are paying double or triple retail, or more. Few know that—as the industry has sworn in court and in Congress—you have only a one-in-four chance of ultimately keeping the stuff when you rent-to-own. A consumer protection campaign pushing these themes would be a good start.

Other customers, like Cross, know that they're paying more, but go the rent-to-own route because they believe they have no other choices. That's why government and consumer activists should provide them with some alternatives by putting more resources into credit unions and other non-profit institutions that offer savings accounts and small loans to poor and working people.

In the meantime, there are some cheaper (though not inexpensive) alternatives: Buying things on time from retail stores or with credit cards is almost always cheaper than renting to own. Paying 20 percent interest a year or more to a retail store isn't cheap, but it's less than rent-to-own and the chances you'll actually keep the goods are better. Taking the plunge with Sears simply has to be better than paying $1,200 for a $300 TV.

RENT-TO-OWN CONSUMER CREDIT PROTECTION ACT OF 1993— SECTION-BY-SECTION ANALYSIS

Section 1. Short Title. This Act may be cited as the "Rent-To-Own Consumer Credit Protection Act of 1993.

Section 2. Rent-to-Own Protection Act. The Consumer Protection Act is amended to include a new title, "Title X—Rent-To-Own Transactions."

Findings and purposes: The Congress finds: that the rent-to-own industry targets its products primarily to low-income and minority neighborhoods; the majority of rent-to-own customers enter into rent-to-own contracts with the intention of owning the goods for which they are contracting; rent-to-own dealers often fail to disclose key terms of rent-to-own contracts, and engage in unfair debt collection practices; and rent-to-own dealers do not provide customers with the protections afforded purchasers in retail installment sales under state and Federal laws, and often charge excessive fees and interest rates.

The purposes of this title are: to provide consumers in rent-to-own transactions the range of protections provided under state and Federal laws to individuals who acquire goods in other consumer credit sales; to require rent-to-own contracts, and tags affixed to items available for acquisition in rent-to-own transactions, to disclose the material terms of those transactions; and to prohibit rent-to-own dealers and collection agents hired by such dealers from engaging in abusive collection practices.

Definitions: The Act defines such terms as "cash price", "consumer", "credit", and "seller". A "rent-to-own contract means a contract in the form of a terminable lease or bailment of an item of consumer goods, under which the consumer has the right of possession and use of the item, has the option to renew the contract periodically by making payments specified in the contract, and the seller agrees in writing or orally to transfer ownership of the item to the consumer upon the fulfillment of all obligations of the consumer under the contract for that transfer. The term "rent-to-own transaction" means the lease or bailment of an item of consumer goods under the a rent-to-own contract.

State Law: Fees, Charges, Guarantees, and Warranties: All interest, finance charges or other fees charged by a seller in a rent-to-own transaction shall be of a type and in an amount allowed under state law. A termination fee, where permitted, shall not exceed 5% of the cash price disclosed under the contract, shall be disclosed in the contract, may be paid at the time the contract is entered into or over the life of the contract, and shall be calculated as part of the finance charge. The termination of a rent-to-own contract by a consumer under this title shall satisfy the consumer's obligation for all payments due under the contract except those payments due prior to the termination of the rent-to-own transaction. All guarantees and warranties required under state law for goods sold pursuant to a consumer credit sale or retail installment sale shall apply to goods that are the subject of a rent-to-own transaction.

Application of Federal Law: The following Federal laws shall apply to rent-to-own transactions: "The Truth in Lending Act", the "Equal Credit Opportunity Act", the "Fair Debt Collection Practices Act", and the "Fair Credit Reporting Act".

Disclosures on Goods: Each item available for purchase pursuant to a rent-to-own transaction shall disclose: (1) the cash price of the item; (2) an itemization of services offered under a rent-to-own contract for the item, and the cash price of each service; (3) the annual percentage rate of the item as determined under the "Truth in Lending Act"; (4) the incremental payment schedule applicable under the rent-to-own contract and the number of payments required; (5) the total of payments required to be paid to acquire ownership of the item as determined under regulations under the "Truth in Lending Act"; and (6) specification of whether the item is new or used.

Prohibitions; Enforcement: A seller under a rent-to-own contract shall not threaten, coerce, engage in conduct to oppress, harass or abuse, make fraudulent, deceptive or misleading representation, or use any unconscionable means to collect amounts owed by the consumer. The Federal Trade Commission shall enforce these prohibitions.

Civil Liability: Any seller who fails to comply with the disclosure requirements of this title shall be liable to the consumer for actual damages sustained as a result of the failure, $500 for each failure, and all costs of the action and reasonable attorney fees. Any seller who fails to comply with any other requirements of this title shall be liable to the consumer for actual damages sustained by the consumer as a result of the violation, $5,000 for each violation and all costs of the action and reasonable attorney fees. Any action brought under this title must be commence in any United States district court or any other court of competent jurisdiction not later than 2 years after the date of the violation or failure. Nothing in this title shall be construed to limit any remedy otherwise available under state or Federal law.

Regulations: The Federal Trade Commission shall, within 6 months after enactment of this title, issue regulations as may be necessary to implement this title.

Relationship to other laws: This title does not annul, alter, affect or, exempt any person subject to the provisions of this title from complying with the laws of any State with respect to rent-to-own transactions, except to the extent that such laws are inconsistent with any provision of this title, and then only to the extent of the inconsistency. In addition, Chapter 5 of the "Truth in Lending Act", concerning consumer leases, shall not apply to a rent-to-own transaction to the extent application of that Act to the transaction is inconsistent with this title.

Section 3: Not later than two years after the enactment of this Act, the Federal Trade Commission shall report to Congress regarding issues relating to the Federal regulation of the rent-to-own industry, and where appropriate, make recommendations for further legislation.

Section 4: The provisions of this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

By Mr. SIMON:

S. 1567. A bill to amend the National Labor Relations Act and the Labor Management Relations Act, 1947, to permit additional remedies in certain unfair labor practice cases, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON (for himself and Mr. WELLSTONE):

S. 1568. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Labor and Human Resources.

LABOR LEGISLATION

● Mr. SIMON. Mr. President, today I am introducing two bills to add to the series of labor law reform bills I introduced October 7, 1993.

The first bill, the Labor Relations Remedies Act of 1993, awards employees who have been unfairly discharged for union activities back pay equal to three times the employee's wage at the time of discharge. Further, employee's will have the right to sue for compensatory and punitive damages in district or State court.

In addition, on behalf of myself and Senator WELLSTONE, I am introducing the Labor Relations First Contract Negotiations Act of 1993. This will facilitate the consummation of the first contract between an employer and the certified bargaining representative. Briefly, this bill requires selection of a mediator when a new labor representative and an employer are unable to settle first contract disputes within 60 days after the representative has been certified. If the employer and representative have still not reached an agreement 30 days after a mediator has been chosen, either side may transfer matters for binding arbitration.

There has been a drastic decline in labor union membership during the past 20 years. I believe that the main reason for this decline is public policy which has frustrated efforts by employees to organize. The two bills I am introducing today along with the five bills I introduced last week are an attempt to remedy the inequities which plague current labor laws. We need to level the playing field. Employers and employees must have equal footing when negotiating and these bills go a long way toward ensuring fairness in the workplace.

I ask unanimous consent that the full text of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 1567

Be it enacted by the Senate and House of representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Labor Relations Remedies Act of 1993".

SEC. 2. BOARD REMEDIES.

Section 10(c) of the National Labor Relations Act (29 U.S.C. 160(c)) is amended by inserting after the fourth sentence the following new sentence: "If the Board finds that an employee was discharged in violation of this Act, the Board in such order shall (1) award back pay in an amount equal to three times the employee's wage rate at the time of the unfair labor practice and (2) notify such employee of the employee's right to sue for punitive damages and damages with respect to a wrongful discharge under section 303 of the Labor Management Relations Act, 1947 (29 U.S.C. 187), as amended by the Labor Relations Remedies Act of 1993.".

SEC. 3. COURT REMEDIES.

Section 303 of the Labor Management Relations Act, 1947 (29 U.S.C. 187), is amended by adding at the end the following new subsections:

"(c) It shall be unlawful, for purposes of this section, for an employer to discharge an employee for exercising rights protected under the National Labor Relations Act (29 U.S.C. 158)."

"(d) An employee whose discharge is determined by the National Labor Relations Board under section 10(c) to be a violation of this Act may sue therefore in any district court of the United States without respect to the amount in controversy, or in any other court having jurisdiction over the parties to recover compensatory and punitive damages in addition to the back pay ordered by the Board."

"(e) Nothing contained in Section 8 or Section 10 of the National Labor Relations Act (19 U.S.C. 158), or in this section shall limit the rights and remedies under any State or Federal law or before any court or other tribunal of an employee discharged by an employer."

S. 1568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This act may be cited as the "Labor Relations First Contract Negotiations Act of 1993".

SEC. 2. INITIAL CONTRACT DISPUTES.

Section of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following new subsection:

(h)(1) If not later than 60 days after the certification of a new representative for the purpose of collective bargaining, the employer and the representative have not reached a collective bargaining agreement with respect to the terms and conditions of employment, the employer and representative shall jointly select a mediator to mediate those issues on which they cannot agree.

(2) If the parties are unable to agree upon a mediator, either party may request the Federal Mediation and Conciliation Service to name one and the Federal Mediation and Conciliation Service shall thereupon appoint a person to serve as mediator.

(3) If not later than 30 days after the date of the selection of a mediator under paragraphs (1) or (2), the employer and the representative have still not reached agreement, the employer or the representative may transfer the matters remaining in controversy to the Federal Mediation and Conciliation Service for binding arbitration".●

By Mr. KENNEDY (for himself and Mr. HATCH):

S. 1569. A bill to amend the Public Health Service Act to establish, reauthorize, and revise provisions to improve the health of individuals from disadvantaged backgrounds, and for other purposes; to the Committee on Labor and Human Resources.

THE DISADVANTAGED MINORITY HEALTHACT OF 1993

Mr. KENNEDY. Mr. President, today I am introducing the Disadvantaged Minority Health Improvement Act of 1993. This legislation reauthorizes several vital health programs and establishes new initiatives for improving the health status of racial and ethnic minorities.

Despite impressive gains in scientific knowledge and increased ability to diagnose, prevent, and cure disease, many minority citizens in America do not benefit from these advances. Over $800 billion a year is spent on health care in this country, yet the health status of racial and ethnic minorities lags far behind the rest of the Nation. Today, African-Americans, Hispanics, native Americans, and Asian-Pacific Islanders as a whole are often in poorer health than typical citizens of Third World countries.

Because minorities are less likely to receive health care services, their children are at risk for being born prematurely or with physical disabilities or not being vaccinated against preventable diseases. Minority adults have a higher likelihood of dying from diseases that most physicians consider preventable.

"Health, United States, 1992" the latest annual report card on the Nation's health shows that a number of serious health problems disproportionately affecting people of color have not improved or have become worse.

The statistics on infant mortality are shocking. An African-American child is twice as likely to die in the first year of life as a white child, and the gap is increasing. African-American mothers are twice as likely to receive little or no prenatal health care. In addition, African-Americans die as a result of heart disease twice as often as whites, and life expectancy of black males is 8 years less. Survival rates for cancer are shorter and the incidence of AIDS is 4 times higher in black men than white men—and 15 times higher in black women than white women.

According to the U.S. Census Current Population Survey, 21 percent of blacks and 32 percent of Hispanics were uninsured in 1991, compared with 11 percent of non-Hispanic whites.

The way to eliminate these disparities is to eliminate the barriers that create them. One of the major obstacles is inadequate access to quality health care, which often results from the lack of health insurance, the scarcity of minority health providers, the lack of community-based services, inadequate support for institutions that serve minorities and the lack of relevant health information.

In 1990, Congress enacted the Disadvantaged Minority Health Improvement Act to reduce these barriers and the unnecessary diseases and deaths that disproportionately affect minorities. The act established an office of minority health in the Department of Health and Human Services to coordinate activities relating to health promotion, disease prevention, service delivery, and research involving racial and ethnic minorities. The act also established a loan and scholarship program to provide financial assistance to minority students pursuing careers as health professionals. In addition, the act strengthened and revised health service delivery programs for disadvantaged racial and ethnic minorities.

The Committee on Labor and Human Resources recently conducted hearings on the act. These hearings demonstrated the need for more research on minority health issues, better racial and ethnic minority health data collection, programs to improve access to health care, and the need for more minority health professionals.

The legislation I am introducing today reauthorizes and revises activities of the Office of Minority Health. It supports the National Minority Health Resource Center that disseminates information on health promotion, disease prevention, and preventive health services to racial and ethnic minorities.

This legislation also establishes a national center to address the problems facing individuals with limited English skills when seeking health care services. The legislation also revises and extends the Health Careers Opportunity Program, the Faculty Development Loan Repayment Program, the Centers of Excellence Program and scholarship and loan programs for disadvantaged students. These programs will help increase the number of minority students pursuing careers in medicine, dentistry, and clinical psychology by providing financial aid to students and grants to schools committed to training minority students.

In addition, the legislation creates new offices of minority health in four agencies—the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Substance Abuse and Mental Health Services Administration, and the Agency for Health Care Policy and Research. These offices will help ensure that disadvantaged minority groups have access to health promotion and disease prevention services provided by the Public Health Service.

In addition, the bill authorizes $3 million in grants to States to establish their own offices of minority health. These offices will act as clearinghouses to collect and disseminate information, develop innovative methods of delivering health care and social services to minority communities, and coordinate State activities relating to health promotion and disease prevention.

Finally, the bill establishes an advisory committee on research on minority health at the National Institutes of Health, to be composed of scientists, physicians, and health care provides with expertise in minority health research and in eliminating barriers to health care. The committee will analyze current research and design new research projects on all aspects of the relationships between disease and race and ethnicity, such as the onset of disease, and responses to pharmaceutical drugs and other treatments.

We have begun to make progress in this area in recent years, but much more remains to be done. I look forward to working with Congress and the administration to enact this legislation.

I ask unanimous consent that the text of the bill may be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD as follows:

S. 1569

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Preventive Health Services and Health Professions Amendments Act of 1993".

(b) REFERENCE.—Except as otherwise expressly provided, whenever in this Act an amendment or a repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

(c) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; reference; table of contents.
Sec. 2. Findings.

TITLE I—HEALTH POLICY

Sec. 101. Office of Minority Health.
Sec. 102. Agency Offices of Minority Health.
Sec. 103. State Offices of Minority Health.
Sec. 104. Assistant Secretary of Health and Human Services for Civil Rights.

TITLE II—HEALTH SERVICES

Sec. 201. Community scholarship programs.
Sec. 202. Health services for residents of public housing.
Sec. 203. Issuance of regulations regarding language as impediment to receipt of services.
Sec. 204. Health services for Pacific Islanders.

TITLE III—HEALTH PROFESSIONS

Sec. 301. Loans for disadvantaged students.
Sec. 302. Cesar Chavez scholarship program.
Sec. 303. Thurgood Marshall scholarship program.
Sec. 304. Loan repayments and fellowships regarding faculty positions at health professions schools.
Sec. 305. Centers of excellence.
Sec. 306. Educational assistance regarding undergraduates.
Sec. 307. Area health education centers.

TITLE IV—RESEARCH AND DATA COLLECTION

Sec. 401. Office of Research on Minority Health.
Sec. 402. National Center for Health Statistics.
Sec. 403. Activities of Agency for Health Care Policy and Research.

TITLE V—MISCELLANEOUS

Sec. 501. Revision and extension of program for State Offices of Rural Health.
Sec. 502. Technical corrections relating to health professions.
Sec. 503. Clinical traineeships.
Sec. 504. Demonstration project grants to States for alzheimer's disease.
Sec. 505. Medically underserved area study.
Sec. 506. Programs regarding birth defects.

TITLE VI—GENERAL PROVISIONS

Sec. 601. Effective date.

SEC. 2. FINDINGS.

Section 1(b) of the Disadvantaged Minority Health Improvement Act of 1990 (42 U.S.C. 300u-6 note) is amended to read as follows—

"(b) FINDINGS.—Congress finds that—

"(1) the health status of individuals from racial and ethnic minorities in the United States is significantly lower than the health status of the general population and has not improved significantly since the issuance of the 1985 report entitled "Report of the Secretary's Task Force on Black and Minority Health";

"(2) racial and ethnic minorities are disproportionately represented among the poor;

"(3) racial and ethnic minorities suffer disproportionately high rates of cancer, heart disease, diabetes, substance abuse, acquired immune deficiency syndrome, and other diseases and disorders;

"(4) the incidence of infant mortality among African Americans is almost double that for the general population;

"(5) Mexican-American and Puerto Rican adults have diabetes rates twice that of non-Hispanic whites;

"(6) a third of American Indian deaths occur before the age of 45;

"(7) according to the 1990 Census, African Americans, Hispanics, American Indians, and Asian/Pacific Islanders constitute approximately 12.1 percent, 9 percent, 0.08 percent, and 2.9 percent, respectively, of the population of the United States;

"(8) minority health professionals have historically tended to practice in low-income areas, medically underserved areas, and to serve racial and ethnic minorities;

"(9) minority health professionals have historically tended to engage in the general practice of medicine and specialties providing primary care;

"(10) reports published in leading medical journals indicate that access to health care among minorities can be substantially improved by increasing the number of minority professionals;

"(11) diversity in the faculty and student body of health professions schools enhances the quality of education for all students attending the schools; and

"(12) health professionals need greater access to continuing medical education programs to enable such professionals to upgrade their skills (including linguistic and cultural competence skills) and improve the quality of medical care rendered in minority communities.".

TITLE I—HEALTH POLICY

SEC. 101. OFFICE OF MINORITY HEALTH.

Section 1707 (42 U.S.C. 300u-6) is amended by striking subsection (b) and all that follows and inserting the following:

"(b) DUTIES.—With respect to improving the health of racial and ethnic minorities, the Secretary, acting through the Deputy Assistant Secretary for Minority Health, shall carry out the following:

"(1) Establish short-range and long-range goals and objectives and coordinate all other activities within the Department of Health and Human Services that relate to disease prevention, health promotion, service delivery, and research concerning such individuals. The heads of the operating divisions of the Department of Health and Human Services and the heads of Public Health Service agencies shall consult with the Deputy Assistant Secretary for Minority Health to assist in the coordination of all activities within the Department as they relate to disease prevention, health promotion, service delivery, and research concerning such individuals.

"(2) Carry out the following types of activities by entering into interagency agreements with other agencies of the public health service:

"(A) Support research, demonstrations and evaluations to test new and innovative models.

"(B) Increase knowledge and understanding of health risk factors.

"(C) Develop mechanisms that support better information dissemination, education, prevention, and service delivery to individuals from disadvantaged backgrounds, including racial and ethnic minorities.

"(3) Establish a national minority health resource center to carry out the following:

"(A) Facilitate the exchange of information regarding matters relating to health information and health promotion, preventive health services, and education in the appropriate use of health care.

"(B) Facilitate access to such information.

"(C) Assist in the analysis of issues and problems relating to such matters.

"(D) Provide technical assistance with respect to the exchange of such information (including facilitating the development of materials for such technical assistance).

"(4) Establish a national center that shall carry out programs to improve access to health care services for individuals with limited English proficiency by facilitating the removal of impediments to the receipt of health care that result from such limitation.

"(5) With respect to awards of grants and contracts that are available under certain minority health programs, establish a program—

"(A) to inform entities, as appropriate, that the entities may be eligible for the awards;

"(B) to provide technical assistance to such entities in the process of preparing and submitting applications for the awards in accordance with the policies of the Secretary regarding such application; and

"(C) to inform populations, as appropriate, that members of the populations may be eligible to receive services or otherwise participate in the activities carried out with such awards.

"(c) ADVISORY COMMITTEE.—

"(1) IN GENERAL.—The Secretary shall establish an advisory committee to be known as the Advisory Committee on Minority Health (in this subsection referred to as the 'Committee').

"(2) DUTIES.—The Committee shall provide advice to the Secretary on carrying out this section, including advice on the development of goals and specific program activities under subsection (b)(1) for each racial and ethnic group.

"(3) CHAIRPERSON.—The Deputy Assistant Secretary for Minority Health shall serve as the Chairperson of the Committee.

"(4) COMPOSITION.—The Committee shall be composed of no fewer than 12, and not more than 18 individuals, who are not officers or employees of the Federal Government. The Secretary shall appoint the members of the Committee from among individuals with expertise regarding issues of minority health. The membership of the Committee shall be equitably representative of the various racial and ethnic groups. The Secretary may appoint representatives from selected Federal agencies to serve as ex officio, non-voting members of the Committee.

"(5) TERMS.—Each member of the Committee shall serve for a term of 4 years, except that the Secretary shall initially appoint a portion of the members to terms of 1 year, 2 years, and 3 years.

"(6) VACANCIES.—If a vacancy occurs on the Committee, a new member shall be appointed by the Secretary within 90 days from the date that the vacancy occurs, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the Committee.

"(7) COMPENSATION.—Members of the Committee who are officers or employees of the United States shall serve without compensation. Members of the Committee who are not officers or employees of the United States shall receive, for each day (including travel time) they are engaged in the performance of the functions of the Committee, compensation at rates that do not exceed the daily equivalent of the annual rate in effect for grade GS-18 of the General Schedule under title 5, United States Code.

"(d) CERTAIN REQUIREMENTS REGARDING DUTIES.—

"(1) RECOMMENDATIONS REGARDING LANGUAGE AS IMPEDIMENT TO HEALTH CARE.—The Secretary, acting through the Director of the Office of Refugee Health, the Director of the Office of Civil Rights, and the Director of the Office of Minority Health of the Health Resources and Services Administration, shall make recommendations regarding activities under subsection (b)(4).

"(2) EQUITABLE ALLOCATION REGARDING ACTIVITIES.—In awarding grants or contracts under section 340A, 724, 737, 738, or 1707, the Secretary shall ensure that such awards are equitably allocated with respect to the various racial and ethnic populations.

"(3) CULTURAL COMPETENCY OF SERVICES.—The Secretary shall ensure that information and services provided pursuant to subsection (b) are provided in the language and cultural context that is most appropriate for the individuals for whom the information and services are intended.

"(4) PEER REVIEW.—The Secretary shall ensure that each application for a grant, contract or cooperative agreement under section 340A, 724, 737, or 1707 undergoes appropriate peer review.

"(e) REPORTS.—Not later than January 31 of fiscal year 1995 and of each second year thereafter, the Secretary shall submit to the Congress a report describing the activities carried out under this section during the preceding 2 fiscal years and evaluating the extent to which such activities have been effective in improving the health of racial and ethnic minorities.

"(f) GRANTS AND CONTRACTS REGARDING DUTIES.—

"(1) AUTHORITY.—In carrying out subsection (b), the Secretary may enter into contracts with public and nonprofit private entities for activities described in paragraphs (3) and (4) of subsection (b).

"(2) EVALUATION AND DISSEMINATION.—The Secretary shall, directly or through contracts with public and private entities, provide for evaluations of projects carried out with financial assistance provided under paragraph (1) during the preceding 2 fiscal years. The report shall be included in the report required under subsection (e) for the fiscal year involved.

"(g) DEFINITION.—As used in this section, the term 'racial and ethnic minority group' means Hispanics, Blacks, Asian Americans, Pacific Islanders, Native Americans, and Alaskan Natives. The term 'Hispanic' means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country, including Spain or the Caribbean Islands, and individuals identifying themselves as Hispanic, Latino, Spanish, or Spanish-American.

"(h) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $20,500,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(2) ALLOCATION OF FUNDS BY SECRETARY.—Of the amounts appropriated under paragraph (1) for a fiscal year in excess of $15,000,000, the Secretary shall make available not less than $3,000,000 for activities to improve access to health care services for individuals with limited English proficiency, including activities identified in subsection (b)(4).".

SEC. 102. AGENCY OFFICES OF MINORITY HEALTH.

Title XVII (42 U.S.C. 300u et seq.) is amended by adding at the end the following new section:

"SEC. 1709. AGENCY OFFICES OF MINORITY HEALTH.

"(a) IN GENERAL.—The Secretary, acting through the Deputy Assistant Secretary for Minority Health, shall ensure that an Office of Minority Health is established and operating at the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Substance Abuse and Mental Health Administration, and the Agency for Health Care Policy and Research. Such Offices shall be established to ensure that services and programs carried out within each such respective agency or office—

"(1) are equitably delivered with respect to racial and ethnic groups;

"(2) provide culturally competent services; and

"(3) utilize racial and ethnic minority community-based organizations to deliver services.

"(b) REPORTS.—Each Office of Minority Health within the Department of Health and Human Services shall submit a report, not later than May 1 of each year, to the Deputy Assistant Secretary for Minority Health (as provided for in section 1707(a)) describing the accomplishments or programs of the plan, the budget allocation and expenditures for, and the development and implementation of, such health programs targeting racial and ethnic minority populations. The Secretary shall ensure the participation and cooperation of each Agency in the development of the annual report.".

SEC. 103. STATE OFFICES OF MINORITY HEALTH.

Title XVII (42 U.S.C. 300u et seq.), as amended by section 102, is further amended by adding at the end the following new section:

"SEC. 1710. GRANTS TO STATES FOR OPERATION OF OFFICES OF MINORITY HEALTH.

"(a) IN GENERAL.—The Secretary, acting through the Deputy Assistant Secretary for Minority Health (as provided for in section 1707), may make grants to States for the purpose of improving the health status in minority communities, through the operation of State offices of minority health established to monitor and facilitate the achievement of the Health Objectives for the Year 2000 as they affect minority populations.

"(b) ADMINISTRATION OF PROGRAM.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that the program carried out by the State with amounts received under the grant will be administered directly by a single State agency.

"(c) CERTAIN REQUIRED ACTIVITIES.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that activities carried out by an office operated under the grant received pursuant to such subsection will—

"(1) establish and maintain within the State a clearinghouse for collecting and disseminating information on—

"(A) minority health care issues;

"(B) research findings relating to minority health care; and

"(C) innovative approaches to the delivery of health care and social services in minority communities;

"(2) coordinate the activities carried out in the State that relate to minority health care, including providing coordination for the purpose of avoiding redundancy in such activities;

"(3) identify Federal and State programs regarding minority health, and providing technical assistance to public and nonprofit entities regarding participation in such program; and

"(4) develop additional Health People 2000 objectives for the State that are necessary to address the most prevalent morbidity and mortality concerns for racial and ethnic minority groups in the State.

"(d) REQUIREMENT REGARDING ANNUAL BUDGET OFFICE.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that, for any fiscal year for which the State receives such a grant, the office operated under such grant will be provided with an annual budget of not less than $75,000.

"(e) CERTAIN USES OF FUNDS.—

"(1) RESTRICTIONS.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that—

"(A) if research with respect to minority health is conducted pursuant to the grant, not more than 10 percent of the amount received under the grant will be expended for such research; and

"(B) amounts provided under the grant will not be expended—

"(i) to provide health care (including providing cash payments regarding such care);

"(ii) to conduct activities for which Federal funds are expended—

"(I) within the State to provide technical and other nonfinancial assistance under subsection (m) of section 340A;

"(II) under a memorandum of agreement entered into with the State under subsection (h) of such section; or

"(III) under a grant under section 388I;

"(iii) to purchase medical equipment, to purchase ambulances, aircraft, or other vehicles, or to purchase major communications equipment;

"(iv) to purchase or improve real property; or

"(v) to carry out any activity regarding a certificate of need.

"(2) AUTHORITIES.—Activities for which a State may expend amounts received under a grant under subsection (a) include—

"(A) paying the costs of establishing an office of minority health for purposes of subsection (a);

"(B) subject to paragraph (1)(B)(ii)(III), paying the costs of any activity carried out with respect to recruiting and retaining health professionals to serve in minority communities or underserved areas in the State; and

"(C) providing grants and contracts to public and nonprofit entities to carry out activities authorized in this section.

"(f) REPORTS.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees—

"(1) to submit to the Secretary reports containing such information as the Secretary may require regarding activities carried out under this section by the State; and

"(2) to submit a report not later than January 10 of each fiscal year immediately following any fiscal year for which the State has received such a grant.

"(g) REIMBURSEMENT OF APPLICATION.—The Secretary may not make a grant to a State under subsection (a) unless an application for the grant is submitted to the Secretary and the application in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out such subsection.

"(h) NONCOMPLIANCE.—The Secretary may not make payments under subsection (a) to a State for any fiscal year subsequent to the first fiscal year of such payments unless the Secretary determines that, for the immediately preceding fiscal year, the State has complied with each of the agreements made by the State under this section.

"(i) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—For purposes of making grants under subsection (a) there are authorized to be appropriated $3,000,000 for fiscal year 1995, $4,000,000 for fiscal year 1996, and $3,000,000 for fiscal year 1997.

"(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

"(j) TERMINATION OF PROGRAM.—No grant may be made under this section after the aggregate amounts appropriated under subsection (i)(1) are equal to $10,000,000.".

SEC. 104. ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES FOR CIVIL RIGHTS.

(a) IN GENERAL.—Part A of title II (42 U.S.C. 202 et seq.), as amended by section 2010 of Public Law 103–43, is amended by adding at the end the following new section:

"SEC. 229. ASSISTANT SECRETARY FOR CIVIL RIGHTS.

"(a) ESTABLISHMENT OF POSITION.—There shall be in the Department of Health and Human Services an Assistant Secretary for Civil Rights, who shall be appointed by the President, by and with the advice and consent of the Senate.

"(b) RESPONSIBILITIES.—The Assistant Secretary shall perform such functions relating to civil rights as the Secretary may assign.".

(b) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended, in the item relating to Assistant Secretaries of Health and Human Services, by striking "(5)" and inserting "(6)".

TITLE II—HEALTH SERVICES

SEC. 201. COMMUNITY SCHOLARSHIP PROGRAMS.

Section 338L (42 U.S.C. 254t) is amended—

(1) in subsection (a), by striking "health manpower shortage areas" and inserting "a Federally-designated health professional shortage areas";

(2) in subsection (c)—

(A) by striking "health manpower shortage areas" and inserting "a Federally-designated health professional shortage areas" in the matter preceding paragraph (1); and

(B) by striking "in the health manpower shortage areas in which the community organizations are located," and inserting "in a Federally-designated health professional shortage area that is served by the community organization awarding the scholarship," in paragraph (2);

(3) in subsection (e)(1)—

(A) by striking "health manpower shortage area" and inserting "a Federally-designated health professional shortage area"; and

(B) by striking "in which the community" and all that follows through "located";

(4) in subsection (k)(2), by striking "internal medicine" and all that follows through the end thereof and inserting "general internal medicine, general pediatrics, obstetrics and gynecology, dentistry, or mental health, that are provided by physicians or other health professionals."; and

(5) in subsection (l)(1), by striking "$5,000,000" and all that follows through "1993" and inserting "$1,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 202. HEALTH SERVICES FOR RESIDENTS OF PUBLIC HOUSING.

Section 340A(p)(1) (42 U.S.C. 256a(p)(1)) is amended—

(1) by striking "$35,000,000 for fiscal year 1991" and inserting "$12,000,000 for fiscal year 1994"; and

(2) by striking "1992 and 1993" and inserting "1995 and 1996".

SEC. 203. ISSUANCE OF REGULATIONS REGARDING LANGUAGE AS IMPEDIMENT TO RECEIPT OF SERVICES.

(a) PROPOSED RULE.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall issue a proposed rule regarding policies to reduce the extent to which having limited English proficiency constitutes a significant impediment to individuals in establishing the eligibility of the individuals for participation in health programs under the Public Health Service Act or in receiving services under such programs.

(b) FINAL RULE.—

(1) IN GENERAL.—Not later than the expiration of the 1-year period beginning on the date of the enactment of this Act, the Secretary shall issue a final rule regarding the policies described in subsection (a).

(2) FAILURE TO ISSUE BY DATE CERTAIN.—If the Secretary fails to issue a final rule under paragraph (1) before the expiration of the period specified in such paragraph, the proposed rule issued under subsection (a) is upon such expiration deemed to be the final rule under paragraph (1) (and shall remain in effect until the Secretary issues a final rule under such paragraph).

SEC. 204. HEALTH SERVICES FOR PACIFIC ISLANDERS.

Section 10 of the Disadvantaged Minority Health Improvement Act of 1990 (42 U.S.C. 254c–1) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting ", substance abuse" after "availability of health"; and

(ii) by striking ", including improved health data systems";

(B) in paragraph (3)—

(i) by striking "manpower" and inserting "care providers"; and

(ii) by striking "by—" and all that follows through the end thereof and inserting a semicolon;

(C) by striking paragraphs (5) and (6);

(D) by redesignating paragraphs (7), and (8) as paragraphs (5) and (6), respectively;

(E) in paragraph (5) (as so redesignated), by striking "and" at the end thereof;

(F) in paragraph (6) (as so redesignated), by striking the period and inserting a semicolon; and

(G) by inserting after paragraph (6) (as so redesignated), the following new paragraphs:

"(7) to provide primary health care, preventive health care, and related training to American Samoan health care professionals; and

"(8) to improve access to health promotion and disease prevention services for rural American Samoa;

(2) in subsection (f)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$10,000,000" and all that follows through "1993" and inserting "$3,000,000 for each of the fiscal years 1994 through 1996"; and

(3) by adding at the end thereof the following new subsection:

"(g) STUDY AND REPORT.—

"(1) STUDY.—Not later than 180 days after the date of enactment of this subsection, the Secretary, acting through the Administrator of the Health Resources and Services Administration, shall enter into a contract with a public or nonprofit private entity for the conduct of a study to determine the effectiveness of projects funded under this section.

"(2) REPORT.—Not later than July 1, 1995, the Secretary shall prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing the findings made with respect to the study conducted under paragraph (1).".

TITLE III—HEALTH PROFESSIONS

SEC. 301. LOANS FOR DISADVANTAGED STUDENTS.

Section 724(f)(1) (42 U.S.C. 292t(f)(1)) is amended—

(1) by striking "there is" and inserting "there are"; and

(2) by striking "$15,000,000 for fiscal year 1993" and inserting "$8,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 302. CESAR CHAVEZ SCHOLARSHIP PROGRAM.

Section 736 (42 U.S.C. 293) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 736. CESAR CHAVEZ SCHOLARSHIP PROGRAM.

(2) in subsection (c)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$11,000,000 for fiscal year 1993" and inserting "$10,500,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 303. THURGOOD MARSHALL SCHOLARSHIP PROGRAM.

Section 737 (42 U.S.C. 293a) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 737. THURGOOD MARSHALL SCHOLARSHIP PROGRAM.";

(2) in subsection (a)—

(A) in paragraph (1), by inserting "(to be known as Thurgood Marshall Scholars)" after "providing scholarships to individuals"; and

(B) in paragraph (3), by inserting after "public health," "schools offering programs for the training of physician assistants,".

(3) in subsection (h), by striking paragraph (1) and inserting the following new paragraph:

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $17,100,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.".

SEC. 304. LOAN REPAYMENTS AND FELLOWSHIPS REGARDING FACULTY POSITIONS AT HEALTH PROFESSIONS SCHOOLS.

Section 738 (42 U.S.C. 293b) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "disadvantaged backgrounds who—" and inserting "racial or ethnic groups that are underrepresented in the health professions who—"

(B) in paragraph (5)—

(i) by striking "; and" in subparagraph (A) and inserting a period;

(ii) by striking "unless—" and all that follows through "the individual involved" in subparagraph (A) and inserting "unless the individual involved"; and

(iii) striking subparagraph (B);

(C) by striking paragraph (6); and

(D) by redesignating paragraph (7) as paragraph (6); and

(2) in subsection (b)(2)(B), by striking "$30,000" and inserting "$50,000";

(3) in subsection (c)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$4,000,000 for fiscal year 1993" and inserting "$1,100,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 305. CENTERS OF EXCELLENCE.

Section 739 (42 U.S.C. 293c) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by inserting before the semicolon the following: "through collaboration with public and nonprofit private entities to carry out community-based programs to prepare students in secondary schools and institutions of higher education for attendance at the health professions school";

(B) in paragraph (4), by striking "and" at the end thereof;

(C) in paragraph (5), by striking the period and inserting "; and"; and

(D) by adding at the end thereof the following new paragraph:

"(6) to carry out a program to provide training to the students of the school to enable such students to provide health services to minority individuals at community-based health facilities that provide such services to a significant number of minority individuals and that are located at a site remote from the main site of the teaching facilities of the school.";

(2) in subsection (e)—

(A) by striking the subsection heading and inserting "AUTHORITY REGARDING CONSORTIA.—";

(B) by striking paragraph (1) and inserting the following new paragraph:

"(1) IN GENERAL.—The Secretary may make a grant under subsection (a) to any school of medicine, osteopathic medicine, dentistry, clinical psychology, or pharmacy that has in accordance with paragraph (2) formed a consortium of schools.";

(C) in paragraph (2), by striking subparagraphs (A) through (D) and inserting the following new subparagraphs:

"(A) the consortium consists of—

"(i) the health professions school seeking the grant under subsection (a); and

"(ii) one or more schools of medicine, osteopathic medicine, dentistry, pharmacy, nursing, allied health, public health, clinical psychology, or graduate programs in mental health practice;

"(B) the schools of the consortium have entered into an agreement for the allocation of such grant among the schools; and

"(C) each of the schools agrees to expend the grant in accordance with this section."; and

(D) by adding at the end the following paragraph:

"(3) AUTHORITY FOR COLLECTIVELY MEETING RELEVANT REQUIREMENTS IN CERTAIN CASES.—With respect to meeting the conditions specified in subsection (c)(4) for Native American Centers of Excellence, the Secretary may make a grant to any school that has in accordance with paragraphs (1) and (2) formed a consortium of schools that meets such conditions (without regard to whether the schools of the consortium individually meet such conditions)."; and

(3) in subsection (i)—

(A) in paragraph (1), by striking "such sums as may be necessary for fiscal year 1993" and inserting "$25,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996"; and

(B) in paragraph (2)(C) by adding at the end the following: "Health professions schools described in subsection (c)(2)(A) shall be eligible for grants under this subparagraph in a fiscal year if the amount appropriated for the fiscal year under paragraph (1) is greater than $23,500,000. Such schools shall be eligible to apply only for grants made from the portion of such amount that exceeds $23,500,000.".

SEC. 306. EDUCATIONAL ASSISTANCE REGARDING UNDERGRADUATES.

Section 740 (42 U.S.C. 293d) is amended—

(1) in subsection (a)(1), by adding at the end the following new sentence: "To be eligible for such a grant, a school shall have in place a program to assist individuals from disadvantaged backgrounds in gaining entry into a health professions school or completing the course of study at such a school.";

(2) in subsection (d)(1)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "1993" and inserting "1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

(3) in subsection (d)(2)(B), by adding at the end thereof the following new sentence: "Scholarship recipients under this section shall be known as 'Cesar Chavez Primary Care Scholars.".

SEC. 307. AREA HEALTH EDUCATION CENTERS.

Section 746(d)(2)(D) (42 U.S.C. 293j(d)(2)(D)) is amended by inserting "and minority health" after "disease prevention".

TITLE IV—RESEARCH AND DATA COLLECTION

SEC. 401. OFFICE OF RESEARCH ON MINORITY HEALTH.

Section 404 (42 U.S.C. 283b), as added by section 151 of Public Law 103–43, is amended by adding at the end the following subsections:

"(c) PLAN.—The Director of the Office, shall collaborate with the Deputy Assistant Secretary for Minority Health (as provided for in section 1707), to develop and implement a plan for carrying out the duties required by subsection (b). The Director, in consultation with the Deputy Assistant Secretary for Minority Health, shall review the plan not less often than annually, and revise the plan as appropriate.

"(d) EQUITY REGARDING VARIOUS GROUPS.—The Director of the Office shall ensure that activities under subsection (b) address equitably all minority groups.

"(e) ADVISORY COMMITTEE.—

"(1) ESTABLISHMENT.—In carrying out subsection (b), the Secretary shall establish an advisory committee to be known as the Advisory Committee on Research on Minority Health (in this subsection referred to as the 'Advisory Committee').

"(2) COMPOSITION.—

"(A) VOTING AND NONVOTING MEMBERS.—The Advisory Committee shall be composed of voting members appointed in accordance with subparagraph (B) and the ex officio nonvoting members described in subparagraph (C).

"(B) VOTING MEMBERS.—The Advisory Committee shall include not fewer than 12, and not more than 18, voting members who are not officers or employees of the Federal Government. The Director of the Office shall appoint such members to the Advisory Committee from among physicians, practitioners, scientists, consumers and other health professionals, whose clinical practices, research specialization, or professional expertise includes a significant focus on research on minority health or on the barriers that minorities must overcome to participate in clinical trials. The membership of the Advisory Committee shall be equitably representative of the minority groups served by the Office.

"(C) EX OFFICIO NONVOTING MEMBERS.—The Deputy Assistant Secretary for Minority Health and the Directors of each of the national research entities shall serve as ex officio nonvoting members of the Advisory Committee (except that any of such Directors may designate an official of the institute involved to serve as such member of the Committee in lieu of the Director).

"(3) CHAIRPERSON.—The Director of the Office shall serve as the chairperson of the Advisory Committee.

"(4) DUTIES.—The Advisory Committee shall—

"(A) advise the Director of the Office on appropriate research activities to be undertaken by the national research institutes with respect to—

"(i) research on minority health;

"(ii) research on racial and ethnic differences in clinical drug trials, including responses to pharmacological drugs;

"(iii) research on racial and ethnic differences in disease etiology, course, and treatment; and

"(iv) research on minority health conditions which require a multidisciplinary approach;

"(B) report to the Director of the Office on such research;

"(C) provide recommendations to such Director regarding activities of the Office (including recommendations on priorities in carrying out research described in subparagraph (A)); and

"(D) assist in monitoring compliance with section 492B regarding the inclusion of minorities in clinical research.

"(5) BIENNIAL REPORT.—

"(A) PREPARATION.—The Advisory Committee shall prepare a biennial report describing the activities of the Committee, including findings made by the Committee regarding—

"(i) compliance with section 492B;

"(ii) the extent of expenditures made for research on minority health by the agencies of the National Institutes of Health; and

"(iii) the level of funding needed for such research.

"(B) SUBMISSION.—The report required in subparagraph (A) shall be submitted to the Director of the National Institutes of Health for inclusion in the report required in section 403.

"(f) REPRESENTATIVES OF MINORITIES AMONG RESEARCHERS.—The Secretary, acting through the Assistant Secretary for Personnel Administration and in collaboration with the Director of the Office, shall determine the extent to which minorities are represented among senior physicians and scientists of the national research institutes and among physicians and scientists conducting research with funds provided by such institutes, and as appropriate, carry out activities to increase the extent of such representation.

"(g) DEFINITIONS.—For purposes of this part:

"(1) MINORITY HEALTH CONDITIONS.—The term 'minority health conditions', with respect to individuals who are members of minority groups, means all diseases, disorders, and conditions (including with respect to mental health)—

"(A) unique to, more serious, or more prevalent in such individuals;

"(B) for which the factors of medical risk or types of medical intervention are different for such individuals, or for which it is unknown whether such factors or types are different for such individuals; or

"(C) with respect to which there has been insufficient research involving such individuals as subjects or insufficient data on such individuals.

"(2) RESEARCH ON MINORITY HEALTH.—The term 'research on minority health' means research on minority health conditions, including research on preventing such conditions.

"(3) MINORITY GROUPS.—The term 'minority groups' means Blacks, American Indians, Alaskan Natives, Asian/Pacific Islanders, and Hispanics, including subpopulations of such groups.".

SEC. 402. NATIONAL CENTER FOR HEALTH STATISTICS.

(a) IN GENERAL.—Section 306 (42 U.S.C. 242k) is amended—

(1) in subsection (c), by striking "Committee on Human Resources" and inserting "Committee on Labor and Human Resources";

(2) in subsection (g), by striking "data which shall be published" and all that follows and inserting "data.";

(3) in subsection (k)(2)—

(A) in subparagraph (A)—

(i) by striking the subparagraph designation; and

(ii) by striking "Except as provided in subparagraph (B), members" and inserting "Members"; and

(B) by striking subparagraph (B);

(4) in subsection (l)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (4) as paragraph (3); and

(C) in paragraph (3) (as so redesignated), by striking "paragraphs (1), (2), and (3)," and inserting "paragraphs (1) and (2),"; and

(5) in subsection (o)—

(A) in paragraph (1), by striking "1991 through 1993" and inserting "1994 through 1997"; and

(B) in paragraph (2), by striking "$5,000,000" and all that follows through

"1993" and inserting "$1,100,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1997".

(b) General Authority Respecting Research, Evaluations, and Demonstrations.—Section 304 (42 U.S.C. 242b) is amended by striking subsection (d).

(c) General Provisions Respecting Effectiveness, Efficiency, and Quality of Health Services.—Section 308 (42 U.S.C. 242m) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(B) in paragraph (2), by striking "reports required by subparagraphs" and all that follows through "Center" and inserting the following: "reports required in paragraph (1) shall be prepared through the National Center";

(2)(A) by striking subsection (c);

(B) by transferring paragraph (2) of subsection (g) from the current location of the paragraph;

(C) by redesignating such paragraph as subsection (c);

(D) by inserting subsection (c) (as so redesignated) after subsection (b); and

(E) by striking the remainder of subsection (g);

(3) in subsection (c) (as so redesignated)—

(A) by striking "shall (A) take" and inserting "shall take"; and

(B) by striking "and (B) publish" and inserting "and shall publish";

(4) in subsection (f), by striking "sections 3648" and all that follows and inserting "section 3324 of title 31, United States Code, and section 3709 of the Revised Statutes (41 U.S.C. 5)."; and

(5) by striking subsection (h).

SEC. 403. ACTIVITIES OF AGENCY FOR HEALTH CARE POLICY AND RESEARCH.

Section 902(b) (42 U.S.C. 299a(b)) is amended to read as follows:

"(b) Requirements With Respect to Certain Populations.—In carrying out subsection (a), the Administrator shall undertake and support research, demonstration projects, and evaluations with respect to the health status of, and the delivery of health care to—

"(1) the populations of medically underserved urban or rural areas (including frontier areas); and

"(2) low-income groups, minority groups, and the elderly.".

TITLE V—MISCELLANEOUS

SEC. 501. REVISION AND EXTENSION OF PROGRAM FOR STATE OFFICES OF RURAL HEALTH.

(a) Matching Funds.—Section 338J(b) (42 U.S.C. 254r(b)) is amended to read as follows:

"(b) Requirement of Matching Funds.—

"(1) In general.—With respect to the costs to be incurred by a State in carrying out the purpose described in subsection (a), the Secretary may not make a grant under such subsection unless the State agrees to provide non-Federal contributions toward such costs, in cash, in an amount that is not less than $1 for each $1 of Federal funds provided in the grant.

"(2) Determination of amount contributed.—In determining the amount of non-Federal contributions in cash that a State has provided pursuant to paragraph (1), the Secretary may not include any amounts provided to the State by the Federal Government.".

(b) Authorization of Appropriations.—Section 338J(j)(1) (42 U.S.C. 254r(j)(1)) is amended—

(1) by striking "and" after "1992,"; and

(2) by inserting before the period the following: ", and $5,000,000 for each of the fiscal years 1994 through 1996".

(c) Termination of Program.—Section 338J(k) (42 U.S.C. 254r(k)) is amended by striking "$10,000,000" and inserting "$20,000,000".

SEC. 502. TECHNICAL CORRECTIONS RELATING TO HEALTH PROFESSIONS.

(a) Health Education Assistance Loan Deferment for Borrowers Providing Health Services to Indians.—

(1) In general.—Section 705(a)(2)(C) is amended by striking "and (x)" and inserting "(x) not in excess of three years, during which the borrower is providing health care services to Indians through an Indian health program (as defined in section 108(a)(2)(A) of the Indian Health Care Improvement Act (25 U.S.C. 1616a(a)(2)(A)); and (xi)".

(2) Conforming amendments.—Section 705(a)(2)(C) is further amended—

(A) in clause (xi) (as so redesignated) by striking "(ix)" and inserting "(x)"; and

(B) in the matter following such clause (xi), by striking "(x)" and inserting "(xi)".

(3) Effective date.—The amendments made by this subsection shall apply with respect to services provided on or after the first day of the third month that begins after the date of enactment of this Act.

(b) Maximum Student Loan Provision.—Section 722(a)(1) (42 U.S.C. 292r(a)(1)), as amended by section 2014(b)(1) of Public Law 103-43, is amended by striking "the sum of" and all that follows through the end thereof and inserting "the cost of attendance (including tuition, other reasonable educational expenses, and reasonable living costs) for that year at the educational institution attended by the student (as determined by such educational institution).".

(c) Requirement for Schools.—Section 723(b)(1) (42 U.S.C. 292s(b)(1)), as amended by section 2014(c)(2)(A)(ii) of Public Law 103-43 (107 Stat. 216), is amended by striking "3 years before" and inserting "4 years before".

(d) Service Requirement for Primary Care Loan Borrowers.—Section 723(a) (42 U.S.C. 292s(a)) is amended in subparagraph (B) of paragraph (1), by striking "through the date on which the loan is repaid in full" and inserting "for 5 years after completing the residency program".

(e) Preference and Required Information in Certain Programs.—Section 791 (42 U.S.C. 295j) is amended by adding at the end thereof the following subsection:

"(d) Exceptions.—

"(1) In general.—To permit new programs to compete equitably for funding under this section, those new programs that meet the criteria described in paragraph (3) shall qualify for a funding preference under this section.

"(2) Definition.—As used in this subsection, the term 'new program' means any program that has graduated less than three classes. Upon graduating at least three classes, a program shall have the capability to provide the information necessary to qualify the program for the general funding preferences described in subsection (a).

"(3) Criteria.—The criteria referred to in paragraph (1) are the following:

"(A) The mission statement of the program identifies a specific purpose of the program as being the preparation of health professionals to serve underserved populations.

"(B) The curriculum of the program includes content which will help to prepare practitioners to serve underserved populations.

"(C) Substantial clinical training experience is required under the program in medically underserved communities.

"(D) A minimum of 20 percent of the faculty of the program spend at least 50 percent of their time providing or supervising care in medically underserved communities.

"(E) The entire program or a substantial portion of the program is physically located in a medically underserved community.

"(F) Student assistance, which is linked to service in medically underserved communities following graduation, is available to the students in the program.

"(G) The program provides a placement mechanism for deploying graduates to medically underserved communities.".

(f) Preferences in Making Awards.—

(1) Title VII.—Section 791(a)(1)(A) (42 U.S.C. 295j(a)(1)(A)) is amended by striking "communities; or" and inserting "communities including—

"(i) ambulatory practice sites designated by State Governors as shortage areas or medically underserved communities for purposes of State scholarships or loan repayment or related programs; and

"(ii) practices or facilities in which not less than 50 percent of the patients are recipients of aid under title XIX of the Social Security Act or eligible and uninsured; or".

(2) Title VIII.—Section 860(e)(1)(A)(i) (42 U.S.C. 298b-7(e)(1)(A)(i)) is amended by striking "communities; or" and inserting "communities including—

"(i) ambulatory practice sites designated by State Governors as shortage areas or medically underserved communities for purposes of State scholarships or loan repayment or related programs; and

"(ii) practices or facilities in which not less than 50 percent of the patients are recipients of aid under title XIX of the Social Security Act or eligible and uninsured; or".

(g) Generally Applicable Modifications Regarding Obligated Service.—

(1) In general.—Section 795 (42 U.S.C. 295n), is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking "speciality in" and inserting "field of"; and

(ii) in subparagraph (B), by striking "speciality" and inserting "field"; and

(B) in subsection (b)(1), in each of subparagraphs (A) and (B), by striking "interest on such amount at the maximum legal prevailing rate" and inserting "interest on such amount at the rate of 12 percent per year (compounded annually)".

(2) Effective date.—Each amendment made by paragraph (1) shall take effect as if such subsection had been enacted immediately after the enactment of the Health Professions Education Extension Amendments of 1992.

(h) Recovery.—Part G of title VII (42 U.S.C. 295j et seq.) is amended by inserting after section 795, the following new section:

"SEC. 796. RECOVERY.

"(a) In General.—If at any time within 20 years (or within such shorter period as the Secretary may prescribe by regulation for an interim facility) after the completion of construction of a facility with respect to which funds have been paid under section 720(a) (as such section existed one day prior to the date of enactment of the Health Professions Education Extension Amendments of 1992 (Public Law 102-408)—

"(1)(A) in case of a facility which was an affiliated hospital or outpatient facility with respect to which funds have been paid under such section 720(a)(1), the owner of the facility ceases to be a public or other nonprofit agency that would have been qualified to file an application under section 605;

"(B) in case of a facility which was not an affiliated hospital or outpatient facility but was a facility with respect to which funds have been paid under paragraph (1) or (3) of such section 720(a), the owner of the facility ceases to be a public or nonprofit school, or

"(C) in case of a facility which was a facility with respect to which funds have been paid under such section 720(a)(2), the owner of the facility ceases to be a public or nonprofit entity,

"(2) the facility ceases to be used for the teaching or training purposes (or other purposes permitted under section 722 (as such section existed one day prior to the date of enactment of the Health Professions Education Extension Amendments of 1992 (Public Law 102-408)) for which it was constructed, or

"(3) the facility is used for sectarian instruction or as a place for religious worship, the United States shall be entitled to recover from the owner of the facility the base amount prescribed by subsection (c)(1) plus the interest (if any) prescribed by subsection (c)(2).

"(b) NOTICE.—The owner of a facility which ceases to be a public or nonprofit agency, school, or entity as described in subparagraph (A), (B), or (C) of subsection (a)(1), as the case may be, or the owner of a facility the use of which changes as described in paragraph (2) or (3) of subsection (a), shall provide the Secretary written notice of such cessation or change of use within 10 days after the date on which such cessation or change of use occurs or within 30 days after the date of enactment of this subsection, whichever is later.

"(c) AMOUNT.—

"(1) BASE AMOUNT.—The base amount that the United States is entitled to recover under subsection (a) is the amount bearing the same ratio to the then value (as determined by the agreement of the parties or in an action brought in the district court of the United States for the district in which the facility is situated) of the facility as the amount of the Federal participation bore to the cost of construction.

"(2) INTEREST.—

"(A) IN GENERAL.—The interest that the United States is entitled to recover under subsection (a) is the interest for the period (if any) described in subparagraph (B) at a rate (determined by the Secretary) based on the average of the bond equivalent rates of ninety-one-day Treasury bills auctioned during that period.

"(B) PERIOD.—The period referred to in subparagraph (A) is the period beginning—

"(i) if notice is provided as prescribed by subsection (b), 191 days after the date on which the owner of the facility ceases to be a public or nonprofit agency, school, or entity as described in subparagraph (A), (B), or (C) of subsection (a)(1), as the case may be, or 191 days after the date on which the use of the facility changes as described in paragraph (2) or (3) of subsection (a), or

"(ii) if notice is not provided as prescribed by subsection (b), 11 days after the date on which such cessation or change of use occurs,

and ending on the date the amount the United States is entitled to recover is collected.

"(d) WAIVER.—The Secretary may waive the recovery rights of the United States under subsection (a)(2) with respect to a facility (under such conditions as the Secretary may establish by regulation) if the Secretary determines that there is good cause for waiving such rights.

"(e) LIEN.—The right of recovery of the United States under subsection (a) shall not, prior to judgment, constitute a lien on any facility.".

SEC. 503. CLINICAL TRAINEESHIPS.

Section 303(d)(1) (42 U.S.C. 242a(d)(1)) is amended by inserting "counseling" after "family therapy,".

SEC. 504. DEMONSTRATION PROJECT GRANTS TO STATES FOR ALZHEIMER'S DISEASE.

(a) IN GENERAL.—Section 398(a) (42 U.S.C. 280c-3(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "not less than 5, and not more than 15,";

(2) in paragraph (2)—

(A) by inserting after "disorders" the following: "who are living in single family homes or in congregate settings"; and

(B) by striking "and" at the end;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

"(3) to improve access for individuals with Alzheimer's disease or related disorders, particularly such individuals from ethnic, cultural, or language minorities and such individuals who are living in isolated rural areas, to services that—

"(A) are home-based or community-based long-term care services; and

"(B) exist on the date of enactment of this paragraph; and".

(b) DURATION.—Section 398A (42 U.S.C. 280c-4) is amended—

(1) in the title, by striking "LIMITATION ON";

(2) in subsection (a)—

(A) in the heading, by striking "LIMITATION ON"; and

(B) by striking "may not exceed" and inserting "may exceed"; and

(3) in subsection (b), in paragraphs (1)(C) and (2)(C), by inserting ", and any subsequent year," after "third year".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 398B(e) (42 U.S.C. 280c-5(e)) is amended by striking "and 1993" and inserting "through 1998".

SEC. 505. MEDICALLY UNDERSERVED AREA STUDY.

(a) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study concerning the feasibility and desirability of, and the criteria to be used for, combining the designations of "health professional shortage area" and "medically underserved area" into a single health professional shortage area designation.

(b) REQUIREMENTS.—As part of the study conducted under subsection (a), the Secretary of Health and Human Services, in considering the statutory and regulatory requirements necessary for the creation of a single health professional shortage area designation, shall—

(1) review and report on the application of current statutory and regulatory criteria used—

(A) in designating an area as a health professional shortage area;

(B) in designating an area as a medically underserved area; and

(C) by a State in the determination of the health professional shortage area designations of such State; and

(2) review the suggestions of public health and primary care experts.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report concerning the findings of the study conducted under subsection (a) together with the recommendations of the Secretary.

(d) RECOMMENDATIONS.—In making recommendations under subsection (c), the Secretary of Health and Human Services shall give special consideration to (and describe in the report) the unique impact of designation criteria on different rural and urban populations, and ethnic and racial minorities, including—

(1) rational service areas, and their application to frontier areas and inner-city communities;

(2) indicators of high medical need, including fertility rates, infant mortality rates, pediatric population, elderly population, poverty rates, and physician to population ratios; and

(3) indicators of insufficient service capacity, including language proficiency criteria for ethnic populations, annual patient visits per physician, waiting times for appointments, waiting times in a primary care physician office, excessive use of emergency facilities, low annual office visit rate, and demand on physicians in contiguous rural or urban areas.

SEC. 506. PROGRAMS REGARDING BIRTH DEFECTS.

Section 317C of the Public Health Service Act (42 U.S.C. 247b-4), as added by section 306 of Public Law 102-531 (106 Stat. 3494), is amended to read as follows:

"PROGRAMS REGARDING BIRTH DEFECTS

"SEC. 317C. (a) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out programs—

"(1) to collect, analyze, and make available data on birth defects, including data on the causes of such defects and on the incidence and prevalence of such defects;

"(2) to provide information and education to the public on the prevention of such defects;

"(3) to operate regional centers for the conduct of epidemiologic research and study of such defects, and to improve the education, training, and clinical skills of health professionals with respect to the prevention of such defects; and

"(4) to carry out demonstration projects for the prevention of such defects.

"(b) NATIONAL CLEARINGHOUSE.—In carrying out subsection (a)(1), the Secretary shall establish and maintain a National Information Clearinghouse on Birth Defects to collect and disseminate to health professionals and the general public information on birth defects, including the prevention of such defects.

"(c) GRANTS AND CONTRACTS.—

"(1) IN GENERAL.—In carrying out subsection (a), the Secretary may make grants to and enter into contracts with public and nonprofit private entities. Recipients of assistance under this subsection shall collect and analyze demographic data utilizing appropriate sources as determined by the Secretary.

"(2) SUPPLIES AND SERVICES IN LIEU OF AWARD FUNDS.—

"(A) Upon the request of a recipient of an award of a grant or contract under paragraph (1), the Secretary may, subject to subparagraph (B), provide supplies, equipment, and services for the purpose of aiding the recipient in carrying out the purposes for which the award is made and, for such purposes, may detail to the recipient any officer or employee of the Department of Health and Human Services.

"(B) With respect to a request described in subparagraph (A), the Secretary shall reduce the amount of payments under the award involved by an amount equal to the costs of detailing personnel and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

"(3) APPLICATION FOR AWARD.—The Secretary may make an award of a grant or contract under paragraph (1) only if an application for the award is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out the purposes for which the award is to be made.

"(d) BIENNIAL REPORT.—Not later than February 1 of fiscal year 1995 and of every second such year thereafter, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report that, with respect to the preceding 2 fiscal years—

"(1) contains information regarding the incidence and prevalence of birth defects and the extent to which birth defects have contributed to the incidence and prevalence of infant mortality;

"(2) contains information under paragraph (1) that is specific to various racial and ethnic groups; and

"(3) contains an assessment of the extent to which each approach to preventing birth defects has been effective, including a description of effectiveness in relation to cost;

"(4) describes the activities carried out under this section; and

"(5) contains any recommendations of the Secretary regarding this section.

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1997.".

TITLE VI—GENERAL PROVISIONS

SEC. 601. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect October 1, 1993, or upon the date of the enactment of this Act, whichever occurs later.

By Mr. HATCH:

S.J. Res. 145. A joint resolution to designate the period commencing on November 21, 1993, and ending on November 27, 1993, and the period commencing on November 20, 1994, and ending on November 26, 1994, each as "National Adoption Week"; to the Committee on the Judiciary.

NATIONAL ADOPTION WEEK

Mr. HATCH. Mr. President, it is my privilege to sponsor the joint resolution requesting the President to proclaim the week of Thanksgiving as National Adoption Week in 1993 and 1994. This week has been so designated for the past 15 years, so this joint resolution would continue the traditional observance.

For many families, the Thanksgiving holidays are a time for family unity and celebration—a time to join together and reaffirm the bonds that unite our families. However, for many children, these holidays are especially difficult times because they serve as a stark reminder of the love and support missing from their lives.

Adoption is an option that can relieve some of the suffering and loneliness that too many young children face. Adoption is vitally important to millions of couples and children wanting to belong to a family of their own. In America today, an estimated 36,000 adoptable children remain in foster care of institutions, bereft of the nurturing and guidance that all children need, because of public and private barriers to adoption. A majority of these children have special physical, emotional, or mental needs; or they may have reached school age, have brothers and sisters, or be of various ethnic backgrounds. A stable home and strong role models are especially important for these at-risk youngsters.

At a time when our Nation is experiencing a tragic increase in crime, teenage pregnancies, disease, and violence, we cannot afford to let one child fall through the cracks. We must work together to bring children into a permanent, secure, and loving family. We must work together to eliminate the barriers that discourage adoption.

In recent months, our country was shocked and disturbed by the case of baby Jessica DeBoer. I know I share some of my colleagues concern that this case may dissuade some couples from adopting out of fear that the child they have come to love might be taken from them. We need to assure people that adoption is a vital option for couples with love to give.

Please join me in celebrating those families who are brought together through adoption, in commending the institutions and individuals working to find permanent homes for all adoptable children, and in heightening awareness of adoption to those who want to have a family.

I ask unanimous consent that the complete text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 145

Whereas Thanksgiving week has been commemorated as "National Adoption Week" for the past 15 years;

Whereas the Congress recognizes that belonging to a secure, loving, and permanent family is every child's right;

Whereas the President of the United States has actively promoted the benefits of adoption by implementing a Federal program to encourage Federal employees to consider adoption;

Whereas approximately 36,000 children who may be characterized as having special needs, such as being of school age, being members of a sibling group, being members of a minority group, or having physical, mental, or emotional disabilities are now in foster care or in institutions financed at public expense and are legally free for adoption;

Whereas public and private barriers inhibiting the placement of special needs children must be reviewed and removed where possible to assure their adoption;

Whereas the adoption of institutionalized or foster care children by capable parents into permanent homes would ensure an opportunity for their continued happiness and long-range well-being;

Whereas the public and prospective parents must be informed that there are children available for adoption;

Whereas the media, agencies, adoptive parent and advocacy groups, civic and church groups, businesses, and industries will provide publicity and information to heighten community awareness of crucial needs of children available for adoption; and

Whereas the recognition of Thanksgiving week as "National Adoption Week" is in the best interest of adoptable children and in the best interest of the public generally: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period commencing on November 21, 1993, and ending on November 27, 1993, and the period commencing on November 20, 1994, and ending on November 26, 1994, are each designated as "National Adoption Week", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe each week with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS

S. 236

At the request of Mr. MCCAIN, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of S. 236, a bill to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

S. 340

At the request of Mr. HEFLIN, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 340, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the application of the act with respect to alternate uses of new animal drugs and new drugs intended for human use, and for other purposes.

S. 578

At the request of Mr. KENNEDY, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 578, a bill to protect the free exercise of religion.

S. 985

At the request of Mr. INOUYE, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 985, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act with respect to minor uses of pesticides, and for other purposes.

S. 1087

At the request of Mr. KOHL, the name of the Senator from Tennessee [Mr. MATHEWS] was added as a cosponsor of S. 1087, a bill to amend title 18, United States Code, to prohibit the possession of a handgun or ammunition by, or the private transfer of a handgun or ammunition to, a juvenile.

S. 1361

At the request of Mr. SIMON, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1361, a bill to establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

S. 1425

At the request of Mr. CONRAD, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 1425, a bill to establish a National Appeals Division of the Department of Agriculture to hear appeals of adverse decisions made by certain agencies of the Department, and for other purposes.

S. 1437

At the request of Mr. LAUTENBERG, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1437, a bill to amend section 1562 of title 38, United States Code, to increase the rate of pension for persons on the Medal of Honor roll.

S. 1443

At the request of Mr. EXON, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1443, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on luxury passenger vehicles.

S. 1511

At the request of Mr. DORGAN, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1511, a bill to eliminate the crediting of "good time" for violent and repeat offenders in Federal and State prisons, authorize funding for boot camps and the conversion of military facilities to regional prisons, and for other purposes.

S. 1512

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 1512, a bill to amend title 38, United States Code, to require the establishment in the Department of Veterans Affairs of mental illness research, education, and clinical centers, and for other purposes.

SENATE JOINT RESOLUTION 41

At the request of Mr. SIMON, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of Senate Joint Resolution 41, a joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget.

SENATE JOINT RESOLUTION 83

At the request of Mr. DECONCINI, the names of the Senator from Nevada [Mr. REID], the Senator from Ohio [Mr. METZENBAUM], and the Senator from Tennessee [Mr. MATHEWS] were added as cosponsors of Senate Joint Resolution 83, a joint resolution designating the week beginning February 6, 1994, as "Lincoln Legacy Week."

SENATE JOINT RESOLUTION 98

At the request of Mr. MITCHELL, the names of the Senator from New Jersey [Mr. BRADLEY], the Senator from New York [Mr. D'AMATO], the Senator from New Mexico [Mr. DOMENICI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Tennessee [Mr. MATHEWS], the Senator from Maryland [Mr. SARBANES], the Senator from Tennessee [Mr. SASSER], the Senator from Virginia [Mr. WARNER], and the Senator from Pennsylvania [Mr. WOFFORD] were added as cosponsors of Senate Joint Resolution 98, a joint resolution to designate the week beginning October 25, 1993, as "National Child Safety Awareness Week."

SENATE JOINT RESOLUTION 134

At the request of Mr. BIDEN, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of Senate Joint Resolution 134, a joint resolution to designate October 19, 1993, as "National Mammography Day."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE JOINT RESOLUTION 141

At the request of Mr. SARBANES, the names of the Senator from Michigan [Mr. LEVIN], the Senator from Hawaii [Mr. INOUYE], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of Senate Joint Resolution 141, a joint resolution designating October 29, 1993, as "National Firefighters Day."

SENATE JOINT RESOLUTION 142

At the request of Mr. ROCKEFELLER, the names of the Senator from New York [Mr. D'AMATO], the Senator from Iowa [Mr. GRASSLEY], the Senator from Missouri [Mr. DANFORTH], and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of Senate Joint Resolution 142, a joint resolution designating the week beginning November 7, 1993, as "National Women Veterans Recognition Week."

AMENDMENT NO. 1051

At the request of Mrs. HUTCHISON her name was added as a cosponsor of amendment No. 1051 proposed to H.R. 3116, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

At the request of Mr. HATCH his name was withdrawn as a cosponsor of amendment No. 1051 proposed to H.R. 3116, supra.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

MCCAIN AMENDMENT NO. 1061

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. No provision of any Act making appropriations for the Department of Defense for fiscal year 1994 may be construed as requiring a contract to be awarded, or as requiring a grant to be made, to a specific non-Federal Government entity.

GRASSLEY AMENDMENT NO. 1062

(Ordered to lie on the table.)

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3116, supra; as follows:

On page 68, line 20, after "law," insert the following: "the Secretary of the Navy may not obligate funds after December 31, 1993, for entering into any sealift contract or charter under which the Secretary, as determined by the Secretary, is to pay, either directly or indirectly through a contractor or subcontractor, compensation (including regular rate pay, overtime rate pay, and other pay-related benefits) with respect to a seaman billet at a total cost that exceeds the total cost to the Federal Government of the compensation that is provided by the Federal Government with respect to a comparable military billet reserved for, or filled by, a member of the Armed Forces of the United States,".

DOMENICI (AND NUNN) AMENDMENT NOS. 1063–1065

(Ordered to lie on the table.)

Mr. DOMENICI (for himself and Mr. NUNN) submitted three amendments intended to be proposed by them to the bill H.R. 3116, supra; as follows:

AMENDMENT No. 1063

At the appropriate place, insert the following:

SEC. . EXTENSION OF SPENDING LIMITS.

(a) CATEGORY.—Subparagraph (B) of section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

"(B) For fiscal years 1994 through 1998, any of the following subsets of discretionary appropriations: defense or nondefense. New accounts or activities shall be categorized in consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate.".

(b) DISCRETIONARY SPENDING.—Section 601(a)(2) of the Congressional Budget Act of 1974 is amended by striking subparagraphs (D), (E), and (F) and insert the following:

"(D) with respect to fiscal year 1994—

"(i) for the defense category: "$264,051,000,000 in new budget authority and $277,294,000,000 in outlays;

"(ii) for the nondefense category: $236,913,000,000 in new budget authority and $261,463,000,000 in outlays;

"(E) with respect to fiscal year 1995—

"(i) for the defense category: $262,624,000,000 in new budget authority and $272,744,000,000 in outlays;

"(ii) for the nondefense category: $243,663,000,000 in new budget authority and $268,528,000,000 in outlays;

"(F) with respect to fiscal year 1996—

"(i) for the defense category: $254,139,000,000 in new budget authority and $265,742,000,000 in outlays;

"(ii) for the nondefense category: $265,003,000,000 in new budget authority and $281,521,000,000 in outlays;

"(G) with respect to fiscal year 1997—

"(i) for the defense category: $248,490,000,000 in new budget authority and $249,705,000,000 in outlays;

"(ii) for the nondefense category: $279,589,000,000 in new budget authority and $297,641,000,000 in outlays;

"(H) with respect to fiscal year 1998—

"(i) for the defense category: $254,260,000,000 in new budget authority and $253,173,000,000 in outlays; and

"(ii) for the nondefense category: $276,379,000,000 in new budget authority and $294,697,000,000 in outlays."

AMENDMENT NO. 1064

At the appropriate place, insert the following:

SEC. . DEFENSE FUNDING LEVELS.

(a) The Senate finds:

(1) the Congress has already reduced fiscal year 1994 funding for the Department of Defense by nearly $130 billion in real terms as compared to fiscal year 1985;

(2) President Clinton has proposed to reduce national defense programs by a total of $244 billion in real terms over the next five years;

(3) recent world events, particularly developments in Russia, confirm the United States needs a strong national defense;

(4) the United States should engage in an orderly reduction in funding levels for national defense programs; and,

(5) reductions in defense spending should be devoted to deficit reduction.

(b) It is the is the sense of the Senate that legislation should be enacted to amend the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985 to establish:

(1) individual spending limits for defense and nondefense discretionary funding levels for fiscal years 1994 through 1998;

(2) spending limits for the defense discretionary category for fiscal year 1994 through 1998 at the levels proposed by President Clinton in the fiscal year 1994 budget and adopted by Congress as part of the concurrent resolution on the budget for fiscal year 1994; and,

(3) spending limits for the nondefense discretionary category for fiscal year 1994 through 1998 at levels so that aggregate discretionary spending does not exceed the levels established by the Omnibus Budget Reconciliation Act of 1993.

AMENDMENT NO. 1065

At the appropriate place, insert the following:

SEC. . DEFENSE FUNDING LEVELS.

It is the sense of the Senate that legislation should be enacted to require the Office of Management and Budget to make across-the-board uniform reductions in defense programs or nondefense programs if aggregate appropriations for one of these categories exceed the levels proposed by the President.

NICKLES AMENDMENT NO. 1066

(Ordered to lie on the table.)

Mr. NICKLES submitted an amendment intended to be proposed by him to the bill H.R. 3116, supra; as follows:

At the end of the pending Committee amendment insert the following:

PROHIBITION OF UNITED STATES ARMED FORCES AS PART OF UNITED NATIONS STANDING ARMED FORCE

PROHIBITION.—None of the funds appropriated or otherwise made available by this Act or any other appropriation Act may be used to support United States Armed Forces personnel when such forces are a part of any prospective standing United Nations international armed force.

BROWN AMENDMENT NO. 1067

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, add the following new section:

"SEC. . UNITED STATES COMBAT TROOPS IN BOSNIA.

"None of the funds appropriated under this Act shall be available for the deployment of United States combat forces in Bosnia-Hercegovina, without prior congressional approval."

DOMENICI (AND NUNN) AMENDMENT NO. 1068

(Ordered to lie on the table.)

Mr. DOMENICI (for himself and Mr. NUNN) submitted an amendment intended to be proposed by him to the bill H.R. 3116, supra; as follows:

At the appropriate place, insert the following:

"SEC. . EXTENSION OF SPENDING LIMITS.

(a) CATEGORY.—Subparagraph (A) of section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

"(A) For fiscal years 1994 and 1995, any of the following subsets of discretionary appropriations: defense or nondefense. New accounts or activities shall be categorized in consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate.".

(b) DISCRETIONARY SPENDING.—Section 601(a)(2) of the Congressional Budget Act of 1974 is amended by striking subparagraphs (D) and (E) and inserting the "(D) with respect to fiscal year 1994—

"(i) for the defense category: $264,051,000,000 in new budget authority and $277,294,000,000 in outlays;

"(ii) for the nondefense category: $236,913,000,000 in new budget authority and $261,463,000,000 in outlays;

"(E) with respect to fiscal year 1995—

"(i) for the defense category: $262,624,000,000 in new budget authority and $272,744,000,000 in outlays;

"(ii) for the nondefense category: $243,663,000,000 in new budget authority and $268,528,000,000 in outlays;"

NUNN (AND WARNER) AMENDMENT NO. 1069

Mr. NUNN (for himself and Mr. WARNER) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, insert the following:

SENSE OF THE CONGRESS REGARDING OPERATIONAL CONTROL OF UNITED STATES ARMED FORCES

SEC. 9001. Congress makes the following findings:

(1 The Armed Forces of the United States have conducted combat operations under the operational control of foreign commanders on numerous occasions, including during two World Wars.

(2 Regional security organizations, such as the North Atlantic Treaty Organization, are premised on military operations by the forces of a number of nations under an integrated chain of command consisting of officers from member nations.

(3 The end of the Cold War has seen a substantial increase in the conduct of international "peacekeeping" and "peace enforcement" operations pursuant to decisions of the United Nations Security Council under Chapters VI and VII of the United Nations Charter.

(4) The United Nations has conducted traditional "peacekeeping" operations successfully over the years, but the number and size of such operations has stretched the Organization's management and oversight capabilities thin.

(5) The United Nations has not yet acquired the expertise or infrastructure to enable it to effectively manage "peace enforcement" operations.

(6) Any special agreement negotiated by the President with the United Nations Security Council to make units of the United States Armed Forces available on call to the United Nations must be approved by the Congress pursuant to the United Nations Participation Act, enacted into law in 1945.

(7) Any decision by the President to place combat forces of the Armed Forces of the Unites States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act, has significant consequences for such forces, the Congress, and the American people.

SEC. 9002. It is the Sense of the Congress that—

(1) the Armed Forces of the United States must be under the operational control of qualified commanders; and must have clear, effective, and robust command and control arrangements; appropriate rules of engagement; and clear and unambiguous mission statements;

(2) the President should consult with Congress before placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act; and

(3) the President should submit a report to Congress within 48 hours after placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act, setting forth—

(A) the mission of such forces and a clear explanation of the difference, if any, between the mission of such forces and the mission of the forces of other nations participating in the same military operations;

(B) in a case in which the operation is conducted under the auspices of the United Nations, an assessment of the United Nations capability to effectively manage the operation;

(C) an explanation of the United States interest that would be served by and the justification for placing such forces under the operational control of a foreign commander in this instance;

(D) the command and control arrangements for the operation of which the forces of the Armed Forces of the United States are a part;

(E) the number, type and general description of equipment of such forces;

(F) the estimated cost to the United States of the participation of such forces;

(G) the anticipated duration of the participation of such forces;

(H) a general unclassified description of the rules of engagement for such forces; and

(I) the foreign commander or commanders involved.

NOTICE OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Committee on Indian Affairs will be holding an oversight hearing on Wednesday, October 20, 1993, beginning at 9:30 a.m. in 485 Russell Senate Office Building on self-governance.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate Tuesday, October 19, 1993, at 10 a.m. to mark up S. 1299, the Housing and Community Development Act of 1993; S. 423, the Investment Adviser Oversight Act; and the nominations of Jeffrey Garten, John Despres, William Gilmartin, and Lauri Fitz-Pegado.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, October 19 beginning at 2 p.m. to conduct a hearing on NAFTA and its environmental side agreements.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee for authority to meet for a hearing on Tuesday, October 19, at 9:30 a.m. on the subject: "S. 1535, the Federal Workforce Restructuring Act of 1993."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Small Business Committee be authorized to meet during the session of the Senate on Tuesday, October 19, 1993 at 10:30 a.m. The committee will hold a full committee hearing to consider the President's nomination of Cassandra Pulley to be the Deputy Administrator of the Small Business Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on October 19, 1993, at 9:30 a.m. on the nomination of Daniel Collins to be a member of the National Railroad Passenger Corporation and immediately following a Surface Transportation Subcommittee hearing on intelligent vehicle highway systems for commercial vehicles.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate at 9:30 a.m., October 19, 1993, to receive testimony from Corlis Moody, nominee to be Director of the Department of Energy's Office of Economic Impact and Diversity, and Richard Stallings, nominee to be the Nuclear Waste Negotiators, Office of Nuclear Waste Negotiator.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the Economic Impact of the Health Security Act, during the session of the Senate on Tuesday, October 19, 1993, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to hear testimony on the subject: "Social Problems and Health Care Costs."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Tuesday, October 19, 1993, at 10 a.m. to hold a hearing on United States participation in Somalia peacekeeping.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Tuesday, October 19, 1993, at 4:30 p.m. to receive a briefing from the administration on the situation in Somalia.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON LABOR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources' Subcommittee on Labor be authorized to meet for a hearing on "Single Payer Health Care Systems: Issues and Options," during the session of the Senate on Tuesday, October 19, 1993, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PATENTS, COPYRIGHTS, AND TRADEMARKS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Patents, Copyrights, and Trademarks of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, October 19, 1993, at 10 a.m., to hold a hearing on S. 373, the Copyrights Reform Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

DRUG MANUFACTURERS VOLUNTARILY IGNORING CALL FOR MEANINGFUL PRICING RESTRAINTS

• Mr. PRYOR. Mr. President, on September 15, 1993, I issued a challenge to this Nation's drug manufacturing industry to make a meaningful commitment to the American public and the Congress to restrain the increases in their pharmaceutical prices. I did this because I was concerned that the voluntary proposals that manufacturers were making to restrain prices, while a step in the right direction, were not truly meaningful to the average consumer buying prescription drugs at the local retail pharmacy.

To make up for this serious shortcoming in the manufacturers' approaches, I proposed that manufacturers sign a commitment to the Secretary of Health and Human Services that would require them to limit both the annual increase in their weighted average price to the rate of inflation and the increase in price of individual retail pharmaceutical products to the rate of inflation.

This specific price increase cap on retail pharmaceutical products is needed to protect consumers that purchase their medications out of pocket against continuing excessive price increases. That is because only a few manufacturers have put inflation caps on the actual prices that they charge for their retail-based products. This is where the prescription drug pricing problem has been most acute for older Americans, and where a solution is most urgent. My two-pronged approach to constraining drug price increases would therefore, in my opinion, be more meaningful for the average American buying medications out of pocket.

In my floor statement on that day, I told my colleagues that I would periodically update them on the number of manufacturers that say that agree to this meaningful commitment. Exactly 1 month after making that challenge, I am sorry to say that only one drug manufacturer has even so much as responded to my letter to them of September 16. One manufacturer, Genentech, has indicated in a letter to me that they are willing to "pledge for the next 3 years to maintain the list prices of each of our marketed products, so that future price increases, if any, are at or below the consumer price index."

I welcome Genentech's positive response to my challenge and congratulate them. The other drug manufacturers appear to be voluntarily ignoring my call for meaningful pharmaceutical price restraint.

Now, I know that 1 month may not be enough time for drug manufacturers to receive and review the commitment that I proposed. So, obviously, I want to give them a little bit more time. However, I wanted to let my colleagues know that the drug industry is generally very quick to respond when their best interest is at stake. When it comes to the good of the American public, and to the good of millions of older Americans, they seem to be a little bit slower in responding.

I once again encourage all manufacturers to expeditiously review the agreement that I developed. I call on them to tell us whether they are willing to provide true relief to the American public from ever-increasing medication prices. We are all eagerly waiting for an answer. In another month, I hope to have more encouraging news on this front.•

FOOD SAFETY REFORM

• Mr. GORTON. Mr. President, late Thursday of last week, a Federal judge ruled the U.S. Department of Agriculture to be in violation of the Administrative Procedures Act in its effort to mandate "safe food handling labels" on meat and poultry products. At issue in the suit brought by trade associations representing retailers, food service distributors, and wholesalers, was whether or not USDA violated the Administrative Procedures Act by issuing an interim final rule on the labels and forgoing the entire rulemaking process. In his decision, U.S. District Judge James Nowlin ruled that USDA "has not demonstrated any reason that would justify a departure from the normal rulemaking procedures."

The USDA issued an interim final rule on these labels in August as a result of an E. coli epidemic which sickened 500 people and killed 3 in my State earlier this year. An epidemic, in the mind of this Senator and the families of the victims of E. coli, represents a justifiable "departure from the normal rulemaking procedures." In fact, it is difficult to think of a better reason.

It is true, as the judge stated in his decision, that the majority of those infected with the E. coli bacteria earlier this year came into contact with the bacteria at a fast food restaurant. But what the judge failed to note was that each year hundreds of individuals contract the E. coli bacteria—not necessarily from a fast food or other restaurant.

When the Secretary issued his proposal for safe food handling labels in August, I believed that this represented an important step forward for food safety reform. I encouraged the Secretary to stick to his proposal to mandate these labels for all meat and poultry products which, if implemented, would have gone into effect on October 15. As it turns out, the final rule would have only mandated the label for ground meat and poultry on October 15 and would have required the remaining products to carry the label by April 15, 1994. Although the final rule would have contained this compromise, I continue to be supportive of the Secretary's proposal because the education of consumers is an integral part of reforming our food safety system. And in light of congressional and industry reluctance to move forward on food safety reform, consumer education is, perhaps, one of the most effective measures which the Secretary can enact.

Mr. President, I have been increasingly frustrated with the lack of action to reform our Nation's food safety system. This inaction ranges from committee chairmen who do not want to forgo their jurisdiction over USDA or the myriad of Federal departments and agencies which share conflicting jurisdiction over food safety and inspection, industry complaints that the status quo best serves their needs, and a general reluctance to consolidate and streamline our Nation's food safety system.

We saw an example of this reluctance in response to Vice President GORE's reinventing Government proposal to consolidate USDA's Food Safety and Inspection Service [FSIS] with the functions of the Food and Drug Administration. Immediately, industry and Members of Congress began to second-guess the merits of the proposed consolidation and cast doubt upon the cost savings of this proposal. Clearly we need to see the fine print of this proposal, but the Vice President's recommendation deserves to be considered closely and not merely shelved away because of turf battles and proponents of the status quo.

Earlier this year Senator DURENBERGER and I introduced legislation, S. 1349, which would consolidate the food safety and inspection functions of all departments and agencies into one, single Food Safety and Inspection Agency. This legislation shares a similar goal to that of the Vice President's proposal—consolidating and eliminating the Federal bureaucracy—and merits careful consideration as well.

Mr. President, in the opinion of this Senator, the decision made by the U.S. district judge last week was outrageous. The Secretary of Agriculture had made a well-thought-out policy decision in mandating the safe food handling labels. But, as has become custom, instead of working with USDA to address their concerns in the final rule, the groups who disagreed with the policy filed suit to stop it. And in doing so, these groups—groups which have a vested interest in food safety reform and the confidence of American consumers—took a giant step backward on food safety reform.

Over the past 10 months I have met often with the families of E. coli victims in the State of Washington and listened carefully to their concerns. And although the court decision is a setback for food safety reform, I will continue to work in cooperation with USDA to see that safe food handling labels are put into place sooner, rather than later.•

PREJUDICE IS WRONG

• Mr. DECONCINI. Mr. President, I respectfully request that the following article be printed in the CONGRESSIONAL RECORD. "Prejudice is Wrong" was written by one of my younger constituents, Bill Sambrone, age 12, and I want to share his insightful views about this issue with my colleagues.

I ask that "Prejudice is Wrong" be printed at this point in the RECORD.

The article follows:

"PREJUDICE IS WRONG"

(Bill Sambrone, Age 12)

I think that prejudice is wrong. Why would anybody hate another person just because they have a different skin color, or anything different. Prejudice is also a sign that a person has poor character.

Are black, hispanic, or any other people not human? Can't they do what we all do? If not, or even if so, there is no reason for prejudice. Put yourself in their shoes. Would you like people to discriminate against you just because you are different? Plain and simple, prejudice is foolish. All people are created equally (not everyone's talents are equal), which means that there should not be any prejudice.

The government should contribute to the cause of stopping prejudice. There should even be a law to outlaw it (maybe that might be a bit radical). If there was no prejudice, the world would be a happier place, not to mention the elimination of white supremist gangs or groups.

You can stop prejudice. Spread the word that prejudice is wrong. Take a stand. Every person against prejudice helps. After all, if prejudice grows too big, our nation will fall apart with frequent gang activity. Do you want this to happen? Stop prejudice!•

WITHDRAWAL OF AMERICAN TROOPS FROM SOMALIA

• Mr. McCAIN. Mr. President, last week I offered an amendment to the defense Appropriation bill to bring about the prompt withdrawal of American troops from Somalia. I had become concerned that our original mission in Somalia had changed from one of humanitarian relief to one of nation-building. The humanitarian mission was supported by the Senate and the American people. The mission of nation-building was not. Following the complete collapse of the administration's ill-defined and poorly implemented policy in Somalia, and the debacle of October 3 and 4, I believed it was time to bring our troops home.

I want to make clear that my opposition to the President's policy in Somalia was brought about by the failure of the President to thoroughly consult Congress on the direction of that policy and the eventual failure of his efforts to implement it.

I made my opposition to any change from the humanitarian mission clear from the outset of President Bush's efforts to feed the hungry in that unfortunate nation. I expressed my concern for the changing mission twice this past August, I did not, however, attempt in a preemptive fashion to prevent him from exercising his Presidential prerogatives or his powers as Commander in Chief.

Mr. President, I am concerned that the amendments offered by my friends Senators DOLE and NICKLES to require the President to seek prior authorization from Congress before committing United States forces to Haiti, Bosnia, or, in the case with Senator NICKLES, to an operation under United Nations command inappropriately preclude Presidential leadership on these foreign policy questions. I have always doubted the constitutionality of the War Powers Act, and I fear these amendments come close to invoking the spirit of that Act, although even the War Powers Act would allow the President to commit the use of American forces before Congress could reverse the decision. Accordingly, I cannot support them.

My concern is based on constitutional grounds. The President is the Commander in Chief. As such, he has the power to commit U.S. troops to meet any contingency. The Constitution grants the Congress the power of the purse. With the powers given it, the Congress may end those military operations by cutting off funding. The Constitution does not give the Congress the power to prevent the President from committing forces.

Let me stress, Mr. President, that I sympathize with Senators DOLE and NICKLES as they seek to impose some guidance for American foreign policy in an environment where little guidance, as well as little consultation with Congress on these matters, is forthcoming from the administration. There is a vacuum in foreign policy leadership in Washington at the moment, and that is a dangerous situation for this Nation to risk at such a challenging moment in history. Neither would I like to see a repeat of the administration's inattentiveness, miscalculations and vague inclinations toward assertive multilateralism that result in our recent misadventure in Somalia. Understandably, Senators DOLE and NICKLES have sought some action which would reduce the likelihood of future repetition of this kind of folly.

One would hope that with adequate consultation with Congress, the administration would avoid future blunders that needlessly put at risk the lives of our troops. If they do not avoid such mistakes, Congress has the right to refuse to fund them. However, I do not believe Congress should preclude or circumscribe the President's foreign policy leadership in advance of the policy's formulation. Congress should work closely with the administration to help keep the President from making future mistakes like the debacle in Somalia. But should he persist in making them, our legislative resources should be to terminate them as quickly as we can by denying them funds for further implementation once they have been made.

The danger in proscribing certain foreign policies until they are authorized by Congress is that we cannot foresee today all the contingencies that may arise which would necessitate such action. Senator DOLE has attempted to provide for such contingencies in the numerous exclusions he has included in his amendment on Haiti. But again, Mr. President, no one can be certain today that we have conceived all potential emergencies which may someday require the use of force to resolve or special circumstances which may on rare occasion require the temporary stationing of U.S. forces under U.N. command. I sincerely hope that such an occasion never arises, but I cannot be certain that it will not.

I share the concerns of Senators DOLE and NICKLES with regard to the administration's policies in Haiti, Bosnia and at the United Nations, although I feel their proposed corrections exceed our authority. I close by urging the President in the strongest possible terms to consult closely with Congress, to weigh heavily in his calculations the concerns he will find here. Only when a policy is understood and supported by the American people and their elected representatives in Congress will it have a chance at success. Together, we may arrive at a more effective way to safeguard American interests overseas than has heretofore been the case.•

APPLICATION OF POSTAL REGULATIONS TO WEEKLY NEWSPAPERS

• Mr. SIMON. Mr. President, I have introduced a bill which would ensure that postal regulations adopted March 19, 1989, do not have an adverse impact on certain weekly newspapers which have customarily been produced in a two-staple format.

The regulations were intended to control the inclusion of loose supplements in magazines, but they have impacted on a few bona fide newspapers which qualify for second-class postal rate.

Actually, only a few of the thousands of newspapers were affected by the regulation—as few as 50 newspapers in the Nation and 39 are papers published in the suburbs of Chicago.

All this bill does is say that if the newspapers were using two staples before March 19, 1989, they should be allowed to continue to use the two staples without changing the mail classification solely because of the two staples.

This bill will right the wrong which adversely affected the papers which were publishing in this manner prior to the regulation enacted back in March 1989.•

THE DRUG WAR, ONCE AGAIN

• Mr. D'AMATO. Mr. President, once again, I rise to speak on the subject of the war on drugs. It is increasingly clear that we are in the process of declaring victory and going home. In reality, we are snatching defeat from the jaws of, if not victory, then at least a hard-fought draw. This is a very serious defeat for America, a defeat that will threaten the safety and livelihood of every American.

I have spoken several time this year, in some detail, on various aspects of the drug war. I addressed the issue on February 16, March 25, April 20, April 22, and briefly on May 18. Since then, events and decisions that were pending have actually taken place or been made.

Tomorrow, the administration's new antidrug strategy will reportedly be released to the public when the Director of the National Drug Control Policy, Mr. Lee Brown, testifies before the Judiciary Committee. This public release is previewed in the Tuesday, October 19, 1993 edition of the Washington Post, on page A8, in an article entitled "White House Shifts Anti-Drug Focus, but Not Funds," by Michael Isikoff.

Those events and decisions were also discussed in the Washington Post's September 19, 1993, editorial entitled "War Over the Drug War," and in a letter to the editor of the Post from Mr. Alec A. Des Roches that was published in the Friday, October 1, 1993, edition on page A24.

Mr. President, I ask that the article, the editorial, and the letter to the editor be printed in the RECORD at the conclusion of my remarks.

(See exhibit 1.)

Mr. D'AMATO. I fear that the critics are correct—that the administration and its allies in Congress are embarked on a process of ending the war on drugs. This unilateral surrender cannot be allowed to occur without protest and strong opposition.

As the vice chairman of the international narcotics control caucus, and as a Member with a long and hard-earned record of legislative achievements in fighting the war on drugs, I must speak out. I believe the consequences of the administration's mistakes in this area are already so serious that they are visible to anyone who takes the time to look.

Yesterday's Washington Post contained a front-page article by Dan Beyers and Avis Thomas-Lester entitled "Marijuana Makes a Comeback: Arrests Here Are Up by 19 Percent for Drug That Was on the Wane." While the headline says it all, I commend the entire article to those who are concerned about the fight against illegal drugs. It is clearly bad news.

Mr. President, I ask unanimous consent that the article on marijuana be printed in the RECORD at the end of my remarks.

In my remarks on the 20th of this April, I placed in the RECORD an article by Herbert D. Kleber entitled "'Benign Neglect' Means Danger." In his article, he discussed the process of making drugs "* * * 'psychologically unavailable' through denormalization and the stigmatizing of their use." That was one of the major objectives of the demand side of the war on drugs as it has been fought until now. In fact, there is good evidence that it was making significant progress and that this progress was a real factor in reducing illegal drug use.

Now, let me quote a passage from yesterday's article on marijuana:

> "Cocaine and PCP scared a lot of people," said George Koch, a Maryland State Policy analyst who studies marijuana trends. "Marijuana is seen as less of a threat, more acceptable by society."
>
> That image is being reinforced by pop culture, where favorable references to marijuana are appearing increasingly in music of all tastes—from heavy metal to rap—and at colleges, where legalization of marijuana is being debated.
>
> Some street vendors and trendy boutiques said they did a brisk business during the summer selling T-shirts and caps adorned with a marijuana leaf or marijuana-related slogans. Some even sold hemp clothes made from marijuana plants.
>
> Clothing with printed marijuana emblems is now turning up in high schools.

What we have here is current evidence that the implicit message the administration's new approach to the drug war is sending has already been received and is being acted upon. The cutting edge of American society—the entertainment industry, small entrepreneurs selling T-shirts, bumper stickers, and similar merchandise, and the college-age population—have decided that illegal drug use is no longer bad. And they are influencing high school and junior high school children to think the same way.

Mr. President, they've made drug use fashionable and trendy again.

This is a disaster. We are seeing created before our very eyes the next generation of illegal drug users and abusers.

Let me quote again from yesterday's marijuana article:

> "For me, marijuana is just like alcohol. No worse," said another Gaithersburg youth, a 15-year-old boy who said he tried his first joint earlier this summer. "You hear about it through the music. It's part of what is happening."

Mr. President, what is happening is that, while the Clinton administration is declaring victory and going home, we are losing the war on drugs. We see here the beginning of the reversal of the gains we have fought so hard for so many years to achieve.

The Clinton administration has sent out the implicit message that "it's all right to do drugs." Instead of denormalizing drug use and stigmatizing drug users, traffickers, and advocates of illegal drug use, they've created a warming climate, a climate that sends the subtle message that hardline policies are wrong, and while they can't be rolled back directly, they can be indirectly crippled and undermined.

Who are the victims of this counter-revolution in the cultural marketplace? You and I are the victims. Our children are the victims. Our communities are the victims.

It's not just a matter of T-shirts with marijuana leaves on them. It's a matter of bringing susceptible and impressionable young people into direct contact with experienced drug-dealing criminals.

It's a matter of recruiting new drug abusers who will become addicts.

It's a matter of glamorizing the drug trade, so that ambitious young people want to join and get rich quick.

It's a matter of increasing cash flow through the local drug gangs and international cartels.

It's a matter of shaping attitudes and perceptions, and as any practicing politician can tell you, attitudes and perceptions really do count.

One of the things that will happen as this implicit message strikes home is that violent drug-related crime will begin another spiraling climb. Yet, instead of pressing the drug war against the main enemy—drug abusers and drug traffickers—the administration proposes another misleading political offensive on gun control, distracting us from this devastating retreat from the true cause of much of the crime and violence in our cities and society.

This gun control effort, however genuine its motivations may be, goes after one of the symptoms of the crisis, rather than the true cause—illegal drug trafficking and the resulting addiction. The drug trade and drug addiction are major reasons why people become violent criminals in the first place and choose to use guns in their crimes in the second place.

What in the world does the administration's new idea—making gun possession by minors illegal—have to do with solving drug abuse and stopping the drug trade? Does the President think that the Brady bill's waiting period will have any effect at all on the teenage punks dealing drugs to a new generation of addicts? How many of their guns does he think were bought through legitimate channels?

And the greatest bugaboo of all—assault weapons. We are going to reduce drug-related street crime by outlawing assault weapons? Who are we kidding?

It may have escaped his notice, but a shipload—Mr. President—a shipload—of illegal immigrants ran aground on the beaches of Long Island earlier this year. And it wasn't the only such ship to reach our shores this year. If we can't stop organized criminal gangs from bringing in shiploads of people, how do we propose to stop them from bringing in shiploads of AK-47's?

In many cases, illegal alien smuggling gangs are involved in the drug trade, too. If we haven't stopped aliens or drugs, how would we stop guns? All we do by pressing gun control is offer another false hope of urban peace to our constituents, while, in reality, the administration's implicit message of tolerance for drug use—and concurrent programmatic cuts and redirections—promise more violence in the future, not less.

But the constitutional and practical aspects of gun control are not the objects of my discussion today. What gun control is, is the politician's equivalent of the magician's gestures—we are intended to be distracted by the gestures, so that we don't notice what is really going on.

I will not be distracted. Mr. President, we cannot afford to surrender. Losing the war on drugs cannot be blamed on anything but this administration's attitude, its helter-skelter approach to drug policy, and an apparent underlying distaste for strong eradication, interdiction, and domestic enforcement measures.

It's their watch now, they are responsible, and they are laying the foundations for a serious national disaster.

Mr. President, after the new drug strategy is in fact released to the public, I will have more to say. I want to have the opportunity to review the policy itself, not just published reports about it.

I appreciate the kind attention of my colleagues to my remarks on this very important topic. I hope that those with whom I have labored on this issue will respond with as much outrage and concern as I have over this administration's implicit message and apparent abandonment of the battle against illegal drug use.

It would be very useful if, during the course of our debate over the crime bill, we could take a detailed look at this subject and try very hard to change the administration's course. Remember, the last place we were encouraged to declare victory and go home from was South Vietnam, and no place called South Vietnam can be found on the map today.

Unlike South Vietnam, we live here. There is no place else for us to go. Either we win here, or our Nation dies.

EXHIBIT 1

[From the Washington Post, Sept. 19, 1993]

WAR OVER THE DRUG WAR

Among the many endeavors the United States government has undertaken, few have been more frustrating than the war against drugs. True, there have been some successes in transforming social attitudes toward drugs, which have in turn led to a decline in drug use among some groups. But the sickeningly regular reports about drug crimes here and in big cities throughout the country speak far more to failure. The evidence suggests that neither the street price nor the purity of drugs has been much affected by all the commotion. This is not a war the United States is winning.

The hard truth is that all the interdiction and police efforts in the world will not make a dent in this problem as long as so many Americans, many of them poor, fall into the grip of addiction. This is, and always has been, primarily a domestic problem, rooted in other social problems.

But as long as drugs remain illegal, the federal government will feel obligated to stop the criminals who sell them. That is the inspiration behind the large military expenditures for operations against drug producers in countries such as Peru, Bolivia and Guatemala. It is the reason so many Coast Guard resources are directed toward keeping drugs from reaching American shores.

Frustration over past failures is pushing both the Clinton administration and Democrats in Congress toward a reappraisal of where anti-drug money should be spent. To the frustration of the Customs Service and the Coast Guard, the administration is considering a major shift in resources away from interdiction efforts nearer our borders and toward more military aid to destroy cocaine labs and disrupt trafficking organizations in South America. Democrats in Congress have gone farther, voting sharp cuts in State Department funds that support Central and South American anti-drug activities. "We've spent over $1 billion down there and we've accomplished virtually nothing," Sen. Patrick Leahy (D-Vt.) told The Post's Michael Isikoff. "We ought to realize it's not going to work and call it quits."

The biggest difficulty in "calling it quits" involves American commitments to South American governments that have shown real courage in taking on drug traffickers. If aid is cut from the military programs, should it be transferred to economic development programs aimed at shifting farmers in drug-producing countries to other lines of work? Would this money do any more than the money that's already been spent on the military programs? There is also the fear among drug enforcement agencies that cutting back on efforts to interdict and disrupt drugs would simply make the criminal syndicates even bolder.

Yet it's impossible not to share Mr. Leahy's frustration and wonder whether all the high-tech military operations aren't finally a distraction from the real issues: weaning addicts on our streets away from drugs and keeping young people from becoming addicts in the first place. That's why it's hard to understand why Congress and the administration have agreed to cuts in education and treatment programs that President Clinton has praised so often. Unless these issues are addressed better than they have been, the war on drugs will remain a quagmire.

[From the Washington Post, Oct. 1, 1993]

WAR OVER THE DRUG WAR

The Sept. 19 editorial "War Over the Drug War" only scratched the surface of the major offensive against the war on drugs that began in January.

The first indication that there would be a war against the war on drugs was the new Clinton White House's suspension, or at least delay, of preemployment drug testing of White House employees. While it might be easy to dismiss these actions as mismanagement, preemployment drug screening had been standard procedure for years. In retrospect, the White House attitude toward preemployment drug testing was a clear indicator of the White House position on drug-control policy.

Then came the Democratic House leadership eliminating the House Select Committee on Narcotics. While eliminating the subcommittee may seem insignificant, it cleared the way for additional assaults on the drug war. The next came when the White House cut the staff of the Office of Drug Policy Control—the Drug Czar's office—from 146 people to 25 to just 15. With the House Select Committee on Narcotics gone and with the cuts coming before the new Drug Czar took office, there was no official legislative or executive branch organization to protest the cuts.

Then came the budget battle and the White House directing congressional Democrats to cut $131 million from drug-education programs and $100 million from drug-treatment programs. Making the cuts was easy because the Select Committee on Narcotics had been eliminated, the staff of the Drug Czar's office had been gutted and the position of the 'Drug Czar', which candidate Bill Clinton said he would raise to a Cabinet-level position, was still vacant.

The assault on the war on drugs is not only continuing, it is picking up speed. The White House, even before the release of Vice President Al Gore's reinventing government proposal, has been promoting the suggestion that the Drug Enforcement Administration's independent agency status be eliminated and that the DEA be absorbed by the FBI. Meanwhile, the attorney general's office is reviewing the criminal penalties for drug offenses.

Eradication efforts—the programs to eliminate coca fields and cocaine labs in South America—are also under assault. The editorial notes that "Democrats in Congress have gone farther, voting sharp cuts in State Department funds that support Central and South American anti-drug activities." Not only are the eradication programs being cut, but now, with the apparent support of Sen. Patrick Leahy and other Democratic leaders in Congress, the Clinton administration also is considering a major shift in resources away from interdiction.

There is a major war against the war on drugs, and unfortunately, those who are against the war on drugs, which includes the White House and many Democratic leaders, are winning. Those of us who want more drug-treatment programs, more and better drug-education programs in our schools and more effective international interdiction and eradication programs are losing.—Alex A. Des Roches, Burke.

[From the Washington Post, Oct. 19, 1993]

WHITE HOUSE SHIFTS ANTI-DRUG FOCUS, BUT NOT FUNDS

(By Michael Isikoff)

Warning that the country is "still in the midst of a drug epidemic," the White House is planning to release a new anti-drug policy that calls for expanded emphasis on treatment and prevention, while pledging no new resources to carry out the tasks.

The new anti-drug strategy, drafted by White House Drug Control Policy Director Lee P. Brown's office, has been billed by administration officials as a change in direction from the law enforcement-oriented approaches of the past two Republican administrations. It targets hard-core abusers as the "principal" focus of federal efforts and proposed moving treatment programs for addicts "to the forefront of our drug abuse policy," according to a draft copy of the statement obtained by The Washington Post.

But the new strategy does not propose shifting any funds in the federal government's $13 billion anti-drug budget or recommend the elimination of any particular law enforcement or interdiction programs. Instead, it emphasizes already announced initiative contained in a crime bill now before Congress. Those initiatives include a waiting period for handgun purchases, a ban on semiautomatic assault weapons and funding for new "community policing" programs that will put more officers on the streets.

Clinton administration officials acknowledged the strategy was largely rhetorical, noting that precise levels of funding for anti-drug programs will not be known until the president releases next year's budget.

But critics quickly pounced on the policy as a largely meaningless document already undermined by congressional budget cuts, accepted by administration officials, in prevention and treatment programs.

"It's shockingly vacuous," said John P. Walters, who served as deputy White House anti-drug director during the Bush administration. "There's no shift [in resources] here. It doesn't have any objectives, it doesn't have any goals. It's a waste of everybody's time."

Administration officials said yesterday that at the last minute the drug office included general language requested by the National Security Council proposing a shift away from drug interdiction in the transit zones of Central America and the Caribbean. As part of that shift, the strategy will emphasize U.S. support for counter-narcotics programs in the "source" countries of Latin

America, focusing those efforts on what it calls "democratic institution-building of law enforcement and judicial institutions."

The policy is being released at a time when the Clinton administration is coming under increasing attack for failing to pay enough attention to the nation's drug problem. Although casual drug use among the middle class has declined markedly, these critics note, recent government figures show that hospital emergency room visits for cocaine and heroin overdoses have reached all-time highs—one sign that hard-core addiction has failed to diminish.

The strategy, to be formally released when Brown testifies before the Senate Judiciary Committee on Wednesday, concludes that the Nation's drug problem is as "daunting" as ever, noting that 1.1 million abusers are unable to receive treatment because there is no room in existing programs.

The strategy proposes to "aggressively" reduce this figure and touts the president's health care package as one means of expanding treatment services. But Ellen Weber, co-director of the Legal Action Center, a public interest lobbying group that focuses on drug issues, said the administration's proposal is "very troubling" and provides no coverage for long-term residential programs that hard-core addicts need most.

Brown yesterday declined to be interviewed, saying through a spokesman he wanted to wait until the strategy is formally released.

Rep John Conyers Jr. (D–Mich.), chairman of the House Government Operations Committee, called it "a step in the right direction," but added: "The real question * * * is what the lofty goals mean in terms of anti-drug program dollars" in light of recent cuts in Brown's staff and some treatment programs.

[From the Washington Post, Oct. 18, 1993]

Marijuana Makes a Comeback—Arrests Here Are Up by 19 Percent for Drug That Was on the Wane

(By Dan Beyers and Avis Thomas-Lester)

Marijuana use in the Washington area appears to be surging after years of decline, fueled in large part by the drug's renaissance among young people, new evidence suggests.

An array of recent statistics on arrests, drug seizures, emergency room admissions and court-administered drug tests indicates that marijuana use is approaching levels not seen since the mid-1980s, when smoking marijuana laced with the hallucinogen PCP was common in several parts of the Washington area.

Last year, marijuana-related arrests in the District and Fairfax, Montgomery and Prince George's counties were up 19 percent from 1991, reaching 3,198, or an average of almost nine a day, according to police in those four jurisdictions.

The numbers are still climbing. In Prince George's County, police said they have arrested 221 people for marijuana possession and distribution in the first six months of this year, a 65 percent jump from the same period in 1992 and twice the number arrested in all of 1989. They said they also have seized $2.8 million worth of the drug during the same period, a fourfold increase over the first half of last year.

In Montgomery County, marijuana-related arrests are up 6 percent for the first eight months of this year, and about $1 million worth of the drug has been seized so far, double the value of all Montgomery seizures in 1992.

Police in Fairfax County said their 1993 arrest rate for marijuana is running at the 1992 level; last year, Fairfax reported 627 marijuana arrests, nearly twice the number made in 1988.

The District said its 1993 arrest figures were unavailable, but Phil O'Donnell, the deputy police chief who commands the narcotics and special investigations unit in the District, said city police seized twice as much marijuana through May of this year—$974,000 worth—as they did in all of 1991.

"For a while, because of all the law enforcement, cocaine got scarce. Because it was scarce, some people went back to marijuana,' O'Donnell said in an interview earlier this year.

"It is everywhere we turn right now," said Lt. Don Lenhart, who supervises vice and narcotics operations in Fairfax. "We're even finding it when we raid [suspected] crack houses."

Howard County police announced Friday that authorities had broken up a major marijuana ring operating in central Maryland that was believed to be distributing 250 pounds of the illicit drug a month. Three Anne Arundel County men have been arrested so far, and one has been charged under the state's "drug kingpin" statute.

As part of that operation, police seized 41 pounds of marijuana and $230,000 in cash and securities as they executed 28 search warrants in Baltimore and five counties.

Hospitals in the Washington area have reported a 32 percent increase in the number of marijuana users seeking emergency treatment in 1992, an average of 10 people a month. Many patients said they also were using more dangerous drugs, which specialists say probably worsened their health problems.

Drug specialists said a compelling piece of evidence that marijuana use is on the rise is coming out of the District, where drug tests given to recent arrestees are showing higher rates of marijuana use.

Juvenile use is rising the fastest, reaching its highest levels since the tests were first administered in 1986, according to the D.C. Pretrial Services Agency.

Forty-five percent of the 255 youths who voluntarily submitted to drug tests in August tested positive for marijuana; 49 percent tested positive for drug use overall. Two years ago, only 10 percent of all arrested juveniles tested positive for marijuana in the month of August.

The last statistic "is probably the most telling," said Clare Mundell, who has long tracked Washington drug trends for the University of Maryland's Center of Substance Abuse Research. "It is irrefutable evidence that marijuana use is on the rise among the juvenile criminal population."

Last week, an official of the center told a special legislative committee that a study of teenagers in two state detention centers showed young people turning away from cocaine and toward marijuana and PCP.

"There is evidence of a new epidemic in marijuana and PCP," said Eric Wish, of the center. "It's almost like people are saying, 'Thank God it's not crack anymore.'"

Marijuana long has been the most popular illegal drug with young people, and authorities have been predicting for some time that a new surge is around the corner. Marijuana also may be finding favor now because today's generation of young people came of age in a decade dominated first by the ravages of PCP and then crack cocaine, according to police, social workers and other drug specialists.

"Cocaine and PCP scared a lot of people," said George Koch, a Maryland State Police analyst who studies marijuana trends. "Marijuana is seen as less of a threat, more acceptable by society."

That image is being reinforced by pop culture, where favorable references to marijuana are appearing increasingly in music of all tastes—from heavy metal to rap—and at colleges, where the legalization of marijuana is being debated.

Some street vendors and trendy boutiques said they did a brisk business during the summer selling T-shirts and caps adorned with a marijuana leaf or marijuana-related slogans. Some even sold hemp clothes made from marijuana plants.

Clothing printed with marijuana emblems is now turning up in high schools.

"Most of the kids say they are wearing the shirts because it is part of the style these days," said Frank Stetson, principal of DuVal High School in Prince George's County. "For whatever reason, it is still a concern."

Like other principals in the area, Stetson said he usually tells the students to turn their offending T-shirts inside out or to cover the slogans with a jacket or another shirt.

"Ninety percent of the time, when you ask them what they think their parents would say, the students will immediately turn their shirts inside out," said Stephen Tarason, principal of John F. Kennedy High School in Montgomery. "But there's always the 10 percent who say their parents already know what they are wearing."

In addition to making a fashion statement, young people are using a new way to smoke marijuana—splitting open an inexpensive cigar called a Phillies Blunt and filling it with marijuana. In a May survey of 22 recent arrestees conducted by the D.C. Pretrial Services Agency, all but one of the District youths said they smoked marijuana in cigars. Sales of the Blunt brand cigars have tripled in the last year, according to one area wholesaler.

Some young users say they consider their use of marijuana to be harmless, and even preferable to the other trouble they could get into.

"I won't try crack or rock, because crack kills. You learn that from commercials and TV," said a 16-year-old girl from Gaithersburg, who said she started smoking marijuana a year ago, often in Blunts. "Marijuana gives you an inner peace. It makes you want to sit back and listen to music, or pig out with friends, instead of getting into trouble."

"For me, marijuana is just like alcohol. No worse," said another Gaithersburg youth, a 15-year-old boy who said he tried his first joint earlier this summer. "You hear about it through the music. It's part of what is happening."

The two Gaithersburg teenagers, whose names are being withheld at their parents' request, said they are currently receiving counseling for their drug use and other behavior problems. Their counselor, Vita Noble, said she is skeptical of claims that marijuana keeps young people out of more serious trouble. She said several of her young clients have become involved in scrapes and other violent encounters while high on marijuana.

"Marijuana drops all the guards," Noble said. "These kids tend to lack fear when they are high, and they are less afraid of confrontation. They seem to attract violence like a magnet."

Noble said she also is worried that the marijuana use could lead to more destructive behavior if it goes unchecked, and it may even stir the youths to try more dangerous drugs in the future.

"I am concerned that we may see the cycle repeating itself with this generation," Noble said. "Marijuana use raises a lot of red flags."•

CANAAN BAPTIST CHURCH

• Mr. RIEGLE. Mr. President, I rise today to pay tribute to Canaan Baptist Church, in my hometown of Flint, MI, on the occasion of the 69th anniversary of the church's founding. From humble beginnings in November 1924, the church has seen tremendous growth as the result of the dedication and hard work of the pastors and congregation.

Many distinguished leaders in the Flint community are now or have been members of this great congregation and there have been many significant events in Canaan Baptist Church's history.

The church was greatly blessed by the arrival of the Rev. Willie M. Duncan in 1979. Under Reverend Duncan's guidance and vision, the size of the congregation increased, the facilities were improved, and community outreach programs were expanded.

Earlier this year, on May 28, 1993, Canaan suffered a great loss with Reverend Duncan's untimely death. While he will be greatly missed, the congregation will continue to be inspired by the memory of his leadership, commitment, and dedication.

Because of their devotion, faithfulness, and commitment, the members of Canaan Baptist Church have touched countless lives and helped numerous people; and I am honored to pay tribute to them for their commitment and effort.•

DURUM SEMOLINA WHEAT

• Mr. D'AMATO. Mr. President, an issue recently raised in the press and media affects companies and workers as well as consumers in my home State of New York. It involves the importation of Durum Semolina wheat from Canada by pasta manufacturers in New York, particularly in Buffalo. The issue was a subject of a Wall Street Journal guest article by James Bovard; a copy of which is included following my remarks. It was also the subject of a question on ABC TV's "This Week With David Brinkley" to U.S. Trade Representative Mickey Kantor by Sam Donaldson.

The effort to grant emergency quotas on wheat imports from Canada essentially is an effort to truncate the normal review process of such matters. A full review would take into consideration adverse consequences as well as potential benefits such a decision would cause. The recommendation to expedite this decision is reported to be ready by the Secretary of Agriculture as a representative of the administration.

I am concerned that the curtailing of affordable Durum Semolina wheat will have a negative effect on pasta production in the United States and put domestic producers at a price competitive disadvantage to imports from abroad. Ironically, low cost imports from abroad are made from U.S.-subsidized wheat shipped overseas and returned as low-cost pasta products to the United States. If the result of the emergency decision to limit these imports causes domestic pasta companies to pay higher prices for domestic wheat, not only will prices rise, but layoffs will occur in the face of predatory competition from abroad.

A precipitous decision seems not to serve the purposes of American consumers or American industry. Should not such a policy be reviewed by the numbers and in regular order, not be pushed through as an emergency measure.

In referring to the Wall Street Journal article, I do not ascribe to Mr. Bovard's implications or his attribution of motivation for calls for restrictions. But it is obvious that the success of bilateral agreements depends on both the enforcement and follow-through of the presumed goodwill of such agreements. This is particularly important as we approach final consideration of NAFTA and further negotiations of GATT.

A full review of the issues surrounding the Canadian wheat imports would go a great distance in clarifying the overall national interest as well as the interests of the United States producers and consumers.

There is no real reason for a quick fix; such attempts will be subject to misinterpretation. A full review would provide the opportunity for all parties to be heard and an equitable result for all parties.

I ask that a copy of the Wall Street Journal article be printed in the RECORD at the conclusion of my remarks.

The article follows:

[From The Wall Street Journal, Oct. 15, 1993]

OUR WHEAT WAR WITH CANADA

(By James Bovard)

The Clinton administration is on the brink of imposing emergency quotas on wheat imports from Canada. If Mr. Clinton succumbs to this protectionist temptation, once again pandering to congressional pressure, it could result in a Canadian rejection of Nafta and a collapse of U.S. credibility in the GATT negotiations. Restricting wheat imports could also destroy American food manufacturing jobs.

Durum wheat, the bone of this trade conflict, is used for pasta, certain cereals and some Italian breads. Imports of Canadian durum have increased in recent years and now account for roughly 20% of U.S. consumption. To add insult to supposed injury, Canadian durum wheat is often of higher quality thanks to superior Canadian grain-handling practices. Naturally, the perfidious imports have sparked outrage on Capitol Hill—and the White House appears to have jumped on the bandwagon.

Sen. Max Baucus (D., Mont.) proclaimed "Canadian [unfair trade] practices put Japan to shame." Nine farm-state senators sent a letter to Agriculture Secretary Mike Espy on Sept. 9 demanding an "immediate initiation . . . of trade action to restrict U.S. imports of Canadian wheat." Undersecretary of Agriculture, Gene Moos, told the Senate Agriculture Committee on Sept. 21 that he had formally recommended that the president "consider an emergency proclamation establishing quotas on the import of Canadian wheat," and U.S. Trade Representative Mickey Kantor declared that "we're looking at moving very quickly on the [proposal for import quotas on] wheat."

Farm-state senators have picked an unfortunate time to denounce imports, since U.S. durum wheat prices—roughly $4.50 a bushel—are far above federal target prices (prices picked by congressmen to guarantee most full-time farmers a generous profit). But the reason that politicians are clamoring now is that they smell a chance to cut a deal with Mr. Clinton. Some senators are trying to ransom their votes to open the border with Mexico via Nafta with a Clinton administration promise to close the border to Canada.

While northern Midwest senators busily denounce Canadian imports, their states actually may be hurt more by the sharp cutbacks in wheat production caused by federal acreage idling programs.

U.S. production of durum wheat has nosedived since 1981, falling from 5.8 million acres annually to just over two million acres in 1983. The Conservation Reserve Program (CRP), under which the government pays farmers to idle their land for 10 years, is the largest single set-aside program. Sen. Kent Conrad (D., N.D.) complained in 1992 that the CRP has "absolutely wiped out small town after small town as we took land out of production." North Dakota farmers may be enraged by the durum imports in part because, while Canadian farmers are planting fence-row-to-fencerow, much of the U.S. farmland that could produce durum wheat has been semi-permanently shut down by the CRP.

Even though U.S. farmers are not even growing enough durum to meet U.S. consumption, the U.S. government is still spending lavishly to dump U.S. durum wheat on world markets. The U.S. will subsidize the exports of more than 30 million bushels of durum wheat this year—roughly equal to the amount of Canadian imports. On Sept. 23, the Agriculture Department announced massive subsidies of durum wheat exports to South Africa—entitling American taxpayers to pay a subsidy of $1.75 per bushel for the export of wheat. The department will spend roughly $700 million to dump wheat on world markets this year. Wheat export subsidies have become so generous that they are undercutting unsubsidized exports of U.S. corn.

The combination of falling U.S. production of durum and artificially increased demand for durum caused by export subsidies has driven the U.S. durum price above the world price. Naturally, the high prices have been a signal to foreign producers that the U.S. market needs more durum.

If the U.S. restricts Canadian wheat imports, the U.S. price of durum will likely spike higher. This would put American pasta makers at an even greater disadvantage against imports. Foreigners can buy U.S. wheat much more cheaply than can American food manufacturers. U.S. imports of pasta and pasta products have more than doubled since 1985, when the Agriculture Department began dumping U.S. wheat on the world market at fire-sale prices. The U.S.

lavishly subsidized durum exports to Turkey, where the wheat was processed into pasta and exported back to the U.S. Industry experts predict that if Mr. Clinton restricts Canadian wheat imports, some U.S. pasta-making plants could move to Canada.

U.S. senators are loudly denouncing Canadians for exporting subsidized wheat. But in 1991, federal farm policy forced American taxpayers and consumers to pay wheat farmers subsidies equal to 78% of the total value of the wheat produced in the U.S., according to the Organization for Economic Cooperation and Development. Federal farm policy has turned wheat production—a historic American strength—into a heavy burden on the national economy.

Rather than disputing over a few bushels of Canadian imports, the debate should focus on how the U.S. government has turned wheat production into a perpetual burden on American taxpayers. Prior to the federal takeover of agriculture in the 1930s, American wheat farmers were a symbol of national pride. Nowadays, federal subsidies per full-time wheat farmer far exceed what the U.S. government is providing per household of food stamp recipients.

Unfortunately, "the wheat industry is in serious decline," as Bruce Weber of Cargill Inc., the nation's largest grain exporter, complained last year. Stephanie Patrick of Cargill observed that the decline in wheat exports is "reflected in the virtual closing of the Texas Gulf, a region once dense with wheat-export facilities and the jobs that went with them."

The U.S. would be unwise to treat Canada like some kind of lop-eared hound dog that can be kicked with impunity. Canada is the U.S.'s most important trading partner, and the Canadian government has promised to retaliate against the U.S. for any restrictions on durum imports. Support for Nafta in Canada is already anemic, and one more U.S. protectionist action against Canadian imports could spell Nafta's demise.

Mr. Clinton should not export the U.S. food manufacturing industry by restricting wheat imports. Buying votes for Nafta by imposing import quotas on Canadian wheat would be like someone pawning his automobile to pay for a tankload of gasoline.●

BETHUNE-COOKMAN COLLEGE

● Mr. MACK. Mr. President, yesterday the Senate considered and approved the conference report on the Labor, Health and Human Services, and Education appropriations bill. In this context, I would like to take a few moments to highlight an important project at Bethune-Cookman College, a historically black college in Daytona Beach, FL. I appreciate the previous comments made by the distinguished chairman of the Appropriations Subcommittee for the Departments of Labor, Health and Human Services, and Education on the merits of this project, although I am disheartened that no funds were provided to the college for this fiscal year.

Over the last 6 years, Bethune-Cookman College has undertaken a plan to construct the Mary McLeod Bethune Memorial Fine Arts Center named in honor of Mary McLeod Bethune, the founder and first president of the college. The center will house a much-needed performing arts auditorium, a conference center and training facility. The college's hotel, motel, restaurant, and club management training program, currently administered out of a portable classroom, will be permanently housed in this facility and will provide hands-on professional management training to minority students. The new center will serve 1,000 additional students, most of whom come from low-income families.

The fine arts center will also serve a national and international constituency. The student body at Bethune-Cookman represents almost all 50 States as well as many countries around the world. The new facility, with its 3,000-seat auditorium, will host national and international conferences and meetings representing varied social and academic interests.

Phase I of the fine arts center has been completed. Last year, phase II of the project—construction, maintenance, and endowment of the center—was authorized. Recognizing the important role historically black colleges and universities, such as Bethune-Cookman, play in our young people's lives, President Clinton requested $12.5 million to fund phase II in his fiscal year 1994 investment package for education. Unfortunately, because of competing priorities, the Mary McLeod Bethune Memorial Fine Arts Center was not funded this year.

I appreciate that Chairman HARKIN is prepared to revisit the issue of funding for phase II of this center in future years. I am mindful of the budget constraints the Congress currently faces, an the importance of prioritizing initiatives for Federal funding. With this in mind, I remain hopeful that the Congress will recognize the tremendous benefits this project will have for our young people, and, as a result, will fund this project as a priority item next year.●

ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 9:30 a.m. on Wednesday, October 20; that following the prayer the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; and that the Senate then resume consideration of H.R. 3116, the Department of Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL TOMORROW AT 9:30 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 8:27 p.m., recessed until tomorrow, Wednesday, October 20, 1993, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 19, 1993:

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

MARK L. SCHNEIDER, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE JAMES HENRY MICHEL, RESIGNED.

IN THE ARMY

THE FOLLOWING U.S. ARMY RESERVE OFFICERS FOR PROMOTION TO THE GRADES INDICATED IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF SECTIONS 593(A), 3371 AND 3384, TITLE 10, UNITED STATES CODE:

To be major general

BRIG. GEN. DONALD F. CAMPBELL [redacted]
BRIG. GEN. PETER W. CLEGG [redacted]
BRIG. GEN. LINDSAY M. FREEMAN [redacted]
BRIG. GEN. LEONARD L. HOCH [redacted]
BRIG. GEN. THOMAS P. JONES [redacted]
BRIG. GEN. HOWARD T. MOONEY [redacted]
BRIG. GEN. THOMAS J. PLEWES [redacted]
BRIG. GEN. RICHARD F. REEDER [redacted]
BRIG. GEN. RICHARD E. STORAT [redacted]
BRIG. GEN. FRANCIS D. TERRELL [redacted]
BRIG. GEN. JOHN M. VEST [redacted]
BRIG. GEN. ROBERT H.G. WAUDBY [redacted]

To be brigadier general

COL. MICHAEL E. DUNLAVEY [redacted]
COL. JAMES L. BAUERLE [redacted]
COL. MELVIN R. JOHNSON [redacted]
COL. BRUCE B. BINGHAM [redacted]
COL. MICHAEL R. MAYO [redacted]
COL. ROBERT J. WINZINGER [redacted]
COL. JOHN G. KULHAVI [redacted]
COL. RODNEY D. RUDDOCK [redacted]
COL. ROBERT L. LENNON [redacted]
COL. JOHN J. GREEN, JR [redacted]
COL. JAMES C. LARSON [redacted]
COL. CLIFFORD L. MASSENGALE [redacted]
COL. ROBERT A. LEE [redacted]
COL. NORMAN B. BURDETT [redacted]

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, UNDER THE PROVISIONS OF SECTION 628, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be colonel

ROBERT G. WORTHINGTON [redacted]

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM DUTIES INDICATED WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A HIGHER GRADE THAN THAT INDICATED.

MEDICAL CORPS

To be colonel

SAMAR K. BHOWMICK [redacted]
DAVID A. DIORIO [redacted]
DAVID T. RIGDON [redacted]

To be lieutenant colonel

RAYMOND T. BARBERA [redacted]
JERRY M. DAVENPORT [redacted]
KENNETH R. DAVIS [redacted]
WILLIAM C. SMITH [redacted]
FORREST C. YANCEY, JR [redacted]

To be major

CHRISTIAN R. BENJAMIN [redacted]
ALAN B. BERG [redacted]

To be captain

JAMES P. BONAR [redacted]

DENTAL CORPS

To be colonel

PAUL A. EDWARDS [redacted]

To be lieutenant colonel

JOSEPH A. BARTOLONI, JR [redacted]

STEVEN B. BLANCHARD, [redacted]
MICHAEL F. SHEDLOSKY, [redacted]
MICHAEL W. SMITH, [redacted]

To be major

VINCENT J. TAKACS, [redacted]
ROBERT P. WOLFENDEN, [redacted]

THE FOLLOWING INDIVIDUALS FOR APPOINTMENT AS RESERVE OF THE AIR FORCE, IN GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 593, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM THE DUTIES INDICATED.

MEDICAL CORPS

To be lieutenant colonel

GERALD L. GUYER [redacted]
VICTOR H. MACINTOSH [redacted]

THE FOLLOWING AIR FORCE OFFICERS FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, IN ACCORDANCE WITH TITLE 10, UNITED STATES CODE, SECTIONS 624 AND 1552, WITH DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be colonel

DAVID F. ANTOON [redacted]

To be major

ERNEST G. WEEKS [redacted]

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE U.S. OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C. SECTIONS 593(A) AND 3385:

ARMY PROMOTION LIST

To be colonel

THOMAS N. BORDNER [redacted]
JASPER CARPENTER [redacted]
KENNETH E. COTTRILL [redacted]
THOMAS W. DALTON, JR. [redacted]
CARROLL L. EDGE [redacted]
DONALD R. FRANKLAND [redacted]
JON J. GIDDINGS [redacted]
RANDALL C. GRAHAM [redacted]
DONALD W. HRYNYSHYN [redacted]
JAMES A. KLYNSTRA [redacted]
THOMAS E. LITTLE [redacted]
MELVIN G. PFENDER [redacted]
OSCAR L. RAMOS-MELENDEZ [redacted]
TERRELL T. REDDICK [redacted]
ANDREW M. SCHUSTER [redacted]
JAMES L. SMITH [redacted]
LYNN R. STREMME [redacted]

THE JUDGE ADVOCATE GENERAL'S CORPS

To be colonel

GERALD D. GALLOWAY [redacted]

MEDICAL SERVICE CORPS

To be colonel

HARRY K. CRAFT [redacted]

ARMY NURSE CORPS

To be colonel

MAYO P. MORRIS [redacted]

ARMY PROMOTION LIST

To be lieutenant colonel

KEITH J. BOBENMOYER [redacted]
BARBARANETTE T. BOLDEN [redacted]
LEON C. BOWLIN [redacted]
WENDELL F. BRAXTON [redacted]
LARRY J. DAUGHTRY [redacted]
JOSEPH P. DEJOHN [redacted]
ROY L. DRAKE, JR [redacted]
BRUCE N. ECKERSON [redacted]
THOMAS D. EDWARDS [redacted]
JAMES R. LAPPANA [redacted]
RHETT C. LEARY [redacted]
EUGENE C. MARTIN [redacted]
EDWARD M. MCCLURE [redacted]
PAUL D. MCKITTRICK [redacted]
RAFAEL A. MURIEL, JR [redacted]
CASSEL J. NUTTER, JR [redacted]
ANTHONY J. OCONNOR [redacted]
JOSEPH J. POPTIC, I [redacted]
LAWRENCE H. ROSS [redacted]
ROBERT J. STAIERT [redacted]

THE JUDGE ADVOCATE GENERAL'S CORPS

To be lieutenant colonel

FRANK M. BREZINA [redacted]
WILLIAM J. RODEN [redacted]
KENNETH S. SOLLARS [redacted]

ARMY NURSE CORPS

To be lieutenant colonel

LYNNETTE D. KENNISON [redacted]

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS RESERVE FOR APPOINTMENT INTO THE REGULAR MARINE CORPS UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531:

To be captain

JEFFREY A. BAUMERT [redacted]
ERIC V. BRYANT [redacted]
THEODORE E. CALDWELL, JR [redacted]
ELOY CAMPOS [redacted]
RICHARD E. CARRASCO [redacted]
ROBERT J. CHARETTE [redacted]
EDWIN B. COYL, III [redacted]
VINCENT S. CRUM [redacted]
MARSHALL DENNEY, II [redacted]
PATRICK D. FORD [redacted]
JOSEPH E. GEORGE [redacted]
ERIC C. HANLY [redacted]
DONALD K. HANSEN [redacted]
RICHARD G. JETHON [redacted]
ALAN D. LECLERC [redacted]
ERIC J. LEVESQUE [redacted]
BRIAN R. MCINTYRE [redacted]
MICHAEL A. OHALLORAN [redacted]
LAYTON R. PLUNKETT [redacted]
PAUL A. POND [redacted]
RICHARD R. RIDENOUR, JR [redacted]
ROSS E. SCANIO [redacted]
WILLIAM R. SELLARS [redacted]
DOUGLAS T. STEELE [redacted]
THOMAS D. WEIDLEY [redacted]
JEFFREY R. WOODS [redacted]

To be first lieutenant

CHRISTOPHER J. CROTEAU [redacted]
DARRIN DENNY [redacted]
KENNETH E. ENNEY, JR [redacted]
PAUL K. LITTLE, I [redacted]

THE FOLLOWING NAMED LIMITED DUTY OFFICERS OF THE REGULAR MARINE CORPS FOR APPOINTMENT AND DESIGNATION AS UNRESTRICTED OFFICERS IN THE REGULAR MARINE CORPS UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5589:

To be captain

FRANCIS E. CROUCHER [redacted]

To be first lieutenant

THOMAS W. HEASLEY [redacted]
JEFFREY A. RIPA [redacted]

IN THE AIR FORCE

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE OFFICERS BE APPOINTED IN A GRADE HIGHER THAN CAPTAIN.

LINE OF THE AIR FORCE

ABEL, KENNETH F [redacted]
ABEL, TERRY B [redacted]
ABRAHAM, ARNOLD J [redacted]
ABRAMSON, MARK A. [redacted]
ADAM, TIMOTHY A. [redacted]
ADAMES, MICHAEL F [redacted]
ADAMS, JORDAN C [redacted]
ADAMS, KIMBERLY A. [redacted]
ADAMSON, PAUL L. [redacted]
ADDINGTON, DALE R. [redacted]
ADDISON, BENJAMIN W [redacted]
ADEE, REX E. [redacted]
ADELSEN, KEVIN P [redacted]
ADRIAN, ANDREW J [redacted]
AGHAJANIAN, CARA A. [redacted]
AGINS, DAVID M. [redacted]
AGUSTIN, KENNEDY P [redacted]
AHERN, MATTHEW J [redacted]
AHERN, MICHAEL T [redacted]
AIKEN, DERRICK A [redacted]
AKERS, LORIN F [redacted]
AKIN, THOMAS E. [redacted]
ALANIZ, ARCADIO JR [redacted]
ALDRICH, GARY E [redacted]
ALEXANDER, JAMES H [redacted]
ALEXANDER, MARK A [redacted]
ALICATA, THOMAS J. III [redacted]
ALLEN, DAVID R. [redacted]
ALLEN, LANNIE G [redacted]
ALLEN, LLOYD W [redacted]
ALLEN, ROBERT B [redacted]
ALSTON, RUSSELL R [redacted]
ALVARADO, LAURANCE O [redacted]
AMOS, BRIAN D. [redacted]
AMOS, JOSEPH D [redacted]
ANDERSON, ALBERT J [redacted]
ANDERSON, DAVID M. [redacted]
ANDERSON, JEFFREY L [redacted]
ANDERSON JOHN H. [redacted]
ANDERSON, JON K [redacted]
ANDERSON, LARS C [redacted]
ANDERSON, TIMOTHY A [redacted]
ANDREAS, CRAIG A. [redacted]
ANDREPONT, JANET A [redacted]
ANDRY, LINDA M. [redacted]
ANTRIM, JOHN E [redacted]
APOSTOLIDES, JOHN B [redacted]
APPLEYARD, JAMES H. JR [redacted]
ARBOGAST, MARK A. [redacted]
ARCH, TIMOTHY J. [redacted]
ARMENTROUT, CHARLES P [redacted]
ARMITSTEAD, JOHN N [redacted]
ARMSTRONG, DOUGLAS A. [redacted]
ARNOLD, DIANE M. [redacted]
ARNOLD, PRESTON F [redacted]
ARQUIETTE, STEVEN J [redacted]
ARRINGTON, WILLIAM H. III [redacted]
ARTHUR, WILLIAM C. [redacted]
ASHE, DAVID J. [redacted]
ASHLEY, MILES [redacted]
ASHMORE, MITCHELL B. [redacted]
ASTRAN, ANTONIO A. [redacted]
ATCHISON, GREGORY M. [redacted]
ATKINS, DALE W. [redacted]
AUSTIN, KURT L. [redacted]
AVERY, MARK A. [redacted]
BADURA, TODD A. [redacted]
BAGWELL, WALTER S. [redacted]
BAILEY, PETER C. [redacted]
BAILEY, THOMAS N. [redacted]
BAKER, BRADLEY R. [redacted]
BAKER, SCOTT W. [redacted]
BAKER, TODD G. [redacted]
BALDWIN, TODD K. [redacted]
BALENTINE, BRADLEY J [redacted]
BALKE, JOHN J [redacted]
BALL, JAMES A. IV [redacted]
BALTES, RICHARD L [redacted]
BANIK, NEAL L. [redacted]
BANKOS, BRENDAN EDWARD [redacted]
BANKS, RONALD L. [redacted]
BANNACH, BRYAN E. [redacted]
BARBER, GEORGE A. JR [redacted]
BARKDULL, DAVID R. [redacted]
BARKER, PAUL N. [redacted]
BARLOW, KAREN L. [redacted]
BARNES, DONALD A [redacted]
BARRETT, PATRICK E [redacted]
BARTELT, MARK N [redacted]
BARTHOLOMEW, CORY G. [redacted]
BARTHOLOMEW, ROBERT L. [redacted]
BARTON, PHILIP J [redacted]
BASTIN, DALE L. [redacted]
BATES, DANIEL P [redacted]
BATES, STEVEN P [redacted]
BATHURST, TARA L. [redacted]
BAUER, KENNETH J [redacted]
BAUER, PAUL D. [redacted]
BAUGH, DALLAS A. JR [redacted]
BAUM, CATHERINE A. [redacted]
BAXTER, PAUL A [redacted]
BAYESA, EVELYN M. [redacted]
BAYNES, JOHN T. JR [redacted]
BEAL, LONNY E. [redacted]
BEAN, DEBRA F. [redacted]
BEARDEN, JAMES B. [redacted]
BEASLEY, DAVID M. [redacted]
BEAUCHAMP, ARTHUR F [redacted]
BECHT, THOMAS [redacted]
BECK, JOHN P. [redacted]
BECKER, PHILIP J [redacted]
BEDNAR, MARK [redacted]
BEEBE, JAMES M [redacted]
BEEN, DAVID B. [redacted]
BEERMAN, CHARLES T. [redacted]
BEISSNER, JAMES J [redacted]
BELCHER, BRUCE C. [redacted]
BELIC, JOHN E. [redacted]
BELIVEAU, JON A. [redacted]
BELL, JERI A [redacted]
BELL, ROBERT A [redacted]
BELLER, FRED W. JR [redacted]
BELLINGHAUSEN, DONALD F [redacted]
BELLISSIMO, DALE V [redacted]
BELLOWS, ERIC A. [redacted]
BENDING, MICHAEL S. [redacted]
BENEDETTO, GARY D [redacted]
BENEWAY, SANDRA J. [redacted]
BENNETT, BARRY D. JR [redacted]
BENTLEY, KEVIN J [redacted]
BERG, CRAIG N. [redacted]
BERGES, WILLIE A. [redacted]
BERGMAN, KENNETH C. [redacted]
BERNAL, BRENDA K. [redacted]
BERRY, HARRY A. [redacted]
BERTE, JOSEPH J., II [redacted]
BERTRAND, DANIEL L. [redacted]
BESSEY, JUDD A [redacted]
BETHANY, DAVID ALLEN [redacted]
BETTINGER, JOHN G [redacted]
BIEGGER, JOHN D [redacted]
BIGGS, MARY E. [redacted]
BILBREY, RANDALL C. [redacted]
BILLINGS, RICHARD A [redacted]
BILLINGS, RICHARD J [redacted]
BIRGE, LINDA L. L. [redacted]
BLACK, BRUCE A. [redacted]
BLOCHER, CHARLES C [redacted]
BLOOM, PETER J [redacted]
BLUMHAGEN, ALAN L. [redacted]
BOERNER, TIMOTHY J [redacted]
BOLIN, JOHN A. [redacted]
BOLSTAD, BRADLEY J [redacted]
BONORDEN, JOE B. [redacted]
BONTLY, GARY J. [redacted]
BONTRAGER, MARK D. [redacted]
BORDEN, RICK J. [redacted]
BORDEN, STEVEN M. [redacted]
BOSTON, ROBERT S. [redacted]

BOUILLERCE, BRENDA M [redacted]
BOWEN, JAMES W [redacted]
BOWER, DAVID M. [redacted]
BOYER, JAMES E [redacted]
BOYKIN, PATRICK H [redacted]
BOYSON, TUCK E. [redacted]
BRADEN, PAUL E [redacted]
BRADFORD, RANDALL R [redacted]
BRADLEY, MARK T [redacted]
BRAND, MATTHEW C [redacted]
BRANDT, MARK D [redacted]
BRANSON, JAMES I [redacted]
BRANTING, JEFFREY G [redacted]
BREDVIK, DUWAYNE E [redacted]
BREED, DAVID SCOTT [redacted]
BREIER, JEFFREY J [redacted]
BRENNAN, CHARLES R [redacted]
BRENNEMAN, KENNETH C [redacted]
BRENNER, DANA H. [redacted]
BRETT, TIMOTHY O [redacted]
BRIDGES, KAREN M [redacted]
BRISTOW, DOUGLAS J [redacted]
BRITT, KEVIN A [redacted]
BROOKS, KIM R. [redacted]
BROOKS, ROBERT T. JR [redacted]
BROWN, CRAIG E. [redacted]
BROWN, DALE R. [redacted]
BROWN, EDWARD B. JR [redacted]
BROWN, JEFFREY D [redacted]
BROWN, JEFFREY S [redacted]
BROWN, JON D. [redacted]
BROWN, MARK A. [redacted]
BROWN, MICHAEL D. [redacted]
BROWN, MICHAEL E. [redacted]
BROWN, MICHAEL E [redacted]
BROWN, RUSS J [redacted]
BROWN, SAMUEL J. [redacted]
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BROYLES, DON E [redacted]
BRUNNER, DONALD L., JR [redacted]
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BUBULKA, JOSEPH P [redacted]
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FOSSUM, TERRY L. [redacted]
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FRASER, DARREN A [redacted]
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FREEMAN, THOMAS H. [redacted]
FRENCH, JONATHAN [redacted]
FRIES, BRENIER T. JR [redacted]
FRISBIE, PATTI L [redacted]
FRISKE, TIMOTHY W [redacted]
FRITZ, JAMES L [redacted]
FROEHLICH, CHRIS T [redacted]
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FUOTI, FRANK C [redacted]
FURCINI, STACY A.K [redacted]
FURST, DOUGLAS A. [redacted]
FUST, ARNOLD [redacted]
FYFE, GLENN C [redacted]
GALANTE, VICTOR A [redacted]
GALINDEZ, JUAN [redacted]
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GAMBERA ROBERT J [redacted]
GAMBLE, BRYAN V. [redacted]
GANT, RUFUS M. III [redacted]
GARCIA, ANTHONY J. [redacted]
GARDINER, THEORDORE E [redacted]
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PORT, LORELEI D [redacted]
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ROSENQUIST, DEAN E [redacted]
ROSS, CHARLES E. JR [redacted]
ROSS, DONALD W [redacted]
ROSS, VINCENT N [redacted]
ROSSELIT, KURT S [redacted]
ROTH, ROBERT W [redacted]
ROTHENFLUE, JAMES A [redacted]
ROUTT, WILLIAM G [redacted]
RUANE, MATTHEW J [redacted]
RUGG, STEVEN A [redacted]
RUMRILL, JEFFREY N [redacted]
RUSSELL, DOUGLAS D. JR [redacted]
RUSSELL, JOHN S [redacted]
RUSSELL, SCOTT E [redacted]
RUTLIN, GRANT G [redacted]
RYAN, PATRICK T [redacted]
RYAN, THOMAS W [redacted]
RYERSE, MATTHEW D [redacted]
SAELID, PER I [redacted]
SAENZ, JOSE L [redacted]
SALOMON, DAVID G [redacted]
SAMPSON, KEVIN J [redacted]
SAMUEL, SUSAN M [redacted]
SANCHEZANDINO, JOSE A [redacted]
SANDAHL, DANIEL J [redacted]
SANHEINRICH, DAMIAN P [redacted]
SANKS, TERRY M [redacted]
SANSOUCI, MARGITH A [redacted]
SANTANIELLO, JOHN A [redacted]
SANTOS, EDWIN [redacted]
SAPINOSO, DEXTER M [redacted]
SARIC, WILLIAM G [redacted]
SAUL, SCOTT H [redacted]
SAXON, THOMAS R [redacted]
SAYSON, ARMIN M [redacted]
SCAGLIONE DION [redacted]
SCHADDELEE FRANK W [redacted]
SCHADEGG, THOMAS P [redacted]
SCHAEFER, JEAN M [redacted]
SCHAIBLE, MARK R [redacted]
SCHAUB, GEORGE P [redacted]
SCHAUBER, DONALD M. JR [redacted]
SCHEEL, CAMERON J [redacted]
SCHEPPS, STEVEN [redacted]
SCHERER, PAUL E [redacted]
SCHIFF, TODD C [redacted]
SCHILDER, JON [redacted]
SCHLIMM, KARL A [redacted]
SCHMIDT, CHRISTINE M [redacted]
SCHMIDT, DANIEL M [redacted]
SCHMITT, JOHN J., JR [redacted]
SCHNEIDER, JAMES C [redacted]
SCHOLLMEYER, JEFFREY R [redacted]
SCHROEDER, PHIL J [redacted]
SCHROEDER, RICK E [redacted]
SCHROEDER, SCOTT A [redacted]
SCHULTZ, GREGORY W [redacted]
SCHUSTER, JAMES B [redacted]
SCHWALM, ERIC L [redacted]
SCHWARZKOPF, THOMAS J [redacted]
SCOGGINS, SHANE P [redacted]
SCOTT, BYRON L [redacted]
SCOTT, DAVID J [redacted]
SCOTT, MATTHEW C [redacted]
SCRIPTER, DAVID H [redacted]
SCRUITSKY, WILLIAM R [redacted]
SCULLY, MARK D [redacted]
SEARCY, BRIAN G [redacted]
SEARFOSS, KURT A [redacted]
SECHREST, JOANNE B [redacted]
SELADIS, JAMES P [redacted]
SELLERS, GREGORY S [redacted]
SENSENIG, WILLIAM H. JR [redacted]
SEYER, TARYN L [redacted]
SHANKS, TIMOTHY P [redacted]
SHANLEY, SHAWN P [redacted]
SHAPIRO, SCOTT D [redacted]
SHARRETT, PETRA L [redacted]
SHARTLE, GARY F [redacted]
SHAW, ANTHONY C [redacted]
SHAW, WAYNE L., II [redacted]
SHEASLEY, ALAN C [redacted]
SHEEHAN, PAUL V [redacted]
SHEPHERD, GLEN A [redacted]
SHEREDA, MARIA Y [redacted]
SHERIDAN, SCOTT F [redacted]
SHERLOCK, BRADLEY D [redacted]
SHERMAN, WILLIAM A [redacted]
SHELVIN PAUL [redacted]
SHEWELL, CYNTHIA A [redacted]
SHIELDS, JOHN R [redacted]
SHIELDS, ROBERT W [redacted]
SHOATES, KEITH B [redacted]
SHOEMAKER, JAMES ALLAN I [redacted]
SHORES, ROBERT C [redacted]
SHREWSBURY, STEPHEN M [redacted]
SHUTTY, PAMELA A [redacted]
SIBILLE, WARREN T [redacted]
SIEGLE, ROBERT M [redacted]
SILKOWSKI, ERIC [redacted]
SILVANIC, DOROTHY A [redacted]
SIMCOX, FRANK W. IV [redacted]
SIMMONS, SCOTT W [redacted]
SIMS, WILSON T. JR [redacted]
SINDEL, MICHAEL W [redacted]
SINOPOLI, PAUL L. J [redacted]
SISSON, ROBERT A [redacted]
SKINNER, WARDLAW E. III [redacted]
SLATE, DANIEL J [redacted]
SLATON, JOHN S [redacted]
SLAUENWHITE, TIMOTHY A [redacted]
SLUPSKI, JOSEPH E [redacted]
SMALLIDGE, DAVID S [redacted]
SMILEY, STEVEN E [redacted]
SMITH, ANDREW J [redacted]
SMITH, DOUGLAS L [redacted]
SMITH, GARY A [redacted]
SMITH, GREGORY C [redacted]
SMITH, JAMES R. JR [redacted]
SMITH, MARK R [redacted]
SMITH, MICHAEL E [redacted]
SMITH, MICHAEL S [redacted]
SMITH, RANDOLPH G [redacted]
SMITH, RICHARD E. III [redacted]
SMITH, ROBERT J. JR [redacted]
SMITH, RUSS E [redacted]
SMITH, RUSSELL E [redacted]
SMITH, SCOTT F [redacted]
SMITH, STEPHEN A [redacted]
SMITH, WAYNE A [redacted]
SMITH, WESLEY E [redacted]
SMITHHART, DAVID A [redacted]
SMOLLER, AARON D [redacted]
SNYDER, DONALD A [redacted]
SNYDER, GEORGE H [redacted]
SO, JOHN PYONGSUK [redacted]
SOBIESKI, JOANNA J [redacted]
SOLI, KATHLEEN F [redacted]
SOLIS,MIGUEL A [redacted]
SOLOMON, MICHAEL R [redacted]
SOLORZANO, PATRICE A [redacted]
SOMES, THEODORE A [redacted]
SORENSEN, JAY C [redacted]
SOUZA, GRAIG A [redacted]
SPAGNUOLO, CHRISTOPHER F [redacted]
SPAIN, DONALD R [redacted]
SPALLA, BRYAN DAVI [redacted]
SPANGLER, JON R [redacted]
SPEAR, RANDALL A., JR [redacted]
SPELTZ, DAVID J [redacted]
SPENCER, JEFFREY D [redacted]
SPENCER, LANCE H [redacted]
SPENCER, MICHAEL W [redacted]
SPILGER, KURT M [redacted]
SPITZ, JOSEPH A [redacted]
STAFFORD, CHRISTOPHER [redacted]
STAGGENBORG, DANIEL J [redacted]
STAHL, LAWRENCE M [redacted]
STANKEVITZ, DARRYL L [redacted]
STANTON, VALISE A [redacted]
STARK, WAYNE W [redacted]
STARKEY, PAUL L [redacted]
STARKWEATHER, DON C [redacted]
STATHOPOULOS, THOMAS [redacted]
STCYR, GERALD C [redacted]
STEFFENS, DAVID J [redacted]
STEIN, JEFFREY A [redacted]
STEINBECK, JOHN W. III [redacted]
STENSON, DANIEL P [redacted]
STEPHENS, PAUL D [redacted]
STEPPLING, WILLIAM A [redacted]
STEUCK, JAY C [redacted]
STEWARD, ERIC J [redacted]
STEWART, ALBERT K [redacted]
STEWART, DANA L [redacted]
STEWART, JAMES A [redacted]
STINSON, MICHAEL J [redacted]
STONE, ELMER C., JR [redacted]
STONE, KEVIN L [redacted]

STONE, LAURENCE K [redacted]
STOSS, LAURA A [redacted]
STOWERS, MICHAEL K [redacted]
STUERMER, RAYMOND J [redacted]
SUFFRIDGE, CHARLES S [redacted]
SULLIVAN, RUSSELL E [redacted]
SULLIVAN, SANDRA G [redacted]
SUMMERS, JOHNNY D [redacted]
SUTTON, BENJAMIN M [redacted]
SWAIN, ARRON R. [redacted]
SWALLOW, WILLIAM L. [redacted]
SWANSON, SCOTT R [redacted]
SWOGGER, RAYMOND A. [redacted]
SWYGERT, ALAN J [redacted]
SYSMA, DAVID A [redacted]
SZLACHTA, THOMAS E [redacted]
TABB, TODD A. [redacted]
TALARICO, JOHN [redacted]
TATE, RANDALL J [redacted]
TAVENNER, RICHARD D [redacted]
TAYLOR, MARK J [redacted]
TAYLOR, RODERICK K [redacted]
TAYLOR, RODNEY L [redacted]
THIELEN, KURT E [redacted]
THIELEN, SCOTT D [redacted]
THIEM, TERRY L [redacted]
THOMAS, SHARON C [redacted]
THOMPSON, CHRISTOPHER E [redacted]
THOMPSON, JEFFREY A [redacted]
THOMPSON, ROBERT E [redacted]
THOMPSON, ROBERT C [redacted]
THORNE, DARRELL W [redacted]
TILTON, DAVID W [redacted]
TINDAL, FREDERICK C [redacted]
TINGHITELLA, JOSEPH A [redacted]
TIPSWORD, CHRISTOPHER L [redacted]
TITTINGER, JAME [redacted]
TIZZARD, THERESA P [redacted]
TOBIN, KEITH E [redacted]
TOLAND, RONALD J [redacted]
TOLBERT, DOUGLAS S [redacted]
TOPPERT, GARY A [redacted]
TORPEY, TIMOTHY C [redacted]
TORWEIHE, DANIEL R [redacted]
TOUCHTON, JOHN H. II [redacted]
TOUGHLIAN, EDWARD N [redacted]
TOWNE, DAVID G [redacted]
TOWNES, TIMOTHY P [redacted]
TRACHSEL, WALTER G [redacted]
TRAVERSE, JAMES D [redacted]
TRELEAVEN, JAMES E [redacted]
TRICKEL, THOMAS E [redacted]
TRISSELL, KEVIN T [redacted]
TROMBLEY, GERALD J [redacted]
TRUAX, TODD M. [redacted]
TRUCHAN, MARK [redacted]
TUCK, BRIAN L [redacted]
TUCK, GIOVANNI K. [redacted]
TURCOTTE, MARK J [redacted]
TURNER, STUART L [redacted]
TWEEDT, LLOYD T [redacted]
ULMER, AMOS B. [redacted]
URIE, KIMBERLEY [redacted]
UTSCH, THOMAS F [redacted]
VACCARO, MICHAEL J [redacted]
VALERO, LAURA J [redacted]
VALHA, DARRIN M [redacted]
VALLIERE, DAVID D [redacted]
VANBELKUM, L.J [redacted]
VANDERVEER, DAVID G. JR [redacted]
VANDEUSEN, PETER L [redacted]
VANDOREN, MICHAEL A [redacted]
VANN, ALVIN M. JR [redacted]
VANVLIET, GLENN R [redacted]
VAUGHN, BRIAN T [redacted]
VELA, RENE A. JR [redacted]
VELEZ, AGUSTIN, E [redacted]
VEST, EDWARD J [redacted]
VETSCH, RICHARD A [redacted]
VICARI, GEORGE JR [redacted]
VICE, DOROTHY L [redacted]
VICKER, DAVID F [redacted]
VILELLA, CARLOS J [redacted]
VILLACREZ, JOSEPH A. JR [redacted]
VINEBURG, KENNETH A [redacted]
VIRCIGLIO, FRANK C [redacted]
VISCO, MARK F [redacted]
VOGEL, RANDALL L [redacted]
VOLZ, WILLIAM T. [redacted]
VONBROCK, DAVID C [redacted]
VONOSTERHELDT, PAUL C [redacted]
VOORHEES, JEFFREY S [redacted]
WAGER, REBECCA J [redacted]
WAHONICK, DONALD R. JR [redacted]
WAITE, DAVID M. [redacted]
WAITE, MARK K [redacted]
WALDROND, FEDERICO G [redacted]
WALDROP, RENEE G [redacted]
WALKER, ROBERT M [redacted]
WALKER, WARD A., [redacted]
WALLACE, SHAWN P [redacted]
WALSH, JOHN A [redacted]
WALTER, DANIEL A [redacted]
WALTERS, GREGORY J [redacted]
WALTERS, STEVEN M. [redacted]
WARD, CARL E. [redacted]
WARD, MARK A [redacted]
WARD, MICHAEL T [redacted]
WARD, MICHAEL T [redacted]
WARD, TERRY [redacted]
WARDLAW, BARRY G [redacted]
WARTELL, ERIC R [redacted]
WATKINS, DOUGLAS A. [redacted]
WATKINS, ERIC E [redacted]
WATSON, MELISSA L [redacted]
WATSON, PHILIP R [redacted]
WATTS, KEVIN C. [redacted]
WEAKLAND, GAIL A [redacted]
WEATHERMAN, SHANNON D. [redacted]
WEAVER, JAMES M [redacted]
WEBB, JOLISA [redacted]
WEBBER, JEFFERY D [redacted]
WEBER, ERIC C. [redacted]
WEBER, SCOTT D. [redacted]
WEBER, TIMOTHY F [redacted]
WEEKS, MICHAEL R [redacted]
WEINGARTNER, JAMES L [redacted]
WEIR, RICHARD A. [redacted]
WEIRICK, CLYDE A. [redacted]
WEIRICK, MARY R [redacted]
WEIS, STEVEN C. [redacted]
WELCH, JON C. [redacted]
WELLER, MICHAEL M [redacted]
WELLER, STEVEN J [redacted]
WENDT, DERON L. [redacted]
WENIGER, DAVID L [redacted]
WENZL, MICHAEL R [redacted]
WERNER, GUY C. [redacted]
WEST, JOHN W. [redacted]
WESTCOTT, HARRY F [redacted]
WESTEREN EVIN R [redacted]
WESTERMEYER, ROGER H [redacted]
WESTMARK, CAROLYN S [redacted]
WHARTON, BRENT A., [redacted]
WHIDDON, JEFFREY L. [redacted]
WHINNERY, MARK S [redacted]
WHITE, JEFFREY S [redacted]
WHITE, KAREN S [redacted]
WHITE, MARK S. [redacted]
WHITE, NATHAN A [redacted]
WHITE, RANDALL G [redacted]
WHITE, TRAVIS W [redacted]
WHITEMAN, WILLIAM R. [redacted]
WICKERSHAM, WILLIAM R. [redacted]
WIGGINS, SCOTT R. [redacted]
WILCOX, SCOTT L. [redacted]
WILCOX, STEVEN D [redacted]
WILDES, FRANCIS P [redacted]
WILKE, BRIAN S [redacted]
WILKERSON, JAMES M [redacted]
WILKERSON, SANDRA L [redacted]
WILKIE, DEBORAH S [redacted]
WILKIE, WILLIAM D [redacted]
WILLIAMS, CHRISTOPHER D [redacted]
WILLIAMS, CRAIG A [redacted]
WILLIAMS, DARRYL R [redacted]
WILLIAMS, JEROME [redacted]
WILLIAMS, STEPHEN H [redacted]
WILLIAMS, TIMOTHY N [redacted]
WILLIAMS, WALTER B [redacted]
WILLIAMS, WILLIE J. JR. [redacted]
WILLIAMSEN, JOSEPH S [redacted]
WILLIAMSON, DOW A. [redacted]
WILSON, HAROLD L. [redacted]
WILSON, JAMES D [redacted]
WILSON, KEITH S. [redacted]
WILSON, ROBERT D [redacted]
WILTCHIK, MARK A. [redacted]
WINFIELD, DARRELL G [redacted]
WINGREEN, MARK S [redacted]
WINKLER, ANNE M. [redacted]
WINSTEAD, JOHN S [redacted]
WINTERS, DAVID M [redacted]
WINTERS, MICHAEL F [redacted]
WINTERSTEEN, ROBERT J., [redacted]
WISE, PHILIP L [redacted]
WITHAM, RANDY L. [redacted]
WITLOX, ANNETTE Y [redacted]
WITTENBERG, STANLEY C [redacted]
WOLF, JULIA A [redacted]
WOLLSLAGER, JOHN C [redacted]
WOLVERTON, THOMAS J., [redacted]
WOOD, BRUCE A. [redacted]
WOOD, DAVID R. [redacted]
WOOD, ERIC R. [redacted]
WOOD, PAUL R. [redacted]
WOOTEN, WAYNE J [redacted]
WOOTON, KEVIN B. [redacted]
WORTMAN, RONALD J [redacted]
WRIGHT, CHESTER A. JR [redacted]
WRIGHT, COLIN J [redacted]
WRIGHT, ROCKFORD B [redacted]
WYMAN, CHRISTOPHER J [redacted]
WYNDHAM, CHARLES M. IV [redacted]
YAMADA, ERNEST K [redacted]
YAMASHITA, JON ADEN H [redacted]
YOUNG, FRANK C. D. [redacted]
YOUNG, JACK W. [redacted]
YOUNG, MONTE W. [redacted]
YOUNG, ROBERT B. JR [redacted]
YOUNG, SEANTA C. [redacted]
YOUNGSON, MICHAEL J., [redacted]
ZAGATA, JAMES RICHARD [redacted]
ZAMOT, NOEL [redacted]
ZARBANO, ANTHONY E. [redacted]
ZEITLER, CATHERINE M [redacted]
ZIENER, WILLIAM H. JR [redacted]

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM DUTIES INDICATED WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE OFFICERS BE APPOINTED IN A GRADE HIGHER THAN CAPTAIN.

CHAPLAIN CORPS

BAKER, JOHN W. [redacted]
BARKER, PHILIP A [redacted]
BARNES, ELWOOD M. [redacted]
BELL, OLEDIA F. [redacted]
CANNON, PAUL L. [redacted]
CLEMONS, ROBERT B. III [redacted]
CUNNINGHAM, GREGORY B. [redacted]
DAVENPORT, JOHN M. [redacted]
DUNN, ROBERT D. JR [redacted]
GALLAGHER, ROBERT A [redacted]
GOSSELIN, LAWRENCE G. [redacted]
JAMES, JEFFREY A [redacted]
LAMY, RAYMOND J. [redacted]
LOVETT, MICHAEL J [redacted]
MCCAIN, STEVEN P [redacted]
MCFARLAND, FREDERICK [redacted]
MORENO, ANTONIO O. [redacted]
NELMS, DANIEL H [redacted]
NOLAN, JOHN H. JR [redacted]
ODELL, ROBERT E [redacted]
PHILLIPS, ROBERT N [redacted]
SCHAICK, STEVEN A. [redacted]
SIEFKES, STEVEN C [redacted]
SORROW, EVA CHRISTINE [redacted]
UNDERWOOD, GARY E. [redacted]
WHEELER, CHERRI S. [redacted]
WHITE, ALAN J. [redacted]
WILSON, DONALD R. [redacted]

NURSE CORPS

ADKINS, SAMMY J. [redacted]
ALLEN, KAREN J [redacted]
ANDERSON, BETTY L [redacted]
ANTOKAL, JEFFREY G [redacted]
AUSPRUNG, KATHRYN E [redacted]
BAILEY, LINDA L. [redacted]
BAILEY, ROCHELLE E [redacted]
BALL, SUSAN F [redacted]
BARCLAY, CAROL A. [redacted]
BATES, DANA B. [redacted]
BEAVERS, DAVID A. [redacted]
BELL, CAROLYN M. [redacted]
BENNETT, IDA L [redacted]
BERRY, MARIE L. [redacted]
BETTS, SHELLEY L [redacted]
BILLS, STEVEN A. [redacted]
BLURTON, DEBORAH A. [redacted]
BOHAN, KEVIN J. [redacted]
BOOTH, DANNY L. [redacted]
BOST, SUSAN M. [redacted]
BOUCHARD, MICHAEL W. [redacted]
BOWDEN, ALLISON W. [redacted]
BOYER, BARBARA A. [redacted]
BRAMER, ALLYSON J [redacted]
BREIER, CLIFFORD G [redacted]
BREITBACH, KELLY J [redacted]
BROUSSARD, TERRY J. [redacted]
BROWN, MICHAEL S. [redacted]
BROYLES, BARBARA A. [redacted]
BROYLES, TINA M. [redacted]
BRUBAKER, PATRICIA S. [redacted]
BRUMBAUGH, BARBARA L. [redacted]
BRUMMETT, BILLY J [redacted]
BURCH, RODNEY J. [redacted]
BURKE, NOREEN A. [redacted]
BURNHAM, ROBERT R. [redacted]
BURRY, MARJORIE M. [redacted]
BUSBY, EMILY B. [redacted]
CAMPSIE, JEANNE L [redacted]
CARNAGHI, MARY E [redacted]
CAYETANO, SYLVIA E. [redacted]
CHAMBLISS, SHERI L [redacted]
CHAPAWILSON, LYDIA M [redacted]
CHAPPELL, JOHNNY R [redacted]
CHAPPELL, THOMAS M [redacted]
CIFELLI, PATRICIA M [redacted]
CLARAVALL, LESLIE M [redacted]
CLAREY, BERYL M. [redacted]
COFER, KAREN F. [redacted]
CONLON, MINH CHAU T. [redacted]
CORREIA, MARIO G. [redacted]
COUP, PAULA J. [redacted]
COYNER, BEVERLY J [redacted]
CRAWFORD, GEORGIA M [redacted]
CROUCH, HELEN K. [redacted]
CUTLER, CATHY G [redacted]
DANIELS, WILLIAM M. [redacted]
DARIUS, JEFFREY C [redacted]
DIFFEE, PAMELA D [redacted]
DONOGHUE, DEBRA J. [redacted]
DONOVAN, LAUREEN M. [redacted]
DONWERTH, JENNIFER J [redacted]
DOTY, DEBRA L. [redacted]
DOYLE, TAMMY J., [redacted]
DRAKE, THURMAN L. [redacted]
DRENNON, SUSAN C. [redacted]
DUNKLEE, DENISE M [redacted]
DUNNE, CARRIE L. [redacted]
EADES, ROBERT L. P [redacted]
EDWARDS, MARILEE L [redacted]
ESPINOZA, ELVIRA R [redacted]
FELD, SUZANNE F. [redacted]
FELDMAN, THERESA L [redacted]
FILLIPPI, SUZANNE S. M [redacted]
FISK, SUSAN D [redacted]
FLAGG, DEBORAH K. [redacted]
FLANAGAN, WINIFRED L [redacted]
FLEMING, PATRICK B [redacted]

FLYNN, THOMAS J. JR. [redacted]
FOLEY, DARLENE L [redacted]
FOOS, MARY J [redacted]
FOSTER, LAURA A [redacted]
FOX, JENNIFER A [redacted]
GARZA, ALEX [redacted]
GERKE, DANIEL E [redacted]
GLATTFELT, JERRY E [redacted]
GLAVAN, KATRINA A. [redacted]
GODDARD, DIANE M [redacted]
GONZALEZ, CYNTHIA L [redacted]
GREGORICH, PAMELA A [redacted]
GUICHARD, MAUREEN F [redacted]
HANSON, ARLENE S. [redacted]
HARRIS, MICHAEL L [redacted]
HARRISON, YVONNE [redacted]
HART, DIANE E [redacted]
HARVEY, JERRY R. JR [redacted]
HEMKER, CATHLEEN A [redacted]
HENLEY, MARLENE [redacted]
HIGGINS, MARY M. [redacted]
HILL, MARVIN D [redacted]
HOLT, KARYN E. [redacted]
HOYLE, BILLIE I., [redacted]
HUDSON, JANET C [redacted]
HUGHES, JUDITH A [redacted]
HUGHES, PATRICIA A [redacted]
HUGHES, ROBIE V. [redacted]
HUTCHINS, AMELIA L [redacted]
IRWIN, BRENDA K. [redacted]
JACKSON, LORETTA F [redacted]
JANO, SUSAN [redacted]
JARRETT, ELEANOR C [redacted]
JEFTS, BARBARA [redacted]
JONES, MICHELLE R [redacted]
JUERS, JULIE A [redacted]
KEEVER, KATHY J [redacted]
KEPHART, LINDA J [redacted]
KIMBALL, DIANE M. [redacted]
KING, KRISTY G. [redacted]
KNUDSON, JOHN D. [redacted]
KOCH, MARISSA [redacted]
KRAUSE, BARBARA A. [redacted]
KRIEGHFLEMING, GUYLENE D [redacted]
KUHN, LORI A. [redacted]
LANDRUM, TSU CYNTHIA M. [redacted]
LAWSON, KATHLEEN A. [redacted]
LEITNAKER, JOHN R [redacted]
LESAINT, PAUL W [redacted]
LESS, CYNTHIA A [redacted]
LINDQUIST, LEIGH A [redacted]
LOGAN, JANET K [redacted]
LONGEST, ROBIN I [redacted]
LOWE, GREGG S. [redacted]
LUCAS, DAVID W. [redacted]
MAGUIRE, KATHLEEN ZELLER [redacted]
MAHONEY, MADONNA J. [redacted]
MANLEY, JUDY L [redacted]
MANNING, MIA K. [redacted]
MANUEL, ANGELA F [redacted]
MARIANO, GOUVEIA TAMZI M [redacted]
MARTINEZ, JUAN F [redacted]
MATTER, TAMARA S [redacted]
MCAMISH, RICHARD A [redacted]
MCCANDLESS, BARBARA E [redacted]
MCFADDEN, MARY F [redacted]
MCGOWAN, GENEVIEVE [redacted]
MCKINNEY, TANYA R. [redacted]
MCKISSICK, BARBARA D [redacted]
MCMANUS, TERENCE J [redacted]
MCTAGGART, CAROL L. [redacted]
MERCER, JANET M [redacted]
MILEY, ANGELA D [redacted]
MILLER, JODY D [redacted]
MILLER, VIVIAN L [redacted]
MILLWATER, TERESA L [redacted]
MITCHELL, ROBYN A. [redacted]
MOORE, ANNETTE [redacted]
MOORE, LOURDES D.R [redacted]
MOORE, SHARON Y. [redacted]
MORRILL, CAREY A. C [redacted]
MULHEARN, MICHAEL J [redacted]
MURPHY, LAURA C [redacted]
MURPHY, LYNN P [redacted]
MURTOLA, DEBORAH K [redacted]
MYERS, DAVID L [redacted]
NEFF, MARIA K [redacted]
NOE, AMY E. [redacted]
NORDEL, PATRICIA A [redacted]
NORTHERN, ROBERT D. JR [redacted]
ODONNELL, DIANA R. [redacted]
OTTO, TIMOTHY R. [redacted]
OWEN, BRENDA L. [redacted]
PAGAN, MARIA C. [redacted]
PARKER, VALERIE S [redacted]
PARR, PHILLIP E [redacted]
PATE, RUSSELL E [redacted]
PATTON, BRADLEY H [redacted]
PETERSEN, PENNY L [redacted]
PETERSON, KARL R [redacted]
PETRIC, DINA M [redacted]
PIETROCOLA, MARLENE R [redacted]
POCHANT, ROBIN, R. [redacted]
POLITO, VICTOR P [redacted]
POSO, MELINDA L. [redacted]
POUND, JERE M., IV [redacted]
PRESTON, KELLY R [redacted]
RADEMACHER, PATRICIA A [redacted]
RAY, MARINA C. [redacted]
REYESGONZALEZ, DOLORES [redacted]
RICE, DOMINICA R. [redacted]
ROBERSON, CYNTHIA L [redacted]
ROBERSONHOWIE, KARI W [redacted]
ROBERTS, EDWIN T. [redacted]
ROBINSON, DIANE W [redacted]
ROBINSON, JULIETTE [redacted]
ROBINSON, MICHAEL A. [redacted]
ROME, DARLA C. [redacted]
ROYER, KENT D. [redacted]
SASSER, SHERRY J [redacted]
SAUNDERS, SHERRIE L [redacted]
SAYLES, SHARON B [redacted]
SCHMIDT, LISA A [redacted]
SCOTT, EVERLENE L [redacted]
SEAVERS, LINDA A [redacted]
SHEEHAN, CAROL M [redacted]
SHELTON, JEAN M [redacted]
SHERCLIFFE, LUCIA S [redacted]
SHERCLIFFE, RYAN M [redacted]
SHERWOOD, JENNIFER L [redacted]
SHOVELTON, LAWRENCE M [redacted]
SMITH, AUDRENE A [redacted]
SMITH, DOREEN A. [redacted]
SMITH, GREGORY A. [redacted]
SMITH, JOSEPH R [redacted]
SMITH, KENDA C. [redacted]
SNOOZY, KATHRYN E. [redacted]
SPIKOWSKI, CARLA M [redacted]
SPILLERS, WANDA B [redacted]
SPROUL, ANNE C. [redacted]
ST. AMOUR, ALINE M. [redacted]
STACKHOUSE, PAMELA H [redacted]
STRANO, NAOMI E. [redacted]
STRIGLIO, ROBERT [redacted]
SUAREZ, JAIME E [redacted]
SULLINS, JACQUELINE C [redacted]
SUMMERS, BEVERLY J [redacted]
SUTTON, CECELIA W [redacted]
TABARY, DENISE M. [redacted]
TALLA, HANNA T. [redacted]
TARLETON, DEBORAH A. [redacted]
TAYLOR, ANGELA M. [redacted]
TENACE, TAMMY R. [redacted]
TISUE, LISA E [redacted]
TURTURRO, MICHAEL G [redacted]
UEBEL, CHRISTINE S [redacted]
USHER, CARY M. [redacted]
VOGELSANGWATSON, CYLYSCE D [redacted]
WADE, DARLENE E. [redacted]
WALL, EUGENE J. J. JR [redacted]
WALLACE, JANICE D [redacted]
WALTHER, BILLIE J [redacted]
WARWICK, MARY E [redacted]
WASHINGTON, KIMBLE R [redacted]
WATSON, NINA A. [redacted]
WEAVER, MELANIE H [redacted]
WILLIAMS, NANCY J [redacted]
WILLIAMS, PATRICK J [redacted]
WILSON, JANET L [redacted]
WILSON, KAREN G. [redacted]
WILSON, KELLY D. [redacted]
WITT, MARGARET H [redacted]
YOUNG, DEBORAH C. [redacted]
ZOLLMANN, PAUL J [redacted]

MEDICAL SERVICE CORPS

ALLEN, DAVID M. [redacted]
ALMIND, MARILYN M. [redacted]
ARENDS, JERRY A [redacted]
BLAISSE, PAUL F [redacted]
BLYTHE, LISA K [redacted]
CARLOS, MARK E [redacted]
CAUCH, CHRISTOPHER D [redacted]
COLE, DONALD [redacted]
DARLING, KENNETH R. [redacted]
DAVIS, JAMES M. JR [redacted]
DELANEY, KATHLEEN A [redacted]
FEINBERG, MARK S [redacted]
FREENEY, JAMES P. SR [redacted]
GARRISON, DAVID W. [redacted]
HAGGERTY, JOSEPH P [redacted]
HAMILTON, TERRY W. [redacted]
HARRISON, JOSEPH JR [redacted]
HART, RICHARD C [redacted]
HAYHURST, ROBERT E [redacted]
HEYNE, LORN W. [redacted]
HINES, DANIEL F [redacted]
KELLY, JEB S [redacted]
KORMOS, WILLIAM J. JR [redacted]
KOSEWICZ, EDWARD P [redacted]
KOSSIVER, DAVID G [redacted]
KRAS, KRZYSZTOF [redacted]
LOVE, ROBERT B. [redacted]
LOWRY, STEVEN S [redacted]
MANCHESTER, KATHRYN S [redacted]
MCGILVRA, TROY P. [redacted]
MCNULTY, KEVIN M. [redacted]
MOORE, JUDITH E. [redacted]
MOORE, THOMAS O [redacted]
MORGAN, DANIEL K. [redacted]
MUELLER, THERESA M [redacted]
NELSEN, CHARLES W. [redacted]
PARKS, JOHN K [redacted]
PERDUE, MARK A. [redacted]
PICKERT, DAVID A [redacted]
RAINES, CALVIN [redacted]
RAMSEY, JOHN E. [redacted]
READER, PATRICIA A. [redacted]
REESE, DIANE M [redacted]
ROSADO, JAIME L. JR [redacted]
ROSENBAUM, VICTOR J [redacted]
RYAN, EARL B. [redacted]
SANCHEZ, SCOTT J [redacted]
SCHELL, MICHAEL G [redacted]
SCHOTT, MICHELE M. [redacted]
SHELLEY, SUSAN [redacted]
SMITH, LINDA J [redacted]
SPADE, GEORGE E. I [redacted]
WAGNER, THOMAS S. [redacted]
WARWICK, MICHAEL A. [redacted]
WATKINS, KIRSTEN F [redacted]
WESTON, GILMER G. II [redacted]
YAP, GLENN A. [redacted]

BIOMEDICAL SCIENCES CORPS

ACOBA, MICHAEL T., [redacted]
ALEXIS, MARTIN [redacted]
ALFORD, RONNY G. [redacted]
ANGELOARCEO, CARMEN L [redacted]
APPFEL, NANCY C [redacted]
ATCHLEY, DANIEL H [redacted]
BAUMAN, LISA B. [redacted]
BECK, PAULA R. [redacted]
BEDARD, MARY E. [redacted]
BERNACKY, BRUCE J [redacted]
BIRGENHEIR, MICHAEL R [redacted]
BLACK, STEVEN E. [redacted]
BLAKLEY, KEVIN C [redacted]
BOARDMAN, CHARLES H. IV [redacted]
BREHMHEITMAN, KATHLEEN A [redacted]
BRENNING, WILLARD A. JR [redacted]
BRETON, JOSEPH G. [redacted]
BURR, TEE J. [redacted]
BYRNES, TERENCE M [redacted]
CABERTO, STEVEN C [redacted]
CALVANOCARPENTER, ELIZABETH. [redacted]
CAMPBELL, ROBERT J [redacted]
CHITWOOD, JOHN L. [redacted]
COGBURN, CYNTHIA D. [redacted]
COLE, JAMES M. [redacted]
COOK, MARY A. [redacted]
COSTA, JANELLE E [redacted]
CRONIN, KATHLEEN M. [redacted]
DART, TODD S. [redacted]
DAWSON, ROBERT A. [redacted]
DECLET, JOSE R [redacted]
DIDONNA, LEWIS J. JR [redacted]
DODGE, PETER A. SR [redacted]
DOMINIK, MARY E. [redacted]
DOYLE, DANIELE N [redacted]
DUBOIS, DONALD F. [redacted]
EGGERS, FREDRICK A [redacted]
FARNUM, RICHARD W. [redacted]
FEASTER, JOSEPH A [redacted]
FLYNN, MARK T. [redacted]
FONSECA RIVERA, JOSE M [redacted]
FRASCO, MICKRA K. [redacted]
GILLEN, JEFFREY C [redacted]
GREER, GARY [redacted]
GREGOIRE, STEPHEN T [redacted]
GRISE, DARRELL S [redacted]
GUDGEL, LARRY D [redacted]
HAMMIEL, DAVID A. [redacted]
HAND, MICHAEL D. [redacted]
HARRINGTON, LAWRENCE K. [redacted]
HERMANN, AILEEN E. [redacted]
HITTLE, LAWRENCE I [redacted]
HOUSE, KAREN M. [redacted]
JERMYN, HELEN W [redacted]
JESZKE, GLORIA J [redacted]
JONES, ROBERT M [redacted]
KING, WALTER B. JR. [redacted]
KIRBY, HOMER E. II [redacted]
KLAUDER, MICHAEL J [redacted]
KLECZEK, DAVID J [redacted]
KLINE, ANDREA J [redacted]
KROON, KAREN R. [redacted]
LARSON, WENDY M. [redacted]
LINSCOMB, SUBRINA V.S [redacted]
LITTLE, CATHERINE [redacted]
LOHSE, JANICE M. [redacted]
MADISON, GREGORY E [redacted]
MALLERY, JANE M [redacted]
MALLETT, MARK S. [redacted]
MARKS, STACEY O [redacted]
MCMILLAN, NAOMI P. [redacted]
MILLER, NANCY S.H. [redacted]
MONTGOMERY, NOEL D. [redacted]
MOORE, MARLIN K. [redacted]
MULCARE, JOSEPH P [redacted]
MULLINS, JAMES A [redacted]
PAUL, MARC W. [redacted]
PLANTE, PARKER P [redacted]
POST, DOUGLAS A. [redacted]
PUTNAM, JOHN L. [redacted]
ROGERS, JOSEPH S [redacted]
SCOTT, SHELIA P [redacted]
SEIDERER, ARTHUR W [redacted]
SHAFFER, MICHELE L [redacted]
SMITH, JOHN D. [redacted]
SMITH, KAREN J [redacted]
SMOLIK, TAMI A. [redacted]
STOKES, MARTHA A. [redacted]
STONE, FRED P. [redacted]
SUMAN, JEANMARIE [redacted]
TAYLOR, ROBERT L. JR [redacted]
THOMASOS, CHARITY J [redacted]
THRASHER, ANGELA V [redacted]
TURNER, MICHAEL R [redacted]
TUTT, RONALD C. [redacted]
VOIGT, STEPHEN L [redacted]
WALKER, AMY L. [redacted]
WEAVER, JOSEPH G. [redacted]
WEIBY, GARY M. [redacted]
WEINGARTNER, NANCY E [redacted]
WEST, DENISE M. [redacted]

WESTON, KERSHAW L [redacted]
WILLIAMS, MICHELE A [redacted]
WILSON, ROBERT J [redacted]
WONCHALA, DAVID P [redacted]
YOUNG, PETER M. V [redacted]
ZRIMM, SHEILA J [redacted]

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTION 3370:

ARMY NURSE CORPS

To be colonel

AFFE, PATRICIA A [redacted]
ALLBRITTEN, DOROTHY [redacted]
ALLMAN, CELIA A. [redacted]
BARTLETT, JOSEPHINE [redacted]
BOATRIGHT, CONNIE [redacted]
BOLCAR, BLINN S. [redacted]
BRASWELL, LORRAINE [redacted]
CADORETTE, SYLVIA [redacted]
CALDWELL, MATTIE L [redacted]
CHISM, ERNESTINE R. [redacted]
CROTWELL, PATRICIA [redacted]
DIVINE, JEANETTE M [redacted]
FOSTER, ARNEDA M. [redacted]
FUTRELL, RONALDA [redacted]
GARCIA MARY A. [redacted]
GUADETTE, LAUREN L. [redacted]
GERMAIN, MARY P. [redacted]
GRIFFIN, ROGER D. [redacted]
GUNN, OMEGA [redacted]
HALE, JANET F [redacted]
HARRELL, JANIE D. [redacted]
HELMER, YVONNE G. [redacted]
HEMMING, BONNIE J. [redacted]
KAUTZ, NANCY J. [redacted]
LYNCH, JOAN A. [redacted]
MACH, NANCY E. [redacted]
MATTSON, MARTHA C. [redacted]
MCINTOSH, PHYLLIS [redacted]
MUNFORD, SHIRLEY A. [redacted]
O BRYANT, ANGELINE [redacted]
PELUSO, SUSAN S. [redacted]
ROCKWELL, KATHLEEN [redacted]
SALZER, JUDITH S. [redacted]
SEWARD, GEORGIA A. [redacted]
SHARPS, PHYLLIS W [redacted]
SIMONS, CHERYL M. [redacted]
STEVENS, GERTRUDE [redacted]
STEWART, CHERYL J. [redacted]
SWEAT, RUTH E. [redacted]
TOMS, KATHLEEN M. [redacted]
VALLIERE, MELENNA [redacted]
WEVER, JOANN [redacted]
WRIGHT, MARY J. [redacted]
ZOLOCK, THERESA J. [redacted]

DENTAL CORPS

To be colonel

BODENHEIM, MARK B. [redacted]
DUFRESNE, JOSEPH V [redacted]
DUKE, THOMAS E. [redacted]
DUNCAN, JAMES D. [redacted]
WHITEHILL, HARRY V. [redacted]
WRIGHT, CHARLES L. [redacted]

MEDICAL CORPS

To be colonel

ALLEN, ROBERT K. [redacted]
ALVAREZ, FAUST M. [redacted]
BERGIN, DONALD J. [redacted]
BERKOWITZ, ROY E. [redacted]
BICKEL, ARTHUR S. [redacted]
BURNER, SCOTT H. [redacted]
CLARK, DANIEL G. [redacted]
COPPLE, HAL E. [redacted]
EAGAR, RONALD M. [redacted]
FENSTERER, FREDER [redacted]
GREENFIELD, GERALD [redacted]
HANNA, JOHN H. [redacted]
HECKER, JAMES N. [redacted]
KWA, SEW L. [redacted]
LAURIDSEN, JOHN [redacted]
LOWTHIAN, JOHN T. [redacted]
MACCAUGHELTY, THOM [redacted]
MARTIN, LLOYD D [redacted]
MATHEWS, THOMAS G. [redacted]
MCGUIRK, DONALD L. [redacted]
NOLAN, BRIAN T. [redacted]
OLEGARIO, EDUARDO [redacted]
ONGCAPIN, EMELIE H. [redacted]
PATTERSON, HUBERT [redacted]
PFEIFER, WILLIAM F [redacted]
REED, HOLLIS T. [redacted]
SEXTON, CURTIS C. [redacted]
SINGER, IRWIN S [redacted]
SLEPIAN, JACOB Z. [redacted]
STINSON, HELEN M. [redacted]
STOCKMAL, ROBERT G. [redacted]
STONE, IRVIN K. [redacted]
WILKERSON, RICKY D. [redacted]
ZEPEDA, MARIA C. [redacted]

MEDICAL SERVICE CORPS

To be colonel

FANTASIA, FRANK R. [redacted]

LIEVSAY, ALVIN L. [redacted]
MANGELSDORFF, ARTH [redacted]
PIRES, ABILIO W. [redacted]
PORTER, JOHN D. [redacted]
RUTALA, WILLIAM A. [redacted]
SCANLON, STEPHEN C. [redacted]
SULLIVAN, JOSEPH M. [redacted]
WARE, BONNIE L., JR. [redacted]
WEST RONALD E. [redacted]

VETERINARY CORPS

To be colonel

BRIGHTMAN, ALAN H. [redacted]

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS RESERVE FOR PERMANENT APPOINTMENT TO THE GRADE OF COLONEL UNDER TITLE 10, UNITED STATES CODE, SECTION [redacted]

ADAMS, STEPHEN S. [redacted]
ANDERSON, CHARLES A. [redacted]
ARGO, JAMES R., JR. [redacted]
ARGUEDAS, ALFREDO J. [redacted]
ASHLEY, JAMES M. [redacted]
BACON, ALLAN R., JR. [redacted]
BAUMGARTNER, CARY [redacted]
CARTER, LUTHER F. [redacted]
COONEY, KATHRYN P. [redacted]
CUNNINGHAM, THOMAS E. [redacted]
DAVIS, ALAN R. [redacted]
EASTERDAY, STEVEN G. [redacted]
EICHORN, ROBERT P. [redacted]
EVANS, EDMUND E. [redacted]
FANNING, LARRY G. [redacted]
FELTENBERGER, FISHER A. [redacted]
FISHER, STEPHEN T. [redacted]
FRUCHTNICHT, HAROLD J. [redacted]
FUHRMANN, RONALD J. [redacted]
GARVEY, KEVIN A. [redacted]
GHARST, THOMAS L. [redacted]
GONZALES, LAWRENCE D. [redacted]
GOTT, LAWRENCE D. [redacted]
GRABOW, CHADLEE C. [redacted]
HALUSKA, JAMES E. [redacted]
HAYNIE, JAMES E. [redacted]
HEINECKE, JOHN J. [redacted]
HESS, JAMES R. [redacted]
HILEMAN, ANDREW F. [redacted]
JACKSON, CHARLES H. [redacted]
JAHAASKI, RAYMOND A. [redacted]
JAMES, DENNIS E. [redacted]
JENDRESAK, STANLEY A. JR. [redacted]
JONES, BRETT A. [redacted]
KAIRIS, JEROME D. [redacted]
KENNEY, ROBERT E. [redacted]
KERR, PHILIP A. [redacted]
LAVERDURE, PATRICIA F. [redacted]
LEE, GAINES T. [redacted]
LEITCH, LARRY L. [redacted]
MAGINNIS, MICHAEL B. [redacted]
MATRANGA, DOMINICK [redacted]
MCMULLEN, BRIAN G. [redacted]
MOORE, TOMMY L. [redacted]
MORGA, DENNIS A. [redacted]
MROCZKOWSKI, DENNIS P. [redacted]
MURPHY, KEVIN J [redacted]
NEWMAN, JOHN J. [redacted]
OHLS, GARY J. [redacted]
OWEN, JACK E. JR. [redacted]
PAYNE, THOMAS G. [redacted]
PERKINS, HIRAM M. [redacted]
PFEIL, PATRICIA L. [redacted]
PHARO, STEPHEN A. [redacted]
RORAFF, RALPH W. [redacted]
ROUTSON, SAMUEL J. [redacted]
SAMUELSON, WAYNE P. [redacted]
SAVAGE, CHARLES D. [redacted]
SEAL, PETER R. [redacted]
SEISER, GARY C. [redacted]
SKILES, STEPHEN C. [redacted]
SMITH, WALTER L. [redacted]
TARRANT, KENNETH W. JR. [redacted]
URENOVICH, MICHAEL C [redacted]
VENTURE, DANIEL T. [redacted]
WAGNER, THOMAS C. II [redacted]
WILSON, GARY I. [redacted]
WOOD, CRAIG W. [redacted]

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS FOR PERMANENT APPOINTMENT TO THE GRADE OF LIEUTENANT COLONEL UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

ALEXANDER, JOSEPH A. JR. [redacted]
ALLES, RANDOPLH D. [redacted]
ANDERSON, MICAHEL C. [redacted]
ASTYK, LAWRENCE W. [redacted]
BARILICH, STEVEN F. [redacted]
BARR, DENNIS J. [redacted]
BEAL, DENNIS W. [redacted]
BEATY, ROBERTA L. [redacted]
BECKER, CHRISTOPHER L. [redacted]
BLASIOL, LEONARD A. [redacted]
BODE, KENNETH D. [redacted]
BOGGS, JOHN T. JR. [redacted]
BOURGEOIS, GORDON C. [redacted]
BRIGGS, WAYNE E. [redacted]
BROCK, GEORGE S. [redacted]
BROIN, MARK L. [redacted]
BROOKS, TIMOTHY E. [redacted]
BUCHINGER, PHILIP E. [redacted]
BURGESS, ROLAND N. [redacted]
BUSH, FELIX M. [redacted]
BYRD, ROY R. [redacted]
CALDWELL, GEARY A. [redacted]
CARLTON, RANDY B. [redacted]
CARR, DONALD P. [redacted]
CASH, STEVEN J. [redacted]
CHAMPION, ARON K. [redacted]
CHESTER, ROBERT S. [redacted]
CHRISTOPHER, SAMUEL H. IV [redacted]
CLARK, MICHAEL E. [redacted]
CONNER, MARK A. [redacted]
CONNOLLY, TIMOTHY, JR. [redacted]
COONEY, JAMES J. [redacted]
CRAIG, RALPH D. [redacted]
DALY, MICHAEL F. [redacted]
DANTONIO, ERNEST C. [redacted]
DAWSON, RALPH D. [redacted]
DOUGHTY, MICHAEL J. [redacted]
DOYLE, SCOTT A. [redacted]
DUBOIS, VINCENT M. JR. [redacted]
DUNFORD, JOSEPH F. JR. [redacted]
DUVA, MICHAEL, [redacted]
EDWARDS, MICHAEL T. [redacted]
ESPINOZA, ALFRED J. [redacted]
EVANS, BETHEL Q. III [redacted]
FEARING, ZENAS E. JR. [redacted]
FENLON, BRIAN T. [redacted]
FERRIS, TIMOTHY B. [redacted]
FLANAGAN, JOHN S. II [redacted]
FLYNN, COLLEEN M. [redacted]
FREITAS, MARK, [redacted]
GARRISON, ROBERT G. [redacted]
GIBSON, MARK J. [redacted]
GRANT, FREDERICK H. [redacted]
GRIFFIN, OTIS, JR. [redacted]
GRIMES, JOHN M. [redacted]
GURGANUS, CHARLES M. [redacted]
HANNUM, PATRICK H. [redacted]
HARBIN, KENNETH S. [redacted]
HARDWICK, JON T. [redacted]
HEALEY, MICHAEL J. [redacted]
HEALY, DAVID A. [redacted]
HEISINGER, MICHAEL J. [redacted]
HEMLEBEN, JOHN F. [redacted]
HERNDON, CHARLES M. JR. [redacted]
HESTIR, WILLIAM R. [redacted]
HILLIKER, TERRY L. [redacted]
HOUSE, DONALD C. JR. [redacted]
HOWARD, JOSEPH D. [redacted]
HUGHES, MICHAEL J. [redacted]
INGLES, RALPH W. [redacted]
INMAN, KENNETH A. JR. [redacted]
JANNELL, RICHARD E. [redacted]
JOHNSON, DAVID C. [redacted]
JORGENSEN, DAVID A. [redacted]
JOYCE, CHRISTOPHER K. [redacted]
JULIAN, ARLOW A. [redacted]
KENDRICK, ROBERT M. [redacted]
KERRICK, DAVID T. [redacted]
KIMLICK, MICHAEL F. [redacted]
KINNEAR, THOMAS M. [redacted]
KNAPP, ROBERT J. [redacted]
KNIGHT, ROSA K. [redacted]
KNOLL, STUART L. [redacted]
KNUTZEN, ROBERT M. [redacted]
KRAUS, JOHN E. [redacted]
KRAUSS, HENRY J. JR. [redacted]
KREJMAS, JOSEPH J. JR. [redacted]
KRUSE, JOHN E. [redacted]
LADD, PAUL L. [redacted]
LAHASZOW, ANDREW J. [redacted]
LANDOLFI, DAVID J. [redacted]
LAVIGNE, MICHAEL W. [redacted]
LEBLANC, PAUL W. [redacted]
LEEMAN, KEVIN H. [redacted]
LEONE, VINCENT R. JR. [redacted]
LEONHARDT, KENT A. [redacted]
LOGAN, DUANE B. [redacted]
LYNCH, MAUREEN M. [redacted]
MACAK, WILLIAM C. [redacted]
MACDONALD, JOHN F. JR. [redacted]
MARINEY, CLARENCE, [redacted]
MARRIOTT, MICHAEL A. [redacted]
MCCLESKEY, HOWELL G. [redacted]
MCCONNELL, GARY M. [redacted]
MCMAINS, JAMES W. [redacted]
MCMEANS, STUART R. [redacted]
MEADE, WILLIAM M. [redacted]
MEDINA, JOSEPH V. [redacted]
MEHALIC, CHARLES J. [redacted]
MERRITT, DENNIS I. [redacted]
MEYERS, CRAIG F. [redacted]
MEYERS, THOMAS J. [redacted]
MILLER, BLAISE P. [redacted]
MILLS, RICHARD P. [redacted]
MILLS, SIDNEY E. JR. [redacted]
MOEDER, JOSEPH E. [redacted]
MONTGOMERY, DOUGLAS J. [redacted]
MORIARTY, PATRICK R. [redacted]
MORIN, GREGORY S. [redacted]
MUGNO, CHARLES V. [redacted]
MURRAY, BRYAN K. [redacted]
MUSCA, JOSEPH I. [redacted]
NALL, MARK A. [redacted]
NANS, CLAYTON F. [redacted]
NANS, CRYSTAL M. [redacted]
NAVARRE, RODERIC S. [redacted]
NEHER, RONALD O. [redacted]
NEIMEYER, CHARLES P. [redacted]

NEWMAN, PHILLIP L. [redacted]
NOLAN, MARTIN R. [redacted]
NYBERG, ERIC N. [redacted]
ODONNELL, JAMES H. [redacted]
O'NEAL, RANDY R. [redacted]
O'NEILL, GORDON C. [redacted]
OPEL, CRAIG E. [redacted]
PAPAY, JOSEPH A. JR. [redacted]
PELLEGRINI, MICHAEL L. [redacted]
PENN, DAVID T. [redacted]
PIERCE, MERRILL L. JR. [redacted]
PINO, EUGENIO G. [redacted]
PISANO, PAUL J. [redacted]
PRIEST, RAYMOND W. [redacted]
RANKIN, JOHN J. [redacted]
REAGAN, FRANKLIN V. [redacted]
RECTOR, GEORGE E. JR. [redacted]
REES, JOHN T. [redacted]
REGNER, MICAHEL R. [redacted]
REIF, CHARLES W. [redacted]
REINHOLD, GARY M. [redacted]
RICHARDSON, RODNEY C. [redacted]
RILEY, CHESTER A. III [redacted]
ROBERTS, JERRY A. [redacted]
ROBINSON, MICAHEL L. [redacted]
ROHLFS, PAMELA F. [redacted]
ROHLFS, WILLIAM G. JR. [redacted]
SALINAS, ANGELA [redacted]
SALZMAN, DAVID A. [redacted]
SANDERSON, WILLIAM A. [redacted]
SASS, ARTHUR H. [redacted]
SCEPUREK, JOHN M. [redacted]
SCHILLING, JOANNE L. [redacted]
SHAW, JUDITH C. [redacted]
SHORT, JOHN S. JR. [redacted]
SIMMONS, WALTER W. [redacted]
SMART, BRUCE S. [redacted]
SMYTHE, ANA R. [redacted]
SOVACOOL, MICHAEL A. [redacted]
SPARKS, JOHN E. JR. [redacted]
SPENCER, RICHARD W. [redacted]
SPIESE, MELVIN G. [redacted]
STICKLEY, HARRY P., III [redacted]
SUTER, JOHN R. [redacted]
TAYLOR, CAROLYN L. [redacted]
THALER, THOMAS F. [redacted]
THOMPSON, DENNIS C. [redacted]
TODSEN, PETER B. II [redacted]
TOOLAN, JOHN A. JR. [redacted]
TYRRELL, TOMMY L. JR. [redacted]
VALLANDINGHAM, CHARLES E. JR. [redacted]
VIETTI, KEVIN A. [redacted]
WAGONER, WILLIAM O., [redacted]
WALIZER, FRANK A. [redacted]
WALKER, LAWRENCE G. [redacted]
WASHABAUGH, BRADFORD G. [redacted]
WATSON, KENNETH C. [redacted]
WEITEKAMP, DANIEL P. [redacted]
WELTSCH, MICHAEL D. [redacted]
WHITLOCK, GEORGE J. [redacted]
WIECKOWSKI, WESLEY [redacted]
WILCUTT, TERRENCE W. [redacted]
WILKINSON, JEFFREY L. [redacted]
WILLS, ROBERT L. [redacted]
WINN, DAVID M. [redacted]
WINTERS, KEVIN H. [redacted]
WYATT, BENJAMIN G. [redacted]
YACKLEY, THOMAS M. [redacted]
YOFFEE, WADE [redacted]

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS RESERVE FOR PERMANENT APPOINTMENT TO THE GRADE OF LIEUTENANT COLONEL UNDER TITLE 10, UNITED STATES CODE, SECTION [redacted]:

ANDRUS, JAMES C. [redacted]
APPLEGATE, DOUGLAS L. [redacted]
ARCHER, THOMAS E. II [redacted]
BALESKIE, FRANK A. [redacted]
BENES, JEFFREY P. [redacted]
BERG, RONALD M. JR. [redacted]
BERGMEISTER, FRANCIS X. [redacted]
BERKLEY, JOHN W. [redacted]
BEVERLY, BRENT J. [redacted]
BODDIE, ARVIN [redacted]
BOLES KENNETH L. [redacted]
BREWER, KEVIN B. [redacted]
BRUEN, JOHN P. [redacted]
BURGER, DOREEN M. [redacted]
BURGESS, ANITA E. [redacted]
BURKE, JAMES B. [redacted]
BULTER, STEVEN R. [redacted]
BYNUM, HORACE C. [redacted]
CAREY, JOHN A. [redacted]
CARR, MICHAEL A. [redacted]
CASSIDY, TIMOTHY J. [redacted]
COLELLA, THOMAS V. [redacted]
COMEAU, JOHN R. [redacted]
CORY, JEFFREY A. [redacted]
CRITES, JAMES M. [redacted]
DAILY, MICHAEL N. [redacted]
DAVIS, PAUL W. [redacted]
DIAZ, MIGUEL A. JR. [redacted]
DILLON, TERESA L. [redacted]
DUKE, ROGER S. [redacted]
DUNNE, JACK H. III [redacted]
EDMONDS, RICHARD L. [redacted]
ESPITIA, RICARDO J. [redacted]
FITZGIBBONS, LEONARD J. [redacted]
FORRESTER, MICHAEL F. [redacted]
FOX, WARREN E. [redacted]
FREEMAN, ANTHONY [redacted]
GALLO, WILLIAM V. [redacted]
GHIGNA, RICHARD W. [redacted]
GILBERT, JOHN T. [redacted]
GIRON, BRUCE A. [redacted]
HALLIN, ELIZABETH A. [redacted]
HANKINS, WILLIAM B. III [redacted]
HANSEL, ROBERT S. [redacted]
HASKINS, LEON J. [redacted]
HUGGINS, WALLACE J. JR. [redacted]
JOHNSON, WILLIAM F. [redacted]
KAMINSKI, TIMOTHY J. [redacted]
KELTZ, BARBARA M. [redacted]
KNOBEL, PHILIP E. [redacted]
KOVACK, GEORGE S. [redacted]
LARSON, JOHN T. [redacted]
LINDSEY, JAMES E. [redacted]
LONGLEY, JAMES B. JR. [redacted]
LOSCHIAVO, PAUL S. [redacted]
LUCENTE, DEBORAH L.,
[redacted]
LUNDBLAD, KAREN L. [redacted]
MCDONALD, MARK A. [redacted]
MCGUIRE, PAUL X. [redacted]
MCHALE, PAUL F. JR. [redacted]
MIJA, THEODORE L. [redacted]
MILLER, JONATHAN S. [redacted]
MIRAKOVITS, ALFRED L., JR. [redacted]
MONTAGNINO, JOSEPH R. [redacted]
MOORE, DARRELL L. [redacted]
MOORE, WILLIAM E. III [redacted]
MOY, WAY P. [redacted]
MURPHY, KEVIN T. [redacted]
MYERS, KENNETH P. [redacted]
OGORZALY FRANK D. [redacted]
PAPAK, ROBERT D. [redacted]
PEAK, STEVEN A. [redacted]
PEARL, JONATHAN D. [redacted]
PETRINO, JOHN E. [redacted]
PETTIT, DOUGLAS W. [redacted]
PHILLIPS, JERRY L. [redacted]
RADTKE, WILLIAM A. III [redacted]
REESE, STEPHEN K. [redacted]
REITER, STEVEN L. [redacted]
RENSCH, GWENDOLYN E. [redacted]
ROGERS, MARK W. [redacted]
RUTH, JOHN P. [redacted]
SANTAANA, MEGAN G. [redacted]
SANTUCCI, ROBERT C. [redacted]
SCANDALITO, DANIEL J. JR. [redacted]
SEABOLT, DENNY G. JR. [redacted]
SIGLER, RALPH J. [redacted]
SMITH, CHARLES F. [redacted]
SMITH, GREGORY L. [redacted]
SOUZA, PAUL F. [redacted]
SPARKMAN, GEORGE T. JR. [redacted]
STANCIK, GARY M. [redacted]
STANLEY, PAUL T. [redacted]
STANLEY, ROCK E. [redacted]
STEFFEY, CHARLES S. [redacted]
TURCOTT, BRIAN P. [redacted]
VINSKEY, MARGARETE A. [redacted]
VIVIANO, JOHN R. [redacted]
WAAGE, ROBERT N. [redacted]
WARD, CHARLES E. JR. [redacted]
WARD, ROBERT E. JR. [redacted]
WARSHAWSKY, BRUCE R. [redacted]
WERSEL, RAYMOND W. [redacted]
WESSELING, DAVID C. [redacted]
WILSON, PAUL T. [redacted]
WILSON, PHILIP A. [redacted]
WINN, FLOYD H. JR. [redacted]

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS FOR PERMANENT APPOINTMENT TO THE GRADE OF MAJOR UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

ABE, TIMOTHY C. [redacted]
ABRAHAM, LOUIS P. [redacted]
ALSTON, ALLEN D. [redacted]
ANDERSON, WILLIAM M. [redacted]
ANDRUS, PAUL M. [redacted]
ANGEL, ROGER D. [redacted]
ASHE, MATTHEW T. JR. [redacted]
BABBIE, RAYMOND C. [redacted]
BACHELLER, JOHN S. [redacted]
BARE, JEFFREY J. [redacted]
BARNEY, LOREN D. [redacted]
BARTON, BRIAN M. [redacted]
BATT, DANIEL C. [redacted]
BEISWANGER, JOHN W. [redacted]
BENSON, CRAIG F. [redacted]
BERGERIA, WILLIAM J. [redacted]
BERRY, JOHN C. JR. [redacted]
BOCKER, PETER E. [redacted]
BOLICK, GEORGE M. [redacted]
BORROR, PAUL J. [redacted]
BOSTON, TERRY P. [redacted]
BRADY, CHARLES P. [redacted]
BRADY, FRANCIS X. [redacted]
BRENSTUHL, THOMAS K. [redacted]
BRIEHL, PETER J. [redacted]
BROADSTONE, HERMAN C. [redacted]
BROWN, JAMES T. [redacted]
BUMGARNER, TONY L. [redacted]
BURAN, ROBERT S. [redacted]
BUTTERS, MICHAEL K. [redacted]
CAMPBELL, BOYD W. [redacted]
CANTRELL, MARK E. [redacted]
CANTY, JEREMIAH D. [redacted]
CENTER, WESLEY D. [redacted]
CHARBONEAU, DAVID P. [redacted]
CHILDS, THERESA J. [redacted]
CLARK, CHRISTOPHER E. [redacted]
CLARKSON, EDWARD M. II [redacted]
CLAYPOOL, ROBERT E. [redacted]
CLEMMER, JAMES D. [redacted]
CLINGMAN, ANGELA B. [redacted]
CLUBB, TIMOTHY L. [redacted]
COLEMAN, RICHARD D. JR. [redacted]
COLLETTE, CARL L. [redacted]
COLLINS, THOMAS N. [redacted]
CONGER, EDWARD G. [redacted]
CONKLIN, JAMES T. [redacted]
COTTRELL, SCOTT C. [redacted]
COVER, WILLIAM J. IV [redacted]
CROSS, KELLY D. [redacted]
CROUCH, MICHAEL L. [redacted]
CROUSE, KEN R. [redacted]
CROWE, WILLIAM B. [redacted]
CRUZ, VINCE E. [redacted]
CURTIN, LAWRENCE M. JR. [redacted]
CWICK, MARK J. [redacted]
DALLABETTA, MARK A. [redacted]
DAMREN, PAUL L. [redacted]
DANTONIO, PAUL A. [redacted]
DAULTON, JAMES T. JR. [redacted]
DAVIS, NORMAN C. [redacted]
DEVLIN, PETER H. [redacted]
DEVLIN, THEODORE E. [redacted]
DINDA, PAUL [redacted]
DINGER, RONALD A. [redacted]
DOBBINS, RICHARD E. JR. [redacted]
DONOVAN, MICHAEL J. [redacted]
DOOLEY, SUSAN G. [redacted]
DRAIN, PETER A. [redacted]
DUNGAN, MARK A. [redacted]
EAHEART, STEVE A. [redacted]
EDWARDS, MINERVA S. [redacted]
ELLIOTT, ANTHONY C. [redacted]
EMERSONLEE, SYLVIA [redacted]
ETTORE, MICHAEL L. [redacted]
EVANS, IRVIN E. III [redacted]
FAULKNER, WILLIAM M. [redacted]
FERRER, ROBERT N. JR. [redacted]
FITZGERALD, JOHN J. JR. [redacted]
FLEMING, CLARK R. [redacted]
FLOWERS, JAMES N. [redacted]
FOLSOM, STEVEN A. [redacted]
FOSNAUGH, CARL J. III [redacted]
FULHAM, ROBERT G. [redacted]
FUNDERBURKE, DENNIS E. [redacted]
FUNK, GARY W. [redacted]
GAGE, DARYL W. [redacted]
GAITA, JOHN T. [redacted]
GAMMELL, BRADLEY R. [redacted]
GANDEE, LINDA M. [redacted]
GARANT, PIERRE C. [redacted]
GARFIELD G. G. [redacted]
GASKINS, GERALD H. [redacted]
GEARHARD, GLENN E. [redacted]
GEORGE, GREGG L. [redacted]
GLODOSKY, JOHN P. [redacted]
GLOVER, RUSSELL E. [redacted]
GRACE, JAMES D. [redacted]
GRACZYK, DONALD A. [redacted]
GRAHAM, SCOTT A. [redacted]
GREENWOOD, PAUL E. [redacted]
GUZIK, DENNIS M. [redacted]
HABERBOSCH, CURTIS E. [redacted]
HACKETT, EDWARD G. [redacted]
HAGWOOD, DERLE G. JR. [redacted]
HALL, NICHOLAS J. [redacted]
HAMASHIN, LLOYD J. JR. [redacted]
HAMILTON, CHARLES M. [redacted]
HAMMOND, JAMES W. III, [redacted]
HAMMOND, RANDALL W., [redacted]
HANSCOM, STEVEN M. [redacted]
HARMS, THOMAS G. [redacted]
HARRIS, STEPHEN G. [redacted]
HARVEY, JOHN J. JR. [redacted]
HAWLEY, JEFFREY W. [redacted]
HELLIGRATH, MICHAEL A. [redacted]
HENDRY, ROBERT L. [redacted]
HENKLE, STEVEN R. [redacted]
HEYWOOD, STEPHEN K. [redacted]
HODGES, ADELE E. [redacted]
HOFFMAN, EVERETT S. [redacted]
HOLTER, ROBERT D. JR. [redacted]
HOM, DONALD D. [redacted]
HOUSER, BRUCE M. [redacted]
HOUSTON, GORDON N. [redacted]
HUGHES, ROBERT E. [redacted]
HULBERT, BRIAN E. [redacted]
INGERSOLL, ALVAH E. III [redacted]
JACKSON, KEVIN A. [redacted]
JACKSON, KURT M. [redacted]
JACKSON, MICHAEL E. [redacted]
JACKSON, TIMOTHY J. [redacted]
JAMMAL, OSAMAH A. [redacted]
JANZEN, LESLIE N. [redacted]
JESSON, WILLIAM S. [redacted]
JONAS, TIMOTHY P. [redacted]
JOYCE, FRANIC P. III [redacted]
KANE, JOHN J. III [redacted]
KASSELMANN, JAMES R. [redacted]
KATZ, JONATHAN L. [redacted]
KELLY, DAVID [redacted]
KELLY, JOHN F. [redacted]
KENNEDY, JOHN C. [redacted]
KENNEDY, MICHAEL R. [redacted]
KERCHNER, SCOTT E. [redacted]

KERNS, ROBIN W. [redacted]
KINDER, RALPH E. [redacted]
KING, PHILIP H. [redacted]
KOENIG, JOHN A. [redacted]
KOLKMEYER, ANTHONY E. [redacted]
LAND, DENNIS R. [redacted]
LANDRUM, BRUCE D. [redacted]
LANG, WILLIAM S. [redacted]
LANHAM, ROBERT W. [redacted]
LEACH, RAYMOND J. [redacted]
LEARD, THOMAS E. [redacted]
LINGAR, JAMES D. [redacted]
LISSNER, KENNETH X. [redacted]
LONG, LAWRENCE J. JR. [redacted]
LUECK, MICHAEL E. [redacted]
MACK, DANIEL W. [redacted]
MALONEY, MARK M. [redacted]
MANUEL, STEVE G. [redacted]
MANZANO, EDWIN B. [redacted]
MATTHEWS, DAVID H. [redacted]
MCARTHUR, DORMAN O. [redacted]
MCCALLISTER, JOYCE L. [redacted]
MCCARTHY, LAURA J. [redacted]
MCCARTY, JOHN R. [redacted]
MCCOYD, KEVIN P. [redacted]
MCCUSKER, MICHAEL J. [redacted]
MCDANIEL, EDWARD R. [redacted]
MCERLEAN, MICHAEL W. [redacted]
MCGOVERN, ROBERT D. [redacted]
MCGRANE, STEPHEN J. [redacted]
MCKENNEY, LARRY B. [redacted]
MCKENZIE, ROBERT H. III [redacted]
MELTON, WILLIAM G. [redacted]
MERRITT, DALLAS III [redacted]
MESSER, RICK J. [redacted]
MILLER, MARK A. [redacted]
MILLER, TIMOTHY L. [redacted]
MINARIK, STEVEN A. [redacted]
MITCHELL, DAVID L. [redacted]
MITCHELL, JOHN E. JR. [redacted]
MOCK, FREDERICK C. [redacted]
MOLITOR, MARK L. [redacted]
MOODY, BENJAMIN W. [redacted]
MORRISON, ARCHIBALD VI [redacted]
MORTON, ULYSSES L. JR. [redacted]
MULLIGAN, MICHAEL J. [redacted]
MULLINS, KELLY B. [redacted]
NAYLOR, MICHAEL G. [redacted]
NELSON, ANDREW H. [redacted]
NELSON, EDWARD J. [redacted]
NICHOLSON, WILLIAM F. [redacted]
NOONAN, PATRICK D. [redacted]
OGERSHOK, JAMES A. [redacted]
OLDLAND, HARRY G. III [redacted]
OLEARY, PAUL J. JR. [redacted]
OLSON, ALLEN S. [redacted]
OSTERMAN, JOSEPH L. [redacted]
OWEN, MICHAEL L. [redacted]
PARKER, CARL T. [redacted]
PARRAN, JAMES V. [redacted]
PATCH, PHILIPP M. [redacted]
PEARSON, BARRY D. [redacted]
PETERS, CALVIN D. [redacted]
PIERSON, MICHAEL T. [redacted]
PINTO, MARK E. [redacted]
POLIZZI, SANTO [redacted]
POPE, DANIEL D. [redacted]
POTWIN, ALBERT F. [redacted]
PROUDFOOT, CHRISTOPHER N. [redacted]
QUAGGE, TIMOTHY E. [redacted]
RAHM, JOHN T. [redacted]
RASCHTSCHENIA, LARRY S. [redacted]
REYNOLDS, SHAUGNESSY A. [redacted]
RICE, ROBERT D. [redacted]
RICE, ROBERT K. [redacted]
RISHEL, ERIC C. [redacted]
RISO, BRIAN J. [redacted]
RITZDORF, SHIRLEY M. [redacted]
ROBERTS, DONALD F. [redacted]
ROBINSON, DAVID M. [redacted]
RODEBAUCH, RITCHIE L. [redacted]
RODENBECK, NEIL H. [redacted]
ROLAF, ERIC L. [redacted]
ROLLINGER, MARTIN G. [redacted]
RUFF, STACEY A. [redacted]
SALINAS, PHILIP L. [redacted]
SAMPLES, DAVID W. [redacted]
SAMPSON, DONALD W. [redacted]
SANNY, JAMES T. SR. [redacted]
SANSONE, RODMAN D. [redacted]
SANTACROCE, MICHAEL A. [redacted]
SANTIFORT, RODNEY [redacted]
SANTIFORT, SABRINA S. [redacted]
SATTERFIELD, JEFFERY A. [redacted]
SATTERFIELD, ROBERT C. [redacted]
SCHNEIDER, HENRY J. JR. [redacted]
SEATON, JAMES B. III [redacted]
SEGARRA, ERIC L. [redacted]
SEMPF, MARK C. [redacted]
SHEHAN, JOE M. [redacted]
SHUE, JEFFREY P. [redacted]
SHULTIS, BRADLEY N. [redacted]
SIMONEAU, PAUL D. [redacted]
SIMPSON, STEVEN S. [redacted]
SIZEMORE, GREGORY K. [redacted]
SKOPOWSKI, PAUL F. [redacted]
SMITH, DAVID A. [redacted]
SMITH, EDWARD J. [redacted]
SMITH, PHILIP E. [redacted]
SNOW, JOHN E. [redacted]
SPARTONOS, MICHAEL A. [redacted]
SPASOJEVICH, DAVID L. [redacted]
SPIDAL, DENNIS A. [redacted]
SPRUILL, GARY M. [redacted]
STARKEY, FRED O. JR. [redacted]
STEPHENS, MICHAEL K. [redacted]
STICKEL, RICHARD C. [redacted]
STRAIGHT, BOBBY G. [redacted]
STUMP, CATHERINE M. [redacted]
STUMP, JOHN P. III [redacted]
STURDEVANT, GREGG A. [redacted]
SYKES, DAVID L. [redacted]
TABAK, JAMES J., [redacted]
TATE, WILLIAM S. [redacted]
THIEN, ROBERT S. [redacted]
TISSUE, PHILLIP C. [redacted]
TOON, DAVID L. [redacted]
URIBE, GILBERT A. [redacted]
VANDENBERGHE, RAYMOND J. JR. [redacted]
VANHOUTEN, JOHN S. [redacted]
VAZQUEZ, JOSE F. [redacted]
VEITEL, MARTY S. [redacted]
VINCZE, LESLIE S. [redacted]
VINDICH, DAVID A. [redacted]
WARKER, PETER M. [redacted]
WARREN, GARY E. [redacted]
WASSINK, JOHN R. [redacted]
WAUGH, MAX J. [redacted]
WAYMAN, RONALD B. [redacted]
WEBER, LAWRENCE K. III [redacted]
WEBSTER, JAMES R. [redacted]
WEST, ROBERT S. [redacted]
WESTERBECK, MARK A. [redacted]
WETZELBERGER, WILLIAM E. [redacted]
WHITWORTH, LLOYD R. [redacted]
WILLIAMSON, MARC A. [redacted]
WOLTMAN, CLYDE M. [redacted]
WOOD, NOEL S. [redacted]
WORSLEY, ROGER J. [redacted]
YELDER, CHRISTOPHER E. [redacted]
ZAUTCKE, DONALD W. [redacted]
ZELNIS, CHARLES R. [redacted]
ZIEGENFUSS, PAUL C. JR. [redacted]

IN THE NAVY

THE FOLLOWING NAMED COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF CAPTAIN IN THE LINE, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION [redacted]

UNRESTRICTED LINE OFFICERS

To be captain

ABELES, JOHN CHRISTIAN
ALBRACT, RANDAL THEODORE
ALDER, EDGAR ANDREW
ALDRICH, DAVID OLIVER
ALLISON, CHRISTOPHER DUANE
BAST, MICHAEL K
BENNET, KEARNEY DOUGLAS
BENNET, VAUGHN
BENSON, LARRY JOE
BITTMAN, WILLIAM CHARLES
BLACKWOOD, HUGO GRANGER
BLOUGH, ALLEN RANDOLPH
BRANUM, JAMES DAVID
BRODERICK, THOMAS EDWARD
BROWN, DEAN ROBERT
CABELKA, TIMMY DEAN
CALISE, KENNETH JOHN
CARELLO, LARRY DONALD
CAREY, SANDRA H
CHAMPION, EDWARD LARUE JR
CHARLES, JAMES LAWRENCE
CHRISTMAN, LINDA CHERYL
CHRISTMAN, PATRICK LEE
CLARK, JAMES ROBERT JR
CLARK, ROBERT MARTIN
CLAUSEN, STEPHEN RADCLIFF
COCHRAN, MICHAEL JAMES
COCKRELL, KENNETH DALE
CORDES, BRUCE ALLEN
CORY, JOHN ALAN
COSGROVE, RONALD PATRICK
COTTON, JOHN GOULD
CREWS, THOMAS BOULDIN JR
DEAN, KENNETH EUGENE
DEPEDER, ANDREW ANGELO
DOUGLAS, BARRY COLE
EDVARDSEN, JOHN JOSEPH
EPPERSON, ROBERT MARK
ERBELE, DOUGLAS JAMES
EVANS, JOHN JAMES
FAUST, WILLIAM ALEXANDER
FERGUSON, ROBERT KORBEL
FITZGERALD, PAUL VINCENT III
FOSKETT, ARTHUR KEVIN
FOX, TALLY BERNARD
FURSMAN, BERYL DENISE
GIESSING, GEORGE CONRAD III
GOOD, BEVERLY FRANCES
GOREHAM, LEONARD ALBERT
GRINSPOON, ALAN MARSHALL
GUNDERSON, EDWARD CHARLES
HALLAM, STEPHEN CULLITON
HAMMETT, CHARLES WILLOUGHBY
HANLEY, JOHN THOMAS JR
HANSEN, ALLEN ROSS
HARRISON, ROBERT WAYNE
HELMER, DALE PAUL
HENDRICKSON, PAUL BRIAN
HINES, JOHN ROBERT JR
HOPKINS DONALD DAVID
HUEGERICH, THOMAS PAUL
HULBERT, DAVID JOSEPH
HULTBERG, RANDY STEWART
HUNTER, RONALD EUGENE
HUTCHINSON, JONATHAN CLAY
JANES, CHARLES ENOS
JOHNSON, NICHOLAS RONALD
JOHNSTON, MARY ANN
KALAFAT, MAX EUGENE
KELLEY, MICHAEL DAVID
KELLOG, STEVEN CURTIS
KENNEDY, WILLIAM ALOYSIUS JR
KING, LARRY ARLIN
KOCH, MARK RANDOLPH
KOHRING, MARK WILLIAM
KOWALCZYKBECKWORTH, JOAN ANN
KURZ, WILLIAM CHRISTOPHER
LANDERS, GREGORY PATRICK
LEE, WILLIAM EUGENE
LEECH, JAMES NATHAN
LEONARD, WILLIAM AUGUSTINE J
LUNDY, ALLEN FRANCIS
MACKLIN, ROBIN MYLES
MARCUSSEN, WILLIAM JAMES
MASSION, DENNIS DANIEL
MCCARTHY, JOSEPH BRUCE
MCCAUSLIN, KEVIN R
MCCLESKEY, KEVIN BRIAN
MCCOLLUM, JOHN WILLIAM
MCGALLIARD, BRUCE EDWARD
MCHENRY, JOHN STEWARD
MCINTOSH, JOHN ALEXANDER III
MCVEY, BARRY STEVEN
MERCKER, RAYMOND FRANCIS
MEYER, LELIA MICHELE
MILLER, ALBERT
MILLER, BURT EDWARD
MOORE, WILLIAM THOMAS III
MORAN, RICHARD
MORGAN, WILLIAM RANDALL
MULLANEY, MICHAEL JOHN
MURPHY, JAMES JOSEPH III
MUSSELMAN, ROBERT PHILLIP JR
NANCARROW, CLIFFORD ALLAN
NOLAN, ROGER THOMAS
NORTH, ROBERT HUDDLESTON
OSLUND, JOELLEN DRAG
OSWALD, STEPHEN SCOT
PACE, ANNETE
PACHE, EUGENE PAUL
PATTERSON, ROBERT FOX
PECHONIS, JOHN SAMUEL
PENGUE, MARCY LOUIS JR
PFRIMMER, JOHN GRAY
PILLI, JOHN FRANK JR
POPPY, STEVEN CHARLES
PORTER, ALAN EMMIT
PRICE, GENE HILL
PUHRMANN, DALE LORENZ
REGAN, SUSAN KATHERINE
REIN, DOUGLAS JOSEPH
RICHARDON, RALPH BLAINE
RIVERA, ROBERT
RODJOM, THOMAS JOSEPH
ROGERS, JOSEPH EDWARD
RUSH, DOUGLAS KEVIN
SANDERS, MAX FRANKLIN
SCOTT, THOMAS EARLE
SCUDDER, RONALD LEE
SHAFFER, NEAL DEAN
SHAW, NED OSBON
SHELTON, MICHAEL CHASE
SHERMAN, CHRISTOPHER MARK
SMITH, ROBERT DORSEY JR
SNEDEN, KATHLEEN MARIAN
SPRIGGS, DAVID ARTHUR
STAIGER, JOHN AXTON JR
STEIN, WILLIAM BLANE
STEPHESON, ROBERT ALEXANDER
STICINSKI, DON LEO
STRASSHEIM, THOMAS JOHN
TANDBERG, SHARON PRESTHUS
TAYLOR, TIMOTHY MARTIN
TESORIERO, THOMAS JOSEPH
THOMPSON, ELSA BRANCH
TIMMERMAN, CLAUDE EVANS, JR.
TODD, MURRAY REDMON
VANHORN, ROBERT GORDON
VOSILUS, DIANE CARACASIS
WALKKY, KENNETH JAMES
WALKWITZ, JON JEFFREY
WALTERS, DANIEL ROBERT
WARFORD, WALTON ROBERT, JR.
WATT, GEORGE PHILIP, JR.
WENZE, GLORIA TRANSITS
WEST, RAY FERRIS, JR.
WHITELATCH, CRISTA CLAAR
WILCOX, ARTHUR MANIGAULT, JR.
WILKINSON, GERALD EDWARD
WILLIAMSON, LARRY ARTHUR
WILSON, STEVEN DALE
WRIGHT, ROOSEVELT RUBEN, JR.
YOUNG, FRANCIS
YPERMAN, BERNARD GEORGE
ZANDER, ANDREW THOMAS
ZANDER, WARREN EDWIN
ZIMET, MICHAEL IRVIN
ZMUDA, RAYMOND ANTHONY, JR.

UNRESTRICTED LINE OFFICERS (TAR)

To be captain

AUTEN, DONALD EDWARD
FOURSHA, SAMMY LEE
GREETIS, GREGORY JOHN
JOHNSON, KENNETH A.
KAUFMAN, GREGORY DOUGLAS
KIRWAN, JOHN R.
LEWELLING, DALE ALEXANDER
LUCAS, BRYAN DORAN
NORTON, HOWARD CHRISTOPHER
OSTROWSKI, GREGORY R.
RHODENBAUGH, RAPH MARK
SMITH, ROY MICHAEL
WIEGAND, ROY ALBERT

ENGINEERING DUTY OFFICERS

To be captain

ARMENIA, MICHAEL PETER
BAUMAN, WILLIAM EUGENE
BENEVIDES, FRANCIS LEO P.
BEUKEMA, PAUL
DEGRASSIE, JOHN SIDNEY
DICK, REAY STEWART, JR.
DIETER, KENNETH ALBERT
ENGLER, ROYCE ALAN
GREENLEES, JAMES NIXON
HESS, WILLIAM CURTIS
JOHNSON, JOHNNY WAYNE
JOUANNET, PETER RICHARD
KEENAN, JOHN JOSEPH, JR.
KING, WILLIAM BRUCE
MANNING, ROBERT WARREN
MARTSOLF, STEVEN WESLEY
SCHERF, PAUL HENRY, JR.
SHEBALIN, PAUL VALENTINE
TURISCO, THOMAS FRANK
WAKEFIELD, ROBERT D.
WEBB, JOHN OLIVER, JR.

AEROSPACE ENGINEERING DUTY OFFICERS (ENGINEERING)

To be captain

MCMAHAN, MICHAEL ROY
MINNICH, JOHN HOLLOWAY, III
MOORE, ROBERT CHARLES
ROSS, JOHN CLYDE
SODERBERG, ERIC JARVIS
SOMERS, JAMES WILFORD
STEVENS, RONALD WALTER
STRATTON, RAYMOND WAYNE

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE)

To be captain

FITZHUGH, JOHN EDWIN, II
MALONE, LAURENCE JAMES
PRYOR, HERSHEL WILSON, JR.
SCHACHTER, FRANK

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE) (TAR)

To be captain

BARNETT, EBEN E.

SPECIAL DUTY OFFICERS (MERCHANT MARINE)

To be captain

BAJOWSKI, FRANCIS KENNETH, JR.
DEHLER, MICHAEL W.

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be captain

COOK, MICHAEL JOHN
DICKIE, JOHN NEVIN
SIEGEL, SAMUEL LEE

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be captain

ALFORTISH, ANTHONY CARPRI
ASHCRAFT, LEE
AUSTIN, KENNETH BURDETTE, JR.
BIEHLER, ARTHUR FRANCIS, JR.
BRINKMAN, DANIEL JOHN
BROWN, GORDON LAVELLE, JR.
BURKS, EDWARD LEE
CHEN, FRANCIS
CHERNOFF, ALBERT RICHARD
COX, DAVID LAWRENCE
DAZ LINO, CHARLES, II
DOUGHERTY, WILLIAM FRANCIS
DOUGLAS, JOHN PAUL
DUNN, PETER HAINES
DYER, DWIGHT DEWEY
ELLIOTT, EARL CARTER
FOGGIN, JAMES HENDERSON
GANNE, PATRICK ROLAND
GASTGEB, DAVID CHARLES
GRIFFING, CAROLYN KAY T.
GUGISBERG, MARK ROBERT
GUNDERSON, HALVOR PETER
HALBIG, MICHAEL CARLOS
HANNA, ALVIN TERRY, JR.
HARMAN, JOHN DAVID
HONAN, MICHAEL PATRICK
HUDDLESTON, COLIN CAMPBELL
JOHNSON, VICTORIA RAE
KING, KIM ALVA
KIRBY, THOMAS MICHAEL
LANCASTER, JOEL RAY
LAYMAN, JAMES HAROLD, JR.
LIARDON, DARRELL LEE
LUSSIER, NORMAND VICENT
MALLOY, DENNIS EDWIN
MCMASTER, MARLA JILL
MCPHERSON, VICTOR HOLIDAY
MILLER, ROBERT ARRINGTON
MITANI, MICHAEL KIYOSHI
MORRIS, JOHN JOSEPH
NAYLOR, WILLIAM MARK
PARE, JOHN ALFRED
PARHAM, LOUIS
PAUL, DAVID LOREN
POWER, TIMOTHY HENDERSON
ROLLANDI, VICTOR LAWRENCE
SELIG, CHARLES DENNIS
SOURBEER, GEOFFREY SCOTT
SUTTON, TERENCE MORRISON
TURNER, JAMES LAWRENCE
VERDEL, THOMAS HEARNE III
WALAITIS, WILLIAM RALPH
WEBSTER, BOBBY RONALD
WILSON, DONALD HAL
WRIGHT, CATHERINE SCHOONMAKE
YATES, WILLIAM ELLISON

SPECIAL DUTY OFFICERS (INTELLIGENCE) (TAR)

To be captain

BROOKS, STANLEY PRESTON

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be captain

HATFIELD, TERRY MICHAEL
WILLIAMS, DENNIS STANLEY

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be captain

DAUGHENBAUGH, JOHN STEWART

IN THE NAVY

THE FOLLOWING NAMED COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF CAPTAIN IN THE STAFF CORPS, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

MEDICAL CORPS OFFICERS

To be captain

ARLINGHAUS, FRANK HENRY
AUSTIN, DAVID ANTHONY
BAILEY, RONALD OAKLEY
BAKER, JOHN A
BARBER, FRANCIS AUGUSTINE
BARVICK, EDWARD JAMES
BOYDEN, FREDRIC MARTIN
BRANCATO, DONALD HAYWOOD
BRIGHT, JOHN RAY
CARTAGENA, MIGUEL A
CASSIDY, SCOTT
CASTLE, CHARLES A
CATCHINGS, TIMOTHY TITUS
CIANFLONE, ALEXANDER
COFFMAN, RALPH BAILEY
COUNIHAN, COLLEEN M
DAVIS, ERNEST JAMES, JR.
DOMINO, TERRY GAYLE
DONOVAN, JOHN P
DRUM, EDWARD ALLEN
EHRLICH, EDWARD NORMAN
ELLEDGE, ELLIOTT FREDERICK
ELLIS, VIVIAN ELIZABETH
ENRIGHT, JAMES ROBERT
FAGAN, STEVEN JOSEPH
FEERICK, JOHN PAUL
FISHER, WINFIELD STITT
FORT, RICHARD A
GARDNER, CHARLES RAYMOND
GARRISON, JOHN MCHENRY
GIEDRAITIS, JOHN BENJAMIN
GRIFFIN, LARRY PAUL
GRUNERT, GEORGE MCCLOY
HARKNESS, CHARLES L
HARRIS, CURTIS NORMAN
HIGGS, WILLIAM THOMAS
HOLMAN, WILLIAM ADDISON
HOSKINS, IFFAT ABBASI
HYINK, WENDELL J
JONES, LYNWOOD ALEXANDER
KENT, HAROLD L
KING, JOHN WESLEY
KUMAR, VASANTHA A R
LARSON, CHARLES ADRIAN
LEECH, RICHARD C
LUCAS, RICHARD CHARLES
MALETZ, FRANK W
MCCARREN, PETER
MEDINARUIZ, ARTURO
MILLER, WILLIAM FARRING
MURRAY, DAVID W.
NIXON, DANIEL WALKER
NOACK, NELLEEN G.
NUAR, FRANK LABIB
OLDEN, KEVIN WILLIAM
PAPADIMOS, THOMAS JOHN
PARKS, DAVID PAUL, JR.
PITROWSKI WILLIAM C.
PUDHORODSKY, GREG STEPH
SAMESHIMA STEVEN SAIGE
SCHMITT, JAMES KENNETH
SINGZON JAIME MERIDA
SMICK, LARRY BRENNE
SMITH, CARL VERNON
SMYTH, LAWRENCE T., JR.
STOVER, JAMES FRED
TESAR, CHARLES B.
THOMAN MARK EDWARD
WALKER, MICHAEL L.
WATTS, DAVID R.
WILCOX, JOHN RICHARDSON
ZALESKI, HENRY IGNATIUS
ZEMNICKAS, WILLIAM VINC
ZUCKER, KARL ALBERT

DENTAL CORPS OFFICERS

To be captain

BENTLEY, GEOFFREY D.
BURJETKA, MIRA GEORGE
CRINE, JAMES DAVID, II
DEMAGGIO, BERNARD ROBERT
FETTER, KENNETH A.
GOLDSTEIN, JOEL C.
HORTON, EDWARD C., JR.
IRONS, ROY L.
KADESH, JEFFERY B.
KASKE, HERBERT M.
KRAJC, JOSEPH P.
KRAUSE, KERRY JACK
LIBBY, LEWIS S., III
MAPES, WILLIAM MICHAEL
MAYER, JOSEPH PAUL, JR.
POPE, BRUCE MICHAEL
REIDY, EDWARD T., III
ROMARY, DENNIS COLLINS
RUNDBAKEN, ROGER P.
SAVORD, ERVIN GEORGE, JR.
TRAMMELL, CALVIN D.
WOLANIN, ALFRED J., JR.
ZILLNER, ROBERT JAMES

MEDICAL SERVICE CORPS OFFICERS

To be captain

BAILEY, LARRY W.
BENNETT, JAMES DOUGLAS
BERGNER, JAMES STEPHEN
LIDDELL, SCOTT KENT
MARTINEZ, GILBERT HERRE
SCHUH, MARLIN DARWIN
STAHL, ARCHIE ALAN
STRUNK, HAROLD KENNETH

JUDGE ADVOCATE GENERAL'S CORPS OFFICERS

To be captain

CARLETTI, JAMES SILVIO
CRABTREE, DANIEL B.
FLYNN, PATRICK JEROME
GAY, MICHAEL HUBERT
GROAT, JOHN SINCLAIR, JR.
JANIGIAN, BRUCE J.
KASPER, ROBERT J.
MORGAN, JAMES FREDERICK
NIESEN, JEFFREY SCOTT
PETERSON, JAMES RALPH
SMITH, KERSCHIEL DINIVA
STEMPLEWICZ, JOHN THOMA
SUNDGREN, HELEN HOWELL
WHITE, ROBERT D.

NURSE CORPS OFFICERS

To be captain

BALACKI, MARGARET FOOTE
KARSTETTER, SARA LOUISE
KELLEY, KATHLEEN
LARSON, MARTHA LOUISE
LATHAM, JOSEPH FLOYD
MORRIS, ELIZABETH MCCLO
PATE, MARY ELLEN MCHALE
PATTERSON, CATHERINE AN
POLAK, BARBARA STEEL
SLAVONIC, MARTHA JEAN
WILLIS, ODETTE PATRICIA

SUPPLY CORPS OFFICERS

To be capitain

BAUMAN, DANIEL JOSEPH, JR.,
BECKER, CARL P.
BELL, EUGENE FREDERICK
CAPTOR, RICHARD ALLEN
CHAMBERLAIN, WILLIAM JOSEPH
EBERT, CHRISTOPHER JOHN
FURST, BARBARA SCOTT
GABEL, GLENN PAUL
LEVINE, HENRY PAUL
MURRAY, ALEXANDER HOMER
ORTEGA, PETE RUBEN
PATE, RONALD MILSTON
POTTER, MICHAEL CURRIE
PRESTON, VERNON LEROY
RIGHI, MICHAEL LOUIS
STORCH THOMAS MICHAEL
THORPE, JOHN ROSS
TOM, LYLE KIM UNG
WILLIAMS, CHARLES ARTHUR

SUPPLY CORPS OFFICERS (TAR)

To be captain

HENSLEY, JOHN W.

CHAPLAIN CORPS OFFICERS

To be captain

COOK, JAMES L.
ROSS, RALPH MCKINELY
STONER, GARY WAYNE

CIVIL ENGINEER CORPS OFFICERS

To be captain

AMES, THOMAS CLARK
BUSHEY, RANDALL KENNETH
HILLMAN, BENJAMIN FRANKLIN, I
JOHNSON, RONALD NORMAN
KIRSCH, ARNOLD
MCGARRAH, JAMES MITCHELL
PRATHER ROYACE HOUSTON
RODRIGUEZ JAMES THOMAS
SYLVERSON, WILLIAM ALFRED

IN THE NAVY

THE FOLLOWING NAMED LIEUTENANT COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF COMMANDER IN THE LINE, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STAES CODE, SECTION 5912:

UNRESTRICTED LINE OFFICERS

To be commander

ABATE, RONALD DAVID
ADAMS, CHARLES DAVID, JR.,
ALLES, JAMES RICHARD
ANDERSON, RAYMOND VINCENT, JR.
ANDREWS, DOUGLAS MARTIN
ARCHDEACON, FRANCIS JOSEPH
ARD, JEFFREY ALLEN
ARRINGTON, RANDALL STEVEN
ATKINS, JIMMY EUGENE
AVERY, KENNETH LARUE
BAETZEL, KAREN L.
BALINT, MICHAEL KEVIN
BARAN, GREGORY W.
BARNHART, DEBORAH EDWARDS
BEARSS, DANIEL V.
BEAUCHAMP, MICHAEL JORDAN
BEILKE, ROBERT LEO
BENNETT, GEORGE BERKLEY
BENNETT, JOAN CAROL
BENNETT, ROBERT MICHAEL
BENTLAGE, ROGER ERIC
BERG, PAUL D.
BIGLEY, MICHAEL JOSEPH
BOONE, TIMOTHY R.
BOSOWSKI, STEPHEN NMN
BOWDEN, RONALD ERNEST
BOZDECHVEATER, PAULINE MARIE
BRIGANTI, DOUGLAS HENRY
BRISTOW, WILLIAM KREINER
BROWN, DAVID LYNN
BRUNSKILL, MICHAEL ROSS
BUEL, TOBY JON
BURGESS, MARY ELIZABETH
BURNS, JAMES WILLIAM
BURT, TERRILE LEE
BURTNER, KEITH EDWARD
BUTLER, CAREY RANDALL
CALDER, ALEXANDER WALCOTT
CALLAWAY, ROBERT KENDALL
CANNAN, DANIEL E.
CAPPS, LYNNE WELLS
CAPPS, WARREN LOUIS
CAPRIO, FRANK M.
CARPENTER, STANLEY DEAN
CARRIER, PETER L.
CARROLL, COLIN JOSEPH
CARROLL, ROBERT NMN JR.
CHABAL, MATTHEW
CHISOLM, WALTON BUCKLEY
CLARDY, GEORGE LEIGHTON
CLEMONS, WILLIAM LAWRENCE
COFFEY, JOHN TIMOTHY
COHN, MICHAEL D.
COLES, DAVID L.
COLMAN, PAUL TILDEN
CONKEY, DENIS RAY
CONRAD, DONALD CHARLES
COOPER, GREGORY JOHN
COOPER, RICHARD BENJAMIN
COSTEN, LAUREL MARIE
COX, DANIEL LEE
CROSS, BRUCE JAMES
DAHL, SCOT ALAN
DALTON, STEVEN EARL
DAVIDOSKI, MARK WILLIAM
DAWSON, CHARLES F.
DECOSTA, DANIEL LEE
DEDRICKSON, CHARLES R.
DEMPSEY, WILLIAM C., JR.
DEPPE, JILL NOREEN
DESRUISSEAUX, GEORGE LIONEL
DICKUP, WILLIAM A.
DITZLER, DAVID PATRICK
DIXON, ELLA JEAN
DOULONG, DAVID HUFF
DRAKELEY, GEORGE MORRIS, III
DRESWICK, JOHN ANTHONY
DRYDEN, DOUGLAS KRING
DUNCAN, LEONARD W.H.
DUPRE, NORMAN BERNARD
DURHAM, BRIAN JAY
DWYER, MARK THOMAS
DZIECIOLOWSKI, LISA R.
ECKSTEIN, STEVEN HARRY
EDWARDS, MEREDITH AUSTIN
EDWARDS, NORMAN MARSHALL
EDWARDS, RUTH CAROLE
ELDER, ROBERT THURSTON
ELLIOTT, JOHN SELDON
ELLIS, MARK STEVEN
ENOLE, DANIEL T.
ENSZ, RICHARD CARLYLE
ERIKSEN, MICHAEL CLYDE
ERISMAN, ALAN EDWIN
EVANS, THOMAS WAYNE
FARLEY, CHARLES GRANVILLE
FARMER, ALAN CARL
FENNIG, CHRISTOPHER G.
FILIAK, PAUL PETER
FILIPPELL, MICHAEL EDMUND
FILLIPOW, STEVEN A.
FINERAN, PAUL W.
FINLEY, MICHAEL STAED
FISHER, HOLLY JO
FITZGERALD, REBECCA LOUISE
FITZMAURICE, PATRICK JOSE, JR.
FLORIN, CRAIG ARTHUR
FONTENOT, PAUL RICHARD
FORMAN, RICHARD EARL, JR.
FOSTER, DAVID HEATH
FRANKLIN, JEFFREY WAYNE
FRYAUF, MARK THOMPSON
FUGATE, GLENN DAVID
FULLHART, CHARLES DAVID
GADZALA, JACK NMN
GAETANO, GLENN THOMAS
GARDNER, JOHN EVAN
GARDNER, PHILLIP JOHN
GELSOMINO, JOSEPH ANTHONY
GIRDLER, NEAL NORMAN
GLOVER, LANNY BRUCE
GLENN, KEVIN CHRISTOPHER
GOODWIN, FRANCIS R.
GOSS, GORDON WESLEY
GRASMEDER, JON MARTIN, JR.
GREEN, SCOTT WILLIAM
GRIFFIN, RANDY LLOYD
GRIMLAND, DAVID BRANSON
GRISCHY, MICHAEL CHARLES
GRISHAM, JIMMY D.
GWYN, JAMES R.
HAFER, DALE VINCENT
HAGEN, MARK DAVID
HALL, THOMAS DAVID
HANCOCK, ARTHUR WAYNE
HANDROP, RONALD STEPHEN
HARA, KENNETH JAY
HARDWICK, DAVID LESLIE
HART, LEO HERMAN, III
HARTMANN, FRANCIS XAVIER, JR.
HARTSHORNE, STEVENS JOSEPH
HARTZOG, JOHN R.
HASKELL, EMERY LLOYD
HAVLICK, RONALD GEORGE
HAYES, RICHARD ANDREW
HERBERT, GEORGE JON

HELBIG, CHARLOTTE MARIE
HERBIG, JAMES WILLIAMS
HERRMANN, THOMAS
HESSION, WILLIAM PATRICK
HIGGINS, MICHAEL MARTIN
HILDEBRAND, GEORGE ALLAN, II
HIVELY, KIRK EUGENE
HOLLIS, HOWELL CENTER
HONECK, MARK W.
HORNE, RICKY LEE
HORTON, STARR W.
HUERTH, ALAN LEE
HUFFMAN, PAUL WILLIAM
HUNT, DENNIS JOHN
HUSS, MARVIN CLINTON
IKELER, ALFRED EVES, JR.
ISOM, JAMES A.
JARVI, DENNIS JOHN
JENKINS, JAY THEODORE
JOLLIFFE, JOHN E.
KAMENSKY, ROBERT JOSEPH
KANE, EDWARD JAMES
KARY, EDMUND GEORGE
KATCHER, STEVEN ARTHUR
KELLEY, PETER EDWARD
KELSEY, DONNA C. GREENLEAF
KENNEDY, ANNELIESE L.
KESWICK, CHRISTOPHER A.
KIEFER, GEORGE FRANCIS, JR.
KIRCHENHEITER, BRUCE WILLIAM
KIRK, MARK ANDREW
KIRKLEY, MARK LUKE
KISELICA, VINCENT J.
KLOPE, JOSEPH CHESTER JR.
KNAB, DAVID KELLUM
KOLK, DAVID S.
KOMRAUS, DAVID K.
KOPP, ROBERT WILLIAM
KORCHOWSKY, GEORGE WILLIAM
KOSACK, KURT OVERTON
KOZICZ, MARK S.
KRANZ, MICHAEL A.
KRUG, PETER J.
KRUSE, ROBERT J.
KUNBERGER, PAUL E.
LABUDA, GARY L.
LAKIS, ROBERT A.
LANGER, MAYBETH
LARICK, WILLIAM ARVEL
LATHROP, JONATHAN EUGENE
LAUDER, JOEL AARON
LAVALLEE, COURTLAND, R. JR.
LEAKE, ROBERT ELLSWORTH III
LEEDS, MARTHA COLLINS
LEHMAN, MARYANN KOKUS
LEWIS, ALAN O.
LLOYD, ROBBIN GRAY
LOGAN, KENNETH JOSEPH
LOWEN, DANIEL JARED
LUKE, RAMON EUGENE
LUTTGEN, ROBERT HALL
LYLES, KEVIN SEAN
MAGUIRE, ELIZABETHANN B.
MALONEY, STEPHEN EDWARD
MANN, MICHAEL DAVID
MANSFIELD, PAUL B.
MARBLE, DAVID C.
MARKS, CHARLES FREDERIC, JR.
MARTIN, ROBERT WARREN
MARTIN, WILLIAM B.
MCALILEY, JOSEPH PEYTON
MCANANEY, EDWARD GEORGE
MCAULIFFE, WARREN
MCCAIN, WILLIAM D.
MCCLOSKEY, SEAN K.
MCDONOUGH, TIMOTHY RYAN
MCLAUGHLIN, ROBERT W.
MCMAHON, BARRY JOHN
MCNAMARA, JOHN JOSEPH
MCNAMARA, TERESA BERNADETTE
MCPHILLIPS, THOMAS MORE
MESSENGER, JAMES
MESSERSCHMIDT, JOHN G.
METZGER, ROBERT L.
MICHEELS, SCOTT RAMSEY
MILLER, CHARLES T.
MILLER, EUGENE A.
MILLER, FORREST A.
MINTON, REBECCA HIGHFIELD
MITCHELL, ROBERT HARRISON
MORET, DOUGLAS HENRY
MULVANEY, ROBERT MICHAEL
MURPHY, HARRY A.
NAKAMURA, DONALD FUMID
NEARY, GREGORY DONALD
NICHOLS, HERMAN ARMOUR
NOHE, KATHLEEN ELAINE
OARD, DOUGLAS WILLIAM
ODONNELL, RICHARD B.
OROURKE PATRICK EDWARD
OSLOVAR GEORGE M.
OSTROM PAULA LYNNE
PASSELL DONALD HILLARY
PAVLICK MICHAEL JOSEPH
PEEBLES EDWARD LYNN
PEPPER KENNETH OWEN
PETERSON HARRY EDWIN
PIFER KEVIN JAMES
PILAND VALERIE HINKLE
PLUMLEE RICHARD ALLEN
POTTER, ROBERT ALLEN, JR.
POWELL DAVID ROBERT
PRATTON SAMUEL D.
PROVOW LESLIE ELIZABETH DOU
PUGLIESE PAUL ANDREW
RACOOSIN JOHN MARK
RALPH DOUGLAS RAY
RALSTON DAVID KNIGHT
RAMSAY BRYAN JOHN
REARER THOMAS C. JR.
REDMOND, DONALD DUANE, JR.
REED JAMES NOEL
RICE JOSETTE LESLIE
RICE STEVEN TERRY
RICKERT GARY STEVEN
RING PAUL DUANE
RITCHIE JOSEPH CARLTON JR.
ROBERTSON LYN TAYLOR
ROBLES MARIO JR.
RODGERS PHILIP L.
ROELANT JAMES GREGORY
ROEMER EILEEN JANE
ROSE GEORGE HERMAN
RUDLOFF DENNIS ALLEN
RUIZ FERNANDO A.
RUTH DOUGLAS ALAN
SANFORD JAMES CHARLES
SCHAEFER THOMAS R.
SCHELLER HENRY REINHOLD JR.
SCHEURICH NORMAN CLAIR JR.
SCHLAGHECK DAVID ROBERT
SCHLOSS PHILIP WILLIAM
SCHOCK FEDERICK FORREST IV
SCHOENBERGER CLIFFORD ARTHU
SCHROEDER MARK ALAN
SCHUNK EDWARD ANTHONY
SEABERG RICHARD
SEFFEL GARY ALAN
SHATYNSKI MICHAEL MARK
SHEFFIELD GLENN A
SHERMAN MARK WILLIAM
SHERRILL WILLIAM DALE
SHOTSBERGER PAUL GAHLEN
SIMON DANNIELLE NAN
SIMPSON DAVID MYLES
SMITH ERIC MICHAEL
SMITH KEVIN ROEBLING
SMITH STEVEN DALE
SOBE CRAIG MARTIN
SOLKSHINITZ STEPHEN EDWARD
SPARKS NANCY LYNN
SPELLISSY BRAIN EDWARD
STAHL ERIC SCOTT
STAPP CHARLES PHILLIP
STEELMAN MARK BRADLEY
STEPHAN JOHN AUDLEY
STOLL DARRELL MARK
STOLLE ROBERT J.
STOUFFER JILL WINDLE
SUMNER JAMES GERALD
SWIENTON DANIEL EDWIN
TATE WILLIAM HERBERT
TEAGUE MICHAEL M.
THOMAS KIRK FRANCIS
THOMPSON WILLIAM GREGORY
TINDALL KEITH DAYMOND
TOMB KIMBERLY ANNE
TOPP WALTER STEPHEN
TOURNAS ALEXANDER WILLIAM
TRIPODI JAMES
TROUTMAN BRUCE ALLEN
TRUDE CHARLES REESE
TRUDELL JERRY
TUGGLE WILLIAM COKE
TZITZURA VASLE THOMAS
VANDYKEN ROBERT DEAN
VENOHR BETTY DARLENE WALKER
VINCI DONALD WILLIAM
VORTHERMS DANIEL R.
VOYTEK RICHARD A.
WAGGENER, ANNA THOMPSON
WAGNER, JOHN ARTHUR
WALSH, FRANCES KAY
WARD, BRIAN DEAN
WARDROP, ELLEN ANN
WESTHAUS, RANDALL THOMAS
WESTWOOD, GEORGE EDWARD, III
WILCOX, THEODORE ARTHUR
WILLIAMS, SHARON MORRISON
WILMOTH, DOUGLAS EUGENE
WILSON, DAVID S.
WINTER, DEBORAH KOVACICH
WISEMAN, ROBERT JEFFERY
WOLCOTT, DEBRA JANIELLE
WOOD, RANDEL W.
WOOD, WINSTON D.S.
WOOLWAY, THOMAS MARTIN
WOOMER, JERRY JAMES
WRAY, ROBERT O., JR.
WUESTNER, ROBERT
YABUT, BERNARDO RAMIREZ
ZELLER, BERTRAND LOUIS

UNRESTRICTED LINE OFFICERS (TAR)

To be commander

BEIGEL, LARRY JASON
BELLANT, RAYMOND EUGENE, JR.
BICKERTON, JAMES ALLEN
BOLTON, CLINTON STAFFORD, JR.
BRASMER, TIMOTHY MATTHEW
BRAZIER, DEAN ANTHONY
CARLOCK, M. KRISTINE
CORTES, EDGAR JOHN
DARLING, STEVEN BRADFORD
DILUCENTE, DENNIS JAMES
DOVE, LARRY EUGENE
DUCKWORTH, FREDERICK BRADLEY
DUVALL, GILLIAM ELROY
EAGEN, MICHAEL MARTIN
FARRELL, CHARLES AMBROSE
FERGUSON, MICHAEL PATRICK
FITZGEREL, BETSY A.
HACKETT, PETER MARK
HANSON, WILLIAM DAVID
HORLBECK, JOHN W.
HORSMAN, DOUGLAS EDWARD
HOWELL, ROBERT D., JR.
HRBACEK, MARY JEAN
JOLLY, PHILIP CHARLES
KENNEDY, MICHAEL JAMES, JR.
KNUTSEN, ROBERT ROY
LANDON, JOHN MICHAEL, II
LANE, WILLIAM JOHN
LANGE, ROBERT JOHN
MARTIN, JAMES ROBERT
MARZETTA, DEAN ROBERT
MCMANUS, THOMAS M.
MONTGOMERY, DAVID LEO
MORGAN, BARBARA PALMER
MULDOON, JOHN JOSEPH
NORDMEYER, DOUGLAS STUART
PRINDLE, RONALD WAYNE
RAMIREZ, ADOLF ARVIZU
REZENDES, LORRIE ELAINE
ROBINSON, JOHN WALTON
SANDGREN, DAVID W.
SASSMAN, ROGER WAYNE
SEVERSON, DANIEL MARK
SIDDONS, PHILIP KEMBLE
SINNETT, KEVIN PATRICK
SKIBER, CAROL ANN
SLAVEN, WALTER B.
SMITH, RONALD L.
SMITH, THOMAS G.
TATE, ROBERT JOSEPH
TOEDT, ELIZABETH MARY
WATSON, EDMOND DALE
WATTERS, WILLIAM JOSEPH
WENN, PATRICK ROBERT
WILSON, STEVEN RICHARD
WOLF, JEFFREY GUY
WRIGHT, WILLIAM ALLYN

ENGINEERING DUTY OFFICERS

To be commander

ARCANO, JOSEPH T.
BURNETTE, ROBERT VANCE
CLARK, NEILL VAN
DREHER, LAWRENCE JOHN
ELHOLM, ERLING SIGURD
HAMILTON, STEVEN WILBER
JANIKOWSKY, LINDA CROCKETT
KRAHN, STEVEN LEE
MARTONE, DOUGLAS ARTHUR
NELSON, DREW DOUGLAS
SEEGER, HOWARD CARL
SEXTON, DONALD RAY
SHUGART, TIMOTHY BRUCE
SPOSATO, WILLIAM THOMAS
STIEGELMEYER, GARY LYNN
WELTER, DAVID D.

AEROSPACE ENGINEERING DUTY OFFICERS (ENGINEERING)

To be commander

MATHRE, JOHN MARK
WEIGEL, KURT MITCHELL

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE)

To be commander

CLARK, JAMES MCALISTER, IV
ERICKSON, JAMES HOWARD
MEASE, FRANK BARCLAY
STOLLE, ROBERT CARL
SZALWINSKI, DUANE E.
WITHINGTON, PAUL, II

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE) (TAR)

To be commander

GUMPRIGHT, ROBERT E., JR.
HUNT, EARL RAY
RALSTON, CARL DENNIS

SPECIAL DUTY OFFICERS (MERCHANT MARINE)

To be commander

ALLEN, FREDERIC
HYNES, GEORGE WALTER, JR.
MCKINLEY, WILLIAM MICHAEL
OSBORNE, NORMAN EDWARD
PRADA, GEORGE BARRY
PURIO, WALTER PATRICK
RICHARDSON, JOHN WILLIAM, JR.

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be commander

BONAR, DAVID LINWOOD
GARCIA, VICENTE CHAVEZ
GRIBBIN, JOSEPH JENKINS
LEMLEY, EDWIN PHILLIP
LINDSEY, GARY JAMES
LOPEZ, GORDON K.
PRACK, ARTHUR EDWARD, III
RUTH, EDWARD JAMES
SMITH, GEORGE ALAN
STABACH, CAROLYN MARIE
STILES, RICHARD GLEN
STUBBS, HEIDHAUSEN INES RUTH
VANHISE, JOHN WESLEY
VEATCH, WALTER DANIEL, JR.

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be commander

ACLIN, JOHN J.J.
ALCOCK, HUGH DORSEY, JR.
ATWILL, WILLIAM
BAGGETT, MORRIS EDWARD, JR.
BARDELL, TIMOTHY W.
BELL, RONALD LEE
BENNETT, GERALD LINTON
BEYER, LOUIS JOHN
BRINK, BENJAMIN MCALESTER
BROCKER, KEITH STEVEN
BRUNSON, RONALD BURKE
CARLSON, LAWRENCE ROY
COLEMAN, MICHAEL DENNIS
CONNELLY, JACK PETER
DAMISCH, PETER WHITON
DEROSE, PHILLIP A.
DEVRIES, DONALD CHARLES
DODGE, WILLIAM CHARLES
ERICKSON, MICHAEL LEE
FLOYD, CHARLES THOMAS
FOURNIER, DONNA J.
FRACK, JOSEPH ENGELBERT
FRECHETTE, MELVIN CHARLES
FREUND, GLORIA NMN
FURCHNER, DAVID KEITH
GAYLE, STEPHEN MICHAEL
GILBRIDE, ANN DEBAETS
GRAF, FRED
GRIMSLEY, ELIZABETH BOARDMAN
HAMPSHIRE, DAVID
HAUBNER, MICHAEL JOSEPH
HOFFMAN, CHARLES KURT II
HOLE, CHERYL DENISE
HOLT, KAY MYERS
HUNSAKER, CHRISTOPHER JAMES
HUSTON, JAMES WEBB
JAMES, FRED MORRISON, JR.
KAMRADT, HENRY DWIGHT
KEEGAN, JOHN CHARLES
KELLEY, JAMES WILLIAM, JR.
KIMBERLIN, DENNIS GENE
KNISLEY, HAROLD L., III
KNUTSON, JEFFREY LEE
KOBAYASHI, LARRY SHIGEKI
KOWAL, NORBERT WIESLAW
KREITZER, KEETON KELLEY
KUROWSKI, JOHN M.
LABAK, STANLEY J.
LEGGETT, GREGORY KEITH
LUCCHESI, CARLO LUCA
MANOLESCU, TIMOTHY ALAN
MARBURGER, RANDY VANCE
MARCHANT, BYRON F.
MARLING, GWYNNETH
MARTINEZ, RICHARD PHILLIP
MAYER, GARY JOHN
MCDONALD, GARY WAYNE
MCNEILLY, DENNIS NMN
MEANEY, MICHAEL LAWRENCE
MILHEIM, RUSSELL J., III
MILLARD, BRADLEY JAMES
MILLER, DANIEL PATRICK
MUMMAH, ROGER EUGENE
NELOWET, ALBERT FRANKLIN, III
ODONNELL, RAYMOND VINCENT
OKIMURA, RAYMOND
OLSON, EARLE ZANE
OSBORN, JOHNNY RAY
PACKER, CYNTHIA DEE
PIERCE, DONALD EDWARD
POTOCHNIK, VENTZEL JACOB
QUIGLEY, MARY CATHERINE
RATACZAK, MARK HAROLD
REVEAL, KENNETH HARVEY
RICH, DAVID ALAN
ROBERTS, CHARLES EDWARD
ROBERTS, WILLIAM CHARLES
SCHMITZ, JOSEPH E.
SEVIGNY, THEODORE THOMAS, JR.
SHAY, RICHARD FRANKLIN
SHULTZ, STANLEY PETER
SIEGE, STEVEN THEODORE
SISCO, BARBARA ANDERSON
SMITH, PHILIP JAMES, III
SPRUILL, CLIFTON EARL WILKINS
STONE, ROBERT E.
SUBKO, JEFFREY B.
THIELMAN, KENNETH JAMES
TOOMEY, MICHAEL JOSEPH, JR.
TURNER, BRUCE ERWIN
WHITMER, JOHN KENT
WICKLUND, BUCK
WIEDORN, MACUSHLA M.
WILBUR, DANIEL EUGENE
WILLIAMS, JAMES KENNETH
WITHERS, JEROME B., III

SPECIAL DUTY OFFICERS (INTELLIGENCE) (TAR)

To be commander

MAZZA, RICHARD CHARLES

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be commander

GOLDEN, PATRICK STAFFORD
HARNAR, JAMES ALLEN
HARTSHORNE, CARRIE ELIZABETH
NERUDA, MICHAEL EDWARD
RONZIO, MARGARET JEANNE
WILSON, ANDREW H.
YEAGER, THOMAS ANTHONY
ZAGANO, PHYLLIS

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be commander

FAGEN, RAYMOND ROY
MCNITT, JAMES ALLERTON
SULLIVAN, KATHRYN DWYER

LIMITED DUTY OFFICERS (LINE)

To be commander

SINNOKRAK, ROBERT LOUIS
TSUJIMURA, REUBEN TERUO

IN THE NAVY

THE FOLLOWING NAMED LIEUTENANT COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT

PROMOTION TO THE GRADE OF COMMANDER IN THE STAFF CORPS, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

MEDICAL CORPS OFFICERS

To be commander

BAKER, LEE THOMAS
BARTHOLD, HAROLD JOSEPH
BENDT, ROBERT RICHARD
BESSETTE, RICHARD A.
BLACKBURN, WARREN A.
BOWLER, ULYSSES SIMPSON
BRANNON, CHARLES TRAVIS
BRAY, JACK GALEN, JR.
BREUNER, CORA COLLETTE
BRYSON, BETTY LEE
BURCHMAN, COREY A.
CHAMBERS, MICHAEL EDWARD
CHILTON, BARBARA GENE
CHRISTIANSON, ERIC ELLIS
CICORA, RALPH A.
CLIFTON, CHARLES LAMAR
CORWIN, JAMES HOWELL
COWDIN, HUGH PENDLETON
CRENSHAW, ANDREW HOYT J.
CRISTIN, JOHN L.
DELCAMBRE, JOHN BRUCE
DENNEN, LAWRENCE EDWARD
DEVANEY, KENNETH O.
DEVLIN, MICHAEL FRANCIS
DOHERTY, MARK GERARD
DOLAN, ROBERT PAUL
EDWARDS, THOMAS B.
ELSHIRE, HARRY DONEL, III.
ENGLISH, JAMES F.
ERTL, JANIKA PAUL
FABIAN, DAVID R.
FARR, LARRY DAMON
FARRIS, PHILIP RANDALL
FERRER, EDWARD BARTHOLO
FLANAGAN, JOHN F.K.
FRASER, HUGH ERSKINE
GALLA, JAN DAVID
GARBER, VERA
GEBHART, JAMES RICHARD
GILPIN, ALLEN BRUCE
GLASGOW, GARY DOUGLAS
GLEASON, BARRY
GONZALEZ, JUAN ANTONIO
GOODNOUGH, STEPHEN ROBERT
GRECO, FRANK ANTHONY
GREER, ROBERT COLLINS, IV
HALL, KENT N.
HALL, THOMAS R.
HARDEN, WESLEY RENNIE, III
HARRIS, ANDREW
HEROLD, WILLIAM LEROY
HINKS, ROBERT PAUL
HOFFMANN, DAVID M.
HOLMES, CHERIE A.
HOSINSKI, JEANNE M. GUIN
HUGHES, DENNIS EDWARD
JENTZ, IRENE A.C.
JOHNSON, STEPHEN HARRIS
JUST, NORMA JEAN
KAMENAR, ELIZABETH
KIKTA, MICHAEL J.
KIMELHEIM, ROBERT ALAN
KING, RICHARD WILLIAM
KISER, DONALD RAYMOND
KNAUER, HOPE ELIZABETH
KNOBLOCH, RONALD PAGE
KREUZER, DAN FREDRICK
KUKULKA, RICK ALLEN
LANTELME, BRUCE EDWARD
LEONI, JAMES F.
LIEBERMAN, JOSHUA MITCH
LIVENSTEIN, HARRY PAUL
LOVELESS, ERIC A.
LUI, RAPHAEL
MACKENZIE, NICOL IAN
MALONE, DANNY R.
MARTIN, FRANKLIN MCLAIN
MCCLELLAN, DAVID SCOTT
MCCULLOUGH, TIMOTHY JOH
MCGILL, THOMAS WAYNE
MCNAMARA, WILLIAM HOWAR
MILLER, DAVID OWEN
MILLS, VERN ANDREAS
MONESTERSKY, JESSE HARR
MORECI, JAMES ANTHONY
NEWELL, DONALD EDWARD
ODORIZZI, MARK GEORGE
OLSHAKER, JONATHAN STUA
PALOS, MIGUEL MARTIN
PARTINGTON, JONATHAN PH
PATTERSON, MICHAEL SMIT
PERKINS, TERRY R.
PFEIFER, JOSEPH LAWRENCE
PRIOR, CHARLES A.
PROKOPCHAK, RICHARD
PUDIMAT, MARY ANN
REYNOLDS, CHARLES PATRI
RHODES, DANNY CLYDE
ROBERTSON, DAVID L.
ROUSE, JOE PHILIP
SCHWARTZ, PAUL ERIC
SCOTT, DAVID JAMES
SMIT, JAMES HENRY
SMITHERMAN, KENTON OSBO
SPARKS, ALFRED DAVID
STAGGS, DENNIS RAY
STAINKEN, BRIAN FREDERI
STEVENS, ROM ANTHONY
STROUSE, WAYNE S.
SWALLOW, WILLIAM BRUCE
THORP, ADAM TREDWELL IV
TOMPKINS, JOHN FULTON I
TORP, ERIC CARL
TRESCOT, ANDREA M.
VULGAMORE, JOSEPH M.
WALLERSTEIN, RALPH O. JR.

DENTAL CORPS OFFICERS

To be commander

ADAMS, RANDALL DURRANT
BARD, ROBERT A.
BIALEK, RUTH ANN
BOWMAN, ANNE ELIZABETH
BRIGHTMAN, PETER S.
DICKIE, JON DOUGLAS
DOBYNS, MICHAEL L.
DOLL, BRUCE ALFRED
FABRE, DAVID DOUGLAS
FALCON, PAUL
FASIG, KENNETH MICHAEL
GARRETT, WANDA FAYE
GODBOLD, DAN EARL
HOFF, STEPHEN CRAIG
JOHNSON, JEFFREY ROLAND
KAURICH, MICHAEL JOHN
MAHAN, STANLEY R.
MAMBER, JUDITH SHEILAH
MARLAND, LLOYD WILLIAM
MAZZEO, FRANK JR.
MCCULLAR, BRUCE HAYDEN
MILLER, JAMES LARRY
MOCKNICK, MICHAEL CHARL
MOSSBERG, CARL LUDVIG
MOUNSDON, THOMAS ALBERT
NISHIOKA, GARY JIM
PETRELLA, KAREN MARISE
PHILLIPS, RICHARD JOHN
PUCHER, JEFFERY JOSPEH
SABOL, JOHN G.
SACHS, SCOTT ALAN
STEPHENS, CLAUDE R., JR.
SZYMANSKI, MICHAEL ALLA
THALER, JOHN JOSPEH
THOMAS, THEODORE BRANDO
VOGLER, GERALD LINUS

MEDICAL SERVICE CORPS OFFICERS

To be commander

AHERN, DENNIS E.
ALVAREZ, SAUL SAINT
BARNHART, FRANCIS J.
BARRICK, IVAN JOHN
BASH, DENNIS MURRAY
BECK, HARRY ALAN
BERESKY, CHRISTINE
BEST, CONNIE LEE
CARLSON, ROBERT MARSHAL
CHANCE, GEORGE REDDING
COLE, CHARLES ALLEN
CONGER, REX DALE
DILLON, RICHARD WILLIAM
DUNCAN, GREGORY LEE
FARLEY, RICHARD LEE
FISHER, JAMES LYNDAL
GARCIA, RAYMOND PARRA
GRIGGS, TIMOTHY MONROE
GRUBBS, GENE BOBBITT
HAGER, DEAN DAVENPORT
HASKETT, PRISCILLA ANN
HAZEN, PETER C.
HOBSON, DAVID WAYNE
JACKSON, CHARLES FREDER
JOYAL, JAMES KEVIN
KAHN, KENNETH ROMAN
LEIDIG, GEORGE FRANCIS
MARRESE, MARYLYNN
MATHEWSON, PAUL GARRETT
MCMANUS, CHARLES EARNES
MEYER, LLOYD GARTH
MONROY, MAUREEN ELIZABE
MYNHEIR, KIMBERLY ANN
NORRIS, PETER JUSTIN
O'DONNELL, MICHAEL DENNI
PEDEN, ANN MARIE
REDDAN, MARK JOSPEH
RUSS, CAROL ANN
SMITH, MARK ALLEN
STANFORD, MICHAEL
STATON, BOBBY GERAL
TITUS, CHARLES D.
TYRE, TIMOTHY EDWARD
WATERMAN, CHERYL MARIE
WIESENTHAL, MICHAEL DEN
WILSON, STEPHEN EDD
WISNIEW, JEROME ANTHONY
YOUNGER, ROBERT DALE
ZIGNEGO, CHRISTIAN

JUDGE ADVOCATE GENERAL'S CORPS OFFICER

To be commander

ALESSIO, GEORGE PAUL, JR.
ARAMONY, WILLIAM SAAD
BRADSTREET, RANDI RUTH
BRUDER, DALE RICHARD
BRYAN, JOHNATHAN WERBER
CAPONE, LUCIEN III
CASHION, AMANDA LINN
CASSMEYER, JAMES FRANCI
CAUTHEN, ROBERT HOWARD
COOK, GLEN ANDRE
DAVENPORT, TERESA JOANN
DAVID, JAMES EDWARD
DEAN, ELIZABETH MARGARE
DUNDON, JEFFREY R.
EATINGER, ROBERT JOSEPH
EBERSOLE, EUGENE FRANCI
FABIAN, JOHN ARTHUR III
FRANK, CARL JOHN
FRESHER, BRIAN LEO
GITIN, NEIL FLECK
HILTON, HELEN JEAN
JEFFERY, STEPHEN GLEN
JOHNSTON, DOUGLAS ALAN
JONES, FAYE ERMA
JONES, RANDY KANE
KELLEY, MARYJANE BORGER
LAU GAYLE, JOHN HEEN CH
MEISNER, JOYCE PENNEY
METCALFE, ROBERT DAVIS
METZGER, KENNETH JOHN
MILLER, JAMES ARNOLD
O'BRIEN, MARK ANTHONY
OHANLAN, EDWARD VINCENT
RAFFETTO, SHACKLEY FRED
RIGTERINK, DANIEL PHILL
RINTEL, HOWARD SHELDON
ROBERTSON, MORGAN MCNEE
RUSSE, LAURENCE PRINCE
SABATH, ROBERT PETER
SCALLY, ERIN LOUISE
SHELLEY, HENRY CORNELIU
TEMPLIN, STEVEN HENRY
VOLLENWEIDER, DAVID OTH
WELSH, GEOFFREY SYMONS
WILCOX, BRUCE ANDREW
WILLIAMS, MARK STEPHEN

NURSE CORPS OFFICERS

To be commander

ABELS, IRENE ANN
ABERNATHY, DEBORAH ALLA
ADAMS, CHARLOTTE LEE
ADAMS, KATHERINE ANN
ANDERSON, SUSAN N. WHALE
ASHBROOK, KAY A.
BAILEY, MARY PFIESTER
BALESTRINI, NANCY E.
BLACKBURN, KAREN FOSTER
BRAUN, MAURA MAHON
BRAY, KATHY SUE
BROWN, SHERRY LEE
BURANOSKY, MARYK QUAID
BUSS, DONNA S.
CARL, DOROTHY JEANNE
CERVENKA, BECKY JO
CHENEY, EARL THOMAS, JR.
CLAYTON, BRIAN LEE
CROWLEY, PATRICIA LYNN
CZARNECKI, JOHNGY MARGU
DEMARCHE, LINDA PERRY
DOUGHERTY, JUDITH EMERS
DOUGLAS, NANCY VIOLA
DROLL, MICHAEL ALAN
EARHART, LINDA AMICK
EMERSON, JOEL RAY
FOX, DONNA MARIE
GREENE, JEANNE MARIE
HARDING, MARY ELIZABETH
HENDRICKS, MARY JO
IIAMS, BARBARA ANN
IRVINE, JUDITH DIANE
JONES, ELAINE KATHRYN
JOY, CHRISTINA
KLANCHAR, LYNN ANN
KOSKI, CHERYL LYNN
KOTACKA, MARYJO
LAPPERT, PATRICE ANN
LAUBSCHER, PRISCILLA JE
LAWRENCE, ROSEANN FINUC
MALONE, TRACY ANN
MANN, CAROL PATIENCE
MARINO, JOANNE LOUISE
MATTOCK, KAREN MURPHY
MCCARTHEY, NANCY MARIE
MCKELVY, THERESA MARSHA
MCNAMARA, DIANE MARIE
MCNAMARA, MELVANTE KAY
MELIDOSIAN, VIVIAN G.
MERRILL, SUSAN EMCH
MOLLERE, GAIL ELIZABETH
MOON, MARY VICTORIA
MORAN, VICKY JO
MORENO, CATHY ANN
MURPHY, ROBERT PATRICK
NAYLON, STEPHEN CHARLES
NORRIS, THOMAS JOSEPH
OBRIEN, CRISTINE JO
OGDEN, MARY ETHEL
OSBORN, PAMELA CONNOR
PAYNE, BRENDALEE CONSTA
PENCE, DIANE LYNN
PIERCE, JOHN FRANCIS
POST, DOROTHY J.
PRIOR, GERALYN J.
PUDEN, KAREN
REINHART, CHERYL ANN
RHETTASMITH, ALICE
RICHARDSON, SUSAN STILL
RICHSTEIN, PAULA KATHLE
ROBERS, JUNE MELODY
ROHRET, TERESA JACKSON
RUSSELL, ANN JULIA
SCHAFER, CORA MARIE
SELJESKOG, MARGARET ANN
SESSIONS, CATHERINE PAS
SHEANCRAIG, MONICA MARY
SHEPHARD, CAROL LYNN
SOLBERG, REBECCA ANN
STAUBIN, PAMELA ANN
STEVENS, RENEE MARIE
STILLING, KATHLEEN MARI
STOKKE, CATHY MYERS
SUTTON, SUZANNE SIRES
TAYLOR, JUDITH FRANCES
THOMPSONBOWERS, JEAN EL
TOLER, MELISSA ANN
UNDERDAHL, PATRICIA JO
WARD, AMY ELIZABETH
WARD, DEBRA SUE
WENNER, MARGARET SCHOEN
WESTFALL, SUSAN LYNN
WHEELER, MARY SUE
WINGATE, SUZANNE JOYCE
YOUNG,LARUA MAY

SUPPLY CORPS OFFICERS

To be commander

AHERN, ROBERT E., JR.
ANDERSON, DAVID KEVIN
ANDERSON, NICHOLAS ARVID
BERNETSKIE, JOHN ALLEN
BOYD, DAVID O.
BROWN, JESS EARL
BRYANT, EDWARD EARL
CAUGHEY, STEPHEN R.
COOPER, LAWRENCE OLIN
CRITES, DAVID EDWARD
DAY, DAVID PATRICK
DEASY, JOHN HENRY
DESMOND, LAWRENCE LOUIS
DUTTON, ROBERT RANDALL
EDDY, DANA GORDON
EPPLE, ERWIN LYNN
FERNHOLZ, ROBERT GENE
FLEISCHMANN, STEPHEN RAY
FLUTY, LARRY LEE
FOX, JEFFREY DEAN
GAISSERT, JOHN WALTER
GARDNER, DONNA MICHELE
HAMILTON, STEVEN KEITH
HEILMAN, MARK DAVID
HOLLAND, TONI JEAN
HOLT, DAVID LEE
HORECHNY,MARTIN FLORIAN
HOV, DAVID THOR
HOV, MARY RUTH
JANISCH, JOHN SCOTT
JONES, STEPHEN E.
KORONKA, STEPHEN
KUKLIS, GREGORY MICHAEL
LYNCH, PAUL FRANCIS
MARTIN, ORALEE CAROL
MCAVOY, THOMAS HENRY
MCCORMICK, ROGER ALLEN
MCDIVITT, JOHN DOUGLAS
MCGEADY, MICHAEL JOSEPH
MIKAC, JOSEPH S.
NOONAN, GREGORY WESTON
PASKEY, WALTER JOSEPH, JR.
PENDERGRASS, RUSSELL G.
POTTER, MICHAEL LEO
REDPATH, SHARON HANSEN
RITCHEY, PATRICK ARTHUR
ROGERS, RICHARD MATTHEW
ROTH, ROBERT A.
RUGGIERO, RALPH LOUIS
SCIORTINO, ROBERT CHARLES
SPICER, TERRELL ANN
STAPLES, GARY ROY
STEWART, LEWIS EDWARD
SWINEFORD, MICHAEL CHARLES
TYLOR,TIMOTHY JOSEPH
TELEP, DANIEL NMN, JR.
THIBODAUX, BYRD CLOVIS
VOGT, BRIAN J.
WALSH, SUSAN JOLIE
WATKINS, GUY CARLTON, JR.
WATSON, RICHARD REID
WELTZIEN, BRIAN DOUGLAS

SUPPLY CORPS OFFICERS (TAR)

To be commander

CHRISTIAN, RONALD DWAYNE
COX, THOMAS LEARY
CYPERT, RONALD L.
HAYDEN, MICHAEL JAY
LOVGREN, GARY WAYNE
NIENHAUS, ANDREW M.

CHAPLAIN CORPS OFFICERS

To be commander

ACKER, WILLIAN BLANTON, III
HAMBLIN, GERALD FRANKLIN
HARRIS, HAROLD
HARTMAN, JACK L.
HIGGINS, THOMAS LYNN
IMPERATORE, GEOFFREY ROBERT
KESSLER, GEORGE ALBERT
KRUEGER, HAROLD ALLAN
LARSEN, PETER MICHAEL
MILLS, LADSON FRAZIER, III
RODRIGUEZ, ROBERT JOSEPH
RUSSO, LAWRENCE JOSEPH, JR.
SASSAMAN, ROBERT WILLIAN
SCOTT, BILLY JOE

CIVIL ENGINEER CORPS OFFICERS

To be commander

ALVERSON, JERRY B
BATTLE, MARK ANTHONY
BECKMAN, THOMAS GEORGE
BELL, JAMES MAXSON
CARTER, THOMAS GORDON
CLEBAK, KAROL THOMAS, JR.
CONTI, ANTHONY MICHAEL
FAIST, JOHN ALLAN
FREEMYERS, MICHAEL CARL
GREENWOOD, OLVICE L.
HAYES, LOY SIMMONS, JR.
KEIL, GARY J.
LEAVELL, DANIEL ADELBERT
LEE, DENNIS JUEN
MANROD, WILLIAM ERNEST III
MCVICAR, DOUGLAS J.
MONTGOMERY, THOMAS C.
MOORE, CHARLES LEANDER, JR.
OPITZ, MARTIN EDWARD
PAINTER, WILFRED LEWIS, JR.
SCHRADER, DENNIS R.
SHREVE, JOSEPH ANDREW
SMITH, ALFRED W.
SNOWDEN, RAYMOND DURWOOD
STEPHENSON, DANIEL K.
THIGPEN, WILLARD MCADOO, JR.
WARD, JOSEPH COLLINS
WEATHERS, LAWRENCE G., III
WESTERFIELD, ROBERT ADRIAN
WOOD, RICHARD FRANKLIN
YURICK, THOMAS JOSEPH

IN THE NAVY

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

LINE, USN, PERMANENT

To be lieutenant commander

ALEY, CHARLES L., III
ANDERSLAND, DAVID L.
BAKER, KATHERINE C.
BAKER, STEPHEN M.
BARKUS, ROBERT D.
BEDINGFIELD, ROBIN C.
BREWER, ROBERT A., JR.
BURKE, STEPHEN V.
BUTTRUM, WILLIAM F.
CALANTROPO, RICHARD J.
CARSON, JAMES P.
CLAYTON, MICHAEL J.
COLTON, JAMES K.
CONNORS, CHRISTOPHER G.
CUTTING, RICHARD B.
FORGE, WILLIAM C., II
FOSTER, DAVID B.
GARBER, BRUCE D.
GERAGOTELIS, JOHN M.
GERBERDING, ROBERT K.
GOUGH, JOHN F., JR.
HANKINS, JOSEPH W.
HARRELL, RONALD L.
HOBBS, TIMOTHY L.
HORTON, DAVID B.
JEPSON, JAMES M.
JOHNSON, BRADLEY D.
KEEN, CHARLES T., III
KOACH, DANIEL T.
KUST, BRYAN H.
LAGIER, MARK T.
LEEDS, TERENCE E.
LUCAS, STEVE A.
LYLES, MARIA
MALMSTROM, JAY A.
MAULDIN, PHILLIP C.
MCCLOSKEY, ROBERT M.
MCGARRY, JOHN D.
MERCER, MICHAEL F., JR.
MILLER, JOSEPH R.
MOORE, FREEMAN L., JR.
MOULIN, MARK D.
NEWMAN, ROBERT D.
OBER, ROY A., III
PALA, ANTHONY J., JR.
PALMISANO, GAIL J., F.
PAREDES, ROBERT E.
PURDOM, ROBERT M.
ROLSON, KAREN L.
RYBOLD, EDMUND K., JR.
SHANLE, LELAND C., JR.
SHUMAKER, WESLEY M.
SIMERVILLE, JAMES G.
SPERBECK, JAMES D.
STEVENS, NORA G.
SULLIVAN, GREGORY J.
TINKER, DEBRA A.
TYMAN, ROBERT B.
VANZWIENEN, RAYMOND E.
VAUGHN, WILLIAM A.
VOGEL, MICHAEL T.
WEDDING, THOMAS E.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL CORPS, USN, PERMANENT

To be captain

CARNES, ROBERT S.
LIMJOCO, URIEL R.
OLAFSON, RAYMOND P.
PALEOLOGO, FRED P.
RIVERAALSINA, MANUEL E.
SIMMONS, LEO B., JR.
WILLENBERG, NATALIE A.
YARBROUGH, WILLIAM M.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL CORPS, USN, PERMANENT

To be commander

ABEL, MARK F.
ANDERSON, GARY B.
ANDERSON, RUSSELL S.
BELL, WILLIAM F.
BOCK, GERALD W.
BROWN, DAVID M.
BUCCAMBUSO, TERRY J.
CARPENTER, BRUCE W.
CHETHAM, TAMARA, L.
COCKRELL, JOSEPH R.
CONNITO, DAVID J.
COVEY, DANA C.
DELACEY, WILLIAM A.
DEMARCO, JAMES K.
FLAX, BRUCE L.
FOX, STEPHEN D.
HAWKINS, RICHARD E.
HAWORTH, CHARLES S.
HENDERSON, FRASER C.
JEWELL, EDWARD W., III
JOHNSON, LEONARD A.
KAWESKI, SUSAN
KOEHLER, RICHARD H.
LANDSTROM, JERONE T.
LAROCCO, ANTHONY, JR.
LEBAR, RANDI D.
LUEBBERT, MARILYN M.
MAHER, JOHN M.
MALLARI, JESUS V.
MARTY, AILEEN M.
MCKENNA, PATRICK H.
MENDOZA, TERESITA P.
METH, BRUCE M.
MORISSETTE, JEFFERY C.
NAPIERKOWSKI, STANLEY A.
NEMEC, RICHARD L.
OLSHAKER, ROBERT A.
OVE, PETER N.
PADGETT, DOUGLAS E.
PARFITT, RICHARD C.
ROBERTS, LAWRENCE H.
ROBINSON, DOUGLAS B.
RUSSELL, HOWARD L.
SALMON, RICHARD F.
SAYERS, MICHAEL E.
SHERIDAN, MARK V.
SKEEN, MARK B.
SOVICH, STEVEN M.
SPINGARN, STEPHANIE A.
STEELE, CARL E.
STEWART, FRANCES I.
TIDWELL, JAMES L.
TURTON, DAVID B.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE SUPPLY CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant commander

SUPPLY CORPS, USN, PERMANENT

FLANARY, MICHAEL W.
TISAK, FRANCIS X.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be captain

CHAPLIN CORPS, USN, PERMANENT

LARRIVIERE, MARSHALL R.
ROCK, STEPHEN B.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be commander

CHAPLAIN CORPS, USN, PERMANENT

COYLE, PATRICK P.
GUBBINS, JOHN M.
JONES, ALPHONSO
MILEWSKI, ROBERT F.
MCLAUGHLIN, PAUL F.
SIMONS, GARY G.
SIMS, TIMOTHY C.
SOTO, CHARLES
STAHL, MARTIN R.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant commander

CHAPLAIN CORPS, USN, PERMANENT

ABLESON, BRADFORD E.
ANDERSON, CHARLES J.
BAUSMAN, WENDY L.
BEESON, DAVID D.
BORDEN, RONIE D.
BORGER, THEODORE R.
BROWN, WALTER M., JR.
BROWN, WILLIAM D.
CHAPMAN, RANDALL A.
CHRISTIAN, JAMES R.
CIENIK, KENNETH C.
COOK, THOMAS E., JR.
CRAIG, MICHAEL R.
CRALL, ROBERT L.
DAVIS, ROBERT M., JR.
DEMARCO, GREGORY R.
DILLON, JEROME V.
EGAN, BRENNAN R.
ELLIS, JAMES K.
FERRELL, LARRY P.
FRANKLIN, KENNETH M.
GALLE, JOHN A.
GEFALLER, MARK A.
GERVACIO, ADRIAN R.
GIBSON, DAVID L.
GILBERT, JAMES P., JR.
GRAGG, STEPHEN T.
GRAY, GERALD L.
GWALTNEY, PHILLIP E.
HATMAN, WAYNE D., JR.
HERNANDO, HENRY L.
HOLLEY, HOWARD F.
HUNT, CHRISTOPHER L.
JERGE, DONALD W.
JOSLYN, JAMES W.
KESSLER, CHARLES R.
KRANS, GLEN A.
LANTZ, TIMOTHY S.
LEBRON, ROBERT E.
LEIBOLD, JAMES C.
LOGAN, THOMAS W.S.
MARRERO, EMILIO, JR.
MARSHALL, ROBERT W.
MCCLANAHAN, ROBERT P., JR.
MCCORD, KENT
NGUYEN, AN B.
NIX, DAYNE E.
PAUL, JOSEPH C.
PERDUE, WILLIAM G., JR.
POOLE, JOHNNY W.P.
PURSER, ROBERT D.
QUARLES, CHARLES D.
RANARD, HARVEY E., JR.
RHODES, JEFFREY E.
RICHARDS, ROGER C.
RODES, KENNETH J.
ROSS, DEREK K.
ROYSDEN, DANIEL E.
ROZIER, RENDELL R.
SHUPPERT, WILLIAM T.J.
SILVEIRA, RICHARD J.
SLAGLE, ARTHUR M.
SMITH, STEVEN L.
SMITH, THOMAS R.
THEURER, TIMOTHY L.
TRIMBLE, JEFFERY C.
TWAMLEY, JAMES S.
VANINWAGEN, CHRISTOPHER C.
WADDELL, JERRY A.
WEAVER, BRYAN J.
WEBB, THOMAS E.
WHEATLEY, ROBERT C.
WILDER, DAVID S.
WHEATLEY, ROBERT C.
WILDER, DAVID S.
WILKINS, OLRIC R.
WRIGLEY, PAUL R.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

CIVIL ENGINEER CORPS, USN, PERMANENT

To be lieutenant commander

BEROTTI, JAMES V., JR.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL SERVICE CORPS, USN, PERMANENT

To be commander

HOWELL, WILLIAM

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL SERVICE CORPS, USN, PERMANENT

To be lieutenant commander

BLANKS, JEAN A.
BOBECK, ANN
CHURILLA, ALBERT M.
DUKOVICH, MITCHELL
FORREST, VIRGINIA J.
HEINEMANN, PHILLIP C.
HIGHT, NANCY G.
KUJAWA, KATHLEEN I.
MORASH, ROBERT C., JR.
PARKER, JAMES B.
POPPELL, EDITH Y.
PRICE, MARTIN G.
RADOIU, CHRISTINE M.
SHIRAISHI, DAVID Y.
SLAUGHTER, MARTHA M.
WARD, DEBRA L.
ZAYASHOOD, MARIA, D.A.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

NURSE CORPS, USN, PERMANENT

To be commander

BRENNAN, RAMA F.S.
DRABEK, LINDA C.
GUSTAFSON, CAROL A.R.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

NURSE CORPS, USN, PERMANENT

To be lieutenant commander

ALBARES, PAUL L.
COPPAGE, LISA J.
DAVIS, BRIAN L.
JONES, KAREN M.
MILLER, KENNETH P.
MILLER, MICHAEL A.
MURPHY, MARY A.
PETERS, GLYNDA S.
PHILLIPS, REBECCA A.
RIEGLE, ANNA R.
SERBIN, KATHRYN M.
TATE, DOREEN E.

HOUSE OF REPRESENTATIVES—*Tuesday, October 19, 1993*

The House met at 11 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We remember those near and dear to us, O loving God, that You would keep them in Your care and support them by Your spirit. In the quiet solitude of our own hearts we place before You the names of our family, our friends and colleagues, all those about whom we care, and we pray that You will endow them with every blessing and confer upon them the confidence of Your benediction. May each of us come to experience the assurance of Your grace, the promises of love and life, and the glory of eternal hope and peace. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio [Mr. HOBSON] please come forward and lead the House in the Pledge of Allegiance.

Mr. HOBSON led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair announces that it will limit to 10 Members on each side requests for 1-minute recognition.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

> H. Con. Res. 160. Concurrent resolution to correct the enrollment of H.R. 3123.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2446) "An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.", and that the Senate agrees to the amendments of the House of Representatives to the amendments of the Senate numbered 1, 4, 6, 7, 9, 11, 13, 17, 20, 23, 24, 25, 26, 27, 28, 29, 38, 40, and 42, to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2518) "An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes.", and that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 6, 11, 15, 23, 24, 34, 41, 49, 54, 57, 58, 65, 68, 69, 74, 92, 104, 108, 111, 117, 123, 124, 129, and 133, to the above-entitled bill.

THE SSC JURASSIC PORK MAKES A COMEBACK

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, earlier this summer I stood in this well and spoke about Jurassic Pork, the superconducting super collider. This House voted overwhelmingly, 280 to 150, to kill the funding for the super collider.

That vote represented the single largest spending cut in any appropriations bill this year.

Unfortunately, Mr. Speaker, this Jurassic Pork is far from being extinct. Through a labyrinth of parliamentary trickery, this SSC has again reared its dinosauric head. Today we have a chance finally to kill the largest piece of pork in the Federal budget. Huge cost overruns, with out-of-control spending by the contractor, have wasted millions of taxpayer dollars.

Many of my colleagues point to their own budget-cutting votes and to their zeal in cutting the budget to the tune of hundreds of thousands to a few million dollars.

This, Mr. Speaker, is a chance to kill $13 billion of Federal spending. I ask the Members of the House to vote "no" and kill the superconducting super collider.

BLURRED FOREIGN POLICY, CONGRESSIONAL INTERFERENCE POINT TO CONSTITUTIONAL CRISIS

(Mr. BOEHNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHNER. Mr. Speaker, we appear to be on the verge of a constitutional crisis in this country. The President's power and responsibility to execute our Nation's foreign policy is being encroached upon by the legislative branch in ways that threaten to weaken the Office of the Presidency, and blur the lines that separate our branches of Government.

The inept conduct of our Nation's foreign policy, by a President who was largely untested on this subject during his campaign for office, has brought an outcry from the American people and a power-grab by some Members of Congress. The vacuum left by a visionless foreign policy that better resembles a teach-in by U.N. bureaucrats than a sovereign superpower, is being filled by voices on this end of Pennsylvania Avenue that have no business micromanaging affairs of state.

Mr. Speaker, the Congress rightfully should advise and speak its mind on issues of national interest. However, only one voice should be heard beyond our water's edge—and the responsibility for that voice should fall squarely on the President's shoulders. In the interest of this and future Presidents, the Congress should stay out of these matters of state and permit the Commander in Chief, and the American people, the clear lines of accountability that our Founding Fathers, intended.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS FOR FISCAL YEAR 1994

(Mr. COPPERSMITH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COPPERSMITH. Mr. Speaker, I rise today in opposition to the conference report on energy and water appropriations for fiscal year 1994. I particularly object to increased funding for an unnecessary, expensive, and potentially dangerous breeder reactor, the advanced liquid metal reactor [ALMR].

But I do not oppose the conference report based simply on one program. I have a broader concern. This report undermines both bodies' attempts to make responsible deficit reduction choices.

During and after the budget debate some Members, and even the Democratic caucus itself, mentioned cuts made by this House, such as the ALMR, in speeches and letters to constituents to show a commitment to cutting spending. But we make these hard choices in vain when conferees do little to uphold the will of the House they represent. The urgent need for deficit reduction dictates that conferees should adopt the lower approved funding level for many programs on which the two bodies disagree. Instead, this conference committee has chosen the higher number in 11 of 14 cases of disagreement on Department of Energy civilian programs. The final result of this conferencing up is that bill before us contains more total spending than either body's original bill.

Members cannot creditably claim to heed the call to cut spending first if we allow the process to undermine our efforts. Let us send the message that hard-won deficit reduction is too important to be sacrificed for expediency when final deals are done.

Mr. Speaker, I ask the Members to vote "no" on the conference report in its current form.

APPOINTMENT AS MEMBERS OF THE HOUSE OF REPRESENTATIVES PAGE BOARD

The SPEAKER. Pursuant to section 127 of Public Law 97-377, the Chair appoints as Members of the House of Representatives Page Board the following Members of the House:

Mr. KILDEE of Michigan; and

Mr. TOWNS of New York.

APPOINTMENT TO THE ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The SPEAKER. Pursuant to the provisions of section 491 of the Higher Education Act, as amended by section 407 of Public Law 99-498, the Chair appoints on the part of the House, Mr. Thomas A. Butts of Ann Arbor, MI, to the Advisory Committee on Student Financial Assistance to fill the existing vacancy thereon.

APPOINTMENT TO THE ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER. Pursuant to the provisions of section 2702 of 44 U.S.C., as amended by Public Law 101-509, the Chair appoints the following member to the Advisory Committee on the Records of Congress on the part of the House:

Mr. Richard F. Fenno, Jr., of Rochester, NY.

REAPPOINTMENT AS MEMBERS OF THE MARTIN LUTHER KING, JR., FEDERAL HOLIDAY COMMISSION

The SPEAKER. Pursuant to the provisions of section 4(a) of Public Law 98-399, as amended by Public Law 101-30, the Chair reappoints as members of the Martin Luther King, Jr. Federal Holiday Commission the following Members of the House:

Mr. WHEAT of Missouri;

Mr. SAWYER of Ohio;

Mr. REGULA of Ohio; and

Mr. FRANKS of Connecticut.

APPOINTMENT TO THE TASK FORCE TO MAKE FINDINGS AND RECOMMENDATIONS FOR ENVIRONMENTAL RESTORATION AT MILITARY BASES SCHEDULED FOR CLOSURE

The SPEAKER. Pursuant to the provisions of section 2923 of Public Law 101-510, the Chair appoints Mr. Don Gray of Fort Washington, MD, to the Task Force to Make Findings and Recommendations for Environmental Restoration at Military Bases Scheduled for Closure.

APPOINTMENT AS MEMBERS OF THE BOARD OF VISITORS TO THE U.S. AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of section 9355(a) of title 10, United States Code, the Chair appoints as members of the Board of Visitors to the U.S. Air Force Academy the following Members of the House:

Mr. DICKS of Washington;

Mr. HOAGLAND of Nebraska;

Mr. HEFLEY of Colorado; and

Mr. YOUNG of Florida.

APPOINTMENT AS MEMBERS TO THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The SPEAKER. Pursuant to the provisions of section 3(a) of Public Law 86-380, the Chair appoints to the Advisory Commission on Intergovernmental Relations the following Members of the House:

Mr. PAYNE of New Jersey;

Mr. MORAN of Virginia; and

Mr. SCHIFF of New Mexico.

□ 1110

A TRIBUTE TO MAINE HEROES

(Ms. SNOWE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SNOWE. Mr. Speaker, this past week the State of Maine laid to rest two of its bravest sons, Sgt. Thomas Field of Lisbon and M. Sgt. Gary Gordon of Lincoln. We gave them the tribute and honor these heroes deserved. Both soldiers were killed in heavy fighting in Somalia. Gary Gordon was trying to save the crew of a downed helicopter, which included another Maine soldier, Tom Field, and Michael Durant, who was taken as a prisoner of war.

I'd like to pay homage to these men's courage and to their bravery, and for paying the highest price a nation can ask of its soldiers—to give their lives for their country.

Across the country, in other hometowns, grieving families and friends have also paid their last respects to the other brave men who died. This is a troubling time for our Nation. It is a difficult time for the families of our fallen heroes. These men are the pride of America. They touch the hearts of a nation.

At a similar time of national mourning, Abraham Lincoln said this of America's fallen heroes: "That from these honored dead, we take increased devotion to their cause for which they gave the last full measure of devotion. That we here highly resolve that these dead shall not have died in vain."

From this day onward, each and every one of us here must ensure that the deaths of these men shall not have been made in vain, and that we continue to remember the sacrifices they made for their country in the name of honor, liberty, freedom, and courage.

SUNDRY MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

SUPPORT NORTH AMERICAN FREE-TRADE AGREEMENT

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, with crises in Somalia, Haiti, Bosnia, and Russia, why create another one, Latin America, by rejecting the North American Free-Trade Agreement?

In less than a month, we will be voting on NAFTA. In my opinion, this will be one of the most important votes of this session.

According to a New York Times poll, roughly 50 percent of the American public knows nothing about NAFTA. It is our job to get the word out, that NAFTA will create jobs for Americans.

Unfortunately, we are still hearing a lot of scare stories about U.S. jobs being "sucked" south of the border. Yet, if this is really true, why are Japan and other Asian nations so worried about NAFTA?

According to a recent study by the University of Tokyo sponsored by Japan's Economic Planning Agency, NAFTA will make life more difficult for Japan and Southeast Asia.

NAFTA is a good agreement. Let us not put our heads in the sand by rejecting it.

TERMINATE THE SUPERCONDUCTING SUPER COLLIDER

(Mr. BOEHLERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, later today the House will face a crucial test that will determine whether we are serious about cutting the deficit and whether our words will be backed up with our deeds. I refer, of course, to the vote on the energy and water appropriations conference report. We will offer a motion to recommit with instructions to terminate this superconducting super collider [SSC].

One could hardly ask for a more precise test of the House's seriousness. The energy and water conferees have tried to appease Members' appetite for budget cutting by tossing us a few morsels of pork. But the pork in this report is in reality a red herring—if I may say so—the pork projects in this bill are designed to distract Members and throw them off the trail of their true quarry—giant, low priority, costly, mismanaged projects like the SSC. So today's vote pits pork against purpose.

Todays' vote is a test of whether the House is willing to have its budget cutting efforts sabotaged by a small group of conferees following their own agenda. The House voted overwhelmingly—by 280 to 150—to kill the SSC in June, but the conferees capitulated to the Senate's desire to continue funding. If we accept this action from the conferees then the House amounts to nothing more than a very expensive version of Boys' State—just going through the motions of governing and leaving the tough decisions to others.

Let's show the American people that we're serious about budget cutting. Vote to recommit the energy and water bill and terminate the SSC.

CONSTITUTION DOES NOT SEPARATE GOD FROM AMERICAN PEOPLE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, for decades Girl Scouts have recited a solemn pledge, "To serve God and country." Very simple, very straightforward. But this week the Girl Scouts may change their pledge to one of the following: Option A, to serve Allah, the Creator; or, Option B, a pledge to serve nothing or no one at all.

Mr. Speaker, this is amazing. I think this is going a little too far. The Constitution may separate church and state, but the Constitution never separated God and the American people.

I think this politically correct business is way off the deep end, and, in fact on this issue, it may end up on the Richter scale.

But let me say this: What is next? Will the politically correct begin referring to God as a significant other? By God, beam me up.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RICHARDSON). The Chair reminds individuals in the gallery not to use any manifestation of approval or disapproval.

TRIBUTE TO THE LATE EDWARD LEFFLER

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, today I rise in sorrow over the passing of Edward Leffler.

He was a friend, a person whose positive spirit enriched the lives of all who knew him.

He was a professional whose skill guided the careers of many of music's great contemporary artists including the Beatles, Rolling Stones, Carpenters, Osmonds, and most recently Jude Cole and Sammy Hagar and Van Halen.

But beyond helping stars reach their potential, he created meaningful employment for thousands of working people: lighting technicians, recording engineers, record salesmen and women, ticket takers, and hosts of others behind the entertainment scene—working people who paid their bills, fed their families due to the business sense and leadership skills of Ed Leffler.

Ed was an American entrepreneur of the first order, a loving father to his twins Andrew and Ashley and an anchor of calm and decency in a tumultuous music arena.

He was a good human being who died of cancer. In that he is just a statistic. But as an individual he made his mark, did a professional job that provided entertainment for hundreds of millions and lived an honorable life.

Ed Leffler was much admired by me and many others. He will be missed.

MAWS (MARIN ABUSED WOMEN'S SERVICES) STUDY

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise today to commend the Marin Abused Women's Services in the Sixth District of California for the completion of their groundbreaking study on the role that men can take in preventing domestic violence.

It is particularly timely that the report findings were reported now—during Domestic Violence Awareness Month.

Mr. Speaker, this study is the first of its kind because it examines men's relationship to the problem of domestic violence and outlines steps that men can take to play a role in abuse prevention. Up until now, Mr. Speaker, domestic abuse was viewed as a woman's problem, that required women's solutions. This report challenges that notion, and I encourage all my colleagues to read it.

In addition, Mr. Speaker, Congress can, and must, play a vital role in combating domestic violence. We can start by passing the Violence Against Women Act. I urge my colleagues in both Chambers to cosponsor the bill and work for its passage.

Mr. Speaker, a woman is battered every 15 seconds, or 6 million times each year. Every year, 4,000 women are battered to death. Women's very lives depend on the actions of each of us.

NATIONAL ENDOWMENT FOR DEMOCRACY IMPORTANT FOR AMERICA

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, later today we are going to be facing one of the most important national security votes that we will have in this session of Congress. I am referring to the attempt that is going to be made by my colleague from Pennsylvania to delete funding for the National Endowment for Democracy.

Mr. Speaker, there are some who have argued that bringing about this cut for the National Endowment for Democracy will be very good for deficit reduction. Frankly, using that as a deficit reduction plan sounds like cutting off your arm to successfully bring about a weight loss plan.

We have succeeded in defeating communism in spots throughout the world, but democracy has not yet succeeded. We need to ensure that we maintain funding for this very important National Endowment for Democracy so that Ronald Reagan's dream of ensuring democracy through ballots and not bullets succeeds.

□ 1120

A RESPONSIBILITY TO CUT SPENDING

(Mr. SHARP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHARP. Mr. Speaker, today we face a major test of whether or not the majority is going to rule and cut spending for the people of this country. Not only at stake is the vote on the superconducting super collider that we will hear much about today but also the conference bill on energy and water appropriations has restored total funding, indeed, increased funding for next year for the amount to be spent on the advanced liquid metal reactor, which a large majority of the House of Representatives voted to kill and the administration called upon us to cut.

Mr. Speaker, in addition, this bill, in 11 instances out of 14 differences between the House and Senate, took the highest expenditure level that either House adopted, meaning that there was no intent, no will to make the cuts that we have all been advocating around this country.

The test is to vote to recommit or to reject the conference report on the energy and water appropriations.

UNREALISTIC NUMBERS

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, experts from all corners are already questioning the economic feasibility of the not-yet-final Clinton health plan. The numbers revealed so far just do not add up. One economist concludes the White House may have understated the cost by $300 billion. Top administration officials, including Chief Economist Laura Tyson, privately dismiss the plan's rosy economic predictions—withholding constructive criticism in a show of misguided political loyalty. Entitlement spending already consumes more than 60 percent of our budget galloping ever faster to keep up with ever more promised benefits. Before we spend ourselves into oblivion we need to stop and remember the choice is not Clinton's health plan or no plan at all. There are other better choices—and guess what—we can implement those choices without making ourselves sick with more debt.

KILL THE SUPERCONDUCTING SUPER COLLIDER

(Mr. SLATTERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SLATTERY. Mr. Speaker, earlier this year 280 Members of this body voted to terminate funding for the superconducting super collider. This was the largest single cut in any appropriation bill adopted by this body this year.

Unfortunately, the other body included funding for the super collider in their version of the Energy and water appropriation bill. The conference committee did not include one Member of this body who voted with the huge majority, when it went to conference, to terminate funding for the collider.

It should come as no surprise that the conference committee quickly adopted the Senate position and ignored the will of 280 Members of this body, nearly two-thirds on both sides of the political aisle.

Today we will vote on that conference committee report. Mr. Speaker, we must stick to our position in the House and kill the super collider and save the taxpayers of this country at least $10 billion.

I urge my colleagues to support our efforts to recommit the conference report with instructions to terminate funding for the super collider. This is our chance today to demonstrate to the American taxpayers that we are serious about cutting the deficit and cutting Federal spending. I urge my colleagues to stick to their position.

THE REAL CLINTON HEATH PLAN

(Mr. HOBSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOBSON. Mr. Speaker, once again, there is a big disconnect between what President Bill Clinton says and what President Bill Clinton does. This time, it is on health care. President Clinton says his health plan does not rely on price controls and health rationing. But read President Clinton's plan.

Page 68 of the Clinton health plan, available in bookstores across America, says this: "A provider may not charge or collect from a patient a fee in excess of the fee schedule adopted by an alliance." Translation—the Clinton plan imposes national health care price controls, pure and simple. Health industry analyst J.D. Kleinke, writing in the Wall Street Journal, says the Clinton price controls will "curtail all new drug development for currently untreatable diseases." He says that is, and I quote, "tantamount to euthanasia."

What Bill Clinton says and what Bill Clinton does. Two different things, Mr. Speaker. That is why we need action now on a health plan. Let us enact the Republican health plan, "Action '93."

IN SUPPORT OF NAFTA

(Mr. INSLEE asked and was given permission to address the House for 1 minute.)

Mr. INSLEE. Mr. Speaker, I rise today in support of NAFTA and I'd like to address my comments to those in the House who have concluded that NAFTA would be good for our constituents, good for our working people, and good for the country, but who are concerned because some of our constituents have genuine fears about the plan, in part because of the fear-mongering they have been exposed to.

What I would like to say is that there is an antidote for fear and that is truth. It has been my personal experience that if a Member of Congress shares with their constituents the truth about NAFTA many of those fears are converted to confidence.

When I have gone into townhall meetings and asked my constituents whether they wanted me to knock down Mexican trade barriers so that we could export more to Mexico, and thereby create jobs, they told me unequivocally, "yes." They would want me to vote for such a treaty. Of course, this is exactly what NAFTA does, and when I tell them this they respond with more hope and less fear. We have been sent here to make considered judgments. Many of our constituents haven't had the time or even interest to read this treaty. It is our responsibility to cast more light on this treaty. When we do so we will all agree that Roosevelt was right. "All we have to fear is fear itself," and that the Good Book is right—"Ye shall know the truth and the truth shall set you free."

CLINTON'S "WALDO" HEALTH CARE PLAN

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, I think we should dub the Clinton administration's health plan "the Waldo health care bill." Let me show you why.

There is a lovable little fellow named Waldo. As any of you who have children know, this is a "Where's Waldo?" book. Waldo has made a career out of being very hard to find. This is the Clinton health care plan briefing book. This accompanied the President's address to the Nation on health care weeks ago. Page after page of rhetoric. In both books you will be hard pressed to find the central character. With this health care bill, President Clinton is well on his way to surpassing Waldo in the hard to find, impossible to pin down category.

In fact, the only real difference between the two is that you can rest assured that Waldo is in the picture. If you don't believe me ask any 3-year-old and they'll find him. But, after weeks of waiting, the Clinton health care plan is still not in the picture. If you don't believe me, ask any Member of Congress and they'll tell you they haven't seen it.

Mr. Speaker, it's time to ask the question—where's the bill, Bill?

NATIONAL MAMMOGRAPHY DAY

(Mrs. LLOYD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LLOYD. Mr. Speaker, every year for the past 4 years, National

Breast Cancer Awareness Month has received greater participation and interest. It is clear that this commemorative has been very effective in increasing the public awareness of this disease. But fighting breast cancer is more than just awareness. That is why I am so happy that yesterday the President signed into law a resolution that I introduced designating today as "National Mammography Day."

Mr. Speaker, this is a very important day because it focuses on the early detection of breast cancer. The National Cancer Institute has estimated that there will be a total of 183,000 cases of breast cancer in 1993, with 46,000 deaths.

There is no known cure for breast cancer. Until we find a cure, early detection and treatment is the best chance that we have against its early stages. This is an essential part of our early detection.

At the present time, there is some controversy over the need of an annual mammogram. But as a survivor, I can tell my colleagues that I am living proof that an annual mammogram can save a life.

Yes, our mothers and our daughters and our wives, our sisters are all being diagnosed with this disease rapidly. So early detection can greatly increase the odds of their survival.

I would like to thank President Clinton and my colleagues who helped to make this day possible.

A CALL FOR INVESTIGATION AT DOE

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, how many bureaucrats does it take to change a light bulb?

According to the CBS program "60 Minutes" this past Sunday night, if it is the Department of Energy, it takes 43.

As "60 Minutes" reported that it took two people to actually change the bulb at the DOE Savannah River Plant in South Carolina.

But it took 41 people to write over 300 pages of work orders telling how to go about it.

No wonder that almost everyone except the most liberal among us have lost faith in our Federal bureaucracy to do anything economically or efficiently.

As "60 Minutes" also reported that the Savannah River Plant has over 20,000 employees, many with nothing to do, and producing nothing whatsoever.

That, in spite of this, DOE paid out over $200 million in totally unnecessary overtime.

That, despite the wasteful operation going on there, millions of taxpayer dollars have been paid in bonuses, including $4.7 million in unauthorized bonuses that it took DOE 2 years to discover.

I call on Energy Secretary O'Leary to immediately and personally investigate these very serious charges by "60 Minutes."

☐ 1130

WAKE UP CONGRESS, PEOPLE IN AMERICA VOTE

(Mr. APPLEGATE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. APPLEGATE. Mr. Speaker, farmers are paid money not to grow food, yet 31 million Americans are going hungry. Millions of manufacturing jobs have left the country, yet 36 million Americans are living in poverty. The United States has the best medical technology in the world, and yet, among the industrial nations of the world we are 18th in life expectancy, we are 24th in infant mortality, because it is not available to everybody; and 37 million Americans have no health insurance.

The rich are getting richer, the poor are getting poorer, and yet we are spending and sending billions of dollars more to every other country in the world to help their economic structure, and many in Congress say nothing is broke.

Wake up Congress, the people also vote.

SUPPORT OUR TROOPS

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, over the past weekend, I visited Fort Benning, GA, on the occasion of its 75th anniversary. Fort Benning had much to celebrate, but as I talked with many of the career soldiers, I found their morale is suffering greatly.

Mr. Speaker, as the events in Somalia and Haiti are played out on the international scene, many of these career soldiers are reminded of Vietnam. They know what it was like to return from a political war as heroes on the battlefield but unappreciated at home.

Mr. Speaker, I visited one of our wounded soldiers who is still recovering, at Martin Army Hospital, from his close encounter in Somalia. He was the victim of a political mission gone sour. His colleagues asked me to deliver a message to this Congress: Give us the means and the support and we can accomplish any military mission.

Mr. Speaker, I add my own advice to this Congress and this President. Use the military wisely and with force but do not ask our troops to be politicians. They are proud soldiers who deserve our support in every way possible.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RICHARDSON). The Chair will entertain one additional 1 minute on each side.

FORT BENNING'S 75TH ANNIVERSARY

(Mr. BISHOP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP. Mr. Speaker, I rise to pay tribute to the home of the infantry and the dedicated soldiers at Fort Benning, GA. Fort Benning was established 75 years ago, on October 7, 1918. Since its beginning, Fort Benning has trained our Army's leaders—George C. Marshall, Omar Bradley, Dwight Eisenhower, George Patton, Joseph Stillwell, Colin Powell, and Norman Schwarzkopf. And Fort Benning remains the primary training base for combat leaders—infantrymen, rangers, airborne. Fort Benning's soldiers stand ready to defend human rights and our national security, many paying the ultimate price. World War II and Desert Storm, were won in the classrooms and in the training areas of this Georgian post. In the 1940's, the Big Red One, trained there; as did Patton's 2d Armored Division. The 11th Air Assault Division was activated at Fort Benning, and later merged with the 2d Infantry Division to form the 1st Cavalry Division which gained fame in the rice paddies and mountains of Vietnam. Fort Benning units have served with distinction in Panama, Southwest Asia and are serving in Somalia. I salute Fort Benning, its history and its leaders. I also salute their families who have stood by these men and women during the call of duty. Fort Benning remains a vibrant platform for the projection of America's combat power, wherever, whenever it is needed.

Mr. Speaker, happy birthday to Fort Benning.

ANNOUNCING SPECIAL ORDER ON STATUS OF TROOPS IN SOMALIA

(Mr. DORNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, when I last spoke on the floor Friday afternoon, I said I was going to Somalia, even if I had to fly commercial through Nairobi. Thankfully, Les Aspin, our Secretary of Defense, supported my request for the trip and I was able to hitch a ride on a transport plane headed to Somalia to deliver lumber. I spent about 40 hours in the air to have some time on the ground in Somalia yesterday morning. I will do an hour special order tonight to report on my trip.

One pertinent observation is that we have the finest young men and women in the field ever, equally as impressive as our troops in Desert Storm.

I see my colleague, the gentleman from Mississippi [Mr. MONTGOMERY] on the floor. I would say to the gentleman that all our troops over there ask if we would help make sure that they get the same benefits as the soldiers who served in Desert Storm. They are in combat conditions over there, and we have had 26 men killed in action just since August 8. The least we can do is give them tax-exempt status.

Mr. Speaker, I also said Friday that there was one American body left unidentified, the fourth man dragged through the streets of Mogadishu. He was identified by his mother on Monday night. He is William David Cleveland, Jr., 32 years of age, five children. He was desecrated in the streets of Somalia, but is finally home on his beloved American soil.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2491, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1994

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 275 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 275

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report and amendments reported from conference in disagreement on the bill (H.R. 2491) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes. All points of order against the conference report are waived. The conference report, amendments in disagreement, and motions printed in the joint explanatory statement of the committee of conference to dispose of amendments in disagreement shall be considered as read. It shall be in order, any rule of the House to the contrary notwithstanding, to consider a motion offered by Representative Stokes of Ohio or a designee that the House recede from its disagreement to the amendment of the Senate numbered 113 and concur therein with the amendment printed in section 2 of this resolution. That motion shall be debatable for one hour equally divided and controlled by the proponent and an opponent. The previous question shall be considered as ordered on that motion to final adoption without intervening motion.

SEC. 2. The amendment of the House to the amendment of the Senate numbered 113 is as follows:

In lieu of the matter proposed by said amendment, insert: ": *Provided further*, That, pursuant to Public Law 102-486, an amount equal to not more than 50 percent of all utility energy efficiency and water conservation cash rebates received by the National Aeronautics and Space Administration may be made available for additional energy efficiency and water conservation measures, including facility surveys: *Provided further*, That none of the funds provided in this Act to the National Aeronautics and Space Administration shall be available for other than termination costs of the advanced solid rocket motor program.

"Notwithstanding any other provision of this Act, the amounts appropriated in this Act for fiscal year 1994 shall be: $4,853,500,000 for the National Aeronautics and Space Administration 'Space flight, control and data communications', $517,700,000 for the National Aeronautics and Space Administration 'Construction of facilities', $7,529,300,000 for the National Aeronautics and Space Administration 'Research and development', $1,480,853,000 for the Environmental Protection Agency 'Hazardous substance superfund', $1,998,500,000 for the National Science Foundation 'Research and related activities', and $110,000,000 for the National Science Foundation 'Academic research infrastructure'".

The SPEAKER pro tempore. The gentlewoman from New York [Ms. SLAUGHTER] is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, I yield the customary 30 minutes of debate time to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 275 provides for the consideration of the conference report on H.R. 2491, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994.

The rule waives all points of order against the conference report and against its consideration.

The rule further provides that the conference report, amendments in disagreement, and motions printed in the joint explanatory statement to dispose of amendments in disagreement shall be considered as read when called for consideration.

In addition, unlike the rule which the House considered last week, this rule makes in order, any rule of the House to the contrary notwithstanding, a motion which would allow the House to express its will concerning the advanced solid rocket motor programs. The motion, to be offered by Chairman STOKES or his designee, provides that the House recede from its disagreement to the amendment of the Senate numbered 113 and concur therein with an amendment printed in section 2 of the rule. The motion is debatable for 1 hour equally divided and controlled by the proponent and an opponent. The previous question shall be considered as ordered on the motion without intervening motion.

The amendment to Senate amendment 113 which this rule makes in order states, "none of the funds provided in this Act to the National Aeronautics and Space Administration shall be available for other than termination costs of the advanced solid rocket motor program." By making this motion in order, the rule gives the House exactly what the advanced solid rocket motor program's critics have requested: a specific, clear, and forthright opportunity to expressly end the program.

Mr. Speaker, the conference report on H.R. 2491, the bill for which the committee has recommended this rule, provides $87.6 billion for vital national initiatives, including veterans' health, environmental protection, housing assistance, and space.

We are already 19 days into the 1994 fiscal year. The continuing resolution expires Thursday. I ask my colleagues to support the rule so that we may proceed with consideration of the merits of this vital legislation.

☐ 1140

Mr. QUILLEN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, the gentlewoman from New York [Ms. SLAUGHTER] has ably explained the provisions of the rule.

The focus of debate on this measure has been the ASRM Program, and I would like to remind my colleagues of the other significant programs funded by this bill.

H.R. 2491 provides essential funding for programs to meet the critical needs of our Nation's veterans, and to accommodate the housing requirements of the elderly and the needy.

We need to move expeditiously on this appropriation bill, and I urge my colleagues to vote "yes" on the rule so that we can proceed with consideration of this conference report.

There will be an effort made today to do away with the ASRM Program. I think that it is imperative that we go forward with this measure and get it signed by the President. Our veterans cannot be denied help. We know that we need our HUD programs. We need the various independent agency programs. And I do not know why there would be any opposition to this measure. It would be based only on technicalities, in my opinion.

We must fight to save our Selective Service System. In the case of a national emergency, we cannot let that system go down the drain. And I support the gentleman from New York [Mr. SOLOMON] in his efforts to preserve it and to keep it.

Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank the distinguished Republican chairman emeritus for yielding me this time. I rise to state that I intend to call for a recorded vote on this rule, but it is not because I believe this rule is inherently unfair. I will call a vote to make note of a major inconsistency between the rhetoric of some on the other side regarding Senate legislative amendments and their actions to mitigate this problem.

Mr. Speaker, during nearly 6 months of hearings in our Joint Committee on the Organization of Congress, one recurring complaint stood out. It was made by authorizing committee chairmen who contend that the Appropriations Committee is usurping their jurisdiction by accepting Senate legislative amendments in appropriations conference reports that would otherwise be subject to a point of order in the House.

Mr. Speaker, this is a legitimate problem that needs to be addressed, but I would remind my colleagues that current House rules provide a remedy. For example, clause 2 of rule XX requires that these Senate amendments be brought back to the House for a separate vote in technical disagreement. However, it is the Rules Committee, on behalf of both the authorizing committees and the appropriations committee, that consistently waives points of order against these provisions.

This is the reason I was both surprised and pleased to see a letter that was sent to the chairman of the Rules Committee on October 5 by the chairmen of four major authorizing committees. I will place the letter in the RECORD. In the letter, these committee chairmen state:

> The purpose of this letter is to request that the Committee on Rules not grant any waivers of points of order against clause 2(c) of Rule XXI (prohibiting legislation in an appropriations bill) and clause 2 of Rule XX (prohibiting House conferees from agreeing to the Senate amendments which would violate clause 2 of Rule XXI) for any appropriations conference report.

Guess what, Mr. Speaker. There are 20 Senate amendments in the VA-HUD appropriations conference report which constitute legislating in an appropriations bill, and this rule waives points of order against those provisions.

The distinguished subcommittee chairman, Mr. STOKES, noted that these amendments do not create major policy problems, and that they would have been in order as limitation amendments in the House committee-reported bill.

The first point is open to interpretation, but the chairman is right on the second point, Mr. Speaker. However, because the House did not defeat the motion to rise, these amendments are still in violation of clause 2 of rule XX.

Mr. Speaker, I think it is time for the rhetoric of this issue to be matched by action. If my colleagues are serious about restoring the prerogatives of the House and reducing the number of legislative provisions in appropriations conference reports, then a "no" vote on this rule is the only appropriate vote.

Mr. Speaker, I include for the RECORD the letter previously referred to, as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 5, 1993.

Hon. JOHN JOSEPH MOAKLEY,
Chairman, Committee on Rules, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: As you may know, over the last several years, we have repeatedly raised concerns about the practice of including Senate-added legislative provisions in conference reports on appropriations bills. In that regard, we have appreciated your assistance and consideration of the positions of the authorizing committees. To further resolve those concerns, we offered an amendment to the House Rules which was adopted by the Democratic Caucus and included in the Rules of the House for the 103rd Congress. Under clause (2)(b)(2) of rule XXVIII, the chairman of an authorizing committee with jurisdiction over the legislative matter reported in technical disagreement now has the right to offer a preferential motion to insist on disagreement. We believe that this amendment will help to restore the prerogatives of the House and significantly reduce the number of legislative provisions in appropriations bills. As the House begins to consider the first set of appropriations conference reports under the amended rule, we and other chairmen of the authorizing committees plan to monitor the reports carefully for any inclusion of legislative language.

The purpose of this letter is to request that the Committee on Rules not grant any waivers of points of order against clause 2(c) of rule XXI (prohibiting legislation in an appropriations bill) and clause 2 of rule XX (prohibiting House conferees from agreeing to Senate amendments which would violate clause 2 of Rule XXI) for any appropriations conference report. We believe that any Senate amendments proposing to add legislative language should follow regular order and be brought back to the House for a separate vote on technical disagreement. Providing blanket waivers of points of order, or providing waivers to permit the conference report to contain legislative language, would substantially infringe on the prerogatives of the authorizing committees and vitiate the effect of the amendment to the House Rules adopted by the Caucus and the House early this session.

We appreciate your consideration of this request.

Sincerely,

JOHN D. DINGELL,
GEORGE E. BROWN, JR.,
GEORGE MILLER,
NORMAN Y. MINETA,
Members of Congress.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I thank the gentlewoman from New York for giving me this time.

Mr. Speaker, I rise in support of this rule. But in the amendments and disagreement I will vote for the Senate amendment to fund the Selective Service System. This motion will be offered by the gentleman from New York [Mr. SOLOMON].

Mr. Speaker, really, now is not the time to eliminate the Selective Service System. If this motion by the gentleman from New York [Mr. SOLOMON] is defeated, the Director of Selective Service has told me only yesterday that he will close down the whole system on December 1. In other words, the local boards in your communities are out of business, the State Selective Service offices controlled by the Governor of each State are out of business.

This is a drastic step we are getting ready to take here with only one committee having taken action on this major issue.

I point out also, Mr. Speaker, in the case of an emergency and the Selective Service System had to call up young men, the big problem is with calling up doctors, nurses, and health care professionals. The Director tells me that within 42 days he has the software, the computers and equipment to get these doctors and nurses on board to treat in a minimal conflict where young men are hurt. At this time we do not have the medical professionals to do it. It is a terrible mistake today if we eliminate the Selective Service System, and I hope our colleagues will vote not to do this.

Mr. QUILLEN. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. SOLOMON], the ranking member of the Committee on Rules.

□ 1150

Mr. SOLOMON. I thank the gentleman from Tennessee for yielding this time to me.

I also thank him for his support of the motion that I am to make later on when we take up the VA-HUD and Independent Agencies conference report. My motion will ask this body to recede to the Senate position which would restore the funds to maintain the Selective Service System.

Ladies and gentleman, later on this morning we are going to be taking up the Commerce/State/Justice appropriation conference report. That bill has another amendment in disagreement which deals with the National Endowment for Democracy. When that amendment came on the floor some time ago, I voted to cut the National Endowment for Democracy because I felt that it was not being effective.

I am going to change my vote on NED this afternoon. I am going to support it now because something critical is happening over in the former Soviet Union, in Russia. Elections are being called over there, and the country is standing at the crossroads.

This could be one of the most critical elections in the history of this world. The National Endowment for Democracy is going to be able to utilize its resources to make sure that those elections are fair and democratic. The whole future of the world depends on that.

Ladies and gentlemen, something else depends on that, too, and that is the Selective Service System. My amendment to keep Selective Service System funded failed several weeks ago by just 1 vote, not counting the delegate votes. By one vote, the House decided to abolish the Selective Service System. Since that time, there has been a coup attempt over in Russia. We all know what happened there. We all know what happened in Somalia, where we lost 18 members of our Armed Services in a very, very tragic situation. We know what is happening in Bosnia today.

We need to maintain the Selective Service System.

I do not have to tell you that today we depend on an all-voluntary military. We get a cross-section of American young men and women from all across this country.

Mr. Speaker, since we depend on this all-voluntary military, it is absolutely imperative that our military recruiters be able to define which young men and women are available for the military today.

In many instances, in many schools across the Nation, our recruiters are being denied the ability to go on campus. The only way they have to get the names of young men and women, in order to sit down and explain to them what an honorable career the U.S. Armed Forces are today, is from the list maintained by the Selective Service System.

If we are going to maintain this all-voluntary military, we have to have this backup situation.

I ask Members, when I offer that motion on behalf of myself and the gentleman from Mississippi, Congressman MONTGOMERY, to think about that. Reverse your votes, let us pass this amendment to maintain the necessary funds.

Ms. SLAUGHTER. Mr. Speaker, for the purposes of debate only, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. I thank the gentlewoman for yielding this time to me.

Mr. Speaker, let me read two sentences from this new rule adopted by the Committee on Rules.

First of all, the language that I testified on last week recommending that the Rules Committee adopt, this is the Rules Committee language:

> It shall be in order, any rule of the House to the contrary notwithstanding, to consider a motion offered by Representative Stokes of Ohio or a designee that the House recede from its disagreement to the amendment of the Senate numbered 113 and concur therein with the amendment printed in section 2 of this resolution.

What that means, Mr. Speaker, written in the rule:

> *Provided further*, That none of the funds provided in this act for the National Aeronautics and Space Administration shall be available for other than termination costs of the advanced solid rocket motor program.

As somebody who fought very, very hard against the rule when this came up before, I believe this rule is in order and is a good rule because it does firmly resolve two questions: First, the question of the advanced solid rocket motor, something that the House has spoken to very, very adamantly in the past, with 379 votes against that program on a previous straight up-and-down amendment; 305 votes against that particular program on a rule. We do not want this program going forward on the merits.

It is over budget, and it is not needed from a scientific basis.

Second, Mr. Speaker, I think that the integrity of this institution, of the House, is being listened to by this rule. We have voted so many times in the House of Representatives to kill programs. We send them over to the Senate, and they come back either with the same funding or increased funding.

I think this rule insures that this will go back to the Senate and that the Senate knows that we are firm, we are committed, we are in unison, we do not want this program coming back to the House at all. We have finally put a nail in the coffin and a stake in the heart of the advanced solid rocket motor.

Again, I commend the Committee on Rules for their hard work.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Speaker, I appreciate the gentleman yielding this time to me.

Mr. Speaker, I rise in support of the Stokes amendment to terminate the ASRM, advanced solid rocket motor.

Mr. Speaker, and I wish to commend Chairman STOKES for his outstanding leadership on this difficult issue.

If you were one of the 378 Members of this body who voted earlier this year to terminate the ASRM you can support this rule and the Stokes amendment which the rule provides for.

This is what we have all waited for, for a long, long, time.

At last we have been able to terminate a large, expensive, and wasteful Federal program, one of the few successes in this regard that I can remember.

While many of my colleagues would rather see the $58 million over and above the $100 million provided for the ASRM termination costs go toward deficit reduction, or to stay within the NASA budget, I say to you the Stokes' amendment is the preferred position. Let me explain why.

Let us not deceive ourselves that the $58 million would have gone toward deficit reduction if it had not been transferred to the EPA, the NASP, and National Science Foundation.

Under the House budget rules, that money would not have gone toward the deficit, but rather, would be available for use in other appropriations bills and we all know around here that money available is money used.

Second, the $58 million will go toward worthwhile projects. The NASP is a leading-edge technology in aviation that this country must pursue if we are to maintain our technological superiority in the critical area of aerospace.

And the Superfund in EPA is always in need of resources to work on the backlog of cleaning up the Superfund sites in practically every State.

I wish to raise another point, Mr. Speaker.

If the $58 million in ASRM funding had not been taken out of the NASA budget, there would have remained the possibility that NASA would have come under great pressure to reprogram that money just to keep the ASRM program on life support, thereby allowing the ASRM to survive another day.

The Stokes amendment will preclude that. If we pass the Stokes amendment, the ASRM is dead once and for all.

I urge a "yes" vote on the Stokes amendment.

Thank you, Mr. Speaker.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from California.

Mr. LEWIS of California. I thank the gentleman for yielding to me.

Mr. Speaker, I must say that it is important to me, this Member, that the House know the quality of leadership the gentleman has shown on this issue. He has worked very intently on behalf of the interests of the country, and his district as well. I have great respect for the work he has done. I certainly hope the House recognizes the quality of the work and the level of interest the gentleman has shown regarding ARSM. Without his leadership this rule would not be before us. I certainly respect the work he has done.

Mr. HANSEN. I thank the gentleman from California [Mr. LEWIS] for his kind words, and I thank the gentleman from Tennessee [Mr. QUILLEN] for yielding this time to me.

Mr. QUILLEN. Mr. Speaker, I am delighted to yield 2 minutes to the distinguished member of the Committee on Rules, the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I thank the distinguished chairman emeritus for yielding this time to me.

I am a little troubled by what we heard in the Committee on Rules regarding the disposition of this $157 million that we are supposedly saving the taxpayers by this action that we are going to take up.

Americans may be surprised to hear that we are not actually saving this money. We are not applying this money to reduce our enormous Federal deficit. In fact, the bulk of these funds, at least $100 million and probably more, are going to be needed to close down the program that we are talking about closing down. More than $50 million, under the rule, will be reprogrammed for other, existing programs covered in the bill. So let us be clear about what we are doing: None of the funds we are saving are actually being saved in the way that most Americans define saving—that is, putting money aside to put off debts or plan to save for a rainy day or whatever.

□ 1200

We are not reducing the debt or the deficit. This is not a promised rescission. This is spending $157 million a different way, but it is still spending it. Changing the label does not reduce the debt, and frankly it does not fool Americans.

Instead of focusing on real cuts that will actually save money, President Clinton is talking about major new Federal programs in at least six different policy areas: health care, crime, education, national service, welfare, and job retraining.

These are all important areas. How are we going to pay for them? The President is asking for more and bigger Government. Those things cost lots of money; but if we continue to compute savings from cuts the way it is being proposed to do in this particular appropriations bill, then I say, hold on to your wallets, America, because Uncle Sam and President Bill are going to be coming around one more time and it is going to be higher taxes for all of us, and none of us want that. This is not the way to save money.

Mr. QUILLEN. Mr. Speaker, I urge adoption of this rule.

I think it is so important that this be adopted, contrary to the opposition of some Members of this body. We must protect our veterans. We must encourage HUD to build housing for those who need it. We need to fund the independent agencies included in this measure.

Mr. Speaker, I urge adoption of the rule, and I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. DREIER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceeding on this resolution will be postponed until later today.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2501

Mr. HALL of Ohio. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from New Jersey [Mr. ZIMMER] as a cosponsor of the bill, H.R. 2501.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2519, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 276 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 276

Resolved, That all points of order against the conference report to accompany the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes, are waived. The motions printed in the joint explanatory statement of the committee of conference to dispose of amendments in disagreement shall be considered as read.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER] pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 276 is the rule providing for the consideration of the conference report on H.R. 2519, the Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act of 1994. The rule waives all points of order against the conference report. The rule also provides that the motions printed in the joint explanatory statement of the conference committee to dispose of amendments in disagreement, shall be considered as read.

This legislation, Mr. Speaker, appropriates funds for the Commerce, Justice and State Departments, for the federal judiciary, and for related agencies. The final agreement is fiscally sound while providing needed funds to carry out our responsibilities relating to crime, immigration, competitiveness, and international peacekeeping. This final agreement is $219 million less than the fiscal year 1993 funding level, and $1.5 billion less than was requested by the administration. The report includes five amendments including three small business issues, one relating to the International Trade Administration and one matter relating to the National Oceanic and Atmospheric Administration [NOAA]. All of these amendments have been reviewed and cleared by the authorizing committees.

Mr. Speaker, this is an excellent rule which received unanimous support in the House Rules Committee. I urge my colleagues to adopt it.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, let me first state that there are a number of good provisions in this conference report. To address the problems of illegal immigration along our southern border, it provides for 600 new Border Patrol agents and $40 million for INS detention facilities. In addition, it will allow us to reconsider that ill-fated vote in July to eliminate funding for the National Endowment for Democracy.

The chairman of the subcommittee will ask the House to recede to the Senate amendment on NED and provide $35 million for this important national security program.

Without question, Mr. Speaker, NED will continue to help those struggling to maintain freedom and democracy in Russia, Eastern Europe, the Baltics, and Central America. NED programs are committed to strengthening democratic institutions through ballots rather than bullets. NED is also our best hope for bringing democracy to totalitarian bastions like China, Vietnam, and Cuba.

Despite these programs, Mr. Speaker, I am compelled to ask for a no vote on this rule.

When the Commerce, Justice, State appropriations bill was first reported out of the Appropriations Committee, it followed the Natcher model by going straight to the floor without a rule. I applauded that decision because it meant the bill was considered under the established rules of the House.

Regrettably, this conference report contains a slew of pork-barrel earmarks that violate House rules regarding scope and legislating in an appropriations bill. While I do not want to take these rules violations lightly, I am specifically concerned about violations of rules 20 and 28, which require a separate House vote on Senate nongermane and legislative provisions.

As I mentioned during the debate on the VA-HUD appropriations conference report rule we constantly hear complaints from authorizing committee chairmen that the Appropriations Committee is usurping their jurisdiction by accepting Senate legislative and nongermane amendments. In fact, in testimony before our Joint Committee on the Organization of Congress, the Speaker stated:

> It is difficult sometimes to conclude authorizing jurisdiction with the Senate because of the tendency of the Senate to move these questions through the appropriations process.

Mr. Speaker, this problem will continue to be a source of friction between our two Chambers unless we act to put a stop to it. For this reason, Mr. Speaker, I urge a no vote on this rule.

Mr. Speaker, I include the letter to which I referred earlier in my statement, as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 5, 1993.

Hon. JOHN JOSEPH MOAKLEY,
Chairman, Committee on Rules, House of Representatives, Washington, DC.

DEAR. MR. CHAIRMAN: As you may know, over the last several years, we have repeatedly raised concerns about the practice of including Senate-added legislative provisions in conference reports on appropriations bills. In that regard, we have appreciated your assistance and consideration of the positions of the authorizing committees. To further resolve those concerns, we offered an amendment to the House Rules which was adopted by the Democratic Caucus and included in the Rules of the House for 103rd Congress. Under clause (2)(b)(2) of the Rule XXVIII, the Chairman of an authorizing committee with jurisdiction over the legislative matter reported in technical disagreement now has the right to offer a preferential motion to insist on disagreement. We believe that this amendment will help to restore the prerogatives of the House and significantly reduce the number of legislative provisions in appropriations bills. As the House begins to consider the first set of appropriations conference reports under the amended rule, we and other Chairmen of the authorizing committees plan to monitor the reports carefully for any inclusion of legislative language.

The purpose of this letter is to request that the Committee on Rules not grant any waivers of points of order against clause 2(c) of Rule XXI (prohibiting legislation in an appropriations bill) and clause 2 of Rule XX (prohibiting House conferees from agreeing to Senate amendments which would violate clause 2 of Rule XXI) for any appropriations conference report. We believe that any Senate amendments proposing to add legislative language should follow regular order and be brought back to the House for a separate vote on technical disagreement. Providing blanket waivers of points of order, or providing waivers to permit the conference report to contain legislative language, would substantially infringe on the prerogatives of the authorizing committees and vitiate the effect of the amendment to the House Rules adopted by the Caucus and the House early this session.

We appreciate your consideration of this request.

Sincerely,
JOHN D. DINGELL,
GEORGE E. BROWN, Jr.,
GEORGE MILLER,
NORMAN Y. MINETA,
Members of Congress.

Mr. Speaker, I yield 2 minutes to the very diligent ranking member of the Subcommittee on Commerce, Justice, State, and the Judiciary of the Committee on Appropriations that deals with this issue, my friend and classmate, the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, I thank the gentleman for yielding this time to me. I will be brief.

Mr. Speaker, I rise in strong support of this rule. This bill is a good conference report. It needs to be approved, and I think it is noncontroversial.

□ 1210

Mr. Speaker, I wanted to just say during the discussion on the rule, however, that when the conference report comes up, I am going to take some time, and I hope we can have some other Members come to the floor and discuss some provisions that are in the statement of managers in this conference report that attempt to reform our contribution and our effort with the United Nations, particularly how the United Nations commits America's interests in these various peacekeeping operations around the world.

Mr. Speaker, we are now in 18 so-called peacekeeping operations around the world, including, of course, Somalia and Haiti, and there are more pending. We get billed right now 31.7 percent of the costs, not to mention, of course, the blood that is spilled by Americans and others in these so-called peacekeeping missions.

The conference statement of managers does two or three different things. First, it requires that the administration notify the Congress at least 15 days in advance of when they anticipate voting for another peacekeeping mission in the United Nations. It requires the administration to notify the Congress of the mission that is to be attempted, the goals, the cost, how we are going to get in and how we are going to get out, just so we can plan our budgetary work.

Also the statement of managers states that we are withholding 10 percent of our general contribution to the United Nations until they appoint an inspector general, as we have been insisting they do for years and years, to account for the waste, fraud, and abuse in the U.N. general budget.

In addition, the statement of managers requires the United States to notify the United Nations that we will not pay more than 25 percent of these peacekeeping costs. We are presently billed 31.7 percent. We believe that 25 percent is too much, given the nature of the world's economies, but certainly we should pay no more than 25 percent, which is the amount we pay of the general budget of the United Nations. This bill provides for just that.

So, Mr. Speaker, I urge support of the rule and of the conference report, and I would request that those Members who would like to participate in these discussions about these U.N. peacekeeping efforts, what should be done, the cost, and the like, join in the general discussion when the conference report actually comes to the floor.

Mr. DREIER. Mr. Speaker, I urge a no vote on the rule, and I yield back the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 2445, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1994

Mr. BEVILL. Mr. Speaker, I call up the conference report on the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the rule, the conference report is considered as read.

(For conference report and statement, see proceedings of the House of Thursday, October 14, 1993, at page H7906.)

The SPEAKER pro tempore. The gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes and the gentleman from Indiana [Mr. MYERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. BEVILL].

Mr. BEVILL. Mr. Speaker, I yield 10 minutes of my time to the gentleman from Kansas [Mr. SLATTERY], and I ask unanimous consent that he be allowed to yield time to other Members.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, I yield myself 5 minutes.

Mr. BEVILL. Mr. Speaker, I am pleased to present the conference report on the fiscal year 1994 energy and water development appropriations bill for your favorable consideration. Our colleagues will recall that debate on this bill occurred in the House on June 24, and the bill was passed by a vote of 350 to 73. The Senate passed the bill on September 30 by a vote of 89 to 10.

Mr. Speaker, our conference committee meeting was held on Thursday, October 14. I wish to compliment our friends from the other body, particularly the Senator from Louisiana [Mr. JOHNSTON] the chairman of the Senate subcommittee, for the fine spirit of compromise displayed in the conference meeting. I also wish to thank my colleagues, the House conferees, for their support and their valuable contributions during the conference deliberations.

Mr. Speaker, I would like to address the conference action on the superconducting super collider. During the June debate on the bill, the House voted 280 to 150 to terminate the superconducting super collider. The Senate in September voted to fully fund the superconducting super collider by a vote of 57 to 42.

The conferees took very seriously the vote in both the House and Senate. The conferees, of course, spent more time on this issue than any other in conference. We asked the Senate to recede to the House and they were adamant in their insistence on the Senate position. Like the House, the Senate has a right to their position. In order to eliminate gridlock, we have included the superconducting super collider in the conference and I urge your support.

Since the House and Senate action on this bill, the President, on October 12, pledged his strong support for the project and cited it as a project of highest priority to his administration. In fact, the President called me personally declaring his support. The Secretary of Energy, in a letter dated October 13, urged support of the project and advised of a number of management improvements. The conferees have expressed their intention to hold the Secretary of Energy to a limit on the total cost of the project of less than $11 billion.

Now I would like to comment on other aspects of the conference agreement.

In total the conference agreement is $130,664,000 below the President's budget request, and $26,064,000 below the subcommittee's 602(b) allocation for budget authority.

Mr. Speaker, for the various agencies and programs under the jurisdiction of the Energy and Water Development Subcommittee, the committee of conference recommends $22,215,382,000 in new budget authority. This amount is $130,664,000 below the budget request, $484,938,000 above the House bill and $22,765,000 above the Senate bill.

The conference agreement we present to you today is the culmination of many months of effort on the part of the House committee and the same review by the Senate committee. During this period we have heard testimony from hundreds of witnesses—contained in eight hearing volumes of thousands of pages.

The House considered the Energy and Water Development Appropriations bill on the floor over a 2-day period. The Senate had a total of 47 numbered amendments to the bill. But, within those 47 amendments, there were approximately 400 individual items in disagreement. The conference agreement represents the best efforts of the House and Senate conferees to achieve consensus on each of those items. Many items had to be reduced or changed to accomplish agreement with the Senate. In addition, we had to keep in mind the need to have a bill that was acceptable to the administration.

Your House conferees did their best to maintain the House position. However, to bring back a conference report that is within the budget allocation for the energy and water development programs, a great many items had to be compromised.

We would like more money for energy and the water projects. But, we have only limited funds for these items, and therefore, we cannot provide all of the funds for all of the programs and projects to the extent we would like.

Mr. Speaker, the conference agreement contains $3,907,130,000 in title I for the Army Corps of Engineers. This is $5,777,000 higher than the bill as passed by the House and $26,010,000 below the Senate-passed bill. These funds will finance 556 water resources projects in the planning or construction phase, and provide for urgently needed operation and maintenance activities at completed projects.

For title II, the Bureau of Reclamation, the conferees recommended a total of $910,294,000 which is $2,047,000 more than the House-passed bill and $2,935,000 more than the Senate-passed bill. This will fund 114 water resources projects in the planning or construction phase and provide funds for operation and maintenance of 36 projects.

In my view, the conference agreement provides for a financially prudent and environmentally sound water resources development program.

The conference agreement contains $16,964,840,000 for the Department of Energy programs in title III. This includes $3,223,910,000 for energy supply, research and development activities; $345,295,000 for power marketing administrations; $260,000,000 for the nuclear waste disposal fund; and $1,615,114,000 for general science and research activities. The energy accounts include $347,384,000 for solar, geothermal, hydropower, hydrogen research, and electric energy systems and storage; $341,364,000 for nuclear energy; $347,595,000 for magnetic fusion; and $801,965,000 for basic energy sciences. In addition, funding of $640,000,000 has been provided for the superconducting super collider. The conference agreement provides a total of $10,860,808,000 for atomic energy defense activities. Within this bill, $6,185,653,000 is provided for defense and nondefense environmental restoration and cleanup activities which is an increase of $644,412,000 over the fiscal year 1993 funding level.

Mr. Speaker, the conference agreement includes $433,118,000 for nine independent agencies and commissions in title IV, including the Appalachian Regional Commission, the Nuclear Regulatory Commission, and the Tennessee Valley Authority.

Mr. Speaker, there are several people who made it possible to complete the conference agreement. I want to make special note of the contributions made by two Appropriations Committee staff members. Lori Whipp has worked tirelessly and with incredible skill in putting this conference report together. All of the tables and scorekeeping computations needed to develop this bill were prepared by Tim Buck who consistently works under very tight deadlines imposed by the subcommittee. I would also like to thank Ken Hall, who has been on detail to the Subcommittee on Energy and Water Development from the Corps of Engineers, for his assistance during the entire fiscal year 1994 appropriations process. Lori, Tim and Ken deserve our very special thanks for their help in bringing this bill to the House for its consideration today.

Mr. Speaker, I strongly urge the Members to support the hard work of my subcommittee and pass the conference report and amendments which will be presented to the House.

Mr. Speaker, at the end of my remarks I would like to insert a table in the RECORD which summarizes the financial aspects of the conference agreement.

I would like to call the Members' attention to several minor printing errors in the conference report printed in the October 14, 1993, CONGRESSIONAL RECORD:

On page H7908, column one, under Amendment No. 2, "engineers" should be "engineering"; and "currently" should be "concurrently".

On page H7909, column one, under Amendment No. 4, "authorization" should be "authorized"; "thought" should be "through"; "of" should be "to" and "if" should be "is".

On page H7909, column two, under Amendment No. 4, "are" should be "were".

On page H7947, column two, under Amendment No. 29, "most" should be "more".

On page H7947, column three, under Amendment No. 28, "ractor" should be "reactor".

FY 1994 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 2445)

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF DEFENSE - CIVIL						
DEPARTMENT OF THE ARMY						
Corps of Engineers - Civil						
General investigations	175,780,000	157,800,000	207,540,000	208,544,000	207,540,000	+31,760,000
Construction, general	1,360,503,000	1,206,237,000	1,389,138,000	1,441,167,000	1,400,875,000	+40,372,000
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	351,182,000	343,000,000	352,475,000	348,875,000	348,875,000	-2,307,000
Operation and maintenance, general	1,596,668,000	1,657,700,000	1,691,350,000	1,673,704,000	1,688,990,000	+92,322,000
Regulatory program	86,000,000	92,000,000	92,000,000	92,000,000	92,000,000	+6,000,000
Flood control and coastal emergencies	190,000,000	20,000,000	20,000,000	20,000,000	20,000,000	-170,000,000
General expenses	142,000,000	148,500,000	148,500,000	148,500,000	148,500,000	+6,500,000
Oil spill research	....	350,000	350,000	350,000	350,000	+350,000
Total, title I, Department of Defense - Civil	3,902,133,000	3,625,387,000	3,901,353,000	3,933,140,000	3,907,130,000	+4,997,000
TITLE II - DEPARTMENT OF THE INTERIOR						
Bureau of Reclamation						
General investigations	12,540,000	12,714,000	13,109,000	14,409,000	13,819,000	+1,279,000
Construction program	470,568,000	431,848,000	464,423,000	460,898,000	464,423,000	-6,145,000
Operation and maintenance	274,760,000	282,898,000	282,898,000	282,898,000	282,898,000	+8,138,000
Loan program	4,102,000	5,800,000	12,163,000	13,500,000	13,500,000	+9,398,000
(Limitation on direct loans)	(8,000,000)	(11,636,000)	(18,726,000)	(21,000,000)	(21,000,000)	(+13,000,000)
General administrative expenses	53,745,000	54,034,000	54,034,000	54,034,000	54,034,000	+289,000
Emergency fund	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	....
Colorado River Dam fund (by transfer, permanent authority)	(-6,563,000)	(-7,168,000)	(-7,168,000)	(-7,168,000)	(-7,168,000)	(-605,000)
Central Utah project completion account	....	21,000,000	25,770,000	25,770,000	25,770,000	+25,770,000
Utah reclamation mitigation and conservation account	....	9,850,000	9,850,000	9,850,000	9,850,000	+9,850,000
Central Valley project restoration fund	....	34,000,000	45,000,000	45,000,000	45,000,000	+45,000,000
Total, title II, Department of the Interior	816,715,000	853,144,000	908,247,000	907,359,000	910,294,000	+93,579,000
(By transfer)	(-6,563,000)	(-7,168,000)	(-7,168,000)	(-7,168,000)	(-7,168,000)	(-605,000)
TITLE III - DEPARTMENT OF ENERGY						
Energy Supply, Research and Development Activities:						
Operating expenses	2,527,287,000	2,702,102,000	2,731,464,000	2,818,216,000	2,802,840,000	+275,553,000
Plant and capital equipment	488,506,000	454,070,000	436,170,000	431,070,000	421,070,000	-67,436,000
Total	3,015,793,000	3,156,172,000	3,167,634,000	3,249,286,000	3,223,910,000	+208,117,000
Uranium Supply and Enrichment Activities:						
Operating expenses	1,202,457,000	246,992,000	160,000,000	246,992,000	246,992,000	-955,465,000
Plant and capital equipment	83,863,000	100,000	....	100,000	100,000	-83,763,000
Subtotal	1,286,320,000	247,092,000	160,000,000	247,092,000	247,092,000	-1,039,228,000
Gross revenues	-1,462,000,000	-70,000,000	....	-70,000,000	-70,000,000	+1,392,000,000
Net appropriation	-175,680,000	177,092,000	160,000,000	177,092,000	177,092,000	+352,772,000
Uranium enrichment decontamination and decommissioning fund	....	286,320,000	286,320,000	286,320,000	286,320,000	+286,320,000
General Science and Research Activities:						
Operating expenses	726,162,000	781,264,000	719,785,000	835,187,000	799,187,000	+73,025,000
Plant and capital equipment	691,622,000	804,927,000	474,329,000	779,927,000	815,927,000	+124,305,000
Total	1,417,784,000	1,586,191,000	1,194,114,000	1,615,114,000	1,615,114,000	+197,330,000
Nuclear Waste Disposal Fund	275,071,000	258,028,000	260,000,000	260,000,000	260,000,000	-15,071,000
Isotope production and distribution fund	5,000,000	3,866,000	3,910,000	3,910,000	3,910,000	-1,090,000
Environmental Restoration and Waste Management:						
Defense function	(4,831,547,000)	(5,428,112,000)	(5,185,877,000)	(5,106,855,000)	(5,181,855,000)	(+350,308,000)
Non-defense function	(709,694,000)	(1,003,798,000)	(1,003,798,000)	(1,003,798,000)	(1,003,798,000)	(+294,104,000)
Total	(5,541,241,000)	(6,431,910,000)	(6,189,675,000)	(6,110,653,000)	(6,185,653,000)	(+644,412,000)
Atomic Energy Defense Activities						
Weapons Activities:						
Operating expenses	4,010,209,000	3,350,648,000	3,244,656,000	3,248,930,000	3,248,656,000	-761,553,000
Plant and capital equipment	558,540,000	358,652,000	327,542,000	348,552,000	346,542,000	-211,998,000
Total	4,568,749,000	3,709,300,000	3,572,198,000	3,597,482,000	3,595,198,000	-973,551,000
Defense Environmental Restoration & Waste Management:						
Operating expenses	4,074,490,000	4,767,513,000	4,465,613,000	4,537,278,000	4,552,278,000	+477,788,000
Plant and capital equipment	757,057,000	660,599,000	720,264,000	569,577,000	629,577,000	-127,480,000
Total	4,831,547,000	5,428,112,000	5,185,877,000	5,106,855,000	5,181,855,000	+350,308,000

FY 1994 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 2445), continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Materials Support and Other Defense Programs:						
Operating expenses	2,227,602,000	1,808,970,000	1,729,283,000	1,654,246,000	1,654,246,000	-573,356,000
Plant and capital equipment	390,727,000	336,278,000	317,309,000	309,509,000	309,509,000	-81,218,000
Total	2,618,329,000	2,145,248,000	2,046,592,000	1,963,755,000	1,963,755,000	-654,574,000
Defense Nuclear Waste Disposal	100,000,000	119,742,000	120,000,000	120,000,000	120,000,000	+20,000,000
Total, Atomic Energy Defense Activities	12,118,625,000	11,402,402,000	10,924,867,000	10,788,092,000	10,860,808,000	-1,257,817,000
Departmental Administration:						
Operating expenses	397,876,000	405,922,000	393,458,000	393,458,000	393,458,000	-4,418,000
Plant and capital equipment	7,780,000	8,561,000	7,780,000	7,780,000	7,780,000	....
Subtotal	405,656,000	414,483,000	401,238,000	401,238,000	401,238,000	-4,418,000
Miscellaneous revenues	-318,381,000	-239,209,000	-239,209,000	-239,209,000	-239,209,000	+79,172,000
Net appropriation	87,275,000	175,274,000	162,029,000	162,029,000	162,029,000	+74,754,000
Office of the Inspector General	30,362,000	31,757,000	31,757,000	30,362,000	30,362,000	....
Power Marketing Administrations						
Operation and maintenance, Alaska Power Administration	3,577,000	4,010,000	4,010,000	4,010,000	4,010,000	+433,000
Operation and maintenance, Southeastern Power Administration	32,411,000	29,742,000	29,742,000	29,742,000	29,742,000	-2,669,000
Operation and maintenance, Southwestern Power Administration	21,907,000	33,587,000	33,587,000	33,587,000	33,587,000	+11,680,000
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	326,634,000	352,956,000	292,956,000	277,956,000	277,956,000	-48,678,000
(By transfer, permanent authority)	(6,563,000)	(7,168,000)	(7,168,000)	(7,168,000)	(7,168,000)	(+605,000)
Total, Power Marketing Administrations	384,529,000	420,295,000	360,295,000	345,295,000	345,295,000	-39,234,000
Federal Energy Regulatory Commission						
Salaries and expenses	158,639,000	165,375,000	165,375,000	165,375,000	165,375,000	+6,736,000
Revenues Applied	-158,639,000	-165,375,000	-165,375,000	-165,375,000	-165,375,000	-6,736,000
Total, title III, Department of Energy	17,158,759,000	17,497,397,000	16,550,726,000	16,917,500,000	16,964,840,000	-193,919,000
(By transfer)	(6,563,000)	(7,168,000)	(7,168,000)	(7,168,000)	(7,168,000)	(+605,000)
TITLE IV - INDEPENDENT AGENCIES						
Appalachian Regional Commission	190,000,000	189,000,000	189,000,000	249,000,000	249,000,000	+59,000,000
Defense Nuclear Facilities Safety Board	13,000,000	15,060,000	15,060,000	18,060,000	16,560,000	+3,560,000
Delaware River Basin Commission:						
Salaries and expenses	325,000	333,000	333,000	333,000	333,000	+8,000
Contribution to Delaware River Basin Commission	475,000	488,000	488,000	488,000	488,000	+13,000
Total	800,000	821,000	821,000	821,000	821,000	+21,000
Interstate Commission on the Potomac River Basin:						
Contribution to Interstate Commission on the Potomac River Basin	485,000	498,000	498,000	498,000	498,000	+13,000
Nuclear Regulatory Commission:						
Salaries and expenses	535,415,000	542,900,000	542,900,000	542,900,000	542,900,000	+7,485,000
Revenues	-514,315,000	-520,900,000	-520,900,000	-520,900,000	-520,900,000	-6,585,000
Subtotal	21,100,000	22,000,000	22,000,000	22,000,000	22,000,000	+900,000
Office of Inspector General	4,585,000	4,800,000	4,800,000	4,800,000	4,800,000	+215,000
Revenues	-4,585,000	-4,800,000	-4,800,000	-4,800,000	-4,800,000	-215,000
Subtotal	....	....	....	....	....	....
Total	21,100,000	22,000,000	22,000,000	22,000,000	22,000,000	+900,000
Susquehanna River Basin Commission:						
Salaries and expenses	301,000	308,000	308,000	308,000	308,000	+7,000
Contribution to Susquehanna River Basin Commission	290,000	298,000	298,000	298,000	298,000	+8,000
Total	591,000	606,000	606,000	606,000	606,000	+15,000
Tennessee Valley Authority: Tennessee Valley Authority Fund	135,000,000	138,973,000	138,973,000	140,473,000	140,473,000	+5,473,000
Nuclear Waste Technical Review Board	2,060,000	2,160,000	2,160,000	2,160,000	2,160,000	+100,000
Office of the Nuclear Waste Negotiator	....	1,000,000	1,000,000	1,000,000	1,000,000	+1,000,000
Total, title IV, Independent agencies	363,036,000	370,118,000	370,118,000	434,618,000	433,118,000	+70,082,000
Grand total:						
New budget (obligational) authority	22,240,643,000	22,346,046,000	21,730,444,000	22,192,617,000	22,215,382,000	-25,261,000
(By transfer)	....	....	....	....	....	....

□ 1220

Mr. MYERS of Indiana. Mr. Speaker, I ask unanimous consent to yield 10 minutes to the gentleman from New York [Mr. BOEHLERT], for the purpose of debate and to yield time as he chooses.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. MYERS] will be recognized for 20 minutes, and the gentleman from New York [Mr. BOEHLERT] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our chairman, the gentleman from Alabama [Mr. BEVILL], has explained where we are today and why we are in this condition. Going to conference with the other body is never an easy task. It is not that I am blaming the other body particularly for making it difficult, but a conference is just exactly that, trying to work out differences between the version passed by the House and the version passed by the Senate.

In this particular instance the House conferees were well aware of our responsibility, our charge, that we were obligated, at least morally, to support the House position. I think the House made a wrong decision when 4 months ago it decided to strike the money for the superconducting super collider. It is an expensive experimental vehicle, there is no question about that, but the United States must continue to be on the leading edge on research. If our children and our grandchildren are to continue to be competitive with the rest of the world, we must continue to explore the unknown. Science certainly is an area where we have to continue that research.

However, your conferees felt obligated to defend the House position on the superconducting super collider, which was one which we voted, of course, to eliminate the funds for construction of. I am going to talk about what funds were left in the bill shortly.

Nevertheless, when we went to the conference with the other body, there were some other differences in our bill. Those were more easily resolved than this one. We held the superconducting super collider to the last, and, after discussing it with the Senate in the conference, we broke up for an hour because we were unable to come to any conclusion. So we met separately for an hour, and then we met with them.

The Senate was adamant about retaining the $640 million that they had placed in the bill for the construction of the superconducting super collider. They said they would not give up on that. They said they had passed it easily in the Senate and had some votes in the Senate they had not used. So we were in a position where we were unable to resolve this.

After some considerable discussion with the other body, we came to the conclusion that we would go along with them and bring it back to the House, which is what we have done today.

Now, where are we today with the superconducting super collider? We know that the Government has spent a little over $2 billion at this site in Texas to build this superconducting super collider. We know that Texas has pledged $1 billion. We are not certain about some other foreign contributions. But we have built about 20 percent of the superconducting super collider. That much is completed at this point.

We also know the termination costs would be very expensive. We are unable to determine for certain how much those costs would be, but it is estimated to be more than $1 billion. So if we were to decide today or at some point in the future not to complete the superconducting super collider, we know we are going to have approximately $3 to $3½ billion invested in this and have absolutely nothing to show but a scar, a hole in the ground, and some buildings that have been built. So the termination of this would be expensive to the taxpayer also.

To complete this, we do not know exactly what it will cost, but there have been estimates as high as $11 billion. Secretary O'Leary in the Department of Energy has written us a letter today explaining she is trying to determine those costs. I do not think from the estimates we have been given by her that it will run that high, but we know it will run higher than approximately $8½ billion.

So the Congress today is faced with a situation, do we terminate this and have absolutely nothing left to show for it, or do we continue to build a science vehicle which in the next century will be probably very valuable to the United States?

But make no misunderstanding: If we do not go along with what the conferees have come back with, we will not be saving any money. The House, incidentally, put $220 million in our version for termination costs when it passed this. Assuming it is going to take at least that much next year and more for future years, we will absolutely save no money whatsoever and have nothing to show for it.

I did not sign the conference report because I did feel obligated to defend the House position, even though I do think the House position was wrong. Nevertheless, we will have absolutely nothing to show for this. We will not save any money.

The $640 million the Senate put in, if we take it out and the conference comes back, make no mistake about it, that money will be spent some other way, somewhere else. So those who think you will be saving money for the taxpayer by defeating the superconducting super collider today are wrong. No money will be saved.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, as the ranking member of the authorizing committee on several water projects in this legislation, I rise to commend the chairman and the distinguished ranking member.

Mr. Speaker, I rise to address provisions in the conference report on H.R. 2445, the Energy and Water Development Appropriations Act for fiscal year 1994. I particularly want to express strong support for various water resources projects and programs of the Army Corps of Engineers funded throughout the bill.

First, let me commend the conferees for their efforts. From the beginning, they have cooperated with the Public Works and Transportation Committee, the House's authorizing committee for corps' water resources programs. I especially want to thank members of the House Appropriations Committee. They have worked closely with me and others on the Public Works Committee to include funding to address not only the Nation's water infrastructure needs but those in Pennsylvania, as well.

The conference report includes $10 million for a critically needed environmental infrastructure and resource development program for south central Pennsylvania. The project, authorized in section 313 of the Water Resources Development Act of 1992, would help the corps meet various environmental and economic needs of rural communities. As one of the provision's primary drafters, I can assure members that our intent was for the corps to accelerate normal procedures to get to actual construction as soon as possible.

The conference agreement is consistent with our intent regarding the section 313 program. It is also consistent with language from the House Appropriations Committee report—on H.R. 2445—describing how funds should be spent.

While it provides only $10 million of the $17 million authorized, it will help to get the corps moving in the right direction—beyond preliminary study and planning and swiftly into project construction and implementation. This is not merely study money; it is money to get various projects up and running. While $10 million is less than I had hoped for, $5 million for each of the Chesapeake Bay and Ohio River watersheds will be helpful in meeting the region's enormous needs.

It is important to note, Mr. Speaker, that the conferees specifically rejected the Senate's approach to funding and implementation of the south central Pennsylvania program. The Senate bill had provided only $700,000—barely enough to get the program moving beyond the conceptual stage and certainly not enough to get it moving quickly toward construction. The conferees, however, adopted the House's approach of providing a significant amount of funds from the construction general account to move the program into construction in fiscal year 1994. Therefore, the intent is clear: This program is not to be constrained by drawn-out studies or lengthy preconstruction delays.

Mr. Speaker, I would be remiss if I did not thank Congressman JOHN MURTHA for the invaluable role he has played in both authorizing and appropriating funds for the south central Pennsylvania program. We worked together on the provision in the 1992 act and again in the drafting of funding provisions in this legislation. I appreciate his leadership and help.

I also appreciate the Appropriations Committee's willingness to address other water resources issues in south central Pennsylvania. For example, the conference report provides $400,000 for a watershed reclamation and wetlands pilot project for the broad top region. Also, it appropriates $450,000 for the corps to initiate a comprehensive study of the Juniata River corridor, including a reevaluation of the flood control needs of Tyrone, PA.

To avoid any possible confusion, I should also clarify our intent regarding the Juniata River basin study. The Senate bill included only $250,000—rather than $450,000 as in the House bill—and limited the scope of the study to just the Tyrone component. The conference agreement, adopting the House's approach, provides $450,000 for the Juniata River basin, including the Tyrone component.

Mr. Speaker, I am glad to have had the opportunity to clarify some of the provisions in the conference report. I appreciate the work of the conferees, not only as it pertains to Pennsylvania but also to the entire Nation's water resources and environmental infrastructure.

□ 1230

Mr. MYERS of Indiana. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore [Mr. HUGHES]. The gentleman from Indiana [Mr. MYERS] has consumed 5 minutes.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. FAZIO], who is a key member of this subcommittee.

Mr. FAZIO. Mr. Speaker, I rise in strong support of the conference report on H.R. 2445.

This bill is about our future. It is about being prepared to meet the energy, water, and scientific challenges of the next century. And, it is about being a leader in our world community and here at home.

This bill is about remaining a world leader in high energy physics, that is true. The SSC, however, is only part of that story. There is funding in the bill for the B Factory which will keep this Nation on the leading edge of electron physics and keep the bay area of California a leading center for advanced technologies. There is money in the bill for the main injector at Fermi Lab. Fermi Lab has the highest energy proton colliding beam facility in the world. And with the main injector, Fermi Lab will remain a leader for the foreseeable future.

The conference report also puts our country firmly on a path to resume our position of world leadership in renewable energy technologies. The bill provides a significant boost to each and every renewable energy technology. With enactment of the bill, the Department of Energy will boldly and aggressively help move these technologies forward. The solar and renewable technologies represent the future of energy production, energy production without environmental degradation.

The conference report is also about the future safety of our people and their property. The bill includes over $4 billion in water resource projects in every State and every region of the country. This past summer we saw the devastation that can be wrought by flooding. We saw communities under water and property swept away. This bill is the cornerstone of our Federal efforts to look to the future and moves us in the direction of preventing similar tragedies all across this Nation.

If you have a flood threat or a water resource problem in your district, this bill no doubt provides the only hope of future relief.

Finally, Mr. Speaker, this bill is about setting priorities and living within one's means. We have provided funding for the key energy, science, and water projects, and we have done so within our subcommittee allocation. We are under the President's budget request, under the 602(b) allocation, and under the amount appropriated last year. This is a fiscally restrained bill. We have lived within our limits. We have done our job, and each Member of the House can be proud of that.

This bill is about looking ahead, about making our economy stronger and our communities safer. I strongly urge a yes vote on the conference report.

Mr. BOEHLERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I rise to commend the conferees on the Missouri River mitigation project and other water projects.

Mr. Speaker, this Member would like to express his strong opposition to the conferees decision to again ignore the will of the House of Representatives by restoring $640 million in funding for the superconducting super collider [SSC]. It would be acceptable to fund this massive project if we had the resources, and if it did not delay or prevent other valuable research and development projects; however, despite any assurances to the contrary, that obviously is not the case.

Last year, this Member and others voted in a bipartisan effort to cut funding for the superconducting super collider. Nevertheless, Senate and House conferees ignored this important House mandate and restored funding for the project in the House/Senate compromise legislation. This year, the House again voted overwhelmingly—280 to 150—to kill funding for the SSC, but regrettably, conferees have repeated their indifference to the will of the majority of the House by restoring funding for this enormous project.

This Member has consistently opposed funding for the SSC because it is a project we simply cannot afford. The massive amount of funds the SSC project requires—undoubtedly underestimated like all huge, public works and science projects—will drain funds from other worthy science and research and development programs. In its report entitled, "SSC is Over Budget and Behind Schedule," the GAO notes that 6 years the Department of Energy [DOE] has increased its estimated cost of the SSC project from $5.3 to $8.25 billion. Now, GAO reports—and the Department of Energy recognizes—that cost estimates for the SSC may exceed $11 billion. Mr. Speaker, this Member regrets that this conference report includes funding for the SSC.

Nevertheless, this Member recognizes that the 1994 Energy and Water Development Appropriations conference report for fiscal year 1994 includes funding for several related water projects that are important to many parts of our Nation.

Importantly, the conference report commendably provides funding for two Missouri River projects which are designed to remedy problems of erosion, loss of fish and wildlife habitat, and sedimentation. First, the bill provides $11.8 million for the Missouri River mitigation project. This funding is needed to restore fish and wildlife habitat lost due to the federally sponsored channelization and stabilization projects of the Pick-Sloan era. The islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river largely have been eliminated through the stabilization of the Missouri River. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri, and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed prior to the channelization of these stretches of the river.

Second, the conference report provides $200,000 for operation and maintenance and $74,000 for construction of the Missouri National Recreation River project. This project addresses a serious problem in protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These large erosion rates are a direct result of previous work on the river by the Federal Government.

In addition, the conference report provides funding for the continuation of several studies important to residents of Nebraska's First Congressional District. It provides continued funding for a floodplain study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln, and it enables the completion of a flood control study of the Burt Water Drainage District in Burt and Washington Counties.

Finally, Mr. Speaker, this Member recognizes that the conference report also provides operation and maintenance funding for the Missouri River Water Control Manual as well as funding for Army Corps and Bureau of Reclamation projects in Nebraska's other two congressional districts at the following sites: Wood River; Papillion Creek and Tributaries Lakes; Gavins Point Dam, Lewis and Clark Lake; Harlan County Lake; Salt Creek and tributaries; Prairie Bend and North Loup Division.

Mr. BOEHLERT. Mr. Speaker, I yield myself 2 minutes and 30 seconds.

Mr. Speaker, in just a few minutes there will be a motion to recommit this measure with instructions to terminate funding for the superconducting super collider. This is the most important and most significant test of this body's will to cut unnecessary spending that we will face all year.

The SSC really is not the issue here. The House has already spoken out loud and clear. We voted 280 to 150 to kill the SSC in June, because we felt that we could not afford the project. And what has happened since then?

The Secretary of Energy has raised the cost estimate for the project another $3 billion. It keeps going up and up and up. It started at $4.4 billion. Then it went to $5.9 billion, and we are talking about the taxpayers' money. Then it was up to $8.2 billion. Now it is up over $11 billion. And the end is not yet in sight.

She has also said she will make sure that the Department will stick to the $11 billion figure. We have heard that one before. Our previous Secretary of Energy said that, not one dime over $5.9 billion.

We are up over $11 billion. The collider is not the issue. The issue is whether House Members are willing to stick to their guns or be sabotaged by a small group of Appropriations conferees. The issue is whether we are going to continue to conduct business as usual in this Chamber or whether we are going to change in a way that will reduce the deficit. If we are going to be honest with the American people, that is the issue. The issue is whether the House is a genuine legislative body or merely a very expensive version of Boys' State, just going through the motions of governing and leaving the real decisions to others.

Our motion today will be very targeted. We are going to be very precise. It will save at least $9 billion, my colleagues. We have an opportunity to save $9 billion for the taxpayers.

That can only help other programs, despite the propaganda one hears from the proponents. The gentleman from Indiana [Mr. MYERS] says we will not save any money this year if we terminate the $640 million for the collider, because it will go to other projects. Sure, it will go to other projects, worthy projects. But next year and the year after that and the year after that, $9 billion. That is a day's work well done.

I urge my colleagues to vote their conscience and vote with the American people.

Mr. SLATTERY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, first of all, I want to commend my friend, the chairman of the subcommittee, the gentleman from Alabama [Mr. BEVILL], and the ranking minority member. They have been fair in the way they have dealt with us on this issue. I appreciate that. I thank them for the time that they have given us here today.

Mr. Speaker, 280 Members voted earlier this year, nearly two-thirds on both sides of the political aisle, to terminate funding for the superconducting super collider. That is up from 232 last year.

In the other body, last year, 32 Senators voted to terminate funding for the super collider. This year there were 42 Members who voted "no."

My colleagues, it is clear that the tide is running in our favor. As Members learn more about the super collider, more Members in this body and in the other body do not think it is a good way to spend the taxpayers' money. I hope that we keep that in mind as we vote here today.

We are talking about real money. As has already been pointed out, $9 to $10 billion can be saved for the American taxpayers by eliminating the super collider. So when my friends say we are not going to save very much money, I disagree; $9 to $10 billion is a lot of money.

And to boil this down so that we can understand precisely what this means to our States, we have prepared a printout to show Members, State by State, what the super collider will cost them.

California taxpayers, listen up. This project is going to cost California taxpayers $1.5 billion; Georgia taxpayers, $254 million; Illinois taxpayers, $572 million; Kansas taxpayers, $103 million. That is our share of this super collider project. Michigan taxpayers, $405 million; and New York taxpayers, $940 million. That is their State's share of what this monstrosity is going to cost us.

I cannot explain that nor justify it to my taxpayers, and I do not believe my colleagues can explain it and justify it for their taxpayers.

Let me review just some of the basic reasons why more and more of our colleagues on both sides of the political aisle in both Houses of the Congress are now coming to our point of view.

First of all, the cost, as Members have already heard. We were told it was going to cost $4.4 billion. Wrong. The cost estimate then went up to $5.9 billion and then $8.25 billion, then to $11 billion, and now some people are saying it is going to cost $13 billion. And now the Secretary of Energy tells us, "We don't know what it is going to cost. We will tell you next June, and we will establish a baseline at that time, and we may even recommend terminating it at that time, if we can't build it for what they think we should be able to build it for."

Are we going to continue to be big suckers or not?

Now, in addition to that, we were told that we were going to get $1.7 billion in foreign contributions. We could not find enough suckers around the world to step up.

□ 1240

Today, Mr. Speaker, we have $65 million in the bank from people that probably depend upon us for foreign aid to help fund this project. We do not have anywhere near the $1.7 billion, and we are not going to get it.

Last year the chairman of the Committee on Science, Space, and Technology stood here in the well and said, "If we do not have those foreign contributions, I will oppose the project." I would say to the Members, we do not have those contributions. It is time to stand by our word for a change.

The next point I want to make, Mr. Speaker, is this is the largest single cut in any appropriation bill. I believe, Mr. Speaker, it is time for this body and all the people in this body and the other body also to do something real to cut spending for the taxpayers of this country. We have all said we want to do it. Now we have a chance today to do it.

Two hundred and eighty of us here have already said we do not want to spend money for the SSC. The only reason, Members would flip-flop and vote differently today is because they are worried about a little bit of money in this bill for their districts. This is logrolling. This is pork barreling. It is the very thing that the taxpayers are absolutely livid about.

I urge my colleagues who are thinking about flip-flopping not to do that. I would say to these Members, their project is not in jeopardy if they stand on their principles and vote the way they did earlier this year.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. GALLO], a very valued member of this subcommittee.

Mr. GALLO. Mr. Speaker, I rise today in support of H.R. 2445 making appropriations for energy and water development for fiscal year 1994. As a member of this subcommittee, I would like to thank Chairman BEVILL and ranking member JOHN MYERS for their leadership. I would also like to thank the subcommittee and minority staff: Hunter Spillan, Bob Schmidt, Aaron Edmondson, Lori Whipp, Jeanne Wilson, Michelle Mrdeza, and Doug Wasitis for their expertise and knowledge on these important issues.

This year, as appropriators, we had a difficult task balancing our Nation's energy and water needs due to the fact of tight budget restraints. Even though this is not a perfect report, it is one that will continue to move this country toward energy independence and help to provide the technology base that the United States has enjoyed in the past.

This year's conference report is $132 million below the President's request and $89 million below last year's bill. The subcommittee worked very hard to stay within its 602(b) allocation.

With this conference report we have made a significant long-term commitment to the development of new energy sources for our future needs. Often times we find it very difficult to look to the future for our energy needs. However, we must make the commitment now. We must provide the economic opportunities today. Without this investment we are dooming our future generations to a lower standard of living and less productive lives.

I believe this report takes the necessary step. Within this report we have funded programs that will make this country less dependent on foreign sources of energy. We have funded scientific research that will give us the edge and the capability to take this country into the 21st century.

I am also pleased that the committee increased funding for renewable energy sources. In particular, the committee provided important funding for our solar/photovoltaics and wind programs. The investment in these technologies will allow our country to become the leader in this field.

I also rise today in support of funding contained in the fiscal year 1994 energy and water development appropriations conference agreement for the fusion energy program. I want to express my sincere appreciation to Chairman BEVILL and my colleague Mr. MYERS for their leadership in the area of fusion research and for working with me to secure a fair funding level for all aspects of the program in fiscal year 1994.

I know my colleagues will agree that energy technology development is one of the most important scientific investments that we can make for the future. The outstanding work that is being done by the U.S. fusion research community—in concert with international partners—is a true testament to the application of science and technology to one of the country's most vexing problems: The development of environmentally sensitive energy alternatives for the future. Energy supply limitations, national security considerations, and environmental factors demand that we continue this promising investment.

There is little doubt that the demand for energy will increase significantly over the next few decades as the world population grows and as undeveloped countries gain the tools of economic development. We know that existing power stations are aging and will need replacing. To replace these facilities and to keep pace with the increases in energy demands worldwide, we will need central station power electricity. Generating that much energy without assaulting the environment is one of the most difficult challenges facing our world. Energy research is exactly the kind of investment the Federal Government should be making now, and fusion must be part of our investment strategy. Fusion has the advantage of deriving its fuel from ordinary water. Two inches of Lake Erie could produce more energy through fusion than all the energy in the world's oil reserves. With fusion, we would never run out of fuel and we would never have to go to war for it. There is no acid rain associated with fusion, no greenhouse gases, and fusion's basic waste product is ordinary inert helium gas.

Progress in fusion research and the contributions of plasma physics have been substantial. We are now on the brink of realizing some of the benefits of fusion research, and I am proud that New Jersey plays a leadership role in fusion development. At the Princeton Plasma Physics Laboratory, scientists are preparing to embark on a series of historic experiments this winter that will set world records in fusion power production. In addition, a national team of scientists and engineers are designing the next generation advanced fusion device that will be built at Princeton, and I am pleased that the conferees included a total of $20 million in the conference agreement for the design of this machine, the Tokamak Physics Experiment [TPX].

I am also pleased that this detailed design work will include industrial participation in engineering design and research and development. It is time that industrial partners begin playing an active and strong role in the U.S. fusion program. The Secretary of Energy has assured me that the design contracts will be consistent with standard, phased industrial contracts with options for construction that would permit continuity and allow the project—if it should be approved in the future—to be completed in the most efficient and cost-effective manner.

TPX will push the frontiers of fusion technology in areas like superconducting magnets, low temperature cryogenic systems, nonradioactive materials, and robotics for remote maintenance. TPX's mission is unique in the world fusion program, and it is a smart step for the U.S. fusion program because it will help American industry build more efficient, smaller fusion power reactors. I want these machines to read "Made in the U.S.A." and TPX will help get American industry trained and experienced in fusion technology.

Another very exciting component of the U.S. fusion program is our participation in the international collaboration known as ITER, the International Thermonuclear Experimental Reactor. We are breaking new ground with ITER by working with our partners from the start on this important step in fusion development. Our partners in ITER realize the great potential for fusion energy and the Japanese and European investments in fusion now surpass our own. The Japanese and European programs have the benefit of strong industry involvement. America should move expeditiously to identify a site for ITER, and we should build our industrial base so that American workers can benefit from this exciting energy alternative and future energy markets.

Let me add that I agree with my colleague in the Senate, Chairman JOHNSTON, on the need for ITER negotiations to take a very high priority within the administration. Fusion has always been a bipartisan effort, and I was very pleased that the new administration considers fusion—TPX and ITER in particular—high priority investments. ITER started with Presidents Reagan and Gorbachev; the engineering design protocol was signed under President Bush; and now it is up to the new administration to take ITER a step further—host site identification. The executive branch—the President, his science adviser, the Office of Management and Budget, the State Department—need to move ITER and fusion to the top of their agenda so that progress doesn't stall. ITER negotiations are complicated and time-consuming, and we must continue the good progress that has been made. Congress must continue to do its part, too. The Senate has passed an authorization bill this year, and I will be working with my colleagues to pass a bill in the House as soon as possible.

Attached to my statement is a copy of a recent letter from the Secretary of Energy to Chairman JOHNSTON and Senator HATFIELD about TPX and the importance of moving ahead with design work in fiscal year 1994. The letter illustrates the important role of TPX in the U.S. fusion, and it underscores the importance of TPX to the international fusion program. ITER is a big step forward, but it isn't a smart step without TPX. We need TPX to make ITER and a fusion demonstration reactor smarter and more efficient. The Department of Energy and fusion scientists in this country have mapped out a long-term strategy to develop fusion energy. TPX is the next major domestic step in that plan. When we build TPX at Princeton, it will be the first major fusion machine built in this country since the 1970's. When we turn TPX on early in the next century, it will be the only major fusion device operating in this country.

Our investment in fusion is already paying off. The money is well invested and wisely spent—on an energy source for future generations that is cleaner, safer and more easily available. At the Princeton laboratory last week, one of the scientists—Dr. Russell Hulse—won a Nobel prize in physics for work that he did almost 20 years ago as a graduate student. Steady progress in fusion energy will pay off, too. Just as Hulse's work on astrophysics that begin almost 20 years ago lead to a Nobel prize this year, so too will his work and the work of others in this promising field led to practical fusion power.

In addition, this report provides funding for a number of critical flood control projects throughout the United States. This year was a grim reminder of the devastation that occurs when mother nature lashes out. This has been one of the worse years in U.S. history for flooding.

The projects contained in this report will help to prevent property damage and loss of life in areas with recognized flooding problems. But even more important, this report includes projects that will prevent floods from occurring. The proper planning done by the Army Corps of Engineers has proven to be very effective. Even with the devastating floods that occurred in the Midwest this year, Federal levees and dikes held. The Army Corps is to be commended for their dedication and hard work.

This is a good conference report. Preparing for our future needs is never easy, but H.R. 2445 provides the insight and programs that will make it a little easier. I urge the adoption of this important report.

Mr. Speaker, I include for the RECORD a letter to Senator J. BENNETT JOHNSTON, September 22, 1993, from Secretary O'Leary:

THE SECRETARY OF ENERGY,
Washington, DC., September 22, 1993.

Hon. J. BENNETT JOHNSTON,
Chairman, Subcommittee on Energy, and Water Development, Committee on Appropriations, United States Senate, Washington, DC.

DEAR MR. CHAIRMAN: This is a follow up to a meeting held September 8, 1993, in which you were briefed by the Department on our plans for United States participation in the International Thermonuclear Experimental Reactor program. The Department of Energy regards the International Thermonuclear Experimental Reactor as setting a standard of excellence for carrying out a collaborative international scientific endeavor, and we appreciate your interest and support.

I understand there was a candid and productive discussion of this program. However, my staff also reported that you see a need to delay our domestic initiative, the Tokamak Physics Experiment, until international agreement has been reached on beginning construction of the International Thermonuclear Experimental Reactor.

We strongly urge you to support our full $20 million request for continued design of the Tokamak Physics Experiment for the following reasons:

(1) The Tokamak Physics Experiment constitutes a forward-looking step for the United States fusion program and addresses issues in improved tokamak design and pulse length that go beyond the International Thermonuclear Experimental Reactor mission. It represents an experimental focus for the United States fusion program at the beginning of the next century when existing experiments will have been fully exploited.

(2) The Tokamak Physics Experiment has been conceived in such a way that it will be able to provide critical guidance for the operation of the International Thermonuclear Experimental Reactor. The size and scale of the International Thermonuclear Experimental Reactor enterprise as such that operational improvements derived from the tokamak design could save time and money.

(3) Another objective in the Tokamak Physics Experiment is to bring United States industry into the project very early in the design phase, in part to incorporate industrial manufacturing knowledge, but more importantly to provide an opportunity for technology transfer as the United States prepares to participate in the International Thermonuclear Experimental Reactor construction. Also, some of the technologies concerned, such as superconductivity, robotics, and computer control systems, have relevance beyond fusion.

(4) The proposed fiscal year 1994 budget of $20 million for the Tokamak Physics Experiment already constitutes a minimal start on preliminary design activities for the project. These funds are needed in order to continue the present design efforts, to bring industrial contractors into the design team, and to begin research and development that is needed to validate the design concepts.

From the beginning, the International Thermonuclear Experimental Reactor was designed to ensure equal participation from the four partners. With this concept of parity and shared responsibility, it represents an international endeavor that is already breaking new ground on both technical and political horizons. However, international agreement to begin construction will take considerable time even with the best intentions of all the participants.

The Tokamak Physics Experiment, on the other hand, is ready to move forward, and I urge that we continue the design process. This experiment will provide the United States with the technical basis to be a productive partner in a future international fusion program. Failure to proceed with the Tokamak Physics Experiment at this time will be perceived as a sign of weak resolve on the part of the United States fusion program and, thereby, will undercut our participation in the International Thermonuclear Experimental Reactor.

Again, the Department values your continued support of the International Thermonuclear Experimental Reactor project.

Sincerely,

HAZEL R. O'LEARY.

Mr. BOEHLERT. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], a senior member of the Committee on Science, Space, and Technology.

Mr. SENSENBRENNER. Mr. Speaker, the gentleman from Kansas [Mr. SLATTERY] was most eloquent in stating why this conference report should be voted down. The fact is that in 1990 this House, through the passage of legislation, set a base line of a maximum contribution of $5 billion for the superconducting super collider. It is now quite evident that the total Federal contribution, in order to get this job done, will be way, way over the amount because of the failure of the super collider management to accurately assess what the costs were, a lack of leadership by the Department of Energy, in both the Clinton and Bush administrations, to level with the public and with the Congress on how much this would cost, as well as an abject failure to get any foreign contributions that amount to anything.

The time has come to put the lid on further expenditures. We are hemorrhaging expenditures in superconducting super collider. This project does not deserve another year's grace by the Congress continuing to appropriate it. The only way parlimentarily that we will be able to stop expenditures for the SSC is to recommit this conference report, either with or without instructions, to the committee on conference, and for this House to give the message loud and clear to the conferees that they have got to ax the costs for the superconducting super collider if they wish to get this conference report passed.

I do not think anybody's pet project is in jeopardy, for those who want to be consistent in voting against the super collider. The time has come to say, "Enough is enough on this project." We are going to have to stand up, be tall, be consistent, and be counted on the motion to recommit.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. MURTHA].

Mr. MURTHA. Mr. Speaker, I notice that people are against the project as pork barrel, and it has a lot of problems, and we do not really talk about the project, we just talk about all the excesses.

One of the things I would like to point out, and I think it is important, when I went out there to visit this project, and I was concerned before I went to visit it, I was not sure exactly what the focus of the project was. After talking to the scientists and after thinking about what had happened from, say, SDI, the gentleman from Massachusetts [Mr. MARKEY] said to me the other day the valuable, phenomenal communications results that we see today have all come from SDI.

I know it is tough to vote for R&D when the budget is so tough, but I would hope that the Members today would consider how important this type of basic research is to the country, and I would hope that they would support this conference report, which has been so delicately worked out.

We did the same thing last year. The Senate passed it and we defeated it. I hope that the Senate will prevail this time.

Mr. BOEHLERT. Mr. Speaker, I yield 1 minute to my colleague, the gentleman from California [Mr. ROHRABACHER], a member of the Subcommittee on Technology, Environment and Aviation of the Committee on Science, Space, and Technology.

Mr. ROHRABACHER. Mr. Speaker, today we are debating the superconducting super collider and we are also debating the budget. We are debating the level of deficit spending this country will have.

Mr. Speaker, we are talking about an $11 billion project. What is the purpose of this $11 billion project? When we have interviewed the scientists on the Committee on Science, Space, and Technology, the answers I get from them is, "We are spending this money to achieve a better understanding of the universe," $11 billion for a better understanding of the universe.

With the $11 billion spent on this project, we could build a fusion energy plant that would develop this new technology and give something real to mankind. We could develop technology that would make the air cleaner or our lives better, or we could bring down the level of deficit spending by not spending the money. This country is already spending $300 billion more per year than we are taking in. Talk about being doomed, we are doomed, our economy is doomed, if we cannot get ourselves to say no to projects like this that are totally unnecessary.

Mr. Speaker, I say vote "no" on the motion and vote "no" on the super collider.

The SPEAKER pro tempore (Mr. HUGHES). The Chair would advise the Members that the gentleman from Indiana [Mr. MYERS] has 12 minutes remaining, the gentleman from Alabama [Mr. BEVILL] has 10 minutes remaining, the gentleman from Kansas [Mr. SLATTERY] has 6 minutes remaining, and the gentleman from New York [Mr. BOEHLERT] has 4½ minutes remaining.

Mr. MYERS of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. QUILLEN], a senior Member of this House and of the Committee on Rules.

Mr. QUILLEN. Mr. Speaker, I thank the gentleman from yielding time to me.

Mr. Speaker, I would like to enter into a colloquy with the distinguished floor manager of the bill. As the gentleman knows, the House committee report on the bill references a decision pending before the Department of Energy on whether to transfer certain highly enriched uranium fuel from the Portsmouth, OH, uranium enrichment facility to Oak Ridge, TN. The language notes the committee's concern about the effects of a transfer on the Portsmouth facility's employees and urges that, in the event of a transfer, retraining and relocation services should be provided to the affected employees. In light of that language, I would like to ask the gentleman a question. Was it the committee's and the conferees' understanding that, notwithstanding the concern expressed, the decision on whether to transfer the fuel would be left to the Department of Energy and that the Department is to make that decision taking into account all relevant factors, including the impact of the decision on employment in both Ohio and Tennessee?

Mr. BEVILL. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Speaker, I would say to the gentleman that that was, indeed, our intention.

Mr. QUILLEN. As I understand it, then, it was neither the committee's nor the conferees' intent to attempt to influence the department's decision on whether a transfer should be made. Is that correct?

Mr. BEVILL. The gentleman is correct. The intent was to be neutral on that question and to leave it to the Department to make the decision based on all relevant public policy considerations.

Mr. QUILLEN. Mr. Speaker, I thank the gentleman.

□ 1250

Mr. SLATTERY. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, earlier this summer I stood in this Chamber and spoke about Jurassic pork, the superconducting super collider. This House voted overwhelmingly, 280 to 141, to kill funding for the SSC. That vote represented the single largest spending cut in any appropriation bill this year.

Unfortunately, because of parliamentary trickery, this Jurassic pork is far from being extinct. Congressman DINGELL and the Energy and Commerce Committee's Oversight and Investigation Subcommittee held hearings on the incredible waste of the SSC. Witness after witness came in and talked about huge cost overruns, and fraud, and abuse, and waste in this, the largest pork project in this Government.

Mr. Speaker, I am part of the freshman class which ran for Congress pledging to cut government waste. We can go home in our districts and talk about cutting a nickel here and a dime here and a little here and a little there, but, Mr. Speaker, voting no on this project is the way to send a message that we in fact are serious about cutting waste. If we mean it, it is time to put up or shut up.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. PETERSON], a member of this subcommittee.

Mr. PETERSON of Florida. Mr. Speaker, I appreciate the gentleman yielding me the time.

Mr. Speaker, I am disappointed that this whole debate is focusing on just the SSC. This conference report contains many, many items that are so important to this Nation's energy and water resources. We are looking to the future in this bill.

This committee did a good job. The conference report is fair. But if we want to talk about the SSC, let us talk about some of the potentials out of this program. Everybody wants instant gratification with everything we do. We want this thing to pay off right now, basic research or no.

The fact is, ladies and gentlemen, we have some instant payoffs in the SSC. A very small grant was given to the Florida State University to develop some provisions for the SSC, and from that came a very unique plastic tubing that is now being used within the health industry for heart defects. We are saving big dollars. This is a great project. Let us vote for it.

Mr. MYERS of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Idaho [Mr. CRAPO], who has worked very closely with this committee on a number of energy projects.

Mr. CRAPO. Mr. Speaker, many of those who have stood in opposition to this bill today have talked about the fact that the SSC represents the largest single cut in the budget. The previous speaker mentioned, however, that there are many things in this budget, and the point I want to focus on is as we talk about cuts in this budget or any other budget, let us talk seriously about the budget process.

Right now, no matter what we do, whether we vote to cut this funding regarding the SSC or any other project, the money does not go to relieving the deficit. The money goes right back into the conference committee for spending on other projects. Under our budget system, a cut does not eliminate the baseline amount of money allocated under the 302(b) or 602(b) allocations.

The question here is whether we are going to continue the trend in our budgeting process of eliminating funding for research and development that keeps our country on the leading edge of science in this world. Since 1981, the amount of our budget allocated to R&D has dwindled from about 5 percent now down to about 2½ percent. We have to be ready and able to look forward to the future and we have to listen to the need for having that forward look.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. PASTOR].

Mr. PASTOR. Mr. Speaker, as we discuss this conference bill, we forget that in this conference report we have some programs that are very environmentally sensitive.

If you vote for this conference report you will be voting for energy conservation. A number of programs that the Department of Energy wants to fund deal with energy conservation.

If Members vote for this conference report they are voting for renewable energy research and development, a 30-percent increase for research on solar energy, a 25-percent increase for geothermal energy, and there is also money for research on wind energy.

We want to get away from depending on foreign oil and foreign energy sources. So this conference report allows us to continue research on renewable energy resources.

If Members vote for this conference report they will be voting to clean up our environment. Please support the conference report.

Mr. SLATTERY. Mr. Speaker, I yield myself 30 seconds to make one quick point.

One of the things that I think has to be driven home here very clearly is that those of us who are rising today to oppose this conference committee report are not opposing other provisions in this bill. Our battle is very simple. It is funding for the super collider. That is what we are trying to kill.

Unfortunately, we have to go through this parliamentary quagmire to get the kind of vote that we want to and send a message again to the other body that we are not in favor of further funding of this project. And that is the point that I think we need to continually drive home.

I do not believe anyone believes that the chairman of our subcommittee is threatening anybody with removal of money from this bill if they vote with us to terminate the super collider.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], a member of the Committee on Appropriations.

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I rise in support of H.R. 2445, primarily because it provides billions of dollars for important Corps of Engineers projects, for Bureau of Reclamation projects in the Western States, and billions more for important research funding at the Department of Energy.

If the conference report is defeated, we would be putting in jeopardy funding for vital flood control that is critical to my district, in both Corps of Engineer as well as Department of Energy projects.

Arizona could lose possibly up to $400 million in projects in this bill. Arkansas could lose $50 million; California could lose $200 million; Colorado, $7 million; Delaware, $14 million; Florida, $50 million; Illinois, $200 million; Ohio, $15 million; Virginia, $30 million; and Nebraska could lose $18 million. The bill actually covers the whole country, but I use these States as examples, and I support their projects. They are meaningful and important projects. The State of Louisiana virtually survives because of them, and we know what happened in the floodways of Middle America this year. These are vital flood projects critically affecting the life and death of individuals who live in and around the waterways of this country. And the Corps of Engineers directly supports them, their livelihoods, and their communities.

I believe that the basic research in this bill is critical to scientific advancement. I support the super collider because I believe that it lays the foundation for intellectual achievement and prosperity of future generations, and for the development of science in our Nation and this world. I hope it is not defeated.

I know there is a lot of criticism about the project, but I believe it would be a tremendous mistake to defeat the project and beat this bill. Therefore, I urge adoption of the conference report and the defeat of any motion to recommit.

□ 1300

Mr. BEVILL. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Speaker, I rise in strong support of the conference report and in strong support of the super collider.

As a nation, we must carefully prioritize how we invest and spend our scarce public resources. We must invest wisely, with a careful eye to the future.

I believe the SSC is a very important investment in our future. Once complete, it will enhance our ability to conduct—and benefit from—high-technology research.

Its potential, scientific and economic, is enormous.

Mr. Speaker, I appreciate the arguments of those who would eliminate the SSC. However, I believe abandoning the super collider now would be a budgetary—and a scientific—mistake.

In fact, we are already beginning to see benefits today from our investment. The work on SSC is currently assisting in the development of our high-technology research capabilities, assisting in vital economic conversion, and helping reposition our defense industries.

I urge my colleagues to support the superconducting super collider.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida [Mrs. MEEK], a very outstanding member of this subcommittee.

Mrs. MEEK. I thank the gentleman for yielding this time to me.

Mr. Speaker, the opponents of this conference report will use terms like "pork barrel," terms like "sabotage;" what they do not understand is the process that it takes to have something pass in this Congress. It takes both sides of this big beautiful facility we have here, both the House and the Senate.

The conferees on this have worked very hard to come to that decision where we can all work together. I want you all to understand, if you do not pass this conference report you will be misled by what you see isolated in one corner, and that is the super collider. The super collider is just one facet of this bill, one facet that they are using as a smokescreen to overcome things we are trying to do for the environment.

When you go back home to run in your district, you tell them that you spoke out against this conference report because it pushed very hard for the environment, that it pushed for science, that it pushed for research; it pushed for the future of this country.

So, if you can use that one-sided, slanted approach when you go back to your district, you will find out they do not want to hear what the SSC is all about, they want to know whether you voted for the environment, for research, and for the future of this country.

Mr. BOEHLERT. Mr. Speaker, I yield 30 seconds to myself.

I would just like to point out to my colleagues that one of the Nation's leading environmental organizations, Friends of the Earth, is strongly in support of our effort; one of the Nation's leading organizations concerned about the spending practices of Congress, the National Taxpayers Union, four-square in our corner; they want to terminate funding for the SSC.

One of the leading organizations concerned about the activities of Congress, Citizens Against Waste in Government, stands four-square with us.

We are on the side of the American taxpayers. Vote to terminate this project.

Mr. SLATTERY. Mr. Speaker, I reserve the balance of my time.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of the energy and water appropriations conference report.

Chairman BEVILL and the House conferees have brought back a bill that deserves your support. It includes funding for many important programs and projects benefiting people all across the Nation. I would like to focus for a moment on one of these—the superconducting super collider.

A lot has happened since the House last considered the SSC. Perhaps the most important is the way Secretary of Energy Hazel O'Leary has grabbed the reins and taken control of the project.

Secretary O'Leary announced in August that she was making changes in the way SSC construction is managed in response to concerns raised by the General Accounting Office and others. The changes include bringing in a new construction contractor with world-class business management experience to supplement the scientific capabilities of the present contractor.

Additionally, the Secretary ordered an internal DOE audit team to comprehensively examine the SSC as part of the management initiatives she announced in June. Their report, issued on September 1, confirmed that the project is currently 20 percent complete and that 73 major subcontracts that have been awarded to date have come in at approximately 7 percent under budget.

The report also contains a number of recommendations to help concentrate attention and resources on the management issues that must be resolved to build the SSC as cost-effectively as possible. Secretary O'Leary is already in the process of implementing measures in response to the report's recommendations.

President Clinton and Secretary O'Leary strongly support the SSC on the basis that it will maintain the position of the United States as the world leader in scientific research. In his recent letter to Chairman Bevill, the President wrote that:

> The SSC represents a vital investment in our Nation's ability to maintain its preeminence in basic scientific research and to stimulate the development of new technologies in many areas critical to the health of the U.S. economy.

Mr. Speaker, the project is already 20 percent complete, with $2 billion having been invested. It would be a tragedy to walk away from a scientifically sound project at this stage.

I urge my colleagues to stand with President Clinton and Secretary O'Leary. They have responded aggressively to the concerns many of you had when the House first considered this issue. They have acted in good faith to take corrective steps to ensure that the SSC is managed efficiently.

The conferees are willing to give the President and Secretary O'Leary a chance—I urge my colleagues to do the same. Please vote for this conference report.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. ROGERS], a new member of the subcommittee, though certainly not a new Member of Congress or of the Committee on Appropriations.

Mr. ROGERS I thank the gentleman for yielding this time to me.

Mr. Speaker, I want to say a word of thanks to the chairman of the subcommittee, the gentleman from Alabama [Mr. BEVILL], and the ranking member on the subcommittee, the gentleman from Indiana [Mr. MYERS].

These two gentlemen have a great collective wisdom about them. They both have served in this House for a great number of years, they both have served as steering partners on this subcommittee for a great number of years, and they know what they are doing. They have taken into account practically every Member of this body in their needs in their own district for either a flood control project or a waterway or a navigation project, operation of a lake, an energy problem, the Appalachian Regional Commission project, or the TVA project. Practically every Member of this body has been to this subcommittee asking something. And practically everybody has been accommodated in one fashion or the other. So there is a lot of collective wisdom in this subcommittee.

I commend the chairman, Mr. BEVILL, and the ranking member, Mr. MYERS, for all of the hard work they do year-round on this subcommittee. Everybody in this body, indeed the whole country, benefits by the work of this subcommittee.

Now, the gentleman from Indiana, the ranking member, earlier said something about savings to the taxpayers that may or may not come from cutting out the superconducting super collider. I think we are all for cutting wasteful spending, we are all for reducing the deficit. But I say to the gentleman from Indiana [Mr. MYERS], if he would join me in a colloquy, is it true that if we cut out the superconducting super collider, we would not be saving the taxpayers any money? Would the gentleman explain that?

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. I of course yield to the gentleman.

Mr. MYERS of Indiana. I thank the gentleman for yielding.

Mr. Speaker, there will be absolutely nothing saved for the taxpayers. We will spend it on this project or we will spend it on some other project, there is no question about it. I do not know of any time this House has refused to spend money that they have been allocated in a 602(b) allocation.

Mr. SLATTERY. Mr. Speaker, I yield myself 30 seconds.

First of all, I am amazed by a previous speaker who said that everybody has been accommodated in this bill and, therefore, we should vote for it.

There is no question that a lot of Members have been accommodated. They have been accommodated in an effort to get their votes for the super collider, which is what we are talking about here today. I hope Members are listening to this. We are battling today about whether we are going to spend another $9 billion to $10 billion for a project that 280 Members of this body previously voted against and the only reason they can justify flip-flopping now is because they have been accommodated. I hope Members do not sell out for a small project in their districts.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, the major debate on this conference report concerns the superconducting super collider, which I strongly support. But while other Members debate this issue, I would like to take a moment to highlight some other important energy science programs which fall under the jurisdiction of the Committee on Science, Space, and Technology and which have received strong funding in this conference report.

Energy supply, research, and development programs, which are critically important in maintaining our energy security and in reducing the environmental impact of energy technologies, receive over $3.2 billion in this conference report. Included in this funding are both near-term demonstration projects in renewable energy and long-term projects like fusion which promise to supply a substantial portion of our energy needs in the 21st century. I am particularly pleased that the conference report so closely reflects the priorities set by our committee and by the entire Congress last year when we overwhelmly enacted the Energy Policy Act of 1992.

Let me highlight a few examples of how this report reflects those priorities. The bill increases funding for solar energy programs by over one-third from last year's levels, to a total fiscal year 1994 level of $252 million. The bill also creates a separate line item for research on hydrogen fuels, which offer great promise for a great variety of environmentally sound energy options in transportation and other areas. Both of these actions are in keeping with the priorities of the Energy Policy Act.

In addition, despite what the critics of the SSC may charge, the bill maintains strong funding for the high-energy physics and nuclear physics programs of the Department. These projects include the FERMI facilities in Illinois, the CEBAF facility in Virginia, and the newly approved B-factory in California, among others.

Finally, Mr. Speaker, I would ask Members to consider the fact that the conferees have done an excellent job in constraining the growth of earmarked projects throughout the bill. Last year when the energy and water appropriation came back from conference, the bill included 10 earmarked projects worth almost $100 million. As some of you may recall, I fought to have those projects struck from the bill. Just a few days later, those same projects came back from the defense appropriation's conference revived, fully funded and with a rule that protected them.

This year, the energy and water appropriations bill has come back from conference devoid of earmarks. On top of that, the academic earmarks that can be found in report language are notably smaller than those of the past 2 years. In fiscal year 1992 there were 67 academic earmarks worth $151 million in the bill and report. Last year, there were 60 academic earmarks worth almost $177 million in the bill and report. This year, so far as I can discern, there are only 10 academic earmarks worth $35 million. That represents a four-fifths drop in dollar value from the fiscal year 1993 figures.

While I would be happier if there were no earmarks in the accompanying report, I think the trend is a good one. Mr. Bevill deserves to be commended for his efforts to get academic earmarking under control. I think the

House and the American taxpayer owe him a debt of gratitude for his work this year.

I also want to point out, for the benefit of the Secretary of Energy, that report language is not binding on her agency. The report accompanying this bill is merely advice offered by a handful of Members of the legislative branch. In fact, there were only 10 Members of the House included in the energy and water appropriations conference. This means that only 2 percent of the Representatives in the House had a chance to weigh in on the report language attached to this bill and House rules preclude this body from amending or even voting on that report.

If the Secretary of Energy decides that some of the projects mentioned in the energy and water conference report are not as worthy as the programs she originally intended to fund, it is within her rights to ignore the report language and use funds as she sees fit. She would find this Member and the Science, Space, and Technology Committee would support her in that decision.

Mr. Speaker, this is an excellent conference report, and I urge all Members to support it.

Mr. BOEHLERT. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. I thank the gentleman for yielding this time to me.

Mr. Speaker, I was inclined to vote against this, but when I heard what the gentleman from Kentucky said—we have not had the rollcall yet—I was just wondering if it is too late to be accommodated? I do not see the gentleman. Maybe he will give me an answer later.

Mr. SLATTERY. Mr. Speaker, I yield myself 45 seconds.

Mr. Speaker, on June 17, 1992, the gentleman from California [Mr. BROWN], who chairs the Committee on Science, Space, and Technology asked a rhetorical question. He asked, "Can we afford the super collider?" And he answered his question by saying, and I quote, "Mr. Chairman, after studying this issue closely, my conclusion is, no, not by ourselves. This Nation no longer has the resources to go it alone on a big science project."

The chairman continued by saying, "It has long been apparent that the Federal Government cannot afford to pay the full $8.2 billion cost of the SSC by itself." That is the chairman's remarks in June 1992.

Well, my friends, there is only one thing that has changed since then, and that is the cost is not $8.2 billion, it is at least $11 billion and probably closer to $13 billion. If we could not afford it at $8 billion, we darned well cannot afford it at $13 billion.

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Mr. BOEHLERT. Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, a previous Member spoke and said that we all want to cut waste and get spending under control. Well, that is hard to believe, because if it were true we would not have seen our national debt go from $800 billion to $4,300 billion in just 13 years.

We have a national debt of monumental proportions because Members do not want to cut spending.

In the next 5 years spending will go up 21 percent. The national debt will go up 42 percent, and $1.8 trillion will be added to the national debt. This can't continue.

We are going to spend $11 billion on basic research for the superconducting super collider but we cannot own that basic research. We cannot patent it. We can only patent how we commercialize the basic research.

We will have spent our $11 billion on the research while the Japanese and Western European nations will spend their money on commercializing what we spent a fortune to learn.

I urge my colleagues to realize this is a budget vote. House Members voted 280 to 150 to knock out the SSC on its merits. Now we are dealing with a political process that is not allowing a clear and decisive vote.

The motion of the gentleman from Indiana [Mr. MYERS] to recommit without instructions obfuscates the whole concept of what the House wants to do. We want a clean vote on the SSC. We need to kill this expensive public works project and not cave into the Senate. Vote to recommit this bill with instructions to support the House position to kill the superconducting super collider. And vote against the Myers motion.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. CHAPMAN], a very valued member of this subcommittee.

Mr. CHAPMAN. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, it is interesting in this debate today, we can listen to the opponents of the superconducting super collider not debate the science. They agree the science is good.

We are talking in terms of cost. I think if we put it in terms of cost, we can look at the per capita cost to American citizens of less than 3 cents a year, 3 cents a year to perhaps buy into and complete the most important scientific program in this generation.

We will vote today on whether or not 15,000 Americans are going to lose their jobs. We worry about the North American Free-Trade Agreement and other defense conversions, but a vote to kill the super collider eliminates over 15,000 jobs in America, high tech, science, engineering jobs, destroys the dreams of students in 200 universities across this land, prevents us from doing the kinds of research, as my colleague, the gentleman from Florida, pointed out, that one simple grant has reduced the cost of heart transplants.

My colleagues, heart transplants cost $5,000 less today because of the superconducting super collider research.

Mr. Speaker, we ought to pass this conference report. We ought to vote for the SSC. We ought to invest in the future of America.

Mr. MYERS of Indiana. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BARTON], who knows more about this project than probably any Member in this Chamber.

Mr. BARTON of Texas. Mr. Speaker, I rise in strong support of the conference report and in even stronger support of the SSC. In the 4½ minutes that I have remaining, I want to go through that project very quickly and I hope very succinctly.

Back in 1982, the U.S. scientific community convened a panel of experts to determine what was necessary to maintain the U.S. preeminence in high energy physics in the world community, which at that time was slipping to the Europeans. The members of this expert panel decided that if it proved to be feasible, we should in fact build the next generation high-energy particle accelerator, which we now know today as the SSC.

Since 1982, numerous panels have reviewed the SSC project, reviewed its concept, reviewed its science, and every panel that has looked at it has concluded, No. 1, it is good science; No. 2, it should be done; and No. 3, it is in the national interest to build this machine.

Beginning in 1986, there was an attempt to look around the country and see where the best site to build the project might be. There was a competition in which approximately 36 States competed. Seven finalist States were chosen, but the State of New York dropped out.

In 1988, the State of Texas was chosen to be the site for the SSC. Since that time over 2,000 world class scientists have moved to Texas, over 500 construction workers, are building the project, and around the country over 15,000 subcontractors and contractors are involved in some capacity.

I want everybody in this Chamber to hear the next statement. The latest audit that was done in August on the cost of the project showed that it is 19 percent complete and 6 to 8 percent under the budget—under the budget—19 percent complete, 6 to 8 percent under the budget.

When our worthy opponents talk about cost escalation, they are talking about the possible cost to complete the project. It is true that the cost to complete has gone up because of a conscious decision to stretch the project out.

The Clinton administration is asking for $640 million this year and $640 million each of the next 3 years. Under the Bush administration preliminary budget the SSC request would have been about $780 million this year and up to $1 billion each for the next 2 years.

If you take longer to build something, it is going to cost more.

Again, of money spent to date, the project is 19 percent complete, and 6 to 8 percent under budget.

The amazing thing is that the SSC has actually made progress this year. At various points in time there have been as many as six different investigatory committees and subpanels down in Texas and around the country investigating the project, and they still made progress. There are 14 miles of tunnels, the main surface buildings, and some of the best laboratories in the world complete and ready for operation.

If we vote to kill the super collider, as the gentleman from Indiana [Mr. MYERS] has pointed out, we are not going to save any money. The money is going to be reallocated to various other projects in the bill.

Another important point to ponder is that the scientists that are building the SSC guarantee success. It is not like the space program back in the sixties where we hoped to make it to the Moon. SSC leaders guarantee that in the energy range of the super collider, 20 trillion electron volts, they are going to find some answers to some basic questions that mankind has been trying to answer for thousands of years. They guarantee that they will do that.

So what it really boils down to, Mr. Speaker, is a vote of confidence in the United States of America. If we vote today to kill the super collider and the conference report accepts that recommendation, we say that we do not have confidence in the future. We do not have confidence in our scientists. We do not have confidence in world cooperation in the scientific realm.

The budget amount for the SSC is less than six-tenths of 1 percent of the basic science budget of this Nation. It is less then 3 hours of Federal spending. That is what we are talking about.

Remember, the Senate has voted 57 to 42 for the project, and the other body has voted every year for the project. President Clinton, as did President Bush, strongly supports the SSC.

The SSC is the American dream machine for the next generation to develop the technology that will develop the jobs that will make our lives and the lives of our children and grandchildren better and better.

So with great respect, Mr. Speaker, I would ask when it comes time for the parliamentary maneuvering that you vote yes on the previous question and yes on the final vote for the Energy and Water conference report.

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Mr. SLATTERY. Mr. Speaker, I yield myself 30 seconds to make a few more points.

Cost per job for this project, is approximately $74,000 per job. A previous speaker said that the cost per American citizen was 3 cents. Wrong. According to my calculations, Mr. Speaker, next year the Senate wants to spend $640 million. Last time I checked, the population of this country was about 250 million. So, simple arithmetic tells me that the cost for just next year alone will be about $2.60 per citizen.

It is that kind of math that has gotten us in the mess we are in today.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas [Ms. EDDIE BERNICE JOHNSON].

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have tried very hard to understand the arguments against this report and against the super collider. I have listened very closely, and I simply do not understand it. I guess, because I am a nurse, I understand pain and suffering and the cost of health care, and I know the value of research, and I know the type of research the super collider can provide. I guess, because I am a business person, I know the value of having business products to sell, and I understand that researchers brought us many products over the years to sell. I understand, because I am from a working family, the value of having jobs, and I know it is this kind of research that is going to bring us jobs for the future and jobs for now.

We are beyond the cold war. We need conversion technologies. This is a kind of research that will bring it. This is a project that will look out for the future just as research in the past has looked out for where we are now. We would not have the mammograms, we would not have the scan machines, we would not have the vaccines, we would not have the VCR's.

Mr. Speaker, I am asking all my colleagues to support the report and support the super collider project.

Mr. BOEHLERT. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. HUGHES). The gentleman from New York is recognized for 2¼ minutes.

Mr. BOEHLERT. Mr. Speaker, I want to make some key points as we wind down this debate.

One, we heard from the very distinguished chairman of the Committee on Science, Space, and Technology, upon which I serve, and he talked about this project. I would remind that distinguished chairman that last year in the well of this House he spoke eloquently for an amendment that I supported that said we would not proceed with this project if we did not have a commitment signed by the President of the United States that there were a minimum of $650 million in foreign contributions by June 1 of 1993. We have less than one-tenth of that.

Second, Mr. Speaker, I would like to make this point. This project started out costing $4.4 billion; and I say to the taxpayers, "Get this one. You ain't seen nothing yet. It started out at $4.4 billion. It's not even 20 percent complete, and it's not costing $5.3 billion. No, we've upped the ante. It's not $5.9 billion; no, we've upped the ante. It's not $8.25 billion; no, we've upped the ante. It's up over $11 billion, and it's less than 20 percent complete. For those of you who are concerned about the future health of America let me point out that, while we are going ahead with this turkey, worked at nine, two out of three applications for assistance worthy applications to the National Institutes of Health and the National Science Foundation from investigators, from scientists who have great promise are going unfunded. We can't give them the bucks because we are spending it all on this."

Mr. Speaker, we said we are going to have foreign contributions. We have not got the first yen yet, not the first deutsche mark, not the first peso. We are not getting foreign contributions. We are asked to fund this all ourselves, despite the fact that the House, by an overwhelming bipartisan vote, placed a 20-percent floor on foreign contributions.

Now what organizations outside this body have said they are with us? The National Taxpayers Union says, "Kill the SSC." The Citizens Against Government Waste says, "Kill the SSC." Friends of the Earth, one of the most respected environmental organizations, says, "Kill the SSC."

Why? Is it not good science? No, it is good science. It simply is not affordable science. We cannot afford to continue business as usual. We cannot afford a system where this House says by an overwhelming vote of 280 to 150 that we are going to reject something, and then within a matter of days we come back and say, "Nah, we didn't really mean it. We are going to proceed with that. We don't care. Throw caution to the wind. After all, it's only the taxpayers' dollars."

Taxpayers of America, I ask, "Do you think you're getting a good buy with this?"

The answer is clearly no, and do my colleagues know what the General Accounting Office said? The General Accounting Office says the SSC is behind schedule and over budget.

I say, "Defeat this, vote against the superconducting super collider for all the right reasons."

Mr. SLATTERY. Mr. Speaker, I yield 30 seconds to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Speaker, I wish we could balance the budget by cutting only bad programs, but there is an institutional issue here. The process is giving us bad results. We have had a conference, but the conference increased spending. Whenever the House and the other body disagreed, in almost every case the conferees picked the higher number, and they saved other programs this House decided were not worthy of funding, like the advanced liquid metal reactor.

The super collider is a good program; I do not dispute its merits. But there is no easy way to cut this budget. We have to decide to cut among good programs. Believe me, if this was easy, we would have done it long ago.

I urge support from my colleagues who are trying to back up what the House did. I urge my colleagues to vote against the previous question on this conference report.

Mr. BEVILL. Mr. Speaker, I reserve the balance of my time to close.

Mr. SLATTERY. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. SHARP].

Mr. SHARP. Mr. Speaker, I urge my colleagues to vote no on the previous question so that we can again reinforce what the House overwhelmingly voted to do, which is to cut this budget, and my concern, as that of my colleague from Arizona, goes beyond just the SSC. The fact is the House overwhelmingly voted to eliminate the advanced liquid metal reactor for many very positive reasons, which documents since that time now reinforce the correctness of the House position. But what has happened in the conference committee is the House activities have been overturned, the effort to cut the budget has been frustrated. Indeed the total bill now costs the taxpayers more than it did when it passed by either the House or the Senate because of the games that get played in the other body to win votes to keep alive what we cannot afford in this country.

So, Mr. Speaker, this is a very serious budget-cutting issue as to whether we will stand firm and whether we will make majority rule in this country.

Mr. SLATTERY. Mr. Speaker, I yield 30 seconds to the gentleman from Nebraska [Mr. HOAGLAND].

Mr. HOAGLAND. Mr. Speaker and colleagues, I am here also to urge that you vote "no" on the previous question.

As we all know too well, Americans around the country, and Nebraskans, have expressed great concern about the budget agreement we enacted last August, that necessary vote we cast in order to put us in the direction of a balanced budget. We made tough decisions in preparing that budget. Each of us would have done it differently if we could have, but it is something we had to do. And we did it with the promise that we would require additional cuts. Now is one additional opportunity.

To put this in perspective, we Nebraskans must recognize that our tax share of the super collider is a minimum of $62.7 million over the construction phase of the project under current estimates. Those estimates will no doubt grow, as they have in the past. Do we Nebraskans feel that the super collider is essential enough to the future of our country now to tax ourselves over $62 million? It may be desirable, but is it essential in a time when we are borrowing nearly a billion dollars a day to finance the Federal Government's activities?

I think not, Mr. Speaker. We should all vote "no."

Mr. SLATTERY. Mr. Speaker, I yield myself such time as I may have remaining.

The SPEAKER pro tempore. The gentleman from Kansas is recognized for 30 seconds.

Mr. SLATTERY. Mr. Speaker, those of us who are opposing the super collider are not doing so because we are against scientific research. Let me point out that the chairman of the Committee on Science, Space, and Technology in 1992 also said:

> To fund this project would require massive reductions in other critical science programs, including other high energy physics programs.

Keep that in mind, my colleagues. I hope every Member will come by the table here and look at how much this is going to cost the individual States, and I would like to have the attention of the majority leader, the gentleman from Missouri [Mr. GEPHARDT], who is certainly going to follow me here in just a second to wrap up for the proponents. He may focus on as how he can justify asking the taxpayers of Missouri to spend $202 million for this project.

Mr. Speaker, this is a simple question: Are we going to stand for our convictions and stand the ground that we took earlier this year when 280 Members of this body said "no" to future funding of the super collider?

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I hope we do. Let us vote against the previous question on the motion to recommit and for the substitute motion to recommit.

Mr. MYERS of Indiana. Mr. Speaker, I yield 15 seconds to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, the gentleman from Kansas and the gentleman from New York say there will be reductions in vital research. Not true; $10.9 billion goes to NIH. That is a 5.9-percent increase, for 6,000 research grants. VA-HUD gets $3 billion for the National Science Foundation, a 10-percent increase. We are not suffering reductions.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. HUGHES). The gentleman from Indiana is recognized for 45 seconds.

Mr. MYERS of Indiana. Mr. Speaker, we shortly will be voting on the previous question. If that previous question is defeated, it will not be a simple matter. An amendment will be offered by the gentleman from Kansas [Mr. SLATTERY] that we knock out the $640 million added by the Senate. It then goes back to conference. That means all of the items will be reopened. Many things will be considered that many Members will not want to consider.

The Senate is difficult to deal with on this subject. We tried to deal with them the other day. I can tell Members it is not quite that simple.

So I am going to offer a straight motion to recommit, the most honest motion that can be made. There will be no sweetheart deal, no fancy language. It will be a simple motion to recommit and go back and work with the Senate once again.

But with instructions, you open up everything, such items as waste cleanup, so many things will be opened up. I do not know how we will come back.

Mr. Speaker, I urge a vote for the previous question, leaving the decision on the motion to recommit to the decision of Members.

Mr. SLATTERY. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. GEPHARDT], the majority leader.

The SPEAKER pro tempore. The distinguished majority leader is recognized for 3 minutes.

Mr. GEPHARDT. Mr. Speaker, I rise today to urge that Members vote for the previous question and vote for the conference report. I know that in the minds of many Members, the superconducting super collider is the issue, and it is a very important issue. I think the position that the Members who have advocated the cutting out of the super collider is a legitimate position, and I think they are heartfelt in their concerns. And all of us are concerned about a budget that is spending too much money and a deficit that is too high, and all of us are looking for ways to cut the deficit.

But I urge Members today to stick with this conference report, because I believe strongly that this project is a sound project, for the deficit, for the budget, and for creating jobs in this country that we desperately need to create.

After the vote here a few weeks ago, I went to the site of the super collider. I had never been there. I have always been in favor of it, I have advocated it. But after the House voted in the way it did, I thought I had better go see it and talk to the people there about it.

Mr. Speaker, I come away from that visit even more convinced than I was before that we should continue this needed project. All over the country people are asking the same question. The question is, where are the jobs? We all talk about training, but training for what? We are in a tough world competition, with China, with Japan, Mexico, Europe, countries all over the world. The truth is that today, in normal manufacturing processes, countries with much lower standards of living can produce products just as well as we can, and in some cases even better. The only way we will compete is if we are ahead in technology, ahead in the latest ideas that can be applied to products that we can manufacture, at least for a period of time, here in the United States.

The people in the scientific community and the people in our industrial community tell me that the kind of basic research that will go on in this project is precisely the kind of initial inquiry that we need that will translate into the telephones, into the computers, and all of the latest products that we are now making, 20 and 30 years from now.

I said when I argued before that Bob Galvin at Motorola supports this project, and said, "The new information from this basic research has energized the sustained growth that has caused companies like ours to grow 1,000 times in 50 years, to double in size every 5 years."

Mr. Speaker, it is an expensive project, but the expense is justified in terms of the ideas and the technology that will translate into the kinds of jobs that we have got to have in this society in the days ahead.

Mr. Speaker, I urge Members to vote for the future of our economy.

Mrs. VUCANOVICH. Mr. Speaker, I must admonish our conferees on this bill regarding the subject of volunteer hosts for the possible siting of an MRS. This is the acronym for "monitored retrievable storage," the plan within the civilian nuclear waste program to find a suitable area for the short-term holding of spent nuclear fuel rods prior to final disposal.

Since 1987, when Congress created the "nuclear waste negotiator" position, it has been this person's job to search for volunteer candidates to host such a site. Today the other body had a hearing on this administration's nominee for the negotiator's job, a man most of us know, former Member Dick Stallings of Idaho. However, language in this conference report will tie the negotiator's hands in proceeding with allocation of so-called 2(b) grants to tribes or local units of government that wish to further pursue hosting an MRS.

This body has committee report language to clarify that before receiving DOE money for further studies a tribe must gain consensus from elected officials of the State within which their reservation lies. The other body added legislative language which would have done likewise. Both of these solutions seemed heavy-handed from an Indian sovereignty standpoint, so the conferees simply decided to stop the DOE from handing out any more 2(b) grants at all.

Mr. Speaker, finding a volunteer host for both an MRS and a second deep geologic disposal site for spent fuel is an important part of our Nation's nuclear waste policy. By the action of this conference committee that policy has been derailed. I do not ask the conferees to go back in and fix this. It won't happen and I know it.

My point is to inform Members with nuclear power reactors in their districts that sooner or later they're going to hear from their constituents about spent fuel stacking up at the reactors back home. Remember then that the 103d Congress decided that working with volunteer hosts for interim storage of nuclear waste just wasn't important.

Mr. CLINGER. Mr. Speaker, I rise in reluctant opposition to further funding for the superconducting super collider [SSC].

If completed, the superconducting super collider would be the largest and highest energy particle accelerator in the world. This unique research tool could unlock some of nature's greatest mysteries and lead to a better understanding of our universe. The project would also attract some of the brightest physicists and scientists to the United States, lead to the development of critical technologies, and secure America's leadership position in fundamental physics research. For these reasons, I have consistently supported funding for the SSC since the Department of Energy [DOE] first initiated the project and made it a top priority of the Department.

However, over the past several years I have been troubled by reports of cost overruns and mismanagement of the project. Originally, DOE projected that the SSC would cost $5.9 billion. Then in 1990, the Energy Department conducted a comprehensive review of the project and estimated a cost of $8.2 billion. Just this past spring, the General Accounting Office released a report titled, "SSC Is Over Budget and Behind Schedule." Now, with the Clinton administration's plan to "stretch out" the project over several more years, the SSC is expected to cost between $11 and $12 billion.

With the mounting Federal budget deficit, it has become increasingly more difficult over the past couple of years for fiscal conservatives such as myself to justify voting for such an expensive scientific endeavor. Although I generally feel it was a worthy investment, I realize Federal spending has to be prioritized, and annual, upward revisions of the project's cost has been steadily eroding my support for the SSC.

What finally convinced me to vote against funding the SSC was its lack of international support. Like the space station *Freedom*, the SSC was considered a "big science" project that was too big to be shouldered by the United States alone. Therefore, the Energy Department promised foreign contributions toward the development of the SSC totaling $1.6 billion, but unlike the space station, the United States has only received a fraction of these foreign pledges.

During consideration of the fiscal year 1993 energy and water appropriations bill in 1992, I was prepared to vote against funding for the SSC. However, the adoption of an amendment offered by Science, Space, and Technology chairman, GEORGE BROWN and ranking Republican, BOB WALKER convinced me to give the Department of Energy another chance to secure international funding. The amendment made the release of Federal appropriations for the SSC contingent on the President's success in guaranteeing $650 million in foreign contributions by April 1, 1993. This amendment assured that the cost of the SSC would be shared by our international partners, so I voted in support of the SSC.

During debate over the SSC earlier this year, I was dismayed and angered to learn that the Energy Department had only received about $50 million in foreign pledges, $600 million short of what the Brown-Walker amendment required. Obviously, the international community had no interest in investing in the superconducting super collider either because they felt it was not a worthwhile venture or because they figured the United States would go ahead and build the SSC without any help. No matter what the reason, our foreign partners apparently hoped to benefit from the scientific discoveries produced by the SSC without paying for its development.

Voting against the superconducting super collider was a very difficult decision. Much of the SSC's research and development is being conducted in colleges and universities in Pennsylvania, including the Pennsylvania State University in my district. Nevertheless, I feel strongly that this is a prudent and responsible vote. Until the Energy Department gets serious about securing financial commitments from our so-called international partners, I do not think that Congress should appropriate any further money for the SSC. If other nations will benefit from discoveries and technology produced by the SSC, why shouldn't they contribute to its construction? The superconducting super collider is simply too expensive for the United States to build on our own.

Mr. MINETA. Mr. Speaker, I rise today in strong support of the conference report on the energy and water development appropriations bill, and in support of the superconducting super collider.

Mr. Speaker, the United States has always led the world in scientific research and technological achievement. The SSC will help physicists discover the fundamental nature of matter and energy, which will lead to major advancements in almost every field of technology. Some of the future applications of technology include: High speed magnetic levitation trains; magnetic energy storage systems for fuel conservation; magnetically propelled ships; and low-loss electric power transmission systems.

Without the SSC, U.S. industry would lose the opportunity to develop an infrastructure for superconductivity in this country, which represents a market estimated to reach $8 to $12 billion by the turn of the century.

Furthermore, a failure to follow through with the SSC will profoundly disturb the credibility of the DOE and the U.S. Government to both the world at large and to our own science community. A failure to build the SSC will disrupt the Nation's current high energy physics program. This is a balanced program and the SSC is an integral part of its focus.

Mr. Speaker, we need to cut the deficit. But we also need to secure our economic future. The investment in the superconducting super collider represents less than 1 percent of our total Federal research and development budget, yet it is an investment in an area of science that has a proven record of economic return.

I urge my colleagues to support the superconducting super collider and to support the energy and water development appropriations conference report.

Mr. HUGHES. Mr. Speaker, I rise in strong support of the conference report on H.R. 2445, the energy and water development appropriations bill for fiscal 1994.

I want to commend Chairman TOM BEVILL and ranking member, JOHN MYERS, as well as the rest of the subcommittee, for the outstanding job they did in fashioning a bill which addresses our country's most basic energy and water development needs, while still coming in some $25 million below last year's funding level.

I regret that the bill contains $640 million to continue construction of the superconducting super collider, and another $37 million for the advanced liquid metal reactor program, both of which the House had voted to terminate.

In these times of great budget deficits, we just cannot afford to spend money on big-ticket boondoggles such as the supercollider, which is now expected to cost in excess of $11 billion. I regret that the Senate refused to follow the House's lead in terminating this project, and that we have lost an opportunity to take another huge chunk out of the budget deficit.

Accordingly, I am reluctantly compelled to vote to recommit the bill, with instructions to the House conferees to hold the House position on the superconducting super collider. I realize this will delay passage of this bill, but it is the only option we have to stop this project before we waste any more money on it.

Aside from my concerns about the super collider and the liquid metal reactor program, I believe this is an excellent bill. It provides important funding for energy research and development, environmental restoration and waste management, and a host of reclamation projects.

The bill also provides funding for the Army Corps of Engineers to carry out public works projects across the country which create jobs, strengthen our infrastructure and economic base, and generate hundreds of millions of dollars in local tax revenues.

I know the subcommittee had many more requests to fund water development projects than it could possibly accommodate without exceeding the budget. It was a difficult task for the subcommittee to pare down the list and only fund those projects which are most important.

In my own case, I had many more federally authorized projects in my own district in southern New Jersey for which I chose not to request funding, because I feel they are not critical and can reasonably be deferred until we get our fiscal house in order in Washington.

Instead, I once again only supported those projects in my district which are directly related to our coastal economy and environment, and which cannot be deferred. I am very pleased that the full Congress has agreed to support these projects.

They include: Maintenance dredging along the New Jersey Intracoastal Waterway, which is the major north-south water route through our State; the Cold Spring Inlet, which serves the U.S. Coast Guard Training Center and base in Cape May; and the Maurice River, which supports important shipbuilding activities in Cumberland County.

The bill also continues the shore protection and water quality studies which are now underway for four important navigation and beach erosion control projects in southern New Jersey, all of which are a part of the New Jersey shore protection master plan and are consistent with the State's own priorities.

They are: Brigantine Inlet to Great Egg Harbor Inlet, Townsends Inlet to Cape May Inlet, the Delaware Bay coastline, and the Lower Cape May Meadows/Cape May Point.

These studies are aimed at developing cost-effective programs to maintain safe and navigable waterways, stabilize the shoreline, and protect shore communities from the dangers of storms and erosion.

Finally, the bill provides funding for the Army Corps of Engineers to deepen the Salem River, to help facilitate the development of the port in Salem, NJ.

I regret that this overall excellent bill is burdened by additional moneys for the superconducting super collider. It is my hope that the conferees will remove these moneys, so that we can move ahead with final passage of this important legislation.

Mr. PORTMAN. Mr. Speaker, I rise today in strong opposition to funding the superconducting super collider—the so-called SSC. Our Nation cannot afford it. This House has voted 2 years in a row to eliminate the funding for this program, but each year the SSC has come back to life.

Most recently, the house of Representatives voted on June 24, 1993, by a margin of 280–150, to terminate the project. Last year, the house voted on June 17, by a margin of 232–181, to end funding for the SSC.

Our country is a world leader in technology and we must continue to support our Nation's scientific research programs. The SSC, however, is a program that we simply cannot responsibly fund. If we did not currently have a deficit in excess of $4 trillion, perhaps we could look at the merits of the project through different lenses. But what I see when I look at the SSC now is a program that has grown in cost from $4.4 billion in 1987 to over $11 billion today. Furthermore, when the program was initially funded in 1987, Congress was told that its costs would be partially underwritten through foreign contributions—partially meant $1.7 billion. Yet, I understand that the Department of Energy now estimates that the foreign contribution will never total more .than $400 million.

The General Accounting Office [GAO] reports to us that the SSC is behind schedule and over budget. Although proponents have argued that the potential scientific benefits outweigh the high costs and that the SSC should be an immediate priority, I note that even the administration has proposed stretching out the project.

Let's not commit ourselves to fund projects our Nation clearly cannot afford. Let us choose our priorities carefully. Let us not let this project come back to life again this year.

Mr. FRANKS of New Jersey. Mr. Speaker, today I rise in strong support of H.R. 2445, the fiscal year 1994 Energy and Water appropriations bill. I would like to commend chairman BEVILL and ranking minority Member MYERS for their fine work in bringing this fiscally responsible bill to the House floor.

Although H.R. 2445 contains many worthy provisions, I would like to bring to my colleagues' attention a project contained in the bill of particular importance to the people who reside in New Jersey's Middlesex, Somerset, and Union counties. The project to which I refer is called the Green Book flood control project.

As my colleagues may recall, this project was authorized by Congress under the Water Resources Development Act of 1986 (Public Law 99–662, Section 401). During the past 8 fiscal years, Congress has appropriated over $14 million for this project. In fiscal year 1986, Congress appropriated $484,000; in fiscal year 1987, $1.37 million; fiscal year 1988, $1.4 million; fiscal year 1989, $1.5 million; fiscal year 1990, $1.2 million; fiscal year 1991, $2 million; fiscal year 1992, $3.169 million; and fiscal year 1993, $3.5 million. For fiscal year 1994, Congress is providing $2.8 million to continue the following tasks: preconstruction engineering and design—including hydraulic and hydrologic analysis; environmental investigations and data collection; topographic mapping; and layout of levee alignments.

Completion of this project is vital if we are to prevent the enormous damage that another flood could bring. My colleagues may recall the great flood of 1973 that occurred in what is now largely the Seventh Congressional District of New Jersey. This flood claimed the lives of six people and caused tens of millions of dollars in damage. I would venture that if a similar floor occurred today, the damage could exceed a billion dollars.

That flood, coupled with an earlier one that occurred in 1971, provided the impetus for the Green Book flood control project. Since this project is so encompassing, we must proceed now before another devastating flood arrives. It is a little over 20 years to the day since the last great flood in this area, and it is only a matter of time before such a flood occurs again. Completion of this project ensures that this area will be adequately prepared for such an event.

Mr. Speaker, in conclusion I would like to thank my good friend and fellow New Jersey colleague, Congressman DEAN GALLO, for his assistance and guidance on this project. This project's success is due in large part to DEAN's tireless work as a member of the House Energy and Water Appropriations Subcommittee. The people of New Jersey's Seventh Congressional District certainly owe DEAN a debt of gratitude for all his efforts on their behalf.

Mr. Speaker, I urge all of my colleagues to vote "aye" on the conference report to H.R. 2445.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. MYERS OF INDIANA

Mr. MYERS of Indiana. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. MYERS of Indiana. Mr. Speaker, in its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. MYERS of Indiana moves to recommit the conference report on H.R. 2445 to the committee of conference.

The SPEAKER pro tempore. The question is on ordering the previous question on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SLATTERY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 159, nays 264, not voting 10, as follows:

[Roll No. 510]

YEAS—159

Ackerman
Andrews (NJ)
Andrews (TX)
Armey
Bacchus (FL)
Bachus (AL)
Baker (LA)
Barlow
Bartlett
Barton
Bateman
Bentley
Bevill
Bishop
Blackwell
Bliley
Blute
Boehner
Bonilla
Bonior
Borski
Boucher
Brooks
Browder
Brown (CA)
Brown (FL)
Buyer
Callahan
Chapman
Clay
Clyburn
Coleman
Combest
Cooper
Cox
Coyne
Cramer
Crapo
Darden
de la Garza
DeLay
Derrick
Diaz-Balart
Dicks
Dixon
Dooley
Dornan
Dreier
Dunn
Edwards (TX)
Everett
Fazio
Fields (LA)
Fields (TX)
Foglietta
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gephardt
Geren
Gibbons
Gilchrest
Gingrich
Gonzalez
Goodlatte
Gordon
Grams
Green
Hall (TX)
Hansen
Hastings
Hayes
Hilliard
Hochbrueckner
Horn
Hoyer
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Klink
Kolbe
Kopetski
LaRocco
Laughlin
Lewis (CA)
Lightfoot
Livingston
Lloyd
Lowey
Manton
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McDade
McDermott
McHale
McNulty
Meek
Mica
Michel
Mineta
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nadler
Natcher
Ortiz
Owens
Oxley
Packard
Pastor
Payne (VA)
Peterson (FL)
Pickett
Pickle
Quillen
Rahall
Reynolds
Richardson
Roberts
Roemer
Rogers
Rose
Santorum
Sarpalius
Scott
Skeen
Skelton
Smith (IA)
Smith (TX)
Spence
Stenholm
Stokes
Stump
Swift
Taylor (NC)
Tejeda
Thomas (CA)
Thompson
Thornton
Torres
Torricelli
Traficant
Volkmer
Vucanovich
Whitten
Wilson
Wise
Yates
Young (AK)

NAYS—264

Abercrombie
Allard
Andrews (ME)
Applegate
Archer
Baesler
Baker (CA)
Ballenger
Barca
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bilbray
Bilirakis
Boehlert
Brewster
Brown (OH)
Bunning
Byrne
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Clayton
Clement
Clinger
Coble
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Coppersmith
Costello
Crane
Cunningham
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dickey
Dingell
Doolittle
Duncan
Durbin
Emerson
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Farr
Fawell
Filner
Fingerhut
Fish
Flake
Ford (MI)
Fowler
Frank (MA)
Gejdenson
Gekas
Gillmor
Gilman
Glickman
Goodling
Goss
Grandy
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Hancock
Harman
Hastert
Hefley
Hefner
Herger
Hinchey
Hoagland
Hobson
Hoekstra
Hoke
Holden
Houghton
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Johnson (GA)
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klug
Knollenberg
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
Lazio
Leach
Lehman
Levin
Levy
Lewis (FL)
Lewis (GA)
Linder
Lipinski
Long
Machtley
Maloney
Mann
Manzullo
Margolies-Mezvinsky
Markey
Martinez
McHugh
McInnis
McKeon
McKinney
McMillan
Meehan
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Molinari
Moran
Morella
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Orton
Pallone
Parker
Paxon
Payne (NJ)
Pelosi
Penny
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Ramstad
Rangel
Ravenel
Reed
Regula
Ridge
Rohrabacher
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Sawyer
Saxton
Schaefer
Schenk
Schroeder
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Slattery
Slaughter
Smith (NJ)
Smith (OR)
Snowe
Solomon
Spratt
Stark
Stearns
Strickland
Studds
Stupak
Sundquist
Swett
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Thomas (WY)
Thurman
Torkildsen
Towns
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Williams
Wolf
Woolsey
Wyden
Wynn
Young (FL)
Zeliff
Zimmer

NOT VOTING—10

Bryant
Burton
Edwards (CA)
Engel
Ford (TN)
McCurdy
Moakley
Murphy
Schiff
Smith (MI)

☐ 1357

Mr. MCKEON, Ms. SCHENK, Mr. PALLONE, Mr. GEJDENSON, Ms. SLAUGHTER, Mr. RUSH, Mr. LAFALCE, Mrs. CLAYTON, and Messrs. CUNNINGHAM, ARCHER, and GEKAS changed their vote from "yea" to "nay."

Messrs. FOGLIETTA, SKELTON, CLYBURN, and RAHALL changed their vote from "nay" to "yea."

So the previous question on the motion to recommit was rejected.

The result of the vote was announced as above recorded.

☐ 1400

AMENDMENT OFFERED BY MR. SLATTERY TO THE MOTION TO RECOMMIT OFFERED BY MR. MYERS OF INDIANA

Mr. SLATTERY. Mr. Speaker, I offer an amendment to the motion to recommit.

The Clerk read as follows:

> Amendment offered by Mr. SLATTERY to the motion to recommit offered by Mr. MYERS of Indiana: Insert before the period at the end the following: "with instructions to the managers on the part of the House to insist on disagreement to the amendment of the Senate numbered 33".

Mr. SLATTERY (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. HUGHES). Is there objection to the request of the gentleman from Kansas?

Mr. BOEHLERT. Mr. Speaker, reserving the right to object, I will not object, but I would ask my colleague from Kansas to explain the motion to recommit, because there is some question as to whether or not this motion would affect projects other than the SSC.

Mr. SLATTERY. Mr. Speaker, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from Kansas.

Mr. SLATTERY. Mr. Speaker, first I want to commend my colleagues for the last vote. This is a very important vote for this institution and the taxpayers. Now we must add an instruction to the motion to recommit to the conferees directing them to maintain the House position on the question of the super collider. So for those who want to kill the super collider, the next vote is a "yes" vote. Let me say it again, for those who want to kill the super collider, the next vote is a "yes" vote.

It is a motion to instruct the conferees to stick to the House position.

Let me also point out that this motion that we are about to vote on does not affect any other issue in this conference report. And I think that point needs to be made clear.

Mr. BOEHLERT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

Mr. MYERS of Indiana. Mr. Speaker, reserving the right to object, there has been a misstatement made, a statement that is not true, that it does not open up the conference for everything. If we go back to conference with the Senate, everything is open again. It has been represented that this does not have an effect on anything else, but if you look and if you read the order, if we go back to work with the Senate, everything is open again.

Mr. SLATTERY. If the gentleman will yield, Mr. Speaker, the vote against the super collider is now a "yes" vote on the instruction to conferees. We want to vote "yes" at this time.

Mr. MYERS of Indiana. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the amendment offered by the gentleman from Kansas [Mr. SLATTERY] to the motion to recommit offered by the gentleman from Indiana [Mr. MYERS] and on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the amendment to the motion to recommit offered by the gentleman from Kansas [Mr. SLATTERY].

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. SLATTERY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 282, nays 143, not voting 8, as follows:

[Roll No. 511]

YEAS—282

Abercrombie
Allard
Andrews (ME)
Applegate
Archer
Baesler
Baker (CA)
Ballenger
Barca
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bilbray
Bilirakis
Blackwell
Bliley
Boehlert
Brewster
Brown (OH)
Bunning
Burton
Byrne
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Clayton
Clement
Clinger
Clyburn
Coble
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Crane
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dickey
Dingell
Dooley
Doolittle
Duncan
Durbin
Edwards (CA)
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Farr
Fawell
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Fowler
Frank (MA)
Gejdenson
Gekas
Gillmor
Gilman
Glickman
Goodling
Gordon
Goss
Grandy
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Hancock
Harman
Hastert
Hefley
Hefner
Herger
Hinchey
Hoagland
Hobson
Hoekstra
Hoke
Holden
Houghton
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
Lazio
Leach
Lehman
Levin
Levy
Lewis (FL)
Lewis (GA)
Linder
Lipinski
Long
Machtley
Maloney
Mann
Manzullo
Margolies-
Mezvinsky
Markey
Martinez
Mazzoli
McHugh
McInnis
McKeon
McKinney
McMillan
Meehan
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Molinari
Moran
Morella
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Orton
Owens
Pallone
Parker
Paxon
Payne (NJ)
Pelosi
Penny
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Ridge
Rohrabacher
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Sawyer
Saxton
Schaefer
Schroeder
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Slattery
Slaughter
Smith (NJ)
Smith (OR)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Thomas (WY)
Thornton
Thurman
Torkildsen
Towns
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Williams
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zeliff
Zimmer

NAYS—143

Ackerman
Andrews (NJ)
Andrews (TX)
Armey
Bacchus (FL)
Bachus (AL)
Baker (LA)
Barlow
Bartlett
Barton
Bateman
Bentley
Bevill
Bishop
Blute
Boehner
Bonilla
Bonior
Borski
Boucher
Brooks
Browder
Brown (CA)
Brown (FL)
Buyer
Callahan
Chapman
Clay
Coleman
Combest
Cox
Coyne
Cramer
Crapo
Cunningham
Darden
de la Garza
DeLay
Derrick
Diaz-Balart
Dicks
Dixon
Dornan
Dreier
Dunn
Edwards (TX)
Emerson
Everett
Fazio
Fields (LA)
Fields (TX)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gephardt
Geren
Gibbons
Gilchrest
Gingrich
Gonzalez
Goodlatte
Grams
Green
Hall (TX)
Hansen
Hastings
Hayes
Hilliard
Hochbrueckner
Horn
Hoyer
Jefferson
Johnson, E. B.
Johnson, Sam
Kopetski
LaRocco
Laughlin
Lewis (CA)
Lightfoot
Livingston
Lloyd
Lowey
Manton
Matsui
McCandless
McCloskey
McCollum
McCrery
McDade
McDermott
McHale
McNulty
Meek
Mica
Michel
Mineta
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nadler
Natcher
Ortiz
Oxley
Packard
Pastor
Payne (VA)
Peterson (FL)
Pickett
Pickle
Reynolds
Richardson
Roberts
Roemer
Rogers
Rose
Santorum
Sarpalius
Schenk
Scott
Skeen
Skelton
Smith (IA)
Smith (TX)
Stenholm
Stokes
Stump
Taylor (NC)
Tejeda
Thomas (CA)
Thompson
Torres
Torricelli
Traficant
Volkmer
Vucanovich
Whitten
Wilson
Young (AK)

NOT VOTING—8

Bryant
Engel
Ford (TN)
McCurdy
Moakley
Murphy
Schiff
Smith (MI)

☐ 1421

Miss COLLINS of Michigan changed her vote from "nay" to "yea."

So the amendment to the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the motion to recommit, as amended.

The motion to recommit, as amended, was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 2491, DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1994

The SPEAKER pro tempore. The pending business is the de novo vote on House Resolution 275.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 273, noes 151, not voting 9, as follows:

[Roll No. 512]

AYES—273

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Barton
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bishop
Blackwell
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)

Brown (OH)
Bryant
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Frank (MA)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoke
Holden
Houghton
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kim
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Morella
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Quillen
Rahall
Rangel
Reed
Reynolds
Richardson
Ridge
Roemer
Rogers
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)

NOES—151

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Bentley
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Conyers
Cox
Crane
Crapo
Cunningham
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goss
Grams
Greenwood
Hancock
Hastert
Hefley
Herger
Hobson
Hoekstra
Horn
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
Kasich
King
Kingston
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Nussle
Oxley
Packard
Paxon
Penny
Petri
Pombo
Porter
Portman
Pryce (OH)
Quinn
Ramstad
Ravenel
Regula
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shuster
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Talent
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—9

Bateman
Engel
Ford (TN)
McCloskey
McCurdy
Moakley
Murphy
Smith (MI)
Waters

□ 1440

Mr. KOPETSKI changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STOKES. Mr. Speaker, I call up the conference report on the bill (H.R. 2491) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HUGHES). Pursuant to House Resolution 275, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Monday, October 4, 1993, at page 23343.)

The SPEAKER pro tempore. The gentleman from Ohio [Mr. STOKES] will be recognized for 30 minutes, and the gentleman from California [Mr. LEWIS] will be recognized for 30 minutes.

PARLIAMENTARY INQUIRY

Mr. SENSENBRENNER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SENSENBRENNER. Mr. Speaker, is the gentleman from California [Mr. LEWIS] in favor of the conference report?

Mr. LEWIS of California. Mr. Speaker, if I may be recognized, let me say that in its present form I am in support of the conference report.

Mr. SENSENBRENNER. Mr. Speaker, I am opposed to the conference report. Pursuant to the rule, I request that one-third of the time be allocated to me.

The SPEAKER pro tempore. Under the rules of the House, the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes, the gentleman from California [Mr. LEWIS] will be recognized for 20 minutes, and the gentleman from Ohio [Mr. STOKES] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. STOKES].

GENERAL LEAVE

Mr. STOKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report on H.R. 2491, as well as on the Senate amendments reported in disagreement, and that I may include tables, charts, and other extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the outset I want to take a moment to recognize the members of the Subcommittee on VA, HUD, and Independent Agencies, who have done an outstanding job in terms of bringing this conference report and, prior to that, the bill, to the House floor. It has been a real pleasure for me to work with the gentleman from West Virginia [Mr. MOLLOHAN], the gentleman from Texas [Mr. CHAPMAN], the gentlewoman from Ohio [Ms. KAPTUR], the gentleman from California [Mr. TORRES], and the gentleman from Arkansas [Mr. THORNTON].

Mr. Speaker, on the minority side, it has been a real honor to work with the gentleman from California [Mr. LEWIS], the ranking minority member. We have had an excellent working relationship throughout this entire period. It has also been an honor to work with the gentleman from Texas [Mr. DELAY] and the gentleman from New Jersey [Mr. GALLO]. Each of them has been hardworking subcommittee members, and it has been a real pleasure to work with them in bringing this bill to the floor.

Mr. Speaker, I also want to take a moment to pay tribute to a hardworking and very talented and skilled staff, particularly Dick Malow, the staff director, along with Paul Thomson, Michelle Burkett, Dan Cantu, and Ms. Shirley Day, who is on detail from the National Science Foundation.

These people often work many long hours at night and work weekends to help prepare and bring these bills to the floor, and I want to acknowledge the great service they render for the House.

Mr. Speaker, we bring back to the House today the conference report on the fiscal year 1994 VA, HUD, and Independent Agencies Appropriations bill. As always, this is a very difficult bill to reach agreement with the Senate—because it is a bill that demands some very difficult choices.

But, Mr. Speaker, I believe we have brought back a fair conference agreement—a balanced conference agreement—and, above all, an agreement that parts from the usual way of doing business.

I want to take just a minute to expand a little bit on what I mean by that last comment.

When I came before the House this past June, I explained that Senator MIKULSKI and I had hammered out an agreement which tried to address the concern that the appropriations committees had increasingly included numerous unauthorized projects and legislation in our annual bills.

This agreement was not easy to implement. We had to say no to many of our colleagues. But the Senator and I felt it was the right thing to do.

In capsule form, what we agreed to do was this.

The 1994 VA-HUD bill would include no legislation—including language requested by the President.

The only exceptions we made to that policy were the following:

Limitations in order under the House rules,

Technical legislation that had been carried previously in the bill—or needed some adjustment,

And, of course, any major program activities lacking general funding authorization, such as EPA, NASA, and NSF.

Also, the agreement provided that we would include no unauthorized site-specific projects in either the bill or the report.

We also agreed that we would not include any HUD special projects.

It has been very tough to maintain that agreement. But, Senator MIKULSKI and I made an agreement and both of us kept our word.

It is our belief that the bill before you includes no legislation that does not meet the test we set for ourselves—and I believe we have not included any site-specific projects for Members that are not authorized.

The bottom line is that we have made a good faith effort to meet the commitment that we discussed this past June. And I would hope that our friends from the legislative committees recognize that we have kept our commitment.

Now let me point out why it was so tough to put this conference agreement together. The fact is that we were working under a number of constraints this year that we would not normally have to deal with.

To begin with, because we proposed no legislation in this bill—we were not able to use any outlay-enhancing gimmicks.

Second, after the bill left the House, the White House informed the committees that an additional $100 million was required in the NASA account as a payment to Russia. Having to shoehorn in an additional $100 million at that point was almost impossible.

So we had to make some tough choices.

We have effectively killed the AXAF-S Program—although we are providing sufficient money to look at the possibility of flying the key instrument on a Japanese satellite.

We have reduced the President's $20,000,000 new technology initiative science data purchase to zero. We effectively killed the President's new small satellite technology program.

And, we have killed the so-called search for extraterrestrial intelligence program.

Also in NASA, we could not fully fund either the comet or spacehab programs—and we are terminating the advanced solid rocket motor program.

At the appropriate time I will offer a motion implementing the termination and transferring any ASRM funds above what the House agreed to into NSF programs, NASA's national aerospace plane, and EPA's Superfund.

I also think it's important to point out that this agreement does not include $204 million for the so-called locality pay.

Under the recently passed Treasury Appropriations Act, these moneys must be paid in 1994—the bottom line is that all agencies in the bill, including VA hospitals, will have to eat this substantial amount of money. Combined with the cuts carried in the conference agreement for a number of salaries and expense accounts, this could cause furloughs or RIF's later in fiscal year 1994.

Mr. Speaker, this bill received a section 602(b) allocation that was $900 million in outlays and $1.3 billion in budget authority below the President's request. When we consider the constraints I just talked about and the wishes and wants of all the Members on both sides of this building—I believe we bring back to the House today a reasonable and balanced bill.

I want to highlight a few of the items in this bill.

We are providing $15,622,000,000 for veterans' medical care. That is nearly a $1 billion increase above 1993.

We are providing $252 million for VA medical and prosthetic research—a $20 million increase above last year.

Under Housing, we are providing $9,313,000,000 for assisted housing. That is roughly a $500 million increase above 1993.

We are also providing $778 million for the new HOPE VI program to address some of the most difficult problems in public housing.

We are providing $4,400,000,000 for the community development block grant program—an increase of $160 million above 1993.

And under the homeless programs we are providing $723 million—an increase of almost $150 million above 1993.

For the programs of the Environmental Protection Agency, we are providing $6,659,000,000—an increase of almost $300 million above the budget request.

For NASA, we are appropriating $14,551,500,000—a reduction of more than $710 million below the budget request—but an increase of almost $250 million above 1993.

And, for the National Science Foundation, we are appropriating more than $3 billion—which is an increase of $294 million above 1993.

Finally, Mr. Speaker, we have brought back the Selective Service issue for another vote in the House and Senate.

We could not reach agreement on Selective Service. I believe that the time has come to save this money—and as we used to do with an old car—put the Selective Service System up on blocks.

We can come back and get that system up and running in plenty of time. But given the current world conditions today—the American All-Volunteer Army is working fine—and I believe this is $20 million which we can save and use on other higher priority programs or on deficit reduction.

Mr. Speaker, this is a good bill and I hope that the Members will support this conference agreement, and I reserve the balance of my time.

Mr. Speaker, at this point I would include a table on the conference agreement and the resolution of the amendments in disagreement.

H.R. 2491 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1994

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I						
DEPARTMENT OF VETERANS AFFAIRS						
Veterans Benefits Administration						
Compensation and pensions	16,969,239,000	16,828,446,000	16,828,446,000	16,828,446,000	16,828,446,000	-140,793,000
Readjustment benefits	814,010,000	947,400,000	947,400,000	947,400,000	947,400,000	+133,390,000
Veterans insurance and indemnities	22,730,000	15,370,000	15,370,000	15,370,000	15,370,000	-7,360,000
Guaranty and indemnity program account (indefinite)	495,766,000	462,119,000	462,119,000	462,119,000	462,119,000	-33,647,000
Administrative expenses	40,524,000	56,231,000	56,231,000	56,231,000	56,231,000	+15,707,000
Loan guaranty program account (indefinite)	49,275,000	27,647,000	27,647,000	27,647,000	27,647,000	-21,628,000
Administrative expenses	87,869,000	70,716,000	70,716,000	70,716,000	70,716,000	-17,153,000
Direct loan program account (indefinite)	97,000	69,000	69,000	69,000	69,000	-28,000
(Limitation on direct loans)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	
Administrative expenses	1,393,000	2,863,000	2,863,000	2,863,000	2,863,000	+1,470,000
(Loan level)	(147,000)	(798,000)	(798,000)	(798,000)	(798,000)	(+651,000)
Education loan fund program account	1,000	1,032	1,032	1,032	1,032	+32
(Limitation on direct loans)	(11,000)	(3,571)	(3,571)	(3,571)	(3,571)	(-7,429)
Administrative expenses	305,000	186,000	186,000	186,000	186,000	-119,000
Vocational rehabilitation loans program account	51,000	53,000	53,000	53,000	53,000	+2,000
(Limitation on direct loans)	(1,760,000)	(2,387,000)	(2,387,000)	(2,387,000)	(2,387,000)	(+627,000)
Administrative expenses	962,000	751,000	751,000	751,000	751,000	-211,000
Native American Veteran Housing Loan Program	4,500,000					-4,500,000
(Limitation on direct loans)	(58,400,000)					(-58,400,000)
Administrative expenses	500,000	156,000	156,000	156,000	156,000	-344,000
Total, Veterans Benefits Administration	18,487,222,000	18,412,008,032	18,412,008,032	18,412,008,032	18,412,008,032	-75,213,968
Veterans Health Administration						
Medical care	14,645,723,000	15,642,452,000	15,522,452,000	15,637,452,000	15,622,452,000	+976,729,000
Health care reform contingency fund (emergency)				500,000,000		
Total	14,645,723,000	15,642,452,000	15,522,452,000	16,137,452,000	15,622,452,000	+976,729,000
Medical and prosthetic research	232,000,000	206,000,000	252,000,000	252,000,000	252,000,000	+20,000,000
Health professional scholarship program	10,113,000	10,386,000	10,386,000	10,386,000	10,386,000	+273,000
Health professionals education loan repayment program	5,000,000			10,000,000		-5,000,000
Medical administration and miscellaneous operating expenses	68,954,000	68,500,000	68,500,000	73,500,000	68,500,000	-454,000
Grants to the Republic of the Philippines	500,000	500,000	500,000	500,000	500,000	
Transitional housing loan program:						
Loan program account (by transfer)	(7,000)	(7,000)	(7,000)	(7,000)	(7,000)	
Administrative expenses (by transfer)	(50,000)	(52,000)	(52,000)	(52,000)	(52,000)	(+2,000)
(Limitation on direct loans)	(70,000)	(70,000)	(70,000)	(70,000)	(70,000)	
Total, Veterans Health Administration	14,962,290,000	15,927,838,000	15,853,838,000	16,483,838,000	15,953,838,000	+991,548,000
Departmental Administration						
General operating expenses	811,919,000	823,249,000	823,249,000	828,249,000	826,749,000	+14,830,000
National Cemetery System	70,668,000	70,507,000	70,507,000	70,507,000	70,507,000	-161,000
Office of Inspector General	31,182,000	31,520,000	31,436,000	31,436,000	31,436,000	+254,000
Construction, major projects	492,674,000	362,293,000	322,793,000	369,000,000	369,000,000	-123,674,000
(By transfer)		(14,000,000)	(14,000,000)	(14,000,000)	(14,000,000)	(+14,000,000)
Construction, minor projects	149,525,000	153,540,000	153,540,000	153,540,000	153,540,000	+4,015,000
Parking revolving fund	1,317,000	1,353,000	1,353,000	1,353,000	1,353,000	+36,000
Grants for construction of state extended care facilities	40,000,000	41,080,000	41,080,000	41,080,000	41,080,000	+1,080,000
Grants for the construction of state veterans cemeteries	5,104,000	5,242,000	5,242,000	5,242,000	5,242,000	+138,000
Total, Departmental Administration	1,602,389,000	1,488,784,000	1,449,200,000	1,500,407,000	1,498,907,000	-103,482,000
Total, title I, Department of Veterans Affairs	35,051,901,000	35,828,630,032	35,715,046,032	36,396,253,032	35,864,753,032	+812,852,032
(By transfer)	(57,000)	(14,059,000)	(14,059,000)	(14,059,000)	(14,059,000)	(+14,002,000)
(Limitation on direct loans)	(61,388,000)	(4,258,571)	(4,258,571)	(4,258,571)	(4,258,571)	(-57,129,429)
Consisting of:						
Mandatory	(18,351,117,000)	(18,281,051,000)	(18,281,051,000)	(18,281,051,000)	(18,281,051,000)	(-70,066,000)
Discretionary	(16,700,784,000)	(17,547,579,032)	(17,433,995,032)	(18,115,202,032)	(17,583,702,032)	(+882,918,032)
TITLE II						
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
Housing Programs						
Homeownership and opportunity for people everywhere grants (HOPE grants)	271,000,000	109,190,000	119,190,000	109,190,000	109,190,000	-161,810,000
Rescission of FY 1992 and FY 1993 HOPE funds			-250,000,000	-250,000,000	-250,000,000	-250,000,000
HOME investment partnerships program	1,172,500,000	1,600,000,000	1,325,000,000	1,275,000,000	1,275,000,000	+102,500,000

H.R. 2491 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1994

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Annual contributions for assisted housing	8,836,731,000	8,423,000,000	9,192,900,000	9,334,900,000	9,312,900,000	+476,169,000
Public housing bond refinancing	-10,000,000					+10,000,000
Transfer from flexible subsidy and Nehemiah fund	42,934,000					-42,934,000
Rescission of assisted housing deobligations (budget authority, indefinite)	-8,000,000					+8,000,000
Total, annual contributions (net)	8,861,665,000	8,423,000,000	9,192,900,000	9,334,900,000	9,312,900,000	+451,235,000
Assistance for the renewal of expiring section 8 subsidy contracts	6,076,135,000	5,558,106,000	5,558,106,000	4,558,106,000	4,558,106,000	-1,518,029,000
Advance appropriation for next fiscal year	720,000,000	800,000,000	800,000,000		800,000,000	+80,000,000
Rental housing assistance:						
Rescission of budget authority, indefinite	-42,000,000	-40,000,000	-40,000,000	-40,000,000	-40,000,000	+2,000,000
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-2,000,000)	(-2,000,000)	(-2,000,000)	(-2,000,000)	
Rescission of prepayment recaptures	-283,000,000	-45,515,000	-45,515,000	-45,515,000	-45,515,000	+237,485,000
Rent supplement program:						
Rescission of budget authority, indefinite		-32,438,000	-32,438,000	-32,438,000	-32,438,000	-32,438,000
(Limitation on annual contract authority, indefinite)		(-1,544,646)	(-1,544,646)	(-1,544,646)	(-1,544,646)	(-1,544,646)
Congregate services	21,000,000	6,267,000	6,267,000	25,000,000	25,000,000	+4,000,000
Payments for operation of low-income housing projects	2,282,436,000	2,520,808,000	2,620,808,000	2,620,808,000	2,620,808,000	+338,372,000
Severely distressed public housing	300,000,000	483,240,000	483,240,000	803,240,000	778,240,000	+478,240,000
Drug elimination grants for low-income housing	175,000,000		265,000,000	265,000,000	265,000,000	+90,000,000
Community partnerships against crime		265,000,000				
Youthbuild program	40,000,000	48,000,000	48,000,000			-40,000,000
National cities in schools community development program			10,000,000	10,000,000	10,000,000	+10,000,000
Housing counseling assistance	6,025,000		12,000,000	12,000,000	12,000,000	+5,975,000
Flexible subsidy fund		65,747,000	35,747,000	41,000,000	35,747,000	+35,747,000
Rescission	-10,800,000					+10,800,000
Flexible subsidy fund (transfer to annual contributions)	-55,500,000					+55,500,000
Nehemiah housing opportunity fund (transfer to annual contributions)	-18,934,000					+18,934,000
Federal Housing Administration:						
FHA - Mutual mortgage insurance program account:						
(Limitation on guaranteed loans)	(100,000,000,000)	(64,564,645,000)	(64,564,645,000)	(64,564,645,000)	(64,564,645,000)	(-35,435,355,000)
Administrative expenses	255,645,000	262,810,000	262,810,000	262,810,000	262,810,000	+7,165,000
Offsetting receipts	-261,148,000	-267,021,000	-267,021,000	-267,021,000	-267,021,000	-5,873,000
FHA - General and special risk program account:						
(Limitation on guaranteed loans)	(10,664,230,000)	(13,436,205,000)	(13,436,205,000)	(13,436,205,000)	(13,436,205,000)	(+2,771,975,000)
Administrative expenses	187,000,000	192,252,000	192,252,000	192,252,000	192,252,000	+5,252,000
Program costs	145,823,000	147,371,000	147,371,000	147,371,000	147,371,000	+1,548,000
Subsidy - multifamily		-41,957,000	-41,957,000	-41,957,000	-41,957,000	-41,957,000
Subsidy - single family		-45,172,000	-45,172,000	-45,172,000	-45,172,000	-45,172,000
Subsidy - Title I		-16,293,000	-16,293,000	-16,293,000	-16,293,000	-16,293,000
Offsetting receipts	-22,171,000					+22,171,000
Raise FHA mortgage limitation	-44,000,000					+44,000,000
Eliminate 57% closing cost limitation	1,000,000					-1,000,000
Total, Federal Housing Administration	262,149,000	231,990,000	231,990,000	231,990,000	231,990,000	-30,159,000
Government National Mortgage Association						
Guarantees of mortgage-backed securities loan guarantee program account:						
(Limitation on guaranteed loans)	(107,700,000,000)	(85,000,000,000)	(85,000,000,000)	(130,000,000,000)	(130,000,000,000)	(+22,300,000,000)
Administrative expenses	6,936,000	8,038,000	8,038,000	8,038,000	8,038,000	+1,102,000
Offsetting receipts	-322,500,000	-269,300,000	-269,300,000	-269,300,000	-269,300,000	+53,200,000
Total, Housing Programs (net)	19,462,112,000	19,732,133,000	20,079,033,000	18,657,019,000	19,404,766,000	-57,346,000
Homeless Assistance						
Emergency shelter grants program	50,000,000	51,350,000	151,350,000	55,000,000	115,000,000	+65,000,000
Supportive housing program	150,000,000	319,968,000	319,968,000	400,000,000	334,000,000	+184,000,000
Section 8 moderate rehabilitation, single room occupancy	105,000,000	107,835,000	107,835,000	150,000,000	150,000,000	+45,000,000
Shelter plus care	266,550,000	273,747,000	123,747,000	123,747,000	123,747,000	-142,803,000
Innovative homeless initiatives demonstrations program					100,000,000	+100,000,000
Total	571,550,000	752,900,000	702,900,000	728,747,000	822,747,000	+251,197,000
Community Planning and Development						
Community development grants	4,240,000,000	4,223,675,000	4,273,675,000	4,400,000,000	4,400,000,000	+160,000,000
(Limitation on guaranteed loans)	(2,000,000,000)	(2,054,000,000)	(2,054,000,000)	(2,054,000,000)	(2,054,000,000)	(+54,000,000)
Capacity building for community development and affordable housing					20,000,000	+20,000,000
Total	4,240,000,000	4,223,675,000	4,273,675,000	4,400,000,000	4,420,000,000	+180,000,000
Policy Development and Research						
Research and technology	25,000,000	35,000,000	73,000,000	35,000,000	35,000,000	+10,000,000

H.R. 2491 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1994

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Indian Housing						
Indian housing loan guarantee program			2,000,000		1,000,000	+1,000,000
(Limitation on direct loans)			(50,000,000)		(25,000,000)	(+25,000,000)
Fair Housing and Equal Opportunity						
Fair housing activities	15,000,000	21,419,000	25,000,000	21,419,000	25,000,000	+10,000,000
Management and Administration						
Salaries and expenses (multiple accounts)	452,567,000	465,553,000	465,553,000	458,000,000	464,053,000	+11,486,000
(By transfer, limitation on FHA corporate funds)	(432,497,000)	(444,872,000)	(444,872,000)	(444,872,000)	(444,872,000)	(+12,375,000)
(By transfer, GNMA)	(6,936,000)	(8,038,000)	(8,038,000)	(8,038,000)	(8,038,000)	(+1,102,000)
Office of Inspector General	36,012,000	36,149,000	36,115,000	36,115,000	36,115,000	+103,000
(By transfer, limitation on FHA corporate funds)	(10,148,000)	(10,190,000)	(10,190,000)	(10,190,000)	(10,190,000)	(+42,000)
Office of federal housing enterprise oversight		5,742,000	5,742,000	10,700,000	10,700,000	+10,700,000
Offsetting receipts		-5,742,000	-5,742,000	-10,700,000	-10,700,000	-10,700,000
Administrative provisions	3,579,000					-3,579,000
Total, title II, Dept of Housing and Urban Development (net)	24,805,820,000	25,266,829,000	25,657,276,000	24,336,300,000	25,208,681,000	+402,861,000
Appropriations, fiscal year 1994	(24,429,620,000)	(24,584,782,000)	(25,225,229,000)	(24,704,253,000)	(24,776,634,000)	(+347,014,000)
Advance appropriations for next year	(720,000,000)	(800,000,000)	(800,000,000)		(800,000,000)	(+80,000,000)
Rescissions	(-343,800,000)	(-117,953,000)	(-367,953,000)	(-367,953,000)	(-367,953,000)	(-24,153,000)
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-3,544,646)	(-3,544,646)	(-3,544,646)	(-3,544,646)	(-1,544,646)
(Limitation on guaranteed loans)	(220,364,230,000)	(165,054,850,000)	(165,054,850,000)	(210,054,850,000)	(210,054,850,000)	(-10,309,380,000)
(Limitation on corporate funds to be expended)	(449,581,000)	(463,100,000)	(463,100,000)	(463,100,000)	(463,100,000)	(+13,519,000)
Consisting of:						
Advance appropriation available	850,000,000	720,000,000	720,000,000	720,000,000	720,000,000	-130,000,000
Appropriations available from this bill	24,085,820,000	24,466,829,000	24,857,276,000	24,336,300,000	24,408,681,000	+322,861,000
Total, title II, fiscal year 1994	24,935,820,000	25,186,829,000	25,577,276,000	25,056,300,000	25,128,681,000	+192,861,000
TITLE III						
INDEPENDENT AGENCIES						
American Battle Monuments Commission						
Salaries and expenses	19,318,000	19,961,000	19,961,000	20,461,000	20,211,000	+893,000
Chemical Safety and Hazard Investigation Board						
Salaries and expenses		5,000,000	5,000,000		2,500,000	+2,500,000
Commission on National and Community Service						
Salaries and expenses	2,500,000	2,519,000	2,519,000			-2,500,000
Programs and activities	77,000,000	74,971,000	105,000,000			-77,000,000
Total	79,500,000	77,490,000	107,519,000			-79,500,000
Department of the Treasury						
Financial Management Service: Community development banks		60,000,000				
Community Investment Program						
Community investment program		513,500,000				
Consumer Product Safety Commission						
Salaries and expenses	48,400,000	42,286,000	42,286,000	42,286,000	42,286,000	-6,114,000
Court of Veterans Appeals						
Salaries and expenses	8,480,000	9,278,000	9,040,000	9,278,000	9,159,000	+679,000
Department of Defense - Civil						
Cemeterial Expenses, Army						
Salaries and expenses	13,033,000	12,738,000	12,738,000	12,738,000	12,738,000	-295,000
Environmental Protection Agency						
Research and development	323,000,000	353,565,000	353,565,000	328,565,000	338,701,000	+15,701,000
Abatement, control, and compliance	1,337,215,000	1,367,535,000	1,367,535,000	1,352,535,000	1,352,535,000	+15,320,000
(Limitation on administrative expenses)	(274,000,000)		(283,000,000)	(280,000,000)	(283,000,000)	(+9,000,000)
Abatement, control, and compliance loan account	30,225,000					-30,225,000
(By transfer)				(29,000,000)		
(Limitation on direct loans)	(70,500,000)					(-70,500,000)
Administrative expenses	1,000,000					-1,000,000
(By transfer)				(1,000,000)		
Program and research operations	827,607,000	859,170,000	859,170,000	841,000,000	850,625,000	+23,018,000
(Transfer to CEQ)				(-375,000)		
Office of Inspector General	42,799,000	45,194,000	44,595,000	44,595,000	44,595,000	+1,796,000
Buildings and facilities	134,300,000	18,000,000	18,000,000	12,000,000	18,000,000	-116,300,000
Hazardous substance superfund	1,573,528,000	1,496,400,000	1,416,100,000	1,496,400,000	1,480,853,000	-92,675,000
(Limitation on administrative expenses)	(260,000,000)		(280,000,000)	(240,000,000)	(280,000,000)	(+20,000,000)
Leaking underground storage tank trust fund	83,000,000	75,379,000	75,379,000	75,379,000	75,379,000	-7,621,000
(Limitation on administrative expenses)	(7,200,000)		(7,400,000)	(7,400,000)	(7,400,000)	(+200,000)

H.R. 2491 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1994

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Oil spill response	20,700,000	21,239,000	21,239,000	21,239,000	21,239,000	+539,000
Water infrastructure / State revolving fund	2,550,000,000	1,528,000,000	2,477,000,000	2,500,000,000	2,477,000,000	-73,000,000
Drinking water capitalization grants		599,000,000				
Total, EPA	6,923,374,000	6,363,482,000	6,632,583,000	6,671,713,000	6,658,927,000	-264,447,000
Executive Office of the President						
National Space Council	941,000					-941,000
Office of Science and Technology Policy	6,225,000	5,170,000	4,200,000	4,700,000	4,450,000	-1,775,000
Points of Light Foundation	5,000,000					-5,000,000
Office of National Service				160,000	160,000	+160,000
Council on Environmental Quality and Office of Environmental Quality	2,560,000				375,000	-2,185,000
(By transfer)				(375,000)		
Total	14,726,000	5,170,000	4,200,000	4,860,000	4,985,000	-9,741,000
Federal Emergency Management Agency						
Disaster relief	2,292,000,000	292,000,000	292,000,000	292,000,000	292,000,000	-2,000,000,000
Disaster relief contingency fund (emergency)				400,000,000		
Disaster assistance direct loan program account	95,000	95,000	95,000	95,000	95,000	
(Limitation on direct loans)	(40,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(-15,000,000)
Salaries and expenses	160,409,000	165,516,000	164,239,000	160,409,000	160,409,000	
Office of Inspector General	3,000,000	4,800,000	4,350,000	4,350,000	4,350,000	+1,350,000
Emergency management planning and assistance	253,243,000	222,960,000	212,960,000	215,000,000	212,960,000	-40,283,000
Emergency food and shelter program	129,000,000	123,000,000	130,000,000	130,000,000	130,000,000	+1,000,000
Administrative provision REP savings	-10,477,000	-11,525,000	-11,525,000	-11,525,000	-11,525,000	-1,048,000
Total, Federal Emergency Management Agency	2,827,270,000	796,846,000	792,119,000	1,190,329,000	788,289,000	-2,038,981,000
General Services Administration						
Consumer Information Center	2,026,000	2,074,000	2,074,000	2,074,000	2,074,000	+48,000
(Limitation on administrative expenses)	(2,367,000)	(2,415,000)	(2,415,000)	(2,415,000)	(2,415,000)	(+48,000)
Department of Health and Human Services						
Office of Consumer Affairs	2,159,000	2,159,000	2,159,000	2,159,000	2,159,000	
Interagency Council on the Homeless						
Salaries and expenses	900,000	910,000	910,000			-900,000
National Aeronautics and Space Administration						
Research and development	7,094,300,000	7,690,400,000	7,475,400,000	7,544,400,000	7,529,300,000	+435,000,000
Rescission	-14,300,000					+14,300,000
Total (net)	7,080,000,000	7,690,400,000	7,475,400,000	7,544,400,000	7,529,300,000	+449,300,000
Space flight, control and data communications	5,058,800,000	5,333,800,000	4,878,400,000	4,892,900,000	4,853,500,000	-205,300,000
Construction of facilities	520,000,000	550,300,000	512,700,000	550,300,000	517,700,000	-2,300,000
Rescission				-10,000,000		
Research and program management	1,635,014,000	1,675,000,000	1,637,500,000	1,635,508,000	1,635,508,000	+494,000
Office of Inspector General	15,062,000	15,500,000	15,391,000	15,391,000	15,391,000	+329,000
Total, NASA	14,308,876,000	15,265,000,000	14,519,391,000	14,628,499,000	14,551,399,000	+242,523,000
National Commission on American Indian, Alaska Native, and Native Hawaiian Housing						
Salaries and expenses	500,000					-500,000
National Credit Union Administration						
Central liquidity facility:						
(Limitation on direct loans)	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	
(Limitation on administrative expenses, corporate funds)	(964,000)	(945,000)	(945,000)	(945,000)	(945,000)	(-19,000)
National Science Foundation						
Research and related activities	1,859,000,000	2,204,800,000	2,045,000,000	1,940,000,000	1,998,500,000	+139,500,000
Academic research infrastructure	50,000,000	55,000,000	55,000,000	125,000,000	110,000,000	+60,000,000
United States polar research programs	158,000,000	163,100,000	158,100,000	158,100,000	158,100,000	+100,000
United States Antarctic logistical support activities	63,360,000	65,100,000	62,600,000	62,600,000	62,600,000	-760,000
Education and human resources	487,500,000	556,100,000	569,600,000	569,600,000	569,600,000	+82,100,000
Critical technologies institute	1,000,000	1,000,000	1,000,000	2,000,000	1,500,000	+500,000
Salaries and expenses	111,000,000	125,800,000	120,800,000	115,500,000	118,300,000	+7,300,000
Office of Inspector General	3,688,000	4,100,000	3,997,000	3,997,000	3,997,000	+309,000
National Science Foundation headquarters relocation		5,200,000	5,200,000	5,200,000	5,200,000	+5,200,000
Total, NSF	2,733,548,000	3,180,200,000	3,021,297,000	2,981,997,000	3,027,797,000	+294,249,000
National Service Initiative						
Corporation for National and Community Service		394,000,000		370,000,000	370,000,000	+370,000,000

H.R. 2491 - Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, 1994

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Neighborhood Reinvestment Corporation						
Payment to the Neighborhood Reinvestment Corporation	27,976,000	27,976,000	30,476,000	32,000,000	32,000,000	+4,024,000
Selective Service System						
Salaries and expenses	28,616,000	29,012,000	5,000,000	25,000,000	25,000,000	-3,616,000
Total, title III, Independent agencies (net)	27,038,702,000	26,807,082,000	25,206,753,000	25,993,394,000	25,549,524,000	-1,489,178,000
Appropriations	(27,053,002,000)	(26,807,082,000)	(25,206,753,000)	(26,003,394,000)	(25,549,524,000)	(-1,503,478,000)
Rescissions	(-14,300,000)			(-10,000,000)		(+14,300,000)
(Limitation on administrative expenses)	(543,567,000)	(2,415,000)	(572,815,000)	(529,815,000)	(572,815,000)	(+29,248,000)
(Limitation on direct loans)	(710,500,000)	(625,000,000)	(625,000,000)	(625,000,000)	(625,000,000)	(-85,500,000)
(Limitation on corporate funds to be expended)	(964,000)	(945,000)	(945,000)	(945,000)	(945,000)	(-19,000)
TITLE IV						
CORPORATIONS						
Federal Deposit Insurance Corporation:						
FSLIC Resolution Fund	2,622,000,000	1,326,000,000	1,326,000,000	1,171,000,000	1,171,000,000	-1,451,000,000
FDIC affordable housing program	5,000,000	5,260,000	7,000,000		7,000,000	+2,000,000
Bank enterprise program	1,000,000					-1,000,000
Total	2,628,000,000	1,331,260,000	1,333,000,000	1,171,000,000	1,178,000,000	-1,450,000,000
Resolution Trust Corporation: Office of Inspector General	33,510,000	34,582,000	34,046,000	34,582,000	34,314,000	+804,000
Total, title IV, Corporations	2,661,510,000	1,365,842,000	1,367,046,000	1,205,582,000	1,212,314,000	-1,449,196,000
Grand total (net)	89,557,933,000	89,268,383,032	87,946,121,032	87,931,529,032	87,835,272,032	-1,722,660,968
Appropriations, fiscal year 1994	(89,196,033,000)	(88,586,336,032)	(87,514,074,032)	(88,309,482,032)	(87,403,225,032)	(-1,792,807,968)
Advance appropriations for next year	(720,000,000)	(800,000,000)	(800,000,000)		(800,000,000)	(+80,000,000)
Rescissions	(-358,100,000)	(-117,953,000)	(-367,953,000)	(-377,953,000)	(-367,953,000)	(-9,853,000)
(By transfer)	(57,000)	(14,059,000)	(14,059,000)	(44,434,000)	(14,059,000)	(+14,002,000)
(Limitation on administrative expenses)	(543,567,000)	(2,415,000)	(572,815,000)	(529,815,000)	(572,815,000)	(+29,248,000)
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-3,544,646)	(-3,544,646)	(-3,544,646)	(-3,544,646)	(-1,544,646)
(Limitation on direct loans)	(771,888,000)	(629,258,571)	(679,258,571)	(629,258,571)	(654,258,571)	(-117,629,429)
(Limitation on guaranteed loans)	(220,364,230,000)	(165,054,850,000)	(165,054,850,000)	(210,054,850,000)	(210,054,850,000)	(-10,309,380,000)
(Limitation on corporate funds to be expended)	(450,545,000)	(464,045,000)	(464,045,000)	(464,045,000)	(464,045,000)	(+13,500,000)

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Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

I would like to express my appreciation to my chairman, the gentleman from Ohio [Mr. STOKES], for his very, very fine and professional working relationship which he has developed among the entire staff as well as the members of our subcommittee.

I further would like to express my own appreciation for the fine work of Bill Warfield, who is with the office of the gentleman from Pennsylvania [Mr. MCDADE], and who has been of great assistance to me and my staff in our work throughout this year. Finally I'd like to recognize the work of Doc Syers, and Darin Latteed of my personal staff, who have done so much in helping us work our way through this new responsibility in this subcommittee.

Mr. Speaker, we bring to you today a conference report which allocates $87.7 billion in new budget authority among two Cabinet agencies and 19 other Federal agencies and commissions.

Within these accounts we are allocating $68.2 billion in discretionary domestic budget authority for programs as diverse as America's Space Program, the consumer information catalog, enforcement of the Clean Air Act, America's research stations on the continent of Antarctica, and efforts to address our obligation to America's veterans.

In light of your strong and overwhelming vote on last week's rule, we have revised the agreement to clearly and unambiguously terminate the Advanced Solid Rocket Motor Program. We have adopted the reduced ASRM funding level that was contained in the bill upon original House passage in late June.

This conference report is also unambiguous in its effort to provide new leadership to address long-simmering controversies. My chairman, Mr. STOKES, has worked long and hard to minimize the kinds of communication difficulties with the various authorizing committees which also have jurisdiction and oversight over the many agencies and programs that are covered within this bill.

This conference agreement is distinctive for what it does not do.

It does not fund HUD special purpose grants which have totalled as much as $250 million in recent years.

It does not earmark funds for unauthorized site specific Member initiated EPA water projects.

It does not contain more overall spending than last year's bill. We are $1.8 billion below the bill as enacted last year. We are also nearly $1.6 billion below what the President requested.

We have taken a firm step toward ending any debates about the search for extra terrestrial intelligence. This report phases out that research.

Let me return now to highlighting some of what we have been able to do.

VETERANS

Whatever else you may hear during the next year regarding veterans and where they will fit into comprehensive health care reform, your approval of this conference report means that the VA's system of 171 hospitals, 131 nursing homes and 371 outpatient clinics will receive a 7-percent increase or almost $977 million most to operate with than last year. Just as critical, we have provided $252 million—an increase of nearly 9 percent—for the high quality medical research that attracts and retains professionals and practitioners to the VA's health care delivery system.

HOUSING

We have provided $20.1 billion to HUD for housing programs. You may hear more later regarding the shift in emphasis from promoting ownership in public housing by the residents to the programs that Secretary Cisneros and the new administration hopes will lead to reinventing HUD. Major innovations in housing policy are largely in the future but this report reserves its most substantial increases to reconstruction and job training in severely distressed public housing—plus $478 million or plus 159 percent versus fiscal year 1993—drug elimination grants—less $90 million or plus 51 percent—and programs to assist the homeless—plus $151.2 million or plus 26.4 percent. We have also provided funds to begin implementing the new Secretary's top two initiatives—innovative homeless demonstrations and capacity building in community development. These two programs were authorized in final form by this House less than 1 week ago.

SPACE

Your support for this conference agreement means that America has a future in space and that NASA will live within the President's cap of $2.1 billion to continue the Space Station Program. You cannot tie a better square knot than we did in this report. Let me state it to you in the exact way our report does. "The Conferees believe that any Russian participation should enhance and not enable station." We have an agreement with the Administrator that over 50 percent of the station funds can not be spent until the Russian role as a potential international partner is negotiated and finalized

EPA

We have provided $6.6 billion for environmental protection. This actually reflects a reduction of 3.6 percent for this agency compared to last year. We have provided $500 million to support water infrastructure financing in hardship communities. Not one dime of that money is committed to a site specific Member requested project. That is a departure from past practice in this Appropriations Subcommittee. We strongly urge the authorizers to help us make use of these funds and to take timely action to prioritize the multiple requests that we received.

I urge your strong support for both the programmatic directions we have achieved and for the direction that the subcommittee is taking under the leadership of the gentleman from Ohio. We very much want a bill signed that reflects the will of this body.

☐ 1500

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today not so much to oppose the conference committee report but to urge the membership to support the motion that will be offered later on today by the gentleman from Ohio [Mr. STOKES] to finally terminate the advanced solid rocket motor.

The ASRM was funded in the conference report at $157 million. The language of the Stokes motion will be to provide $100 million of expressly stated termination costs. If the Stokes motion is passed by the House, which I hope it will be, that will put the Congress in an appropriation bill firmly on record for terminating this boondoggle that has increased in cost almost exponentially from the time it was originally authorized, dividing up the other $57 million as follows: to fund research on the national aerospace plane, $20 million, and a transfer to the accounts National Science Foundation and the Environmental Protection Agency, $37 million.

By terminating the ASRM, NASA, the National Science Foundation, and the EPA will be better off and will be able to use the money that is transferred away from the ASRM to do what in my opinion is probably a better public good.

Mr. Speaker, the question has been asked by many of my fellow fiscal conservatives: Why not just reduce the total appropriation by $57 million, and let this money go?

Unfortunately, the way our Budget Act works is that since this is included under a section 602(b) allocation, we just cannot have money lying around. However, that is not a reason to defeat the motion offered by the gentleman from Ohio [Mr. STOKES]. The reason to pass that motion is, by terminating the ASRM, the $2.6 billion that is necessary to complete this project between now and the year 2002 will not have to be appropriated in future years. By spending the $57 million in programs in NASA, the National Science Foundation, and the EPA today, we will be able to save many times that in future appropriation bills for the next seven to eight years.

The Advanced solid rocket motor needs to be terminated because it is 100 percent over budget. It now bears a $2.6 billion cost to complete, after we have spent $2 billion over the past 5 years. The cost to finish this program is more than the original cost estimates that were given to the Congress when the program was initially authorized and appropriated, and it is very similar to the superconducting super collider in terms of lowball estimates that Congress is being asked to agree to.

The advanced solid rocket motor will not fly even its first flight until the year 2002, after 80 percent of the space station has been completed. The proponents of the ASRM, when the program was originally authorized, said, "We need this rocket in order to reduce the number of shuttle flights necessary to assemble the station." Because this rocket is not going to be ready until most of the station is already up, it has become a rocket without a mission. That is why its funding ought to be terminated.

There were and there still are alternative programs that NASA can afford to do the job of the ASRM. That is something that is funded in this current budget, and which will be considered in future authorizations and appropriation bills.

Finally, the facilities at Yellow Creek, MS; can and should be used for a worthy public purpose, since the taxpayers have already invested $1.5 billion in constructing them, but that worthy public purpose is not the advanced solid rocket motor, nor is it some kind of resurrection or job transfer program.

The President, in his fiscal year 1995 budget submission, ought to tell Congress and the country for what purpose he intends to use that facility. If it is reasonable and does not attempt to resurrect the ASRM out of the ashes, I am certain that it will achieve support, both in the Committee on Science, Space, and Technology, in the Committee on Appropriations, and by the House of Representatives as a whole.

Again, I would urge strong support for the motion terminating the ASRM that the gentleman from Ohio [Mr. STOKES] will offer later on today.

Mr. Speaker, I reserve the balance of my time.

Mr. STOKES. Mr. Speaker, I yield 4 minutes to the distinguished ranking majority member of this subcommittee, the very able and hard-working gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Speaker, I rise in strong support of the conference report to H.R. 2491, the VA-HUD fiscal year 1994 appropriations bill. The chairman has done an outstanding job throughout the appropriations process this year, and he has enjoyed the cooperation of the ranking minority member. I am very proud of the product that we bring to the floor for the Members' consideration.

In light of the current budget environment, we were unable to fund many worthy projects, and others we funded at lower levels than we would have hoped. But in this fiscal situation, the operative word is fair, and this is a fair bill.

The programs in this bill have been authorized. The initiatives reflect the administration's priorities for the diverse agencies under the subcommittee's jurisdiction.

To address the critical needs of our Nation's veterans, I am pleased to tell my colleagues that we increased funding for veterans medical care by almost $1 billion over fiscal year 1993 amounts. This was not easy because our 602b allocation provided a funding level 2 percent less than comparable fiscal year 1993 levels.

By providing increases in Housing and Urban Development accounts the bill renews our commitment to public housing programs. I am particularly pleased that we keep in mind the special needs of rural areas. Through the increase to the Section 8 Program we improve the availability of affordable housing for the many low-income individuals waiting for assistance.

In NASA, we have successfully achieved funding for a balanced Space Program. We have included the requested amount for the redesigned space station *Alpha*, which now includes Russian participation; we have provided increases for aeronautics research and development, a key component of President Clinton's competitiveness agenda; further, we have maintained the Nation's commitment to the space shuttle, mission to planet Earth, and space science programs.

The committee appreciates the importance of basic research, so we have provided increases for the National Science Foundation's research and related activities account. And we again increase funding for NSF's K through 12 education activities.

And we provide levels for EPA above the President's request, including funds for water treatment, Superfund, leaking underground storage tank fund, and oilspill response programs.

Overall, I am pleased with our work, but I would like to take this opportunity to mention something that concerns me deeply. The Congress is responding to the current fiscal environment with a shifting mood about discretionary spending, but in our frenzy to appear fiscally responsible, we must refrain from superficial tactics to achieve our goals.

The high-resolution microwave survey is a NASA Program caught in this web. As a result, the program is being terminated in this bill. If this termination had been based on substantive issues, I would be comfortable with our actions. But unfortunately, this is not the case. HRMS has been peer reviewed; it has been authorized; it pushes state of the art technology in signal processing techniques and in radio receiver technology; and it has met its budget and its schedule for the 5 years it has been funded.

Yet in an attempt to attract attention as stewards of good government, Members of Congress have attacked the program with shallow references to little green men and ET. In my judgment, the termination of this program is a mistake. The program is being used as a scapegoat, and I want to express my sincere regret to the outstanding scientists who have dedicated their careers to the program.

Overall, however, we bring to you a responsible bill. The subcommittee has been responsive to the will of the majority of the Members of the body. I urge my colleagues to support this conference agreement.

☐ 1510

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I would like to engage in a colloquy with the chairman and the ranking member of the subcommittee.

Mr. Speaker, within the funds for NASA, the conference report directs a reduction from the NASA ground terminal facility which lies within my district. Is this correct?

Mr. STOKES. If the gentleman will yield, that is correct. The conference report reflects the sentiment of the conferees that we are not proceeding with the TDRSS replenishment new start at this time. The conference agreement reflects a specific reduction in the operating costs at both headquarters and the ground terminal.

Mr. SKEEN. Owing to my concern with the intent of the conferees, I wrote NASA Administrator Goldin asking for an agency assessment of the technical feasibility of operating cuts such as those which the conferees have reached. His response raises possible concerns and I insert Mr. Goldin's letter into the RECORD at this point.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, OFFICE OF THE ADMINISTRATOR,
Washington, DC, October 15, 1993.

Hon. JOE SKEEN,
House of Representatives,
Washington, DC.

DEAR MR. SKEEN: Thank you for your letter of October 7, signed jointly with Senators Domenici, Gramm and Bingaman and Congressmen McDade and Lewis, regarding direction concerning NASA's Space Communications activities included in the Conference Report (House Report 103-273) accompanying H.R. 2491, the VA-HUD-Independent Agencies appropriations bill. The Report directs that "$11 million [be taken] as a general reduction from space communications, including a reduction of $8.6 million from space communications operations activities at headquarters and at the NASA ground terminal."

We are currently assessing the impacts of an $8.6 million reduction directed at Headquarters support activities for Space Communications and Ground Terminal operations. As you may know, NASA is already actively endeavoring to reduce costs of Headquarters support activities in general, and we expect to absorb reductions in Headquarters support for Space Communications, among other areas. Clearly, however, a directed appropriations reduction of $8.6 million would require a decrease in activities at the NASA Ground Terminal in White Sands, New Mexico, as well. We recognize the important role of the White Sands Ground Terminal in the operation and maintenance of the Tracking and Data Relay Satellite (TDRS) system, and hope to avoid undue impacts of reductions in Ground Terminal funding. We are evaluating how NASA might absorb a portion of the reduction specified in the Conference Report in other elements of the Space Communications program, if necessary. If it is determined that an alternative distribution of the reductions is preferable for the most effective conduct of Space Communications activities, NASA will propose such an approach in the FY 1994 operating plan.

With respect to the TDRS Replenishment program, I note that the Conference Report deletes requested FY 1994 funding "without prejudice." We are actively studying the cost, schedule, and capability requirements to ensure continuity of vital U.S. on-orbit space communications availability through the TDRS replenishment program. As the Conference Report suggests, NASA will address the results of our studies in this regard and timing of procurement activities in the forthcoming FY 1994 operating plan.

NASA is committed to maintaining the viability of TDRSS. I appreciate your support of NASA's space communications activities and would be pleased to discuss this matter in greater detail.

Sincerely,

DANIEL S. GOLDIN,
Administrator.

Mr. Goldin's letter states that NASA recognizes the importance of the White Sands ground terminal in the operation and maintenance of the Tracking and Data Relay Satellite System [TDRSS] and stresses the agency hopes to avoid undue impacts of reductions in ground terminal funding.

I would like to ask the conferees an important question on this matter. Is it the subcommittee's intent to eliminate any flexibility by the Administrator of NASA with regard to the operating budget at the White Sands location?

Mr. LEWIS of California. If the gentleman will yield, Mr. Speaker, the potential technical problems which the Administrator mentions creates a very limited opportunity for us to assess whether the agency could faithfully implement the clear direction of the conferees. That would come at a later date in the form of a reprogramming or when the agency's operating plan is forwarded to us in the next few months.

Mr. STOKES. Mr. Speaker, if the gentleman will yield, that is correct.

Mr. SKEEN. I thank both the chairman and the ranking member for their responses.

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the short-winded gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I appreciate the compliment of my colleague from Wisconsin. I guess that was a compliment.

Mr. Speaker, you know this conference committee report is 2.1 percent below fiscal year 1993, and that is good. It is 1.8 percent below the President's request for 1994, and that is good. It is 1 percent below the House-passed bill, and that is good. It is 1 percent below the Senate-passed bill. All of those things are good.

Unfortunately, it is $400 million higher than fiscal year 1993's spending for community development block grants, $400 million higher. We tried when this bill came before the House on June 28 to take community development block grants back to the level of last year and we were unsuccessful.

Now the conference committee has raised it $400 million to $4.4 billion, and it is higher by 10 percent than last year.

At a time when we are suffering huge budget deficits, it seems to me inconceivable that we would be increasing any part of our spending, even in this bill, by 10 percent or $400 million.

Earlier this year when President Clinton first took office he proposed what was called his economic stimulus package. That was a $16.5 billion package that was supposed to create jobs for this country. And in that package we found all kinds of pork barrel projects.

We found, for instance, $1.8 million for a Desert West Park in Phoenix, AZ, the Orpheum Theater in Phoenix, AZ, where the renovation of that movie theater would cost $3.5 million of taxpayers' money. In Berkeley, CA, there was the downtown YMCA that was going to cost $300,000 to renovate, and the Civic Center in Burbank was going to cost $400 million to renovate, and it goes on and on. I brought to the floor this litany of pork barrel projects at that time. And we sent this to the Senate, and that was the thing that defeated that bill.

Unfortunately, we cannot get to a lot of these that are in this bill today, but many of these projects I believe are the same projects that were in the so-called economic stimulus package, and they are simply nothing more than pork barrel projects.

So I say to my colleagues that I cannot support this because there is $400 million more in this bill than was spent last year for community development block grants. And I believe many of these projects are simply pork barrel projects for incumbent Congressmen so that they can go back home and say to their constituents that they have done a good job by bringing home the bacon, and thus getting reelected. This is the wrong thing to do during these fiscal problems. We face fiscal collapse in this country if we do not get control of our appetite for spending. This is a perfect example of that.

Ten years ago we had a $1 trillion debt. Now it is $4.35 trillion, and projections are that it will be close to $7 trillion in the next 4 or 5 years, and the interest on that debt alone is going to be one of the largest items in the Federal budget. We cannot afford it. We have to get control of spending. This is an example of waste we should not be voting for, and I urge my colleagues to defeat this conference report, send it back, and take $400 million out.

Mr. STOKES. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, the conference report's allocation for the Environmental Protection Agency's research and development activities contains a specific allocation for high-altitude engine research and testing. Is it the intention of the committee that these funds are to be used only for statutorily authorized high-altitude engine research and testing?

Mr. STOKES. If the gentleman will yield, Mr. Speaker, that is the committee's intention.

Mr. SKAGGS. Mr. Speaker, I thank the chairman. I just wanted to get that clarified for the RECORD, and I appreciate the work of the gentleman and his committee on this bill.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Speaker, I rise in reluctant opposition to the fiscal year 1994 VA, HUD, independent agencies appropriation bill. I do so in large part due to the continued funding for the space station.

However, I want to take this opportunity to personally commend Chairman NATCHER and ranking member MCDADE as well as Chairman STOKES and ranking member LEWIS of the VA-HUD Subcommittee for their efforts with respect to our Nation's housing programs.

With respect to this bill, I appreciate the difficult job the members of the Appropriations Committee face in trying to provide a fair distribution of very limited funds.

I want to especially commend the committee for the increased funding for the HOME Investment Partnership Program, the 202 elderly, and section 811 disabled program, the public housing development and modernization programs.

I also want to thank the committee for providing $150 million for the much needed lead paint abatement program and the $700 million for the distressed public housing effort.

I also appreciate the fact that the committee recognized the great needs in the HUD-FHA multifamily property disposition program by providing $500 million for the sale of these properties. The authorization committees of both Houses will be making substantial changes to that program over the next few months in order to help HUD expedite the sale of these properties.

Finally, to Chairman STOKES and ranking member LEWIS, I want to again thank you for taking the authorization committee's wishes into consideration with respect to several housing initiatives presented by HUD earlier this spring. These include the pension fund housing demonstration and the innovative homeless initiative.

The spirit of cooperation between authorizers and appropriators is very much appreciated. Last week, the House did pass the necessary authorization legislation and HUD can now go forward with their programs.

Unfortunately, and despite the good work of the committee in addressing our housing needs, I must vote against this conference report because we continue to skew our priorities toward outer space rather than toward deficit reduction and our domestic needs.

☐ 1520

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I thank the gentleman for yielding this time to me.

First of all I would just like to say to the chairman of the Subcommittee on VA, HUD, and Independent Agencies, as well as to my good friend, the gentleman from California [Mr. LEWIS], the ranking member, that I again want to commend them for the work that they and their staff do along with the other committee members.

Theirs is one of the most difficult jobs in the entire Congress. When you have the Veterans Department and all of the veterans programs lumped under that subcommittee, along with Housing and Urban Development, which is a huge department in itself, and the myriad other independent agencies, their job in distributing the limited pie of funds available is very, very difficult.

I, for one, deeply appreciate what they have done over the years for our veterans. I really wish that the subcommittee could be divided in half and that we would have a separate subcommittee on veterans' affairs so that the veterans programs would not have to compete with all of the other agencies.

Be that as it may, you folks do a great job. Unfortunately, I had to vote against this bill back on June 28 because it abolished the Selective Service System, which I feel so strongly about. Now here we are back again, with an amendment in disagreement on the Selective Service System. At the appropriate time I will be offering a preferential motion to recede to the Senate position. However, due to the strange parliamentary situation we have here, we will have to vote on the conference report itself prior to taking up the amendments in disagreement. So I am put again in the uncomfortable position of having to vote against the conference report, which I strongly support. A great job is done for our veterans in this legislation. But I cannot contribute to abolishing the Selective Service System.

I just wanted to explain that. I hope that the House is going to use the wisdom of Solomon and reverse its earlier decision and restore the funds for Selective Service that were deleted some weeks ago. Perhaps today, we will change that around and we will be successful.

Mr. Speaker, again I commend the gentleman from California for yielding this time and congratulate him and the subcommittee chairman for the great work their subcommittee does.

Mr. STOKES. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. TORRES], a very important member of the subcommittee.

Mr. TORRES. I thank the gentleman for yielding time to me.

Mr. Speaker, I note the conference agreement earmarks $28 million of funds provided under HOPE I, II, and III for YouthBuild Programs authorized under title I, subtitle D of the Housing and Community Development Act of 1992. Are these funds subject to any restriction, or can they be used to implement any of the activities contained in the authorizing statute, including the funding of new programs?

Mr. STOKES. Mr. Speaker, will the gentleman yield?

Mr. TORRES. I yield to the gentleman from Ohio.

Mr. STOKES. I thank the gentleman for yielding.

Mr. Speaker, the funds appropriated to YouthBuild under HOPE I, II, III may be used to implement any activity authorized under title I, subtitle D of the Housing and Community Development Act of 1992, including, but not limited to, the funding of new programs.

Mr. TORRES. Mr. Speaker, I thank the chairman of the subcommittee for that clarification.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. GALLO], a member of the subcommittee.

Mr. GALLO. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of the conference report on H.R. 2491, the VA, HUD appropriations bill.

As a new member of this subcommittee, I want to congratulate our new chairman LOUIS STOKES, and our new ranking member JERRY LEWIS, on a job well done.

There are many important priorities in this bill—veterans health care, housing assistance, environmental protections, and space programs. And, as always, there never seems to be enough money to meet all the needs. But, I believe this conference report made the tough choices and found the appropriate balance of funding for all these needs.

In particular, I am very pleased that under the Department of Housing and Urban Development, we provided the higher figure of $1.567 billion and 12,000 units for section 202/811 senior citizen and disabled housing. I remain concerned, however, about the need to address the problem of mixed populations—nonsenior disabled people living in elderly housing—in HUD-assisted housing. It is my understanding that this is an issue for consideration in the authorization committees, and I hope that other members of the subcommittee will work with me to encourage the authorizing committee to find a long-term solution to preserving senior housing projects for their intended use—low-income seniors.

I also remain concerned about a provision in the conference agreement that requires HUD to set aside no less than 75 percent of the drug elimination grants for housing authorities with over 1,240 units. While I appreciate the needs of the larger housing authorities, I know of no geographic boundaries for this Nation's drug and crime problems and smaller housing authorities are often in even greater need of this assistance. In fact, those housing authorities with less than 1,240 units actually represent 43 percent of all public housing units. It seems unfair to me that these housing authorities would be limited to only 20 percent of these critical funds. Once again, I encourage the authorizing committee to move forward on a long-term solution to address the needs of all public housing authorities when it comes to keeping these homes free and clear of drugs and crime.

Under the Veterans' Administration, I am pleased that the conference agreement provides funding for all major construction projects requested by the administration and authorized by Congress this year.

Finally, I support the conference level of funding for Superfund. As a Member who represents a district that includes 12 civilian and 1 military Superfund site, I am extremely concerned that the funding is available to keep these cleanups on schedule and to protect the health and environment of our citizens and our communities.

Mr. Speaker, again, I support this conference agreement and I urge my colleagues to vote in favor of its passage.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. RAMSTAD].

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, today we have the opportunity to put the final nail in the coffin of the ASRM by voting for the Stokes motion.

I would like to thank the Committee on Appropriations for agreeing to follow the will of the House to end this program that resembles the celebrated cat with nine lives.

It is hard to believe that the ASRM, which had virtually no support in the Congress or even at NASA and is clearly one of the most blatant examples of pork-barrel spending, too so long to kill.

After the House voted overwhelmingly to terminate the ASRM earlier this summer, the other body and the conference committee unfortunately tried to restore enough funding to keep the program alive. But it is gratifying that the House finally said enough is enough and refused to allow its will to be steamrollered.

But I must say I am disappointed that the money for the ASRM has been placed in other space and science programs. It is my judgment and the judgment of many, many Americans that these savings should have been placed directly in deficit reduction, which is certainly a greater need than the national aerospace plane. But that is a fight for another day.

Mr. Speaker, today's action is the first step on the long road of eliminating wasteful spending, and I only hope my colleagues will cut more pork to eliminate the deficit and to address the national debt before it is too late.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. I thank the gentleman for yielding this time to me.

Mr. Speaker, at the outset I want to congratulate both the chairman and the ranking member for the work they have done on this bill, a very difficult, contentious bill, as I know it always is because of the multiplicity of the programs involved.

Mr. Speaker, I rise today to protest the death blow dealt the Homeownership and Opportunity for People Everywhere [HOPE] Program by the VA-HUD conference report.

On June 29, the House voted in favor of a bipartisan Kolbe-Andrews-Blackwell amendment which restored $10 million to HOPE for a total funding level of $119 million. Regrettably, the Senate deleted this restored funding and voted to fund the HOPE Program at $109 million.

However, the conference report contains a provision to rip yet another $12 million from the HOPE Program and transfer it into the Youthbuild Program.

This leaves the HOPE Program with a measly $97 million.

This provision to transfer $12 million from HOPE to Youthbuild was not contained in either the House or Senate version of the VA-HUD appropriations bill. It is a Senate subcommittee amendment which was put in the conference report without debate or votes by Members in the House and Senate.

Neither the House nor Senate have adequately funded HOPE, but at least procedure was followed in getting these figures. Unfortunately, that was not the case when this provision to slash an additional $12 million from HOPE was surreptitiously inserted into the VA-HUD conference report.

The HOPE Program has been decimated by cuts and rescissions. If we fund the HOPE Program at the Senate level of $109 million, HOPE will be 90 percent below the fiscal year 1994 authorization level.

This means 45,000 low-income residents participating in HOPE will be forced to forgo dreams of homeownership. Imagine how many more residents will be left holding the bag with this additional $12 million cut from HOPE.

Congress has done a great disservice to low-income residents who want to pursue the American dream of homeownership—and we have effectively provided people with yet another reason to distrust lawmakers.

To further cut the HOPE Program is disheartening and it is wrong to put a provision into the VA-HUD conference report to further slash HOPE without allowing Members to debate the merits of this provision.

□ 1530

That means 45,000 low-income residents participating in HOPE will be forced to forego their dreams of home ownership.

I am very disappointed with the decision that has been taken here, and I hope the House will reject this conference report.

Mr. STOKES. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Subcommittee on Health and the Environment of the Committee on Energy and Commerce, the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, I am pleased that the committee chairman has yielded time to me so that I might enter into a colloquy with him regarding the language in the statement of the managers' accompanying the conference report concerning the requirements of the Clean Air Act for use of oxygenated fuels as applied in Alaska.

The report language states that "The limitation precludes enforcement of section 211(m)(2) of the Clean Air Act against marketers, refiners, or distributors of gasoline to require use of oxygenated substances."

The limitation in this bill, however, does not apply to all oxygenates—as the report language I have just read states. Instead, it applies only to a single statutorily specified oxygenate, methyl tertiary butyl ether or MTBE. No limitation applies to other fuel oxygenates.

May I ask the gentleman, am I correct?

Mr. STOKES. Mr. Speaker, will the gentleman yield?

Mr. WAXMAN. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Speaker, the gentleman is correct. The limitation applies only to a single statutorily specified oxygenated for Alaska. This entire provision concerns the unique conditions in Alaska only.

Mr. WAXMAN. I thank the chairman for helping to clarify that important point. Finally, I would also like to address the issue of further research on oxygenates. I wish to put into the RECORD, an October 8, 1993, letter I received from the acting head of the Office of Research and Development at EPA, Dr. Gary Foley, on this matter.

I thank the subcommittee chairman for his cooperation on this issue, and I include with my remarks the following correspondence:

ENVIRONMENTAL PROTECTION AGENCY, OFFICE OF RESEARCH AND DEVELOPMENT,
Washington, DC, October 8, 1993.

Hon. HENRY A. WAXMAN,
Chairman, Subcommittee on Health and the Environment, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This letter is in response to your inquiry to Dr. Peter Preuss, Director of the Office of Science, Planning and Regulatory Evaluation in the Office of Research and Development at EPA, regarding language that accompanies the FY 1994 Appropriations Bill.

Currently, the language reads:

"The Office of Research and Development at the EPA believes that additional research on oxygenates would be useful and oxygenate fuels should be investigated before being introduced into commercial application."

We believe that the following sentence would accurately reflect the analyses of the Office of Research and Development to this point.

"The Office of Research and Development at the EPA believes that additional research on oxygenated would be useful and other oxygenates fuels should be investigated."

We hope that this provides the clarification that you requested.

Sincerely yours,

GARY J. FOLEY.
Acting Assistant Administrator for Research and Development.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DELAY. Mr. Speaker, I rise in support of the VA-HUD conference report. This is a tough bill working under a tight budget allocation. Balancing the diverse priorities contained in this funding bill from Veterans and Housing needs to EPA, NASA, and Selective Service to name a few, is a very difficult and challenging task.

I am pleased that the total budget authority level in this year's bill is lower than last year. Last years' bill in budget authority amounted to just over $89.5 billion—$89,557,933,000—while this years' fiscal year 1994 bill is just under $87.7 billion—$87,695,272,032.

I would like to commend the chairman of the subcommittee and our ranking member, the gentleman from California, for the impressive manner in which they have guided this bill through the appropriations process. They have been fair and accommodating and I have thoroughly enjoyed working with both of them.

I very much appreciate the chairman's candor and openness in dealing with funding for NASA and the space station in particular as well as the ranking member's continued strong support. This has been a challenging year for the space station in terms of the redesign, management restructuring, and the question of Russian involvement.

I must admit, I was skeptical at first, but I am confident that we now, under the conception of space station *Alpha*, have the plan for a better, cheaper streamlined version of space station *Freedom* with the option of entering into some form of a partnership with the Russians yet to be decided.

While total funding for the space station amounts to $2.1 billion, the subcommittee has included a provision which caps the amount available to NASA at $1.1 billion through March 31, 1994. At that point, the subcommittee can give NASA approval to spend the balance pending final approval of the plan for Russian involvement.

I believe this is a very important restriction. While the prospect of major cooperation with the Russians seems to be around the corner, entering into such a partnership brings with it many concerns. The provision included by the subcommittee gives members the opportunity to ensure that any joint United States-Russian space station option conforms to the established goals of our current space program as well as ensuring that the plan is supported by the American public.

The redesigned space station *Alpha* will cost less to build but will be comparable in terms of scientific capability. As a result of the redesign, we will save more than $4 billion over the next 5 years and $19 billion over the life of the program.

By approving the funding for the space station program, we have recognized the importance of investing in our technological future as well as the hopes and dreams of our children. As I've argued before, and I think most Americans would agree, America's space program is one of the activities we undertake which falls unquestionably into the legitimate purview of our Federal Government.

Forget the unparalleled knowledge about space itself, forget even the new heights of international cooperation and the building of inhabitable structures in space. What you're left with are medical advances, new techniques in air and water purification, improved crystals for electronics, new energy production research, better insight into global ecology, and more than 30,000 other basic applications of science that will improve our productivity, our global competitiveness, our environment, and our everyday lives. Unarguably, these are objectives not only worth achieving, but achievable only through dedicated initiatives at a Federal level.

I support this conference report and I would urge my colleagues to approve it.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Let me say, it has been expressed a number of times today that this is a very complex bill. It is one that involves funding for programs that range from our efforts in space to the responsibilities of the EPA in terms of the environment. It is a very difficult bill that contains a good deal of discretionary spending.

The work that has been done by the chairman and our staff this year in helping us put together this very carefully balanced bill is very much appreciated by this Member.

With that, Mr. Speaker, I urge the Members to give support to this conference committee report.

Mr. Speaker, I yield back the balance of my time.

Mr. STOKES. Mr. Speaker, I have no further requests for time.

I would just concur in the statement just made by the gentleman from California [Mr. LEWIS], the ranking member of the subcommittee, that this is a good bill. It has been a very difficult bill for us to put together. It is one which we worked on assiduously in order to try to bring back to the House not only a good bill, but a bill that conforms with the rules of the House. I urge all Members to support this bill.

Mr. VENTO. Mr. Speaker, I rise in support but with concerns on this conference report which will provide $87.7 billion for veterans, housing, emergency management, environmental, basic science and NASA programs, and independent agencies for fiscal year 1994. The conferees are bringing to us a bill that is $1.9 billion less than 1993 funding levels and $1.6 billion less than requested by the administration for fiscal year 1994. This figure could have been even further reduced had Congress not continued to fund the space station program at $2.1 billion this year alone, incidently at the expense of folks back here on the Earth. I'm hopeful that the House position on the Advance Solid Rocket Motor [ASRM] Program will now finally prevail so that we can terminate the program along with the funding for the Selective Service Program.

I support the inclusion of $379 million in funding for the National Service Initiative, funding for the FDIC Affordable Housing Program, continued funding for veterans benefits and ongoing programs at HUD, the EPA and elsewhere that I think are significant in their contributions.

So many of the programs funded by this legislation are vital to our Nation and its citizens, especially the ongoing housing programs that we are funding at $19.4 billion in HUD along with the roughly half a million dollars in VA housing programs. We hear frequently cited the reports of people without health insurance. We do not hear as often about the millions who live in substandard housing, paying more than one-half of their income each month for rent, or both. We do not hear as often about the homeless. This bill will help meet some of the housing needs of the people we represent.

The agreement provides higher funding for important housing programs like public housing, including severely distressed public housing, and the CDBG Program. The conference agreement also recognizes the strengths of congregate housing services, providing $25 million for this program that I am interested in and strongly support. I am pleased at the provision of over $9 billion for assisted housing, $265 million for the successful public housing drug elimination grants program and $32 million for the Neighborhood Reinvestment Corporation.

In general, this measure takes a good direction in the funding of homeless assistance programs under this bill. I strongly support the reprogramming of funds from shelter plus care [SPC] to the Emergency Shelter Grants [ESG] Program for a conference level of $115 million. I also support supportive housing and funding dedicated for the program in the House-passed bill increased from $150 million last year to $334 million for fiscal year 1994. The agreement also provides $130 million for the essential FEMA Emergency Food and Shelter Program.

I am also pleased that we have found a way to fund a deserving program for community-based organizations serving homeless veterans as authorized under sections 3 and 4 of the Homeless Veterans Comprehensive Service Programs Act of 1992.

I am concerned, however about the de-funding the Interagency Council on the Homeless. Eliminating funds for the Interagency Council on the Homeless could cripple efforts to bring and keep all agencies into the circle of responsibility for addressing homelessness. While the Department of Housing and Urban Development has done a good job with their programs, the crisis of homelessness for people is so often not just a housing problem.

The funding for the interagency council cannot be restored here today. Notwithstanding that, we must look to reinstate as soon as possible a true interagency effort to ensure continued accountability and better services for homeless persons from the array of national departments and agencies who have primary on-going responsibility to outreach to the homeless population. Indeed, despite the specific rationale of the Senate report language to which the House is yielding, I must point out to my colleagues that the Gore Report on Reinventing Government actually identifies cross-department initiatives addressing the problems of the homeless as one of its strong organizational recommendations.

Mr. Speaker, I support this conference agreement with some reservations. I continue to question the science fiction-like programs and qualities of programs such as the space station program which is being generously maintained through this appropriation legislation and the ASRM program which shouldn't survive. In such lean budget years, I am really hard pressed to support legislation that provides for the continued cannibalization of our critically important domestic programs on earth for questionable and imagined space science research benefits and programs.

I remain hopeful that our future appropriations measures will see additional funding for assisted housing, section 8 assistance, and public housing as that funding is key to moving beyond the McKinney homeless programs to permanent housing for our citizens. That will only be possible if we can continue to redirect our priorities to address the human deficit which has grown so dramatically over the last decade. To achieve such change we must cut the excess of the space station, the ASRM and other questionable programs, and truly reorder our national priorities.

Mr. LEWIS of Florida. Mr. Speaker, I rise today in reluctant opposition to H.R. 2491, the fiscal year 1994 VA, HUD and independent agencies appropriations bill.

Although I realize the constraints under which the committee finds itself, I believe one serious mistake has been made. The national aerospace plane [NASP] has been canceled.

As my colleagues know, I have been involved in NASP since its days as a top secret program known as Copper Canyon. I strongly believe that this program is absolutely essential for our future aerospace industry and America's aerospace trade surplus. In addition, it is necessary to expand and continue our exploration of the last human frontier—space.

Although I commend the committee for their support for the high speed civil transport. It is a different program than NASP, with different, shorter term goals.

Mr. Speaker, I believe this is a tragic mistake for America and for mankind. It signals to me that we cannot make even the slightest investment in anything that does not have immediate benefits. Therefore, I must oppose this conference agreement.

Mr. STUMP. Mr. Speaker, facing a tight budget and a slim 602(b) allocation for over 25 different Federal agencies, the VA–HUD subcommittee has probably done as well as one might expect for veterans programs. However, when considering the inadequate numbers they started with, it is difficult for veterans to be pleased.

The bottom line, Mr. Speaker, is that Federal spending for veterans' programs in inflation adjusted dollars has not increased in more than a decade and its overall share of the Federal budget has been steadily eroding. Since 1965, spending for veterans programs increased by a mere 36 percent, while at the same time social welfare spending increased by an astounding 361 percent.

Mr. Speaker, veterans are willing to shoulder their share of deficit reduction. But, I am concerned that we are asking them to shoulder an ever increasing percentage every year.

When measured by 1988 dollars, veterans' programs, are taking a dive. They are not keeping pace with what is required. And the results are becoming ever more obvious in the services provided to our veterans—backlogs are rising and delays are commonplace. The backlog of VA compensation claims is approaching 900,000. By this time next year, it could be well over 1 million. The equipment backlog in VA hospitals is approaching $1 billion. We can do better for those who sacrificed to preserve America's freedom.

Mr. Speaker, it's a matter of priorities. I have very real concerns about the way taxpayer dollars are being spent. Tens of billions are going to fund mega science projects, public housing, housing research, education grants, and so-called volunteer programs. All in direct competition against veterans' programs.

I credit the gentleman from Ohio [Mr. Stokes] chairman of the Subcommittee on VA, HUD, and independent agencies and the gentleman from California, JERRY LEWIS, the subcommittee's ranking member for all they were able to do for veterans under difficult circumstances.

However, I stand in opposition to the legislation. I am seriously concerned that this conference report, though written within the budget Congress adopted, is misdirected in its priorities and overspent in too many of its accounts. I urge my colleagues to vote against it.

Mr. BEREUTER. Mr. Speaker, this Member rises to express his thanks to the distinguished chairman of the VA/HUD/Independent Agencies Appropriations Subcommittee, Mr. STOKES, the distinguished gentleman from California, the ranking Republican member of the subcommittee, Mr. LEWIS, and all of the House conferees on this measure for their efforts to include funding for an Indian Housing Loan Guarantee Program. While the conference report includes only $1 million for this program—as opposed to the House-passed level of $2 million—this modest amount will provide an opportunity to start the Indian Housing Loan Guarantee Program so as to prove its benefits to our native American populations who live on Indian reservations and its savings to the American taxpayer.

Because of the efforts of the conferees and their able staff to include funding for this program, Indian families living on tribal trust land, for the first time ever will have an opportunity for home ownership through private home loans.

Mr. Speaker, this Member would again express his gratitude for the efforts of the conferees because of the opportunity those efforts will provide to many native American families across our country.

Mr. FAZIO. Mr. Speaker, I rise in support of the conference report on H.R. 2491, the Veterans Affairs [VA] and Housing and Urban Development [HUD], and independent agencies appropriations bill for fiscal year 1994.

Agencies that H.R. 2491 funds, in addition to the VA and HUD, include the Environmental Protection Agency [EPA], the National Aeronautics and Space Administration [NASA], the National Science Foundation [NSF], the Federal Emergency Management Agency [FEMA], the Federal Deposit Insurance Corporation [FDIC], the Resolution Trust Corporation [RTC], and the new Corporation for National and Community Service, which was established earlier this year. These various agencies support everything from community and neighborhood development to programs for the homeless, to disaster assistance, to pollution control, to medical care and treatment for veterans and their eligible beneficiaries.

The major EPA programs which are funded by this bill include pollution abatement, control, and compliance; wastewater treatment facilities; and oilspill prevention and response activities. The EPA also subsidizes the costs of loans made to needy local education agencies to remove hazardous asbestos in school buildings. It additionally operates the hazardous substance Superfund Program, which was established to clean up emergency hazardous materials and spills and dangerous, uncontrolled, and abandoned hazardous waste sites.

This bill also funds FEMA, the agency that is charged with coordinating the entire Federal disaster assistance response by providing support and relief to public entities, individuals, and families. This includes protective measures, debris clearance, the repair and restoration of damaged facilities, and temporary housing.

The funds provided in this bill enable the VA to administer benefits for veterans, family members of living veterans, and survivors of deceased veterans—28.7 percent of our total population. These benefits include pension payments; disability compensation payments; educational training and vocational assistance; guaranteed loans for housing assistance; life insurance policies; and inpatient care and treatment in hospitals, nursing homes, and clinics. The bill also provides for the major construction, modernization, alteration, and improvement of VA facilities, and supplies matching grants to assist States in the construction and establishment of State veterans' homes and nursing care facilities.

Through HUD, the bill funds programs that support our housing needs and the development and preservation of our communities. These include mortgage insurance programs that help families become homeowners and facilitate the construction and rehabilitation of rental units; rental assistance programs for lower income families who otherwise could not afford decent housing; programs that aid community and neighborhood development and preservation; and programs that help protect the home buyer in the marketplace.

One of HUD's most effective programs is the Community Development Block Grant, or CDBG, Program, which supports grants to State and local governments for local community development initiatives, such as decent, affordable housing, suitable living environments, and expansion of economic opportunity. These CDBG funds are often the only sources of revenue for new or previously unfunded public services, particularly in rural areas. These funds also generate local employment opportunities.

For example, CDBG loans to small businesses enable them to hire local workers, both temporarily and permanently. Colusa County, in my district, has participated in the CDBG Program for over 10 years now, and uses much of its CDBG funds for economic development. Its revolving loan fund for small businesses has enabled many of them to stay afloat and support the surrounding area. In Yolo County, CDBG funds are used primarily for housing rehabilitation; over 100 units have been rehabilitated since 1987. However, the county also lent CDBG economic development funds to a small firm for job creation. The firm has since then totally repaid the loan, and the county can now recycle the funds into a revolving loan fund for job generation in other small businesses.

This bill also provides funding for the new Corporation for National and Community Service, the President's National Service Program.

National Service will enable participants to work in programs that address unmet human, educational, environmental, and public safety needs. It will involve the most diverse range of Americans, from high school students to our oldest citizens, and will serve populations as diverse. And in exchange for their service, participants will receive financial assistance for their education.

These service programs will be defined and driven by the needs of States and local communities. Program participants will teach, tutor, and care for small children; run recycling programs; aid homebound individuals; provide home care for senior citizens; and clean up our parks and playgrounds. Communities will be served through Head Start centers, family support programs, community health centers, police departments, schools, conservation organizations, and in many other ways that work to meet the needs of that community in that community.

The conferees have set funding priorities for the wide variety of agencies and programs that this bill supports. Yet the total funding level in the bill that they have produced is within the subcommittee's funding target and below the President's budget request.

The conferees have managed to achieve a balance—between meeting the needs of the many Americans who depend on the programs and services that this bill funds and being fiscally responsible. This conference report will ensure that millions of Americans have access to decent housing and neighborhoods, quality medical care, and a clean environment. I urge my colleagues on both sides of the aisle to support its passage.

Mr. STOKES. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 341, nays 89 not voting 3, as follows:

[Roll No. 513]

YEAS—341

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Baker (CA)
Barca
Barcia
Barlow
Barrett (WI)
Bateman
Becerra
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Boehlert
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Buyer
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Costello
Coyne
Cramer
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Fowler
Frank (MA)
Franks (CT)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hastings
Hayes
Hefner
Herger
Hilliard
Hinchey
Hobson
Hochbrueckner
Hoke
Horn
Houghton
Hoyer
Hughes
Hutto
Hyde
Inslee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Parker
Pastor
Payne (NJ)
Payne (VA)
Peterson (FL)
Pickett
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NAYS—89

Allard
Archer
Armey
Bachus (AL)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Beilenson
Blute
Boehner
Bunning
Burton
Byrne
Callahan
Coble
Collins (GA)
Combest
Condit
Coppersmith
Cox
Crane
Crapo
Dickey
Doolittle
Dornan
Dreier
Duncan
Everett
Fawell
Fields (TX)
Franks (NJ)
Gekas
Goodlatte
Goss
Grams
Hancock
Hefley
Hoagland
Hoekstra
Holden
Huffington
Hunter
Hutchinson
Inglis
Inhofe
Jacobs
Johnson, Sam
Klug
Knollenberg
Kolbe
Leach
Lewis (FL)
Manzullo
Margolies-Mezvinsky
McInnis
Mica
Miller (FL)
Minge
Moorhead
Nussle
Orton
Pallone
Paxon
Penny
Peterson (MN)
Petri
Pombo
Portman
Ramstad
Roberts
Roemer
Rohrabacher
Roth
Roukema
Royce
Schaefer
Sensenbrenner
Shuster
Smith (MI)
Smith (OR)
Solomon
Spence
Stump
Torkildsen
Walker
Zeliff
Zimmer

NOT VOTING—3

Engel
Ford (TN)
Pelosi

☐ 1556

Ms. MARGOLIES-MEZVINSKY and Messrs. HEFLEY, BAKER of Louisiana, GOODLATTE, and MINGE changed their vote from "yea" to "nay."

Messrs. RAVENEL, McHUGH, and KYL and Mrs. SCHROEDER changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to House Resolution 275, the amendments in disagreement and the motions printed in the joint statement are considered as read.

The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 18: Page 18, line 17, after "1994" insert "; and up to $203,000,000 of amounts of budget authority for rental assistance under section 8 of the Act and section 162(h) of the Housing and Community Development Act of 1987 recaptured during fiscal year 1992 as a result of the conversion of section 202 direct loans to capital grants".

MOTION OFFERED BY MR. STOKES

Mr. STOKES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. STOKES moves that the House recede from its disagreement to the amendment of the Senate numbered 18, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. STOKES].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 38: Page 24, strike out lines 20 to 23, and insert:

For the urban revitalization demonstration program under the third paragraph under the head "Homeownership and Opportunity for People Everywhere grants (HOPE grants)" in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1993, Public Law 102-389, 106 Stat. 1571, 1579, $803,240,000, to remain available until expended: *Provided*, That notwithstanding the first proviso of such third paragraph, the Secretary shall have discretion to approve funding for more than fifteen applicants: *Provided further*, That no part of the foregoing amount that is used for the urban revitalization demonstration program shall be made available for an application that was not submitted to the Secretary by May 26, 1993: *Provided further*, That of the foregoing $803,240,000, the Secretary may use up to $2,500,000 for technical assistance under such urban revitalization demonstration, to be made available directly, or indirectly under contracts or grants, as appropriate: *Provided further*, That nothing in this paragraph shall prohibit the Secretary from conforming the program standards and criteria set forth herein, with subsequent authorization legislation that may be enacted into law: *Provided further*, That of the $803,240,000 made available under this heading, $20,000,000 shall be made to eligible grantees under the urban revitalization demonstration program, to implement programs authorized under subtitle D of title IV, and of which, $10,000,000 shall be made for youth apprenticeship training activities for joint labor-management organizations pursuant to section 3(c)(2)(B) of the Housing and Urban Development Act of 1968, as amended.

MOTION OFFERED BY MR. STOKES

Mr. STOKES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. STOKES moves that the House recede from its disagreement to the amendment of the Senate numbered 38, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

For the urban revitalization demonstration program under the third paragraph under the head "Homeownership and Opportunity for People Everywhere grants (HOPE grants)" in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1993, Public Law 102-389, 106 Stat. 1571, 1579, $778,240,000, to remain available until expended: *Provided*, That notwithstanding the first proviso in such third paragraph, the Secretary shall have discretion to approve funding for more than fifteen applicants: *Provided further*, That no part of the foregoing amount this is used for the urban revitalization demonstration program shall be made available for an application that was not submitted to the Secretary by May 26, 1993: *Provided further*, That of the foregoing $778,240,000, the Secretary may use up to $2,500,000 for technical assistance under such urban revitalization demonstration, to be made available directly, or indirectly, under contracts or grants, as appropriate: *Provided further*, That nothing in this paragraph shall prohibit the Secretary from conforming the program's standards and criteria set forth herein, with subsequent authorization legislation that may be enacted into law: *Provided further*, That of the $778,240,000 made available under this heading, $20,000,000 shall be made to eligible grantees under the urban revitalization demonstration program, to implement programs authorized under subtitle D of title IV, and of which, $10,000,000 shall be made for youth apprenticeship training activities for joint labor-management organizations pursuant to section 3(c)(2)(B) of the Housing and Urban Development Act of 1968, as amended.

INNOVATIVE HOMELESS INITIATIVES DEMONSTRATION PROGRAM

For the innovative homeless initiatives demonstration program as authorized by section 2 of the HUD Demonstration Act of 1993, $100,000,000, to remain available until expended.

CAPACITY BUILDING FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING

For the capacity building for community development and affordable housing program as authorized by section 4 of the HUD Demonstration Act of 1993, $20,000,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. STOKES].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 57: Page 34, line 9, strike out "(b)(2)" and insert "(b)".

MOTION OFFERED BY MR. STOKES

Mr. STOKES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. STOKES moves that the House recede from its disagreement to the amendment of the Senate numbered 57, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. STOKES].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 113: Page 52, line 21, after "activities" insert": *Provided further*, That, pursuant to Public Law 102-486, an amount equal to not more than 50 percent of all utility energy efficiency and water conservation cash rebates received by the National Aeronautics and Space Administration may be made available for additional energy efficiency and water conservation measures, including facility surveys".

MOTION OFFERED BY MR. STOKES

Mr. STOKES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. STOKES moves that the House recede from its disagreement to the amendment of the Senate numbered 113, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert "*Provided further*, That, pursuant to Public Law 102-486, an amount equal to not more than 50 percent of all utility energy efficiency and water conservation cash rebates received by the National Aeronautics and Space Administration may be made available for additional energy efficiency and water conservation measures, including facility surveys".

"*Provided further*, That none of the funds provided in this Act to the National Aeronautics and Space Administration shall be available for other than termination costs of the advanced solid rocket motor program."

Notwithstanding any other provision of this Act, the amounts appropriated in this Act for fiscal year 1994 shall be: $4,853,500,000 for the National Aeronautics and Space Administration "Space flight, control and data communications", $517,700,000 for the National Aeronautics and Space Administration "Construction of facilities", $7,529,300,000 for the National Aeronautics and Space Administration "Research and development", $1,480,853,000 for the Environmental Protection Agency "Hazardous substance superfund", $1,998,500,000 for the National Science Foundation "Research and related activities", and $110,000,000 for the National Science Foundation "Academic research infrastructure"

The SPEAKER pro tempore. Pursuant to House Resolution 275, the gentleman from Ohio [Mr. STOKES] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

Is the gentleman from California [Mr. LEWIS] opposed to the motion?

Mr. LEWIS of California. Mr. Speaker, I am not opposed.

The SPEAKER pro tempore. Without objection, the gentleman from California [Mr. LEWIS] will be recognized for 30 minutes.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio [Mr. STOKES].

□ 1600

Mr. STOKES. Mr. Speaker, I yield 30 seconds to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I rise to oppose the amendment to terminate the advanced solid rocket motor.

The fact is that we have a $1 billion state-of-the-art facility, owned by NASA, in Mississippi. It is 90 percent complete. The earlier conference agreement killed funding for the program unless a stringent set of circumstances is met, but did allow for completion of the facility. The gentleman from Wisconsin mentioned the $1 billion in the facility owned by NASA.

By doing so, we would be taking the most cost-effective approach in the long-run because it would provide NASA with the flexibility it needs to meet the challenges of manned space flight in the future. If the decision is made to go to a significantly higher orbit in future flights, we will need the ASRM, as attested to by NASA administrator Dan Goldin. And we would need the capabilities offered at the Yellow Creek site in Mississippi.

Knocking out all funding and stopping completion of the work at Yellow Creek would greatly limit NASA's ability to respond to changes in the space program in the future. It also would preclude NASA from exploring other options at this modern, government-owned facility.

With this action, we are jeopardizing a solid and substantial investment in money, as well as putting severe limits on NASA's ability to plan for the future. I ask my colleagues to consider these points and to oppose the amendment to terminate ASRM.

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume. I would like now to offer an amendment restoring the June House position on ASRM.

This amendment provides that no funds, except for termination costs, may be used for the Advanced Solid Rocket Motor Program.

In addition, Mr. Speaker, to be sure that there is no doubt about the issue, the amendment will transfer $57,500,000 from the NASA space flight, control and data communications account and the NASA construction of facilities account to the following accounts and programs: $20 million for NASA's national aerospace plane—NASP, in the research and development account; $12,500,000 to support scientists in a variety of strategic research endeavors as part of the research and related activities of the National Science Foundation; $10 million for the construction and procurement of research facilities and instruments within the National Science Foundation's infrastructure account; and $15 million for EPA's Hazardous Substance Superfund. I urge the Administrator to use some of these funds for an emerging area in environmental cleanup—the restoration of contaminated lands—brownfields—in urban areas to productive use.

Mr. Speaker, these activities will promote investments in high technology, scientific research, and environmental cleanup, and will restore the NASA ASRM funding to the level carried in the bill as it left the House last June.

This action will leave $100,000,000 in the NASA space flight account for termination costs only.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. STOKES. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I wish to commend the gentleman from Ohio [Mr. STOKES] for this amendment and urge my colleagues in the House to support it.

As one who has been a principal opponent of continued funding for the ASRM, let me say that I believe that the Stokes motion does what those of us that have wanted to defund the ASRM will do. That is, to provide money for termination costs only.

I do wish to advise the Chair that I intend to ask for a rollcall vote on adoption of the Stokes motion so that perhaps those in the other body will get the message that the time has come to terminate the ASRM. I hope that the motion of the gentleman from Ohio is overwhelmingly supported.

Mr. STOKES. Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. Mr. Speaker, I would like to thank the gentleman from Ohio [Mr. STOKES] and the gentleman from California [Mr. LEWIS] and echo what the gentleman from Wisconsin [Mr. SENSENBRENNER], my colleague from Wisconsin, said just a minute ago, which is that I and most of the folks originally opposed to the ASRM fully endorse this amendment today to terminate the program and to essentially only spend the money we are obligated to spend to terminate the program as it now exists.

There is really no reason to beat up on ASRM any longer, but I think it is clear to a number of us who fought this issue over the last several years that the project has been wildly over budget and that it is a program now essentially designed and fully funded without a mission.

In fact, the most recent testimony indicates that the ASRM will finally be ready to go at about the same time the space shuttle missions are coming to an end.

This is a vote today that will save us, over the long run, about $2.6 billion in funding for the Advanced Solid Rocket Motor Program. I and a number of my colleagues, given the choice in the best of all worlds, would like to see the money banked and used to reduce the deficit. That is not an option, unfortunately, under the rules of the House.

I think it is still appropriate, however, that all of us who fought against ASRM so hard in the past today support the amendment of the gentleman from Ohio [Mr. STOKES] and terminate the program and finally at least put one notch on our belts for eliminating a wasteful, inefficient, and overbloated Government program.

Mr. STOKES. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on Science, Space, and Technology, the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Speaker, first let me thank the distinguished gentleman from Ohio [Mr. STOKES] for yielding me this time. I want to rise in strong support of his motion with regard to the ASRM. I think that that is the best that can be done under the circumstances, and it comes close to the proposal that originally we had endorsed in the Committee on Science, Space, and Technology. Mr. Speaker, I would like to engage the distinguished chairman of the Appropriations Subcommittee for a brief colloquy relative to amendment 101 of the conference report.

The statement of managers explaining amendment 101 indicates that, in addition to placing a calendar date limitation on the availability of about half of the funds for the space station, that a cap will be in effect for the remainder of the funds. Further, the statement of managers indicates that a procedure has been agreed to governing the release of the remainder of that money.

While I recognize the expediency of the arrangement that the parties to this agreement were seeking to achieve, I want to state my strong belief that the issue of how the United States structures a cooperative arrangement with Russia on the space station will have far reaching effects—not only on space policy but also on foreign policy. This is a manner on which the entire House should have a say.

I would like to ask the distinguished gentleman three relevant questions about the procedure for the release of the money that is capped.

First, can the gentleman explain for the Members precisely what this procedure will be?

Second, can the gentleman explain how this agreement was reached?

Third, can the gentleman state precisely what criteria he will use to judge the acceptability of the administration's proposal for the space station in order to release the remainder of the appropriated funds?

Mr. STOKES. Mr. Speaker, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Speaker, in response to the gentleman's questions, let me say first that I cannot give the precise details on what procedure we would use.

But I can give him some idea of our thoughts at this time.

As I think the gentleman may be aware, both he and I and Mr. WALKER and Mr. LEWIS have expressed serious reservations concerning the so-called Russian option for the United States space station. We put those reservations in a letter to the Vice President.

□ 1610

Following that Senator MIKULSKI and I met with the Vice President and his National Security staff to discuss what options we could pursue to ensure that the House and the Senate had an opportunity to take a closer look at the effects of any further agreements reached between the United States and Russia concerning our space station.

I want the gentleman to know that I felt strongly that the Appropriations Committee had a special responsibility to the House in this case. I felt we should not simply appropriate $2.1 billion without having some idea about what space station we are buying.

I also think that if the gentleman looks at the language in the statement of the managers—he will see that concern expressed again—including the fact that we are spending $8 million a day on a space station that is, more or less, in limbo awaiting a decision on Russian participation.

Let me say further to the gentleman that my first choice in dealing with this issue was to have a second vote in the House either this fall or next spring.

In the first case, the Appropriations Committee would have meted out about $500 million and looked for a second vote at roughly the end of November. At that time, after consulting with the gentleman's committee, we would have determined whether we wanted to release the balance of the $1.6 billion for space station, dependent on what final arrangements had been reached with Russia.

In the second case, we would have meted out $1.1 billion and taken a second vote some time next March.

I think it is fair to suggest that the administration strongly urged that we not take station up for a second vote either this fall or next spring. To be fair, I believe they are fully aware of our concerns and will actively try to ensure that those concerns are carefully considered in any discussions with the Russian Government.

So the compromise that we came up with makes use of a longstanding arrangement with NASA which permits the Committees on Appropriations to cap programs and subsequently release money, providing that the use of the money meets the satisfaction of the committee and of other Members of the House.

While I would agree with the gentleman from California that this procedure is certainly not the best available and was not the preferred procedure—I think it is only fair to point out that since the responsibility for appropriating the money in the first place rests with the Appropriations Committee—it seems reasonable that we should have some control and responsibility for how it is spent.

Having said that, Mr. Speaker, I want to assure the gentleman that as we see events unfold over the coming month or two concerning what impact the Russian option will have on our space station, we will fully involve both the gentleman from California, [Mr. BROWN] and other members of his committee including, of course, the minority.

And, finally, Mr. Speaker, in terms of what criteria we would use to judge the acceptability of the administration's proposal for space station in order to release the remainder of the appropriated funds, I think it would be fair to suggest that the basis of that criteria will be the concerns expressed in the joint letter that we sent to the Vice President on September 21.

At the core of those concerns is our view that whatever Russian contributions are agreed upon for station, and I believe the gentleman from California shares that view, that that contribution be enhancing rather than enabling.

Mr. Speaker, I hope that my response is satisfactory, and we will discuss these issues more in the coming weeks.

Mr. BROWN of California. Mr. Speaker, I would like to state my belief that the distinguished gentleman and I are in full agreement on the substance of this issue, and I look forward to continuing the consultative relationship we have had at the time that the administration submits a request to release the remainder of the appropriated funding next year.

However, I would also like to make the point that this procedure by which funds appropriated by Congress are further withheld, controlled, or directed by nonlegislative correspondence would be unconstitutional if it were included in the legislation itself. Furthermore, it denies the whole House a fundamental right. As my colleagues may know, I am firmly opposed to actions taken in report language that would be illegal or contradict the rules of the House if it were bill language. I hope that my colleagues will join me in taking a serious look at this issue in the future.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the House has spoken very clearly on the issue of the ASRM. I think it should be said for the RECORD, however, that it was the intent of the subcommittee to move in the direction of closing down ASRM. We simply felt early on that there was a need to keep at least a crack open in case we do formulate an agreement with the Russians that leads to the requirement for a booster that will enable us to fulfill that agreement with the Russians.

The House has given very clear directions to us at this moment. Should we find ourselves in the circumstance, however, that we have an agreement somewhere down the line with the Russians, we may have to revisit the subject. The House should be on notice of that fact.

Mr. Speaker, I yield back the balance of my time.

Mr. STOKES. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I, too, would rise in support of the motion of the gentleman from Ohio [Mr. STOKES], and commend both the gentleman from Ohio [Mr. STOKES] and the gentleman from California [Mr. LEWIS] for their cooperation on this issue.

I would also like to say that as somebody who has been fighting ASRM, the advanced solid rocket motor, since the committee offering an amendment to kill this, there have been so many Members of the body that have worked hard in doing this. The gentlewoman from Utah [Ms. SHEPHERD], the gentleman from Wisconsin [Mr. SENSENBRENNER], the gentleman from Wisconsin [Mr. KLUG], and a host of people are trying to do what is in the merits of good science and what is going to be in the taxpayers' interests as well, too.

Without going too much into the copious history of this particular project, I will reiterate that this particular project was 100 percent, or was going to be 100 percent, over budget. It was not going to be completed until its mission of putting a space station up was already done, so we would have this done in the year 2001, and the space station, if we continued to fund that, would need to be up way before that. I think just on the merits of this project, this was not one that was in the best interests of science.

Second, an issue of the integrity of the House was at stake. We had spoken very strongly on this issue, not once but twice. We hope it will not need a third or fourth or fifth time to kill this.

Third, the budget deficit is a very important issue in consideration of this project. We complain that it will take $100 million to close down and terminate this project, but on the side, we would have spent $3 billion to complete this project that would not have been in the best interests of the NASA budget.

Finally, in conclusion, I would just like to say that we have put nails in the coffin of ASRM before. We were hoping that the rule that we passed with 305 votes was going to be a stake in the heart, and we hope now the motion of the gentleman from Ohio [Mr. STOKES] will be a silver bullet to kill this particular project.

Mr. STOKES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I rise in support of the motion offered by the gentleman from Ohio [Mr. STOKES].

Mr. Speaker, I am in full support of H.R. 2591, the funding bill for the veterans affairs and housing and urban development agencies.

The funding provided in this bill is critical to families across America, and we need to assure that this most necessary funding gets out to those who need it.

There are many veterans in my district who rely on health services from their VA hospital. The programs funded through this bill are essential to them, and we need to assure them that the programs they have come to rely upon will be there when they need it.

I am grateful to Chairman STOKES for crafting this legislation. I appreciate his leadership on the issues of veterans affairs, housing, and space science.

Mr. WHITTEN. Mr. Speaker, I rise in opposition to the amendment that terminates the advanced solid rocket motor. While a great deal of misinformation has been provided by opponents, these facts remain:

Following the *Challenger* tragedy, the Presidential commission which studied the accident called for the creation of the ASRM program to provide for greater safety, reliability, boost capability and management control for our manned-space effort. Thus the competition for a government owned, contractor operated facility went forward. Yellow Creek, MI, was chosen because its preexisting infrastructure saved time and money in the construction process and it had the best transportation system.

Today, $1.9 billion has been invested in the program and the facilities that would build a motor providing for at least an additional 12,000 pounds of payload are 90 percent complete. This would allow NASA to meet international commitments of a space station design to go to 51.6 degrees or more. NASA Administrator Dan Goldin has said that in order to get to the higher inclination, which was endorsed by the space station *Freedom* redesign panel, "We have got to have the ASRM."

Mr. Speaker, there has been a great deal invested in this program not only in money, but also in the dreams of our manned space program. We must not waste this solid investment and I urge defeat of the amendment.

Mr. Speaker, I have pointed out these facts in earlier consideration of this issue and we are meeting with other Members to see what can be done to best use this asset if the amendment is accepted.

Mr. STOKES. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is, will the House recede from its disagreement to Senate amendment No. 113 and concur with an amendment?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 401, nays 30, not voting 2, as follows:

[Roll No. 514]

YEAS—401

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Linder
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moorhead
Moran
Morella
Murphy
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Swett
Swift
Synar
Talent
Tauzin
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thornton
Thurman
Torkildsen
Torres
Towns
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—30

Bacchus (FL)
Bachus (AL)
Bevill
Browder
Callahan
Cramer
Derrick
Everett
Gekas
Geren
Hall (TX)
Hochbrueckner
Lightfoot
Livingston
McCloskey
Mica
Mineta
Montgomery
Murtha
Parker
Pickett
Pickle
Quillen
Sundquist
Tanner
Taylor (MS)
Thompson
Torricelli
Traficant
Whitten

NOT VOTING—2

Engel
Ford (TN)

□ 1639

Messrs. PICKETT, HOCHBRUECKNER, GEKAS, DERRICK, and TANNER changed their vote from "yea" to "nay."

Messrs. ZIMMER, KNOLLENBERG, and WELDON changed their vote from "nay" to "yea."

So the House receded from its disagreement to Senate amendment No. 113 and concurred with an amendment.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 129: Page 58, line 16, strike out "$5,000,000" and insert: "$25,000,000".

MOTION OFFERED BY MR. STOKES

Mr. STOKES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. STOKES moves that the House insist on its disagreement to the amendment of the Senate numbered 129.

PREFERENTIAL MOTION OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I offer a preferential motion.

The SPEAKER pro tempore. The Clerk will report the preferential motion.

The Clerk read as follows:

> Mr. SOLOMON moves that the House recede from its disagreement to the amendment of the Senate numbered 129 and concur therein.

Mr. SOLOMON. Mr. Speaker, for purposes of determining the appropriate allocation of time for debate on my motion, I would, after consultation with the committee chairman, the gentleman from Ohio [Mr. STOKES] and the ranking member, the gentleman from California [Mr. LEWIS], ask unanimous consent that the 1 hour of debate time be equally divided between the two of them and the gentleman from Mississippi [Mr. MONTGOMERY] on that side and myself on this side, each with 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Accordingly, the gentleman from Ohio [Mr. STOKES] will be recognized for 15 minutes; the gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 15 minutes; the gentleman from New York [Mr. SOLOMON] will be recognized for 15 minutes, and the gentleman from California [Mr. LEWIS] will be recognized for 15 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I have some good news for Members. If we pass the Solomon-Montgomery motion to save the Selective Service System, this good conference report, and it is a good bill, bypasses the Senate. It goes directly to the President for his signature and it helps guarantee that we are going to adjourn before Thanksgiving. So let us all support the Solomon-Montgomery motion.

Mr. Speaker, the opponents of Selective Service claim that the mission of the agency is no longer necessary because the cold war is over, but the ability to mobilize and draft people quickly is not entirely about the cold war.

The United States needed to draft people during the Korean war.

Mr. LEWIS of California. Mr. Speaker, if the gentleman will yield, I ask unanimous consent that the gentleman from New York [Mr. SOLOMON] be able to go home for Thanksgiving, regardless of how the vote turns out.

Mr. SOLOMON. Mr. Speaker, back to serious business. The United States needed to draft people during the Korean war and the Vietnam war, and those were not wars with the former Soviet Union. Most recently, events in Russia, in Somalia, in Bosnia and other flashpoints around the world showed the wisdom of staying prepared for unpredictable emergencies.

Mr. Speaker, God forbid if nuclear controls in Russia or one of the former Soviet Republics ever fall into the wrong hands. The strategic situation in Europe and across the Atlantic would be transformed in a split second; we all know that.

What if the worst were to happen in Korea, another unstable region of the world, and we did not have the backup to reinforce our active duty troops? North Korea is only 1 year away at most from having a nuclear weapon. It already has the missile capability of hitting South Korea and hitting Japan.

Mr. Speaker, the top military people in this country believe we must maintain the capability to mobilize quickly, especially at a time of dramatic reductions in the size of our active-duty military forces.

We heard a dramatic speech on this floor by the gentleman from Missouri [Mr. SKELTON] about this very subject the other day.

Senator SAM NUNN believes it would be a serious mistake to terminate the Selective Service System, and he said so during the debate in the other body.

But listen to who else is opposed to abolishing Selective Service. Senator JOHN GLENN, Senators BARBARA MIKULSKI, TOM DASCHLE, SIMON, and DODD, Senator BYRD, and a majority of the Senate agree with Senator SAM NUNN.

Since the vote in the House, each of the Armed Services chiefs has come out in strong support of retaining Selective Service.

I would also point out that Gen. Colin Powell, as recently as the other day when many of us had lunch with him, stated that the earlier House vote was a serious mistake. Here is what General Powell said about Selective Service:

> America needs to keep the option of rapidly reconstituting its forces, and I urge that we maintain the Selective Service System.

Even more importantly, Mr. Speaker, ever since draft registration was reinstated, millions of young Americans have lived up to their obligations as U.S. citizens. They have obeyed the law of the land and they have registered for the draft. Ninety-seven percent of them have obeyed that law, while the other 3 percent got off scot free. To now say we are going to pardon them, and that is exactly what we are doing if we abolish this agency, to say we are going to pardon them and make them eligible for all Federal benefits and all the grants is a slap in the face to every patriotic American, particularly those who went to serve in the Armed Services.

I do not have to tell you about this list of 19 veterans' organizations who feel very strongly about this.

Mr. Speaker, let me just give one last reason. In my State of New York and in the State of California and a number of other States, military recruiters for the Army, Navy, Marine Corps, and Air Force are not allowed on high school campuses. They are not allowed to come there and offer young men, 17 and 18 years of age, and young women, too, an honorable career in our military. They are prohibited from going on campus. Many times the only place we can make these names available to the recruiters is from Selective Service lists. That is one of the reasons why we desperately need to maintain the Selective Service System; otherwise we are going to go back to 1979 when all we were attracting into the military were people who were just looking for jobs. They were desperate. We were not getting a cross-section of America.

We need to maintain an all-volunteer military to deal with these critical issues that will be coming before our country. One of the ways we can do that is simply by restoring 80 percent of the recommended funding for the Selective Service System, $25 million. This is an amount which has not gone up in over 10 years. They have been tightening their belts for 10 years. They will continue to do so, but let us stay prepared.

Mr. Speaker, I urge support for the Solomon-Montgomery amendment when it comes to a vote in a few minutes.

Mr. STOKES. Mr. Speaker, I rise in opposition to the motion of the gentleman from New York to recede and concur to the Senate amendment that restores funding for the Selective Service System.

I urge Members to vote down the motion of the gentleman from New York. After it is defeated, I will offer a motion to insist on the House position to appropriate $5 million to terminate the Selective Service System.

On June 29, the House voted to terminate funding for Selective Service. On October 1, during the VA-HUD conference, the Senate declined to agree to the House position. My counterpart, Senator MIKULSKI, and I could not compromise because there is no middle ground on this issue—Selective Service is either necessary or it is not. For that reason, the Senator and I agreed to bring the issue back to both Houses, and follow the will of the Congress.

I ask you today to reaffirm the House position and vote to terminate Selective Service. I urge this for three reasons:

First, Selective Service is not a military necessity;

Second, it harms inner-city youth; and

Third, and it takes money away from important programs.

Selective Service is not a military necessity because the volunteer army has succeeded in dealing with every crisis for 20 years, including Desert Storm. DOD planning projections show no need for a draft unless Russia rebuilds as a superpower. If a military need were to arise, Selective Service would be superfluous because the military has insufficient training facilities for inductees.

Selective Service harms inner-city youth because young men failing to register cannot receive student loans or Government jobs. Selective Service has proven incapable of reaching these youths and encouraging them to register. Once they have not registered, they can never obtain student loans, or Federal jobs, or often State student loans, or jobs in State governments.

Selective Service takes money away from other high priority programs. Funding for Selective Service can be used to help veterans, aid the homeless, produce affordable housing, protect the environment, and support scientific research. The need for money to address problems in these areas is unquestioned, yet the Congress is often forced to reduce these expenditures because of the need to reduce the deficit. If deficit reduction is going to be accomplished, it should begin here.

If we ever again need general conscription, we should follow the examples of World War II and the cold war. The United States initiated registration in 1940, a year before the World War II draft became necessary. After World War II, the United States disbanded Selective Service, reconstituted it in 1948 as the dangers of the cold war became manifest. If a global challenge were to arise again that would require conscription, we could do as we did in the past, and simply reconstitute Selective Service. In the meantime, while we have no need, we should take resources from Selective Service and apply them to worthy and necessary programs or to reduce the deficit.

I urge Members to vote down the motion of the gentleman from New York.

□ 1650

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is with great reservation that I rise to speak on this matter at all. As a matter of fact, I think the House is perfectly capable of quickly working its will on this matter. Nonetheless, my chairman, the gentleman from Ohio [Mr. STOKES], has indicated rather clearly that, if Selective Service once again is a need of the country, we can recreate that system. The people have demonstrated more than once that they are extremely responsive in times of crisis. In the meantime, there is approximately $25 million a year, moneys that are, expended year in and year out, where the need is in question.

Because of my reservations about this yearly spending for the sake of local bureaucracies, I recommend the House terminate the Selective Service.

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the gentleman from Ohio [Mr. STOKES] a perfect gentleman. He has yielded us 15 minutes of his 30 minutes of time because he knows of our interest in this important matter, and I certainly rise, in strong support, to accept the Senate amendment that was made by the motion offered by the gentleman from New York [Mr. SOLOMON]. I strongly believe it is in the national security interest to continue funding for the Selective Service System.

As my colleagues know, Mr. Speaker, the selective service has always been there to provide an inexpensive insurance policy in the event of major crises. I am not sure that really this is a proper way to eliminate a Government agency, by cutting off the money without other committees having some input, especially on an issue that affects the military security of this country. If we kill selective service today, I do not care what my colleagues say. It would take a year or longer to implement or call up a national emergency. That might be too late.

Mr. Speaker, I strongly believe that if the Persian Gulf war had lasted another 6 months and we had suffered a large number of casualties, volunteers for the services would have fallen off, and the draft would have had to have been implemented. Thank God this did not happen. I totally support the all volunteer system, but at certain times we may again need the draft and need it quickly.

Can we really, Mr. Speaker, take the chance to not fund this insurance policy for another year at really the cost of less than one F-16 fighter aircraft? We have eliminated the funding for the ASRM, so the subcommittee would have no problem finding the $25 million for Selective Service for next year.

Mr. Speaker, the 18-year-olds in our country are not clamoring to do away with the registration. Over 97 percent, and I got these figures from the Director of Selective Service, over 97 percent of those 18-year-olds have gone to the post office, and they have signed up. I think they are proud to be a part of this program that adds to the security of our Nation. After reaching the age of 26, Mr. Speaker, they are dropped from the rolls.

It seems that the House of Representatives is really the only group that wants to eliminate the Selective Service System. The earlier vote on this amendment was very close, 207 to 202 in the Committee of the Whole, and I really think we have the opportunity today to turn it around.

Of course we all hope that, even if the System is saved, we will never have to go back to the draft. But, as we know, the world is really a dangerous place out there with flames burning in Bosnia, Russia, Somalia, the Middle East, and any of these places could explode into a major crisis and spread into other countries very quickly. A major use of our forces could call for a draft, and the Selective Service System is in place to implement that mobilization.

Mr. Speaker, this is a strong point that I would like to stress to my colleagues today:

The Director of the Selective Service System tells me they are prepared with the equipment and personnel in an emergency to quickly call up doctors, nurses, medical technicians, and other key personnel in a short time. Even if we might not need draftees in the first months of a war, we need all the medical personnel we can find to treat the wounded. We have a terrible shortage in the military of plastic surgeons and orthopedic surgeons. This is a quick way to call up these health care professionals. We can do it, the Director tells me, within 42 days.

The Selective Service System has a good reputation across the country. The leading citizens in our communities serve on selective service boards without pay. In fact, there are 11,000 unpaid community volunteers who are willing to serve in this capacity, and my colleagues in Congress know of these distinguished citizens in our communities back home. There are only 230 civilian paid jobs in the Selective Service and about 650 part-time military reservists and national guardsmen to work with this volunteer network across the country.

Mr. Speaker, why destroy the Selective Service System when we have no idea what the future holds for the United States in this troubled world? The Director of the Selective Service told me that, if it is not funded today, he is closing down the Selective Service System on December 1. What a tragedy that could be to our country.

So, Mr. Speaker, I ask my colleagues to support the motion and accept the Senate amendment.

Mr. SKELTON. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, I could not agree with the gentleman more. I wish I had given as clear and as well thought out a set of comments as the gentleman just did.

I might say that the Selective Service System, as well as the entire national security system that we have in our country, is an insurance policy. This is a part of it. We in this Congress are the bottom line for the national defense, and the national security and national interests of our country. The Constitution so states we should live up to that responsibility.

This is a very unsettled world, an uncertain world. Who could have predicted, whether it be Pearl Harbor or Saddam Hussein, their actions lo those many 50-plus years ago or just a few years ago?

□ 1700

This is an insurance policy which we cannot let lapse. That is what we are voting on, an insurance policy for the future. Let us vote today to keep it. I support the gentleman from Mississippi [Mr. MONTGOMERY], and I support the gentleman from New York [Mr. SOLOMON] in his motion. I certainly hope it will prevail.

Mr. MONTGOMERY. Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BUYER] a veteran, a new Member of this House, and a member of the Committee on Armed Services.

Mr. BUYER. Mr. Speaker, I join my colleagues, the gentleman from Mississippi [Mr. MONTGOMERY] and the gentleman from Missouri [Mr. SKELTON], and also the gentleman from New York [Mr. SOLOMON], on this issue. I join all my colleagues to maintain the Selective Service.

Mr. Speaker, the Selective Service is not a dinosaur of the cold war, but is truly, as the gentleman from Missouri [Mr. SKELTON] has said, a viable insurance policy for this Nation during a time of peace.

Mr. Speaker, in issues of statecraft, we must decide with our heads, not the emotion of the moment, on whether there is the emotion to cut spending in certain areas. There is a tremendous tone in that, but we have to think with our head. There is greater instability in the world now then ever before. As we debate issues on the Committee on Armed Services and the Committee on Foreign Affairs, as we look out there at the hot spots around the world, right now, as we downsize the military, we like to talk about what is facing us up to year 1997 with defense cuts, and go to what is called the win-hold-win strategy.

The win-hold-win strategy basically says you can go out there and fight a Desert Storm conflict. And if the recalcitrant commander of North Korea pours across the line, they are supposed to hold until we win the Desert Storm, and then we can go finish out the Korea.

Well, I would hate to be the soldiers in the hold category, especially when we need the rapid response.

So I disagree with my colleagues who say that we can have an immediate rapid response and call up the Selective Service, because it will take up to a year to bring them there.

We talk about a viable insurance policy. This is really a pool. And this pool also sends a message to our youth of greater responsibility. So I disagree with my colleague from Ohio [Mr. STOKES] when he talked about that this really harms the inner-city youth.

No, it does not harm the inner-city youth. It injects greater responsibility and empowers the inner-city youth. The inner-city youth, if we tap into those and they come forward and they serve the U.S. military, they learn things about discipline and courtesy and respect and reverence and honor. And when you empower the inner city, you bring them to higher levels.

Mr. Speaker, I encourage all my colleagues to maintain the Selective Service and vote "yes."

Mr. MONTGOMERY. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we are all looking for ways to cut costs, and I surely have deliberated about cutting the Selective Service. Why do we need it? But I have had firsthand experience with the Selective Service, because I have had to serve in one of those units in previous years.

The Selective Service System is an inexpensive insurance policy in the event of a national emergency. We know of all of the regional and ethnic conflicts in the world that we know will continue. But we also need to know what our manpower is and what our resources are, in a moment's notice, in case of real emergencies.

Ninety-nine percent of all young men turning 18 have no problem with registering and are proud to carry their registration card in their wallets.

Mr. Speaker, these organizations totally support keeping the Selective Service System: American Legion, Non Commissioned Officers Association, Am Vets, Marine Corps League, National Guard Association, Military Order of the Purple Heart, Air Force Sergeants Association, Association of the U.S. Army, Jewish War Veterans, Reserve Officers Association, The Retired Officers Association, Fleet Reserve Association, and Veterans of Foreign Wars.

Mr. Speaker, all of these organizations which represent over 10 million Americans, support the continuation of the Selective Service. Vote "yes" to save the Selective Service.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. STOKES. Mr. Speaker, I yield 1 minute to the gentleman from California.

The SPEAKER pro tempore (Mr. MAZZOLI). The gentleman from California [Mr. CUNNINGHAM] is recognized for 4 minutes.

Mr. CUNNINGHAM. Mr. Speaker, first of all I would like to associate myself with the comments of my friend, the gentleman from Mississippi [Mr. MONTGOMERY], and the gentleman from Missouri [Mr. SKELTON]. They are patriots and have supported defense and the military and Selective Service in the past.

Mr. Speaker, this is an issue of national security. We have a strange dichotomy in this country. We fight our wars, like Vietnam, Desert Storm, Somalia, and hopefully not Haiti. But then we scale down our military after that. And what I would like to address is the policy that some Members in the House are directing, which I feel will hurt us in the military.

Mr. Speaker, if we followed the policies of these same individuals that are trying to cut Selective Service in Desert Storm, we would still be there, at a great loss of life. If we followed the policies that we have followed in Somalia, we will lose more lives, and it will not be effective. The policy of putting our troops under U.N. control, this is a policy which is bad. And the same Members are trying to effect the elimination of the Selective Service.

Mr. Speaker, in that dichotomy, where we cut down the troops, in the Clinton package we cut defense $127 billion, this same group is attacking defense, where 80 percent of the cuts, come after 1996. Where do they want to make all of the cuts? They want to make it in the national security of this country. Even impacted aid in education for students of military families is being cut under the package. Every item under defense, these same people are cutting.

Mr. Speaker, we need to reinstate and keep viable the Selective Service Program. In 1948, when they reinstituted the Selective Service Program, it was because they made a mistake.

Mr. Speaker, to the chairman, the gentleman from Ohio [Mr. STOKES], whom I have great respect for, in the inner cities, I think the gentleman would find that every boy and girl, every man and woman, who has entered the service, and even has to sign up and take that responsibility, that is one of the things we try to teach our children, responsibility. Every man and woman that enters the service and accepts that responsibility, and, according to the gentleman from Mississippi [Mr. MONTGOMERY] 97 percent of them do that, I think they benefit from this program.

Mr. Speaker, I ask that we adhere to and maintain the Selective Service System.

Mr. STOKES. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Speaker, I would just like to respond to the gentleman from California [Mr. CUNNINGHAM] for a moment. The gentleman mentioned inner-city youth. I, of course, raised that in my statement. That is one of the basic problems that confront us.

I just want to say that we learned from our hearings that Selective Service did not have any meaningful, effective way of being able to have an outreach program for these inner-city youth. These youth are not particularly attracted to the full service, or at least not to registering for Selective Service. If, as we found, they do not register, they find themselves penalized by not being able to get loans to go to college, or by not being able to get jobs and things of that sort.

That is one of the basic problems. We do not want to hurt youth. But let me tell you—these young people are very patriotic. But the problem is that the selective service program is not set up effectively to reach them. Yet they wind up being penalized.

Mr. CUNNINGHAM. Mr. Speaker, reclaiming my time, under the program 97 percent of our youth do sign up for this. We are talking about 3 percent that turn out to be mavericks. Those that do, we use this as a tool for our recruiting, which is a benefit to our national security.

So I disagree with the gentleman and say it is a benefit to the inner cities and outer cities as well.

□ 1710

Mr. MONTGOMERY. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

Mr. TANNER. Mr. Speaker, this issue, as surely as any issue we debate, is one of national security policy. It should not be debated, in my opinion, in this context of whether to fund this program or not fund. it should be made in consultation with the Pentagon, with the Committee on Armed Services and with others who are charged, legally, with the responsibility of focusing and fashioning a national security policy for this country.

To terminate the funding, in my judgment, bypasses all of the safeguards that we have in the Congress as we try to cooperate with the executive branch and make a meaningful national security policy.

May I further say that to terminate right now would send a chilling signal, in my opinion, to the rest of the world as it relates to our resolve to exercise our responsibility in the world as the world's foremost source for peace. To terminate this program now, to eradicate the database that exists therein, would take, as some have said, a year to reconstruct. We may not have a year because, my colleagues, as certain as I am standing here, the only certainty in this uncertain world is further uncertainty. That has been said again and again by people who are far more learned than I am.

I would just say in this day when we are trying to fashion MediGuard to utilize our Reserve Forces so that when we have that national emergency in the future, God forbid it should ever come, we have the ability to respond and to protect our troops.

As the chairman said earlier, this program should be sustained now.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

I do not believe there is any Member of the House speaking to this issue who does not want to play a role to make certain that America is ready, should we need to exercise quickly men and women serving their country at a time of crisis. Five hundred thousand well-trained and equipped American fighting men and women were deployed to the Persian Gulf theater, halfway around the world, without a mandatory draft. That deployment did not come near to exhausting our Reserve capabilities, and the operation's success speaks volumes about what we can accomplish with All-Volunteer Forces.

We stopped drafting people in 1973 and did not reestablish the Selective Service System until 1979, precisely when the Soviets invaded Afghanistan. That means we did without a draft for 6 years during the very height of the cold war.

The draft is currently capable of delivering 100,000 inductees within 28 days of mobilization. Current DOD war fighting doctrine would utilize untrained draftees only in the event of a global war. If we have a national security need, it is to maintain a trained force structure that is made up of volunteers rather than mobilizing inductees.

The system is working at this point, and there is little question that the American people will respond should we face a time of crisis.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. GILMAN], the very distinguished ranking Republican on the Committee on Foreign Affairs, one of the most respected Members of this House.

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of preserving our Nation's Selective Service System.

Regretably, and I believe that all of our colleagues recognize it, we are living in troubled times, when our Nation is being called upon to provide peacemakers and peacekeepers in hot spots throughout the world: in Somalia, in Haiti, and the possibility at a later date in Bosnia.

What are the underlying costs of this issue before us and what are we complaining about? We are complaining about a possible $25 million expenditure compared to a total budget, a defense budget of over a quarter of a trillion dollars. It seems to me that $25 million is an inexpensive insurance policy to make certain that we will be prepared to meet any future emergency—dollars well spent to assure our preparedness in the event of any major emergency. To rebuild this system that we are about to tear apart, if we do not approve this proposal, it is estimated it would take over a year to put our Selective Service System back in place, not to mention regathering all the volunteers who are involved in this system.

Accordingly, Mr. Speaker, I strongly urge my colleagues to recede to the Senate's position, partially restoring funding for our Nation's Selective Service System.

Mr. STOKES. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding time to me.

Here we are again. This House has already spoken on this issue. This House has already determined that the cold war is over, that the Soviets are out of Afghanistan, and we no longer need to make a political statement in the face of that Soviet invasion, which is what Jimmy Carter did when he reinstated the draft, despite the fact that his own director of the Selective Service Bernard Rotzger, had already developed a comprehensive report that said that draft registration was unneeded and draft registration would do nothing, draft registration would do nothing to enhance the readiness of this country.

Mr. Speaker, mostly on the other side of the aisle and some on this aisle, seem to underestimate the willingness of the American people to regard serious threats to the United States and to live up to their patriotic duty. In every major American conflict around the world, every war that we have entered into, the volunteers exceeded the capacity of our training facilities for months until that war. In the case of the gulf war, 6 months after mobilization began, we still had Reservists queued up and waiting for training.

There is not the training capacity to bring the raw recruits forward, unless Members are anticipating casualties on the sort of scenario of 500,000 or 600,000 in a very short period of time. There is no threat that the Department of Defense can anticipate that would bring that about, absent a reintegrated and mobilized Soviet Union invading Europe. Of course, they have to fight their way through Eastern Europe first, so I think we would have quite a bit of notice and quite a bit of time to get our forces, again, get them mobilized and get them trained.

There is no realistic threat under which we are going to use these lists of 18- to 26-year-old Americans. There is no need for this. It is a cold war relic.

Colleagues, let us not just say, "Oh, it is just $29 million. We can't be bothered with cutting that out of the budget." Cutting the budget has to start somewhere. If Members are unwilling to cut the super collider at a billion, they are unwilling to cut the space station, they are unwilling to cut the solid fuel rocket motors, let us start here, $29 million for an outmoded cold war relic.

☐ 1720

Mr. MONTGOMERY. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. HUTTO].

Mr. HUTTO. Mr. Speaker, I thank the gentleman for yielding to me, and I applaud the eloquent statement that the gentleman from Mississippi [Mr. MONTGOMERY] as well as others have made on the importance of Selective Service.

Mr. Speaker, I would say that the chairman of the Committee on Veterans' Affairs made one excellent point that I would like for him to amplify on. He mentioned that in the gulf war, if the situation had arisen and we needed more, I know the Active Forces, the Reserves, do a tremendous job, but we do not know what emergencies may come up. We did not know we were going to have the gulf war.

I would ask the gentleman from Mississippi [Mr. MONTGOMERY], how long would it take if we had to draw on this reservoir of registrants.

Mr. MONTGOMERY. Will the gentleman yield?

Mr. HUTTO. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, it would take at least a year or longer. We have the statistics to prove that. The gentleman makes a great point about the Persian Gulf war.

On the Persian Gulf war, we were on the edge of having to implement the draft. If we would have had more casualties in the Persian Gulf war, the volunteers would have fallen off tremendously and we would have gone to the draft. We are only talking about 2 years ago that we nearly went to the draft, anyway.

Certainly, let us not throw out the whole system today. I hope our colleagues would vote "aye."

Mr. HUTTO. Mr. Speaker, I thank the gentleman. We have talked about the readiness of our forces, and again, the Active Reserve and the Guard do a great service, but we have heard a lot about insurance today. I think for the security of our Nation we should retain the Selective Service.

The SPEAKER pro tempore (Mr. MAZZOLI). The Chair would observe that the gentleman from Ohio [Mr. STOKES] has the right to close debate.

Mr. LEWIS of California. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MONTGOMERY. Mr. Speaker, I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just briefly respond to my friend, the gentleman from Ohio [Mr. STOKES], because he brought up the young people in our inner cities, about whom we are all so concerned. When I look at our military today, and the gentleman from Indiana [Mr. BUYER] talked about this a little bit, they are the best-trained, they are the best-equipped, the most highly motivated young men and women, I think, ever to serve in our military. I was over in the Persian Gulf and I have been with our NATO troops in Europe, they are truly outstanding.

The big thing is that they are a real cross-section of America. They come from all walks of life. That is what is so necessary. I look at some of the kids I have talked with who served in the military after coming from the inner city. They served for 2 years, 3 years, 4 years.

I was talking to one the other day who had been in the military for 20 years, a career officer. He is a black man. He is so proud of his service. When he got out, he did like all the rest, he went back to the inner city. He went back to where he grew up and became a citizen. He told me, "You know, I learned respect. I learned the meaning of the words 'patriotism, voluntarism, pride'. I learned how not to use drugs. I even got a little religion."

That is what he took back to his community. That is how important this is.

Mr. STOKES. Will the gentleman yield?

Mr. SOLOMON. I am glad to yield to my best friend, the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Speaker, I appreciate the gentleman yielding to me. I can appreciate very much what the gentleman is saying. I have no doubt that this young man feels exactly that way.

The point is that the gentleman did that, that the young man did that without the Selective Service requiring him to do that. He did that as a volunteer youth. He went into the service, and there is no problem with that. We are getting plenty of inner-city youth who volunteer. Some people are claiming there are too many inner-city youth in the military.

Mr. SOLOMON. Mr. Speaker, can I reclaim my time? The gentleman has time of his own.

Mr. STOKES. I would yield the gentleman additional time, if he wants.

If the gentleman will continue to yield, I just want to say to the gentleman that he is making an effective argument, I think, for the fact that we do not need selective service. These young men will volunteer as patriots.

Mr. SOLOMON. Mr. Speaker, the gentleman just made my point. The whole point is that in so many of the big cities, in particular, the school boards do not want to let our military recruiters come onto these campuses and explain to students that there is a career there where they can better themselves and come home later on and make their communities a better place to live. That is why we need this enrollment list, so we can reach out and get those young people. Otherwise, nobody tells them. The guidance counselors will not tell them.

Mr. Speaker, let me just sum up by saying that back on June 28, this House rejected this same amendment to restore 80 percent of the recommended funds, tightening the belt of the Selective Service System but keeping it going. We lost by one vote.

Mr. Speaker, since that time, when this amendment lost by one vote, there has been a near revolution in Russia. Members do not realize how close that attempted coup came to putting hardline Communists back in power, with their fingers on the triggers of nuclear weapons. Mr. Speaker, we have just had some tragic losses in Somalia. And now there is even talk of putting 25,000 troops into a place called Bosnia, into an internal dispute that Hitler could not solve with 42 divisions and 200,000 men. We need to be prepared. That is all this amendment does.

Mr. Speaker, I ask every Member of this House to please vote "yes" on this motion to recede to the Senate position. We will then send this legislation directly to the President. He will sign it, and we will be on our way home, eating turkey on Thanksgiving at home instead of being here on this floor arguing. I urge support of the amendment.

Mr. Speaker, I yield back the balance of my time.

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think we can see from the debate that has taken place on this floor this afternoon why we brought this matter back in true disagreement from the Senate. There obviously is a very genuine, philosophical difference on this issue on both sides. I think it is an important debate. I also think it is important for us to realize that the Committee on Appropriations, the committee that has to fund this program, has a responsibility to report to the House when we have a situation of this sort.

We made inquiry into this program. We did not just suddenly say, "Take $25 million out of a program," just picking it out of the air. We held hearings on this matter. We talked with Selective Service. We had input from the Department of Defense. So this matter was fairly gone into in order to try and bring to the House what we felt would be a responsible recommendation.

One of the things I would like to clear up is the fact that the period of a year to reconstitute Selective Service has been mentioned several times here today. In the testimony that came before our subcommittee we were told that it would take 6 months to reconstitute Selective Service.

What we are talking about here today, however, is not any lack of patriotism on the part of American youth. There has never been a lack of patriotism on the part of any of America's youth. They have responded to every war, every national emergency this country has ever had. In fact, part of the problem is that we get too many. We cannot even utilize all of them. It is not a question of patriotism, it is a question of whether we continue to put $25 million a year into an archaic system.

Mr. Speaker, we have not used this system now in 20 years. We did not use it for Grenada, we did not use it for Desert Storm—we have not needed it for any of the skirmishes we have been involved in around the world. This is $25 million a year that we are putting into an archaic system.

Mr. Speaker, the Selective Service had said to us that they could deliver 100,000 inductees 28 days after mobilization. When we asked some questions, the Department of Defense stated, and I am going to quote from the testimony before our subcommittee, that they did not intend "* * * to utilize draftees unless it becomes necessary to reconstitute our forces to a level sufficient to deal with a global war. Under these circumstances, new or expanded training bases would be constituted prior to mobilization."

In other words, DOD does not have the facilities to train and house the draftees once they are inducted.

Mr. CUNNINGHAM. Mr. Speaker will the gentleman yield?

Mr. STOKES. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Speaker, one of the points is that I was a volunteer myself. I was not inducted under the Selective Service. I also know that during Vietnam we had many volunteers. I would like to think that those volunteers that are patriotic, that serve their country, also be supported by those that do not want to volunteer. Selective service provides that those Americans that choose to avoid the draft are also held responsible and support their country.

Mr. STOKES. In that vein, Mr. Speaker, reclaiming my time, the gentleman, I think, is forgetting about a very real problem we have with inner-city youth. We have the same problem that relates to the census, the reason there is an undercount, because many of them do not want to be on registration, and they are not told to register and things of that sort.

□ 1730

In this case they are penalized if they do not register. But in the same category you have many young men who go into the service simply because they cannot even find a job out here in our society. So they go in there to be able to get a job, to get a chance to go to college and get an education, and things of this sort.

So the basic problem is not the one the gentleman mentions. The basic problem is the fact that we do not want to penalize young men for not registering for an arcane system.

Mr. CUNNINGHAM. I thank the gentleman.

Mr. STOKES. I would just say, Mr. Speaker, in closing, I hope that the House today will realize that once before we did take the money out of Selective Service. When we went to the Senate we maintained the House position, and that is why we brought it back, that all this money should be taken out of Selective Service. I urge my colleagues to vote down the Solomon-Montgomery motion.

The SPEAKER pro tempore (Mr. MAZZOLI). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is, will the House recede from its disagreement with the Senate to Senate amendment No. 129 and concur therein?

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present. The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 236, nays 194, not voting 3, as follows:

[Roll No. 515]

YEAS—236

Abercrombie
Andrews (NJ)
Andrews (TX)
Armey
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Brooks
Browder
Brown (FL)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Castle
Clement
Clinger
Clyburn
Coble
Collins (GA)
Combest
Condit
Cooper
Costello
Cramer
Crapo
Cunningham
Darden
Deal
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (TX)
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (LA)
Fields (TX)
Fingerhut
Fish
Fowler
Franks (CT)
Frost
Gallegly
Gallo
Gekas
Geren
Gibbons
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hayes
Hefley
Herger
Hilliard
Hoagland
Hochbrueckner
Hoekstra
Holden
Houghton
Hoyer
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kim
King
Kingston
Klink
Kolbe
Kyl
Lancaster
Lantos
Laughlin
Lazio
Levy
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Machtley
Manzullo
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meek
Menendez
Meyers
Mica
Michel
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Natcher
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Peterson (FL)
Petri
Pickett
Pickle
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Reed
Regula
Richardson
Ridge
Roberts
Roemer
Rogers
Ros-Lehtinen
Roukema
Rowland
Sangmeister
Sarpalius
Saxton
Schaefer
Schiff
Shaw
Shepherd
Sisisky
Skeen
Skelton
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sundquist
Swett
Talent
Tanner
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thurman
Torkildsen
Valentine
Volkmer
Vucanovich
Walsh
Weldon
Whitten
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff

NAYS—194

Ackerman
Allard
Andrews (ME)
Applegate
Archer
Bacchus (FL)
Barrett (NE)
Barrett (WI)
Becerra
Beilenson
Berman
Blackwell
Bonior
Borski
Boucher
Brown (CA)
Brown (OH)
Byrne
Camp
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Cox
Coyne
Crane
Danner
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
English (AZ)
Eshoo
Evans
Farr
Fazio
Filner
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (NJ)
Furse
Gejdenson
Gephardt
Gilchrest
Glickman
Gonzalez
Green
Gutierrez
Hall (OH)
Hamburg
Hamilton
Hastings
Hefner
Hinchey
Hobson
Hoke
Horn
Huffington
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klug
Knollenberg
Kopetski
Kreidler
LaFalce
Lambert
LaRocco
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
McDermott
McKinney
Meehan
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Mollohan
Murphy
Nadler
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pastor
Payne (NJ)
Pelosi
Penny
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reynolds
Rohrabacher
Rose
Rostenkowski
Roth
Roybal-Allard
Royce
Rush
Sabo
Sanders
Santorum
Sawyer
Schenk
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shays
Shuster
Skaggs
Slattery
Slaughter
Stark
Stokes
Strickland
Studds
Swift

Synar
Thornton
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Velazquez
Vento
Visclosky
Walker
Washington
Waters
Watt
Waxman
Wheat
Williams
Woolsey
Wyden
Wynn
Yates
Zimmer

NOT VOTING—3

Engel
Johnson (SD)
Tauzin

□ 1751

Ms. SCHENK, Mrs. MALONEY, and Messrs. LEHMAN, TORRES, LEWIS of California, BONIOR, and PAYNE of New Jersey changed their vote from "yea" to "nay."

Mr. BARLOW and Mr. SPRATT changed their vote from "nay" to "yea."

So the House receded from its disagreement with the Senate to Senate amendment No. 129 and concurred therein.

The result of the vote was announced as above recorded.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

PERSONAL EXPLANATION

Mr. BATEMAN. Mr. Speaker, on October 19, I missed rollcall vote 512 due to my participation in meetings on the Defense Authorization Act for fiscal year 1994. For the record, had I been present I would have voted:

Rollcall 512, "no."

WITHDRAWAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2380

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor of the bill, H.R. 2380.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Florida?

There was no objection.

REPORT ON RESOLUTION RELATING TO CONSIDERATION OF AMENDMENTS REPORTED FROM CONFERENCE IN DISAGREEMENT ON H.R. 2520, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103–301) on the resolution (H. Res. 279) relating to the consideration of amendments reported from conference in disagreement on the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF CONFEREES ON H.R. 2401, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

Mr. DELLUMS. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mrs. KENNELLY). Is there objection to the request of the gentleman from California?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. SPENCE

Mr. SPENCE. Madam Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

> Mr. SPENCE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 2401 be instructed to insist upon the provisions contained in section 1051 of the House bill (relating to involvement of United States Armed Forces in Somalia).

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. SPENCE] will be recognized for 30 minutes and the gentleman from California [Mr. DELLUMS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPENCE].

Mr. SPENCE. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, a few weeks ago, during consideration of the Defense authorization bill, we adopted the Gephardt-Gilman amendment which provided for, among other things, that we would have a vote on continuing our operations in Somalia before November 15.

Since we completed work on the Defense authorization bill, the situation in Somalia has changed. Since that time, the administration, pursuant to our request, has issued a report on our involvement in that country, and the bottom line is this: We went to Somalia for humanitarian reasons and humanitarian purposes; we have successfully completed that mission, and we started withdrawing our troops from Somalia.

After that time, the United Nations passed a resolution changing our mission from that of a humanitarian effort to that of using military force against one of the political factions in Somalia. Our country supported that resolution in the United Nations. We bought into this new mission.

Our U.S. military was used to enforce the hunt for General Aideed. Our military thereafter in that pursuit lost lives, had people captured. We call them detainees. We had people wounded and we saw on national television the bodies of some of our service people being dragged through the streets of that city.

□ 1800

After an outcry from the citizens of this country, the administration has now changed the policy we have been pursuing, and the President has set a deadline for withdrawal from Somalia of March 31, 1994. There are added questions which remain:

Why March 31, 1994? Why not 1 month earlier or 1 month after that? Why are we still there? Why is there a time definite with such importance attached to it? Why not leave Somalia as soon as possible?

In any event, the only occasion this body will have to express ourselves in this matter is right now. The other body has had ample time to fully debate the new developments; we have not; and so this is the reason for my motion to instruct, to give this body time to debate these new events.

Madam Speaker, I yield 5 minutes to the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Madam Speaker, I rise to support the motion to instruct House conferees to the conference on H.R. 2401, the fiscal year 1994 Defense authorization bill, to insist on the Gilman-Gephardt amendment.

This amendments call on the President to report to Congress by October 15 on the administration's policy in Somalia, and to seek, and receive, by November 15, congressional authorization for continued deployment of United States military forces in Somalia.

It is gratifying to note that the President has already complied with the language calling for a report. However, the President has not requested authorization for continued operations in Somalia as contemplated by the Gilman-Gephardt amendment. Nor has the Congress, in particular the House, debated such basic issues as the terms, conditions, and termination of the Somalia operation in light of the President's report.

The President has said that it would be disastrous for us to cut and run in Somalia right now. Instead, the President promises that we will cut and run on March 31, 1994, even if the political situation in Somalia has not improved by then.

As the New York Times observed about this policy in its editorial of October 8 entitled "Somalia: Time to Get Out,"—and I quote—"The Administration could easily find itself spilling considerably more blood, both American and Somali, for the next six months without accomplishing much in a cause unrelated to any direct American interest."

Many of us agree with the New York Times editorial that the United States has done its job of providing humanitarian relief in Somalia, and that our troops should be withdrawn sooner than March 31. Accordingly, I have introduced legislation—H.R. 3292—along with the ranking member of our Armed Services Committee, the gentleman from South Carolina [Mr. SPENCE], designed to ensure that our troops are out by January 31.

Madam Speaker, after reading the President's Report on Somalia that was submitted to the Congress last week, I am more concerned than ever that this administration is digging us even deeper into the sand trap that Somalia has become. Rather than clarifying its policy there, the report spells out confusing and often conflicting objectives.

In particular, I am dismayed that after stating our Nation's intention to be out by next March 31, the President goes on to report that he is now sending a total of 3,000 additional ground troops to Somalia.

That is some 1,300 troops above the 1,700 he announced last week—and separate from the 3,600 troops that will be part of the offshore rapid deployment unit.

All together, when this new deployment is completed, we will have more than doubled the number of American troops committed to the U.N. mission in Somalia—from less than 5,000 to more than 11,000.

All of us applaud the cease-fire that seems to be in place there now—and the shift in focus from going after the warlord Mohammed Aideed to seeking a political solution. But there are no guarantees that this will continue. We may well be in the eye of a hurricane that could engulf us at any time through a poorly planned activity or a misjudgment of intent.

Madam Speaker, the issue of terminating our military involvement in Somalia is too important a matter to be addressed through an amendment to another piece of legislation—with all of the time and other limits that approach entails.

This issue is so important that the Congress—in particular this body—must address it on its own terms by debating and discussing a free standing measure.

That is why I have introduced legislation to require the withdrawal of all U.S. troops by January 31.

This date gives the administration and the Pentagon enough time to plan for an orderly withdrawal of our forces—and at the same time, Congress will be in session and able to address any circumstances that might call for a reexamination of that date.

Accordingly, I urge my colleagues to support this legislation and I hope that hearings will be speedily scheduled on this so that the House can fulfill its responsibilities to the American people on this very important matter as soon as possible.

Mr. DELLUMS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker and Members of the House, from a parliamentary perspective what is before us at this time is a motion to instruct conferees on the part of the House to maintain the House position on Somalia. I can submit to my colleagues to a moral certainty that the House will maintain the House position on policy toward Somalia for a very practical reason:

The House passed the Gephardt-Gilman amendment that is the exact same language contained in the counterpart legislation in the other body. So, as a practical matter, Madam Speaker, the motion to instruct is simply an opportunity on the part of my distinguished colleagues on the other side of the aisle to debate Somalia, and I think that that is wholly appropriate. They are not asking us to maintain the House position because they know that the House position will be maintained. But I think that my colleagues do a service to this body anytime we assume the responsibility to engage in an important debate on a matter of this significance that is timely, important and relevant to the American people, to the Somali people, to the United Nations, indeed to the world.

Having made those comments, Madam Speaker, let me now make a few remarks regarding the debate on Somalia.

Madam Speaker, Members of the House, the decisions, the changes in the world, that bring us to this moment have been breathtaking both in their speed and in their impact. Just a short time ago none of us believed that the Berlin Wall would come tumbling down, that the Warsaw Pact would evaporate and that the Soviet Union would dissipate. But the fact of the matter is these are the realities. The cold war is now over.

For the past 40-plus years many became experts in the politics of the cold war. But I would submit, Madam Speaker, that there are no experts in this post-cold war environment. Ph.D's, brilliant scholars, learned and distinguished colleagues notwithstanding, there are no experts in the post-cold war.

I would submit, Madam Speaker, that each step that we take away from the Berlin Wall, each step that we take away from the end of the cold war, is a step into uncharted waters.

□ 1810

It is a step into the unknown, a step into the future, a step into transition. It is a step fraught with risk, potential dangers, the ability to make mistakes, but also great opportunities for us in this country and for people around the world. Great possibilities.

In this post-cold war environment, as we evolve what America's role in this new world order is to be, as we evolve what the new role of the United States shall be, we will embrace a whole new lexicon that did not exist in our minds just a short period ago.

Madam Speaker, we are now talking about peacekeeping, peacekeeping-plus, peacemaking, and peace enforcement. These were terms not in our lexicon in the context of the cold war.

So we are now groping. America is groping. The world is groping toward a new reality. How do we engage the world in a post-cold war environment?

Madam Speaker, we are going to make mistakes. We are going to experience difficulties. We are going to see weaknesses.

But the mistakes we make need to be corrected, the difficulties we experience need to be overcome, and the weaknesses that we see need to be strengthened; not simply used as platforms for shallow criticism, but problems out there that must be solved.

Madam Speaker, I might be wrong, but I believe that the Somalias of the world, the Bosnias of the world, the Haitis of the world, are the new realities. We are no longer in a bipolar us-versus-them world where we could study the politics of war. We are now about the business of learning the difficult and arduous task of trying to figure out how to wage the peace. It is very difficult in a nation that has studied war for well over four decades.

So we look at Somalia. Tens of thousands of Somali people were falling dead, Madam Speaker. Many of us saw this as an incredible thing that was happening when thousands of people, thousands of miles away, were falling dead for the simple reality that they lacked food. But, more often than not, they did not lack food because it was not available, but the situation was hostile, the environment was hostile.

The United States decided to play a role in the context of Somalia. We took the moral high ground. We said that in the new world, thousands of people should not fall over dead simply because they do not have enough to eat. And, as a great Nation, we decided to do something. We took the moral high ground. For the most part, we were successful beyond our wildest imaginations throughout most of Somalia.

But then we got caught up in Mogadishu. I would submit, Madam Speaker, that at the point where our mission shifted from a humanitarian mission, shifted from focusing on a political track and began to engage in military missions, is at the point where our moral high ground was eroded, a point where our policy of humanitarian assistance and political endeavor was seriously compromised.

Madam Speaker, I believe we made a mistake, that we never should have been pursuing a military operation in Somalia. We never went to Somalia to wage war.

It staggers the imagination to consider that the same hands that just a few months ago handed out food to dying people could end up being the hands dispensing death. We did not go to Somalia to kill; we went to Somalia to help and assist.

So we got caught up in mistakes. But I am pleased, Madam Speaker, that this President saw the need to identify the mistake.

We are a great Nation, and greatness is not simply one's capacity to destroy and be the bully on the block, as we have been referred to now that we have won the cold war. Greatness in a nation is the ability to recognize a mistake has been made, to rectify the mistake, and to make mid-course change.

If this country saw that we made a mistake in pursuing military options in Somalia and perverted and distorted what we were doing there, it took greatness to then say this was a mistake, let us turn it around.

How many times have we slipped down the slippery slope toward violence and retaliation and more retaliation and more violence, and, suddenly, there we are, with 10,000, 20,000, 50,000, 100,000 troops, a full-blown war, death, and destruction?

I was excited about the fact that this President was willing to say this was a mistake. We cannot continue to go down this road of retaliation and violence and war, and must turn it around.

Madam Speaker, the President has done that. The President, as requested by the Congress, has submitted his mission report on Somalia, and, as understood by those of us who are committed to saving lives in Somalia, the President has reaffirmed the humanitarian role of our soldiers there and has stated categorically that the problems of Somalia and our response to these problems will be political and not military.

The impact of this simple shift in U.S. policy was both swift and dramatic. Attacks on peacekeepers ceased. General Aideed issued a unilateral ceasefire. The release of CWO Michael Durant became imminent, and is now a reality.

The United States of America has successfully navigated an important turn in this, our first real post-cold war challenge. We must resist again being sidetracked by the doomsdayers, the naysayers, and those committed to snatching failure from the jaws of victory. We have regained the moral and practical high ground in Somalia, and indeed we must keep it, Madam Speaker, because for so many decades flexing of our military muscle was an important part of our relationship with the rest of the world. Some of us now are having great difficulty accepting the legitimacy of negotiation and reconciliation as guiding principles in relations between nations and peoples.

Madam Speaker, this is a new day, a new opportunity, a new set of challenges. Diplomacy has worked, is working, and will continue to work in Somalia, if only we stay the course and complete the positive and welcome task originally begun as Operation Restore Hope.

Madam Speaker, we must not withdraw prior to the President's March 31 deadline. We must not revert to the militaristic posture that cost so many lives on all sides and so sidetracked our basic mission. We must build on the dramatic progress that our renewed emphasis on diplomacy has brought.

Madam Speaker, my final comment is that I said earlier we now are thrust into a position where we must now learn how to wage peace, and I accept the responsibility of governance here. We are the only superpower on the planet.

Madam Speaker, we won the cold war. It is over. We do not have to prove our prowess on a street in Mogadishu or in a seaport town in Haiti. We are, without challenge, the most powerful military force on the face of the Earth. We could make holes in the ground where these two nations exist.

That is not the question. The question is, Should we be about that? Madam Speaker, I am saying in a post-cold war world, we should not be about that. We, as the only superpower on the face of this Earth, must show restraint. Because when you are the toughest person on the block, you have to show restraint.

Strength brings responsibility, and we must show restraint. But beyond that, we must show the world that there are alternative ways of solving international disputes and problems in nation states. Not simply deploying troops and gunboat diplomacy or engaging in military tactics. That is our challenge.

Madam Speaker, I have waited 23 years for this moment to come. We are now in a post-cold war era. Now the battle is being waged on our turf. And I stand here saying that our challenge today and our challenge tomorrow is to learn how to wage the peace, to figure out what role we are going to use our military forces in.

□ 1820

There are those who believe that the only purpose for our military forces is to prepare to fight world war IV and that we should withdraw from any responsibility, and any other nations in the world, except build a mighty military machine, withdraw from any other involvement in the planet and prepare to wage world war IV. That is a point of view. I accept that as a point of view that can legitimately be held by people. I simply dissent from it.

I believe that there is an alternate view. The alternative view is, since we have won the cold war, is to learn how to win peace, learn how to show the world by example that we do not need more weapons and proliferation and more capacity to destroy, that negotiation, diplomacy, and political solution at the end of the day is the greatest thing that can happen to us.

Our children, Madam Speaker, demand it. Their parents want it. The future dictates it.

Madam Speaker, with those remarks, I reserve the balance of my time.

Mr. SPENCE. Madam Speaker, I yield myself 30 seconds.

The gentleman from California makes a very good point. I think this debate we are having today evidently does not come down to partisanship. It seems that we agree on the very important point of our involvement in foreign affairs in other countries.

When it is not in our vital interest to do it, not in our national interest to do it and they are trying to solve these questions for themselves, we should not be involved in those militarily.

Madam Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Madam Speaker, it is always fascinating to hear the chairman of the Committee on Armed Services. He has much to say and well worth listening to. I would only say, in addition to my agreeing with much that he did say, that we did not start the killing in Somalia, that General Aideed killed 24 Pakistanis who were engaged, possibly, on a fool's errand to disarm General Aideed.

I think the notion was there were too many warlords over there with too many weapons, which resulted in the maldistribution of food. But nonetheless, I agree with the basic thrust of what the gentleman said, that the mission changed, that our national interest had a moral component that was fulfilled in feeding starving people. But then, when we moved the mission into nation-building, trying to impose a democracy or some form of viable government on a country that had not had one for many, many, many generations, we lost that humanitarian sense of mission and the mission was distorted into nation building.

We need a full debate here on the rapid changes that are going on in foreign policy in this country and under this administration. In the last several weeks, 18 Americans have died in Somalia. And yet, our continued presence there is without a coherent policy to justify it.

In remarks about Somalia 2 weeks ago, President Clinton said, "Let us finish the work we set out to do. Let us demonstrate to the world that when Americans take on a challenge, they do the job right." But 5 months before, on May 5, President Clinton welcomed home the men and women who had participated in the humanitarian mission started by President Bush in December. That day on the White House lawn the President said:

> Welcome home, and thank you for a job very well done. You have proved again that our involvement in multilateral efforts need not be open-ended nor ill-defined, that we can go abroad and accomplish some distinct objectives and then come home again, when the mission is accomplished.

Well, we did and he did not. We accomplished the Bush mission, as the President acknowledged, but we did not bring our troops home. Instead, President Clinton reduced our troop levels there and turned over command to the United Nations to achieve a new mission of nation building and political reconciliation.

The failure of this mission is now obvious. We need an exit strategy. Our purpose for remaining there is hopelessly confused.

The administration says we are no longer pursuing Aideed but, instead, are trying to marginalize him. But then our Army Rangers are ordered to raid a hotel where it is hoped to capture him or senior advisers, and the result is 18 dead Americans, 75 wounded, 3 missing, and 1 released captive of a force of about 100. Again, to what purpose?

Following the mauling of our Rangers in Mogadishu, Secretary of Defense Aspin has been mildly contrite about his unfortunate decision to deny tanks and armored vehicles to support our soldiers in Somalia. I am not aware that he has even addressed the catastrophic decision to withdraw from the region several AC-130 aircraft whose absence inexcusably left our Rangers and other forces without air support.

The administration obviously believes that staying in Somalia another 6 months is necessary to keep alive the esoteric policy of assertive multilateralism. Is this what propels the administration to send young men and women on ill-conceived missions that have nothing to do with protecting vital American interests? Is this what drives the President to send a shipload of soldiers, some of whom have sidearms, to Haiti with the understanding that they will be protected by the Haitian military, the very people most likely to harm them?

Is this what recently inspired administration support for expansive United Nation missions to Rwanda, Georgia, Liberia, all internal conflicts that do not threaten vital United States interests and do not threaten international peace and security?

The U.S. forces should not be squandered in this administration's experiments to cast the United Nation as miracle worker. We cannot expect every warload and terrorist thug to get religion at the sight of a blue beret.

We need to withdraw our men and women from Somalia long before March 31. This is not cutting and running. It is about competence and making the tough decisions.

We need hearings. We need debate on just where our foreign policy is heading and leave the nation building in Somalia to those countries with cultural, political, historical, and geographic ties to the region.

Mr. DELLUMS. Madam Speaker, I yield 7 minutes to my distinguished colleague, the gentleman from Oklahoma [Mr. McCURDY].

Mr. McCURDY. Madam Speaker, it is a shame that we are having this debate today. We should have had it a month ago. At that time, actually, when we had a previous vote, this Congress overwhelmingly supported the Bush initiative moving into Somalia. And I think it would be wrong for us to say today that the policy in Somalia has been a failure.

We overlook the fact that throughout the country of Somalia we see the many good works of United States involvement there. The country is on its way to being self-sufficient and being able to feed itself. The feeding stations have been closed throughout the country, and it is clear that those Americans who were tragically killed in Somalia have not died in vain. I think it would be irresponsible for anyone to say that that was the case.

It is also clear that in this day and age of the post cold war that there may not be anything described as a purely humanitarian mission. In Somalia, food was used as a weapon, chaos was a tool of some of the clan members, and we did not fully understand the willingness of some to use violence to achieve their end. And I think it is obvious that the West and the industrialized world did not have a clear appreciation of the dangers that awaited them in that country.

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Madam Speaker, the United Nations is not properly organized today for the task of nation-building. They are just now learning how to do that. I believe there have been some tragic mistakes. What I am concerned about, however, is the standing of the United States by a hasty retreat from Somalia. I believe that arbitrary deadlines by this Congress could work against our best interest in the long term.

I say that not as one who is up here defending this administration. I have been in this Congress 13 years. I have served under three Presidents, two Republicans and one Democrat. I made the same comments when Ronald Reagan was President, that Congress should not be tying the administrations hands. I made the same argument when George Bush was President, and supported the use of force in the gulf war. I will make the same argument here today.

As a matter of fact, Senator DOLE in December of 1990, in a speech regarding U.S. involvement in the Persian Gulf, said that "there are those in Congress who want to tie the President's hands behind his back." Someone asked him the other day about that statement. He said, "That was then and this is now."

I do not believe that is the case. I would appeal to my colleagues on both sides of the aisle to work together to develop policies that make sense, that use common sense as a guide. My chairman talks about the need to wage peace. How do we wage peace in this new day and age? There are some who describe it as the new world order. George Bush actually helped coin the term. I would disagree somewhat. I do not believe there is a lot of new order. I believe there is a lot of disorder. The world is not that peaceful. Just ask the Moslems in Bosnia or the Serbs or the Croats, the Georgians, the Abkhazians, the Azeris or the Armenians. We can go around the world and see those who believe that "just negotiation" is not going to resolve their conflicts.

We have, Madam Speaker, interests both national and international to see that those conflicts are resolved, and at times there will be a call for the use of force. The question is, how do we develop a foreign policy that makes sense?

My personal opinion is that it may be premature to expect a fully articulated foreign policy to replace the foreign policy that guided this country for over 50 years, one of containment.

If the Members read the "X article" by George Kennan years ago, it took time to develop the policy of containment. I believe we are going to go through a similar process. There are, however, some principles that we should keep in mind. National interest is one of those. National interest should guide much of our actions, especially when it is resorting to the use of force.

Mr. Speaker, we should, and we have learned through the decade of the 1980's and now through the 1990's that it is better to work in coalitions, to work with our allies wherever possible. Multilateralism, however, is not the goal of a foreign policy. It is not a substitute for a foreign policy. It is a tool. Working in coalitions is desirable whenever possible, but it is not the objective.

Those of us who consider ourselves internationalists cannot even argue that avoidance of isolationism is a foreign policy, either. We need to look at those areas that are in our national interest, and at the same time, there are threats to our security and threats to the stability of the world that are important.

Madam Speaker, it appears to me that the most important foreign policy issue facing the United States today is that of Russia, seeing that a stable, democratic society emerges from the current conflict and instability there. The other component has to be expanding the open global trading system, which is an economic component. I believe the President has done an excellent job articulating the connectedness of international economics and our own national interest.

Beyond that, Mr. Speaker, we have second tier problems. We have North Korea that will emerge as a potential crisis in just a matter of weeks. The Bosnias and the Somalias will be there as well, but those should not be guiding the rest of our foreign policy or capturing the entire interest of this administration.

Madam Speaker, the appeal that I would make today, is for both sides to avoid the partisanship, the cheap shots and second-guessing. It is now time for the United States to develop a foreign policy, one based on what is best in our own national interests, but also that recognizes the changing, evolving nature of the world. In our effort to achieve a coherent foreign policy, we should keep in mind the old axiom that in foreign policy partisanship should end at the water's edge.

Mr. SPENCE. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WELDON].

Mr. DELLUMS. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. WELDON] is recognized for 4 minutes.

Mr. WELDON. Madam Speaker, let us cut through all the rhetoric and get to the real issue of why we are here today. I think the chairman hit it. The issue here today is that we need to debate this policy, this foreign policy issue of Somalia, and Madam Speaker, we need a vote on this issue. We have spent over $2 billion in the Somalia operation since we first committed our troops last year. We have seen 29 young Americans who have come home in body bags because of our policy there, and the changing of the mission, which has not been fully supported by this Congress and the American people.

The idea that somehow we can gag Members and not give them an opportunity to vote on this issue, which our constituents are clamoring for us to have a vote on, is outrageous. We tried to offer an amendment to the defense authorization bill just last month. The gentleman from New York [Mr. GILMAN], our ranking Member, tried to have an up-or-down vote on whether or not to pull our troops out of Somalia and cut off the funds. We were denied that opportunity. Instead, we were given a sham resolution, and 26 of us on this floor voted against that sham resolution, because we said it was nothing more than a CYA effort to give us cover in case something tragic happened.

That following weekend 18 young Americans were killed when their helicopters were attacked in the fighting in Mogadishu. Madam Speaker, we need to debate this issue. The administration cannot keep having us run away from it. We have to debate it up front and the American people need to see us talking about what our policy should be and how long we should be deployed.

Madam Speaker, we do not even know now whether or not that sham resolution, which said we should have a vote by November 15, is going to give us a vote. No one will say that on the record, whether or not we are going to have a vote, so in fact that resolution we passed in September was exactly what we called it, it was a sham. It was just designed to give us some cover.

Madam Speaker, we had a hearing today with Secretary Aspin. The chairman of our committee asked for it to be an open hearing. The chairman said he would only come before us in a closed session, yet there was not one piece on information in that hearing that was classified. He just did not want to answer the tough questions that we were asking him and the parents of our young kids are asking us. These questions are being asked all across America.

Madam Speaker, I include for the RECORD two letters of the parents of young people in my district and in my area, Michael Carroll and William Willoughby, who have questions they have raised about their children's involvement in Somalia.

The letters referred to are as follows:

DREXEL HILL, PA,
October 5, 1993.

DEAR PRESIDENT CLINTON: This letter to you is one small voice that hopes to be heard.

On Sunday, October 3, 1993, at approximately 4 pm we received a call from Staff Sgt. Mackey from the Department of Casualty in Alexandria, VA. At that time, the details were given as follows:

". . . Specialist Michael K. Carroll and his unit were on foot attempting to secure a helicopter crash site when he and his unit came under heavy gunfire. Spc. Carroll has received gunshot wounds to his shoulder and is currently at the 507th CFG in Mogadishu. It is not known at this time the severity of his injuries . . ."

These words echoed in our minds and hearts for the next longest 30 hours of our lives.

During that time, we received a subsequent call from the rear detachment commander, Cpt. Castel from Michael's base in Ft Drum. The only additional information we received was that Michael was in very serious condition and that the wound was to his right shoulder. Additionally, he was awaiting evacuation to Germany for medical treatment once he was stabilized.

As the sun changed Sunday night into Monday morning, we sat awaiting additional updates. At that point we began our own investigation in search of updates. We were able to contact a military-based hospital in Germany and on parental instinct made the call to the hospital and found that we had reached the correct facility and that the wounded were expected to arrive within the hour. Our next telephone call was made a few hours later and we were advised that Michael had in fact arrived, but they were unable to give us detailed information because they could not properly identify us as next-to-kin. We understood their position and completed the call with respect.

As we began to wait again, you can imagine our surprise and relief, Mr. President when we received a call from Michael personally! Our prays have been partially answered. We are now anticipating his return to the states for proper medical attention as well as answers to our questions regarding his prognosis.

Experiencing this anguish first hand has pressed our "emotional buttons" to write to you concerning our non-biological sons still remaining in Somalia.

We supported the successful humanitarian relief efforts provided by maybe ten times the American troop strength in December than by what are currently in Mogadishu. As a proud father and former serviceman with the 82nd Airborne, I can say with much pride how much I appreciate the efforts and courage of the American troops in Somalia today. However, it is my feeling after speaking with Michael, and I stress this is my personal feeling, that the military of the United States should do one of two things . . . withdraw all American troops from Somalia or supply adequate reinforcements to complete the mission so the American troops and people can continue to hold their heads high with pride and respect.

We find it disheartening to hear that when U.S. forces reach out to aid other UN nations in need and require our support, that we get little, if anything, in return from them.

As that former serviceman and proud father, I urge you to either define the mission, complete the mission with adequate troop strength or send our sons home.

Respectfully,
MICHAEL and STEPHANIE CARROLL.

CLEVELAND TRACK MATERIAL, INC.,
Cleveland, OH, September 24, 1993.

Congressman MARTIN HOKE,
Fairview Park, OH.

DEAR CONGRESSMAN HOKE: This is to inform you about the situation in Somalia. My son John is a platoon leader in the 568th Engineer Company (Combat Support), in Mogadishu and has informed me about his unit involvement. I am disturbed by what appears to be a deteriorating situation in spite of claims to the contrary by U.S. Special Envoy Admiral Jonathan Howe.

My understanding of the situation is from two tours in Vietnam in Special Forces and U.S. combat units, and over a year as an instructor on counterguerrilla operations at the U.S. Army Infantry School, Fort Benning, GA. I was a professional Army officer until medical retirement in 1971.

In Somalia, there are several key indicators of heightened risk and even impending disaster.

1. Popular support is on the side of Aidid. The Pakistanis have particularly earned the emnity of the populace, and the polyglot U.N. forces are regarded as foreigners. The average Somali has to side with his countrymen if he expects to be alive the day after the U.N. forces depart.

2. The gangs have sanctuaries that the U.N. forces do not have the power to control. There are entire sections of Mogadishu that are still under gang dominance.

3. The gangs have freedom of movement to attack U.N. forces at will because of the characteristics of the city and help from the populace. Additionally, practically every street is an ambush site resulting from the narrowness of most streets and walls next to the streets. Conventional forces are exceedingly vulnerable in these circumstances even if they are armed. My son and four of his soldiers luckily survived an ambush on June 5th that was set up in similar conditions. Four U.S. soldiers have been wounded since June 5th and we are very lucky that the casualty numbers are not significantly greater. All of the U.S. casualties are support, not combat troops, by the way.

4. The gangs are better armed. They are using rocket propelled grenades (RPG's) with impunity to attack the U.S. compounds and even holed a U.S. tanker in the harbor on Saturday. They are also improving their military skills such as markmanship, tactics, and coordination.

The situation is rapidly developing into urban guerrilla warfare against U.N. forces. U.S. forces in this situation are increasingly vulnerable.

1. The combat support and service units (transportation, engineers, medical, etc.) are thin-skinned and not really trained for this type of activity. Fifteen percent of the troops are female, and one trucking company commander is female. The engineer company is equipped with the same machinery as your average county road maintenance crew—bulldozers, loaders, scrapers, and the like—only the operators are U.S. Army soldiers and carry M-16's. They have *no* heavy weapons—mortars, .50 Cal. machine guns, night vision devices, TOW missiles, and, of course, no Combat Engineer vehicle (CEV's) for the combat engineer missions which they now perform exclusively. In any engagement with the gangs, they are outgunned at the onset.

2. U.N. security is unreliable. One unit was on a large search mission in support of the Pakistanis. In the afternoon, the Pakistanis disappeared—leaving the engineers naked—without security. This is not a confidence builder. Army doctrine and practice until now have proscribed operations combining multi-lingual units below battalion level because of operating difficulties.

3. There are increasing rocket and sniper attacks on the compounds. The rockets (RPG's) are very effective anti-personnel weapons and act like mortars in this application. Our units are especially vulnerable to this type of attack. Car bomb and ground assaults may follow.

4. The U.S. combat unit in the area is a brigade from the 10th Mountain Division which is the U.N. quick reaction force. It is not used to secure any missions by the engineers or transportation units. Please note that it is light infantry also—no tanks or armored personnel carriers.

It is clear that the current forces on the ground are increasingly losing control. It is an obvious lack of combat power defined by quality of forces, communications, mobility, and firepower. A combat power ratio of 3 to 1 is usually required for a conventional force to defeat another conventional force. A combat power ratio of at least 10 to 1 is needed for a conventional force to defeat a guerrilla force. We are not close to that.

The threat of another Beirut-type disaster is real. We must decide to control the situation by re-inserting significant numbers of U.S. forces. In order to maintain control, those forces may be required to stay there for years. Overwhelming force was a key to success in desert Storm.

The other alternative is to leave. We must decide to do one or the other. We should not leave any of our forces out on a limb with inadequate security. Casualties will continue to mount. Not one single American soldier's life should be wasted on a situation that has no real mission or any linkage to our national interest.

I look forward to your response.

Very truly yours,
WILLIAM H. WILLOUGHBY,
President.

Madam Speaker, I will read part of a letter I got over the fax today from the father of a young man who was in the Somalia operation:

I ask this Congress to put as much effort into investigating this foreign policy disaster, as they put into investigating Watergate, and Iran-Contra. Now if I am not mistaken, neither Watergate nor Iran-Contra caused the loss of American soldiers' lives.

My son Dominick was killed October 3, 1993. He was buried October 11, 1993. He died in Somalia defending his fellow Rangers and fighting for his country's policies. He believed in the Ranger creed, which says: "Never shall I fail my comrades * * * embarrass my country."

Madam Speaker, we cannot embarrass this country, either. This issue needs to be debated.

Madam Speaker, our mission is complete. I was just in Somalia in January. I am convinced we did our job well. I am proud of our troops. We cannot bring home part of them or most of them and leave 4,500 troops there as sitting ducks. It is time to bring them all back home.

Madam Speaker, I ask my colleagues today, this is the first day that we can file a discharge petition that forces a vote on bringing the troops home. I ask my colleagues to sign House Resolution 227 offered by the gentleman from Ohio, SHERROD BROWN. Members can sign it in the well today, which would force an immediate vote on the issue on this House floor of bringing our troops home.

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If you are really committed to ending our involvement, you have that opportunity. So I would ask my colleagues on both the Republican side and the Democratic side to support the discharge petition requesting that House Resolution 227 be brought up for immediate consideration. Let us bring our troops home now.

Mr. Speaker, the Senate has spoken on the continued deployment of American troops in Somalia. After 2 days of intense pressure by the Senate leadership, Senator BYRD backed off his original amendment to an early withdrawal, and the Senate agreed to authorize United States troops in Somalia until the March 31 deadline requested by the President. But our troops remain under fire, and the House has an equal responsibility to address this issue. I am outraged that we are being denied that opportunity. Months after our troops have completed their mission, there is no legitimate reason to postpone this debate one more day. Michael Durant has been returned to the United States, and we have accounted for those who were killed. It is time to bring the troops home.

Many months ago, U.S. troops achieved their objectives as outlined by President Bush. Key transportation routes were secured and the food was flowing to the Somalian people. By February, we put an end to the mass starvation in that nation. Under the plan put forward by the Bush administration, our troops were to leave once those objectives were achieved and control of the operation was to be transferred to a U.N. peacekeeping force.

In March, however, the U.N. Security Council expanded the size and mandate of the original mission. The new administration allowed them to remain involved under the guise of a nation-building effort. What started out as a rapid intervention mission has been stretched into a protracted crisis. And, my colleagues, I regret to say that it got our stamp of approval. On May 25, over the objections of many in this body including myself, the House authorized the continued deployment of U.S. troops for the U.N.'s peacekeeping mission.

We had no business authorizing an open-ended deployment for troops in Somalia before the President even explained the mission and asked the American people and Congress to support it. Yet, that is exactly what the House did. When our worst fears were realized, the House called for a vote by November 15 on the continued deployment of troops in Somalia. So far, that has not been forthcoming. It now appears we will simply be asked to consider the language the Senate approved when we debate the Defense appropriations conference report.

Many of us argued in May that we should bring the troops home no later than June 30. That was not unreasonable, our mission had long been completed and the transfer to U.N. command had occurred on May 1. But that measure was defeated. So we supported a substitute which would have allowed 6 months to bring the troops home. And that was defeated. Five months later, our troops remain, and as many of us predicted in May, we have become mired in this civil conflict and suffered needless casualties.

We said in May that it was time to bring United States military involvement in Somalia to an end, and we are saying it even more emphatically today. Every day our troops remain in Somalia, they are becoming more deeply entrenched in this civil war and needlessly risking their lives. According to a New York Times reporter in Mogadishu last week, "The Sprawling, sandy compound that houses thousands of United States forces is still a base besieged, with all but a few troops forbidden to leave the shelter of sandbags and coiled concertina wire to patrol Somali streets * * * snipers opened fire overnight Monday on two strongpoints held by Pakistani peacekeeping troops."

How much more carnage do we need to witness before we come to our senses? What is it going to take to force us into action? The President has called for a March 31 deadline in Somalia, but we have yet to hear the details of the mission and what will be accomplished.

From every direction in Washington, there are powerful forces at work trying to stall congressional action on this critical matter. Secretary Aspin refuses to appear in a public hearing to explain how the troops were denied equipment, much less to explain our military objectives over the next 6 months. Nobody benefits if we find ourselves back here in a few months saying that we were right once again, and we have lost more lives.

We are ignoring our responsibility to the American people if we let this military mission continue without a full debate and a vote in the House of Representatives. I am frustrated by the leadership's complacency on this issue and am becoming convinced that there is an effort to sweep this issue under the rug. So I am initiating a discharge petition today on House Resolution 227, the resolution urging the President to return troops from Somalia as expeditiously as possible. I urge those who share my concerns to sign on to this petition immediately. With American lives on the line, we cannot afford to be talked into delay. Now is the time for Congress to act and bring the troops home.

Mr. DELLUMS. Madam Speaker, will the gentleman yield?

Mr. WELDON. I am happy to yield to the gentleman from California.

Mr. DELLUMS. Madam Speaker, I would appreciate it if the gentleman would state for the RECORD, because the gentleman and I serve together on the Armed Services Committee, that it certainly was not this gentleman, nor my colleagues on the Armed Services Committee, who in any way attempted to limit the debate on the options on the issue of Somalia.

Mr. WELDON. No. I said in my comment it was this chairman who requested a full and open hearing today with the Secretary of Defense, and if anything, I applaud the chairman for his willingness to have an open discussion on this issue.

Mr. DELLUMS. I thank the gentleman.

Mr. SPENCE. Madam Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. Madam Speaker, our President desperately needs to articulate to the American people our policy in this foreign country.

I attended a briefing this morning, a classified briefing, although there was nothing classified in the briefing, that certainly did not answer my questions nor the questions of the American people, nor did it allay my fears nor their fears.

We are in a no-win situation. This is assured by the March 31, 1994, deadline for pulling out. This is the equivalent of telling your chess opponent what your next move is going to be.

Aideed's route to victory is peace. He can now vacation for 6 months, come back and pick up all of the marbles, or worse yet, he can acutely embarrass us just days before the March 31 pullout. It will cost millions, perhaps billions of dollars more to keep our troops there this long. And who knows how many American lives will be lost.

The generally good advice to not tie the President's hands in foreign policy implies a level of confidence in our leadership which I do not think now exists. This Congress and the American people really need the debate that is now going on. I am very appreciative of the debate from both sides of the aisle.

Mr. DELLUMS. Madam Speaker, I recognize that my colleagues on the other side have used up all of their time, and in the spirit of comity, although there are a couple of my colleagues who do not agree with us on this side, I am feeling generous, and I, therefore, yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Madam Speaker, I thank the gentleman from California for graciously allowing me this time. This is almost unprecedented, and I want him to know that I appreciate it very much.

Madam Speaker, I was interested in Somalia from the very beginning because I did go to the White House and ask the people when are we going to be out of Somalia when we first went in in December, and they told me well, we are going to try to be out by Inauguration Day, January 20. Well, January 20 came and went and we were still there, and we are still there now.

The reason I asked for this time is because one of the young people that was involved in this firefight was from my congressional district, and his mother called our office. I think it is important for the House to know what transpired, because I had mentioned that I will do everything I can for her, like any other Congressman here would. But I said, "Well, why don't you call the White House?"

When she called the White House she was most irate when she got back to me, because the White House talked to her. First of all, they had her on the phone for 4 minutes waiting. When they got on the line, they had a recorded message on health care. And then when they finally talked to her, she told them of her concerns, and why she was calling, and they at the White House said, "Well, we'll make sure the President hears of your comments." She said, "Well, do you want my name or my son's name or background?" And they said no, "We're not interested in that. We'll just add you to the list of people who are opposed to our policy in Somalia."

I do not think that that is a way that our Government should treat the parents of the sons that we have overseas. So not only do we have an obligation here in this body to make sure that our people in uniform are protected, but we have got to, I think, have some sensitivity and some feeling for the people who have their sons and daughters in the service. And that is not always being exemplified. And that is why people are so negative and turned off on this Government.

Again I appreciate the gentleman from California giving me these 2 minutes. It was very generous, and I want him to know I appreciate it.

Mr. SPENCE. Madam Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Madam Speaker, I would like to thank the gentleman from California [Mr. DELLUMS] for supporting the fundamental issue of the right to debate this issue. And I know he has always done that.

But the important thing is that the House be allowed to debate it just like in the Byrd-Dole debate, because if this thing comes to conference, and we have not debated the issue, then I think it is a shirking of our responsibility.

But I believe we need to pull out of Somalia now. In this Member's opinion, the Gephardt amendment for sanctions during Desert Storm was in poor judgment. I think the Gephardt amendment to stay in Somalia is also in poor judgment.

Aideed, whether he fires a shot or not, or another bandit takes his place, or they take out Aideed, he is still going to be there 6 months from now. We are going to risk lives, and it is going to continue to cost American dollars.

Let me tell Members the way in which I think we are irresponsible. One Member said cheap shots.

On August 8 we lost a light armored vehicle, destroyed lives. The military commanders on the line, seeing they could not get to our troops, requested that they have heavy armor.

On 25 September we lost a helicopter, not talked about much. Two people escaped. One torso was cut in half by the Somalians. They tore apart the arms and legs and paraded through the streets. They are not the Aideed supporters. These are civilians. And again we asked for armor. The Secretary of Defense turned down that request for that armor.

On October 3 we lost 2 helicopters, 18 killed, we had 72 wounded. Why? It took 7 hours for U.N. forces to get to them. That is our policy of putting our troops under U.N. control. The Pakistanis, the Malaysians did not speak English. They had to use night goggles. In the first intersection they were hit. We got our donkeys kicked there and they were hit. If we would have had that armor, we could have rolled right through those barricades, got to our helicopters, and maybe not lost as many people.

Let us get out of Somalia.

Mr. DELLUMS. Madam Speaker, I yield 3 minutes to my distinguished colleague, the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Madam Speaker, I thank the gentleman for yielding the time.

Madam Speaker, let me say that the debate on Somalia will come in November, and we are going to hear it all of the time in 1-minute speeches. But I will tell you, this afternoon I was talking to a friend back in Columbus, an associate with the Mershon Center, a think tank, and we both began to think about the talk that Cap Weinberger made in 1984 to the National Press Club. Cap Weinberger said there are six conditions that ought to be met before we decide whether we are going to commit U.S. forces.

Condition No. 1, our vital interests must be at stake. Condition No. 2, the issues involved are so important for the future of the United States and our allies that we are prepared to commit enough forces to win. No. 3, we have clearly defined the political and military objective which we must secure. Four, we have sized our forces to achieve our objectives. Five, we have some reasonable assurance of the support of the American people, including the People's House. And six, U.S. forces are committed to combat only as a last resort.

What I maintain has been happening in this country, and it happened when Ronald Reagan put us in Lebanon, and I feel compelled today to say that when that vote came up to keep our forces in Lebanon, I voted against the administration, against Ronald Reagan, because I thought our mission in Lebanon did not make a lot of sense.

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I also sent a letter to President Clinton earlier this year when he struggled with the decision on Bosnia and I said in that letter:

> Mr. President, I want to be constructive. If you have a clear plan for going to Bosnia, if it makes sense I want to be bipartisan.

My statement today is designed to say that in foreign policy we have to be bipartisan but it is also designed to say that I think Cap Weinberger really hit on something in these six principles that we ought to dig out again. And when we look at Lebanon or when we look at Somalia or when we look at Haiti we begin to find that those particular circumstances do not really get answered in the six precepts that Cap Weinberger laid out. That is why we have been losing our way in terms of defining foreign policy. And we had better learn from these cases as we begin to look at places like Bosnia. We have got to be able to decide "Are our vital interests at stake? Are we prepared to commit enough forces? Do we have clearly defined political and military objectives? Have we sized our force right? Do we have the support of the American people and the Members of this body? And are U.S. forces committed to combat only as a last resort?" And I believe that if the circumstances that we are looking at around the world cannot be answered by looking at these vital precepts that Cap Weinberger laid down for us then I think we draw the conclusion that we ought not to go.

I think that is what happened in this administration. We have not been able to clearly define these objectives.

Mr. Chairman, I think what I am going to do is make sure we send out a "Dear Colleague" on this issue of what Weinberger raised for all of us to think about because the debate on Somalia is going to continue here but it is really a much larger debate about the future of the American forces in the post cold war.

Mr. SPENCE. Madam Speaker, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. I thank the gentleman for yielding this time to me.

My colleagues, I am going to do a special order tonight for an hour because I was in Somalia yesterday, flew all last night and got home at about 4 o'clock in the morning and flew over and back on the air bridge, four C–5 flights, two of them for 12 hours and 13 hours each, two for 5 hours each from West Cairo down to Mogadishu.

When I arrived at the airport there was an H–60 waiting for me with General Thomas Montgomery at the airplane. He put me on the H–60 and within 5 minutes I am looking down at 10 Soviet-built T–72 tanks, painted white, and an Indian flag flying over their detachment area.

I said, "General, tell me these just got here. They weren't here October 3." He said, "I know what you are saying, Congressman, but they were here. I called the Indians; I asked them for help. It was the dead of night and they had to call Delhi.

"I called the Italians and I asked them for help. They had to call Rome. And the result was," and all these are allies and they wanted to help—"it was a political breakdown." The rescue mission was 9 hours getting to site 2 where five Americans were probably taken alive and beaten to death by the crowd. One of them did have white plastic handcuffs that had been cut. As I said on this floor several times last week no one puts handcuffs on a dead body.

So where do we go from here? I am looking at Clinton's press statements out of Dee Dee Myers, that he is pulling out the Rangers.

I ask my colleagues, I ask America, I ask a million people watching this House floor right now: Why are we announcing that the Rangers are leaving? If they want to bring them home, bring them home, but do not announce it. As we speak Aideed is having a press conference and pointing out that he killed five men from the 160th Special Ops Aviation Regiment, that he killed six men from Benning, one of them with that mortar fire. If we are out of time that is all right. I will continue with a full hour this afternoon. There is a lot my colleagues have to know about the Somalia operation implications on Haiti and Bosnia.

Mr. SPENCE. Madam Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. COLLINS].

Mr. COLLINS of Georgia. Madam Speaker, I thank the gentleman for yielding this time to me.

Madam Speaker, I spent last weekend in Fort Benning, GA. On Friday night I read reports in the Bayonet paper, which is the post paper, about the memorial service for six Rangers who were killed in Somalia, reports of those who were wounded in Somalia, and a blow-by-blow article from a troop engaged in hand-to-hand combat, fighting for 16 hours he was pinned down.

Then on Saturday morning I visited Michael Collins, sergeant, Birmingham, AL, wounded in the gunfight in Somalia, is going to be laid up for over a year trying to recuperate.

Then I had lunch with young recruits going through basic training. We talked about Somalia, the possibility of them going to Somalia in a very short period after finishing their basic training. They are prepared to go; if called they will go.

They are concerned, though, which was: Will Congress support us if we go? They did not ask, "Will the President support us?" They asked, "Will Congress support us?"

I talked with career soldiers, soldiers who had been in and remember Vietnam. The morale of those soldiers is low. They are concerned.

I spent time with retirees, with generals, colonels, and they all say we do not need to be in Somalia. Somalia has the makings of another Vietnam. Bring our troops home. But on the way out kick Mr. Aideed right square in the rump.

Mr. DELLUMS. Madam Speaker, I yield the balance of our time to my distinguished colleague, the gentleman from Texas [Mr. WASHINGTON].

Mr. WASHINGTON. Madam Speaker, I thank the gentleman from California [Mr. DELLUMS] for yielding this time to me and especially for giving me the honor of closing debate on what is an important subject and will become an even more important subject in the days and weeks ahead.

Madam Speaker, I come to the well this evening to set the record straight, however, because I have heard over and over again from some of our friends who wish to quarrel with the President's policy but do not have the courage to run for President in order to hold that office, that we have no legitimate interest in Somalia.

I have searched the RECORD and many of these same Members were Members of Congress during the period of time when they thought that they had some significant military interest in Somalia, because between 1980 and

1988 this country appropriated and gave $140 million in military aid to Somalia. We had a military interest then, we had a significant interest then; but the only difference is that the Soviet Union does not exist anymore.

Some of you people act like you just heard of Somalia when you saw the dying people on television back in November and December last year. You know better than that. You have known where Somalia was all along. You participated and propped up the Marxist regime because you wanted to do something to try to fight the Soviets being in Ethiopia. So you used the puppet of Somalia to try to balance off what you thought was happening in the Soviet Union and now you want to come with clean hands and say you do not know where Somalia is?

Pontius Pilate was not guilty of the death of Jesus Christ, but he was not innocent. And we are not guilty of what is going on in Somalia but we damned sure as hell are not innocent. We participated by sending money and military aid and propping up the Government in Somalia. Now my colleagues, both Democrat and Republican, want to say we have no legitimate interest in Somalia? We are responsible because every colonialist is responsible for neo-colonialism. This is the same kind of colonialism that the British and the Italians practiced up until 1960 when they supposedly set Somalia free.

From 1960 until now our hands are dirty, and if our children die over there, it is the fault of people who appropriated the money to prop up the regime with $140 million lo those many years, and that is the truth.

□ 1900

Mr. SPENCE. Madam Speaker, I yield 2 minutes to the gentleman from Texas [Mr. SAM JOHNSON].

Mr. SAM JOHNSON of Texas. Madam Speaker, I do not think colonialism is the issue, in deference to my friend. The gentleman from Texas [Mr. WASHINGTON] is a good guy, and I appreciate that he is from a good State; but colonialism just is not the issue.

The issue here is, can we take care of our guys? The mission keeps changing on us. It started off as humanitarian and then it changed to combat. We would not call it that. It was not called combat. It was called a peace action.

When our POW got shot down and caught and when those other guys got dragged through the streets and killed by those Somalis, we did not want to call them POW's. We did not call them missing-in-action. We did not call them killed in action.

Do you know what that POW was called? He was called a detainee. That is because some general counsel in the Department of Defense said that is what he would be called.

Secretary Aspin said, "Let's try to figure out what kind of rules we are going to follow."

Let me tell you, there are the rules of combat, which is the Geneva Convention on POW care, that can be followed and should have been followed and were not followed.

So what is the issue here? Our administration cannot take care of our people in Somalia. They do not know what the mission is. They do not know how to conduct the mission, the mission being nonexistent with no goal and no opportunity to retrieve our people in good health.

Therefore, what is the answer? The obvious answer is let us get ourselves out of there.

What in the world are we protecting, the United States or the United Nations? I do not think our job is to protect the United Nations. It is to protect the United States of America, and that means withdrawal from Somalia.

Mr. SPENCE. Madam Speaker, I yield myself the remaining time.

Madam Speaker, as evidenced by the remarks on the floor this afternoon, for the most part I do not think this has been a partisan debate, nor should it be. We find ourselves in this place today because as some have expressed it, we have been through a learning experience.

Our chairman suggested that we are in a post-cold-war environment. The same old rules do not apply. We are feeling our way. We are groping. That may be so, and to some extent that is so; but if nothing else comes out of this debate, and I hope we will have more debate before the time is over this year, before November 15. The other body, as I said, has already debated this issue more in depth than we have. If we have learned nothing else, we have learned that we have made a mistake in Somalia.

The U.N. policy was wrong. We supported that policy and we have now admitted it, in due deference to our President, as expressed by the chairman of our committee today.

He has admitted that mistake, and we are now on the right track, it seems to me. We have at least admitted our mistake. We are in the process of pulling out militarily from Somalia.

Maybe with all the bad things we have gone through, and yes, even though we have lost lives in the process, maybe we have learned something for the future, that will serve us well when we consider these kinds of problems in the future, and we will be considering these kinds of problems in the future.

We have learned that we should not be involved, I repeat, in the internal affairs of other people. We have enough to do right here at home.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. KENNELLY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from South Carolina [Mr. SPENCE].

The motion to instruct was agreed to.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 2401

Mr. DELLUMS. Madam Speaker, pursuant to rule XXVIII, clause 6(a), I move that conference committee meetings on the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, be closed to the public at such times as classified national security information is under consideration, provided, however, that any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER pro tempore. Pursuant to clause 6, rule XXVIII, the vote on this motion will be taken by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 422, nays 2, not voting 9, as follows:

[Roll No. 516]

YEAS—422

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Boehner
Bonilla
Bonior
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss

Grams
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—2

DeFazio
Washington

NOT VOTING—9

Andrews (NJ)
Bliley
Borski
Chapman
Engel
Greenwood
Hansen
Neal (NC)
Santorum

□ 1927

Mr. WASHINGTON changed his vote from "present" to "nay."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 2401.

The SPEAKER pro tempore (Mr. MFUME). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees to the National Defense Authorization Act for Fiscal Year 1994:

From the Committee on Armed Services, for consideration of the entire House bill and the entire Senate amendment, and modifications committed to conference: Mr. DELLUMS, Mr. MONTGOMERY, Mrs. SCHROEDER, Messrs. HUTTO, SKELTON, and McCURDY, Mrs. LLOYD, Messrs. SISISKY, SPRATT, McCLOSKEY, ORTIZ, HOCHBRUECKNER, TAYLOR of Mississippi, ABERCROMBIE, ANDREWS of Maine, EDWARDS of Texas, and UNDERWOOD, Ms. HARMAN, and Messrs. SPENCE, STUMP, HUNTER, KASICH, BATEMAN, HANSEN, WELDON, KYL, RAVENEL, DORNAN, HEFLEY, and MACHTLEY.

As additional conferees from the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 2 of rule XLVIII: Messrs. GLICKMAN, RICHARDSON, and COMBEST.

As additional conferees from the Committee on Banking, Finance and Urban Affairs, for consideration of sections 812, and 1316 of the House bill and sections 1087, 2854, and 2908 of the Senate amendment, and modifications committed to conference: Messrs. GONZALEZ, NEAL of North Carolina, and KANJORSKI, Mrs. ROUKEMA, and Mr. RIDGE.

As additional conferees from the Committee on Education and Labor, for consideration of sections 373, 1303, 1331, 1333–1337, 1343, 1344, and 3103 of the House bill and sections 338, 532, 1088, and 2853 of the Senate amendment, and modifications committed to conference: Messrs. FORD of Michigan, CLAY, WILLIAMS, PETRI, and GOODLING.

As additional conferees from the Committee on Energy and Commerce, for consideration of sections 267, 382, 601, 1109, 1314, 2816, 2822, 2829, 2830, 2839, 3105(b) and (c), 3132, 3137, 3140, and 3201 of the House bill and sections 322, 325, 327, 705, 822, 1088, 2802, 2803, 2833, 2842, 2844, 2913, 3106(c), (d), (j), (l), 3131, 3132, 3133, 3136–3147, 3149, 3150, 3201, and 3202 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, SHARP, SWIFT, MOORHEAD, and OXLEY.

Provided, Mr. BLILEY is appointed in lieu of Mr. OXLEY solely for the consideration of sections 267, 601, and 1109 of the House bill, and sections 705 and 3106 of the Senate amendment.

Provided, Mr. BILIRAKIS is appointed in lieu of Mr. OXLEY solely for the consideration of sections 1314, 3137, 3140, and 3201 of the House bill, and sections 322, 2802, 2803, 3132, 3136, 3139–3147, 3149, 3150, 3201, and 3202 of the Senate amendment.

Provided, Mr. STEARNS is appointed in lieu of Mr. OXLEY and Mrs. COLLINS of Illinois is appointed in lieu of Mr. SWIFT solely for the consideration of section 822 of the Senate amendment.

Provided, Mr. SCHAEFER is appointed in lieu of Mr. OXLEY solely for the consideration of section 3138 of the Senate amendment.

As additional conferees from the Committee on Foreign Affairs, for consideration of sections 234, 237, 241, 1005, 1008 (relating to funding structure for contingency operations), 1009 (relating to report on humanitarian assistance activities), 1021, 1022, 1034, 1038, 1041, 1043–1045, 1048, 1051–1055, 1105, 1107, 1108, 1201–1203, 1205–1208, 1360, 1501–1510, and 3136 of the House bill and sections 216, 221, 223, 224, 241–245, 547, 1041, 1042, 1051–1054, 1061, 1067, 1077, 1078, 1083–1085, 1087, 1093, 1094, 1101–1103 and 1105–1107 of the Senate amendment, and modifications committed to conference: Messrs. HAMILTON, GEJDENSON, LANTOS, GILMAN, and GOODLING.

As additional conferees from the Committee on Government Operations, for consideration of sections 818, 829, 1023, 1050, 2816, 2821, 2823, 2839, and 3140 of the House bill and sections 825, 2843, 2844, and 2902–2908 of the Senate amendment, and modifications committed to conference: Mr. CONYERS, Mrs. COLLINS of Illinois, and Messrs. ENGLISH of Oklahoma, CLINGER, and McCANDLESS.

As additional conferees from the Committee on the Judiciary, for consideration of section 262 of the House bill, and modifications committed to conference: Messrs. BROOKS, SYNAR, BERMAN, FISH, and MOORHEAD.

As additional conferees from the Committee on the Judiciary, for consideration of section 1022 of the House bill and modifications committed to conference: Messrs. BROOKS, SCHUMER, CONYERS, SENSENBRENNER, and FISH.

As additional conferees from the Committee on the Judiciary, for consideration of section 1082 of the Senate amendment, and modifications committed to conference: Messrs. BROOKS, MAZZOLI, BRYANT, FISH, and MCCOLLUM.

As additional conferees from the Committee on Merchant Marine and Fisheries, for the consideration of sections 1351, 1352, and 1354–1359 of the House bill and sections 654 and 3501–3506 of the Senate amendment, and modifications committed to conference: Messrs. STUDDS, TAUZIN, LIPINSKI, FIELDS of Texas, and BATEMAN.

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 265, 1314, and 3137 of the House bill and sections 328, 2841, 2851, 2915, 3103, and 3135 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mrs. UNSOELD, and Messrs. REED, FIELDS of Texas, and BATEMAN.

As additional conferees from the Committee on Natural Resources, for consideration of section 2818 of the House bill and sections 2855, 3132, 3139, and 3147 of the Senate amendment, and modifications committed to conference: Messrs. MILLER of California, VENTO, LEHMAN, and YOUNG of Alaska, and Mrs. VUCANOVICH.

As additional conferees from the Committee on Post Office and Civil Service, for consideration of sections 364, 901, 934, 943, and 1408 of the House bill and sections 523, 1064, and 3504 of the Senate amendment, and modifications committed to conference: Mr. CLAY, Mr. MCCLOSKEY, Ms. NORTON, Mr. MYERS of Indiana, and Mrs. MORELLA.

As additional conferees from the Committee on Public Works and Transportation, for consideration of sections 2816 and 2841 of the House bill and sections 1063, 1087, 2833, 2842, and 2917 of the Senate amendment, and modifications committed to conference: Messrs. MINETA, APPLEGATE, WISE, SHUSTER, and CLINGER.

As additional conferees from the Committee on Rules, for consideration of section 1008 (relating to funding structure for contingency operations) of the House bill, and modifications committed to conference: Messrs. DERRICK, BEILENSON, FROST, SOLOMON, and QUILLEN.

As additional conferees from the Committee on Science, Space, and Technology, for consideration of sections 215, 262, 265, 1303, 1304, 1312–1318, and 3105 of the House bill and sections 203, 233, 235, 803, and 3141–3148 of the Senate amendment, and modifications committed to conference: Mr. BROWN of California, Mr. VALENTINE, Ms. E.B. JOHNSON of Texas, Mr. WALKER, and Mr. FAWELL.

As additional conferees from the Committee on Small Business, for consideration of section 829 of the House bill, and modifications committed to conference: Mr. LAFALCE, Mr. SMITH of Iowa, and Mrs. MEYERS of Kansas.

As additional conferees from the Committee on Veterans' Affairs, for consideration of sections 1071 and 1079 of the Senate amendment, and modifications committed to conference: Messrs. MONTGOMERY, SANGMEISTER, and STUMP. Provided, Mr. SLATTERY is appointed in lieu of Mr. SANGMEISTER solely for the consideration of section 1079.

As additional conferees from the Committee on Ways and Means, for consideration of sections 653, 705, and 1087 of the Senate amendment, and modifications committed to conference: Messrs. ROSTENKOWSKI, GIBBONS, PICKLE, ARCHER, and CRANE.

There was no objection.

□ 1930

CONFERENCE REPORT ON H.R. 2519, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. SMITH of Iowa. Mr. Speaker, I call up the conference report on the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MFUME). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Thursday, October 14, 1993, at page H7968.)

The SPEAKER pro tempore. The gentleman from Iowa [Mr. SMITH] will be recognized for 30 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 30 minutes.

The Chair recognizes the distinguished gentleman from Iowa [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report and the amendments in disagreement on H.R. 2519, the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act of 1994, and that I be permitted to insert a table and extraneous matter following my remarks on the conference report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

□ 1940

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will only take about 1 minute. This conference report has been available for the Members for 5 days. I think most everybody knows what is in the report. I will just summarize very briefly.

The total amount of money for budget authority is $23,396,781,000. Of that, $3.8 billion is to continue various programs for technology enhancement, economic development incentives, scientific research, fisheries development, weather forecasting services, international trade and tourism promotion, and for small business development.

There is $10.1 billion in discretionary appropriations for the Department of Justice and the law enforcement agencies. The conference report also includes $2.7 plus billion for the judiciary. The conference agreement also includes funding for related agencies such as, $374.4 million for the Maritime Administration, $400 million for the Legal Services Corporation, $657 million for the Small Business Administration, and $1.142 billion for the U.S. Information Agency.

Mr. Speaker, 178 amendments were added to the bill when it went to the Senate. We have been able to resolve all of these. I think there is only one upon which we will probably have a vote. It is my hope that that is the case.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS. Mr. Speaker, I yield myself 17 minutes.

Mr. Speaker, I hope not to take that entire time.

Mr. Speaker, I rise today in strong support of the conference report to accompany H.R. 2519, the fiscal year 1994 Departments of Commerce, Justice, State, the judiciary, and related agencies appropriations bill.

Mr. Speaker, the chairmen of the House-Senate conference committee, and all the members of the conference committee, are to be commended for their diligence in crafting a conference report which I believe all Members should support.

Under the leadership of the chairmen of the conference committee—the gentleman from Iowa and the gentleman from South Carolina—and with the help of a revised 602(b) allocation, the conferees were able to make some important improvements over the House-passed bill, particularly in high priority areas such as law enforcement, and immigration controls. In addition, the conferees have placed controls on U.N. peacekeeping.

For the Department of Justice, an area of particular concern to many Members of this body, the conference agreement provides a $130 million increase over the House-passed bill. A sizable portion of this increase finances a comprehensive immigration initiative which will allow us not only to detect and apprehend, but also to detain and deport, illegal aliens. The conference report provides a $90 million increase over the House-passed bill for immigration control initiatives, a $129 million increase over fiscal year 1993. Not only does the agreement put 600 additional border patrol agents in the field as provided in the House bill, it also funds construction and expansion of four INS detention facilities, and increased detention and deportation facilities at airports and seaports. items which were not included in the House-passed bill.

To fight the war on crime and drugs, the conference agreement provides funds above the House level for the FBI, the DEA, and for assistance grants for State and local law enforcement.

For the Commerce Department, the conference report provides increases above the House for the administration's technology initiatives. We increase funding by 16 percent above the House to continue National Weather Service modernization efforts. Funds are also provided for the Economic Development Administration to help assist communities impacted by defense and timber industry cutbacks, as well as other economically depressed communities.

Like the House-passed bill, the judiciary is given a significant increase, 11 percent, over fiscal year 1993, including full funding for the 35 new bankruptcy judgeships the Congress approved last year.

Reflecting the need to put our own domestic needs first, we have cut spending for the Department of State and international programs 8 percent below the fiscal 1993 level, a $349 million cut.

In addition, Mr. Speaker, I am pleased to report the conferees were able to reach a compromise once and for all on the issue of funding Radio and TV Marti. Under the conference agreement, Radio and TV Marti have one last chance to prove their effectiveness—if it cannot be proven, they will be terminated.

Finally, Mr. Speaker, the conference agreement sends a strong signal to the administration and to the American public on what I believe to be one of the most important issues facing our nation today—the role of the United Nations in our national security policy.

When we brought this bill to the House 4 months ago, we had a record high of 13 peacekeeping operations. Now, we have 18 missions, with 3 new missions having been approved in the last 2 months. And the U.S. bill for these operations now totals $1.3 billion for fiscal 1994 alone.

More importantly, in the last 4 months too many brave American soldiers are being placed in harm's way, too many are paying with their lives. The United States now has almost 50,000 Americans soldiers supporting U.N. missions around the globe. And, the President wants to send as many as 25,000 more to Bosnia.

Why are they there? What vital U.S. interests are at stake? When are they coming home? And, what is the cost to the American taxpayer?

Unbelievably, not even the administration has answered these questions.

Therefore, Mr. Speaker, it is time for Congress to step up to the plate. It is high time the administration told the American people what our role is in the morass of U.N. nation building.

And, the Congress must demand answers.

This conference report is a step in the right direction. It includes strong language putting the administration on notice that the American public has not bought into this notion of global peacekeeping. The conference report tells the administration that we expect:

The Secretary of State to notify the Congress at least 15 days in advance before our U.S. Representative votes at the United Nations for any new peacekeeping missions. The President must tell us the cost, the mission, the U.S. interests served, the duration and the termination date, and the source of funding.

We recommend the administration not agree to any new missions until both the administration and the United Nations clean up their act.

We expect the administration to notify the United Nations that the United States will not pay more than a 25 percent assessment for peacekeeping.

The conferees are putting the United Nations on notice that we are tired of no one minding the store, and it is high time for a strong, independent inspector general who will put an end to the endless reports of waste, fraud, and abuse at the United Nations. The conference report puts into law a requirement that the United States withhold 10 percent of all regular United Nations budget contributions until the Secretary of State can certify to the Congress that the United Nations has a strong inspector general.

Mr. Speaker, this conference report puts the administration on notice that the Congress, and the American people, are watching, and expect to be consulted on these gravely important matters.

Having said that, Mr. Speaker, I believe the conferees have done a tremendous job balancing pressing domestic priorities with the fiscal constraints we are operating under.

Mr. Speaker, I have placed on the platform here a map showing the 18 so-called peacekeeping missions in which the United Nations is now involved around the world. As I said, just a few months ago there were only 13 of these. In the last 2 months we have become engaged in two or three more by the vote of our delegate to the United Nations.

Mr. Speaker, it is time we brought some order, brought some discipline into the decision of when we go into a peacekeeping operation, how we pay for it, how the mission is defined, when we get out, and under what conditions.

I believe this procedure, that is in this conference report, does just that. It does not, in my judgment, violate any of the separation of powers clauses, nor the War Powers Act, because these are United Nations proceedings, not otherwise.

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And I hope and trust that the conference report will be accepted.

Mr. ROBERTS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. I am happy to yield to the gentleman from Kansas.

Mr. ROBERTS. I thank the gentleman for yielding, and more important, I want to thank the gentleman for his real leadership in addressing some very, very crucial issues in regard to our Nation's relationship with the United Nations today, and the related concern that he has talked about that I think all of us have in the Congress in regards to the need for a rational foreign policy.

I was with the gentleman during the now, I guess, maybe, infamous so-called briefing on Somalia where more questions were raised than answered, and now we have very similar concerns in regard to Bosnia and Haiti. And I want to thank the gentleman for what he is trying to accomplish within this bill. It is most important, and I urge all of the Members to pay attention.

I think the gentleman has said, if I am correct, that the United Nations is currently involved in 18 peacekeeping missions, with 8 more being proposed, and that some 50,000 American troops are directly or indirectly involved. Is this the case?

Mr. ROGERS. That is exactly correct.

Mr. ROBERTS. I must tell the gentleman even with the press attention to this matter I do not think the American people are aware of the extent of that involvement.

The gentleman addressed this problem, if I heard him correctly, by requiring the United Nations to give 15 days' notice before any peacekeeping involvement, including cost, including the purpose of the mission and some kind of date or some kind of time equation so we know where we are, is this the case?

Mr. ROGERS. That is correct. The procedure now is, there is no congressional deliberation of a decision that our U.N. representative makes at the Security Council in New York about a possible mission that they would like to get involved with. The Security Council votes to go into that mission, wherever it may be, and we are bound by it. Then the United Nations sends us a bill, sends the Congress a bill for almost one-third of the total cost of that peacekeeping operation.

Mr. ROBERTS. Let me ask a question about that, because as the gentleman indicated, I understand the

United Nations assesses the United States about 32 percent, I think it is about 31.9 percent of the total cost of each of the peacekeeping missions. Now am I to understand that assessment has been raised or increased, and that, according to my figures here, and we talked about this, that estimated requirement in 1994 comes to $1.4 billion, and that involves a shortfall of $855 million. Is that correct?

Mr. ROGERS. That is correct. The total cost of the requirements in 1994 for peacekeeping missions by the United Nations, our share of that, is $1.3 billion, and we were unable to pay it. We simply cannot pay that figure, and we are not paying it in this bill.

Meanwhile, they are voting more missions that we cannot pay for, and we have to get a handle on the fiscal end of this problem, if nothing more. And that is what this conference report attempts to do.

Mr. ROBERTS. If the gentleman will continue to yield, to address the problem in this bill the gentleman is saying to our State Department, in keeping with the President's desire, I might add, for more involvement by other countries, that the State Department tell the United Nations that our cost share of the bill would be 25 percent in the future, is that correct?

Mr. ROGERS. That is correct. The conferees expect the administration to notify the United Nations that the United States will not accept an assessment greater than 25 percent. Currently, the United Nations charges the United States 31.7 percent. We are saying that is unacceptable. We expect our assessment to be no more than 25 percent, the same percentage we contribute to the general budget of the United Nations. I believe it is too much as it is at 25 percent. But at least we ought to hold the peacekeeping assessment to 25 percent as well.

Mr. ROBERTS. Finally, I believe you said that the United States would withdraw 10 percent of its funding if the United Nations does not appoint a long-needed inspector general to conduct an investigation with regards to fraud, and waste, and abuse, is that correct?

Mr. ROBERTS. That is exactly right. For years the United States under different administrations has been pressuring the United Nations to appoint some sort of independent auditor to root out waste, fraud, and abuse. They have refused any meaningful attempts at reform.

Now we are saying in this conference report OK, if that is the way you want it, we are going to withhold a portion of our annual dues to the United Nations. We are going to withhold 10 percent until the Secretary of State certifies to the Congress that the U.N. has a strong, independent inspector general, with independent investigatory powers that can report to the Secretary General and the General Assembly of the United Nations, and to us that the monies are not being wasted, and that fraud is not occurring. That is a very important provision in this conference report.

Mr. ROBERTS. I want to thank the gentleman, and I want to really underscore again the importance of what he has done.

From the information I have, I note with interest from your map and from your statement that our U.N. representative voted to approve another three missions, one in Haiti, Liberia, and Rwanda. Wait a minute, make that four missions. There is another one in the Republic of Georgia I think.

Mr. ROGERS. That is correct.

Mr. ROBERTS. All without consultation and notification, is that correct?

Mr. ROGERS. That is exactly correct. She voted in the U.N. Security Council a peacekeeping mission for the Republic of Georgia in the former Soviet Union in August of this year, in September the mission to Haiti, in September the mission to Liberia, and just a couple of weeks ago, October 5, Rwanda, none of which was the Congress consulted about, none of which did we receive notice about so that we could plan fiscally for it. I think it has just gotten out of hand.

Mr. ROBERTS. One final thing, and I said finally before, but is it true that the administration used the 21-day continuing resolution, and now wake up to this, is it true the administration used the 21-day continuing resolution to pay approximately $321 million in U.N. bills before this Congress even passed the appropriation bill? Is that correct?

Mr. ROGERS. That is correct. Using the continuing resolution passed by this body, the State Department or the OMB used a 21-day CR to pay all of the peacekeeping arrearages for fiscal 1994. In addition, they also have already spent 76 percent of all the funds they expect us to appropriate in this bill, using a 21-day CR. This is highly unusual. It is not right. So, therefore, the gentleman is correct in his statement.

Mr. ROBERTS. If the gentleman will continue to yield, I am not on the committee, and I am not on the Armed Services Committee or on the Foreign Affairs Committee, but I can tell you as a Member, like many Members in this body, I have a very keen and strong interest in this Nation's foreign policy. I do not want the Congress to intervene and trample on the rights of the Executive. My goodness, we cannot even get a majority around here to decide when to adjourn, let alone try to conduct any foreign policy.

But it is no wonder, with the record that the gentleman has demonstrated, and the kinds of things he has endeavored to put in this bill, that we are getting back into the business of considering the War Powers Act and requiring congressional approval of American involvement in the so-called peacekeeping operations. We have risked and lost American lives in Somalia. I think the gentleman's efforts go a long ways toward making sure that does not happen again in other U.N. missions, and I thank him for his efforts and thank him for yielding.

Mr. ROGERS. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Iowa. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia [Mr. MOLLOHAN.]

Mr. MOLLOHAN. Mr. Speaker, I rise in strong support of the conference report to H.R. 2519, the Commerce-Justice-State fiscal year 1994 appropriations bill. As a member of the subcommittee, I would like to compliment Chairman SMITH and Ranking Member ROGERS for their hard work on this important legislation. They led the subcommittee through the difficult task of cutting $1.5 billion from the President's request in order to meet our 602(b) allocation.

Upon review of this bill some of you may note that we have changed funding priorities for certain law enforcement programs. It became clear during the course of our hearings that Attorney General Reno had some new ideas on crime control initiatives. We have supported the new direction she is charting for the Justice Department to combat the alarming rise in crime in our Nation. For example, I am pleased to report to my colleagues that during conference we added 48 million dollars for State and local law enforcement assistance grants. In addition, we added 30 million dollars above the President's request for juvenile justice programs.

President Clinton is committed to addressing our Nation's competitiveness problems during his term. He has targeted programs in the National Institute of Standards and Technology in this regard. The goal is to enable Government and industry to team together as partners to improve manufacturing processes and perform cutting edge research and development on tomorrow's products. The subcommittee provided a 35 percent increase over fiscal year 1993 funds to allow NIST to fulfill President Clinton's initiative.

We have provided an 18 percent increase for the National Oceanic and Atmospheric Administration. These funds are critical to maintain our national ocean service programs, our national marine fisheries programs, and our satellite and environmental programs. I am particularly pleased that we have been able to provide desperately needed funds to modernize the National Weather Service.

This conference report allows us to maintain our commitment to public broadcasting through the Public Telecommunications and Facilities Program. And we provide funds to initiate

President Clinton's Information Highway Grant Program.

In this bill the committee is showing strong support for the Economic Development Administration. EDA serves an extremely important function in our Government—it is the only agency with an exclusive mandate to provide technical and financial assistance to economically distressed areas. Now, more than ever, EDA funds are needed by communities in every congressional district to overcome the effects of a slowly recovering economy.

This bill provides funds for small business administration programs. As we all know, the growth of small business is essential to the health of our Nation's economy. The SBA is the central Government agency responsible for encouraging and nurturing that growth. I am pleased to say that, through the funding levels in this bill, we are continuing our commitment to small business development centers, the Guaranteed Business Loan Program and the 8(A) Program that benefits disadvantaged businesses.

Finally, I am pleased to report to my colleagues that we have reached a reasonable compromise on the controversial radio and TV Marti. I am hopeful that the three-member advisory panel established by this legislation will help resolve the long-standing concerns on both sides associated with radio and TV Marti.

Mr. Speaker, I urge my colleagues to support this conference report.

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Mr. SMITH of Iowa. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. I thank the gentleman for yielding this time to me.

Mr. Speaker, the House and Senate conferees have reached agreement on the Commerce, Justice, State, and Judiciary appropriations bill for this new fiscal year, and I think we have produced a bipartisan, balanced bill. I want to thank and congratulate chairman SMITH, our distinguished ranking member Mr. ROGERS, my colleagues on the subcommittee, and our terrific staff for a job well done.

The bill finances a wide range of governmental activities, from scientific research to law enforcement to immigration control to diplomatic activities to international peacekeeping. We tried to satisfy the diverse needs of these programs while keeping in mind our need to keep spending down.

In this bill, ,we have managed to do both.

Let us keep one key fact in mind as we vote on this bill. It appropriates $200 million less than these programs spent last year. That's not a decrease in the rate of increase, and it's not a decrease below the 1994 base. It is a $200 million cut in spending, and, in addition, $1.5 billion less than the administration's budget request.

While achieving significant savings, this bill still provides increased funding for essential Government activities. Among those are the scientific research and technology transfer programs of the Commerce Department. NOAA, NIST, and NTIA programs can play a major role in revitalizing our economy; they are absolutely essential to our effort to prepare our businesses and our workers for the globalized economy of the 21st century. These three Commerce Department agencies represent precisely the type of research and applied technology efforts the Federal Government needs to encourage to make our economy thrive.

Within these programs, I am particularly pleased that we were able to honor the request for almost $62 million to help renovate the laboratory facilities of the National Institute of Standards and Technology. We have more than 2 billion dollars' worth of NIST facilities—built between 25 and 40 years ago, that are deteriorating at an alarming rate. These renovation funds are a prudent investment and will help NIST continue to play its vital role in promoting our country's long-term economic health.

I would like to point out that the bill provides $2.156 billion for the courts of appeals, district courts, and other judicial services—including $16 million to meet the highest priority needs of the Federal courts. This is an important reference that should not go unnoticed by states still struggling to recover from the economic downturn the country experienced in the last few years. It is my hope, and I believe the intention of the members of the conference committee, that this money will be used to add all of the 35 new bankruptcy judges we authorized during the 102d Congress.

The conference report states that the judicial conference is to "examine carefully the pending bankruptcy caseload of each of the districts with newly authorized judgeships and fill those with the greatest backlog and complexity of cases first." Certainly, the most needy of those districts deserve priority attention, but all 35 judges should be appointed as soon as possible.

We are making great strides in improving the economic fortune of the country, and these judges will help further that effort. The backlog of cases in bankruptcy courts only slows our recovery as debtors, creditors, and others with some relation to these cases sit and wait for resolution. These delays not only cost time, but money as well. It is important that these cases move as swiftly as possible to their conclusion, and the bill provides the funding to break the existing logjam.

I'm also pleased that we were able to maintain the House Appropriations Committee's funding level for the Legal Services Corporation [LSC]. The $400 million in this bill is less than the LSC requested, and far less than it needs. One of the basic principles of our system of justice is that any party to a legal dispute is due a fair hearing in a court of law. To meet that standard, we have to provide competent legal representation for those who cannot afford it, in both civil and criminal cases. The LSC is an essential part of the efforts to provide justice to all Americans. I support its efforts, and hope that we will be able to provide more resources for this valuable program in the future.

Finally, the conferees approved a reasonable, constructive compromise on the issue of funding our Government's broadcasts to Cuba. I anticipate that the process set in motion by the bill will lead to real reforms and cost savings at Radio Marti and the orderly termination of TV Marti.

The agreement cuts 25 percent of the budget for these programs and establishes a short-term, independent advisory panel to investigate and make recommendations regarding Radio Marti's policies and standards, and TV Marti's technical viability. In the case of Radio Marti, I have been concerned by evidence of bloated budgets, conflict of interest, and inappropriate programming. The independent review panel this bill creates is specifically required to address these concerns. And to ensure that the panel's work is not just left to gather dust on a shelf, over one-third of the funding for Radio Marti is tied to the implementation of the panel's recommendation by the Director of the U.S. Information Agency.

With respect to TV Marti, the issue of program quality is secondary to the threshold question of whether the Cuban people can see it. The evidence, both anecdotal and official, concludes that jamming continues to effectively prevent TV Marti's signal from reaching its intended audience—and from fulfilling its mission. I fully anticipate that the panel will reach the same conclusion, and that the USIA Director will pull the plug on TV Marti.

I include in the RECORD at this point the declassified text of recent official reports on the reception of TV Marti in Cuba—reports which underscore the extensive technical problems that exist in this program:

(Declassified by DRHamilton on 6 Oct 93 following consultations with USINT HAVANA. The following texts have been slightly altered to permit declassification. Deletions are marked —— and insertions are indicated by italic.)

REPORT ONE, DATED SEPTEMBER 3, 1993

Para. 3. TV Marti found a crack in Cuban Electronic Curtain: —— monitoring of TV Marti Broadcasts to Cuba has repeatedly (one line garbled, text probably not lost) demonstrated points for a minute or two before the jamming starts. Once the jammers come on, however, the TV becomes hash and noise. —— monitoring of the TV Marti broadcast on September 1 detected a small difference for the first time —— in a small area, perhaps a window between jammers, just after 5 a.m., in which —— the sound *could be heard* and —— the color broadcast of the TV Marti program *viewed* for a few minutes. The area is near Playa Solada between Mariel and Havana, does not appear to be more than a few square miles in size and is lightly populated region, but this area will be explored further —— and reported fully to TV Marti.

REPORT TWO, DATED SEPTEMBER 10, 1993

Para. 3. Window for TV Marti broadcasts is tiny: —— the TV Marti program *was received* on three occasions in a small area about 35 kilometers west of Havana. It appears as though a small gap of from five to ten kilometers in length exists between Cuban jamming west of Havana and just to the east of the Port Town of Mariel. Depending on atmospheric conditions, the TV Marti signal has been picked up about five miles east of Mariel (just beyond the Pan American Polytechnic School) and in an area of from five to ten kilometers further east toward Havana (always terminating before Playa Solada). Sound is always audible first as the high pitched tone of the jammers fades, and then the video becomes clearer toward the center of the area but is never good. One morning, September 3, the TV Marti signal was completely overshadowed by Channel 13, TVT, the CBS affiliate station in Tampa, Florida. On each of the occasions that TV Marti was observed on a handheld battery-powered (Sony-Watchman) receiver, electricity was on in the area. However, the region is very sparsely populated and the reception that is possible along the cost fades out before reaching the central highway about six to eight kilometers further inland.

REPORT THREE, DATED SEPTEMBER 14, 1993

1. Summary: As requested, —— the Mariel/Pinar Del Rio area west of Havana *has been monitored* eleven times since new TV Marti broadcast protocol was initiated August 31 to determine whether TV Marti signal could be received. On three occasions TV Marti programs were received at least faintly in a small area about 35 KMS west of Havana, a few kilometers east of Mariel. This reception area is very sparsely populated and extends no more than a few kilometers south of the coast road and for about ten kilometers from east to west, although variations were noted due to atmospheric conditions. Electricity appeared to be available during each monitoring excursion, and jamming was detected about half the time. End summary.

2. —— routes and times *were varied* to maximize the range of observations possible. The total distance covered on round trips —— varied from 169 KMS to 72 KMS and start times were from 2:45 a.m. to 3:30 a.m. The average trip was about 100 KMS with stops every few KMS to extend the antenna outside the car and check for reception during a one- to two-minute interval. Monitoring was always concluded in the Mariel area when TV Marti programming concluded at 6:00 a.m., ——. Reception was tested on a Sony Watchman hand-held receiver which was thoroughly checked —— before project began and again after one week. Electricity appeared to be available throughout the monitoring area each morning, but very few lights showed in residences. Routes covered inhabited areas more intensively, and then concentrated on the area east of Mariel where reception was detected repeatedly. No TV Marti signal was ever observed at any point in either Pinar Del Rio Province of the Havana suburbs.

3. Here are the detailed results for each date:

August 31: Observed heavy static and snow only. Took coast road to Mariel; made multiple observations around La Puntilla and in town suburbs. 96 KMS.

September 1: Took central highway to Guanajuay, west of Mariel, and started monitoring there at about 3:30 a.m. Observed heavy jamming until reaching an area about five kilometers east of Mariel (just beyond the Politecnica Panamericana). Detected first sound of TV Marti program and then picture just after 5:20 a.m. and at next two stops. All reception faded well before Playa Saldado. Width of reception area was about eight to ten kilometers, and very few homes were noticed. 108 KMS.

September 2: Took Autopista to Artemisa (west of Guanajuay) and returned by coast road. Concluded monitoring near the Politechnica at 6:00 a.m. Observed only noise and snow. 124 KMS.

September 3: Took coast road and started careful monitoring near the coast guard school just beyond the Marina Hemingway in the extreme western suburbs of Havana. Detected heavy jamming until a few kilometers beyond Playa Saldado. When jamming faded completely, —— *got excellent* reception of TVT-channel 13, the CBS affiliate station from Tampa, Florida. The TVT program was visible right up to the cement plant on the outskirts of Mariel. 97 KMS.

September 4 and 5: No observations.

September 6: Took the central highway deep into Pinar del Rio Province (reached KM 70 on the highway at 3:30 a.m.) where monitoring was started well east of Candelaria. Detected fairly strong jamming as side roads meandered through the countryside. Reached area of previous TV Marti reception, but detected only jamming until a little closer to the firing range (half way from Mariel to Playa Salado). Finally detected clear audio with poor picture at 5:45 a.m. to hear an excellent report on the commemoration of Martin Luther King's "I Have a Dream" speech. Reception window was very narrow. 169 KMS.

September 7: Took central highway to Mariel and monitored in Mariel area and side roads. Observed only noise and snow. 72 KMS.

September 8: Took coast highway to Mariel and east almost to Artemisa. On return TV Marti was detected from just opposite the Politecnica almost to Playa Salado, a window of about 12 KMS in length. Reception was quite clear. 98 KMS.

September 9: No observation.

September 10: Very strong jamming was observed everywhere. Took central highway to the exit for Playa Salado and concentrated route in small towns and villages (Banes, Agnacate, Caimito, etc.) that are a few kilometers inland from the areas in which TV Marti had been received. 96 KMS.

September 11: No observation.

September 12: Repeated successful September 8 route but received only noise and snow. 98 KMS.

September 13: Concentrated on coastal road routes during very bad atmospheric conditions (some lightning and thunder in distance). Received only noise and snow. Conditions were so bad that even Radio Marti could not be received at all on shortwave until after 7:00 a.m. 78 KMS.

September 14: Poor atmospheric conditions again. Observed only noise and snow on TV, while Radio Marti faded in and out on shortwave. Repeated observations in central highway area to coast road as on September 10. 101 KMS.

REPORT FOUR, DATED SEPTEMBER 29, 1993

1. Summary: —— additional monitoring *was conducted* to detect visibility of TV Marti signal in the beach cities area, east of Havana, on September 28, and 29. A very poor signal was detected briefly on September 28. But much better reception was detected over a broad area on September 29. —— End summary.

2. Here are the details of the Broadcast reception:

During poor atmospheric conditions of September 28, the TV Marti audio signal was first received in the Guanabo area and was clearly audible for about ten minutes while driving east about 0420 hours. No picture, however, was ever detected very clearly. Boomerang car antenna with video walkman recently supplied by TV Marti used to monitor signal. A total of 144 KMS from residence to an area about 15 KMS east of Santa Cruz Del Norte was covered during the entire TV Marti Broadcast period.

TV Marti program was heard fairly clearly throughout most of the beach city area east of Havana on September 29. Starting a few miles east of Cojimar (at 0355 Hours) and running through the fairly populous area up to Guanabo and the less populated areas up to el Abra—70 KMS east of Havana——most of the broadcast *could be understood* on the way out and back (until 0550 hours), a total of 149 KMS. A clear video signal was received only intermittently, probably due to poor atmospheric conditions. Electricity appeared to be available throughout the monitoring area. Equipment was same as on September 28.

I wish to stress that TV Marti's fate has, I believe correctly, been tied to specific questions about its reception and effectiveness, not broader considerations of our policy toward Cuba. In reaching this agreement, all of us involved have restated our strong support for democracy in Cuba. Fidel Castro's dictatorship should find no solace in this decision.

The conference agreement requires that the Director reach a decision on TV Marti's efficacy by July 1, 1993, and fences $2.5 million of the budget to cover close-out costs, but I'd note that the Director has the authority to make a decision on termination before then, and I encourage him not to wait until the last minute.

To summarize, Mr. Speaker, this is a good, taut bill. It finances the necessary functions of government, and it takes into account the need to put our Federal financial house in order. I urge its passage.

Mr. SMITH of Iowa. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. PRICE].

Mr. PRICE of North Carolina. Mr. Speaker, I rise today in strong support of the conference report on the Commerce, Justice, State, Judiciary appropriations bill, and I urge my colleagues to support this well-crafted agreement.

As a new member of this Appropriations subcommittee, I want to thank Chairman SMITH and the ranking member, Mr. ROGERS, and our other colleagues and our fine staff for the hard work and cooperative spirit which have led to this conference agreement.

Mr. Speaker, this is a bill of amazingly broad scope. It includes: international trade, advanced technology, law enforcement, peacekeeping, foreign affairs, the entire judicial branch of Government, important independent agencies such as the Small Business Administration, Federal Communications Commission, Federal Trade Commission, and yet to merely list these worthy agencies and programs in one bill points up some of the severest choices and tradeoffs of any appropriations bill that we consider in this House.

So we did have tough choices, but we brought in this conference report $219 million below the fiscal 1993 funding level, and we reduced the President's budget request by $1.5 billion. Let me detail some of those specific cuts: We have $84 million less for the Justice Department than we had last year and $260 million less than the President's request. We have $343 million less for the State Department than we had last year, $589 million less than the President's request. We have $52 million less than we had last year for payments to international organizations. We are appropriating $21 million less than in 1993 for the USIA, $189 million less for the Maritime Administration, $93 million less than fiscal 1993 for the Economic Development Administration, and on and on.

We have made the tough spending cuts. The cuts are real. They are significant. Many agencies have been affected.

At the same time, this cutting has permitted some additional flexibility in funding some of the most promising initiatives of the Clinton administration.

For example, we have been able to increase the commitment to the National Institute of Standards and Technology by 35 percent. That is $136 million more than last year.

That is money well spent.

It includes $199 million for the advanced technology program to support industry-led research efforts to develop new technologies that increase our country's competitiveness.

We have two important examples of that commitment in North Carolina, working with the national textile and apparel industry.

The National Textile Center, a consortium of four southeastern universities based at North Carolina State University, is conducting core research for the textile industry. The so-called T.C. Squared consortium is also provided matching funds in this bill. It is a nonprofit, member-driven Government-industry partnership that serves as a vehicle for the development and the transfer of manufacturing technology in the apparel industry.

This is just one example of how these advanced technology funds are well spent. I am pleased that this subcommittee has been able to provide additional resources for this and other advanced technology programs to enhance our country's competitive edge.

We were also able to provide $26 million for new information infrastructure grants. Again, North Carolina has made great strides in this area. Our State has its own information highway in place, and we will be submitting an application under the new competitive grants process to demonstrate the applications of tele-medicine by linking the four medical schools and teaching hospitals in our State with the Army hospital at Fort Bragg to support teleconferencing, the high-speed exchange of data and high-resolution radiological images, and the linking of remote rural and military sites.

In short, Mr. Speaker, this is a good bill, an excellent conference report. It demonstrates our commitment both to reduce spending and to redirect spending to the areas of maximum economic payoff. We have made the tough choices while providing the flexibility for new and promising initiatives, and I urge my colleagues to support this conference report.

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Mr. SMITH of Iowa. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I appreciate the chairman yielding this time to me. I would ask the distinguished chairman to enter into a colloquy with me.

Mr. SMITH of Iowa. Mr. Speaker, if the gentleman will yield, I would be glad to.

Mr. HOYER. Is it the chairman's understanding that the Census Bureau's funding level under the conference agreement will not result in any reductions in force beyond those envisioned in the administration's own budget request?

Mr. SMITH of Iowa. Mr. Speaker, the gentleman from Maryland, is correct. The administration's budget request assumed that temporary employees winding up their work on the 1990 census would be leaving Government employment, but the conference agreement funding level should not require any reduction in force at the Census Bureau beyond that.

Mr. HOYER. I thank the distinguished gentleman for clarifying this point. As I am sure the gentleman can understand, Census Bureau employees in the metropolitan area have been very concerned about the workforce implications of the Bureau's budget under the conference agreement, and the gentleman's clarifying comments should go a long way toward calming those waters.

In thanking my colleague, I would like to acknowledge the excellent work of the subcommittee staff and thank them, too, for their assistance.

Mr. SMITH of Iowa. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Speaker, first I would like to commend the gentleman and the members of the conference committee for their hard work on the conference report on State, Commerce and Justice. They have done an excellent job with this bill; however, I rise to take some exception to specific cuts with respect to the Census Bureau, which is located in my district. It is my understanding that the conference committee report contains a budget cut of $54 million below that which was requested by the President.

Now, I understand that the chairman has some concerns about the performance of the Census Bureau, and I certainly believe they have merit. At the same time, as a member of the Post Office and Civil Service Subcommittee on Census, I have heard numerous hours of testimony about changes that are being made at the Census Bureau to improve our performance over the year 2000 census and that it will be an improvement over 1990. I am encouraged by these reports. I would just like to say that while I am concerned about these cuts, I would like to work with the gentleman in the future and perhaps revisit this issue for next year's budget to insure that these cuts do not result in a less accurate census, but rather that we have the necessary manpower and necessary personnel to achieve an even more accurate census in the year 2000; but again, I want to commend the committee for its hard work in this issue.

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], a member of the full committee.

Mr. LIVINGSTON. Mr. Speaker, I thank my friend for yielding this time to me. I want to compliment him and the chairman of the subcommittee for coming to some very successful conclusions with the Senate on this conference.

They have come up with some good ideas. Unfortunately, they are in report language. I wish they were in bill language.

I hope that this body starts to take note of what they have accomplished, because frankly, it goes a long way toward where we should be going, but it does not get over the goal.

They call for a peacekeeping consultation between the White House and the Congress, asking the White House to let us know 15 days in advance before they detail our troops all over the world.

They call for a reduction of the 31.7 percent—and by the way, only 6 months ago it was 30.4 percent. The Clinton administration boosted the allotment to a 31.7 cost share by the United States for peacekeeping missions under the United Nations all around the world. They called for that to be reduced to 25 percent.

They called for the United Nations to give us credit for such expenditures like the billion dollars that we spent on our Defense Department moving our troops into Somalia before the United Nations starts picking up the bill. We ought to get credit for that against anything that we owed the United Nations.

Frankly, I am concerned about the totality of the situation. We are using our military. They are not the exclusive military in the U.N. peacekeeping mission, but our soldiers, our Marines, their lives, our airmen, their lives are on the line in Somalia, and soon to be Haiti and all these other places in the world. We are going to put them on the line. We are going to risk their lives, and then we are going to pay 31 percent of the U.N. peacekeeping costs? Give me a break.

The fact is that only a few months ago, as the gentleman from Kentucky [Mr. ROGERS] pointed out, we were involved in peacekeeping missions in 13 countries. Now it is 18. There are some 74,000 U.S. troops involved in these peacekeeping missions.

They are contemplating in the White House sending United States troops to Sudan, Zaire, South Africa, Togo, Bosnia, Papua, New Guinea, the Solomon Islands, Sri Lanka, Tajikistan; the list is endless.

Why? Because Morton Halperin, the Assistant Secretary of Defense and the Secretary of State and various other gurus have decided it is important to take U.S. troops and put them under the auspices and direction of the United Nations.

Mr. Speaker, they should not be under the direction of the United Nations. They should be under our leadership. They should be going to places of United States interest and they should not be deployed all over the world to be sniped at by people like what happened in Somalia just a few days back.

There was a Presidential Directive No. 18 that says that U.S. troops will be used under the United Nations direction. That needs to be repealed.

Morton Halperin, the Assistant Secretary of Defense, needs to be canned, needs to be fired.

We need to bring our troops back and we need to forget this misbegotten policy.

Mr. SMITH of Iowa. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Speaker, I thank the gentleman for yielding this time to me.

It is my understanding that the conferees on H.R. 2519, in providing funding above last year's appropriation level for the National Sea Grant College Program, intend that this new funding supplement Sea Grant's current level of expenditure for marine biotechnology, not act as a replacement for those expenditures. Is my understanding of the conferees' intent correct?

Mr. SMITH of Iowa. Mr. Speaker, if the gentleman will yield, the gentleman is correct. The amounts provided to Sea Grant for marine biotechnology are not intended to supplant the program's current expenditures on these activities.

Mr. STUDDS. Mr. Speaker, I thank the gentleman. That is an important distinction, though a subtle one.

May I just also say that the gentleman and his subcommittee have my great appreciation and that of our authorizing committee, under extraordinarily difficult circumstances.

I think the chairman and the members of his subcommittee have done remarkably well providing particularly for those programs in NOAA and the ocean and coastal fisheries. We appreciate the constraints under which the gentleman is operating, and we appreciate what he has been able to come up with.

Mr. SMITH of Iowa. Mr. Speaker, I thank the gentleman for his comments. I want to say that we try to work with the full committee chairman of the Merchant Marine Committee and the gentleman's committee has been very good to work with.

Mr. STUDDS. Mr. Speaker, I thank the gentleman.

Mr. SMITH of Iowa. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Speaker, I rise in support of the conference report on H.R. 2519.

Mr. Speaker, this bill will allow the President to implement important elements of his technology policy. It provides appropriations for the technology programs of the Department of Commerce close to the level requested by the administration and authorized in H.R. 820. That bill passed the House overwhelmingly in May.

These programs include the inhouse research and the extramural programs of the National Institute of Standards and Technology [NIST], as well as the activities of the Technology Administration.

Our committee carefully reviewed and strongly endorses the Department of Commerce technology programs slated for funding in this bill.

Strengthening the technology programs of the Commerce Department is essential for the President's technology policy to succeed. The need is clear. The administration's approach is sound.

I want to commend the distinguished chairman of the subcommittee, the gentleman from Iowa [Mr. SMITH], and the conferees for bringing this conference report to the floor.

Mr. Speaker, I urge my colleagues to support the measure.

Mr. SMITH of Iowa. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Speaker, I thank the gentleman for yielding this time to me.

I rise in support of the conference report and to commend the distinguished chairman of the subcommittee, the gentleman from Iowa [Mr. SMITH], and the ranking minority member, the gentleman from Kentucky [Mr. ROGERS] for their work in bringing this conference report to the floor. This bill always presents difficult funding decisions, and I want to compliment them on the final product.

The Committee on Science, Space, and Technology authorizes two of the important programs for which funds are appropriated in this act: the National Oceanic and Atmospheric Administration, and technology programs at the Department of Commerce, including the National Institute of Standards and Technology. The chairman has consulted with me on these programs, and I am pleased that for the most part the bill comes very close to funding the programs and priorities which the authorizing committee has reported.

With respect to NOAA, the bill almost fully funds the critical operations of the National Weather Service. As we've seen from the spate of natural weather disasters in this country over the last few years, the warnings provided by the National Weather Service have saved countless lives and reduced property losses. As many Members know, our weather offices are in dire need of modernization, and I am pleased that the Weather Service Modernization Program is nearly fully funded. In addition, the conference report includes much needed funds for a new NOAA hurricane research and reconnaissance aircraft to supplement the aging fleet. These funds should enable the Weather Service to continue to supply us with the accurate and dependable weather warnings and services upon which we have come to rely.

The bill also recognizes the growing importance of the Department of Commerce's Technology Administration and the National Institute of Standards and Technology in maintaining our economic competitiveness. The Clinton administration had requested a major increase for NIST to fund the President's technology policy. While the bill does not provide all of the funding requested by the President, it appropriates $525.9 million, an increase of $137.2 million, or nearly 35 percent, over last year's appropriations. The bill also provides an important increase in NIST's in-house research budget to provide an enhanced in-house capability to provide technical and scientific support to these endeavors. These funding levels are comparable to those provided in H.R. 820, the National Competitiveness Act, which passed the House earlier this year.

Mr. Chairman, I again want to commend the conferees on their excellent work, and I urge my colleagues to support the conference report.

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. PORTER], a member of the committee.

Mr. PORTER. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I want to express particular support for the funding of this conference report for the USIA and the Board for International Broadcasting which I believe continue to perform very valuable services for our country as we struggle to define our role in the post-cold-war era.

I believe that the BIB is one of the very best programs we fund. Through its oversight of Radio Free Europe and Radio Liberty, the BIB has played an essential role in bringing freedom to the people of Eastern Europe and the former Soviet Union.

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Although the cold war is over, the need for surrogate broadcasting is not. Neither communism, nor fascism, are dead, either within the fragile democracies of Eastern Europe and the former Soviet Union or within the authoritarian societies of Asia. It takes time for a country and its citizens to develop the institutions of freedom. It takes a commitment by countries with a strong history of democratic principles to help these peoples adapt to the institutions of freedom.

This report also provides funding for the USIA, which administers the Voice of America. I strongly support the ongoing efforts of VOA to broadcast news and the message of our country to the world, and I will continue to support providing funds to VOA so that they may carry out their important mission.

While I also strongly support the committee's efforts to provide funding for the BIB and USIA, I believe administration plans underway to reorganize our broadcasting services are poorly conceived and could result in undermining the nature and progress of the surrogate radios.

As coauthor of legislation to create Radio Free Asia, I believe that the BIB should have authority over the newly proposed Asian surrogate service. Given its track record of success, BIB is a logical home for an Asian surrogate service. Most importantly, BIB has the independence needed to make the Radio Free Asia broadcasts credible and effective.

Funding surrogate radio in Asia is one of the smartest initiatives we can pursue to advance our national interest and values. I sincerely hope that, when the reorganization of our broadcasting services occurs, Radio Free Europe, Radio Liberty and Radio Free Asia are under a board which enjoys the same independence as the BIB has always had. This independence is vitally important to their success.

Finally, I strongly support funding for the National Endowment for Democracy in this conference report. I plan to speak on this issue later, but briefly, I believe that our Nation should be looking outward and using this incredible opportunity to promote our values overseas. NED is one of our best tools to achieve that end, and I believe we should continue to utilize NED's great expertise.

Mr. SMITH of Iowa. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. ORTIZ].

Mr. ORTIZ. Mr. Speaker, I rise in strong support of the conference report for H.R. 2519.

I appreciate the hard work and the difficult choices that the conferees had to make.

In these times of limited budgetary options, I am pleased that the conferees gave special consideration to the ocean and coastal programs of the National Oceanic and Atmospheric Administration.

As the chairman of the subcommittee with jurisdiction over NOAA's ocean and coastal programs, I am very familiar with the importance and value of supporting these efforts.

I am particularly encouraged with the appropriation levels which have been provided in the conference report for the Coastal Zone Management Program, the National Undersea Research Program, the National Sea Grant College Program, and the National Marine Sanctuary Program.

The list of problems which face our coastal areas is astonishing. Loss of fisheries, coastal pollution, red tides, non-indigenous species, habitat loss * * * the list goes on and on.

Each of these programs provide unique services in addressing these problems by helping to understand, manage, and protect our coastal resources.

It is imperative that we support these programs and others which are the front line for coastal research and management.

I think that it is also important to note that these are programs which have traditionally been congressional priorities.

There has been a lot of progress made in the past few years in reconciling the differences of opinion with the administration in regard to funding requests for these programs.

I urge Members to continue working with the administration to achieve adequate funding requests for each of them.

Finally, Mr. Speaker, I would like to thank the Appropriation Subcommittee chairman, Mr. SMITH, for his continued hard work and leadership, and I urge the Members to support this conference report.

Mr. SMITH of Iowa. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. PETE GEREN].

Mr. PETE GEREN of Texas. Mr. Speaker, I rise in support of this conference report, and I would like to enter into a colloquy with the gentleman from Iowa [Mr. SMITH]. I ask the gentleman, "Is it your understanding that this conference report does not intend, imply, or require that the southern region headquarters of the National Weather Service be closed or consolidated?"

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. PETE GEREN of Texas. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Yes, Mr. Speaker, that is our understanding. In fact, they have told us they do not intend to.

Mr. PETE GEREN of Texas. Furthermore, is it the gentleman's understanding that NOAA will use funds from the $319 million appropriated for local warnings and forecasts in this conference report to fully fund and staff the southern region headquarters of the National Weather Service?

Mr. SMITH of Iowa. Yes; we understand that NOAA will use a portion of these funds to maintain the southern region headquarters.

Mr. PETE GEREN of Texas. Mr. Speaker, I thank the gentleman from Iowa.

The SPEAKER pro tempore (Mr. MFUME). The Chair would advise Members controlling the debate time that the gentleman from Kentucky [Mr. ROGERS] has 7 minutes remaining and the gentleman from Iowa [Mr. SMITH] has 8 minutes remaining.

The Chair recognizes the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GILMAN], the very distinguished ranking Republican on the Committee on Foreign Affairs.

Mr. GILMAN. Mr. Speaker, I rise in support of the conference report on H.R. 2519 making appropriations for the Departments of Commerce, Justice and State.

In general this bill has provided funding for the foreign affairs agencies within the House passed authorization levels. The bill also provides a waiver of the statutory requirement for an authorization of the State Department and USIA, of 6 months. Regrettably this is necessary because of a holdup of consideration of the State Department and USIA authorization bill in the Senate.

The House responsibly passed the authorization bill in June, and I hope that the Senate will resolve to quickly consider the bill so we can complete action on the measure.

Briefly, I want to commend the appropriations managers for the conference report language that addresses the egregious problems that persist with U.N. peacekeeping, and secondly, for recognizing the urgent need for the

State Department to upgrade the consular visa and passport systems.

We included an important amendment in the authorization bill directing the State Department to upgrade its visa control system, and allowing them to collect and retain fees for this purpose.

Specifically, with regard to title V, of the conference report, I would like to commend the authors of this legislation regarding their provisions designed to increase the role of Congress in supporting U.S. contributions to U.N. peacekeeping activities.

As ranking member of the Foreign Affairs Committee, I fully support the efforts of my Appropriations Committee colleagues to rein in the runaway U.S. peacekeeping costs. Requiring that our future assessment be limited to no more than 25 percent of the total cost for each peacekeeping mission is an important step toward this goal.

Equally important is the provision mandating improved congressional notification for all future decisions to create new peacekeeping missions or to expand any ongoing missions. Without congressional notification, the administration has recently approved our participation in three new and expanded missions in Haiti, Liberia, and Rwanda. Adoption of the provisions in this conference report should enable Congress to play a greater more informed role in formulating our overall policy toward these and other U.N. peacekeeping operations.

I would like also to address the issue of visa processing and the antiquated, unreliable and user intensive, microfiche systems that the State Department uses in over 100 overseas posts to maintain the list of aliens ineligible for entry.

This list includes names of terrorists, and those with criminal histories. The embarrassing case of radical sheik Omar Abdul Rahman getting a United States travel visa, despite being on a microfiche lookout list in Khartoum, Sudan, should be all the evidence we need that the system is broken and badly needs repair.

Not only must we modernize the outdated equipment, but we must have the State Department resume checking the FBI criminal record histories of those who seek to immigrate to the United States and have lived in the United States previously.

Not only should the State Department find moneys to modernize its equipment as the conferees recommend but it needs to resume these FBI criminal record checks promptly before we have another possible even more embarrassing visa case, as we did with Sheik Rahman with his tourist visa in 1990.

Lastly, at the appropriate time, I will rise to support the chairman of the Subcommittee on Commerce, Justice, State, and Judiciary, the gentleman from Iowa's [Mr. SMITH] motion to recede and concur in the Senate amendment to fund the National Endowment for Democracy.

Democracy building is a central theme of our foreign policy, and the endowment was designed and created and proven to be an effective tool to serve this vital U.S. interest.

Mr. SMITH of Iowa. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. MANTON].

Mr. MANTON. Mr. Speaker, the House Appropriations Committee report on H.R. 2519 stated that:

> The Committee intends that recreational fishing harvest monitoring data collection be expanded to include the Northeast.

However, the conference report does not contain this language.

Both the House and Senate included $195,000 above the administration's request for recreational fishery harvest monitoring. Is it the chairman's understanding that the conferees still intend that these moneys can be used to expand recreational harvest monitoring data to the northeast?

Mr. SMITH of Iowa. Mr.Speaker, will the gentleman yield?

Mr. MANTON. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Yes, it is still the intention of the conferees that those funds be used for that purpose.

Mr. MANTON. Mr. Speaker, I thank the gentleman from Iowa [Mr. SMITH] for his answer and for his willingness to work with me in my new position as the chairman of the Subcommittee on Fisheries Management. I commend him and his staff for their fine work on this matter.

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Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. LIGHTFOOT], a very distinguished member of the committee.

Mr. LIGHTFOOT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this conference report, and particularly would like to commend the conferees for taking strong action on downsizing the funding for the United Nations regular and peacekeeping operations.

Mr. Speaker, I wish I had the oratory skills of the gentleman from Illinois [Mr. HYDE] or the gentleman from California [Mr. DELLUMS]. But I would like to speak for a moment as a father, and from the heart, for something I think needs to be said about this whole U.N. peacekeeping fiasco we are into.

As a father of a son who is 16 years of age and a junior in one of our Nation's leading military academies at Northwestern, Lake Geneva, I remember back to when I was his age in high school, filled with idealism, and decided to volunteer for the military. In doing so I took an oath to serve my Commander in Chief. Mr. Speaker, today we have heard the discussion here of what has happened in Somalia and what is probably going to happen in Bosnia and other countries that we have never heard of around the world. And we look at the Commander in Chief, who at the time when SAM JOHNSON, one of our colleagues, was a prisoner of war in a Vietnam prison camp, when other mothers and fathers were sending their sons off to battle, Walter Cronkite was on CBS every night telling us what a lousy bunch of people our troops were and how wrong the United States was. And as we lost confidence in our military, that is like mom and dad losing confidence in their kids, because people in the military need the support of the country behind them.

While this was going on, there was another young man who decided to go to the Soviet Union and protest against America's policies. Today that young man is now the Commander in Chief. He now is sending our young men off in harm's way. And when people who are wise in the ways of the military ask for simple military measures to protect our own troops, he denies that protection, and 18 young men are killed in Somalia.

Mr. Speaker, I think that it is long overdue that we as a nation and those of us here in Congress, who have a responsibility to those moms and dads, two in my district who lost their sons in Somalia, for no reason, that we have a right to question that policy and we have a responsibility as Members of this organization to shut off their lifeblood, that is, the money of the taxpayers of the United States of America.

Mr. Speaker, it is time that the United Nations be reformed. It is not part of the United States. It is not our role to fund it. It is not our role to put our young men and women in harm's way to satisfy a very corrupt group that is full of cronyism. And the one thing that they can claim as a success, in Cambodia, which was riddled with tens of millions of dollars of graft and corruption, bids that were given to cronies, supplies that were never unpacked, and then we are asked to take the young men and women of this country and put them in harm's way to satisfy the policy and the fascination of a young man who shirked his responsibility and never served his country in harm's way?

Mr. Speaker, over my dead body will there be another young man go and be killed because of that.

Mr. Speaker, I rise in support of this conference report.

I particularly want to commend the conferees for taking strong action on downsizing funding U.N. regular and peacekeeping operations.

The conferees included statutory language requiring the United Nations to set up and operate an inspector general system before we fully fund that organization. I do not consider this Congress micromanaging foreign policy. It is an expression of our frustration with a once well-intended organization which has fallen prey to corruption and cronyism of the worst sort.

I also strongly endorse the conferee's report language requiring the administration to report to Congress in advance of security council votes on new peacekeeping operations and the desire of the conferees to reduce U.S. peacekeeping assessments from 32 to 25 percent. Frankly, I wish these requirements were also statutory requirements, not report language.

If the United Nations does not make substantial progress toward reform then I believe the administration should consider calling together the other major U.N. contributors and take more direct action.

To quote a member of the U.S. Commission on improving the Effectiveness of the U.N., Gray MacDougal:

> If the organization did not already exist, no rational human being would recommend that anything resembling the present structure be created. This unfortunate starting point is compounded by a U.N. secretariat leadership that readily takes on additional responsibilities and shows every indication of being a bottomless financial pit.

Even so-called success stories like the peacekeeping operation in Cambodia has documented tens of millions of dollars in waste and fraud including equipment never needed or unpacked and millions in contracts given to preferred contractors even though their bids were far higher than other companies. The United Nations refuses to give the United States copies of the internal audits documenting the widespread fraud.

At the end of my statement I will submit for the RECORD a recent article I authored on this subject which appeared in the Christian Science Monitor. But I want to briefly touch on one final point.

Although President Clinton publicly seems to distance himself from the United Nations, the President's actions do not match his words. Presidential decision directive 13 has sketched out an ambitious, dangerous and expensive administration policy of increased involvement with the U.N. It included putting U.S. soldiers under foreign commanders, sharing intelligence with U.N. members and increased so-called peacekeeping with U.S. troops. Although the President has refused to provide this document to Congress, bits and pieces of this decision directive have turned up in several authorization and appropriation bills.

In every case Congress has refused to endorse or fund his plans. Given the recent foreign policy fiascos in Somalia and Haiti, I think it's time for President Clinton to formally repudiate the contents of Presidential decision directive 13 and shift our United Nations policy to one of institutional reform.

I have lost two constituents in Somalia because this President feels it is more important to work with the United Nations than to protect the lives of troops abroad. Instead he congratulates himself on his Russia and Middle East policy.

The fact is his Russia policy is nothing more than a continuation of George Bush's work. And President Clinton's Middle East policy consists of setting up a card table in his front yard for a signing ceremony and taking credit for the fruits of George Bush's labor.

In closing, I again commend the conferees on a job well done and urge support of this conference report.

[From The Christian Science Monitor, Oct. 15, 1993]

U.N. NEEDS REFORM, NOT AN EXPANDED ROLE

(By Jim Lightfoot)

President Clinton went to the UN recently and said things Americans want to hear. Mr. Clinton warned the UN not to become engaged in every one of the world conflicts. He expressed America's desire to reduce its assessed costs for peacekeeping operations and encouraged the UN to make serious efforts to reduce wasteful spending.

Unfortunately, the President's actions do not match his speech. For months, his team has been preparing Presidential Decision Directive (PDD)-13 and its annex Presidential Review Document (PRD)-13. These two documents are the heart of a dangerous, expensive administration plan to strengthen the UN.

Among the many proposals included in PDD-13 placing United States troops under UN command; sharing classified intelligence with the UN; repealing the law that limits the amount of troops the US can commit to peacekeeping operations without congressional approval; and bypassing congressional approval for UN operations by establishing an account for peacekeeping and peacemaking operations.

Depsite Clinton's admonition that the UN must learn to say no to new peacekeeping operations, the US voted for the promoted questionable new operations over the last three months in Liberia, Rwanda, and Haiti. In August, the US voted to send an 88-man UN observer force to a war-torn area of the former Soviet Georgia. In fact, the administration is now working with the French on a possible second UN peacekeeping operation in Rwanda.

So far the administration has refused to provide PDD-13 or PRD-13 to Congress, although they have been leaked to the press. Clinton has sent bits and pieces of his proposals to Congress without disclosing his full intentions. In every case Congress has refused to fund his plan. In fact the House Appropriations Committee took even stronger action. The defense appropriation bill for fiscal year 1994 included language requiring 15-day notification to Congress before any new humanitarian operations can take place. The bill also includes language that directs the administration to report to Congress on its proposals to strengthen the UN and forbids the administration from renovating and donating to the UN a defense facility for use as a UN peacekeeping headquarters.

Unfortunately, the Democrat leadership, probably acting at the request of the Clinton administration, stripped on procedural grounds the 15-day notification period from the appropriations bill.

The dismal performance of the United Nations in Somalia should make anyone nervous about giving the UN a blank check to commit American forces or funds to any peacekeeping operation it sees fit to create. Even the "success" story of the UN peacekeeping operation in Cambodia has documented tens of millions of dollars in waste and fraud, including equipment never needed or unpacked and millions in contracts given to preferred contractors even though their bids were far higher than those of other companies. The UN refuses to officially provide the US copies of the internal audits documenting the widespread fraud.

The UN's problems go deeper than its overreach on peacekeeping. As one member of the US Commission on Improving the Effectiveness of the UN, Gary MacDougal, notes: "If the organization did not already exist no rational human being would recommend that anything resembling the present structure be created. This unfortunate starting point is compounded by a UN Secretariat leadership that readily takes on additional responsibilities and shows every indication of being a bottomless financial pit."

In one respect, Clinton is right: Putting our economic house in order cannot mean we shut our windows to the world. But the solution to the UN problems is not more American money or troops. The US must use its influence and our allies must use their influence to reform UN operations.

We don't have to write a big check to expand UN peacekeeping operations. According to some estimates, reforms within current peacekeeping operations alone would save $100 million a year. By insisting that the UN grows and reforms like the world around it, we can help achieve the noble goals of its founders.

The SPEAKER pro tempore (Mr. MFUME). The Chair would advise that the gentleman from Iowa [Mr. SMITH] has 7 minutes remaining and reserves the right to close debate, and the gentleman from Kentucky [Mr. ROGERS] has 1 minute remaining.

Mr. ROGERS. Mr. Speaker, I yield myself one minute to engage the gentleman from Iowa [Mr. SMITH] in a colloquy.

Mr. Speaker, due to a drafting error in the conference report, language was inadvertently omitted from the statement of managers concerning the relocation of the Pan American Health Organization.

Mr. Speaker, the Pan American Health Organization has approved a site in Montgomery County, MD, to locate its new headquarters. I wish to clarify the conferees' intention with respect to the use of funds provided to the organization in this conference report.

I would ask the gentleman from Iowa [Mr. SMITH], is it the conferees' understanding that no funds provided in this bill shall be used directly or indirectly for the construction of the new headquarters.

Mr. SMITH of Iowa. Yes, it is the conferees' intention that none of the assessed U.S. contribution provided in this bill be used to fund the construction of a new headquarters for the Pan American World Health Organization.

Mr. FAWELL. Mr. Speaker, I want to alert my colleagues that the conference committee's recommendations include 30 unauthorized line items totaling $35,844,000 in 4 accounts: 1 totaling $576,000 in the National Oceanic and Atmospheric Administration [NOAA] operations, research, and facilities account; 10 totaling $18,578,000 in the NOAA construction account; 4 totaling $3,590,000 in the International Trade Administration [ITA] operations and administration account; and 15 totaling $13,100,000 in the Small Business Administration [SBA] salaries and expenses account. Note that six NOAA construction unauthorized line items totaling $6,078,000, and the ITA and SBA unauthorized line items had not been included in either the House-approved or Senate-approved versions of H.R. 2519.

A list of these unauthorized line items follows.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION [NOAA] UNAUTHORIZED LINE ITEMS: 11 TOTALING $19,154,000

NOAA OPERATIONS, RESEARCH, AND FACILITIES UNAUTHORIZED LINE ITEMS: 1 TOTALING $576,000

1. $576,000 for the Fish Farming Experimental Station at Stuttgart, Arkansas (Amendment No. 81, bill language).

Not authorized by House or Senate; $600,000 appropriated by Senate only.

NOAA Construction Unauthorized Line Items: 10 totaling $18,578,000

1. $2,000,000 for the construction of the National Marine Fisheries Service Estuarine and Habitat Research Laboratory in Lafayette, Louisiana (Amendment No. 82, bill language).

Not authorized by House or Senate; $6,250,000 appropriated by Senate only.

2. $1,000,000 for a grant for the purchase of equipment for the Ruth Patrick Science Education Center in Aiken, South Carolina (Amendment No. 82, bill language).

Not authorized by House or Senate; not appropriated by House or Senate.

3. $1,000,000 for construction and related expenses for a Multi-Species Aquaculture Facility to be located in the State of New Jersey (Amendment No. 82, bill language).

Not authorized by House or Senate; not appropriated by House or Senate.

4. $1,000,000 for a grant to the Mystic Seaport, Mystic, Connecticut, for a maritime education center (Amendment No. 82, bill language).

Unauthorized by House or Senate; not appropriated by House or Senate.

5. $1,395,000 for a grant to the Indiana State University Center for Interdisciplinary Science Research and Education (funded under the Small Business Administration in previous fiscal years) (Amendment No. 82, bill language).

Unauthorized by House or Senate; not appropriated by House or Senate.

$1,000,000 for a grant for the Boston Biotechnology Innovation Center. (Amendment No. 82, bill language).

Unauthorized by House or Senate; not appropriated by House or Senate.

$683,000 for planning and design of a joint Federal and State Marine Laboratory to be located at the marine resources center at Fort Johnson, South Carolina (Amendment No. 82, report language).

Unauthorized by House or Senate; not appropriated by House or Senate.

$1,800,000 for the Newport, Oregon, Marine Science Center (Amendment No. 82, report language).

Not authorized by House or Senate; appropriated by Senate only.

$500,000 for the Kodiak, Alaska, Fisheries Center (Amendment No. 82, report language).

Not authorized by House or Senate; appropriated by Senate only.

$8,200,000 for Columbia River facilities (Amendment No. 82, report language).

Not authorized by House or Senate; appropriated by Senate only.

INTERNATIONAL TRADE ADMINISTRATION [ITA]—OPERATIONS AND ADMINISTRATION UNAUTHORIZED LINE ITEMS:—4 TOTALING $3,590,000

1. $800,000 for the Center for Global Competitiveness at Saint Francis and Saint Vincent Colleges in Pennsylvania (Amendment No. 89, bill language).

Unauthorized by House or Senate; not appropriated by House or Senate.

2. $465,000 for the Center for Manufacturing Productivity at the University of Massachusetts at Amherst (Amendment No. 89, bill language).

Unauthorized by House or Senate; not appropriated by House or Senate.

3. $1,395,000 for the Massachusetts Biotechnology Research Institute (Amendment No. 89, bill language).

Unauthorized by House or Senate; not appropriated by House or Senate.

4. $930,000 for the Michigan Biotechnology Institute (Amendment No. 89, bill language).

Unauthorized by House or Senate; not appropriated by House or Senate.

SMALL BUSINESS ADMINISTRATION [SBA]—SALARIES AND EXPENSES UNAUTHORIZED LINE ITEMS: 15 totaling $13,100,000

1. $175,000 for a grant to the Ben Franklin Center in Philadelphia, Pennsylvania, to assist small business to qualify for and participate in the Small Business Innovation Research (SBIR) program (Amendment No. 128, bill language).

Not authorized by House or Senate; not appropriated by House or Senate.

2. $750,000 for a grant to the North Carolina Rural Economic Development Center for the North Carolina Small Business Capital Access Program to provide financial development assistance to small business (Amendment No. bill language).

Not authorized by House or Senate; not appropriated by House or Senate.

3. $500,000 for a grant to the Van Emmons Population, Marketing Analysis Center in Towanda, Pennsylvania, for continuation of an integrated small business data base to aid Appalachian Region small businesses (Amendment No. 128, bill language).

Not authorized by House or Senate; not appropriated by House or Senate.

4. $1,000,000 for a grant to the City of Prestonsburg, Kentucky, for small business development assistance (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

5. $680,000 for a grant to the State of Nebraska for a statewide small business data base to facilitate the development of small businesses in rural communities (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

6. $100,000 for a grant to the Institute of Economic Development, Western Kentucky University to provide small business consulting services for senior citizens (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

7. $5,000,000 for a grant for a National Center for Genome Resources in New Mexico to provide consulting assistance, information and related activities to small businesses (Amendment No. 128, bill language).

Not authorized by House or Senate, appropriated by Senate only.

8. $1,000,000 for a grant to the University of Arkansas, Fayetteville, Arkansas, for the Genesis small business incubator facility (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

9. $1,000,000 for a grant to the WVHTC Foundation in West Virginia for build out, equipment and operations costs for a small business incubator facility (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

10. $300,000 for a grant to the Economic Development Council of Paducah, Kentucky, to assist in the development of a small business incubator facility (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

11. $250,000 for a grant to Grant County, West Virginia, to establish a small business development fund to provide financial assistance to small businesses and grants (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

12. $750,000 for a grant to Hazard Community College in Hazard, Kentucky, to assist in the devleopment of a small business consulting, information and assistance facility (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

13. $930,000 for a grant to Seton Hill College in Greensburg, Pennsylvania, to provide for a small business consulting and assistance center for entrepreneurial opportunity (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

14. $200,000 for a grant to the University of Central Arkansas to assist the Small Business Institute Program of the Small Business Administration to establish and operate a National Data Center (Amendment No. 128, bill language).

Not authorized by House or Senate, not appropriated by House or Senate.

15. $465,000 for a grant to the Iowa Waste Reduction Center, University of Northern Iowa for a demonstration program to assist small business in complying with Federal regulatory requirements (Amendment No. 128, bill language).

Mr. FAZIO. Mr. Speaker, I rise in strong support of the conference report on H.R. 2519, the bill that funds the Commerce, Justice and State Departments, the Federal judiciary, and related agencies for fiscal year 1994.

First, I would like to commend Chairman NEAL SMITH and the conferees for meeting the challenge that was before them. The conferees were able to set priorities in determining the funding levels for the various agencies and programs that this conference report supports, given the fiscal restraints they faced. But, the funding level in the resulting conference report is not only below the subcommittee's target, as set by the Appropriations Committee based on this year's budget resolution. It is also less than the amount requested by the President, and below last year's funding level.

The Commerce-Justice-State conference report supports a diverse number of agencies and programs. They include community policing efforts, law enforcement against organized crime, the Federal Bureau of Investigation [FBI], and our Federal prisons; the operation of our national fisheries and our marine, weather, environmental and satellite programs; the Immigration and Naturalization Service; the National Weather Service; and the Small Business Administration.

The conference report's support of the President's new immigration initiative is of tremendous importance to California, given the serious problems that we are having with illegal immigration. It targets funds for additional land border inspectors, additional Border Patrol agents, increased pre-inspection at airports, and more asylum officers. The conference report also increases immigration inspection fees on foreigners entering the country by plane or boat from $5 to $6—an increase that is expected to raise $50 million.

The conference report provides grants to State and local law enforcement agencies to assist them in safeguarding our neighborhoods and communities. It also supports juvenile justice programs, FBI start-up costs for creating a national background check system, and a new community policing effort so that State and local governments can put more officers on the street and employ innovative techniques to prevent crime.

The Small Business Administration—known for its direct and guaranteed loan assistance to small businesses—is funded by this conference report, as is the Economic Development Administration [EDA]. The EDA, in turn, supports the efforts of my district's Tri-County Economic Development Corp. [TCEDC], which was formed in 1985 to serve as the economic development planning and coordinating agency for Butte, Glenn, and Tehama Counties. Over the past 8 years, TCEDC has financed a revolving loan fund that has worked in partnership with private lenders to provide loans to small businesses, creating over 250 jobs. Without the financial support provided in this conference report, economic development programs in these three counties would be seriously jeopardized.

Also important to my constituents is the conference report's support of SEARCH, The National Consortium for Justice Information and Statistics. SEARCH is comprised of Governors' appointees from all States. These appointees are dedicated to assisting State and local criminal justice agencies in building, operating, and improving their computer systems to combat crime, all at no cost. In the past, SEARCH has assisted the Sacramento County Sheriff's Department Crime Analysis Unit in mapping a series of car-jackings that took place at gunpoint in the Sacramento area; this mapped information was then distributed to patrol forces. SEARCH also helped the Sutter County Sheriff's Department examine two computer disks that were suspected of containing evidence in a homicide case.

The programs funded in this conference report safeguard our children, neighborhoods, and communities, and preserve our resources. They protect our industries, both locally and globally, and help us maintain our position as an international leader—economically, socially, and politically. Mr. Speaker, I urge my colleagues on both sides of the aisle to vote for maintaining our quality of life to and support final passage of this conference report.

Ms. PELOSI. Mr. Speaker, I rise today in support of funding for the National Endowment for Democracy. Some of our colleagues have argued that NED is not necessary. I disagree. While many of NED's supporters are focusing in this debate on the importance of a strong NED presence in the republics of the former Soviet Union, and such a presence is vitally important, I would like to speak briefly about NED's significance to the Chinese prodemocracy movement.

In fiscal year 1993, NED is spending under $1 million for all of China. The funds support a range of initiatives by exile groups and are helping to keep the light of democracy burning bright as these exile groups educate the public in China and in the United States about China's reality today. NED funds help to document human rights abuses, to provide legal support for political prisoners inside China, and to publish magazines promoting the evolution of China toward a more open and democratic society.

I submit for the RECORD a letter to Members of Congress by Fang Lizhi, a prominent Chinese dissident, in support of the National Endowment for Democracy. I would also like to include in the RECORD a letter from Liu Binyan and Su Xiaokang, directors of the Princeton China Initiative in support of NED. These letters all attest to the importance of NED funding for the China democracy movement.

Through NED, small human rights organizations in China and in other places around the world are able to carry on their courageous and important work. By supporting human rights organizations around the world, NED helps to give voice to the voiceless. The road chosen by human rights activists is often a lonely and difficult one. It is also an essential one. Human rights activists promote respect for human rights and the rule of law in fledgling democracies. They provide hope for victims of oppression and political violence and help to pave the way to a more just and peaceful world.

More than 50 small human rights groups receive assistance from the National Endowment for Democracy. They work in China, Burma, Indonesia, Vietnam and Cambodia, Ethiopia, Eritrea, Zaire, Liberia, Nigeria and Uganda, Russia, Ukraine, the Czech Republic, Slovakia, and Cuba. Their work is important and the contributions they receive from NED are critical to their survival. I urge my colleagues not to forsake these brave people who look to the United States for guidance. Support the funding for the National Endowment for Democracy.

The letters follow:

UNIVERSITY OF ARIZONA,
Tucson, AZ, June 29, 1993.

HONORABLE MEMBER: I recently heard that the National Endowment Democracy (NED) will face a close down due to the current budget cut. As a person who has been and are pursuing Chinese democracy, I would like to take this opportunity to express my opinion about this matter.

As I understand it, NED has played an important in supporting the democratic cause all over the world. The pro-democracy movements of many countries, including China, are directly encouraged by NED's efforts. It is true that the Cold War is over, but it does not mean that democracy has achieved. In fact, many countries in today's world still is ruled by an oligarchic dictatorship, still lacks freedom of speech, still has not meaningful elections, and still holds political prisoners. Therefore, NED's functions are still absolutely necessary for the leadership of the U.S. in the international affair.

I would also like to mention here a misleading, which has been circulating recently. It says that economic development will automatically lead to a democratic society. Especially, when the world economy now is sluggish, democracy and human rights as a basic principle in international affairs if frequently downplayed. For instance, considering the high economic growth in China in last few years, some people even argue that China now needs only economic development, because more economic growth will lead inevitably to democracy. It would be wonderful if democracy did indeed grow automatically out of economic development, but history gives us, unfortunately, no such guarantees. In the actuality of China today, the economic growth that we see has not in the slightest moved the current leaders in China to alter their autocratic rule.

I feel the need to stress this point because a world in which the principles of democracy and human rights are downplayed is a world that lengthens the time during which autocracy can survive. On the other hand, history has shown many times that a dictator who relies on massacre and suppression to maintain his rule at home is frequently untrustworthy in international affairs as well. In this area the problem of democracy is one of the world-wide problems, like that of environment. Without step-by-step improvement in the world-wide environment for human rights and democracy, one can not expect a complete solution of many international problems. Therefore, I would like to strongly recommend you, member of the legislators of the U.S., to approve the NED and its functions to work continually and effectively.

Sincerely,

FANG LIZHI,
Professor of Physics.

PRINCETON CHINA INITIATIVE,
Princeton, NJ, June 29, 1993.

The House of the Representatives and the Senate,
Washington, DC.

LADIES AND GENTLEMEN: We are exiled Chinese writers who have not been able to return to China after the June massacre in 1989. We have heard that the Congress is considering the possibility of abolishing the national endowment for Democracy. We are very surprised and deeply worried.

Since the 1989 Tiananmen massacre, the exile Chinese intellectual communities and democratic movements in exile abroad have been graciously supported by the U.S. government and the Congress, and the main channel for this support has been the National Endowment for Democracy. As far as he know, from the end of 1990, through the Foundation for Democracy and Human Rights in China (of which Fang Lizhi, Chia Ling and other prominent Chinese dissidents are Board members), NED has given grants to at least eight organizations to do various projects, with grants from NED, these organizations have been able to exert significant impact on Chinese politics.

For instance, Human Rights in China, which is located in New York, has been able to provide first-hand, accurate information about human rights records and cases of human rights abuse in China by using the funds provided by NED to investigate and follow up on the developments in China. This organization invited well known dissidents inside China to join its Board of Directors, thus making a major breakthrough in the prohibition of human rights activities in China.

The Independent Federation of Chinese Students and Scholars, with ten of thousands of members in the U.S., and also supported by NED, has been vary active in protecting the rights of Chinese students and scholars. They have also played an important role in providing information and testimony during the Congressional hearings on the issue of Most Favored Nation trading status for China.

With the financial help from NED, the bimonthly magazine "Democratic China" has published regularly, furnishing information and analysis on recent developments in China to overseas Chinese readers, to the western media and to people in China through radio broadcasts in the Chinese language. "China Focus", a monthly newsletter in English published by the Princeton China Initiative, provides insiders' information and views on current events in China in a voice that is unavailable anywhere else.

Without the help from NED, the impact of these organizations and publications will be greatly diminished, and some will even cease to exist. To the exiled Chinese democracy movement which has been growing steadily since the 1989 Tiananman Movement, the abolition of NED would be a great setback. It would have a negative impact on the whole process of China's demoncratization and stability.

We urgently appeal to you to continue your support of NED so that it can play an even more important role in promoting democracy in the world. Thank you.

Sincerely yours,

LIU BINYAN,
Chairman, Executive Committee.
SU XIAOKANG,
Executive Director.

Mr. SMITH of Iowa. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent members.

The vote was taken by electronic device, and there were—yeas 303, nays 100, answered "present" 1, not voting 29, as follows:

[Roll No. 517]

YEAS—303

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Baker (CA)
Baker (LA)
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Bliley
Blute
Boehlert
Bonilla
Bonior
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Calvert
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Cooper
Coppersmith
Costello
Coyne
Cramer
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Durbin
Edwards (TX)
Emerson
English (AZ)
English (OK)
Evans
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Frost
Furse
Gallegly
Gallo
Gejdenson
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hilliard
Hinchey
Hoagland
Hobson
Hoekstra
Holden
Horn
Houghton
Hoyer
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
Kleczka
Klein
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Lewis (GA)
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Morella
Murtha
Myers
Nadler
Natcher
Neal (MA)
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Roemer
Rogers
Ros-Lehtinen
Rose
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schiff
Schumer
Scott
Serrano
Sharp
Shaw
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NAYS—100

Allard
Archer
Armey
Bachus (AL)
Ballenger
Bartlett
Barton
Bentley
Boehner
Bunning
Burton
Buyer
Callahan
Camp
Coble
Collins (GA)
Combest
Condit
Conyers
Cox
Crane
Crapo
DeLay
Doolittle
Dornan
Dreier
Duncan
Dunn
Everett
Ewing
Fawell
Fields (TX)
Franks (NJ)
Gekas
Gingrich
Goss
Grams
Hancock
Hefley
Herger
Hoke
Huffington
Inglis
Inhofe
Istook
Jacobs
Johnson, Sam
King
Kingston
Klink
Klug
Knollenberg
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Manzullo
McCandless
McHugh
McInnis
McKeon
Mica
Miller (FL)
Molinari
Moorhead
Orton
Paxon
Penny
Petri
Pombo
Portman
Ramstad
Ridge
Roberts
Rohrabacher
Roth
Royce
Saxton
Schaefer
Schroeder
Sensenbrenner
Shays
Shuster
Slattery
Smith (MI)
Smith (OR)
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (NC)
Thomas (WY)
Upton
Walker
Weldon
Wolf
Zeliff
Zimmer

ANSWERED "PRESENT"—1

Spratt

NOT VOTING—29

Bishop
Borski
Dingell
Dooley
Edwards (CA)
Engel
Eshoo
Farr
Ford (MI)
Gephardt
Greenwood
Hansen
Hastert
Hayes
Hefner
Hochbrueckner
Johnson (CT)
McDade
McMillan
Meyers
Michel
Miller (CA)
Moran
Murphy
Neal (NC)
Richardson
Rostenkowski
Roukema
Santorum

□ 2056

Ms. MOLINARI changed her vote from "yea" to "nay."

Mr. LINDER, Ms. PRYCE of Ohio, and Mr. TAYLOR of Mississippi changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BISHOP. Mr. Speaker, during rollcall vote No. 517 on H.R. 2519 I was unavoidably detained. Had I been present I would have voted "yes."

PERSONAL EXPLANATION

Mrs. MEYERS of Kansas. Mr. Speaker, during rollcall vote 517, on H.R. 2519 I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. HOCHBRUECKNER. Mr. Speaker, due to my being unavoidably detained on Tuesday, October 19, I was unable to record my vote on one bill. Therefore, I would like to take this opportunity to submit for the RECORD how I would have voted had I been present: rollcall No. 517, "aye."

PERSONAL EXPLANATION

Mr. ENGEL. Mr. Speaker, I was unable to vote on rollcall votes 510 through 517 due to the hospitalization of my wife. Had I been present, I would have voted:

On Rollcall 510, "nay."
On Rollcall 511, "yea."
On Rollcall 512, "yea."
On Rollcall 513, "yea."
On Rollcall 514, "yea."
On Rollcall 515, "nay."
On Rollcall 516, "yea."
On Rollcall 517, "yea."

CONFERENCE REPORT ON H.R. 2519, DEPARTMENT OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. MFUME). Pursuant to House Resolution 267 the motions printed in the joint explanatory statement of the committee of conference to dispose of amendments in disagreement are considered as read.

The Clerk will designate the first amendment is disagreement.

The text of the amendment is as follows:

Senate amendment No. 3: Page 2, line 25, strike out "$427,000,000" and insert "$493,750,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 3, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following: "notwithstanding the provisions of section 511 of said Act, $474,500,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

□ 2100

The SPEAKER pro tempore (Mr. MFUME). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 5: Page 3, line 5, strike out "and chapter A of subpart 2" and insert "and an additional $50,000,000 shall be available to carry out the provisions of chapter A of subpart 2".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following: "of part E of title I of said Act and $50,000,000 shall be available to carry out the provisions of chapter A of subpart 2".

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I do not want to take a lot of time, but I would just like to know what is in his motion briefly. You are receding and you are accepting the Senate's position?

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, in some of the amendments the Senate is receding to the House and on some of the other amendments the House is receding to the Senate. There are no surprises.

Mr. BURTON of Indiana. On the motions where we are receding and taking the Senate amendment, I would just like to know what is in them. Can you tell me what they are?

Mr. SMITH of Iowa. They are printed in the RECORD and have been available to the Members for 5 calendar days.

Mr. BURTON of Indiana. Well, I do not have that in front of me. Is it costing more money? How much more is it? What is the number on this, Mr. Speaker?

The SPEAKER pro tempore. This is amendment No. 5.

Mr. SMITH of Iowa. I would say that these motions were printed in the RECORD. We filed them Thursday night. They have been available for several days.

Mr. BURTON of Indiana. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the Senate amendments numbered 7, 11, 62, 79, 80, 99, 120, 137, and 145 be considered en bloc and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The texts of the various Senate amendments referred to in the unanimous consent request are as follows:

Senate amendment No. 7: Page 3, line 10, after "(c)" insert "an additional".

Senate amendment No. 11: Page 4, line 4, after "petitions" insert ": *Provided further*, That funds made available in fiscal year 1994 under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, may be obligated for programs for the prosecution of driving while intoxicated charges and the enforcement of other laws relating to alcohol use and the operation of motor vehicles

Senate amendment No. 62: Page 26, after line 15, insert:

SEC. 109. Section 524(c)(9) of title 28, United States Code, as amended, is further amended by deleting subsection (E).

Senate amendment No. 79: Page 32, after line 14, insert:

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership, the Advanced Technology Program and the Quality Outreach Program of the National Institute of Standards and Technology, $232,524,000, to remain available until expended, of which not to exceed $1,290,000 may be transferred to the "Working Capital Fund".

Senate amendment No. 80: Page 32, after line 14, insert:

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $61,686,000, to remain available until expended.

Senate amendment No. 99: Page 40, line 15, after "works" insert "for the provision of educational, cultural, health care, public information, public safety or other social services".

Senate amendment No. 120: Page 49, line 17, after "expended" insert ", of which $28,877,000 shall be available for the United States Merchant Marine Academy and $10,344,000 shall be available for State maritime academy programs".

Senate amendment No. 137: Page 56, line 19, after "Service" insert "not otherwise provided for".

Senate amendment No. 145: Page 59, line 17, after "1974." insert "In addition, for administrative expenses necessary to carry out the direct loan program, $183,000, which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendments of the Senate numbered 7, 11, 62, 79, 80, 99, 120, 137, and 145, and concur therein.

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. Amendment No. 7 says:

Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment which adds the words "an additional," which were not in the House bill. This language clarifies the intent of the conferees that the $25 million in discretionary grants designated for Community Policing is in addition to the $50 million provided for the Byrne discretionary program.

Am I to understand that is $25 million more?

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. That makes the $25 million for the Community Policing Program in addition to the $50 million available in the Byrne program for discretionary grants.

Mr. BURTON of Indiana. It is not additional money?

Mr. SMITH of Iowa. It is in addition to the amount of money for the Byrne discretionary grant program.

Mr. BURTON of Indiana. So that is $25 million more?

Mr. SMITH of Iowa. Yes. But we took that into consideration when we set the other figure too. We looked at the total for the Byrne program and added $25 million for community policing.

Mr. BURTON of Indiana. You are saying that the $25 million came from some other source within the bill?

Mr. SMITH of Iowa. Within the total amount for the bill, that is right.

Mr. BURTON of Indiana. So it is not $25 million additional to what was already appropriated for that?

Mr. SMITH of Iowa. No.

Mr. BURTON of Indiana. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 10: Page 3, line 16, strike out all after "4824);" down to and including "agencies" in line 24, and insert "and (e) an additional $25,000,000 shall be available pursuant to the provisions of chapter A of subpart 2 of part E of title I of said Act, for criminal records upgrade projects, including $10,000,000 for reimbursement to the Federal Bureau of Investigation".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion. The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

(e) $16,000,000 shall be available to reimburse any appropriation account, as designated by the Attorney General, for selected costs incurred by State and local law enforcement agencies which enter into cooperative agreements to conduct joint law enforcement operations with Federal agencies; (f) $500,000 shall be available to carry out the provisions of subtitle B of title I of the Anti Car Theft Act of 1992 (Public Law 102-519), notwithstanding the provisions of section 131(b)(2) of said Act, for grants to be used in combating motor vehicle theft: *Provided*, That not to exceed $12,500,000 of the funds made available in fiscal year 1994 under chapter A of subpart 2 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, shall be available as follows: (a) $2,000,000 shall be available for the activities of the District of Columbia Metropolitan Area Drug Enforcement Task Force; (b) not to exceed $10,000,000 shall be available to the Director of the Federal Bureau of Investigation for start-up costs associated with coordinating the national background check system; and (c) $500,000 shall be transferred to the National Commission to Support Law Enforcement for the necessary expenses of the Commission as authorized by section 211(B) of Public Law 101-515.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 21: Page 5, line 17, strike out "(f) $600,000" and insert "(d) $5,000,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 21, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: (f) $500,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 22: Page 6, line 6, strike out "$117,196,000" and insert "$115,000,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 22, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert: $119,000,000.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 23: page 6, line 12, strike out "$30,898,000" and insert "$30,723,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 23, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$30,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 27: Page 8, line 5, strike out $400,968,000 and insert "$400,086,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert "$403,968,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 30: Page 9, line 17, strike out "$63,817,000" and insert "$62,092,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 30, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert "$66,817,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 31: Page 10, line 2, strike out "$44,817,000" and insert "$43,092,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 31, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$45,997,000", and on page 9 line 19 of the House engrossed bill, H.R. 2519, strike "$19,000,000", and insert in lieu thereof "$20,820,000", and on page 10 line 3 of the House engrossed bill, H.R. 2519, strike "$19,000,000", and insert in lieu thereof "$20,820,000".

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 34: Page 11, line 10, strike out "$56,521,000" and insert "$46,150,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 34, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$61,513,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 37: Page 11, line 23, strike out "$56,521,000" and insert "$46,150,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 37, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$61,513,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 44: Page 15, line 4, strike out "$60,275,000" and insert "$58,000,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 44, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$55,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 52: Page 19, line 16, after "1996" insert "for projects on the northern border of the United States only".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 52, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert the following:

for projects on the northern border of the United States only.

In addition, section 286 of the Immigration and Nationality Act of 1952 (8 U.S.C. 1356), as amended, is further amended—

(1) in subsection (d), by striking "$5", and inserting "$6"; and

(2) in subsection (h)(2)(A), by deleting subsection (v), and inserting the following:

"(v) providing detention and deportation services for: excludable aliens arriving on commercial aircraft and vessels; and any alien who is excludable under section 212(a) who has attempted illegal entry into the United States through avoidance of immigration inspection at air or sea ports-of-entry.

"(vi) providing exclusion and asylum proceedings at air or sea ports-of-entry for: excludable aliens arriving on commercial aircraft and vessels including immigration exclusion proceedings resulting from presentation of fraudulent documents and failure to present documentation; and any alien who is excludable under section 212(a) who has attempted illegal entry into the United States through avoidance of immigration inspection at air or sea ports-of-entry.".

IMMIGRATION EMERGENCY FUND

For the Immigration Emergency Fund, as authorized by section 404(b)(1) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1101), $6,000,000 to remain available until expended

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 63: Page 26, after line 15, insert:

SEC. 110. During fiscal year 1994, from funds appropriated to the Department of Justice, the Attorney General may enter into reimbursable agreements with the Federal Judicial Branch, or reimburse a State or local government, if applicable, for the cost of managing prisoners or detainees, who are in the custody of the Attorney General, in a home confinement, electronic monitoring, or other such less costly alternative to incarceration when a Federal judicial official has determined this course of confinement to be viable and practicable: *Provided*, That this section shall not be applied in any way which is inconsistent with Federal law under titles 18 and 21, United States Code, including Federal sentencing guidelines and law related to minimum mandatory sentences.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 63, and concur therein with an amendment, as follows: In lieu of the matter proposed in said amendment, insert the following:

SEC. 110. Technical Amendments to the Victims of Crime Act.—

(a) Section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601), is amended—

(1) In subsection (d)(2)—

(A) by striking "and" at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by adding at the end the following:

"(C) 1 percent shall be available for grants under section 1404(c); and

"(D) 4.5 percent shall be available for grants as provided in section 1404A.".

(2) In subsection (d)(3), by striking "1404(a)" and inserting "1404A".

(3) In subsection (g)(1), by striking "(d)(2)(A)(iv)" and inserting "(d)(2)(D)".

(b) Section 1404A of the Victims of Crime Act of 1984 (42 U.S.C. 10603(a)), is amended by striking "1402(d)(2)" and inserting "1402(d)(2)(D) and (d)(3).".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 64: Page 26, after line 15, insert:

SEC. 111. (a) 28 United States Code 1930(a)(1) is amended by striking "$120" and inserting in lieu thereof "$135"; and

(b) 28 United States Code 589 is amended in subsection (b), subparagraph (1) by striking "one-fourth" and inserting in lieu thereof "22.2 per centum", and in subsection (f), paragraph (2) by inserting after the word "title" the following:

"; and

"(3) 11.1 per centum of the fees collected under section 1930(a)(1) of this title".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 64, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

SEC. 111. Bankruptcy Fees.—

(a) Chapters 7 and 13 Filing Fees.—Effective 30 days after enactment of this Act—

(1) Section 1930(a)(1) of title 28 of the United States Code is amended by striking "$120" and inserting "$130".

(2) Section 589a of title 28 of the United States Code is amended in subsection (b)(1), by striking "one-fourth" and inserting "23.08 percentum".

(3) SEC. 406. (b) of Public Law 101-162 (103 Stat. 1016) is amended by striking "25 percent", and inserting "30.76 percentum".

(b) Chapter 11 Filing Fee.—Effective 30 days after enactment of this Act—

(1) Section 1930(a)(3) of title 28 of the United States Code is amended by striking "$600" and inserting in lieu thereof "$800".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

(2) Section 589a of title 28 of the United States Code is amended in subsection (b)(2), by striking "50 percentum" and inserting "37.5 percentum".

(3) Section 589a of title 28 of the United States Code is amended in subsection (f)(1), by striking "16.7 percentum" and inserting "12.5 percentum".

(4) Sec. 406.(b) of Public Law 101-162 (103 Stat. 1016) is amended by adding "and 25 percent of the fees hereafter collected under 28 U.S.C. section 1930(a)(3)" immediately after "28 U.S.C. section 1930(a)(1)".

(c) No funds provided by this Act shall be expended to fill any bankruptcy judgeship unless such appointee was on a merit selection list or report submitted to the court of appeals by either the judicial council or a subcommittee of the members of the council, in accordance with section 120 of the Bankruptcy Amendments and Federal Judgeship Act of 1984 (Public Law 98-353; 98 Stat. 344), section 152 of title 28 of the United States Code, and the Judicial Conference of the United States' Procedures for the Selection and Appointment of Bankruptcy Judges.

(d) Report on Bankruptcy Fees.—

(1) Report Required.—Not later than March 31, 1998, the Judicial Conference of the United States shall submit to the Committees on the Judiciary of the House of Representatives and the Senate, a report relating to the bankruptcy fee system and the impact of such system on various participants in bankruptcy cases.

(2) Contents of Report.—Such report shall include—

(A)(i) an estimate of the costs and benefits that would result from waiving bankruptcy fees payable by debtors who are individuals, and

(ii) recommendations regarding various revenue sources to offset the net cost of waiving such fees.

(B)(i) an evaluation of the effects that would result in cases under chapters 11 and 13 of title 11, United States Code, from using a graduated bankruptcy fee system based on assets, liabilities, or both of the debtor, and

(ii) recommendations regarding various methods to implement such a graduated bankruptcy fee system.

(3) Waiver of Fees in Selected Districts.—For purposes of carrying out paragraphs (1) and (2), the Judicial Conference of the United States shall carry out in not more than six judicial districts, throughout the 3-year period beginning on October 1, 1994, a program under which fees payable under section 1930 of title 28, United States Code, may be waived in cases under chapter 7 of title 11, United States Code, for debtors who are individuals unable to pay such fees in installments.

(4) Study of Graduated Fee System.—For purposes of carrying out paragraphs (1) and (2), the Judicial Conference of the United States shall carry out, in not fewer than six judicial districts, a study to estimate the results that would occur in cases under chapters 11 and 13 of title 11, United States Code, if filing fees payable under section 1930 of title 28, United States Code, were paid on a graduated scale based on assets, liabilities, or both of the debtor.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 67: Page 26, after line 15, insert:

SEC. 114. Section 504(f) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, is amended by inserting the following after "task forces,": "gang task forces, and for programs or projects to abate drug activity in residential and commercial buildings through community participation,".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 67, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

SEC. 112. For fiscal year 1994 only, grants awarded to State and local governments for the purpose of participating in gang task forces and for programs or projects to abate drug activity in residential and commercial buildings through community participation, shall be exempt from the provisions of section 504(f) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 71: Page 28, line 16, after "studies" insert": *Provided*, That none of the funds appropriated by this Act shall be used to repeal, to retroactively apply changes in, or to continue a reexamination of, the policies of the Federal Communications Commission with respect to comparative licensing, distress sales and tax certificates granted under 26 U.S.C. 1071, to expand minority ownership of broadcasting licensees, including those established in the Statement of Policy on Minority Ownership of Broadcasting Facilities, 68 F.C.C. 2d 979 and 60 F.C.C. 2d 1591, as amended 52 R.R. 2d 1313 (1982) and Mid-Florida Television Corp., 69 F.C.C. 2d 607 (Rev. Bd. 1978), which were effective prior to September 12, 1986, other than to close MM Docket No. 86-484 with a reinstatement of prior policy and a lifting of suspension of any sales, licenses, applications, or proceedings, which were suspended pending the conclusion of the inquiry: *Provided further*, That none of the funds appropriated to the Federal Communications Commission by this Act may be used to diminish the number of VHF channel assignments reserved for noncommercial educational television stations in the Television Table of Assignments (section 73.606 of title 47, Code of Federal Regulations): *Provided further*, That none of the funds appropriated by this Act be used to repeal, to retroactively apply changes in, or to begin or continue a reexamination of the rules and the policies established to administer such rules of the Federal Communications Commission as set forth at section 73.3555(c) of title 47 of the Code of Federal Regulations".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. Smith of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Smith of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 71, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

: *Provided*, That $60,400,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than $99,900,000: *Provided further*, That any offsetting collections received in excess of $60,400,000 in fiscal year 1994 shall remain available until expended, but shall not be available for obligation until October 1, 1994: *Provided further*, That none of the funds appropriated by this Act shall be used to repeal, to retroactively apply changes in, or to continue a reexamination of, the policies of the Federal Communications Commission with respect to comparative licensing, distress sales and tax certificates granted under 26 U.S.C. 1071, to expand minority ownership of broadcasting licenses, including those established in the Statement of Policy on Minority Ownership of Broadcasting Facilities, 68 F.C.C. 2d 979 and 69 F.C.C. 2d 1591, as amended 52 R.R. 2d 1313 (1982) and Mid-Florida Television Corp., 69 F.C.C. 2d 607 (Rev. Bd. 1978), which were effective prior to September 12, 1986, other than to close MM Docket No. 86-484 with a reinstatement of prior policy and a lifting of suspension of any sales, licenses, applications, or proceedings, which were suspended pending the conclusion of the inquiry: *Provided further*, That none of the funds appropriated to the Federal Communications Commission by this Act may be used to diminish the number of VHF channel assignments reserved for noncommercial educational television stations in the Televisions Table of Assignments (section 73.606 of title 47, Code of Federal Regulations): *Provided further*, That none of the funds appropriated by this Act may be used to repeal, to retroactively apply changes in, or to begin or continue a reexamination of the rules and the policies established to administer such rules of the Federal Communications Commission as set forth at section 73.3555(d) of title 47 of the Code of Federal Regulations, other than to amend policies with respect to waivers of the portion of section 73.3555(d) that concerns cross-ownership of a daily newspaper and an AM or FM radio broadcast station.

In addition, section 9(a) of Title I of the Communications Act of 1934, as amended, is further amended as follows:

(a) by striking "(a) General Authority.—" and inserting in lieu thereof the following:

"(a) General Authority.—

"(1) Recovery of Costs.—"; and

(b) By adding at the end the following new paragraph:

"(2) Fees Contingent on Appropriations.—The fees described in paragraph (1) of this subsection shall be collected only if, and only in the total amounts, required in Appropriations Acts."

and on page 28, line 14 of the House engrossed bill, H.R. 2519, strike "$129,889,000", and insert in lieu thereof "$160,300,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 73: Page 30, line 4, after "2282–2285)" insert ": *Provided further*, That the funds appropriated in this paragraph are subject to the limitations and provisions of sections 10(a) and 10(c) (notwithstanding section 10(e)), 11(b), 18, and 20 of the Federal Trade Commission Improvements Act of 1980 (Public Law 96–252; 94 Stat. 374)".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 73, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

: *Provided further*, That the funds appropriated in this paragraph are subject to the limitations and provisions of sections 10(a) and 10(c) (notwithstanding section 10(e)), 11(b), 18, and 20 of the Federal Trade Commission Improvements Act of 1980 (Public Law 96–252; 94 Stat. 374), except that this proviso shall cease to be effective upon enactment of an Act authorizing appropriations for the Federal Trade Commission for fiscal year 1994

And on page 29, line 11 of the House engrossed bill, H.R. 2519, strike "$19,000,000", and insert in lieu thereof "$20,820,000".

And on page 29, line 21 of the House engrossed bill, H.R. 2519, strike "$69,740,000", and insert in lieu thereof "$67,920,000".

And on page 29, line 22 of the House engrossed bill, H.R. 2519, strike "$19,000,000", and insert in lieu thereof "$20,820,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 75: Page 31, line 12, after "subsistence" insert ": *Provided*, That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of 1 per centum to one twenty-ninth of 1 per centum and such increase shall be deposited as an offsetting collection to this appropriation to recover costs of services of the securities registration process: *Provided further*, That such fees shall remain available until expended".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 75, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

: *Provided*, That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of 1 per centum to one-twenty-ninth of 1 percentum and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover costs of services of the securities registration process: *Provided further*, That such fee increase shall be repealed upon enactment of legislation amending the Securities Exchange Act of 1934 to establish a new fee system in fiscal year 1994 for full cost recovery of Commission expenses.

In addition, and subject to enactment of legislation amending the Securities Exchange Act of 1934 to establish a new fee system in fiscal year 1994 to require the Commission to collect $171,621,000 in fees to be deposited to this appropriation as an offsetting collection; $171,621,000, to remain available until expended: *Provided*, That subject to the fee provisions contained in said legislation, $171,621,000 of fees shall be assessed and deposited as an offsetting collection to this appropriation to recover the costs of services of the securities registration process: *Provided further*, That the $171,621,000 herein appropriated shall be reduced as the aforementioned fees are collected during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than $0.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 78: Page 32, line 14, after "Fund" insert "and $3,000,000 may be transferred to the Department of Commerce 'Working Capital Fund'".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 78, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$1,500,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 81: Page 33, line 3, strike out all after "883i;" down to and including "Fisheries" in line 7 and insert "$1,685,000,000, to remain available until expended; of which $600,000 shall be available for operational expenses and cooperative agreements at the Fish Farming Experimental Laboratory at Stuttgart, Arkansas, and of which $10,000,000 shall be available for NOAA-wide efforts to conduct research on coastal development and population growth-associated problems, seafood safety, and remediation of environmental contamination and habitat restoration, including joint pilot projects between the National Oceanic and Atmospheric Administration and the National Institute of Standards and Technology to apply advanced sensor and environmental technologies for such purposes, particularly at military installations slated for closure; and in addition, $54,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided*, That grants to States pursuant to section 306 and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed $2,000,000 and shall not be less than $500,000: *Provided further*, That in applying provisions of section 606 of this Act to the programs, projects, and activities of the National Oceanic and Atmospheric Administration, the notification requirements of section 606 shall apply to the proposed reprogramming of funds in excess of $250,000 or 5 per centum, whichever is less, for each program, project, or activity: *Provided further*, That hereafter all receipts received from the sale of aeronautical charts that result from an increase in the price of individual charts above the level in effect for such charts on September 30, 1993, shall be deposited in this account as an offsetting collection and shall be available for obligation".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 81, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

$1,694,753,000 to remain available until expended; of which $576,000 shall be available for operational expenses and cooperative agreements at the Fish Farming Experimental Laboratory at Stuttgart, Arkansas; and in addition, $54,800,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided*, That grants to States pursuant to section 306 and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed $2,000,000 and shall not be less than $500,000: *Provided further*, That hereafter all receipts received from the sale of aeronautical charts that result from an increase in the price of individual charts above the level in effect for such charts on September 30, 1993, shall be deposited in this account as an offsetting collection and shall be available for obligation

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

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The SPEAKER pro tempore (Mr. MFUME). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 84: Page 33, after line 26, insert:

AIRCRAFT PROCUREMENT AND MODERNIZATION

For construction, procurement and modification of aircraft, including research equipment and spare parts, necessary to acquire the next generation aircraft reconnaissance system for hurricane and severe storm forecasting and atmospheric research, $46,000,000, to remain available until expended.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 84, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$43,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, this is $43 million more than the House, for this section? This was zero when it left the House was it not?

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I thank the gentleman for yielding.

Mr. Speaker, these funds are for the NOAA hurricane plane. They have had a great need for some time for a plane that would fly higher and faster to locate these hurricanes farther out and to provide better data to forecast the hurricanes' landfall.

Mr. BURTON of Indiana. Further reserving the right to object, could the gentleman tell me why there was no money in this in the House version when it went to the Senate?

Mr. SMITH of Iowa. It was not specifically authorized, it was not in the President's budget request, and we became aware of the need for the plane after the House considered this bill.

Mr. BURTON of Indiana. It was not authorized?

Mr. SMITH of Iowa. That is right, not specifically authorized.

Mr. BURTON of Indiana. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. BURTON] objects. The Chair will have to put the question on the motion as a result of the objection.

PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Is the Chair talking about putting the question and either having a rollcall vote tonight——

The SPEAKER pro tempore. The gentleman will repeat the question.

Mr. BURTON of Indiana. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BURTON of Indiana. Mr. Speaker, if the Chair puts the question, then he is saying that there probably would have to be a vote either verbal or rollcall tonight?

The SPEAKER pro tempore. The gentleman is correct.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. Mr. Speaker, let me reserve the right to object.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Kentucky.

Mr. ROGERS. I thank the gentleman for yielding.

Many of our colleagues are very interested in this provision. In fact, on the House side, several Members talked to me about this need of an airplane for hurricane spotting.

So I would hope the gentleman would not object to this.

Mr. BURTON of Indiana. Well, the only problem that I have is it is $43 million that was not authorized. It went to the Senate and was put in. And we had zeroed it. There was zero for it, as I understand.

Mr. ROGERS. If the gentleman would further yield, unfortunately, the need for this plane was not identified until after the House passed their bill, and well after the administration had submitted their budget request.

I would point out to the gentleman, that much of this bill is not authorized, including many important programs. Yet we still provide funding because of the importance of these programs.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. Further reserving the right to object, I am happy to yield to the gentleman.

Mr. SMITH of Iowa. As a matter of fact, two-thirds of this bill is not authorized. So when Mr. ROGERS and I came to the floor, previously, we came without a rule. Anybody could object to anything they wanted to at the time. But we did not include many unauthorized matters, and where we did, any one Member could have knocked them out on a point of order. But we purposely did not include a lot of unauthorized items. The Senate provided the funding after hearing testimony on the need for this plane.

Mr. ROGERS. If the gentleman would yield further——

The SPEAKER pro tempore. The Chair will advise Members that the ongoing colloquy is considered a continuation of the gentleman from Indiana's reservation of the right to object.

Mr. BURTON of Indiana. I thank the Speaker.

Mr. ROGERS. Mr. Speaker, will the gentleman further yield briefly?

Mr. BURTON of Indiana. I am happy to yield to the gentleman.

Mr. ROGERS. Mr. Speaker, what the chairman has said is that some important programs in NOAA were not yet authorized when our appropriations bill came to the floor of the House.

Mr. BURTON of Indiana. But it had been authorized in the Senate.

Mr. ROGERS. The funding was not specifically authorized in the Senate, but it was the Senate that added the funding.

When we go to conference then, we try to accommodate the House and the Senate. This add was for the airplane that many House Members supported. So it is not unusual for you to find items in this conference report that were not authorized by the House.

Mr. BURTON of Indiana. I understand. But the authorizing committee in the House, what the gentleman is saying, never got their authorizing bill completed before the appropriations process took place.

Mr. ROGERS. Exactly.

Mr. BURTON of Indiana. So it should be brought to the attention of the House that the authorizing committee did not do its job in a timely fashion.

Mr. ROGERS. The gentleman can say that.

Mr. BURTON of Indiana. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 93: Page 38, after line 19, insert:

United States Travel and Tourism Administration

SALARIES AND EXPENSES

For necessary expenses of the United States Travel and Tourism Administration including travel and tourism promotional activities abroad for travel to the United States and its possessions without regard to 44 U.S.C. 501, 3702 and 3703, including employment of American citizens and aliens by contract for services abroad; rental of space abroad for periods not exceeding five years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; advance of funds under contracts abroad; payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672, when such claims arise in foreign countries; and not to exceed $15,000 for official representation expenses abroad;

$20,298,000, to remain available until expended, of which not to exceed $2,500,000 is to provide financial assistance under section 203(a) of the International Travel Act of 1961, as amended, notwithstanding the provisions of section 203(f)(1) of such Act: *Provided further*, That in addition to fees currently being assessed and collected, the Administration shall charge users of its services, products, and information, fees sufficient to result in an additional $3,000,000, to be deposited in the General Fund of the Treasury.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 93, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the United States Travel and Tourism Administration including travel and tourism promotional activities abroad for travel to the United States and its possessions without regard to 44 U.S.C. 501, 3702 and 3703, including employment of American citizens and aliens by contract for services abroad; rental of space abroad for periods not exceeding five years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; advance of funds under contracts abroad; payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672, when such claims arise in foreign countries; and not to exceed $15,000 for official representation expenses abroad; $17,120,000, to remain available until expended: *Provided*, That none of the funds appropriated by this paragraph shall be available to carry out the provisions of section 203(a) of the International Travel Act of 1961, as amended: *Provided further*, That in addition to fees currently being assessed and collected, the Administration shall charge users of its services, products, and information, fees sufficient to result in an additional $3,000,000, to be deposited in the General Fund of the Treasury.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 97: Page 40, line 4, after "year" insert ": *Provided further*, That notwithstanding the provisions of sections 391 and 392 of the Communications Act, as amended, not to exceed $1,000,000 appropriated in this paragraph shall be available for the Pan-Pacific Educational and Cultural Experiments by Satellite program (PEACESAT): *Provided further*, That $500,000 shall be available for the American Indian Higher Education Consortium for utilization of telecommunications technologies".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 97, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That notwithstanding the provisions of sections 391 and 392 of the Communications Act, as amended, not to exceed $700,000 appropriated in this paragraph shall be available for the Pan-Pacific Education and Cultural Experiments by Satellite program (PEACESAT)".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 101: Page 40, after line 22, insert:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91-304, and such laws that were in effect immediately before September 30, 1982, $242,642,000, of which $13,720,000 shall be for Trade Adjustment Assistance: *Provided*, That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 101, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91-304, and such laws that were in effect immediately before September 30, 1982, and for trade adjustment assistance, $322,642,000: *Provided*, That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Commerce may provide financial assistance for projects to be located on military installations closed or scheduled for closure or realignment to grantees eligible for assistance under the Public Works and Economic Development Act of 1965, as amended, without it being required that the grantee have title or ability to obtain a lease for the property, for the useful life of the project, when, in the opinion of the Secretary of Commerce, such financial assistance is necessary for the economic development of the area: *Provided further*, That the Secretary of commerce may, as the Secretary considers appropriate, consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure or realignment.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 110: Page 44, line 16, strike out "$2,063,000" and insert "$2,075,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 110, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "$2,160,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 111: Page 45, line 13, strike our "$297,252,000" and insert "$286,170,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 111, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "280,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 113: Page 45, line 14, after "3006A(i)" insert ": *Provided further*, That not to exceed $11,524,000 shall be available for Death Penalty Resource Centers".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 113, and concur therein with an amendment, as follows:

In lieu of the sum named by said amendment, insert "$19,800,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 114: Page 46, line 10, strike out "$84,500,000" and insert "$80,952,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 114, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "$86,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 115: Page 46, line 24, strike out "$44,612,000" and insert "$43,358,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 115, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "$44,900,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 122: Page 51, line 12, strike out "$900,000" and insert "$500,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 122, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: $1,118,000, of which $500,000 shall be available by transfer from unobligated balances remaining from the appropriation entitled "Commission on Agricultural Workers, Salaries and expenses".

And on page 51 of the House engrossed bill, H.R. 2519, after the heading "Salaries and Expenses" on line 9, insert the following new heading "(including transfer of funds)".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 129: Page 53, line 18, strike out all after "Act." down to and including line 22.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 129, and concur therein with an amendment, as follows:

Restore the matter stricken by said amendment amended to read as follows:

None of the funds appropriated for the Small Business Administration under this Act may be used to impose any new or increased loan guaranty fee or debenture guaranty fee, or any new or increased user fee or management assistance fee, except as otherwise provided in this Act: *Provided*, That none of the funds provided in this or any other Act may be used for the cost of direct loans to any borrower under section 7(b) of the Small Business Act to relocate voluntarily outside the business area in which the disaster has occurred.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 130: Page 54, line 4, strike out "$22,994,000" and insert "$21,032,000, of which $5,135,000 shall be available until expended for the Microloan program".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 130, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert "$16,946,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 132: Page 54, line 15, strike out "$75,000,000" and insert "$65,000,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 132, and concur therein with an amendment, as follows:

Delete the matter stricken and delete the matter inserted and strike all on line 14, page 54 of the House engrossed bill, H.R. 2519, and all that follows through "In addition," on line 24, page 54, and on page 53, line 12 of the House engrossed bill, H.R. 2519, strike "this amount" and insert in lieu thereof "the total amount in this paragraph".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 133: Page 55, after line 2, insert:

In addition, for the cost of emergency disaster loans and associated administrative expenses, $75,000,000, to remain available until expended: *Provided*, That these funds, or any portion thereof, shall be available beginning in fiscal year 1994 to the extent that the President notifies the Congress of his designation of any or all of these amounts as emergency requirements under the Budget Enforcement Act of 1990: *Provided further*, That Congress hereby designates these amounts as emergency requirements pursuant to section 251(b)(2)(D).

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 133, and concur therein with an amendment, as follows:

In lieu of the sum named in said amendment insert "$140,000,000", and on page 55, line 6 of the House engrossed bill, H.R. 2519, strike "12,369,000" and insert in lieu thereof "$7,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 135: Page 56, after line 2, insert:

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the

Legal Services Corporation Act of 1974, as amended, $349,000,000; of which $298,904,000 is for basic field programs; $7,826,000 is for Native American programs; $10,808,000 is for migrant programs; $1,226,000 is for law school clinics; $1,113,000 is for supplemental field programs; $695,000 is for regional training centers; $8,056,000 is for national support; $9,236,000 is for State support; $963,000 is for the Clearinghouse; $569,000 is for computer assisted legal research regional centers; $9,555,000 is for Corporation management and administration; and $49,000 is for board initiatives.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 135, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $400,000,000; of which $341,865,000 is for basic field programs; $8,950,000 is for Native American programs; $12,759,000 is for migrant programs; $1,402,000 is for law school clinics; $1,274,000 is for supplemental field programs; $795,000 is for regional training centers; $9,611,000 is for national support; $10,564,000 is for State support; $1,101,000 is for the Clearinghouse; $651,000 is for computer assisted legal research regional centers; $10,928,000 is for Corporation management and administration; and $100,000 is for board initiatives.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 138: Page 57, line 2, strike out "$1,612,206,000" and insert "$1,653,184,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 138, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "$1,704,589,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 139: Page 57, line 16, after "2718(a))" insert "and for expenses of general administration."

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 139, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment insert "and for expenses of general administration: *Provided*, That notwithstanding section 502 of this Act, not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts, "Diplomatic and Consular Programs" and "Salaries and Expenses" under the heading "Administration of Foreign Affairs" may be transferred between such appropriation accounts: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate Amendment No. 140: Page 57, line 23, strike out "$481,416,000" and insert "$455,816,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 140, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "$396,722,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

□ 2120

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 141: Page 58, line 3, strike out "$3,800,000" and insert "$3,000,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH moves that the House recede from its disagreement to the amendment of the Senate numbered 141, and concur therein with an amendment, as follows:

Delete the matter stricken and delete the matter inserted, and strike all on line 24, page 57 of the House engrossed bill, H.R. 2519, and all that follows through line 3, page 58.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 142: Page 58, line 25, strike out "$381,481,000" and insert "$410,000,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 142, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "$410,000,000, of which $10,000,000 is for relocation and renovation costs necessary to facilitate the consolidation of overseas financial and administrative activities in the United States".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that amendments numbered 147 and 148 be passed over this evening and that they be considered tomorrow, Wednesday, October 20, 1993, immediately prior to the consideration of amendment No. 171.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 149: Page 60, line 6, strike out "$20,892,000" and insert "$21,992,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 149, and concur therein with an amendment, as follows:

Delete the matter stricken and delete the matter inserted, and on line 5, page 60 of the House engrossed bill, H.R. 2519, strike ", of" and all that follows through "arrearages" on line 7.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 150: Page 60, line 7, after "arrearages" insert :*Provided*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers, and that the United States Mission to the United Nations has established procedures to provide information on all United Nations procurement regulations and solicitations to American manufacturers and suppliers".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 150, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert ": *Provided*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 159: Page 63, after line 12, insert:

SEC. 503. No funds appropriated or otherwise made available under this Act or any other Act may be expended for the salary of the United States Commissioner of the International Boundary Commission, United States and Canada.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 159, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

SEC. 503. Funds appropriated or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 161: Page 63, line 20, strike out "$47,279,000" and insert "$58,000,000, of which $14,000,000 is available only for payment of United States contributions to the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 161, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: "$53,500,000, of which not less than $9,500,000 is available until expended only for payment of United States contributions to the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is a follows:

Senate amendment No. 162: Page 63, after line 20, insert:

BOARD FOR INTERNATIONAL BROADCASTING

GRANTS AND EXPENSES

For expenses of the Board for International Broadcasting, including grants to Radio Free Europe/Radio Liberty, Incorporated, as authorized by the Board for International Broadcasting Act of 1973, as amended (22 U.S.C. 2871-2883), $206,000,000, of which not to exceed $52,000 may be made available for official reception and representation expenses.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 162, and concur therein with an amendment, as follows: In lieu of the sum "$206,000,000" named in said amendment, insert "$210,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 166: Page 67, line 1, strike out "$217,650,000" and insert "$250,702,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 166, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "to include other educational and cultural exchange programs, $242,000,000".

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 169: Page 68, after line 19, insert:

BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Radio Broadcasting to Cuba Act, as amended (22 U.S.C. 1465 et seq.) (providing for the Radio Marti Program or Cuba Service of the Voice of America), and the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.) including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by 22 U.S.C. 1471, $28,351,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a): *Provided*, That such funds for television broadcasting to Cuba may be used to purchase or lease, maintain, and operate such aircraft (including aerostats) as may be required to house and operate necessary television broadcasting equipment.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 169, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

BROADCASTING TO CUBA

RADIO BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Radio Broadcasting to Cuba Act, as amended (22 U.S.C. 1465 et seq.) (providing for the Radio Marti Program or Cuba Service of the Voice of America), including the purchase, rent, construction, and improvement of facilities for radio transmission and reception and purchase and installation of necessary equipment for radio transmission and reception as authorized by 22 U.S.C. 1471, $14,000,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a), of which $5,000,000 shall be withheld from obligation until 30 days after the Director of the United States Information Agency submits a report to Congress which certifies receipt of the report of the Advisory Panel on Radio Marti and TV Marti and specifies the measures the United States Information Agency is taking with respect to the recommendations of the panel.

TELEVISION BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.), including the purchase, rent, construction, and improvement of facilities for television transmission and reception, and purchase and installation of necessary equipment for television transmission and reception, $7,000,000, to remain available until expended: *Provided*, That not later than July 1, 1994, the Director of the United States Information Agency shall submit to Congress, after consulting with the Board for International Broadcasting and after taking into account any relevant recommendations of the Advisory Panel on Radio Marti and TV Marti, his recommendations as to whether TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation and whether the interests of the United States are better served by maintaining television broadcasting to Cuba, by terminating television broadcasting to Cuba and strengthening radio broadcasting to Cuba, or by funding other activities related to promoting democracy in Cuba authorized by law: *Provided further*, That of the amount appropriated in this paragraph, $2,500,000 shall be withheld from obligation until after July 1, 1994, and, after that date, funds shall be available only for the orderly termination of television broadcasting to Cuba unless the Director of the United States Information Agency determines, in the report to Congress called for in the Administrative Provision Establishing the Advisory Panel on Radio Marti and TV Marti, that maintaining television broadcasting to Cuba is technically sound and effective, is consistently being received by a sufficient Cuban audience to warrant its continuation, and is in the best interests of the United States.

ADMINISTRATIVE PROVISION ESTABLISHING THE ADVISORY PANEL ON RADIO MARTI AND TV MARTI

(a) ESTABLISHMENT.—There is established an advisory panel to be known as the Advisory Panel on Radio Marti and TV Marti (in this section referred to as the "Panel").

(b) FUNCTIONS.—The Panel shall study the purposes, policies, and practices of radio and television broadcasting to Cuba (commonly referred to as "Radio Marti" and "TV Marti") by the Cuba Service of the Voice of America.

(c) REPORT.—Not later than 90 days after the date on which the members of the Panel have been appointed pursuant to subsection (d), the Panel shall submit to the Congress and the United States Information Agency (USIA) a report which shall contain—

(1) a statement of the findings and conclusions of the Panel on the matters described in subsection (b); and

(2) specific findings and recommendations with respect to whether—

(A) such broadcasting consistently meets the standards for quality and objectivity established by law or by the United States Information Agency;

(B) such broadcasting is cost-effective;

(C) the extent to which such broadcasting is already being received by the Cuban people on a daily basis from credible sources;

(D) TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation;

(d) COMPOSITION.—(1) Panel shall be composed of three members, who shall among them have expertise in government information and broadcasting programs, broadcast journalism, journalistic ethics, and the technical aspects of radio and television broadcasting.

(2) The Director of the United States Information Agency shall appoint the members of the Panel not later than 30 days after the date of the enactment of this Act. Individuals appointed to the Panel shall be noted for their integrity, expertise, and independence of judgment consistent with the purposes of the Panel.

(3) Each member of the Panel shall be appointed for the life of the Panel. A vacancy in the Panel shall be filled in the manner in which the original appointment was made.

(4) Each member of the Panel shall serve without pay, except that such member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with Sections 5702 and 5703 of title 5, United States Code.

(e) TEMPORARY PERSONNEL.—(1) The Panel may procure temporary and intermittent services under Section 3109 (b) of title 5, United States Code (relating to employment of experts and consultants), at rates for individuals not to exceed the maximum rate of basic pay payable for GS-15 of the General Schedule.

(2) Upon request of the Panel, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of the agency to the Panel to assist it in carrying out its duties under this section.

(3) Support Services.—The United States Information Agency shall provide facilities, supplies, and support services to the Panel upon request.

(f) TERMINATION.—The Panel shall terminate immediately upon submitting its report pursuant to subsection (c).

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 170: Page 68, strike out lines 20 to 26.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 170, and concur therein with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

NORTH/SOUTH CENTER

To enable the Director of the United States Information Agency to provide for carrying out the provisions of the North/South Center Act of 1991, (22 U.S.C. 2075), by grant to an educational institution in Florida known as the North/South Center, $8,700,000, to remain available until expended: *Provided*, That funds appropriated by this Act for the United States Information Agency and the Department of State may be obligated and expended at the rate of operations and under the terms and conditions provided by H.R. 2519 as enacted into law, notwithstanding section 701 of the United States Information and Educational Exchange Act of 1948 and section 15 of the State Department Basic Authorities Act of 1956 except that this proviso shall cease to be effective after April 30, 1994 or upon enactment into law of H.R. 2333, the State Department, USIA, and Related Agencies Authorization Act, Fiscal Years 1994 and 1995 or similar legislation, whichever first occurs.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

The SPEAKER pro tempore. The Chair rules that further consideration of this bill will continue tomorrow.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 18, 1993.

Hon. THOMAS S. FOLEY,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Monday, October 18, 1993 at 4:30 p.m. and said to contain a message from the President wherein he transmits a report on additional measures with respect to the national emergency with the Republic of Haiti.

With great respect, I am

Sincerely yours,
DONNALD K. ANDERSON,
Clerk, House of Representatives.

EXECUTIVE ORDER WITH RESPECT TO NATIONAL EMERGENCY WITH HAITI—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. section 1703(b), and section 301 of the National Emergencies Act, 50 U.S.C. section 1631, I hereby report that I have again exercised my statutory authority to issue an Executive order with respect to Haiti that, effective 11:59 p.m., e.d.t., Monday, October 18, 1993, that:

(a) Blocks all property in the United States or within the possession or control of United States persons, including their overseas branches, of persons:

(1) who have contributed to the obstruction of the implementation of United Nations Security Council Resolutions 841 and 873, the Governor's Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;

(2) who have perpetuated or contributed to the violence in Haiti; or

(3) who have materially or financially supported any of the foregoing; and

(b) Prohibits any transaction subject to U.S. jurisdiction that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, the prohibitions in the new order, or in Executive Orders Nos. 12775, 12779, or 12853, except to the extent now authorized pursuant to the relevant Executive order.

I am enclosing a copy of the Executive order that I have issued.

The new Executive order is necessary to further the implementation of the Governors Island Agreement by reaching persons who are supporting the groups fomenting violence and opposing the restoration of constitutional government in Haiti. The new Executive order is to be implemented by the Secretary of the Treasury, in consultation with the Secretary of State.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 18, 1993.*

ANNUAL REPORT OF FEDERAL PREVAILING RATE ADVISORY COMMITTEE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

In accordance with section 5347(e) of title 5 of the United States Code, I transmit herewith the 1992 annual report of the Federal Prevailing Rate Advisory Committee.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1993.*

1992 CALENDAR YEAR REPORTS BY DEPARTMENT OF TRANSPORTATION ON ACTIVITIES UNDER HIGHWAY SAFETY ACT AND NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Public Works and Transportation and the Committee on Energy and Commerce:

To the Congress of the United States:

I transmit herewith the 1992 calendar year reports as prepared by the Department of Transportation on activities under the Highway Safety Act and the National Traffic and Motor Vehicle Safety Act of 1966, as amended (23 U.S.C. 401 note and 15 U.S.C. 1408).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1993.*

IN OPPOSITION TO TAX INCREASES IN NAFTA

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Illinois [Mr. EWING] is recognized for 5 minutes.

Mr. EWING. Mr. Speaker, I want to take this opportunity in the 5-minute section here to explain why my colleagues and I are opposed to including tax increases in the proposed North American Free-Trade Agreement.

□ 2130

First, Mr. Speaker, let me say that I am leaning strongly in favor of supporting the NAFTA, but it would be difficult to support increased taxes as part of the NAFTA agreement. Because NAFTA will reduce tariffs, it has been estimated that the Government will lose approximately $2.3 billion over the next 5 years, and this amount will need to be made up.

While I believe that NAFTA will, in fact, spur new economic growth and, thus, actually increase taxable income and tax revenues for the Government, the House budget rules require that this loss be made up. If we must find $2.3 billion in offsets because of the House rules, we have only one good alternative, and that is to cut spending. We can either raise taxes or cut spending.

Mr. Speaker, the administration has proposed a $5 per person increase in the tax assessed on international airline travel and a doubling of the fees for customs service collected on railroad cars and trucks that cross the border. Now, in the past we are going to be making up for lost tariffs which were paid by people outside of this country with fees and taxes on people within this country, not a very fair exchange.

Yesterday, Mr. Speaker, a group of 27 House Republicans, all supporters of or leaning strongly for the support of NAFTA, wrote to the President indicating our strong opposition to including tax increases as part of the NAFTA treaty. As we said in the letter, it would be difficult for many of us to support NAFTA if it includes a tax increase. We are willing to look at any proposal to cut spending, but I will make a suggestion or two for the White House's benefit.

When Congress passed the President's tax package earlier this year, the bill included $2.5 billion in increased programs. It expanded programs for food stamps over the next 5 years. This program; yes, this program, was expanded at a time when our Federal deficit is so deep and our debt goes up every day. We should cancel the expansion of this Federal Food Stamp Program, and that will provide enough money to offset the lost revenues under NAFTA.

The NAFTA vote is expected to be close, and the President is counting on Republican votes. The President must know though that many Republicans are very strongly opposed to tax increases, and, if he insists on including them in NAFTA, he could very well lose many Republican votes.

Mr. Speaker, there is a difference in philosophy between many Republicans and the President on raising taxes, and he needs to have and be conscious of our opinion in this matter because our votes are crucial to this matter.

Today in Congress Daily the President is quoted as saying on this issue, "We have to work through this." That is right, Mr. President, we do have to work through it, and we have to come up with a consensus, as Mr. Kantor said, on approaching how we are going to recover the lost revenues.

Many of us in this House want to see NAFTA pass because it is good for this country. We do not believe that higher and new taxes are good for this country, and in conclusion I would say that in the same publication, Congress Daily, I see where the House Committee on Ways and Means has marked up the bill with the proposed taxes in it, not a very good sign of working through it, Mr. President, not a very good sign at all.

And then, even to make matters a little more discouraging, I see where the Speaker of the House has rejected the special spending cuts section which could have given us the cuts we need to meet the lost revenues from the reduced tariffs.

I reiterate. I call again upon the White House to cooperate with us on this side of the aisle. Eliminate the taxes. Let us find an acceptable alternative. Let us reduce spending, and we can pass the NAFTA agreement.

GAMBLING WITH OUR NATIONAL MILITARY STRATEGY

The SPEAKER pro tempore (Mr. BROWN of Ohio). Under a previous order of the House, the gentleman from Missouri [Mr. SKELTON] is recognized for 5 minutes.

Mr. SKELTON. Mr. Speaker, 2 weeks ago I spoke at this very spot about my concern that the Bottom-Up Review had not sized the Army properly. I also expressed my concern that peacekeeping commitments might so degrade the Army as to render it incapable of carrying out the national military strategy to fight two major regional conflicts almost simultaneously. In summary, I noted that it is increasingly difficult for the military, especially the Army, to accommodate new peacekeeping missions with fewer forces and reduced budgets.

Tonight, I want to discuss a problem intimately related to the first, the lack of budgetary support for the Army. While I have concerns about the sizing of the Army, I also have similar concerns about the funding of it. Simply put, the funding of the Army is insufficient, even for the smaller 10 division force described in the Bottom-Up Review, which I disagree with. We need 12 divisions.

First, allow me to discuss a little bit of recent history. The Army came out of Vietnam a demoralized, if not broken, institution. Twenty years ago, in the waning years of that bitter conflict, the Army instituted a number of far-reaching changes. Some of those changes it was forced to accept; others it initiated. Those changes included the end of the draft and beginning of the All-Volunteer Force; the creation of the total force concept, and the establishment of the training and doctrine command [TRADOC] at Fort Monroe, VA. These decisions affected the Army profoundly.

Though many military leaders expressed great misgivings about the AVF, by the early 1980's the services had finally learned how to make it work. Recruiting high school graduates and paying them well helped create an Army of quality people.

The total force concept proved itself in the Persian Gulf war just as Army Chief of Staff Creighton Abrams had designed it back in the early 1970's. Since much of the Active Army's combat support and combat service support was found in the Guard and Reserve, the requirement to activate those forces helped bring along the support of the American public.

And the third decision, the creation of the training and doctrine command, paid great dividends. First rate training programs, as symbolized by the establishment of the national training center at Fort Irwin in the deserts of California, and the renewed emphasis on professional military education helped produce Army combat leaders who had studied war and were well prepared when called to action. Those officers responded to that call in magnificent fashion in Panama and the Persian Gulf war with campaign plans that produced quick victories and few American casualties.

The investments of the 1980's produced an American Army that was able to combine excellent people, first-rate equipment, and top notch military thinking to win decisively on the field of battle. Today, those hard-won gains secured over the past 20 years are at risk.

The balance that needs to be sustained among competing demands—procuring modern equipment, attracting quality people, maintaining adequate numbers of trained forces, and attending to infrastructure needs—has been lost. We are addressing today's needs at the expense of tomorrow's investments; today's current operations and readiness at the expense of tomorrow's modernization. Unless that balance can be restored among the competing demands we will have an Army that will have good people, but with old equipment and not enough forces to do the job if we hope to win the next war with few casualties.

Even at the 10 Active Army division level, to which I disagree as we need 12, the programmed budget to accomplish modernization of weapons, adequate personnel and unit training, and infrastructure upkeep is not enough. Readiness of deployed forces has been maintained by underfunding investment. The backlog of major Army items needing maintenance and repair has increased dramatically. Some $400 million of that money has been diverted to fund operations in Somalia and Southwest Asia. On the procurement front the Army budget is 60 percent less than where it was expected to be 3 years ago—$18.7 billion versus $6.8 billion.

Modernization provides major leverage in achieving a decisive warfighting capability—the smaller the force, the more modern it must be. The Army needs about $15 billion per year to modernize in an adequate manner. It is falling at least $2 billion and maybe as much as $5 billion short in the area of research, development, and acquisition. In this week's issue of Defense News a front page article emphasizes the point by revealing that nearly half of all Army procurement programs are in danger of either being reduced or eliminated over the next 5 years.

Force reductions to date have been substantial—the inactivation of four divisions and one corps. Two other divisions are to be deactivated by the end of fiscal year 1994. And if current plans found in the Bottom-Up Review are carried out, two more Army divisions will be deactivated sometime over the next few years.

The Army is undergoing fundamental changes as it shapes itself as "a strategic force for the 21st century." The Army is coming home. It will be primarily an America-based force rather than the forward deployed force it was during the cold war. We are making the investments in Airlift and Sealift to help give the Army a substantial projection capability. We need an Army of 12 active divisions with 555,000 active duty soldiers. The Army also needs approximately $64 billion per year. The fiscal year 1994 budget request is $60.7 billion.

Unless such readjustments are taken in the fiscal year 1995 Defense budget, we will be gambling in a fashion that undermines our stated national military strategy. The price will be paid, as it has always been paid in the past, by American soldiers who were not given adequate support in peacetime.

□ 2140

LEGISLATION NEEDED TO PROTECT LESBIANS AND GAY MEN AGAINST JOB DISCRIMINATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. FRANK] is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I regret very much that I feel compelled to take this time. I have been asked from time to time by some of my colleagues why I think there is a need for legislation which would protect lesbians and gay men against job discrimination. People have said, "After all, there is no problem. People are not discriminated against in hiring in this country based on their sexual orientation. So why press for legislation? Is this some effort to get some special rights?"

Mr. Speaker, I do not believe that people ought to be getting special rights based on their sexual orientation. Indeed, while I am a supporter of affirmative action in cases of minority discrimination where there has been an obvious community impact, I do not think affirmative action is an affirmative remedy for the kind of discrimination gay men and women face. What I think we need is simply legislation that says you are entitled as an individual to win a job or lose it based on your merits.

Again, I have been asked, "Well, why is there any need for this?"

Sadly, this week's Roll Call, in yesterday's edition, gives an example of the reason. Three Members of this body, three elected officials, explicitly told a newspaper in Oklahoma that they would refuse to hire people who were honest about being gay or lesbian; without regard to their qualifications, apparently, without regard to their diligence, without regard to their ideology. The fact that these individuals would be gay or lesbian and would presumably, if asked, say so, the fact that they would not hide, apparently would result in their not being hired. Now, if that happens here in the House of Representatives, it is obvious that it is happening elsewhere in society.

Mr. Speaker, my own view is that it is time for us to clarify this with regard to the House of Representatives. I daresay that many of our colleagues were surprised to hear that. That is certainly the conversations I have had. I was particularly surprised with regard to a couple of my colleagues, by the way, because I thought some of them were those who felt that the U.S. Congress should not exempt itself from laws that apply to others.

I have heard people say that the Congress must abide by the laws that everybody else abides by. Congress must stop abrogating to itself the right to evade laws.

Well, I agree with that, and I hope that the Hamilton-Boren committee, when it comes out, will cover us fully under all the laws.

Mr. Speaker, I have to note if we were a private corporation located here, we would be covered by the District of Columbia's law that says you cannot discriminate against people based on their sexual orientation. So apparently some of my colleagues feel, despite their rhetoric about complying with the law, that it is perfectly okay for them to ignore the law of the District of Columbia that would apply if they were a private corporation, because they feel the need to discriminate, without regard to people's qualifications, against gay men and women lesbians.

I think there is a gap between the rhetoric and the actual actions. I believe, Mr. Speaker, that this is a matter we should address. What individual Members do may be wholly within the control of individual Members. I do think once this explicit announcement of people's right to discriminate has come forward, again without regard to qualifications, without regard to behavior, without regard to whatever discretion people show, but the simple fact would be enough to deny them the chance to work in these offices, I hope we will be able to make it clear through the leadership that such policies of bigotry do not cover those areas of the House in general. It would certainly not be worthy of our commitment to individual rights and individual dignity to so practice.

Mr. Speaker, I hope that we will, by this unfortunate incident, not again be asked why some of us feel the need to protect people against discrimination. It would seem to me hard for Members to deny the existence of a discrimination which three of our colleagues have now announced they feel free to practice.

APPOINT SPECIAL PROSECUTOR TO INVESTIGATE SECRETARY OF COMMERCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes

Mr. BURTON of Indiana. Mr. Speaker, I will not take the full 60 minutes. In fact, I will just take a few minutes tonight.

Mr. Speaker, I would like to say that rumors are flying around the city of Washington right now to the fact that the Secretary of Commerce, Mr. Ron Brown, may be resigning in the next few days. I do not know if they are true or not, but many have asked me today, because of the investigation that we have been working on and have launched to find out whether or not Mr. Brown did take a $700,000 bribe and whether or not Mr. Brown was going to get ultimately millions, and maybe tens or hundreds of millions, of dollars in royalties and so forth from the Government of Vietnam for removing the trade barriers or helping remove the trade barriers that have been in place against that government.

We believe, those of us who have been involved in this investigation, that even if Mr. Brown does resign, that the investigation should go forward, because there is a cloud that hangs over the Clinton administration because of the allegations.

Now, there is a grand jury investigation that has been taking place down in Miami, FL. That will deal with Mr. Brown and the possibility of his illegal actions.

But we have taken two steps to remove the trade barriers against Vietnam, even though we have not had an accounting, a full accounting, of the 2,200 POW-MIA's that are missing in that country and in Southeast Asia. Because of that, that we have taken these two steps to normalize relations and remove those trade barriers, a lot of people have been asking the question, did Mr. Brown have undue influence on the administration, even the President, in getting him to remove these trade barriers or start taking those steps?

Mr. Speaker, today a letter was sent to the Attorney General asking her to appoint a special independent counsel. The reason we sent this letter to the Attorney General is because she said, I believe quoted in the October 1 Washington Post, "If I appoint the person or select a person who is going to be the counsel, you are still going to question the conflict of interest as long as I am involved in that process." Again she said, "For me to appoint somebody, you will be asking, 'Well, that person has a conflict, too, because you appointed them.'"

Mr. Speaker, she said these conflicts might arise because she is a Cabinet-appointed officer, as is Mr. Brown.

In order to work with the Attorney General in overcoming this dilemma, a letter was sent today signed by the Republican leader of the House, the gentleman from Illinois [Mr. MICHEL], the Republican whip of the House, the gentleman from Georgia [Mr. GINGRICH], the chairman of the Republican Conference, the gentleman from Texas [Mr. ARMEY], the gentleman from Illinois [Mr. HYDE], the chairman of the Republican Policy Committee, and myself, the chairman of the Republican Study Committee, that listed not one, not two, but eight former Attorneys General or members of the Justice Department whose credentials are impeccable. They have been prosecuting attorneys, career prosecutors, and, as I said, former Attorneys General.

Mr. Speaker, they include Mike Baylson, Griffin Bell, Alan Cohen, Jim Ferguson, Mark Hellerer, Dan Reidy, David Rothenberg, and Tony Valukas, responsible people who could be appointed to conduct this investigation and to be the independent counsel in the investigation.

Mr. Speaker, we think it is absolutely essential, regardless of whether or not Mr. Brown resigns, that we have a complete investigation in the Congress, as well as have the independent counsel appointed by the Attorney General. The reason we feel that way is because this administration will continue to have a cloud hanging over it until all the questions are answered.

I have sent numerous letters to the Justice Department, letters to the National Security Council, and letters to the President himself, as well as Mr. Brown, asking for information.

In addition to that, the gentleman from Pennsylvania [Mr. CLINGER], the ranking Republican on the Committee on Government Operations, has sent a letter to the President asking for additional information on these allegations.

□ 2150

We believe all of those questions should be answered to the full satisfaction of the Congress of the United States, and we believe the investigation should be absolutely complete, even if Mr. Brown resigns, so that the American people will know that they can have full confidence in President Clinton and this administration and that there have been no deals cut with the Government of Vietnam in order to normalize relations.

If that is done, then I think that the President will be able to continue being effective in his job as President of the United States. However, if this is not done, I think this cloud will continue to hang over the administration and will be a cloud that will grow and will continue to hurt the administration in the months and years to come.

We sent this letter today to Janet Reno, the Attorney General, and I hope that she will respond favorably and pick somebody to be the special prosecutor or special counsel, in this case, and we can get to the bottom of it as quickly as possible so that there will be no problems at all by pointing fingers at anybody in the administration.

Mr. Speaker, I include for the RECORD the letter to which I referred.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 19, 1993.

Hon. JANET RENO,
Attorney General of the United States, Department of Justice, Washington, DC.

DEAR GENERAL RENO: The situation concerning Commerce Secretary Ronald Brown cries out for the appointment of a special prosecutor.

The morass of media reports and rumors about his possible actions simply must be cleared up, not only to retain the public's faith in the Administration's enforcement of the laws but also in fairness to Mr. Brown himself. He is entitled to something better than prolonged trial by press account.

You recently explained to the press your rationale for not appointing a special prosecutor in this case in the absence of a reauthorized Independent Counsel Law: "If I appoint the person or select the person, you're still going to question the conflict [of interest] as long as I am involved in that process." Again, "For me to appoint somebody, you will be asking me, 'Well, that person has a conflict, too, because you appointed them'." (Both quotes from The Washington Post October 1, 1993)

We understand your dilemma and want to help.

We have developed the enclosed list of distinguished individuals from among whom you can choose a special prosecutor to deal with the Brown case. Because the list has been compiled by persons decidedly not connected with the Administration, its independence is unimpeachable. No one can suggest any conflict of interest on your part in making the appointment from our list.

We are ready to do our part to insulate from politics the investigation of Secretary Brown. We hope to hear from you.

Bob Michel, Republican Leader; Dick Armey, Chairman, Republican Conference; Newt Gingrich, Republican Whip; Henry Hyde, Chairman, Republican Policy Committee; Dan Burton, Member of Congress.

SUGGESTED INDIVIDUALS FOR APPOINTMENT AS SPECIAL PROSECUTOR

Mike Baylson, former U.S. attorney.

Griffin Bell, former Attorney General.

Alan Cohen, former Justice Department career prosecutor.

Jim Ferguson, former Justice Department career prosecutor.

Mark Hellerer, former Justice Department career prosecutor.

Dan Reidy, former Justice Department career prosecutor.

David Rothenberg, former assistant U.S. attorney.

Tony Valukas, former U.S. attorney.

Mr. Speaker, I yield to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. I am going to do a special order this evening on Somalia, having just been there yesterday. It seems further ago than that because of the span of time. I have been tracking this whole Commerce Secretary Ron Brown thing with you very carefully.

Are you hearing rumors from some of the networks that Mr. Brown is even indicating he might resign?

Mr. BURTON of Indiana. I received some calls from national television networks today and some news media saying that they had had some reports that there would be some more revelations in some of the news media in the next few days and that Ron Brown's resignation was imminent. It may be for the reasons that we have raised during the investigation, or it may be for some other reason. I simply do not know. But if it is the case, as I said before, and he does resign, we should still continue this investigation to its conclusion.

Mr. DORNAN. He was one of the first, being the head of the Democratic Party during the whole entire election year and for a long time before that in being a key part of the Clinton victory; he was one of the first appointments made, one of the first confirmed by the Senate within a week after the inauguration. He greased through the Senate. It was a virtual love fest. The Republicans were as weak as I have ever seen them. And if he were to consider resigning, it certainly would not be based on his protestations of a week ago and 2 weeks ago that he was virtually as clean as a hound's tooth.

If he were to resign, then it would be what I call the Coelho approach. Throw everything over the side and get out of town, hope that the Justice Department stops all investigations. I think that probably the least believable of all the things I have heard was that he never had any role in moves toward removing all sanctions against the Communist government of Hanoi. To have a Commerce Secretary not taking the lead in what was virtually a veiled campaign promise would be astounding to me. It just does not have the ring of truth to it

Mr. BURTON of Indiana. There are many inconsistencies, as the gentleman well knows.

First of all, he said he never met Mr. Hao, who allegedly gave him the $700,000 bribe. Then he admitted he met him not once but three times. It was said that there was never any bank account at Indosuez set up to get that money in Singapore, and then we found out, through FBI sources, that moneys were transferred electronically from the Government of Vietnam to a bank in Singapore.

It could be a coincidence, but I certainly doubt it. And then he appeared before our committee, and I asked him personally if he had any involvement in making a decision or trying to influence the decision to normalize relations with Vietnam. He answered not once but twice, "No, Congressman, I had no involvement in that and neither did I discuss it with any of my top staff persons."

Then we found out from a mole, if you will, that the NSC held a meeting in June, and one of his top lieutenants was the chief pusher, if you will, to normalize relations with Vietnam and lower those trade barriers.

It is inconceivable, as the gentleman just said, that the Secretary of the Department of Commerce would not know what one of his top deputies was doing, as far as trying to push this thing through.

Mr. DORNAN. What about the chartered jet from National Airport down to West Palm Beach? Has anybody in the media gone for their Pulitzer Prize to try and get the records at both ends to find out if that jet actually went down there, who the passengers were? What about the house he bought for someone here that closed 3 days after his, the approval of his appointment in the Senate, one of the meetings was supposedly at that house that he had purchased for a nonrelated friend?

The whole thing, it brings to mind the double standard of the media in this city and in the biggest cities of this country. If this were a Republican, that is not Mr. Sununu, our friend, going to a stamp show of philatelists. This is something they would absolutely be like sharks in the water. It would be Watergate all over again. Where are you, Woodward and Bernstein, when we need you?

Mr. BURTON of Indiana. Let me just say that I share the same, almost the same degree of cynicism toward the media that my colleague from California does. However, in this case I will tell you that a number of the networks and a number of the media people have been working on it. They may not have been working as hard as they have on other cases. I simply do not know. But I do know that they have been looking into it.

I think they believe that Mr. Brown misled them in the past. I think they are very concerned about that, and I think that they have been working on it.

As far as how thorough they have been working on it, I do not know. I can tell you this: The questions you just raised about the jet, about telephone logs, about Federal Express letters that went back and forth from Florida to the Commerce Department and Mr. Brown, we have asked for all of those records, as many as we can possibly get.

The gentleman from Pennsylvania [Mr. CLINGER] the ranking Republican on the Government Operations Committee, has written to the White House asking for phone logs and a lot of other information. I believe if we get that information, we will get to the bottom of it.

If the White House or the executive branch tries to stonewall us, then we will have a big problem. But I am hopeful that the President and his people who are advising him down there will see fit to give us the information so this cloud that I talked about that hovers over the administration will be removed and they can do their job.

Mr. DORNAN. I am looking forward to tracking this one. We have heard so many attack 1-minutes against the Bush administration over the last 4 years on absolutely no evidence in most cases. The silence is thundering here on this and several other things that have already happened in the first 9 months of the Clinton administration.

* * *

TRANSFER OF SPECIAL ORDER TIME

Mr. COPPERSMITH. Mr. Speaker, I ask unanimous consent that the special order for this evening reserved by the gentleman from California [Mr. MATSUI] to speak on the Free-Trade Agreement, that I be allowed to take that order at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

ON NAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. COPPERSMITH] is recognized for 60 minutes.

Mr. COPPERSMITH. Mr. Speaker, I should not take nearly that much time. I want to take some time this evening, however, to talk a little bit about the Free-Trade Agreement but talk specifically about a small business I know in Arizona that is in Metropolitan Phoenix.

It is in a town called, a city called Glendale, AZ. It is called La Corona Foods.

I think this is an excellent example of what kind of businesses are succeeding now, what kind of businesses will succeed with the passage of the Free-Trade Agreement.

La Corona Foods, Inc., is a small business in Arizona that is owned by a man named Charles Pritchard. Three years ago Mr. Pritchard began selling his yogurt in Mexico, and over that 3 years his firm has grown to the point where now 45 percent of his sales and one-third of his staff is tied to exports to Mexico.

It turns out that in Mexico consumption of yogurt is 3½ times higher than it is in the United States. Part of that has to do with the fact that the Mexican population is somewhat younger, a better market for yogurt. Part of it has to do with yogurt is an excellent source of protein, and there is a great consumer demand for it in Mexico.

But this once small business with $15 million in annual sales, 85 employees, is now the No. 1 best selling American-made yogurt in Mexico. This is a business that is selling to Mexico right now, and it is selling and is succeeding in the international market, despite, really, an effective tariff of about a little more than 20 percent.

There is a tariff that Mexico places, plus as well as the fact that milk prices in the United States are relatively higher because of our support price system. La Corona is succeeding, despite the fact that in this case the Mexican tariff is significantly higher than the average tariff Mexico imposes on all goods.

□ 2200

We have recited time and again the fact that the average Mexican tariff is about two and one-half times the average American tariff. For most goods, across the board, it averages about 10 percent compared to the average American tariff at about 2.5 to 4 percent, so Mexico imposes a tariff in the aggregate of 2.5 percent, but that is higher in particular industries and it is higher for particular goods.

For example, in computers and semiconductors, that is something that is also important in Arizona, the effective tariff on semiconductors is 10 percent in Mexico. It is essentially 2 percent or less coming from Mexico and the United States, and the tariff on the products that semiconductors are used in, because most people do not just buy raw semiconductors, they buy computers, they buy telephone equipment, communication equipment, and that tariff can be 20 percent.

Here we have a situation where the Mexican tariff essentially makes La Corona 20 to 25 percent more expensive than the Mexican product, but they have succeeded, so now, nearly over $5 million to $6 million of their sales are sales to Mexico, and over one-third of their growth, one-third of the staff they have added, are now in the export business. They are at risk should NAFTA fail.

We have asked the question time and again: Who wins and who loses if NAFTA succeeds or if NAFTA fails. Here is a small business that fails, that hurts, that will suffer should NAFTA not succeed. They are succeeding right now, but they know that should the United States turn its back on the rapidly growing Mexican market, their sales to Mexico would plummet; that one way or another, the Mexican Government will find a way to block American goods, to find a preferential way to import products from other countries. That is really part of the message about NAFTA.

NAFTA requires so much more of the Mexican Government than it does of the United States. It requires Mexico to lower its tariffs much more.

As the gentleman from Florida, SAM GIBBONS, has said, and has been quoted on this floor a number of times, we essentially have one-way free trade. We allow goods from Mexico to come into the United States at relatively negligible tariffs. We have lowered our tariff, and we are importing a great deal from Mexico. Mexico still has relatively high tariffs, but because of the quality and because of the excellence of American goods, we are still able to export considerable amounts to Mexico. We went from running a trade deficit with Mexico in 1987 to today, where we run a large trade surplus, some $40.6 billion worth of products each year.

La Corona is important because it is a small business. Small business represents about 93 percent of the nearly 90,000 firms in Arizona. Those are the firms that really are most likely to benefit from these increases in opportunity, most likely to benefit from NAFTA giving American companies preferential access to the rapidly growing Mexican market.

What many people do not realize about NAFTA is, while Mexico will lower its tariffs with respect to the United States, it will retain those tariffs with respect to the rest of the world, so we will have a situation where it will be Japanese chip makers and Japanese computer firms and Japanese electronics firms who face that relatively high Mexican tariff of 10 percent on semiconductors or 20 percent on the finished products.

American firms will have a zero tariff, and there will be no incentive to locate in Mexico, to serve the Mexican market, because we will be able to gain tariff-free access to that market, as well as service the United States. Lower tariffs have caused trade to flourish. They have been a win-win situation in the past. They will cause small businesses to flourish under NAFTA.

Mr. Speaker, I speak of La Corona because it is an excellent example of a small business that sells a consumer good. No one can argue that yogurt is going to a maquiladora plant where it is being assembled with granola bits and then transhipped back into the United States. This is a consumer good that is made in the United States, and it is made in the United States because that is where the quality work force is, that is more productive. It is made in the United States because we have a far better supply of quality milk. It is sold to consumers in Mexico, and it is sold by the millions of dollars for this small firm.

They have no incentive to relocate, should the free-trade agreement go into place, because right now they could make that choice if they wished, but they would be moving further away from the source of their quality raw material, American milk. They would also be moving away from their skilled U.S. work force. They have economic reasons to stay. What NAFTA offers La Corona is the opportunity to expand its sales in the Mexican market.

Mr. Speaker, finally, let me just quote from Mr. Pritchard. He criticized the famous quote, I think, that many people have said about Ross Perot, "If NAFTA is passed, you will hear a giant sucking sound."

Mr. Pritchard says that is entirely wrong. What is going to be the big sucking sound is the goods and services we will sell down there, not jobs. He is productive. He is a small business that is succeeding, that benefits workers in my State from access to the American market, access that NAFTA will improve.

We need to end this system of one-way free trade and get two-way free trade. I know if we just provide a level playing field of equal tariffs going both ways, the American work force, American business, can compete. They are second to none. Their products are valued all over the world.

Let us try and lock up that access to the rapidly-growing Mexican market and approve NAFTA.

THE STATUS OF AMERICAN TROOPS IN SOMALIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN. Mr. Speaker, when I took a special order in this distinguished Chamber last Friday, I made comment that I was receiving some resistance in trying to go at no taxpayer expense, only at the expense of my own energy, to hitchhike on U.S. Air Force C–141's or the giant Galaxy, Lockheed Galaxy C–5, to Somalia to observe, myself, using my own military experience and my own world travel that has taken me, mostly at my own expense, overwhelmingly at my own expense, to more nations around the world than any Congressman or Senator who has ever drawn God's breath in 217 years, and I was not able to go last week.

I wanted to go on one of the flights from Hunter Air Base in Georgia, with one of the M–1 tanks that should have gone over there weeks before, and then, as I said Friday on the floor here, that I would fly commercial if I had to, and I started to make the reservations on United Airlines to Amsterdam, Amsterdam on KLM to Nairobi and the nation of Kenya to the south of Somalia, where I would have muscled my way onto a press pool airplane that the U.S. military is providing to try and get people up to Somalia to tell the story. As of right now, there are no American journalists or photojournalists in there that I know of.

When the Pentagon saw that I was determined to get over there, I must say they did assist me, gave me an escort officer, and the two of us hitchhiked by air starting at 5:30 Sunday morning, two days ago, to what is called Cairo West Airport, a Soviet-built field to the west, obviously, of the city of Cairo. It was over a 13-hour flight, two mid-air refuelings.

We then had a layover, where I took advantage of discussing with all of the troops coming and going from Mogadishu and Somalia through West Cairo, which is about the only spot that we are transiting troops up to Europe or straight home to the United States with some stops, sometimes air refueling, no stops. I was able to get a good opinion of what the young men and women, many women, about 14 percent of our forces there, feel coming out or going back for a second or third tour, how they feel about the dangers, about feeding starving people.

Then I picked up a flight just over 5 hours, the same C–5 that we had been with since Fort Benning, and got into Mogadishu International Airport, which is an armed camp. It is the headquarters of the 75th Ranger Regiment, 3d Battalion, out of Fort Benning. I was met on the ramp with my escorts by Maj. Gen. Thomas Montgomery. He had the blades spinning on an H–60 helicopter, and I put on a flak jacket, a helmet, jumped in, and we began to take a tour of Mogadishu.

Before I tell the 1,200,000 interested American, including the mothers, fathers, wives, and older children of many of our force over there, that is going to go back up to 10,000 before it starts to come down again, what were my written objectives that I sent to the Pentagon. Then I will come back to that helicopter ride around all of Somalia and tell the Members what I think I accomplished.

Mr. Speaker, I personally wanted to view that air bridge by the Air Force to resupply our fine, the finest, military men and women in the world. I want to study the crew stress on these long flights and the need for C–17 aircraft.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. DORNAN. I gladly yield to the gentleman from California.

□ 2210

Mr. HUNTER. I want to thank the gentleman for yielding, because I think it is important for everybody who is listening to this to understand what my friend, the gentleman from California, [Mr. DORNAN], has done. Over the weekend while a lot of us were staying in Washington, a few of us were going back to our districts, the gentleman from California, [Mr. DORNAN], because of his concern for our Armed Forces personnel, spent about 40 hours in the air flying to Somalia and back. And I want to say to you as a member of the Armed Services Committee, who depends on you, as a lot of us do for the great expertise that you provide, that we thank you for the service that you have provided, and the background that you have established, and the facts that you have brought back to us regarding the Somali situation. And I look forward to listening to the gentleman.

Mr. DORNAN. DUNCAN, I do not want to get melodramatic here. I do not even want to get dramatic, but I know I speak for you when I say it is an honor to hang out with these people. I just love being around them. I did in Vietnam, because I could not get activated as an Air Force fighter jock, so I went over there eight times, twice literally with the very salt of this Earth, and I mean that in the Biblical sense, the wives of our missing pilots, and their mothers, into Laos, Cambodia, and Vietnam. And they are identical. You cannot separate them from Vietnam, your war, from Korea, or from Desert Storm, or Panama, or Grenada, where these fine people, augmented by 14 percent females in this dangerous area of the world. They are just great to be around, from the highest general to the youngest shave-tail private first class.

Mr. HUNTER. If the gentleman will yield for one last brief statement, I just want to say to my friend that just a few minutes ago I talked on the phone in the Cloakroom with my old platoon sergeant from the 75th Rangers, Charlie Company Rangers from 1970–71 in Vietnam. I was fortunate enough when the 173d Airborne Bridgade came home to go and serve with the 75th Rangers until they stood down in II Corps, and I did not do anything special in Vietnam. But I served with a lot of great people, and Pop Carter, my platoon sergeant was one of those people. And Pop was an individual who spent 54 months in Vietnam with various units, with the 173d Airborne initially. He was in the Daktho operation, and was one of the last people ultimately out of Vietnam when we left in such a disarray in the last phase of the war.

I asked him, and he was up to speed totally on what was happening in Somalia, as always. He is in Valdosta, GA, but he is watching television, and he is reading, and he knew what was happening.

Mr. DORNAN. I met him in the House restaurant a few years ago.

Mr. HUNTER. You met Doc with his son who is in the U.S. Marines at Fort Lejeune. I asked Pop what he thought about the way the Secretary of Defense handled this. And he said very simply, he said, "He broke the contract he had with us. That was a contract to provide us the very best."

I thought that that was interesting coming from an individual who spent a lot of time, and I asked him if he thought it was reminiscent of Vietnam. And he said, "absolutely, where the politicians in Washington are overruling the ground commanders in the field," and that is what happened when the Secretary of Defense, Les Aspin, refused to send the armor that the field commander asked for

So I just let Pop know that we are going to be talking a little bit about the Rangers tonight, and those that fell in battle. And once again, I appreciate the gentleman undertaking this very arduous task for the benefit of all of the Members of the House and for the benefit of the families of those who fell.

Mr. DORNAN. I appreciate it, DUNCAN. And I got as far as getting on a helicopter with General Montgomery.

But let me tell you, the trip started at Andrews, and I missed seeing Michael Durant by three or four minutes. He arrived from Germany, from Landstuhl Army Hospital right outside the great Ramstein Air Force Base, and his wife had joined him over there, and she was on the flight coming back. And they transferred him to a Nightengale C–9 hospital plane. Warren Christopher was there. One of the best Chiefs of Staff of the Army we have ever had, Gordon Sullivan, was there to pin the Purple Heart on him.

By the time I got down to Bunning and turned on the evening news, CWO

Michael Durant had arrived in Fort Campbell, and it was a lump in the throat, a tear jerker. The whole base turned out, all of those 160 aviation, special ops aviation regiment troops were there with their Red Berets. He was there on a stretcher with his brand new Purple Heart. They said you are back with your own, we are going to take care of you, we are going to get you back on the job, and we are going to get you back in the cockpit. And Durant raised his fist in victory. And all the wives were there with signs of "Welcome home, hero." And I choked watching it, because within a day I would be talking to young Sgt. Mason Hall who was the gunner on the chopper that went down with the two men that I mentioned last week in the special order with you that I wanted to see get the Medal of Honor. I can correct some things that had been given to the press, not been given to them incorrectly, but wrong assumptions had been made.

M. Sgt. Gary Gordon of Maine did not have to rappel down to the crash site of Durant's helicopter, the second that was destroyed of three within an hour that day on October 3. This chopper went right down on the deck, four feet off the ground, and Gordon, and Randall Shughart jumped out and ran to Durant's helicopter.

This may be as close as we will ever get to a narrative or of an action battle report of what happened, because young Mason Hall told me he saw them reach the two pilots. One of them, Gary or Randy, pulled Durant out of the helicopter. The other one was pulling out a man that I surmised on this floor last week would probably have a Vietnam record. It was Ray Frank, chief warrant officer. He was 45. When I saw his age I deducted 20 years back to our pullout in 1973, and he would have been 25. And I said this may have been one of our teenaged, 19-year-old warrant officer pilots earlier, and I bet he has had a tour in Vietnam. DUNCAN, he had three tours in Vietnam, 31 combat missions. And when I come back to the floor again I will find out whether they were in Huey Hog Gunships, or Huey Slicks transporting troops around, or Cobras that were introduced in 1968, the two men, thin-bodied Cobras.

One of these Rangers pulled out Ray Frank, and I am hanging on every word. We are standing right there where one of the mortars hit and killed another soldier in front of the Ranger barracks, the outdoor living, and I will mention that more in a minute. And he said, Congressman, at that moment an RPG hit my helicopter No. 3 that Shughart and Gordon had just gone out to help the two pilots from helicopter II that was down, and helicopter I by that time had about 90 Rangers around it. The RPG hit right behind me, he said, on the door. He had traded places with the left gunner whose hand was crippled from fire, and he said when the RPG hit right next to me, it ripped through the helicopter and tore off the leg of another Ranger that was firing with a rifle from the helicopter. So they were on fire. They got the collective up, started to smoke all the way back to Newport where they crashed. They did get the trooper in the back with the leg missing to an ambulance. He is in a hospital here in the States. The one with his hand hurt is OK. It was a hard landing. That helicopter was destroyed. I did not know that on the floor here either. So that is three $13 million helicopters in an hour.

But what everybody wanted to get across, including their commanding general, Bill Garrison, was that that was a successful mission. They captured 20 of Aideed's lieutenants. Four were killed in the crossfire, mainly by their own fire at our Rangers, and the Rangers got in with armored Humvees and got out, got out with all of their prisoners arrested in the name of the United Nations resolution that Madeleine Albright put through in New York City at the United Nations because this man was killing U.N. troops left and right brutally in the daytime, in ambush, executing people like the 24 Pakistanis at food distribution points. This guy has gone absolutely wild as a killer.

And what is absolutely stunning to me, the more I research this, is that he is a former chief of police of Mogadishu. He was the chief of staff of the army under Barre. He was put in jail by Barre after bringing him to power in October 1969 for 6 years and was notorious in Somalia. This scorpion is tough. Then Barre let him out, and gives him a colonelcy, and he goes up in the Ogaden to battle 11,000 Cuban troops. And they got their clock cleaned because the Russians weighed in with commanding officers in some of the units, 11,000 battle-hardened Cubans, some of them from Angola, superior weaponry, and kicked them good, sent them back to Somalia, and eventually he chased Barre, the dictator, out into Kenya and took over.

□ 2220

The mass of killing and destruction in the streets that we witnessed on American television all these years, they brought about this horrible famine where some 350,000 people died. He did not seem to worry about that. His wife is living off the dole in Canada. One of his rejected wives, that is. He may have three. He has not only a son in this country who is, as far as I know, a fine young Marine in the service, he has three other sons going through our college system. He is a very smart man of letters, he considers himself. So I asked Admiral Howe there, our charge, McInerney, I asked what is it that started him killing? And they said, they all said, quite simply, he wants to be dictator of the country. He thinks he has earned it.

When he saw the way the United Nations was going, the direction in which it was going, the nation building, possible multiparty system, elections, he did not like it.

When the Pakistanis took the radio station away from him where he was putting out his propaganda, he started killing. He has killed seven Nigerians and wounded a dozen more, and I mean arms and legs off. He has murdered a dozen Moroccans and killed their battalion commander, who at first—a fellow from north of Morocco who would not fire on women and children—Aideed's people were setting them up as shields, and it cost him his life. What also cost him his life was staying on the radio, his heroism, helping the Moroccans fight back. He rejected medical aid.

He has killed four or five Malaysians, he has killed more, three more Pakistanis in addition to the 24 killed in that raid. He has killed four American MP's with an auto-detonated landmine. I flew over that in a H-60—it sounds funny when I say this, given the 7-hour time difference—yesterday I am looking down at the wreckage of an American MT humvee that was blown apart, killing four kids, young men, heroes, on August 8. It sits there in the street. We cannot get to it to clean it up. That is a kind of "in your face."

Mr. HUNTER. If the gentleman would yield, would the gentleman describe Mogidishu as compared to an American city?

Mr. DORNAN. Well, this is about the best thing I got out of the trip because if you travel as much as I have been fortunate to travel as a journalist, in my life, you have a great frame of reference to ask yourself, "Compared to what," the lay of the land. I do not have to do all this sequentially because I wanted to mention circling your old 75th Ranger Group at Fort Benning, all encased in a big cyclone high-wire fence with razor wire on the top. I can imagine the great 75th guys at Fort Benning when somebody says, "What do you do," he says, inside the post, "Excuse me. I am not allowed to talk about this. I am going to go into my regimental headquarters," and he punches his secret code and disappears behind this high fence. So they are a super-trained force. The gentleman has been to Benning, there is a parachute school, infantry school. The deputy commander, Colonel Camp, pointed out that the fire we saw coming in was not antiaircraft fire to stop this congressman, it was the 75th anniversary of the Benning facility. They had the Old Guard from Fort Myer down there, and the fireworks were on as we were coming into the pattern. But I drove around the 75th, and I asked them how many Rangers were wounded in the wee hours on the 24th. I asked are they all back here; they said "yes." I said, "How are they doing in the hospitals? Are they going to get back to duty, some of them?" They said, "Congressman, one man is in the hospital, Michael Collins, with a bullet through his knee, and he is going to need some therapy, and the other 29 all are at home with their wives and families, recuperating, getting ready to go back on the job."

By the way, for the million people listening in, Mr. Speaker, the Rangers are being pulled out, being pulled out today. Clinton had a press conference this morning. They are going to be replaced with 18-year-old, 19-year-old Marines with whitewall hair, coming off of those ships. These kids are great, but they do not know the lay of the land. These are not 34-year-old sergeants like Gary Gordon, 32 years old, like Randy Shugart, who know. Besides, why are we announcing that we are pulling them out? If Les Aspin and Clinton want to pull them out, do it quietly. Whatever happened to the dictum that you never talk about troop movements? Why should we reward Aideed in a deal unless the deal was cut to get this hero pilot, Michael Durant, the Blackhawk pilot out? Why are we telling them we are taking out the one force that Aideed most feared, the United States Rangers and our Fort Bragg Special Forces guys who are trained up to and beyond the standard of the 3d Battalion of the 75th Rangers?

When I came back a day later, I was met at the airport—I do not think I will use her name, because I do not want to hold her up for any kidding at Dover Air Force Base because she is a new lieutenant—but one of my appointments to the Air Force Academy, fine young lady, Air Force officer, met me at the airplane with the deputy commander at Dover. I said, "Would you take me to the morgue?" I said, "I know it is empty now with the last body has gone out into the country to be buried, William David Cleveland, Jr., 34, five children, whose mother identified him on television on the night of October 4, his dead body being dragged through the streets, beat on with——

Mr. HUNTER. If the gentleman will yield, that is an important point to me and, I think, a lot of other people, the fact that Colonel Aideed has committed atrocities. He has committed war crimes by desecrating the bodies of these dead men and by, in some cases, mutilating the bodies.

Mr. DORNAN. They were all burned in the end, beyond recognition.

Mr. HUNTER. All done by people under his order and for a specific purpose, getting this footage for Mr. Aideed.

For us to pull out and to not punish Aideed is only going to lead, I think, in the future to every tinhorn dictator or terrorist in the world feeling that they can do the same thing to the United States.

Mr. DORNAN. I have words here from Zbigniew Brzezinski, National Security Adviser to President Carter. I will read his words here in a minute. That is exactly what he is saying: "Our credibility is being disastrously eroded." But before I started my trek home last night to get back here at 4:00, this young lieutenant, class of '92 out of the Air Force Academy, the deputy commander at the base drove me around that morgue. I just wanted to see it, building 121 at Dover, a temporary building, a huge extension, one of these air-filled, heavy-cloth buildings that they thought would be needed for Desert Storm, and thank God it was not because there were only 146, of which we got back every set of remains which passed through this almost sacred building. I said I just wanted to see where—his mom called him "David," when I was with the Rangers on the ramp yesterday, they told me they called him "Bill"—I just wanted to see where the charred, desecrated remains of Sergeant Cleveland ended up. His first stop coming home, and his last stop as he was sent to his family for a decent burial, a hero's burial.

So, back to Benning—I do want to say something about all these C–5 crews—four landings, every one of them, hardly knew when we touched the ground. The gears touched so softly we just settled down. Here we are 35 feet in the air looking at a humvee following, and I go, "What is that? A little Jeep from World War II?" The whole perspective is changed when you're so high in the air.

But on that second leg, let me advance forward from Benning to all the Rush Limbaugh fans at Cairo-West Airport, unbelievable, all the young men and women I talked to on the way to Somalia, a little nervous about the conditions there, obviously all are going to be away from their families for Christmas and Thanksgiving, of course, and come back to this 5-hour flight through the rest of the night and in the morning I am approaching Somalia.

First thing, I look out the window, and I am looking at the U.S.S. Guadalcanal. We just went through the 50th anniversary of the battle, the longest in American history, that that ship is named after. I looked down there, and one of the C–5 pilots said, "Boy, this is boring." There are already two C–5's at Mogadishu, and it cannot hold three. So we have to hover there over the water and orbit out there at 1,500 feet. I looked out here, and there is one of these big deployment ships with the ramps out, sticking out front, here is a hovercraft zipping around. I said to the pilot, "You think it is boring up here in a holding pattern? What do you think of those Marines down there, stacked seven to eight in the berths? They are going to back up this coastline for 5½ more months." I looked at him, and he said, "You are right. I will never say that again."

I looked down at the Guadalcanal, that shipload of Marines, hundreds of Marines, 3,600 of them who are going to be off the coast, and I said, "I hope we don't lose one of those kids down there the way we have lost these 10-year-older, 12-year-older, and 35-year-old Ray Frank with three combat full tours of Vietnam, 31 combat months."

Finally, we get cleared in, we land. The first thing that struck me, to come back to your question finally, was how small Mogadishu is. As you are approaching the airfield from the southwest going northeast, you look out and here is desert surrounding the city. This is the way Palm Springs, California, used to be. Here is the last tree, and that is all desert.

□ 2230

It is all desert beyond the October 21 road, and I have been getting briefed up in the Intel Committee that they had streets going out that looked like it was four times bigger than it is as a city. I should have listened to my daughter who was there in 1982 describing it to me.

We come across the Indian encampment—India. I did not know this. They had a dozen, maybe 10 Soviet-built T–72 main battle tanks, one of the best in the world.

I found out later they were there the night of October 3 and 4 when our guys were being picked off by snipers one by one, and 18 died. They were there.

General Montgomery told me they had to call Delhi in the dead of night. The Italians had to call Rome.

This chain of command with the United Nations and our guys is not going to work.

Mr. HUNTER. Mr. Speaker, if the gentleman will yield, this is an important point for the American people. The point is that it is true when President Clinton says the American Quick Reaction Force is under American command. That is true, but the backup force that may have to rescue him may be, and in this case it was the Malaysians who had the armor, because no Americans had armor, because Secretary Aspin did not want to antagonize the world audience, or whatever his political reasons for not sending that.

So the point is that you have got these other countries that are not under American command, and if they choose not to participate, you can call in and say, "I've got an American company pinned down under heavy fire," and they have to go pick up the phone and call up their home country and their government and say, "Should we risk it going in to help the Americans?"

If they do not get the OK, they are under no obligation to move and to rescue our people, so it is purely a voluntary operation. It may occur. You may be rescued. You may not be rescued when you work in a U.N. mission and you are having to depend on another country.

So is it true, and this question has been going around Capitol Hill, is it true that these countries have to call home to get permission to help the Americans?

Mr. DORNAN. That is true, but one thing I did want to straighten out, it is the advantage of a little "I was there."

I asked General Montgomery, I asked one of his top lieutenant colonels, William David of the 10th Mountain Light Division, I said, "Is there any truth to this rumor that some Americans, and you were on the scene, Colonel David, to take out a sidearm and threaten some Malaysian?"

And General Montgomery exploded and used a good barnyard expletive, "Absolutely not true," he said.

The problem was language barriers, coordination, getting permission. They were willing to fight their way in and die for us in a rescue operation, which two Malaysians and many Pakistanis were wounded.

The Pakistani commander personally came up to me, snapped to attention in the U.N. headquarters—no, Montgomery's headquarters—saluted me.

"What an honor to help you, sir. What an honor to serve with you."

So it is not a problem of personal bravery. A lot of U.N. troops there have fought well against Aideed, but it is this uncomfortable feeling when I was questioning these people about this lack of smooth coordination, and tomorrow I am maybe going to do a special order on chapters 6 and 7 of the U.N. Code under which this chain of command is supposed to take place, people whose names I will not mention, pretty much as high as you can get around there, whispered to me, "Congressman, it doesn't work."

Now, all the former flower children in the Clinton administration, if they think of any violence at all, they just shudder. They want it all to be under the United Nations because—I know this is a rough statement I am about to make, but I believe it—Bill Schlesinger once said about Governor Michael Dukakis that he felt he had a visceral—nice good strong word—a visceral dislike for the United States military, even though he had sat in the barracks in Korea right after the war ended, he got over there, but he never went out, never associated, and got out as fast as he could, a 2-year draftee; but he said, Dukakis, a bright man, showed this distaste, never visited one of the military installations, not even the head electronic base for the whole U.S. Air Force right outside of Boston, the Lincoln Laboratory there, never visited any facility or went near anybody in uniform the whole 8 years he was Governor of Massachusetts.

Well, that sentence comes back to me all the time with the Clinton folks, a visceral dislike for all things military.

That is what caused the insult to Barry McCaffrey, our 3-star hero who is the division commander of the Point of the Spear, the Stewart Army Post 24th Infantry Division in Desert Storm, a woman insulted him in the White House. She said, "We don't talk to people in uniform. Don't wear it here."

There is this whole undercurrent there, and I will tell you, it is affecting the morale of the military, not their performance. They are overlooking all this. The officers say nothing if somebody is listing from the White House.

Some of the NCO's and all of the enlisted men who feel they have not given up their first amendment rights, they have lots of observations and a lot of them are politically astute, and as I said, a third or more of them listen to Rush Limbaugh when they are home all throughout the United States. So some of them are politically charged up.

But to come back to this helicopter flight with General Montgomery—no, let me finish answering the gentleman's question about Mogadishu.

Mr. HUNTER. How big is the city?

Mr. DORNAN. I cannot believe there are 700,000 people there. I had in my mind's eye larger than it is.

When we popped up in the helicopter, I could see the October 21 road, that is named after the October 21, 1969 revolution, when Aideed as a Chief of Staff of the Army helped Ciad Beret overthrow the prior government. From that road I could see nothing but desert. I could see from the Indian encampment on the south, I could see the base named after the gentleman from California, Hunter Base, Sword Base, the university complex, the United Nations compound. I could see on the top of the hill the only place we would not fly was this swollen large hump of land covered with the better buildings, and at the very top of it three white buildings, one of them the Olympic Hotel that the Rangers hit in bright daylight about 3 o'clock in the afternoon on Sunday, October 3, and that is what I wanted to comment on.

Maybe it is because we are used to living around cities where there is so much traffic that even though we conquered most of the smog, particularly in Los Angeles, I think only 2 alert days last year, we are used to the results of light industry and lots of transportation and mobility.

We do not know what crisp air is until we get up in the mountains or go to Idaho or Wyoming or up where we sometimes go up in the Shenandoah and you say, "Look at those stars, feel this clear air," the first thing that hit me because they destroyed even the light industry, the crisp air, visibility as far as your eye is capable of seeing, and there is the whole city laid out in front of me.

Newport is tiny, one pier. Oldport is tinier, with a big rusting freighter half sinking in the water right off the coast.

I am looking down at the water and one of the crew reminds me, because I have told them about the shark dead. He said, "Lot of sharks down there. We have had two shark deaths."

General Montgomery told me his orders are that no one goes in that water, and the beaches are gorgeous. It looks like our coast from Laguna down to the district of the gentleman from California [Mr. HUNTER], really beautiful.

So we land at this airport. Of course, it is all torn apart from years of neglect. The Rangers are off here to the side. It has been in the print that that is where the 75th, Third Battalion is at.

I get in the helicopter. We pop up. I fly over those T-72 tanks.

We curve around the south bend and we start up past Hunter Base, which I know Aideed recently was considering making a major assault on. He did not care about casualties. It is like Ho Chi Minh. He calls and whistles out to his clan in the desert, nomadic clan, "Send me some more young men to be used as cannon fodder."

We fly up the October 21 Highway and there is the famous cigarette factory where there has been much fighting.

Then a little further there is the huge pasta factory. I guess that is leftover from years of Italian colonial rule. Big tall rocket holes into the side of the building where there have been fire fights, all along the October 21 road, which I could not see on satellite imagry in past briefings, roadblocks everywhere, rusted beat up broken old vehicles, tires, rocks, bricks, everything, furniture, all along this road which they claim they are going to try to clear.

I look down and here are 200 camels. I said, "What is that?"

He said, "It's a camel bazaar."

I said, "What, selling camels?"

And he said, "Yes, for meat."

He said, "It's kind of like a used car lot."

Here are people living in hovels with green tarpaulin covers over them. Then it must go back hundreds of years like the old Siouk area, hundreds of tiny little fortress houses all jammed together, and all of a sudden here is a residential area with gutted buildings where architects from Europe must have tried to win a war.

□ 2240

They are so stylized: triangles, trapezoids, isosceles triangles, all these strange buildings. We go around by the old port area. I wanted to see where the helicopter had crashed, the third Special Forces H–60, and I looked out, and here is a Catholic church totally gutted. I mean a cathedral, a twin spire, massive cathedral with the roof gone like it was Coventry in bombed-out England. I looked down at a mosque. It is not much better, but it has been put back in shape, and then a guy says, "Follow me, Congressman. See that block down there? Come to this intersection, see these four big trucks? That's the wreckage of our Humvee where four American MP's were killed on August 8 still there in the street."

Then we circled around back. I said, "I want to see where the helicopter crashed on September 25 and we got no remains back from on two of the three killed." The wreckage is still there laying on the street, and they showed me the scrape marks where it hit this large building, clipped this mosque, went into the street, and that was about 2:30 in the morning that a firefight started there.

Later in the day I heard that we have a 10th Mountain soldier trying to rescue the two warrant officers, and we did rescue them, who took a bullet in his neck. He is a paraplegic.

Then they said, "Another one of my young troops in the 10th Mountain Division lost an arm and a leg." Gordon Sullivan had told me this before I left, the four-star Chief of Staff of the Army. He said, "We had a lot of men injured in that." I have not even begun to track where they are, how they are doing from the long firefight through the night and into the morning of September 25.

But I have to correct something I said earlier, and I think I steered "DUKE" wrong. The lieutenant colonel that coordinated the whole firefight, he said, "Congressman, my men went into that burning helicopter and looked for the remains of those three men. We got the remains of one soldier. They have had a funeral for him, Fernan, F-e-r-n-a-n Richardson." He said, "But we cannot find any remains of the other two, and the helicopter was burning so badly that magnesium was running down the street. However at some point during the night the crowds went in, and they must have been in a grisly, ghoulish fashion, got what was left of those soldiers from that crash," and that is what the media reported there, not U.S. media, but on-the-scene media. They were holding up in a grisly manner parts of the bodies of our two young heroes, a door gunner and a door gunner from another regiment, one from Fort Campbell and one from Fort Drum, NY.

Mr. HUNTER. Mr. Speaker, if the gentleman would yield, I think one thing, BOB that you mentioned to me before you started this special order was that we might mention again and go over the names of the people who were killed in action, and one thing that I wanted to say was that I saw one of the fathers on a television show talking about his son and taking on, and I think with good cause, Secretary Aspin's refusal to send armor, and at one point he was asked, "Do you think your son died in vain," and he said, "Yes, I do," and he was angry, and he was upset, and, as my colleague knows, I have thought about that a lot because I participated in a small way in Vietnam, as the gentleman from California [Mr. CUNNINGHAM] did in a very heroic way, and the gentleman from California [Mr. DORNAN] did by going over to Vietnam several times, and of course in Korea we did not have a clear victory. The Korean soldiers still consider themselves the forgotten soldiers of the last 40 or 50 years——

Mr. DORNAN. It was a victory for South Korea, but not for North Korea. They are still slaves, and the South is doing very well.

Mr. HUNTER. That is right, but often people talk about those wars as being wars in which people died in vain, and I do not think that. I think that, especially in light of the end of the cold war, that if one goes down to the what we call the Retired Soldiers' and Sailors' Home, and some people call it the Old Soldiers' Home, but it is the Soldiers' and Sailors' Retirement Home down Capitol Hill——

Mr. DORNAN. Where Lincoln visited himself.

Mr. HUNTER. Yes; it was where, in fact, Lincoln wrote the Gettysburg Address. It is about 5 miles from the Capitol you will see these veterans at that home, some of them out taking exercise, taking that morning walk or down at their golf course that they have there. One gentleman who worked on the golf course had an artificial leg from wounds in Vietnam, and another one had been in Korea, Vietnam, and in World War II, and, if you talked to those people, and you listened to them, and you realized that they were engaged in these small struggles around the world that cumulatively, while what we did was in many cases bad policy, and we did it the wrong way, and we marched forward in a clumsy fashion in many cases, cumulatively those were the boys that won the cold war——

Mr. DORNAN. Oh, yes.

Mr. HUNTER. Those people at the Soldiers' and Sailors' Home or Soldiers' and Airmen's Home; excuse me, and of course the Sailors' is the same way, and I like to think of these young men who died in Somalia as contributing in some way. Everybody cannot be on the flag in the monument at Iwo Jima that we have out here next to the, adjacent to the, Arlington Cemetery where the Marines, including Ira Hayes, are raising that American flag at Mount Suribachi, but all of them contributed nonetheless, and these young men contributed too by projecting American power even though we have a very vague foreign policy right now and even though the gentleman and I take issue with the leadership that we have in the White House right now, and in the Pentagon. Nonetheless these young men contributed, and their contribution to freedom and to America is every bit as real as the heroes who come home from wars in which we have definitely achieved victory, like Desert Storm and like World War II, and come home to the ticker-tape parades, and I thought we might go over the names of these young men and read them off.

Mr. DORNAN. Tell you what to do.

Mr. HUNTER. And in some cases, as the gentleman mentioned, they are not all young men. Some are middle-aged men.

Mr. DORNAN. When the gentleman mentions the fathers, just hold that for a minute while I read a letter that was addressed to Congressman MARTIN HOKE in Ohio, and he sent it to all of us as what we call a "Dear Colleague" letter. It went to 433 others besides the gentleman from California [Mr. HUNTER] and me and the five Delegates from our territories.

Just listen to this. I let all the crews read it on each one of the big C–5 Galaxys I was on, and every one of them was really impressed, and some of the fathers in that million audience who are out there who have lost sons have been watching these special orders, calling my office, and this will touch them because here is a father whose son is with an engineering unit, and he does not want to lose him, and I had some of the young engineers I was taking back for a second time from the 43d Engineer Group down at Fort Benning that said there was one day they were out there and the U.N. troops supporting them disappeared. I do not want to say which country because maybe they are out there with different orders, and they looked around, and all of the sudden it seems very lonely. They are open and big construction equipment. They got their M–16's over there, and suddenly they are looking around and they are all alone. This is way out on the road to Baidoa.

So here is what he says to Congressman HOKE. Now the date is significant: September 24 being the day before the first Black Hawk crash, the utility one, UH–60, where we lost three men, and the two warrant officer pilots are in the burn center down at Brooks Air Force Base down in San Antonio. Hopefully, they are going to be released soon back to Fort Campbell. This is one that went down at 1:30 in the morning where we got a paralegic guy, a hero with an arm and a leg lost. He says:

"Dear Congressman HOKE, this is to inform you about the situation in Somalia. My son," I will leave his name out, "is a platoon leader in the 568 Engineer Company, combat support in

Mogadishu and has informed me about his unit involvement. I'm disturbed about what appears to be a deteriorating situation in spite of the claims to the contrary by U.S. Special Envoy Adm. Jonathan Howe. My understanding of the situation is from two tours in Vietnam in Special Forces and combat units and over here as an instructor on counterguerrilla operations at the United States Army Infantry School, Fort Benning, GA. I was a professional Army officer until retirement in 1971," and he is the president of a Cleveland company that is into heavy wall steel casings, rail joints, track work, steel fabrications. So, he is in his second or third career in his life.

"In Somalia there are several key indicators of a heightened risk and even impending disaster. At this point there were only four killed in action, MP's on that Humvee accident August 8." Now we are at 26, and the four are from before, two under Bush and then five noncombat deaths. We are up to 35, and, when he is talking, only four since the four way back in the winter.

He says, "Popular support is on the side of Aideed. The Pakistanis have particularly earned the enmity of the populace, and the polyglot U.N. forces are regarded as foreigners. The average Somali has to side with his countrymen if he expects to be alive the day after the U.N. forces depart," and now we have got a U.S. date certain, March 31.

"Two, the gangs have sanctuaries that the U.N. forces do not have the power to control. There are entire sections of Mogadishu that are still under gang dominance.

"Three, the gangs have freedom of movement to attack U.N. forces at will because of the characteristics of the city," and I have seen that bird's eye view and help from the populace.

□ 2250

Additionally, practically every street is an ambush site, resulting from the narrowness of most streets and walls next to the streets.

What I have not seen, DUNCAN, were machinegun nests of the enemy forces with our sandbags on the roof of every third building. I never picked that up in looking at satellite imagery. And I sent three rolls of film in today with a 70-millimeter zoom from a few hundred feet up, and I will have clearer stuff than any intelligence people have shown me around here in 2 years.

He says every street is an ambush site. Conventional forces are exceedingly vulnerable in these circumstances, even if they are armed. My son and four of his soldiers luckily survived an ambush on June 5.

That is the same day they killed 24 Pakistanis.

Mr. HUNTER. If the gentleman will yield, that is why we needed to have some armor over there. You cannot work cities without having armor.

Mr. DORNAN. He wrote this the day after the armor was rejected the first time in the Pentagon by civilians without him knowing it.

Mr. HUNTER. The interesting thing here, too, is that we did not ask the Secretary of Defense to make his own analysis or to understand by his own background that you needed armor. All we needed him to do was to honor the request of his field commander.

Mr. DORNAN. Exactly. I do not know if you have seen this yet, but here is Clinton's report, the October 15 report that we asked for. And in it it has the armor, here it is right here, report to the Congress on United States policy in Somalia, October 13, 2 days early. A big long letter from Bill, signed in the White House.

When you turn to the disposition of all of our troops, and, by gosh, we have got a lot of stuff there, support stuff, when it comes to the quick reaction force comprised of 1,358 personnel, here is how they list it. This is already in print from the White House.

A brigade level headquarters of the 10th Mountain Division, a helicopter force of 48 aircraft, a battalion of the 10th Mountain Division with an engineering platoon, military police platoon, psychological operations team, civil affairs team, a truck section, a bulldozer team, and a special forces team. Then he says 46 forward support battalion with a platoon of MP's, a mechanized infantry team of 14 Bradley fighting vehicles and four tanks, and then he goes on the Rangers.

In other words, it is all in print, like there is nothing wrong with having four tanks and Bradleys here.

And when our pal Les Aspin says we didn't want to look offensive, there is not a media person with the skill to question this and not accept the answer, oh, we always have a few tanks, organic, to any U.S. division or battalion thereof.

No one would have noticed, particularly not with the Indians, with a whole potful of Russian T-72's, and I saw other countries with every type of German built, tired and tracked vehicle, all over the city.

Mr. HUNTER. If the gentleman would yield, even if they did know this, who cares?

Mr. DORNAN. Exactly.

Mr. HUNTER. We had American forces over there that were military forces, and we made it a point that they were military forces. And what is more important, protecting those forces, or appearing to not be cosmetically offensive to some undefined international audience?

Mr. DORNAN. Who would have noticed?

Mr. HUNTER. Who are we catering to? That is the genesis or that is the exact description of what we did during Vietnam, where Washington, DC made political decisions and deferred requests by commanders in the field, because they did not want to irritate politicans. And as a result of that, we lost many, many lives, because we did not honor the requests of field commanders.

All of you have to do when you have the best team in the world, when you have got Babe Ruth and Lou Gehrig in the lineup, all you have to do is be sober enough to get to the ball field. And our Pentagon apparently could not get to the ball field. At least they could not bring themselves to send the armor.

Mr. DORNAN. Well, here was another excuse. That some unnamed journalist or reporter was going to demand to know why four tanks and a handful of Bradleys were becoming organic to the 10th Mountain Division Quick Reaction Force. And then they said the people in Congress would find it offensive.

Who? JACK MURTHA, who went over there last week, a week before me, is the reason I guess I got to go, because a Democrat had gone. JACK is a former Marine, ran the press briefing center in Da Nang at the height of the Vietnam War. He is going to tell his colleagues, hey, we got a tough situation there. Alley ways, guys being sniped at, umpteen soldiers dead throughout the U.N. command. They need a few armor vehicles.

Well, let me finish this dad's letter, and then we will read some of these names, because this sets it up.

He mentions the 4 soldiers, 4, now 30, but the 4 that were wounded June 5. He says wounded, they were actually killed.

He says we are very lucky that the casualty numbers are not significantly greater. All the U.S. casualties are support.

Well, that is true. There were only MP's up until then.

Four, the gangs are better armed. They are using rocket-propelled grenades with impunity to attack the U.S. compounds, even held a U.S. tanker in the harbor on Saturday. They are also improving their military skills, such as marksmanship, tactics, and coordination.

The day after this father wrote this letter, the first chopper went down on the night of September 25.

The situation is rapidly developing into urban guerrilla warfare against the U.N. forces. U.S. forces in this situation are increasingly vulnerable.

He goes on to talk about the thin-skinned vehicles of the combat support and service units. That 15 percent of the troops are female. One trucking company commander is female.

I met the company commander—captain, female, of one of signal units going in from Cairo West.

He points out the bulldozers, the loaders, the scrapers and the like, only the operators are U.S. Army soldiers, and all they carry are M-16's. They have no heavy weapons. This is his son's unit. No mortars, no 50-caliber machine guns, no night vision devices, no TOW missiles, and, of course, no combat engineer vehicles, CEV's. For the combat engineer missions which they now perform exclusively in any engagement with the gangs, our men are outgunned at the outset.

United States security is unreliable. One unit was on a large search mission in support of the Pakistanis. In the afternoon, the Pakistanis disappeared, leaving our engineers naked without security. This is not a confidence builder. Army doctrine and practice until now have proscribed operations combining multilingual units below battalion level because of operating difficulties.

We learned this 50 years ago this month with the Brazilians in Italy. Good fighters, but they had to answer only to themselves.

There are increasing rocket and sniper attacks on our compounds. The RPG's are very effective antipersonnel weapons and they act like mortars in this application.

I learned all this on the site yesterday.

Our units are especially vulnerable to this type of attack. Car bombs and ground assaults will follow. The U.S. combat unit in the area is a brigade from the 10th Mountain, part of the quick reaction force, not used to secure any missions by the engineers or the transportation units. Please note it is light infantry.

And he points out there are no tanks with him at this point or APC's.

He closes—it is clear that the current forces on the ground are increasingly losing control. It is an obvious lack of combat power defined by quality of forces, communications, mobility, and firepower. A combat ratio of 3 to 1 is usually required for a conventional force to defeat another conventional force. A combat power ratio of at least 10 to 1 is needed for a conventional force to defeat a guerrilla force.

That is, if the politicians stay out of it, as did not happen in Vietnam.

The threat of another Beirut, a real disaster. We must decide to control the situation by reinserting significant numbers of U.S. forces. It took 19 months to accomplish that.

In order to maintain control, these forces may be required to stay there for years. Overwhelming force was a key success in Desert Storm. The other alternative is to leave. We must decide to do one or the other. We should not leave any of our forces out on a limb with inadequate security. Casualties will continue to mount. Not one single American soldier's life should be wasted on a situation that has no real mission or any linkage to our national interest.

Congressman HOKE, I look forward to your response. Very truly yours, William H. Willoughby, president. And the father predicted it all. And here comes the names of the young men who paid because people like this decorated special forces officer from Vietnam were not being listened to.

Mr. HUNTER. I thank the gentleman for yielding. Let me just read, BOB, the names of the people who were killed in action. Lawrence L. Freeman, age 51, Fayetteville, NC. He was a U.S. Government civilian. He was killed when his truck hit a land mine near Bardera.

Mr. DORNAN. Former enlisted man doing intelligence work. Top-notch guy, one 51 years of age, our oldest fatality.

Mr. HUNTER. Pfc. Domingo Arroyo, U.S. Marine Corps, age 21, Elizabeth, NJ, 3d Battalion, 11th Marine Regiment, based in Twentynine Palms, CA.

Lance Cpl. Anthony D. Botello, U.S. Marine Corps, age 21, Wilberton, OK, C Company, 1st Battalion, 7th Marine Regiment, Twentynine Palms, CA.

□ 2300

Mr. DORNAN. Give the date he was killed.

Mr. HUNTER. 27 January 1993.

Mr. DORNAN. Sniper.

Mr. HUNTER. Sfc. Robert H. Deeks, U.S. Army, age 40, Littleton, CO, Company A, Second Battalion, 5th Special Forces Group, Fort Campbell, KY, killed 3 March 1993.

Mr. DORNAN. Land mine.

Mr. HUNTER. Sp. Mark E. Gutting, U.S. Army, 25 years old, Grand Rapids, MI, 977th MP Company, Fort Riley, KS.

Mr. DORNAN. He and the next three are the August 8 Humvee and the broken charred vehicle still lying there on the street.

Mr. HUNTER. That was destroyed by a command-detonated land mine.

Mr. DORNAN. By the way, the young gunner on the helicopter I was on turned around to me and hit the mike button and said to me, "Congressman, we were the first air on the ground. I landed where those four big trucks are parked, and I ran over to the vehicle. We were the first ones there." And he said, "It was a sad thing to see our guys dead and dying like that." It still sits there.

Mr. HUNTER. Sgt. Christopher K. Hilgert, U.S. Army, 27, Bloomington, IN, 977th MP Company, Fort Riley, KS, 8 August 1993, same incident. Sp. Keith D. Pierson, U.S. Army, 25 years old, Tavares, FL, same company, 977th MP Company, Fort Riley, KS. And Sgt. Ronald N. Richerson, 24, Portage, IN, 300th MP Company, Fort Leonard Wood, MO. All those killed on that same detonation.

Pfc. Matthew K. Anderson, 21, Lucas, IA, Company B, 9th Battalion of the 101st Aviation Regiment, Fort Campbell. Sgt. Eugene Williams, 26 years old, Chicago, IL, Company B, 9th Battalion of the 101st Aviation Regiment, Fort Campbell.

Mr. DORNAN. The black sergeant, the pride of his family in Chicago. We are now up to the September 25 incident that happened the day after this letter was written by this experienced father. No remains whatever went back. That family just had a memorial ceremony.

Mr. HUNTER. Sgt. Ferdinand C. Richardson, 27, Summermead, CA, Headquarters and Headquarters Company, 2nd Attack Battalion, 25th Aviation Regiment.

Mr. DORNAN. He was bumming a ride in the helicopter as an extra gunner for the two guys from Fort Campbell. We did get his remains back, Sgt. Richardson, but 21-year-old Matt Anderson Williams, those are the first two Americans with no remains going all through Desert Storm and Desert Shield, all through Grenada, all through Panama. We have to go way back to Vietnam before we have no remains recovered whatsoever, except pilots lost at sea.

Mr. HUNTER. CWO Donovan L. Briley, 33, North Little Rock, AR, Company D, 1st Battalion, 160th Special Operations Aviation Regiment, Fort Campbell, KY.

Mr. DORNAN. Let me say something about this handsome guy, Donovan Briley, 33, Little Rock, AR. Five or six men may have died just protecting his dead body in the cockpit. The commander of the Rangers, your old unit, the 75th, the 3d Battalion, Danny McKnight, was wounded on the scene and he called back and said, we are not leaving this dead pilot. We want his remains. We are going to stay here. You know why? Because they were worried about the incident on the 25th of September, having the crowd get the body, tear it apart and not have any remains. So to even protect a dead warrant officer pilot of the first chopper that went down, men gave their lives. And I had Admiral Jeremiah, our Deputy Chief of Staff, take exception to the questioning of one of our freshman Democrats that these men were not well armored. And he starts talking about this great Kevlar equipment. There was nobody that died that day of a body shot. That Kevlar armor is great. But they died of face shots, neck shots. And one man was hit with a rocket grenade of some kind that went up through his body, inside the armor, and his Kevlar stayed intact but his body was destroyed. So we were not talking about bulletproof vests of the highest state of the art. A fire fight is a fire fight, and they were fighting for their lives. Starting off to defend WO Donovan Briley.

Mr. HUNTER. Let me say something about the Rangers, too, I had the privilege of serving when the 173d Airborne came back from Vietnam in June or July 1971. I went to the Rangers for the remaining 4 months of my tour, Charlie Company Rangers, C Company Rangers in the highlands, in Nkai. But

I was compared to the people who were in these Ranger companies, which all of whom, the personnel are all Ranger-qualified, all jump-qualified. I was jump-qualified, but I did not go to Ranger School. Those people are highly trained, much more highly trained than the average Ranger who served in Vietnam. They are absolutely the cream of the crop. They have tremendous equipment, very sophisticated communication capability, and project American power more effectively and efficiently than any land forces have every projected power. So they are a very, very elite unit.

Cpl. James M. Cavaco, 26, Forestdale, MA, Company B, 3d Battalion, 75th Ranger Regiment, Fort Benning, GA. Sp. Dominick M. Pilla, 21, Vineland, NJ, Company B, 3d Battalion, 75th Ranger Regiment, Fort Benning, GA.

Sgt. Lorenzo M. Ruiz, 27, El Paso, TX, Company B, 3d Battalion, 75th Ranger Regiment, Fort Benning, GA. Sp. James E. Smith, 21, Long Valley, NJ, Company B, 3d Battalion, 75th Ranger Regiment, Fort Benning, GA.

As you go through these names and you look at the hometowns of these people, you realize that this is one of the few things that this country does all together. That is, defends the Nation's interests.

FURTHER DISCUSSION OF EVENTS IN SOMALIA

The SPEAKER pro tempore (Mr. BROWN of Ohio). Under a previous order of the House, the gentleman from California [Mr. HUNTER] is recognized for 60 minutes.

Mr. HUNTER. I will try to give a little convenience to our wonderful staff folks who are here tonight. I will not speak for 60 minutes, but let me continue with the list of casualties.

Americans, if you look at the places that these Americans come from, many times when a young person joins the armed services, it is the first time he has moved from his hometown, whether it is Vineland, NJ, or Forestdale, MA, or El Paso, TX. And he finds out a little bit about the rest of the country. It is one of the best geography lessons that you can have in this country is to join the military and meet all these people and live with all these people from various parts of the United States.

Sp. James E. Smith, I think I mentioned him, 21 years old, Long Valley, NJ, Company B, 3d Battalion, 75th Ranger Regiment, Fort Benning. M. Sgt. Timothy L. Martin, 38, Aurora Dearborn, U.S. Army Special Forces Command, Fort Bragg, NC.

Mr. DORNAN. This master sergeant, 38 years of age. Timothy Martin, and the next two are more trained, if it is humanly possible, than the four Rangers that you read before them. These are the top secret, most highly qualified people. if you ever get hijacked on an airliner, it is a Sgt. Tim Martin that is coming to get you released and save your life.

Mr. HUNTER. You can tell that the young people that serve on our line units, for example, if you take the average Marine unit, the young people that serve in those units, the average age of the young person who serves on a U.S. aircraft carrier in the Navy is about 19 or 20 years old. When you see somebody who is a master sergeant, 38 years old, that truly in the military, although that would be young for us, in the military that is a real oldtimer. It is somebody who has a lot of experience and a lot of capability that hopefully will help him keep his unit, keep the personnel in his unit safe and secure in situations that are very dangerous.

SFC Earl R. Fillmore, Jr., 28, Blairsville, PA, U.S. Army Special Forces Command, Fort Bragg, NC. Staff Sgt. Daniel D. Busch, 25 years old, Portage, WI, U.S. Army Special Forces Command, Fort Bragg, NC. Sgt. James C. Joyce, 24, Denton, TX, 75th Ranger Regiment, Fort Benning, GA. and I believe I saw his father discussing the situation, if it was Colonel Joyce, I believe, a couple of nights ago on national television, and understanding what it means to put your military people in harms's way and understanding foreign policy in a way that many people who are presently leading the civilian sector of our military leadership do not understand.

□ 2310

If we took Colonel Joyce, I think, I believe he was a retired colonel, and took some of the top leaders in the Clinton administration out of their positions and put him in, the country would probably be better for it. He showed great common sense and understanding of military missions.

Pfc Richard W. Kowalewski, Jr., 20 years old, Crucible, PA, 75th Ranger Regiment, Fort Benning, GA.

Mr. DORNAN. Time magazine printed a series of excerpts from this proud young Ranger in last week's issue, and you could see him change in his letters just over a period of a couple of weeks, and anxiety developing over the type of operations they were going into and Aideed's use of woman and children as shields.

The open segment from his letter, let me just read it here, because they are beautiful words. This is Private Kowalewski.

He writes: "August 11. I love my country and everything it stands for. I am in a position that I may have to give my life for my country. I must also say a few words for the 3rd Ranger Battalion. As you well know, I love this. Despite how we all fight and mess with one another, there is a bond here. You have to be part of it to understand. I am very confident in the leadership of the 3d Ranger Battalion."

They put excerpts in from about seven more letters, really beautiful. On September 22d, that would be 11 days before he gives his life for his fellow soldiers, and for that downed helicopter crew, he says, "Men are said to have women and children holding hands walking in front of the gunmen as they shoot, sort of human shields. Don't get me wrong, but I am scared, real damn scared."

Two days later he says, "I am starting to get real homesick. The best news is, those last stories turned out to be a hoax."

His last entry says: "Yesterday was probably the coldest, darkest, saddest day of my life. I stood at attention as three American soldiers were rolled by in caskets draped with American flags." What he did not know was, two of those caskets were empty. That was Williams and Richardson, from the September 25th helicopter crash.

"War is very sad and kills everyone in some way. I cannot help but think, what if it had been me in one of those caskets."

The next day, September 27: "I am being as careful as I can. I carry a loaded weapon with me everywhere I go. I don't hesitate one bit showing it to the faces of these Somalis that are always around us." He was the youngest by far of the six Rangers who were killed and the five Special Ops guys from Fort Bragg.

Mr. HUNTER. PFC James H. Martin, Jr., 23, Collinsville, IL, 10th Mountain Division, Fort Drum, NY. He comes from Fort Drum, where our great friend, David O.B. Martin, our friend on the Committee on Armed Services, and now the gentleman from New York, JOHN MCHUGH, represents, and always did.

I remember both those Representatives always paid special attention to Fort Drum and the military construction projects there. They were very proud of their Mountain Division.

Mr. DORNAN. Here is a letter from his dad, cousin, to Clinton. He sent it to another one of our colleagues from Georgia, JOHN LINDER.

He says: "Unlike you, Mr. Clinton, the Martin family has paid for their American citizenship in service and blood. Eight uncles fought in World War II. Uncle Woody died in his chute with the 82nd Airborne over Arnhem. My wife's father and uncle, Roy and William Gilbert, were POWs. I thank God they were liberated, because you are now killing our remaining live POWs. . . ."

Then he takes a shot at Secretary of Commerce Ron Brown. "Uncle Sherman got the Purple Heart with the 5th Marines in the Chosin Reservoir in Korea. Seven of my cousins and I served in Vietnam. Mike lost his right arm. Cousin Sandy served in Desert Storm, and is now in Somalia.

"Defining patriotism to you is like explaining Judaism to Hitler. From the abortion of young children to euthanasia of the elderly to your health care plan, life is secondary to your thirst for power."

He goes on to get real serious after that, so there are families, like you talked about, at the kitchen tables of America, that find this extra painful and difficult because of the Commander in Chief having dodged the draft three times in 1969.

Mr. HUNTER. I think we should go on and talk about those who were killed, but I think the gentleman makes a point, in that President Clinton spent a good part of this year, against the wishes of these young people, who over and over again, in surveys and in statements, and in thousands of letters, said, "Don't force us to live in close contact with homosexuals," not in a mean way, but because "It is not good for us, it is not comfortable for us. Please don't do it to us, Commander in Chief."

He spent three-quarters of this year shoving homosexuals down the throats of these young Americans in uniform, but he could not send them four tanks when they asked for it.

Mr. DORNAN. That came up at almost every stop along the route I raveled over the weekend.

Mr. HUNTER. CWO Clifton P. Wolcott, 36, Cuba, NY, 160th Special Operations Aviation Regiment, Fort Campbell, KY.

Mr. DORNAN. He was the other pilot at the first crash site.

Mr. HUNTER. Sgt. Cornell L. Houston, 31, Compton, CA, Company C, 41st Engineer Battalion, Fort Drum, NY.

Sfc. Matthew L. Rierson, 33, Nevada, IA, Headquarters and Headquarters Company, U.S. Army Special Forces Command, Fort Bragg, NC.

Sergeant Thomas——

Mr. DORNAN. He was standing right in front of the Ranger headquarters, they called it Golden BB. The most unlucky shot by one of Aideed's men landed right in front of 13 guys having a conversation. Twelve were wounded. They are all back in the country.

What is amazing, another mortar round, RPG, landed near that, and it did not go off. That one the Ranger asked if he could have, and the superiors cut it in half, took out all the explosive parts, and he went home on a plane with that, because his time was up. He has that mortar shell, and believe me, that will be on his mantel and passed down to his grandkids; landed about 3 feet away from him.

Mr. HUNTER. Sgt. Thomas J. Field, 25, of Lisbon, ME, Company D, 1st Battalion, 160th Special Operations Aviation Regiment, Fort Campbell, KY.

MSgt. Gary I. Gordon, 33, of Lincoln, ME, Headquarters and Headquarters Company, U.S. Army Special Forces Command, Fort Bragg, NC.

Mr. DORNAN. Gary Gordon died trying to rescue Tom Field, the name you read off before. Field is one of the door gunners of Durant's Black Hawk.

Mr. HUNTER. I think it is appropriate to also list the non-battle deaths, because these young people went over to Somalia in battlefield conditions. Very often a large number of the people who are killed are killed driving trucks and otherwise engaged in hazardous duty; that while it is not directly related to combat, it is part of the operation. They are deserving, I think, of our recognition.

Specialist Edward J. Nicholson, 21, of Houston, TX, Company H, 159th Aviation Regiment, died as a result of injuries sustained in an accident in Mogadishu.

Mr. DORNAN. It is okay to say how he died, because his parents know. This speaks so well of our medical forces.

He had lost both of his legs in a shark attack. He was on a work assignment, working hard. I mentioned earlier, it looks like Laguna, the water is so inviting, and he and a friend went in. His friend got him up on the beach.

They not only stopped the bleeding and got him to a vehicle and to the hospital, but unfortunately, he had lost so much blood that he had oxygen starvation to his brain. However, they got him on an airplane and got him home and up here at Walter Reed. They flew his family to join him, and they were at his side when he died on October 6, in his beloved United States.

Mr. HUNTER. Private David J. Conner, U.S.A., age 19, Huntington Beach, CA, 57th Transportation Company, 10th Mountain Division, Fort Drum. He died in an automobile accident.

Mr. DORNAN. He was one of our Orange County, California guys driving a big five-ton truck with water, taking it out to the people, and the other engineer swerved to avoid a pothole and the whole load shifted. The truck overturned, and you are right, these guys, non-battle deaths, also die serving, trying to feed these starving people.

Mr. HUNTER. Private Don D. Robertson, U.S. Army, age 28, Tustin, CA, 157th Field Service Company, Fort Hood, TX. He died also in an automobile accident, driving a five-ton truck.

Mr. DORNAN. He swerved to avoid a pedestrian. Don was in the back and got thrown out of the truck, way out in the countryside in Baidoa, again trying to feed people.

This is what Christ talked about with the beatitudes: Blessed are the peacekeepers, for they shall know God. So he is part of that effort that started out so wonderfully over there.

Mr. HUNTER. Lance Corporal William A. Rose, U.S. Marine Corps, age 20, San Joaquin, CA, Company B, 1st Battalion, 7th Marine Regiment, Twentynine Palms, CA.

□ 2320

Private Daniel L. Harris, U.S. Army, age 21, Newsoms, VA, Headquarters Company, 13th Corps Support Command, Fort Hood, TX.

So that is the casualty list for the KIA, killed in action and non-battle death list. The country owes them all a debt of gratitude, and I think what we have to do her is to reassess. Americans make a lot of mistakes, and I think one of our greatest national assets is our capability to come back from mistakes, learn from them, and do the right thing.

I think that this Secretary of Defense, and I called for his resignation today even though he is a friend, and I think Les Aspin did some very valuable things at times as the chairman of the House Armed Services Committee, and he made some good political decisions. Unfortunately, in this decision not to send tanks when his field commander requested them, he made a political decision when it should not have been a political decision. It should have been a troop decision, and he should have sent the tanks, and in the words of my old platoon sergeant in Charlie Rangers, whom I just talked to a few moments ago, Pop Carter, the Secretary of Defense broke the contract.

Mr. DORNAN. DUNCAN, you know at the press conference this morning, I did not join you. And I know you will not mind my saying some good things about Les. He did support the Contra freedom fighters in Nicaragua. He did stand with Reagan to save the peacekeeper missiles that helped bring about the end of the cold war. He spoke effectively and stood shoulder to shoulder against the entire leadership of his party across the way, 177 votes, only three Republicans on this side, but not to drive Saddam Hussein out of Kuwait, 180 votes Les was with you, with me, with the prevailing majority against the 180.

The two reasons I gave, and I do not want to damn with faint praise, but I really do believe Les will never ever ever deny command forces in the field what they want to protect the young men and women who serve under them, and as Sir Arthur Wellesley said, you learn by your mistakes, and this is what I mean by damning with faint praise, I hope Les will not take this as an insult, but he was the best one on the list Clinton had. SAM NUNN was on the list for a while, both good guys on defense during that period. I am terrified if Les Aspin leaves that position that Clinton truly will find a person who was giving aid and comfort to the enemy during the Vietnam war, like Strobe Talbot, one of his Rhodes Scholar friends in England, who has now the most important ambassadorial job in the world for America. He is the Ambassador to Kazakhstan, Tadzhikistan, Uzbekistan, Ukraine, Byelorussia, Moldava, Georgia, Azerbaijan. This guy, Strobe Talbot, who lied for Clinton as a senior editor of Time Magazine is the Ambassador Plenipotentiary to all of the states of the former evil empire. That is who he would put in Les Aspin's position if Les, like a British Politician, resigned over this bad call.

Mr. HUNTER. If the gentleman will yield, although I have called for his resignation, and I wish I had had a chance to talk to Secretary Aspin today. I was in the room and my time was coming, and the hearing was concluded before I got a chance to look him in the eye and tell him this, so I sent a letter to him, and I hope to talk to him tomorrow. But nonetheless, I think the fact that I have called for his resignation, and several other Republicans have done that, it probably will not lead to his resignation. And I think I also agree with you that he has taken to heart the burden of what occurred the other day, because he did not give his field commander what he needed because of political considerations. And I hope that he never again fails, as Pop Carter said, to carry out the contract.

Mr. DORNAN. I do not think it will happen. And I saw it in his face, because he accompanied one of those civilians that gave him the bad advice, and our great Chief of Staff of the Army, Gordon Sullivan, to the first funeral at Arlington Cemetery of one of the names that you read, a beautiful Irish name, James Joyce, retired colonel, and Les was standing at the funeral, and I looked at the picture in Time magazine, and I could see the pain in his face.

Let us close on this. Tomorrow I will take another special order to discuss what Adm. Jonathan Howe told me and Maj. Gen. William Garrison told me, commander of all of the Rangers and other special ops. guys, and the 160th Tigers out of Black Hawk squadrons and the other exotic helicopters up at Fort Campbell, and what I learned from just men in the field and talking to the Rangers, and some more conversations about the guys that were in the firefight from hell. One thing I want to get on the RECORD tonight, General Garrison walked me out to the C-5 as we were leaving, and we had jammed for four hours on the ground, and I had answered every question that I asked. He took me by the arm and he said, "Congressman, may I tell you something." This guy is a terrific-looking specimen of a general officer. He said, "That was a good mission. We accomplished our mission on October 3. We captured 20 of these people that had been killing U.N. troops, their leadership. Four died in the firefight from their own fire mostly. We got them out of there, and we tried to defend our men that were trapped in that helicopter." And you will appreciate this being a paratrooper. He said, "Congressman, we just simply got ourselves in a hell of a firefight, and we won that too." About 400 Somali learned that Americans know how to defend themselves, even when they are trapped, pinned down, and you are sniping them. And I said I understand that, General.

The attitude of the younger Rangers was let us get Aideed.

Now Clinton showed his lack of experience again this morning at the press conference when he jerks out the Rangers, and then he says well, the Marines are trained to do that. Again, I repeat, young, brandnew Marines are good, and they will be marksmen, sharpshooters, and the handful of experts in there. But they are not of the caliber of these people who were learning the alleyways of this small Horn of Africa site.

Mr. HUNTER. I think the Rangers had some experience in becoming street smart.

Mr. DORNAN. Exactly. Again, I say if he wanted to pull them out, why would he tell Aideed. Aideed has been bragging all day long that he has driven out the best fighting force in the world, our U.S. Rangers, out of that fight.

When I was in the U.N. compound, and I will close on this, a guy taps one of my military aides, getting a little dramatic here, and he says, "The Congressman dropped this letter." And he said, "I think it's important to him."

Well, the colonel could see that I did not drop the letter, and he picked it up, and we get on the C-5, and we are climbing out of Ethiopia, heading back to Cairo West. And he said, Congressman, come here, and showed it to the highest-ranking officer on board. By the way, all of the aircrews on the C-5's are lieutenants and captains, unbelievable, flying this gigantic apartment building through the skies. And he showed me the letter. And it ties in to the special order I had last week.

It is dated September 14, again, a week before the person that this letter is addressed to was captured. Now, I go back through all of the computer files and I find out that this key, No. 1 lieutenant, aide and financier of Aideed, the killer, was captured April 14, and we let him go. He was captured again September 21, and I guess this letter was on his person. And some of the people there did not want to hand it to me for fear that they would be picking a battle with the media. So they pretended that it was dropped on the ground, and I had dropped it.

It says, Dear Osman, and you see his name in the April 14 story as Osman Otto, O-t-t-o. But I have learned through intelligence that it is Atto, A-t-t-o, Osman, Aideed's key guy. This is the week before he has been captured, signed by four British journalists, or three Brits and one Canadian.

Mr. HUNTER. Let's set this up. These are journalists who want to get some good footage.

Mr. DORNAN. Good footage. I do not know if that was their only motivation, but you be the judge. If that was their only motivation, it would have been all right.

Mr. HUNTER. But the bottom line was they wanted a story. That is the point. They were not concerned necessarily about the morality of the situation or whether it was good or bad.

Mr. DORNAN. Or our fighting men or any of the other forces.

Mr. HUNTER. They simply wanted a story, so go ahead and read it. I think it will be interesting.

Mr. DORNAN. These are from respectable papers, such as the Times in London. Let me jump ahead. One of these people, Mark Hubayan, was allowed into interview Durant when Durant gave his first interview and asked for the pizza, and started to cry when he talked about all of the men on his crew, and the two Rangers that came to save him were great, great Americans he said, and he started to cry. And you could tell he was in a lot of pain, and had been turning down pain medication. It says, "Dear Osman, once again we would like to seek your help in getting an interview with General Aideed. UNOSOM is under great political pressure to change its policy in Mogadishu."

I have to remind you again this is September 14, 11 days before the first chopper went down at night, 2 weeks before the October 3d firefight where we lost 18.

The humanitarian section at the U.N. is calling for a political solution, and Animal Howe has been called to New York to discuss this.

Now, the officers and I on the C-5 looked at the handwritten note that this is typed from, and it is terribly spelled, and there is no "d." We decided it might have been Admiral Howe, just all of the letters reversed around, but it sure looked like "Animal Howe."

☐ 2330

I want to give these reporters the benefit of the doubt on that. Now, underlined is the time for the general to speak to us and to make his point to the media. We can bring a camera to videotape the interviews for the television stations. Above all, please recognize that the timing for now is perfect. It would allow General Aideed to take the political initiative. He already has the military initiative. With best wishes, Sam Kiley of the Times, Mark Huband, Guardian; Scott Peterson, Telegraph," three of them signed it. The last one is Paul Watson, the Star.

That must mean Paul Watson of the Toronto Star, the guy that my daughter Robin called me about last week when I was on the floor because she had just seen him with Bernie Shaw on CNN saying that we were a little too obsessed with all these American casualties, bodies being dragged through the streets, desecrated and beaten. He said, "I have seen the Somalia children in the hospitals." Yes, the one that Aideed uses as human shields.

My daughter said—now I did not use Bernie's name last week, but I am going to call him now that I have this letter. Bernie said, "You mean we are too interested in the Americans and not the Somali casualties?" I hope Bernie was not really thinking that through when he asked this, and get this——

Mr. HUNTER. If the gentleman will allow me, let us make this clear. What the gentleman has there is something that I think is the darker side of international journalism. The point is that American kids are being killed by this man, and yet the journalists, these international journalists are writing this killer and acting like his public relations agent. They are saying, "Now is the chance for you and General Aideed to tell your side of the story and win some brownie points in the public relations game, and we will help you if you will just give us a little time on camera. It is good for us. It is good for you." That is the dark side of journalism.

Mr. DORNAN. Well, it almost smacks—I hope I am wrong—it almost smacks of the bias of media in Vietnam glorifying Ho Chi Minh, another Aideed-type person; no regard for human life. his own young teenagers, subteens, women or fighting men, no regard, because he can always replenish them from his clan out in the boondocks.

Mr. HUNTER. If the gentleman will allow, there was a tinge of that in the Desert Storm operation. I remember when General Schwarzkopf began to have his great successes against Saddam Hussein, was not just playing "rope-a-dope" as if he was Muhammad Ali, going to come back, the wiley fighter, and he was going to end up killing a lot of Americans. As if this was a game and he was the underdog and they were rooting for him. Actually, the lives of hundreds of thousands of young Americans depended on him not being able to come back, not being able to beat the American forces. It was a little bit—you know what is interesting: I walked in and my family were watching television one night and I did not realize that it was Saturday Night Live. Even Saturday Night Live, this comedy show, caught this fact and they had a press conference—obviously a mock press conference, but I had just walked in and did not realize that—you had the American general briefing the press, saying, "We can't give out any secrets here and we don't want to say anything that would be bad for morale, so please understand that and limit your questions." And the first question was, "What do you think would be the most demoralizing thing for the American troops?" And he said, "No, please, we can't do that." Somebody else raises their hand and they say, "What are the passwords up at the front?" And he said, "We can't do that." Finally, though, you have a guy in an Arab headdress who said, "Where are your men? Can I count them?" And then they said, "It is Saturday Night Live."

Mr. DORNAN. Also, where will they be landing? Where will the war start, and when will you attack, at what point?

Mr. HUNTER. I realized at that point that even a television show which could never be characterized as a conservative show——

Mr. DORNAN. Never.

Mr. HUNTER. Was picking up the fact that there was a certain antagonism by the press, including some of our press, toward the prospect of a military victory by the American military. There was a certain amount of antagonism in Desert Storm toward our military. They did not rail, they were not pleased with the fact that we had low casualties if they did not get to cover certain beats and if they did not get to be allowed to go to certain areas. The most important thing for them was not American success, it was what kind of footage they got. In those terms, if you are the cameraman who gets the footage of the American being stripped naked and being dragged through the streets and mutilated, perhaps the war had been more successful for you than if you were simply an American journalist who gets briefed on an American victory, as they did in Desert Storm.

Mr. DORNAN. Without knowing it, the gentleman has led me to my point. In those three magazines last week that all had Durant on the cover, which I held up—and here is where my former broadcasting days get to me with these cameras because I would like to call for a closeup. This is a U.S. News & World Report. Here is a full two-page spread picture of the trousers of probably Jimmy Martin, Jr. because that is not a Ranger outfit, that is the khakis of the 10th Mountain Division. You can tell by the 5-ton truck exploded in the background that this was at the front of the column of the rescue unit trying to come up from Circle K-4 from the southwest to get to the Ranger positions up on top of this hill by the Olympic Hotel. I look at this picture and looked up at the corner, and it says "AFP," Agencie France Presse. When I went through Time magazine on the airplane coming home, 3,300 angels above the Atlantic somewhere, I picked this article up and here is the same picture with a different Somali, a two-page picture of Jim's trousers, and I look at this picture and I look at the trousers, and I look to see who took this one. I could not believe my eyes. Read what it says on the side of this picture. Here it is at the beginning of this Time magazine with the same person in U.S. News holding up a bloody teeshirt, a white jockey shorts covered with blood, one of our 10th Mountain Troopers. Read whose name is on the side, whose picture that is, this tiny, miniscule print, the photo credit. You have to turn it sideways.

Mr. HUNTER. Paul Watson, Toronto Star.

Mr. DORNAN. Now, unless Paul Watson is a man of color, that means this Canadian Caucasian journalist is in these angry streets with these people who have torn apart—killed POW's, torn apart their bodies, and he is allowed to move around and take these photographs of this mayhem?

Today in the Washington Post is the story of another father who is the president and CEO of a computer company in Nairobi, one of our American businessmen overseas. He says, "My son is a photojournalist who was beaten to death by a mob on July 12," and he is indicating that one of these helicopters was overhead and was calling back to the base. He has gotten some records. They could have landed and helped his son. But then the pilots might have been overrun and killed.

He said, "My son was asked by Aideed with three other journalists to come in and photograph the results of the U.N. operation where Aideed said his people were hurt." These four journalists were beaten to death July 12. I did not even know about this story. In an incident like that, why can Paul Watson move through these streets and photograph the desecration of the remains of our murdered Americans, many of whom were prisoners and alive, and then come on with Bernie Shaw, my friend at CNN, and say that we are too interested in the American casualties, we ought to know more about the Somali casualties in their hospitals. Very interesting. I look forward—I asked for Paul Watson when I was there, but I did not get to find him because he is out in the city, I guess, in Mogadishu.

Final thought, small area, real small; looks like an Army graphic demonstration of a city with guerilla warfare out at the National Training Center in Barstow. I could not believe that we had not gotten the proper equipment in there to back up and defend these men who were trying to arrest the man you properly called this morning a war criminal. Tomorrow I will be back and talk more about the diplomatic ramifications of the U.N. and how we can extricate ourselves from this and how it has probably saved American lives that would have died in Haiti or Bosnia were it not for the loss of our 18 heroes on October 3 and October 4, the three chopper crewmen on the 25th of September, and the one senior sergeant who died of a mortar round right behind the sandbags at the very entrance of the Ranger and Special Forces living area there at the International Airport.

□ 2340

Mr. HUNTER. I want to thank the gentleman for all the time he has taken and for that 40-hour plane trip.

Mr. DORNAN. I loved it.

Clinton appointed Jane Fonda as a representative to the United Nations, Hanoi Jane.

One of the soldiers asked me about this. I had heard of her speaking out there, but I did not know why. One of the Catholic kids over there was talking to me about Rush Limbaugh and he said, "Did you know about her speech at the U.N. attacking the Catholic Church?"

You know what I told this sergeant? "You must be wrong. She would not have done that. Clinton went to Georgetown, a Jesuit University. He would not have sent her up to do that."

I am on the airplane and just to get a break from all this military reading, I pick up a conservative Catholic paper, the Wanderer, and my eye goes to a story on Solzhenitsyn. I read all about the honors he received in Luxembourgh. I read an article on encyclical morals to be presented October 5, which I have not had the delightful honor of reading in our society as it morally decays, and Jane Fonda's name catches my eye in the corner. Here is an article by Henry King. Listen to what Clinton did to these military people with Hanoi Jane, who sat in the gun pit, and Ted Turner was with her on this trip to the U.N., and we will close on this:

> New York. Jane Fonda, left-wing political activist and physical fitness queen, became the first outfront Catholic basher since Dr. Jocelyn Elders won U.S. confirmation for Surgeon General by a wide margin.
>
> Dr. Elders had been described as an anti-Catholic bigot, although 14 out of 15 Catholic Democrats in the Senate voted for her. Fonda in her role as President Clinton's special goodwill ambassador to the United Nations International Conference on Population and Development hammered the Catholic Church before a crowded United Nations assembly on September 20, stating that—

And I am quoting Fonda with Ted Turner in the wings—

> Powerful vested interests, including the Catholic Church want us to ignore contraception as a necessary part of family planning.
>
> The 56-year old Fonda, nicknamed Hanoi Jane after she visited enemy North Vietnam leaders in Hanoi as a friend of the court at the height of the Vietnam War also hit the church which she described as 'the church's reluctance to face reality.'

Then she goes on to ridicule the church about Galileo and it says:

> Fonda continues an assertion that a population explosion is producing more people than the earth can feed.

And this writer feels that this type of latent Catholic bashing which we would never tolerate, hitting Jewish Americans, was made easy and politically correct by Dr. Elder's easy 65 to 34 Senate confirmation only two weeks earlier.

And the response to Fonda, who was accompanied by her millionaire media executive husband, was answered by Monsignor John K. Woolsey, who is a friend of mine, Director of New York Archdiocese Family Life Office, and here is a good shot across her bow:

> Now we have the gospel according to Jane Fonda. She has come a long way since Barbarella. I was wondering how long it would take Hanoi Jane to come up with another politically correct cause. Before she attacks the Roman Catholic Church, may I suggest that she take the time to learn and understand the rich and beautiful teaching of the church regarding the sacredness and dignity of human sexuality.

Thank you, my good friend and highly trained theologian, Monsignor John Woolsey.

I say to the gentleman from California [Mr. HUNTER], the beat goes on. Clinton sends Jane Fonda to the U.N. and pulls the U.S. Rangers out of Mogadishu before they can avenge the death of all their comrades and put brand new young Marines, 3,600 of them under what—what does Montgomery say in the same press release on the wires today where Clinton is making these ignorant statements? He said:

> Well, nobody has put the Marines under my command yet.

He answers to a Turkish three-star general, Lieutenant General Cevik Bir who I had lunch with, a good man, but uncomfortable about our troops under him. He could not get the backup, either, and General Tom Montgomery says:

> I guess some of these Marines will be coming ashore.

Clinton's disastrous followup foreign policy, and what you and I warned about, standing there and here in September and October has come home in spades. The man is incapable of understanding the military culture or making decisions that respect what our men and women are doing in the field, offering their lives not only for their country, but for humanitarian peacekeeping missions.

Mr. HUNTER. Nonetheless, my friend, as we close this special order, we have one Commander in Chief, and that is Bill Clinton, and we have one Secretary of Defense. I do not think he is going to be resigning at my call, and that is Les Aspin. Let us hope for the sake of our country and the safety of our young people that they have learned some lessons here and that they discover competency in foreign policy.

Mr. DORNAN. If they have not, it is going to be a long, long 3 years.

Mr. Speaker, I include the following notes on my trip to Somalia:

WHAT BOB HOPES TO ACCOMPLISH ON HIS TRIP TO SOMALIA

(1) Personally view "air bridge" options by U.S. Air Force to resupply forces in Somalia. Find out crew stress on these long flights and need for C-17 type aircraft on Third World airfields.

(2) Ground commander report on situation in Somalia including:

a. Specific military objectives.

b. Threat identification/rules of engagement.

c. Command and control relationships with both Washington, D.C. and U.N. forces.

d. Precise security arrangements for U.S. forces both on patrol and within the rear area of operations.

(3) Gain first hand knowledge of the morale of U.S. troops and living conditions of these troops.

(4) Gain knowledge of Somali support/opposition to U.S. presence.

(5) Show active public/Congressional support for U.S. troops.

(6) Determine need for additional forces including specific type of forces (armor, attack helicopters, engineer vehicles, etc.)

(7) Determine proper conditions for withdrawal of forces.

(8) Determine why requests for additional armor forces were denied and what can be done to prevent the problem in the future.

(9) Ask troops if they understand why they are in Somalia.

(10) Determine what else can be done to better support troops.

Mr. HUNTER. Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ENGEL (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. ROMERO-BARCELÓ (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. EWING) to revise and extend their remarks and include extraneous material:)

Mr. BOEHNER, for 60 minutes, on November 3 and 4.

Mr. BOEHLERT, for 5 minutes, today.

Mr. GOSS, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. WELDON, for 5 minutes, today.

Mr. DORNAN, for 60 minutes, today.

(The following Members (at the request of Mr. FRANK of Massachusetts) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, on October 19 and 20.

Mr. EDWARDS of California, for 5 minutes, on October 25.

Ms. KAPTUR, for 5 minutes, on October 19, 20, 21, 22, 25, 26, 27, 28, and 29.

Mr. FRANK of Massachusetts, for 5 minutes, today.

Mr. RICHARDSON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. EWING) and to include extraneous matter:)

Mr. MOORHEAD.
Mr. SOLOMON in two instances.
Mr. MYERS of Indiana.
Mr. LEWIS of California.
Mr. KNOLLENBERG.
Mr. CLINGER.
Mr. EMERSON.
Mr. RIDGE.
Mr. DICKEY.
Mr. DIAZ-BALART.
Mr. PORTMAN.
Mr. GILMAN in two instances.
Mr. CLAY.
Mr. FRANKS of Connecticut.

(The following Members (at the request of Mr. FRANK of Massachusetts) and to include extraneous matter:)

Mr. WYNN.
Ms. BYRNE.
Mr. BROWN of California.
Mr. REED.
Mr. TORRES.
Mr. SARPALIUS.
Mr. PASTOR.
Mr. CLAY.
Mr. STUDDS.
Mr. DURBIN.
Ms. ESHOO.
Mr. SYNAR.
Mr. MINETA.
Mr. MEEHAN.
Mr. LEHMAN.
Mr. NADLER.
Mr. FRANK of Massachusetts in two instances.

(The following Members (at the request of Mr. DORNAN) and to include extraneous matter:)

Mr. GILLMOR.
Mr. WASHINGTON.

ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2446. An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 2518. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 3123. An act to improve the electric and telephone loan programs carried out under the Rural Electrification Act of 1936, and for other purposes.

H.J. Res. 111. Joint resolution designating October 21, 1993, as "National Biomedical Research Day."

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 1487. An act entitled the "Middle East Peace Facilitation Act of 1993."

S. 1548. An act to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair producers receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes.

S.J. Res. 21. Joint resolution designating the week beginning September 19, 1994 as "National Historically Black Colleges and Universities Week."

S.J. Res. 78. Joint resolution designating the beach at 53 degrees 53′51″N, 166 degrees 34′15″W to 53 degrees 53′48″N, 166 degrees 34′21″W on Hog Island, which lies in the Northeast Bay of Unalaska, Alaska as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska on June 3 and 4, 1942.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On October 15, 1993:

H.R. 2517. An act to enable the Secretary of Housing and Urban Development to demonstrate innovative strategies for assisting homeless individuals, to develop the capacity of community development corporations and community housing development organizations to undertake community development and affordable housing projects and programs, to encourage pension fund investin affordable housing, and for other purposes.

H.J. Res. 265. Joint resolution to designate October 19, 1993, as "National Mammography Day."

H.J. Res. 218. Joint resolution designating October 16, 1993, and October 16, 1994, each as "World Food Day."

H.R. 2399. Joint resolution to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the tribe, and for other purposes.

H.R. 2493. Joint resolution making appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1994, and for other purposes.

ADJOURNMENT

Mr. HUNTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 20, 1993, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2026. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize a retroactive waiver of the survivability testing procedures that apply to the F-22 program; to the Committee on Armed Services.

2027. A letter from the Board of Directors, Export-Import Bank of the United States, transmitting a report involving United States exports to the Republic of the Philippines, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

2028. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-121, "Real Property Tax Rates for Tax Year 1994 and Real Property Tax Classification Amendment Act of 1993," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

2029. A letter from the Secretary, Council of the District of Columbia, transmitting a copy of the surveyor's plat to accompany Council Resolution 10-91, "Transfer of jurisdiction over Children's Island, S.O. 92-252, Resolution of 1993"; to the Committee on the District of Columbia.

2030. A letter from the Acting Assistant Secretary of Education, transmitting Notice of Final Funding Priority—Program for Children and Youth with Serious Emotional Disturbance, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

2031. A letter from the Director, Defense Security Assistant Agency, transmitting notice of the Department of the Air Force's proposed lease of defense articles to the Coordination Council for North American Affairs (Transmittal No. 03-94), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

2032. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Ballistic Missile Defense Organization's proposed lease of defense articles to the Coordination Council for North American Affairs (Transmittal No. 02-94), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

2033. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting President Clinton's determination that the Board of the International Fund is, as a whole, broadly representative of the interests of the communities in Ireland and Northern Ireland, and that disbursements from the International Fund are distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation, and will address the needs of both communities in Northern Ireland, pursuant to Public Law 99-415, section 5(c) (100 Stat. 948); to the Committee on Foreign Affairs.

2034. A letter from the Director, Defense Security Assistance Agency, transmitting the price and availability report for the quarter ending 30 September 1993, pursuant to 22 U.S.C. 2768; to the Committee on Foreign Affairs.

2035. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Nichlas Andrew Rey, of New York, to be Ambassador to the Republic of Poland, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2036. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1998 resulting from passage of H.R. 38, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

2037. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting a report on proposed refunds in excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2038. A letter from the Acting Assistant Secretary (Civil Works), Department of the Army, transmitting the 2d priority project list report prepared by the Louisiana Coastal Wetlands Conservation and Restoration Task Force, pursuant to Public Law 101-646, section 303(a)(3) (104 Stat. 4779); to the Committee on Merchant Marine and Fisheries.

2039. A letter from the Secretary of Transportation, transmitting the Department's report on "Buoy Chain Procurement Practices"; to the Committee on Merchant Marine and Fisheries.

2040. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report, entitled "Whistleblowing in the Federal Government: An Update," pursuant to 5 U.S.C. 1205(a)(3); to the Committee on Post Office and Civil Service.

2041. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation entitled "U.S. Colonias Water Pollution Control Act"; to the Committee on Public Works and Transportation.

2042. A letter from the Comptroller, Department of Defense, transmitting notification that DOD intends to sign agreements with a value up to $70 million to assist the Republic of Kazakhstan in activities related to the elimination of strategic offensive arms, pursuant to Public Law 102-396, section 9110(a) (106 Stat. 1928); jointly, to the Committees on Armed Services and Foreign Affairs.

2043. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting a report on the transfer of property to the Republic of Panama under the Panama Canal Treaty of 1977 and related agreements, pursuant to 22 U.S.C. 3784(b); jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

2044. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 93-45: POW/MIA Military Drawdown for Laos; jointly, to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON: Committee on Rules. House Resolution 279. Resolution relating to the consideration of amendments reported from conference in disagreement on the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-301). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. GONZALEZ: Committee on Banking, Finance and Urban Affairs. H.R. 1257. A bill to reconstitute the Federal Insurance Administration as an independent agency within the executive branch, provide for minimum standards applicable to foreign insurers and reinsurers providing insurance in the United States, make liquidity assistance available to well-capitalized insurance companies, and provide for public access to information regarding the availability of insurance, and for other purposes; with an amendment; referred to the Committee on Energy and Commerce for a period ending not later than November 19, 1993, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of the committee pursuant to clause 1(h), rule X (Rept. 103-302, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. STUDDS (for himself and Mr. YOUNG of Alaska):

H.R. 3300. A bill to amend the act popularly known as the Sikes Act to enhance fish and wildlife conservation and natural resources management programs on military installations; to the Committee on Merchant Marine and Fisheries.

By Mr. TORRICELLI (for himself, Mrs. SCHROEDER, Ms. LOWEY, Ms. DELAURO, and Mr. MORAN):

H.R. 3301. A bill to amend title 18, United States Code, to prevent persons who have committed domestic abuse from obtaining a firearm; to the Committee on the Judiciary.

By Mr. GILMAN (for himself, Mr. MCCOLLUM, Mr. HYDE, and Mr. SOLOMON):

H.R. 3302. A bill to amend title 18, United States Code, to modify the penalties for certain passport and visa related offenses; to the Committee on the Judiciary.

By Mr. ANDREWS of New Jersey:

H.R. 3303. A bill to amend title 10, United States Code, to prohibit the Department of the Navy from contracting for long-term scheduled ship maintenance work to be performed outside the United States unless a certification is made to Congress; to the Committee on Armed Services.

By Mr. COX (for himself, Mr. JOHNSTON of Florida, Mr. GOSS, Mr. RAVENEL, and Mr. ZIMMER).

H.R. 3304. A bill to amend the Outer Continental Shelf Lands Act to allow State disapproval of Federal offshore leasing decisions; to the Committee on Natural Resources.

By Mr. FRANK of Massachusetts (for himself, Mr. YATES, and Ms. PELOSI):

H.R. 3305. A bill to amend the Immigration and Nationality Act to establish a Board of Visa Appeals within the Department of State to review decisions of consular officers concerning visa applications, revocations, and cancellations; to the Committee on the Judiciary.

By Mr. GONZALEZ (for himself and Mr. SCHUMER):

H.R. 3306. A bill to amend the Federal Deposit Insurance Act to regulate the retail sale of nondeposit investment products by insured depository institutions to prevent customer confusion about the uninsured nature of the products, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. GUTIERREZ:

H.R. 3307. A bill to prohibit any entity that receives Federal assistance from delaying or denying the placement of a child into foster care or for adoption based on any difference between the race, color, or national origin of the child and that of the prospective foster or adoptive parent or parents if a prospective parent of the same race, color, or national origin is not available; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 3308. A bill to amend title 38, United States Code, to provide housing benefits for the purchase of residential cooperative apartment units; to the Committee on Veterans' Affairs.

By Mr. MINETA (for himself and Ms. DANNER):

H.R. 3309. A bill to terminate the effectiveness of certain amendments to the foreign repair station rules of the Federal Aviation Administration; to the Committee on Public Works and Transportation.

By Mr. NADLER:

H.R. 3310. A bill to establish the Barbara McClintock Project to Cure AIDS; to the Committee on Energy and Commerce.

By Mr. OWENS:

H.R. 3311. A bill to establish the Professional Boxing Corporation, and for other purposes; jointly to the Committees on Energy and Commerce and Education and Labor.

By Mr. PICKETT:

H.R. 3312. A bill to direct the Secretary of the Interior to revise a map relating to the Coastal Barrier Resources System; to the Committee on Merchant Marine and Fisheries.

By Mr. ROWLAND (for himself, Mr. MONTGOMERY, Mr. STUMP, Mr. EDWARDS of Texas, Mr. SMITH of New Jersey, Mr. FILNER, Mr. BILIRAKIS, Mr. BISHOP, Mr. HUTCHINSON, Mr. KREIDLER, Mr. EVERETT, Mr. BUYER, and Mr. LINDER):

H.R. 3313. A bill to amend title 38, United States Code, to improve health care services of the Department of Veterans Affairs relating to women veterans, to extend and expand authority for the Secretary of Veterans Affairs to provide priority health care to veterans who were exposed to ionizing radiation or to Agent Orange, to expand the scope of services that may be provided to veterans through Vet Centers, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. SLAUGHTER (for herself, Mrs. UNSOELD, and Ms. FURSE):

H.R. 3314. A bill to provide for a review of all Federal programs that assess or mitigate the risks to women's health from environmental exposures, and for a study of the research needs of the Federal Government relating to such risks; jointly, to the Committees on Energy and Commerce and Science, Space, and Technology.

By Mr. WASHINGTON (for himself, Mr. EDWARDS of California, Mr. CONYERS, Mr. SCOTT, Mr. WATT, Mr. TUCKER, Mr. RANGEL, Mr. PAYNE of New Jersey, Mrs. SCHROEDER, Mr. BECERRA, Mr. MFUME, Mr. SERRANO, Mr. HASTINGS, Mr. UNDERWOOD, Ms. NORTON, Ms. VELAZQUEZ, Mr. RUSH, Ms. WATERS, Ms. BROWN of Florida, Mr. WYNN, Ms. ROYBAL-ALLARD, Mr. STARK, Mr. REYNOLDS, and Mr. THOMPSON):

H.R. 3315. A bill to prevent crime and to reform the criminal justice system to make it more fair; jointly, to the Committees on the Judiciary and Ways and Means.

By Mr. DICKEY:

H.R. 3316. A bill to amend the Federal Election Campaign Act of 1971 to prohibit contributions by nonparty multicandidate political committees; to the Committee on House Administration.

By Mr. ROGERS:

H.R. 3317. A bill to prohibit the U.S. representative to the United Nations from voting to approve, expand, or extend any U.N. peacekeeping, peacemaking, or peace-enforcing operation unless the President notifies the Congress before that vote; to the Committee on Foreign Affairs.

By Mr. MINETA (for himself, Mr. NATCHER, and Mr. McDADE):

H.J. Res. 279. Joint resolution providing for the appointment of Manuel Luis Ibáñez as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. MINETA (for himself, Mr. NATCHER, and Mr. McDADE):

H.J. Res. 280. Joint resolution providing for the appointment of Frank Anderson Shrontz as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. NADLER:

H. Con. Res. 167. Concurrent resolution expressing the sense of the Congress that any comprehensive health care reform legislation that is enacted should ensure that women receive appropriate breast and cervical cancer screenings and general gynecological care consistent with current medical standards; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER:

H. Con. Res. 168. Concurrent resolution relating to the Republic of China on Taiwan's rejoining the United Nations; to the Committee on Foreign Affairs.

By Mr. ROEMER (for himself, Ms. DUNN, Ms. SHEPHERD, Mr. ALLARD, and Mr. FINGERHUT):

H. Res. 280. Resolution expressing the sense of the House that a schedule should be adopted to require three consecutive 5-day workweeks per month; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

250. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to enacting legislation to protect the eligibility of senior citizens in public and assisted housing; to the Committee on Banking, Finance and Urban Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. BAKER of California.

H.R. 302: Mr. DELLUMS.

H.R. 303: Mr. FILNER.

H.R. 349: Mr. REED.

H.R. 439: Mr. McHALE.

H.R. 466: Mr. JACOBS and Mr. SUNDQUIST.

H.R. 476: Mr. REED.

H.R. 520: Mr. MORAN and Mr. BISHOP.

H.R. 546: Mr. BAKER of Louisiana, Ms. FURSE, Mr. KINGSTON, Ms. MOLINARI, and Mr. YATES.

H.R. 760: Mr. KLEIN.

H.R. 784: Mr. JEFFERSON.

H.R. 796: Mr. HOAGLAND, Mr. BROWN of California, and Ms. BROWN of Florida.

H.R. 911: Mr. BARTLETT of Maryland and Ms. FURSE.

H.R. 962: Mr. WHEAT.

H.R. 1087: Mr. de la GARZA.

H.R. 1155: Ms. FURSE.

H.R. 1161: Mr. SCHAEFER.

H.R. 1172: Ms. BYRNE.

H.R. 1205: Mrs. MEYERS of Kansas.

H.R. 1383: Mrs. MEYERS of Kansas.

H.R. 1392: Mr. ANDREWS of Maine.

H.R. 1504: Mr. VISCLOSKY and Mr. GILLMOR.

H.R. 1552: Ms. SNOWE.

H.R. 1608: Mr. BATEMAN, Mr. BONILLA, Mr. CONDIT, Mr. COPPERSMITH, Mr. FAWELL, Mr. FRANKS of Connecticut, Mr. PETE GEREN of Texas, Mr. KIM, Mr. LANTOS, Mr. LEHMAN, Mr. McHALE, Ms. PRYCE of Ohio, Mr. ROEMER, and Mr. SUNDQUIST.

H.R. 1627: Mr. QUINN, Mr. DURBIN, and Mr. SANTORUM.

H.R. 1683: Mr. PETERSON of Florida.

H.R. 1709: Mr. SANGMEISTER, Mrs. JOHNSON of Connecticut, Mr. DUNCAN, Mr. KLUG, Mr. LIGHTFOOT, Mr. CRAMER, Mr. ROEMER, Mr. SMITH of Texas, Mr. SHAW, and Mr. LANTOS.

H.R. 1720: Mr. PALLONE, Mr. ANDREWS of New Jersey, Mr. BARCA of Wisconsin, and Mrs. MORELLA.

H.R. 1747: Mr. PETRI.

H.R. 1755: Ms. PELOSI.

H.R. 1793: Mrs. JOHNSON of Connecticut, Mr. BARCIA of Michigan, Mr. BROWN of California, Mr. FARR, Mr. GUTIERREZ, and Mr. JACOBS.

H.R. 1945: Ms. DUNN, Mr. STRICKLAND, Mr. BROWN of Ohio, Ms. BYRNE, Mr. CLEMENT, Mr. McHALE, Mr. HOEKSTRA, Mr. McMILLAN, and Mr. GENE GREEN of Texas.

H.R. 2135: Ms. NORTON, Mr. INSLEE, Mr. WAXMAN, and Mr. FAZIO.

H.R. 2147: Ms. NORTON, Ms. MARGOLIES-MEZVINSKY, Mr. VISCLOSKY, Mr. LEWIS of Georgia, Mr. STUDDS, Mrs. SCHROEDER, Mr. BARRETT of Wisconsin, and Mr. KREIDLER.

H.R. 2221: Mr. BALLENGER, Mr. SHAYS, Mr. SCHIFF, and Mr. UPTON.

H.R. 2354: Mr. ARMEY.

H.R. 2523: Mr. DIAZ-BALART and Mr. ARMEY.

H.R. 2543: Mr. ANDREWS of Maine, Mrs. MORELLA, Mr. BARRETT of Wisconsin, Mr. DELLUMS, Mr. RAVENEL, Ms. DeLAURO, and Ms. LOWEY.

H.R. 2638: Ms. LOWEY and Mr. EVANS.

H.R. 2641: Ms. VELAZQUEZ.

H.R. 2735: Mr. BEILENSON, Mr. BARCA of Wisconsin, Mrs. THURMAN, and Mr. WALSH.

H.R. 2759: Mr. WYNN.

H.R. 2788: Ms. NORTON and Ms. VELÁZQUEZ.

H.R. 2790: Mr. SANDERS, Mr. WILSON, Mr. GUTIERREZ, and Mr. KILDEE.

H.R. 2831: Mr. BAKER of California.

H.R. 2834: Mr. BROWDER and Mr. COPPERSMITH.

H.R. 2846: Mr. KLUG, Mr. FOGLIETTA, Mr. KILDEE, Mr. PARKER, Mr. BARRETT, OF WISCONSIN, AND MR. BISHOP.

H.R. 2884: Mr. BISHOP.

H.R. 2939: Mr. WYNN and Ms. VELÁZQUEZ.

H.R. 3017: Mr. PARKER.

H.R. 3030: Mr. SOLOMON.

H.R. 3031: Mr. INGLIS of South Carolina.

H.R. 3041: Ms. VELÁZQUEZ and Mr. PETE GEREN of Texas.

H.R. 3077: Mr. ROHRABACHER.

H.R. 3087: Mr. CLEMENT, Mr. MILLER of California, Mr. KLEIN, Mr. BARCIA of Michigan, and Mr. BROWDER.

H.R. 3098: Mr. HASTINGS, Mr. DIAZ-BALART, Mr. BERMAN, and Ms. VELAZQUEZ.

H.R. 3105: Mr. LEVY and Mr. HUGHES.

H.R. 3128: Mr. GONZALEZ, Mr. PENNY, and Mr. CLAY.

H.R. 3129: Mr. LEHMAN.

H.R. 3173: Mr. BLUTE and Mr. FROST.

H.R. 3182: Mr. FAWELL, Mr. MENENDEZ, and Mr. KLECZKA.

H.R. 3192: Mr. STENHOLM.

H.R. 3203: Mr. LEVY, Mr. OLVER, Mr. JOHNSON of South Dakota, Mr. BARRETT of Wisconsin, and Mr. GENE GREEN of Texas.

H.R. 3283: Mr. McDERMOTT, Mr. BALLENGER, and Ms. McKINNEY.

H.J. Res. 79: Mr. COBLE, Ms. BYRNE, and Mr. DARDEN.

H.J. Res. 113: Mr. GORDON and Mr. HAYES.

H.J. Res. 159: Mr. ANDREWS of New Jersey, Mr. ANDREWS of Maine, Mr. BATEMAN, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOEHLERT, Mr. BROWN of California, Mrs. CLAYTON, Mr. CLEMENT, Mr. CLYBURN, Mr. COBLE, Mr. COOPER, Mr. COPPERSMITH, Mr. CRAMER, Mr. DARDEN, Mr. DELLUMS, Mr. DINGELL, Mr. EDWARDS of Texas, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FAZIO, Mr. FILNER, Mr. FISH, Mr. FRANK of Massachusetts, Mr. FRANKS of New Jersey, Mr. FROST, Mr. GEKAS, Mr. PETE GEREN of Texas, Mr. GORDON, Mr. HALL of Texas, Mr. HAYES, Mr. HOBSON, Mr. HEFNER, Mr. HOCHBRUECKNER, Mr. HOEKSTRA, Mr. HUGHES, Mr. HUTCHINSON, Mr. JEFFERSON, Ms. KAPTUR, Mr. KASICH, Mr. KLECZKA, Mr. KLEIN, Mr. KOPETSKI, Mr. KREIDLER, Mr. LaFALCE, Mr. LANTOS, Mr. LAZIO, Mr. LEACH, Mr. LIPINSKI, Mr. MACHTLEY, Mr. MARTINEZ, Mr. MAZZOLI, Mr. McCLOSKEY, Mr. McDERMOTT, Mr. McHUGH, Mr. McNULTY, Mrs. MEEK, Mrs. MEYERS of Kansas, Mr. MILLER of California, Mr. MOAKLEY, Mr. MURPHY, Mr. NATCHER, Ms. NORTON, Mr. PETERSON of Minnesota, Mr. PICKETT, Mr. QUILLEN, Mr. RAHALL, Mr. RANGEL, Mr. REED, Mr. REGULA, Mrs. ROUKEMA, Mr. SKEEN, Ms. SLAUGHTER, Mr. SMITH of Iowa, Mr. SPRATT, Mr. STARK, Mr. SYNAR, Mrs. THURMAN, Mrs. UNSOELD, Ms. VELÁZQUEZ, Mrs. VUCANOVICH, Mr. WALSH, Mr. WATT, Mr. WISE, Mr. WOLF, Mr. GENE GREEN of Texas, Mr. TOWNS, Mr. ACKERMAN, Mrs. MORELLA, Mr. SPENCE, Mr. McCOLLUM, and Mr. McDADE.

H.J. Res. 175: Mr. UNDERWOOD.

H.J. Res. 178: Miss COLLINS of Michigan, Mr. MACHTLEY, and Mr. TUCKER.

H.J. Res. 185: Mr. APPLEGATE, Mr. BONIOR, Mr. FISH, and Mr. LEWIS of Georgia.

H.J. Res. 212: Mr. FAWELL, Mr. ABERCROMBIE, Mr. ROMERO-BARCELÓ, Mr. GUNDERSON, Mr. GIBBONS, Ms. FURSE, and Mr. SCHIFF.

H.J. Res. 245: Mr. CRAPO, Mr. BLUTE, Mr. BOEHNER, Mr. KING, Mr. McHUGH, and Mr. HALL of Texas.

H.J. Res. 248: Mr. CANADY.

H.J. Res. 264: Mr. YATES, Mr. TOWNS, Mr. BLILEY, Mr. HOCHBRUECKNER, Mr. LIPINSKI, Mr. WALSH, Mr. MANTON, Mr. KLECZKA, Mr. TRAFICANT, Mr. BATEMAN, and Mrs. VUCANOVICH.

H.J. Res. 274: Mr. WOLF, Mr. MARTINEZ, Mr. MAZZOLI, Mr. de la GARZA, Mr. KLECZKA, and Mrs. MEEK.

H. Con. Res. 98: Mr. MEEHAN, Mrs. MORELLA, Mr. KENNEDY, and Mr. McDERMOTT.

H. Con. Res. 122: Mr. LEHMAN, Mr. MARTINEZ, Mr. NADLER, Mr. GEJDENSON, Mr. BAKER of California, Mr. BERMAN, and Mr. ROYCE.

H. Con. Res. 159: Mrs. MEYERS of Kansas, Mr. SOLOMON, Mr. BATEMAN, Mrs. JOHNSON of Connecticut, Mr. GINGRICH, Mr. HANSEN, Mr. KING, and Mr. KYL.

H. Res. 38: Ms. NORTON, Mrs. SCHROEDER, Ms. VELÁZQUEZ, Ms. McKINNEY, Mr. ANDREWS of Maine, and Ms. ROYBAL-ALLARD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2501: Mr. ZIMMER.

EXTENSIONS OF REMARKS

LET'S LISTEN TO TAXPAYERS FOR A CHANGE

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. KNOLLENBERG. Mr. Speaker, I want to call my colleagues' attention to an extraordinary grassroots event that occured on Saturday here in the Nation's Capital. This was the Taxpayer Action Day rally in Washington.

Unlike the many special interest marches and staged events we regularly see in Washington, this event was organized by fed up taxpayers from across America. These Americans are tired of big government, and high taxes.

I am particularly proud because one of the groups that sponsored this event—Speak Out America—is the brainchild of Karen Mazzarella, of Highland, MI, a resident of my congressional district.

I have included for insertion in the RECORD a recent article from the Milford Times which discusses how Karen and her fiance Gary Stewart spearheaded this protaxpayer movement.

Karen is a political novice, but 5 months ago in response to President Clinton's record tax hike she called a Detroit talk radio station and volunteered to organize a march on Washington.

From that point on her phone has been ringing off the hook.

Saturday we didn't hear from the special interests who live off of Washington, instead we heard from ordinary Americans who pay the bills. I think it is time we listened to them.

[From the Milford Times, Sept. 30, 1993]

SPEAKING OUT: HIGHLAND RESIDENT SPARKS WASHINGTON MARCH

(By Frank J. Elchenlaub)

Karen Mazzarella's life changed unexpectedly when her name and phone number were broadcast in May on a Detroit radio station.

Her phone began to ring soon after the broadcast. And it has hardly stopped ever since.

That May night Mazzarella became the organizer of the "Speak Out America" march on Washington, D.C., which will take place Oct. 16 to protest taxes and government waste and spending.

"It was bedlam," Mazzarella said of the night her phone number was given out on the radio. "We estimate that within the first week, we got over 500 phone calls."

The incoming calls were so heavy that Mazzarella and her fiance, Gary Stewart, were forced to set up an additional line and to hire an answering service.

Mazzarella, a Highland resident who describes herself as a political novice, has taken a leave from her job selling insurance to organize the nation-wide event out of her home.

She now logs 16-hour days in the home, which has become scattered with "Speak Out America" posters, pamphlets and T-shirts.

Her group, Speak Out America, has nonprofit status and operates with a core group of about six people who perform most of its duties—from designing T-shirts to speaking on radio talk shows.

"It's quite a logistical nightmare in keeping it all together," said Stewart, who also calls himself a political novice.

While Mazzarella organizes with state directors, Stewart conducts interviews with radio stations and does much of the administrative work.

All of this began inadvertently for Mazzarella when, in mid-May, discussion of President Bill Clinton's deficit reduction plan pushed her over the edge.

She called a conservative talk show one night to discuss her opposition to the plan. Earlier, another caller had suggested citizens march on Washington to protest higher taxes, and Mazzarella told the show's producer that she would organize it.

"I called up and said I just wanted to leave my name and number backstage with the producer," Mazzarella said. "I said I'm one of those people who are better off behind the scenes."

But later that evening, Ronna Romney, who is expected to run for the U.S. Senate in 1994, gave out Mazzarella's name and phone number.

"It was crazy," Mazzarella said. "I couldn't even get a chance to call the station and have my number pulled. That's how fast and furious they were coming in."

"I actually woke up the next day and asked, "Well, how does one do this?" Mazzarella said.

She made several calls to Washington groups and ended up receiving support from Citizens Against Government Waste, which holds yearly rallies called "Taxpayer Action Day" on Oct. 16. Although that group has 170 rallies across the nation, it has never marched on Washington. It will still conduct individual rallies across the nation for those unable to attend the Washington march.

From there, the event "just blossomed," Mazzarella said.

"We started out with one sheet of paper that was copied," Mazzarella said. "It's the most amazing thing to watch. It's like it takes on a life of its own."

Truck drivers circulated "Speak Out America" flyers across the country. People called Mazzarella from as far away as California and New Mexico.

People in more than half the states in the country have set up organizations for the march. And she estimates that 70,000-80,000 Speak Out America brochures have been mailed out.

"I had no idea it would get to the magnitude it has gotten to—I mean from one phone call," Mazzarella said. "What I've found amazing is 80 percent of the people that I talk to across the United States are people just like me. They're people who are not politically active."

The Oct. 16 event begins at 10 a.m. near the Washington Monument. The march gets underway at 11 a.m. and circles in front of the White House.

Marchers will return to the monument area where a long list of speakers will address the crowd, including Ross Perot via satellite.

Speak Out America has arranged bus and air transportation to the march. Those interested can call the local "march line" at 887-4919.

But Mazzarella and Stewart hope their group continues even after the October march on Washington and, once again, President Clinton has provided part of the inspiration.

"The health care issue—we look at it as another tax," Mazzarella said. "A lot of people think that it is just a socialistic agenda."

They narrowed their approaches to either a group to coordinate letter writing campaigns or a Political Action Committee, which would target Congressional "tax and spenders," Stewart said.

DARWIN LELAND STILL GOING STRONG AS 90-YEAR-OLD CEO OF COMPANY BEARING HIS NAME

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. SOLOMON. Mr. Speaker, I like to think that the 22d Congressional District of New York has more remarkable people in it than any other district in the country. I'd like to say a few words about one of them today.

His name is Darwin Leland, and today, about 30 years after most of his peers were starting to think about retirement, he is still going strong as chief executive officer of Leland Paper Co. of Glens Falls, NY.

Mr. Leland admits that he has slowed down a step or two. He works only about 40 hours a week these days. But he is still very much involved in the business he founded 42 years ago, taking orders and making sure everything is all right with the company's many accounts.

He purchased an existing company in 1951 and gave it his own name. He started with five employees and one delivery truck. Leland Paper now has 27 employees, four trucks, a station wagon and two cars. The company started in a warehouse. Two relocations later, in 1991, the company celebrated its 40th anniversary in a new 31,500-square foot building. The company supplies paper towels, copy and computer paper, and restaurant and janitorial supplies. Its name is synonymous with quality products and outstanding service.

One of my fondest experiences was getting former President Reagan to autograph a 1956 picture of himself sitting with Leland at the head table at a dinner of the Glens Falls Chamber of Commerce. At that time Leland was president of the chamber, and Ronald Reagan was doing public relations work for General Electric. That picture hangs on a wall containing other memories and accomplishments, including the Charter Day Award he got from the Glens Falls Rotary Club in 1992.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Leland credits his late wife, Marion Coleman Leland, for her supportive role in the business. She was missed at the recent party friends and family held for him at the Glens Falls Country Club. His son Richard, company president since 1988, and daughter Marcia Coleman of Arlington, VA, were both there, as was one of his brothers, Dexter Leland of Scottsdale, AZ. Leland also has three grandchildren and two great-grandchildren.

Richard Leland was quoted in a local newspaper as saying that the source of his father's longevity is hard work.

With that in mind, Mr. Speaker, I would ask you and all Members to join me in a salute to Darwin Leland of Glens Falls, NY, one of the countless reasons America is the great country it is.

HONORING VETERAN FAMILY SERVICE CORP. FOR ITS EXTRAORDINARY ASSISTANCE TO U.S. VETERANS

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. TORRES. Mr. Speaker, today I rise to give special recognition to an outstanding organization, Veteran Family Service Corp. The Veteran Family Service Corp. provides assistance to active military personnel, veterans or immediate family members of veterans in need.

Founded in March 1992, Veteran Family Service Corp. provides over 7 tons of food per month, clothing, benefits assistance, alcohol and drug treatment, as well as medical and psychological care to veterans who are in need of a helping hand.

For the past year, this private, non-profit organization has helped over 1600 veterans and their families throughout the San Gabriel Valley and greater Los Angeles area. As well as servicing individual veterans and their families, V.F.S.C. supplies over 5,000 pounds of food per month to a burgeoning list of veteran agencies, including the Vet Center, American G.I. Forum, AMVETS, Vietnam Veterans of America, Disabled American Veterans, and Desert Strom Veterans.

Veteran Family Service Corp. has helped veterans who, because of a myriad of circumstances, have lost their jobs, homes, and/or military benefits. Veterans who come to V.F.S.C. for assistance come from varied backgrounds. Some are living in cars, addicted to alcohol or drugs or both, or plain penniless and, unfortunately, some have contemplated suicide.

Regardless of the circumstances surrounding their arrival to V.F.S.C., Vietnam veteran, Chaplain Robert Preciado, founder and president of V.F.S.C., never turns his back of them. On the contrary, Chaplain Preciado helps them get back on their feet with a renewed sense of dignity and a fresh outlook for a better tomorrow. He, along with other dedicated volunteers, feeds their spirits as well as their bodies.

V.F.S.C., through its committed and sensitive volunteers, has instilled hope in many veterans who lost it long ago. At a time when people are struggling twice as hard to make a living and funding resources are limited, organizations like V.F.S.C. play a critical role in meeting the needs of these veterans.

Mr. Speaker, it is with pride that I rise to recognize Veteran Family Service Corp and Chaplain Preciado for the tremendous contributions made to the well-being of veterans and their families. I also ask my colleagues to join me in saluting this exceptional organization for its public service record.

THE NATURAL RESOURCE MANAGEMENT ON MILITARY LANDS ACT OF 1993

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. STUDDS. Mr. Speaker, today I am pleased to join Mr. YOUNG, my colleague of long-standing on the Merchant Marine and Fisheries Committee, in introducing legislation to amend and reauthorize the Sikes Act for an additional 5 years. If enacted into law, this legislation promises to bring about real improvement in the conservation of fish, wildlife, and other natural resources on our Nation's military installations.

When most of us picture a military base, images of wetlands, forests, and wildlife don't usually come to mind. However, many military facilities—particularly those with large tracts of undeveloped land set aside for training activities—are, in fact, hosts to a wealth of plant and animal life. The biological diversity that exists on these lands is arguably one of this Nation's best kept conservation secrets.

Nationwide, the Department of Defense [DOD] manages roughly 900 military installations, comprising 25 million acres—an area equal in size to the State of Kentucky. The Sikes Act was enacted 33 years ago to foster cooperative wildlife management among the Secretary of Defense, the Secretary of the Interior, and State agencies on these facilities.

Unfortunately, DOD's record of compliance with the act is less than exemplary, and Congress has repeatedly used the reauthorization of the Sikes Act to provide clearer mandates for the conservation of natural resources on military installations. Nonetheless, many DOD facilities have continued to ignore their responsibilities due to the lack of departmental leadership or enforcement provisions within the act. The reality is that management plans aren't being developed aren't being implemented, or—where they have been developed—lack coordination with or integration into military activities. The result has been that some DOD lands have been degraded to such an extent that even their usefulness for training exercises is impaired.

No one disputes the fact that DOD installations must be managed first and foremost to meet the needs of the military. The Natural Resources Management on Military Lands Act of 1993 does nothing to interfere with those purposes. The bill simply requires installations with significant natural resources to develop and implement an integrated natural resource management plan and that military activities be conducted in consultation with the military officials responsible for natural resource management. Also, this bill adds a much-needed enforcement process whereby military installations that fail to meet their responsibilities under the Sikes Act will be required to promptly institute remedial actions to correct those violations.

This bill will foster sound management of each installation's natural resources. As a result, we will be helping preserve these lands' biological diversity, their suitability for troop maneuvers and other military exercises, and will reduce the likelihood of costly environmental disasters.

This legislation has the backing of several conservation groups, including the National Wildlife Federation and the National Military Fish and Wildlife Association and its nationwide membership of DOD natural resource managers. But perhaps even more encouraging is the cooperation we have received from DOD itself. It seems that DOD now realizes that it simply cannot afford to continue business as usual—that the time has come for forward-thinking, pro-active natural resource management on military installations. Our legislation exemplifies these principles.

This legislation offers us a valuable opportunity to demonstrate that environmental protection continues to be a high priority of the Congress and is consistent with our military training needs. I urge my colleagues to join me in supporting it.

SHRINERS' MINICARS ARE VEHICLES TO GOOD HEALTH

HON. LESLIE L. BYRNE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Ms. BYRNE. Mr. Speaker, I rise today to pay tribute to the outstanding work performed by a special group of people, the Shriners. In particular, I rise to commend one of my constituents, Mr. Del Farmer, for his outstanding and generous efforts on behalf of injured and sick children throughout the United States of America.

Recently, the Washington Post Magazine ran a heart-warming story about Del and the rest of the Shriners' Kena Temple in Fairfax. The story highlighted his mini-car unit which is used in the famous Shriners parade to underscore some of the important work done by the Shriners organization. I would like to share that article with my colleagues today.

Throughout North America the Shriners operate 19 orthopedic hospitals and 3 burn units for children. These hospitals operate completely on the generosity of Shriners across the Nation, and the young patients at these hospitals are treated without any cost to them or to their families. The Shriners accept no payments from the Government or insurance companies.

As the national debate on health care intensifies, the contribution of the Shriners Hospitals to medical care and medical advances merit praise and recognition. Over the years thousands of young people have been treated at their hospitals and burn units. There is no happiness more cherished than an injured child made well and whole. This concept is embodied in the Shriners efforts on behalf of children who may live happy and productive lives because of the charitable work of this generous organization.

The Washington Post Magazine article is entitle "Good Wheels Toward Men." After reading it and learning about the Shriners Hospitals, you can see why those little cars represent vehicles to good health for thousands of crippled and burned children. The article follows:

[From the Washington Post Magazine]

GOOD WHEELS TOWARD MEN

(By Bill Sautter)

Shriner Del Farmer sometimes uses his firecracker-orange Corvette Stingray for parade duty. But more often, you'll see him zig-zagging down the route in an identically painted mini "Vette barely big enough for a third-grader.

How does this 255-pound retired D.C. cop slip his 6-foot frame into a car that's only 30 inches wide?

"V-e-e-e-ry carefully," the Vienna resident says with a laugh. "I kind of straddle the car, squat down and ease myself onto the seat. My knees stick up in the air. It isn't very comfortable."

As president of his temple, Farmer participates in up to 30 parades a year. "Shriners have always been associated with these little cars," he says. "It's just a fun tradition, I guess. Our Kena Temple in Fairfax is one of two in Virginia that have a mini-car unit. We have 19 cars and about a dozen regular drivers."

The cars, powered by five-horsepower lawnmower engines, were designed for kids. They "seem to last forever, but the bodies get scraped and cracked," Farmer says, running a finger across a dime-sized chip in the sleek fiberglass frame. "I turned this one over on Constitution Avenue during the Cherry Blossom Parade in 1990—ripped my pants. Everybody called me 'Flipper' for a while."

To avoid flips and fender benders, Farmer and his buddies practice figure eights, basket weaves and crossovers in the outer parking lot at Fair Oaks Mall most Sunday afternoons. "That's when we get the collisions and cuss words out of the way."

The whole shtick can be time consuming and expensive; individuals purchase and maintain their own cars.

So what's in it for Farmer?

"There's a serious side to this," he says. "The mini-cars are a good way to get people to learn about the work we do." The Shriners support 19 orthopedic hospitals and three burn centers for children in the United States and Mexico.

"We may look a little silly driving these things, but if it helps get the word out, we don't mind a bit."

INTRODUCTION OF FOREIGN REPAIR STATION BILL

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. MINETA. Mr. Speaker, today I am introducing a bill on the regulations that govern the use of foreign repair stations by U.S. airline operators. This bill is similar to bills that I introduced in the 101st and 102d Congresses, and would return the regulations governing the use of foreign repair stations to their pre-1988 status.

In November 1988, the Federal Aviation Administration changed its regulations on the use of foreign repair stations by U.S. operators. Prior to that regulatory change, a U.S. operator had to demonstrate very special needs or an emergency situation to have maintenance conducted on U.S. domestic aircraft outside of the United States. The 1988 changes removed the regulatory barriers thereby enabling airlines to take their aircraft offshore for maintenance if they so chose. My bill would say the changes made in 1988 would no longer be effective, and it would, again, be difficult to obtain overseas maintenance of U.S. domestic aircraft.

Since 1987, when this regulatory change began being discussed, I have had a great deal of concern that this would result in a flight of good paying aircraft mechanic jobs out of the United States. I have also had concerns that the Federal Aviation Administration would not be able to adequately inspect foreign repair stations to ensure the safety of their operations.

Since the 1988 rule change, a number of these concerns have not materialized. However, it is clear that they could in the future if circumstances change.

First, in 1988, the U.S. airline industry was a major proponent of the rule change and appeared anxious to take advantage of the new rules. However, since the rule change, U.S. carriers' interest in using the offshore possibilities created by the rule change appears to have largely evaporated. In a quarterly report to the Committee on Public Works and Transportation, the FAA finds that, " * * * There has been no significant change in the way U.S. airlines are having maintenance performed by foreign repair stations * * *." Testimony before the Subcommittee on Aviation and conversations I have had with airline officials indicate that corporate decisions have been made to keep aircraft maintenance in-house and on-shore. Since 1988, the U.S. major carriers have constructed large new maintenance facilities in the United States or are expanding existing ones. While there are certainly threats to the jobs of mechanics in the United States as demonstrated by the decline of jobs in this sector in recent years, foreign repair stations, to date, have not contributed to this decline. The loss of jobs stems from the generally poor financial condition of the aviation industry.

Second, the FAA has taken a very measured approach to the certification of new foreign repair stations. There were concerns that the FAA would be overwhelmed with a flood of new repair stations and would not have the resources necessary to inspect and ensure the safety of new and existing foreign repair stations. FAA has not allowed itself to become overwhelmed, and I commend the agency for carefully gauging its new foreign repair station certifications with its own capabilities.

While I am very pleased with the industry and FAA approach so far, I do not want the FAA, the industry, and its workers to believe that I think this issue is totally behind us. Approaches can change, and my earlier concerns could be revived. So, I am introducing this bill to let it be known that this is an issue the committee will continue to follow closely.

At this time, industry attitudes and the FAA's approach do not indicate a need to move on this legislation beyond introduction. However, should there be significant changes in this regard, I will take the steps necessary to rectify the situation.

BIOGRAPHY OF LUTHER ESKIJIAN

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. MOORHEAD. Mr. Speaker, Luther Eskijian was born on November 1, 1913, in a small village in the mountains of Syria, the son of Rev. and Mrs. Hovannes Eskijian. Seven years later, he, his brother, John, and mother immigrated to the United States.

Like thousands before him, Luther crossed the ocean on a third-class ticket with refugee status. The family arrived at Ellis Island not knowing the language or culture.

Without funds or resources, the family struggled to survive, but through perseverance and hard work, Luther Eskijian established himself in business and obtained an education as an architect.

But before his own personal plans could progress very far, World War II started and Luther entered the Army. After marrying Anne Hotzakorgian at the base chapel of Camp Monroe, NC, he was shipped overseas and attached to General Eisenhower's headquarters in Paris.

His job was to design hospitals throughout the war front following General Patton's Eighth Army from the Rhine River to Berlin, as cities were liberated and large buildings were evacuated for hospital use.

During his service in Europe, Luther had little personal time, but when he did, he visited cathedrals and unusual buildings, making sketches of scenes of beauty and devastation. He also purchased art objects from antique shops. These collector's items would become the basis for his extensive collection of antiques for the museum he would establish in later life.

Returning to the United States in January 1946, he met his first child who was born while he was serving in France. Luther and Anne resumed their life, a home was established, and two other children were born. He expanded his career as an architect and businessman. He designed and built many smaller institutional buildings, churches, schools, and banks.

Luther Eskijian has been active in civic and religious affairs all his life, serving in many positions in his church, missionary associations, Christian schools, and philanthropic trusts. He has assisted scores of small churches, and simply reached out to people who needed help, freely offering his time, resources, and professional services. He has been a Rotarian for over 43 years, and has served as President of his club with distinction. His field of endeavors has expanded to include specialized engineering activities, for which he holds a dozen patents.

Now in his retirement years, he has spent most of his time in the planning and construction of an outstanding edifice of ancient Armenian architecture, a sanctuary and museum for the Armenian Community Center and the Mission Hills Ararat Home of Los Angeles. The sanctuary is most unusual in that it uses modern materials but incorporates ancient designs, with beamed ceilings, a central cupola with an ancient gold cross on top, stained glass windows of Biblical scenes, natural split face blocks and marble altar, similar to the construction of ancient Armenian churches going back over 1,000 years.

The lower floor of the sanctuary contains the Ararat Eskijian Museum which will house many historical Armenian artifacts from before the time of Christ, along with European and Middle Eastern artifacts. Additionally, one section of the museum will be devoted to American patriotic artifacts of Presidents Washington and Lincoln. This church and museum will serve the extensive Armenian community in the Los Angeles area.

Mr. Speaker, Mr. Eskijian is beloved of his wife, children, and grandchildren, his friends and community. He is a gift and an asset to America and his people.

CONGRATULATIONS TO MERCYHURST PREPARATORY SCHOOL

HON. THOMAS J. RIDGE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. RIDGE. Mr. Speaker, it is with great pleasure that I rise today to recognize and congratulate Mercyhurst Preparatory School for being named a 1992–93 blue ribbon school.

In becoming a blue ribbon school, the entire Mercyhurst Prep community has achieved excellence in education. Their hard work and dedication has been recognized not only by the U.S. Department of Education, but by experts in the education community nationwide. They have proven that Mercyhurst Prep possesses strong visionary leadership and a can-do attitude toward meeting today's education challenges.

In earning this honor, the students, parents, and teachers of Mercyhurst Prep have set high educational standards for other Pennsylvania communities. Furthermore, Mr. Speaker, I am most enthused that everyone in the Mercyhurst Prep community has viewed this accomplishment as a spring board to the future, and not as a place to rest on their laurels.

I am confident that Mercyhurst Prep will remain focused on its student's needs and interests. There is no doubt that this is a school performing at an exemplary level. It is my hope that the ingenuity and creativity that has served their community so well will continue to move Mercyhurst Prep forward in its never-ending search for excellence in education.

Again, Mr. Speaker, it is an honor to congratulate Mercyhurst Prep on their dedication and achievement.

ACCESS EXCELLENCE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Ms. ESHOO. Mr. Speaker, I rise today to commend Genentech, Inc., and its president and chief executive officer, G. Kirk Raab, for their vision in launching Access Excellence, an innovative initiative to improve biology education in America.

Too often our country's best biology teachers do not have access to the information and resources they need to educate their students. That needs to change.

The fact that American high school students ranked dead last in biology among 13 nations included in the Second International Science Study does not bode well for a country which needs an educated work force to compete in a tough global market. It will become increasingly difficult for U.S. biotechnology companies, like Genentech, to beat their foreign competition unless our students receive adequate training today for the jobs of tomorrow.

Access Excellence will tackle this difficult problem through an interactive computer network which will provide the access that our teachers need to the wealth of expert scientific resources that our country has.

The goal of the program is to link as many U.S. biology teachers as possible to the computer network. Each year, the National Science Teachers Association will select 100 of the country's best biology teachers to participate in the program. These teachers will meet at the annual Access Excellence summit in San Francisco.

I applaud Kirk Raab and Genentech's generosity and dedication to our children. This progressive company clearly understands the critical connection between education and our country's future competitiveness.

JOURNALISTIC EXCELLENCE OF SARATOGIAN RECOGNIZED BY PEERS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. SOLOMON. Mr. Speaker, the news media, both print and broadcast, receive a great deal of criticism. It often makes us forget that the overwhelming majority of reporters, editors, and news directors are hard-working, dedicated, and skilled professionals. Our form of Government could not function without them.

I'd like to single out one news-gathering organization today, one that has already been singled out by its peers.

The Saratogian is a daily newspaper in the city where I have my main district office. It's long tradition of journalistic excellence has been recognized by the New York State Associated Press Association, which gave the paper five awards for 1993.

Former staffer Lisa Finnegan was a first-place winner for her in-depth series on the safety hazards of county workers. Also receiving a first-place award was Community News Editor Jim Rogalski for his coverage of the impact of a toxic waste dump.

Editors Rik Stevens and Mike Killian received second place awards for their work on a series about the findings of a State commission studying the horse racing industry in New York. Stevens also received an honorable mention for his reporting on the blizzard of 1993. Another honorable mention went to editorial staffers who worked on the story of alleged sexual misconduct by a local clergyman.

Mr. Speaker, that's an impressive performance by a smaller daily newspaper. I would ask all Members to join me in congratulating the staff and management of the Saratogian for a job well done.

IN HONOR OF STATE COLLEGE AREA HIGH SCHOOL, BLUE RIBBON SCHOOL AWARD RECIPIENT

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. CLINGER. Mr. Speaker, I rise today to congratulate State College Area High School in State College, PA, for having been selected by the Department of Education as one of only 260 blue ribbon schools across the United States.

This prestigious award is presented to schools which demonstrate excellence in education and a commitment to the six national education goals. Because of their efforts to realize their potential and to achieve these goals, the students and educators of State College Area High School are an excellent selection for this honor.

As is the case with many of the schools, State College Area High School is an institution in transition. Since 1990, the senior high school and intermediate high school have been working to integrate their programs and personnel to provide quality education efficiently and effectively. In addition to this structural reorganization, the school is also working to implement the latest innovations in education, including a revised mathematics curriculum and a goal-oriented writing assessment program.

The effectiveness of these efforts is evident in the results which the school enjoys. From 1986 to 1991, the percentage of graduates going on to college has increased from 52 percent to 75 percent. And, with a graduation rate of 90 percent, State College Area High School has already achieved one of the six national education goals that was set for the year 2000. Nationally, the school matches up quite well. On a consistent basis, between 8 and 12 percent of its senior class is honored as either national merit commended students or semi-finalists.

Mr. Speaker, I am very proud of State College Area High School for all of its accomplishments. I look forward to taking part in the congressional reception to be held on Thursday, October 21 in honor of all of the Blue Ribbon Award recipients. These administrators, teachers, and students are representatives of our educational system at its best, and I wish them all continued success.

TRIBUTE TO ALBERT BENINATI

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. FRANK of Massachusetts. Mr. Speaker, on Saturday night, there will be a very well-deserved retirement party for Albert Beninati in Bridgewater. Albert Beninati has worked for the people of his town for 38 years in a variety of capacities. In recognition of the extraordinary service this dedicated man gave to the people of Bridgewater, the Board of Selectmen adopted a resolution addressed to him, which will be presented to him on Saturday night. I think it is important that we give due recognition to outstanding public servants who act as models for others and I ask that the text of this resolution of heartfelt thanks from the people of Bridgewater to Albert Beninati be printed here.

[Town of Bridgewater, Office of Selectmen; Bridgewater, MA]

PROCLAMATION OF RECOGNITION

Greetings: In behalf of the citizens of the town of Bridgewater, it is with great pride and respect that we present this proclamation of recognition to Albert Beninati.

In appreciation and recognition of over thirty-eight (38) years of continuous service to the Townspeople of Bridgewater—you were appointed on a Call Firefigher in 1955. In 1962 you began your career with the Highway Department as Equipment Operator. You were then promoted to Lead Man and Surveyor in 1967; advanced to Foreman in 1971 and ultimately appointed Highway Superintendent in 1976, a position you have held with distinction for the past seventeen (17 years. You also served on many Town committees over the years, including the Traffic Study Committee. Ad Hoc Lake Nip Committee, Zoning By-Law Committee, Insurance Advisory Committee and Land Use Development Committee.

During your tenure, the Town's unprecedented growth has seen the building of many new subdivisions greatly increasing the demand for Highway Department services. You have performed your duties well—always striving to keep in touch with the needs of our residents and to deliver the bent possible services with the funds available.

On behalf of the Townspeople of Bridgewater, we wish you a long, healthy and happy retirement with your family and friends and on this happy occasion, we, the Bridgewater Board of Selectmen, do hereby proclaim this 23rd Day of October 1993 as Albert Beninati Day in the town of Bridgewater.

150TH ANNIVERSARY OF B'NAI B'RITH

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. GILMAN. Mr. Speaker, it is with great pride that I inform my colleagues of the 150th anniversary of the oldest and largest Jewish organization this month. B'nai B'rith—Children of the Covenant—International, was founded when 12 German Jews, sitting together at Sinsheimer's Cafe in New York City, organized themselves into a group for the purpose of helping their fellow brethren.

Since its modest beginnings in 1943, B'nai B'rith International has grown to 500,000 members in 51 countries. Its educational, antibigotry, and interfaith activities are recognized around the world. B'nai B'rith built the first Jewish community center in the United States and the first Jewish American library. The National Jewish Hospital in Denver was opened in 1899, and the Anti-Defamation League of B'nai B'rith was created in 1913.

B'nai B'rith's 150th anniversary is being celebrated with the theme, "Honoring the Past, Building the Future," having built the future, brick by brick, through its innovative programs for young people. The B'nai B'rith Youth Organization and B'nai B'rith Hillel were organized in the early 1920's. In the ensuring decades, thousands of Jewish youth have participated in B'nai B'rith programs and gone on to become leaders of both the Jewish and secular communities. Today, there are over 400 Hillel centers on college campuses worldwide, providing innovative leadership training, community service, as well as social action and religious and cultural programs.

Mr. Speaker, I am proud of my own affiliation with B'nai B'rith for so many years, and am extremely pleased that this vibrant organization is now in a position to celebrate its 150th anniversary.

Accordingly, I congratulate all the B'nai B'rith officers and members throughout the country with a hearty "mazal tov," certain that B'nai B'rith International will embark on its next 150 years of service in an equally stellar manner.

TRIBUTE TO AN OUTSTANDING EDUCATOR: GROVER C. JOHNSON

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. CLAY. Mr. Speaker, one of my constituents, Mr. Grover C. Johnson, has retired from the St. Louis Public Schools. On October 22, 1993, he will be honored by his colleagues for his outstanding professional career.

For 35 years Mr. Johnson has served the students in St. Louis Public Schools and the community of St. Louis in a variety of roles. As an elementary classroom teacher and as a physical education teacher, Mr. Johnson consistently encouraged students to establish high standards for themselves and helped them achieve their goals. As an administrative assistant at various schools he was respected by students and staff as a firm but fair disciplinarian, and he was always recognized as an advocate for students.

Mr. Johnson has also served St. Louis Public Schools in a variety of summer positions: summer school principal; assistant to the director of Federal programs; and coordinator of summer physical education programs. In addition, Mr. Johnson developed a physical education program for Project Headstart in Metropolitan St. Louis; this program was a model for Headstart programs on a national level. He served as a presenter, spring 1990 in San Antonio, TX, at the Elementary Principals Association Annual Conference. He presented information on the National Model National Endowment for the Humanities St. Louis Principals Institute on Law, Mercy and Justice.

Mr. Johnson was appointed principal of Carver Elementary School in 1976. He had graduated from 8th grade at Carver and served his apprenticeship there as a college student. He subsequently served as principal of Clark Elementary School and Ashland Elementary School, one of the largest elementary schools in the St. Louis system. Throughout his career as principal, Mr. Johnson demonstrated exceptional organizational skills as well as highly developed interpersonal skills, reflected in his relationships with students, parents, staff, and community members. He was acknowledged as a strong disciplinarian who was compassionate and always had the children's interests as his primary focus. He was admired by all for his calm demeanor and his ability to deal with stressful situations in a nonthreatening manner. His appearance was also a role model for students and staff as he was noted for being impeccably attired everyday.

Mr. Johnson demonstrated his dedication to excellence through his own educational activities and affiliations. He received degrees from Stowe Teachers College, St. Louis, bachelor of arts, and St. Louis University, master of arts; he attended special classes at the University of Illinois, Champaign, IL, and Harris-Stowe State College, St. Louis, MO. He is an active member of the Association for Supervision and Curriculum Development—national, State, and local—International Reading Association—national, State, and local—National Elementary Principals Association, and local 44, AFL/CIO Administrators Association.

Mr. Johnson continues to serve the community as a commissioner on the Civil Service Board of University City, MO. He is a longstanding member of St. Philip Lutheran Church, Omega Psi Phi fraternity, and Promethians, Inc.

Retirement will enable Mr. Johnson to pursue many of his other interests. He will enjoy spending more time with his wife, Geraldine, daughters Jana, Jennel, and Jacqueline, and nurturing his four wonderful grandchildren. An avid golfer and member of the University City Golf Club, he will undoubtedly spend time on many golf courses.

We congratulate Mr. Johnson on his outstanding career as an educator and wish him a retirement that is both challenging and fulfilling. Best wishes for good health and happiness for many years to come.

TRIBUTE TO RICHARD KOHRS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. BROWN of California. Mr. Speaker, I would like to rise in tribute to an individual who has made an enormous and enduring contribution to the Nation's civil space program. Mr. Richard Kohrs recently retired from the National Aeronautics and Space Administration after 30 years of distinguished service. Since 1989, Mr. Kohrs had directed the space station *Freedom* program with skill and an unquestioned integrity through a period of extreme budgetary and political uncertainty. He and the rest of the space station *Freedom* team brought discipline to a large, complex technological undertaking and made significant progress in the development of a viable permanent space station.

Mr. Kohrs' accomplishments on the space station program are reflective of a lifetime of achievement and public service. His professional career has spanned the Nation's history of human spaceflight, and he has played an important role in accomplishing many of America's finest achievements in space.

After graduation from Washington University and 7 years in the aerospace industry, Mr. Kohrs joined NASA in 1963 where he worked on the Apollo program. Following Apollo, Mr. Kohrs assumed positions of increasing responsibility in the space shuttle program, ultimately becoming Deputy Director of the Space Transportation System. Mr. Kohrs was a key leader of the return-to-flight effort after the *Challenger* accident and performed that task with distinction.

After being named Director of the space station *Freedom* program, Mr. Kohrs moved quickly to bring stability and progress to the program. He and his team set a high standard of accomplishment, culminating in the successful completion of the space station's critical design review. It is not an overstatement to say that Mr. Kohrs' leadership was instrumental in delivering a viable space station design and program to the Nation. The results of his work will provide the cornerstone of any future space station program, and he can take justifiable pride in a job well done.

Mr. Kohrs' qualifications and accomplishments have been amply recognized by his peers: he has been the recipient of some of NASA's and the aerospace community's most prestigious awards. I can only echo their judgments, and express my gratitude to Mr. Richard Kohrs for a lifetime of singular service to America's space program.

PAYING TRIBUTE TO MELWOOD

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. WYNN. Mr. Speaker, I rise today to pay tribute to Melwood. Melwood is a nonprofit agency located in Prince George's and Charles Counties which is celebrating its 30th anniversary this year. For 30 years, Melwood has searched for better ways to find jobs and homes for adults with developmental disabilities.

The founders of Melwood were parents who had raised their sons and daughters at home and had no wish to place them in an institution.

Virgil Dolly and the president of the ARC of Prince George's County, Don Gagnon, knew there had to be an alternative—the ARC was known as the Association for Retarded Children at the time.

They dreamed of a new approach for the training and employment of their adult children. They wished for their kids to be part of the community and be able to learn by working. We know today that they were ahead of their time and that their convictions have proved to be true, even more than they realized.

With 6.5 acres of donated surplus land from the Federal Government, a surplus army tent and an old surplus Navy pickup truck, the dream became a reality; the Melwood Agricultural Training Center was born in 1963. United Way dollars contributed almost 100 percent of the early years' annual budgets of $18,000, growing to $25,000 in a few years. These operating dollars were supplemented by civic groups donating equipment and actually constructing the first Melwood buildings.

The Silver Hill, South Gate and Clinton Lions, the Prince George's Lawyers Wives, the Officers Wives of Andrews Air Force Base, and the Hilltop Garden Club set an early precedent for the dozens of civic groups who followed.

As the years passed and more needs for service in Charles County became evident the Charles County Farm was founded in 1970. Again civic groups came forth, giving time and dollars. The Waldorf Jaycees and the Indian Head Lions Club led the way.

Next came the Melwood-Bowie VSI partnership where the Melwood Greenways program was initiated, serving Bowie residents. Here the first residential endeavor was housed, again thanks to community support. Prince George's County, which I represent, leased a house to Melwood on Route 301 at an annual cost of $1.

By the mid-1970's, the original 5 trainees had seen their ranks grow to over 100 workers and 8 residents. The Melwood community based on-the-job training models were regularly attracting nationwide attention. International organizations such as the International Labor Organization and the Partners of the Americas also were attracted by this unique approach to jobs. Melwood is on the verge of launching an international program which seeks to train professionals and consumers in the social-entrepreneurial model which has worked so well in our country.

Melwood's growth has continued, today serving 300 workers with job support, 61 persons with residential services, and more than 800 vacationers a year in the recreation travel program.

Melwood received a national grant from the Administration for Developmental Disabilities, the Department of Health and Human Resources. The grant has allowed Melwood to again prove to the community that persons with developmental disabilities have abilities and resources we would never conceive. Persons with developmental disabilities are buying and renting their own homes with Melwood's help and ongoing support.

The executive director, Earl Copus, summarizes Melwood's philosophy when he says:

> Look where we have been in 30 years * * * we are challenged to do better at serving our consumers with developmental disabilities. We will transform our agency to respond to their needs and wishes. We will be an agency where the controlling motivation will be consumer satisfaction.

Mr. Speaker, the success of Melwood is capsulated in these words: Congratulations to all of the people who are consumers, volunteers, and staff who make Melwood what it is.

SAY "NO" TO NAFTA

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. DIAZ-BALART. Mr. Speaker, I rise today to share with you a song written by one of my constituents, Mr. Lowell J. Reynertson, that warns us of some of the evils of the North American Free-Trade Agreement. I would like to commend Mr. Reynertson for his efforts and clever lyrics. Mr. Reynertson played this song at a recent town meeting in my district and I want to share it with the rest of the House of Representatives.

SAY NO TO NAFTA

(By Lowell J. Reynertson)

Shout from the rafta, SAY NO TO NAFTA, for it will send all U.S. workers down the drain.
Why do we hafta, still get the shafta, to pull this off I guess they think we have no brain.
Let's ram this NAFTA, right up their afta, the mandate vote to change our ills is still our aim.
If we pass NAFTA, we must be dafta, which means the lobbying of beggars still remain.
We're not as stupid as we look, we know when we are being took,
most heard it said I'm not a crook, it's time we played things by the book.
Our nations debt would go away, if living wages we'd OK,
so that in comfort all could stay, and income taxes gladly pay.
There'll be no lafta until here afta, if all these grafta NAFTA draftas get their say.
Let's stand united and not be slighted, and we can send these trouble-makers on their way.
We've gorged the greedy, ignored the needy, which has resulted in our buying power shot.
For change indeedy with mouths to feedy, we must awaken all the powers that we've got.
Let's make the people understand, a living wage all could demand.
If we would unionize this land, then everything would be so grand.
Let's put this country on a roll, and not get deeper in the hole.
There's far too many on the dole, so decent jobs would be our goal.
We'd be productive, and not corruptive, if opportunities existed as before,
But if we hafta, put up with NAFTA, then all the hopes and dreams we made would be no more.
But should this grafta, stick us with NAFTA, then we must tax-exempt all U.S. goods we make.
Restore these taxes, by raising taxes, on those that sold out all good labor by their take.
We know that then we must compete, impossible would be this feat.
Without our way of life deplete, from NAFTA's draftas sly deceit.

So if our servants sell us out, their days are
numbered, few will doubt.
We'll rise and shout, you've made your clout,
is mainly what this song's about.
SAY NO TO NAFTA—NO, NO, NO!

CHEST PHYSICIANS PLEDGE SMOKING CESSATION EFFORTS

HON. RICHARD J. DURBIN

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 19, 1993

Mr. DURBIN. Mr. Speaker, the members of the American College of Chest Physicians deserve the recognition of my colleagues for their longstanding efforts to reduce the number of unnecessary deaths and disease caused by tobacco use.

All physicians recognize that their patients will be healthier if they stop smoking. In recent years, the medical community has called attention to the important role physicians can play if they encourage their patients to stop smoking and provide support to help them end their addiction to tobacco. Many physicians have responded to this challenge and can count the patients whose lives have been extended as a result.

For more than a decade, however, one physician organization has made this goal a central component of its very identity. The American College of Chest Physicians has chosen to highlight the importance of this issue by incorporating a smoking cessation commitment into the traditional pledge taken by each new fellow of the college.

Since 1979, new initiates into the American College of Chest Physicians, as well as longtime members, have had the opportunity to make the following pledge:

> As a Fellow of American College of Chest Physicians and a leader in the most important struggle faced by chest physicians, the prevention and control of our major health problems of lung cancer, cardiovascular and chronic pulmonary disease, I shall make a special personal effort to control smoking and to eliminate this hazard from my office, clinic and hospital. I shall ask all of my patients about their smoking habits and I shall assist the cigarette smoker in stopping smoking. I make this pledge to my patients and to society.

Later this month, the college will gather, as it does each year, for its annual convocation. New fellows will be invited to take this pledge and continue the college's leadership in fighting our Nation's No. 1 preventable cause of death and disease—tobacco use.

I salute those physicians who already subscribe to this pledge and those who will commit themselves to implementing it in their medical practices in the future. Their willingness to question their patients regarding tobacco use and help those who decide to quit smoking is a demonstration of their commitment to the well-being of their patients and our society.

Someday—perhaps not in our lifetime, but someday—we will achieve the goal of a smoke-free society. When that day comes, the members of the college will no longer need to make this commitment regarding tobacco use. They will be able to take part of the credit for the improved health and well-being that accompanies a smoke-free lifestyle. Until that day comes, I hope the members of the college will continue to take the lead in the effort to reduce the unfortunate addiction to tobacco that plagues so many of our fellow citizens. I wish them well in their efforts.

TRIBUTE TO ROFEH INTERNATIONAL

HON. BARNEY FRANK

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 19, 1993

Mr. FRANK of Massachusetts. Mr. Speaker, on a regular basis, I have had the privilege of sharing with my colleagues information about ROFEH International, a very important charitable program run by the New England Chassidic Center under the direction of Grand Rabbi Levi Horowitz. Rabbi Horowitz, known as the Bostoner Rebbe, is a man of great distinction and scholarship, and among the areas where he continues to perform great service for others is in the medical field. Rabbi Horowitz is a leading authority in the field of medical ethics, and he has put his ethical concerns into practice through ROFEH International, which is a referral organization that helps make the excellent medical care in the Boston area available to a wide variety of people who might not otherwise be able to benefit from it. ROFEH does not simply help people learn about the medical care available; through ROFEH, people are able to receive housing and other forms of assistance that make it possible for them to come to Boston for necessary treatments. Rabbi Horowitz and the others who work so hard in ROFEH are entitled to celebrate their accomplishments, as they will on November 7, at the annual dinner of the New England Chassidic Center.

Two men in particular will be honored for the work they have done through ROFEH to benefit others. The Man of the Year is Gerald Elovitz, who has been a staunch supporter of the New England Chassidic Center in his works, and who is the very successful founder and head of the Building 19 retail operation and its related operations. Joining Mr. Elovitz as an honoree is Dr. Frederick Mandell who will receive the coveted Harry Andler Memorial Award. Dr. Mandell is associate clinical professor of pediatrics at Harvard Medical School, and senior associate in medicine at Children's Hospital Medical Center. He has spent a good deal of his time helping young patients from all over the world who come for medical help.

Mr. Elovitz is a longtime supporter and concerned friend of the New England Chassidic Center. He is a member of its Executive Board. Other memberships include: South Shore Chamber of Commerce, past president and now on the board of directors; member of the board of directors for the Hebrew Rehabilitation Center for the Aged; awarded 1987 Master Entrepreneur in Retail by Arthur Young/Ventura magazine; and serving on board of judges since 1988.

Gerry has been married to his wife Elaine for over 40 years. They were high school sweethearts. They have three grown and married children and eight grandchildren. Gerry is a graduate of Trinity College. Elaine graduated from Curry College and taught special need children for a number of years. She too, has been a devoted friend of the causes of the Bostoner Rebbe.

In celebration of 25 years in business, Gerry Elovitz set up a charitable foundation, which funds various small, local charities, local being the towns and cities where there is a Building 19 store. "It's our way of giving back to the communities," he said.

Dr. Mandell is the founder of the Massachusetts Chapter for Sudden Infant Death Syndrome and was the vice-chairman of the National Sudden Infant Death Syndrome Foundation. He is currently the editor of "Pediatric Alert" and chairman of the ROFEH International Medical Steering Committee.

Dr. Mandell's longtime interest in sudden infant death syndrome has brought him to the native American reservations of this country, where he is currently examining, with the American Academy of Pediatrics and the Indian Health Service, the exceptional high rates of Sudden Infant Death Syndrome among native American nations. Dr. Mandell was the recipient of a recent grant which resulted in the publication of the work "An Understanding of Sudden Infant Death Syndrome for Native Americans."

Presently, Dr. Mandell is serving on a medical team with four children's hospitals in the United States to build the first cooperative pediatric medical center in China. The accomplishments of Dr. Mandell extend to those students who have been influenced by his teaching, those children who have been aided in their time of illness, and those families for whom he has been a physician.

THE PASSPORT AND VISA OFFENSES PENALTIES IMPROVEMENT ACT OF 1993, H.R. 3302

HON. BENJAMIN A. GILMAN

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 19, 1993

Mr. GILMAN. Mr. Speaker, today I am introducing legislation—the Passport and Visa Offense Penalties Improvement Act of 1993, H.R. 3302—to bring long-needed improvements in our Nation's criminal laws as they relate to the penalties dealing with visa and passport fraud, and other criminal offenses involving the misuse of these vital travel and entry documents.

This Nation received a serious terrorist wake-up call in February of this year. The World Trade Center bombing in New York made it vividly clear that this Nation can be the target of international terrorism, especially on the very streets and in the offices and shops of our cities. Subsequent disclosures of other terrorist plots directed at elected political leaders in the United States, the United Nations complex, and even commuter tunnels in metropolitan New York have served to further shake our very confidence in our own safety from acts of terrorism. The costs of the Trade Tower bombing were enormous—six lives lost, including a constituent of mine, over 1,000 injuries, and an estimated $600 million or more lost in property and business disruptions. In light of these events we simply cannot afford not to be vigilant and concerned about international terrorism.

An examination of the United States visa processing system at the State Department following the Trade Tower bombing, and the erroneous entry into the United States by radical Sheik Omar Abdul Rahman, disclosed serious flaws and outdated operations and equipment being used in the issuance of U.S. travel visas. The State Department in the 1990's is still, in many places around the globe, using 1950's microfiche technology to maintain a lookout list of possible terrorists and other undesirable elements, ineligible for entry into the United States. We here in the Congress have called for that outmoded system to be changed, and we are working on administrative and legislative solutions to improve the visa processing systems.

A similar review of the criminal penalties currently on the books with regard to visa and passport fraud, and other offenses with regard to these important travel documents, which also can facilitate the entry of illegal aliens capable of committing acts of terrorism against the United States, reveals a need for improvement as well.

Recently, for example, it was reported that agents of the State Department's Bureau of Diplomatic Security arrested a document counterfeiter who had produced numerous forged U.S. travel visas, using a color copier, whose inauthenticity were almost undetectable. This is serious business. These agents need the most effective tools to do a very difficult job, which as this arrest shows, they are doing well, even with the limited tools with which they now have to operate. Currently, it is not unusual for major criminals convicted of passport and visa crimes—most of which are felonies—to receive light sentences, even probation. Now is the time to change that. My legislation does so effectively by making the punishment fit the crime.

The criminal penalties and categories of offenses with which the U.S. criminal justice system is concerned must proportionately reflect the seriousness of visa and passport crimes. My bill increases the maximum imprisonment time for these offenses specified in title 18, United States Code, sections 1541 to 1546. The penalties have not been raised since 1948; 45 years ago. It is time for a change. In addition, I have also added a new maximum 15-year term for offenses committed in the course of drug trafficking, and a 20-year term for offenses to facilitate international terrorism.

Also included in the bill, for the first time, are asset forfeiture penalties that will make the tools of these crimes as well as the fruits subject to civil forfeiture. So, for example, in the case of the printing of forged visas, such items as the printer, vehicles used to transport them, and any illicit gains could all be seized by the Government as a deterrent to these crimes.

I invite my colleagues to join me in sponsoring, and enacting this important legislation as soon as possible. I am pleased that joining me as original co-sponsors are Mr. McCollum, Mr. Hyde and Mr. Solomon. We need to be prepared to counter terrorism with all of the tools our law enforcement community needs and must have to do the job. I submit the full text of this bill to be printed at this point in the Record:

H.R. 3302

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Passport and Visa Offenses Penalties Improvement Act of 1993".

SEC. 2. PASSPORT AND VISA OFFENSES PENALTIES IMPROVEMENT.

(a) In General.—Chapter 75 of title 18, United States Code, is amended—

(1) in section 1541, by striking "not more than $500 or imprisoned not more than one year" and inserting "under this title or imprisoned not more than 10 years";

(2) in each of sections 1542, 1543, and 1544, by striking "not more than $2,000 or imprisoned not more than five years" and inserting "under this title or imprisoned not more than 10 years";

(3) in section 1545, by striking "not more than $2,000 or imprisoned not more than three years" and inserting "under this title or imprisoned not more than 10 years";

(4) in section 1546(a), by striking "five years" and inserting "10 years";

(5) in section 1546(b), by striking "in accordance with this title, or imprisoned not more than two years" and inserting "under this title or imprisoned not more than 10 years"; and

(6) by adding at the end the following:

"§ 1547. Alternative imprisonment maximum for certain offenses

"Notwithstanding any other provision of this title, the maximum term of imprisonment that may be imposed for an offense under this chapter (other than an offense under section 1545)—

"(1) if committed to facilitate a drug trafficking crime (as defined in 929(a) of this title) is 15 years; and

"(2) if committed to facilitate an act of international terrorism (as defined in section 2331 of this title) is 20 years.".

(b) Clerical Amendment.—The table of sections at the beginning of chapter 75 of title 18, United States Code, is amended by adding at the end the following new item:

"1547. Alternative imprisonment maximum for certain offenses.".

(c) Asset Forfeiture.—Section 981(a)(1) of title 18, United States code, is amended by inserting after subparagraph (F) the following:

"(G) Any property used in committing an offense under section 1543 or 1546 of this title or for which the maximum authorized imprisonment is set by section 1547 of this title.".

BOB MICHEL: A LEADER AND A FRIEND

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. EMERSON. Mr. Speaker, upon the announcement of leader Bob Michel's retirement, I want to take this moment to pay tribute to this tireless fighter. I came to the House in the 97th Congress, the year Bob was elected Republican leader. Bob has toiled in the vineyards of national and House GOP policy and politics for some 38 years. His commitment was always first to the citizens of central Illinois who have continually returned him to represent their needs and interests, always in the perspective it should have been. Bob understood the importance of forwarding a legislative agenda that was positively good for the country, not necessarily good for party or person. Bob's service and perspective is embodied in that dictum of a statesman of another day, "He serves his party best who serves his country best."

Bob is someone we once junior Members could turn to in our early years of service, for political advice and help in tough early races we invariably seem to face. Notwithstanding the grueling business of the week here, he traveled to my hometown of Cape Girardeau one beautiful fall evening many years ago, to help me prepare for what would become my toughest election. The people in attendance were enlightened by his perspective on politics and the direction of the country, and were also glad to share moments of his lighthearted humor and join him in song to cap a warm, yet spirited evening. In those and so many other efforts, Bob Michel proved himself to be a friend, one that will not be forgotten. I count myself among the lucky to have served in this House under the leadership of Bob Michel, a classic gentleman, legislator, and friend. I wish him much happiness as he moves into yet a new stage of life and leadership, and want to share with our colleagues some of Bob's perspective as it appears today on the op-ed page of the Washington Times. It is a statement of vision, philosophy, and leadership that well reflects the manner, love of this institution, and commitment to high ideals that Bob Michel has exemplified in his service here.

[From the Washington Times, Oct. 19, 1993]

MY CURIOUSLY BASELESS REPUTATION AS A MODERATE AND COMPROMISER

(By Robert H. Michel)

A funny thing happened to me upon my recent announcement not to seek re-election in 1994. I discovered, as I read press accounts of my decision, that I am a political "moderate" and that "compromise" has been my major legislative tactic.

The fact that neither of these words happens to reflect the reality of my career—or the complexities of legislative life—appears to be beside the point to those who create such labels, and I am certain that when my time comes to meet my Maker, the obituary will tell of "Michel, the Moderate Compromiser." Perhaps it is time to try to set the record straight—or, at least, to examine what those words really mean.

By every accepted means of measuring voting records, liberal or conservative, I am just about as conservative as any Republican member of the leadership in the House today, or in my lifetime. I led the House Republicans in helping to pass all of President Ronald Reagan's economic policies of the early 1980s. Throughout the Cold War, I consistently voted and spoke out for a strong national defense, and, in the House, led the Reagan-Bush legislative efforts on national security.

That I am not what is called a "movement" or activist ideological conservative is, of course, true, and I have had my share of criticism from the Washington-based conservative political activists and journalist (including, on a regular basis, the editors of The Washington Times). But it has long been my belief that true conservatism is not defined by the dogmatic utterances of self-appointed ideological gurus (real conservatives leave such thought-policing to the liberals). Conservatism—if the word is to mean anything at all—must at the very least mean adherence to political truths rooted in historical experience. Judged by that standard, my voting record over 38 years—on foreign policy, defense, and the economy—is conservative, not "moderate."

As for the "compromising" label, I have always stressed the need to reach reasonable bipartisan legislative solutions whenever possible, a view that is anathema to ideologues of the left and right. My belief is rooted in the conviction that my constituents sent me to Congress not to pose or posture or preach, but to pass good bills, make bad bills more palatable through amendments or to oppose bad bills that are not amendable.

But I also recognize there are times when direct confrontation is necessary. In the 1970s, as ranking member of the House Appropriations Committee, I regularly called for cuts in many programs, including some agricultural programs very popular among farmers in my district. Year after year, I came to the floor with what was termed "the Michel amendment," offering to cut the appropriations bill by a certain percentage. The Democrats who regularly savaged me (and defeated my amendments by 2-to-1 margins) didn't think I was compromising, nor did my fellow Republicans. During the 1980s, I led every single fight for the Reagan administration on Central American policy, one of the most heated and intensely partisan controversies ever to come before Congress. (And one that didn't have any direct political payoff back home for me.) My leadership in the Gulf War certainly did not involve compromise.

So why the labels? I guess it is because throughout my career, and particularly during my term as leader, I have committed the one political sin that ideologues cannot forgive: I do not hate government. I believe legislators are sent to Congress to make government work well. I believe the government of the United States is one of the greatest conservative accomplishments in history, and I am intensely proud that I have been part of it for all these years.

The Founders were conservative, and the Constitution they gave us created a government that is rooted in conservative beliefs about human nature and the absolute necessity to have a government that is at once limited and strong (if the Founders had not been willing to compromise, we would not have a Constitution).

Conservatives, and Republicans of all stripes, must understand government is not the enemy—wasteful government, intrusive government, irresponsible government, corrupt government is the enemy. The people of the United States are not happy with government when it does not work well. But make no mistake about it: Americans from the beginning have realized that the governmental system left to us by the Founders is the best in the world. Just ask the people of the former Soviet Union and Eastern Europe whether they think our form of government is an "enemy." They realize all too well what a profound blessing stable, orderly government, based on law and with a true division of powers, can be. In my view, any political party that bases its appeal on Perot-like government-bashing will deserve exactly the failure it gets in 1994 and 1996.

EMERGENCY UNEMPLOYMENT BENEFITS EXTENSION ACT

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. SYNAR. Mr. Speaker, I was unavoidably absent last week when the House voted on H.R. 3167, the Emergency Unemployment Benefits Extension Act. I strongly support this bill because it fulfills a promise made to more than 1 million American workers whose unemployment insurance benefits will run out over the next 4 months and who continue to struggle to find productive jobs in a turbulent economy. This 4-month extension is essential for long-term unemployed workers who are trying to keep themselves and their families afloat while they seek work.

We are facing a situation where there are persistent pockets of unemployment throughout many sections of the Nation. This legislation will enable us to provide unemployment benefits for 7 or 13 weeks depending on a State's unemployment rate. While our economy continues to gain momentum, we cannot ignore those who are victims of a labor market that continues to battle a proliferation of low-wage, low-skill jobs. This bill provides crucial benefits to unemployed workers who need our help right now.

Mr. Speaker, there is another promise we need to keep to the American public, and that is the real story behind this piece of legislation. There are still over 8 million Americans who are searching for steady jobs and who will be forced to choose low-wage jobs because they lack high-wage skills.

So, we must reinvent the job training programs designed to prepare our workers for the future. This bill begins to address this issue by identifying displaced workers and referring them to job assistance programs early in their unemployment. This is a good start, but we need to confront the reality of a global economy, create better school-to-work programs and recognize the driving force of technology. These programs must be streamlined and those that are duplicative should be consolidated, so that we better target our fiscal resources to Federal programs that achieve results on a local level. Our ultimate goal is to ensure that these workers have access to effective job training programs and then master a set of marketable, technical skills.

I look forward to working with my colleagues and the President as we continue to carve out a strategy to create high-wage jobs, retrain our workers and grow this economy. H.R. 3167 is a key part of this effort, and I am glad that it received overwhelming support from my colleagues during last week's vote.

THE SPREAD OF TOBACCO USE IN EASTERN EUROPE

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. MEEHAN. Mr. Speaker, I rise today to bring to the attention of my colleagues the spread of tobacco use in Eastern Europe. While the United States attempts to stem the toll of tobacco-caused disease and death and grapples with a proposed cigarette health tax, the people of Eastern Europe have become the primary target of U.S. tobacco companies in their attempt to compensate for their losses here at home. Americans are smoking less and less each year, causing tobacco companies to exercise their trade leverage to force open the doors to developing democratic countries, specifically Eastern Europe, and promote the export of U.S. tobacco products. The results are disease and death.

Mr. Speaker, as we all well know, tobacco use is the most preventable cause of disease and premature death. And in Central and Eastern Europe, tobacco use is responsible for one-third of all deaths. Today, U.S. tobacco companies threaten to contribute to the spread of tobacco addiction among the new generations of these developing countries who need our help now more than ever.

Recently, public health leaders from 13 Central and Eastern European countries declared a mutual defense pact against the marketing aggression of the tobacco industry. On behalf of his colleagues, Prof. Witold Zatonski, head of epidemiology at the Polish Institute of Oncology, wrote to President Clinton requesting that he fulfill the promise and spirit of his tobacco control initiatives as well as his promise for aid by restraining the aggressive overseas marketing by U.S.-based tobacco companies and help implement comprehensive, effective tobacco control programs.

Professor Zatonski writes,

> The transnational tobacco companies [TTC's] exploit our countries' desperate need for immediate economic investment. But, in so doing, they damage our health and ruin our longer term economic well-being. And in their political maneuvering to resist normal and appropriate public health measures, the TTC's also threaten to corrupt our emerging democratic institutions.

He continues,

> As a minimum, Mr. President, we also ask that the United States impose advertising marketing, and labeling restraints on the overseas activities of US-based tobacco companies at least as strong as those imposed upon them for the protection of your own people.

Mr. Speaker, America promised the people of Eastern Europe aid and support for reconstruction, but we have only provided cancer and heart disease. I hope that in a time when our country is focusing on improving the health care of our own citizens, we can also lend a hand to our friends overseas.

H.R. 3288, THE PUBLIC ACCOMMODATIONS EXCEPTIONS ACT OF 1933

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. PASTOR. Mr. Speaker, last week my colleague Representative CRAIG THOMAS and I introduced H.R. 3288, the Public Accommodations Exceptions Act of 1993. I would like to take this opportunity to explain to my colleagues the need for this legislation.

Under U.S. copyright laws, the hospitality industry, including restaurants, taverns, and other retail alcohol beverage establishments, must pay fees to performing rights societies for the public performance of music, musical records, and tapes. These performing rights societies, such as the American Society of Composers, Authors and Publishers [ASCAP], Broadcast Music Industry [BMI], and SESAC, negotiate contracts separately with retailers and, in many cases, all three of these societies could seek payment of fees for the right to play copyrighted materials in an establishment. One exception to the payment of these fees by the hospitality industry is the use of radios and loudspeakers that are commonly used in a private home.

In various U.S. Supreme Court cases and in changes made to the copyright laws, it has been decided that small establishments that merely "augment a home-type receiver" would be exempt from the fees of the performing rights societies. In many cases, these licensing organizations have construed that any television over 36 inches, including big-screen televisions, to be other than "of a kind commonly used in private homes." However, technology has far outpaced the size of the screen, to arbitrarily force our retailers to pay fees for the television that might have a larger screen than that.

Representatives of the retail hospitality establishments in my State of Arizona and others around the country have discussed this issue with me. I believe that it is time for Congress to amend the 1976 Copyright Act to provide for a total exception from licensing fees paid to the performing rights societies for music copyrights relating to the radio and television equipment used in these establishments, provided that no direct charge is made to see or hear the transmissions. Congress needs to explore this issue in public hearings.

I urge my colleagues to join me in supporting this legislation introduced by Representative CRAIG THOMAS.

A TRIBUTE TO THE HIGH DESERT CULTURAL ARTS FOUNDATION

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of the High Desert Cultural Arts Foundation [HDCAF] in California's artistic high desert. Under the guidance of Dr. Gudelia McMurray, the foundation is once again sponsoring its preeminent fundraising event in November, the 1993 Aurora Ball.

The HDCAF was founded and incorporated 5 years ago, thanks to the ambitious vision and boundless enthusiasm of a small group of local artists and art enthusiasts. Its primary mission is to promote the appreciation and advancement of the arts in the high desert. The HDCAF seeks to encourage and nurture artists by supporting and endorsing numerous art groups, raising funds to provide grants to qualified, nonprofit art organizations, and awarding scholarships to gifted individuals interested in the arts.

The ultimate mission for the HDCAF is the establishment of a cultural arts center including an art gallery, theatre, and facilities for instruction and training of interested individuals and groups in the visual, graphic, and performing arts. Once completed, the arts center will provide a cultural environment and climate unique to California's high desert conducive to the advancement of the arts.

In support of its goals, the HDCAF has sponsored over the past 4 years a very successful 3-day Presidio Arts Festival at the Jess Ranch in Apple Valley. This fantastic event has attracted artists and supporters of the arts from throughout southern California and Arizona. Through this festival, artists have discovered an opportunity to exhibit and sell their works in diverse media—oil paintings, sculptures, water colors, photographs, and others. In June of this year, the festival became a multicultural event. In addition to art exhibitions, this year's festival featured performances by local dance, music, and theatre groups including the Shenanigans Youth Theatre, the Mojave Community Theatre, Creative Energy, Entertainers Plus, and the Gold Diggers Dancers.

Mr. Speaker, as a longtime patron and supporter of the arts, I too, am enthusiastic about the mission of the High Desert Cultural Art Foundation. Recognizing and advancing the arts in our high desert communities will not only promote current artistic talent, but will foster cultural diversity and inspire future generations of artists. Please join me in wishing HDCAF the best success with this year's Aurora Ball and recognizing this wonderful organization for its inspired leadership in the arts.

HONORING MAJ. GEN. DALE TABOR ON THE OCCASION OF HIS RETIREMENT FROM THE U.S. AIR FORCE

HON. BILL SARPALIUS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. SARPALIUS. Mr. Speaker, I ask my colleagues to join me in honoring Maj. Gen. Dale C. Tabor on the occasion of his retirement from the U.S. Air Force. General Tabor has served his country for 32 years and has been a shining example of the values and traditions which make America great.

General Tabor was born on August 26, 1938, in Clyde, TX, where he graduated from high school in 1956. He went on to complete a bachelor of science degree at the U.S. Air Force Academy. That degree earned him a commission in the USAF and started his promising career. General Tabor continued his education throughout his Air Force career and received a master's degree through the Air Force Institute of Technology program at UCLA. He also attended the Air Command and Staff College and the National War College.

General Tabor should be honored first as a family man and father. He married Kay York from his hometown of Clyde and they became the proud parents of a son and a daughter, Russell and Jill. Their family has endured with high spirits the sacrifices required of a member of the Armed Forces because they knew the cause was just and honorable. General Tabor and his wife never allowed the rigors of military life to enjoin them from passing on their rich family values to their children. The Tabor children now set a fine example for their peers.

General Tabor's long military service is highlighted by many worthy accomplishments. He is a command pilot with 4,000 hours of flight time including 223 combat missions in Southeast Asia. He served as commander of the 333rd Tactical Fighter Squadron at Davis-Monthan Air Force Base, AZ; wing commander, 81st Tactical Fighter Wing at Royal Air Force Station, Bentwaters, England; and assistant deputy chief of staff for operations, Headquarters U.S. Air Force in Europe.

General Tabor has also made significant contributions to both his country and his service through command of the Lowery Technical Training Center in Colorado and ultimately the 82d Training Wing, Sheppard Air Force Base, TX. It is through command of these training facilities that General Tabor was able to serve this country in his highest capacity, for here he seized the opportunity to mold young minds and ensure the well-being of America for future generations.

Beyond his mission in the USAF, no tribute to Dale Tabor would be complete without a look at how he distinguished himself again and again as one of America's finest. He has been decorated numerous times and is the recipient of honors such as the Legion of Merit—three times—, the Distinguished Flying Cross, the Distinguished Service Medal, and the Bronze Star, to name but a few.

To be sure, Maj. Gen. Dale Tabor has left a legacy that is rich in tradition, service, and values. In both war and peace he found ways to serve above and beyond the call of duty. His retirement represents the culmination of a stunning military career. He will be sorely missed. I trust my colleagues will join me in honoring Maj. Gen. Dale C. Tabor, a man devoted to the United States of America.

ROBERT A. MERCER III BECOMES EAGLE SCOUT

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Robert A. Mercer III of Troop 66 in Garden City and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 merit badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. These young men have distinguished themselves in accordance with these criteria.

For his Eagle Scout project, Robert supervised the general cleanup of Wildflower Drive playground where debris had been allowed to accumulate over a period of time. Children who live in this section of Cranston are now able to enjoy their neighborhood playground due to Robert's efforts.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Robert A. Mercer III. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 80 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Robert A. Mercer III will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

TRIBUTE TO LABOR LEADER AL GARRISON

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. LEHMAN. Mr. Speaker, I rise today to pay tribute to Al Garrison, the 1993 Labor Leader of the Year for the 14,000-member Fresno-Madera Central Labor Council.

I'm especially proud because I have known Al for a number of years and I can tell you that when asked, Al has always been there for his union and for his community.

Like many who are involved in the labor union movement, Al comes from a family of dedicated union members, a legacy that began with his late father who was a member of the Teamsters for more than 20 years and which continues today with Al's three sons who are in the union sheet metal trade.

Al almost gave up becoming an apprentice, but I'm glad he didn't. He completed his apprenticeship in 1966 and he has been an active union sheet metal worker ever since.

"I liked the possibility of being able to make money while I was being trained, and sheet metal work sounded a lot more interesting than the other jobs I'd been doing," he recalled. Al credits his mother, Elsie, for getting him involved in being more than just a member of Sheet Metal Workers Local Union 252.

Al accepted his first position as an executive board member with local 252 in 1970. In 1973 he was elected president, and went on in 1979 to serve as the union's business manager. After a merger, Al was named the local's business agent, a position he has held ever since.

"To see a poor little country boy like me end up with this much—to be honored like this—well, I'm really humbled by it," Al said of his selection as Labor Leader of the Year.

He is currently the vice president of the Central Labor Council and he serves as a member of the council's executive board. Al is also a trustee for the Sheet Metal Workers Northern California Health Care and Pension Plan, and is secretary of the Sheet Metal Workers Joint Apprenticeship Committee.

Al is a past president of the Clovis Y Men's Club and the Clovis Junior Soccer League, as well as a former coach at both the Clovis Little League and Clovis Junior Soccer.

HONORING OSCAR WASSERMAN ON THE OCCASION OF HIS 100TH BIRTHDAY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. GILLMOR. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing Oscar Wasserman of Fremont, OH, on the occasion of his 100th birthday, October 22, 1993.

Like many of my colleagues, I look forward to spoiling my grandchildren. Oscar has had the chance to indulge not only 10 grandchildren but 20 great-grandchildren, and 7 great-great-grandchildren.

Oscar is lucky enough to have lived his entire life in Fremont, OH. He began working for H & M Bakery at age 19, delivering bread with a horse and wagon. He went on to work for Hench's Pastry, and in 1927, purchased the Pastry from Mr. Hench. He operated the Pastry until his retirement in 1964, when he sold it to his son-in-law, Louis Reinbolt.

Oscar's success in business has mirrored his achievements in public service. He is a member of the Knights of Columbus. In fact, he is the first member of Fremont Council No. 591 to reach 100 years old. In addition, Oscar is a charter member of the Lion's Club and a honorary member to Catholic Knights of Ohio.

Mr. Speaker, we have often heard that America works because of the unselfish contributions of her citizens. I know that Ohio is a much better place to live because of the dedication and countless hours of service given over the years by Oscar Wasserman.

I ask my colleagues to join me in paying tribute to Oscar Wasserman's record of personal accomplishments and wishing him all the best in the years ahead.

WOMEN'S PREVENTIVE HEALTH CARE INITIATIVE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 19, 1993

Mr. NADLER. Mr. Speaker, I rise today to introduce a House concurrent resolution which expresses the sense of the Congress that any comprehensive health care reform legislation that is enacted must ensure that women receive appropriate breast and cervical cancer screenings and general gynecological care.

According to the Centers for Disease Control, in 1993, over 50,000 women will die from breast and cervical cancers, many of whom could have been treated, had they had access to screening for these deadly diseases. In the 1990's alone, over half a million American women will lose their lives to breast and cervical cancers, despite available technology offering easy and early diagnosis. Tragically, much of this suffering could be averted through early, frequent, and easily accessible detection and treatment services like mammograms and Pap smears. Experience has proven that these screenings save lives. Ensuring universal access to regular screenings can save even more lives.

Having lost my mother-in-law to breast cancer, I am all too aware of the extraordinarily high incidences of breast cancer, and the devastation that it can bring. It is even more frustrating when a family finds out that an early mammogram may have saved that loved one's life.

The President's health care plan makes a good start by committing this Nation to universal coverage for all women. We must ensure, however, that women are covered for all tests recommended by the best available medical knowledge.

This resolution will express the sense of the Congress that any national comprehensive benefits package should cover annual mammograms for women who are at least 40 years of age and at any earlier age if a woman's medical history indicates a need for more frequent screenings. It also expresses the sense that annual Pap smears and any other gynecological exams or tests be covered as well. It should be noted that this resolution takes into consideration the recommendations of the American College of Obstetricians and Gynecologists.

It is vital that Congress go on record now in favor of preventive health care for women. With proper gynecological screenings and preventive health measures we can surely save the lives of many women, and prevent suffering endured by many women and their families. It is absolutely necessary that these services be included as a clear and definite component of a woman's health care regimen.

Mr. Speaker, I urge my colleagues to join me and cosponsor this important health care resolution.